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# House of Representatives

The House met at 10 a.m.

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

By Your divine providence, Lord God, through free election and the personal decisions of the American people, You have assembled these individuals as Members of the House of Representatives.

They are the men and the women who will create the laws that will guide the Nation, direct the behavior of the people of this country, and, through the appropriation process, shape the priorities of the future.

In Your judgment, Lord, they are the ones who are adequate for the moment to address the problems and needs of Your people.

Because the United States is regarded as the most powerful Nation in the world at this time, this Congress, as it is, becomes Your instrument to unite people around the globe and accomplish Your holy will in our day.

Knowing their awesome responsibilities and understanding the limitations of human nature, we, the people, commend them to You, Almighty God, for we place our trust in You now and forever. Amen.

## THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

## PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Minnesota (Mr. GUTKNECHT) come forward and lead the House in the Pledge of Allegiance.

Mr. GUTKNECHT led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has agreed to the following resolution:

In the Senate of the United States, June 13, 2005.

Whereas J. James Exon served in the United States Army Signal Corps from 1942–1945 and in the United States Army Reserve from 1945–1949;

Whereas J. James Exon served as Governor of the State of Nebraska from 1971–1979;

Whereas J. James Exon served the people of Nebraska with distinction for 18 years in the United States Senate where he was a proponent of a strong national defense and knowledgeable source of geopolitical matters;

*Resolved*, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable J. James Exon, formerly a Senator from the State of Nebraska.

*Resolved*, That the Secretary of the Senate communicate these resolutions of the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

*Resolved*, That when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the Honorable J. James Exon.

The message also announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 483. An act to designate a United States courthouse in Brownsville, Texas, as the ''Reynaldo G. Garza and Filemon B. Vela United States Courthouse''.

The message also announced that the Senate has passed a bill of the following title in which concurrence of the House is requested:

S. 1140. An act to designate the State Route 1 Bridge in the State of Delaware as the ''Senator William V. Roth, Jr. Bridge''.

The message also announced that pursuant to Public Law 94–304, as amendment by Public Law 99–7, the Chair, on behalf of the Vice President, appoints the following Senators as members of the Commission on Security and Cooperation in Europe (Helsinki) during the One Hundred Ninth Congress;

The Senator from Oregon (Mr. SMITH).

The Senator from Georgia (Mr. CHAMBLISS).

The Senator from North Carolina (Mr. BURR).

The Senator from Louisiana (Mr. VITTER).

## ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to ten 1-minute requests on each side.

## SHAME ON CONGRESS IF WE DO NOT BAN CLONING

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, Edmund Burke once said: ''All that is necessary for the triumph of evil is for good men to do nothing.'' I might change that to read: ''All that is necessary for human cloning to begin in America is for Congress to do nothing.''

When Korean scientists announced last month they had cloned 18 sick people and killed their clones to get their stem cells, some thought that would provide the motivation for the Congress to ban human cloning. They were wrong.

The history of cloning is replete with defects, deformities, and death. It took 277 tries to clone Dolly the sheep. That is 276 dead and deformed sheep. And yet Congress does nothing to stop human cloning from happening in America. The House has done very little to force the Senate to act, and the House has yet to take up a bill this year.



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Human cloning is wrong and dangerous, no matter what cause it serves. Yet Congress and its leaders refuse to act, content to wait for a politically opportune time for a vote. But scientists are not operating on our electoral timetable. While we wait, cloning is coming down the pike, and it will happen here sooner than we know if we do not act.

Those who would delay and do nothing will bring shame on Congress and on this body if we do not stop it.

## DEALING WITH PROBLEMS FACING GULF WAR VETERANS

(Mr. KUCINICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KUCINICH. Mr. Speaker, Abraham Lincoln in his second inaugural said: ''We shall care for him who has borne the battle.'' Today, men and women who have served this country in the Gulf War are waiting for this Congress to respond affirmatively to their medical needs.

Congress took steps in the 1990s by authorizing a scientific research program that looked into Gulf War Syndrome, and that report from the Research Advisory Committee on Gulf Veterans Illness found out that the illnesses suffered by Gulf War veterans, these often debilitating problems, could not be scientifically explained by stress or psychiatric illnesses; that veterans were having problems with their neurological and immunological systems, and they were having it with a frequency that was twice those of peer veterans not deployed.

They cited a list of possible exposures, which included chemical weapons, biological weapons, drugs to protect them from biological and chemical weapons, depleted uranium, oil well fire smoke, diesel fuel, jet fuel, and on and on and on.

Today, Congress will have before it a budget-neutral amendment that will give us a chance to do something about funding a program to help deal with the problems that Gulf War veterans are experiencing.

## PASSING NEEDED PENSION REFORM

(Mr. PRICE of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PRICE of Georgia. Mr. Speaker, pension plans are on the minds of the American people. Just typing the words ''pension plan'' into an Internet search engine yields over 4,000 returns in less than a second.

Americans are very concerned about their retirements. Couples who were planning where they will spend their golden years now are trying to figure out what to do with shrinking pension checks, as businesses struggle to fund their pension plans.

Government and taxpayer bailouts are not fair to the public, and they are not a solution to the problem. Recent hearings here in the House have made the case crystal clear as experts have said that they think we need industry-specific reform.

United Airlines recently dumped their pension plan onto the Pension Benefit Guarantee Corporation, so now thousands and thousands of their employees face an uncertain future and the PBGC goes billions of dollars further into the red. This is a no-win situation for everyone involved.

Mr. Speaker, let us take action. Let us be proactive, and let us pass much-needed pension reform now.

## ANSWERS NEEDED FOR QUESTIONS REGARDING IRAQ

(Mr. MORAN of Virginia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MORAN of Virginia. Mr. Speaker, if you do not know where you are going, you are never going to get there. Another truism is that you do not begin a war without a plan to win the peace.

Is it now well past time for the legislative branch to ask of the executive branch the very things that our constituents are demanding of us: What is the White House's strategy for success in Iraq? How many Iraqi troops need to be adequately trained and sufficiently equipped, to take over the military protection of that country? How many Iraqi police forces are needed to restore law and order? How many more American dollars are needed to rebuild the infrastructure so that nation can be economically viable? And what does this administration consider to be political stability?

These are reasonable questions. We should have had the answers before we went to war, but we must demand them now. It is unfair, not only to the mothers and fathers of our soldiers, but to our senior military officers of our country not to know where they are headed in Iraq.

## RESTORING HOPE, ORDER, AND PURPOSE TO THE UNITED NATIONS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, the world has entrusted peacekeepers from the United Nations with the tremendous task of promoting peace and international cooperation throughout the globe.

Unfortunately, for years we have watched U.N. peacekeepers neglect their lofty goals and actually contribute to the demise of war-torn nations. From the jungles of the Congo to the swamps of Sierra Leone, U.N. peacekeepers have committed crimes, including sexual exploitation, corruption, sex trafficking, and the systematic rape of women. In Bosnia, the U.N. quashed an investigation into the involvement of U.N. police in enslavement of Eastern European women.

Today, Congress has a rare opportunity to restore hope, order, and purpose to the U.N. Decades of U.N. waste, fraud, and abuse prove that strong action is the only remedy for the problems plaguing the organization. By linking U.S. support to U.N. reform, we can ensure the U.N. peacekeepers rightfully fulfill their mission.

In conclusion, God bless our troops and we will never forget September 11.

## THE GROWING NATIONAL DEBT

(Mrs. MALONEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MALONEY. Mr. Speaker, these are tough economic times; but our economy is resilient, and I trust that we will eventually turn things around. But even then, this administration has created structural problems that will hinder us over the long run.

This administration continues to set economic records, only they are the wrong economic records. We have set under this administration a record trade deficit of over $600 billion, a record budget deficit of over $450 billion, and they have raised the debt ceiling three times. As we stand here, our national debt is over $7.8 trillion, and that is over $26,000 for each citizen.

Mr. Speaker, let me tell my colleagues, that is not the legacy that I want to leave to my children and my grandchildren and the children of America. I hope it is not the legacy that Members want to leave.

## REFORM THE UNITED NATIONS

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I ask our colleagues to help stop sexual predators among the United Nations peacekeeping forces and vote in favor of the Hyde U.N. Reform Act of 2005.

It is monstrous that an international organization charged with assisting nations to rebuild after major turmoil has experienced an alarming number of scandals involving sexual harassment, rape, sex trafficking, misconduct, and harassment. Even one instance of these terrible crimes is appalling and unacceptable; but, unbelievably, over the past decade their appearance is frequent.

United Nations peacekeepers, the very people who have been sworn to protect and assist those most in need, in some instances have been the perpetrators of these deplorable crimes against the most vulnerable of our population, refugees. These crimes are yet another example of the ways in which

the U.N. is currently unfit to operate in its current state and must be reformed in order to restore its integrity and its authority.

Through the United Nations Reform Act of 2005, the United States, as the greatest contributor to U.N. peacekeeping, will do away with all of these scandals.

## UPHOLDING THE PROMISES OF SOCIAL SECURITY

(Mr. BERRY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BERRY. Mr. Speaker, when this President was reelected, he announced proudly that he had political capital and he intended to spend it. He intended to replace Social Security. All of his proposals provide that we would replace Social Security with something less: ''Let us give the working people of this country less than we promised.''

□ 1015

Social Security is a covenant between our working people and the United States Government. They are entitled to get what they have paid for. They have worked all their days and paid honorably into the system. Now this President and some of my colleagues on the Republican side say, I am sorry, we just do not want to do that anymore, so we are not going to pay you. You paid into the system; that is just your tough luck. We are just not going to do that.

We do not need to replace Social Security, we just need to fund it.

## SUPPORTING CONTINUED OPERATION OF DETENTION FACILITY IN GUANTANAMO BAY

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

Mr. WESTMORELAND. Mr. Speaker, I rise today to call on my colleagues in the House to support the continued operation of the detention facility in Guantanamo Bay, Cuba.

If it is proven that detainees have suffered abusive treatment, we should take corrective action, but continue to operate the detention facility.

I ask my colleagues, what good does it do to simply move to a different location? The fact is, we have to put these enemy combatants somewhere. What better place than a heavily guarded island?

Mr. Speaker, the detainees at Guantanamo are not there for jaywalking or stealing a Snickers bar from the 7-Eleven. They are well-trained, hate-filled jihadists inflamed by an anti-American ideology. If they were released back into the wild, they would not return to a quiet family life of shepherding in the mountains of Afghanistan. They would simply take up arms to fight Americans again.

Already we have recaptured combatants on the battlefield who had been released from Guantanamo. We should learn a lesson from that. Let us make sure they stay there.

## ABUSE OF POWER BY REPUBLICANS

(Ms. LEE asked and was given permission to address the House for 1 minute.)

Ms. LEE. Mr. Speaker, how can we spread democracy abroad if it is being, quite frankly, abused here in the House?

The Republican abuse of power appears to no know bounds. Last Friday the Republicans literally cut off debate on the renewal of the USA PATRIOT Act. Apparently, it was not enough to bar witnesses critical of the PATRIOT Act, or to force Democrats to fight to get a critical witness in front of the committee, or to schedule that hearing for a day when the House was not in session. When dissenting voices started to speak, the hearing was abruptly ended, and the microphones were turned off.

Critics of the PATRIOT Act say that it represents the threat of unaccountable, undemocratic government, and the behavior of its Republican supporters here only serves to prove that point and is proof of that.

Hubert Humphrey once said that ''Freedom is hammered out on the anvil of discussion, dissent, and debate.''

I hope that this Republican abuse of power will be ended before it is allowed to undermine our freedom.

Once again, how can we spread democracy abroad when it is being abused right here at home in the House of Representatives?

## HONORING THE 25TH ANNIVERSARY OF EL MUNDO

(Mr. PORTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PORTER. Mr. Speaker, I rise today to honor the 25th anniversary of one of southern Nevada's first Spanish-language publications, the El Mundo.

I would also like to recognize the dedication and perseverance of my longtime friend Eddie Escabedo, El Mundo's founder and publisher.

What began as a truly local community newsletter has grown to a newspaper that reaches 50,000 Nevadans and many more through radio and television affiliations.

I applaud Eddie and all of those who have assisted him throughout these 25 years. The service that you provide the Spanish-speaking community in southern Nevada has benefited us all by demonstrating our common needs, despite our diversity.

Eddie, it was great to see you in Washington last week. Your efforts to provide our Spanish-speaking students with information on the resources available to them to continue their education are truly an invaluable service. I look forward to working with you on the Hispanic Scholarship Directory long into the future. I congratulate you and El Mundo on this milestone and wish you all the best of luck in the next 25 years.

Eddie, I am proud to call you a friend. Congratulations.

## URGING THE PROTECTION OF AMERICA'S FLYING PUBLIC FROM THE THREAT OF SHOULDER-FIRED MISSILES

(Ms. BEAN asked and was given permission to address the House for 1 minute.)

Ms. BEAN. Mr. Speaker, I am here to urge my colleagues to act now to protect America's flying public from the threat of shoulder-fired missiles.

Unfortunately, today, thousands of portable, easy-to-use antiaircraft missiles are in the hands of terrorist groups around the world, including al Qaeda. The FBI, CIA, State Department, and White House recognize this serious threat. Now is the time for Congress to act.

Mr. Speaker, the Department of Homeland Security has been diligently working to apply successful military technology to our commercial aircraft, and now, for the same cost as in-flight entertainment systems, we can install proven portable defense systems on passenger jets.

Just this week, the Chicago Tribune editorialized that the financial costs of safeguarding our airlines are well worth it. However, while we have spent billions of dollars on transportation security since 9/11, Congress has not yet committed to providing such protection.

Last week, the gentleman from New York (Mr. ISRAEL) and I introduced the Commercial Airline Missile Defense Act, authorizing the TSA to provide missile defense systems to our commercial passenger jets. Today I urge my colleagues to cosponsor H.R. 2780 and join us in protecting America's business and family travelers.

## DOD APPROPRIATION

(Mr. GINGREY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GINGREY. Mr. Speaker, I rise today in strong support of H.R. 2863, the Department of Defense authorization bill.

As we continue assessing our national defense strategy to guard our Nation from threats at home and abroad, we must provide the necessary funding for our military needs to keep us safe.

We in Congress often praise our service men and women for the fine job they do, but lipservice is not enough. We must back up our words with action.

The 2006 defense appropriation bill does just that. Mr. Speaker, $366 billion

for our military will go to procure vital weapons systems, to further research, to develop new technologies, and to fund military operations in Iraq and Afghanistan. The bill also includes a 3.1-percent pay raise for soldiers, sailors, airmen, and marines.

Mr. Speaker, we have the most dominant military in the history of the world, and this bill will keep it that way. With this funding, we are giving our defenders the tools they need to keep us safe.

## URGING SUPPORT FOR SUCCESSFUL WITHDRAWAL STRATEGY FROM IRAQ

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

Mr. RANGEL. Mr. Speaker, I ask my colleagues to vote ''no'' on the previous question on the rule on the defense appropriation bill so that the gentlewoman from California (Ms. PELOSI) might give us an opportunity to vote, to consider and vote on her amendment, which actually contains a strategy for success in Iraq by allowing or asking the President to tell us, within 30 days after the enactment, what is his plan for success to bring the troops home.

Whether you voted for or against the war, or whether you are concerned about it, everyone has to be concerned about our troops that are there. The way this war has been waged is putting a huge strain on our men and women in uniform, and has become a threat to our armed forces' capacity to meet future needs. And if you take a look at what is happening with our military being spread through 120 countries, you will recognize that the administration's so-called ''strategy'' requires more troops to add on to the troops that are already in Iraq.

The problem that we are having is recruitment. We are not finding, notwithstanding the increases in bonuses up to $40,000, that we are getting the recruits that we need. We also find that they reduced the standards. One no longer has to be a high school graduate; they are now taking sub-high school graduates. And all the while, the President has still made no direct appeal to areas of this country, other than those where jobs and opportunity are lacking, to join the service and share in the sacrifices needed to defend this great republic.

So I am hoping if you are concerned about our troops, you will give us a chance to ask the President, how in the heck are we going to get out of this so that we can preserve our armed forces and stop taking advantage of the heroes who have served far more than their fair share?

## LAYOFFS IN WESTERN NORTH CAROLINA

(Mr. MCHENRY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCHENRY. Mr. Speaker, last Wednesday, my congressional office in Hickory, North Carolina, got news that Broyhill Industries, the big furniture company, would be cutting up to 1,009 jobs in Caldwell and Rutherford Counties. This is devastating to my people in my district. This is only one chapter in a long story of continuous layoffs in western North Carolina.

My district, North Carolina's 10th, is called by the Almanac of American Politics the most blue-collar district in America. But many of those blue-collar jobs are being lost. The textile industry has been devastated. The furniture industry, we have lost a lot of jobs there as well. Towns Lenoir and Rutherfordton are only the latest chapter in a long series of job losses in the region.

But I want my constituents to know, Mr. Speaker, that there is help, there is hope, and they can contact my congressional office.

In Congress we cannot keep companies from closing, but there are some things we can do, and we will act and do what is right for our people and do what is best for our country.

## EXTENDING A WARM WELCOME TO MEMBERS OF PARLIAMENT FROM MAIN OPPOSITION PARTY IN ZIMBABWE

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

Mrs. CAPPS. Mr. Speaker, I rise today to welcome three women Members of Parliament from the main opposition party in Zimbabwe, the Movement for Democratic Change: the Honorable Thokozani Khupe, the Honorable Paurina Mpariwa, and the Honorable Priscilla Mishiairambwi.

In the face of continued repression, this Movement for Democratic Change is working tirelessly to realize democracy for Zimbabwe. The Congressional Caucus on Women's Issues is honored to host these leaders of Zimbabwe today.

All three women have a remarkable record of advocating passionately for the issues that affect women and society in Zimbabwe. It is a real pleasure to welcome leaders from other nations who are working to bring about peaceful democratic changes within their country, and I know my colleagues will join me in extending a warm welcome to them today.

## U.N. REFORM

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Mr. Speaker, today we will debate the U.N. Reform Act, and I want to thank the gentleman from Illinois (Chairman HYDE) for making this a priority. We are trying to bring change to an organization that has grown fat, happy, and arrogant off of American taxpayer dollars.

Over the past several years, we have watched the oil-for-food scandal, and numerous scandals listed here on this poster, accounting errors, and then on top of this, in 2005, the U.N. asked for a $400 million budget increase.

Countries like Libya, Sudan, and Cuba are on the U.N. Human Rights Commission, and we, the taxpayers, are paying for this.

The United States sends more than $400 million a year to the U.N. We spend billions of dollars in direct aid and military aid, and no one can say we are not doing our fair share. Requiring the U.N. to try and find spending priorities is clearly not a bad thing; it is a good thing. Neither is asking them to cut spending. If they are not using our money wisely, we should not be sending as much.

Mr. Speaker, I hope the House will overwhelmingly support this important and overdue legislation.

## REPUBLICANS SILENCE OPPOSITION TO PATRIOT ACT IN COMMITTEE HEARING

(Ms. WASSERMAN SCHULTZ asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WASSERMAN SCHULTZ. Mr. Speaker, while we are on the subject of arrogance, as a new Member of the House Committee on the Judiciary, the Republican majority, I noticed, has become so arrogant that they are now attempting to silence even the opposition from the minority party, preventing us from giving any opposing testimony.

The latest abuse comes from the gentleman from Wisconsin (Mr. SENSENBRENNER), the chairman of the Committee on the Judiciary. As the committee prepares to vote on the reauthorization of the PATRIOT Act, Chairman SENSENBRENNER has conducted 12 hearings on the issue, but has refused to allow almost any testimony from those who oppose the PATRIOT Act or its provisions.

Opposing testimony was allowed only after the gentleman from Michigan (Mr. CONYERS) used the rules of the committee to force the chairman to hold a hearing that included Democratic panelists. Clearly miffed by this action, the gentleman from Wisconsin (Chairman SENSENBRENNER) scheduled the hearing for just 18 hours later on a Friday morning when the House was not even in session. And that is not the worst of it.

During the actual hearing, the gentleman from Wisconsin (Chairman SENSENBRENNER) rudely cut opposition voices off, and then abruptly and unilaterally concluded the hearing without a vote of the committee. After Democrats called a point of order, he gaveled the hearing to a close and left the room. When Democrats continued to voice their opposition, he turned the microphones off. When that did not stop them, he turned the lights off in the room.

Mr. Speaker, when are Republicans going to realize that the minority voice is an important one?

## PAYING TRIBUTE TO CHUCK COLSON, FOUNDER OF PRISON FELLOWSHIP

(Mr. GUTKNECHT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUTKNECHT. Mr. Speaker, I rise today to pay tribute to a convicted felon.

Earlier this month, with the revealing of Deep Throat, we were reminded of Watergate, a pivotal event in American history that also marked a major turning point in the life of then White House hatchet man Chuck Colson. Instead of returning to a career in the private sector after serving his prison sentence, Colson felt called to return to those still behind bars.

□ 1030

In 1976 he founded Prison Fellowship, the world's largest prison outreach organization.

In 2002, after nearly 30 years of leading Prison Fellowship, Colson named former Virginia Attorney General Mark Earley as the man who would take the organization into the next generation. Now, June 16, 2005, marks another crowning moment as they dedicate new headquarters in Landsdowne, Virginia.

With over two million Americans behind bars in the United States, Prison Fellowship is working to change hearts and help return inmates to society as productive citizens.

Today we may dedicate bricks and mortar, but we are truly giving thanks that Prison Fellowship is not just an organization; it is a movement of churches and volunteers in all 50 States and now 108 countries around the world

Thank you, Chuck Colson, for saving lives by saving souls.

## REPUBLICAN ABUSES OF POWER

(Ms. WATSON asked and was given permission to address the House for 1 minute.)

Ms. WATSON. Mr. Speaker, how much does the majority leader underestimate the American people? For 6 months now the House Ethics Committee has been unable to meet because the Ethics Committee chairman refuses to abide by the committee's own rules. And now, this week, the gentleman from Texas (Mr. DELAY) says it is the Democrats who are keeping the committee from meeting because, according to him, they want to delay his case before the Ethics Committee until an election year.

If the majority leader really wants his case heard before the Ethics Committee, he should persuade the Ethics Committee chairman to abide by the ethics rules and appoint a nonpartisan staff director. The rules of the committee are clear that the staff be assembled and retained as a professional nonpartisan staff. If the gentleman from Washington (Chairman HASTINGS) is allowed to appoint his chief of staff, he would be breaking the committee rules by having a partisan staffer on the committee.

Democrats want the Ethics Committee to play by the rules. Please play by the rules.

## PROVIDING FOR CONSIDERATION OF H.R. 2863, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2006

Mr. COLE of Oklahoma. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 315 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 315

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2863) making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. FORBES). The gentleman from Oklahoma (Mr. COLE) is recognized for 1 hour.

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

GENERAL LEAVE

Mr. COLE of Oklahoma. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Res. 315.

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

There was no objection.

Mr. COLE of Oklahoma. Mr. Speaker, on Tuesday the Rules Committee met and reported a rule for consideration of the House Report for H.R. 2863, the Department of Defense Appropriations Bill for Fiscal Year 2006.

Mr. Speaker, when the Rules Committee met, it granted an open rule, providing 1 hour of general debate equally divided and controlled by the chairman and ranking member of the Committee on Appropriations. This rule waives all points of order against consideration of the bill. For the purposes of amendment, the bill shall be read by paragraph. Additionally, this rule waives all points of order against provisions in the bill which fail to comply with clause 2 of rule XXI, and it authorizes the Chair to accord priority in recognition to Members who have preprinted their amendments in the RECORD. It provides one motion to recommit with or without instructions.

Mr. Speaker, the committee believes this rule will provide ample opportunity for Members to fully debate the funding of our national defense.

Mr. Speaker, I rise today in support of the rule for H.R. 2863 and the underlying bill. This important legislation takes dramatic steps to further prosecute the global war on terror, enhance our security, and improve the lives of our servicemen and women. It is a bill that fundamentally addresses many of the transformative challenges faced by our military in the future and implements many measures needed to meet those challenges.

Mr. Speaker, the Defense Appropriations Subcommittee and the full Appropriations Committee have presented us with an excellent bill. This bill provides us with a way to meet many of the current challenges that we face by addressing the immediate requirements of our forces as well as the ongoing need to transform our military through the adoption of new technology, advanced methods of warfare, and innovative changes in military doctrine.

To fully appreciate the significance of H.R. 2863, one must understand the four long-term challenges that we seek to address in this legislation.

The first long-term challenge is a direct result of the procurement holiday that was taken by our country in the 1990s. To understand the consequences of shortchanging our military during this era, one need only to recall the ammunition accounts as they were funded, or perhaps better described as not funded, during this period. The failure to maintain adequate stocks of ammunition is a shortcoming we are only now beginning to overcome. Additionally, one can see the adverse effects that a constant surge in deployments in the 1990s had upon the maintenance levels of our hardware. This bill takes important steps to rectify that problem associated with the procurement holiday.

Mr. Speaker, the second long-term challenge we must address on a continual basis is related to the transformation of our military forces. The

famous Goldwater-Nichols legislation of 1986 altered the manner in which we organize to fight wars and committed us to transforming the nature of our forces, transformation demands an ongoing strategic, operational, and tactical review of our needs in relation to technology, procurement and the development of joint warfighting capabilities.

Each service, all our units and all our equipment must complement one another and contribute to the increased effectiveness of our forces. Transformation is not a goal in and of itself. It is a process of continuous change and adaptation that makes our forces more effective. This is an issue we must address on an ongoing basis. H.R. 2863 does just that.

Mr. Speaker, the third long-term challenge we face is related to our force structure and manpower requirements. This legislation, while meeting the request of the President's budget, also continues to fund additional forces required to prosecute the global war on terror. This is a good start. In future years, we will need to closely examine and, I believe, increase the size of our forces. There is no short-term easy solution to recruiting and maintaining the larger forces I personally believe we will need in the dangerous world in which we live. Still, H.R. 2863 is a good interim step and one which we should take and support and build on in the coming years.

The fourth long-term challenge faced by the military results from the global war on terror. This is not a conventional war. We are not fighting a nation state. We are fighting the adherents of a fanatical ideology that transcends national borders and takes root whenever and wherever it can. We are involved in a generational war against these fanatics that will last for decades. It will require a wide range of diplomatic, developmental, intelligence, communications, and civil affairs tools and activities to win.

The military component of this effort will be expensive and ever-changing. Hence, I believe we took a wise and important step when we added $45.3 billion in bridge funding in ''Emergency Wartime Appropriations'' to this defense bill. It is something that indicates our understanding of the long-term nature of the challenge we face and our determination to commit the resources needed to be successful.

Today, some Members may wish to have a broad discussion on the situation in Iraq. I welcome that debate, and the open rule attached to this legislation will allow that discussion. However, in the end, this bill is not about Iraq. It is about providing the men and women who defend our country with the tools they need to prevail against those who would do harm to the United States. After the collapse of the old Soviet Union, we took our security for granted and we underfunded the military for a decade. September 11, 2001, taught us the folly of our assumptions in this regard.

Since that time, the administration and the Congress have made the tough decisions needed to rebuild our military and expand its capabilities while waging a war on terror. This bill is another step in that process. It is well crafted, essentially bipartisan, and moves us in the proper direction. Once passed, this legislation will enhance our security, enable us to fight the war on terror, and improve the quality of life for our servicemen and women.

Mr. Speaker, to that end, I urge support for the rule and the underlying bill.

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

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentleman from Oklahoma (Mr. COLE) for yielding me the customary 30 minutes. I yield myself 6 minutes.

Mr. Speaker, I want to begin by commending the gentleman from California (Mr. LEWIS), the Appropriations Committee chairman and the gentleman from Wisconsin (Mr. OBEY), the ranking member, and the gentleman from Florida (Mr. YOUNG), Defense Subcommittee chairman, and the gentleman from Pennsylvania (Mr. MURTHA), the ranking member, for their continuing bipartisan work in drafting the annual defense appropriations bill.

I will not take time to detail the programs funded under this bill. However, I would like to express concern and my deep unease with a few aspects of this spending bill.

Mr. Speaker, H.R. 2863 appropriates $408.9 billion for the Department of Defense. That is $3.3 billion below what the administration requested. This total also includes $45.3 billion in unrequested funds for operations in Iraq and Afghanistan. Total defense spending now accounts for nearly 55 percent of the entire Federal discretionary budget for fiscal year 2006.

Now, while the Committee has trimmed somewhat the administration's budget request, overall defense spending, in real terms, is currently about 20 percent greater than the average Cold War budget.

Mr. Speaker, this is spending of historic proportions.

Since the spring of 2003, Congress has appropriated approximately $250 billion-plus for the war efforts in Iraq and Afghanistan, largely through three huge supplemental appropriations bills. U.S. spending in Iraq alone will be at least 75 to 80 billion this year alone. And it could approach a $400 billion total by 2006, making the Iraq war one of the costliest in U.S. history. Everyone in this House expects the President to ask for additional funds later this year, an expectation that I guess led the Committee to appropriate the $45.3 billion in as-yet-unrequested funds for operations in Iraq.

This so-called ''bridge fund'' means, Mr. Speaker, that we are, in essence, passing two appropriations bills for Iraq and Afghanistan. One is called the Iraq supplemental, which Congress takes up at the beginning of each year, and the other is this bridge fund. Remember we had one last year too, and it is attached to the annual defense appropriations bill.

Mr. Speaker, it is no longer breaking news that we are engaged in Iraq and Afghanistan. And it is critical for the economic and fiscal health of our Nation that the now-predictable spending for continued operations in Iraq and Afghanistan be included in the regular budget process so we can plan for it, make the necessary budgetary tradeoffs, and most importantly, Mr. Speaker, so we can pay for it.

We should be paying for this war now, Mr. Speaker, not handing the cost off to our grandchildren.

Mr. Speaker, just this week the death toll of American troops killed in Iraq exceeded 1,700. Last month was one of the deadliest months in Iraq in the 2 years since President Bush declared the end of major combat operations. In May of 2005, 67 U.S. soldiers and Marines were killed by hostile fire, the fourth highest tally since the war began.

In a June 12 Knight-Ridder article entitled ''Military Action Won't End Insurgency, Growing Number of U.S. Officers Believe,'' Lieutenant Colonel Frederick P. Wellman, who works with the task force overseeing the training of Iraqi security troops, said the insurgency doesn't seem to be running out of new recruits. ''We can't kill them all,'' Wellman said. ''When I kill one, I create three.''

Mr. Speaker, I personally believe there is no military solution in Iraq, immediate or long term. General George Casey, the top U.S. commander in Iraq, has expressed similar sentiments. He has called the U.S. military efforts ''the Pillsbury Doughboy idea,'' meaning that if you press the insurgency in one area, it only causes it to rise somewhere else.

Mr. Speaker, I very much regret that an amendment offered by the Democratic minority leader, the gentlewoman from California (Ms. PELOSI), was not made in order by the Rules Committee. This amendment is quite simple. It calls on the President to transmit to congressional leaders a report on what is our strategy for success in Iraq, one that identifies criteria to determine when it is appropriate to begin the withdrawal of our military from Iraq. The gentlewoman from California's (Ms. PELOSI) amendment is a reasonable, thoughtful approach. For the life of me, I cannot understand why the Rules Committee would not make it in order.

□ 1045

Mr. Speaker, we need that kind of clarity in our policy. We need a change, of course, and at the end of this debate, I will ask my colleagues to vote ''no'' on the previous question so that the Pelosi amendment may be considered.

Mr. Speaker, there are some who believe that our only responsibility in

this time of war is to automatically approve appropriations bills, no questions asked. Let me remind my colleagues that we also have a responsibility to do proper oversight, to conduct thoughtful debate, and to ensure that there is a clearly defined mission, which includes when our men and women can come home. That is what the Pelosi amendment seeks to accomplish, but for some reason the Republican leadership does not want to talk about it.

To be honest, I do not think this administration has a clue about what they are doing in Iraq, and, Mr. Speaker, that is a tragedy.

Clearly the current situation is not what the administration predicted, but instead of giving us a truthful assessment, instead of candor and clarity, we are given spin. We are told that things are going great. That is simply not credible.

Mr. Speaker, it takes no courage for a politician to stand before a microphone and say, we must stay the course. It is not our lives that are on the line. We must recognize that the Members of this House have a responsibility that has for too long been neglected.

We owe our troops, indeed we owe our country, some answers. I know that this is not a comfortable topic, but I would plead with my colleagues on both sides of the aisle to start worrying less about saving face and more about doing what is right.

At the end of this debate, Mr. Speaker, I will remind my colleagues I will be asking for a ''no'' vote on the previous question.

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

Mr. COLE of Oklahoma. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Speaker, I thank the gentleman from Oklahoma for yielding me time.

Mr. Speaker, I rise in strong support of the rule for the fiscal year 2006 Department of Defense Appropriations Act and the underlying legislation.

I would like to commend the gentleman from California (Chairman LEWIS), the gentleman from Wisconsin (Ranking Member OBEY), the gentleman from Florida (Chairman YOUNG), the gentleman from Pennsylvania (Ranking Member MURTHA) and the staff of the Subcommittee on Defense for their tireless efforts in support of our soldiers, sailors, airmen and marines who are bravely defending us at home and abroad.

Mr. Speaker, the bill does a remarkable job of covering a wide scope of issues that are vitally important to our armed services, both Active and Reserve components, and it clearly meets the immediate needs of the warfighter.

I am particularly grateful for the work the Committee on Appropriations has done to fund the FA–22 program this year. The funding for 25 planes will go a long way towards providing stability for that program and assuring that America does maintain air dominance for the foreseeable future. I also wholeheartedly agree with the committee's assessment that the Department of Defense should look into the future needs for the FA–22 fighter and consider both a multiyear contract and extending the procurement life of the program beyond fiscal year 2009.

I am especially appreciative for the hard work of the gentleman from California (Chairman LEWIS) and the gentleman from Florida (Chairman YOUNG) in restoring the multiyear contract for the procurement of C–130Js. This is an absolutely vital program, Mr. Speaker, for our military's current and future airlift capability, and I and our Nation are grateful for their strong support.

Again, Mr. Speaker, I would like to thank the chairman and ranking member of the committee for their hard work on this bill.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), our Democratic leader, whose amendment was not allowed to be made in order by the Committee on Rules last night.

Ms. PELOSI. Mr. Speaker, I rise today in opposition to action taken by the Committee on Rules last night when they refused to grant a waiver for my amendment, which I will describe in a moment.

First, I want to commend the gentleman from Pennsylvania (Mr. MURTHA) and the gentleman from Florida (Mr. YOUNG) for their patriotism, for their hard work on behalf of the safety and security of our country and the well-being of our troops. I say to the gentleman from Florida (Mr. YOUNG) congratulations and thank you for what you have done.

The gentleman from Pennsylvania (Mr. MURTHA) is not in the room at the moment, but I want to acknowledge his great leadership, as well as that of the gentleman from Wisconsin (Mr. OBEY), our ranking member of the full committee, and the gentleman from California (Mr. LEWIS), the new chairman of the full committee. They have all had a strong commitment to our national defense, to our men and women in uniform, to the safety and security of our country. They help us honor our oath of office which calls for providing for the common defense.

I would have hoped that in this legislation that comes before us we would have had an opportunity to give an accounting to the American people as to the conduct of the war in Iraq.

As we all know, Mr. Speaker, this Sunday is Father's Day, and many fathers, young fathers, will be away from their families. They will be in Iraq. They will be in Iraq, just as many mothers were on Mother's Day. These brave young mothers and fathers, sons and daughters, and many others are fighting a war of choice in which we sent our young people in harm's way without leveling with the American people. They were sent into a war without the intelligence about what they were going to confront, without the equipment to protect them and without a plan of what would happen after the fall of Baghdad.

I, as well as many of my colleagues on both sides of the aisle, have visited with soldiers in Iraq and many of whom are on their second tour of duty there. I have conveyed to those brave soldiers, as I have to the wounded in military hospitals in the United States and overseas, how grateful the American people are for their valor, their patriotism and the sacrifice they are willing to make for our country. They have performed their duties with great courage and great skill, and we are all deeply in their debt.

Disagreement with the policies and the conduct of the war that sent our troops to Iraq, and which keeps them in danger today, in no way diminishes the respect and admiration that we have for our troops. Sadly, their level of sacrifice has not been met by the level of the administration's planning, and now the American people agree. This war is not making America safer.

This unnecessary, preemptive war has come at great cost. More than 1,700 of our troops have lost their lives, and thousands more have suffered wounds, many of them, many thousands of them, suffering permanent wounds. Since the war began more than 2 years ago, Congress has appropriated nearly $200 billion for the war in Iraq, and the United States has suffered devastating damage to our reputation in the eyes of the world. The cost in lives and limbs, the cost in dollars, the cost in reputation has been enormous.

Then-Republican Senator from Ohio, Senator Robert Taft, soon to become the majority leader, the Republican leader in the Senate of the United States, had this to say about our duty in time of war. He said, ''Criticism in a time of war is essential to the maintenance of any kind of democratic government.'' He is a Republican. That was during World War II, and what he said was right, ''Criticism in a time of war is essential to the maintenance of any kind of democratic government.''

Each passing day confirms that the Iraq War has been a grotesque mistake. We are here today considering a rule for a defense appropriations bill that will provide another $45 billion for that war, in addition to the hundreds of billions of dollars already appropriated, and the end is not in sight. This money has been spent in Iraq without question by Congress, without accountability by the administration and without success.

Today we must also finally, if belatedly, heed the admonition of Senator Taft and pose questions. The questions are long overdue, about the policies by which the Iraq War is conducted. Congress did not discharge its responsibility to oversee the policies at the start of the war, and it has not done so since. The American people, particularly our troops who are serving in harm's way, deserve better.

If we defeat the previous question on this rule, this is a technicality inside a baseball process here, but if we defeat the previous question on this rule, we can consider my amendment, which says to the President: ''Within 30 days of enactment of this legislation, Congress expects an accounting from you as to what the strategy for success is. What security and political measures have you established that will bring our troops home?''

Specifically, my amendment would require the President within 30 days of enactment, as I mentioned, submit to Congress a report identifying the criteria that will be used to determine when it is appropriate to begin to bring our troops home from Iraq. It does not require that the troops be brought home by a particular day. It requires only that the means for judging when they may be brought home be shared with the Congress.

This is not new language. Under the leadership of the gentleman from Virginia (Mr. MORAN), even more expanded, more detailed criteria were set forth in the supplemental bill, which was agreed to in a bipartisan way. I believe the gentleman from Florida (Mr. YOUNG) was a party to that agreement with the gentleman from Pennsylvania (Mr. MURTHA).

So this is just raising the profile once again of that requirement, and I commend the gentleman from Virginia (Mr. MORAN) for his leadership, for his attention to the detail of all of this, for providing some questions for much-needed answers for the American people.

It is long time past due that the President level with the American people and tell them what the plan is for our troops to complete their work in Iraq. Before any more money is provided for this war, Congress must insist that this information be shared.

I hope that the administration will honor the request, the bipartisan request, in the supplemental. This appropriations bill, which has even more money for Iraq, is an appropriate place for us to make that request as well.

This is an enormous issue in our country. Our troops are in harm's way. Their actions there, again, have been marked by their patriotism, their skill, their love of our country and their courage, but we have to let them know what the goal is and when we have accomplished it so that they can come home.

I hope that we will have bipartisan consensus for a strategy for success in Iraq.

Regrettably, the Republican majority on the Committee on Rules refused to make my amendment in order. Therefore, opposing the previous question on the rule is the only way that we can force this issue on the defense appropriations bill.

I urge my colleagues to vote ''no'' on that vote and to ''yes'' for accountability for a safer America.

I thank the gentleman from Massachusetts (Mr. MCGOVERN) for his time.

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

Mr. MCGOVERN. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY), the ranking Democrat on the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, I thank the gentleman for the time.

Mr. Speaker, I would strongly urge that this House vote ''no'' on the previous question for the reasons just laid out by the distinguished minority leader. I think there are some other reasons as well.

I happen to think that the Iraqi war is the dumbest war that we have engaged in since the War of 1812, but my opinion is not relevant on that point today. We are there, and the question is how do we best deal with the problem now that we are.

To me, it is irresponsible and mindless for us to be involved in a war unless we have some kind of idea how we will define success. How will we know when we have won; or conversely, how will we know if and when this effort becomes obviously counterproductive?

Right now we have no specific measuring stick. All we know is that we are in a morass, and we are likely to remain there for years. I would predict American troops are going to be there for a decade under existing policy. I do not think the American people will stand for that unless there is a clear policy and a clear set of goals and a clear set of tools to evaluate what it is we are doing. We need to know what standard of success will be held up for training Iraqi replacements. We need to know the answer to a wide variety of other questions.

□ 1100

But there is another reason why I think this is important. The bill we will debate today spends $45 billion in a ''bridge fund'' for Iraq. That means that we are bumping up against the ceiling in the budget resolution. The problem is that the $45 billion in the defense bill today only pays for 6 months of the war. How are we going to pay for the other 6 months? The answer is, we do not know. All we know is that the next time a supplemental comes up to pay for that war, we are going to have to find $40 billion or more.

I would suggest if we have to do that, there are only two ways that are responsible: one is to require the Budget Committee to come up with another resolution which spells out how we are going to pay for that additional $40 to $45 billion without raising the deficit.

The second way to do it would be to have reconciliation instructions to the Ways and Means Committee to actually find ways to raise enough revenue to pay for that next $40 or $45 billion so that we do not increase the deficit even further. If we do not do one of those two things, then this House engaged in an elaborate sham when it passed the last budget resolution, because everybody knows it only paid for half the cost of the war this year.

Therefore, I think that what the gentlewoman from California is trying to do is infinitely reasonable; it is certainly prudent and fiscally responsible, and it produces a product that every soldier fighting in Iraq and Afghanistan today has a right to see produced. They have a right to know that they are not in an open-ended mess. They have a right to know that we know what we are doing. They have a right to know that we will have some idea of how to gauge whether what we are doing is productive or counterproductive. Right now, we are simply flying blind.

I congratulate the gentleman from Virginia for offering the original language on the supplemental. This is a follow-up to that in a simplified version, but it aims at the same thing. It says, ''Mr. President, tell us how you are going to determine whether this policy is a success or not. Quit the bull gravy. Give us specifics, not generalized platitudes which the Congress has been getting on this subject for the last 2 years.''

Mr. COLE of Oklahoma. Mr. Speaker, I yield myself such time as I may consume. My main purpose here, obviously, was to focus on the bill and the rule for the bill, but I want to discuss some of the concerns that my good friends on the other side of the aisle have.

Frankly, I do not doubt their patriotism for a minute, and I welcome the discussion and debate. I think it is a very good one and a very important one for the national purpose. But I think we ought to go back and recall a little bit the situation in Iraq. We ought to remember who and what Saddam Hussein was. This was brought home to me very dramatically on my first visit to Iraq in October 2003. I have since gone back on three additional occasions, plus to Afghanistan.

I was talking with a young American soldier. At that point we, like every other intelligence service in the world and most people in the world, thought there were WMDs in significant quantities in Iraq, although I do hasten to point out the capacity to acquire and to develop those was still very much there and Mr. Hussein was still working himself out of U.N. sanctions and placing himself in a position to do that.

So I still think we were right to have acted early. But this young soldier that I was visiting with, I asked him: We've been here a considerable amount of time. We've not found the quantities of WMDs we expected. Do you think it was a wise decision to come?

He was quiet for a moment and looked at me and he said: Yes, sir, I will tell you regardless, and I still think they had the capacity, but regardless I think it was a good decision to come.

I said: Why?

And he answered my question with a question of his own. He said: Sir, have you ever been to a mass grave site?

I said: No, I haven't.

He said: I have. He said, Until you've seen hundreds of wailing women as bodies are coming out, one after another, trying to identify, is that a father, is that a son, is that a husband, is that a brother, you don't know what terror really is. He said: My question is why the whole world wasn't here 10 years ago.

That is a very interesting question to ask. Because we of all people had the ability 10 years previously to have done that. We had just won a war with Saddam Hussein, we stopped at the border, and we actually urged people on the other side to rise up, and they did. And 50,000 of them were killed by Saddam Hussein and neither we nor our coalition allies did anything to help.

So I think looking at what was going on in Iraq, looking at the 400,000 deaths, looking at the 263 identified mass grave sites and looking, frankly, at our responsibility to have done something when, indeed, for a decade we did nothing is something that we ought to think about and, frankly, something that the whole world ought to think about.

Just 2 weeks ago, or last week, actually, the New York Times ran an article on another mass grave site that had been located, was being frankly explored, if that is even the appropriate term, in preparation for Saddam Hussein's trial, and in that there were 2,500 people, almost all of them women or children, some of them as young as 3 or 4 years of age. That is the type of thing that American intervention in Iraq stopped. My friends on the other side say, Well, are there any signposts? Any hope?

I think that is a very legitimate question to raise, too, because there is no doubt this has been a rough road that we have walked down and no doubt, and I think my friends are appropriate when they raise this, that it has not gone as predicted and as planned and it has been a very, very difficult process.

But I think we ought to stop and look at the Iraqis on the ground and see what they are doing, the fact that a constitutional government has been established or is being established, the fact that 8 million people came out to vote under the most difficult of circumstances, the fact that we have elections scheduled for October and again for December of this year, an extraordinary achievement by very brave Iraqis under very difficult circumstances to set up what we most need in that part of the world, which is a functioning democracy.

That would not be possible without the sacrifice and the service of the brave men and women of the United States military. That is one of the things they are accomplishing. Their first accomplishment, of course, is to make us more secure. I think it is always legitimate to ask, are we more secure or less secure as a result of the war in Iraq? I would argue we are more secure. I would argue that anybody that believes somebody like Zakawi would not be busy trying to kill Americans someplace in the region or in the world probably is missing the point. Our troops are engaged there and are engaging an enemy that, left otherwise free to operate, would be busy trying to kill other Americans as they demonstrated pretty dramatically on 9/11.

I would also argue that over time the best way to transform the region is exactly the one that the President suggests, that is, to establish a functioning democracy. I have a lot of faith in the Iraqi people. I have met the political leaders there. I saw the courage of people going out. I talked to a young soldier on the way back just after the elections actually in March of this year who had been wounded at Mosul.

I asked him: Were you there for the elections?

