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VARIOUS BILLS AND RESOLUTIONS

MARKUP

BEFORE THE

COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES

ONE HUNDRED TWELFTH CONGRESS

SECOND SESSION

ON

H.R. 4405, H. Res. 506, H.R. 4141, H. Res. 526, H. Res. 583 and H. Res. 663

JUNE 7, 2012

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VARIOUS BILLS AND RESOLUTIONS

THURSDAY, JUNE 7, 2012

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The committee met, pursuant to notice, at 10 o'clock a.m., in room 2200 Rayburn House Office Building, Hon. Ileana Ros-Lehtinen (chairman of the committee) presiding.

Chairman ROS-LEHTINEN. The committee will come to order. Pursuant to notice, the committee meets today to markup several bipartisan measures. Without objection, all members may have 5 days to insert written remarks into the record on any of today's measures or amendments. According to the expedited procedures shared with members earlier this week, we will consider and approve all the measures en bloc. Afterwards, I will recognize myself, the ranking member, Ms. Schmidt, any other members seeking recognition for remarks.

All of these items are in the packets in front of members, were provided to your offices, and posted online earlier this week. And so, without objection, the following measures are considered as read and will be considered en bloc.

H.R. 4405, the Sergei Magnitsky Rule of Law Accountability Act of 2012, and the bipartisan substitute amendment offered by the Chair.

H. Res. 506, calling upon the Government of Turkey to facilitate the opening of the Ecumenical Patriarchate's Theological School of Halki.

H.R. 4141, the Donald M. Payne International Food Assistance Improvement Act of 2012, and the bipartisan substitute amendment offered by the Chair.

H. Res. 583, expressing support for robust efforts by the United States to see Joseph Kony, the leader of the Lord's Resistance Army, and his top commanders brought to justice, and the bipartisan amendment to H. Res. 583 offered by the Chair.

H. Res. 663, expressing support for the International Olympic Committee to recognize a minute of silence for those who lost their lives at the 1972 Munich Olympics, and the bipartisan substitute amendment offered by the Chair.

And H. Res. 526, expressing the sense of the House of Representatives with respect to the establishment of a democratic and prosperous Republic of Georgia, and the bipartisan amendment substitute offered by the Chair.

[The bills and amendments referred to follow:]

I

112TH CONGRESS
2D SESSION

H. R. 4405

To impose sanctions on persons responsible for the detention, abuse, or death of Sergei Magnitsky, and for other gross violations of human rights in the Russian Federation, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 19, 2012

Mr. MCGOVERN (for himself, Mr. WOLF, Mr. LEVIN, Ms. ROS-LEHTINEN, Mr. HASTINGS of Florida, Mr. ROYCE, Mr. MCDERMOTT, Mr. BURTON of Indiana, Mr. CONNOLLY of Virginia, Mr. SMITH of New Jersey, Mr. TOWNS, Mr. ROSKAM, Mr. MICHAUD, Mr. PITTS, Mr. RANGEL, and Mr. TURNER of Ohio) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

---

A BILL

To impose sanctions on persons responsible for the detention, abuse, or death of Sergei Magnitsky, and for other gross violations of human rights in the Russian Federation, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Sergei Magnitsky Rule
5 of Law Accountability Act of 2012".

SEC. 2. FINDINGS.

Congress finds the following:

(1) The United States aspires to a mutually beneficial relationship with the Russian Federation based on respect for human rights and the rule of law, and supports the people of the Russian Federation in their efforts to realize their full economic potential and to advance democracy, human rights, and the rule of law.

(2) The Russian Federation—

(A) is a member of the United Nations, the Organization for Security and Co-operation in Europe, the Council of Europe, and the International Monetary Fund;

(B) has ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Covenant on Civil and Political Rights, and the United Nations Convention against Corruption; and

(C) is bound by the legal obligations set forth in the European Convention on Human Rights.

(3) States voluntarily commit themselves to respect obligations and responsibilities through the adoption of international agreements and treaties,

which must be observed in good faith in order to maintain the stability of the international order. Human rights are an integral part of international law, and lie at the foundation of the international order. The protection of human rights, therefore, particularly in the case of a country that has incurred obligations to protect human rights under an international agreement to which it is a party, is not left exclusively to the internal affairs of that country.

(4) Good governance and anti-corruption measures are instrumental in the protection of human rights and in achieving sustainable economic growth, which benefits both the people of the Russian Federation and the international community through the creation of open and transparent markets.

(5) Systemic corruption erodes trust and confidence in democratic institutions, the rule of law, and human rights protections. This is the case when public officials are allowed to abuse their authority with impunity for political or financial gains in collusion with private entities.

(6) The Russian nongovernmental organization INDEM has estimated that bribes by individuals and businesses in the Russian Federation amount to

hundreds of billions of dollars a year, an increasing share of the country's gross domestic product.

(7) Sergei Leonidovich Magnitsky died on November 16, 2009, at the age of 37, in Matrosskaya Tishina Prison in Moscow, Russia, and is survived by a mother, a wife, and 2 sons.

(8) On July 6, 2011, Russian President Dimitry Medvedev's Human Rights Council announced the results of its independent investigation into the death of Sergei Magnitsky. The Human Rights Council concluded that Sergei Magnitsky's arrest and detention was illegal; he was denied access to justice by the courts and prosecutors of the Russian Federation; he was investigated by the same law enforcement officers whom he had accused of stealing Hermitage Fund companies and illegally obtaining a fraudulent $230,000,000 tax refund; he was denied necessary medical care in custody; he was beaten by 8 guards with rubber batons on the last day of his life; and the ambulance crew that was called to treat him as he was dying was deliberately kept outside of his cell for one hour and 18 minutes until he was dead. The report of the Human Rights Council also states the officials falsified their accounts of what happened to Sergei Magnitsky and,

18 months after his death, no officials had been brought to trial for his false arrest or the crime he uncovered. The impunity continued in April 2012, when Russian authorities dropped criminal charges against Larisa Litvinova, the head doctor at the prison where Magnitsky died.

(9) The systematic abuse of Sergei Magnitsky, including his repressive arrest and torture in custody by officers of the Ministry of the Interior of the Russian Federation that Mr. Magnitsky had implicated in the embezzlement of funds from the Russian Treasury and the misappropriation of 3 companies from his client, Hermitage Capital Management, reflects how deeply the protection of human rights is affected by corruption.

(10) The politically motivated nature of the persecution of Mr. Magnitsky is demonstrated by—

(A) the denial by all state bodies of the Russian Federation of any justice or legal remedies to Mr. Magnitsky during the nearly 12 full months he was kept without trial in detention; and

(B) the impunity since his death of state officials he testified against for their involve-

1 ment in corruption and the carrying out of his
2 repressive persecution.
3 (11) The Public Oversight Commission of the
4 City of Moscow for the Control of the Observance of
5 Human Rights in Places of Forced Detention, an or-
6 ganization empowered by Russian law to independ-
7 ently monitor prison conditions, concluded on De-
8 cember 29, 2009, "A man who is kept in custody
9 and is being detained is not capable of using all the
10 necessary means to protect either his life or his
11 health. This is a responsibility of a state which holds
12 him captive. Therefore, the case of Sergei Magnitsky
13 can be described as a breach of the right to life. The
14 members of the civic supervisory commission have
15 reached the conclusion that Magnitsky had been ex-
16 periencing both psychological and physical pressure
17 in custody, and the conditions in some of the wards
18 of Butyrka can be justifiably called torturous. The
19 people responsible for this must be punished.".
20 (12) Sergei Magnitsky's experience, while par-
21 ticularly illustrative of the negative effects of official
22 corruption on the rights of an individual citizen, ap-
23 pears to be emblematic of a broader pattern of dis-
24 regard for the numerous domestic and international
25 human rights commitments of the Russian Federa-

tion and impunity for those who violate basic human rights and freedoms.

(13) The second trial, verdict, and sentence against former Yukos executives Mikhail Khodorkovsky and Platon Lebedev evoke serious concerns about the right to a fair trial and the independence of the judiciary in the Russian Federation. The lack of credible charges, intimidation of witnesses, violations of due process and procedural norms, falsification or withholding of documents, denial of attorney-client privilege, and illegal detention in the Yukos case are highly troubling. The Council of Europe, Freedom House, and Amnesty International, among others, have concluded that they were charged and imprisoned in a process that did not follow the rule of law and was politically influenced. Furthermore, senior officials of the Government of the Russian Federation, including First Deputy Prime Minister Igor Shuvalov, have acknowledged that the arrest and imprisonment of Khodorkovsky were politically motivated.

(14) According to Freedom House's 2011 report entitled "The Perpetual Battle: Corruption in the Former Soviet Union and the New EU Members", "[t]he highly publicized cases of Sergei

Magnitsky, a 37-year-old lawyer who died in pretrial detention in November 2009 after exposing a multi-million-dollar fraud against the Russian taxpayer, and Mikhail Khodorkovsky, the jailed business magnate and regime critic who was sentenced at the end of 2010 to remain in prison through 2017, put an international spotlight on the Russian state's contempt for the rule of law. . . . By silencing influential and accomplished figures such as Khodorkovsky and Magnitsky, the Russian authorities have made it abundantly clear that anyone in Russia can be silenced.".

(15) The tragic and unresolved murders of Nustap Abdurakhmanov, Maksharip Aushev, Natalya Estemirova, Akhmed Hadjimagomedov, Umar Israilov, Paul Klebnikov, Anna Politkovskaya, Saihadji Saihadjiev, and Magomed Y. Yevloyev, the death in custody of Vera Trifonova, the disappearances of Mokhmadsalakh Masaev and Said-Saleh Ibragimov, the torture of Ali Israilov and Islam Umarpashaev, the near-fatal beatings of Mikhail Beketov, Oleg Kashin, Arkadiy Lander, and Mikhail Vinyukov, and the harsh and ongoing imprisonment of Mikhail Khodorkovsky, Alexei Kozlov, Platon Lebedev, and Fyodor Mikheev further illustrate the

grave danger of exposing the wrongdoing of officials of the Government of the Russian Federation, including Chechen leader Ramzan Kadyrov, or of seeking to obtain, exercise, defend, or promote internationally recognized human rights and freedoms.

SEC. 3. DEFINITIONS.

In this Act:

(1) ADMITTED; ALIEN.—The terms "admitted" and "alien" have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the Committee on Armed Services, the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Homeland Security, and the Committee on the Judiciary of the House of Representatives; and

(B) the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, and the Committee on the Judiciary of the Senate.

1 (3) FINANCIAL INSTITUTION.—The term "fi-
2 nancial institution" has the meaning given that term
3 in section 5312 of title 31, United States Code.
4 (4) UNITED STATES PERSON.—The term
5 "United States person" means—
6 (A) a United States citizen or an alien law-
7 fully admitted for permanent residence to the
8 United States; or
9 (B) an entity organized under the laws of
10 the United States or of any jurisdiction within
11 the United States, including a foreign branch of
12 such an entity.

13 **SEC. 4. IDENTIFICATION OF PERSONS RESPONSIBLE FOR**
14 **THE DETENTION, ABUSE, AND DEATH OF**
15 **SERGEI MAGNITSKY AND OTHER GROSS VIO-**
16 **LATIONS OF HUMAN RIGHTS.**

17 (a) IN GENERAL.—Not later than 120 days after the
18 date of the enactment of this Act, the Secretary of State,
19 in consultation with the Secretary of the Treasury, shall
20 publish in the Federal Register a list of each person the
21 Secretary of State has reason to believe—
22 (1) is responsible for the detention, abuse, or
23 death of Sergei Magnitsky, participated in efforts to
24 conceal the legal liability for the detention, abuse, or
25 death of Sergei Magnitsky, financially benefited

1 from the detention, abuse, or death of Sergei
2 Magnitsky, or was involved in the criminal con-
3 spiracy uncovered by Sergei Magnitsky; or
4 (2) is responsible for extrajudicial killings, tor-
5 ture, or other gross violations of internationally rec-
6 ognized human rights committed against individuals
7 seeking—
8 (A) to expose illegal activity carried out by
9 officials of the Government of the Russian Fed-
10 eration; or
11 (B) to obtain, exercise, defend, or promote
12 internationally recognized human rights and
13 freedoms, such as the freedoms of religion, ex-
14 pression, association, and assembly, and the
15 rights to a fair trial and democratic elections;
16 or
17 (3) acted as an agent of or on behalf of a per-
18 son in a matter relating to an activity described in
19 paragraph (1) or (2).
20 (b) UPDATES.—The Secretary of State shall update
21 the list required by subsection (a) as new information be-
22 comes available.
23 (c) REMOVAL FROM LIST.—A person shall be re-
24 moved from the list required by subsection (a) if the per-
25 son demonstrates to the Secretary of State that the person

1 did not engage in the activity for which the person was
2 added to the list.

3 (d) REQUESTS BY CHAIRPERSON AND RANKING
4 MEMBER OF APPROPRIATE CONGRESSIONAL COMMIT-
5 TEES.—

6 (1) IN GENERAL.—Not later than 120 days
7 after receiving a written request from the chair-
8 person and the ranking member of one of the appro-
9 priate congressional committees with respect to
10 whether a person meets the criteria for being added
11 to the list required by subsection (a), the Secretary
12 of State shall submit a response to the chairperson
13 and ranking member of the committee which made
14 the request with respect to whether or not the Sec-
15 retary determines that the person meets those cri-
16 teria.

17 (2) FORM.—The Secretary of State may submit
18 a response required by paragraph (1) in classified
19 form if the Secretary determines that it is necessary
20 for the national security interests of the United
21 States to do so.

22 (3) REMOVAL.—If the Secretary of State re-
23 moves from the list required by subsection (a) a per-
24 son who has been placed on the list at the request
25 of the chairperson and the ranking member of one

of the appropriate congressional committees, the Secretary shall provide that chairperson and ranking member with any evidence that contributed to the removal decision. The Secretary may submit such evidence in classified form if the Secretary determines that such is necessary for the national security interests of the United States.

(e) NONAPPLICABILITY OF CONFIDENTIALITY REQUIREMENT WITH RESPECT TO VISA RECORDS.—The Secretary of State shall publish the list required by subsection (a) without regard to the requirements of section 222(f) of the Immigration and Nationality Act (8 U.S.C. 1202(f)) with respect to confidentiality of records pertaining to the issuance or refusal of visas or permits to enter the United States.

SEC. 5. INADMISSIBILITY OF CERTAIN ALIENS.

(a) INELIGIBILITY FOR VISAS.—An alien is ineligible to receive a visa to enter the United States and ineligible to be admitted to the United States if the alien is on the list required by section 4(a).

(b) CURRENT VISAS REVOKED.—The Secretary of State shall revoke, in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), the visa or other documentation of any alien who would

be ineligible to receive such a visa or documentation under subsection (a).

(c) WAIVER FOR NATIONAL SECURITY INTERESTS.—The Secretary of State may waive the application of subsection (a) or (b) in the case of an alien if—

(1) the Secretary determines that such a waiver—

(A) is necessary to permit the United States to comply with the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, signed June 26, 1947, and entered into force November 21, 1947; or

(B) is in the national security interests of the United States; and

(2) prior to granting such a waiver, the Secretary provides to the appropriate congressional committees notice of, and a justification for, the waiver.

(d) REGULATORY AUTHORITY.—The Secretary of State shall prescribe such regulations as are necessary to carry out this section.

SEC. 6. FINANCIAL MEASURES.

(a) FREEZING OF ASSETS.—The Secretary of the Treasury shall, pursuant to the International Emergency

1 Economic Powers Act (50 U.S.C. 1701 et seq.), freeze and
2 prohibit all transactions in all property and interests in
3 property of a person that the Secretary determines has
4 engaged in an activity described in paragraph (1), (2), or
5 (3) of section 4(a) if such property and interests in prop-
6 erty are in the United States, come within the United
7 States, or are or come within the possession or control
8 of a United States person.

9 (b) WAIVER FOR NATIONAL SECURITY INTERESTS.—
10 The Secretary of the Treasury may waive the application
11 of subsection (a) if the Secretary determines that such a
12 waiver is in the national security interests of the United
13 States. Prior to granting such a waiver, the Secretary
14 shall provide to the appropriate congressional committees
15 notice of, and a justification for, the waiver.

16 (c) ENFORCEMENT.—

17 (1) PENALTIES.—A person that violates, at-
18 tempts to violate, conspires to violate, or causes a
19 violation of this section or any regulation, license, or
20 order issued to carry out this section shall be subject
21 to the penalties set forth in subsections (b) and (c)
22 of section 206 of the International Emergency Eco-
23 nomic Powers Act (50 U.S.C. 1705) to the same ex-
24 tent as a person that commits an unlawful act de-
25 scribed in subsection (a) of such section.

1 (2) REQUIREMENTS FOR FINANCIAL INSTITU-
2 TIONS.—
3 (A) IN GENERAL.—Not later than 120
4 days after the date of the enactment of this
5 Act, the Secretary of the Treasury shall pre-
6 scribe regulations to require each financial in-
7 stitution that is a United States person to cer-
8 tify to the Secretary that, to the best of the
9 knowledge of the financial institution, the finan-
10 cial institution has frozen all assets within the
11 possession or control of the financial institution
12 that are required to be frozen pursuant to sub-
13 section (a).
14 (B) PENALTIES.—The penalties provided
15 for in sections 5321(a) and 5322 of title 31,
16 United States Code, shall apply to a financial
17 institution that violates a regulation prescribed
18 under subparagraph (A) in the same manner
19 and to the same extent as such penalties would
20 apply to any person that is otherwise subject to
21 such section 5321(a) or 5322.
22 (d) REGULATORY AUTHORITY.—The Secretary of the
23 Treasury shall issue such regulations, licenses, and orders
24 as are necessary to carry out this section.

SEC. 7. REPORT TO CONGRESS.

Not later than one year after the date of the enactment of this Act and annually thereafter, the Secretary of State and the Secretary of the Treasury shall submit to the appropriate congressional committees a report on—

(1) the actions taken to carry out this Act, including—

(A) the number of persons added to or removed from the list required by section 4(a) during the year preceding the report, the dates on which such persons have been added or removed, and the reasons for adding or removing them; and

(B) if few or no such persons have been added to that list during that year, the reasons for not adding more such persons to the list; and

(2) efforts by the executive branch to encourage the governments of other countries to impose sanctions that are similar to the sanctions imposed under this Act.

SEC. 8. TERMINATION.

The provisions of this Act shall terminate on the date that is 10 years after the date of the enactment of this Act.

○

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 4405 OFFERED BY MS. ROS-LEHTINEN OF FLORIDA

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the "Sergei Magnitsky Rule
3 of Law Accountability Act of 2012".

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) The United States aspires to a mutually
7 beneficial relationship with the Russian Federation
8 based on respect for human rights and the rule of
9 law, and supports the people of the Russian Federa-
10 tion in their efforts to realize their full economic po-
11 tential and to advance democracy, human rights,
12 and the rule of law.

13 (2) The Russian Federation—

14 (A) is a member of the United Nations,
15 the Organization for Security and Co-operation
16 in Europe, the Council of Europe, and the
17 International Monetary Fund;

(B) has ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Covenant on Civil and Political Rights, and the United Nations Convention against Corruption; and

(C) is bound by the legal obligations set forth in the European Convention on Human Rights.

(3) States voluntarily commit themselves to respect obligations and responsibilities through the adoption of international agreements and treaties, which must be observed in good faith in order to maintain the stability of the international order. Human rights are an integral part of international law, and lie at the foundation of the international order. The protection of human rights, therefore, particularly in the case of a country that has incurred obligations to protect human rights under an international agreement to which it is a party, is not left exclusively to the internal affairs of that country.

