

obligation under the Geneva Convention which were ratified by the United States in 1955 to protect the victims of war by providing criminal penalties for certain war crimes. Mr. Speaker, this has never been formally enacted by statute, and the bill accomplishes this oversight.

Mr. Speaker, I will not be supporting the legislation because it contains a new provision for the death penalty, but I can say that the bill enjoys broad-based support on this side of the aisle.

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

Mr. SMITH of Texas. Mr. Speaker, I thank my colleague, the gentleman from Virginia, for his comments, and I yield such time as he may consume to the gentleman from North Carolina, Mr. WALTER JONES, my colleague and friend, and the author of the legislation we are discussing right now.

Mr. JONES. Mr. Speaker, I thank the gentleman from Texas for yielding time to me.

Before I begin, I want to take a moment to thank Chairman SMITH and his subcommittee counsel, George Fishman, for their hard work and efforts to bring this important legislation to the floor today for consideration.

Mr. Speaker, now more than ever, we are sending our men and women to serve in hostile lands, and the specter of war crimes, looms over almost every U.S. military action abroad. As a member of the House National Security Committee, we have the responsibility of providing these service men and women with the best training and equipment available.

But this Congress should not stop there. We must ensure that we also protect the rights of all Americans who are defending the interests of our country abroad.

While it is difficult to believe, in the absence of a military commission or an international criminal tribunal, the United States currently has no means, by which we can try and prosecute perpetrators of war crimes in our courts. The Geneva Convention of 1949 granted the authority to prosecute individuals for committing "grave breaches" of the Geneva Convention, however, the authority was not self-enacting. The Geneva Convention directed each of the participating countries to enact implementing legislation. The United States never did.

Today, it would be possible, to find a known war criminal vacationing in our country, unconcerned with being punished for his crime. A modern-day Adolf Hitler, could move to the United States without worry, as he could not be found guilty in our courts of committing a war crime. We could extradite him or deport him, but we could not try him in America as a war criminal.

It is for these reasons that I have introduced H.R. 3680, the War Crimes Act of 1996. H.R. 3680 will give the United

States the legal authority to try and prosecute the perpetrators of war crimes against American citizens. Additionally, those Americans prosecuted will have available all the procedural protections of the American justice system.

I drafted this bill late last year, shortly after I met a gentleman by the name of Capt. Mike Cronin who spent time as an uninvited guest of the "Hanoi Hilton." While serving in Vietnam as an A-6 pilot, Mr. Cronin was shot down and taken prisoner of war. For 6 years he lived in a cage. When he returned, he realized that while he and many others had witnessed war crimes being committed, no justice could be found within the U.S. court system because we had not yet enacted implementing legislation of the Geneva Convention.

It is for Mike Cronin, and the many others like him who were persecuted, that I have fought to bring this legislation to the floor today. While the bill is not retroactive, it can ensure that any future victims of war crimes will be given the protection of the U.S. courts. This is a strong bipartisan bill, which will rectify the existing discrepancy between our Nation's intolerance for war crimes and our inability to prosecute war criminals.

Once again, I would like to thank this body, Chairman SMITH, Chairman HYDE, and Ranking Member CONYERS for their support. Passage of the War Crimes Act of 1996 is a long overdue step in the right direction.

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

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

The SPEAKER pro tempore (Mr. CALVERT). The question is on the motion offered by the gentleman from Texas [Mr. SMITH] that the House suspend the rules and pass the bill, H.R. 3680.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

REGARDING HUMAN RIGHTS IN MAURITANIA

Mr. BEREUTER. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 142) regarding the human rights situation in Mauritania, including the continued practice of chattel slavery, as amended.

The Clerk read as follows:

H. CON. RES. 142

Whereas the Government of Mauritania has perpetrated a prolonged campaign of

human rights abuses and discrimination against its indigenous black population;

Whereas the Department of State and numerous human rights organizations have documented such abuses;

Whereas chattel slavery, with an estimated tens of thousands of black Mauritians considered property of their masters and performing unpaid labor, persists despite its legal abolition in 1980;

Whereas individuals attempting to escape from their owners in Mauritania may be subjected to severe punishment and torture;

Whereas the right to a fair trial in Mauritania continues to be restricted due to executive branch pressure on the judiciary;

Whereas policies designed to favor a particular culture and language have marginalized black Mauritians in the areas of education and employment particularly;

Whereas Mauritians are deprived of their constitutional right to a democratically elected government;

Whereas Mauritanian authorities have still refused to investigate or punish individuals responsible for the massacre of over 500 military and civilian black Mauritians in 1990 and 1991; and