He said: Yes, sir, I was. It was the proudest moment in my 15 years of service to my country. I was never so proud of my unit, my Army or my country for what we accomplished. And, frankly, I was enormously proud and impressed with the Iraqi people who came out and demonstrated their determination with our help to establish a free society.

So I think we should have this discussion. I think it is a good discussion for us to have. But I think we should remember the horror that was there before the Americans intervened, the process that is under way that will not only improve the lives of the people in Iraq but is essentially the manner in which we hope someday to be able to leave a self-governing and free country.

It is not going to be an easy task. It is not going to be a simple task, but it is a noble task and it is one I think that the men and women engaged in it that wear the uniform of the United States can be extraordinarily proud of and, frankly, something that all of us can be grateful to them for accomplishing and running such great risks to achieve.

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

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

Let me just respond to the gentleman briefly by saying that I do not believe that we are more secure today. We were not told the truth about this war in Iraq. We were not told the truth about WMDs or Iraq's tie to al Qaeda. The justification for this war was based on false or falsified information. Things are getting worse. And this administration does not have a clue.

I was in Iraq as well. I saw firsthand what is going on over there. What the gentlewoman from California (Ms. PELOSI) is trying to do is to get some clarity, to get the administration to come out and explain to us what their strategy is, if they have one, and if they do not, to try to get them to come up with one. This is a very serious matter. Those men and women who are serving our country so bravely over there deserve more from us than they have gotten.

That is the reason why I hope people will vote ''no'' on the previous question, to give us an opportunity to force this administration to do what it should have done a long time ago and that is define what this mission is all about.

Mr. Speaker, I yield 5 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. I thank my friend and colleague from Massachusetts for yielding me this time.

Mr. Speaker, I am very much interested in the debate that just took place. I cannot help but be mindful of the fact that we are still debating today the advisability of going to war in Vietnam which concluded 30 years ago and we may continue this debate on the Iraq war for another generation.

But the comments that the gentleman makes are really not particularly relevant to this amendment that we are focusing on in the rule. I did not feel we should go into the Iraq war without an adequate exit strategy and without more reliable information connecting Saddam Hussein to the 9/11 attacks, but I was in the minority. The Congress gave the President the authority to go to war in Iraq. We accept that. But we did not give the President the authority to spend an unlimited amount of money. We did not give the President the authority to take an unlimited amount of time in completing the mission in Iraq. We certainly did not give the President the authority to expend an unlimited number of Americans' lives in pursuing that mission. We have to retain our oversight responsibility.

In the newspaper today, in The Washington Post, maybe some of my colleagues were struck at the juxtaposition of headlines, one headline says, ''Bush Is Expected to Address Specifics on Iraq.'' And on the page facing it, it says: ''Exit Strategy on Social Security Is Sought.'' Interesting juxtaposition. But in the story on Iraq, the White House spokesperson says, the President takes seriously his responsibility as Commander in Chief to continue to educate the American people about our strategy for victory.

That is all this amendment was about. That is all we are asking for, some reasonable information that is critical for assessing how well we are doing, how much in the way of resources are necessary. We put that language into the conference on the Iraq supplemental. The gentleman from Pennsylvania (Mr. MURTHA) and I had it put into report language. The minority leader asked that that language become bill language as part of the defense appropriations bill.

I do not think it is inconsistent with what the White House acknowledges is their responsibility to provide us with measurable criteria for success in Iraq. What level of military capability is necessary for the Iraq forces, what level of economic viability is necessary

for the Iraq economy, what level of political stability is necessary for the Iraq Government.

That is what we are asking. More importantly, that is what our constituents are asking. If we had a child in that war, would that not be the first thing we would want to know? What does it take to accomplish the mission so they can get back home to their loved ones?

The Government Accountability Office, the GAO, just gave us a report that states that ''U.S. Government agencies do not report reliable data on the extent to which Iraqi security forces are trained and equipped. The reported number of Iraqi police is unreliable because the Ministry of Interior does not receive consistent and accurate reporting from the police forces around the country.

Further, the Departments of State and Defense no longer report on the extent to which Iraqi security forces are equipped with their required weapons, vehicles, communications equipment, and body armor. Without reliable reporting data, a more capable Iraqi force, and stronger Iraqi leadership, the Department of Defense faces difficulties in implementing its strategy to draw down U.S. forces from Iraq.''

I quoted all those words. That is our GAO. We are not fighting the issue of the war. We are trying to exercise our oversight responsibility. What number of Iraqi military forces are going to be necessary, adequately trained, sufficiently equipped so that we can turn over some of the military responsibility? What number of Iraqi police forces are necessary to restore law and order in that country?

□ 1115

How much more in the way of American dollars are going to be necessary to reconstruct the infrastructure of the Iraqi economy so that it will be economically viable? And how much more in the way of political stability will be necessary so that they could start to govern themselves? Until we get those questions answered, we do not know where we are going. And if we do not know where we are going, we are never going to get there.

Mr. COLE of Oklahoma. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Florida (Mr. YOUNG).

Mr. YOUNG of Florida. Mr. Speaker, first I want to thank the gentleman from Oklahoma for yielding me this time, but primarily for the outstanding statement he has made during the discussion of this rule.

I also want to thank the ranking minority member, the gentleman from Wisconsin (Mr. OBEY) and the gentleman from Pennsylvania (Mr. MURTHA), because the bill that we will be working on after this rule is adopted is a bipartisan bill, as any wartime bill should be.

But I think most of the debate on the rule has not been about the bill that the rule provides for. Most of the debate has been at a different level on the issue of the so-called war in Iraq. I may get in a little trouble here, but I do not think we should call this the Iraqi war or the war in Iraq. This is a global war against terrorism, against terrorists, who hide and strike from cover. That is what this war is about. The Iraqi part of the war, because of the tremendous military capability that we have, that war was over quickly. Saddam Hussein's villainous regime was toppled quickly and effectively. Saddam's military was either defeated or ran for cover. That part of the war was over early, and the President said, ''Mission accomplished.'' That was accomplished. Saddam was gone. His bad guys were gone.

What we are dealing with today is a war on terror, a war against terror. The battleground today happens to be Iraq. The battleground today is in Iraq. On September 11 of 2001, the battleground was in New York City when terrorists attacked the World Trade Center, killing several thousand of our people. That was the battleground then. The battleground was at the Pentagon just across the river from the Capitol on September 11. That was the battleground then. Today it is in Iraq.

On February 26 of 1993, the battleground again was at the World Trade Center where terrorists attacked. Six lives were lost in that attack. The battleground again was on June 25 of 1996, at the Khobar Towers in Saudi Arabia, the home of our Air Force personnel who were working there at the airbase. Nineteen lives were lost. That was the battleground in this global war on terror. On August 7 of 1998, the United States Embassies, our sovereign property in Kenya and Tanzania, were bombed. Two hundred and fifty-nine lives were lost, including 11 Americans. That was the battleground then. On October 12 of 2000, USS *Cole*, off the shore of Yemen was attacked by terrorists. Seventeen sailors lost their lives, and many, many more were wounded seriously. That was the battleground in this global war on terrorists then.

The battleground today is in Iraq and Afghanistan, but it is not the Iraqi war. That just happens to be the battleground today. We are trying to prevent any further battlegrounds in the United States or anywhere else in the civilized world.

If I were going to make a criticism today, I would criticize many of our friends in the civilized world because we now have an established government in Iraq, elected by large numbers of Iraqi people. We are seeing that government attacked because the major loss of life since that government was established has been of the Iraqis themselves. Where is the rest of the civilized world in fighting this war on terror? They have already been subject to terror in many parts of the world, and they will continue to be as long as the terrorists reign free and roam the globe free.

This is not an Iraqi war. Iraq just happens to be the battleground today. It is an expensive war, and it is an expensive war in the lives of our personnel. And we want to conclude this war against terror as quickly as we can, as effectively as we can. And the civilized world has a responsibility that they are not meeting to help the United States in this effort to allow this established government in Iraq to take a strong hold and to be able to provide for their own security as we battle against the forces of terrorism wherever they might be.

Let us pass the previous question, let us pass the rule, and let us pass this very good bipartisan defense appropriations bill and get on with our work.

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

I would just say to the very distinguished gentleman from Florida, whom that I have a great deal of respect for, that all these terrible terrorist acts that he has cited were committed by al Qaeda. And, unfortunately, most of those masterminds are still at large because our forces have been diverted into this war in Iraq, and they are not focused in on where they should be, on bringing to justice those members of al Qaeda who are the masterminds of these crimes.

Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. MEEHAN).

Mr. MEEHAN. Mr. Speaker, I thank the gentleman from Massachusetts for yielding me this time.

Our strategy to win the peace in Iraq is failing. We have been killing or eliminating 1,000 to 3,000 Iraqi insurgents a month for 17 months, and in that same period of time, the insurgency has quadrupled. If we talk to people in the theater in Iraq today, they would tell us that that insurgency is anywhere from 150- to 200,000 people.

So what do we want to do? The gentlewoman from California (Ms. PELOSI) wants to have an amendment asking the President to come up with a success strategy. We do that to support our men and women in uniform and to support the administration's coming up with an exit strategy, because it has been 25 months and 1,700 American fatalities since the President declared ''mission accomplished'' in Iraq. For over 2 years we have stayed the course, and it has brought us only casualties and less stability.

After returning to the United States from Iraq, I suggested 5 months ago that we needed to think of an exit strategy. Five months later the case for an exit strategy has only grown stronger. And having an exit strategy does not mean cut and run. It means having a blueprint for achieving our goal of leaving the Iraqi people sovereign and truly independent. And it is not a novel idea. All we are asking is for this President to have the same principle he had when he was Governor of Texas, when he said, ''Victory means exit strategy.'' It is important for the

President to explain to us what that exit strategy is, and that is what Governor George W. Bush said relative to our campaign in Kosovo, and it is more relevant today in Iraq than it was even then.

Any successful strategy in Iraq has to address the fundamental factors that are continuing to fuel the insurgency. One of those factors, Mr. Speaker, is the suspicion that the United States is going to occupy Iraq indefinitely. And until we lay out a framework with the Iraqi Government to bring our troops home, the Iraqi people will never feel that they have control of their own destiny.

A fundamental problem with our failed strategy has been the failure to counter the suspicion among the Iraqis that the United States intends permanent occupation. We are pouring concrete all over that country, and in order to build credibility for the new government and make clear that our forces in Iraq are only temporary peacekeepers, we need to renounce any intention of a long-term presence in Iraq. There are difficult and fundamental questions about Iraq's future, the structure of government, the degree of influence and religious and political minorities. All of these things have to be worked out. But this process must be fully inclusive. It is our obligation to press the process and pulling Iraqis out of the insurgency, pulling them into the political process. A clear exit strategy would help splinter insurgent groups and help them set aside their own differences. The only reason they have united is to unite against us in our occupation. We should support this strategy.

Mr. COLE of Oklahoma. Mr. Speaker, I yield myself such time as I may consume.

I have great respect, Mr. Speaker, for my colleagues on the other side of the aisle for their passion and their commitment, but I think they are make a fundamental mistake in their argument about Iraq. I think what they want is a timetable, not a strategy.

We have a strategy. It is called getting an elected government up and operational that can defend itself. We have made important steps along the way in succeeding in that strategy. We have turned over power to the Iraqis. The Iraqis have had an election. They have an elected government that, as we debate here, is debating there about the constitution that they want to have, that they want to live under, that they want to put in front of their people to approve of in October, followed by scheduled elections in December for a government.

I remind my friends that while they call for an exit strategy and a date certain, our friends in Iraq want exactly the opposite of a date certain. Repeatedly, the elected leaders, the elected leaders in Iraq, the people who have the voice, the mandate of the people behind them, have said, Our biggest fear about the United States is that they will not stay the course, that they will quit and run.

I tell the Members that some of the most surprised people that I met when I was in Iraq came in two categories when I was there in March after the elections. First, I met with a group of the newly formed United Iraqi Alliance, basically a group of Shia and other people who are now the majority. And we were visiting about the political process there, and one of the individuals I was visiting with, now a leader in the government, made the point that, We were not sure that you would actually allow free elections to occur, and you did, and we are astonished and pleased and committed to staying the course. So our next question is, will you stay here and help us against the people that want to take us back to the era of Saddam Hussein, back to that regime, because we are going to need your help in this transition process?

That is a very legitimate question. Do we have the political will to stay while the people that are elected put together the government that they need to succeed? So we are going to see that in the course of the coming time. But I think we should be more understanding that there is a strategy and that there is a process under way that is producing good results for the Iraqi people, that is giving them actually a government for the first time that they choose.

I also met with a group of Sunnis who were dissidents, who were not particularly supportive of the process, and in the course of our discussion, a number of them made the point, We made a big mistake. We should have participated in the last elections. The situation in the country would be different. We would be at the political table. We would be in a position to affect what is happening. But we also did not have faith that the United States was serious about democracy. But we look at the outcome of the election, and we understand that indeed you were, and we intend to participate as we move forward.

I think the gentleman from Florida made a very good point. We need to recognize that most people in Iraq are on the same side we are. Most people in Iraq want a democracy, and most people believe that our presence there is important in ensuring that that process take root and actually succeed. I think if we stay the course, frankly, in time we will be very pleased with the result, but, more importantly, we will have restored faith.

My friends on the other side of the aisle say people question our intention about staying long term. I can tell them from my personal experience it is exactly the opposite. They doubt our willingness to stay. I would suggest that setting dates certain would sound more like a surrender strategy than an exit strategy, more like we can count on at this particular point that the Americans will not be here anymore. That is a nice thing to know if one happens to be in the insurgency. It is also a pretty worrisome thing if one happens to be part of the forces of democracy. At that point whether we have succeeded or not, whether or not the government is able to deal with the insurgency on its own, the Americans are saying, sayonara, we are out of here, good-bye. That is a catastrophic mistake. That, in my opinion, would undermine the sacrifice, the effort, and the service so far.

So, again, I welcome the debate. And I hope at some point in the discussion on the rule we can get back to this excellent piece of legislation, which I think really is important, and where, frankly, there is bipartisan unity in terms of the things we need to do to move our military forward.

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

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

If the gentleman from Oklahoma has a strategy on Iraq or knows that the Bush administration has written down such a strategy, would he please share with us a copy because I have yet to see one?

Mr. Speaker, I yield 3 minutes to the gentleman from South Carolina (Mr. SPRATT).

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Mr. SPRATT. Mr. Speaker, the aftermath of the war in Iraq has been marred by miscalculations and mistakes, made up for in many cases by our troops, who have filled the breach brilliantly by improvising, often doing duty for which they were never trained. You cannot go to Iraq and talk to our troops in the field and come home without saying to yourself, thank God there are such Americans.

But their valiant efforts would have been more effective if the Pentagon had not ignored General Shinseki and deployed too few troops initially to secure the country and capitalize on our victory in battle.

Their efforts would have been more effective if the Pentagon had not ignored General Garner and cashiered the entire Iraqi Army.

Their efforts would have been more effective if we had moved much sooner to set up a representative government and stand up Iraqi security forces to whom we can ultimately and must ultimately hand over the responsibility for securing their own country.

Before we disengage from Iraq, we have to do both of the above. I firmly believe that. We have to stand up security forces, and by that I mean police and border guards and the army, adequate to stabilize the country; and we have to steer the Iraqis through the shoals towards the adoption of a constitution and the election of a government under that constitution.

We cannot leave any sooner without risking the collapse of Iraq into a fractious and bloody civil war which could very well require us to return. I believe that.

But to be sure that we are moving systematically in the right direction, the minority leader, the gentlewoman from California (Ms. PELOSI), is asking for a yardstick, milestones, by which to measure our progress. This is not a plan of withdrawal. If it were, I would not vote for it. This is a strategy for success.

Let me give you one reason from a budget perspective why we need it. Basically, the budgets in the out years beyond 2006 contain no estimation of what the deployments in Iraq, Afghanistan, and North American Air Defense are costing us. Even though the cost is $80 billion to $100 billion a year, it is not included in the budget.

CBO undertook to estimate, to model, what our likely deployment in Iraq may cost, because otherwise there is a gaping hole, an unrealistic aspect, to the budget. Their estimate was that if we drew down to 20,000 troops in theater by the end of 2006 and 20,000 troops in Afghanistan by the end of 2006, and then taper that force off over the rest of the remaining 10-year period, the cost over 10 years would be $384 billion. That is a significant item.

If that is what is in the cards, if that is what is likely, given the strategy for success, we need to know it, we need to plan for it, we need to be expecting it.

Given what is at stake, given the lives that have been lost, given the billions that have been spent, what we are asking is a modest request to make of the Pentagon; and, Mr. Speaker, it involves the sort of planning that I would hope they would be doing anyway and should be sharing with us if they are doing it.

I would therefore urge a ''no'' vote on the previous question and a vote for the leader's amendment.

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

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Speaker, I thank the gentleman for yielding me time and for his leadership.

Mr. Speaker, I rise in opposition to this very misguided $409 billion defense appropriations rule and bill. As the proud daughter of a veteran of two wars, I believe that our Nation is best defended by funding priorities that truly make our Nation and world safer. This bill, I am sorry to say, does not do that.

What does it say about our priorities when Congress appropriates $45 billion more for the unnecessary war in Iraq, without any accountability, direction, or exit strategy or even a plan to end this permanent occupation? Does the President plan to have permanent bases in Iraq?

We are in an impossible situation. Taken to war under false pretenses, our troops have become the very rallying points for the insurgency they are trying to contain.

This administration continues to stonewall what is a very simple question: What is the plan to bring our troops home? The purpose of this funding bill is to provide for our national defense. Yet in the same way that this war has made us less safe, the funding priorities in this bill are for weapons systems and military contractors, and billions of additional funds are unaccounted for in waste, fraud, and abuse. This only undermines our national interest.

Mr. Speaker, we must get our funding priorities right. And the American people need to know what the President's plan is. What is his strategy? What does he consider success? The information that the Pelosi amendment is requesting is absolutely necessary to begin what the American people are demanding, and that is the withdrawal of the United States Armed Forces from Iraq.

It is incredible to me that we are sacrificing our funding needs for our critical efforts here in America, such as for housing and health care and education. Once again, we must get our funding priorities correct. We must get them straight. We must know what the President's plan is. We must know what he intends to do. The Pelosi amendment gets that information. I urge an ''aye'' vote.

Mr. COLE of Oklahoma. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to take this opportunity to differ with an underlying assumption that has been made by a number of my friends on the other side of the aisle, which is that we are somehow paying an extraordinary amount of our national wealth for defense. I would actually argue quite the opposite.

In 1959 and 1960, at the height of the Cold War, this country spent 50 percent, 50 percent, of the entire Federal budget on defense, almost 9 percent of the gross national product, an enormous sum of money.

1980, fast forward, Ronald Reagan, we are spending about 6 percent of the Gross National Product and about one-third of the Federal budget on defense.

1990, 4.8 percent of the gross national product and a significantly lower percentage of the Federal budget.

Today, about 3.7 percent of the national wealth and about 18 to 19 percent of the total Federal budget.

I could make a pretty good argument that either, one, we are very efficient because we are actually defending the country for considerably less of its national wealth than we have done at any period in the postwar period; or we need to be doing more. I would argue toward the latter, actually. I think we should be doing more, and I think this bill is a step in that direction.

The second assumption that I want to disagree with is that we are somehow less safe today because of the Iraqi war. That is asserted, never demonstrated.

The reality is, I think, if you asked most Americans on September 12, 2001, did they expect other incidents inside the domestic confines of the United States, they would have said yes, and they would have expected them in rather short order. It is a little short of miraculous that we have not had that horrific incident occur again. It could occur at any moment. As the President has said repeatedly in recent months, America is safer; America is certainly not safe.

But I would argue, again, the engagement of the enemy a far distance away from the United States and in a method that keeps them tied down has actually contributed to the security of our country. This excellent piece of legislation will enable our military to continue to do the outstanding job it is doing. Again, on that piece of legislation, at least, I am delighted there is bipartisan unity.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to my colleague, the gentleman from Massachusetts (Mr. OLVER).

Mr. OLVER. Mr. Speaker, I rise to urge a ''no'' vote on this rule. A little over 2 years ago, the President announced on that aircraft carrier off San Diego, ''mission accomplished'' in Iraq. Today, we must ask what really has been accomplished with the hundreds of billions of dollars that the United States has spent and will spend.

Iraq is in chaos. 1,714 U.S. servicemembers have been killed and 12,855 wounded. In the first half of this month alone, 431 Iraqi citizens have died randomly at the hands of insurgents and terrorists. Multiple car bombings have become a daily occurrence in Baghdad and throughout Iraq. The elected government is struggling to gain control and cannot provide security for its citizens.

Just 2 weeks ago, the New York Times and international news organizations reported our Marines' discovery of an enormous underground bunker near the city of Fallujah that was used by insurgents as a hideout and weapons cache. This bunker is the size of four football fields and sports dormitories, with full kitchen, showers, and sanitation facilities. This is just the largest example of the weapons caches patrols find every week. How can we call the mission a success when insurgents can operate so freely as to still utilize bunkers of this size?

All of this simply underscores how spectacularly and tragically wrong our civilian leadership, from Secretary Rumsfeld right up through President, was when they rejected military commanders' advice that at least 300,000 troops would be needed on the ground to occupy and pacify Iraq.

Mr. Speaker, as we discuss this bill, I urge my colleagues to think about whether our huge commitment, the thousands of young lives lost and the hundreds of billions of dollars spent, is being deployed effectively and wisely.

It is very late in this Iraq tragedy. Congress needs to force the development of a workable strategy to achieve

stability in Iraq and then bring our young men and women home. That was the subject of the distinguished minority leader's amendment which this rule denies.

I urge a ''no'' vote.

Mr. COLE of Oklahoma. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from Florida.

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I thank the gentleman for yielding me time.

As we debate the 2006 Defense Appropriations Act, I rise to commend the actions of Secretary of Defense Donald Rumsfeld and Brigadier General Casey McClain. Their swift effort to implement a tough policy against sexual assaults in the military is praiseworthy.

I became aware of the troublesome issue in the military when the Congressional Caucus for Women's Issues held a hearing last spring to give voice to military women who were victims of sexual assault.

In this time of conflict, when brave young men and women are willing to put their lives at risk, it is essential that those soldiers do not fear the actions of their comrades in arms. The act of sexual assault is condemned in civilian society. It is especially unforgivable when one soldier sexually assaults another. The bonds of trust and respect unite soldiers on the battlefield. It therefore is imperative that this trust not be eroded because of insufficient policies addressing sexual assault among our troops.

After the hearing, Congress acted last year to include language in the Defense Authorization Act that required DOD to develop a definition of sexual assault that is uniform for all of the Armed Forces. That was part of the problem before. It was no small task, yet the Joint Task Force on Sexual Assault Prevention and Response led by Brigadier General McClain carried out this charge with the utmost professionalism and timeliness.

As a result of their efforts, I am pleased to report that the new policy on confidential reporting went into effect just earlier this week. The new policy provides for a confidential means for soldiers to report assaults and ensures that victims feel safe and that they are encouraged not to hide, but rather to report this violation.

It is clear that the Department of Defense places a high priority on the prevention of and response to sexual assault within the military. I commend their actions, but I remind them that this Congress will continue to exercise authority over them to ensure that this policy is continued.

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

Mr. Speaker, I will be asking Members to oppose the previous question. If the previous question is defeated, I will amend the rule so we can consider the Pelosi amendment that was offered in the Committee on Rules Tuesday night, but rejected on a straight party-line vote.

Mr. Speaker, the Pelosi amendment would require the President to submit to Congress within 30 days a report on a strategy for success in Iraq. That is it.

Mr. Speaker, whatever one's position is on the war in Iraq, I think most of us realize that it is past time for the administration to assess the situation in Iraq and to address the matter of an eventual withdrawal from that country. I hope Members will agree to at least consider this amendment today.

The House has a responsibility to ask tough questions and to demand straight answers. I am tired of the spin, as so many other Members are. It is time for candor. The people of this country deserve that.

A ''no'' vote will not prevent us from considering the defense appropriations bill under an open rule, but a ''no'' vote will allow Members to vote on the Pelosi amendment. However, a ''yes'' vote will block the House from considering and voting on the need for a success strategy in the war in Iraq.

Mr. Speaker, we need a strategy, not just slogans.

Mr. Speaker, at this time I will enter into the RECORD two articles cited in my opening statement. I also had a very moving meeting yesterday with members of the Gold Star Families for Peace who have lost sons and daughters in the war in Iraq. These families have experienced the tragedy of this war firsthand, and they believe we should set a very different course. I will enter into the RECORD the personal statements by these family members regarding the continuing U.S. presence in Iraq.

[From Knight Ridder Newspapers, June 12, 2005.]

MILITARY ACTION WON'T END INSURGENCY, GROWING NUMBER OF U.S. OFFICERS BELIEVE

(By Tom Lasseter)

BAGHDAD, IRAQ.—A growing number of senior American military officers in Iraq have concluded that there is no long-term military solution to an insurgency that has killed thousands of Iraqis and more than 1,300 U.S. troops during the past two years.

Instead, officers say, the only way to end the guerilla war is through Iraqi politics—an arena that so far has been crippled by divisions between Shiite Muslims, whose coalition dominated the January elections, and Sunni Muslims, who are a minority in Iraq but form the base of support for the insurgency.

''I think the more accurate way to approach this right now is to concede that . . . this insurgency is not going to be settled, the terrorists and the terrorism in Iraq is not going to be settled, through military options or military operations,'' Brig. Gen. Donald Alston, the chief U.S. military spokesman in Iraq, said last week, in a comment that echoes what other senior officers say. ''It's going to be settled in the political process.''

Gen. George W. Casey, the top U.S. commander in Iraq, expressed similar sentiments, calling the military's efforts ''the Pillsbury Doughboy idea''—pressing the insurgency in one area only causes it to rise elsewhere.

''Like in Baghdad,'' Casey said during an interview with two newspaper reporters, including one from Knight Ridder, last week. ''We push in Baghdad—they're down to about less than a car bomb a day in Baghdad over the last week—but in north-center (Iraq) . . . they've gone up,'' he said. ''The political process will be the decisive element.''

The recognition that a military solution is not in the offing has led U.S. and Iraqi officials to signal they are willing to negotiate with insurgent groups, or their intermediaries.

''It has evolved in the course of normal business,'' said a senior U.S. diplomatic official in Baghdad, who spoke on the condition of anonymity because of U.S. policy to defer to the Iraqi government on Iraqi political matters. ''We have now encountered people who at least claim to have some form of a relationship with the insurgency.''

The message is markedly different from previous statements by U.S. officials who spoke of quashing the insurgency by rounding up or killing ''dead enders'' loyal to former dictator Saddam Hussein. As recently as two weeks ago, in a Memorial Day interview on CNN's ''Larry King Live,'' Vice President Dick Cheney said he believed the insurgency was in its ''last throes.''

But the violence has continued unabated, even though 44 of the 55 Iraqis portrayed in the military's famous ''deck of cards'' have been killed or captured, including Saddam.

Lt. Col. Frederick P. Wellman, who works with the task force overseeing the training of Iraqi security troops, said the insurgency doesn't seem to be running out of new recruits, a dynamic fueled by tribal members seeking revenge for relatives killed in fighting.

''We can't kill them all,'' Wellman said. ''When I kill one I create three.''

Last month was one of the deadliest since President Bush declared the end of major combat operations in May 2003, a month that saw six American troops killed by hostile fire. In May 2005, 67 U.S. soldiers and Marines were killed by hostile fire, the fourth-highest tally since the war began, according to Iraq Coalition Casualty Count, an Internet site that uses official casualty reports to organize deaths by a variety of criteria.

At least 26 troops have been killed by insurgents so far in June, bringing to 1,311 the number of U.S. soldiers killed by hostile action. Another 391 service members have died as a result of accidents or illness.

The Iraqi interior minister said last week that the insurgency has killed 12,000 Iraqis during the past two years. He did not say how he arrived at the figure.

American officials had hoped that January's national elections would blunt the insurgency by giving the population hope for their political future. But so far, the political process has not in any meaningful way included Iraq's Sunni Muslim population.

Most of Iraq's Sunnis Muslims, motivated either by fear or boycott, did not vote, and they hold a scant 17 seats in the 275-member parliament.

There was a post-election lull in bloodshed, a period that saw daily attack figures dip into the 30s. But with the seating of the interim government on April 28, attacks spiked back to 70 a day. More than 700 Iraqis have been killed since then.

The former Iraqi minister of electricity, Ayham al-Samarie, has said he's consulted with U.S. diplomatic officials about his negotiations with two major insurgent groups to form a political front of sorts. There has been similar talk in the past—notably by former Prime Minister Ayad Allawi's administration, which spoke of inclusion through amnesty—but nothing has come of it.

At the heart of the problem is the continued failure of U.S. and Iraqi officials to bring the nation's Sunni minority, with more than

five million people, to the political table. Sunnis now find themselves in a country ruled by the Shiite and Kurdish political parties once brutally oppressed by Saddam, a Sunni.

With Shiites and Kurds stocking the nation's security forces with members of their militias, Sunnis have been marginalized and, according to some analysts in Iraq, have become more willing to join armed groups.

Since September of last year, some 85 percent of the violence in Iraq has taken place in just four of Iraq's 18 provinces: the Sunni heartland of al Anbar, Baghdad, Ninevah and Salah al Din.

U.S. officials prefer not to talk about the situation along religious lines, but they acknowledge that one of the key obstacles to resolving Iraq's problems is the difference between Sunni and Shiite religious institutions.

Shiites are organized around their marja'iya, a council of clerics—led in Iraq by Grand Ayatollah Ali al Sistani—that issues religious edicts that Shiite faithful follow as law. Sunnis, on the other hand, have no such unifying structure.

The difference was made clear in January when one list formed under the guidance of Sistani was the choice of almost all Shiites voting. Those Sunnis who did go to the polls split their votes among a myriad of organizations including those backed by a presumptive monarch, a group of communists and a religious group that mayor may not have been boycotting the election.

Sunni Muslims near downtown Baghdad have only to drive down the street to see how precarious their position in Iraqi politics and society is these days. On roads near the party headquarters for the Shiite Supreme Council for Islamic Revolution in Iraq, which is in large part shaping the policy of the nation, Kurdish militia members patrol the streets.

The troops are ostensibly part of the nation's army, but they still wear militia uniforms and, as is the case with some in Kurdistan, many either can't or won't speak Arabic. One of the roads they patrol has been named Badr Street, for the armed wing of the Supreme Council. There is a large billboard with the looming face of Abdul Aziz al Hakim, the Supreme Council's leader.

Unless Sunnis develop confidence that the government will represent them, few here see the insurgency fading.

Asked about the success in suppressing the insurgency in Baghdad recently—the result of a series of large-scale raids that in targeted primarily Sunni neighborhoods—Brig. Gen. Alston said that he expects the violence to return.

"We have taken down factories, major cells, we have made good progress in (stopping) the production of (car bombs) in Baghdad," Alston said. "Now, do I think that there will be more (bombs) in Baghdad? Yes, I do."

[From the Washington Post, June 8, 2005.]

PENTAGON WASTED SUPPLIES, GAO FINDS

(By Griff Witte)

The Defense Department spent at least $400 million in recent years buying boots, tents, bandages and other goods at he same time it was getting rid of identical items it had paid for but never used, government investigators told House members yesterday.

That finding came as part of a broader inquiry by the Government Accountability Office that uncovered deep flaws in the Pentagon's system for determining when it needs to buy new supplies and how it disposes of supposedly excess inventory.

Investigators discovered that out of $33 billion of goods the Defense Department marked as excess from 2002 through 2004, $4 billion was in excellent condition. Only about 12 percent of that was reused by the department. The other $3.5 billion "includes significant waste and inefficiency," the GAO said, because new or good-as-new items were "transferred and donated outside of DOD, sold for pennies on the dollar, or destroyed."

Investigators brought some of that equipment with them to the hearing of a House Government Reform Committee subcommittee yesterday. Among the items on display were unused military uniforms and medals that GAO had purchased off of a publicly available Web site intended for disposing of unwanted government property. The GAO also obtained the power-supply system for a component of a nuclear submarine that was on the Pentagon's "critical shortage" list at the time.

"We're not sure why DOD would be letting GAO have that. We don't have any nuclear submarines at GAO," said Gregory D. Kutz, the GAO's managing director for special investigations.

Subcommittee members reacted angrily to the findings.

"Waste on this scale affects our ability to meet the immediate needs of men and women in uniform," said Rep. Christopher Shays (R-Conn.), who chaired the hearing. "The $400 million spent on unneeded equipment could have bought body armor, medical supplies or more than 1,700 fully armed Humvees to protect coalition forces against deadly improvised explosive devices."

Rep. Henry A Waxman (D-Calif.) said the only beneficiaries of the Pentagon's mismanagement are the companies that sell equipment to the government. "Federal contractors are reaping a bonanza while taxpayers are being gouged," Waxman said.

Rep. John J. Duncan Jr. (R-Tenn.) said the GAO's findings involved the waste of "an unbelievably staggering amount of money."

"Anybody who's not horrified by this does not deserve to be called a conservative," he said.

Pentagon officials testified that they generally agreed with the GAO's findings, saying new items had been accidentally labeled in some cases as excess inventory. The officials said they have made improvements, however, and plan to have a computer system up and running by January that would prevent Pentagon officials from buying new equipment that is already available internally.

"We do have a fix on the horizon," said Maj. Gen. Daniel G. Mongeon, director of logistics operations at the Defense Logistics Agency.

Yesterday's report followed GAO inquiries that uncovered evidence the Defense Department was selling unused biological- and chemical-weapons-resistant suits for $3 each. At the same time it was buying hundreds of thousands more for $200 apiece.

Investigators found that example typified a broader problem. For instance, they paid $2,898 for $79,649 worth of tires, badges, circuit cards and medical supplies. In some cases, the goods had been marked as junk but were delivered in their original packaging. At the same time, the Pentagon continued to order more of the same items from its suppliers.

The GAO concluded that the Pentagon could have saved $400 million in fiscal 2002 and 2003 had it used what it already owned, rather than buying more.

GAO investigators also found that at contractor-operated facilities where excess equipment was supposed to be liquidated, items were left exposed to rain and wind. Much of it ended up damaged beyond repair.

In addition, the Defense Department said that between 2002 and 2004, $466 million of equipment marked as excess—including sensitive equipment such as missile warheads—had been lost, stolen or damaged. Kutz, who said he believes the total of unaccounted-for equipment could be far higher, said the GAO will continue to investigate where those items ended up.

STATEMENTS FROM MEMBERS OF GOLD STAR FAMILIES FOR PEACE

Iraq has been the tragic Lie of Historic Proportions of Washington, DC since before the first gulf war. For years, Saddam was one of our government's propped up and militarily supported puppets. Many people have seen the famous footage of Donald Rumsfeld shaking hands with Saddam. I suppose the two are smiling so big for the cameras because they are kindred spirits. After all of the hand-shaking and weapon brokering, when did Saddam become such a bad guy to Bush, Cheney, Halliburton and Co.? (Insert your favorite reason here). During the Clinton regime the US–UN led sanctions against Iraq and the weekly bombing raids killed tens of thousands of innocent people in Iraq. Many of them were children, but since one of her children didn't have to be sacrificed to the homicidal war machine, Madeline Albright, thinks the slaughter during the "halcyon" Clinton years was "worth it." More lies.

Anyone with even a rudimentary understanding of current events understands that this invasion/occupation of Iraq was not about Saddam being a "bad guy." If that logic is used, then how many innocent Iraqi people have to die before the citizens of America wake up and know that our government is a "bad guy?" We also know that Iraq was not about WMD's. They weren't there and they weren't going to be there for at least a decade, by all reports. Another reason, so wispy and more difficult to disprove, is that America invaded Iraq to bring freedom and democracy to the Iraqi people. When one tries to dispute this particular deception, one is accused of being unpatriotic or hating freedom. Even though correct, the statement "Freedom isn't Free" is very insulting to me. False freedom is very expensive. Fake freedom costs over one billion of our tax dollars a week; phony freedom has cost the Iraqi people tens of thousands of innocent lives; fanciful freedom has meant the destruction of a country and its infrastructure. Tragically, this fabricated notion of freedom and democracy cost me far more than I was willing to pay: the life of my son, Casey. The Lie of Historic Proportions also cost me my peace of mind, I do not feel free and I do not feel like I live in a democracy.

One of the other great deceits that is being perpetuated on the American public and the world is that this occupation is to fight terrorism: If we don't fight terrorism in Iraq then we will have to fight it "on our streets." In fact, terrorist attacks have skyrocketed in Iraq and all over the world. So much so, that the State Department has stopped compiling the statistics and quit issuing the yearly terrorism report. I guess if one doesn't write a report, then terrorism doesn't exist? All of Casey's commendations say that he was killed in the "GWOT" the Global War on Terrorism. I agree with most of GWOT, except that Casey was killed in the Global War Of Terrorism waged on the world and its own citizens by the biggest terrorist outfit in the world: George and his destructive Neo-con cabal.

The evidence is overwhelming, compelling, and alarming that George and his indecent bandits traitorously had intelligence fabricated to fit their goal of invading Iraq. The criminals foisted a Lie of Historic Proportions on the world. It was clear to many of us more aware people that George, Condi, Rummy, the two Dicks: Cheney and Perle,

Wolfie, and most effectively and treacherously, Colin Powell, lied their brains out before the invasion. The world was even shown where the WMD'S were on the map. We were told that the ''smoking gun'' could come at any time in the form of a ''mushroom cloud'' or a cloud of toxic biological or chemical weapons. Does anyone remember duct tape and plastic sheeting?

Finally, the side of peace, truth and justice has our own smoking gun and it is burning our hands. It is the so-called Downing Street Memo dated 23, July 2002, (almost 8 months before the invasion) that states that military action (against Iraq) is now seen as ''inevitable.'' The memo further states that: ''Bush wanted to remove Saddam through military action'', justified by the conjunction of ''terrorism and WMD's.'' The most damning thing to George in the memo is where the British intelligence officer who wrote the memo claims that the intelligence to base Great Britain and the U.S. staging a devastating invasion on Iraq was being ''fixed around the policy.'' Now, after over three years of relentless propaganda, it is difficult to distinguish the proven lies from the new ''truth:'' that this occupation is bringing freedom and democracy to the people of Iraq.

Casey took an oath to protect the U.S. from all enemies ''foreign and domestic.'' He was sent to occupy and die in a foreign country that was no threat to the USA. However, the biggest threat to our safety, humanity, and our way of life in America are George and his cronies. Congress made a Mistake of Historic Proportions and waived its Constitutional responsibility to declare war. It is time for the House to make up for that mistake and introduce Articles of Impeachment against the murderous thugs who have caused so much mindless mayhem. It is time for Congress to revalidate itself by holding a hearing about the Downing Street Memo. The reader can help by going onto www.AfterDowningStreet.org and signing a petition to Rep. John Conyers so he will know that the American people are behind him to convene an investigation in the House Judiciary Committee. You can also write your Congressional Representative to help push the inquiry.

It is time to put partisan politics behind us to do what is correct for once and reclaim America's humanity. It is time for Congress and the American people to work together in peace and justice to rid our country of the stench of greed, hypocrisy, and unnecessary suffering that permeates our White House and our halls of Congress. It is time to hold someone accountable for the carnage and devastation that has been caused. As a matter of fact, it is past time, but it is not too late—Cindy Sheehan, mother of Casey Sheehan, KIA Apr. 4, 2004.

My son Sherwood Baker, only 30 years old, a fine man, father, husband, social worker, musician, entertainer, friend, protector, patriot, national guard soldier lost his precious life on April 26, 2004 in Baghdad.

He had been in Iraq for six weeks. He was assigned to protect the Iraq Survey Group the very people looking for the weapons of mass destruction. He was guarding that group as they entered a munitions factory, it exploded, something hit my son in his head as he raised himself from his humvee. He died two hours later, half a World away from all of us who love him so much.

Two years before this happened, people in the Administration of George Bush had decided they wanted a war with Iraq. They were determined to have one, though the facts about any real dangers were ''thin'', though so many disagreed, though the American people rejected a capricious war. So these people who took their oath before God to be honorable leaders, betrayed the public trust and committed themselves and our Country to finding a way to have a war.

Some of us suspected all this then, many of us know it now, the Downing Street memo and other revealing documents bring the light of truth everyday to these horrendous betrayals.

Now it is the duty of congress to stand up and face these truths, investigate the documents, follow them where ever they lead. Hold those accountable who betrayed my son, my family and this Country I love.

If we are ever to reach Peace in Iraq we must confront the lies and deceptions that got us there, just as we could not wage a war successfully on lies, there can be no Peace based on lies.

It is very simple in some ways, 1706 Americans have given up their lives, they stand just beyond us now, tied forever by grief and longing to those who loved them. Tied to the history of this Country, tied to its honor, now they wait on us to honor the fallen and honor the truth.

I pray YOU will support the Downing Street memo hearings—and stand with honor for the truth—Celeste Zappala, mother of Sgt Sherwood Baker, KIA Apr. 26, 2004.

SILENCE IN THE FACE OF TRUTH: THE DOWNING STREET MEMO

(By Dante Zappala)

For the first 30 years of my brother Sherwood Baker's life, his mission was to be a responsible citizen. He made oaths and he honored those oaths. This made him a loving father and husband. This also made him a noble and committed soldier. He courageously deployed with his National Guard unit to Iraq in 2004.

For the last six weeks of his life, Sherwood's mission was to provide convoy security for the Iraq Survey Group. He was killed in action, providing site security for the group that was looking for weapons of mass destruction. Mounting evidence indicates that the weapons' non-existence wasn't a mistake. It was a ruse.

The clouds surrounding Sherwood's death became even darker recently when I read the contents of a memo from the upper echelons of the British government. The memo reiterates the fact that our administration had every intention of invading Iraq in the summer of 2002. The White House needed only to sell the idea to the American people.

Prior to Congressional approval, prior to saying, ''War is the last resort,'' the decision had been made to go to war regardless of legal justification or the problems associated with the aftermath of an invasion. The most telling quote in this memo reads, ''The intelligence and facts were being fixed around the policy.'' Read the memo: http://www.downingstreetmemo.com/memo.html.

My brother died scouring the Iraqi countryside not to protect his country, but to satisfy the Bush administration's public relations agenda.

The leaders of our country politicized intelligence to satisfy an ideology. My brother and more than 1,650 other soldiers have been killed as a result. Yet I have to sift through the papers and the news channels to find even a pulse of concern. In the wake of such disturbing revelations, a majority of our press and populace resoundingly choose to be silent.

Overwhelmingly, Americans have ceased to care about how and why we went war. Apathy, in the face of our soldiers' sacrifice, seems more convenient.

We cannot allow our government to simply replace the motivations for war midstream and expect an entire nation and all its allies to succumb to selective memory. Yet that is exactly what has happened.

The poet Archibald MacLish, who also lost a brother in war, wrote:

They say
We leave you our deaths
Give them their meaning.

If we are to give meaning to the deaths in Iraq, we must be willing to engage in truthful dialogue about the pretenses of war. Acquiescing to the lure of silence and ignorance is an affront to the families and memories of all who have fallen. It is a prescription for unending violence and suffering.

Are we so ashamed of what our soldiers have and continue to do in Iraq that we can't even talk about how they got there? Or, are we simply ashamed of ourselves for letting it happen?

We must each confront ourselves over the failures in Iraq. For that failure is not simply the fault of our leaders misusing suspect intelligence. Our course as a country, ultimately, stems from the individual conclusion of all of us to be either complicit or resistant to war.

The government's failure in Iraq becomes our own failure when we substitute political rhetoric or blanket ideology for reason. It becomes our fault when we are recklessly arrogant and willfully deaf.

Our responsibility as citizens is to acknowledge and embrace the whole truth about the Iraq War. We must look past partisanship and hold ourselves and our leaders to the high standards of integrity that citizenship demands. When we fail to honor that responsibility, we fail to honor the sacrifices of our soldiers.

The world as I knew it ended when Neil was killed. Many years ago someone gave us a beautiful vase and somehow I knocked it over and it broke into two pieces. I glued it together, it still holds water, but it lost its beauty. We are like that vase. For a while I lost my ability to pray. That has come back, thank God and all those who prayed for us. Many people go to work with coffee or tea in their cupholder. I go with tissues in my cupholder, because I cry to and from work. I am able to function at work because I work with children. Daily activities are no longer the same. I can speak to a large group of people, yet I have trouble going into stores. I cannot be in crowded stores. One of my dearest friends just retired and I did not go to her retirement party, because I was worried that I would start sobbing. I love the theater, but do not go. My son was an honorable man killed by the actions of dishonorable men—Dianne Santoriello, mother of 1st Lt. Neil Anthony Santoriello, KIA Aug. 13, 2004.

My son, Sgt. Mike Mitchell, was killed in Sadr City on April 4, 2004, the first day of the Shiite uprising. He had been in Iraq for 11 months, had turned in all of his equipment on April 3, as he was headed to Kuwait the next week then back to Germany and his fiancee and wedding—Bill Mitchell, father of Sgt. Mike Mitchell, KIA Apr. 4, 2004.

Jeff was sent to Kuwait on a 6 month rotation tour with his Battery, C/1–39 FA (MLRS) in August 2002. He was due back to the states in February 2003, until orders to returned were halted in December 2002 because of the build-up. He was caught in this melee of horror with no other recourse to be a true soldier and fight for the cause. You can imagine my horror listening to the propaganda and lies our government leaderships so vehemently declared to the nation as the truth. It was out of my control to tell my baby he was in the wrong place at the wrong time. I felt absolutely helpless. He died 4 weeks into the invasion. He was just commissioned as a second lieutenant, he married the love of his life, he acquired his mustang muscle car, and he was living on his own in Ft. Stewart, Georgia. He had the world ahead of him and

eager to be part of life. He didn't expect to lose his life. He died from a shrapnel metal that pierced his right eye and traveled through his brain knocking out all the vital parts to sustain life. He was a victim to an explosion a football field away. Back then, his unit (FA) was not equipped with protective gear nor properly trained to handle infantry, engineers, and explosive specialist jobs. Jeff was 24 yrs old when he died and my only son. He was the love of my life and such a cuddly baby to raise. He always had kisses for me even into his adult life. I miss him so! This war shouldn't happen and I want the truth. I want someone to gather all the casualty families and tell them the truth—why it was necessary to fabricate intelligence information to make a case for war. We have the right to know even if its classified—Roxanne Kaylor, mother of LT. Jeff Kaylor, KIA Apr. 7, 2003.