(4) Good governance and anti-corruption measures are instrumental in the protection of human rights and in achieving sustainable economic growth,

which benefits both the people of the Russian Federation and the international community through the creation of open and transparent markets.

(5) Systemic corruption erodes trust and confidence in democratic institutions, the rule of law, and human rights protections. This is the case when public officials are allowed to abuse their authority with impunity for political or financial gains in collusion with private entities.

(6) The Russian nongovernmental organization INDEM has estimated that bribes by individuals and businesses in the Russian Federation amount to hundreds of billions of dollars a year, an increasing share of the country's gross domestic product.

(7) Sergei Leonidovich Magnitsky died on November 16, 2009, at the age of 37, in Matrosskaya Tishina Prison in Moscow, Russia, and is survived by a mother, a wife, and 2 sons.

(8) On July 6, 2011, Russian President Dimitry Medvedev's Human Rights Council announced the results of its independent investigation into the death of Sergei Magnitsky. The Human Rights Council concluded that Sergei Magnitsky's arrest and detention was illegal; he was denied access to justice by the courts and prosecutors of the

Russian Federation; he was investigated by the same law enforcement officers whom he had accused of stealing Hermitage Fund companies and illegally obtaining a fraudulent $230,000,000 tax refund; he was denied necessary medical care in custody; he was beaten by 8 guards with rubber batons on the last day of his life; and the ambulance crew that was called to treat him as he was dying was deliberately kept outside of his cell for one hour and 18 minutes until he was dead. The report of the Human Rights Council also states the officials falsified their accounts of what happened to Sergei Magnitsky and, 18 months after his death, no officials had been brought to trial for his false arrest or the crime he uncovered. The impunity continued in April 2012, when Russian authorities dropped criminal charges against Larisa Litvinova, the head doctor at the prison where Magnitsky died.

(9) The systematic abuse of Sergei Magnitsky, including his repressive arrest and torture in custody by officers of the Ministry of the Interior of the Russian Federation that Mr. Magnitsky had implicated in the embezzlement of funds from the Russian Treasury and the misappropriation of 3 companies from his client, Hermitage Capital Management, re-

flects how deeply the protection of human rights is affected by corruption.

(10) The politically motivated nature of the persecution of Mr. Magnitsky is demonstrated by—

(A) the denial by all state bodies of the Russian Federation of any justice or legal remedies to Mr. Magnitsky during the nearly 12 full months he was kept without trial in detention; and

(B) the impunity since his death of state officials he testified against for their involvement in corruption and the carrying out of his repressive persecution.

(11) The Public Oversight Commission of the City of Moscow for the Control of the Observance of Human Rights in Places of Forced Detention, an organization empowered by Russian law to independently monitor prison conditions, concluded on December 29, 2009, "A man who is kept in custody and is being detained is not capable of using all the necessary means to protect either his life or his health. This is a responsibility of a state which holds him captive. Therefore, the case of Sergei Magnitsky can be described as a breach of the right to life. The members of the civic supervisory commission have

reached the conclusion that Magnitsky had been experiencing both psychological and physical pressure in custody, and the conditions in some of the wards of Butyrka can be justifiably called torturous. The people responsible for this must be punished.".

(12) Sergei Magnitsky's experience, while particularly illustrative of the negative effects of official corruption on the rights of an individual citizen, appears to be emblematic of a broader pattern of disregard for the numerous domestic and international human rights commitments of the Russian Federation and impunity for those who violate basic human rights and freedoms.

(13) The second trial, verdict, and sentence against former Yukos executives Mikhail Khodorkovsky and Platon Lebedev evoke serious concerns about the right to a fair trial and the independence of the judiciary in the Russian Federation. The lack of credible charges, intimidation of witnesses, violations of due process and procedural norms, falsification or withholding of documents, denial of attorney-client privilege, and illegal detention in the Yukos case are highly troubling. The Council of Europe, Freedom House, and Amnesty International, among others, have concluded that they

were charged and imprisoned in a process that did not follow the rule of law and was politically influenced. Furthermore, senior officials of the Government of the Russian Federation, including First Deputy Prime Minister Igor Shuvalov, have acknowledged that the arrest and imprisonment of Khodorkovsky were politically motivated.

(14) According to Freedom House's 2011 report entitled "The Perpetual Battle: Corruption in the Former Soviet Union and the New EU Members", "[t]he highly publicized cases of Sergei Magnitsky, a 37-year-old lawyer who died in pretrial detention in November 2009 after exposing a multi-million-dollar fraud against the Russian taxpayer, and Mikhail Khodorkovsky, the jailed business magnate and regime critic who was sentenced at the end of 2010 to remain in prison through 2017, put an international spotlight on the Russian state's contempt for the rule of law. . . . By silencing influential and accomplished figures such as Khodorkovsky and Magnitsky, the Russian authorities have made it abundantly clear that anyone in Russia can be silenced.".

(15) The tragic and unresolved murders of Nustap Abdurakhmanov, Maksharip Aushev,

Natalya Estemirova, Akhmed Hadjimagomedov, Umar Israilov, Paul Klebnikov, Anna Politkovskaya, Saihadji Saihadjiev, and Magomed Y. Yevloyev, the death in custody of Vera Trifonova, the disappearances of Mokhmadsalakh Masaev and Said-Saleh Ibragimov, the torture of Ali Israilov and Islam Umarpashaev, the near-fatal beatings of Mikhail Beketov, Oleg Kashin, Arkadiy Lander, and Mikhail Vinyukov, and the harsh and ongoing imprisonment of Mikhail Khodorkovsky, Alexei Kozlov, Platon Lebedev, and Fyodor Mikheev further illustrate the grave danger of exposing the wrongdoing of officials of the Government of the Russian Federation, including Chechen leader Ramzan Kadyrov, or of seeking to obtain, exercise, defend, or promote internationally recognized human rights and freedoms.

SEC. 3. DEFINITIONS.

In this Act:

(1) ADMITTED; ALIEN.—The terms "admitted" and "alien" have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the Committee on Armed Services, the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Homeland Security, and the Committee on the Judiciary of the House of Representatives; and

(B) the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, and the Committee on the Judiciary of the Senate.

(3) FINANCIAL INSTITUTION.—The term "financial institution" has the meaning given that term in section 5312 of title 31, United States Code.

(4) UNITED STATES PERSON.—The term "United States person" means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

SEC. 4. IDENTIFICATION OF PERSONS RESPONSIBLE FOR THE DETENTION, ABUSE, AND DEATH OF SERGEI MAGNITSKY AND OTHER GROSS VIOLATIONS OF HUMAN RIGHTS.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of the Treasury, shall publish in the Federal Register a list of each person the Secretary of State has reason to believe—

(1) is responsible for the detention, abuse, or death of Sergei Magnitsky, participated in efforts to conceal the legal liability for the detention, abuse, or death of Sergei Magnitsky, financially benefited from the detention, abuse, or death of Sergei Magnitsky, or was involved in the criminal conspiracy uncovered by Sergei Magnitsky; or

(2) is responsible for extrajudicial killings, torture, or other gross violations of internationally recognized human rights committed against individuals seeking—

(A) to expose illegal activity carried out by officials of the Government of the Russian Federation; or

(B) to obtain, exercise, defend, or promote internationally recognized human rights and freedoms, such as the freedoms of religion, ex-

1 pression, association, and assembly, and the
2 rights to a fair trial and democratic elections,
3 in Russia; or
4 (3) acted as an agent of or on behalf of a per-
5 son in a matter relating to an activity described in
6 paragraph (1) or (2).
7 (b) UPDATES.—The Secretary of State shall update
8 the list required by subsection (a) as new information be-
9 comes available.
10 (c) REMOVAL FROM LIST.—A person shall be re-
11 moved from the list required by subsection (a) if the per-
12 son demonstrates to the Secretary of State that the person
13 did not engage in the activity for which the person was
14 added to the list.
15 (d) REQUESTS BY CHAIRPERSON AND RANKING
16 MEMBER OF APPROPRIATE CONGRESSIONAL COMMIT-
17 TEES.—
18 (1) IN GENERAL.—Not later than 120 days
19 after receiving a written request from the chair-
20 person and the ranking member of one of the appro-
21 priate congressional committees with respect to
22 whether a person meets the criteria for being added
23 to the list required by subsection (a), the Secretary
24 of State shall submit a response to the chairperson
25 and ranking member of the committee which made

1 the request with respect to whether or not the Sec-
2 retary determines that the person meets those cri-
3 teria.

4 (2) FORM.—The Secretary of State may submit
5 a response required by paragraph (1) in classified
6 form if the Secretary determines that it is necessary
7 for the national security interests of the United
8 States to do so.

9 (3) REMOVAL.—If the Secretary of State re-
10 moves from the list required by subsection (a) a per-
11 son who has been placed on the list at the request
12 of the chairperson and the ranking member of one
13 of the appropriate congressional committees, the
14 Secretary shall provide that chairperson and ranking
15 member with any evidence that contributed to the
16 removal decision. The Secretary may submit such
17 evidence in classified form if the Secretary deter-
18 mines that such is necessary for the national secu-
19 rity interests of the United States.

20 (e) NONAPPLICABILITY OF CONFIDENTIALITY RE-
21 QUIREMENT WITH RESPECT TO VISA RECORDS.—The
22 Secretary of State shall publish the list required by sub-
23 section (a) without regard to the requirements of section
24 222(f) of the Immigration and Nationality Act (8 U.S.C.
25 1202(f)) with respect to confidentiality of records per-

1 taining to the issuance or refusal of visas or permits to
2 enter the United States.

3 **SEC. 5. INADMISSIBILITY OF CERTAIN ALIENS.**

4 (a) INELIGIBILITY FOR VISAS.—An alien is ineligible
5 to receive a visa to enter the United States and ineligible
6 to be admitted to the United States if the alien is on the
7 list required by section 4(a).

8 (b) CURRENT VISAS REVOKED.—The Secretary of
9 State shall revoke, in accordance with section 221(i) of
10 the Immigration and Nationality Act (8 U.S.C. 1201(i)),
11 the visa or other documentation of any alien who would
12 be ineligible to receive such a visa or documentation under
13 subsection (a).

14 (c) WAIVER FOR NATIONAL SECURITY INTERESTS.—
15 The Secretary of State may waive the application of sub-
16 section (a) or (b) in the case of an alien if—

17 (1) the Secretary determines that such a waiv-
18 er—

19 (A) is necessary to permit the United
20 States to comply with the Agreement between
21 the United Nations and the United States of
22 America regarding the Headquarters of the
23 United Nations, signed June 26, 1947, and en-
24 tered into force November 21, 1947; or

(B) is in the national security interests of the United States; and

(2) prior to granting such a waiver, the Secretary provides to the appropriate congressional committees notice of, and a justification for, the waiver.

(d) REGULATORY AUTHORITY.—The Secretary of State shall prescribe such regulations as are necessary to carry out this section.

SEC. 6. FINANCIAL MEASURES.

(a) FREEZING OF ASSETS.—The Secretary of the Treasury shall, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), freeze and prohibit all transactions in all property and interests in property of a person that the Secretary determines has engaged in an activity described in paragraph (1), (2), or (3) of section 4(a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(b) WAIVER FOR NATIONAL SECURITY INTERESTS.—The Secretary of the Treasury may waive the application of subsection (a) if the Secretary determines that such a waiver is in the national security interests of the United States. Prior to granting such a waiver, the Secretary

shall provide to the appropriate congressional committees notice of, and a justification for, the waiver.

(c) ENFORCEMENT.—

(1) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of this section or any regulation, license, or order issued to carry out this section shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of such section.

(2) REQUIREMENTS FOR FINANCIAL INSTITUTIONS.—

(A) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of the Treasury shall prescribe regulations to require each financial institution that is a United States person to certify to the Secretary that, to the best of the knowledge of the financial institution, the financial institution has frozen all assets within the possession or control of the financial institution that are required to be frozen pursuant to subsection (a).

(B) PENALTIES.—The penalties provided for in sections 5321(a) and 5322 of title 31, United States Code, shall apply to a financial institution that violates a regulation prescribed under subparagraph (A) in the same manner and to the same extent as such penalties would apply to any person that is otherwise subject to such section 5321(a) or 5322.

(d) REGULATORY AUTHORITY.—The Secretary of the Treasury shall issue such regulations, licenses, and orders as are necessary to carry out this section.

SEC. 7. REPORT TO CONGRESS.

Not later than one year after the date of the enactment of this Act and annually thereafter, the Secretary of State and the Secretary of the Treasury shall submit to the appropriate congressional committees a report on—

(1) the actions taken to carry out this Act, including—

(A) the number of persons added to or removed from the list required by section 4(a) during the year preceding the report, the dates on which such persons have been added or removed, and the reasons for adding or removing them; and

(B) if few or no such persons have been added to that list during that year, the reasons for not adding more such persons to the list; and

(2) efforts by the executive branch to encourage the governments of other countries to impose sanctions that are similar to the sanctions imposed under this Act.

SEC. 8. TERMINATION.

The provisions of this Act shall terminate on the date that is 10 years after the date of the enactment of this Act.

IV

112TH CONGRESS
1ST SESSION

H. RES. 506

Calling upon the Government of Turkey to facilitate the reopening of the Ecumenical Patriarchate's Theological School of Halki without condition or further delay.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 20, 2011

Mr. BILIRAKIS (for himself, Mrs. MALONEY, Mr. GRIMM, Mr. SARBANES, and Ms. BERKLEY) submitted the following resolution; which was referred to the Committee on Foreign Affairs

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RESOLUTION

Calling upon the Government of Turkey to facilitate the reopening of the Ecumenical Patriarchate's Theological School of Halki without condition or further delay.

Whereas the Ecumenical Patriarchate is an institution with a history spanning 17 centuries, serving as the center of the Orthodox Christian Church throughout the world;

Whereas Ecumenical Patriarch Bartholomew is the spiritual leader of nearly 300,000,000 Orthodox Christians around the world and millions of Orthodox Christians in the United States;

Whereas the Ecumenical Patriarchate is the spiritual home of the world's oldest and second largest Christian church located in Istanbul, Turkey;

Whereas within the 2,000-year-old Sacred See of the Ecumenical Patriarchate, the New Testament was codified and the Nicene Creed was created;

Whereas the Ecumenical Patriarchate sits at the crossroads of East and West, offering a unique perspective on the religions and cultures of the world;

Whereas the disappearance of the See would mean the end of a crucial link between the Christian and the Muslim world since the continuing presence of the Ecumenical Patriarchate in Turkey is a living testimony of religious co-existence since 1453;

Whereas the title of Ecumenical Patriarch was formally accorded to the Archbishop of Constantinople by a synod convened in Constantinople during the sixth century;

Whereas, since November 1991, His All Holiness, Bartholomew I, has served as Archbishop of Constantinople, New Rome and Ecumenical Patriarch;

Whereas Ecumenical Patriarch Bartholomew I was awarded the Congressional Gold Medal in 1997, in recognition of his outstanding and enduring contributions toward religious understanding and peace;

Whereas, during the 110th Congress, 75 Senators and the overwhelming majority of members of the Committee on Foreign Affairs of the House of Representatives wrote to President George W. Bush and the Prime Minister of Turkey to express congressional concern, which continues today, regarding the absence of religious freedom for Ecumenical Patriarch Bartholomew I in the areas of church-controlled Patriarchal succession, the confiscation of the vast majority of Patriarchal properties, recognition

of the international Ecumenicity of the Patriarchate, and the reopening of the Theological School of Halki;

Whereas the Theological School of Halki, founded in 1844 and located outside Istanbul, Turkey, served as the principal seminary for the Ecumenical Patriarchate until its forcible closure by the Turkish authorities in 1971;

Whereas the alumni of this preeminent educational institution include numerous prominent Orthodox scholars, theologians, priests, bishops, and patriarchs, including Bartholomew I;

Whereas the Republic of Turkey has been a participating state of the Organization for Security and Cooperation in Europe (OSCE) since signing the Helsinki Final Act in 1975;

Whereas in 1989, the OSCE participating states adopted the Vienna Concluding Document, committing to respect the right of religious communities to provide "training of religious personnel in appropriate institutions";

Whereas the continued closure of the Ecumenical Patriarchate's Theological School of Halki has been an ongoing issue of concern for the American people and the United States Congress and has been repeatedly raised by members of the Commission on Security and Cooperation in Europe and by United States delegations to the OSCE's annual Human Dimension Implementation Meeting;

Whereas, in his address to the Grand National Assembly of Turkey on April 6, 2009, President Barack Obama said, "Freedom of religion and expression lead to a strong and vibrant civil society that only strengthens the state, which is why steps like reopening Halki Seminary will send such an important signal inside Turkey and beyond.";

Whereas, in a welcomed development, the Prime Minister of Turkey, Recep Tayyip Erdogan, met with the Ecumenical Patriarch on August 15, 2009, and, in an address to a wider gathering of minority religious leaders that day, concluded by stating, "We should not be of those who gather, talk, and disperse. A result should come out of this.";

Whereas, during his visit to the United States in November 2009, Ecumenical Patriarch Bartholomew I raised the issue of the continued closure of the Theological School of Halki with President Obama, congressional leaders, and others;

Whereas, in a welcome development, for the first time since 1922, the Government of Turkey in August 2010 allowed the liturgical celebration by the Ecumenical Patriarch at the historic Sumela Monastery; and

Whereas, following a unanimous decision by the European Court of Human Rights in Strasbourg in 2010, ruling that Turkey return the former Greek Orphanage on Buyukada Island to the Ecumenical Patriarchate, on the eve of the feast day of St. Andrew observed on November 30, the Government of Turkey provided lawyers representing the Ecumenical Patriarchate with the formal property title for the confiscated building: Now, therefore, be it

1 *Resolved,* That the House of Representatives—

2 (1) welcomes the historic meeting between
3 Prime Minister Recep Tayyip Erdogan and Ecu-
4 menical Patriarch Bartholomew I;

(2) welcomes the positive gestures by the Government of Turkey, including allowing the liturgical celebration by the Ecumenical Patriarch at the historic Sumela Monastery and the return of the former Greek Orphanage on Buyukada Island to the Ecumenical Patriarchate;

(3) urges the Government of Turkey to facilitate the reopening of the Ecumenical Patriarchate's Theological School of Halki without condition or further delay; and

(4) urges the Government of Turkey to address other longstanding concerns relating to the Ecumenical Patriarchate.

○

I

112TH CONGRESS
2D SESSION

H. R. 4141

To direct the Administrator of the United States Agency for International Development to take appropriate actions to improve the nutritional quality, quality control, and cost effectiveness of United States food assistance, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 2012

Mr. PAYNE (for himself, Mr. BERMAN, Mr. MCGOVERN, Ms. WOOLSEY, Mr. COHEN, and Ms. BASS of California) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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A BILL

To direct the Administrator of the United States Agency for International Development to take appropriate actions to improve the nutritional quality, quality control, and cost effectiveness of United States food assistance, and for other purposes.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "International Food Assistance Improvement Act of 2012".

SEC. 2. FINDINGS.

Congress finds the following:

(1) For more than 55 years the United States, backed by the support of the American people, has been committed to providing life-saving food assistance to developing countries and vulnerable populations around the world.

(2) As the largest donor of international food assistance, an essential tool in tackling malnutrition, the United States can lead the way in improving food aid quality to better target undernourished women and children.

(3) The United States contributes over one-half of all food aid supplies to alleviate hunger and support development and plays an important role in responding to emergency food aid needs and ensuring global food security.

