much more than ever thought. In 1967, experts predicted that the then-new Medicare program would cost $12 billion in 1990. Actual Medicare spending in 1990 was $110 billion.

Instead of growing government, increasing bureaucracy, and creating more requirements, we must invest in wellness and prevention and promote cost savings and personal responsibility. All of that will improve opportunities for Americans.

□ 1600

HEALTH CARE

(Mr. SCALISE asked and was given permission to address the House for 1 minute.)

Mr. SCALISE. Mr. Speaker, I rise in opposition to this latest attempt at a government takeover of health care that has been proposed by Speaker PELOSI.

Now, this 1,990-page bill that has just been filed a few days ago by the Speaker adds up to over a trillion dollars of new spending. If you break this spending down, how much does this really cost? $530 million per page, $530 million per page.

What's in this bill? Sure enough, they still have components that allow a health care czar to take away your health care plan even if you like it. They still have over $700 billion in new taxes on the backs of small businesses and families. Yes, as senior citizens know well, they still have over $500 billion in cuts to Medicare.

Now, with all of these horrible provisions, this has nothing to do with health care reform. It is clearly an attempt at a government takeover of health care. In fact, this bill at $530 million per page has been called the worst bill ever by The Wall Street Journal. Let's do real reform.

HEALTH CARE

(Mrs. BACHMANN asked and was given permission to address the House for 1 minute.)

Mrs. BACHMANN. Mr. Speaker, there is one thing that we need to know about this health care bill that Speaker PELOSI is putting before the American people. It's what President Barack Obama's economic adviser Christina Romer said: simply this, if this bill passes it will mean 5.5 million job losses.

That's probably why the Wall Street Journal has called this the worse bill ever. Epic new spending and taxes, pricier insurance, rationed care, dishonest accounting, the Pelosi bill has it all, but even worse, in an already downbeat economy, 5.5 million jobs lost. Let's go with the positive alternative, which the Republicans have been happy to share with the President.

Let's pass a positive alternative for the American people and not have job loss.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

OPPOSING ANY ENDORSEMENT OR FURTHER CONSIDERATION OF REPORT OF THE UNITED NATIONS FACT FINDING MISSION ON THE GAZA CONFLICT

Mr. BERMAN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 867) calling on the President and the Secretary of State to oppose unequivocally any endorsement or further consideration of the ''Report of the United Nations Fact Finding Mission on the Gaza Conflict'' in multilateral fora, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 867

Whereas, on January 12, 2009, the United Nations Human Rights Council passed Resolution A/HRC/S–9/L.1, which authorized a ''fact-finding mission'' regarding Israel's conduct of Operation Cast Lead against violent militants in the Gaza Strip between December 27, 2008, and January 18, 2009;

Whereas the resolution pre-judged the outcome of its investigation, by one-sidedly mandating the ''fact-finding mission'' to ''investigate all violations of international human rights law and International Humanitarian Law by . . . Israel, against the Palestinian people . . . particularly in the occupied Gaza Strip, due to the current aggression'';

Whereas the mandate of the ''fact-finding mission'' makes no mention of the relentless rocket and mortar attacks, which numbered in the thousands and spanned a period of eight years, by Hamas and other violent militant groups in Gaza against civilian targets in Israel, that necessitated Israel's defensive measures;

Whereas the ''fact-finding mission'' included a member who, before joining the mission, had already declared Israel guilty of committing atrocities in Operation Cast Lead by signing a public letter on January 11, 2009, published in the Sunday Times, that called Israel's actions ''war crimes'';

Whereas the mission's flawed and biased mandate gave serious concern to many United Nations Human Rights Council Member States which refused to support it, including Bosnia and Herzegovina, Cameroon, Canada, France, Germany, Italy, Japan, the Netherlands, the Republic of Korea, Slovakia, Slovenia, Switzerland, Ukraine, and the United Kingdom of Great Britain and Northern Ireland;

Whereas the mission's flawed and biased mandate troubled many distinguished individuals who refused invitations to head the mission;

Whereas Justice Richard Goldstone, who chaired the ''United Nations Fact Finding Mission on the Gaza Conflict'', told the then-President of the UNHRC, Nigerian Ambassador Martin Ihoeghian Uhomoibhi, that he intended to broaden the mandate of the Mission to include ''all violations of international human rights law and international humanitarian law that might have been committed at any time in the context of the military operations that were conducted in Gaza during the period from 27 December 2008 and 18 January 2009, whether before, during or after'', a phrase that, according to Justice Goldstone, was intended to allow him to investigate Hamas attacks on Israeli civilians;

Whereas Ambassador Uhomoibhi issued a statement on April 3, 2009, that endorsed part of Justice Goldstone's proposed broadened mandate but deleted the phrase ''before, during, and after'', and added inflammatory anti-Israeli language;

Whereas a so-called broadened mandate was never officially endorsed by a plenary meeting of the UNHRC, neither in the form proposed by Justice Goldstone nor in the form proposed by Ambassador Uhomoibhi;

Whereas, on September 15, 2009, the ''United Nations Fact Finding Mission on the Gaza Conflict'' released its report;

Whereas the report repeatedly made sweeping and unsubstantiated determinations that the Israeli military had deliberately attacked civilians during Operation Cast Lead;

Whereas the authors of the report admit that ''we did not deal with the issues . . . regarding the problems of conducting military operations in civilian areas and second-guessing decisions made by soldiers and their commanding officers 'in the fog of war.' '';

Whereas in the October 16th edition of the Jewish Daily Forward, Richard Goldstone, the head of the ''United Nations Fact Finding Mission on the Gaza Conflict'', is quoted as saying, with respect to the mission's evidence-collection methods, ''If this was a court of law, there would have been nothing proven.'';

Whereas the report, in effect, denied the State of Israel the right to self-defense, and never noted the fact that Israel had the right to defend its citizens from the repeated violent attacks committed against civilian targets in southern Israel by Hamas and other Foreign Terrorist Organizations operating from Gaza;

Whereas the report largely ignored the culpability of the Government of Iran and the Government of Syria, both of whom sponsor Hamas and other Foreign Terrorist Organizations;

Whereas the report usually considered public statements made by Israeli officials not to be credible, while frequently giving uncritical credence to statements taken from what it called the ''Gaza authorities'', i.e. the Gaza leadership of Hamas;

Whereas, notwithstanding a great body of evidence that Hamas and other violent Islamist groups committed war crimes by using civilians and civilian institutions, such as mosques, schools, and hospitals, as shields, the report repeatedly downplayed or cast doubt upon that claim;

Whereas in one notable instance, the report stated that it did not consider the admission of a Hamas official that Hamas often ''created a human shield of women, children, the elderly and the mujahideen, against [the Israeli military]'' specifically to ''constitute evidence that Hamas forced Palestinian civilians to shield military objectives against attack.'';

Whereas Hamas was able to significantly shape the findings of the investigation mission's report by selecting and prescreening some of the witnesses and intimidating others, as the report acknowledges when it notes that ''those interviewed in Gaza appeared reluctant to speak about the presence

of or conduct of hostilities by the Palestinian armed groups . . . from a fear of reprisals'';

Whereas even though Israel is a vibrant democracy with a vigorous and free press, the report of the ''fact-finding mission'' erroneously asserts that ''actions of the Israeli government . . . have contributed significantly to a political climate in which dissent with the government and its actions . . . is not tolerated'';

Whereas the report recommended that the United Nations Human Rights Council endorse its recommendations, implement them, review their implementation, and refer the report to the United Nations Security Council, the Prosecutor of the International Criminal Court, and the United Nations General Assembly for further action;

Whereas the report recommended that the United Nations Security Council—

(1) require the Government of Israel to launch further investigations of its conduct during Operation Cast Lead and report back to the Security Council within six months;

(2) simultaneously appoint an ''independent committee of experts'' to monitor and report on any domestic legal or other proceedings undertaken by the Government of Israel within that six-month period; and

(3) refer the case to the Prosecutor of the International Criminal Court after that six-month period;

Whereas the report recommended that the United Nations General Assembly consider further action on the report and establish an escrow fund, to be funded entirely by the State of Israel, to ''pay adequate compensation to Palestinians who have suffered loss and damage'' during Operation Cast Lead;

Whereas the report ignored the issue of compensation to Israelis who have been killed or wounded, or suffered other loss and damage, as a result of years of past and continuing rocket and mortar attacks by Hamas and other violent militant groups in Gaza against civilian targets in southern Israel;

Whereas the report recommended ''that States Parties to the Geneva Conventions of 1949 start criminal investigations [of Operation Cast Lead] in national courts, using universal jurisdiction'' and that ''following investigation, alleged perpetrators should be arrested and prosecuted'';

Whereas the concept of ''universal jurisdiction'' has frequently been used in attempts to detain, charge, and prosecute Israeli and United States officials and former officials in connection with unfounded allegations of war crimes and has often unfairly impeded the travel of those individuals;

Whereas the State of Israel, like many other free democracies, has an independent judicial system with a robust investigatory capacity and has already launched numerous investigations, many of which remain ongoing, of Operation Cast Lead and individual incidents therein;

Whereas Libya and others have indicated that they intend to further pursue consideration of the report and implementation of its recommendations by the United Nations Security Council, the United Nations General Assembly, the United Nations Human Rights Council, and other multilateral fora;

Whereas the President instructed the United States Mission to the United Nations and other international organizations in Geneva to vote against resolution A–HRC–S–12–1, which endorsed the report and condemned Israel, at the special session of the Human Rights Council held on October 15–16, 2009;

Whereas, on September 30, 2009, Secretary of State Hillary Clinton described the mandate for the report as ''one-sided'';

Whereas, on September 17, 2009, Ambassador Susan Rice, United States Permanent Representative to the United Nations, expressed the United States' ''very serious concern with the mandate'' and noted that the United States views the mandate ''as unbalanced, one-sided and basically unacceptable'';

Whereas the ''Report of the United Nations Fact Finding Mission on the Gaza Conflict'' reflects the longstanding, historic bias at the United Nations against the democratic, Jewish State of Israel;

Whereas the ''Report of the United Nations Fact Finding Mission on the Gaza Conflict'' is being exploited by Israel's enemies to excuse the actions of violent militant groups and their state sponsors, and to justify isolation of and punitive measures against the democratic, Jewish State of Israel;

Whereas, on October 16, 2009, the United Nations Human Rights Council voted 25–6 (with 11 states abstaining and 5 not voting) to adopt resolution A–HRC–S–12–1, which endorsed the ''Report of the United Nations Fact Finding Mission on the Gaza Conflict'' and condemned Israel, without mentioning Hamas, other such violent militant groups, or their state sponsors; and

Whereas efforts to delegitimize the democratic State of Israel and deny it the right to defend its citizens and its existence can be used to delegitimize other democracies and deny them the same right: Now, therefore, be it

Resolved, That the House of Representatives—

(1) considers the ''Report of the United Nations Fact Finding Mission on the Gaza Conflict'' to be irredeemably biased and unworthy of further consideration or legitimacy;

(2) supports the Administration's efforts to combat anti-Israel bias at the United Nations, its characterization of the ''Report of the United Nations Fact Finding Mission on the Gaza Conflict'' as ''unbalanced, one-sided and basically unacceptable'', and its opposition to the resolution on the report;

(3) calls on the President and the Secretary of State to continue to strongly and unequivocally oppose any endorsement of the ''Report of the United Nations Fact Finding Mission on the Gaza Conflict'' in multilateral fora, including through leading opposition to any United Nations General Assembly resolution and through vetoing, if necessary, any United Nations Security Council resolution that endorses the contents of this report, seeks to act upon the recommendations contained in this report, or calls on any other international body to take further action regarding this report;

(4) calls on the President and the Secretary of State to strongly and unequivocally oppose any further consideration of the ''Report of the United Nations Fact Finding Mission on the Gaza Conflict'' and any other measures stemming from this report in multilateral fora; and

(5) reaffirms its support for the democratic, Jewish State of Israel, for Israel's security and right to self-defense, and, specifically, for Israel's right to defend its citizens from violent militant groups and their state sponsors.