The Department of Defense announced today the death of two soldiers who were supporting Operation Iraqi Freedom. They died April 19 in Baghdad, Iraq, when a vehicle-borne improvised explosive device detonated near their dismounted patrol. Both Soldiers were assigned 3rd Battalion, 7th Infantry Regiment, 3rd Infantry Division, and Fort Stewart, Ga. The soldiers are: Spc. Jacob M. Pfister, 27, of Buffalo, N.Y., Spc. Kevin S.K. Wessel, 20, of Newport, Ore—Lori Wessel, mother of Spc Kevin S.K. Wessel, KIA Apr. 19, 2005.

Let me tell you why I think, no demand that Congress investigate Bush's Iraq War lies. It starts with a conversation that I remember as if it were yesterday. It was a conversation between my son and me. He had called me from Ft. Lewis, Wa.; his duty station. He was assuring me that there was no way that we were going to invade Iraq. I replied that I wasn't so sure; after all I kept hearing those war drums. He told me with all confidence that there were two reasons. First Saddam was not a threat to the U.S., that we had him contained. Second, even though Saddam was a bad guy he was OUR bad guy and if we removed him we would be creating a political vacuum in Iraq that we would not be able to control. How very confident he was. Needless to say, that when we did invade he was more than a little disillusioned. Of course his two reasons have both proved to be true. Unfortunately, his Commander and Chief had decided on this war possibly even before 9/11. In my son's name I demand that Congress investigate. I demand it in my son's name because he is unable to demand it himself. Cpl. Jonathan Castro, my only child, was killed December 21, 2004, when a suicide bomber was allowed into a military base mess tent in Mosul. I also demand the investigation in the name of all those still serving. Many of them would demand it themselves if they didn't fear military retribution—Vickie Castro, mother of Spc. Jonathan Castro, KIA Dec. 21, 2004.

As you meet today and discuss the additional evidence of the lies that were used to launch this illegal, immoral invasion and occupation of a recognized, sovereign nation, I would humbly like to put before you yet a few more numbers, reasons to stay the course and continue to reveal these crimes and bring the perpetrators to justice.

That number is 538. My nephew, PFC William Ramirez, was American soldier number 538 to die in this horrific travesty committed on the people of Iraq in the name of the Congress of the United States, our citizens and our allies. Think then of the 537 who came before and the 1100+ who have died since. Think also of the 100,000 innocent Iraqi civilians whose lives have been lost and blown to rubble by American munitions and their aftermath.

Here's another number—19. That is how many years William spent on this earth. Two of those in the U.S. Army. He was anxious to serve and defend. He was promised a chance to learn architecture or engineering, to create and build. Instead, he was sent to destroy, kill and die. And for what? How many of you, knowing what you know about this war, would willingly allow a child, a grandchild, a nephew or niece or even your dog to be sacrificed for it? Can you wrap your minds around the suffering, pain and grief that lies behind each number in the newspaper, in your briefings, on the TV? Multiply those numbers 10 times or so and envision the lives shattered by injury, physical and mental, and the military families who must support those victims.

It is horrible and wrong for a life to be cut off violently and short. The greater horror is the senselessness of it, in knowing that William's death was in vain. There is no comfort in thinking the world is a better place because of it. His heroism was squandered by liars, cheats and profiteers. His courage was used to attack a nation that was not a threat. His youth and inexperience was stolen by conniving draft dodgers waving flags of patriotism and fear who never answered the call to serve. His life was manipulated to achieve the ends chosen by a handful of people and his death means nothing to them.

Congress was lied to, but Congress is still culpable. Our entire country will continue to pay for this. It is your job and duty now to investigate without stopping until truth and justice are rooted out. Number 538 is just one in a sea of numbers that don't look like much on a piece of paper. It really isn't that large of a number relative to so many others in the news. To our family, however it is a fatal number. It is the difference between a hope-filled future for a loving, intelligent boy and a silent headstone in a military cemetery. How many more families will receive a number like that? How many more?

William may have wanted to defend our country and its democracy, but the truth is that battle must be waged on these shores, in these very buildings. And you are the soldiers. Yes, you have position, influence, money and power at stake and you might feel that you have much to lose on the front lines of this conflict. The United States has much to lose if you do not fight. Please be inspired by our heroic and selfless troops and by the memory of our fallen. Take up their cause and restore our nation to one they would be proud of, to the one they thought they suffered and died for. You can give meaning to their deaths if only you will—Annette Pritchard, aunt of PFC William Ramirez, KIA Feb. 11, 2004.

My son, Spc. Joseph Blickenstaff, lost his life in the line of duty for our country. Yes, we were and are proud of him as a man and thrilled at his accomplishments. Today is the 18-month anniversary of his death. One day, at the age of 20, Joe came to see me and was very excited. He had enlisted in the Army. I was not happy. He convinced me it was something he really wanted to do and thought he would be good at it. I finally agreed it might be good for him.

He left for Basic Training May 1, 2001. He arrived home from Basic on September 6, 2001. The party to celebrate this achievement was September 9, 2001. You know what happened next. All the rules changed. He married his Sweetheart, Angela, shortly after Basic Training. They moved to Washington near the Base. Joe continued to prepare in the Stryker Brigade at Fort Lewis, Washington for the next 25 months. He achieved the Expert Infantryman designation, which few managed to do. He told me he wanted to be the ''one'' to bring down Osama Bin Laden. He was full of the righteous anger that flowed through most Americans after 9–11. He did not, however, believe we had the right to invade Iraq. He decided he wanted to go to Iraq to protect his comrades. He was a gunner. He wanted to take good care of them. He also wanted to see what he could do to help the Iraqi people. He hated bullies and spent his life looking out for the underdogs. He literally would walk down the street and give his money and his clothes away. As parents, we thought that maybe the experience of mastering the many skills and participating in helping other people would turn out to be Joe's reward for all the hard work he put in as we watched him become a proud and capable soldier. So, we met him for dinner and kissed him goodbye in the parking lot of the restaurant on November 13, 2003. He assured us he would be home in a few months in order to be discharged on time. The last words I heard him speak were on my answering machine about 2 weeks later; ''Mom, they're keeping me for the year, they're not letting me out.'' My heart broke for him. He had signed a contract with the United States Government that said he would serve 3 years. This was to be his last disillusionment with the Army.

In the early hours of December 9, 2003, we got that most-dreaded knock on our door. When four uniformed Army officers face you at 1:30 a.m., there is little to ask except ''How did it happen?''

As everyone will acknowledge, there are no words to describe the pain of losing a child. In our case, we held each other and assured one another that he died doing what he believed was right. We proudly displayed his Casket Flag and Bronze Star. We went through the motions of living, though we felt detached from ourselves.

We did not even know who would answer all the questions we had. The ticking clock seemed like a relentless tyrant as it clicked away all the time he would be gone from us.

We had an invitation to meet President Bush at Fort Lewis. We went to that meeting. I wanted and needed for our Commander-In-Chief to look into my eyes and tell me he was sorry for this terrible loss. I was sure I would know if he was sincere. We had pictures taken with President Bush looking at the picture of me pinning on Joe's boutonniere at his wedding. The President asked me if he could keep the words to the last song Joe wrote while in Iraq. The song ''Worthy'', expressed Joe's deep conviction that he was loved by his Lord.

In the year since that meeting I have been very disturbed to learn how many things were wrong with our decision to declare war on Iraq. I say ''our decision'' because I supported it in the beginning. I tried to rationalize that mistakes happen and that ''Freedom Isn't Free'' and on and on. Nothing really helped us except to keep saying to each other that Joe died doing something he believed in. Joe died knowing we all loved him and that he was a precious child of his Creator. Joe died among friends who had watched him overcome so many obstacles as the unsure boy, Joe, became the capable and assured man and soldier, Joe.

But now, to learn how many ways the American people were deceived into believing our leaders had our best interest at heart, after believing we had the kind of responsible leadership that would only put our bravest young people in danger if absolutely necessary, after believing that we could trust them with our very lives—it's just a horror beyond the thinkable. Surely this misuse and loss of our precious young people constitutes murder.

My Sweet Joe, my brave and independent Joe, my kind and loving and giving Joe was taken from us through a series of lies and deception. My heart is breaking—for us, for this country, for this world. I know there are hundreds of thousands of people who have

paid the ultimate price and each one of those people leaves a family as stricken and changed as my own.

I think the only thing this Nation can do now to save any honor we might have had in the eyes of the World would be to lay bare the lies and do whatever we need in order to restore the things we took from the Iraqi people when we decided to ''shock and awe'' them over 2 years ago. America has not lost nearly as many people as the Iraqis over this insane approach to ''helping'' these people, but we have had tens of thousands of families changed, crippled, and denied their rights as we are told over and over that our loved ones offered themselves up to a higher cause.

My son would never have offered himself for the kind of abuse of power that now exists because of this evilly-conceived war. And the abuses aren't just happening in Iraq, as we read daily now. Besides all of the prisoner abuse, the American people have been abused, our society has been abused, our financial future has been abused. Every man, woman and child without food and medical care right here in America has been abused.

It took an incredible amount of ''fixing'' to make sure this war happened as planned.

We will never regain our own dignity until we stop this insanity and become responsible members of our Global Community. We can do it! Let's start now—Georgia Shilz, proud mother of Spc. Joseph Michael Blickenstaff, KIA, Dec. 8, 2003.

They just drove away. Your new world is black and white; it's upside down and inside out. You scream and do not recognize the pain coming from a place you never knew existed. You scream again and the sound is your soul leaving your body.

You might not have even heard the words, ''I regret to inform you'', because all you needed was to see who was at your door and you knew. Every nightmare you had about your loved one being killed in Iraq has just come true. Every prayer for their safety on this earth will never be answered. Every deal you made was off.

You cannot possibly know, but you are not alone. 1699 other hearts broke again as we saw the number tick one more to 1700 and then 1701 and 1702. We know your pain, we know the hellish journey that you have just begun and there is nothing to say except ''I'm sorry''. We have hugs to offer and maybe some advice, but as the moon rises, you will be alone, knowing that your son or daughter, your husband or wife, your nephew or niece, your best friend is never coming home.

The sun will come up in the morning and you may be grateful that you survived another night of your new life, not knowing how. You may be angry that you survived another night without your loved one and wonder why you live and they don't. If only you could trade places.

Some sleep easily, some with medication, some not at all. You want to sleep to fend off exhaustion, but know if you do the nightmares might enter the quiet place that once meant solace. The exhaustion just finds a deeper place inside you, another place unfamiliar to you.

If you cry, and some cannot or will not, you will wonder if the crying will ever stop. You don't ever want to stop crying—how will you ever, ever, ever get your arms around this new life? You will never want to cry again; it's just so excruciating. You will wonder how one body can cry so many tears and for so many hours, days and months.

There will be phone calls, cards, flowers and food. But all you want is your old life back, knowing that your loved one will be coming home alive and well.

There will be prayers and religious services. Prayers for you, prayers for your loved one, prayers for peace, prayers for strength. Some will seek comfort in their faith, some will be interminably angry at God.

You never imagined signing a document called ''Disposition of Remains'' but there it is, your loved one's name, in black and white. That name doesn't belong there. It belongs on a letter with love from Iraq, it belongs on an email, but it doesn't belong there. You will see their name again in headlines, on TV, on letters of condolence and on other legal documents and it never feels right. His or her name doesn't belong there!

There will be questions, there will be details. You want to know all the details; you want to know none—at the same time. You have questions—so many questions and so do they. How could this be happening? What kind of funeral service, cremation or burial? Who will speak? When is the body coming home? Why is the body coming home? My son or daughter is supposed to be coming home—not their body!

The flags will fly at half staff, an indication that one young friend described as ''someone is sad''. The flag will cover the coffin, soon to be handed to you, with the words ''On behalf of a grateful nation . . .'' Flags will arrive in the mail having flown over the state capitol or the nation's capitol. They all mean the same thing—your loved one is never coming home and someone is very, very sad.

Maybe you never heard the phrase ''Pain shared is divided''. We share your pain; we live and breathe your pain every single day. While you may have never imagined you would be a part of this group, please know that you are not alone—Karen Meredith, mother of 1LT Kenneth Ballard, KIA May 30, 2004.

□ 1145

Mr. Speaker, I also ask unanimous consent to insert the text of the amendment immediately prior to the vote.

The SPEAKER pro tempore (Mr. FORBES). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, again, I urge all of my colleagues to vote ''no'' on the previous question so that we can have an opportunity to vote on the Pelosi amendment. It is our responsibility as Members of Congress to ask tough questions, to demand answers, to do the oversight, to make sure that we are getting this right. We have not been doing that. This is an opportunity for us to demand that the administration give us answers.

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

Mr. COLE of Oklahoma. Mr. Speaker, I yield myself the remaining time.

We have had an excellent and interesting discussion here this morning on the issue of Iraq, and we will continue to have those discussions undoubtedly as we move forward.

In closing, Mr. Speaker, I want to again draw the attention of Members to the strength of this piece of legislation. Unfortunately, it was not discussed very much during the course of our exchange.

Mr. Speaker, H.R. 2863 takes many important steps forward in reforming the procurement and acquisition systems of the United States military, and increasing its end strength, and providing $45.3 billion in supplemental ''bridge funding'' for the war on terror.

Mr. Speaker, it must also be noted that this legislation would not have been possible without much hard work on the part of the gentleman from Florida (Chairman YOUNG), the gentleman from California (Mr. LEWIS), and the members of the Subcommittee on Defense Appropriations and the members of the full committee. As evidenced by their hard work, this is a bipartisan bill that the vast majority of the House will undoubtedly agree is a good product.

Mr. Speaker, no legislation is perfect, and, as I said in my opening statement, the defense appropriation bill takes important steps in an ongoing process that does not end; that is, the defense of our country. However frustrated some may be with particular aspects of H.R. 2863, it undoubtedly moves our military in the direction it needs to evolve and enhances the security of our country and the well-being of our men and women in uniform.

Therefore, I, once again, urge my colleagues to support this rule and the underlying concurrent resolution.

Mr. LARSON of Connecticut. Mr. Speaker, I rise today in opposition to the rule for the FY06 Defense Appropriations Bill. This rule, unfortunately, does not allow consideration of the Pelosi Amendment—an amendment critical to our current and future efforts in Iraq.

We consider the situation in Iraq this week in the midst of growing public concern over the way this administration has, and continues, to execute the war. For the first time since the war in Iraq began, more than half of the public believes that our campaign there has not made the United States safer. Nearly three-quarters of Americans say the number of casualties in Iraq is unacceptable and two-thirds say the U.S. military is ''bogged down.'' Nearly six in ten say the war is not worth fighting.

To date, the lives of nearly 1,700 men and women in uniform have been lost, and another 12,000 have been injured. Close to 200 billion in taxpayer dollars have been spent without a clear plan for success. And today, we are no closer to true success in Iraq than we were since the days of ''Shock and Awe.''

The Democratic Leader's amendment is simple—it asks that this administration report to Congress within 30 days with their ''Strategy for Success'' in Iraq. The Pelosi amendment requires the President to explain how he will ensure that there are well-trained Iraqi military, border and police forces that can ensure the security of Iraq and that there is political stability in the country.

This amendment isn't about setting a hard date for withdrawal, or leaving Iraq before we finish what we started. This amendment, rather, simply ensures that Congress—and the American people—know what milestones and criteria by which our Nation will judge success in Iraq. Without such a guide, we will continue to be left with an open-ended military commitment with no end in sight.

Our men and women in uniform deserve nothing less than clear milestones that lead us to the day when we can bring them home. To get to that day, we need to know how we are

going to assess the capabilities and readiness of Iraqi security forces and when we can expect them to take over vital security missions in their country. We need to know the number of U.S. and coalition advisors needed to support Iraqi security forces. And, finally, we need to know the benchmarks by which we will measure the political stability of Iraq.

The fog of war is thick in Iraq, and this administration has only added to it by sticking to their vague notions of success and stability. But the President can cut through the fog by providing clear and demonstrable criteria by which we can judge our progress and, hopefully, success in Iraq.

Since the start of this war, I and many of my colleagues have implored the President to level with the American people and our troops over the true cost and end strategy for the war. It is time for the administration and Congress to be honest with us about a path forward in Iraq—a path towards a success that brings our men and women home and restores our credibility at home and abroad.

I urge my colleagues to oppose the rule, and allow consideration of a critical amendment that will give our Nation a clear path forward in Iraq.

The material previously referred to by Mr. MCGOVERN is as follows:

PREVIOUS QUESTION ON H. RES. 315—RULE FOR H.R. 2863 FY06 DEPARTMENT OF DEFENSE APPROPRIATIONS

At the end of the resolution, add the following new sections:

''SEC. 2. Notwithstanding any other provision of this resolution, the amendment printed in section 3 shall be in order without intervention of any point of order and before any other amendment if offered by Representative PELOSI of California or a designee. The amendment is not subject to amendment except for pro forma amendments or to a demand for a division of the question in the committee of the whole or in the House.

SEC. 3. The amendment referred to in section 2 is as follows:

AMENDMENT TO H.R. ____, AS REPORTED
OFFERED BY MS. PELOSI OF CALIFORNIA
(Defense Appropriations, 2006)

At the end of title VIII (page ____, after line ____), insert the following new section:

SEC. _____. (a) Not later than 30 days after the date of the enactment of this Act, the President shall transmit to the Speaker and minority leader of the House of Representatives and the majority leader and minority leader of the Senate a report on a strategy for success in Iraq that identifies criteria to be used by the Government of the United States to determine when it is appropriate to begin the withdrawal of United States Armed Forces from Iraq.

(b) The report shall include a detailed description of each of the following:

(1) The criteria for assessing the capabilities and readiness of Iraqi security forces, goals for achieving appropriate capability and readiness levels for such forces, as well as for recruiting, training, and equipping such forces, and the milestones and timetable for achieving such goals.

(2) The estimated total number of Iraqi personnel trained at the levels identified in paragraph (1) that are needed for Iraqi security forces to perform duties currently being undertaken by United States and coalition forces, including defending Iraq's borders and providing adequate levels of law and order throughout Iraq.

(3) The number of United States and coalition advisors needed to support Iraqi security forces and associated ministries.

(4) The measures of political stability for Iraq, including the important political milestones to be achieved over the next several years.

(c) The report shall be transmitted in unclassified form but may contain a classified annex.

Mr. COLE of Oklahoma. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

## GENERAL LEAVE

Mr. WOLF. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the further consideration of H.R. 2862, and that I may include tabular material on the same.

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

There was no objection.

## SCIENCE, STATE, JUSTICE, COMMERCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

The SPEAKER pro tempore. Pursuant to House Resolution 314 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2862.

□ 1149

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2862) making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes, with Mr. HASTINGS of Washington in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Wednesday, June 15, 2005, the amendment by the gentleman from Vermont (Mr. SANDERS) had been disposed of, and the bill had been read through page 108, line 7.

AMENDMENT NO. 11 OFFERED BY MR. PAUL

Mr. PAUL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Mr. PAUL:

Page 108, after line 7, insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act may be used to pay any United States contribution to the United Nations or any affiliated agency of the United Nations.

The CHAIRMAN. Pursuant to the order of the House of June 14, the gentleman from Texas (Mr. PAUL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas (Mr. PAUL).

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

Mr. PAUL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the amendment I have is very simple, and it tells us exactly what it does, so I am just going to read it. It says, ''None of the funds made available in this Act may be used to pay any United States contribution to the United Nations or any affiliated agency of the United Nations.''

So, very simply, a vote for my amendment would be a vote to defund the United Nations, and it would be a policy statement, obviously. We have had some debate already on the United Nations, and we will be having another debate either later today or tomorrow dealing with reform of the United Nations. Yesterday we had a vote dealing with removing half of the funding from the United Nations. This would be in the same direction, but it would remove all of the funding.

The United Nations has been under serious attack, and most Americans know there is a big problem with the United Nations. There is corruption involved with the oil-for-food scandal, as well as the abuse of human rights. There are a lot of people who believe that we can reform the United Nations and make it much more responsive to our principles. I do not happen to share that belief.

I have been a longtime opponent of the United Nations not so much because of the goals they seek, but because of their failure to reach these goals, as well as the attack on our national sovereignty. For me, it is a sovereignty issue, and that is the reason that I believe that it does not serve our interests to be in the United Nations, and we should make a statement for the many Americans who share that particular view.

But I would like to take a little bit of this time right now to relate my position on the United Nations with the bill that is coming up later today or tomorrow, and that is the reform bill. The reform bill is very controversial. We already have former Republican and Democrat ambassadors, Secretaries of State who are in opposition to this, and our own President has expressed opposition to this. It is not for the same reasons that I am opposed to that reform bill, but they are opposed to it because there is a threat of cutting some funding.

But in their attack on the reform bill, they do say they support the policy changes. That is what I would like to emphasize here. Most people see the reform bill as a mere threat to the United Nations to shape up, or we are going to cut half of their funds. Yesterday we had a much more straightforward vote, because if you, also, believe in true reform, all those supporters of the reform bill should have supported the Hayworth amendment and just flat out cut half of the funding. But the reform bill says that, well, if you do certain things, we are going to give you your money. Of course, those who really like the U.N. find that offensive and think that is too intrusive on the functioning of the United Nations.

But I, quite frankly, do not believe that if the U.N. reform bill gets anyplace, that there is any way, since the President is opposed to it and so many individuals are opposed to it, that any funds will ever be cut. But I do believe a bill could get passed, and, that bill, also changes policy, which I think that too many of my conservative colleagues on this side of the aisle have failed to look at, and that is what I am concerned about, the policy changes.

So instead of tightening up the reins and the financial control of the United Nations and getting them to act more efficiently and effectively, what they are doing, if they do not have the ability to really strike the 50 percent, the bill institutionalizes new policy changes.

I want to just mention the policies that I believe that are risky, especially if you are interested in protecting our national sovereignty.

The first thing it would do is it would change the definition of terrorism as related to United Nations, and it would change the ability and the responsibility of the United Nations to become involved. Today it is currently understood that if there is an invasion of one country by another, the United Nations is called up, and they assume responsibility, and then they can put in troops to do whatever they think is necessary. But if this new policy is adopted, it will literally institutionalize the policy that was used by our own government to go into Iraq, and that is preemptive war, preemptive strikes, to go in and either support an insurgency, or in order to get rid of a regime, or vice versa. This is a significant change and an expansion of U.N. authority. I, quite frankly, think that this is a move in the wrong direction.

Also, the Peacebuilding Commission, I think, is very risky, and also something that we should look at.

So not only do I urge my colleagues to vote for my resolution to defund the United Nations, I urge my colleagues to look very cautiously at the U.N. reform bill, because there is a lot more in there than one might think. The one thing we do not need is John Bolton and Paul Wolfowitz, the authors of our policy for regime change in Iraq, in charge of the same policy in the U.N.

Mr. WOLF. Mr. Chairman, I rise in opposition to the gentleman's amendment, and I yield myself such time as I may consume.

Mr. Chairman, this amendment amounts to a complete rejection of the United States' engagement with the United Nations and many other nations of the world.

Last year this bill created a high-level task force to review the efforts of the United Nations. This task force was chaired by former Speaker of the House Newt Gingrich, and former Majority Leader Senator Mitchell, and the task force came out with its recommendations yesterday. They are fairly dramatic, which will mandate, if you will, and force the United Nations to make dramatic change. Hopefully the Bush administration will embrace the Gingrich-Mitchell recommendations that will then be adopted by the United Nations when they meet in September.

As the chairman knows, we initiated this task force because of the U.N.'s lack of involvement on the Darfur, Sudan, issue, the sexual exploitation of young girls by U.N. peacekeepers, and the oil-for-food scandal. If we were not participating at all, we would not be able to put pressure on the U.N. to do the right thing with regard to Darfur. Genocide is taking place in Darfur as we now speak. Also, the U.N. will be sending peacekeepers to the North-South Sudanese peacekeeping agreements, and, as my colleagues know, better than 2.1 million people, mainly Christian, some Muslim, died at the hands of the Khartoum government as a result of their activities for the North. Also, Sudan is involved in terrorist activities, and we need to be able to put pressure on the Sudanese.

Not speaking boldly in an effort to force the U.N. to do something on this issue, the genocide in Darfur, and also to be able to implement and monitor, not with American soldiers, but with U.N. peacekeepers in Sudan, would be a mistake.

As the gentleman knows, we already have cut the administration request for international organizations by $130 million; therefore, essentially we are already recommending holding back any growth of the U.N. Lastly, as the gentleman from Texas says, the Hyde bill will be coming up shortly after this bill, and that is where you should address these issues.

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

The CHAIRMAN. The time of the gentleman from Texas (Mr. PAUL) has expired.

Mr. WOLF. Mr. Chairman, I yield the balance of my time to the gentleman from West Virginia (Mr. MOLLOHAN).

Mr. MOLLOHAN. How much time remains, Mr. Chairman?

The CHAIRMAN. The gentleman has 3 minutes remaining.

Mr. MOLLOHAN. Mr. Chairman, I yield myself such time as I may consume.

I rise in joining the chairman in opposition to this amendment, and I hope the same majority of our colleagues reject this amendment this year as did last year. I would note that this is the same or an extremely similar amendment that the gentleman from Texas (Mr. PAUL) introduced last year and was defeated by a 83-to-355 vote majority.

□ 1200

I hope that the body takes the same position with regard to this amendment this year as it did last. At a time when the United States is involved in a war against global terrorism, at a time when the international economic community is becoming increasingly integrated and the world is becoming increasingly smaller and we are increasingly bumping up against our friends and adversaries around the world, this is no time to do away with the organization.

However imperfect it may be, that brings together all of those divergent political interests, all those divergent countries, all those divergent political philosophies that represent people around the world. We need to bring people closer to us so that we can debate them, so that we can fight them in the context of a civilized body, rather than going out and fighting them in wars. That is what the U.N., at its best represents. That is what we ought to be aspiring to, that is, perfecting the U.N., making it better, dealing with its imperfections instead of doing away with it.

We are lucky to have the U.N. in that sense. We are also fortunate to be a powerful enough country to influence the U.N. for the better because of the size of our contribution. If we were to withdraw our contribution, there is no doubt that that whole process would unravel. That would be a tragedy.

For all the above reasons, Mr. Chairman, I oppose the gentleman's amendment and urge my colleagues to oppose it as well.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. PAUL).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. PAUL. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6, rule XVIII, further proceedings on the amendment offered by the gentleman from Texas (Mr. PAUL) will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. HEFLEY

Mr. HEFLEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. HEFLEY:

At the end of the bill (before the short title), insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. Appropriations made in this Act are hereby reduced in the amount of $570,000,000.

The CHAIRMAN. Pursuant to the order of the House of June 14, the gentleman from Colorado (Mr. HEFLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado (Mr. HEFLEY).

Mr. HEFLEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise again today to offer this amendment to cut the level of funding in this appropriation bill by approximately 1 percent. This would equal $570 million. As you well know, I have offered this amendment on a number of bills this year and in prior years. And I understand the difficulty that the appropriators have with narrowing down the requests from Members and from the administration; and although this committee has done an excellent job on this, and I understand also that the committee will oppose me and beat me into submission, I will whimper and go away.

But I still think the point needs to be made that we need to begin to really draw the line, and the projected deficit is simply too large. We could do something about the deficit. Now, this will not solve it by any means if we did 1 percent. I mean, we are talking one cent on the dollar, and that will not solve it. But it would tell the American public that at least we are concerned about the deficit and we are willing to do something significant in that direction.

I have no doubt that some of the good programs in this bill would take a cut, and that is unfortunate. But the budget should be no different from the taxpayers' budgets at home. When you have less money, you spend less money. It is really as simple as that, although we all know it is not really simple. It is a difficult thing to do.

I would ask for support of the amendment.

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

Mr. WOLF. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to the gentleman from Colorado's (Mr. HEFLEY) amendment.

As the gentleman can see, and I have great respect for the gentleman from Colorado (Mr. HEFLEY). I know what he is trying to do, and I want to acknowledge that. As the gentleman can see from the debate and the other amendments offered on the bill, many Members feel the funding for the whole host of programs in this bill is already inadequate. In fact, all the amendments, most that we have been able to reject, have been to add money into the bill. The one that was accepted by the body was the one to add $73 million in for 7(a) loan programs which nobody in the country wants or needs. So the gentleman can see the trend that things are moving.

The budget resolution passed by the Congress has imposed upon us a very restrictive spending climate. This amendment constitutes attempts to reopen the decisions we already made in the budget resolution. The bill we are considering today stays within the budget resolution framework and represents a lot of hard work and difficult decisions to match limited funds to competing national priorities. A number of accounts in the bill are funded very close to the bone and a reduction of 1 percent in many salaries and expenses would have a dramatic effect on the FBI, DEA, ATF, Marshals Service.

And so for those reasons, respecting what the gentleman is trying to do, I would ask for a ''no'' vote on the amendment.

Mr. Chairman, I yield the balance of time to the gentleman from West Virginia (Mr. MOLLOHAN).

Mr. MOLLOHAN. Mr. Chairman, the gentleman knows that I have the greatest respect and friendship for him and for all the tremendous work that he does in this body. But I must rise and oppose this across-the-board cut. First of all, I oppose across-the-board cuts generally because they are indiscriminate, and I think anybody who supports across-the-board cuts has to admit that the cuts are bound to affect some good programs, even in their judgment, as well as adversely affect programs that the author of the amendment may not fully appreciate.

Having said that, I hope that the body judges this amendment in the same way it has in past years and on other bills and expresses its concern for the offering of across-the-board cuts generally. But having said that, I think that if the gentleman is not successful, if he does not prevail on his amendment, he should feel good for the same reasons I feel bad about this bill, and that is that it represents a huge number of cuts much greater than 1 percent on programs that I consider to be extremely worthy and that I would hope the chairmen of the sub and full committees, as well as ranking, would consider the same.

NASA is increased by 2 percent, the Justice Department by 4 percent, and the FBI by 10 percent. That is the good news. Federal law enforcement programs have increased. Almost everything else in the bill has decreased a lot more than 1 percent. State and local law enforcement experienced a 22 percent reduction. The COPS program, a 13 percent reduction. Juvenile justice programs, a 12 percent reduction. The Commerce Department, a 12 percent reduction. And the State Department is receiving 11 percent less than the current level, in addition to international organizations receiving 10 percent less.

The gentleman ought to be pleased with the reductions in most of this bill, and surely he would not oppose the increases to the FBI and the Justice Department and hopefully not NASA.

This bill has taken its fair share of cuts. It has experienced the pain that has been imposed upon domestic discretionary programs generally, by the budget resolution; and I will note an inordinate number of amendments being offered by the majority here in the last 3 days have been trying to increase the author of each amendment's particular favorite domestic discretionary program.

But you add them all up and the majority has offered a lot of amendments increasing domestic discretionary spending. For those who have done that, I suggest that you look at the budget resolution the next time around, understand the relationship, the real relationship between a vote for the budget resolution and a squeeze on domestic discretionary programs as I have just described in response to the gentleman from Colorado's (Mr. HEFLEY) amendment.

For all those reasons, Mr. Chairman, I rise in opposition to the Hefley amendment and hope that my colleagues will turn it down.

Mr. HEFLEY. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. HEFLEY).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. HEFLEY. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado (Mr. HEFLEY) will be postponed.

For what purpose does the gentleman from Massachusetts (Mr. MARKEY) rise?

Mr. WOLF. Mr. Chairman, I move to strike the last word.

Mr. Chairman, if the next is the amendment that I think the gentleman is offering, I was going to say I accept it. I understand the gentleman from Massachusetts (Mr. MARKEY) wants to speak on it. I have to go upstairs briefly for a brief moment. But I wanted to be on record as being for it, and so I did not want to have my absence for 5 minutes look like I was avoiding an issue. I think this is the torture amendment. If it is, I think it is a good amendment, and I urge the Congress to adopt it, and I am going to vote for it.

I will yield to the gentleman from Massachusetts (Mr. MARKEY).

AMENDMENT OFFERED BY MR. MARKEY

Mr. MARKEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. MARKEY:

At the end of the bill (before the short title), insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other

Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231 note) and any regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations.

The CHAIRMAN. Pursuant to the order of the House of June 14, the gentleman from Massachusetts (Mr. MARKEY) and a Member opposed each will control 7½ minutes.

The Chair recognizes the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Chairman, I yield myself 1 minute. And in that 1 minute, I will say that I appreciate very much the statement by the gentleman from Virginia (Mr. WOLF). Even when he is not physically present, he is a huge spiritual presence in this Chamber when it comes to the issue of human rights and torture, and I appreciate his willingness to support this amendment.

The amendment, quite simply, says that the United States, because of our support for the convention against torture, because of our support for the Geneva Convention, cannot condone the United States, after we have prisoners in our possession, sending those prisoners to other countries in the world that do not abide by the convention on torture, that do not abide by the Geneva Convention.

So this amendment will make it unambiguously clear that that is a responsibility that the United States takes very seriously, and notwithstanding what goes on at Guantanamo, that when the United States has possession of a prisoner that we will not outsource torture, that we will not actually put these prisoners on planes and send them to countries which we know do engage in torture.

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

The ACTING CHAIRMAN (Mr. GILLMOR). Is there any Member seeking time in opposition to the amendment? If not, the gentleman from Massachusetts is recognized.

Mr. MARKEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM of Minnesota. Mr. Chairman, torture is a crime. It is an international crime, and it is a violation of U.S. law. The state-sponsored exportation or outsourcing of torture called ''extraordinary rendition'' is repugnant and it is immoral. Outsourcing torture threatens America's security. It destroys our Nation's moral authority in the world, and it is the height of hypocrisy.

The fact that this country, through the Bush administration, has been sending detainees, including innocent individuals, to countries like Syria to be tortured and abused is a stain on America's reputation, and it is a shameful rejection of our national values.

Extraordinary rendition is indefensible. It is legally and morally to be condemned by this Congress.

I am pleased that it is to be incorporated into the bill. I strongly urge all Members of Congress to watch this issue carefully. Those of us who value human rights want to end the use of our tax dollars to fund the outsourcing of torture. And I am very pleased that this has been included in the bill.

Mr. MARKEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. HARMAN).

(Ms. HARMAN asked and was given permission to revise and extend her remarks.)

Ms. HARMAN. Mr. Chairman, I thank the gentleman for yielding to me and rise to applaud the fact that this amendment will clearly be accepted as no one is speaking against it. This amendment has already passed the House on the 2005 supplemental appropriations bill by a vote of 420 to 2, and a modified version of it was signed by the President.

This amendment states a policy we can all endorse. It does not expand existing law. Existing federal law makes it illegal and it is also a violation of international law to torture people. And existing law also bans cruel, inhuman, and degrading treatment of detainees.

I want to say to the gentleman from Massachusetts (Mr. MARKEY) that, as the ranking member on the Intelligence Committee, I have followed his work on this closely. I am pleased that he has raised this subject, that the entire House has heard him and agrees with him.

□ 1215

Let me go further, however, because this amendment does not expand existing law.

I think in light of clear issues around detentions and interrogations, some of which are being investigated very responsibly on a bipartisan basis by the House Permanent Select Committee on Intelligence Subcommittee on Oversight, in light of many questions and what I might call a fog of law on these issues, I think we need additional legislation.

It is going to be hard to put together the right bill, the right bill that states what we believe in with respect to detentions. My own personal view is no one should be detained without a status and without the ability to challenge that status, but the right bill, should also state what we believe in with respect to interrogations policy.

I firmly believe that we need interrogations consistent with our values so that we learn the plans and intentions of the bad guys before they attack us. But precisely how to set limits is the hard part.

So I hope to work on a bipartisan basis to craft a legal framework for the detentions and interrogations. I commend the gentleman from Massachusetts (Mr. MARKEY) for this useful effort to remind us all that on a bipartisan basis we condemn the use of torture.

Mr. MARKEY. Mr. Chairman, I thank the gentlewoman for her eloquent statement, and I yield 1½ minutes to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, I thank my good friend for yielding me time, and I rise in strong support of this amendment. I want to thank the gentleman from Virginia (Chairman WOLF) for accepting it in advance because it is a very important amendment.

Let me make two very brief points. The Convention against Torture could not be more clear in proscribing any kind of torture. It is never acceptable. The United States is a signatory and has ratified that convention, and that includes, as the gentleman from Massachusetts (Mr. MARKEY) pointed out, the outsourcing of torture, and I think his amendment is very, very important. It comes at a very important time.

Let me also make the point, too, that next Thursday I will be holding a hearing on the victims of torture. I have written three laws on torture, The Torture Victims Relief Act, as it is called, and two reauthorizations over the last several years, and during the course of hearings that we have held, and we have one set for next Thursday in my subcommittee, we heard from people who actually suffered, the psychological scars that they bear, the posttraumatic stress, the sleepless nights that they endure because they have had to endure severe torture.

We want absolutely no part of torture in any manifestation. This amendment makes it very clear. This is already law. This makes it very clear that there is an absolute bright line of demarcation between interrogation methods that are real, that are listed, that are ethical and those that cross that line.

So I want to thank the gentleman for offering his amendment.

Mr. MARKEY. Mr. Chairman, I thank the gentleman, and I yield 30 seconds to the gentleman from West Virginia (Mr. MOLLOHAN).

Mr. MOLLOHAN. Mr. Chairman, I rise in strong support of this amendment. If we look at it clearly, it is only an affirmation of current law, but I think in the environment in which we are operating, with some of the revelations that are coming out about America's policy with regard to the treatment of incarcerated persons, it is really important to affirm current law.

We are identifying and pointing out and prosecuting very low-level people in the military with regard to certain transgressions, and I think it is particularly important to affirm to the whole chain of command, right up to the very top, that our laws with regard to incarceration are to be obeyed.

Mr. MARKEY. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, America's treatment of prisoners over the last several years speaks poorly, and that is an understatement, to our national integrity.

Since 9/11, prisoners have been tortured in Iraq, Afghanistan, Guantanamo Bay, and considering the widespread use of torture, no one can claim that these are isolated incidents, that it is merely the work of a few bad apples.

At a time when the United States is courting the support of the international world, particularly the Arab world, the torture of foreign prisoners gives the world's extremists and Iraqi insurgents what they believe to be a reason to hate the United States. There has been no better recruiting tool for al Qaeda than our attacking Iraq in the first place and the events at Abu Ghraib in the second place.

Mr. Chairman, there is a better way to conduct foreign policy. I urge all of my colleagues to support the Markey amendment and to end the use of torture by the United States.

Mr. MARKEY. Mr. Chairman, I yield myself the remaining time.

I urge the House to embrace this amendment unanimously. It is wrong for the political, military and moral leader of the world to be taking prisoners which we have captured, putting them on planes, blindfolding them, drugging them and sending them to Syria, sending them to Uzbekistan, with the sure and certain knowledge that those prisoners are going to be tortured by countries that have already been condemned by the United States for those practices. That is wrong. It undermines our position in the world. It gives al Qaeda more ammunition to put up on al Jazeera that undermines our moral leadership.

Vote ''aye'' on this very important amendment.

The amendment I am offering today simply reaffirms the U.S. commitment to the Convention Against Torture by prohibiting the use of funds in contravention of laws and regulations promulgated to implement the Convention Against Torture. The U.S. signed this treaty under President Reagan, and the Senate ratified it in 1994.

The House voted overwhelmingly to approve an identical amendment that I offered to the Emergency Supplemental Appropriations bill on March 16, 2005 by a vote of 420 to 2. That amendment, however, only applied to funds appropriated in the Emergency Supplemental. The amendment I am offering today would apply to all funds appropriated for fiscal year 2006 to the Departments of State and Justice.

I am offering this amendment today because despite our commitments under this treaty and the statements made by the Administration emphasizing that the U.S. is emphatically and unambiguously against the use of torture, reports keep growing of the U.S. sending detainees to countries where they are likely to face torture, including to countries notorious for human rights violations. This practice, known as ''Extraordinary Rendition,'' amounts to nothing more than Outsourcing Torture.

In order to meet its obligations under the Convention Against Torture, the Administration has been engaging in a piece of legalistic fiction. It obtains ''diplomatic assurances'' that the transferred detainee will not be tortured, and then based on these assurances it argues that our obligation under the Convention Against Torture has been satisfied because there is no longer a substantial likelihood that the person we are sending to one of these known torturing countries will, in fact, be tortured.

This is a sham. If Uzbekistan, a country that has actually boiled prisoners to death says they will not torture a prisoner, can we believe them? If Syria, a country that Secretary Rice says we cannot trust, says they won't torture—can we believe them?

Syria has broken off all relations with U.S. military and CIA. What does this mean for the ''diplomatic assurances'' we received from Syria?

Here is what the State Department's annual human rights report says about Syria's methods of interrogation:

> administering electrical shocks, pulling out fingernails, forcing objects into the rectum, . . .

In Uzbekistan, hundreds of protesters were recently killed under the corrupt regime of President Karimov in what human rights groups are calling a massacre.

Last year former Secretary of State Colin Powell refused to certify that Uzbekistan had met its human rights obligations. Why?

Because the State Department found that Uzbekistan used the following interrogation techniques:—''suffocation, electric shock, rape, beatings, and boiling prisoners to death . . .''

The amendment I am offering today prohibits the use of any funds included in this bill to the contravention of our legal obligations under the Convention Against Torture, U.S. Law, and regulation. While I would have liked to include language barring the use of diplomatic assurances as the basis for renditions, I have not done so today, out of recognition that such an amendment would go beyond the scope of this bill and constitute new legislation. But what we can do today is take another step by having the U.S. Congress reaffirm that it does not support or condone torture, or rendition to countries likely to torture an individual.

Throughout United States history we have encountered and defeated brutal enemies, inhumane and monstrous dictators and met with hideous violence. We take pride that even as our Nation fought for its survival against the Nazis and the Japanese Empire during World War II, that we did not ask our ''Greatest Generation'' to engage in torture or other war crimes. The legacy of the U.S. then, and now, is that we uphold our commitment to justice in the face of shadows of terror and war. The test of a nation is found as much in how it wages war as how it promotes the values of peace and democracy. That is what we must to today.

I urge you to vote ''yes'' on this amendment, and say ''no'' to torture.

The Acting CHAIRMAN (Mr. GILLMOR). The question is on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Mr. MARKEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY) will be postponed.

AMENDMENT NO. 19 OFFERED BY MR. TANCREDO

Mr. TANCREDO. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 19 offered by Mr. TANCREDO:

At the end of the bill, insert after the last section (preceding the short title) the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. ____. None of the funds made available in this Act for the State Criminal Alien Assistance Program under the heading ''DEPARTMENT OF JUSTICE—OFFICE OF JUSTICE PROGRAMS—STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE'' may be used in contravention of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373).

The Acting CHAIRMAN. Pursuant to the order of the House of June 14, the gentleman from Colorado (Mr. TANCREDO) and the gentleman from West Virginia (Mr. MOLLOHAN) each will control 5 minutes.

The Chair recognizes the gentleman from Colorado (Mr. TANCREDO).

Mr. TANCREDO. Mr. Chairman, I yield myself such time as I may consume.

Dozens of American cities, major cities, have policies that tie the hands of police officers to cooperate with immigration enforcement agents. The cities include Houston, Los Angeles, Chicago, San Francisco, Denver, Boston, Portland and Seattle.

Cities that have such policies extend to their jails as well. Often jails do not identify or report illegal aliens to ICE, these illegal aliens that have been incarcerated, so they are released back into the community after serving a sentence for a minor crime. These policies, I have pointed out in the past, violate Federal law.

It is especially galling, however, that local governments who have these illegal policies and practices do not hesitate then to seek and receive Federal reimbursement for the costs of incarcerating illegal aliens, aliens they refuse to turn over to ICE for deportation. They take the money and then turn the folks loose.

In 2004, the Federal State Criminal Alien Assistance program, or SCAAP, gave awards totaling $300 million to States and counties in reimbursements for housing illegal aliens. Yesterday, or the day before, we added another $50 million to the amount that was being appropriated for that purpose, and I voted for the amendment.

In Los Angeles in 2003, over 30,000 criminal aliens were released from the county jail and not deported.

In Denver in 2004, the city-county jail asked for reimbursement for over 1,900 illegal aliens, but only turned over the names of 175 to Immigration Customs Enforcement.

It is amazing that Denver alone sent the Federal Government a bill for over 1,900 people they have incarcerated for committing other kinds of crimes, besides the fact they are here illegally; yet, when it came to turning those names over to ICE, they refused to do so, or turned over only 175, again as a result, I think, to a large extent, of these things we call sanctuary policy.

Why should Denver or Los Angeles be asking for Federal taxpayer dollars to reimburse their costs of housing illegal aliens but then refuse to turn those names over to ICE for deportation?

There are real human consequences to these ''don't ask, don't tell'' policies. From 1995 to 1999, the INS released over 35,000 criminals who were not deported. Over 11,000 of them, almost 30 percent, went on to commit other crimes, and 2,000 committed violent crimes.

In Denver last month, on Mother's Day, a police officer was shot and killed and a second officer critically wounded by an illegal alien who has now been arrested in Mexico. He had been stopped twice by the Denver police for driving without a license and had appeared in municipal court twice. In April, less than 1 month before the shooting, this man was in court with a Mexican driver's license; yet no one asked him about his immigration status because of Denver's sanctuary policy.

In July of 2004, a young man was riding his motorcycle in north Denver. He was struck and killed by a hit-and-run driver. The driver has been arrested. He has been arrested and is in jail awaiting trial. He is an illegal alien. He had six prior arrests, but was released every time because the offenses were ''minor.'' Never, of course, was he reported to the Department of Immigration and Customs Enforcement. So they are free to commit other crimes.

This policy is insane, responsible for thousands of major crimes that could have been prevented.

One ICE agent told me recently that when he was doing routine checks in jail bookings in a major city, routine checks that are no longer done, by the way, 25 percent of all the files he looked at were of illegal aliens eligible for deportation. That means we could possibly reduce crime rates significantly by detaining and deporting illegal alien criminals who are already in local jails, but instead, the revolving-door sanctuary policies allow them to go free over and over again.

Today, over 1 year and several meetings with these agencies later, the answer appears to be that nothing will happen. The chairman of the committee graciously allowed for us to meet with several of the agencies involved with Justice and Homeland Security. We were to have heard from them as to exactly how they were going to enforce the law that is already on the books, but their answer is, of course, silence, and it is deafening.

Mr. Chairman, we as a Nation need to get serious about deporting criminal aliens, and we as a Congress need to get serious about requiring the agencies to comply with the law.