(4) Over the past decade, increasing food prices and protracted humanitarian crises around the world have made United States food assistance even more critical and relevant. At the same time, these factors, combined with advancements in nutrition science, as well as severe and ongoing fiscal constraints, have led to an increased demand by policymakers and program implementers for new specially formulated and cost-effective products to meet the

1 nutritional needs of the world's most vulnerable pop-
2 ulations.
3 (5) While United States food assistance is effec-
4 tive in providing critical calories and nutrients to
5 millions of people during short-term emergencies,
6 the long-term impacts of these programs have also
7 been increasingly called into question for not meet-
8 ing the nutritional needs of recipient populations.
9 (6) Reducing maternal and child malnutrition,
10 especially in the critical 1,000 days between preg-
11 nancy and age 2, is a key priority of United States
12 global food security and health initiatives, including
13 food aid.
14 (7) Recent reports by the Government Account-
15 ability Office and the United States Agency for
16 International Development recommended over 35
17 changes to United States food aid products and pro-
18 grams to improve the nutritional quality, quality
19 control, and cost effectiveness of United States food
20 assistance.
21 **SEC. 3. SENSE OF CONGRESS.**
22 It is the sense of Congress that—
23 (1) even in this time of fiscal austerity, the
24 American people support the United States Govern-
25 ment's historic commitment to providing life-saving

1 food assistance to the world's most vulnerable popu-
2 lations;
3 (2) high food prices, coupled with growing con-
4 straints on available resources for foreign assistance
5 require the United States Government to focus on
6 creating efficiencies, improving quality controls, and
7 maximizing cost-effectiveness and nutritional impact
8 of United States food assistance programs;
9 (3) improving maternal and child health with
10 supplemental nutrition products is a central objec-
11 tive of international food assistance programs; and
12 (4) the United States has shown considerable
13 leadership in meeting the nutrition needs of preg-
14 nant women and small children through the 1,000
15 Days Partnership to support the Scaling Up Nutri-
16 tion (SUN) movement.

17 **SEC. 4. PROVISION OF AGRICULTURAL COMMODITIES.**

18 Section 202(h) of the Food for Peace Act (7 U.S.C.
19 1722(h)) is amended by striking paragraph (1) and insert-
20 ing the following:
21 "(1) IN GENERAL.—The Administrator shall
22 use funds made available in fiscal year 2012 and
23 subsequent fiscal years to carry out this title to im-
24 prove the nutritional quality of United States food
25 assistance, particularly for vulnerable groups such as

1 pregnant and lactating mothers, children under the
2 age of five, with a focus on the cost-effective 1,000
3 days between pregnancy and age 2, when appro-
4 priate, and beneficiaries under the President's
5 Emergency Fund for AIDS Relief in Africa
6 (PEPFAR), including by—
7 "(A) adopting new specifications or im-
8 proving existing specifications for micronutrient
9 fortified food aid products, based on the latest
10 developments in food and nutrition science;
11 "(B) strengthening necessary systems to
12 better assess the types and quality of agricul-
13 tural commodities and products donated for
14 food assistance;
15 "(C) adjusting products and formulations,
16 including potential introduction of new
17 fortificants and products, as necessary to cost
18 effectively meet nutrient needs of target popu-
19 lations;
20 "(D) testing prototypes;
21 "(E) developing new program guidance to
22 facilitate improved matching of products to pur-
23 poses having nutritional intent, including an
24 updated commodity reference guide and deci-
25 sion tools;

"(F) developing enhanced guidance, in coordination with the Coordinator of United States Government Activities to Combat HIV/AIDS Globally and PEPFAR, to support the allocation of food commodities and products for nutrition support in HIV programming, using standardized indicators of impact;

"(G) providing improved guidance to implementing partners on how to address nutritional deficiencies that emerge among recipients for whom food assistance is the sole source of diet in emergency programs that extend beyond one year;

"(H) considering options for using United States-produced food fortification packages, including vitamin and mineral mixes, to fortify local foods in recipient countries, as appropriate; and

"(I) evaluating, in appropriate program settings and as necessary, the performance and cost-effectiveness of new or modified specialized food products and program approaches designed to meet the nutritional needs of the most vulnerable groups.".

SEC. 5. FOOD AID CONSULTATIVE GROUP.

(a) MEMBERSHIP.—Section 205(b) of the Food for Peace Act (7 U.S.C. 1725(b)) is amended—

(1) in paragraph (6), by striking "and" at the end;

(2) in paragraph (7), by striking the period and inserting "; and"; and

(3) by adding at the end the following:

"(8) nutrition science experts from academia and nongovernmental organizations.".

(b) COORDINATION AND OVERSIGHT.—Section 205 of the Food for Peace Act (7 U.S.C. 1725) is amended—

(1) by redesignating subsections (d), (e), and (f) as subsections (e), (f), and (g), respectively; and

(2) by inserting after subsection (c) the following:

"(d) COORDINATION AND OVERSIGHT.—

"(1) IN GENERAL.—The Administrator shall work within the Group to take the actions described in paragraph (2) to increase coordination and oversight of food assistance programs established and implemented under this Act, with a primary focus on improving quality control and cost effectiveness.

"(2) ACTIONS DESCRIBED.—The actions referred to in paragraph (1) are the following:

"(A) Explore and test options for improved packaging and storage of products to improve shelf life, promote recommended usage by intended beneficiaries, and oversee field-testing of products.

"(B) Work closely with the Department of Agriculture, to undertake reforms in commodity acquisition and supply chain management, drawing on best commercial practices for vendor selection, quality assurance standards, overall management of the supply chain, and auditing of food aid commodity suppliers.

"(C) Develop mechanisms and partnerships to facilitate more private sector development and innovation in food aid products, packaging, and delivery in order to improve the cost-effectiveness, nutritional quality, and overall acceptability of the product.

"(D) Provide guidance to implementing partners on whether and how best to use food aid commodities, such as new specialized food products, including guidance on targeting strategies to ensure that the products reach their intended recipients.

"(E) As appropriate, work to strengthen monitoring of commodity quality by identifying and tracking key quality indicators to determine the full extent of quality problems, including emerging concerns.

"(F) Establish processes and system-wide protocols for effective monitoring and evaluation of impact, to inform improved program design and address improving cost-effectiveness.".

SEC. 6. STRATEGY AND REPORT.

(a) STRATEGY.—The Administrator shall ensure that any United States Government strategy relating to global food security includes a description of how food assistance programs carried out under the Food for Peace Act will contribute to, and be integrated with, such strategy.

(b) REPORT.—The Administrator shall ensure that comprehensive information regarding budgets and expenditures, monitoring and evaluation, policy, and coordination of food assistance programs carried out under the Food for Peace Act is included, as appropriate, in relevant reports submitted to Congress pursuant to the Foreign Assistance Act of 1961 and Acts making appropriations for the Department of State, foreign operations, and related programs.

SEC. 7. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of the United States Agency for International Development.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives; and

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

SEC. 8. FUNDING.

Nothing in this Act or any amendment made by this Act shall be construed to authorize the appropriation of amounts to carry out this Act or any amendment made by this Act.

○

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 4141

OFFERED BY M__. _____

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the "Donald M. Payne
3 International Food Assistance Improvement Act of 2012".

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) For more than 55 years the United States,
7 backed by the support of the American people, has
8 been committed to providing life-saving food assist-
9 ance to developing countries and vulnerable popu-
10 lations around the world.

11 (2) As the largest donor of international food
12 assistance, an essential tool in tackling malnutrition,
13 the United States has led the way in improving food
14 aid quality to better target undernourished women
15 and children.

16 (3) The United States contributes over one-half
17 of all food aid supplies to alleviate hunger and sup-
18 port development and plays an important role in re-

sponding to emergency food aid needs and ensuring global food security.

(4) Over the past decade, rising food prices and protracted humanitarian crises around the world have contributed to increasing demands upon United States food assistance. At the same time, these factors, combined with advancements in nutrition science, as well as severe and ongoing fiscal constraints, have led to an increased demand by policymakers and program implementers for new specially formulated and cost-effective products to meet the nutritional needs of the world's most vulnerable populations.

(5) While United States food assistance is effective in providing critical calories and nutrients to millions of people during short-term emergencies, the long-term impacts of these programs have also been increasingly called into question for not meeting the nutritional needs of recipient populations.

(6) Reducing maternal and child malnutrition, especially in the critical 1,000 days between pregnancy and age 2, is a key priority of United States global food security and health initiatives, including food aid.

(7) Recent reports by the Government Accountability Office and the United States Agency for International Development recommended over 35 changes to United States food aid products and programs to improve the nutritional quality, quality control, and cost effectiveness of United States food assistance.

SEC. 3. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) even in this time of fiscal austerity, the American people support the United States Government's historic commitment to providing life-saving food assistance to the world's most vulnerable populations;

(2) high food prices, coupled with growing constraints on available resources for foreign assistance require the United States Government to focus on creating efficiencies, improving quality controls, and maximizing cost-effectiveness and nutritional impact of United States food assistance programs;

(3) improving maternal and child health with supplemental nutrition products is a central objective of international food assistance programs; and

(4) the United States has shown considerable leadership in meeting the nutrition needs of preg-

1 nant women and small children through the 1,000
2 Days Partnership to support the Scaling Up Nutri-
3 tion (SUN) movement.

4 **SEC. 4. PROVISION OF AGRICULTURAL COMMODITIES.**

5 Section 202(h) of the Food for Peace Act (7 U.S.C.
6 1722(h)) is amended by striking paragraph (1) and insert-
7 ing the following:

8 "(1) IN GENERAL.—The Administrator shall
9 use funds made available in fiscal year 2012 and
10 subsequent fiscal years to carry out this title to im-
11 prove the nutritional quality of United States food
12 assistance, particularly for vulnerable groups such as
13 pregnant and lactating mothers, children under the
14 age of five, with a focus on the cost-effective 1,000
15 days between pregnancy and age 2, when appro-
16 priate, and beneficiaries under the President's
17 Emergency Fund for AIDS Relief in Africa
18 (PEPFAR), such as by—

19 "(A) adopting new specifications or im-
20 proving existing specifications for micronutrient
21 fortified food aid products, based on the latest
22 developments in food and nutrition science;

23 "(B) strengthening necessary systems to
24 better assess the types and quality of agricul-

1 tural commodities and products donated for
2 food assistance;
3 "(C) adjusting products and formulations,
4 including potential introduction of new
5 fortificants and products, as necessary to cost
6 effectively meet nutrient needs of target popu-
7 lations;
8 "(D) testing prototypes;
9 "(E) developing new program guidance to
10 facilitate improved matching of products to pur-
11 poses having nutritional intent, including an
12 updated commodity reference guide and deci-
13 sion tools;
14 "(F) developing enhanced guidance, in co-
15 ordination with the Coordinator of United
16 States Government Activities to Combat HIV/
17 AIDS Globally and PEPFAR, to support the
18 targeting of food commodities and products for
19 nutrition support in HIV programming, using
20 standardized indicators of impact;
21 "(G) providing improved guidance to im-
22 plementing partners on how to address nutri-
23 tional deficiencies that emerge among recipients
24 for whom food assistance is the sole source of

diet in emergency programs that extend beyond one year;

"(H) considering options for using United States-produced food fortification packages, including vitamin and mineral mixes, to fortify local foods in recipient countries, as appropriate; and

"(I) evaluating, in appropriate program settings and as necessary, the performance and cost-effectiveness of new or modified specialized food products and program approaches designed to meet the nutritional needs of the most vulnerable groups.".

SEC. 5. FOOD AID CONSULTATIVE GROUP.

(a) MEMBERSHIP.—Section 205(b) of the Food for Peace Act (7 U.S.C. 1725(b)) is amended—

(1) in paragraph (6), by striking "and" at the end;

(2) in paragraph (7), by striking the period and inserting "; and"; and

(3) by adding at the end the following:

"(8) nutrition science experts from academia and nongovernmental organizations.".

(b) COORDINATION AND OVERSIGHT.—Section 205 of the Food for Peace Act (7 U.S.C. 1725) is amended—

1 (1) by redesignating subsections (d), (e), and
2 (f) as subsections (e), (f), and (g), respectively; and
3 (2) by inserting after subsection (c) the fol-
4 lowing:
5 "(d) COORDINATION AND OVERSIGHT.—
6 "(1) IN GENERAL.—The Administrator shall
7 work within the Group to take the actions described
8 in paragraph (2) to increase coordination and over-
9 sight of food assistance programs established and
10 implemented under this Act, with a primary focus on
11 improving quality control and cost effectiveness.
12 "(2) ACTIONS DESCRIBED.—The actions re-
13 ferred to in paragraph (1) are the following:
14 "(A) Explore and test options for improved
15 packaging and storage of products to improve
16 shelf life, promote recommended usage by in-
17 tended beneficiaries, and oversee field-testing of
18 products.
19 "(B) Work closely with the Department of
20 Agriculture, to undertake reforms in commodity
21 acquisition and supply chain management,
22 drawing on best commercial practices for ven-
23 dor selection, quality assurance standards, over-
24 all management of the supply chain, and audit-
25 ing of food aid commodity suppliers.

"(C) Develop mechanisms and partnerships to facilitate more private sector development and innovation in food aid products, packaging, and delivery in order to improve the cost-effectiveness, nutritional quality, and overall acceptability of the product.

"(D) Provide guidance to implementing partners on whether and how best to use food aid commodities, such as new specialized food products, including guidance on targeting strategies to ensure that the products reach their intended recipients.

"(E) As appropriate, work to strengthen monitoring of commodity quality by identifying and tracking key quality indicators to determine the full extent of quality problems, including emerging concerns.

"(F) Establish processes and system-wide protocols for effective monitoring and evaluation of impact, to inform improved program design and address improving cost-effectiveness.".

SEC. 6. STRATEGY AND REPORT.

(a) STRATEGY.—The Administrator shall ensure that any United States Government strategy relating to global food security includes a description of how food assistance

1 programs carried out under the Food for Peace Act will
2 contribute to, and be integrated with, such strategy.
3 (b) REPORT.—The Administrator shall ensure that
4 comprehensive information regarding budgets and expend-
5 itures, monitoring and evaluation, policy, and coordination
6 of food assistance programs carried out under the Food
7 for Peace Act is included, as appropriate, in relevant re-
8 ports submitted to Congress pursuant to the Foreign As-
9 sistance Act of 1961 and Acts making appropriations for
10 the Department of State, foreign operations, and related
11 programs.

12 **SEC. 7. DEFINITIONS.**

13 In this Act:
14 (1) ADMINISTRATOR.—The term "Adminis-
15 trator" means the Administrator of the United
16 States Agency for International Development.
17 (2) APPROPRIATE CONGRESSIONAL COMMIT-
18 TEES.—The term "appropriate congressional com-
19 mittees" means—
20 (A) the Committee on Foreign Affairs and
21 the Committee on Appropriations of the House
22 of Representatives; and
23 (B) the Committee on Foreign Relations
24 and the Committee on Appropriations of the
25 Senate.

SEC. 8. FUNDING.

Nothing in this Act or any amendment made by this Act shall be construed to authorize the appropriation of amounts to carry out this Act or any amendment made by this Act.

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IV

112TH CONGRESS
2D SESSION

H. RES. 583

Expressing support for robust efforts by the United States to see Joseph Kony, the leader of the Lord's Resistance Army, and his top commanders brought to justice and the group's atrocities permanently ended.

IN THE HOUSE OF REPRESENTATIVES

MARCH 13, 2012

Mr. MCGOVERN (for himself and Mr. ROYCE) submitted the following resolution; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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RESOLUTION

Expressing support for robust efforts by the United States to see Joseph Kony, the leader of the Lord's Resistance Army, and his top commanders brought to justice and the group's atrocities permanently ended.

Whereas in February 2007, the World Bank estimated in its report, "Development and the Next Generation", that the Lord's Resistance Army (LRA) forcibly recruited some 66,000 youth of all ages and sexes over the prior two decades from northern Uganda;

Whereas since September 2008, Joseph Kony has directed the LRA in systematic, large-scale attacks against innocent civilians in the Democratic Republic of the Congo,

the Central African Republic, and the newly formed Republic of South Sudan that have destabilized the region and resulted in the—

(1) deliberate killing of at least 2,400 Congolese, Central African, and South Sudanese civilians, many of whom were targeted in schools and churches;

(2) rape and brutal mutilation of an unknown number of men, women, and children;

(3) abduction of over 3,400 civilians, including at least 1,500 children, many of them forced to become child soldiers or sex slaves; and

(4) displacement of more than 465,000 civilians from their homes, many of whom do not have access to essential humanitarian assistance;

Whereas insecurity caused by the LRA has undermined efforts by the governments in the region, with the assistance of the United States and international community, to consolidate peace and stability in each of the countries affected, particularly the Democratic Republic of the Congo and the newly formed Republic of South Sudan;

Whereas LRA leader Joseph Kony was designated a "Specially Designated Global Terrorist" by President George W. Bush pursuant to Executive Order 13224, and found by the Secretary of State to pose "a significant risk of committing acts of terrorism that threaten the security of United States nationals or the national security, foreign policy, or economy of the United States";

Whereas, on October 6, 2005, the International Criminal Court issued arrest warrants against Joseph Kony and his top commanders for war crimes and crimes against humanity, yet they remain at large;

Whereas hundreds of thousands of Americans from across the country, especially youth activists, have expressed outrage at the atrocities of the LRA and called for renewed efforts to bring an end to their violent activities;

Whereas in May 2010, Congress passed the Lord's Resistance Army Disarmament and Northern Uganda Recovery Act of 2009 (Public Law 111–172) with widespread bipartisan support;

Whereas Public Law 111–172 made it the policy of the United States to work with regional governments toward a comprehensive and lasting resolution to the conflict in northern Uganda and other affected areas by providing political, economic, military, and intelligence support for viable multilateral efforts to protect civilians from the LRA, to apprehend or remove Joseph Kony and his top commanders from the battlefield in the continued absence of a negotiated solution, and to disarm and demobilize the remaining LRA fighters;

Whereas, on November 24, 2010, as mandated by Public Law 111–172, the White House issued its Strategy to Support the Disarmament of the Lord's Resistance Army, providing a comprehensive guide for United States support across the affected region to mitigate and eliminate the threat to civilians and regional stability posed by the LRA;

Whereas, on October 14, 2011, the President notified Congress that, consistent with the United States strategy, he had authorized a small number of United States military personnel to deploy to the region to serve as advisors to national military forces pursuing the LRA and seeking to protect local populations;

Whereas the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) authorized the Secretary of Defense, with the concurrence of the Secretary of State, to provide logistic support, supplies, and services for foreign forces participating in operations to mitigate and eliminate the threat of the LRA;

Whereas the Consolidated Appropriations Act, 2012 (Public Law 112–74) directed the Administration to support increased peace and security efforts in areas affected by the LRA, including programs to improve physical access, telecommunications infrastructure, and early warning mechanisms and to support the disarmament, demobilization, and reintegration of former LRA combatants, especially child soldiers;

Whereas the United Nations and African Union, acting with encouragement from the United States, have renewed their efforts to help governments in the region address the LRA threat, and on November 22, 2011, the African Union designated the LRA as a terrorist group and authorized a regional cooperation initiative to end LRA atrocities;

Whereas despite these efforts, governments in the region have not yet been successful in apprehending or removing Joseph Kony or his top commanders from the battlefield or ending the group's threat to civilians and regional security; and

Whereas targeted United States assistance and leadership can help prevent further mass atrocities and curtail humanitarian suffering: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

(1) condemns the LRA's continued senseless atrocities, and calls for renewed, robust efforts by the United States, governments in the affected region, and the international community to bring an end to the LRA's terror once and for all;

(2) commends American citizens for their concern and creative efforts to help the communities affected by the LRA;

(3) welcomes and encourages the Ugandan and other regional governments, as well as the African Union, for their efforts to end the LRA threat;

(4) welcomes United States ongoing efforts to implement a comprehensive strategy to counter the LRA, in line with Public Law 111–172, and to assist governments in the region to bring Joseph Kony to justice and end LRA atrocities;

(5) calls on the Administration to keep Congress fully informed of its efforts and to work closely with Congress in 2012 to address critical gaps and enhance United States support for the regional effort to counter the LRA;

(6) calls on the Secretary of State and heads of other government agencies to undertake diplomatic efforts with partner nations focused on—

1 (A) expanding the number of capable re-
2 gional military forces deployed to protect civil-
3 ians and pursue LRA commanders;
4 (B) enhancing cooperation and cross-bor-
5 der coordination among regional governments;
6 and
7 (C) promoting increased contributions
8 from European and other donor nations for re-
9 gional security efforts;
10 (7) calls on the Secretary of State, the Sec-
11 retary of Defense, the Administrator of the United
12 States Agency for International Development, and
13 the heads of other government agencies to utilize ex-
14 isting funds to address shortcomings in current ef-
15 forts, especially by—
16 (A) enhancing mobility, intelligence, and
17 logistical capabilities for partner forces engaged
18 in efforts to protect civilians and to apprehend
19 or remove Joseph Kony and his top com-
20 manders from the battlefield;
21 (B) expanding physical access and tele-
22 communications infrastructure to facilitate the
23 timely flow of information and access for hu-
24 manitarian and protection actors; and

(C) providing increased opportunities for LRA commanders, fighters, abductees, and associated noncombatants to safely escape and defect from the group, including through radio and community programs;

(8) calls for the United States to place restrictions on any individuals or governments, including the Republic of Sudan, found to be providing training, supplies, financing, or support of any kind to Joseph Kony or the LRA;

(9) stresses the importance that civilian protection be prioritized and that steps be taken to keep communities vulnerable to LRA attacks informed about known LRA movements and threats;

(10) notes the increased number of people who have been released or escaped from the LRA's ranks since October 2011 and calls on governments in the region and the international community to push for greater defections from the group; and

(11) urges the governments of Uganda, Democratic Republic of the Congo, Republic of South Sudan, Republic of Sudan, and Central African Republic to work together and redouble their efforts to address the LRA threat.