The SPEAKER pro tempore (Mr. CUMMINGS). Pursuant to the rule, the gentleman from California (Mr. BERMAN) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from California.

Mr. ELLISON. Mr. Speaker, I would inquire whether the gentlewoman from Florida is opposed to the resolution. If she is not, I request the time in opposition to the resolution, because I am, in fact, opposed to the resolution.

Ms. ROS-LEHTINEN. Mr. Speaker, I do not oppose the resolution.

The SPEAKER pro tempore. The gentleman from Minnesota will be recognized for 20 minutes in opposition.

Mr. BERMAN. Mr. Speaker, I ask unanimous consent to divide my debate time equally with the ranking member, the gentlewoman from Florida (Ms. ROS-LEHTINEN).

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

There was no objection.

GENERAL LEAVE

Mr. BERMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include material on the resolution under consideration.

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

There was no objection.

Mr. BERMAN. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. KLEIN).

Mr. KLEIN of Florida. Mr. Speaker, I rise to support H. Res. 867, a resolution that calls on the Secretary of State and the President to unequivocally oppose further consideration of the Goldstone Report in international arenas.

This resolution sends a clear message to the international community. The Goldstone Report does nothing to advance peace and security in the Middle East. Rather, it serves to reinforce the deep mistrust that pervades the region and excuses the actions of terrorist groups and their state sponsors.

The Goldstone Report ignores the facts. The terrorist threat surrounding Israel's defensive actions in Gaza require a decisive response, and any sovereign nation would have and should have done what Israel did.

In fact, Richard Goldstone himself said, If this was a court of law, there would have been nothing proven. The Goldstone Report disregards what it means to fight against terrorists who use human shields and have no regard for human life. The findings and conclusions of the report have ominous consequences for the United States and other countries who seek to prevent terrorist threats from taking root around the world.

We cannot allow the Goldstone Report to set a precedent. The stakes are too high. This report was not guided by a commitment to human rights but, rather, motivated by a bias against Israel.

Now is the time for the United Nations to immediately turn its attention to the very real human rights violators around the world. Human rights victims are pleading for the world's attention. I would urge U.N. member states to devote time and thoughts to the realities of human rights around the world, not Israel.

Israel, with strong democratic and judicial institutions, can make any

necessary determinations about how to move forward from here, and it is doing so.

I would like to thank Chairman BERMAN and Ranking Member ROS-LEHTINEN for their leadership in authoring this resolution and bringing it to the floor. This is a true example of the importance of bipartisanship, because the U.S.-U.N. resolution is strong.

Ms. ROS-LEHTINEN. Mr. Speaker, if I could ask unanimous consent to extend the debate time in light of the fact that we have three factions asking for time. I would ask for unanimous consent to extend equally the debate time, because we have so many requests for time.

The SPEAKER pro tempore. The Chair will entertain that request from the manager.

Mr. BERMAN. Could the gentlewoman, on her unanimous-consent request, which is not going to be entertained, yield to me?

Ms. ROS-LEHTINEN. I yield to the gentleman from California for the purpose of talking about debate time, not taking from my time.

Mr. BERMAN. I am told that as much as I would like to, because I am flooded with requests for time, and I think it's worthy of a longer debate that because of the schedule, the long delay today and the 1-minutes, the fact that tonight is an election night and a number of people have to get back to their districts, I cannot make such a unanimous-consent request.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

This past winter, Operation Cast Lead in Israel exercised its right as a sovereign nation and its obligation to defend its citizens, and its very existence, against attacks by Hamas and other violent extremist groups in Gaza.

Israel did so while taking extraordinary measures to minimize the risk of civilian casualties. Indeed, as Colonel Richard Kemp, former commander of the British forces in Afghanistan, has stated: ''During Operation Cast Lead, the Israeli Defense Forces did more to safeguard the rights of civilians in a combat zone than any other army in the history of warfare.''

Then, in January, the Human Rights Council, dominated by dictatorships, voted to authorize a so-called fact-finding mission. Notably, most free democratic nations did not render their support for this sham. The mission's mandate had nothing to do with fact-finding and everything to do with persecuting Israel for defending herself. The mandate prejudged Israel's guilt, targeted only Israel, and Richard Goldstone agreed to head this mission.

Mr. Goldstone claims that he got the Human Rights Council president to modify the mandate. Well, my colleagues, just as the Speaker of the House cannot unilaterally change a resolution once adopted, neither could the president of the council change the mandate without the council's approval. Claims of a revised mandate are false since the council did not take any action to approve any modifications.

Fast forward to September, Mr. Speaker, when the so-called fact-finding mission released its report. Indeed, it's a 575-page hatchet job commonly known as the Goldstone Report.

While this report contains sweeping accusations that Israel had deliberately attacked civilians, in contrast the report disregarded evidence that Hamas and other such groups in Gaza used innocents as human shields and deliberately launched attacks from schools, from hospitals, from mosques. To fully appreciate the Goldstone Report's bias, one need only look at the testimony of an Israeli doctor whose clinic was hit by a rocket launched from Gaza.

The doctor, who was severely wounded in the attack and had already undergone seven operations to address her injuries, says, ''Judge Goldstone, in July you invited me to testify. I told you my story.

''I testified in good faith.

''But now I see your report. I have to tell you: I am shocked.

''Judge Goldstone, in a 500-page report, why did you completely ignore my story?

''I feel humiliated.

''Why are there only two pages about Israeli victims like me, who suffered thousands of rockets over 8 years?

''Why did you choose to focus on the period of my country's response, but not on that of the attacks that caused it?''

Mr. Goldstone claims that the report never sought to deny Israel its right to self-defense, but the report sought to cast Israel's actions in response to rocket and mortar attacks from Gaza, not as carefully targeted defensive measures, but as the deliberate infliction of violence on civilians.

This is not surprising. The fact-finding mission includes a member who, even as the operation was taking place in January of 2009, signed a statement entitled, ''Israel's bombardment of Gaza is not self-defense, it's a war crime.''

Indeed, this statement began by categorically rejecting Israel's right to defend herself against such attacks. Further, the words ''self-defense'' or similar terms never appear in the report. The report recommended further action by multiple U.N. bodies, including the General Assembly, the Security Council and International Criminal Court. The Human Rights Council has already used this report to condemn Israel. No surprise there.

Tomorrow, the General Assembly will likely to do the same. As Israel is being ostracized at the U.N., violent extremists in Gaza continued to fire rockets and mortars at innocent Israelis, 265 of the last 9 months alone. Just yesterday, militants in Gaza fired another rocket, which exploded near an Israeli residential area. No surprise there.

Israel's military intelligence chief testified yesterday that Hamas has test-fired a rocket with a 60-kilometer range, far enough to hit the Tel Aviv area, threatening up to 3 million Israelis.

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

Mr. ELLISON. Mr. Speaker, I yield myself as much time as I may consume.

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

Mr. ELLISON. I would like to thank Chairman BERMAN and Ranking Member ROS-LEHTINEN for their openness and professionalism in this debate.

□ 1615

Mr. ELLISON. I rise today to urge my colleagues to oppose H. Res. 867, a resolution that condemns the Goldstone Report regarding the conflict in Gaza. This resolution should be opposed because it suppresses inquiry, inquiry that is the hallmark of democratic societies.

The resolution contains factual errors and undermines Israel's ability to conduct its own investigation. The resolution goes against President Obama's foreign policy direction. I ask my colleagues to review the facts about the Goldstone Report's integrity and the content of his report.

First, what is there to fear about Judge Goldstone? Judge Goldstone has a stellar reputation. He is famous for apprehending Nazi criminals in Argentina and for serving as a chief prosecutor for the United Nations International Criminal Tribunals. He is a self-described Zionist. He serves as a trustee at Hebrew University in Jerusalem. Judge Goldstone has said that bringing war criminals to justice stems from the lessons of the Holocaust.

Unfortunately, the debate about the Goldstone Report has been diverted by serious problems with the original U.N. resolution called for in the report. I agree that the first U.N. resolution calling for an investigation of the Gaza war was one-sided and focused unfairly on Israel. Let me repeat: I agree that the original U.N. resolution was unfair. But Judge Goldstone pushed back. He succeeded in expanding the scope of the mission to include an examination of actions of both Hamas and Israel.

So what does the Goldstone Report really say? Four sections of the report deal with abuses by Hamas, including the launching of rockets into civilian towns in Israel. The report explicitly states these rocket attacks are war crimes. The report recounts actions by Israel in Operation Cast Lead that harmed the civilian population in Gaza.

I repeat the point I started with. The word ''inquiry'' is an essential hallmark of democracy, and Israel is strong enough to withstand an investigation of its actions in the Gaza war. Hamas should investigate its actions as well and be held to account.

What if Israel would have participated in the review from the beginning? It could have pointed out that the United Nations Humans Rights Council has a history of unfairly singling Israel out for criticism. It could have pointed out the consequences of the Hamas rocket attacks.

Let's consider the following question: Why are we going to pass a resolution without holding a single hearing? Why is the House voting for a resolution which condemns a report that few Members have fully read?

House Members should know that Israeli leaders, like Deputy Prime Minister Dan Meridor, a Likud party member, and National Infrastructure Minister Uzi Landau have called for Israel to conduct its own investigation.

I urge Members to oppose this resolution because it will undermine President Obama's commitment that all countries, including our own and our allies, should be accountable for their actions. This resolution complicates the President's current Middle East initiative.

I conclude with a letter written by Israeli human rights groups who oppose the resolution. ''We are concerned that H. Res. 867 may derail the momentum towards an Israeli investigation. Resolution 867 contains factual inaccuracies, both about the Goldstone Report and the measures taken by Israel to date, that must not guide choices by policymakers. We urge interested parties and Members of the House to show their support for the internal democratic conversation taking place in Israel today and to call on Israel to demonstrate that it can ensure genuine accountability at home.''

When nations like the United States, Israel, South Africa, and others have pursued truthful investigation, however uncomfortable, their people have emerged stronger. The House of Representatives is poised to condemn the Goldstone Report today because the report says that both parties to the conflict engaged in possible violations of international law. What is the logic of the action? How does it advance the cause of peace in the Middle East?

I urge my colleagues to look closely at the Goldstone Report, which is right here on this table, and what actions truly advance the cause of peace.

I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I am pleased to yield 1 minute to a member of the committee, the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Mr. Speaker, I thank the gentleman, and I rise to support the resolution.