My amendment does not make any new laws or create any new penalty or change any laws on the books. It merely requires the Federal administration to comply with the Federal law, and I hope my colleagues will support the amendment.

Mr. MOLLOHAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the gentleman probably does not intend his amendment and argument to be thus, but I am afraid he is burgeoning on local police force bashing here.

He makes statements like, they take the money and let the aliens go. Well, in fact, by the gentleman's own statistics that he cites, local law enforcement does turn over illegal aliens at some percentage of those that they arrest and identify, and I assume that they turn over a very large percentage of those that they identify. I have not looked closely at that question, but in any regard, it is clear they are participating in this process with the Federal Government of identifying and turning over some illegal aliens.

I would suggest to the gentleman that local law enforcement, first of all, are not trained to do this mission. We have a Federal police force. We have Federal agents that are trained to perform this mission.

Local law enforcement have a little different mission. They are in the business of trying to maintain stability in neighborhoods, and are particularly trained in identifying criminals in neighborhoods, which is a full-time job.

While this is not my constituency, I can imagine in talking to my colleagues who do represent constituencies that have sizeable numbers of newly arrived immigrants, that it is a particularly difficult job to operate in those communities effectively if the policemen are seen as reporters on or, if you will, tattle-talers on the people who live in that community.

□ 1230

I can see where it would dry up information about what is going on and have the opposite effect of what we are trying to achieve with the COPS program. We are trying to establish relationships with the local community so we can help the local police force maintain stability and keep down crime in those local communities.

So for that reason, I think this is an ill-advised amendment. We do not give local police forces responsibilities of the Federal Government, unless we train them to do that and they freely take on that mission and unless we give them additional resources to fulfill that mission.

So first of all, local police have to agree to do what the gentleman is suggesting, go out and perform the Federal mission; and, secondly, if we are going to ask them to take on this Federal mandate, it seems to me we ought to give it to them not on an unfunded basis, but we should give them additional resources to perform that mission, if they would voluntarily accept it.

Mr. Chairman, as I have outlined, I am strongly opposed to the Tancredo amendment.

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

The Acting CHAIRMAN (Mr. GILLMOR). The time of the gentleman from Colorado (Mr. TANCREDO) has expired. Does the gentleman from West Virginia yield back?

Mr. MOLLOHAN. Mr. Chairman, I yield the balance of my time to the distinguished gentleman from New York (Mr. SERRANO).

The Acting CHAIRMAN. The gentleman from New York (Mr. SERRANO) is recognized for 2 minutes, the balance of time of the gentleman from West Virginia (Mr. MOLLOHAN).

Mr. SERRANO. Mr. Chairman, I rise in strong opposition to the amendment. The irony of this amendment would be amusing if its implications were not so serious. On one hand, we are providing SCAAP funding to help our States and localities incarcerate criminal aliens that pose a danger to our communities; yet, on the other hand, the gentleman's amendment would make it harder for our State and local law enforcement agencies to catch criminals in the first place.

Many law enforcement agencies have carefully built a relationship of trust with their immigrant communities over the years. If we were to damage this trust by confusing a State's law enforcement roles with Federal immigration enforcement roles, we would be hampering the ability of our police departments to perform their primary function: protecting communities from crime.

That is why police departments in our districts do not want this amendment. The amendment would have a chilling effect on immigrants' willingness to report crimes and cooperate with government overall, because immigrants are less likely to come forward with tips or to testify as witnesses if doing so could lead to deportation or other adverse consequences.

The effects of the amendment would be devastating. Law enforcement agencies, whether performing counterterrorism or other public safety functions, must rely on cooperation from immigrant communities to operate effectively. Furthermore, the harm of this amendment would extend beyond law enforcement. Public health could be

harmed if, out of fear of being reported to the INS, immigrants were reluctant to make use of State and local services.

For instance, I imagine many communities throughout the Nation consider it in the best interest of all of its residents, documented or not, to ensure that everyone gets a vaccine shot for their children from city hospitals. If an undocumented person were presented a choice between deportation and risking illness, I am sure that person would make a choice that is not in the best interest of the community.

In closing, please understand law enforcement gets information and wants information from the immigrant community. If they now become Federal immigration officers, that information will not be forthcoming.

The Acting CHAIRMAN. All time for debate has expired. The question is on the amendment offered by the gentleman from Colorado (Mr. TANCREDO).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. TANCREDO. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado (Mr. TANCREDO) will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. CLEAVER

Mr. CLEAVER. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. CLEAVER: Page 108, after line 7, insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available by this Act may be used to process or approve a competition under Office of Management and Budget Circular A–76 for services provided by the National Logistics Support Center of the National Oceanic and Atmospheric Administration in Kansas City, Missouri.

The Acting CHAIRMAN. Pursuant to the order of the House of June 14, the gentleman from Missouri (Mr. CLEAVER) and a Member opposed each will control 7½ minutes.

The Chair recognizes the gentleman from Missouri (Mr. CLEAVER).

Mr. CLEAVER. Mr. Chairman, I yield myself such time as I may consume.

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

Mr. CLEAVER. Mr. Chairman, let me begin by thanking the gentlemen from Virginia and West Virginia. They have both been very easy to work with.

Mr. Chairman, the amendment I am offering with my good friend and colleague, the gentleman from Missouri (Mr. SKELTON), is a very simple amendment. It would simply prohibit any funds appropriated under the bill from being used to carry out an A–76 privatization review of 25 employees at the National Oceanic and Atmospheric Administration's National Logistics Supply Center, known as the NLSC, in Kansas City, Missouri.

Our amendment does not require Members to vote on the A–76 issue overall; rather, it simply asks that our colleagues take a stand against this particular A–76 review. The NLSC's A–76 was begun in order to achieve a quota established by OMB that Congress subsequently prohibited. That fact was outlined in a June 2002 NOAA memorandum. No other rationale other than this quota was given to justify targeting the NLSC for an A–76 review. Even after OMB repudiated privatization quotas, the NLSC A–76 went forward.

Additionally, the review seemingly ignores the inherently competitive nature of the NLSC. There is no requirement that any agency use this service; rather, agencies decide on their own whether or not to use the NLSC. The NLSC competes every day to sell its services to agencies. It has been the recipient of multiple service awards, and it has reduced its response time to 2 days and raised its accuracy rates to 99 percent.

Finally, let me just say that the trouble that I have with this, that I hope every Member of Congress will have, is that we have spent over $1 million hiring consultants to study 25 employees. That turns out to be $41,000 per employee, more than many of them earn.

In April of this year, I, along with the gentleman from Missouri (Mr. SKELTON), Senators BOND and TALENT, wrote the Department of Commerce urging Secretary Gutierrez to bring this privatization review to an end. However, despite this bipartisan support and the clear reasons for stopping this review, the Department of Commerce moved ahead.

Let me be clear, Mr. Chairman. This amendment does not address even slightly the overall issue of contracting out Federal jobs.

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

Mr. WOLF. Mr. Chairman, I claim time in opposition to the gentleman's amendment, and I yield myself such time as I may consume.

I rise in opposition to the gentleman's amendment to prohibit funds for a competitive sourcing study. We had asked the gentleman to consider withdrawing the amendment. We would have a meeting with the Weather Bureau and really do everything we could. But for the Congress to interfere and do something like this, would be unprecedented.

I understand that NOAA first announced this particular cost competition in 2003. NOAA recently canceled the competition to ensure that the statement of work is comprehensive and plans to reannounce the study shortly. These competitions are conducted pursuant to the Competitive Sourcing Initiative in the President's Management Agenda, and NOAA supports the competition.

Though I understand the gentleman's concerns and have no preconceived notion as to the outcome of the study, I believe we cannot have the Congress on every A–76 proposal coming down and stopping it.

I see the gentleman from Virginia is here, the chairman of the committee.

Mr. Chairman, I yield such time as he may consume to the gentleman from Virginia (Mr. TOM DAVIS).

Mr. TOM DAVIS of Virginia. Mr. Chairman, I too understand the gentleman's concern on particular employees. The difficulty here is if the Congress starts coming out with each and every single group trying to protect this group or the other from competitive sourcing, we lose basically one of the best tools the executive branch has to make it run more efficiently.

Federal employees win 70 percent of the A–76 competitions at this point. But in almost every case, even when they have won, they have retooled themselves and made themselves more efficient than when they started. And to cherrypick one group or another, I think we will have every Member coming to the floor trying to protect this group or the other group, and the whole thing falls apart. And if that happens, the Federal executive branch loses its major tool in trying to become more efficient and saving the taxpayers' dollars.

I do not know anything about the specifics of this one, but I know from a committee perspective we have tried to look at this, we have tried to give Federal employees appeals rights now, so that if they lose it that they can have appeals rights and things they have not had in the past. We have tried to give them protections.

But, Mr. Chairman, I would also join the gentleman from Virginia (Mr. WOLF) in opposing this amendment, and urge my colleagues to do likewise.

Mr. WOLF. Mr. Chairman, I yield myself such time as I may consume just to say again, for the Congress to be voting on each and every procurement issue like this, it would just never end. So I reluctantly oppose the amendment.

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

Mr. CLEAVER. Mr. Chairman, I ask how much time remains.

The CHAIRMAN. The gentleman from Missouri (Mr. CLEAVER) has 5 minutes remaining.

Mr. CLEAVER. Mr. Chairman, I yield 1 minute to the gentleman from West Virginia (Mr. MOLLOHAN).

Mr. MOLLOHAN. Mr. Chairman, I rise in strong support of the amendment; and I certainly understand the reasons for the opposition of the chairman, the gentleman from Virginia (Mr. WOLF), and the gentleman from Virginia (Mr. TOM DAVIS) as well. If every one of these studies were challenged in this way, then it would be a lot of activity on these A–76 privatization reviews in the United States Congress.

But not every one is, and those that are particularly egregious, I think,

need to be brought to the floor. The gentleman from Missouri has done that today, and I compliment him for that. The gentleman from Missouri (Mr. CLEAVER) makes the case that is being made by his constituents in Missouri, in addition to the Members from the other side of the Capitol, who are also supportive of his position.

Just understand that the National Logistics Support Center is a particularly fine organization, and this review is being undertaken for only one reason. It is because management has been ordered to hit a particular numerical privatization number. That is it. That is how arbitrary it is. It has nothing to do with the organization itself. This organization has won tremendous awards. It does not merit privatization, and I think it would be inefficient to do so.

Mr. Chairman, I thank the gentleman for allowing me to rise in support of his amendment.

Mr. WOLF. Mr. Chairman, I yield the balance of my time to the gentleman from Virginia (Mr. TOM DAVIS).

Mr. TOM DAVIS of Virginia. Mr. Chairman, just a couple of things. First of all, to my friends here, I understand their concern. I tell them that I do not know anything about this particular office. But it is not privatization; it is competitive sourcing. Basically, this allows the government sector to compete with the private sector to see how we can deliver a service to taxpayers the most efficiently.

The government wins 70 percent of these competitions, but in most cases ends up being more efficient as a result of that. They are able to retool their organizations and do things that, without the competition, the marketplace would probably not be incentivized to do.

Secondly, there are no numerical quotas or figures. In fact, Congress took those out several years ago when this administration set targeted figures in terms of the amounts of competitive sourcing they wanted to do under OMB Circular A–76. So that should not be part of this. It is not legal to be doing this, and I hope that is not driving it in this case.

But, again, for Congress to come back and cherrypick different segments and say, this is exempt, and this is exempt, basically destroys the whole system. And once again, although I am sympathetic with where the gentleman wants to go on this, I think there are other ways to accomplish it rather than coming to Congress. I think this will encourage everybody to offer these kinds of amendments, and we will lose one of the greatest tools we have toward government efficiency, and I would urge the amendment be defeated.

Mr. CLEAVER. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri (Mr. SKELTON).

Mr. SKELTON. Mr. Chairman, if the gentleman from Virginia will yield for a colloquy, I fully understand, as the gentleman knows I am a co-sponsor of this amendment with the other gentleman from Missouri, and I think there are several good reasons for it and that the economics of the case would compel that this proceed and that the amendment be adopted.

As I understand it, the chairman, and we also heard from the gentleman from Virginia (Mr. TOM DAVIS) a few moments ago, would be willing to work on this, because this is an exceptional situation. I think the gentleman from Virginia, the chairman, recognizes that.

What would the chairman be willing to do to see that this gets a fair shake? Because we have 25 employees out there that are doing such a magnificent job, I just hate to see them go down the drain when, truth in fact, it just should not happen.

□ 1245

If there was ever an amendment that ought to be adopted, but I understand the gentleman's position because you would have 15 dozen of these amendments coming up here every time this bill is brought up, but would you tell the gentleman from Missouri (Mr. CLEAVER) what you are willing to do.

Mr. WOLF. Mr. Chairman, will the gentleman yield?

Mr. SKELTON. I yield to the gentleman from Virginia.

Mr. WOLF. Mr. Chairman, we would be glad to work with the gentleman from Virginia (Chairman TOM DAVIS), too. The chairman of the committee has jurisdiction. We could have a meeting, the gentleman could bring the representative of the group out there, and we would try to make sure that this is done appropriately. We would do everything we possibly can.

This concern is if we did every one of these on the floor, and if we did one for the gentleman, there are probably 15 Members that would then come forward and say, Why did I not have an opportunity? I give my word, we would work in good faith.

Mr. TOM DAVIS of Virginia. Mr. Chairman, will the gentleman yield?

Mr. SKELTON. I yield to the gentleman from Virginia.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I think the gentleman makes a strong case for this particular item. I would be happy to work with the gentleman as well in my position as chairman of the Committee on Government Reform to make sure that these employees are fully protected as we move forward on this and given the benefit of the doubt.

Mr. CLEAVER. Mr. Chairman, I ask unanimous consent to withdraw my amendment, and express appreciation to both gentlemen from Virginia, and look forward to working with them.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT NO. 18 OFFERED BY MR. TANCREDO

Mr. TANCREDO. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 18 offered by Mr. TANCREDO:

Page 108, after line 7, insert the following:

TITLE VIII—ADDITIONAL PROVISIONS

SEC. 801. None of the funds appropriated or otherwise made available in this Act may be used to include in any bilateral or multilateral trade agreement any provision that would—

(1) increase any limitation on the number of aliens authorized to enter the United States as a nonimmigrant, or to adjust to such status; or

(2) increase any limitation on the number of aliens authorized to enter the United States as an alien lawfully admitted for permanent residence, or to adjust to such status.

The CHAIRMAN. Pursuant to the order of the House of June 14, the gentleman from Colorado (Mr. TANCREDO) and the gentleman from California (Mr. THOMAS) each will control 5 minutes.

The Chair recognizes the gentleman from Colorado (Mr. TANCREDO).

Mr. TANCREDO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as a result of a peculiar event arising out of the inclusion of immigration provisions in the Singapore and Chile fast track trade bills of last year, I have decided to offer this amendment that would restrict the use of funds in the bill to include in any provision in any bilateral or multilateral trade agreements that would increase the number of aliens authorized to enter the United States as an immigrant or nonimmigrant.

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

Mr. THOMAS. Mr. Chairman, I yield myself 2½ minutes.

Mr. Chairman, except for the provision of the limitation of funds which has become a gimmick to avoid the committees of jurisdiction, this particular piece of legislation would land right smack right in the middle of the Committee on Ways and Means in terms of international trade.

There are two reasons to oppose the amendment. The gentleman from Colorado (Mr. TANCREDO) indicated that he was concerned about content in the Singapore and Chile free trade agreements. Had he consulted the chairman of the committee of jurisdiction, he would have found out that we had entered into significant negotiations with the United States Trade Representative, and that they fully appreciate the fact that there will be no temporary provisions in any additional bilateral bills. They have expressly stated this in side letters accompanying various agreements. In addition, the United States Trade Representative has committed to the committee of jurisdiction that it will not deal with any issues related to temporary entry without extensive consultation with Congress and the appropriate committees.

The second reason to oppose this amendment is because as we speak, the United States is attempting to negotiate the Doha Round, especially in the

area of market access for U.S. goods, services and agricultural products in emerging markets. The United States was principally responsible for making sure the Doha Round went forward.

A provision of the market access, or so-called GATS Mode 4, involves the discussion in negotiation over temporary movement of business personnel. If this amendment were to pass, we would be fundamentally and substantively undermining the United States in its attempts to negotiate agreements favorable to the United States in terms of market access.

The chairman of the Committee on Ways and Means would have appreciated knowing that this amendment was coming because of these two vital pieces of information: One, it is not necessary. We have taken steps to ensure it does not happen. And, two, an expression of undermining the United States as it attempts to negotiate through the World Trade Organization fundamental agreements beneficial to the United States makes no sense whatever.

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

Mr. TANCREDO. Mr. Chairman, I yield myself 30 seconds.

Of course, this amendment was printed in the CONGRESSIONAL RECORD 4 days ago. I assume that was an indication of our intent to offer it. I am pleased also to hear, as the chairman has indicated, that arrangements have been discussed about this, and there have been promises made that none of this kind of thing will come forward. Of course, if that is the case, this amendment should not provide a problem for anyone. We should simply make sure that we put in place the rule that Congress determines our immigration policy. We did not give that up with TPA.

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

Mr. THOMAS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, having to search through the CONGRESSIONAL RECORD to discover that someone is meddling in another committee's jurisdiction is probably not the best way to make sure that the United States passes laws that are in the interest of the United States.

Mr. Chairman, I yield 1 minute to the gentleman from West Virginia (Mr. MOLLOHAN).

Mr. MOLLOHAN. Mr. Chairman, I rise in strong opposition to the Tancredo amendment. Let me first say that I take a back seat to no one in being concerned about the effects of the internationalization of our economy. I represent the steel industry and other basic industries that have been disadvantaged in this whole process terribly, and we have been concerned about the inadequacy of trade agreements as they do not protect these industries during the short term.

The first thing I want to say about the Tancredo amendment, is that this is a particularly bad vehicle to make the kind of decisions that this amendment is trying to make. This is an appropriations bill. This is for the Committee on Ways and Means, to do, and not to try to slip into an appropriations bill.

Second, this amendment addresses legal immigration. If there is anything we need to do, it is to be able to debate and discuss and compromise on how we deal with legal immigration, not to limit it on an appropriation bill.

Finally, Mr. Chairman, there are skills that we need in this country, and we have to be very careful about how we might impact our ability to access those skills through this kind of a process.

Mr. TANCREDO. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, the gentleman mentions the need to debate. I absolutely believe in the need to debate these issues, especially immigration issues. But when they get wrapped up into trade agreements, we cannot. That is the purpose of my amendment, to ensure that debate stays in this Congress where it belongs, not in the negotiations between trading partners.

It is the unique responsibility of the Congress of the United States to establish immigration procedures. It is not something that we should cede over to our trade negotiators.

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

Mr. THOMAS. Mr. Chairman, I yield myself 15 seconds.

Mr. Chairman, we just voted in committee on the question of a trade agreement with the Central America free trade region. It is extensively debated, it is discussed by the committees of jurisdiction, and the administration has to listen to what Congress has to say. It is entirely appropriate that it be done through the appropriate committees.

Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. SHAW), the chairman of the Subcommittee on Trade.

Mr. SHAW. Mr. Chairman, this amendment does not just apply to these trade agreements. The amendment would prevent the use of the funds by State, Justice, Commerce and related agencies for any negotiations that would have the effect of increasing immigration.

The amendment is unnecessary. The U.S. Trade Representative, as we have already heard, has long recognized that trade agreements are not the appropriate forum to negotiate provisions regarding permanent immigration.

In addition, the U.S. Trade Representative has confirmed with the Committee on the Judiciary that it will refrain from negotiating any immigration provisions in any trade agreement negotiated since implementation of the Singapore and Chile agreements, including the agreement in the World Trade Organization.

This amendment would send a very negative signal to our trading partners about the United States' commitment to seeking liberalization in goods, agricultural services in the Doha Round. At a time when the services sector accounts for 8 out of 10 U.S. jobs and roughly 30 percent of U.S. exports, we have much to gain from these negotiations. Let us not tie the hands of those negotiating for the United States.

Mr. TANCREDO. Mr. Chairman, I yield myself 15 seconds.

Mr. Chairman, the fact is if there is an agreement made, and Members feel secure in the fact that there are never going to be any immigration provisions in a trade agreement, then no Member should be concerned about my amendment. We should allow it to pass in order to establish that as the will of Congress.

Mr. THOMAS. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I will repeat the second point I made. We are currently in delicate negotiations in the World Trade Organization on market access, and one of the provisions is the question of temporary movement of legal aliens; not that it will be done, but that it is being discussed.

The gentleman's amendment will pull the rug out from the United States. The amendment will have significant effects, and it should not pass.

Mr. TANCREDO. Mr. Chairman, I yield myself the balance of my time.

If it would have significant effect, then I am even more sure we need to pass it, because, of course, we have to make sure that this is something that the Congress deals with, not trade representatives.

It happened last year when the trade agreements with Chile and Singapore came to the floor. A number of Democrats joined with me in expressing their concern about that. I remember particularly the gentlewoman from Texas (Ms. JACKSON-LEE) who came down and was furious about the fact that these trade agreements included immigration provisions.

Well, I would respectfully request, just remember your words because they are true. It is an example of the fact that we do have something to fear that this amendment is being opposed to the extent it is by the chairman and others. The fact is if they are fearful of what this amendment might do, then we have to pass it.

I supported fast track authority for the President when it passed the House and have supported a number of trade agreements that have come before this body. It is not the issue of trade that we are debating here. It is also not the issue of whether or not service agreements should be dealt with, because service agreements, that is just a euphemism for immigration provisions that are identified mostly by certain categories that mean essentially guest worker provisions. We have that. It is in the law. Congress establishes the number of people that will be allowed into this country for the purpose of providing services. That should be

something we decide. It should not be a part of these agreements.

They come to us after the discussions. Even in committees, they come to the floor, and Members know what happens; it is either we take it or leave it. We cannot amend it. That is the concern that we have.

Whether or not we agree with immigration caps, issues that should be debated openly and talked about openly are immigration, who has the responsibility for establishing immigration law? As I say, it is the Congress of the United States. It has nothing to do with people who are negotiating our trade arrangements. That is something that is important for us to understand. It is a peculiar aspect of these trade arrangements that, as I say, has only happened in the last few years. But I fear that the past is prologue, and that is exactly where we are going with these things. They will attempt to obfuscate, and it will not be all that clear that they are in there, but they will be in there. They will be in there as service agreements, as the chairman has indicated.

□ 1300

Does that even raise a red flag with regard to immigration policy? But it most certainly is immigration policy.

It is imperative, therefore, that we simply establish our control over immigration policy. Enough authority has been handed over to our trade negotiators already. When we enter into bilateral and multilateral trade policies, we also, then, of course, enter into jurisdictional issues with regard to the WTO. I am not willing to turn over my responsibility as a Congressman to the WTO for trade or for immigration issues.

I ask for an ''aye'' vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. TANCREDO).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. TANCREDO. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado (Mr. TANCREDO) will be postponed.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

At the end of the bill (preceding the short title), insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 8. ____. None of the funds made available in this Act under the heading ''OFFICE OF JUSTICE PROGRAMS—JUSTICE ASSISTANCE'' may be used by the State Authorizing Agent that has not shared, with the Attorney General, its improvement of criminal justice records as described in Section 3759 of Title 41, United States Code.

The CHAIRMAN. Pursuant to the order of the House of June 14, the gentlewoman from Texas (Ms. JACKSON-LEE) and the gentleman from Virginia (Mr. WOLF) each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is an amendment that does not violate current law, does not in any way violate any concerns that the majority would have, and I thank both the chairman and the ranking member for over the past couple of days working with me on some of the concerns I have expressed. But I particularly offer to them this amendment because it is an amendment of fairness in Federal funding that, by the way, the President of the United States extinguished, if you will, in his budget but we added back in a bipartisan way the antidrug task forces. But what we did not support in the supporting of the funding was the discriminatory treatment of the prosecutions and arrests.

I rise today in the name of the victims of Tulia and Hearne, two cities in the State of Texas symbolic of cities around the Nation with antidrug task forces who in the past have had arrest and conviction on the single testimony of one individual. The case in Tulia showed premeditated perjury, no other evidence but the word of one task force member against 15 to 30 African Americans who were ultimately destroyed, taken away from their families, prosecuted, convicted, and jailed.

This amendment speaks to the need of ensuring that there is corroborated evidence either showing the drugs, either showing video or another witness that would corroborate that this particular individual was engaged in drug usage or drug possession or drug selling. The Jackson-Lee amendment seeks to restore justice into the justice system by making the operation of federally funded State and local antidrug task forces more transparent in order to prevent nightmares such as those that occurred in Tulia, Texas. Grants to fund State and local antidrug task forces come from the Edward Byrne grants.

As a member of the House Law Enforcement Caucus, I am an ardent proponent of initiatives that strengthen and support our law enforcement, but we also need to ensure that we have the right kind of training and funding and better facilities, the same thing that I argued for as a member of the Committee on Homeland Security in supporting first responders. But we have a grant process that does not protect against the racial imbalance of the prosecutions of African Americans and other minorities.

Racial imbalance requirement restrictions: notwithstanding any other provision of law, nothing contained in this chapter shall be construed to authorize the National Institute of Justice, the Bureau of Justice Statistics, or the Law Enforcement Assistance Administration to ensure that there is fairness. We have worked on this matter with my colleagues on the Judiciary Committee, particularly the gentleman from Michigan (Mr. CONYERS).

I offer this amendment to my colleagues to say it does not violate current law; it only requires State agencies to share the ability to improve their criminal justice records to show that they are not discriminating.

Mr. Chairman. I thank the Chairman from Virginia as well as the Ranking Member, from West Virginia for their bipartisan work to produce a Unanimous Consent Agreement that made this very important amendment in order. The Jackson Lee amendment seeks to restore "justice" into the Justice system by making the operation of federally-funded state and local anti-drug task forces more transparent in order to prevent nightmares such as those that occurred in Tulia, Texas and more recently in Hearne, Texas.

Grants to fund state and local anti-drug task forces come from the "Edward Byrne Memorial State and Local Law Enforcement Assistance Programs (Byrne Program), " In Title 42 U.S.C. Subchapter V. As a member of the House Law Enforcement Caucus, I am an ardent proponent of initiatives that strengthen and support our law enforcement agencies. Furthermore, as a member of the Committee on Homeland Security, I make it a goal whenever possible to advocate for increased funding, better facilities, training, and equipment, and for improved interoperable communications for these first responders. However, with this amendment, I seek to restore the integrity, honesty, evenhandedness, and judiciousness of our law enforcement agencies.

42 U.S.C. Sec. 3789d section (b) of the "Omnibus Crime Control and Safe Streets Act of 1968," reads

(b) Racial imbalance requirement restriction

Notwithstanding any other provision of law, nothing contained in this chapter shall be construed to authorize the National Institute of Justice, the Bureau of Justice Statistics, or the Law Enforcement Assistance Administration—

(1) to require, or condition the availability or amount of a grant upon the adoption by an applicant or grantee under this chapter of a percentage ratio, quota system, or other program to achieve racial balance in any criminal justice agency; or

(2) to deny or discontinue a grant because of the refusal of an applicant or grantee under this chapter to adopt such a ratio, system, or other program.

The Jackson Lee amendment does not seek to contravene this provision of the law. Rather, the amendment does seek to hold the State and local grant recipients accountable for the manner in which they conduct their anti-drug programs.

Mr. Chairman, the type of reporting that is prescribed under my amendment is authorized in law as found in 42 U.S.C. 3782, 42 U.S.C. 3759, and 42 U.S.C. 3789e, the Byrne Program as well as 42 U.S.C. 3751 and 3753.

Section 3782 lays out the parameters of the establishment of rules, regulations, and "procedures that are necessary to the exercise" of

agency function in carrying out the provisions of Byrne. Specifically, it authorizes the promulgation of rules and regulations that ensure that the entire program has a ''high probability of improving the criminal justice system'' and is ''likely to contribute to the improvement of the criminal justice system and the reduction and prevention of crime.'' More importantly, however, the rules and regulations promulgated must help the reporting agencies determine the program's ''impact on communities and participants.'' The very negative results of the program that we saw in Tulia and Hearne, Texas clearly and unequivocally contravene these provisions, and the Jackson Lee amendment seeks to correct this problem.

Section 3789e contains a report to the President and to Congress that relates to the nature of the activities conducted under this program. The Jackson Lee amendment seeks to ensure that unethical and dishonest application of anti-drug task forces funded under this program do not slip through the cracks. Mr. Chairman, this amendment is vital to protecting the integrity and the evenhandedness of the activities funded under this program. Many years of Civil Rights jurisprudence and law have been ignored and thrown out the window when America permitted situations such as that in Tulia and Hearne to take place with impunity!

Improper and illegal operation of anti-drug task forces was the impetus for my introduction of H.R. 2620, The Law Enforcement Evidentiary Standards Improvement Act of 2005. This bill will provide much-needed oversight and accountability for the millions of federal dollars distributed to state and local law enforcement agencies to fight the drug war. Its provisions propose to minimize the injustice of erroneous arrests and convictions by (1) enhancing the evidentiary standard required to convict a person for a drug offense and (2) improving the criteria under which states hire law enforcement officers to participate in drug task forces.

In recent years, it has become clear that programs funded by the Edward Bryne Memorial Justice Assistance Grant program have borne opportunities for the abuse of the penal system, racially disparate treatment, corruption and tainting of law enforcement agencies, and the commission of civil rights abuses across the country. This is especially the case when it comes to the program's funding of hundreds of regional narcotics task forces. Operation of anti-drug task forces around the country, which has lacked state or federal oversight, has been riddled with corruption and is the root of some of America's most horrific law enforcement-related scandals.

One of the better known federally-funded anti-drug task force scandals occurred in Tulia, Texas several years ago. Fifteen percent (15%) of the African American population was arrested, prosecuted, and sentenced to decades in prison based on the uncorroborated testimony of a federally-funded undercover officer who had a record of racial impropriety in the course of enforcing the law. The Tulia defendants have since been pardoned, but these kinds of scandals continue to plague the Byrne grant program.

In fact, just a month ago, on May 11, 2005, the defendant, the District Attorney of Robertson County, in Hearne, Texas and the South Central Texas Narcotics Task Force, in a case filed by the American Civil Liberties Union on behalf of 28 African Americans, offered to settle the case after five years of litigation. This case arose from the arrest of these 28 individuals—out of 4,500 other residents of Hearne in November 2000 on charges of possession or distribution of crack cocaine. During litigation, the presiding judge was asked to dismiss the charges because they were based on evidence from an unreliable informant, as reported to the Houston Chronicle. Furthermore, reportedly, Task Force officers in the case suggested that the informant had added baking soda to narcotics recovered as evidence in one of the cases.

These scandals are not the result of a few ''bad apples'' in law enforcement; they are the result of a fundamentally flawed bureaucracy that is prone to corruption by its very structure. Byrne-funded regional anti-drug task forces are federally-funded, state managed, and locally staffed, which means they do not really have to answer to anyone. In fact, their ability to perpetuate themselves through asset forfeiture and federal funding makes them unaccountable to local taxpayers and governing bodies.

To date, fifty (52) organizations at the national, state, and local levels have signed on their support for this legislation and would support this important amendment that is consistent with its goals. Mr. Chairman, I ask that my colleagues on this very distinguished Subcommittee work with me to accept this important amendment.

I would like to thank my staff member Dana Thompson for his detailed work on this important amendment. Thank you, Dana.

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

Mr. WOLF. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is a different amendment than was printed in the RECORD. I am not even sure that it addresses the same issue. We were told we had the ability to prohibit the amendment to be offered and I did not even want to do that. We felt that whatever the outcome was, it should be. The amendment unnecessarily takes away from funds from State and local law enforcement. We just saw the amendment. I saw it 2 minutes ago, maybe it was 5 or 6 minutes ago.

We do not know the full impact of the funding prohibition. All we know is that the amendment will cut funds to fight crime. I told the gentlewoman we will continue to work with her on this issue. Just 5 minutes before, is it the same thing that the reference said it would be? Where does the language come? If my memory serves me correctly, there have been many amendments to add into that category that we have spent time here.

Because of all those reasons, not for the subject matter, but for all those reasons, I would urge a ''no'' vote on that.

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

Ms. JACKSON-LEE of Texas. Mr. Chairman, how much time is left?

The CHAIRMAN. The gentlewoman has 2 minutes remaining.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Michigan (Mr. CONYERS).

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

Mr. CONYERS. Mr. Chairman, the Jackson-Lee amendment, which is really based on the concept of no more Tulias, is one that I hope my colleagues will support. None of the funds made available in this act under the heading ''Office of Justice Programs'' may be used by a State authorizing agent that has not shared, with the Attorney General, its improvement of criminal justice records as described in section 3759 of title 42.

We remember the Tulia incident with great pain. This case arose out of Texas in which huge numbers of African Americans, 15 percent of the African American population was arrested and prosecuted and sentenced to decades in prison. This is our response to how we handle it. I urge support of our colleague from Texas, a member of the Judiciary Committee, on this amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield 20 seconds to the distinguished gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Chairman, what happened in Tulia was a true disgrace. It is not an isolated example. While most of our law enforcement officers and prosecutors do a fine job and we support them, the type of information that this amendment would gather can only be helpful to them and effective law enforcement, and will do more to protect innocent victims like those in Tulia. A gubernatorial pardon or a damage award, do not satisfy the full concerns of those who were injured in Tulia.

Mr. MOLLOHAN. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, I yield 1½ minutes to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Chairman, I rise in support of this very important amendment. This amendment would simply cause to have funds withheld for State or local antidrug task forces that do not collect and make publicly available data as to the racial distribution of convictions made as a result of their operation. This is so important. I had many of the members from Tulia, Texas, here at the Congressional Black Caucus week where we do our legislative conference. Thirty-nine of them were black. They were arrested on drug charges. There were 38 convictions, based primarily on the testimony of one informant who was later discredited. This one informant, this one man, had a record, he had a history, he lied, they came from a small town where nobody cared whether or not there was real evidence, and this was just outrageous.

The gentlewoman from Texas is absolutely correct. This information must

be made available so that we can stop this kind of misjustice and miscarriage of the law. I not only support it, I would urge my colleagues to do so.

Mr. MOLLOHAN. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Chairman, I rise to commend the gentlewoman from Texas for her leadership on this issue. I believe that getting additional information can only be helpful to the many law enforcement and prosecuting agencies that are trying to do an effective job of protecting our families.

We have had now two instances that are publicly known in Texas of prosecutorial abuse concerning the investigation and enforcement of our drug laws, and they were really outrageous examples—so outrageous that a Republican Governor pardoned all the people involved in the Tulia incident. There have also been civil damage awards. But the damage done to a family by what wrongdoing can occur is serious, and a pardon and a damage award is not enough to make up for the harm to that family.

Getting the information will help prevent these incidences from happening, allow effective law enforcement, and appropriate protection for individual rights. We must not let racism contaminate our law enforcement.

Mr. MOLLOHAN. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I would just point out that this amendment by the gentlewoman simply asks the Attorney General, the State authorizing agencies, to do what they are supposed to do under the law and to do it accurately and faithfully and that, among other things, it refers to requiring complete criminal histories, to include final disposition of arrests, the full automation of criminal justice histories and fingerprint records, the frequency and quality of the criminal history reports and the improvement of State records systems. I think it is very benign in that sense and requires States and governments to report as they are supposed to report under our laws.

For that reason, Mr. Chairman, I express my support for it.

Mr. Chairman, I yield the balance of my time to the gentlewoman from Texas (Ms. JACKSON-LEE).

The CHAIRMAN. The gentlewoman from Texas is recognized for 1½ minutes.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I would like to ask the chairman if he has any additional speakers.

Mr. WOLF. I will close.

Ms. JACKSON-LEE of Texas. Let me thank the distinguished ranking member for his review of the amendment and clarifying and making it a very direct and very simple proposition. Many years of civil rights jurisprudence law have been ignored and thrown out the window when America permitted situations such as that in Tulia and Hearne to take place with impunity.

Mr. Chairman, I am a former judge and a trained lawyer, and I have consistently worked with law enforcement across America and in my hometown and in my State. I am not here to impugn the hard work of good law enforcement officers. I just want there to be a balance between the rights of Americans and the law enforcement system and the judicial system. We cannot have a system of Federal funding that will fund antidrug task forces or other efforts that are not complying with the law, submitting cases that, in fact, have evidence, corroborating evidence, have video, have another witness, have the drugs that person is alleged to have actually had in their possession.

This simply requires agencies receiving Federal funds in law enforcement instances to improve their criminal justice record and to acknowledge that it is unfair to discriminate and prosecute one race, one community, one city, one rural area. I know we can do this in a bipartisan way, and I ask my colleagues to support this amendment.

Mr. WOLF. Mr. Chairman, I yield myself the balance of my time.

I urge a ''no'' vote on this. The gentlewoman probably would have been prohibited from offering the amendment. We said fine. The amendment was changed. In fact, the title was there and then the amendment changed. I do not think anybody truly here knows, I do not care where they went to law school, what it truly does and what it truly means.

□ 1315

They could have gone to UVA, Georgetown, Harvard, or Timbuktu.

Secondly, if I could have the gentlewoman's attention, I offered to her to let us sit down and talk about this. Nobody is opposing necessarily what she is trying to do. Let us sit down. Let us talk about it. Let us work it. No, we are going to go ahead and do it.

So this institution has to have some definition, or else we just take any amendment that comes along.

So all the amendments, I counted them up. The gentleman from Washington wanted to take money from the bill to put it in State and local law enforcement. This takes money from State and local law enforcement and puts it somewhere else. The gentleman from Nebraska (Mr. TERRY) wanted to take money from the rest of the bill and put it into State and local law enforcement. This takes it from State and local law enforcement and puts it somewhere else. The gentleman from Iowa (Mr. BOSWELL) wanted to take money from another part of the bill, and God bless him, he had a good amendment, and put it in State and local law enforcement. This takes it from State and local law enforcement and puts it somewhere else; for what, we are not even sure. The gentleman from New Jersey (Mr. GARRETT) wanted to take money from the rest of the bill to put it where? In State and local law enforcement. This takes money from State and local law enforcement and puts it not even completely where people even know it is. The gentleman from New York (Mr. WEINER) had a great debate here. I think he wanted to take $126 million from NSF to put it in State and local law enforcement. This takes money from State and local law enforcement and puts it somewhere else. The beat goes on. The beat goes on.

So, because not knowing what this does, we are going to go ahead and oppose this. I just think if Members want to vote on something they do not understand, I think they ought to come down here and vote on something that they do not understand. I think that is part of their right to being here, but I do not understand it.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

Mr. WOLF. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, first of all, the gentleman is correct that he has worked with many Members, including myself, and he is correct on that. I respectfully say that he is incorrect, and we thank him for allowing the amendment to go forward, but we worked not to not have a point of order, and the amendment is not changed from what it was previously. It just clarifies it so it would not be subject to a point of order, and all it does is ask for a reporting of these records to ensure fairness.

And I would love to work with the distinguished gentleman. I hope we can work together because he has been fair, and I want the RECORD to show that. But this is hurting the hearts and minds of constituents across America. And I know we have good law enforcement, and I know the States would not be offended, nor would they be burdened by simply reporting this information. I ask the gentleman to understand that there was no offense intended, and I thank him for the kindness he has shown, but this is an important issue.

Mr. WOLF. Mr. Chairman, reclaiming my time, if we offered to work with the gentlewoman to resolve the issue, I think, from where I come from, that resolves the issue. But she has offered something that we do not even know what it does. It takes funds from an area that everyone else is saying they do not want to take it from, I am having a hard time understanding what that precisely means.

And I would say we could get both of these amendments in different versions and send them to Georgetown Law School or UVA Law School or George Mason Law School and see if they think there is any change. I understand we offered to work with her. I thought that was really the right thing to do.

With that I urge a ''no'' vote on an amendment that I am not sure what it does.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE).

The question was taken; and the Chairman announced that the noes appeared to have it.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE) will be postponed.

AMENDMENT OFFERED BY MR. MORAN OF VIRGINIA

Mr. MORAN of Virginia. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. MORAN of Virginia:

At the end of the bill (before the short title), insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

LIMITATION ON USE OF FUNDS TO LICENSE EXPORT OF CENTERFIRE 50 CALIBER RIFLES

SEC. 801. None of the funds made available in this Act may be used to pay administrative expenses or compensate an officer or employee of the United States in connection with licensing the export of a nonautomatic or semiautomatic rifle capable of firing a center-fire cartridge in 50 caliber, .50 BMG caliber, any other variant of 50 caliber, or any metric equivalent of such calibers, to any nongovernmental entity.

The CHAIRMAN. Pursuant to the order of the House of June 14, the gentleman from Virginia (Mr. MORAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, I yield myself such time as I may consume.

I rise today to offer an amendment that would strengthen current State Department policy regarding the export of .50-caliber sniper rifles. Under this amendment only official government entities would be allowed to purchase these weapons through the export process. The language of the amendment would simply prevent export to any nongovernmental entity; in other words, the arms dealers that bought 25 of them for al Qaeda and the representatives of the IRA and the KLA.

The .50-caliber sniper rifle is in a class by itself. A weapon of war, the Army Handbook on Urban Combat states that the .50-caliber was designed to attack both fuel tanks and other impenetrable targets. It is considered able to penetrate all but the heaviest shielding material from up to a mile away.

This high-powered antimateriel weapon has even been touted by its manufacturers in advertisements that it is capable of disabling or destroying a modern jet aircraft. I quote from Barrett Firearms Manufacturing. In their advertisement, they say, ''The cost-effectiveness of the .50-caliber sniper rifle cannot be overemphasized when a round of ammunition purchased for less than 10 U.S. dollars can be used to destroy or disable a modern jet aircraft.''

I should repeat that because it is hard to believe. But despite this unparelleled potential for damage, including the threat posed to railcars carrying hazardous materials and civil aviation, the .50-caliber is easier to obtain than a handgun and no less available than a common shotgun.

Governor Schwarzenegger, who recently signed a law banning the .50-caliber in California, stated that this gun is ''a clear and present danger to the public's safety.''

These guns are sought after by terrorists, warlords, drug smugglers, and other individuals looking to use the .50's exceptional power, accuracy, and distance for terrorist and criminal purposes.

There have been any number of substantiated reports that al Qaeda, the IRA, and the KLA have purchased a number of these guns in recent years. There is an arms race taking place just south of the border in Mexico where drug cartels are employing .50-calibers in a bloody turf war that has resulted in the deaths of hundreds of people caught up in the crossfire.

The ''60 Minutes'' TV show has reported at length on this issue. In their most recent piece, they profile an Albanian American gunrunner named Florin Krasniqi. Mr. Krasniqi details how he has coordinated the export of .50-calibers from the U.S. to arm the Kosovo Liberation Army in their guerilla war to break away from Serbia. The reason the .50-caliber was his weapon of choice, he stated simply, ''You could kill a man from over a mile away. You can dismantle a vehicle from over a mile away.'' And they are so easy to buy.

If we are not going to deal with the danger that .50-calibers pose to the American public, let us at least prevent the export of these weapons of terror to foreign terrorists. Restricting exports of .50-calibers is necessary because, unlike most items controlled under the U.S. Munitions List and comparable international control lists, firearms are frequently licensed for commercial resale, increasing the likelihood that they will end up in the hands of our enemies.

Mr. Chairman, this is a human rights issue, and it is an issue of protecting our national security. We need to pass this amendment.

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

Mr. KING of Iowa. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman from Iowa (Mr. KING) is recognized for 5 minutes.

Mr. KING of Iowa. Mr. Chairman, I yield myself such time as I may consume.

I point out that this Moran amendment has been a moving target, Mr. Chairman. This thing has been moving around the last couple of days, and I have been trying to get ahold of the final draft of the final Moran amendment so I can finally look at the language that is finally going to be presented to this Congress that would set final policy on our export policy with regard to one single caliber of firearms, and not even the whole entire caliber of that particular firearm, but just a very small segment of it. And now this final language that I have in this moving target says that it would ban the utilization of Federal dollars for the regulation for ''the export of a nonautomatic or semiautomatic rifle,'' not rifles, ''capable of firing a center-fire cartridge in 50-caliber,'' or the like, ''to any nongovernmental entity,'' which I commend the gentleman from Virginia for removing the broader language and narrowing it down to a nongovernmental entity. This is an improvement in this particular amendment.

But this amendment says ''nonautomatic or semiautomatic rifle.'' It does not address fully automatic 50-caliber machine guns, but it does target rifles, rifles that I call buffalo guns that go back to the 1800s in this country. The Sharp's 50-caliber is one of the original 50-caliber long-range rifles. It was used to implement buffalo hunting back in those years, and its being a 50-caliber is not the reason why it is among the most accurate long-range rifles, but because they chose that caliber back then for long-range accuracy, and they developed the cartridge for that kind of target shooting. And, in fact, there has been an entire organization that has grown up around target shooting that has to do with the 50-caliber, that venerable buffalo gun, and I believe they are called the 50-caliber Target Shooting Club, and I know that they have been organized for over 20 years. So this amendment would target rifles when there is not a record of their being used for crime. There are allegations, but not a record that I can find.

And I look at some of these quotes: ''Could be used to destroy or disable a modern jet aircraft.'' Are we going to outlaw every caliber and every weapon that could be used to destroy or disable a modern jet aircraft? If that is the case, then we take every deer rifle out of the rack and out of every cabinet of every home in America because they can be used the same way. We can name caliber after caliber that could destroy or disable a modern jet aircraft. In fact, sometimes we are a little concerned about that happening.

The fact that the Governor of California advocates an assault on the 50-caliber target rifle, the buffalo gun, does not convince me in the least, but this would not do anything to prevent a 49-caliber or a 51-caliber or going a little bigger or a little smaller. It would encourage that. But what it would do, Mr. Chairman, is it would

make the 50-Caliber Shooting Club exclusively a USA club, and it would continue to develop the 50-caliber shooting in the United States, but our foreign friends that are involved in the same thing that we are here, legitimate hunting, legitimate target shooting and development of a venerable weapon, would be prevented from doing so for an illogical reason, if there is a reason at all.

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

Mr. MORAN of Virginia. Mr. Chairman, I reserve the balance of my time.

Mr. KING of Iowa. Mr. Chairman, I yield 1½ minutes to the gentleman from Tennessee (Mr. GORDON).