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AMENDMENT TO H. RES. 583

OFFERED BY M__. _____

Page 6, line 24, strike "and" at the end.

Page 7, line 5, insert "and" at the end.

Page 7, after line 5, insert the following:

1 (D) assisting regional militaries to incor-
2 porate precautions to protect abductees within
3 LRA ranks, especially children and women,
4 when carrying out operations against the LRA;

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IV

112TH CONGRESS
2D SESSION

H. RES. 663

Expressing support for the International Olympic Committee to recognize with a minute of silence at every future Olympics Opening Ceremony those who lost their lives at the 1972 Munich Olympics, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 17, 2012

Mr. ENGEL (for himself and Mrs. LOWEY) submitted the following resolution; which was referred to the Committee on Foreign Affairs

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RESOLUTION

Expressing support for the International Olympic Committee to recognize with a minute of silence at every future Olympics Opening Ceremony those who lost their lives at the 1972 Munich Olympics, and for other purposes.

Whereas in September 1972, in the midst of the Munich Olympics, members of Black September, a terrorist group with ties to the Palestine Liberation Organization's Fatah movement, murdered eleven members of the Israeli Olympic Team consisting of athletes, coaches, and referees after they were taken as hostages;

Whereas one West German police officer was also killed in the terrorist attack;

Whereas the international community was deeply touched by the brutal murders at the Munich Olympics and memorials have been placed around the world, including in Manchester, United Kingdom; Tel Aviv, Israel; and Munich, Germany;

Whereas the Jewish Community Center (JCC) in Rockland County, New York, has placed a sculpture honoring the eleven Israelis who were killed at the 1972 Munich Olympics;

Whereas the JCC Maccabi Games has included a memorial tribute to the murdered Israeli athletes, among the first victims of organized terrorism in our time, at the Opening Ceremonies of every JCC Maccabi Games since 1995;

Whereas the 2010 Olympics in Beijing marked yet another instance with no official recognition of the terrorist attack that brutally betrayed the vision of the Olympic Games; and

Whereas the London Olympic Games in 2012 will mark four decades since this act of terror took place without an appropriate acknowledgment of the gravity of this tragic event not only for the Jews and Israelis, but for all humankind: Now, therefore, be it

1 *Resolved,* That the House of Representatives—

2 (1) should observe a minute of silence to com-
3 memorate the 40th anniversary of the 1972 Munich
4 Olympics terrorist attack and remember those who
5 lost their lives;

6 (2) urges the International Olympic Committee
7 to take the opportunity afforded by the 40th anni-

1 versary of the 1972 Munich Olympics terrorist at-
2 tack to remind the world that the Olympics were es-
3 tablished to send a message of hope and peace
4 through sport and athletic competition; and
5 (3) urges the International Olympic Committee
6 to recognize with a minute of silence at every future
7 Olympics Opening Ceremony, beginning with the
8 2012 London Summer Olympic Games, those who
9 lost their lives at the 1972 Munich Olympics in an
10 effort to reject and repudiate terrorism as antithet-
11 ical to the Olympic goal of peaceful competition.

○

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H. RES. 663 OFFERED BY MS. ROS-LEHTINEN OF FLORIDA

Strike the preamble and insert the following:

Whereas in September 1972, in the midst of the Summer Olympics Games in Munich, members of Black September, a foreign terrorist organization with ties to the Palestine Liberation Organization and its Fatah faction, took hostage and then murdered eleven members of the Israeli Olympic Team, consisting of athletes, coaches, and referees;

Whereas one West German police officer was also killed in the terrorist attack;

Whereas people around the world were deeply affected by the brutal murders at the Munich Olympics and memorials to the victims have been placed around the world, including in Manchester, United Kingdom; Tel Aviv, Israel; and Munich;

Whereas the Jewish Community Center (JCC) in Rockland County, New York, has dedicated a sculpture honoring the eleven Israeli Olympians who were murdered at the 1972 Munich Olympics;

Whereas the JCC Maccabi Games has included a memorial tribute to the murdered Israeli Olympians at the Opening Ceremonies of every JCC Maccabi Games since 1995;

Whereas the International Olympic Committee has repeatedly rejected requests by family members of the murdered

Israeli Olympians to observe a moment of silence at past Olympic Games in memory of the murdered Israeli Olympians, and the International Olympic Committee recently rejected similar requests by the Government of Israel and by the family members to observe a minute of silence at the 2012 Summer Olympic Games in London; and

Whereas the 2012 Summer Olympic Games, which open July 27, 2012, will mark four decades since this act of terror took place without an appropriate remembrance at the Olympic Games of the those who lost their lives and of the gravity of that tragic event not only for Jews and Israelis, but for all humankind: Now, therefore, be it

Strike all after the resolving clause and insert the following:

That the House of Representatives—

1 (1) should observe a minute of silence to com-
2 memorate the 40th anniversary of the 1972 Munich
3 Olympics terrorist attack and remember those who
4 lost their lives;
5 (2) urges the International Olympic Committee
6 to take the opportunity afforded by the 40th anni-
7 versary of the 1972 Munich Olympics terrorist at-
8 tack to remind the world that the Olympics were es-
9 tablished to send a message of hope and peace
10 through sport and athletic competition; and
11 (3) urges the International Olympic Committee
12 to recognize with a minute of silence at every future

Olympics Opening Ceremony, beginning with the 2012 Summer Olympic Games in London, those who lost their lives at the 1972 Munich Olympics for the purpose of honoring their memory and repudiating terrorism as antithetical to the Olympic goal of peaceful and friendly competition.

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IV

112TH CONGRESS
2D SESSION

H. RES. 526

Expressing the sense of the House of Representatives with respect toward the establishment of a democratic and prosperous Republic of Georgia and the establishment of a peaceful and just resolution to the conflict with Georgia's internationally recognized borders.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 24, 2012

Mr. SHUSTER (for himself and Ms. SCHWARTZ) submitted the following resolution; which was referred to the Committee on Foreign Affairs

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RESOLUTION

Expressing the sense of the House of Representatives with respect toward the establishment of a democratic and prosperous Republic of Georgia and the establishment of a peaceful and just resolution to the conflict with Georgia's internationally recognized borders.

Whereas a democratic and stable Republic of Georgia is in the political, security, and economic interests of the United States;

Whereas the security of the Black Sea and South Caucasus region is important for Euro-Atlantic security, transportation, and energy diversification to and from Central Asia;

Whereas Georgia has been a reliable partner and ally in enhancing global peace and stability with its significant contribution to operations in Iraq and Afghanistan;

Whereas the United States-Georgia Charter on Strategic Partnership, signed in January 2009, outlines the importance of the bilateral relationship as well as the intent of both countries to expand democracy and economic programs, enhance defense and security cooperation, further trade and energy cooperation, and build people-to-people cultural exchanges;

Whereas in October 2010, at the meeting of the United States-Georgia Charter on Strategic Partnership, Secretary of State Hillary Rodham Clinton stated, "the United States will not waver in its support for Georgia's sovereignty and territorial integrity";

Whereas successive United States Administrations have supported Georgia's aspirations to join the North Atlantic Treaty Organization (NATO);

Whereas it was declared by the Heads of State and Government participating in the 2008 NATO Summit in Bucharest, and reaffirmed in 2009 at the Summit in Strasbourg and Kehl and in 2010 at the Summit in Lisbon, that Georgia will become a member of NATO;

Whereas the August 2008, military conflict between Russia and Georgia resulted in civilian and military causalities, the violation of Georgia's sovereignty and territorial integrity, and increased the number of internally displaced persons there;

Whereas large numbers of the Georgian population remain forcefully displaced from the Abkhazia and South Ossetia

regions of Georgia as a result of the August 2008 military conflict as well as the earlier conflicts in the 1990s;

Whereas since 1993, the territorial integrity of Georgia has been reaffirmed by the international community in 36 United Nations Security Council resolutions;

Whereas the August 12, 2008, ceasefire agreement negotiated by the European Union Presidency and agreed to by the Presidents of Georgia and the Russian Federation, provides that all Russian troops shall be withdrawn to pre-conflict positions;

Whereas the Russian Federation opposed consensus on the extension of the Organization for Security and Cooperation in Europe (OSCE) Mission to Georgia, vetoed the extension of the United Nations Observer Mission in Georgia (UNOMIG) and blocked the work of the European Union Monitoring Mission (EUMM) in the occupied Georgian regions of Abkhazia and South Ossetia;

Whereas the United States supports Georgia's independence, sovereignty, and territorial integrity within the internationally recognized borders of Georgia;

Whereas Secretary of State Hillary Rodham Clinton stated in Tbilisi on July 5, 2010, that, "We continue to call for Russia to abide by the August 2008 ceasefire commitment . . . including ending the occupation and withdrawing Russian troops from South Ossetia and Abkhazia to their pre-conflict positions";

Whereas the White House released a Fact Sheet on July 24, 2010, calling for "Russia to end its occupation of the Georgian territories of Abkhazia and South Ossetia . . ." and for "a return of international observers to the two occupied regions of Georgia";

Whereas Vice President Joseph Biden stated in Tbilisi in July 2009 that the United States "will not recognize Abkhazia and South Ossetia as independent states";

Whereas Human Rights Watch concluded in its 2011 World Report that "Russia continued to exercise effective control over South Ossetia and Abkhazia, preventing international observers' access and vetoing international missions working there";

Whereas Human Rights Watch concluded in its 2011 World Report that "Russia continued to occupy Georgia's breakaway regions of South Ossetia and Abkhazia and strengthened its military presence in the region by establishing a military base and placing an advanced surface-to-air missile system in Abkhazia";

Whereas the Senate of the 112th United States Congress adopted a resolution in July 2011 affirming the United States' support for the sovereignty, independence, and territorial integrity of the country of Georgia and calling upon Russia to remove its occupying forces from Abkhazia and South Ossetia;

Whereas the United States Helsinki Commission called Russia to cease its continuing, illegal occupation of the South Ossetia and Abkhazia regions of Georgia and allow those who fled their homes during the 2008 war to go back without preconditions;

Whereas the Russian Federation therefore remains in violation of August 12, 2008, ceasefire agreement;

Whereas at the April 15, 2011, meeting in Berlin, Germany, between the Georgia foreign minister and foreign minister of NATO, Secretary of State Clinton stated, "U.S. support for Georgia's sovereignty and territorial integrity

remains steadfast . . . . We share Georgian concerns regarding recent Russian activities that can negatively affect regional stability.";

Whereas on November 23, 2010, Georgian President Mikheil Saakashvili committed before the European Parliament that "Georgia will never use force to restore its territorial integrity and sovereignty";

Whereas the Government of Georgia has demonstrated its overall commitment to democratic and economic reforms;

Whereas Georgia has initiated positive developments and commitment in the areas of constitutional reforms, strengthening the role of Parliament, institutionalizing judicial independence, and utilizing international election organizations and transparency; and

Whereas OSCE determined that Georgia's May 2010 municipal elections "were marked by clear improvements and efforts by the authorities to address problems occurring during the election process": Now, therefore, be it

1 *Resolved,* That the House of Representatives—

2 (1) supports strengthened United States en-
3 gagements with the Republic of Georgia aimed at
4 helping Georgia enhance its security and to restore
5 its territorial integrity through exclusively peaceful
6 means;

7 (2) views with particular gravity direct threats
8 to Georgia's security and encourages the United
9 States Government, in the event of such a threat, to
10 consult promptly with the Government of Georgia

with respect to what support, diplomatic or otherwise, or assistance it can extend to Georgia;

(3) supports the implementation of the United States-Georgia Charter on Strategic Partnership, with a mutual desire to strengthen the bilateral relationship across political, economic, trade, energy, cultural, scientific, people-to-people, defense, and security fields;

(4) supports Georgia's North Atlantic Treaty Organization (NATO) membership aspirations and to advance further implementation of decisions taken by the allies at the NATO Summits in Bucharest, Strasbourg and Kehl, and Lisbon with regard to Georgia's NATO membership;

(5) affirms that it is the policy of the United States to support the sovereignty, independence, and territorial integrity of Georgia and the inviolability of its borders, and to recognize Abkhazia and South Ossetia as regions of Georgia illegally occupied by the Russian Federation and calls on the Russian Federation to end the occupation of those regions and fulfill all terms and conditions of the August 12, 2008, ceasefire agreement;

(6) calls upon the Russian Federation, Venezuela, Nicaragua, and Nauru to reverse the rec-

ognition of the occupied Georgian regions of Abkhazia and South Ossetia as independent and respect the independence, sovereignty, and territorial integrity of Georgia within its internationally recognized borders;

(7) welcomes Georgia's "State Strategy on Occupied Territories" and "Engagement Action Plan", and supports peaceful, constructive engagement and confidence building measures between the Government of Georgia and the authorities in control in the regions of Abkhazia and South Ossetia, and encourages increased people-to-people contacts;

(8) urges the Government of Russia and the authorities in control in the regions to allow for the full and dignified, secure, and voluntary return of internally displaced persons and international missions access to the regions of Abkhazia and South Ossetia;

(9) recognizes progress and encourages Georgia to continue strengthening its democracy by implementing reforms that expand media transparency and freedoms, increase government transparency, accountability, and responsiveness, promote political competition and democratic electoral processes, strengthen the rule of law and judicial independence, and further implement judicial reforms; and

1 (10) affirms that a peaceful resolution to the
2 conflict is a key priority for the United States in the
3 Caucasus region, and that lasting regional stability
4 can only be achieved through peaceful means and
5 long-term diplomatic and political dialogue between
6 all parties.

○

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.RES. 526 OFFERED BY MS. ROS-LEHTINEN OF FLORIDA

Strike the preamble and insert the following:

Whereas a democratic and stable Republic of Georgia is in the political, security, and economic interests of the United States;

Whereas the security of the Black Sea and South Caucasus region is important for Euro-Atlantic security, transportation, and energy diversification to and from Central Asia;

Whereas Georgia has been a reliable partner and ally in enhancing global peace and stability with its significant contribution to operations in Iraq and Afghanistan;

Whereas the United States-Georgia Charter on Strategic Partnership, signed in January 2009, outlines the importance of the bilateral relationship as well as the intent of both countries to expand democracy and economic programs, enhance defense and security cooperation, further trade and energy cooperation, and build people-to-people cultural exchanges;

Whereas in October 2010, at the meeting of the United States-Georgia Charter on Strategic Partnership, Secretary of State Hillary Rodham Clinton stated, "the United States will not waver in its support for Georgia's sovereignty and territorial integrity";

Whereas successive United States Administrations have supported Georgia's aspirations to join the North Atlantic Treaty Organization (NATO);

Whereas it was declared by the Heads of State and Government participating in the 2008 NATO Summit in Bucharest, and reaffirmed in 2009 at the Summit in Strasbourg and Kehl and in 2010 at the Summit in Lisbon, that Georgia is a NATO aspirant country, and will become a member of NATO;

Whereas the North Atlantic Council Foreign Ministers, meeting on December 7, 2011, applauded the significant operational support provided to NATO by aspirant partners Georgia, the former Yugoslav Republic of Macedonia, Montenegro and Bosnia and Herzegovina;

Whereas the August 2008, military conflict between Russia and Georgia resulted in civilian and military causalities, the violation of Georgia's sovereignty and territorial integrity, and increased the number of internally displaced persons there;

Whereas large numbers of the Georgian population remain forcefully displaced from the Abkhazia and South Ossetia regions of Georgia as a result of the August 2008 military conflict as well as the earlier conflicts in the 1990s;

Whereas since 1993, the territorial integrity of Georgia has been reaffirmed by the international community in 36 United Nations Security Council resolutions;

Whereas the August 12, 2008, ceasefire agreement negotiated by the European Union Presidency and agreed to by the Presidents of Georgia and the Russian Federation, provides that all Russian troops shall be withdrawn to preconflict positions;

Whereas the Russian Federation opposed consensus on the extension of the Organization for Security and Cooperation in Europe (OSCE) Mission to Georgia, vetoed the extension of the United Nations Observer Mission in Georgia (UNOMIG) and blocked the work of the European Union Monitoring Mission (EUMM) in the occupied Georgian regions of Abkhazia and South Ossetia;

Whereas the United States supports Georgia's independence, sovereignty, and territorial integrity within the internationally recognized borders of Georgia;

Whereas Secretary of State Hillary Rodham Clinton stated in Tbilisi on July 5, 2010, that, "We continue to call for Russia to abide by the August 2008 ceasefire commitment. . .including ending the occupation and withdrawing Russian troops from South Ossetia and Abkhazia to their pre-conflict positions";

Whereas the White House released a Fact Sheet on July 24, 2010, calling for "Russia to end its occupation of the Georgian territories of Abkhazia and South Ossetia. . ." and for "a return of international observers to the two occupied regions of Georgia";

Whereas Vice President Joseph Biden stated in Tbilisi in July 2009 that the United States "will not recognize Abkhazia and South Ossetia as independent states";

Whereas Human Rights Watch concluded in its 2011 World Report that "Russia continued to exercise effective control over South Ossetia and Abkhazia, preventing international observers' access and vetoing international missions working there";

Whereas Human Rights Watch concluded in its 2011 World Report that "Russia continued to occupy Georgia's

breakaway regions of South Ossetia and Abkhazia and strengthened its military presence in the region by establishing a military base and placing an advanced surface-to-air missile system in Abkhazia";