We should reject the Goldstone Report, which is part of an ongoing effort at the U.N. to single out Israel and to deny Israel the same rights accorded to other nations.

For example, of the 34 motions adopted by the so-called U.N. Human Rights Council since its inception in 2006, 27 of them are directed at Israel. I might say that these paragons of democracy on this Human Rights Council are Libya, Syria, and other dictatorships.

The report equates Israel's long-delayed acts of self-defense with Hamas' 12,000 intentional, indiscriminate attacks on Israeli civilians since 2001.

The report ignores the well-documented, unprecedented efforts by Israel to limit civilian casualties in Gaza neighborhoods where they were being used as human shields by the terrorists.

Finally, the report fails to assign appropriate responsibility to Hamas for its decision to base itself and its military operations in heavily civilian-populated areas.

This Congress should stand by the only democracy in the Middle East, Israel, and should reject the biased Goldstone Report.

Ms. ROS-LEHTINEN. Mr. Speaker, at this time I am so honored to yield 1 minute to the gentleman from Virginia (Mr. CANTOR), our well-respected and esteemed Republican whip.

Mr. CANTOR. Mr. Speaker, I thank the gentlelady from Florida.

Mr. Speaker, today I rise in support of this resolution. More importantly, I stand to support the right of democracies to defend their citizens against terrorism.

For years, without provocation, Hamas and other terrorists in Gaza launched thousands of deadly rockets at Israeli civilians. The attacks laid siege to entire swaths of Israelis. By last December, Israel said enough was enough.

When it entered Gaza, Israel found a ruthless enemy hiding in civilian areas. Hamas committed blatant war crimes by using the Palestinian people as human shields. But the one-sided and biased Goldstone Commission isn't concerned with any of this. Its report equates a democracy's defensive strikes on armed targets with a terror group's deliberate efforts to kill and sacrifice innocent people.

The Goldstone Report does not contribute to the ongoing peace process. The cases of Gaza and Lebanon show that every time Israel makes concessions of peace, it results in increased terrorism. Why would Israel agree to deal if it knows the international community will demonize it should it have to respond to terror?

Mr. ELLISON. I yield 2 minutes to the gentlelady from California (Ms. LEE).

Ms. LEE of California. Mr. Speaker, let me thank the gentleman for yielding.

I rise in opposition to H. Res. 867. The United States has a responsibility to engage in tough and in honest diplomatic efforts for peace as a purveyor of human rights and the rule of law in the Middle East and throughout the world.

The Goldstone Report raises many questions, its most critical recommendation being that both parties, mind you, both parties conduct their own impartial investigation to find answers.

Neither a dismissal nor an endorsement of the Goldstone Report will change the facts on the ground for Israelis and Palestinians who continue to struggle for a life of normalcy and peace.

Indiscriminate rocket attacks launched by Hamas against Israel have terrorized and killed innocent Israelis, leaving entire communities in grips of fear. The United States and the international community have consistently condemned these attacks and reaffirmed Israel's right to self-defense.

The tragic deaths of innocent civilians in Gaza and the devastation brought upon their homes, schools, and infrastructure has worsened a humanitarian crisis that cannot be ignored. Residents of Gaza and the West Bank continue to lack appropriate access to the most fundamental needs, including food, fuel, water, sanitation, education, health care, and the basic materials needed to rebuild their communities.

The urgency and the gravity of these harsh realities on both sides require that Congress act always with an eye toward peace and reconciliation. In the words of President Obama in Cairo in June of 2009, he said, ''All of us have a responsibility to work for the day when the mothers of Israelis and Palestinians can see their children grow up without fear.''

As Members of Congress, we can never hesitate or shy away from defending the United States' indispensable role in the peace process if we hope to achieve these goals. This resolution does not bring us closer to realizing a two-state solution.

The SPEAKER pro tempore. The gentlelady's time has expired.

Mr. ELLISON. I yield an additional 5 seconds.

Ms. LEE of California. It doesn't lead us to securing Israeli peace and security nor Palestinian peaceful coexistence and for their citizens a life of respect.

Mr. BERMAN. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentleman from Virginia (Mr. MORAN).

(Mr. MORAN of Virginia asked and was given permission to revise and extend his remarks.)

Mr. MORAN of Virginia. Mr. Speaker, I rise in opposition to this resolution.

Mr. Speaker, I rise today to explain why I will vote ''no'' on House Resolution 867, which calls on President Obama and Secretary of State Clinton to ''oppose unequivocally any endorsement or further consideration'' of what has become known as the ''Goldstone Report.''

The United States' connection to the State of Israel is both strong and deep; we are connected through decades of history, culture, business and geo-political interests. We care about the people of Israel who strive for what we have struggled for in the United States—the ability to live in security, peace and prosperity. The well-being of our friends in Israel was, is and will remain an American priority. As Israel's closest ally, we have an obligation

to see to it that Israel and its neighbors reach a peaceful end to ongoing conflict.

The situation in Gaza is a tragedy, both for Israelis who for too long suffered from indiscriminant rocket attacks and for the hundreds of innocent Palestinians in Gaza who lost their lives, their loved ones, their homes, and their faith in the international community during Israel's military offensive last December.

And so now the world is grappling with the report on the Gaza war, submitted by the highly respected Judge Richard Goldstone—a self described Zionist, a trustee of the Hebrew University in Jerusalem and a man widely known for his integrity, fairness, and conscientiousness, who investigated war crimes in Yugoslavia, Rwanda, and Kosovo and who uncovered Nazi war criminals in Argentina.

But, rather than deal seriously with the contents and recommendations of the report, rather than ask Judge Goldstone to testify before Congress, so we can debate specifically what sections may be valid or flawed, we are seeking with this resolution to foreclose all discussion and action on the report by our President and our Secretary of State, in every multinational forum.

One of the arguments supporters of this resolution make is that the report is one-sided, representing only the Palestinian point-of-view. That argument would have some validity if not for the fact that (a) the report strongly accuses Hamas of indiscriminate rocket attacks on Israeli citizens, referring to their actions as a "war crime" and (b) the Israeli Government chose not to participate, going so far as to block Judge Goldstone and his team from entering Israel to conduct their investigation. This forced Israeli citizens who were invited to testify in front of Judge Goldstone, including Noam Shalit, the father of imprisoned IDF soldier Gil'ad Shalit, to travel to Switzerland and Jordan to provide their perspectives on the Gaza operation.

This resolution is a deliberate diversion, taking Congress' attention away from what should be our main focus. The bottom line is that the Israeli-Palestinian conflict is a tragedy that begs for real engagement and real solutions. The resolution before us today offers neither. Instead, it seeks to deflect our attention from what we should be considering: how to reinvigorate the stalled peace process and help Israelis and Palestinians navigate a path towards a two-state solution. I challenge Congress and the committees of jurisdiction to invest their time and resources into more constructive efforts that further the cause of peace.

Mr. BERMAN. Mr. Speaker, I am pleased to yield 1 minute to a distinguished member of our committee, the gentlelady from Nevada (Ms. BERKLEY).

Ms. BERKLEY. Mr. Speaker, I thank the gentleman for yielding and for his leadership on this issue, and I thank my friend ILEANA ROS-LEHTINEN for introducing this important resolution.

Today, the American people stand with the State of Israel and all other peace-loving nations and people who face the threat of terrorism and are forced to defend their innocent citizens from terrorist attacks.

In 2005, Israel withdrew from the Gaza to allow the Palestinians to begin building a state. They didn't. Instead, Hamas used the Gaza to terrorize the Palestinian people and as a launch pad to rain missiles on Israeli cities, 8,000 rocket attacks in a 3-year period. The U.N. was silent.

In the fall of 2008, even more rockets fell on innocent Israelis and the situation became untenable. And the U.N. was silent. Only when Israel retaliated in order to protect its own citizens did the U.N. speak up, to condemn Israel.

For those who suggest that Israel used disproportionate force, I say Israel used extraordinary restraint: missile after missile, injury after injury, death after death, and year after year.

Today, we stand up for justice and the right of all nations to act in self-defense, to protect innocent civilians and end the horrors of terrorism. Let's put the blame where it belongs, with Hamas and the terrorists, not Israel.

Ms. ROS-LEHTINEN. Madam Speaker, I would like to yield 1 minute to my good friend from Indiana, Mr. BURTON, the ranking member on the Subcommittee on the Middle East and South Asia of our Foreign Affairs Committee.

Mr. BURTON of Indiana. I thank the gentlelady for yielding.

Israel has been our friend forever. They have been attacked again and again and again. So what did they do? Ariel Sharon tried to reach out in a peaceful way to give Gaza back to the Palestinians. And what happened? Hamas goes in there and starts launching missile after missile after missile at innocent people, blowing them up, trying to kill them. They want to destroy Israel, as does Iran. So what happens?

The Human Rights Council of the United Nations 27 times has issued decisions against Israel, and the Goldstone Report is just another in a long line. This is something that we should not tolerate. There shouldn't be one vote, not one vote in this place against Israel.

And the people who are making these comments on the other side of the aisle really bother me, because Israel has been such a great friend of ours and they have been trying to reach peace over there forever. And, instead, they keep getting rocket attack after rocket attack, and then they are criticized for human rights problems because they defend themselves.

If we launched missiles into Michigan, I guarantee you, Michigan would be really ticked off at us and would want to stop it and would do everything they could to stop it.

We ought to support Israel.

Mr. ELLISON. Madam Speaker, I yield 1¾ minutes to the gentleman from Massachusetts (Mr. DELAHUNT).

Mr. DELAHUNT. I thank the gentleman.

Well, I do support Israel, and I intend to vote "present" on this particular resolution because, like most Members, I haven't had time to read 575 pages.

We often speak about process in this body and it is a concept we all embrace, at least rhetorically. But on this occasion, we only have the rhetoric, and the process has been totally inadequate.

This resolution came to the floor on suspension without a hearing, despite the willingness of Judge Goldstone to come before the United States Congress and answer any questions that we might pose to him. And that judge, by the way, is highly regarded in the international rights community for his courage, impartiality and scholarship. He has participated in a number of high profile inquiries, including investigation into Nazism in Argentina.

As the gentleman from Minnesota indicated, he is a self-described Zionist. As both the Chair of the full committee and the Chair of the Subcommittee on the Middle East indicated, they have the utmost respect for Judge Goldstone.

He has expressed his strong concerns about this resolution, and he said this: "I have strong reservations about the text of the resolution in question, text that includes serious factual inaccuracies and instances where information and statements are taken grossly out of context." Last night, we received in the form of a "Dear Colleague" a response by Chairmen BERMAN and ACKERMAN that attempted to refute it.

Clearly, we need more discussion and more debate. An opportunity to have that discussion should have occurred prior to this resolution coming to the floor.

□ 1630

This is not about bias against Israel.

The SPEAKER pro tempore (Ms. LEE of California). The time of the gentleman has expired.

Mr. ELLISON. Madam Speaker, I yield the gentleman 10 additional seconds.

Mr. DELAHUNT. We know that exists. This is not about Hamas. They have committed horrific acts of terrorism against citizens. This is about us. This is about us.

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

Ms. ROS-LEHTINEN. Madam Speaker, I would like to yield 1 minute to my good friend, the gentleman from Kansas (Mr. MORAN), a member of the Agriculture, Transportation, and Veterans' Affairs Committees. A busy man.