Mr. GORDON. Mr. Chairman, my friend from Virginia and I, and I think everyone here, share his objective, and that is to keep 50-caliber weapons, and for that matter any weapon, out of the hands of terrorists. I am afraid, though, that his amendment does not accomplish that.

The fact of the matter is that the State Department already has the ability, and uses it, to stop any type of sales of 50-caliber rifles to terrorists or any other type of undesirable groups. If there are any of these anywhere around in the world, and again I am not aware of any incidence where that has taken place, they have been sold illegally. So this amendment is not going to address the illegal sales. It may keep all weapons of 50 caliber here in this country, but they can be made elsewhere all around the world. So it just simply does not accomplish the goal that I know he wants and that we all want.

And since he did mention the Barrett M107, let me point out also that it was selected by the Chief of Staff Office of the U.S. Army as one of the ''top 10 inventions of 2004'' for the fight against the war on terror. Certainly it has been beneficial to our troops. It can be beneficial to our allies around the world.

Again, we do not want to see these weapons or any weapons in the hands of terrorists. We already have a method to stop that in terms of legal sales. This amendment does not get to the illegal sales. So a good objective, but a flawed amendment.

Mr. MORAN of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Just to respond to the points that were made, first of all, I agree that our soldiers like the weapon. I want them to continue to be able to use it. And this, of course, does not restrict their usage. I just do not want it to get into the enemies' hands. And I think that the gentleman does not want terrorists being able to buy these. Al Qaeda has purchased 25 of them.

□ 1330

To respond to the gentleman from Iowa when he said that any number of guns could disable a commercial jet aircraft, to complete the quote, it can disable a modern jet aircraft from over a mile away.

That is the point of it. These are unparalleled weapons. I am not trying to restrict them in the United States. They can have these U.S. clubs for .50 caliber guns. I just do not want them sold by arms dealers. We know that is what is happening, and they are getting into the hands of our enemy.

In a day when we see reports about people being arrested on public property because they were photographing public buildings, on the one hand, and then on the other hand we are allowing these weapons to be sold to terrorists? No. It is okay to sell them to a government, but not to these private individuals who are going to turn around and sell them to the terrorists.

There are certain things that we need to adjust to after 9/11. We are in a war against terrorism. Why would we go along with arming the opposition? So I think much of the argument that has been made supports our contention that we ought to ban the export of these to nongovernmental entities.

Mr. Chairman, I yield to the gentlewoman from New York (Mrs. MALONEY) for the purpose of making a unanimous consent request.

(Mrs. MALONEY asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY. Mr. Chairman, I rise in support of the Moran amendment.

The CHAIRMAN. All time has expired. The question is on the amendment offered by the gentleman from Virginia (Mr. MORAN).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. MORAN of Virginia. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia (Mr. MORAN) will be postponed.

AMENDMENT NO. 6 OFFERED BY MRS. MALONEY

Mrs. MALONEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mrs. MALONEY:

At the end of the bill (before the short title), insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act may be used to enforce any provision of law that prohibits or restricts funding for the United Nations Population Fund (UNFPA).

The CHAIRMAN. Pursuant to the order of the House of June 14, the gentlewoman from New York (Mrs. MALONEY) and a Member opposed will each control 10 minutes.

The Chair recognizes the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, this limiting amendment simply prevents the State Department from spending taxpayer dollars to restrict funding for the United Nations Population Fund, UNFPA. The effect of this amendment would be to release much-needed funds to help women, children, and men in nearly 150 countries around the world.

For 3 years, the Bush administration has withheld $34 million annually from UNFPA that passed both the House and Senate. UNFPA is the only multilateral agency devoted to helping developing countries combat female genital mutilation and obstetric fistula, to helping countries advance access to family planning and quality reproductive health care, to promoting HIV-AIDS prevention, improved education and health care. These are the jobs of UNFPA. They are the world's leader in this task.

In this world in which we live, while I have been speaking, one woman has died from pregnancy-related causes, nine people have contracted HIV, and 6 have died from AIDS. All of this tragedy occurs in just one minute, and all of it can be prevented if UNFPA is funded and allowed to do its work.

This is not the way it has to be. The U.S. annual $34 million contribution could prevent 2 million unintended pregnancies, 800,000 induced abortions, 4,700 maternal deaths, and 77,000 infant deaths around the world. This is why we need UNFPA. We should not stand in their way, especially when women and girls are dying.

We are a government that champions tolerance, equal opportunity, life and hope. I urge my colleagues to allow the United States to join 169 countries that are already funding and supporting UNFPA. We are standing alone. We should join the world community and support this important work.

Mr. WOLF. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Virginia (Mr. WOLF) for 10 minutes.

Mr. WOLF. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment does not belong in the bill. It is really an amendment that relates to the Foreign Assistance Appropriation, under the bill of the gentleman from Arizona (Mr. KOLBE) where this comes. It is inappropriate to use the funds for the Department of State's operations, including salaries, to enforce the law, because it is the responsibility of the Secretary of State to enforce the law and would in essence mean that there could be no enforcement of Kemp-Kasten. It would make it null and void.

It was determined by the Secretary of State in 2004 that because UNFPA continues its involvement in China's coercive birth limitation program, current law precludes funding for UNFPA.

I visited China. The China policy with regard to coerced and forced abortion, the one-child policy, is barbaric. I could take a whole day to talk about the government of China with regard to the persecution of the Catholic

Church, the persecution of the Protestant Church, the persecution of Buddhists, the persecution of Muslims, the sale of kidneys with regard to execution of prisoners, the slave labor camps, and now in essence the coercive policy that this government has. In order to do anything that would send a message to that government that it is okay to do what they are doing is absolutely wrong. So you can argue this on process, this is not the place, but I think you can argue this on the merits.

China is doing fundamentally evil things, and the record should state the evilness of their policies. For that, I urge a strong ''no'' to send a message to that government that their actions are totally inappropriate.

Mrs. MALONEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would say to the gentleman from Virginia (Chairman WOLF), who worked so hard on human rights, to punish an organization working to promote human rights absolutely makes no sense. I have great respect for the gentleman from Virginia (Chairman WOLF), and I agree with the gentleman that the stories about China are absolutely appalling. That is why we need UNFPA. The only thing that not releasing the money does is ensure the Chinese women have absolutely no place to turn. UNFPA is rights-based. It is fighting the Chinese Government's oppressive policies.

Mr. Chairman, I yield 1 minute to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Chairman, I thank the gentlewoman for yielding me time.

Mr. Chairman, I rise in strong support of the Maloney-Shays amendment regarding the United Nations Population Fund. UNFPA funding must be released to aid women, children, and men in the world's poorest countries. The UNFPA fund provides critical maternal health in these nations, emergency assistance for refugees, reproductive education, prevention and treatment for HIV and AIDS, and clinical care for infants and children.

Yet the President has withheld the U.S. contribution to the UNFPA under false accusations that funds have been used to support coercive population practices in China. Every legitimate investigation of these accusations has proven them false.

Furthermore, UNFPA work in China actually contributes to putting an end to coercive practices. It is surely time for the United States to stop withholding funds from the UNFPA. These funds can make all the difference in the world, improving lives and saving lives around the world. I urge my colleagues to support this amendment and allow the U.S. to support the world's largest international source of funding for population and reproductive health programs.

Mr. WOLF. Mr. Chairman, I yield 2 minutes to the gentleman from Lancaster, Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Chairman, I rise in strong opposition to this amendment. The Chinese Government has a policy of killing unborn children it deems a waste of valuable space in one of the world's largest countries. UNFPA actively and passively supports this policy of thinning the population by killing unborn children. In fact, it has gone so far as to praise China's population control tactics. Until that changes, UNFPA should not get a dime of taxpayer money.

As we debate this bill, let us face the truth: Is that really what we want to support or encourage? I do not think so.

Make no mistake about it, UNFPA is in bed with Beijing on forced abortions; and if we fund UNFPA, Beijing gets stronger. If we fund UNFPA, we only encourage the regime's strategy of exterminating the babies they do not want. If we truly care about human rights, we should support programs that work, programs that uphold the dignity of human life, not programs that allow a repressive, Communist government to enforce a systematic effort of abuse and repression and murder.

Our country does not believe in forced abortion. We do not believe in harvesting the organs of prisoners who are being executed.

Why would we want to support this? A Nation that believes in the rights to life, liberty, and the pursuit of happiness should not give aid to any organization that does not support these rights.

I urge opposition to and defeat of this amendment.

Mrs. MALONEY. Mr. Chairman, I yield 1 minute to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. McCOLLUM of Minnesota. Mr. Chairman, it is a fact. It is a fact that international delegations have visited the UNFPA's programs consistently in China, and it is a fact that they have said that the UNFPA is part of the solution in China, helping to promote voluntary family planning.

It is a fact that, since 1999, 60 delegations, 145 diplomats from around the world, have visited UNFPA's China program, and not one of them has found any evidence to suggest that the UNFPA is doing anything other than making the situation better.

Every year the world's poorest nations have millions of mothers dying needlessly during childbirth. Millions of infants die every year in these same countries. These deaths, most of them, can be prevented.

It is the mission of UNFPA to save lives, to promote healthy women, healthy babies, and healthy families by allowing voluntary family planning.

Mr. WOLF. Mr. Chairman, I yield 5½ minutes to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, I thank my friend for yielding me time.

Mr. Chairman, I rise in strong opposition to this amendment. For 25 years, the United Nations Population Fund has been an aggressive and shameful accessory to gross crimes against women and babies in the People's Republic of China. Despite being admonished to do otherwise on countless occasions, the U.N. Population Fund continues to be the chief apologist and enabler for both past and ongoing crimes against humanity.

Now the gentlewoman from New York (Mrs. MALONEY) is offering an amendment that would suspend all U.S. laws, including all of our human rights laws, in order to compel U.S. taxpayer funding for the U.N. Population Fund. The Maloney amendment is written in such a way to immunize UNFPA from having to obey any U.S. law or funding restrictions, including the Kemp-Kasten anti-coercion amendments. I strongly urge its defeat.

Mr. Chairman, let us not forget that the UNFPA has whitewashed, sanitized, and facilitated—it has been an accomplice—in China's barbaric one-child-per-couple coercive population program that has victimized hundreds of millions of women and murdered hundreds of millions of children.

As a direct result, there is this exceedingly dangerous statistical demographic anomaly known as the ''missing girls.'' There may be as many as 100 million missing girls in China today, a tragedy beyond words. As a result, there are also on any given day, according to the Country Reports For Human Rights Practices, the human rights report by the State Department, 500 women in China who commit suicide every day. Five hundred. This coercion has a terrible, deleterious effect on Chinese women.

As violations of human rights go, coercive population control in China is among the worst and most degrading systematic abuse in human history.

Let us not forget or be naive, I say to my colleagues, about the fact that in China today, brothers and sisters are illegal and children can only be born if permission is granted by the state.

We all know that in the United States, families get State and Federal tax credits and deductions for their children so they can better cope with economic pressures.

□ 1345

In China, on the other hand, there is no welcome mat for children, and Chinese parents have huge fines imposed upon them if they try to bring their children into the world. Unwed mothers are also severely punished in China, and are compelled to abort, even if it is their only one child, the one that they are supposedly permitted to have. China's eugenics policy, which compels the murder of disabled babies, is clearly reminiscent of the Nazis.

Those who violate these cruel, inhumane, antichild policies are fined up to 10 times the annual salary of both husband and wife, a draconian penalty that usually ensures that the child, at the end of the day, is aborted.

This is China's national policy, Mr. Chairman. In all counties, including UNFPA-supported counties, severe fines are imposed on women who have babies out of plan. Some women do resist. Some women have their children on the run, as they say. Some resist or pay bribes or endure the harsh penalty, the so-called ''social compensation fee.'' Others are forcibly aborted, trussed, and brought into the so-called family planning clinics to have their babies aborted, and some are even tortured, and some are jailed.

Last December I chaired yet another hearing on forced abortion in China. I have had about 18 or more hearings over the last several years, and we heard from a woman by the name of Mrs. Mao Hen Feng, a Chinese woman who had been imprisoned and tortured because of her resistance to coercive population control.

I would point out to my colleagues, I met with Peng Peiyun, the woman who runs this program, and, during the course of that several-hour conversation, she kept coming back to the fact that, oh, the UNFPA is here. They do not see any coercion. The UNFPA clearly enables the PRC to practice this draconian program, and then they resort to the whitewash and say, but the UNFPA is here, and, again, they do not find any of this.

Amazingly, Mr. Chairman, the UNFPA calls China's massive violence against women like Mrs. Mao voluntary family planning, as if cheap sophistry makes it all okay. Just call it voluntary family planning, and it is all okay. It makes the definition of ''voluntary'' a joke.

To make matters worse, Mr. Chairman, UNFPA spokesmen gleefully encourage other countries to follow China's disgraceful lead.

I hope the majority of our colleagues will have no part in enabling either China or its best friend, the UNFPA, in these horrible abuses. Instead of funding the UNFPA, both they and China should be on trial at the International Criminal Court for crimes of genocide and crimes against humanity.

Talk to these women who have suffered. Look at the terrible loss of life, millions upon millions of babies killed, often right at the ninth month as women try to conceal their pregnancy, and the UNFPA is there on the ground enabling this terrible abuse. They provide cover, respectability, tangible support, and technical capabilities that predictably results in massive acts of cruelty and murder in China.

Defeat the Maloney amendment.

Mrs. MALONEY. Mr. Chairman, may I inquire on the time, please?

The CHAIRMAN. The gentlewoman from New York has 5½ minutes remaining, and the gentleman from Virginia has 30 seconds remaining.

Mrs. MALONEY. Mr. Chairman, I yield 10 seconds to the distinguished minority leader, the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I thank the distinguished gentlewoman from New York (Ms. MALONEY) for yielding me this time and for her leadership over the years on this issue that is very important for America, to speak out in terms of reducing the number of abortions that take place throughout the world.

Mr. Chairman, I came to the floor because I listened with interest to the statements that were being made here, especially by a couple of speakers ago about China, including my distinguished friend, the gentleman from New Jersey Mr. SMITH. The gentleman from New Jersey (Mr. SMITH) and the gentleman from Virginia (Mr. WOLF) and I have worked together over the years to speak out against China's coercive family planning, as they call it, policies. The gentleman from New Jersey (Mr. SMITH), the gentleman from Virginia (Mr. WOLF) and I have fought together against the human rights abuses in China. We spoke against them when there was a Democratic President. We spoke against them when it was the policy of a Republican President. We never hesitated to criticize Presidents of our own party for their coddling of the Beijing government while they were repressing their people.

None of us takes second place to anyone in our denunciation of the regime in Beijing for its inhumane treatment of its own people. The list is a long one that we could go into, but we do not have time for that now.

Where the gentleman from Virginia (Mr. WOLF) and the gentleman from New Jersey (Mr. SMITH) and I part company is on their characterization of the role of UNFPA. Certainly, I think without any question, every person in this body would denounce the coercive abortion policy of the Beijing government. Certainly we want fewer abortions to take place. The best way to do that is to have family planning. For some reason, there has been a campaign against UNFPA, because they have been effective in promulgating family planning information to women in need so that they will not find themselves in a situation where an abortion is an option.

When I was ranking member on the Committee on Foreign Operations Appropriations a number of years ago, we put forth a compromise where the money would go forth for UNFPA, but none of the funds would be used in China. It was a compromise. I was not happy with that, because it made certain concessions, but it was a compromise, and each side had to yield something on it.

I just want our colleagues to know that a vote for the Maloney amendment is not a vote in support of any organization that would be sympathetic to the coercive abortion policies in China. It simply is not so.

UNFPA has done very, very valuable work. We go through this year in and year out. I remind my colleagues that in 2001, President Bush, our new President, sent a team to China who certified that UNFPA had nothing to do with China's coercive policies, and they were not in violation of Kemp-Kasten, and $21.5 million went forward.

Since 1999, there have been 60 delegations and 145 diplomats from around the world who have visited UNFPA's China program. None of them have found any evidence to suggest that UNFPA is doing anything other than making the situation better. Family planning reduces abortions. It is that simple. Even after President Bush's first certification, Secretary Powell was part of reviewing the activities there as well and came back with the same result.

What we are talking about here today is, let us reduce abortions, let us denounce the Beijing regime for what they do not only in this area, but in other areas, and not look the other way from that, because that is in my view, a crime against humanity, the way they treat women.

The gentleman from New Jersey (Mr. SMITH) knows chapter and verse. There is probably nobody in the Congress who knows better than the gentleman from New Jersey (Mr. SMITH) how coercive their abortion policies are. He has tried to move to give some opportunity to people who have been victims, and I salute him for that. But I disagree with the gentleman when he says that UNFPA is a part of any of that, and that they have done anything other than make the situation better in China.

So I hope that our colleagues will understand these distinctions and support the very important Maloney amendment.

Mrs. MALONEY. Mr. Chairman, the United States is isolated; 169 countries support the important work of UNFPA.

Mr. Chairman, I yield 2 minutes to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Chairman, this is not a debate about Chinese policy on population growth, but I want to just say, I cannot imagine what it would be like to be in the United States and have four times as many people living here, four times as many people in Washington, D.C., four times as many people in New York City. So I do understand that China needs to deal with this issue, but not the way they are dealing with it. This amendment does not in any way impact what China is doing.

Cutting funds to the UNFPA will prevent vital assistance for poor women and children in developing countries. The UNFPA's program helps families prevent unwanted pregnancies, undergo childbirth safety, avoid STDs including HIV/AIDS, and combat violence against women. I think that is what we want to do.

I believe we must support the UNFPA and its family planning initiatives, because world population continues to grow out of control. In 1960, we had 3 billion people on this Earth. Today we have 6 billion people. In 40

years, without worldwide family planning services, it will rise to 9 billion people.

The UNFPA responds to this growth by assisting the world's poorest countries in formulating population policies and strategies. Overpopulation threatens not only the world's political stability, but our global environment as well.

As a former Peace Corps volunteer, I can attest to the substantial contributions international family planning makes to economic development, higher living standards, and improved health and nutrition.

Mr. Chairman, I just hope that we do not get sidetracked on a debate about what China is doing, when there are 150 poor countries around the world that need our help, and millions and millions and millions of women who need our help and assistance.

Mrs. MALONEY. Mr. Chairman, may I inquire about the time?

The CHAIRMAN. The gentlewoman has 3¼ minutes remaining.

Mrs. MALONEY. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, we recently experienced the Southeast Asia tsunami that destroyed valuable medical services for women across the affected area. But, with the help of the UNFPA, we were able to calculate that 150,000 women were pregnant in the region at the time of the trauma, putting them at greater risk than normal because of sudden loss of medical support. Without UNFPA, these women would not have had the guarantee of safe, clean environments to deliver their babies. They would not have had the access to the medical support and medicines they need to ensure a healthy birth.

Safe and healthy childbirth should not be a political issue. While disagreements about UNFPA will certainly remain, continuing to ensure this program has never been more important than it is now. I urge my colleagues to join me in supporting the Maloney-Shays amendment.

Mrs. MALONEY. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. ISRAEL).

Mr. ISRAEL. Mr. Chairman, I thank the gentlewoman for yielding me this time. I am proud to be a cosponsor of this amendment. I respect the passion and force the gentleman from New Jersey brings to the fight against coercive abortions in China, but this is not about coercive abortions in China. This is about saving lives in Sri Lanka and Indonesia and areas that have been devastated by the tsunami.

I was in Sri Lanka only a few months after the tsunami. I was in a maternity hospital that was ravaged by the first wave. That region has lost its capacity for maternal health care. It has lost its nurses, its doctors, its midwives, its entire maternity health care infrastructure.

Mr. Chairman, 150,000 women scheduled to give birth after the tsunami, they need help. The UNFPA is one of the only agencies of its kind that can provide that help. It does not make sense for us to abandon the lives of newborn babies and their mothers in tsunami-affected areas because of what we do not like happening in China. The two issues are not at all related.

We have an opportunity. This is something we can agree on, and that is maternal health care and reproductive health care, and saving lives in areas that desperately need it.

Mr. Chairman, I urge support for this amendment.

Mrs. MALONEY. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from New York (Mrs. LOWEY) who has been a great leader on this issue.

Mrs. LOWEY. Mr. Chairman, I rise in strong support of this amendment, which would correct an error in the interpretation of our law that has put the lives of the world's most vulnerable women and children at risk.

Since 2002, the United States has provided no funds to the United Nations Population Fund. The facts are clear. UNFPA has a worldwide policy of not providing abortions, even when they are legal in the country in which UNFPA is operating. UNFPA does not coerce women into abortion and sterilization. It works to secure voluntary reproductive health options around the world.

U.S. law prohibits funding for organizations that support coercive practices.

□ 1400

But UNFPA is being penalized because it is trying to overturn, end coercive practices in China.

In meeting after meeting over the past 3 years, the State Department has repeatedly said that nothing UNFPA does will lead to a restoration of its funding as long as it continues to operate in China, unless China changed its laws.

Let us make it very clear. UNFPA is the premier multilateral organization helping to provide safe motherhood, reproductive health assistance to the world's poorest children.

(Mrs. LOWEY asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY. Mr. Chairman, may I inquire on the time.

The CHAIRMAN. Fifteen seconds.

Mrs. MALONEY. Mr. Chairman, is that on both sides?

The CHAIRMAN. The gentleman from Virginia has 30 seconds.

Mrs. MALONEY. Mr. Chairman, I would just like to say that we may have a disagreement in some ways, but UNFPA is a world leader.

Mr. Chairman, I yield the remaining time to the gentleman from Virginia (Mr. MORAN).

The CHAIRMAN. The gentleman from Virginia (Mr. MORAN) is recognized for 15 seconds.

Mr. MORAN of Virginia. Mr. Chairman, I cannot understand why, without passing the Maloney amendment, we punish millions of women throughout the Third World. Our annual $34 million contribution could prevent 2 million unintended pregnancies; 800,000 induced abortions; 4,700 maternal deaths, and most of them are young girls that have no control over their lives; and 77,000 infant deaths. That is what we should be doing. This should not be about China. This should be about the Third World.

Mr. WOLF. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want my comments to be separated. One, I want to commend and thank the minority leader, the gentlewoman from California (Ms. PELOSI), for her strong support on human rights. Particularly, she has been very good in China. She was there from the Tiananmen Square times and all the time. So I just want the record, we want to separate these out, but I want the record to show that I admire her and respect very much her support for human rights in China. It has been outstanding.

The second point I want to make is to separate back to the debate that my good friend, the gentleman from Virginia (Mr. MORAN), was just talking about. I favor family planning. I am speaking for myself. I favor family planning. But this is a government that still has Tiananmen Square demonstrators in prison. In 1991 the gentleman from New Jersey (Mr. SMITH) and I were in Beijing Prison Number 1, and we are the only two Members of the Congress that have been in a Chinese gulag, and we saw Tiananmen Square demonstrators making socks. Some of you may be wearing the socks, socks for export to the United States. God bless him, Senator Moynihan got the socks, when I came back, held the socks up on the Senate floor with regard to how bad China was. And I will get that, what Senator Moynihan said, and put it in the RECORD.

Mr. MOYNIHAN. Mr. President, here are products of prison labor, sold in international trade by the Chinese. You can buy these: socks with a panda with the word ''boxing'' and a little boxer; this fellow is playing golf, whatever.

Representative Wolf was in Beijing Prison No. 1, and not recognizing him as a Member of the House of Representatives, they thought he was a buyer. They started showing him the goods for sale.

They have stopped that. We have ratified that treaty at long last. Surely we ought to indicate that we mean it, that we intend to help enforce this international labor standard.

This is a fundamentally evil government that you cannot trust. Many Tiananmen Square demonstrators that we lament about and talk about are still in prison. Now, they moved them out of Beijing Prison Number 1, but they are still in prison. And if you do not think there is coercion, call Harry Wu. Harry Wu lives out in Fairfax County, in the district of the gentleman from Virginia (Mr. MORAN). And Harry will tell the gentleman about the forced abortions and the

policies and the abuse of this government. If you need a new kidney, they will go in the prisons, they will find somebody with your blood type, they will shoot them, maybe a Catholic priest, maybe Buddhist monk, maybe a Protestant pastor, or maybe a pickpocket. But you can get a new kidney for $50,000. This is the government that you basically want to give money to.

Now, many of you saw it. I think I did a Dear Colleague letter. Soon after the death of Pope John Paul, they arrested two elderly Catholic priests. And I say to my friend, the gentleman from Connecticut (Mr. SHAYS), talk to the Cardinal Kung Foundation and let them tell you of all the persecution. I believe they are now 11 Catholic bishops. The gentleman from New Jersey (Mr. SMITH) took holy communion from Bishop Su.

Mr. Chairman, I would ask if I could yield to the gentleman just for two words. Where is Bishop Su now?

Mr. SMITH of New Jersey. He is in prison.

Mr. WOLF. He is in prison. One other question. How old is he?

Mr. SMITH of New Jersey. He is in his mid-70s. Twenty-seven years in prison.

Mr. WOLF. Mid-70s in prison for giving holy communion.

Now, the government put him in jail. Nobody else. You have a government that you fundamentally cannot trust.

Lastly, Secretary Powell, a constituent of mine, somebody that we all admire. He lives out in my congressional district. Here is what he said on July 15, 2004: ''Despite these efforts, China continues to employ coercion in its birth planning program including through severe penalties for out-of-plan births. And UNFPA's program has not been restructured to solve the problems identified in 2002.''

So Secretary Powell, who we all trust, said they are still doing it. And then he ends, ''however, as in 2002, UNFPA continues its support and involvement in China's coercive birth limitation program in counties where China's restrictive law and penalties are enforced by government officials.'' I urge you to defeat this amendment and send a message to this fundamentally bad government that is doing all these horrible things to women, doing all these things to Catholic priests, Catholic bishops, to evangelical pastors, to Buddhist monks.

I was in Tibet, went in every monastery we could. They told us what they are doing to the Buddhist Church. It is against the law to have a picture of the Dalai Lama. Vote ''no'' on this amendment.

THE SECRETARY OF STATE,
*Washington, DC, July 15, 2004.*

Hon. HENRY J. HYDE,
*Chairman, Committee on International Relations, House of Representatives.*

DEAR MR. CHAIRMAN: The Foreign Operations, Export Financing and Related Programs Appropriations Act, 2004 (Pub. L. 108–199, Div. D) (''Act''), like every foreign operations appropriations act since 1985, provides that ''none of the funds made available in this Act . . . may be made available to any organization or program which, as determined by the President of the United States, supports or participates in the management of a program of coercive abortion or involuntary sterilization.'' Separately in Section 567, the Act earmarks $34 million for the United Nations Population Fund (''UNFPA'').

In July 2002, I determined that UNFPA's support of, and involvement in, China's population-planning activities allowed the Chinese Government to implement more effectively its program of coercive abortion, and that, therefore, the Kemp-Kasten Amendment precluded funding of UNFPA at that time.

Since that time, we have had numerous discussions with the Government of China to urge an end to China's program of coercive abortion. We have also urged UNFPA and China to restructure the UNFPA program so that UNFPA does not support or participate in the management of China's coercive program. Despite these efforts, China continues to employ coercion in its birth planning program, including through severe penalties for ''out of plan births'' and UNFPA's program has not been restructured to solve the problems identified in 2002. However, as in 2002, UNFPA continues its support and involvement in China's coercive birth limitation program in counties where China's restrictive law and penalties are enforced by government officials. More information on the nature of China's birth-limitation regime and UNFPA's involvement therein is contained in the enclosed report on China's Birth-Limitation Policy.

The Administration is preparing to take the steps, including consulting with Congress, that would be necessary to apply the amount that had been reserved for UNFPA in the ''International Organizations and Programs'' account to the ESF account, for use in support of the President's initiative to aid victims of trafficking.

We will continue to remain engaged with China and UNFPA on this issue. As I stated in 2002, if Chinese laws and practices were changed so that UNFPA's activities did not support a program of coercive abortion, or if UNFPA were to change the program implementation for its funding so that it did not support a program of coercive abortions, I would be prepared to consider funding UNFPA in the future.

Sincerely,

COLIN L. POWELL.

Enclosures: As stated.

REPORT TO CONGRESS ON CHINA'S BIRTH LIMITATION POLICY

The Conference Report accompanying H.R. 2673, H. Report 108–401, in the Statement of Managers, requests the Department of State [hereinafter ''the Department''] to report ''not later than July 15, 2004, on the steps it and UNFPA have taken to urge the Government of China to end its birth limitation policy, including the social compensation fee, and the results of those efforts, nationally, and particularly in the counties in which UNFPA operates.'' This report responds to that request.

U.S. ENGAGEMENT

Since the Secretary's determination of July 21, 2002, that funding for UNFPA was precluded by the Kemp-Kasten Amendment of the FY 2002 Foreign Operations Appropriations Act, the United States has actively engaged with China to end coercive practices in its birth-limitation program and with UNFPA to end its support for that program. We have urged China to implement fully the principle recognized in the Programme of Action of the International Conference on Population and Development (ICPD) that all couples should have the right ''to decide freely and responsibly the number, spacing and timing of their children and to have the information and means to do so, and . . . to make decisions concerning reproduction free of discrimination, coercion and violence. . . .'' In order to implement this principle the Chinese family planning program should be fully voluntary and free of all forms of coercion.

Immediately following the Secretary's determination, the Department commenced a round of five negotiating sessions with China with the objective of eliminating coercive provisions in law and ending coercive practices in the counties in which UNFPA is involved. We also encouraged China and UNFPA to restructure their proposal for the new fifth country program (CP5) agreement in a way that would allow the United States to fund UNFPA. Discussions were held with senior UNFPA and Chinese officials in New York, Washington, Beijing, and during international meetings on population matters. Department personnel visited UNFPA project counties in China on two occasions, in November 2002 and August 2003. Embassy and Consulate personnel based in China made numerous field visits, both to counties in which UNFPA operates and counties in which there is no UNFPA assistance. These field visits were designed to learn about the implementation of China's birth limitation laws and policies/practices, and about UNFPA's activities in China. Despite several rounds of discussions with U.S. representatives, UNFPA and China decided not to make substantive changes to the proposed UNFPA fifth country program. For example, UNFPA did not condition the start of the program on the elimination of social compensation fees (SCF). When CP5 was adopted at the first regular session of the UNFPA Executive Board in January 2003, the United States could not support the program because of coercive measures in the enforcement of China's birth limitation laws. The U.S. delegate stated that the United States believes that UNFPA should not be associated in any way with coercion.

In the summer of 2003, the Administration considered that circumstances surrounding UNFPA's continued involvement in China's birth limitation program had not changed sufficiently to warrant U.S. funding.

As described below, many of those circumstances continue to persist, despite claims by Chinese officials that they are working to eliminate coercive measures. These, along with others described in State's annual human rights reports, information supplied by UNFPA, the results of U.S. efforts to engage both UNFPA and China on numerous occasions from 2002 through 2004, and the fact that China's coercive policies have, since the Secretary's July 2002 determination, now been codified and enforced as a matter of national law, all contribute to the finding that the Kemp-Kasten amendment continues to preclude funding for FY 2004.

CHINA'S BIRTH-LIMITATION REGIME—NOW LAW

A new national Law on Population and Birth-Planning went into effect on September 1, 2002. This law codifies on a national basis, for the first time, China's longstanding ''one child policy'' and specifies a number of government birth-limitation measures that amount to coercion. (As mentioned in the 2002 determination, county laws had previously been in place and were used to enforce the birth limitation policy.) The national law provides, inter alia, ''. . . practicing birth planning is a basic national policy of the State. The State (shall) employ comprehensive measures to control population quantity and improve population

quality.'' (Article 2.) ''Citizens have a right to have a child and also have a duty to practice birth planning according to the law. . . . (Article 17.) ''The State shall stabilize currently implemented birth policies. . . . Those who meet the conditions in laws and regulations can request the arrangement of the birth of a second child. Specific methods (shall be) stipulated by the people's congresses of provinces. . . .'' (Article 18.) ''Citizens who give birth to a child in violation of Article 18 of this law should pay a social compensation fee. . . .'' (Article 41.) ''Among (government) personnel who pay a social compensation fee in accordance with Article 41 of this law, those who are State staff should also be given administrative punishment according to law.'' ''Other personnel (who are not state staff) should also (in addition to the social compensation fee) be given disciplinary punishment by their own unit or organization.'' (Article 42.)

Since the promulgation of the national law, all provinces and equivalent governmental units except the Tibetan Autonomous Region have issued implementing regulations that set out birth planning requirements. These regulations generally allow only one child, with specific exceptions that allow qualified couples to have a second, or in rare cases, a third child. They also set ranges for assessment of the social compensation fees (SCF) by local authorities. Fees range from the equivalent of one half the local average annual household income to as much as 10 times that level. One county where UNFPA has activities, Liuyang in Hunan Province, assesses a fee of two times the average annual household income. Liuyang County has waived the fee for premarriage births, but not for inadequate birth spacing (when an additional child is allowed), or for ''out-of-plan'' births. (An example of province implementing regulations is provided as annex two.)

The Department has urged Chinese government officials to eliminate the SCF, as well as other coercive birth limitation measures. UNFPA has urged experimentation with the fee in UNFPA program counties with a view towards elimination by the end of the current program. The Chinese government has suggested that because the SCF is specifically prescribed in national law, local governments do not have authority to completely waive collection of the fee. Other coercive measures in place in China include cutting off state-funded education or health care benefits for ''out of plan'' children, loss of employment, and imposition of a system of severe fines and penalties. National and Provincial Chinese government officials have declined or been unable to assure us that penalties such as demotion or loss of job are not also imposed in countries where UNFPA operates.

The 2004 State Department Country Report on Human Rights Practices confirms China continues enforcement of its birth limitation policies and law. (Annex One.)

UNFPA'S ENGAGEMENT WITH CHINA

Last month, at the Department's request, UNFPA furnished in a very timely fashion information regarding its China program. The Director of UNFPA's Asia and Pacific Division, Sultan Aziz, wrote to the Department on June 14, 2004, highlighting the concerns UNFPA shares with the United States ''over aspects of China's family planning strategy that could lead to coercion.'' In particular, he made the following points about UNFPA's view of it approach and progress in China:

''UNFPA, like all UN organizations, is guided by international human rights standards and principles in all our programs. Using the ICPD principles as our platform, UNFPA Country Programmes focus on voluntary, client-oriented family planning services with a range of choices and options.''

''UNFPA has made a significant contribution in improving reproductive health knowledge, reducing (the) proportion of sterilization and abortions, reducing maternal mortality and increasing the proportion of births with skilled attendants.''

''UNFPA does not support China's one-child policy, and has proactively engaged in serious dialogue with the Chinese government on this issue. There is growing realization in the government, if not directly stated, about the problems arising from the one-child policy—sex ratio imbalances, ageing and population structure.''

''China is committed to the ICPD and its steadily, incrementally and firmly moving beyond demographic targets towards a voluntary and client-oriented FP [family planning] approach. UNFPA, has been catalytic in fostering, supporting and guiding the transition.''

UNFPA'S FIFTH COUNTRY PROGRAMME FOR CHINA

Much of UNFPA ''input,'' i.e., its programs, goals, and activities, in China is designed to assist China in ''forming new management and service approaches of its population and family planning program.'' The goals of its current program (CP5), building on those of its previous program (CP4), continue to strive toward moving the Chinese government from an ''administrative'' approach to a ''client-centered, quality of care'' approach, closer to the standards of the Programme of Action—and thus toward achieving through individual counseling desirable population goals without coercion. But these efforts miss the mark; they are narrowly tailored to expand access to reproductive health information and to allow couples and individuals to select their contraceptive methods in compliance with the national and provincial regulations. Their end result is not that couples and individuals may freely make decisions as to the number and spacing of their children. Rather, in counties where the UNFPA operates, China continues to implement its coercive laws and practices.

The UNFPA-China agreement sets as a hortatory objective the elimination of the SCF by 2010, but it provides for no specific actions to further that end. UNFPA noted that it required CP5 participating counties to lower fees and encouraged further experimentation, but the agreement does not provide for elimination. Further, the agreement requires that counties participating in CP5 eliminate targets and quotas, but does not require them to eliminate coercive ''administrative'' or ''disciplinary'' punishments—thus continuing to reflect UNFPA's support for China's coercive program.

The UNFPA budget for CP5 amounts to almost $8 million over 3 years. The funding allocation for CP5 is similar to that in CP4 funding. It includes cost for personnel (including consultants), monitoring and evaluation, research, publications, international meetings and exchange visits, and vehicles. UNFPA also continues to fund equipment for China, including for management information systems and data management software which are capable of tracking births, although UNFPA claims in its June 14, 2004 letter that the Management Information System [MIS] is ''categorically not intended for tracking out of plan pregnancies, or to help enforce the social compensation fees.'' UNFPA is also financing improvements in the administration of the local family planning offices.

These resources are provided directly or indirectly to the State Family Planning Commission in counties where it enforces the fines and administrative penalties such as job loss, demotion, and expulsion from the Communist Party. The UNFPA activities include training of reproductive health service providers in, among other things, awareness of the law in order that they may provide reproductive health counseling. This, as well as UNFPA's supplying equipment and supplies to the very agencies that employ coercive practices, amounts to support for not only in China's broader population-planning activities, but also specifically for the Chinese government's more effective implementation of its program of coercive abortion.

CONCLUSION

Both China and UNFPA have been willing to engage with the United States on approaches to eliminating coercion in China's birth planning law and policy. We welcome this dialogue and efforts by China to move forward in this important area and we will continue our engagement. We congratulate China and UNFPA on the elimination of targets and quotas in UNFPA counties and reduction of the incidence of maternal mortality. Unfortunately, coercive birth limitation measures in law and policy continue in counties in which UNFPA assists China.

EXCERPTS FROM COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES CHINA, 2003

Authorities continued to reduce the use of targets and quotas, although over 1,900 of the country's 2,800 counties continued to use such measures. Authorities using the target and quota system require each eligible married couple to obtain government permission before the woman becomes pregnant. In many counties, only a limited number of such permits were made available each year, so couples who did not receive a permit were required to wait at least a year before obtaining permission. Counties that did not employ targets and quotas allowed married women of legal child-bearing age to have a first child without prior permission.

The country's population control policy relied on education, propaganda, and economic incentives, as well as on more coercive measures such as the threat of job loss or demotion and social compensation fees. Psychological and economic pressure were very common; during unauthorized pregnancies, women sometimes were visited by birth planning workers who used the threat of social compensation fees to pressure women to terminate their pregnancies. The fees were assessed at widely varying levels and were generally extremely high. Reliable sources reported that the fees ranged from one-half to eight times the average worker's annual disposable income. Local officials have authority to adjust the fees downward and did so in many cases. Additional disciplinary measures against those who violated the limited child policy by having an unapproved child or helping another to do so included the withholding of social services, higher tuition costs when the child goes to school, job loss or demotion, loss of promotion opportunity, expulsion from the Party (membership in which was an unofficial requirement for certain jobs), and other administrative punishments, including in some cases the destruction of property. These penalties sometimes left women little practical choice but to undergo abortion or sterilization. Rewards for couples who adhered to birth limitation laws and policies included monthly stipends and preferential medical and educational benefits. In the cases of families that already had two children, one of the parents was usually pressured to undergo sterilization.

In March, the U.N. Population Fund (UNFPA) concluded a 4-year pilot project in 32 counties. Under this program, local birth

planning officials emphasized education, improved reproductive health services, and economic development, and they eliminated the target and quota systems for limiting births. However, these counties retained the birth limitation policy, including the requirement that couples employ effective birth control methods, and enforced it through other means, such as social compensation fees. Subsequently, 800 other counties also removed the target and quota system and tried to replicate the UNFPA project by emphasizing quality of care and informed choice of birth control methods. In April, a new UNFPA program began in 30 counties. Under this program, officials defined a list of ''legitimate rights of reproduction according to law,'' including the rights to choose contraception and right to legal remedies, among others.

JIANGSU PROVINCE BIRTH LIMITATION REGULATIONS EXCERPTS

CHAPTER 1 GENERAL PRINCIPLES

*Article 5*

Local people's governments at all levels within the province shall take integrated measures to control the size of the population and to improve its quality, and shall implement population and family planning programs. . . .

*Article 7*

Citizens have the right to reproduce and the obligation to practice family planning in accordance with the law. . . .

CHAPTER 3 FERTILITY REGULATION

*Article 21*

A man and a woman who have been legally registered as married may have one child, provided that neither has had a child previously.

*Article 22*

Married couples meeting any of the following conditions may apply to give birth to one additional child:

The couple has only one child, and that child is certified by a pediatric illness and disability authentication institution to have a disability, other than a serious genetic disability, that cannot at present be treated, or that despite systematic treatment will prevent that child from developing into a normal worker or seriously affect that child's future marriageability.

Either spouse is a member of the armed forces, armed police, or public security police or is a 'Good Samaritan' and that spouse has sustained a Class 2, Grade 2 or higher disability in the exercise of duty; or either spouse is the only child of a [revolutionary] martyr and [the couple] has only one child.

One spouse has been widowed and the other spouse has never had a child.

One spouse is divorced and has either had only one child or has legally had two children and the other spouse has never had a child.

Neither spouse has had a child and, after having legally adopted a child, the wife becomes pregnant.

One spouse is a second-generation only child, or both spouses are only children, and [the couple] has only one child.

One spouse has been occupied in downhole operations for a continuous period of five years or longer, is currently occupied in downhole operations, and [the couple] has only one child which is a daughter.

*Article 23*

Apart from the provisions of Article 22 of these regulations, married couples may apply to give birth to one additional child if the wife is a rural resident and any of the following conditions is met:

One spouse is an only child, and [the couple] has only one child.

Only one child has been had, and the brother(s) of the husband is/are unable to have a child.

The husband has moved his residence to the place of residence of the wife and is supporting the parents of the wife, who has no brothers, and [the couple] has only one child which is a daughter. This rule shall apply to only one sister on the wife's side.

The man has no brothers and only one sister, and [the couple] has only one child which is a daughter.

The couple permanently resides in a coastal reclamation area with population density not greater than one person per five mu of land (calculated on a per village basis), and has only one child which is a daughter.

One spouse has been continuously occupied in ocean fishing for five years or more, is currently employed in ocean fishing, and the couple has only one child which is a daughter.

CHAPTER VI LEGAL LIABILITY

*Article 44*

A couple that gives birth to a child not in accordance with these regulations shall pay the social compensation fee. . . .

For urban residents, social compensation fees shall be calculated by taking as the basic standard the per capita annual disposable income of urban residents in the municipality with districts or in the country (city) in the year prior to the child's birth. For rural residents, social compensation fees shall be calculated by taking as the basic standard the per capita annual net income of rural residents in the township (town in the year prior to the child's birth. . . .

The specific standards for the social compensation fees to be paid in accordance with paragraph one of this article are:

Those who have had one additional child not in accordance with the provisions of these regulations shall pay social compensation fees in the amount of four multiples of the basic standard.

Those who have had two or more additional children not in accordance with the provisions of these regulations shall pay social compensation fees in the amount of five to eight multiples of the basic standard.

Those who have had one child outside of marriage shall pay social compensation fees in the amount of 0.5 to 2 multiples of the basic standard.

Those who have had two or more children outside of marriage shall pay social compensation fees in the amount of five to eight multiples of the basic standard.

Those who have had a child in a bigamous marriage shall pay social compensation fees in the amount of 6 to 9 multiples of the basic standard.

Mr. CROWLEY. Mr. Chairman, I rise in support of this amendment, and I thank Congresswoman MALONEY, along with Congressman SHAYS and Congressman ISRAEL, for joining me in support of this important issue.

This amendment is simple. If you support the good work UNFPA does around the world, in approximately 150 countries, supporting women's health programs, fighting HIV/AIDS, and improving child health—then you will vote for the Maloney/Crowley amendment.

This Congress has consistently voted to fund UNFPA. But the Administration refuses to release that money. They hide behind the fact that UNFPA works in China, helping move that country away from its abhorrent one-child policy.

Of course, when the President sent over an investigative team, it reported that there was no coercion in the Chinese program and that UNFPA should be funded. Moreover, Congress has put into law that, if the U.S. contributes to UNFPA, it will deduct $1 for every $1 spent in China. Clearly, the China issue is simply meant to muddy the waters of this debate.

But one thing that remained abundantly clear to me during my trip to see the impact of the recent tsunami—UNFPA funding is nothing short of critical.

I recently visited tsunami-affected sites that, with UNFPA funding, often serve as the first line of support for women and families in need. But it is not only the important work they do in disaster zones, it is the work they do day in and day out to help women in the developing world.

And while USAID is involved in related initiatives, the fact remains that the USAID is only in approximately 50 countries while UNFPA is in approximately 150.

Let's focus on the facts. UNFPA saves lives, UNFPA brings dignity to those in need, and UNFPA helps women. UNFPA does not coerce. UNFPA does not provide abortion, and no U.S. money will go to China.

Mr. WOLF. Mr. Chairman, I yield back all of my time.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York (Mrs. MALONEY).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mrs. MALONEY. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from New York (Mrs. MALONEY) will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6, rule XVIII, proceedings will now resume on those amendments on which further proceeding were postponed in the following order: amendment No. 11 offered by the gentleman from Texas (Mr. PAUL), amendment No. 4 by the gentleman from Colorado (Mr. HEFLEY), an amendment by the gentleman from Massachusetts (Mr. MARKEY), amendment No. 19 by the gentleman from Colorado (Mr. TANCREDO), amendment No. 18 by the gentleman from Colorado (Mr. TANCREDO), an amendment by the gentlewoman from Texas (Ms. JACKSON-LEE), an amendment by the gentleman from Virginia (Mr. MORAN), amendment No. 6 by the gentlewoman from New York (Mrs. MALONEY).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 11 OFFERED BY MR. PAUL

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. PAUL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 65, noes 357, not voting 11, as follows:

[Roll No. 259]

AYES—65

Akin
Bachus
Barrett (SC)
Bartlett (MD)
Bilirakis
Bishop (UT)
Bonner
Burgess
Burton (IN)
Cannon
Coble
Cubin
Davis (KY)
Davis, Jo Ann
Deal (GA)
Doolittle
Duncan
Everett
Feeney
Foley
Forbes
Foxx
Franks (AZ)
Garrett (NJ)
Gibbons
Goode
Hayworth
Hefley
Herger
Hostettler
Hulshof
Hunter
Jindal
Johnson, Sam
Jones (NC)
Keller
King (IA)
Kingston
Lewis (KY)
Manzullo
McHenry
Miller (FL)
Moran (KS)
Musgrave
Neugebauer
Ney
Norwood
Otter
Paul
Peterson (PA)
Platts
Pombo
Price (GA)
Rogers (AL)
Rohrabacher
Ryun (KS)
Shuster
Simpson
Stearns
Tancredo
Taylor (MS)
Tiberi
Wamp
Westmoreland
Wilson (SC)

NOES—357

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Andrews
Baca
Baird
Baker
Baldwin
Barrow
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Butterfield
Buyer
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chocola
Clay
Cleaver
Clyburn
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Flake
Ford
Fortenberry
Fossella
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hensarling
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy
Murtha
Myrick
Nadler
Napolitano
Neal (MA)
Northup
Nunes
Nussle
Obey
Olver
Ortiz
Osborne
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Petri
Pickering
Pitts
Poe
Pomeroy
Porter
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Strickland
Stupak
Sullivan
Sweeney
Tanner
Tauscher
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—11

Bono
Chandler
Cox
Cuellar
Davis, Tom
McCrery
McKinney
Oberstar
Pryce (OH)
Sessions
Woolsey

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1428

Ms. LINDA T. SÁNCHEZ of California, Mr. SCOTT of Georgia, Mr. CROWLEY and Ms. HOOLEY changed their vote from ''aye'' to ''no.''