Whereas the Senate of the 112th United States Congress adopted a resolution in July 2011 affirming the United States' support for the sovereignty, independence, and territorial integrity of the country of Georgia and calling upon Russia to remove its occupying forces from Abkhazia and South Ossetia;

Whereas the United States Helsinki Commission called Russia to cease its continuing, illegal occupation of the South Ossetia and Abkhazia regions of Georgia and allow those who fled their homes during the 2008 war to go back without preconditions;

Whereas the Russian Federation therefore remains in violation of August 12, 2008, ceasefire agreement;

Whereas at the April 15, 2011, meeting in Berlin, Germany, between the Georgia foreign minister and foreign ministers of NATO, Secretary of State Clinton stated, "U.S. support for Georgia's sovereignty and territorial integrity remains steadfast . . . . We share Georgian concerns regarding recent Russian activities that can negatively affect regional stability.";

Whereas on November 23, 2010, Georgian President Mikheil Saakashvili committed before the European Parliament that "Georgia will never use force to restore its territorial integrity and sovereignty";

Whereas the Government of Georgia, beginning with the Rose Revolution of 2003, has taken significant steps toward promoting democratic and economic reforms;

Whereas in October 2012, Georgia will hold its seventh parliamentary elections since the country gained independence from the Soviet Union in 1991, and prospective presidential elections in 2013 to which the Government of Georgia has invited international election observers;

Whereas Georgia has initiated positive developments and commitments in the areas of constitutional reforms, strengthening the role of Parliament, and utilizing international election organizations and transparency;

Whereas the Head of the OSCE/ODIHR long-term Election Observation Mission determined that Georgia's May 2010 municipal elections "were marked by clear improvements and efforts by the authorities to address problems occurring during the process. It is now time to fix the remaining shortcomings and take effective steps to prevent electoral malpractices before the next elections at the national level."; and

Whereas recognizing that members of NATO share a common adherence to democratic norms, Georgia can best prepare itself for membership by progressing on its democratic reform agenda and ensuring that upcoming parliamentary and presidential elections are free, fair, and competitive: Now, therefore, be it

Strike all after the resolving clause and insert the following:

That the House of Representatives—

1 (1) supports strengthened United States en-
2 gagements with the Republic of Georgia aimed at
3 helping Georgia enhance its security and to restore

its territorial integrity through exclusively peaceful means;

(2) supports the implementation of the United States-Georgia Charter on Strategic Partnership, with a mutual desire to strengthen the bilateral relationship across political, economic, trade, energy, cultural, scientific, people-to-people, defense, and security fields;

(3) supports Georgia's North Atlantic Treaty Organization (NATO) membership aspirations and to advance further implementation of decisions taken by the allies at the NATO Summits in Bucharest, Strasbourg and Kehl, and Lisbon with regard to Georgia's NATO membership;

(4) affirms that it is the policy of the United States to support the sovereignty, independence, and territorial integrity of Georgia and the inviolability of its borders, and to recognize Abkhazia and South Ossetia as regions of Georgia illegally occupied by the Russian Federation and calls on the Russian Federation to fulfill all terms and conditions of the August 12, 2008, ceasefire agreement, to end the occupation of the Georgian territories of Abkhazia and South Ossetia, and to withdraw completely its troops

from the internationally recognized border of Georgia;

(5) calls upon the Russian Federation, Venezuela, Nicaragua, Tuvalu, and Nauru to reverse the recognition of the occupied Georgian regions of Abkhazia and South Ossetia as independent and respect the independence, sovereignty, and territorial integrity of Georgia within its internationally recognized borders;

(6) supports the Government of Georgia's commitment to a policy of peaceful, constructive engagement and confidence building measures towards the occupied territories and encourages it to continue to uphold economic and human rights, ensure freedom of movement, facilitate people-to-people contacts, and to preserve cultural heritage, language, and ethnic identity aimed at reconciling divided communities of the Georgian regions of Abkhazia and South Ossetia;

(7) urges the Government of Russia and the authorities in control in the regions to allow for the full and dignified, secure, and voluntary return of internally displaced persons and international missions access to the regions of Abkhazia and South Ossetia;

(8) recognizes progress on government transparency and economic reforms and encourages Georgia to continue strengthening its democracy by implementing reforms that expand media transparency and freedoms, increase government transparency, accountability, and responsiveness, promote political competition and democratic electoral processes, strengthen the rule of law and judicial independence, and further implement judicial reforms; and

(9) affirms that a peaceful resolution to the conflict is a key priority for the United States in the Caucasus region, and that lasting regional stability can only be achieved through peaceful means and long-term diplomatic and political dialogue between all parties.

Chairman ROS-LEHTINEN. The Chair moves that the measures just listed be adopted by the committee. All those in favor say aye.

All opposed, no.

In the opinion of the Chair, the ayes have it, and the measures and the amendments considered en bloc are approved. Without objection, each of those underlined measures, as amended, is ordered favorably reported as a single amendment in the nature of a substitute. Staff is directed to make technical and conforming changes, and the Chair is authorized to seek consideration under suspension of the rules.

Having concluded the operative part of today's business, I will now recognize members who wish to make statements on the adopted measures, beginning with myself and the ranking member. Then we will go to Ms. Schmidt and anyone else seeking recognition.

I want to thank the ranking member, all of our committee members and our staff for the good work that went into the measures we have just adopted. Whether it be the desire for accountability in the death of Sergei Magnitsky, the right of Ecumenical Patriarchate to reopen its Halki Seminar, ending the murderous rampage of Joseph Kony, commemorating the Israeli Olympians murdered 40 years ago in Munich, or expressing our hopes for the security and prosperity of a democratic Georgia, I am proud of this committee's ability to speak with one voice on these timely issues of shared concern.

With that, I will place my remarks on these measures into the record, and recognize the ranking member for any remarks that he may have. Mr. Berman is recognized.

Mr. BERMAN. Well, thank you very much, Madam Chairman, both for recognizing me but also for working with us in the minority and your staff and ours on all the items in this markup, including several Democratic measures. I support all of the bills and resolutions that we are taking up today.

The Sergei Magnitsky Rule of Law Accountability Act of 2012 is a very important piece of legislation. Later this year, Congress may consider lifting the Jackson-Vanik provisions concerning immigration from Russia, and granting Russia permanent normal trade relations. But if we are to consider such changes to our trade law, it should be done in conjunction with legislation to address serious human rights violations in Russia. In addition to Sergei's tragic death, we are deeply concerned about the range of human rights violations including extrajudicial killings, the serious irregularities in recent elections, and legislation elected by several city councils, including St. Petersburg, to constrict the ability of Russia's LGBT community to exercise their rights of expression, association, and assembly.

This substitute differs from the original in that it only sanctions human rights violators in Russia. My preference is worldwide application of these provisions as opposed to singling out one specific country, which is consistent with steps already taken by the Obama administration to deny visas to human rights violators and to curb corruption by foreign government officials. As this legislation moves forward, I hope we will reexamine the issue of whether

or not to take a more expansive approach to human rights violators and those that facilitate financial corruption.

I also want to commend Mr. Bilirakis for his very important resolution, H. Res. 506, Calling upon the Government of Turkey to facilitate the reopening of the Ecumenical Patriarchate's Theological School of Halki without condition or further delay. The Ecumenical Patriarchate has numerous fully legitimate concerns about the unjust treatment the Turkish Government has accorded it over the years, including policies that have threatened the very existence of the Patriarchate. And those of us who have been seized with those concerns for some time remain fully committed to them. But the message of this resolution, which I strongly support, is very specific—simple but powerful—and directed toward the Turkish Government. Reopen the Halki Seminary!

The Halki Seminary, located on an island near Istanbul, was the preeminent seminary of the Greek Orthodox world until Turkey closed it in 1971. For the past 41 years, its classrooms—which produced the top theologians of the Greek Orthodox world—have been silent. This balanced resolution notes some positive gestures by the Turkish Government in recent years, including the return of some church property and the unprecedented meeting of the Turkish Prime Minister with Ecumenical Patriarch Bartholomew. But a flourishing Halki Seminary would be a true sign that Turkey is serious about moving toward religious freedom and fully joining the family of democratic nations. I call on the Turkish Government to reopen Halki without any further delay.

H.R. 4141, the Donald Payne International Food Assistance Act of 2012, honors and builds on the tireless efforts of our late colleague to protect the world's most vulnerable populations. With Don's untimely passing we not only lost a dear friend and respected colleague, but a wise and determined champion for those who live in chronically food insecure environments. All too often, the food rations designed to address short-term crises end up being relied upon for multiyear feeding programs, but they are unsuited to provide adequate nutrition over longer periods of time.

With H. Res. 583, introduced by Mr. McGovern, this committee reiterates its condemnation of Joseph Kony and the Lord's Resistance Army, which continues to terrorize communities in Central Africa. The resolution underscores our support for U.S. and international efforts to stop the LRA and bring Joseph Kony to justice. It emphasizes the importance of regional cooperation, local capacity building, and civilian protection and recovery programs, which will be necessary even after Kony and his allies are removed from the battlefield.

And H. Res. 526 offered by Mr. Shuster is a strong statement in support of Georgia's progress on democratic reforms, its territorial integrity and Euro-Atlantic aspirations. It recognizes the reforms since the 2003 Rose Revolution, calls on the Government of Georgia to continue this progress so that we can strengthen our partnership and expand our bilateral relationships. A critical measure of this progress will be the upcoming parliamentary and presidential elections. I am concerned by efforts to prevent a prominent political opponent from running in the parliamentary election and reported at-

tempts to intimidate local opposition leaders including denying them access to media. We will watch this process closely.

And I am almost done. I want to thank my friend from New York, Mr. Engel, for introducing H. Res. 663. This resolution encourages the International Olympic Committee to hold a minute of silence during the upcoming London Olympics to commemorate the 40th anniversary of the 1970 Munich Olympics terrorist attack in which 11 Israeli Olympians, including a dual U.S.-Israeli national lost their lives. The 40th anniversary year of that tragedy is an appropriate time to honor those lost that day, and a moment of silence at all future Olympics will remind the victims' families and friends that the international community has not forgotten their loved ones.

Thank you very much, Madam Chairman. I look forward to working with you at our next markup on the state authorization legislation.

Chairman ROS-LEHTINEN. Thank you very much, Mr. Berman, for your excellent statement. Ms. Schmidt is recognized for 5 minutes.

Ms. SCHMIDT. Thank you, Madam Chair, and thank you for today's markup. Balancing religious concerns is a delicate dance and we recognize that this, I believe, is Hellenic Week and brings to light concerns that the Greek community may have. And one of those is the issue of the Halki Seminary. And I do believe that it should be reopened, and I understand that the Turkish Government is committed toward that.

But I do want to bring to light some of the concerns that the Turkish Embassy shared with me regarding Mr. Bilirakis' resolution. And I am going to read what they said.

> "Turkey is committed to finding a viable solution to reopen the Halki Seminary and to overcome the remaining restrictions which apply to all religious communities. However, the actions of the House of Representatives on these issues are neither necessary nor productive. On the contrary, such action risks backfiring and undermining political-mentum obtained.
>
> "Turkey fully understands the needs of the Greek Orthodox minority to train its clergy. However, the difficulty is not related to the status of the Patriarchate. Turkey, by its virtue of its constitution, is a secular state. Thus, in line with the Turkish constitution and the principles of secularism, which constitutes a fundamental tenet of Turkish democracy, religious instruction is placed under the supervision of the State. It is with this understanding that Turkey is exploring a viable solution to reopen the Halki Seminary and to overcome the legal restrictions.
>
> "H. Res. 506 is outdated and it omits the recent historic steps taken by Turkey as such, the return of all immoveable properties to non-Muslim community foundations. The perennial singling out of Turkey on such issues is both unwarranted and discriminatory. As acknowledged by the State Department, religious freedoms have steadily improved in Turkey. The HFAC markup will invariably turn into a Turkish bashing session. This will be very unfortunate, especially during Secretary

Clinton's visit to Turkey and the run up of the annual ATC Conference."

By the way, we understand that the resolution is in place for reasons that are apparent. Turkey is always sensitive to the tone, content in general, atmospheres of such congressional action, and moreover it is a secular democracy, and it is more than ironic that Turkey is a country of setting of a positive example in this region, and they believe that, they are fearing that they are being singled out by this Congress.

I bring this to light because I have had groups come to me regarding this resolution, and while I believe that the Halki Seminary needs to be open, I just wanted to share what the Turkish Embassy's concerns are during this resolution. And I yield back my time.

Chairman ROS-LEHTINEN. Thank you very much, Ms. Schmidt. Mr. Connolly is recognized for 5 minutes.

Mr. CONNOLLY. Thank you, Madam Chairman. And I wish to associate myself, particularly with the remarks and all of the resolutions we have marked up today, with the ranking member, Mr. Berman.

As the co-chair of the Turkey caucus, I want to express my strong support for House Resolution 506. I think it actually is something that ought to be welcomed by all of us who are friends of Turkey and support Turkey, and I want to quote what President Obama said at the Grand National Assembly of Turkey in 2009. He said, "Freedom of religion and expression lead to a strong and vibrant civil society that only strengthens the State," which is why steps like reopening the Halki Seminary will send such an important signal inside Turkey and beyond.

I believe the resolution is balanced. It recognizes strides that the Turkish Government has made with respect to the Ecumenical Patriarchate, and to broaden religious freedoms and respect for the diversity of religious expression. For example, the resolution welcomes the historic meeting between the Prime Minister and the Ecumenical Patriarchate. It welcomes the positive gestures of the Government of Turkey allowing liturgical celebration by that Patriarchate at the historic Sumela Monastery and the return of the former Greek Orphanage of Buyukada Island to the Ecumenical Patriarchate. It urges the Government of Turkey to facilitate the opening of the Ecumenical Patriarchate's Theological School without delay, which I support, and urges the Government of Turkey to address other long-standing concerns relating to the Ecumenical Patriarchate.

I believe Turkey is a vibrant, secular society. It is a society striving to make sure that it respects religious diversity, and I think this resolution is intended to be supportive of those efforts, not even inferentially necessarily critical of the Government of Turkey, and as such I welcome the resolution and glad to support it.

With that I yield back. Thank you, Madam Chairman.

Chairman ROS-LEHTINEN. I thank the gentleman. Judge Poe is recognized for 5 minutes.

Mr. POE. I thank the chair for the time. I want to make two comments, one about the resolution in Turkey. Turkey has done a remarkable job in moving forward for religious freedom especially in

the area of being open to more religious freedom. However, I do think the proof is in the pudding in this specific case, and it would be a great step forward to show the world that if the Halki Seminary was reopened that they are serious about religious freedom. Then to Turkey, have a lot of friends both in the United States and abroad that are of Turkish heritage, and so I commend them on their efforts. Let us hope that the seminary can be opened as soon as possible and to show that Orthodox Christians in Turkey have religious freedom just like other folks have religious freedom.

On the issue of Georgia, Georgia seems to be one of those countries where the world is not paying any attention to what took place or is taking place. The Russians decided they wanted to invade Georgia and so they did. They went in, and in a few days they took over one-third of the sovereign territory of Georgia. The world made some political statements, especially the Europeans. The Russians ceased on their aggression, stopped after they took over two territories, or one-third of the sovereign territory of Georgia, and the world has moved on.

The Russians still occupy a foreign land. They occupy the sovereign nation of Georgia. This resolution, I think, is good to promote the awareness of what took place and what is taking place in Georgia. It is a democracy like all democracies. The United States doesn't necessarily agree with everything taking place but we do believe, and I do believe, we should support their strong effort to be a democratic state, a state of freedom and liberty, and eventually the world is going to have to make a decision about where we stand on the issue of the Russians still occupying one-third of the sovereign territory of a nation that is our friend.

And with that, Madam Chair, I will yield back.

Chairman ROS-LEHTINEN. That is just the way it is. Thank you, sir.

Mr. POE. Just the way it is.

Chairman ROS-LEHTINEN. Mr. Sires of New Jersey is recognized.

Mr. SIRES. Thank you, Madam Chair, and thank you for having the markup so swiftly on these important measures. I am proud to be a cosponsor of many of them. But I am particularly proud and pleased to see that the Donald Payne International Food Assistance Improvement Act is on the agenda.

If passed into law, this bill will serve as an appropriate legacy for a man that dedicated his congressional career to improving the lives of the most vulnerable across this globe. As a good friend, as a colleague and as serving on the adjacent district, I saw his work for many, many years.

I would also like to associate myself with some of the comments that were made here, especially when it comes to Russia and Georgia, and I also like to stand firmly on the human rights and targets of those that are continued to be neglected. And certainly the Turkey issue with the theological school, I am a strong supporter hopefully that Turkey can work and open a theological school, which is something that is sorely needed.

So thank you very much.

Chairman ROS-LEHTINEN. Thank you very much. Mr. Meeks of New York is recognized.

Mr. MEEKS. Thank you, Madame Chair. First, I want to agree with my colleagues that I support just every bill that we are marking up this morning, and want to make specific comments, first, about the Sergei Magnitsky Rule of Law Accountability Act of 2012, H.R. 4405.

This bill largely addresses a tragedy in Russia and Congress' frustration at the inadequacy of the Russian Government's response to this affair. But let me be clear, however, that we do not intend this legislation to define our bilateral relationship. We strive to expand and strengthen our partnership with the Russian Federation, and that is the goal even of this human rights legislation. We encourage reforms and acknowledge accomplishments, their vibrant civil society and space for public debate. We do not turn, however, our backs on serious shortcomings.

To the extent that governments fail to punish human rights violators, they are complicit. To the extent that governments tolerate or perpetuate human rights violations, they invite the world's complaint or worse. We in the United States want better for the people of Russia. We want better for the Americans in Russia. We want better for the Americans doing business in Russia. We want honorable partners.

The people of the United States have a tradition older than our Nation of relying on government to protect their liberty and their basic rights. Promotion and protection of human and political rights is so fundamental to our understanding of the responsibility of government that Congress annually looks at the executive branch to report on the human rights performance of foreign governments. Our compassion and conviction compel us to seek universal adherence to shared standards of civility.

This is far, far from saying that the United States has a perfect record of protecting citizens' rights and liberties. Sadly, our history documents horrors of African Americans who slaved and fought to make this country long before the law recognized them as full personhoods, much less their citizenship. Similarly, too many chapters of our national history were written before women had the right to vote or control their own property. Too few chapters tell the story of the slaughter of Native Americans and the exploration of their lands.

But here is an important point. The American public demands truth-telling. We confront our history, documenting the government's role in enslavement, torture, corruption and killings. We make public the stories of Abu Ghraib, of innocence detained and forgotten in cells of those falsely convicted and in prison. We will continue to examine and criticize these tragedies and mistakes and will strive to do better. If we want our partners to be model citizens of the world then we need to do a better job of modeling the behavior.

What we do today is important, but it is as least as important to understand that the type of action we legislate today is only one way to inspire change. The flow of people, goods and ideas is transformative. Exposure to American books, media and fashion influences the way people across this globe thinks, dress and behave. American businesses modeling ethical, efficient and profitable corporate culture are incubators of changing values abroad. Increased

trade and business investment with Russia will improve the business climate and strengthen the rule of law. Engagement is a key to understanding and change. If we want to improve the climate for doing business in Russia, if we want the world to be safe for whistleblowers, if we want to encourage civil society and if we want to fight corruption in business, government, education and scientific pursuits we need to increase the world's exposure to our best business, government, educational and scientific practices. This is why we need immediately to authorize PNTR. And let me repeat, to improve the rule of law in Russia, to strengthen civil society, to create jobs in the United States, we must immediately authorize PNTR for Russia.