Mr. MORAN of Kansas. Madam Speaker, the Goldstone Report is a dangerous document that makes no distinction between terrorism and the acts of a nation to defend its people. For years terrorists launched rockets at Israeli civilians. Israel responded with a defensive measure to clear a terrorist threat and protect the lives of its citizens.

The Goldstone Report ignores Israel's right to self-defense. Despite Israel's efforts to avoid civilian casualties and its humanitarian assistance to civilians, the report unfairly accuses Israel of war crimes. Israel sought to limit its actions to military targets. Yet terrorists hid behind civilians, near hospitals, schools, and mosques.

Every nation should be alarmed at the report and its implications. All nations, including Israel, have the right to defend their people.

I urge my colleagues to stand with Israel in recognition of this right, this basic right, of self-defense.

Mr. ELLISON. Madam Speaker, I yield 2 minutes to the gentleman from the State of Washington (Mr. BAIRD).

Mr. BAIRD. I thank my colleague from Minnesota for his leadership.

My friends who have described the Goldstone Report, as a colleague just did, I'm not sure if they have read it. I have read it. It is not at all silent on whether or not Israel had a reason to respond. It specifically talks about the unacceptability of Hamas rocketing Israeli citizens.

Here's a picture of Israeli kids in Sderot, hiding, practicing how to deal with those rockets. It is absolutely unacceptable that any people have to undergo this kind of attack; and the Goldstone Report is, in fact, quite clear on that. And contrary to this resolution and contrary to what some of my colleagues said, it is explicit about suggesting that Hamas may have engaged in war crimes.

But there is another side to this story. I have twin 4-year-old boys at home. When I kiss them goodnight, they look for all the world like these three little Palestinian children. I don't know that father, but I can imagine his grief.

We must not say that this Congress will unequivocally oppose any consideration of a report by a jurist of this integrity and this reputation. Those children deserve someone to ask why they died, just as these children in Sderot deserve someone to say they must not be rocketed. And the Goldstone Report does both. It does both.

Unlike most of my colleagues here, I have been to Gaza and I have read in its entirety the Goldstone Report. And I will tell you he says many things that, though unpleasant, are true and must not be obstructed.

There used to be a school in Gaza called the American International School. The motto of that school: ''Peace, Understanding, and Leadership Through Education.''

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ELLISON. Madam Speaker, I yield the gentleman an additional 15 seconds.

Mr. BAIRD. This is a picture of what happened to that school. This is a picture of what happened to that school.

Do not pass this resolution. Support this fine jurist. Give justice, true justice, a chance to be heard.

Mr. BERMAN. Madam Speaker, I continue to reserve the balance of my time.

Ms. ROS-LEHTINEN. Madam Speaker, I'm proud to yield 1 minute to the gentleman from Tennessee (Mr. ROE), a member of the Agriculture, Education, and Veterans' Affairs Committees. Another very busy man.

Mr. ROE of Tennessee. Madam Speaker, I rise in strong support of House Resolution 867, which condemns the United Nations Human Rights Council's decision to endorse the views of the Goldstone Report. Among its conclusions was an assertion that the Israeli military campaign was aimed at civilians in Gaza rather than the terrorist group Hamas. The assertion itself is outrageous, but the fact that it was endorsed by an arm of the United Nations should be a cause for concern for anyone who's concerned about terrorism or human rights.

In criticizing Israel's behavior and not even mentioning Hamas in this resolution, the council essentially endorsed Hamas's decision to use Gazans as human shields to protect themselves from retaliation for their rocket attacks into Israel.

The fact is that the Human Rights Council is no better than its predecessor at the U.N., the Human Rights Commission, when it comes to anti-Israeli rhetoric. I think the resolution correctly urges the Obama administration and Secretary Clinton to strongly condemn this report, but I further urge them to reconsider their decision to participate in and fund the HRC. This body has proven time and again that they are incapable of acting without bias and simply gives a forum for anti-Israeli and anti-U.S. voices to be heard.

Mr. ELLISON. Madam Speaker, I yield 1 minute to the gentleman from Michigan, Mr. JOHN DINGELL.

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

Mr. DINGELL. This is a bad bill. It's a bad resolution. It is unfair. It is unwise. It contributes nothing to peace. It establishes a bad precedent, and it sets up a set of circumstances where we indicate that we're going to just arbitrarily reject a U.N. finding and a U.N. resolution and that we're going to have that as a precedent. This is bad.

What we must do here is to make the United States a fair, honest, respected broker. This does not do this. It leaves the United States in real danger of losing the ability to participate actively in the creation of a lasting peace of benefit to both Israel and to the Palestinians.

If you're a friend of Israel, if you're a friend of world peace, if you're a friend of peace in the Mid East, if you're a friend of the Palestinians, if you want to look to the well-being of the United States, you should reject this resolution. It is a bad proposal. There have been no hearings on it. We do not know what underlies all of the circumstances, and I urge the House to reject it.

Madam Speaker, I rise in opposition to H. Res. 867. This resolution, though non-binding, sends a signal to the world that the United States Congress is not serious about pushing the Israelis and the Palestinians toward a peaceful resolution.

It is true that the body that mandated the Report of the United Nations Fact Finding Mission on the Gaza Conflict, known as the Goldstone Report, has been no friend to Israel. Indeed the United Nations Human Rights Council has consistently passed one-sided biased resolutions against Israel while, at the same time, allowing documented, blatant human rights violators to preside over that body without criticism. It is right for the United States and other friends of Israel to question and call out the why six of ten special sessions of the U.N. General Assembly have been about Israel, while none have been called on Tibet or Darfur.

However, we must ask ourselves, does this resolution bring us closer to peace in the Middle East? Does it spur negotiations between the Israelis, Palestinians, and other parties, or does it marginalize and itself choose sides? We must ask, are we undermining President Obama's, Secretary Clinton's, Special Envoy Mitchell's efforts to serve as an honest broker, bring the two sides together, and achieve peace, by passing this resolution?

Madam Speaker, Israel, unequivocally, has a right to defend itself against those who seek to destroy it. We know that Israel was relentlessly attacked by rockets and mortars leading up to the Gaza war. They made the calculation that they could not allow Hamas to continue this violence and abuse.

However, neither Israel nor Hamas, nor any other country or other non-state political act is exempt from international human rights laws or free of consequence for violations of them. If nothing else, the Goldstone Report should serve as a document from which Israel and Hamas, and the rest of the international community can use to ensure that future human rights violations do not take place in civilian areas and that their militaries and fighters are actively working toward minimizing civilian casualties in the future.

Madam Speaker, time and again we acknowledge the urgency of this conflict. The Obama Administration is working feverishly with both sides toward a peaceful resolution, a two-state solution. Let us not undermine this effort today. I urge my colleagues to join me in voting ''no'' on this resolution.

Ms. ROS-LEHTINEN. Madam Speaker, I continue to reserve the balance of my time.

Mr. ELLISON. Madam Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Today we journey from Operation Cast Lead to Operation Cast Doubt. Almost as serious as committing war crimes is covering up war crimes, pretending that war crimes were never committed and did not exist.

Because behind every such deception is the nullification of humanity, the destruction of human dignity, the annihilation of the human spirit, the triumph of Orwellian thinking, the eternal prison of the dark heart of the totalitarian.

The resolution before us today, which would reject all attempts of the Goldstone Report to fix responsibility to all parties to war crimes, including both Hamas and Israel, may as well be called the ''Down is Up, Night is Day, Wrong is Right'' resolution.

Because if this Congress votes to condemn a report it has not read concerning events it has totally ignored

about violations of law of which it is unaware, it will have brought shame to this great institution.

How can we ever expect there to be peace in the Middle East if we tacitly approve of violations of international law and international human rights, if we look the other way, or if we close our eyes to the heartbreak of people on both sides by white-washing a legitimate investigation?

How can we protect the people of Israel from existential threats if we hold no concern for the protection of the Palestinians, for their physical security, their right to land, their right to their own homes, their right to water, their right to sustenance, their right to freedom of movement, their right to human security of jobs, education, and health care?

We will have peace only when the plight of both Palestinians and Israelis is brought before this House and given equal consideration in recognition of the principle that all people on this planet have a right to survive and thrive. And it is our responsibility, our duty to see that no individual, no group, no people are barred from this humble human claim.

Mr. BERMAN. Madam Speaker, I'm pleased to yield 1 minute to the majority leader, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the chairman for yielding. I thank the ranking member, Ms. ROS-LEHTINEN, for introducing and working with the chairman on this resolution.

I rise to voice my objection to the unfair, unbalanced, and inaccurate report of the United Nations fact-finding mission on the Gaza conflict, otherwise known as the Goldstone Report.

The report not only paints a distorted picture of Israel's legitimate efforts at self-defense, in my opinion, but it epitomizes the practice of singling Israel out from all other nations for condemnation.

The Goldstone Report does little to build confidence that the U.N. or its Human Rights Council can deal with the Israeli-Palestinian conflict in an evenhanded manner. I agree with those who spoke before me that it ought to, but the Goldstone Report does not give us much confidence that that's what's happening.

For one, the Human Rights Council's mandate for the report specifically targeted Israeli actions, ignoring, ignoring the deliberate Hamas attacks on civilians that provoked Israel's self-defense in Operation Cast Lead.

The report's lead author himself, Justice Richard Goldstone of South Africa, objected to that one-sided Band-Aid. Let me repeat that. Goldstone himself, when the commission issued its report, objected to that one-sided mandate that they issued. But notwithstanding his objection, it was not formally altered.

Similarly, former U.N. High Commissioner for Human Rights, whom many of you know, Mary Robinson, not known as a great defender of Israel, Mary Robinson, who has criticized Israel's record in the past, also objected to this one-sided mandate. In her words, and I quote Mary Robinson: ''Unfortunately, the Human Rights Council passed a resolution seeking a fact-finding mission to only look at what Israel has done, and I don't think that's the human rights approach,'' said Mary Robinson.

□ 1645

Secretary of State Clinton agrees. She said this:

''We believe that the mandate for the Goldstone Report was one-sided and that many of the recommendations are appropriately dealt with by the institutions within Israel.''

And, indeed, if they were not, I would be here to say that we ought to support the United Nations' actions. The Goldstone Report largely neglects the context within which Israel's action took place. Why is that context so vital, and why is the report so empty without it? Because for years—for years—Israel has been the target of asymmetrical warfare for terrorists who hide behind civilians and aim to kill civilians. For 8 years before Operation Cast Lead, Hamas, aided by Iran and others, launched deadly rockets and mortar fire into Israel, even after Israel dismantled its Gaza settlements, even after it withdrew its military. More than 6,000 rockets have fallen indiscriminately on southern Israel's cities and towns. I can't imagine there is one of us in this Chamber that if Canada or Mexico rained down six missiles on our civilian population—not 6,000 on our population—that there would be a Member here who would not want decisive response to stop that assault. Each was intended to kill the maximum number of civilians. These rockets did not target military targets. They targeted civilians. How do I know? I've been there, and I have seen the effectiveness firsthand of the fear that has been put in the minds of the people of Sderot and others.