Mrs. CUBIN, and Messrs. EVERETT, SHUSTER and DEAL of Georgia changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. HEFLEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. HEFLEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 91, noes 336, not voting 6, as follows:

[Roll No. 260]

AYES—91

Akin
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Bilirakis
Bishop (UT)
Blackburn
Brady (TX)
Burton (IN)
Buyer
Cannon
Chabot
Chocola
Coble
Costello
Cox
Cubin
Deal (GA)
Diaz-Balart, M.
Duncan
Everett
Feeney
Flake
Fossella
Foxx
Franks (AZ)
Garrett (NJ)
Gibbons
Gohmert
Graves
Gutknecht
Hall
Harris
Hart
Hefley
Hensarling
Herger
Hostettler
Inglis (SC)
Issa
Jenkins
Jindal
Johnson, Sam
Jones (NC)
Keller
King (IA)
Lewis (KY)
Linder
Lungren, Daniel E.
Mack
Manzullo
McCotter
McHenry
McMorris
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Norwood
Otter
Paul
Pence
Petri
Poe
Price (GA)
Radanovich
Ramstad
Rogers (MI)
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Sensenbrenner
Shadegg
Shimkus
Shuster
Sodrel
Stearns
Tancredo
Tanner
Taylor (MS)
Westmoreland
Wilson (SC)

NOES—336

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Butterfield
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chandler
Clay
Cleaver
Clyburn
Cole (OK)
Conaway
Cooper
Costa
Cramer
Crenshaw
Crowley
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Granger
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Hyde
Inslee
Israel
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski

Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lynch
Maloney
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy
Murtha
Nadler
Napolitano
Neal (MA)
Ney
Northup
Nunes
Nussle
Obey
Olver
Ortiz
Osborne
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Peterson (MN)
Peterson (PA)
Pickering
Platts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shaw
Shays
Sherman
Sherwood
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Strickland
Stupak
Sullivan
Sweeney
Tauscher
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—6

Bono
Conyers
Cuellar
Oberstar
Pitts
Sessions

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). There are 2 minutes remaining in this vote.

□ 1438

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. MARKEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 415, noes 8, answered ''present'' 1, not voting 9, as follows:

[Roll No. 261]

AYES—415

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Boehlert
Boehner
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Cannon
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cox
Cramer
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOES—8

Blunt
Bonilla
Davis (KY)
Feeney
Graves
Hayes
Mica
Westmoreland

ANSWERED ''PRESENT''—1

Hayworth

NOT VOTING—9

Bono
Buyer
Cantor
Cuellar
Kirk
Oberstar
Rogers (MI)
Sessions
Waters

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). There are 2 minutes remaining in this vote.

□ 1446

Mr. KNOLLENBERG changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. KIRK. Mr. Chairman, on rollcall No. 261 I was unavoidably detained. Had I been present, I would have voted "aye."

AMENDMENT NO. 19 OFFERED BY MR. TANCREDO

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. TANCREDO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 204, noes 222, not voting 7, as follows:

[Roll No. 262]

AYES—204

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Boozman
Boucher
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cantor
Carter
Case
Chabot
Chocola
Coble
Cole (OK)
Conaway
Costa
Cox
Cramer
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Doolittle
Drake
Dreier
Duncan
Emerson
English (PA)
Everett
Feeney
Fitzpatrick (PA)
Flake
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Gutknecht
Hall
Harris
Hart
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kline
Kolbe
LaHood
Latham
LaTourette
Lewis (KY)
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Renzi
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Royce
Ryun (KS)
Sensenbrenner
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skelton
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Tanner
Taylor (MS)
Taylor (NC)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Westmoreland
Whitfield
Wicker
Wilson (SC)
Wolf
Young (FL)

NOES—222

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boehlert
Boren
Boswell
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Cannon
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Castle
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costello
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Edwards
Ehlers
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Ford
Fossella
Frank (MA)
Frelinghuysen
Gilchrest
Gonzalez
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Hastings (WA)
Herseth
Higgins
Hinchey
Hinojosa
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kirk
Knollenberg
Kucinich
Kuhl (NY)
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Porter
Price (NC)
Rahall
Rangel
Reichert
Reyes
Reynolds
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Sherman
Simmons
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tauscher
Terry
Thomas
Thompson (CA)
Thompson (MS)
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weller
Wexler
Wilson (NM)
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—7

Bono
Cuellar
Foley
Hunter
Oberstar
Sessions
Tierney

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised 2 minutes remain in this vote.

□ 1454

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FOLEY. Mr. Chairman, on rollcall No. 262 I was unavoidably detained. Had I been present, I would have voted "aye."

AMENDMENT NO. 19 OFFERED BY MR. TANCREDO

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. TANCREDO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 106, noes 322, not voting 5, as follows:

[Roll No. 263]

AYES—106

Abercrombie
Aderholt
Akin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bilirakis
Boozman
Boren
Bradley (NH)
Brady (TX)
Brown-Waite, Ginny
Burgess
Case
Chabot
Coble
Cox
Davis (TN)
Davis, Jo Ann
Deal (GA)
DeFazio
Drake
Duncan
Emerson
Forbes
Foxx
Franks (AZ)
Garrett (NJ)
Gibbons
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Graves
Green (WI)
Gutknecht
Hall
Hayes
Hayworth
Hefley
Herseth
Holden
Hostettler
Hunter
Istook
Jones (NC)
Kaptur
Keller
King (IA)
LoBiondo
Manzullo
Marchant
Marshall
McCotter
McHenry
McHugh
McMorris
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Ney
Norwood
Otter
Pascrell
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Pitts
Platts
Pombo
Radanovich
Rehberg
Renzi
Rogers (AL)
Rogers (MI)
Rohrabacher
Royce
Ryan (OH)
Ryun (KS)
Sensenbrenner
Shuster
Simpson
Skelton
Smith (TX)
Sodrel
Stearns
Strickland
Sullivan
Sweeney
Tancredo
Taylor (MS)
Taylor (NC)
Wamp
Weldon (PA)
Whitfield
Wilson (SC)
Wolf
Young (FL)

NOES—322

Ackerman
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brown (OH)
Brown (SC)
Brown, Corrine
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Castle
Chandler
Chocola
Clay
Cleaver
Clyburn
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis, Tom
DeGette
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Dreier
Edwards
Ehlers
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Ford
Fortenberry
Fossella
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Gilchrest
Gonzalez
Gordon
Granger
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hensarling
Herger
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holt
Honda
Hooley
Hoyer
Hulshof
Hyde
Inglis (SC)

Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Markey
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCrery
McDermott
McGovern
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Northup
Nunes
Nussle
Obey
Olver
Ortiz
Osborne
Owens
Oxley
Pallone
Pastor
Payne
Pearce
Pelosi
Pickering
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Rahall
Ramstad
Rangel
Regula
Reichert
Reyes
Reynolds
Rogers (KY)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (WI)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Simmons
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stupak
Tanner
Tauscher
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weller
Westmoreland
Wexler
Wicker
Wilson (NM)
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—5

Bono
Cuellar
Delahunt
Oberstar
Sessions

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1502

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 183, noes 244, not voting 6, as follows:

[Roll No. 264]

AYES—183

Abercrombie
Ackerman
Allen
Andrews
Baca
Baldwin
Barrow
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boucher
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matsui
McCarthy
McCollum (MN)
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Price (NC)
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—244

Aderholt
Akin
Alexander
Bachus
Baird
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boswell
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Case
Castle
Chabot
Chandler
Chocola
Coble
Cole (OK)
Conaway
Cox
Cramer
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schwarz (MI)
Sensenbrenner
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Tanner
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—6

Bono
Cuellar
McDermott
Oberstar
Rush
Sessions

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1510

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. MORAN OF VIRGINIA

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. MORAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 149, noes 278, not voting 6, as follows:

[Roll No. 265]

AYES—149

Abercrombie
Allen
Andrews
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Carnahan
Carson
Case
Castle
Clay
Cleaver
Clyburn
Conyers
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Tom
DeGette
Delahunt
DeLauro
Dicks
Doggett
Doyle
Ehlers
Emanuel
Engel
Eshoo
Evans
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Frank (MA)
Gilchrest
Green, Al
Grijalva
Gutierrez
Harman
Hastings (FL)
Higgins
Hinchey
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kennedy (RI)
Kilpatrick (MI)
Kirk
Kucinich
Langevin
Lantos
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Price (NC)
Ramstad
Rangel
Regula
Rothman
Roybal-Allard
Rush
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Schiff
Schwartz (PA)
Scott (VA)
Serrano
Shays
Sherman
Slaughter
Solis
Spratt
Stark
Tauscher
Thompson (MS)
Tierney
Towns
Udall (NM)
Van Hollen
Velázquez
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Wexler
Wolf
Woolsey
Wynn

NOES—278

Ackerman
Aderholt
Akin
Alexander
Baca
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Cardoza
Carter
Chabot
Chandler
Chocola
Coble
Cole (OK)
Conaway
Cooper
Costa
Costello
Cox
Cramer
Crenshaw
Crowley
Cubin
Culberson
Cunningham
Davis (AL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Deal (GA)
DeFazio
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doolittle
Drake
Dreier
Duncan
Edwards
Emerson
English (PA)
Etheridge
Everett
Feeney
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hinojosa
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jefferson
Jenkins
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kildee
Kind
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Larsen (WA)
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
McNulty
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Obey
Ortiz
Osborne
Otter
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rahall
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Salazar
Sanders
Saxton
Schwarz (MI)
Scott (GA)
Sensenbrenner
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Souder
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Turner
Udall (CO)
Upton
Visclosky
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wu
Young (AK)
Young (FL)

NOT VOTING—6

Bono
Cuellar
Green, Gene
Oberstar
Oxley
Sessions

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1518

Mr. CASTLE changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MRS. MALONEY

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 6 offered by the gentlewoman from New York (Mrs. MALONEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 192, noes 233, not voting 8, as follows:

[Roll No. 266]

AYES—192

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bass
Bean
Becerra
Berkley
Berman
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boehlert
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Chandler
Clay
Cleaver
Clyburn
Cooper
Costa
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
DeLauro
Dent
Dicks
Dingell
Doggett
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Foley
Ford
Frank (MA)
Frelinghuysen
Gerlach
Gilchrest
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinojosa
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kelly
Kennedy (RI)
Kilpatrick (MI)
Kind
Kirk
Kolbe
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Price (NC)
Ramstad
Rangel
Reyes
Rothman
Roybal-Allard
Ruppersberger
Rush
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Simmons
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—233

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Beauprez
Berry
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Boozman
Boren
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Carter
Chabot
Chocola
Coble
Cole (OK)
Conaway
Costello
Cox
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Doyle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gibbons
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth

Hefley
Hensarling
Herger
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kennedy (MN)
Kildee
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Obey
Ortiz
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rahall
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Ryan (OH)
Ryan (WI)
Ryun (KS)
Saxton
Schwarz (MI)
Sensenbrenner
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Skelton
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Stupak
Sullivan
Sweeney
Tancredo
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—8

Bono
Conyers
Cuellar
Delahunt
Hinchey
Jackson-Lee (TX)
Oberstar
Sessions

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1526

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. If there are no further amendments, the Clerk will read the last three lines of the bill.

The Clerk read as follows:

This Act may be cited as the ''Science, State, Justice, Commerce, and Related Agencies Appropriations Act, 2006''.

Mr. BLUMENAUER. Mr. Chairman, each year, funding for essential programs under this bill is drastically cut. The National Oceanic and Atmospheric Association, the Community Oriented Policing Services, and the Public Telecommunications Facilities and Planning Account are all examples of successful and important programs that have been continually under-funded. While I have supported this appropriations bill in the past, the cumulative affect of these cuts has reached a point where I can no longer support the legislation.

I was heartened to see the Sanders amendment pass which will repeal some of the most dangerous provisions of the PATRIOT Act. This is a common sense step to restore some of our civil liberties. I was also pleased that the Committee did not include the Administration's proposed initiative under the Commerce Department, which would have obliterated Community Development Block Grants as well as other valuable community development programs.

These victories, however, are not enough to compensate for the unacceptable cuts to community policing programs, public broadcasting, and economic development programs, along with many other programs that positively contribute to the livability of our communities. I cannot support a bill that fails to support these basic needs of our Nation.

Mr. WOLF. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. FOLEY) having assumed the chair, Mr. HASTINGS of Washington, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2862) making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Pursuant to House Resolution 314, the previous question is ordered.

Is a separate vote demanded on any amendment?

Mr. MOLLOHAN. Mr. Speaker, I demand a separate vote on amendment No. 28 offered by the gentleman from Iowa (Mr. KING).

The SPEAKER pro tempore. Is a separate vote demanded on any other amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

□ 1530

The SPEAKER pro tempore (Mr. FOLEY). The Clerk will designate the amendment on which a separate vote has been demanded.

The text of the amendment is as follows:

Amendment:

At the end of the bill, insert after the last section (preceding the short title), the following:

**TITLE VIII—ADDITIONAL GENERAL PROVISIONS**

SEC. 801. (a) For expenses necessary for enforcing subsections (a) and (b) of section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373), $1,000,000.

(b) The amount otherwise provided in this Act for ''DEPARTMENT OF JUSTICE—LEGAL ACTIVITIES—SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES'' is hereby reduced by $1,000,000.

The SPEAKER pro tempore. The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. BURTON of Indiana. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 218, noes 208, not voting 7, as follows:

[Roll No. 267]

AYES—218

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boren
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Case
Castle
Chabot
Chandler
Chocola
Coble
Cole (OK)
Conaway
Cox
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Doolittle
Drake
Dreier
Duncan
Emerson
English (PA)
Everett
Feeney
Fitzpatrick (PA)
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kline
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schwarz (MI)
Sensenbrenner
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Tanner
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Wamp
Weldon (FL)
Weldon (PA)
Westmoreland
Whitfield
Wicker
Wilson (SC)
Wolf
Young (FL)

NOES—208

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)

Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Edwards
Ehlers
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Flake
Foley
Ford
Frank (MA)
Gilchrest
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kirk
Knollenberg
Kolbe
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matsui
McCarthy
McCollum (MN)
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Porter
Price (NC)
Rahall
Rangel
Reichert
Reyes
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tauscher
Thomas
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walsh
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Weller
Wexler
Wilson (NM)
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—7

Bono
Cuellar
Hinchey
McDermott
Oberstar
Sessions
Waters

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FOLEY) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1547

Mr. UDALL of Colorado changed his vote from ''aye'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. FOLEY. Mr. Speaker, on rollcall No. 267, the King of Iowa Amendment, I inadvertently voted "no". I meant to vote "aye."

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, this 15-minute vote on passage of H.R. 2862 will be followed by 5-minute votes on ordering the previous question on H. Res. 315, and on adoption of H. Res. 315, if ordered.

The vote was taken by electronic device, and there were—yeas 418, nays 7, not voting 8, as follows:

[Roll No. 268]

YEAS—418

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Costa
Costello
Cox
Cramer
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—7

Cooper
Duncan
Flake
Hefley
Matheson
Miller (FL)
Paul

NOT VOTING—8

Barton (TX)
Bono
Cuellar
Delahunt
Lee
Oberstar
Sessions
Whitfield

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FOLEY) (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1603

Mr. TANCREDO changed his vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BARTON of Texas. Mr. Speaker, on rollcall No. 268 I was unavoidably detained. Had I been present, I would have voted "yea."

PROVIDING FOR CONSIDERATION OF H.R. 2863, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2006

The SPEAKER pro tempore. The pending business is the vote on ordering the previous question on House Resolution 315 on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 223, nays 200, not voting 10, as follows:

[Roll No. 269]

YEAS—223

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Cox
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis, Jo Ann
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schwarz (MI)
Sensenbrenner
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—200

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—10

Bono
Cuellar
Davis, Tom
English (PA)
Granger
Jones (OH)
Kennedy (RI)
Oberstar
Sessions
Thomas

□ 1612

Ms. HARMAN changed her vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid upon the table.

PROVIDING FOR CONSIDERATION OF H.R. 2745, HENRY J. HYDE UNITED NATIONS REFORM ACT OF 2005

Mr. BISHOP of Utah. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 319 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 319

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2745) to reform the United Nations, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations. After general debate the bill shall be considered for amendment under the five-minute rule.

SEC. 2. (a) It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on International Relations now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived.

(b) Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution and amendments en bloc described in section 3 of this resolution.

(c) Each amendment printed in the report of the Committee on Rules shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

(d) All points of order against amendments printed in the report of the Committee on Rules or amendments en bloc described in section 3 of this resolution are waived.

(e)(1) Consideration of amendments printed in subpart A of part 1 of the report of the Committee on Rules shall begin with an additional period of general debate, which shall be confined to the subject of accountability of the United Nations and shall not exceed 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations.

(2) Consideration of amendments printed in subpart B of part 1 of the report of the Committee on Rules shall begin with an additional period of general debate, which shall be confined to the subject of United Nations peacekeeping operations and shall not exceed 10 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations.

(3) Consideration of amendments printed in subpart C of part 1 of the report of the Committee on Rules shall begin with an additional period of general debate, which shall

be confined to the subject of the International Atomic Energy Agency and shall not exceed 10 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations.

(4) Consideration of amendments printed in subpart D of part 1 of the report of the Committee on Rules shall begin with an additional period of general debate, which shall be confined to the subject of human rights and shall not exceed 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations.

(5) Consideration of amendments printed in subpart E of part 1 of the report of the Committee on Rules shall begin with an additional period of general debate, which shall be confined to the subject of the Oil-for-Food Program and shall not exceed 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations.

SEC. 3. It shall be in order at any time for the chairman of the Committee on International Relations or his designee to offer amendments en bloc consisting of amendments printed in part 2 of the report of the Committee on Rules not earlier disposed of or germane modifications of any such amendment. Amendments en bloc offered pursuant to this section shall be considered as read (except that modifications shall be reported), shall be debatable for 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. For the purpose of inclusion in such amendments en bloc, an amendment printed in the form of a motion to strike may be modified to the form of a germane perfecting amendment to the text originally proposed to be stricken. The original proponent of an amendment included in such amendments en bloc may insert a statement in the Congressional Record immediately before the disposition of the amendments en bloc.

SEC. 4. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

□ 1615

The SPEAKER pro tempore (Mrs. BIGGERT). The gentleman from Utah (Mr. BISHOP) is recognized for 1 hour.

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

This resolution waives all points of order against consideration of the bill H.R. 2745, the Henry J. Hyde United Nations Reform Act of 2005, and provides a structured rule for consideration of 28 different amendments, including an amendment in the nature of a substitute offered by the minority.

The rule provides for the offering of the 28 specified amendments according to subject areas as designated in the text of the resolution, and with a cumulative total of an hour and 40 minutes of general debate to be divided equally by the chairman and ranking minority member of the Committee on International Relations.

Madam Speaker, I am pleased to stand before the House today in strong support of this rule and the underlying legislation, H.R. 2745, the Henry J. Hyde United Nations Reform Act of 2005. Madam Speaker, with 28 amendments in order, to poorly paraphrase Winston Churchill, never will so much be said by so many about so little, in this case, just a single subject act.

It is fitting, though, Madam Speaker, that this bill be named after our esteemed colleague to my right, the gentleman from Illinois (Chairman HYDE), who has served and is serving with such distinction and integrity and has been a stalwart in these halls for the past 30 years. He is to be commended for putting together a well-thought-out, comprehensive measure aimed at helping to bring about real and needed reforms within the United Nations.

I commend also the gentleman from California (Mr. LANTOS), the ranking member, as well for the long-standing cooperation and dedication to bipartisanship in the area of U.S. policy and diplomacy which is evident in many important aspects of this legislation.

In fact, Madam Speaker, when these two distinguished gentlemen were testifying before the Committee on Rules on this bill, I was struck by the fact that the House, and indeed the entire Nation, is the beneficiary of decades' worth of their collective wisdom and firsthand experience.

We spent the last few weeks discussing DOD authorization and appropriations, Interior, State and Justice appropriations, and these acts have a wide range of topics and generated a multitude of amendments. This specific act has generated 28 potential amendments on a single topic, and, Madam Speaker, I know my colleagues are going to love listening to all 28 of those amendments, but let that not overshadow the reality of this bill.

This bill is unusual in the bipartisan unity of the content. When it comes to the issue of United Nations reform, I was also impressed that both gentlemen, the gentleman from Illinois (Chairman HYDE) and the gentleman from California (Ranking Member LANTOS), seemed to be of one mind when it relates to the necessity for reforms in the wake of continued scandals within various United Nations functions.

There was also a unique, bipartisan unity in supporting the need for a penalty to follow failure of reform. There is a small disagreement on who should trigger that penalty, which differences I know my colleagues on the other side of the aisle will bring forward, but there can be no doubt as to the underlying need of this penalty phase. That is telling.

To put it in a nutshell, Madam Speaker, this legislation is long overdue. It would require 39 very specific reforms within the areas of U.N. budgeting, oversight, accountability, and human rights. It provides clarity and a reasonable timetable under which the U.N. must act. With the U.S. footing the largest share of dues of any Nation, a share consistent with our voice, this act should provide some real teeth and real incentives to get the job done. To not require such withholdings would only create a paper tiger.

As an old teacher, I learned that I never made a threat that I was not willing to carry out. If students ever thought I was not seriously going to follow through on my disciplinary commitments, I would lose all credibility and lose both the respect and the cooperation of the kids. It would create an atmosphere of weakness and chaos. No learning would take place. Such an atmosphere of distrust cannot be part of our foreign policy. We have seen that too often, and such a potential cannot be ignored.

There are indeed precedents for what we are trying to do both in the 1980s and 1990s when actions by Congress ensured change within the United Nations.

It is regrettable, Madam Speaker, that this bill is even necessary. It is regrettable that the United Nations would not undertake to clean up its own act in the wake of the oil-for-food scandal, irregularities in the accounting and uses of its funds, misconduct by entrenched U.N. bureaucrats, and the deplorable state of the U.N. Commission on Human Rights.

We all witnessed the appalling lack of resolve and consistency in the U.N. when it failed to live up to and enforce the 17 different resolutions condemning Saddam Hussein's murderous regime.

When I am at home in my district, some of my constituents will say to me that we ought to pull out of the United Nations entirely. It is hard to argue with many of them who say that the U.N. is merely a haven for corruption, waste and, frankly, anti-Americanism. We must do all we can to try and rectify all these problems, and to not act would indeed be irresponsible.

This act sends an unmistakably clear message that specific reforms must be enacted or face real consequences. If these reforms are not enacted, the future looks bleak and will only increase the calls to replace the United Nations with a more updated handling of international disputes.

In conclusion, Madam Speaker, this rule is a good and fair rule. It made every single amendment in order, all 28, which were filed before the Committee on Rules. In short, the only complaint that one may have with this rule is that is may be somewhat parsimonious in its general debate, and we will provide in those 28 amendments a

long and wide-ranging debate of all of these important issues.

With that, Madam Speaker, I urge adoption of this rule.

Madam Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Madam Speaker, I yield myself 7 minutes, and I thank the gentleman from Utah (Mr. BISHOP) for yielding me the time.

Let me quote, this would undermine American credibility at the United Nations. It would undermine our effectiveness. Those are the words of the distinguished Under Secretary of State Nicholas Burns, who said of the bill that we are considering, it will call into question our reliability as the founder and host Nation and leading contributor to the United Nations and would also harm our image worldwide.

My colleague from Utah pointed to the bipartisanship. I gather that he would agree that it is bipartisan when Nicholas Burns and ALCEE HASTINGS and other Democrats and this administration join in opposing this measure.

In my opinion, this bill takes a shortsighted approach to reforming the United Nations. There are decent, necessary and desirable provisions in this legislation, but, Madam Speaker, this bill takes well-thought-out ideas and pushes them far into the realm of demagoguery, demonstrating a contempt for the United Nations that is entirely unfounded.

The United Nations Reform Act is yet another example of the majority's willingness to bulldoze over dissension and force its will upon those who would otherwise disagree. The draconian requirements of the underlying legislation will affect everything from the promotion of human rights in the organization to the inclusion of mandatory sunset provisions for all new U.N. programs.

The most shortsighted of the bill's provisions would require a mandatory withholding of peacekeeping funds unless the requirements in this legislation are met.

Madam Speaker, simply put, prohibiting the Secretary of State from exercising discretion regarding the withholding of funds to the United Nations is counterproductive. The Secretary herself told a group here in the Capitol day before yesterday that the Bush administration is not supporting the mandatory withholdings contained in this bill. It seems clear that if even this administration, which has never been reluctant to withhold criticism of the U.N., is against this provision, then it must be bad.

It has become a cliche when Members of the House speak repeatedly about winning the hearts and minds of the world; yet our constant use of gun-barrel diplomacy continues to fail. Do my colleagues really believe that withholding millions of dollars from the United Nations will encourage the member nations to go along with what we are trying to do today?

Adlai Stevenson, that great champion of world diplomacy, said, ''The whole basis of the United Nations is the right of all nations, great or small, to have weight, to have a vote, to be attended to.'' Now, more than 40 years later, the underlying legislation seeks to eliminate the right of any country besides our own to chart the future of the United Nations.

The only way for us to reform the U.N. is to work within it rather than threatening to take our ball and go home. We will not be successful by withholding the funds that are needed to do the job.

Thanks to the Bush administration, the United States' international reputation as a peace-loving Nation is in tatters. Now my friends on the other side want to pass a bill which will withhold peacekeeping funds while conflicts rage around this world unchecked? This is irresponsible, immoral and a foreign policy disaster.

Everyone in this body realizes that the United Nations is not a perfect organization, but on balance, the United Nations has been and will continue to be good for America on a range of global issues.

Let us not forget the thousands of United Nations personnel who risked their lives in Iraq and Afghanistan to bring about successful and free elections in those countries or the role of the U.N. in effecting the withdrawal of Syrian military forces from Lebanon.

□ 1630

In March of 2005, Secretary-General Annan released a string of initiatives to combat terrorism, proposals that the United States Government has openly supported. And in the Sudan, the U.N. has committed aid workers, troops, police, and money to ensure the success of peace accords.

The U.N. also continues to provide a global voice and to be a powerful advocate for change around the world. How many millions of children's lives have been saved through UNICEF, Madam Speaker? How many millions of lives have been saved through disease treatment and eradication programs? How many have been made better through development assistance, cultural programs, and advances in education? Can we really justify cutting off our support for all these efforts simply because the U.N. does not implement every single one of our reform proposals?

Madam Speaker, that is the reason I will be supporting the Lantos-Shays substitute to this bill. Eleanor Roosevelt, our country's first representative to the United Nations, remarked, ''Do what you feel in your heart to be right, for you will be criticized anyway.'' It may be that the United States will still be criticized even if we adopt the substitute and these reforms are pushed through. But I would rather do the right thing and be criticized than give up and go home because things did not go 100 percent of the way that we wanted it to.

The Lantos-Shays substitute takes a realistic approach to reforming the United Nations. It includes virtually all of the reforms in H.R. 2745, with one crucial difference. The substitute gives the Secretary of State the flexibility to make decisions regarding funds based on the needs of the United States. The substitute avoids the counterproductive all-or-nothing diplomacy of this measure, while still promoting the reforms everyone agrees are needed.

Madam Speaker, legislating unrealistic ultimatums will not achieve the goal that we are seeking. I urge my colleagues to oppose this ill-advised and shortsighted legislation.

Madam Speaker, I reserve the balance of my time.

Mr. BISHOP of Utah. Madam Speaker, I yield 1 minute to the distinguished gentleman from Illinois (Mr. HYDE), the chairman of the Committee on International Relations.

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

Mr. HYDE. Madam Speaker, I want to respond to my friend from Florida that the language that substitutes for debate around here is troublesome. Demagogic, I heard the gentleman say. Immoral, gun-boat diplomacy, contempt for the U.N. None of those inflammatory terms, in my judgment, apply to this debate.

And I suggest that we can disagree as to the one issue, and that is how to enforce the reforms we all agree are needed, without calling each other names or disparaging our motives.

Mr. HASTINGS of Florida. Madam Speaker, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from Florida.

Mr. HASTINGS of Florida. I thank the chairman, and I agree with him regarding our rhetoric. When I made my references I was referring to the Bush administration and not to the distinguished chairman and other Members in the body. And I stand by those statements, Mr. Chairman.

Mr. HYDE. Well, reclaiming my time, Madam Speaker, I thank the gentleman, but the Bush administration is on your side, not mine, this time.

Mr. HASTINGS of Florida. Madam Speaker, I yield 4 minutes to the distinguished gentlewoman from California (Ms. MATSUI), my colleague on the Committee on Rules.

(Ms. MATSUI asked and was given permission to revise and extend her remarks.)

Ms. MATSUI. Madam Speaker, I thank the gentleman from Florida for yielding me this time.

Madam Speaker, the second Secretary-General of the United Nations, Dag Hammarskjold, commented during his tenure that ''the United Nations was not created to take humanity to heaven but save it from hell.'' A keen observation on the fundamental tensions present in such a massive and massively important institution.

The U.N. was built upon the very highest of ideals: support for human

rights, peaceful resolution of conflict, and respect for international law and conventions. However, the reality of the U.N.'s composition of 191 member states, often with 191 different national interests, has challenged these high ideals. We all know that.

Many are examining how to meet these challenges and improve the weaknesses of the organization: the Secretary-General's report, the U.N. High Level Advisory Panel, the Volcker Commission Investigation, the Mitchell-Gingrich report. And each of them, in addition to the bill we are debating today, is circling around the same group of reforms. But the central debate here on the House floor is not about what the reforms should be. Madam Speaker, the debate here is how you sell them.

There are 191 individual members of the organization that must agree on the reforms, sometimes unanimously, if we are to make the U.N. an even better organization than it already is. And this is where I diverge from some of my colleagues.

I share the views of the eight former U.S. ambassadors to the United Nations. I do not believe harsh, automatic penalties hold any chance of garnering support among the many nations needed to enact these reforms. I must note that their experience spans each of the five Presidencies, from Jimmy Carter to George W. Bush. We should be heeding their sage advice.

For this reason, I support the Lantos-Shays substitute, which authorizes the Secretary of State to withhold a portion of our U.N. dues at his or her discretion instead of the severe automatic penalties.

We should not advocate a policy of withdrawal from the world community on the one hand and ask for it to engage on the other. But H.R. 2745 would stir up exactly that resentment in its current form, resentment that will kill any hope for change.

In closing, Madam Speaker, the United Nations has a genuine opportunity to reform and, with our leadership, the potential for great success. We must add to this momentum by supporting the Lantos-Shays substitute.

Mr. BISHOP of Utah. Madam Speaker, I am pleased to yield 3 minutes to the gentleman from Florida (Mr. CRENSHAW).

Mr. CRENSHAW. I thank the gentleman for yielding me this time, Madam Speaker; and I rise in strong support of this rule.

I think that the underlying legislation is much needed and long overdue. I have been working to help reform the United Nations since I first came to Congress, and I have not found anybody yet that disagrees with the fact that we very, very direly need to reform the United Nations. This once-utopian organization has degenerated into an institution that is largely dysfunctional and on the verge of becoming irrelevant, and that is why we need these reforms and we need them now.

There are a lot of areas that this legislation deals with, whether it is cronyism, corruption, or financial mismanagement. But I just want to stress one that relates to budgetary reform and the way that people vote on that.

Right now, the United States contributes about 22 percent of the general budget of the United Nations and 28 percent of the peacekeeping budget. If you take the last 128 nations that contribute dues, if you put all their dues together, that adds up to less than 1 percent; yet they have the same vote. Those 128 nations have the same vote as the United States. In fact, if you take the top three countries, they contribute over half the dues, and yet everybody has the same vote on budgetary matters.

Imagine a family, if you will, where the dad goes out and works all year and provides income for his family. And at the time to decide how to spend it, the four kids get up and say, this is what we want to do, this is where we want to go on our vacation, this is what hotel we want to stay in. Well, that is the way the United Nations works, and that is why we need the Henry Hyde U.N. Reform Act we are considering today.

One of the reforms in this act would say that when you vote on budgetary matters, then you weight those votes. That would do two things: number one, it would mean that the countries that contribute the most money would have more leverage in making sure that the money gets spent where it is supposed to be spent and in making sure that they get the results they want to get. And it also would encourage some of the other countries to contribute more money to the dues of the United Nations.

One of the areas we often hear criticized is this area of cronyism. It is unbelievable, but the United Nations, if you count the full-time and the contract employees, they have over 43,000 employees. To put that in perspective, a lot of multibillion dollar corporations do not have that many employees. Ebay, people have heard of that, is a company worth $52 billion, and the United Nations has five times as many employees as they have. Anheiser Busch, which makes and sells beer around the world, the U.N. has a third more employees than they have.

So I think it is time that we got a handle on how the money that American taxpayers send off to the United Nations gets spent, and this haphazard budgetary process can be changed by weighted voting.

There is no doubt in my mind that the time is now for reform at the U.N. This organization has become a shadow of its former self and likely bears little resemblance to what its founders had envisioned. Amid charges of cronyism, corruption, and financial scandal in recent months, the relevance and reputation of the United Nations has deteriorated drastically. What's more, the U.N. appears to engage in anti-American sentiment for sport, promoting it around the globe.

This is a true slap in the face to the United States. After all, we are going to contribute 22 percent of the U.N.'s general budget and 28 percent of its peacekeeping budget this year. This means a funding request for Fiscal Year 2006 of $439 million by President Bush. The top 10 contributors of U.N. dues account for more than 76 percent of all dues paid while the 128 countries with the lowest dues account for less than 1 percent of dues paid. However, among the 192 member countries, everyone's vote is worth the same. Imagine this scenario: parents agreeing to fund the family vacation, but allowing the children to dictate where the family goes, what hotel they stay at, and what activities they do. That's what is happening at the U.N. right now and that is why we need to support the Hyde Bill.

H.R. 2745 calls for weighted voting on budgetary matters. Weighted voting on budgetary matters would give the U.N.'s biggest contributors more leverage to ensure that their money is achieving the purposes for which it is intended. Weighted voting would encourage other countries to increase their contribution to the organization.

The State Department said the U.S. paid nearly $3.9 billion in contributions to the U.N. system in 2004. And who knows where that money went? Some of it likely went to fund patronage jobs of which the U.N. has many. Between full-time employees and contract workers, the U.N. employs almost 43,000 people. Let me put that in perspective: 43,000 workers is more than five times more the total employed by eBay, a company worth almost $52 billion. Another kicker: total U.N. employment is nearly one third greater than that of Anheuser-Busch, another multi-billion dollar company.

As elected officials, we have an obligation to be good stewards of the taxpayers' money. It is our responsibility to bring reform to the U.N.'s haphazard budget practices and the Henry Hyde U.N. Reform Act of 2005 is a step toward accomplishing that goal. The American people deserve nothing less.

Madam Speaker, I urge adoption of the rule and the underlying bill.

Mr. HASTINGS of Florida. Madam Speaker, I am very pleased to yield 8 minutes to my very good friend, the gentleman from California (Mr. LANTOS), the distinguished ranking member of the Committee on International Relations.

Mr. LANTOS. Madam Speaker, I thank the gentleman for yielding me this time. First, I want to thank my friend from Utah for his most gracious words at the outset of this debate, and I would like to commend my distinguished colleague, the gentleman from Florida (Mr. HASTINGS), for his leadership on foreign policy matters and for his invaluable assistance on the Committee on Rules.

Madam Speaker, as we embark upon today's historic debate, at the outset I would like to publicly express my respect, my admiration, my affection, and my friendship to the chairman of the House Committee on International Relations. The gentleman from Illinois (Mr. HYDE) has been a giant in this body for many years. His contributions to the work of the Congress and to the welfare of our Nation are without limits, and it has been one of the great

privileges of my congressional career to have had the opportunity of serving on his committee.

Madam Speaker, let me make it clear that there is no Member of this body who is opposed to far-reaching reforms at the United Nations. We must approve legislation to fight corruption, hypocrisy, ineffectiveness, waste, and anti-Americanism at this important global institution. There is no disagreement, Madam Speaker, between Chairman HYDE and me as to whether the U.N. must be reformed. Where we part ways is on how to accomplish this incredibly important goal.

Madam Speaker, the good Lord gave us Ten Commandments. The legislation before the House today gives us 39.

□ 1645

While I know there has been some inflation over time, there is no rational explanation for such an explosion of legislative commandments.

The United Nations Reform Act is truly a guillotine on autopilot. If the United Nations accomplishes 38 out of 39 commandments, but only accomplishes one-half of the last commandment, the United States will automatically cut off 50 percent of our contributions to the United Nations. Secretary of State Rice will have absolutely no choice in the matter. The President of the United States will have no choice in this matter. The Congress will have no choice in this matter.

The bill under consideration is also a death blow to United Nations peacekeeping. Upon enactment of this legislation, the United States will be forced to oppose any new or expanded peacekeeping mission until a comprehensive series of peacekeeping reforms are implemented, many of which we all know will take years to accomplish. Rwanda-style genocides could unfold before our eyes, and the United Nations would have to turn its back.

Madam Speaker, I agree that peacekeeping desperately needs reform, but it boggles the mind to think that this body would approve legislation which automatically cuts off all U.S. support for U.N. peacekeeping unless congressionally mandated commandments are immediately implemented.

We are not alone, Madam Speaker, in our deep opposition to the United Nations Reform Act in its current form. This Republican administration is strongly opposed to this legislation. Under Secretary of State Nicholas Burns said yesterday that this legislation ''would undermine American credibility at the United Nations and would call into question our reliability as the founder and host Nation and leading contributor to the United Nations.''

Eight of our former Ambassadors to the United Nations, Republicans and Democrats alike, ranging from Ambassador Jeanne Kirkpatrick to Ambassador Danforth, a former distinguished Republican Senator, all oppose this legislation.

Madam Speaker, my Republican colleague, the gentleman from Connecticut (Mr. SHAYS), and I will offer a substitute amendment to promote U.N. reform effectively. Our substitute, which is rational, responsible and bipartisan, does not have the rigid and arbitrary dictate that automatically cuts 50 percent of our dues. This provision makes the bill, which has many good provisions in it, a guillotine on autopilot. I urge all of my colleagues to vote for the Lantos-Shays substitute.

Mr. BISHOP of Utah. Madam Speaker, I yield 4 minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN), one of the leading voices on the Committee on International Relations.

Ms. ROS-LEHTINEN. Madam Speaker, I thank the gentleman for yielding me this time.

We are all sinners even though we have the 10 Commandments, but can Members imagine how much more sin we might be committing had those commandments been mere suggestions? That is why the Henry Hyde U.N. Reform Act does have commandments that the U.N. should and must adhere to. I rise in strong support of this bill.

On Monday as we were preparing for the debate on reforming the United Nations, a constituent of mine was at one of the sessions of the Economic and Social Council, one of the many United Nations bodies, and he was immediately struck by the almost Orwellian and secretive nature of the proceedings, as well as by the vitriolic, anti-American attacks in which the chairman and other members of the committee were engaged.

My constituent made several observations to me that reaffirmed that lives, not just policies, are at stake in our efforts to reform the U.N. institutions. This same constituent sent me a postcard like this one that reaffirmed to me the need for this. It had a note encouraging the Congress to overhaul the United Nations, and the picture on the postcard is a sculpture of a broken world, implying that the United Nations is the means by which to fix it.

However, how can the United Nations be considered a legitimate source of stability or an instrument for the protection of the most vulnerable populations or a tool for the promotion of human rights and good governance when it is plagued with graft and corruption, when sexual predators and traffickers in human beings are part of the policing and peacekeeping mission, and when the Human Rights Commission is a country club of rogue states made up of dictators and tyrants and thugs?

Reforming the United Nations is necessary for its survival, and it is long overdue. However, reform must not be limited to rearranging the deck chairs, but instead to correcting the organization's serious institutional and systemic flaws. The U.N. has paid lip service to nominal efforts to reform itself, and the few times that those promises have been kept, it is when the United States has leveraged its financial support for the organization and its specialized agencies.

For this reason, the Henry Hyde U.N. Reform Act of 2005 mandates spending cuts in specific programs, redirects funds to priority areas, and, yes, withholds 50 percent of U.S.-assessed dues if certifications are not made in critical areas. Those commandments must be adhered to.

If we are serious about making the United Nations relevant again, and I think in a bipartisan way we are, if we are serious about restoring it to reflect its core mission, and I think in a bipartisan way we are, if we are serious about saving the United Nations from itself, then we must render our overwhelming support for the Henry Hyde U.N. Reform Act of 2005.

I would just like to close by saying that it is very fitting that this bill before us should have the name of our distinguished chairman of the Committee on International Relations, the gentleman from Illinois (Mr. HYDE), who has been the conscience of the House, the voice of the people for so many years, has had such a distinguished public service career in the House and led us through some very difficult times as chairman of the Committee on the Judiciary as well as chairman of our Committee on International Relations. I am so pleased that this bill before us, which will reform this wonderful peacekeeping institution, will have his name as part of its reform legislation.

Mr. HASTINGS of Florida. Madam Speaker, I am pleased to yield 5 minutes to the gentleman from Massachusetts (Mr. DELAHUNT).

Mr. DELAHUNT. Madam Speaker, I also want to add to the remarks of the gentleman from Florida (Mr. HASTINGS) and our ranking member, the gentleman from California (Mr. LANTOS), when it comes to the gentleman from Illinois (Mr. HYDE). I have served with the chairman both on the Committee on the Judiciary and on the Committee on International Relations. I have profound respect and deep affection for him, but I do not like his bill.

It is clear that there is a consensus that the United Nations needs reform. We want reform. Our allies want reform. The Secretary General wants reform. Just this week a congressionally created task force chaired by the former Speaker of the House Newt Gingrich and the former majority leader Senator George Mitchell issued a report urging adoption of many of the proposals put forth by the Secretary General; but it did not recommend that Congress withhold dues to serve as a catalyst to bring about those reforms.

Presumably, they were in agreement with the eight former U.S. Ambassadors to the United Nations, both Republican and Democrat, who stated yesterday in a letter to the congressional leadership, and I would ask my

colleagues to pay close attention to this particular excerpt, ''Withholding U.S. dues to the United Nations may sound like smart policy, but would be counterproductive. It would create resentment, build animosity and actually strengthen opponents of reform. It would place in jeopardy the reform initiatives most important to U.S. interests.'' Remember, these are Americans who represented our Nation at the United Nations. They understand how the institution works. They know how to get things done.

Yes, Madam Speaker, I am optimistic that reform will occur, but it will not happen as a result of this bill, it will happen in spite of this bill.

If it were a thoughtful effort to effect change, why did the committee proceed before the Gingrich-Mitchell task force that we created and funded back in December even made its recommendations?

No, this bill will not promote U.N. reform, Madam Speaker. It is more likely to undermine those efforts. Support for this bill will reinforce a growing belief that we are not committed to strengthening the United Nations, to working with our like-minded allies to make it a more effective tool to promote our interests.

I recognize that some, a few, on the other side honestly believe we should end any participation, any U.S. participation in the United Nations. They prefer to go it alone, but they forget that without the United Nations it would fall on us to do much of what the United Nations is doing on the planet today, and that the United Nations has supported the United States in some of our critical foreign policy needs. It was the United Nations that organized and ran the elections in Iraq and in Afghanistan and played a critical role in forcing the Syrian withdrawal from Lebanon.

The Ambassadors are correct, resentment towards the United States will increase. That is because what this bill simply says is unless you do everything we want, we will cut off your funds. In other words, if you do not play the game according to our rules, we will take our ball and go home.

This take-it-or-leave-it approach does not help us, it hurts us. A recent GAO report stated, and again I am quoting, ''Recent polling data show that anti-Americanism is spreading and deepening around the world. Such anti-American sentiments can increase foreign public support for terrorism directed against the United States, impact the cost and effectiveness of military operations, weaken the United States' ability to align with other nations in pursuit of common policy objectives, and dampen foreign publics' enthusiasm for U.S. business services and products.''

□ 1700

That is a quote from our own GAO. This bill is bad for our national security interests, it is bad for America, and I hope it is defeated.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

I love history. In fact, this is not necessarily unprecedented. The Kassebaum-Solomon amendment in 1985 asked for change, and meaningful change took place. In 1994, we insisted on an oversight committee and an oversight committee took place. And under the bipartisan Helms-Biden approach, once again we insisted on changes with the United Nations. The United Nations responded to it. This bill is keeping a tradition that is historical going back for at least 20 years in this body.

Mr. Speaker, I yield 3½ minutes to the distinguished gentleman from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. Mr. Speaker, first of all, let me echo what has been said about the gentleman from Illinois (Mr. HYDE). There has never been a finer Member of Congress in the history of the Republic than the gentleman from Illinois. He was one of the most eloquent speakers I have ever known in this House. We really appreciate all his hard work on this bill.

Now, let me say to my friend from Massachusetts, I have been listening to this stuff for 20 years. You cannot do anything to put pressure on the United Nations, because if you do, the whole world is going to hate us. The sky is going to fall, Henny Penny. The State Department has been working with the United Nations for the last 20 years that I have been here and working on the Foreign Affairs Committee, International Relations now. The problems still exist. The only difference is, it is worse now than it has ever been.