So as important as it is to keep malefactors from whatever country from our shores, it is equally important to look for ways to increase our engagement with Russia. As this legislation passes with bipartisan support, I look forward to legislation that will facilitate engagement with Russia by lifting the trade-restricting Jackson-Vanik Amendment and authorizing permanent normal trade relations with Russia, and I look forward to bipartisan support. This legislation will put Americans on a level playing field with all of the members of the WTO.

And I just want to say again just real quickly that on H.R. 4141, I just have to mention it is an honor for me to support that bill, the International Food Assistance Improvement Act, because this bill before us is important for my dear friend and the leadership and the vision of the late Donald Payne, who was a champion for hunger. H.R. 4141 will improve the nutritional quality, the quality control and cost effectiveness of the U.S. food assistance, and ultimately it will improve lives, particularly the lives of the most vulnerable.

And I had other statements that I want to submit for the record in regards to——

Chairman ROS-LEHTINEN. Without objection.

Mr. MEEKS [continuing]. Turkey and to Georgia. And I yield back.

Chairman ROS-LEHTINEN. Thank you so much for a powerful statement, Mr. Meeks. Mr. Engel of New York is recognized.

Mr. ENGEL. Thank you, Madam Chair. And let me say, I have been on this committee for 24 years and this is the first time, I think, we have been in this room in this fashion. So there is always something new and interesting on the Foreign Affairs Committee.

Thank you, Madam Chair, and thank you, Ranking Member Berman, for holding this markup. We are taking up several important pieces of legislation today, one of which I want to highlight because I have introduced it with my colleague from New York, Representative Lowey. This resolution, H. Res. 663, urges the International Olympic Committee to schedule a minute of silence to commemorate the 40th anniversary of the massacre of 11 Israeli athletes in the Summer Olympic Games in Munich, Germany, on September 5, 1972. I remember that day. Let us not forget what happened on that day.

In the early morning hours, eight members of a Palestinian terrorist group called Black September broke into the Munich Olympic Village and entered the building where the Israeli team was say-

ing. An athlete and a coach were killed in the dormitory while nine others, four athletes, three coaches and two referees were taken hostage. Less than 24 hours later, after several failed rescue attempts in a gunfight that left a German police officer dead, the nine hostages were also killed. The massacre of the Munich 11 was a jarring reminder that the Olympic Games, long a symbol of international cooperation and camaraderie, are not wholly divorced from the hatred and intolerance which still exists throughout the world. So I very strongly believe that a minute of silence at this year's games would be a long overdue symbol that such terrible acts of violence will not go unremembered.

Madam Chair, the Olympic Games are more than just a swim meet or a javelin throw. They represent a time when the world supposedly comes together in friendship to honor the commitment of thousands of athletes to competition in the spirit of sport. I know of no better way to honor the participants than to hold a minute of silence at the London games in honor of the Munich 11, so that 40 years after the tragedy the world can say as one, we remember. It is really an absolute disgrace that the Olympic Committee is refusing to do this. They really ought to be ashamed of themselves, and I think that the Congress ought to strongly go on record as supporting this.

I would also like to speak very briefly about a few of the other resolutions. First, I strongly support H. Res. 526 regarding the Republic of Georgia. As a cosponsor of this resolution, I believe that Georgia is a democratic and stable partner and ally of the United States and that the United States should wholeheartedly support Georgia's aspirations for NATO membership.

Secondly, I am glad that the committee is taking up H. Res. 506, which calls on the Government of Turkey to facilitate the reopening of the Theological School of Halki. The continued closure of the school has been an ongoing issue of concern for me, for the United States, and I am glad that there has been some positive gestures lately by the Government of Turkey. Let us hope it becomes more than just gestures. I think we have to remain focused until the Halki Seminary is reopened.

And finally, while we are discussing Turkey, I would like to inform my colleagues that on Tuesday, Representative Bilirakis and I introduced H. Res 676, which expresses deep concern about Turkey's efforts to colonize areas of the Republic of Cyprus. Not only does this violate the sovereignty of the Republic of Cyprus and international law, but by relocating hundreds of thousands of non-Cypriot citizens of Turkey to Cyprus, Ankara is attempting to change the basic character of Cyprus. Cyprus is a country for all Cypriots, Greek, Turkish and others, not for colonists from another country. So it is time for Congress to tell Turkey to stop, and that is why Congressman Bilirakis and I have introduced this resolution.

So thank you again, Madam Chair, for holding this markup, and for the opportunity to speak. And I yield back.

Chairman ROS-LEHTINEN. Thank you very much, Mr. Engel. Thank you for your participation. Mr. Smith of New Jersey is recognized for 5 minutes.

Mr. SMITH. Thank you very much, Madam Chair, and thank you for bringing forward six totally bipartisan and very important measures to the committee and ultimately to the floor. I do have a statement on all of them and would, unanimous consent that it be——

Chairman ROS-LEHTINEN. Without objection.

Mr. SMITH [continuing]. Made a part of the record. Just briefly, we so importantly honor our deceased colleague, Donald Payne, and the naming of the legislation after him on food security, I think, is so appropriate, and I thank you for taking the lead on that. Food security remains an enormous problem worldwide and especially in Africa, and Don was such a tenacious champion of food security, so it is so appropriate that this legislation proceeds as his bill and named after him.

On Georgia, I strongly support H. Res 526 supporting the territory integrity of the Republic of Georgia, while encouraging reforms that will move Georgia along the path toward democracy. After Russia's 2008 invasion of Georgia, the Russian Government recognized the independence of the territories it occupied effectively dismembering Georgia. I might add that I was in Georgia in August 2008, a couple days after the invasion, helping to recover three of my constituents, very young girls, who were trapped behind Russian lines, so I saw something of the terrible cost of the invasion. And my office then was able to work with our embassy to secure others who were also in like manner trapped.

At the same time, the resolution focuses important attention on the need for further democratic reforms in Georgia. I believe the parliamentary elections scheduled for October of this year is a critical moment in the country's post-Soviet development. It is essential that this election be, and be considered, free and fair not only by OSCE monitors, but more importantly by the Georgians themselves. So this is a very, very timely resolution.

On the H. Res. 583, which obviously focuses on Joseph Kony, an indicted war criminal, a man who ought to be at the Hague facing prosecution, with the estimates are 380,000 thousand people have been displaced across the Central African Republic, the Democratic Republic of Congo, South Sudan, because of LRA attacks. More than two million Ugandans were displaced by this awful group before being effectively expelled from that country. The LRA is responsible for serious and widespread human rights abuses throughout the region including murder, mutilation, abduction, sexual enslavement of women and children, and forcing children to take part in its incredibly vicious attacks.

I would note parenthetically that in 2006 we had in this room, Grace Akello, who testified she was one of those young girls who was abducted by the LRA and she was one of the lucky ones who made it out, wrote a book and told us about her harrowing experiences at the hands of the LRA.

Again, I want to thank Mr. Bilirakis for his legislation. Obviously it is important that this committee and the Congress again assert, and assert strongly, support for the Patriarchates' efforts to return the theological seminary. So on all of these issues, and then I thank you, Madam Chair, for this outstanding markup——

Chairman ROS-LEHTINEN. Thank you very much, Mr. Smith. Thank you for your statement. Mr. Burton, always saving the best for last, is recognized.

Mr. BURTON. That will probably be, because I am going to be very brief. I have heard my colleagues' comments. I agree with all of them. I have a statement for the record and I would like to submit it. And with that I yield back.

Chairman ROS-LEHTINEN. Thank you very much. The Chair definitely likes to hear that kind of statement.

And with all business having concluded, the markup is now adjourned. Thank you.

[Whereupon, at 10:38 a.m., the committee was adjourned.]

APPENDIX

Material Submitted for the Hearing Record

FULL COMMITTEE MARKUP NOTICE
COMMITTEE ON FOREIGN AFFAIRS

U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515-0128

Ileana Ros-Lehtinen (R-FL), Chairman

June 5, 2012

You are respectfully requested to attend an OPEN meeting of the Committee on Foreign Affairs, to be held in **Room 2200 of the Rayburn House Office Building (and available live, via the Committee website at http://www.hfca.house.gov):**

DATE: Thursday, June 7, 2012

TIME: 10:00 a.m.

MARKUP OF: H.R. 4405, To impose sanctions on persons responsible for the detention, abuse, or death of Sergei Magnitsky, and for other gross violations of human rights in Russian Federation, and for other purposes;

H.Res. 506, Calling upon the Government of Turkey to facilitate the reopening of the Ecumenical Patriarchate's Theological School of Halki without condition or further delay;

H.R. 4141, To direct the Administrator of the United States Agency for International Development to take appropriate actions to improve the nutritional quality, quality control, and cost effectiveness of United States food assistance, and for other purposes;

H. Res. 526, Expressing the sense of the House of Representatives with respect toward the establishment of a democratic and prosperous Republic of Georgia and the establishment of a peaceful and just resolution to the conflict with Georgia's internationally recognized borders;

H.Res. 583, Expressing support for robust efforts by the United States to see Joseph Kony, the leader of the Lord's Resistance Army, and his top commanders brought to justice and the group's atrocities permanently ended; and

H.Res. 663, Expressing support for the International Olympic Committee to recognize with a minute of silence at every future Olympics Opening Ceremony those who lost their lives at the 1972 Munich Olympics, and for other purposes.

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.

COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF FULL COMMITTEE MARKUP

Day *Thursday* **Date** *6/07/12* **Room** *2200 RHOB*

Starting Time *10:00 a.m.* **Ending Time** *1:38 a.m.*

Recesses [ ] (____ to ____) (____ to ____) (____ to ____) (____ to ____) (____ to ____) (____ to ____)

Presiding Member(s)

Rep. Ileana Ros-Lehtinen

Check all of the following that apply:

Open Session [✓]
Executive (closed) Session [ ]
Televised [✓]
Electronically Recorded (taped) [✓]
Stenographic Record [✓]

BILLS FOR MARKUP: *(Include bill number(s) and title(s) of legislation.)*

H.R. 4405, H.Res. 506, H.R. 4141, H.Res. 526, H.Res. 538, and H.Res. 663.

COMMITTEE MEMBERS PRESENT:

Attendance sheet attached.

NON-COMMITTEE MEMBERS PRESENT:

STATEMENTS FOR THE RECORD: *(List any statements submitted for the record.)*

Rep. Ros-Lehtinen (6 SFRs), Rep. Meeks (4 SFRs), Rep. Smith (6 SFRs), Rep. Carnahan (SFR), Rep. Burton (SFR), Rep. Connolly (SFR), Rep. Wilson (SFR), Rep. Schwartz (SFR), and Rep. Bilirakis (SFR)

ACTIONS TAKEN DURING THE MARKUP: *(Attach copies of legislation and amendments.)*

See Markup Summary

RECORDED VOTES TAKEN (FOR MARKUP): *(Attach final vote tally sheet listing each member.)*

Subject	Yeas	Nays	Present	Not Voting

TIME SCHEDULED TO RECONVENE _____
or
TIME ADJOURNED *10:38 a.m.*

~~Doug Anderson, General Counsel~~
Yleem Poblete, Chief of Staff

Hearing/Briefing Title: Mark up: H.R. 4405, H.Res. 506, H.R. 4141, H.Res. 526, H.Res. 583, and H.Res. 663

Date: 6/7/12

Present	Member
X	Ileana Ros-Lehtinen, FL
X	Christopher Smith, NJ
X	Dan Burton, IN
	Elton Gallegly, CA
	Dana Rohrabacher, CA
	Donald Manzullo, IL
	Edward R. Royce, CA
X	Steve Chabot, OH
	Ron Paul, TX
	Mike Pence, IN
	Joe Wilson, SC
	Connie Mack, FL
	Jeff Fortenberry, NE
	Michael McCaul, TX
X	Ted Poe, TX
	Gus M. Bilirakis, FL
X	Jean Schmidt, OH
	Bill Johnson, OH
	David Rivera, FL
	Mike Kelly, PA
	Tim Griffin, AK
X	Tom Marino, PA
	Jeff Duncan, SC
	Ann Marie Buerkle, NY
	Renee Ellmers, NC
	Robert Turner, NY

Present	Member
X	Howard L. Berman, CA
	Gary L. Ackerman, NY
	Eni F.H. Faleomavaega, AS
	Brad Sherman, CA
X	Eliot Engel, NY
X	Gregory Meeks, NY
	Russ Carnahan, MO
X	Albio Sires, NJ
X	Gerry Connolly, VA
	Ted Deutch, FL
	Dennis Cardoza, CA
	Ben Chandler, KY
	Brian Higgins, NY
	Allyson Schwartz, PA
	Chris Murphy, CT
X	Frederica Wilson, FL
	Karen Bass, CA
X	William Keating, MA
X	David Cicilline, RI

Remarks
Chairman Ileana Ros-Lehtinen
Full Committee Markup
H.R. 4405, the Sergei Magnitsky Rule of Law Accountability Act of 2012
June 7, 2012

The entire world knows that the state of democracy and human rights in Russia, already bad, is getting worse.

Moscow devotes enormous resources and attention to persecuting political opponents and human rights activists, including forcibly breaking up rallies and jailing and beating those who dare to defy it.

Instead of the rule of law, Russia is ruled by the lawless.

That can be clearly seen in the high-level corruption that pervades the government from top to the bottom, from the Kremlin to the lowly bureaucrat.

The negative impact reaches far into the economy and society, where corruption is widely accepted as normal and a way of life.

It has even extended into foreign policy, as Russian officials threaten retaliation regarding countries such as the U.S. which dare to point to the rampant corruption that is aided and abetted by Moscow.

However, there are a few brave souls in Russia who understand that true change cannot occur in their country until this problem has been fully addressed.

Tragically, those who challenge the authorities and take on this forbidden subject are dealt with harshly, and several of those who have investigated it have been assaulted, jailed, and even killed.

That is what happened to Sergei Magnitsky, whose discovery of massive corruption reaching into the Kremlin ended in his torture and death.

The Russian authorities have had years to investigate this terrible crime and punish those responsible, but they have instead devoted their efforts to protecting the guilty and taking reprisals against those who insist on pursuing the case.

This bill, the Sergei Magnitsky Rule of Law Accountability Act of 2012, does what the Russian government should have done years ago, namely hold accountable those government officials and others who participated in the arrest, murder, or cover-up of Magnitsky or who benefited from his death.

But it goes further than this single crime.

It also requires that those responsible for the death, torture, or repression of individuals investigating crimes by Russian government officials, or who were simply trying to exercise their basic human rights, be publicly named and sanctioned.

By denying them visas and threatening their financial assets in the U.S., this bill strikes directly at the corrupt officials and others in power who have benefited from their crimes and those who have sent their stolen wealth abroad.

The Findings also make clear the central role of corruption in poisoning the Russian government, economy, and society and undermining that country's progress in democracy and human rights. But despite repeated promises by Putin and Russian officials to combat this enormous problem, it continues to grow because their continued rule rests upon a system in which the major actors public and private use their power to enrich themselves and to ensure that their crimes are ignored, and even covered up, by the authorities.

Instead of combating corruption, and instead of providing justice for its own citizens, the Russian government has instead focused its anger on persecuting its critics and on those honest enough to tell the truth.

The Kremlin has threatened that if Congress dares to pass this simple piece of legislation, if Congress dares to defy its commands, it will retaliate.

So let our Committee send a clear and unmistakable message to the Kremlin by passing this bill unanimously and demonstrate to the corrupt rulers of Russia that they cannot threaten us into silence, they cannot forever suppress the evidence of their crimes, they cannot make the world abandon those brave individuals who are risking their lives to exercise their basic human rights. Nothing can bring back Sergei Magnitsky and nothing can lessen the pain and loss suffered by his friends and family.

But by adopting this legislation, we can ensure that he is not forgotten, that his life had meaning, and that his belief that his country could become a true democracy where its citizens are governed by the rule of law was not an impossible dream.

REMARKS
Chairman Ileana Ros-Lehtinen
H.Res.506, "Calling upon the Government of Turkey to facilitate the reopening of the Ecumenical Patriarchate's Theological School of Halki without condition or further delay."
Thursday, June 07, 2012; 10:00 am; Rayburn 2200

I support House Resolution 506, authored by Congressman Gus Bilirakis, calling upon the Government of Turkey to re-open the Halki Seminary without condition or further delay.

The Ecumenical Patriarchate, located in Istanbul, Turkey, is the historic center for over 300 million Orthodox believers around the world.

Until its forcible closure by Turkish Authorities in 1971, the Church's Theological School of Halki not only was a vital center for learning and understanding but also a crucial link between the Christian and Muslim worlds.

The consequences of the Seminary's closure upon the Ecumenical Patriarchate have been profound.

Over the past decades, there has been a dramatic decrease in Turkish-born Orthodox Theological students, as the expense and bureaucratic obstacles are often too great for them to travel abroad for training.

This in turn reduces the number of Orthodox Priests who are eligible, under strict Turkish government citizenship mandates, to be chosen as the next religious leader of the Church.

We cannot allow these policies by the Turkish government to continue to diminish and deny Orthodox Christians this vital aspect of their faith—the right to freely choose their own religious leader.

Previously, when I have urged Turkish leaders, both in writing and in person, to re-open the Halki Seminary, their response was that such a move was impossible because Turkey is a secular state and cannot authorize religious schools.

However, there are indications that now may be the time to press again for the seminary to be opened, as recent decisions by the Turkish government have eased some of these stringent policies.

But although there has been modest progress recently in loosening some restrictions on the Orthodox Church, much more needs to be done.

According to the 2012 report of the U.S. Commission on International Religious Freedom, significant limitations remain on religious practice and the use and repair of churches and other sites.

I regret to say that Turkey is not the only country that imposes strict limitations on Christians.

That is why we must be diligent in encouraging all countries around the world to end discrimination and protect the right of their citizens to freely practice their faith.

This past March the Turkish Parliament overwhelmingly passed legislation that was supported by the ruling AKP government to grant citizens access to Islamic religious schools.

Since the Turkish authorities have now permitted their citizens to attend Islamic Theological Schools, it is clear that Turkey should allow all of its people to enjoy the same rights to religious education, regardless of their chosen religious affiliation and including those of the Orthodox faith.

We must take this opportunity to press Turkey once more for equal religious liberty for Orthodox believers, and call for the immediate re-opening of the Halki Seminary.

For that reason, I strongly support this important resolution.

Remarks
Chairman Ileana Ros-Lehtinen
H.R. 4141, "Donald M. Payne International Food Assistance Act of 2012"
Thursday, June 7th at 10:00 A.M.

It is a pleasure to introduce H.R. 4141, "The Donald M. Payne International Food Assistance Act of 2012" in honor of our late colleague, who dedicated his life to assisting those in need.

Rising food prices and an increase in humanitarian disasters are placing greater demands on U.S. food assistance programs.

In order to continue to respond effectively to these needs, we must ensure that the distribution of our food aid is cost-effective, well-coordinated, and maximizes nutritional quality.

One way to address this problem is to make full use of the advances in, nutritional sciences to improve the impact and quality of our assistance especially for those most vulnerable.

We must also ensure better coordination among the many U.S. agencies involved in providing aid, and also among other donor nations, so that waste due to overlapping efforts is eliminated and more effective results are obtained through targeted programming.

As the world's largest provider of food assistance, we must ensure that the resources our taxpayers so generously give to others results in the maximum assistance to those who suffer most from hunger and need.