In the Israeli town of Sderot, I saw children who had lost literally the ability to speak, who no longer had control over their bodily functions, who were condemned to play in an armored playground from fear of the rockets that could kill with only seconds' warning. There is no military establishment in Sderot. Families, children. That is the context of which the Goldstone Report makes such short shrift.

Tragically, civilians in Gaza suffered and continue to suffer. They suffer in major part from the determination of their imposed leaders to pursue indiscriminate terror. I have had a discussion with my friend Mr. KUCINICH, for whom I have a great deal of respect. We ought to have great empathy for the Palestinian people who have been put at great risk by their leaders pursuing terrorism. We ought to have empathy for those children who live in the camps in Gaza. Terrible condition. I've been there. Is there anybody here who doubts that if those children living there for decade after decade after decade were European children or American children or Jewish children that they would still be there in those camps? I say to you, not the case. Why are they there? Because the Arab community does not want to absorb them, and their leaders will not seek a meaningful peace. That is why they're there.

Hamas, like its state sponsors, is notorious for using men, women and children as human shields and political props. As Secretary of State Condoleezza Rice put it earlier this year, ''Hamas has held the people of Gaza hostage.'' They still do. Should we have empathy for those young people and not so young people held hostage? Absolutely, we should. Should we act to help their plight? Absolutely, we should. But that does not mean we ought to rationalize terrorists who attack children in Sderot or any other place. Hamas continues to hold them hostage, likely subjecting the Goldstone Report's Palestinian witnesses to intimidation and threats, a possibility that the report does not take into account, of course.

Unlike Hamas and its sponsors, Israel is a democracy with an independent judiciary, and all of us know that that judiciary frequently has said to the military and to the Israel Government, you cannot do this. You did it wrong. You're going to be held accountable. There is nothing like that in Gaza, little like that in the West Bank, although the West Bank is getting better. Its security is increasing. Abbas and Fayad are making progress. It is fully investigating its military for any—I am going back to Israel now—for any human rights violations that may have been committed in Gaza. That is appropriate. They ought to do that. Tragically, we know that when men and, indeed, women go to war, that there are those who do not always act properly on both sides. We need to hold that conduct accountable.

I believe in the integrity of Israel's investigations because I believe in its legitimacy as a democratic state, but I do not accept the legitimacy of singling out Israel for biased censure. It is essential to hold every nation to international norms of behavior in peace as well as in war. Israel must be held to the same standards as any other nation. It holds itself to such standards, I would add, even when its enemies do not. Indeed, few nations constrain themselves more than Israel, but no other nation has so many in the U.N. eager to condemn it, irrespective of facts and justification.

Soon, the U.N. General Assembly will vote on endorsing the Goldstone Report. Goldstone himself said that their report was not a fair report, but by doing so and by condemning Israel, the U.N. would also be threatening the just self-defense of any state endangered by asymmetrical warfare.

I urge my colleagues to support this resolution.

Ms. ROS-LEHTINEN. Madam Speaker, I yield myself my remaining time.

We must recognize what is at stake here. The Goldstone Report asked for this matter to be considered by the International Criminal Court, equating Israel with the genocidal regime in Sudan. Today enemies of freedom seek to haul democratic, political and military leaders of Israel before an unaccountable court for defending their nation against Hamas, but how long before U.S. officials will have to face the same persecution for defending our Nation against al Qaeda or any other such threat?

Madam Speaker, the way forward is obvious. We must support the right of all democracies to defend ourselves and our citizens. We must reaffirm our support for Israel and her efforts to defend herself from violent Islamic militants and their state sponsors. We must oppose any attempts to grant consideration or endorsement to this irredeemably biased Goldstone Report.

House Resolution 867 achieves these goals, and 170 of our colleagues who cosponsored it agreed. My colleagues, we have a choice to make: stand with free democratic nations or send a message to those who seek Israel and America's destruction that they can continue unhampered as the U.N. and its apologists sweep under the proverbial rug incessant attacks like the ones Hamas and other violent extremists launched from Gaza against Israel. The choice is clear. Support this resolution.

Mr. ELLISON. May I inquire as to time, Madam Speaker?

The SPEAKER pro tempore. The gentleman has 6¼ minutes remaining.

Mr. ELLISON. I yield 1¼ minutes to the gentlelady from Minnesota, Congresswoman MCCOLLUM.

Ms. MCCOLLUM. Madam Speaker, this resolution harms U.S. national security interests in the Middle East. The U.S. is attempting to be an honest broker in the Israeli-Palestine peace process, yet this resolution is blatantly biased, and it damages U.S. credibility.

This resolution seeks to hide the ugliness of the Gaza war by covering up violent excesses committed against innocent civilians by both Hamas and the Israeli Defense Forces. Why does the U.S. House want to reject an accounting of Hamas' terrorism against Israeli civilians, as if thousands of rockets were not fired at Israel? And why would this resolution want to deny that hundreds of Palestinian women and children and elders were needlessly killed?

American-made white phosphorous shells were used by Israel in civilian areas, causing horrible burns to Palestinian children, yet this resolution refuses to seek the truth. The report Congress is burying today was led by a former chief prosecutor who has faced far tougher actors than the critics in this Chamber, critics who have not held one single hearing.

There must be only one standard for respecting human rights, a single standard by which we must hold ourselves and our friends and our adversaries accountable.

Madam Speaker, this resolution harms U.S. national security interests in the Middle East and American leadership for human rights and humanitarian law. And, while the U.S. attempts to be an honest-broker in an Israeli-Palestinian peace process this resolution is blatantly biased and damages U.S. credibility.

This resolution seeks to hide the ugliness of the Gaza war by covering-up the violent excesses committed against innocent civilians by Hamas and the Israeli Defense Forces.

Why does the U.S. House want to reject an accounting of Hamas's terrorism against Israeli civilians as if thousands of rockets were not fired at Israel?

Why does this resolution want to deny that hundreds of Palestinian women and elders were needlessly killed by the IDF?

American-made white phosphorus shells were used by Israel in civilian areas causing horrible burns to Palestinian children, yet this resolution refuses to seek the truth?

The report Congress is burying today was led by a former chief prosecutor for war crimes in Rwanda and the former Yugoslavia, a jurist of exceptional experience who has faced far tougher actors than his critics in this Chamber, critics who have not held a single hearing or conducted a single fact-finding mission on the subject of his report.

There must be only one standard for respecting human rights, a single standard by which we must hold ourselves, our friends, and our adversaries accountable. Establishing situational standards for respecting human rights is dishonest and only encourages actions that destroy human dignity and life.

Therefore I agree with U.N. Secretary Ban Ki-moon who recently said at the Anti-Defamation League's annual dinner that he is "a friend who is acutely aware of Israel's security needs." But on the issue of the Goldstone report Secretary Ban said, "When human rights are violated anywhere in the world we need accountability."

Today, I would ask my colleagues to vote for human rights and accountability by voting against this resolution.

Mr. BERMAN. Madam Speaker, I plan to be the last speaker. Correct me if I am wrong, but I understand that under the rules, I have the right to close, so I will reserve my time.

The SPEAKER pro tempore. The gentleman is correct.

Mr. ELLISON. I yield 1 minute to the gentlewoman from Maryland (Ms. EDWARDS).

Ms. EDWARDS of Maryland. Madam Speaker, I rise today to express my sincere disappointment that my colleagues and I are once again in a very untenable position on such a critical issue facing our country, our ally Israel, the Palestinian people and the global community.

House Resolution 867 is just the wrong resolution yet again at this time. The U.N. General Assembly takes up this business tomorrow, and I think it's really important for us to note that the Congress gets one shot, one shot, to address the shortcomings of the mandate for the inquiry, the pitfalls of the Goldstone Report, and one shot to call on the Palestinians and Israelis to conduct their independent investigations and to stand for human rights and international law.

David Ben-Gurion once said, ''Without moral and intellectual independence, there is no anchor for national independence,'' and I think we should heed that today. I say it's the wrong resolution because it's our opportunity actually to get it right in a new direction for the Middle East. Regrettably, in this flawed process, we are tarnishing the reputation of one of the greatest advocates for human rights of our time, Justice Richard Goldstone. As a member of the Tom Lantos Human Rights Commission, I believe we should have and the oversight committees of jurisdiction should have extended to Justice Goldstone the courtesy of inviting him to present his findings on the record. We didn't. We did not extend to the Israeli Government the courtesy of explaining on the record the shortcomings they find in this report.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. ELLISON. I yield the gentlelady an additional 5 seconds.

Ms. EDWARDS of Maryland. I want to just communicate that it's really important for us to get it right, and I appreciate the leadership of Chairman BERMAN. I look forward to us working in the future for something that actually does lead to peace.

Madam Speaker, I rise today to express my sincere disappointment that my colleagues and I are once again in a tenable position on such a critical issue facing our country, facing our ally Israel, the Palestinian people and the global community.

This resolution, H. Res. 867, is the wrong resolution at this time. The U.N. General Assembly takes up this business tomorrow. Our Nation will be speaking in defense and support of Israel. It is important to note, that while we are united in our support for Israel and the Palestinian people, this Congress gets one shot to address the shortcomings of the mandate for the inquiry and the pitfalls of the Goldstone report. We also get only one shot to call on the Palestinians and the Israelis to conduct their own independent inquiries, to stand up in defense of human rights and international law, and to investigate wrongdoing by all parties with the objective of ensuring that it does not happen again.

David Ben-Gurion once said, "without moral and intellectual independence, there is no anchor for national independence." I believe that Israel operates under that spirit today; I am encouraged that there is a robust dialogue within the country over the Gaza war. It is important that this dialogue continues and Israel is allowed to pursue the rule of law unhampered. Now is the appropriate time for the Palestinians to take additional steps to eschew violence and operate with moral and intellectual independence. This will provide additional support to their calls for national independence. They can do this by conducting their own inquiry and investigate the allegations against entities in Gaza.

I say this is the wrong resolution because it fails to call for independent investigations by

the Israelis and Palestinians. This was our opportunity to get it right and when this resolution passes, we will have gotten it wrong. It will be a missed opportunity to move closer to achieving a two-state solution. Regrettably, in this flawed process, we are tarnishing the reputation of one of the greatest advocates for human rights of our time, Justice Richard Goldstone. As a member of the Tom Lantos Human Rights Commission, I believe we should have, and the oversight committees of jurisdiction should have extended to Justice Goldstone the courtesy of inviting him to present his findings on the record. We didn't. We did not extend to the Israeli Government the courtesy of explaining, on the record, the shortcomings they find in this report. By not taking these actions we have now been forced to consider a poorly constructed resolution at the eleventh hour just before our U.N. delegation presents its case to the General Assembly. Further, this resolution actually calls on the administration to not go to the U.N. tomorrow as it is so broad that it calls on the President and Secretary of State to "oppose unequivocally any endorsement or further consideration of the Goldstone report in multilateral fora". Unfortunately, these mixed messages and inconsistencies damage this resolution and the lack of due diligence risks a diminished reputation of this body in the international arena.

As I stand right now I want to communicate to the United Nations that enough is enough: It is inappropriate to create a mandate that is so easily impeachable. However, I find it difficult to abide with a resolution that I find so deeply flawed and as one-sided as some suggest of the Goldstone Report.