Whereas significant numbers of black Mauritians remain refugees stripped of their citizenship and property, including tens of thousands of black Mauritians who were expelled or fled Mauritania during 1989 and 1990: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) calls upon the Government of Mauritania to honor its obligations under the Universal Declaration of Human Rights and the Convention on the Abolition of Slavery, to prosecute slave owners to the fullest extent of the country's anti-slavery law, and to educate individuals being held as slaves on their legal rights;

(2) strongly urges the Government of Mauritania to abolish discriminatory practices and foster an environment that will integrate black Mauritians into the economic and social mainstream;

(3) urges in the strongest terms that the Government of Mauritania fully investigate and prosecute those officials responsible for the extrajudicial killings and mass expulsions of black Mauritians during the late 1980s and early 1990s;

(4) calls upon the Government of Mauritania to continue to allow all refugees to return to Mauritania and to restore their full rights;

(5) welcomes Mauritania's recent invitations to international human rights organizations to visit Mauritania; and

(6) further welcomes the growth of an independent press in Mauritania.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nebraska [Mr. BEREUTER] and the gentleman from Guam [Mr. UNDERWOOD] each will control 20 minutes.

The Chair recognizes the gentleman from Nebraska [Mr. BEREUTER].

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

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

Mr. BEREUTER. Mr. Speaker, this legislation was introduced by this Member. It is hard to believe that in 1996, chattel slavery continues to exist in Mauritania. This gross injustice infringes on the most fundamental of human rights of perhaps thousands of that country's underclass. Members of

that group are considered property of masters and expected to perform unpaid labor. This body should applaud the independent investigators, such as American journalist Sam Cotton, who have labored hard to break the conspiracy of silence surrounding this shameful practice.

It would be bad enough if slavery were the only abuse perpetrated against a certain class of Mauritania's people. Unfortunately, it is only one element of that country's tragic human rights situation. The government has yet to investigate or punish those responsible for the massacre in 1990 and 1991 of over 500 military and civilian Mauritians, almost entirely from one ethnic group.

Mauritania's refugee population continues to suffer. Only a small number of the 70,000 Mauritians who were expelled or fled the country from 1989 to 1990 have been resettled. Most of this group continues to eke out a bleak existence in squalid refugee camps on Senegal's border, stripped of their citizenship and their property in their homeland.

Finally, although Mauritania's citizens are constitutionally guaranteed the right to elect their government, the multiparty elections held in 1992 that ended 14 years of military rule were considered fraudulent by the U.S. State Department and other international observers.

Mr. Speaker, it is the hope of this Member that House Concurrent Resolution 142 will help convince the government of Mauritania to once and for all abolish slavery and vigorously prosecute violators of existing antislavery laws. It is time that all classes of Mauritians finally be integrated into the full social and economic mainstream of their country, a basic right to which they are fully entitled.

This Member further hopes that the attention generated by this resolution will induce Mauritania to schedule free elections and rectify other injustices.

Mr. Speaker, this Member would now like to express his deep appreciation to the gentleman from New York, [Mr. GILMAN], chairman of the Committee on International Relations, whose efforts were instrumental in moving House Concurrent Resolution 142 to the floor. In addition, this Member would recognize the extraordinary efforts of the gentlewoman from Florida [Ms. ROS-LEHTINEN], the chairman of the Subcommittee on Africa, who has been a leader in bringing this issue to the attention of the world. The gentlewoman has held the important hearings on the matter and has done much to expose the continuing practice of slavery.

Lastly, this gentleman would recognize the efforts of the distinguished gentleman from New Jersey [Mr. PAYNE] who has worked in a bipartisan manner to help craft a common expression of concern and outrage. Finally, this Member would like to parenthetically say he owes a great debt of assist-

ance and help from Ms. Angela Clark, a member of my staff, in effect, who has been serving as a fellow in that capacity. Her work on this issue has been fundamentally important to the Member, and I appreciate it.

Mr. Speaker, I urge my colleagues to support House Concurrent Resolution 142, and I reserve the balance of my time.

Mr. GILMAN. Mr. Speaker, I fully support the resolution introduced by Mr. BEREUTER, House Concurrent Resolution 142, concerning the human rights situation in Mauritania, including the continued practice of chattel slavery.

According to the 1995 State Department Human Rights report, tens of thousands of Mauritians continue to live in servitude or near-servitude. While the Government of Mauritania has prohibited the practice of slavery and adopted related measures, much needs to be done to eliminate the vestiges of this appalling practice.

Mr. BEREUTER's resolution will put the Congress firmly on the side of those Mauritians who continue to suffer in servitude. In addition, the resolution calls upon the Government of Mauritania to take the steps necessary to eliminate the vestiges of slavery and bring all Mauritians into the economic and social mainstream of society.

Mr. Speaker, this is a strong resolution. Mr. BEREUTER and Mr. PAYNE of New Jersey, a member of our Subcommittee on Africa, have worked closely on this measure. It was supported on a bipartisan basis by the entire International Relations Committee. I urge its adoption.