REMARKS
CHAIRMAN ILEANA ROS-LEHTINEN

H. Res. 526," Expressing the sense of the House of Representatives with respect toward the establishment of a democratic and prosperous Republic of Georgia and the establishment of a peaceful and just resolution to the conflict with Georgia's internationally recognized borders."
Thursday, June 07, 2012; 10:00 am; Rayburn 2200

Beginning with the Rose Revolution in 2003, the world has witnessed a remarkable transition of Georgia from an autocratic and oppressive regime to a more democratic society.

Such wide-scale reforms are always difficult, and the Georgian government should be commended for its achievements in these areas.

But more work remains to be done.

It is imperative that the upcoming parliamentary and Presidential elections be free, fair, and conducted in full compliance with international standards.

The world is watching the progress of Georgia's democracy, and the success of these elections will be an important signal that the country's progress towards democracy is continuing to move forward.

This would also be yet another argument in favor of Georgia's joining the NATO alliance.

The United States strongly supports Georgia's membership in NATO, and at several NATO Summits the Alliance has stated clearly that Georgia will be welcome to join NATO one day.

In fact, Georgia is already assuming many of the responsibilities associated with membership in the Alliance, particularly through its valuable contributions to the NATO mission in Afghanistan.

However, the ongoing occupation by Russian troops of the regions of Abkhazia and South Ossetia following its 2008 invasion are a continuing threat to Georgia's sovereignty and territorial integrity.

There cannot be peace in the region until Russia fulfills the conditions in the 2008 ceasefire agreement and fully withdraws its troops from all Georgian territory.

This resolution sends the strong message that continued Russian occupation of these regions is unacceptable and must end immediately.

It is for these reasons that I strongly support this resolution.

REMARKS
CHAIRMAN ILEANA ROS-LEHTINEN
H.Res. 583, "Expressing support for robust efforts by the United States to see Joseph Kony, the leader of the Lord's Resistance Army, and his top commanders brought to justice and the group's atrocities permanently ended."
Thursday, June 07, 2012; 10:00 am; Rayburn 2200

I am pleased that the Committee is considering H.Res. 583, expressing support for robust efforts by the United States to see Joseph Kony, the leader of the Lord's Resistance Army, and his top commanders brought to justice and the group's atrocities permanently ended.

I would like to thank Congressman Jim McGovern for introducing
H.Res. 583, the over 70 bipartisan co-sponsors, and I want to especially thank all of the young student activists in my District and throughout the country for their continued and tireless efforts to raise awareness about Kony's atrocities.

The death and destruction caused by Joseph Kony and his circle of thugs span decades, and it is time for his campaign of violence against innocent people to come to an end.

The recent capture of Maj. Gen. Ceasar Acellum, shatters all belief that Joseph Kony and his commanders can operate with impunity.

Joseph Kony and his LRA commanders have perpetrated some of the most evil human rights abuses of our time and they must be brought to justice and held accountable for their deplorable crimes.
I am truly inspired by the involvement of so many student activists and their creative uses of social media like Twitter and Facebook to express outrage about and this horrible tragedy.

H.Res. 583 echoes current law and continues the momentum ignited by so many young people across the country and I am pleased to support this resolution.

REMARKS
CHAIRMAN ILEANA ROS-LEHTINEN
H. Res. 663," , Expressing support for the International Olympic Committee to recognize with a minute of silence at every future Olympics Opening Ceremony those who lost their lives at the 1972 Munich Olympics, and for other purposes"
Thursday, June 07, 2012; 10:00 am; Rayburn 2200

At the 1972 Summer Olympics in Munich, eleven members of the Israeli Olympic team—including a U.S. citizen, David Berger—were taken hostage and murdered by a Palestinian violent extremist group with ties to the PLO.

The murdered athletes were not only Israelis; they were Olympians, killed not in Jerusalem or Tel Aviv but at the Olympics itself.

Their murder was an attack not only on the Israeli Olympians and on Israel, but on the Olympics.

A West German police officer was also killed in the attack.

However, in the four decades since the attack, the International Olympic Committee (IOC) has repeatedly refused requests for a moment of silence at the Olympics in memory of those who lost their lives in Munich.

And the IOC recently refused a request by family members of the murdered Olympians, and by the Israeli government, for one minute of silence at the opening ceremonies of the upcoming 2012 Summer Olympics in London, which will mark 40 years since the Munich attack.

The IOC's refusals are indefensible.
And so today, this Committee has marked up House Resolution 663, sponsored by my friends from New York, Mr. Engel, the Ranking Member of our Western Hemisphere Subcommittee, and Ms. Lowey, the Ranking Member of the Appropriations Foreign Operations Subcommittee.

I am proud to be a co-sponsor of this resolution, which urges the IOC to institute a moment of silence—at this year's Olympics and at future ones—in memory of those who lost their lives in Munich.

Joined by my friend Ranking Member Berman, I recently wrote to the President of the IOC, urging him to reconsider.

[I ask unanimous consent to insert that letter into the record. Without objection, so ordered.]

A minute of silence would be a small, well-deserved, and overdue tribute to the brave Olympians and police officer who lost their lives.

A minute of silence would also reaffirm Olympic values of honor, harmony, and fraternity, and would be to the credit of the Olympic Games, the IOC, and all Olympians.

And so, today, we make the same request of the IOC that is being made by the Israeli government, by the murdered Olympians' families, and by thousands of people worldwide on Twitter, Facebook, and YouTube:

"Just - one - minute."

SPR 1

Remarks

Congressman Gregory W. Meeks

HCFA Mark-up

H.R. 4141 International Food Assistance Improvement Act of 2012

June 7, 2012

Madam Chairman,

It is an honor for me to support HR 4141, the International Food Assistance Improvement Act of 2012. This bill is before us because of the leadership and vision of my late colleague Donald Payne who was a champion for hunger prevention. HR 4141will improve the nutritional quality, quality control and cost effectiveness of U.S. food assistance. Ultimately, it will improve lives, particularly the lives of the most vulnerable. Pregnant mothers and children under age five.

I am certain that supporting this bill is the right thing for the global community. As the largest provider of international food assistance, the U.S. has a great responsibility. I know that we are carrying on the legacy and leadership of Don. He lived a life committed to advancing America's leadership around the world. I hope the International Food Assistance program gets the recognition it deserves for aiming to do just that.

fashion influences the way people across the globe think, dress, and behave. American businesses – modeling ethical, efficient, and profitable corporate culture -- are incubators of changing values abroad. Increased trade and business investment with Russia will improve the business climate and strengthen the rule of law.

Engagement is the key to understanding and change. If we want to improve the climate for doing business in Russia, if we want the world to be safe for whistle-blowers, if we want to encourage civil society , if we want to fight corruption in business, government, education, and scientific pursuits, we need to be increase the world's exposure to our **best** business, government, educational, and scientific practices. This is why we need immediately to authorize PNTR. Let me repeat: to improve the rule of law in Russia, to strengthen civil society, to create jobs in the United States, we must immediately authorize PNTR for Russia.

So as important as it is to keep malefactors from whatever country from our shores, it is equally important to look for ways to increase our engagement with Russia. As this legislation passes with bipartisan support, I look forward to legislation that will facilitate engagement with Russia by lifting the trade-restricting Jackson-Vanik amendment and authorizing permanent normal trade relations with Russia, and I look forward to bipartisan support. This legislation will put Americans on a level playing field with all other members of the WTO, puts Americans to work, and puts our best foot forward for others to follow.

human and political rights is so fundamental to our understanding of the responsibilities of government that Congress annually looks to the executive branch to report on the human rights performance of foreign governments. Our compassion and conviction compel us to seek universal adherence to shared standards of civility.

This is far, FAR from saying that the United States has a perfect record of protecting citizens' rights and liberties. Sadly, history documents horrors of African-Americans who slaved and fought to make this country, long before the law recognized them as full personhood, much less their citizenship. Similarly, too many chapters of our national history were written before women had the right to vote or control their own property. Too few chapters tell the story of the slaughter of Native Americans and expropriation of their lands.

But here is an important point: The American public demands truth telling. We confront our history, documenting the government's role in enslavement, torture, corruption, and killings. We make public the stories of Abu Graib; of innocents detained and forgotten in cells; of those falsely convicted and imprisoned. We will continue to examine and criticize these tragedies and mistakes and will strive to do better. If we want our partners to be model citizens of the world, then we need to do a better job of modeling the behavior.

What we do today is important, but it is at least as important to understand that the type of action we legislate today is only one way to inspire change. The flow of people, goods, and ideas is transformative. Exposure to American books, media, and

SPR 2

Representative Gregory W. Meeks

Remarks for the Mark-up of Amendment in the Nature of a Substitute to The Sergei Magnitsky Rule of Law Accountability Act of 2012, HR 4405

June 7, 2012

Chairman, I move to strike the last word.

I extend my support to the Chairman's Amendment in the Nature of a Substitute to H.R. 4405, Sergei Magnitsky Rule of Law Accountability Act of 2012," which seeks sanctions for gross violations of human rights.

The bill we discuss today addresses a tragedy in Russia and Congress's frustration at the inadequacy of the Russian government's response to this affair. Let me be clear, however, that we do not intend this legislation to define our bilateral relationship. We strive to expand and strengthen our partnership with the Russian Federation (and that is the goal even of this human rights legislation). We encourage reforms and acknowledge accomplishments – their vibrant civil society and space for public debate. We do not turn, however, our backs on serious shortcomings. To the extent that governments fail to punish human rights violators, they are complicit. To the extent that governments tolerate or perpetrate human rights violations, they invite the world's complaint – or worse. We in the United States want better for the people of Russia. We want better for Americans in Russia. We want better for Americans doing business in Russia. We want honorable partners.

The people of the United States have a tradition older than our nation of relying on government to protect their liberty and basic rights. Promotion and protection of

SRR 3

Gregory W. Meeks
Statement for the Congressional Record

Regarding HCFA markup of H Res 506

Calling upon the Government of Turkey to facilitate the reopening of the Ecumenical Patriarchate's Theological School of Halki without condition or further delay

June 7, 2012

Thank you Madam Chair,

I want to commend my friend, Congressman Bilirakis, for his efforts to open the Halki Seminary and also to recognize the positive developments outlined in this resolution, where the Turkish government has moved forward on issues of religious freedom and tolerance.

Turkey has evolved positively in recent years on religious minority issues. Prime Minister Erdogan knows the importance of religious freedom, as Turkey is home to many faiths and Turkish communities are faced with religious prejudice, discrimination and intolerance throughout Europe.

As acknowledged by the State Department's latest International Religious Freedom report religious freedoms have steadily improved in Turkey. This is good news and should be recognized. I believe that Congress often fails to acknowledge the rapidly developing situation in Turkey, where the relationship between religion and state, including the historically strong notion of secularism in Turkey, is an area evolving in new and dynamic ways.

I would like to applaud the government of Turkey for its recent reform of 'The Law on Foundations', which enables the return of or compensation for immovable properties significant to religious minority communities. Congress should also acknowledge that Turkey has preserved or restored many sites of importance to religious minorities in recent years, and we should encourage the continuation of this important work. Prime Minister Erdogan has met personally with Patriarch Bartholomew, a first by a Turkish Prime Minister, as part of outreach efforts towards religious minorities.

Further improvement is always possible, and as Turkey moves forward with constitutional reform efforts, I am confident that this process will recognize religious freedom as a universal value that should be upheld in every corner of the world, regardless of political boundaries. Re-opening the Halki Seminary would be a major step towards this goal and further strengthen the improved relations between Turkey and Greece.

Finally, I would like to commend Turkey's admirable handling of the Syrian refugee crisis and mention that I have introduced a resolution commending Turkey's actions on this issue and welcome support by this committee's members.

Thank you, I yield back.

SFR4

Gregory W. Meeks
Prepared Remarks for House Committee on Foreign Affairs
Markup of H Res 526

June 7, 2012

I would like to thank Chairman Ros-Lehtinen for bringing this resolution to markup today.

As we saw with Secretary Clinton's visit to Batumi yesterday, US-Georgian relations are solid, and Georgia remains one of the strongest pro-western countries who have proven themselves immensely capable and reliable allies in Afghanistan and other conflict zones, in fact the largest non-NATO troop contributing nation to ISAF.

NATO allies agreed at the recent summit in Chicago to enhance Georgia's connectivity with the Alliance. The Georgian government's efforts to build on reforms made to date to foster greater political competition, labor rights, judicial independence and media access will be an opportunity for Georgia to prove itself when measured by international standards, and Georgia's NATO aspirations will be facilitated by the conduct of free, fair and inclusive elections in 2012 and 2013.

I commend the Georgian government's progress on government transparency and fight against corruption, political, economic and judicial reforms, and encourage Georgia to continue this modernization process.

I encourage my colleagues to support H Res 526 in order to strengthen US engagement with the Republic of Georgia by helping Georgia to enhance its security and restore its territorial integrity through peaceful means, and supporting the Government of Georgia's commitment to a

policy of peaceful and constructive engagement with the authorities in control of Abkhazia and South Ossetia.

Statement of Rep. Chris Smith on H.R. 4405
House Foreign Affairs Committee
June 7, 2012

Madame Chairwoman, I want to offer my strong support to H.R. 4405, the Sergei Magnitsky Rule of Law Accountability Act, to impose sanctions on persons responsible for the detention, abuse, or death of Sergei Magnitsky, and for other gross violations of human rights in Russian Federation, and for other purposes. I would also like to thank the gentleman from Massachusetts, Mr. McGovern, for introducing this legislation—which will likely be the only justice achieved for Sergei Magnitsky.

Many admirable things can be said about the courageous acts of Sergei Magnitsky, who died trying to hold Russian government officials legally responsible for embezzling $230 million from the Russian people and stealing Hermitage Fund companies. Magnitsky had gathered the evidence of the crimes and sent it to several different government agencies with the hope and expectation that one of the agencies would assert the rule of law to reign in the official corruption—but only the agency with the individuals accused of embezzlement, the Ministry of the Interior, responded.

The Russian government allowed Magnitsky to be investigated by the same law enforcement officers whom he had accused. In this investigation which was ethically compromised from the first second, Magnitsky was arrested illegally and tortured in prison. In prison, still believing in the rule of law, he fought his captors through legal challenges to every Russian judicial body with responsibility, but with no response. For 12 months he was held without charge and without access to courts and prosecutors. On the day that he died, he had been beaten with rubber batons by no less than eight guards. The ambulance that was called to the prison was forced to wait outside for an hour and 18 minutes before being allowed access to Magnitsky—who was by that time dead.

As H.R. 4405 underscores, no officials had been brought to trial for Magnitsky's false arrest or the crimes he uncovered. The Russian government even dropped criminal charges against Larisa Litvinova, the head doctor at the prison where Magnitsky died.

Russia has not only violated their own laws, but also violated Sergei Magnitsky's right to personal integrity, right to be free from arbitrary imprisonment, and, ultimately, his right to life. These are human rights enshrined in international law which Russia has recognized with ratification of various conventions.

In life, Sergei Magnitsky believed in the rule of law. In death, Sergei Magnitsky lives on to be the rallying cry in the fight of all people to live under the rule of law, rather than under arbitrary oppression.

We cannot bring Magnitsky's killers to trial; and Russia, demonstrably, will not bring them to trial. However, we can draw the line to deny human rights violators in Russia and elsewhere the privilege to increase their power through wealth accumulation in U.S. markets. And we can deny them the privilege to travel to the U.S.

With H.R. 4405 the United States takes a step forward in the fight for the human rights of those who would hold governments accountable. With H.R. 4405 we make clear that we will not turn a blind eye to human rights abuses and offer abusers the hand of friendship and favor. We will not help them escape accountability at home or abroad. Rather, we will freeze their assets and send them packing in hopes that they will selfishly or unselfishly reassess the impact of their human rights violations and choose another course. It is the very least we can do for Sergei Magnitsky.

Statement of Rep. Chris Smith on H. Res. 506
House Foreign Affairs Committee
June 7, 2012

Madame Chairwoman, I strongly support H. Res. 506, calling upon the Government of Turkey to facilitate the reopening of the Ecumenical Patriarchate's Theological School of Halki without condition or further delay. I thank my very good friend Mr. Bilirakis for introducing this legislation and for persisting in holding Turkey accountable for the stranglehold Turkey has maintained on the leadership of the Orthodox Christian Church since 1971, when the government closed the Ecumenical Patriarchate's Theological School of Halki.

Prior to its closing, the Theological School of Halki produced prominent Orthodox scholars, theologians, priests, bishops and patriarchs, including the present leader of the Orthodox Church, Bartholomew I, to effectively lead the 300,000,000 adherents worldwide. The Turkish government has arbitrarily, and in violation of the right to religious freedom, turned more than 20 Orthodox churches into army barracks, converted 80 other churches into mosques, and permitted others to be used as nightclubs, sheep stalls and dancing schools. In sum, more than five hundred churches, monasteries, cemeteries and other religious sites have been desecrated, destroyed, or looted by Turkey in areas under its control.

Moreover, the government has severely restricted celebration of divine liturgy in what can only be explained as an attempt to strangle the Orthodox Christian Church in what has been its home for 2,000 years. The closing of the seminary, especially in the context of these other violations, was nothing less than a thinly veiled attempt to extinguish the very existence of the Orthodox Christian Church in Turkey and to cripple the Church worldwide.

Congress has been adamant that the status quo is not acceptable and that the flagrant violations of human rights must stop. Last year, 2011, was a year of some progress. Prime Minister Recep Tayyip Erdogan met with the Ecumenical Patriarch as well as allowed a liturgical celebration at the historic Sumela Monastery and the return of the formerly confiscated Greek orphanage on Buyukada Island.

With this resolution, we now call on the government to allow the reopening of the Ecumenical Patriarchate's Theological School of Halki. The action is 40 years overdue.

Statement of Christopher H. Smith on H.R. 4141
House Committee on Foreign Affairs
June 7, 2012

Thank you, Madame Chairman, for bringing H.R. 4141 before this Committee for its consideration. This was the last bill introduced by the previous ranking member of the Subcommittee for Africa, Global Health and Human Rights, Mr. Donald Payne, before he passed away on March 6th. The International Food Assistance Improvement Act, renamed to include Mr. Payne in its title through the Amendment in the Nature of a Substitute also before this Committee, is based on important recommendations by the Government Accountability Office. These recommendations are contained in a report issued by the GAO in May 2011 on "Better Nutrition and Quality Control Can Further Improve U.S. Food Aid," as well as other studies on the same subject funded by the U.S. Agency for International Development.

As the GAO pointed out, the United States spent approximately $1.5 billion on emergency food aid in fiscal year 2010, assisting nearly 46.5 million women, men and children. In fact, the United States is the world's largest donor of international food assistance, providing more than half of global food aid supplies. It is imperative that this assistance not only satisfy people's hunger, but that it meets their fundamental nutrition needs as well.

The statistics of the prevalence and impact of undernutrition are staggering. It is reported that 3.5 million children around the world die each year as a result of undernutrition. Others who suffer from malnutrition are often debilitated for life. Children who do not receive adequate nutrition during the first 1,000 days of life, beginning with conception through their second birthday, suffer from stunted physical and cognitive development. They have an increased risk of illness not only early in life, but also later as adults from such diseases as diabetes, cardiovascular diseases and cancers. Mothers who are undernourished are more likely to have low birth-weight babies, leading to a multigenerational cycle of undernutrition.

H.R. 4141 directs the Administrator of USAID to use currently available funds to improve the nutritional quality of U.S. food assistance, particularly for vulnerable groups such as pregnant and lactating mothers, children under five, and beneficiaries of the United State's HIV/AIDS programming. Possible measures that may be taken include the adoption of new specifications for micronutrient fortified food aid products, strengthening assessments of the quality of food donations, and improving guidance to implementing partners on how to address nutrient deficiencies in certain aid recipients.