I know that these issues are difficult, and I want to thank Chairman BERMAN; while I disagree with many points in this resolution, I appreciate his leadership on this issue. I appreciate that we will be standing united behind our President as we work toward a lasting two-state solution to find peace for Israel and her people and a homeland for Palestinians.

Mr. ELLISON. I would like to inquire as to the time remaining.

The SPEAKER pro tempore. The gentleman from Minnesota has 4 minutes remaining.

Mr. ELLISON. I yield 1 minute to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Madam Speaker, let's be clear about what we're debating here. Nobody in this Chamber disputes Israel's right to defend itself against attacks by Hamas and other terrorist organizations, and neither does the report issued by Justice Goldstone. The report instead examines the conduct of the war by both sides, including a detailed chapter on the savage rocket attacks launched from Gaza into southern Israel, which it describes as ''serious war crimes'' and possibly ''crimes against humanity.''

Nobody here is defending one-sided mandates either:

But in the interest of full disclosure, critics should note that Justice Goldstone insisted on a rewritten and balanced mandate before he took on the assignment.

Nobody here is disputing the obligation of the U.S. to insist that any resolution debated by the U.N. be fair and balanced and to vote against or veto it otherwise. But there is a crucial distinction between criticizing the way in which the Goldstone Report was handled at the U.N. and criticizing the very existence of the report in the first place, which is exactly what this resolution does. Conflating the two does a disservice to a respected jurist who has devoted his life to upholding international norms of justice and human rights, and more importantly, it may damage future efforts to hold countries accountable through international investigations.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ELLISON. I yield the gentleman 15 additional seconds.

Mr. PRICE of North Carolina. Finally, bringing this resolution up at this time and in this manner could have implications for the possibility of internal investigations into the conflict by the parties themselves. That is a central recommendation of the Goldstone Report as well as the Obama administration and prominent Israeli officials and Israeli human rights organizations. Israel is a strong and resilient democracy. Successfully investigating this episode could only make it stronger. We shouldn't pass a resolution now which could actually slow or stop the wheels of justice.

Mr. ELLISON. I yield 1¼ minutes to the gentlewoman from California, Congresswoman CAPPS.

Mrs. CAPPS. I thank my colleague for yielding, Madam Speaker.

I rise to express my opposition to the resolution before us. Sadly, I think that in this body's haste, we've overlooked some of the depth of unspeakable tragedies that have occurred during the war on Gaza. Innocent Israeli and Palestinian lives were lost. We owe it to all victims' families to vow to do everything in our power to prevent further tragedy. Instead, we have a flawed resolution before us.

As an example, the text of the resolution focuses on the original mandate of the report, not the mission that was actually carried out by the investigators. I am disappointed the committee chose to ignore the fact that Justice Goldstone did not agree to take on the investigation until it was agreed to that the conduct of all parties would be investigated. This is just one of many parts of the resolution.

The United States will remain a true friend to our ally Israel without passing a resolution that has questionable accuracy and motives. So let us call for an open and honest debate with the reputable Judge Goldstone. Let us not act in haste to pass a resolution that will in no way achieve our ultimate goal of achieving a lasting peace for Israelis and Palestinians.

□ 1700

Mr. ELLISON. Madam Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Madam Speaker, this resolution should not be coming before us. I agree that there is an anti-Israel bias at the United Nations. But at this moment in history, it should be the responsibility of every Member of this House to help bring the parties in the conflict in the Middle East back to the negotiating table.

We need to resurrect and advance a peace process, so that rockets never again fall on innocent Israeli civilians and the terror of Gaza is not repeated. This resolution does not do that. This resolution heightens the rhetoric of division.

Regardless of what you think of the Goldstone Report, it makes an important recommendation: that it is incumbent upon both Israel and the Palestinians, in particular Hamas, to carry out credible investigations into actions by their forces that led to the harm and loss of civilians.

I regret that we are not calling upon all parties to return to the peace table so that the rockets and bombs may be silenced in the Middle East, once and for all.

I regret that this resolution is on the House floor increasing the politicization and the polarization and the heated rhetoric so characteristic of the crisis in the Middle East.

So, Madam Speaker, I will vote ''no'' today on this resolution.

Mr. ELLISON. Madam Speaker, I am going to take the balance of my time to close. As I do, I would like to first of all have entered into the RECORD a letter from Israeli human rights organizations, including B'Tselem, Gisha, the Public Committee Against Torture, Rabbis for Human Rights, and Yesh Din, Volunteers for Human Rights.

In regards to: House Resolution 867 regarding the Goldstone Commission report on Operation Cast Lead.

To: Interested Persons.

From: Israeli Human Rights organizations.

TO WHOM IT MAY CONCERN: We appeal to you as representatives of the human rights community in Israel regarding House Resolution 867.

From day one, the Israeli human rights community has consistently called for Israel to conduct an independent and impartial investigation into the conduct of its forces during ''Operation Cast Lead'' in the Gaza Strip. Today, this call is increasingly echoed by Israelis across the political spectrum. Deputy Prime Minister Dan Meridor (Likud), Minister of Improvement of Government Services Michael Eitan (Likud), Minority Affairs Minister Avishay Braverman (Labor), and National Infrastructure Minister Uzi Landau (Yisrael Beiteinu) have all called for such an inquiry, as has Aryeh Deri, former leader of the Shas party. The US State Department has called for such an inquiry as has National Security Advisor James Jones.

Such an investigation, provided it meets international standards for scope and independence, would put an end to the polarizing international debate around the Goldstone Report and show that Israel is a law-abiding state that can ensure accountability at home.

However, we are concerned that H. Res. 867 may derail the momentum towards an Israeli investigation. Resolution 867 contains factual inaccuracies, both about the Goldstone

Report and about the measures taken by Israel to date, that must not guide choices by policy makers.

We urge interested parties and Members of the House to show their support for the internal democratic conversation taking place in Israel and to call on Israel to demonstrate that it can ensure genuine accountability at home.

Sincerely,

B'Tselem.

Gisha.

Hamoked—Center for the Defence of the Individual.

Public Committee Against Torture in Israel.

Rabbis for Human Rights.

Yesh Din—Volunteers for Human Rights.

I would also like to enter into the RECORD the Goldstone Report itself. This voluminous document, 574 pages, which I hope Members will take the opportunity to read.

Ms. ROS-LEHTINEN. Would the gentleman yield?

Mr. ELLISON. I can't yield with the short time I have.

Ms. ROS-LEHTINEN. You asked unanimous consent to put the Goldstone Report in the CONGRESSIONAL RECORD, I object.

The SPEAKER pro tempore. Objection is heard.

Mr. ELLISON. The point is I have already received unanimous consent and do intend to enter the document into the RECORD. But what I ask for, from all sides, it is clear that everybody in this body is very concerned about peace in the Middle East. We all have to assume best intentions from everyone, and we have to look to this issue with a mind toward helping Israel and the Palestinians to come to a lasting peace. Two states, two people, in security, side by side.

I don't think this resolution helps us achieve that. So I will be voting ''no,'' and I urge my colleagues to do likewise.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. ROS-LEHTINEN. If my colleague would yield, I would like to know how much it will cost the taxpayers to put 575 pages of the Goldstone Report in the CONGRESSIONAL RECORD.

PARLIAMENTARY INQUIRIES

Mr. BAIRD. Madam Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. BAIRD. Is it not the conditions under which this is considered that Members would have an opportunity to introduce extraneous material without having to ask unanimous consent at the moment of request? We already have that, I believe. In other words, the gentlelady's objection is irrelevant.

The SPEAKER pro tempore. General leave has been obtained.

Mr. BAIRD. Meaning what, if I may ask. My belief is we had unanimous consent at the outset.

The SPEAKER pro tempore. Does the gentleman have a further parliamentary inquiry?

Mr. BAIRD. I have a further parliamentary inquiry. With respect to the Parliamentarian, ''general leave may be obtained'' is cryptic, and I would like a straight answer. My belief is that the conditions of this, at the outset of this debate, Members were given the authority to introduce extraneous material, and without having to request unanimous consent. In other words, the gentlelady's objection is irrelevant.

The SPEAKER pro tempore. General leave has been obtained, but each submission of extraneous material is subject to certain page limits.

Mr. BERMAN. Parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from California may state his parliamentary inquiry.

Mr. BERMAN. Is it not correct that I sought and received unanimous consent for extraneous material to be introduced into the RECORD related to this resolution?

The SPEAKER pro tempore. The gentleman is correct.

Mr. BERMAN. Further parliamentary inquiry. Is it not correct that with the exception of items introduced of more than a certain page, wherein the cost has been to be established and leave sought, that large items can also be put into the RECORD as part of that unanimous consent request?

The SPEAKER pro tempore. General leave is subject to certain page limits for extraneous material.

Ms. ROS-LEHTINEN. Parliamentary inquiry, Madam Speaker.

The SPEAKER pro tempore. The gentlewoman will state her inquiry.

Ms. ROS-LEHTINEN. Is it correct that after a certain number of pages, there will be a cost estimate for the printing in the CONGRESSIONAL RECORD? This report is 575 pages, and I am wondering the cost to the taxpayers for the printing of this biased report.

The SPEAKER pro tempore. General leave is subject to certain page limits. Extraneous material in excess of those limits may be further assessed on cost.

Ms. ROS-LEHTINEN. I just want to be clear, when you asked under general leave for unanimous consent, that I will object to that for the printing in the RECORD.

Mr. BAIRD. Parliamentary inquiry, Madam Speaker.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. BAIRD. Is it my understanding that the gentleman from Minnesota lost time because of the parliamentary inquiry?

The SPEAKER pro tempore. No, the time of the gentleman from Minnesota had expired.

Mr. BERMAN. Madam Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. BERMAN. The question is raised by several of the opposing speakers: Why are we doing this now? What's the rush? And the only rush, because I would prefer we have more time, I prefer we have more discussion, is that tomorrow the General Assembly, in its rush to adopt a resolution to send this matter to the Security Council and to the international criminal courts if there is not an investigation within 90 days, is speeding to a judgment, and I personally think it is very important for us to act on this matter before the General Assembly meets, debates, and votes.

Secondly, there have been glowing tributes, and I am sure they are deserved, to the record, the resume, the judgment, the reputation of Justice Goldstone. Several of my favorite Supreme Court justices voted in a decision called Korematsu to pick up Japanese Americans who resided in different parts of the United States and put them into detention camps. They are still my favorite justices, but they made a mistake. A wonderful jurist can issue a flawed report, and I would suggest this is such a situation.

Next, let's talk about the Human Rights Commission. The U.N. Human Rights Council is obsessed with Israel. They have had 24 negative resolutions on Israel in its 3 years of existence, which totals more than every other resolution on any other country regardless of their human rights record. Total, 24 on Israel; less on all of the other countries of the world. It is the only country which is on the permanent agenda of the Human Rights Council, and it is discussed every year automatically. The only country.

Now, we corrected what I think were some inaccuracies in the initial language regarding the mandate, and we recognize the efforts. Never, as my ranking member points, to formally change the mandate, but for Justice Goldstone to operate. But I would not rest my opposition, my support for this resolution, and my disagreement with the opponents simply based on the reputation and conduct of the Human Rights Council. The fact is I too believe the report is flawed.

I am going to take a couple of moments to quote from this coming week's New Republic an article by Moshe Halbertal. I want to quote two paragraphs which I think reflect better than I can say on my own the problem here and ask my colleagues to come to grips with this.