We have got to do something about it. Mr. Bolton needs to be confirmed on the other side because we need a tough guy over there to force the issue. We have got an Oil-for-Food scandal that is growing daily. Kofi Annan, the head of the United Nations, the Secretary-General, said, Oh, I didn't have anything to do with it. We now are finding memos where he talked to the people in the oil industry saying that he would give them unqualified support.

A few months ago, he said, Oh, I never did that, and he said he would never resign under any circumstances. Now he is hedging his bets on that because the case against him and the Oil-for-Food scandal is growing and growing and growing. He is the head man over there. On his watch, everything has been going haywire.

We have got U.N. peacekeeping forces raping women and kids, and nothing has been done about that. We have got all kinds of problems over there and something must be done. How do you do that? We say, Well, let's follow the same course we have been following for the last 20 years. The State Department says, My gosh, we'll go over there and we'll do something about it. I have high regard for Condoleezza Rice. I think she is a dynamite lady and going to do a dynamite job. But this body needs to put the hammer by using American taxpayers' dollars on the U.N. to clean up that mess over there. We cannot go on day after day, week after week, month after month, year after year letting this thing be completely out of hand.

The gentleman talked about the Mitchell and Gingrich report. They said that it is a mess over there. How do you clean it up? You make a change from top to bottom. How do you do that when the rest of the world or much of the rest of the world says, Oh, my gosh, we don't want the United States dictating to us. I can understand that. We are the big guy on the block. They do not want us dictating to them, and we do not want to dictate to them. We want to work with them. But the fact of the matter is they are not listening in many cases and the corruption goes on and on and on, the mismanagement goes on and on and on, and nothing changes. And the United States keeps pouring in 25 percent, or almost that much, of the funds out of the taxpayers' pockets in this country for that body.

How do you change it? You take out the hammer, and the hammer is the money. You say to the world body, the United Nations, If you don't clean up that mess, we are going to withhold funds. And if we withhold funds, you are going to have a big, big problem over there.

Mr. Speaker, the gentleman from California (Mr. LANTOS) is one of my dearest friends in this place and the gentleman from Massachusetts is not a bad friend, either. We have traveled together. I have high regard for him, even though he is wrong a lot of the time. But I just want to say, something has to be done. There must be something in the water in Massachusetts. I do not know. But something has to be done. And what has to be done is we have got to put pressure on the U.N. and the best way to do it is to say, either you change things over there or we are going to withdraw funds.

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased and privileged to yield 3 minutes to my good friend and classmate, the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Speaker, I would like to say a word about the gentleman from Illinois, also. There are probably no two people that are more opposite than the two of us. I want the gentleman to know, I am going to miss him when he really does leave the floor.

Mr. Speaker, if H.R. 2745 is enacted, it will be a huge step backward for women around the world, because it would end U.S. funding for CEDAW. CEDAW is the U.N. Convention on the Elimination of Discrimination Against Women, which is the U.N. treaty on the rights of women around the world. CEDAW is a United Nations treaty that supports international standards to discourage sex-based discrimination and encourages equality in education,

health care, employment and all other arenas of public life for all women around the world. This treaty serves as a powerful tool for women worldwide as they fight against discrimination. It also leads to substantial improvements for women's lives across the world.

The impact of CEDAW can be seen in countries like Australia where the government cited its treaty obligations in passing national legislation against sexual harassment in the workplace based on CEDAW, or in Pakistan where education for young women was introduced in primary schools after treaty ratification in Pakistan, causing sharp increases in female enrollment in their schools.

To date, 170 countries have ratified CEDAW. Sadly, the United States continues to be the only industrialized nation that has not ratified, leaving us in the company of Afghanistan, North Korea, and Iran. It is time to abandon this unfavorable distinction. It is time to be a world leader and a champion of human and women's rights. We must ratify CEDAW, and we must do it now. That is why I urge my colleagues to cosponsor my resolution on CEDAW, H. Res. 67, to support the Lantos amendment, and to vote against this base bill unless we do something drastically to improve it.

Mr. BISHOP of Utah. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from North Carolina (Ms. FOXX).

Ms. FOXX. I thank the gentleman from Utah (Mr. BISHOP) for yielding me the time.

Mr. Speaker, I rise today in support of the rule and the bill. I also want to thank the gentleman from Illinois (Mr. HYDE) for his service and this bill. I had some prepared remarks, but I have got to respond to the last speaker who talked about CEDAW. It seems to me that that is a perfect example of what is wrong with the United Nations and our funding the United Nations. What a joke CEDAW is. We are the only industrialized country that has not signed that treaty. Women do better here than anyplace in the world. There is no person who supports equal rights for women more than I do, and I think that CEDAW is a joke because of those who have supported it, look at how they treat women.

As Members of Congress, we have a duty to ensure accountability of each and every American taxpayer dollar that goes to the United Nations. From the U.N. Oil-for-Food program, to its lack of action with respect to the genocide in Darfur, to the horrendous human rights abuses by U.N. peacekeeping staff during their mission in the Congo, what did they care about CEDAW. The U.N. is rife with fraud and abuse and needs reform.

Two of the most important items this bill requires are to direct the U.S. permanent representative to aggressively pursue a definition of terrorism and to mandate that the U.N. adopt criteria for membership on any human rights body. The U.N. counts some of the world's leading human rights violators and state sponsors of terrorism among its membership and even taps many of them to be in leadership positions on its subcommittees. This is outrageous and ironic.

Let us empower our new ambassador to the U.N. and the administration with reforms that have some teeth and will effect change. The United Nations' reputation of being a credible and effective international peacekeeping body has been tarnished. It is no wonder so many Americans question the efficacy and the very necessity of the United Nations.

Mr. Speaker, I rise today in support of this rule and bill and thank Mr. HYDE for his service and this bill. The United Nations Charter includes some very laudable goals, but when the rubber meets the road, the U.N. has failed miserably to put these ideals into practice, especially in recent years.

As a founding member of the U.N. and a permanent member of the U.N. Security Council, we have a duty to insist on a higher standard. And as Members of Congress, we have a duty to ensure accountability of each and every American taxpayer dollar that goes to the U.N.

From the U.N. Oil for Food program to its lack of action with respect to the genocide in Darfur, Sudan to the horrendous human rights abuses by U.N. peacekeeping staff during their mission in the Congo, the U.N. is rife with fraud and abuse and needs reform.

This bill includes a call for certifiable reforms including: Shifting 18 programs from the regular assessed budget to voluntary funded programs so their funding would not be automatic; all new programs started by the U.N. to include sunsetting provisions; cuts and streamlining in the funding for the 15,484 conferences and scheduled meetings that occurred in 2004 and 2005, some of which cost $7–8,000 per hour; creation of an ethics office to provide oversight over the U.N. budget and financial disclosure form.

And two of the most important items this bill requires are to direct the U.S. Permanent Representative to aggressively pursue a definition of terrorism and to mandate that the U.N. adopt criteria for membership on any human rights body.

The U.N. counts some of the world's leading human rights violators and state sponsors of terrorism among its membership and even taps many of them to be in leadership positions on its subcommittees. This is completely outrageous and dangerously ironic.

Let us empower our new ambassador to the U.N. and the administration with reforms that have some teeth and will effect change. The United Nations' reputation of being a credible and effective, international peacekeeping body has been sorely tarnished. It is no wonder so many Americans question the efficacy and the very necessity of the United Nations.

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

Mr. BISHOP of Utah. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. PENCE), a member of the Committee on International Relations.

Mr. PENCE. Mr. Speaker, I thank the gentleman for yielding me this time. I am a proud original cosponsor of the Henry J. Hyde U.N. Reform Act, and I rise today in support of the rule and with a profound sense of gratitude for the leadership that my mentor and friend, HENRY J. HYDE of Illinois, has provided on this bill and throughout an illustrious career in this Congress. I also want to commend for what I know will be a vigorous debate that has already begun the gentleman from California (Mr. LANTOS) for his thoughtful consideration of this bill.

One of the extraordinary things about this debate as it unfolds before the American people, Mr. Speaker, is the degree of agreement between the two men that I just mentioned. It is a rare piece of legislation indeed where there is so much agreement about the goals. But I believe what will become apparent to any observer of this debate is that we are not so much arguing over the ends as the means, and that is a legitimate argument that will be, I believe, a great service to the country. The United Nations is desperately in need of fundamental reform, and the Henry J. Hyde U.N. Reform Act does just that.

In 1994, staffers at UNICEF's Kenya office defrauded and squandered up to $10 million by some estimates. In the Congo last year, U.N. peacekeepers and civilian personnel stand accused of widespread sexual exploitation. And we all know of the $10 billion Oil-for-Food scandal. Both sides agree it is time for reform in the wake of years of mismanagement and outright scandal. But I submit humbly that it is time for U.N. reform with teeth, and that is precisely what the Hyde U.N. Reform Act provides. It focuses on budgets, streamlining, prioritization of programs, oversight, accountability, peacekeeping, and human rights. But the Hyde bill also uses the leverage of withholding up to 50 percent of U.S. assessed dues if certifications are not made in key areas.

Under the Hyde bill, the U.N. must achieve 32 of 39 reforms, 14 of which are mandatory, or face the potential loss of 50 percent of U.S. assessed dues. Let us be clear. This is the point of contention, Mr. Speaker, that is, who controls the power of the purse. I submit at the beginning of this debate that the power of the purse is the power of the American people. It is not for the State Department or even the Secretary of State to say when and how the resources of the American people will be spent. That is the function of the Congress of the United States even where the United Nations is concerned. It is time to save the U.N. from its own scandals and mismanagement. It is time for U.N. reform with teeth.

Let us begin the debate. Then let us pass the Henry J. Hyde U.N. Reform Act.

Mr. BISHOP of Utah. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, billions of dollars in coverups, fraud investigations, abuses of power, calls for resignation, shredded documents. I am not talking about the Nixon or the Clinton administrations, though both contained plenty of the above. I am talking about the U.N., that most sacred cow of international organizations. It has been the subject of many scandals. Billions of dollars intended to help the Iraqi people were stolen from the Oil-for-Food program.

□ 1715

It appears that that happened because of conflicts of interest at the highest levels of the U.N. Countries like Syria, Sudan, Libya, North Korea, China and Cuba have had seats or still have seats on the Human Rights Commission, the U.N.'s body for addressing human rights issues. Those nations are all members of the U.N., and we should not kick them out, but they should not be setting policy on human rights. Members of this Commission can veto certain resolutions that come before the U.N.

Sudan, from its seats on the Commission, has vetoed efforts to condemn the genocide it is committing in Darfur. U.N. peacekeepers were recently found to be raping the children, the very people they were ordered to protect, in the Congo. We could go on and on.

The U.N. plays a vital role in mediating disputes, in caring for the poor, and facilitating dialogue. But the system seems to breed abuse and fraud and wasteful spending because of the U.N.'s huge bureaucracy. It is accountable to no one. Much of what happens happens behind closed doors.

Changes need to be made. They need to be made in the structure of the U.N. They need to be substantial, not cosmetic changes. The mess needs to be cleaned up.

I urge support for the Henry J. Hyde U.N. Reform plan, which will make changes of substance.

Mr. BISHOP of Utah. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. MCCAUL), also a member of the Committee on International Relations.

Mr. MCCAUL of Texas. Mr. Speaker, today I rise in support of the rule and this important piece of legislation. And I want to thank the gentleman from Illinois (Chairman HYDE) for his leadership on this important issue, and it is an honor to serve with him on the Committee on International Relations.

World leaders gathered in 1945 to implement a vision that began with President Woodrow Wilson's League of Nations, was conceived by President Franklin Roosevelt and brought into existence by Harry Truman, now known as the United Nations. What the United Nations has become today would surely break the hearts of these great men.

More than just a group of countries working towards peace, the United Nations represents the idea that each human being deserved a better existence. What happens at the United Nations today does not represent these ideals. And until the United Nations becomes the body envisioned by these giants of the past, until it becomes a place where the good of mankind is truly advanced, and not a place where the agendas of tyrants and dictators are protected, we should not continue to pay 25 percent of the United Nations budget.

There are those who believe that we should simply leave the U.N. and start over, and there are moments when I wonder if really there is no other option. There may be a day when this becomes inevitable, but now is not the time to cut and run. Now is the time to hold the United Nations accountable. It is important for the United States to remain engaged and a player on the world's stage to enact these important reforms.

This legislation has offered 39 important reforms with the teeth of tied to funding, which will return honor and integrity to what was once a distinguished body.

I urge my colleagues to support this important legislation.

Mr. BISHOP of Utah. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, I thank my friend for yielding me this time.

I rise in strong support of the Henry J. Hyde U.N. Reform Act of 2005. It is tough but necessary medicine designed to finally at long last reform the United Nations so that they can realize the noble dream of its founders.

Today the United Nations is rife with scandal, corruption, hypocrisy, and missed opportunity. Clearly there are bright and committed people at the U.N., and I applaud them. But others with less laudable motives often hijack the U.N. mission, its programs, and undermine the vital missions of the United Nations.

Those of us who believe the U.N. can and must do better refuse to accept the status quo. Business as usual just does not cut it. The Henry J. Hyde U.N. Reform Act of 2005 injects real and measurable accountability into the United Nations, and that is exceedingly important in a myriad of areas including the area of peacekeeping operations and in human rights.

I want to thank the gentleman from Illinois (Chairman HYDE) for his great leadership on this and on so many human rights issues around the world. This is important legislation. I hope the body will support it.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I want to join in wholehearted endorsement in echoing of all of the words of praise that have been directed toward the distinguished chairman of the Committee on International Relations. I have known the gentleman from Illinois (Chairman HYDE) to not only be gentlemanly and eloquent, but fair-minded and bipartisan in a substantial number of efforts, and I, like all of our colleagues here, deeply appreciate the work that he has done on behalf of this Nation and indeed this world throughout the course of his career, and I compliment him in that regard.

I also accept the chastisement of the distinguished Chair with reference to rhetoric, but I would urge that some of the rhetoric that I may have used is rhetoric that I learned here in the House of Representatives that has been used on both sides of the aisle much too often, in my judgment.

That said, I would like not to be an apologist for the United Nations. The United Nations needs to be reformed, and I think that it could be put better by the words of Under Secretary of State Nicholas Burns, whom I quoted when I began. I further quote him in saying that it is more important to press for structural reforms. I think Ambassador Burns is absolutely mindful of what all of us are. The gentleman from Illinois (Chairman HYDE); the gentleman from California (Mr. LANTOS), my good friend, the distinguished ranking member; the gentleman from Connecticut (Mr. SHAYS), his colleague in filing this measure; all of the members of the Committee on International Relations, indeed all the Members of this body recognize that the United Nations has problems. But if we are in the business of using this as precedent, then we would not want to establish a precedent where using the hammer, as the gentleman from Indiana referred to the monetary withholding as being the hammer, to cause people to undertake to do what we say. Then we establish that as a precedent, and we look up next month, 2 months from now, another country comes forward. We are not the only dues payor, we are the largest dues payor to the United Nations. So someone else that decides that it should reform in a way more likely to comport with their government's understandings could use this as a precedent. I do not think that that is a good thing. I do not think that is good policymaking, and I have tried to make that clear.

Let me give the Members the analogy by way of an exact example. I happen to be the president of the Parliamentary Assembly of the Organization for Security and Cooperation in Europe. It is the first time that an American has been the president, and we are holding the Assembly's conference here in Washington, D.C., and I thank the Speaker of the House and the majority leader of the Senate for the extraordinary effort that they have put in allowing that this Assembly be undertaken in appropriate fashion in a bipartisan way. Secretary Rice is one of the featured speakers at that Assembly.

I raise it only for this reason, and I see the gentleman from New Jersey (Mr. SMITH), my good friend, who is the Chair of the Helsinki House side of the same Assembly that I am talking

about. The gentleman from New Jersey (Mr. SMITH) can relate to what I am about to say, and I ask the gentleman from Illinois (Chairman HYDE) to do so as well.

More than a year ago, the governing side of the OSCE was met with threats from the country Russia. And we agree even today that transparency and accountability in that organization is critical. They hold most of their undertakings behind closed doors. They operate on the consensus rule, and it primarily stagnates the mission of the OSCE. But Russia said that unless the United States paid more dues, interestingly enough in this particular instance, and that they paid less dues, and that reform measures that they were seeking were implemented, that they would withhold their dues from the OSCE. It did not stop the organization from running. It is not going to stop the Assembly from taking place here in Washington, D.C., July 1 through July 5. But what it did was that threat caused turmoil inside the organization that is in need of reform, and I think we run into the same kind of measure here in this particular proposal.

Listen, Madeleine Albright and John Danforth, Richard Holbrooke and Jeane Kirkpatrick are nobody's rookies, and they are not naive when it comes to what is needed. Thomas Pickering and Bill Richardson and Donald McHenry and Andrew Young, all eight of these individuals were people that served as our Ambassadors under Republican and Democratic administrations to the United Nations, and during that entire period of time, each of them in their own way contributed to meaningful reform. All of them have said, The need for United Nations reform is clear, but we urge that you carefully consider this legislation because it will not, it will not, do the necessary reforms at the U.N.

The SPEAKER pro tempore (Mr. TERRY). The gentleman's time has expired.

Mr. BISHOP of Utah. Mr. Speaker, I appreciate the kindness and flexibility of my good friend from Florida.

Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, I am proud to rise in support of the rule and the Henry J. Hyde U.N. Reform Act, and just as proud to rise in tribute to the gentleman from Illinois (Mr. HYDE).

When the gentleman from Illinois (Mr. HYDE) feels something needs fixing, we had better take notice and know it needs fixing.

We need an organization of nations that cares about human rights, but we need a united group of nations that believes more in the rights of individuals than it believes that the right of individuals is to plunder others.

It should be noticed that at a time when the United Nations' reputation for truth, justice, and following its own rules is at an all-time low, it should be doing everything it can to bring information to light, whether it is good or bad. If the U.N. leadership, however, spent half the time lining the fabric of freedom than it has been lining the pockets of friends and family, then this would be approaching utopia. That is not the case.

Last month there was an investigator who had something called a conscience. He wanted to come forward with information. What did the U.N. do? They hired attorneys to have an injunction to keep us from knowing the truth.

It is time to be united and holding the United Nations accountable. Support the rule on the Henry H. Hyde bill.

Mr. BISHOP of Utah. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Speaker, I thank my colleague on the Committee on Rules for yielding me this 1 minute.

I grew up in the Deep South in the late 1950s. Every other billboard in the South, in my part of Georgia, said, ''Get out of the United Nations.'' I did not think that was correct then, and I do not feel that way now. In fact, maybe we should have joined the League of Nations and we would never have had World War II. But if there is ever a time to reform an organization, it is absolutely now.

I am proud to support the rule and the bill, H.R. 2745, the Henry J. Hyde United Nations Reform Act of 2005.

The gentleman from California earlier talked about the Ten Commandments and the fact that we are burdening the U.N. with these 39 commandments. But really what he is suggesting is that they are not commandments at all. They become suggestions. It does not really matter, the number.

□ 1730

I think we need some teeth in this reform, and that is what the Henry J. Hyde United Nations Reform Act does. I am fully supportive. I ask my colleagues on both sides of the aisle to support this, and let us straighten out that organization.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I appreciate the opportunity for having had a very quality debate here today. It is interesting to note once again that the ranking member and the chairman have said the need for reform is obvious. There is no disagreement on that point. It is seemingly the mechanism of doing that.

Once again I point out that in 1985, 1994 and 1999, this House set precedent by doing the exact same concept that is there. And it is true that maybe I have heard a new concept here that I do not need to make all Ten Commandments to get to heaven, but I also know that when I was in my classroom and I put high standards and high expectations, my kids met those standards; and if I wavered, then they wavered at the same time.

This is a good piece of legislation. It is an excellent rule, and I urge its adoption and passage of the underlying legislation.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. HYDE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2745.

The SPEAKER pro tempore (Mr. BISHOP of Utah). Is there objection to the request of the gentleman from Illinois?

There was no objection.

## HENRY J. HYDE UNITED NATIONS REFORM ACT OF 2005

The SPEAKER pro tempore. Pursuant to House Resolution 319 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2745.

The Chair designates the gentleman from New Hampshire (Mr. BASS) as Chairman of the Committee of the Whole, and requests the gentleman from Nebraska (Mr. TERRY) to assume the chair temporarily.

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IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2745) to reform the United Nations, and for other purposes, with Mr. TERRY (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) each will control 10 minutes.

The Chair recognizes the gentleman from Illinois (Mr. HYDE).

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

Mr. HYDE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to announce that I am terribly flattered by the extravagant things that have been said, but I must confess I did not name this bill after myself. While I deeply appreciate the honor, I am a trifle embarrassed, not thoroughly embarrassed, but a trifle.

Mr. Chairman, most informed people agree that the U.N. is in desperate need of reform. Corruption is rampant, as evidenced by the ever-expanding Oil-for-Food scandal. U.N. peacekeepers have sexually abused children in Bosnia, the Congo, Sierra Leone and other

places; and the culture of concealment makes rudimentary oversight virtually impossible. A casual attitude towards conflict-of-interest rules undermines trust in the U.N.'s basic governance.

I could spend many hours reciting a litany of waste, fraud, and abuse that has become intolerable. So what do we do about it? What leverage do we have to bring about change in how this institution operates?

First of all, we pay 22 percent of the budget. That is $440 million. We pay 27 percent of the peacekeeping budget. Do not ask me what that is. You cannot find out. That is a secret. China pays 2.1 percent, or $36.5 million. Russia pays 1.1 percent, or $19 million.

Over the years, as we listened to the counsels for patience, the U.N.'s failings have grown worse, not lessened. Our many warnings, plans and urgings have largely come and gone, with few lasting accomplishments to mark their presence. Trust in gradual change has been interpreted as indifference, a very expensive indifference.

So the time has finally come when we must in good conscience say ''enough.'' ''Enough'' to allowing odious regimes such as Cuba, Sudan and Zimbabwe to masquerade as arbiters of human rights. ''Enough'' to peacekeepers exploiting and abusing the people they were sent to protect. ''Enough'' to unkept promises and squandering the dreams of generations.

Very few are opposed to the U.N.'s role in facilitating diplomacy, mediating disputes, monitoring the peace, and feeding the hungry. But we are opposed to the legendary bureaucratization, to political grandstanding, to billions of dollars spent on multitudes of programs with meager results, to the outright misappropriation of funds represented by the Oil-for-Food program. And we rightly bristle at the gratuitous anti-Americanism that has become ingrained over decades, even as our checks continue to be regularly cashed.

No observer, be he a passionate supporter of this legislation or dismissive critic, can pretend that the current structure and operations of the U.N. represent an acceptable standard. Even the U.N. itself has acknowledged the need for extensive measures and, to its credit, has put forward a number of useful proposals for consideration.

In the United States, the recognition of need for change is widely shared and bipartisan. Republican and Democratic administrations alike have long called for a more focused and accountable budget, one that reflects what should be the true priorities of the organization, shorn of duplicative, ineffective, and outdated programs. Members on both sides of the aisle in Congress agree that the time has come for far-reaching reform.

I have heard no arguments in favor of maintaining the status quo. Even the opponents of this legislation concede the need for deep change. The key difference, the all-important difference, between their proposals and the one we have put forward lies in the methods to be used to accomplish that universally desired goal.

We are already experiencing strenuous resistance to change from many sources, both within the U.N. and without. But admonishment will not transform sinners into saints; resolutions of disapproval will not be read; flexible deadlines and gentle proddings will be ignored.

Instead, more persuasive measures are called for. This legislation brings to bear instruments of leverage sufficient to the task, the most important being tying the U.S. financial contribution to a series of readily understandable benchmarks.

In an effort to derail this legislation, it has been proposed that we hand to the Secretary of State the power to selectively withhold funds from the U.N. as a means of inspiring a cooperative attitude in the organization. I certainly mean no disrespect for the current Secretary, whom I hold in the highest esteem, but the power of the purse belongs to Congress and is not delegable, no matter who holds that high office.

We cannot escape this burden. The task we face is an extensive one, and I have no illusions regarding the difficulties and the challenges we face. But the choice is simple: we can either seek to accomplish concrete improvements, which will require an enforcement mechanism more credible and more decisive than mere wishes, or we can pretend to do so. For there can be no doubt that any proposal resting upon discretionary decisions concedes in advance that any reform will be fragmentary at best, if there is any at all.

We are in a peculiar situation. Opponents of change cloak themselves in the robes of defenders of the U.N., when it is in fact they who would condemn it to irrelevance. Those of us who believe the U.N. can yet reclaim its mission and assume the role foreseen by the vision of its founders have no choice but to take up this task of U.N. reform.

Yes, this is radical surgery. Sometimes it is the only way to save the patient.

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

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

Mr. Chairman, I rise in strong opposition to this bill, and I urge all of my colleagues across the aisle to do so. Let me state at the outset that I fully share the passionate commitment of the gentleman from Illinois (Chairman HYDE) to meaningful and thorough reforms at the United Nations. This global institution must become more transparent and open, its employees must be held to the highest ethical and moral standards, and the abuses of the Oil-for-Food program must never be repeated.

Mr. Chairman, the United Nations must put an end to its persistent and pathological persecution of the democratic nation of Israel, which has become the whipping boy for totalitarian regimes around the globe. Serial human rights abusers, Mr. Chairman, must also be kept off U.N. institutions explicitly designed to fight for the cause of human rights and democracy.

Mr. Chairman, the crushing flow of stories of scandal at the United Nations has forced a long-overdue recognition of an essential fact about the place: it is not a real country, like Japan or Norway. It is a derivative reality reflecting its less-than-perfect member states in a deeply flawed world.

I would like to remind my colleagues that there will be no quick fix for an organization composed of 191 member states which, in varying degrees, have their own shortcomings, their own injustices, their own flaws, their own hypocrisies of all types. Because a quick fix is not to be expected, and rigid, punitive measures will not bring about a long-term fix, Mr. Chairman, I must oppose the legislation before the House today and indicate my intention to offer a substitute amendment.

Just yesterday, Mr. Chairman, our Republican administration informed Congress that it strongly opposes the automatic withholding provisions of the Hyde bill as well as its infringements upon the President's constitutional powers.

Let me repeat that, Mr. Chairman, and I want my Republican friends to listen. The Republican administration strongly opposes the Hyde bill.

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This does not come as a surprise to us, Mr. Chairman. Just a few weeks ago, high-ranking officials at the Department of State told Congress that the legislation would undoubtedly create new arrears at the United Nations because not all of the U.N. reform benchmarks contained in the bill are achievable. While many of the reforms being sought in the Hyde bill are worthy goals, many require unanimous agreement by all 191 U.N. member states, including the likes of Iran, Syria, and Sudan.

Mr. Chairman, the Lord gave us Ten Commandments, but the bill before the House today gives us 39. What is worse, Mr. Chairman, is that if the United Nations achieves 38 of these benchmarks and only accomplishes half of the thirty-ninth, the Hyde bill automatically, automatically, cuts off 50 percent of the U.S. contribution to the United Nations. With this rigid and inflexible mechanism, the legislation before us will undercut, not strengthen, our ability to press for the very reforms we all seek.

Senior State Department officials argue that the bill, if enacted, would severely undermine America's national security interests by killing desperately needed U.N. peacekeeping operations, including a possible mission to deal with genocide.

The State Department is not alone in opposing the Hyde bill. Eight former

United States Ambassadors to the United Nations have expressed their strongest opposition to the bill. These Ambassadors include distinguished Republicans like Jeane Kirkpatrick, John Danforth, a former distinguished Republican Senator; and Ambassadors Richard Holbrooke, Madeleine Albright, Donald McHenry, Thomas Pickering, Bill Richardson, and Andrew Young. They argue that the bill ''threatens to undermine our leadership and effectiveness at the U.N. and the reform effort itself.''

In short, Mr. Chairman, while the Hyde bill has the best of intentions, it will cause our Nation to go back into an arrears at the United Nations without achieving the desired outcomes. Given the important role the United Nations is currently playing in Afghanistan, in Iraq, in Darfur, and scores of other places, I fail to see how going into debt at the United Nations will promote our national security interests. It will only force the United States to take on greater global responsibilities at the very moment when our troops and our diplomats are already spread thin.

I also fail to see, Mr. Chairman, how tying the hands of our distinguished Secretary of State, Dr. Condoleezza Rice, as she pursues reform at the United Nations would serve our national interest. The legislation before the Congress micromanages every possible reform at the United Nations. It creates mechanical, arbitrary, and automatic withholdings, and it gives Secretary of State Rice zero flexibility to get the job done.

For these reasons, Mr. Chairman, I will offer a substitute amendment to achieve U.N. reform which will give Secretary Rice the flexibility she asks for, she needs, and she fully deserves from the Congress.

Mr. Chairman, I urge all of my colleagues to side with our Nation's bipartisan foreign policy leaders in opposing this bill.

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

Mr. HYDE. Mr. Chairman, I yield myself such time as I may consume.

I just want to respond to my dear friend, and he is my dear friend. If I ever become President of the United States, I would nominate the gentleman from California (Mr. LANTOS) as my Secretary of State and be guided by his advice.

Mr. LANTOS. Mr. Chairman, if the gentleman will yield, I deeply appreciate that, Mr. Chairman.

Mr. HYDE. Mr. Chairman, that is what I think of the gentleman from California (Mr. LANTOS).

Mr. Chairman, I just want to point out that substantial compliance is accorded to the Secretary of State, so if 38 of the 39 are complied with, the 39th could have been substantially complied with and suffice.

Mr. Chairman, I yield the remaining time to the gentleman from Missouri (Mr. BLUNT).

Mr. BLUNT. Mr. Chairman, I rise today in strong support and appreciation really of both of our leaders on this bill, the gentleman from California (Mr. LANTOS), and I am particularly pleased to see this bill named in appreciation and recognition of the great leadership of our Committee on International Relations chairman, the gentleman from Illinois (Mr. HYDE).

I think we all know on both sides of the aisle that the United Nations has not lived up to its expectations. It unfortunately has come way too close to mirroring the ineffective activities of the organization it replaced, the League of Nations.

This year, the U.N.'s budget increased to $1.8 billion. Of that $1.8 billion, we pay a substantial part of the cost of the U.N. These reforms are necessary. Moving the programs that this bill suggests be moved to voluntary programs only increases the willingness of people to support those programs, the transparency of those programs.

I strongly urge support for this bill. I strongly urge support for the penalties that it contains. I appreciate my friend, the gentleman from Illinois (Mr. HYDE), and also our great Ranking Member of this committee, the gentleman from California (Mr. LANTOS).

Mr. LANTOS. Mr. Chairman, I am delighted to yield 1½ minutes to the distinguished gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, although I believe in the values and principles expressed in the United Nations Charter, the organization has been hijacked by some member states who have betrayed those values. The use of blood libels by representatives of member states in official U.N. reports and by NGOs is unacceptable.

It is time to do more to press the U.N. to reform. It is not enough to criticize the U.N. and to denounce its institutional anti-Semitism. Slandering the Jewish people, their aspirations for self-determination, and their homeland is unacceptable. Excluding Israel, a member state, from the community of nations because of ancient hatreds and slanders is unworthy of an organization founded to promote world peace and end human suffering.

No other nation would be denounced for taking steps to protect its citizens from acts of terror aimed intentionally at civilians. No nation has exercised as much restraint as Israel, yet no nation has been subjected to so much condemnation, indeed vilification and demonization, including those countries that practice slavery, torture, and genocide, some of whom have been privileged to sit on the United Nations Commission on Human Rights, a right denied to Israel in the more than half a century it has been a member.

The U.N. is capable of good and important work in the eradication of disease, in alleviating poverty, in averting genocide, in peacekeeping. It can and should do more, but it can never live up to its potential and its mission unless it sheds the stain of anti-Semitism.

For these reasons, the United Nations critically needs to be reformed. Yet, some commands for change, including several provisions in the Hyde bill, are counterproductive and unwise.

Specifically I cannot support the Hyde bill provision that mandates cutting in half U.S. payments to the U.N. unless the U.N. adopts 39 specific reforms, many of which cannot conceivably be adopted because they require unanimous consent from all 191 member states, including Syria, Iran, and North Korea.

The Hyde bill would halt funding for peacekeeping missions, endangering vital new or expanded U.N. operations in Darfur and Haiti, and ignoring the possibility of future crises that may demand international intervention is such places as Iran or Syria.

The Lantos substitute recommends reforms that will make the U.N. more fair and effective, but it avoids the rigid and draconian approach that makes the Hyde bill both unreasonable and potentially dangerous, so I urge adoption of the Lantos substitute.

Mr. Chairman, although I believe in the values and principles expressed in the United Nations Charter, the organization has been hijacked by some member states who have betrayed these values. The use of blood libels by representatives of member states, in official U.N. reports, and by NGOs, is unacceptable and clearly evidence that the United Nations needs to be reformed.

I believe it is time for the United States to do more to press the U.N. to reform. It is not enough to criticize the U.N. It is not enough to denounce the U.N.'s institutional anti-Semitism.

Slandering the Jewish people, their aspirations for self-determination, and their homeland, is unacceptable. Excluding Israel, a member state, from the community of nations because of ancient hatreds and slanders is unworthy of an organization founded to promote world peace and end human suffering.

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For these reasons, the United Nations critically needs to be reformed. Yet, some demands for change—including several provisions in the Hyde bill—are counterproductive and unwise.

Specifically, I cannot support the Hyde bill provision that mandates cutting in half United States payments to the U.N. unless the U.N.

adopts 38 specific reforms—many of which cannot conceivably be adopted because they require unanimous consent from all 191 memberstates, including Syria, Iran, and North Korea.

The Hyde bill would also halt funding for peacekeeping missions, endangering vital new or expanded U.N. operations in Darfur and Haiti, and ignoring the possibility of future crises that may demand international intervention in such places as Iran or Syria.

The Democratic substitute, offered by my colleague and good friend from California Mr. LANTOS, which authorizes the Secretary of State to use her discretion in withholding funds to promote adoption of the reforms we seek, is far preferable. The Lantos substitute recommend reforms that will make the U.N. more fair and effective, but it avoids the rigid, draconian, automatic approach that makes the Hyde bill both unreasonable and dangerous.

Mr. NEUGEBAUER. Mr. Chairman, I rise today to express my strong support for H.R. 2745, the United Nations (U.N.) Reform Act. I would like to take this opportunity to thank the distinguished gentleman from Illinois (Mr. HYDE), Chairman of the International Relations Committee, for his leadership on this critically important issue.

For years, Americans have watched with disbelief as the United Nations has put brutal dictatorships like Syria and Sudan on its Human Rights Commission, while at the same time it lectures free democracies on what it means to respect human rights. Now, we are seeing not only misplaced condescension, but also widespread corruption.

The U.N. was established in order to promote international cooperation and peace between nations. However, the good intentions that led to the U.N.'s founding have been followed by a long list of mismanagement, scandal and corruption. Clearly, the U.N. is in desperate need of reform. Most recently, for example, there were problems of kickbacks, bribes and nepotism within the Oil for Food program. There are also serious concerns with the behavior of the U.N. peacekeepers in Africa, including accusations of sexual abuse of the very people they are there to protect. These are just two areas of concern; there are countless other examples.

This important legislation requires the U.N. to make 39 critical reforms to decrease bureaucracy, increase oversight and most significantly provide accountability. In order to ensure that the U.N. takes action, the bill requires the U.S. to withhold 50 percent of our contribution if the U.N. does not enact these much-needed reforms.

The United States is by far the largest contributor to the U.N. This year, the U.S. is expected to provide 22 percent of the U.N.'s budget, an estimated $362 million. It is a travesty that our tax dollars are being misused by the U.N. with no accountability. This is why we need this legislation.

In closing, Mr. Chairman, I urge my colleagues to support this bill.

The Acting CHAIRMAN (Mr. TERRY). All time for initial general debate has expired.

Pursuant to the rule, the committee amendment in the nature of a substitute printed in the bill is considered as an original bill for the purpose of amendment and is considered read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 2745

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

***SECTION 1. SHORT TITLE; TABLE OF CONTENTS.***

*(a) SHORT TITLE.—This Act may be cited as the ''Henry J. Hyde United Nations Reform Act of 2005''.*

*(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:*

*Sec. 1. Short title; table of contents.*
*Sec. 2. Definitions.*
*Sec. 3. Statement of Congress.*

*TITLE I—MISSION AND BUDGET OF THE UNITED NATIONS*

*Sec. 101. United States financial contributions to the United Nations.*
*Sec. 102. Weighted voting.*
*Sec. 103. Budget certification requirements.*
*Sec. 104. Accountability.*
*Sec. 105. Terrorism and the United Nations.*
*Sec. 106. United Nations treaty bodies.*
*Sec. 107. Equality at the United Nations.*
*Sec. 108. Report on United Nations reform.*
*Sec. 109. Report on United Nations personnel.*

*TITLE II—HUMAN RIGHTS AND THE ECONOMIC AND SOCIAL COUNCIL (ECOSOC)*

*Sec. 201. Human rights.*
*Sec. 202. Economic and Social Council (ECOSOC).*

*TITLE III—INTERNATIONAL ATOMIC ENERGY AGENCY*

*Sec. 301. International Atomic Energy Agency.*
*Sec. 302. Sense of Congress regarding the Nuclear Security Action Plan of the IAEA.*

*TITLE IV—PEACEKEEPING*

*Sec. 401. Sense of Congress regarding reform of United Nations peacekeeping operations.*
*Sec. 402. Statement of policy relating to reform of United Nations peacekeeping operations.*
*Sec. 403. Certification.*

*TITLE V—DEPARTMENT OF STATE AND GOVERNMENT ACCOUNTABILITY OFFICE*

*Sec. 501. Positions for United States citizens at international organizations.*
*Sec. 502. Budget justification for regular assessed budget of the United Nations.*
*Sec. 503. Review and report.*
*Sec. 504. Government Accountability Office.*

*TITLE VI—CERTIFICATIONS AND WITHHOLDING OF CONTRIBUTIONS*

*Sec. 601. Certifications and withholding of contributions.*

***SEC. 2. DEFINITIONS.***

*In this Act:*

*(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.*

*(2) EMPLOYEE.—The term ''employee'' means an individual who is employed in the general services, professional staff, or senior management of the United Nations, including contractors and consultants.*

*(3) GENERAL ASSEMBLY.—The term ''General Assembly'' means the General Assembly of the United Nations.*

*(4) MEMBER STATE.—The term ''Member State'' means a Member State of the United Nations. Such term is synonymous with the term ''country''.*

*(5) SECRETARY.—The term ''Secretary'' means the Secretary of State.*

*(6) SECRETARY GENERAL.—The term ''Secretary General'' means the Secretary General of the United Nations.*

*(7) SECURITY COUNCIL.—The term ''Security Council'' means the Security Council of the United Nations.*

*(8) SPECIALIZED AGENCIES AND SPECIALIZED AGENCIES OF THE UNITED NATIONS.—The terms ''specialized agencies'' and ''specialized agencies of the United Nations'' mean—*

*(A) the Food and Agriculture Organization (FAO);*

*(B) the International Atomic Energy Agency (IAEA);*

*(C) the International Civil Aviation Organization (ICAO);*

*(D) the International Fund for Agricultural Development (IFAD);*

*(E) the International Labor Organization (ILO);*

*(F) the International Maritime Organization (IMO);*

*(G) the International Telecommunication Union (ITU);*

*(H) the United Nations Educational, Scientific, and Cultural Organization (UNESCO);*

*(I) the United Nations Industrial Development Organization (UNIDO);*

*(J) the Universal Postal Union (UPU);*

*(K) the World Health Organization (WHO) and its regional agencies;*

*(L) the World Meteorological Organization (WMO); and*

*(M) the World Intellectual Property Organization (WIPO).*

***SEC. 3. STATEMENT OF CONGRESS.***

*Congress declares that, in light of recent history, it is incumbent upon the United Nations to enact significant reform measures if it is to restore the public trust and confidence necessary for it to achieve the laudable goals set forth in its Charter. To this end, the following Act seeks to reform the United Nations.*

## *TITLE I—MISSION AND BUDGET OF THE UNITED NATIONS*

***SEC. 101. UNITED STATES FINANCIAL CONTRIBUTIONS TO THE UNITED NATIONS.***

*(a) STATEMENTS OF POLICY.—*

*(1) IN GENERAL.—It shall be the policy of the United States to use its voice, vote, and influence at the United Nations to—*

*(A) pursue a streamlined, efficient, and accountable regular assessed budget of the United Nations; and*

*(B) shift funding mechanisms of certain organizational programs of the United Nations specified under paragraph (4) from the regular assessed budget to voluntarily funded programs.*

*(2) UNITED STATES CONTRIBUTIONS.—It shall be the policy of the United States to—*

*(A) redirect United States contributions to the United Nations to achieve the policy objectives described in paragraph (1)(B); and*

*(B) redirect a portion of funds from the following organizational programs to pursue the policy objectives described in paragraph (1)(A):*

*(i) Public Information.*

*(ii) General Assembly affairs and conference services.*

*(3) FUTURE BIENNIUM BUDGETS.—It shall be the policy of the United States to use its voice, vote, and influence at the United Nations to ensure that future biennial budgets of the United Nations, as agreed to by the General Assembly, reflect the shift in funding mechanisms described in paragraph (1)(B) and the redirection of funds described in paragraph (2).*

*(4) CERTAIN ORGANIZATIONAL PROGRAMS.—The organizational programs referred to in paragraph (1)(B) are the following:*

*(A) Economic and social affairs.*

*(B) Least-developed countries, landlocked developing countries and small island developing States.*

*(C) United Nations support for the New Partnership for Africa's Development.*

*(D) Trade and development.*

*(E) International Trade Center UNCTAD/WTO.*

*(F) Environment.*

*(G) Human settlements.*

*(H) Crime prevention and criminal justice.*

*(I) International drug control.*

*(J) Economic and social development in Africa.*

*(K) Economic and social development in Asia and the Pacific.*

*(L) Economic development in Europe.*

*(M) Economic and social development in in Latin America and the Caribbean.*

*(N) Economic and social development in Western Asia.*

*(O) Regular program of technical cooperation.*

*(P) Development account.*

*(Q) Protection of and assistance to refugees.*

*(R) Palestine refugees.*

*(b) AUTHORIZATION WITH RESPECT TO THE REGULAR ASSESSED BUDGET OF THE UNITED NATIONS.—Subject to the amendment made by subsection (c), the Secretary of State is authorized to make contributions toward the amount assessed to the United States by the United Nations for the purpose of funding the regular assessed budget of the United Nations.*

*(c) UNITED STATES FINANCIAL CONTRIBUTIONS TO THE UNITED NATIONS.—Section 11 of the United Nations Participation Act of 1945 (22 U.S.C. 287e–3) is amended to read as follows:*

***"SEC. 11. UNITED STATES FINANCIAL CONTRIBUTIONS TO THE UNITED NATIONS.***

*''(a) POLICY OF THE UNITED STATES RELATING TO THE REGULAR ASSESSED BUDGET OF THE UNITED NATIONS.—*

*''(1) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to—*

*''(A) pursue a streamlined, efficient, and accountable regular assessed budget of the United Nations; and*

*''(B) shift funding mechanisms of certain organizational programs of the United Nations specified under paragraph (2) of subsection (c) from the regular assessed budget to voluntarily funded programs.*

*''(2) UNITED STATES CONTRIBUTIONS.—It shall be the policy of the United States to—*

*''(A) redirect United States contributions to the United Nations to achieve the policy objectives described in paragraph (1)(B); and*

*''(B) redirect a portion of funds from the following organizational programs to pursue the policy objectives described in paragraph (1)(A):*

*''(i) Public Information.*

*''(ii) General Assembly affairs and conferences services.*

*''(3) FUTURE BIENNIUM BUDGETS.— The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to ensure that the shifting of funding mechanisms under paragraph (1)(B) and redirecting of contributions under paragraph (2) be reflected in future resolutions agreed to by the General Assembly for the regular assessed budget of the United Nations for the period of a current biennium. To achieve the policies described in paragraphs (1) and (2), the United States Permanent Representative to the United Nations shall withhold the support of the United States for a consensus for such budget until such time as such budget is reflective of such policies.*

*''(b) 22 PERCENT LIMITATION.—In accordance with section 601 of the Henry J. Hyde United Nations Reform Act of 2005, the Secretary may not make a contribution to a regularly assessed biennial budget of the United Nations in an amount greater than 22 percent of the amount calculable under subsection (c).*

*''(c) ANNUAL DUES.—*

*''(1) IN GENERAL.—For annual dues paid by the United States to the United Nations each fiscal year, the percentage specified in subsection (b) shall be multiplied by one-half of the amount of the regularly assessed budget of the United Nations for a current biennial period, as agreed to by resolution of the General Assembly.*

*''(2) CALCULATION WITH RESPECT TO CERTAIN ORGANIZATIONAL PROGRAMS FOR REDIRECTION.—The percentage specified in subsection (b) shall be multiplied by one-half of the sum of amounts budgeted by resolution of the General Assembly for a current biennial period for the following certain organizational programs:*

*''(A) Economic and social affairs.*

*''(B) Least-developed countries, landlocked developing countries and small island developing States.*

*''(C) United Nations support for the New Partnership for Africa's Development.*

*''(D) Trade and development.*

*''(E) International Trade Center UNCTAD/WTO.*

*''(F) Environment.*

*''(G) Human settlements.*

*''(H) Crime prevention and criminal justice.*

*''(I) International drug control.*

*''(J) Economic and social development in Africa.*

*''(K) Economic and social development in Asia and the Pacific.*

*''(L) Economic development in Europe.*

*''(M) Economic and social development in in Latin America and the Caribbean.*

*''(N) Economic and social development in Western Asia.*

*''(O) Regular program of technical cooperation.*

*''(P) Development account.*

*''(Q) Protection of and assistance to refugees.*

*''(R) Palestine refugees.*

*''(3) REDIRECTION OF FUNDS.—Of amounts appropriated for contributions towards payment of regular assessed dues to the United Nations for 2008 and each subsequent year, if the funding mechanisms of one or more of the organizational programs of the United Nations specified in paragraph (2) have not been shifted from the regular assessed budget to voluntarily funded programs in accordance with subsection (a)(1), the Secretary shall ensure that such amounts in each such fiscal year that are specified for each such organizational program pursuant to the resolution agreed to by the General Assembly for the regular assessed budget of the United Nations for the period of a current biennium are redirected from payment of the assessed amount for the regular assessed budget as follows:*