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

Mr. Speaker, I rise to support this resolution, House Concurrent Resolution 142. I commend the gentleman from Nebraska [Mr. BEREUTER] for sponsoring this resolution. I also, as well, would like to recognize the gentleman from New Jersey [Mr. PAYNE] for his important contribution to this issue.

The effects of slavery in Mauritania remain. Refugee repatriation, education of former slaves, and investigations of past atrocities are all issues which need attention. I hope this resolution will send a message about the importance of helping to improve conditions in Mauritania. I urge its adoption.

Ms. ROS-LEHTINEN. Mr. Speaker, as chair of the Subcommittee on Africa I urge all our colleagues to give strong support to this resolution addressing the appalling situation in Mauritania.

The resolution was reported out of the Africa Subcommittee by a unanimous vote, and reported by the Committee on International Relations again by unanimous vote.

It seems incredible that in the year 1996, we are still faced with the need to address reports that chattel slavery exists in any country. Reports that slavery continues to exist in practice, if not in law, in Mauritania are persuasive.

We continue to maintain unrelenting pressure on the Government of Mauritania to force them to take effective action to eliminate the practice of chattel slavery. Their actions to date have been ineffective.

We must focus on the plight of the victims of this practice. What could be worse than being held in slavery and to know that your children and grandchildren will be condemned to be slaves all their lives?

That human beings are held in bondage, bought and sold like animals, is simply not going to be tolerated in this day and age.

What is needed is for the Government of Mauritania to start to enforce the laws against slavery with vigor, and to prosecute those who violate those laws.

The Africa Subcommittee, in conjunction with the Subcommittee on International Operations and Human Rights, held a joint hearing on this subject, and it was clear that action was needed to bring about a positive change and an end to this horrid situation of slavery in Mauritania.

I support this resolution without reservation and urge the House to report this resolution by unanimous vote.

Mr. ACKERMAN. Mr. Speaker, I rise today in strong support of House Concurrent Resolution 142, regarding human rights in Mauritania. This resolution highlights an issue that should sadden and anger all Americans. Indeed, the entire world should be outraged.

One would have thought that at the close of the 20th century, slavery would have been consigned to the history books, a painful reminder of our own ignorance and inhumanity. Instead, we are confronted with the appalling institution of slavery alive and well.

The evidence seems clear that slavery exists in both Mauritania and Sudan, which is why I find the public comments of our Ambassador to Mauritania, as well as the relatively weak reference to slavery in Mauritania in the recent Human Rights Country Report to be especially troubling. The United States should not be down-playing slavery. We should be raising our opposition to slavery at every possible opportunity.

Mauritania is violating international law by tolerating the existence of slavery and is violating its own domestic laws. There seems to have been little effort by the government of Mauritania to stop this abhorrent practice, since the government makes no effort to inform people of their rights and does not prosecute those who continue to hold slaves.

Mr. Speaker, by adopting this resolution today, the House will send a strong signal to the Government of Mauritania that more must be done to wipe out the scourge of slavery as well as its vestiges.

I urge all my colleagues to support House Concurrent Resolution 142.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nebraska [Mr. BEREUTER] that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 142, as amended,

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BEREUTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the legislation just considered.

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

There was no objection.

REAUTHORIZING DEVELOPMENT
FUND FOR AFRICA

Mr. BEREUTER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3735) to amend the Foreign Assistance Act of 1961 to reauthorize the Development Fund for Africa under chapter 10 of part I of that act, as amended.

The Clerk read as follows:

H.R. 3735

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

SECTION 1. REAUTHORIZATION OF DEVELOPMENT FUND FOR AFRICA.

Section 497 of the Foreign Assistance Act of 1961 (22 U.S.C. 2294) is amended—

(1) by inserting after the section heading the following:

“(a) IN GENERAL.—There are authorized to be appropriated to carry out this chapter, in addition to amounts otherwise available for such purposes, \$704,000,000 for each of the fiscal years 1997, 1998, and 1999.”; and

(2) by striking “Funds appropriated” and inserting the following:

“(b) AVAILABILITY.—Funds appropriated”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nebraska [Mr. BEREUTER] and the gentleman from New York [Mr. ENGEL] will each control 20 minutes.

The Chair recognizes the gentleman from Nebraska [Mr. BEREUTER].

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

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

Mr. BEREUTER. Mr. Speaker, this too is legislation introduced by this Member. Accordingly, I want to thank the distinguished chairman of the Committee on International Relations, the gentleman from New York [Mr. GILMAN], who is a cosponsor of this legislation and has been extremely helpful in moving this legislation forward.