He writes, ''The commission that wrote the report,'' that is the Goldstone Report, ''could have performed a great service if it had concentrated on gathering the testimonies from Gaza and assessing them critically, while acknowledging (as the Goldstone Report failed to do) that they are partial and incomplete.''

By definition, they did not talk, for reasons that we all know, they did not talk to the Israeli forces that were involved in the crimes this commission found them to have committed.

''This would have forced Israel to investigate various matters, provide answers, and take appropriate measures.''

Continuing, ''But instead, the commission opted to add to its findings

three unnecessary elements: the context of the history that led to the war; its assessments of Israel's strategic goals; and long sections on Israel's occupation of the West Bank. Why should a committee with a mandate to inquire into the operation in Gaza deal with the Israeli-Palestinian conflict at large?

''The honest reader of these sections,'' and I have read those sections, ''cannot avoid the impression that their objective is to prepare a general indictment of Israel as a predatory state that is geared toward violating human rights all the time. It will naturally follow from such a premise that the Gaza operation was yet another instance of Israel's general wicked behavior. These long sections are the weakest, the most biased, and the most outrageous in this long document. They are nothing if not political. In Goldstone's account of the history that led to the war, for example, Hamas is basically described as a legitimate party that had the bad luck to clash with Israel. The bloody history of the movement—which, since the beginning of the Oslo accords, was determined to do everything in its power, including the massacre of civilians, to defeat the peace process—is not mentioned.''

We are in a very strange situation. Israel has conducted numerous investigations on this issue. I would like to see Israel conduct a formal inquiry on this particular issue. But until we in this Congress come here and recommend that some outside commission recognize the U.S. military because a number of civilians died in the asymmetrical war or when we dealt with Taliban forces in Afghanistan, or other issues that come in an asymmetrical war where the soldiers wear no uniforms and there is no front, don't start telling us that democratic allies like Israel have to have these investigations. Their process will produce the right result, I truly believe.

I urge an ''aye'' vote for the resolution.

Mrs. BACHMANN. Madam Speaker, the United States and Israel have shared a close relationship of friendship, cooperation, and strategic alliance that serves as an example to the rest of the world. I believe it is imperative for the United States to unequivocally reject the findings of the Goldstone Report, in order to preserve and nurture this relationship.

The U.N. Human Rights Council has long been recognized for its anti-Israel bias, so it comes as little surprise they would rubber-stamp the ''Goldstone Report'' and its findings of ''crimes against humanity'' with regard to Israel's activities in Gaza. To quote Israel's Ambassador to the U.S., Michael Oren, ''Israel basically was the equivalent of being summoned to a court in which its guilt was already presumed . . . I can't think of any country in the world which would participate in such a farce of justice.''

Indeed, while this report condemns Israel's actions, it ignores the precipitating causes of Israel's self-defensive actions, concluding that Israel's military operations were ''deliberate and systematic,'' and directed at the people of Gaza as a whole, failing to acknowledge Israel's right to defend itself against terrorism, namely the thousands of rockets launched daily at its citizens. Moreover, the Goldstone Report ignores the extraordinary steps taken by Israel to minimize civilian casualties, often putting its own soldiers at greater risk to do so.

Madam Speaker, it is unfortunate that recent years have been marked by escalating armed conflict between Israel and Hamas; however, I believe the United States should stand steadfast in its commitment to a free and secure Israel as the Middle East comes to embrace the liberties and freedoms of democratic societies.

Mr. PASCRELL. Madam Speaker, I rise today regarding H. Res. 867 condemning the United Nation's Goldstone Report on last winter's conflict in Israel and the Gaza Strip, which the House of Representatives considered today. I am unable to attend today's legislative session, but had I been present I would have voted ''aye.''

The right of our close friend and ally Israel to defend itself from rocket fire originating in the Gaza Strip is without question. Since 2000, over 9,000 rockets have fallen on the residents of southern Israel, who live in constant fear of this violent terrorism. Since Hamas took over the leadership in Gaza, the number of rockets fired has increased considerably, and the range of these rockets is ever expanding.

The situation in the Gaza Strip remains unsustainable. The ongoing blockade and the damage to the territory inflicted during the recent conflict have caused great hardship to many innocent Palestinian's living in Gaza. This situation is only made worse by Hamas, who embed themselves in private homes, schools, mosques, hospitals, and use innocent Palestinians as human shields during the conflict.

Judge Richard Goldstone has previously investigated war crimes in the former Yugoslavia and Rwanda. His report on the Gaza war contains many accusations of troubling actions taken by both sides during the recent conflict. I have extreme reservations regarding the history of the United Nations Human Rights Council and it is troubling that their original mandate focused solely in Israel and ignored Hamas' clear violations of international law. I applaud Judge Goldstone for his insistence on changing that mandate to include investigations of both sides, however the pattern of bias exhibited by the UNHRC is troubling and difficult to ignore. Therefore, I would not support any further action by the United Nations that unfairly singles out Israel, and would urge the administration to work to actively defeat any such attempts.

I believe many of the allegations in the report are serious, and the most appropriate course of action to take would be for the Israelis and Palestinians to each commission independent investigations into their countries respective conduct during the war. The war in Gaza last winter brought terrible suffering to both the Israelis in southern Israel and Palestinians in Gaza and this cannot be ignored.

The recent conflict makes it clearer than ever that the endless cycle of violence has done nothing to bring peace or security to the region. I applaud the Obama administration for their commitment to a two state solution that represents the best chance for a lasting peace between the Israelis and Palestinians. I urge both sides to start negotiations as soon as possible.

Mr. COSTELLO. Madam Speaker, I rise today to express my concern over the Report of the United Nations Fact Finding Mission on the Gaza Conflict and in support of H. Res. 867.

On October 16, 2009, the United Nations Human Rights Council endorsed the findings of the Report of the United Nations Fact Finding Mission on the Gaza Conflict, commonly referred to as the Goldstone Report. The Goldstone report unfairly documents the events that occurred during Operation Cast Lead, or the Gaza conflict, from December 27, 2008, to January 18, 2009, determining that Israel deliberately attacked Gaza civilians.

As a member of the Tom Lantos Human Rights Commission, I am deeply committed to ending human rights violations and holding the perpetrators accountable for their actions. However, I join my colleagues and over 15 member states of the United Nations Human Rights Council, who believe that this report is biased and deeply flawed.

As a cosponsor of H. Res. 867, I agree that the Obama administration should not endorse the Goldstone Report because it unfairly castigates Israel's actions during the Gaza conflict. For example, the report recommends that the U.N. General Assembly establish a reparation fund to compensate Palestinians who have suffered loss during the Gaza conflict. However, the report ignores any need that a similar escrow fund be established for Israelis who have suffered years of violence and destruction at the hands of Hamas and other militant groups in Gaza.

Finally, the report fails to recognize the repeated violent attacks committed against Israeli citizens and its unequivocal right to defend itself. Israel has the right and the responsibility to defend its people and ensure its security. That right should be fully acknowledged.

Madam Speaker, there is an urgency to reach a workable peace between Israel and Palestine. It is my hope that these two nations are able to find a lasting peace in the near term to circumvent further violent conflicts, and I believe this report does not move us closer to that goal. I urge my colleagues to join me in opposing the Goldstone Report and supporting H. Res. 867.

Mr. DINGELL. Madam Speaker, I rise in opposition to H. Res. 867. This resolution, though nonbinding, sends a signal to the world that the United States Congress is not serious about pushing the Israelis and the Palestinians toward a peaceful resolution.

It is true that the body that mandated the Report of the United Nations Fact Finding Mission on the Gaza Conflict, known as the Goldstone Report, has been no friend to Israel. Indeed, the United Nations Human Rights Council has consistently passed one-sided biased resolutions against Israel while, at the same time, allowing documented, blatant human rights violators to preside over that body without criticism. The U.S and other friends of Israel have every right and every reason to be critical of the United Nations' treatment of Israel, when, for example, 6 of 10 special sessions of the U.N. General Assembly have been about Israel, while none has been called on Tibet or Darfur.

Therefore, we must ask ourselves, does this resolution, which opposes further consideration of the Goldstone Report, bring us closer to peace in the Middle East? Does it spur negotiations between the Israelis, Palestinians, and other parties, or does it marginalize and itself choose sides? We must ask, are we undermining President Obama's, Secretary Clinton's, and Special Envoy Mitchell's efforts to serve as an honest broker, bring the two sides together, and achieve peace, by passing this resolution?

Madam Speaker, Israel, unequivocally, has a right to defend itself against those who seek to destroy it. We know that Israel was relentlessly attacked by rockets and mortars leading up to the Gaza war. They made the calculation that they could not allow Hamas to continue this violence and abuse.

However, neither Israel nor Hamas, nor any other country or other nonstate political actor is exempt from international human rights laws or free of consequence for violations of them. If nothing else, the Goldstone Report should serve as a document that Israel, Hamas, and the rest of the international community can use to ensure that future human rights violations do not take place in civilian areas and that their militaries and fighters are actively working toward minimizing civilian casualties in the future.

Madam Speaker, time and again we acknowledge the urgency of this conflict. The Obama administration is working feverishly with both sides toward a peaceful resolution, a two-state solution which will benefit both parties, the United States and the Middle East region as a whole.

I urge my colleagues to join me in voting "no" on this resolution.

Mr. GEORGE MILLER of California. Madam Speaker, regrettably, I rise in opposition to H. Res. 867, a resolution condemning the recently issued "Report of the United Nations Fact Finding Mission on the Gaza Conflict," commonly known as the Goldstone Report.

I do not believe that the House should be asked to vote on this resolution when it has not come before the Committee on Foreign Affairs for even one hearing and was brought to the House with little notice under procedures typically reserved for noncontroversial legislation. Given the subject matter of this resolution and the diverse range of views expressed on it from many organizations and individuals, including individuals in my own congressional district, I do not believe this resolution can be described as noncontroversial.

The military conflict in the Gaza Strip last winter resulted in devastating consequences to innocent Israeli and Palestinian civilians. It is critical that the international community evaluate the events of last December and January in a factual, unbiased manner. To this end, I am pleased that H. Res. 867 recognizes the numerous problems in the original resolution passed by the United Nations Human Rights Council authorizing the Goldstone Report, as that original resolution wrongly singled out alleged Israeli abuses and ignored the harm caused by Hamas' rocket and mortar attacks on the Israeli people.

However, I have serious reservations about other aspects of H. Res. 867.

No congressional hearings have been held on H. Res. 867 or the Goldstone Report. On an issue of such importance, Congress must do its due diligence and ensure that we have a full understanding of the facts before being asked to vote to condemn the report and its authors.

Furthermore, I am concerned that H. Res. 867 implicitly criticizes the Goldstone Report because of the initial Human Rights Council resolution. Justice Richard Goldstone, who oversaw the Goldstone Report, is a distinguished jurist with a long record of support for human rights. Most notably, Justice Goldstone was a prominent critic of the abhorrent apartheid regime in South Africa. As H. Res. 867 notes, to his credit, Justice Goldstone extended the original mandate for the Report of the United Nations Fact Finding Mission on the Gaza Conflict to include an evaluation of Hamas' rocket attacks on civilians in southern Israel, among other issues.