This legislation will also include nutrition science experts in the food aid consultative group created by the Food for Peace Act. The bill calls on the Administrator to work within this group to improve quality control and cost effectiveness of food assistance programs through increased coordination and oversight. Finally, the USAID Administrator would need to ensure that food assistance programs carried out under the Food for Peace Act contribute to any U.S. global food security strategy.

I strongly support this legislation, and I ask my colleagues on the Committee to support it as well. Thank you Madame Chairman.

Statement by Rep. Chris Smith on H.Res.526
House Foreign Affairs Committee
June 7, 2012

Madame Chairwoman, I offer my strong support of H.Res.526, which expresses the sense of the House about the establishment of a democratic and prosperous Republic of Georgia and a peaceful and just resolution of Georgia's conflict with its breakaway regions, Abkhazia and South Ossetia.

The United States has long had a strong relationship with Georgia, which has forcefully pursued integration into Western institutions and close ties with Washington. Georgia, despite its relatively small size, has also sent troops to Afghanistan, placing them in harm's way in order to contribute to NATO's coalition effort.

The United States Government has always supported Georgia's territorial integrity. After Russia's 2008 invasion of Georgia, Russia recognized the independence of separatist Abkhazia and South Ossetia in an apparent effort to dismember Georgia. Fortunately, no other OSCE state has followed Russia's example. Russia's policy in those regions has been characterized as "occupation" and I note with concern Moscow's ongoing militarization of what is clearly Georgian territory.

Russia's aggression must not be allowed to stand and the United States will continue to back Georgia's territorial integrity. I fully support the call by Georgia's Government that Russia remove its occupying forces and pledge not to use force against Georgia. This is particularly important in view of Russia's planned military exercises, which will overlap with Georgia's parliamentary elections in October and are clearly intended as an attempt to intimidate Georgia.

In that connection, the approaching parliamentary election will be a critical landmark in Georgia's democratic development. I very much hope that the OSCE will be able to assess the election as free and fair, and that Georgian society will be strengthened and unified by the outcome.

Statement by Rep. Chris Smith on H.Res.583
House Foreign Affairs Committee
June 7, 2012

I want to thank Chairman Ros-Lehtinen and Ranking Member Berman for putting together this legislative package so efficiently and in a bipartisan manner.

I strongly support the aims of H.Res.583, which is intended to press for justice in the case of the Lord's Resistance Army of Uganda, which has caused so much devastation to the people not only of Uganda, but of the Great Lakes region in general.

The United Nations estimates that more than 380,000 people have been displaced across the Central African Republic, the Democratic Republic of the Congo and South Sudan because of LRA attacks. More than 2 million Ugandans were displaced by this group before being effectively expelled from that country. The LRA is responsible for serious and widespread human rights abuses throughout the region, including murder, mutilation, abduction, sexual enslavement of women and children and forcing children to take part in incredibly vicious attacks – often on their own villages and even their own families. Since 2008 alone, it is estimated that the LRA has killed more than 2,400 people and abducted more than 3,400 others.

The fear that the LRA has brought to East and Central Africa has resulted in the destruction of countless families and ruined the lives of many young people. One of those young people kidnapped by the LRA, Grace Akello, testified before my subcommittee in April 2006. Grace had been one of the 139 so-called "Aboke girls," who were abducted by the LRA from a Ugandan boarding school in October 1996. A nun at the school followed the LRA attackers and negotiated the release of 109 of the girls, but unfortunately, Grace was not one of them. For seven months, she and 29 other schoolgirls were forced to serve as slave labor for the LRA, as well as concubines for LRA commanders. Fortunately, a Ugandan army attack allowed her to escape. Many others were not so blessed.

For all those who have escaped the horror of LRA attacks or captivity, for all those who remain to be freed from this vicious group and for all those who perished at the hands of a ruthless band or rebels, I ask my colleagues to vote in support of H.Res.583.

Statement of Rep. Chris Smith on H.Res.663
House Foreign Affairs Committee
June 7, 2012

Madame Chairwoman, I would like to express my strong support for H. Res. 663, which calls on the International Olympic Committee to recognize with a minute of silence at every future Olympics Opening Ceremony those who lost their lives at the 1972 Munich Olympics. I would like to thank my good friend Mr. Engle for introducing this very important piece of legislation.

This year marks the 40th Anniversary of the tragic 1972 Munich Olympic Games when members of a Palestinian terrorist group, Black September, killed two unarmed members of the Israeli Olympic team staying in the Olympic Village and took nine other unarmed Israelis hostage in an attempt to secure the release of 234 Palestinian prisoners in Israel. In the end, 11 of Israel's finest athletes were murdered—and the Palestinians did not succeed in using terrorism to secure their goals.

The brutal and cruel act was the antithesis of everything the Olympics attempts to overcome. However, ignoring evil does not make it disappear; in fact, it is dangerous to forget. We must recognize evil for what it is in order to choose another path. As such, it is fitting to observe with a moment of silence at each Olympics the division and violence the Olympics convenes to overcome through unity and peace.

The International Olympic Committee should not waste another year, but should, this year, begin with a moment of silence and remind the world that there is a better path than terrorism.

STATEMENT FOR THE RECORD
THE HONORABLE RUSS CARNAHAN (MO-03)
COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES

Markup Hearing: H. Res. 506
Calling upon the Government of Turkey to facilitate the reopening of the Ecumenical Patriarchate's Theological School of Halki without condition or further delay
Thursday, June 7, 2012 10:00 AM
2200 Rayburn House Office Building

Madam Chairman, I would like to speak on behalf of H.Res.506, calling on Turkey to reopen the Halki Seminary. While I support this resolution, I would also like to recognize the progress made regarding religious freedom in Turkey, a longtime friend and ally of the United States.

The value we in America place on freedom of religion goes to the very heart of American democracy, and we have a strong interest in promoting religious freedom globally. As with other indicators of democracy and human rights, nations that respect religious tolerance generally enjoy greater economic prosperity and social stability.

While I join my colleagues in encouraging further progress in Turkey, I also believe we must support these standards in an even-handed manner. In that regard, I commend the improvements Mr. Bilirakis has made to this resolution to recognize Turkey's encouraging actions.

Among the many positive steps that the Turkish government has taken, President Gül has undertaken an initiative to end discrimination against non-Muslim communities. Last August, the government issued a decree inviting non-Muslims to reclaim churches and synagogues that were confiscated 75 years ago and has eased some citizenship requirements on Orthodox clergy. Further signaling progress, Prime Minister Erdoğan met with the Ecumenical Patriarch on August 15, 2009, and the following year, the liturgical celebration by the Ecumenical Patriarch was held at the historic Sumela Monastery. These are among the many examples in recent years of Turkey's serious efforts to address issues of religious tolerance and freedom.

I would also like to emphasize the importance of U.S. – Turkish relations. From Turkey's critical support in Afghanistan and elsewhere as a uniquely positioned NATO ally to their efforts in support of the Syrian people as the Assad regime's brutality continues, Turkey remains a strong partner in addressing some of the world's most vexing problems. As revolutionary calls for democratic governance sound throughout the Middle East and North Africa, we must continue to work closely with Turkey, whose position as a democratic, majority Muslim country can play a positive role in transitions in the region.

As a member of the Congressional Caucus on Turkey and Turkish Americans, I look forward to continued progress towards religious freedom in Turkey and the ongoing alliance between our countries.

Statement of the Honorable Dan Burton
Chairman, Subcommittee on Europe and Eurasia
House Foreign Affairs Committee Markup
June 7, 2012

****As Prepared for Delivery****

As Chairman of the Subcommittee on Europe and Eurasia I would like to briefly address the three pieces of legislation that fall directly within my Subcommittee's jurisdiction.

I believe that H.R. 4405 – Sergei Magnitsky Rule of Law Accountability Act of 2012 is significant in that it attempts to modernize the legal framework under which the US engages with Russia on human rights. While the two are not directly linked, it is my hope that the Magnitsky Act can serve as a functional replacement for the Jackson Vanik Amendment which is no longer relevant given Russia's emigration policies and no longer functional due to the annual invocation of its waiver clauses.

It is my hope that passage of the Magnitsky Act will set the table for the repeal of Jackson Vanik thereby allowing the US to normalize trade relations with Russia as Russia enters the World Trade Organization while, at the same time, ensuring that the worst human rights abusers do not have access to the United States and its markets.

I fully support the intent of H.Res. 506 which calls upon the Government of Turkey to facilitate the reopening of the Ecumenical Patriarchate's Theological School of Halki without condition or delay. However, I would like to point out that the Turkish Government has made progress in ensuring that the rights of religious minorities are protected, including the right of Greek Orthodox Christians and their Patriarch to practice their religion on the island of Halki.

As this resolution acknowledges, in addition to the meeting between the Patriarch and the Prime Minister, the government has returned an orphanage on Halki to the Patriarch. It is my understanding that Prime Minister Erdogan has publicly stated that he supports the opening of the school and is working to enable its opening under Turkish law. I encourage the Prime Minister and his government to follow through on this commitment and reopen the Ecumenical Patriarchate's Theological School of Halki.

I would also like to express my support for H.Res. 526 which acknowledges the progress that the Republic of Georgia has made and continues to make in pursuing democratic reforms while calling for a peaceful resolution to the conflict within Georgia's borders. I have had the privilege of visiting Georgia and seeing this progress for myself and believe that it must continue.

Georgia is an important US ally. They were with us in Iraq and will soon increase their presence in Afghanistan to over 1,600 soldiers, making Georgia both the largest per-capita contributor and the largest overall contributor among ISAF partners who are not NATO members. At a time when other countries are drawing down their presence, this "Georgian Surge" is essential and must not go unnoticed. As a result of the capabilities that Georgia already brings to NATO it is my hope that the Georgian Government continues pursuing the reforms necessary to join NATO and that the country is brought into the Alliance as soon as possible.

The Honorable Gerald E. Connolly (VA-11)
HCFA Markup
Thursday, June 7, 2012
10am

H.R. 4405: Sergei Magnitsky Rule of Law Accountability Act of 2012;

H.Res. 506: Calling upon the Government of Turkey to facilitate the reopening of the Ecumenical Patriarchate's Theological School of Halki without condition or further delay;

H.R. 4141: Donald M. Payne International Food Assistance Improvement Act of 2012;

H.Res. 583: Expressing support for robust efforts by the United States to see Joseph Kony, the leader of the Lord's Resistance Army, and his top commanders brought to justice and the group's atrocities permanently ended;

H. Res. 526: Expressing the sense of the House of Representatives with respect toward the establishment of a democratic and prosperous Republic of Georgia and the establishment of a peaceful and just resolution to the conflict with Georgia's internationally recognized borders;

H.Res. 663: Expressing support for the International Olympic Committee to recognize with a minute of silence at every future Olympics Opening Ceremony those who lost their lives at the 1972 Munich Olympics, and for other purposes

Madam Chairman, I move to strike the last word.

I support the bipartisan text of the bills and resolutions adopted today by the Committee, including House Resolution 506 (H. Res. 506), which relates to the Ecumenical Patriarchate's Theological School of Halki. The adopted text of the resolution cites President Obama's 2009 address to the Grand National Assembly of Turkey, during which the President said, "Freedom of religion and expression lead to a strong and vibrant civil society that only strengthens the state, which is why steps like reopening Halki Seminary will send such an important signal inside Turkey and beyond." H. Res. 506 also cites "a welcome development," in 2010, during which Turkey "allowed the liturgical celebration by the Ecumenical Patriarch at the historic Sumela Monastery."

The "*Resolved*" clauses use positive language to encourage further positive steps by Turkey. They state that the House of Representatives:

- welcomes the historic meeting between Prime Minister Recep Tayyip Erdogan and Ecumenical Patriarch Bartholomew I;

- welcomes the positive gestures by the Government of Turkey, including allowing the liturgical celebration by the Ecumenical Patriarch at the historic Sumela Monastery and the return of the former Greek Orphanage on Buyukada Island to the Ecumenical Patriarchate;

The Honorable Gerald E. Connolly (VA-11)

- urges the Government of Turkey to facilitate the reopening of the Ecumenical Patriarchate's Theological School of Halki without condition or further delay; and

- urges the Government of Turkey to address other longstanding concerns relating to the Ecumenical Patriarchate.

Turkey has taken steps to expand religious freedom within its borders. For example, the Law on Foundations was amended in 2011 to improve and expand the scope of the legislation enabling the return and registration of the properties of non-Muslim community foundations. In fact, at a bilateral meeting in Seoul in March, President Obama said that during their meeting, he "congratulated the Prime Minister on the efforts that he's made within Turkey to protect religious minorities." President Obama went on to say "I am pleased to hear of his decision to reopen the Halki Seminary." And in February, the Turkish Parliament invited Ecumenical Patriarch Bartholomew I to meet with a parliamentary commission responsible for revising the country's constitution. In the meeting, the Patriarch delivered an 18 page document outlining his suggestions for the new constitution.

As a friend of Turkey, and co-chair of the Turkey Caucus and the Congressional Study Group on Turkey, I welcome the steps that Turkey has taken toward expanding religious freedom.

H.R. 4141

As a cosponsor of the Donald M. Payne International Food Assistance Improvement Act, I am glad to see the work of our dear friend and departed colleague continuing to come to fruition. Rep. Payne's bill directs the USAID Administrator to improve the nutritional quality of U.S. food assistance, particularly for groups such as pregnant and lactating mothers, children under the age of five, and beneficiaries under the President's Emergency Fund for AIDS Relief in Africa; and work within the Food Aid Consultative Group to increase coordination and oversight of food assistance programs. Rep. Payne introduced this bill after a May 2011 GAO report found that better nutrition and quality control could further improve U.S. food aid. Given all his work on this Committee, it is a great honor to speak in favor of his last bill.

H.R. 4405

As a cosponsor of the Sergei Magnitsky Rule of Law Accountability Act, I thank the Chairman and Ranking Member for bringing the bill before committee. Human rights abuses, including the case of Mr. Magnitsky, ought not to be swept under the rug.

H.Res. 663

Lastly, I fully support my colleague Rep. Engel's resolution, which expresses support for the International Olympic Committee to recognize, with a minute of silence at every future Olympics Opening Ceremony, those who lost their lives at the 1972 Munich Olympics. I was in Munich that night, when members of Black September took several Israeli athletes hostage, which resulted in the death of 11 Israeli team members. Those team members were: Ze'ev Friedman, Eliezer Halfin, Amitzur Shapira, Kehat Shorr, Mark Slavin, Andrei Spitzer, Yakov Springer, Yossef Romano, Yossef Gutfreund, Moshe Weinberg, and David Berger—who was born and buried in Shaker Heights, Ohio. H. Res. 663 stresses the importance of keeping their memory alive.

Remarks Regarding H. Res. 506
Congressman Joe Wilson
June 7, 2012

I wanted to comment briefly on the resolution on today's agenda relating to the Halki Seminary. H.Res. 506 addresses a very important topic relating to religious freedom. However, this resolution was drafted many months ago, and I wanted to point out the significant progress that has occurred in Turkey in recent months.

The resolution mentions that the Government of Turkey allowed a liturgical celebration by the Ecumenical Patriarchate at the historic Sumela Monastery in August, 2010. Since that time a subsequent liturgical celebration was held in August, 2011, and this event has now been planned as an annual celebration.

Moreover, important developments are currently taking place in Turkey with respect to the development of a new Constitution. Earlier this year on February 20th, Ecumenical Patriarch Bartholomew met with and made a presentation to the Constitution Conciliation Commission of the Turkish Parliament, which is considering the inclusion of additional religious freedom protections in a new draft Constitution for Turkey. This meeting received widespread media attention, and is considered a significant contribution to the new dialogue that is occurring in Turkey.

When President Obama met with Turkish Prime Minister Erdogan earlier this year on March 25th, the Halki Seminary was a topic of discussion. Following that meeting, President Obama congratulated Prime Minister Erdogan on Turkey's efforts to protect religious minorities, and stated how pleased he was that Turkey was about to reopen the Halki Seminary. I believe from recent reports that Turkey is on the verge of reopening the Halki Seminary, and I hope that our actions here today in this Committee will not adversely affect that from happening.

It is my hope the record created by the Committee today will be balanced and will acknowledge the important recent developments in Turkey which are not currently reflected in the language of H.Res.506.

Rep. Schwartz Statement on Georgia Resolution
June 7, 2012

Madam Chairman, I thank you and the Ranking Member for your work in advancing this resolution recognizing the importance of the United State's relationship with the nation of Georgia. And, I thank Mr. Burton and Mr. Meeks for their efforts at the subcommittee level.

I first visited Georgia in 2007 as a member of the House Democracy Partnership and was inspired by Georgia's progress since the 2003 Rose Revolution. Together, with my friend and colleague, Mr. Shuster, I created the Congressional Georgia Caucus to strengthen the relationship between our two nations. And Mr. Shuster's office worked closely with mine in developing this resolution.

As this resolution states, a democratic and stable Republic of Georgia is in our political, security, and economic interests. Georgia has taken important steps in reforming its political system, increasing transparency, and combating corruption.

But the work of building a democracy is never complete and the October parliamentary elections will serve as key milestone in Georgia's democratic transition. It is my expectation and hope that these elections will be free, fair, and competitive. In addition, I encourage the Georgian government to continue working to develop greater political pluralism, strong media freedoms, and improve judicial independence. These steps will better enable Georgia to achieve its NATO and international aspirations.

Georgian soldiers have served alongside U.S forces both in Iraq and Afghanistan. In fact, Georgia is now the largest non-NATO contributor to our mission in Afghanistan. Georgia also holds promise as an economic partner. The World Bank has praised Georgia for its economic reforms and in its 2012 "Doing Business" report rated Georgia 16th in the world in "ease of doing business."

Finally, this resolution affirms that it is U.S. policy to support Georgia's sovereignty, independence, and territorial integrity and acknowledges that Abkhazia and South Oessetia are Georgian territory. It is past time for Russia to cease its occupation of Georgian territory and to fulfill its obligations under the 2008 ceasefire.

A peaceful resolution to the conflict is a key priority for the United States in the Caucasus region. Lasting regional stability can only be achieved through peaceful means and long-term diplomatic and political dialogue between all parties.

Again, I thank the Committee for its support of this resolution and I look forward to continuing to work with my colleagues to strengthen the U.S. – Georgian relationship.

Prepared statement of the Honorable Gus Bilirakis, a Representative in Congress from the State of Florida

H.Res.506 – Halki Resolution

Today, the House Foreign Affairs Committee has taken a historic step in passing H.Res.506, which calls upon the Government of Turkey to facilitate the reopening of the Ecumenical Patriarchate's Theological School of Halki without condition or further delay.

The Theological School of Halki, founded in 1844, and located outside Istanbul, Turkey, served as the principal seminary for the Ecumenical Patriarchate until its forcible closure by the Turkish authorities in 1971. The Ecumenical Patriarchate is the spiritual home of the world's oldest and second largest Christian church.

The more than 300,000,000 Orthodox Christians around the world and millions of Orthodox Christians in the United States are certain to find hope in this committee's approval of H.Res.506, knowing that the 2,000-year-old Sacred See of the Ecumenical Patriarchate will be able to teach future religious leaders for generations.

This closure has been an issue of concern for the American people, the United States Congress, multiple presidential administrations, the Commission on Security and Cooperation in Europe (OSCE), the U.S. delegations to the OSCE's annual Human Dimension Implementation Meeting and the European Union.

Today, the members of this committee have added their voice to this cause and look forward to the reopening of the Theological School of Halki.

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