In addition, the gentlewoman from Florida [Ms. ROS-LEHTINEN], distinguished chairman of the Subcommittee on Africa, was instrumental in ensuring timely consideration of the reauthorization of the DFA. This Member would also note the efforts of the distinguished gentleman from New York [Mr. HOUGHTON] who has labored long and hard on a wide variety of initiatives in response to the suffering in Africa, and has been very active in assisting in the movement of this act to the House floor.

This Member would also note the assistance of the distinguished gentleman from New Jersey [Mr. PAYNE]

and the distinguished gentleman from Florida [Mr. HASTINGS], both of whom feel very deeply about continuing United States efforts in Africa. With their assistance, the committee has reported out a truly bipartisan bill which all Members can support.

This Member would further assure his colleagues, particularly those from the other side of the aisle, that he has had an opportunity to discuss this matter personally with the Secretary of State, Mr. Christopher, and Secretary Christopher has expressed his support for the DFA reauthorization.

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The Development Fund for Africa [DFA], was established in the mid-1980's, under the leadership of the gentleman from Michigan, Mr. Wolpe, a former Member, in order to ensure a relatively predictable level of assistance for this troubled corner of the world. That legislation had bipartisan support from the committee. I remember being a cosponsor of it. It was created in a bipartisan manner and has always received bipartisan support. Unfortunately, the authorization for DFA has lapsed and it is in need of reauthorization. H.R. 3735 does just that.

It is important for the Members of this body to understand that despite being the source of much of the world's most horrific suffering, sub-Saharan Africa has never been a high priority for the United States foreign assistance programs. Between 1962 and 1989, Africa accounted for just 6.7 percent of all United States foreign assistance, including the United States share of aid channeled through the multilateral organizations.

Even in recent years, despite the higher profile accorded to Africa under the DFA, assistance levels rarely have topped 10 percent of U.S. foreign assistance. Of this sum, approximately 30 percent is provided in the form of Public Law 480 food security assistance, and the remainder is allocated largely to development assistance. Thus, reauthorization of the Development Fund for Africa is essential if we are to ensure that Africa continues to receive an appropriate level of assistance.

However, H.R. 3735 does not micro-manage. The DFA reauthorization does not dictate how those funds will be spent, just that the funds will be spent on programs in Africa. We are not seeking new money in addition to that which has been authorized within the overall foreign assistance authorization. I want to repeat that. We are not seeking new money in addition to that which has been authorized within the overall foreign assistance authorization. We are simply ensuring that a certain portion of the normally authorized foreign aid development assistance go to African programs.

As introduced, H.R. 3735 authorizes \$539 million a year for 3 years. That would mean that 41 percent of the total DA account would be spent on Africa. However, the legislation was amended

in committee, appropriately, I believe, in order to incorporate the projected Africa portion of the Child Survival Fund, which this Member supports and urges his colleagues to support.

This was done in order to avoid confusion because, while the House has come out strongly in favor of the Child Survival Fund, the Senate does not include a Child Survival Fund. This legislation simply makes it clear that a portion of the funds that should go to the Child Survival Fund will also support programs in Africa.

As amended, the authorization figure reflects the administration's fiscal year 1997 request level. This request level, \$704 million, is straight-lined for 3 years, fiscal year 1997 through 1999. Again this Member would remind his colleagues that this authorization level includes some \$140 million of the Child Survival Fund.

It is also important to remember that even at this level, support for the African programs has been reduced dramatically from a few short years ago when we were considering a \$1 billion DFA. Thus, this legislation keeps faith with the ongoing effort to reduce Federal spending, but it is consistent with the administration's request. H.R. 3735 falls within the parameters of the much reduced overall foreign assistance authorization levels that this body voted and approved earlier this year.

Mr. Speaker, finally, this Member would take a moment to recognize the efforts of the committee staff who have been instrumental in moving this legislation forward. In particular, this Member would express his personal thanks to Mr. Walker Roberts, Mr. Mark Kirk, and Mr. Michael Ennis, who have done all that was requested of them and more. They are key members of a truly exceptional staff that Chairman GILMAN has assembled.

This Member would also note the assistance of Maricio Tamarago of Chairman ROS-LEHTINEN's staff, as well as the bipartisan assistance from the staff on the other side of the aisle, and I am sure my colleague will want to mention them directly. Their help is sincerely appreciated.

Mr. Speaker, this Member would urge his colleagues to support H.R. 3735.

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

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

Mr. Speaker, I rise today in strong support of the bill, and I want to commend my friend from Nebraska for his diligence and hard work in bringing this bill to fruition.

There are compelling reasons to keep the Development Fund for Africa separate from other development assistance and funded at as high a level as possible. Africa has special development needs. We all know that. The continent has a unique combination of war-related humanitarian requirements and traditional sustainable development needs. Many observers feel that Africa