Regardless of one's ultimate evaluation of the report, it is important to recognize the changes that Justice Goldstone was able to make to it and evaluate his report on its own merits.

I fully support efforts to provide clarity, honesty and accuracy to the debate about the conflict in Gaza, just as do many of my constituents who have contacted me this week urging me to oppose this resolution. Hastily voting on a resolution to condemn this report without the ability to properly evaluate its findings does not serve this purpose.

Also, I do not believe that this resolution aids the important effort of achieving a two-state solution to help end the ever-present violence and strife in the region. President Obama has taken admirable steps to bring the two sides to the negotiating table, after years of neglect under the Bush administration. Yet, this resolution today does not aid the administration in that effort or further the peace process. In fact, I believe this resolution undermines the ability of the United States to further push both sides toward serious peace negotiations.

The House can play a constructive role in promoting peace and understanding in the Middle East and I look forward to supporting such efforts. Regrettably, due to the concerns I have stated above about specific aspects of this resolution and the process under which it has been brought to the House, I must oppose the resolution.

Ms. WOOLSEY. Madam Speaker, it is with great disappointment that I rise today to address H. Res. 867, a resolution calling on the President and the Secretary of State to oppose unequivocally any endorsement or further consideration of the "Report of the United Nations Fact Finding Mission."

Like many of my colleagues, I support the rights of countries—including Israel—to defend themselves. When a democratically elected and peace-seeking nation is forced to take up arms, it is within its rights and obligations to protect its own land and people.

Sadly, the resolution we consider today goes far beyond that principle. H. Res. 867 will only serve to drive a wedge between the parties and will derail the Administration's efforts towards a peaceful resolution to the ongoing conflict.

While the "Report of the United Nations Fact Finding Mission on the Gaza Conflict" is far from perfect, it should not be used as a political tool to block the peace process or to promote distrust and division.

Any action Congress takes should serve to promote a negotiated peace that will end the violence that threatens to overtake the region and irreparably scar generations. I fear that the resolution before us today only fans the flames of discord and moves us no closer to the common goal of security and prosperity.

It is my hope that in the future Congress will have the opportunity to consider legislation that is balanced and that—at its core—promotes a smart security policy for the U.S. and its allies in the region. Unfortunately, this resolution does not.

Mr. PAULSEN. Madam Speaker, I rise today in strong support for the resolution before us calling for the unequivocal opposition to any endorsement or further consideration of the Report of the United Nations Fact Finding Mission on the Gaza Conflict.

This report, more commonly known as "the Goldstone Report" continues the U.N.'s misguided treatment towards Israel.

Madam Speaker, this report and its findings have been skewed from the start. Former United Nations High Commissioner for Human Rights, Mary Robinson, condemned the mandate to initiate the report as being one-sided and "guided not by human rights, but by politics."

Therefore, the results are not surprising. The report gives a one-sided account of the conflict and does nothing to promote or bring about stability in the region.

While seeking to condemn Israel with outrageous accusations, nowhere in the misguided report does it recognize the fact that Israel has a right to defend itself from violent terrorist attacks.

Adopting this resolution will go a long way in sending a message to the U.N. that the American people will not stand for this biased and misleading action.

I want to thank Chairman BERMAN and Ranking Member ROS-LEHTINEN for their thoughtful work on this resolution. I urge my colleagues to vote "yes" and move towards real, meaningful peace in the Middle East.

Mrs. MCMORRIS RODGERS. Madam Speaker, I rise today in strong support for H. Res. 867, a resolution calling on the President and the Secretary of State to oppose unequivocally any endorsement or further consideration of the "Report of the United Nations Fact Finding Mission on the Gaza Conflict in Multilateral Fora."

Madam Speaker, this past August, I had the opportunity to visit Israel with my husband Brian. There, I saw firsthand how real the struggle for survival really is. I realized that when surrounded by enemies and people who think nothing of suicide bombing innocent civilians and launching hundreds of rockets across the borders, self-defense becomes paramount. Action becomes necessary when diplomacy and words fail. And, despite decades of attempts to engage its enemies, action continues to be necessary to protect this small, but strong nation.

The Goldstone Report is just another attempt by Israel's enemies to delegitimize it—this time using the pretense of a "United Nations fact finding mandate."

Biased from the start—mandating the fact finding mission to "investigate all violations of international human rights law and International Humanitarian Law by . . . Israel, against the Palestinian people," the mission intentionally ignored the use of human shields by Hamas and the indirect support of Syria and Iran.

American courts have long recognized the right to act in self-defense. Only a biased United Nations report could find the Palestinian attackers morally equivalent to the Israeli defenders.

When I left Israel in August, I pledged to work tirelessly on behalf of the Israeli people to ensure their survival. I am glad to speak out against this overtly biased report and I urge my colleagues to join me fighting for the Israeli people.

Mr. FARR. Madam Speaker, this resolution before us today, House Resolution 867, does nothing to advance the cause of peace and understanding between the Israelis and Palestinians.

In a recent meeting with Jewish constituents, I heard a comment that I thought was moving for its simplicity and power. My constituent told me, ''Israel will not have peace and security until Palestinians have hope.''

This resolution does nothing to give hope to the people of Palestine that a better, peaceful future is possible and therefore does nothing to give greater security to the people of Israel. It is a hasty and unconstructive measure that fails to establish a foundation upon which a future peace and prosperity will be constructed.

House Resolution 867 has too many flaws and questionable conclusions for me to support it. I think the Committee should have given the Goldstone report a hearing and taken the opportunity to ask Justice Goldstone questions about his mandate, his findings and his conclusions.

I would ask that Justice Goldstone's letter to Chairman BERMAN and Ranking Member ROS-LEHTINEN be included in the RECORD.

In this letter, Justice Goldstone clarifies that he demanded and received an expanded mandate to include the attacks on Israel. The report includes more than 150 instances where it explores the rocket attacks against Israel. And as a matter of fact, the Goldstone report found that rocket attacks constituted ''indiscriminate attacks upon the civilian population of southern Israel''.

I recognize a history of bias against Israel at the United Nations and I believe that one-sided resolutions against Israel have no place in an honest debate. However, it should be noted—and it is not in the resolution before us today—that Justice Goldstone dedicated scores of pages to expose war crimes and human rights violations perpetrated by Hamas and other Palestinian armed groups for the first time ever.

This resolution suffers too many instances of inaccuracy. It too often gives an account of the Goldstone report that is incomplete and therefore ends up being misleading. I don't believe this moves us closer to peace and for these reasons I cannot support the resolution.

Mr. ACKERMAN. Madam Speaker, I strongly support the resolution and want to express my deep appreciation to the Chairman, Mr. BERMAN, and to the Ranking Minority Member, Ms. ROS-LEHTINEN, for their efforts to bring this resolution before the House.

In April 2009, the U.N. Human Rights Council set up a Commission to condemn Israel. To the surprise of no one, it did exactly that. But for the grave subject matter, the Goldstone report, built heavily on testimony provided under the auspices of Hamas, would be laughable. In the self-righteous fantasyland inhabited by Judge Goldstone and his colleagues, there's no such thing as terrorism; there's no such thing as Hamas (and if it does exist, it's certainly nothing to fear); there's no such thing as legitimate self-defense; and war is like a sporting event, rather than the most ghastly, destructive, chaotic phenomenon we human beings are capable of creating.

Had the report been submitted by a group of eager law students or the human rights club on a college campus, I would suggest that their efforts had been unfortunately wasted on the production of a pompous, tendentious, one-sided political diatribe. Notwithstanding all their alleged ''facts'' there's very little truth, and for all the so-called ''context'' they supply, there's very little wisdom.

As this diatribe actually carries the imprimatur of a part of the United Nations, there have been—as I feared when the report was first issued—a number of very unfortunate developments all based on the report is being mistaken for a credible piece of work, which it is not. In addition to the wasteful consideration of this thoroughly biased and fatally flawed document in several bodies of the United Nations, the report has also set off yet another round of offensive and sterile Israel-bashing that has brought peace no closer, that has produced no international consensus, and, along the way, that has further sullied and cheapened the reputation of the United Nations and the cause of human rights.

Certainly, the United States must do all that it can to ensure that no more time is spent on this distraction from the real work of making peace. The Obama Administration has rightfully denounced the Goldstone Report, which, if it was taken seriously, would make it legally impossible for this country, or any other country, to defend themselves from terrorists who hide behind civilians. Israeli Prime Minister Netanyahu has been forcefully arguing that international community can't possibly expect Israel to exchange ''land for peace'' if, when the peace breaks down, Israel is effectively prohibited from defending itself.

First of all, I think Prime Minister Netanyahu is completely right. And second, there's not even the smallest shred of a possibility that the Israeli public would agree to any peace agreement under the absurd operational restrictions that the Goldstone Report proposes to require of Israel's (and every other country's) armed forces.

The resolution makes clear the strong view of the House that the Obama Administration must do everything it can to quash the Goldstone report, both to protect our own right of self-defense, and to make clear to the world that they can have Goldstone, or they can have Middle East peace, but they can't have Goldstone and Middle East peace.

Mr. AL GREEN of Texas. Madam Speaker, I rise in support of H. Res. 867, a bipartisan resolution which calls upon the President and the Secretary of State to oppose the endorsement and further consideration of the ''Report of the United Nations Fact Finding Mission on the Gaza Conflict'' in multilateral fora.

The report, commissioned by the United Nations Human Rights Council, called for an investigation into war crimes and possible crimes against humanity by Israel during 22 days of fighting in Gaza and southern Israel in December 2008 and January 2009.

As a result, the fact-finding mission released an unbalanced 575-page report which unfairly focuses on Israel's conduct despite efforts by the report's chief author, Justice Richard Goldstone, to broaden the mandate to include violations committed by Hamas and other militant groups.

In spite of its inaccuracies, the United Nations Human Rights Council endorsed the report and its recommendations and referred it to the United Nations Security Council, United Nations General Assembly and the International Criminal Court for further action.

A report that is not inclusive of all the facts and circumstances surrounding the conflict is an inconclusive report. It is unacceptable to consider a report which fails to provide a complete and accurate account of the Gaza conflict. To do otherwise undermines the inquiry process and denies the truth.

I urge my colleagues to support House Resolution 867.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and agree to the resolution, H. Res. 867, 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.

Ms. ROS-LEHTINEN. Madam 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.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3639, EXPEDITED CARD REFORM FOR CONSUMERS ACT OF 2009

Mr. MCGOVERN, from the Committee on Rules, submitted a privileged report (Rept. No. 111–326) on the resolution (H. Res. 884) providing for consideration of the bill (H.R. 3639) to amend the Credit Card Accountability Responsibility and Disclosure Act of 2009 to establish an earlier effective date for various consumer protections, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2868, CHEMICAL FACILITY ANTI-TERRORISM ACT OF 2009

Mr. MCGOVERN, from the Committee on Rules, submitted a privileged report (Rept. No. 111–327) on the resolution (H. Res. 885) providing for consideration of the bill (H.R. 2868) to amend the Homeland Security Act of 2002 to extend, modify, and recodify the authority of the Secretary of Homeland Security to enhance security and protect against acts of terrorism against chemical facilities, and for other purposes, which was referred to the House Calendar and ordered to be printed.