*''(A) Subject to not less than 30 days prior notification to Congress, the Secretary shall expend an amount, not to exceed 40 percent of the amount specified for each such organizational program pursuant to the resolution agreed to by the General Assembly for the regular assessed budget of the United Nations for the period of a current biennium, as a contribution to an eligible organizational program specified in paragraph (4).*

*''(B) Subject to not less than 30 days prior notification to Congress, the Secretary shall expend the remaining amounts under this paragraph to voluntarily funded United Nations specialized agencies, funds, or programs.*

*''(4) ELIGIBLE ORGANIZATIONAL PROGRAMS.—The eligible organizational programs referred to in paragraph (3)(A) for redirection of funds under such paragraph are the following:*

*''(A) Internal oversight.*

*''(B) Human rights.*

*''(C) Humanitarian assistance.*

*''(D) An organizational program specified in subparagraphs (A) through (P) of paragraph (2), subject to paragraph (5).*

*''(5) EXPENDITURE OF REMAINING AMOUNTS TO CERTAIN ORGANIZATION PROGRAMS.—*

*''(A) VOLUNTARY CONTRIBUTION.—Subject to not less than 30 days prior notification to Congress and the limitation specified under subparagraph (B), the Secretary is authorized to make a voluntary contribution to an organizational program of the United Nations specified in subparagraphs (A) through (P) of paragraph (2) of any amounts not contributed in a fiscal year to an eligible organizational program specified in subparagraphs (A) through (C) of paragraph (4).*

*''(B) 10 PERCENT LIMITATION.—A voluntary contribution under subparagraph (A) to an organizational program of the United Nations specified in subparagraphs (A) through (P) of paragraph (2) may not exceed 10 percent of the total contribution made under paragraph (3)(A).*

*''(d) FURTHER CALCULATION WITH RESPECT TO BUDGETS FOR PUBLIC INFORMATION AND GENERAL ASSEMBLY AFFAIRS AND CONFERENCE SERVICES.—*

*''(1) 22 PERCENT LIMITATION.—The Secretary may not make a contribution to a regularly assessed biennial budget of the United Nations in an amount greater than 22 percent of the amount calculable under paragraph (2).*

*''(2) ANNUAL DUES EACH FISCAL YEAR.—*

*''(A) IN GENERAL.—For annual dues paid by the United States to the United Nations each fiscal year, the percentage specified in paragraph (1) shall be multiplied by one-half of the amount of the regularly assessed budget of the United Nations for a current biennial period, as agreed to by resolution of the General Assembly.*

*''(B) CALCULATION WITH RESPECT TO PUBLIC INFORMATION AND GENERAL ASSEMBLY AFFAIRS AND CONFERENCE SERVICES.—With respect to such United States annual dues, the percentage specified in paragraph (1) shall be multiplied by one-half of the sum of amounts budgeted by resolution of the General Assembly for the 2004–2005 biennial period for the following organizational programs:*

*''(i) Public Information.*

*''(ii) General Assembly affairs and conferences services.*

*''(C) REDIRECTION OF FUNDS.—*

*''(i) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to make every effort, including the withholding of United States support for a consensus budget of the United Nations, to reduce the budgets of the organizational programs specified in subparagraph (B) for 2007 by ten percent against the budgets of such organizational programs for the 2004–2005 biennial period. If the budgets of such organizational programs are not so reduced, 20 percent the amount determined under subparagraph (B) for contributions towards payment of regular assessed dues for 2007 shall be redirected from payment for the amount assessed for United States annual contributions to the regular assessed budget of the United Nations.*

*''(ii) SPECIFIC AMOUNTS.—The Secretary shall make the amount determined under clause (i) available as a contribution to an eligible organizational program specified in subparagraphs (A) through (C) of paragraph (4) of subsection (c).*

*''(3) POLICY WITH RESPECT TO 2008–2009 BIENNIAL PERIOD AND SUBSEQUENT BIENNIAL PERIODS.—*

*''(A) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to make every effort, including the withholding of United States support for a consensus budget of the United Nations, to reduce the budgets of the organizational programs specified in subparagraph (B) of paragraph (2) for the 2008–2009 biennial period and each subsequent biennial period by 20 percent against the budgets of such organizational programs for the 2004–2005 biennial period.*

*''(B) CERTIFICATION.—In accordance with section 601, a certification shall be required that certifies that the reduction in budgets described in subparagraph (A) has been implemented.''.*

*(d) EFFECTIVE DATE.—The amendment made by subsection (c) shall take effect and apply beginning on October 1, 2006.*

***SEC. 102. WEIGHTED VOTING.***

*It shall be the policy of the United States to actively pursue weighted voting with respect to all budgetary and financial matters in the Administrative and Budgetary Committee and in the General Assembly in accordance with the level of the financial contribution of a Member State to the regular assessed budget of the United Nations.*

***SEC. 103. BUDGET CERTIFICATION REQUIREMENTS.***

*(a) CERTIFICATION.—In accordance with section 601, a certification shall be required that certifies that the conditions described in subsection (b) have been satisfied.*

*(b) CONDITIONS.—The conditions under this subsection are the following:*

*(1) NEW BUDGET PRACTICES FOR THE UNITED NATIONS.—The United Nations is implementing budget practices that—*

*(A) require the maintenance of a budget not in excess of the level agreed to by the General Assembly at the beginning of each United Nations budgetary biennium, unless increases are agreed to by consensus and do not exceed ten percent; and*

*(B) require the identification of expenditures by the United Nations by functional categories such as personnel, travel, and equipment.*

*(2) PROGRAM EVALUATION.—*

*(A) EXISTING AUTHORITY.—The Secretary General and the Director General of each specialized agency have used their existing authorities to require program managers within the United Nations Secretariat and the Secretariats of the specialized agencies to conduct evaluations in accordance with the standardized methodology referred to in subparagraph (B) of—*

*(i) United Nations programs approved by the General Assembly; and*

*(ii) programs of the specialized agencies.*

*(B) DEVELOPMENT OF EVALUATION CRITERIA.—*

*(i) UNITED NATIONS.—The Office of Internal Oversight Services has developed a standardized methodology for the evaluation of United Nations programs approved by the General Assembly, including specific criteria for determining the continuing relevance and effectiveness of the programs.*

*(ii) SPECIALIZED AGENCIES.—Patterned on the work of the Office of Internal Oversight Services of the United Nations, each specialized agency has developed a standardized methodology for the evaluation of the programs of the agency, including specific criteria for determining the continuing relevance and effectiveness of the programs.*

*(C) REPORT.—The Secretary General is assessing budget requests and, on the basis of evaluations conducted under subparagraph (B) for the relevant preceding year, submits to the General Assembly a report containing the results of such evaluations, identifying programs that have satisfied the criteria for continuing relevance and effectiveness, and an identification of programs that have not satisfied such criteria and should be terminated.*

*(D) SUNSET OF PROGRAMS.—Consistent with the July 16, 1997, recommendations of the Secretary General regarding a sunset policy and results-based budgeting for United Nations programs, the United Nations and each specialized agency has established and is implementing procedures to require all new programs approved by the General Assembly to have a specific sunset date.*

***SEC. 104. ACCOUNTABILITY.***

*(a) CERTIFICATION OF CREATION OF INDEPENDENT OVERSIGHT BOARD.—In accordance with section 601, a certification shall be required that certifies that the following reforms related to the establishment of an Independent Oversight Board (IOB) have been adopted by the United Nations:*

*(1) An IOB is established from existing United Nations budgetary and personnel resources. Except as provided in this subsection, the IOB shall be an independent entity within the United Nations and shall not be subject to budget authority or organizational authority of any entity within the United Nations.*

*(2) The head of the IOB shall be a Director, who shall be nominated by the Secretary General and who shall be subject to Security Council approval by a majority vote. The IOB shall also consist of four other board members who shall be nominated by the Secretary General and subject to Security Council approval by a majority vote. The IOB shall be responsible to the Security Council and the Director and board members shall each serve terms of six years, except that the terms of the initial board shall be staggered so that no more than two board members' terms will expire in any one year. No board member may serve more than two terms. An IOB board member may be removed for cause by a majority vote of the Security Council. The Director shall appoint a professional staff headed by a Chief of Staff and may employ contract staff as needed.*

*(3) The IOB shall receive operational and budgetary funding through appropriations by the General Assembly from existing levels of United Nations budgetary and personnel resources, and shall not be dependent upon any other entity, bureau, division, department, or specialized agency of the United Nations for such funding.*

*(4) While the IOB shall have the authority to evaluate all operations of the United Nations, the primary mission of the IOB is to oversee the Office of Internal Oversight Services and the Board of External Auditors. The IOB may direct the Office of Internal Oversight Services or the Board of External Auditors to initiate, abandon, or modify the scope of an investigation. Every three months or more frequently when appropriate, the IOB shall submit, as appropriate, to the Secretary General, the Security Council, the General Assembly, or the Economic and Social Council a report on its activities, relevant observations, and recommendations relating to its audit operations, including information relating to the inventory and status of investigations by the Office of Internal Oversight Services.*

*(5) In extraordinary circumstances and with the concurrence of the Secretary General or the Security Council by majority vote, the IOB may augment the Office of Internal Oversight Services with a special investigator and staff consisting of individuals who are not employees of the United Nations, to investigate matters involving senior officials of the United Nations or of its specialized agencies when allegations of serious misconduct have been made and such a special investigation is necessary to maintain public confidence in the integrity of the investigation. A special investigator and staff shall comply with all United Nations financial disclosure and conflict of interest rules, including the filing of an individual Annual Financial Disclosure Form in accordance with subsection (c).*

*(6) The IOB shall recommend annual budgets for the Office of Internal Oversight Services and the Board of External Auditors.*

*(b) CERTIFICATION OF UNITED NATIONS REFORMS OF THE OFFICE OF INTERNAL OVERSIGHT SERVICES.—In accordance with section 601, a certification shall be required that certifies that the following reforms related to the Office of Internal Oversight Services (OIOS) have been adopted by the United Nations:*

*(1) The OIOS is designated as an independent entity within the United Nations. The OIOS shall not be subject to budget authority or organizational authority of any entity within the United Nations except as provided in this section.*

*(2) The regular assessed budget of the United Nations shall fully fund the Internal Oversight Budget from existing levels of United Nations budgetary and personnel resources and shall not be dependent upon any other entity, bureau, division, department, or specialized agency of the United Nations for such funding.*

*(3) All United Nations officials, including officials from any entity, bureau, division, department, or specialized agency of the United Nations, may—*

*(A) make a recommendation to the OIOS to initiate an investigation of any aspect of the United Nations; or*

*(B) report to the OIOS information or allegations of misconduct or inefficiencies within the United Nations.*

*(4) The OIOS may, sua sponte, initiate and conduct an investigation or audit of any entity, bureau, division, department, specialized agency, employee (including the Secretary General) of the United Nations, including any employee of the specialized agencies of the United Nations, or contractor or consultant for the United Nations or its specialized agencies.*

*(5) At least every three months and more frequently when appropriate, the OIOS shall submit to the IOB a report containing an inventory and status of its investigations.*

*(6) The OIOS shall establish procedures for providing ''whistle-blower'' status and employment protections for all employees of the United Nations, including employees of the specialized agencies of the United Nations, who provide informational leads and testimony related to allegations of wrongdoing. Such procedures shall be adopted throughout the United Nations. Such status and protection may not be conferred on the Secretary General.*

*(7) The OIOS shall annually publish a public report determining the proper number, distribution, and expertise of auditors within the OIOS necessary to carry out present and future duties of the OIOS, including assessing the staffing requirements needed to audit United Nations contracting activities throughout the contract cycle from the bid process to contract performance.*

*(8) Not later than six months after the date of the enactment of this Act, the Director shall establish a position of Associate Director of OIOS for Specialized Agencies and Funds and Programs who shall be responsible for supervising the OIOS liaison or oversight duties for each of the specialized agencies and funds and programs of the United Nations. With the concurrence of the Director, the Associate Director of OIOS for Specialized Agencies and Funds and Programs may, from existing levels of United Nations budgetary and personnel resources, hire and appoint necessary OIOS staff, including staff serving within and located at specialized agencies and funds and programs permanently or as needed to liaison with existing audit functions within each specialized agency and fund and program.*

*(9) Not later than six months after the date of the enactment of this Act, the Director shall establish a position of Associate Director of OIOS for Peacekeeping Operations, who shall be responsible for the oversight and auditing of the field offices attached to United Nations peacekeeping operations. The Associate Director of OIOS for Peacekeeping Operations shall receive informational leads and testimony from any person regarding allegations of wrongdoing by United Nations officials or peacekeeping troops or regarding inefficiencies associated with United Nations peacekeeping operations. The Associate Director of OIOS for Peacekeeping Operations shall be responsible for initiating, conducting, and overseeing investigations within peacekeeping operations.*

*(10) Not later than six months after the date of the enactment of this Act, the Director shall establish a position of Associate Director of OIOS for Procurement and Contract Integrity, who shall be responsible for auditing and inspecting procurement and contracting win the United Nations, including within the specialized agencies. The Associate Director of OIOS for Procurement and Contract Integrity shall receive informational leads and testimony from any person regarding allegations of wrongdoing by United Nations officials or regarding inefficiencies associated with United Nations procurement or contracting activities. The Associate Director of OIOS for Procurement and Contract Integrity shall be responsible for initiating, conducting, and overseeing investigations of procurement and contract activities. Not later than 12 months after the establishment of the position of Associate Director of OIOS for Procurement and Contract Integrity, the Director, with the assistance of the Associate Director of OIOS for*

*Procurement and Contract Integrity, shall undertake a review of contract procedures to ensure that practices and policies are in place to ensure that—*

*(A) the United Nations has ceased issuing single bid contracts except for such contracts issued during an emergency situation that is justified by the Under Secretary General for Management;*

*(B) the United Nations has established effective controls to prevent conflicts of interest in the award of contracts; and*

*(C) the United Nations has established effective procedures and policies to ensure effective and comprehensive oversight and monitoring of United Nations contract performance.*

*(c) CERTIFICATION OF ESTABLISHMENT OF UNITED NATIONS OFFICE OF ETHICS.—In accordance with section 601, a certification shall be required that certifies that the following reforms related to the establishment of a United Nations Office of Ethics have been adopted by the United Nations:*

*(1) A United Nations Office of Ethics (UNOE) is established. The UNOE shall be an independent entity within the United Nations and shall not be subject to budget authority or organizational authority of any entity within the United Nations. The UNEO shall be responsible for establishing, managing, and enforcing a code of ethics for all employees of United Nations and its specialized agencies. The UNEO shall also be responsible for providing such employees with annual training related to such code. The head of the UNEO shall be a Director who shall be nominated by the Secretary General and who shall be subject to Security Council approval by majority vote.*

*(2) The UNEO shall receive operational and budgetary funding through appropriations by the General Assembly from existing levels of United Nations budgetary and personnel resources and shall not be dependent upon any other entity, bureau, division, department, or specialized agency of the United Nations for such funding.*

*(3) The Director of the UNEO shall, not later than six months after the date of its establishment, publish a report containing proposals for implementing a system for the filing and review of individual Annual Financial Disclosure Forms by each employee of the United Nations, including by each employee of its specialized agencies, at the P–5 level and above and by all contractors and consultants compensated at any salary level. Such system shall be in place and operational not later than six months after the date of the publication of the report. Such completed forms shall be made available to the Office of Internal Oversight Services at the request of the Director of the Office of Internal Oversight Services. Such system shall seek to identify and prevent conflicts of interest by United Nations employees and shall be comparable to the system used for such purposes by the United States Government. Such report shall also address broader reforms of the ethics program for the United Nations, including—*

*(A) the effect of the establishment of ethics officers throughout all organizations within the United Nations;*

*(B) the effect of retention by the UNEO of Annual Financial Disclosure Forms;*

*(C) proposals for making completed Annual Financial Disclosure Forms available to the public on request through their Member State's mission to the United Nations;*

*(D) proposals for annual disclosure to the public of information related to the annual salaries and payments, including pension payments and buyouts, of employees of the United Nations, including employees of its specialized agencies, and of consultants;*

*(E) proposals for annual disclosure to the public of information related to per diem rates for all bureaus, divisions, departments, or specialized agencies within the United Nations;*

*(F) proposals for disclosure upon request by the Ambassador of a Member State of information related to travel and per diem payments made from United Nations funds to any person; and*

*(G) proposals for annual disclosure to the public of information related to travel and per diem rates and payments made from United Nations funds to any person.*

*(d) CERTIFICATION OF UNITED NATIONS ESTABLISHMENT OF POSITION OF CHIEF OPERATING OFFICER.—In accordance with section 601, a certification shall be required that certifies that the following reforms related to the establishment of the position of a Chief Operating Officer have been adopted by the United Nations:*

*(1) There is established the position of Chief Operating Officer (COO). The COO shall report to the Secretary General.*

*(2) The COO shall be responsible for formulating general policies and programs for the United Nations in coordination with the Secretary General and in consultation with the Security Council and the General Assembly. The COO shall be responsible for the daily administration, operation and supervision, and the direction and control of the business of the United Nations. The Chief Operating Officer shall also perform such other duties and may exercise such other powers as from time to time may be assigned to the COO by the Secretary General.*

*(e) CERTIFICATION OF ACCESS BY MEMBER STATES TO REPORTS AND AUDITS BY BOARD OF EXTERNAL AUDITORS.—In accordance with section 601, a certification shall be required that certifies that Member States may, upon request, have access to all reports and audits completed by the Board of External Auditors.*

***SEC. 105. TERRORISM AND THE UNITED NATIONS.***

*The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to work toward adoption by the General Assembly of—*

*(1) a definition of terrorism that builds upon the recommendations of the Secretary General's High-Level Panel on Threats, Challenges, and Change, and includes as an essential component of such definition any action that is intended to cause death or serious bodily harm to civilians with the purpose of intimidating a population or compelling a government or an international organization to do, or abstain from doing, any act; and*

*(2) a comprehensive convention on terrorism that includes the definition described in paragraph (1).*

***SEC. 106. UNITED NATIONS TREATY BODIES.***

*The United States shall withhold from United States contributions to the regular assessed budget of the United Nations for a biennial period amounts that are proportional to the percentage of such budget that are expended with respect to a United Nations human rights treaty monitoring body or committee that was established by—*

*(1) a convention (without any protocols) or an international covenant (without any protocols) to which the United States is not party; or*

*(2) a convention, with a subsequent protocol, if the United States is a party to neither.*

***SEC. 107. EQUALITY AT THE UNITED NATIONS.***

*(a) INCLUSION OF ISRAEL IN WEOG.—*

*(1) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States to expand the Western European and Others Group (WEOG) in the United Nations to include Israel as a permanent member with full rights and privileges.*

*(2) NOTIFICATION TO CONGRESS.—Not later than six months after the date of the enactment of this Act and every six months thereafter for the next two years, the Secretary of State shall notify the appropriate congressional committees concerning the treatment of Israel in the United Nations and the expansion of WEOG to include Israel as a permanent member.*

*(b) DEPARTMENT OF STATE REVIEW AND REPORT.—*

*(1) IN GENERAL.—To avoid duplicative efforts and funding with respect to Palestinian interests and to ensure balance in the approach to Israeli–Palestinian issues, the Secretary shall, not later than 60 days after the date of the enactment of this Act—*

*(A) conduct an audit of the functions of the entities listed in paragraph (2); and*

*(B) submit to the appropriate congressional committees a report containing recommendations for the elimination of such duplicative entities and efforts.*

*(2) ENTITIES.—The entities referred to in paragraph (1) are the following:*

*(A) The United Nations Division for Palestinian Rights.*

*(B) The Committee on the Exercise of the Inalienable Rights of the Palestinian People.*

*(C) The United Nations Special Coordinator for the Middle East Peace Process and Personal Representative to the Palestine Liberation Organization and the Palestinian Authority.*

*(D) The NGO Network on the Question of Palestine.*

*(c) IMPLEMENTATION BY PERMANENT REPRESENTATIVE.—*

*(1) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to seek the implementation of the recommendations contained in the report required under subsection (b)(1).*

*(2) WITHHOLDING OF FUNDS.—Until such recommendations have been implemented, the United States shall withhold from United States contributions to the regular assessed budget of the United Nations for a biennial period amounts that are proportional to the percentage of such budget that are expended for such entities.*

*(d) GAO AUDIT.—The Comptroller General of the United States of the Government Accountability Office shall conduct an audit of—*

*(1) the status of the implementation of the recommendations contained in the report required under subsection (b)(1); and*

*(2) United States actions and achievements under subsection (c).*

***SEC. 108. REPORT ON UNITED NATIONS REFORM.***

*(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and one year thereafter, the Secretary shall submit to the appropriate congressional committees a report on United Nations reform since 1990.*

*(b) CONTENTS.—The report required under paragraph (1) shall describe—*

*(1) the status of the implementation of management reforms within the United Nations and its specialized agencies;*

*(2) the number of outputs, reports, or other items generated by General Assembly resolutions that have been eliminated;*

*(3) the progress of the General Assembly to modernize and streamline the committee structure and its specific recommendations on oversight and committee outputs, consistent with the March 2005 report of the Secretary General entitled ''In larger freedom: towards development, security and human rights for all'';*

*(4) the status of the review by the General Assembly of all mandates older than five years and how resources have been redirected to new challenges, consistent with such March 2005 report of the Secretary General; and*

*(5) the continued utility and relevance of the Economic and Financial Committee and the Social, Humanitarian, and Cultural Committee, in light of the duplicative agendas of those committees and the Economic and Social Council.*

***SEC. 109. REPORT ON UNITED NATIONS PERSONNEL.***

*(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report—*

*(1) concerning the progress of the General Assembly to modernize human resource practices,*

*consistent with the March 2005 report of the Secretary General entitled ''In larger freedom: towards development, security and human rights for all''; and*

*(2) containing the information described in subsection (b).*

*(b) CONTENTS.—The report shall include—*

*(1) a comprehensive evaluation of human resources reforms at the United Nations, including an evaluation of—*

*(A) tenure;*

*(B) performance reviews;*

*(C) the promotion system;*

*(D) a merit-based hiring system and enhanced regulations concerning termination of employment of employees; and*

*(E) the implementation of a code of conduct and ethics training;*

*(2) the implementation of a system of procedures for filing complaints and protective measures for work-place harassment, including sexual harassment;*

*(3) policy recommendations relating to the establishment of a rotation requirement for non-administrative positions;*

*(4) policy recommendations relating to the establishment of a prohibition preventing personnel and officials assigned to the mission of a Member State to the United Nations from transferring to a position within the United Nations Secretariat that is compensated at the P–5 level and above;*

*(5) policy recommendations relating to a reduction in travel allowances and attendant oversight with respect to accommodations and airline flights; and*

*(6) an evaluation of the recommendations of the Secretary General relating to greater flexibility for the Secretary General in staffing decisions to accommodate changing priorities.*

## *TITLE II—HUMAN RIGHTS AND THE ECONOMIC AND SOCIAL COUNCIL (ECOSOC)*

### *SEC. 201. HUMAN RIGHTS.*

*(a) STATEMENT OF POLICY.—It shall be the policy of the United States to use its voice, vote, and influence at the United Nations to ensure that a credible and respectable Human Rights Council or other human rights body is established within the United Nations whose participating Member States uphold the values embodied in the Universal Declaration of Human Rights.*

*(b) HUMAN RIGHTS REFORMS AT THE UNITED NATIONS.—The President shall direct the United States Permanent Representative to the United Nations to ensure that the following human rights reforms have been adopted by the United Nations:*

*(1) A Member State that fails to uphold the values embodied in the Universal Declaration of Human Rights shall be ineligible for membership on any United Nations human rights body.*

*(2) A Member State shall be ineligible for membership on any United Nations human rights body if such Member State is—*

*(A) subject to sanctions by the Security Council; or*

*(B) under a Security Council-mandated investigation for human rights abuses.*

*(3) A Member State that is currently subject to an adopted country specific resolution, in the principal body in the United Nations for the promotion and protection of human rights, relating to human rights abuses perpetrated by the government of such country in such country, or has been the subject of such an adopted country specific resolution in such principal body within the previous three years, shall be ineligible for membership on any United Nations human rights body. For purposes of this subsection, an adopted country specific resolution shall not include consensus resolutions on advisory services.*

*(4) A Member State that violates the principles of a United Nations human rights body to which it aspires to join shall be ineligible for membership on such body.*

*(5) No human rights body has a standing agenda item that relates only to one country or region.*

*(c) CERTIFICATION.—In accordance with section 601, a certification shall be required that certifies that the human rights reforms described under subsection (b) have been adopted by the United Nations.*

*(d) PREVENTION OF ABUSE OF ''NO ACTION'' MOTIONS.—The United States Permanent Representative shall work to prevent abuse of ''no action'' motions, particularly as such motions relate to country specific resolutions.*

*(e) OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS.—*

*(1) STATEMENT OF POLICY.—It shall be the policy of the United States to continue to strongly support the Office of the United Nations High Commissioner for Human Rights.*

*(2) CERTIFICATION.—In accordance with section 601, a certification shall be required that certifies that the Office of the United Nations High Commissioner for Human Rights has been given greater authority in field operation activities, such as in the Darfur region of Sudan and in the Democratic Republic of the Congo, in furtherance of the purpose and mission of the United Nations.*

### *SEC. 202. ECONOMIC AND SOCIAL COUNCIL (ECOSOC).*

*(a) STATEMENT OF POLICY.—It shall be the policy of the United States to use its voice, vote, and influence at the United Nations to—*

*(1) abolish secret voting in the Economic and Social Council (ECOSOC);*

*(2) ensure that, until such time as the Commission on Human Rights of the United Nations is abolished, only countries that are not ineligible for membership on a human rights body in accordance with paragraph (1) through (4) of section 201(b) shall be considered for membership on the Commission on Human Rights; and*

*(3) ensure that after candidate countries are nominated for membership on the Commission on Human Rights, the Economic and Social Council conducts a recorded vote to determine such membership.*

*(b) CERTIFICATION.—In accordance with section 601, a certification shall be required that certifies that the policies described in subsection (a) have been implemented by the Economic and Social Council.*

## *TITLE III—INTERNATIONAL ATOMIC ENERGY AGENCY*

### *SEC. 301. INTERNATIONAL ATOMIC ENERGY AGENCY.*

*(a) ENFORCEMENT AND COMPLIANCE.—*

*(1) OFFICE OF COMPLIANCE.—*

*(A) ESTABLISHMENT.—The President shall direct the United States Permanent Representative to International Atomic Energy Agency (IAEA) to use the voice, vote, and influence of the United States at the IAEA to establish an Office of Compliance in the Secretariat of the IAEA.*

*(B) OPERATION.—The Office of Compliance shall—*

*(i) function as an independent body composed of technical experts who shall work in consultation with IAEA inspectors to assess compliance by IAEA Member States and provide recommendations to the IAEA Board of Governors concerning penalties to be imposed on IAEA Member States that fail to fulfill their obligations under IAEA Board resolutions;*

*(ii) base its assessments and recommendations on IAEA inspection reports; and*

*(iii) shall take into consideration information provided by IAEA Board Members that are one of the five nuclear weapons states as recognized by the Treaty on the Non-Proliferation of Nuclear Weapons (21 UST 483) (commonly referred to as the ''Nuclear Nonproliferation Treaty'' or the ''NPT'').*

*(C) STAFFING.—The Office of Compliance shall be staffed from existing personnel in the Department of Safeguards of the IAEA or the Department of Nuclear Safety and Security of the IAEA.*

*(2) SPECIAL COMMITTEE ON SAFEGUARDS AND VERIFICATION.—*

*(A) ESTABLISHMENT.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to establish a Special Committee on Safeguards and Verification.*

*(B) RESPONSIBILITIES.—The Special Committee shall—*

*(i) improve the ability of the IAEA to monitor and enforce compliance by Member States of the IAEA with the Nuclear Nonproliferation Treaty and the Statute of the International Atomic Energy Agency; and*

*(ii) consider which additional measures are necessary to enhance the ability of the IAEA, beyond the verification mechanisms and authorities contained in the Additional Protocol to the Safeguards Agreements between the IAEA and Member States of the IAEA, to detect with a high degree of confidence undeclared nuclear activities by a Member State.*

*(3) PENALTIES.—*

*(A) IN GENERAL.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to ensure that a Member State of the IAEA that is under investigation for a breach of or noncompliance with its IAEA obligations or the purposes and principles of the Charter of the United Nations has its privileges suspended, including—*

*(i) limiting its ability to vote on its case;*

*(ii) being prevented from receiving any technical assistance; and*

*(iii) being prevented from hosting meetings.*

*(B) TERMINATION OF PENALTIES.—The penalties specified under subparagraph (A) shall be terminated when such investigation is concluded and such Member State is no longer in such breach or noncompliance.*

*(b) UNITED STATES CONTRIBUTIONS.—*

*(1) VOLUNTARY CONTRIBUTIONS.—Voluntary contributions of the United States to the IAEA should primarily be used to fund activities relating to Nuclear Safety and Security or activities relating to Nuclear Verification.*

*(2) LIMITATION ON USE OF FUNDS.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to—*

*(A) ensure that funds for safeguards inspections are prioritized for countries that have newly established nuclear programs or are initiating nuclear programs; and*

*(B) block the allocation of funds for any other IAEA development, environmental, or nuclear science assistance or activity to a country—*

*(i) the government of which the Secretary of State has determined, for purposes of section 6(j) of the Export Administration Act of 1979, section 620A of the Foreign Assistance Act of 1961, section 40 of the Arms Export Control Act, or other provision of law, is a government that has repeatedly provided support for acts of international terrorism and the government of which the Secretary has determined has not dismantled and surrendered its weapons of mass destruction programs under international verification;*

*(ii) that is under investigation for a breach of or noncompliance with its IAEA obligations or the purposes and principles of the Charter of the United Nations; or*

*(iii) that is in violation of its IAEA obligations or the purposes and principles of the Charter of the United Nations.*

*(3) DETAIL OF EXPENDITURES.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to secure, as part of the regular budget presentation of the IAEA to Member States of the IAEA, a detailed breakdown by country of expenditures of the IAEA for safeguards inspections and nuclear security activities.*

*(c) MEMBERSHIP.—*

*(1) IN GENERAL.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to block the membership on the Board of Governors of the IAEA for a Member State of the IAEA that has not signed and ratified the Additional Protocol and—*

*(A) is under investigation for a breach of or noncompliance with its IAEA obligations or the purposes and principles of the Charter of the United Nations; or*

*(B) that is in violation of its IAEA obligations or the purposes and principles of the Charter of the United Nations.*

*(2) CRITERIA.—The United States Permanent Representative to the IAEA shall make every effort to modify the criteria for Board membership to reflect the principles described in paragraph (1).*

*(d) REPORT.—Not later than six months after the date of the enactment of this Act and annually for two years thereafter, the President shall submit to the appropriate congressional committees a report on the implementation of this section.*

***SEC. 302. SENSE OF CONGRESS REGARDING THE NUCLEAR SECURITY ACTION PLAN OF THE IAEA.***

*It is the sense of Congress that the national security interests of the United States are enhanced by the Nuclear Security Action Plan of the IAEA and the Board of Governors should recommend, and the General Conference should adopt, a resolution incorporating the Nuclear Security Action Plan into the regular budget of the IAEA.*

## *TITLE IV—PEACEKEEPING*

***SEC. 401. SENSE OF CONGRESS REGARDING REFORM OF UNITED NATIONS PEACEKEEPING OPERATIONS.***

*It is the sense of Congress that—*

*(1) although United Nations peacekeeping operations have contributed greatly toward the promotion of peace and stability for the past 57 years and the majority of peacekeeping personnel who have served under the United Nations flag have done so with honor and courage, the record of United Nations peacekeeping has been severely tarnished by operational failures and unconscionable acts of misconduct; and*

*(2) if the reputation of and confidence in United Nations peacekeeping operations is to be restored, fundamental and far-reaching reforms, particularly in the areas of planning, management, training, conduct, and discipline, must be implemented without delay.*

***SEC. 402. STATEMENT OF POLICY RELATING TO REFORM OF UNITED NATIONS PEACEKEEPING OPERATIONS.***

*It shall be the policy of the United States to pursue reform of United Nations peacekeeping operations in the following areas:*

*(1) PLANNING AND MANAGEMENT.—*

*(A) GLOBAL AUDIT.—As the size, cost, and number of United Nations peacekeeping operations have increased substantially over the past decade, an independent audit of each such operation, with a view toward ''right-sizing'' operations and ensuring that such operations are cost effective, should be conducted and its findings reported to the Security Council.*

*(B) REVIEW OF MANDATES AND CLOSING OPERATIONS.—In conjunction with the audit described in subparagraph (A), the United Nations Department of Peacekeeping Operations should conduct a comprehensive review of all United Nations peacekeeping operation mandates, with a view toward identifying objectives that are practical and achievable, and report its findings to the Security Council. In particular, the review should consider the following:*

*(i) Activities that fall beyond the scope of traditional peacekeeping activities should be delegated to a new Peacebuilding Commission, described in paragraph (3).*

*(ii) Long-standing operations that are static and cannot fulfill their mandate should be downsized or closed.*

*(iii) Where there is legitimate concern that the withdrawal from a country of an otherwise static United Nations peacekeeping operation would result in the resumption of major conflict, a burden-sharing arrangement that reduces the level of assessed contributions, similar to that currently supporting the United Nations Peacekeeping Force in Cyprus, should be explored and instituted.*

*(C) LEADERSHIP.—As peacekeeping operations become larger and increasingly complex, the Secretariat should adopt a minimum standard of qualifications for senior leaders and managers, with particular emphasis on specific skills and experience, and current senior leaders and managers who do not meet those standards should be removed or reassigned.*

*(D) PRE-DEPLOYMENT TRAINING.—Pre-deployment training on interpretation of the mandate of the operation, specifically in the areas of use of force, civilian protection and field conditions, the Code of Conduct, HIV/AIDS, and human rights should be mandatory, and all personnel, regardless of category or rank, should be required to sign an oath that each has received and understands such training as a condition of participation in the operation.*

*(2) CONDUCT AND DISCIPLINE.—*

*(A) ADOPTION OF A UNIFORM CODE OF CONDUCT.—A single, uniform Code of Conduct that has the status of a binding rule and applies equally to all personnel serving in United Nations peacekeeping operations, regardless of category or rank, should be promulgated, adopted, and enforced.*

*(B) UNDERSTANDING THE CODE OF CONDUCT.—All personnel, regardless of category or rank, should receive training on the Code of Conduct prior to deployment with a peacekeeping operation, in addition to periodic follow-on training. In particular—*

*(i) all personnel, regardless of category or rank, should be provided with a personal copy of the Code of Conduct that has been translated into the national language of such personnel, regardless of whether such language is an official language of the United Nations;*

*(ii) all personnel, regardless of category or rank, should sign an oath that each has received a copy of the Code of Conduct, that each pledges to abide by the Code of Conduct, and that each understands the consequences of violating the Code of Conduct, including immediate termination of the participation of such personnel in the peacekeeping operation to which such personnel is assigned as a condition of appointment to such operation; and*

*(iii) peacekeeping operations should conduct educational outreach programs to reach local communities where peacekeeping personnel of such operations are based, including explaining prohibited acts on the part of United Nations peacekeeping personnel and identifying the individual to whom the local population may direct complaints or file allegations of exploitation, abuse, or other acts of misconduct.*

*(C) MONITORING MECHANISMS.—Dedicated monitoring mechanisms, such as the Personnel Conduct Units already deployed to support United Nations peacekeeping operations in Haiti, Liberia, Burundi, and the Democratic Republic of Congo, should be present in each operation to monitor compliance with the Code of Conduct, and—*

*(i) should report simultaneously to the Head of Mission, the United Nations Department of Peacekeeping Operations, and the Associate Director of OIOS for Peacekeeping Operations (established under section 104(b)(10)); and*

*(ii) should be tasked with designing and implementing mission-specific measures to prevent misconduct, conduct follow-on training for personnel, coordinate community outreach programs, and assist in investigations, as OIOS determines necessary and appropriate.*

*(D) INVESTIGATIONS.—A permanent, professional, and independent investigative body should be established and introduced into United Nations peacekeeping operations. In particular—*

*(i) the investigative body should include professionals with experience in investigating sex crimes, as well as experts who can provide guidance on standards of proof and evidentiary requirements necessary for any subsequent legal action;*

*(ii) provisions should be included in a Model Memorandum of Understanding that obligate Member States that contribute troops to a peacekeeping operation to designate a military prosecutor who will participate in any investigation into an allegation of misconduct brought against an individual of such Member State, so that evidence is collected and preserved in a manner consistent with the military law of such Member State;*

*(iii) the investigative body should be regionally based to ensure rapid deployment and should be equipped with modern forensics equipment for the purpose of positively identifying perpetrators and, where necessary, for determining paternity; and*

*(iv) the investigative body should report directly to the Associate Director of OIOS for Peacekeeping Operations, while providing copies of any reports to the Department of Peacekeeping Operations, the Head of Mission, and the Member State concerned.*

*(E) FOLLOW-UP.—A dedicated unit, similar to the Personnel Conduct Units, staffed and funded through existing resources, should be established within the headquarters of the United Nations Department of Peacekeeping Operations and tasked with—*

*(i) promulgating measures to prevent misconduct;*

*(ii) coordinating allegations of misconduct, and reports received by field personnel; and*

*(iii) gathering follow-up information on completed investigations, particularly by focusing on disciplinary actions against the individual concerned taken by the United Nations or by the Member State that is contributing troops to which such individual belongs, and sharing such information with the Security Council, the Head of Mission, and the community hosting the peacekeeping operation.*

*(F) FINANCIAL LIABILITY AND VICTIMS ASSISTANCE.—Although peacekeeping operations should provide immediate medical assistance to victims of sexual abuse or exploitation, the responsibility for providing longer-term treatment, care, or restitution lies solely with the individual found guilty of the misconduct. In particular, the following reforms should be implemented:*

*(i) The United Nations should not assume responsibility for providing long-term treatment or compensation by creating a ''Victims Trust Fund'', or any other such similar fund, financed through assessed contributions to United Nations peacekeeping operations, thereby shielding individuals from personal liability and reinforcing an atmosphere of impunity.*

*(ii) If an individual responsible for misconduct has been repatriated, reassigned, redeployed, or is otherwise unable to provide assistance, responsibility for providing assistance to a victim should be assigned to the Member State that contributed the troops to which such individual belonged or to the manager concerned.*

*(iii) In the case of misconduct by a member of a military contingent, appropriate funds shall be withheld from the troop contributing country concerned.*

*(iv) In the case of misconduct by a civilian employee or contractor of the United Nations, appropriate wages shall be garnished from such individual or fines shall be imposed against such individual, consistent with existing United Nations Staff Rules.*

*(G) MANAGERS AND COMMANDERS.—The manner in which managers and commanders handle*

*cases of misconduct by those serving under them should be included in their individual performance evaluations, so that managers and commanders who take decisive action to deter and address misconduct are rewarded, while those who create a permissive environment or impede investigations are penalized or relieved of duty, as appropriate.*

*(H) DATA BASE.—A centralized data base should be created and maintained within the United Nations Department of Peacekeeping Operations to track cases of misconduct, including the outcome of investigations and subsequent prosecutions, to ensure that personnel who have engaged in misconduct or other criminal activities, regardless of category or rank, are permanently barred from participation in future peacekeeping operations.*

*(I) WELFARE.—Peacekeeping operations should assume responsibility for maintaining a minimum standard of welfare for mission personnel to ameliorate conditions of service, while adjustments are made to the discretionary welfare payments currently provided to Member States that contribute troops to offset the cost of operation-provided recreational facilities.*

*(3) PEACEBUILDING COMMISSION.—*

*(A) ESTABLISHMENT.—Consistent with the recommendations of the High Level Panel Report, the United Nations should establish a Peacebuilding Commission, supported by a Peacebuilding Support Office, to marshal the efforts of the United Nations, international financial institutions, donors, and non-governmental organizations to assist countries in transition from war to peace.*

*(B) STRUCTURE AND MEMBERSHIP.—The Commission should—*

*(i) be a subsidiary body of the United Nations Security Council, limited in size to ensure efficiency;*

*(ii) include members of the United Nations Security Council, major donors, major troop contributing countries, appropriate United Nations organizations, the World Bank, and the International Monetary Fund; and*

*(iii) invite the President of ECOSOC, regional actors, Member States that contribute troops, regional development banks, and other concerned parties that are not already members, as determined appropriate, to consult or participate in meetings as observers.*

*(C) RESPONSIBILITIES.—The Commission should seek to ease the demands currently placed upon the Department of Peacekeeping Operations to undertake tasks that fall beyond the scope of traditional peacekeeping, by—*

*(i) developing and integrating country-specific and system-wide conflict prevention, post-conflict reconstruction, and long-term development policies and strategies; and*

*(ii) serving as the key coordinating body for the design and implementation of military, humanitarian, and civil administration aspects of complex missions.*

*(D) RESOURCES.—The establishment of the Peacebuilding Commission and the related Peacebuilding Support Office, should be staffed within existing resources.*

***SEC. 403. CERTIFICATION.***

*(a) NEW OR EXPANDED PEACEKEEPING OPERATIONS CONTINGENT UPON PRESIDENTIAL CERTIFICATION OF PEACEKEEPING OPERATIONS REFORMS.—*

*(1) NO NEW OR EXPANDED PEACEKEEPING OPERATIONS.—*

*(A) CERTIFICATION.—Except as provided in subparagraph (B), until the Secretary of State certifies that the requirements described in paragraph (2) have been satisfied, the President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to oppose the creation of new, or expansion of existing, United Nations peacekeeping operations.*

*(B) EXCEPTION AND NOTIFICATION.—The requirements described under subparagraphs (F) and (G) of paragraph (2) may be waived until January 1, 2007, if the President determines that such is in the national interest of the United States. If the President makes such a determination, the President shall, not later than 15 days before the exercise of such waiver, notify the appropriate congressional committees of such determination and resulting waiver.*

*(2) CERTIFICATION OF PEACEKEEPING OPERATIONS REFORMS.—The certification referred to in paragraph (1) is a certification made by the Secretary to the appropriate congressional committees that the following reforms, or an equivalent set of reforms, related to peacekeeping operations have been adopted by the United Nations Department of Peacekeeping Operations or the General Assembly, as appropriate:*

*(A) A single, uniform Code of Conduct that has the status of a binding rule and applies equally to all personnel serving in United Nations peacekeeping operations, regardless of category or rank, has been adopted by the General Assembly and mechanisms have been established for training such personnel concerning the requirements of the Code and enforcement of the Code.*

*(B) All personnel, regardless of category or rank, serving in a peacekeeping operation have been trained concerning the requirements of the Code of Conduct and each has been given a personal copy of the Code, translated into the national language of such personnel.*

*(C) All personnel, regardless of category or rank, are required to sign an oath that each has received a copy of the Code of Conduct, that each pledges to abide by the Code, and that each understands the consequences of violating the Code, including the immediate termination of the participation of such personnel in the peacekeeping operation to which such personnel is assigned as a condition of the appointment to such operation.*

*(D) All peacekeeping operations have designed and implemented educational outreach programs to reach local communities where peacekeeping personnel of such operations are based to explain prohibited acts on the part of United Nations peacekeeping personnel and to identify the individual to whom the local population may direct complaints or file allegations of exploitation, abuse, or other acts of misconduct.*

*(E) A centralized data base has been created and is being maintained in the United Nations Department of Peacekeeping Operations that tracks cases of misconduct, including the outcomes of investigations and subsequent prosecutions, to ensure that personnel, regardless of category or rank, who have engaged in misconduct or other criminal activities are permanently barred from participation in future peacekeeping operations.*

*(F) A Model Memorandum of Understanding between the United Nations and each Member State that contributes troops to a peacekeeping operation has been adopted by the United Nations Department of Peacekeeping Operations that specifically obligates each such Member State to—*

*(i) designate a competent legal authority, preferably a prosecutor with expertise in the area of sexual exploitation and abuse, to participate in any investigation into an allegation of misconduct brought against an individual of such Member State;*

*(ii) refer to its competent national or military authority for possible prosecution, if warranted, any investigation of a violation of the Code of Conduct or other criminal activity by an individual of such Member State;*

*(iii) report to the Department of Peacekeeping Operations on the outcome of any such investigation;*

*(iv) undertake to conduct on-site court martial proceedings relating to allegations of misconduct alleged against an individual of such Member State; and*

*(v) assume responsibility for the provision of appropriate assistance to a victim of misconduct committed by an individual of such Member State.*

*(G) A professional and independent investigative and audit function has been established within the United Nations Department of Peacekeeping Operations and the OIOS to monitor United Nations peacekeeping operations.*

## *TITLE V—DEPARTMENT OF STATE AND GOVERNMENT ACCOUNTABILITY OFFICE*

***SEC. 501. POSITIONS FOR UNITED STATES CITIZENS AT INTERNATIONAL ORGANIZATIONS.***

*The Secretary of State shall make every effort to recruit United States citizens for positions within international organizations.*

***SEC. 502. BUDGET JUSTIFICATION FOR REGULAR ASSESSED BUDGET OF THE UNITED NATIONS.***

*(a) DETAILED ITEMIZATION.—The annual congressional budget justification shall include a detailed itemized request in support of the assessed contribution of the United States to the regular assessed budget of the United Nations.*

*(b) CONTENTS OF DETAILED ITEMIZATION.—The detailed itemization required under subsection (a) shall—*

*(1) contain information relating to the amounts requested in support of each of the various sections and titles of the regular assessed budget of the United Nations; and*

*(2) compare the amounts requested for the current year with the actual or estimated amounts contributed by the United States in previous fiscal years for the same sections and titles.*

*(c) ADJUSTMENTS AND NOTIFICATION.—If the United Nations proposes an adjustment to its regular assessed budget, the Secretary of State shall, at the time such adjustment is presented to the Advisory Committee on Administrative and Budgetary Questions (ACABQ), notify and consult with the appropriate congressional committees.*

***SEC. 503. REVIEW AND REPORT.***

*Not later than six months after the date of the enactment of this Act, the Secretary of State shall conduct a review of programs of the United Nations that are funded through assessed contributions and submit to the appropriate congressional committees a report containing—*

*(1) the findings of such review; and*

*(2) recommendations relating to—*

*(A) the continuation of such programs; and*

*(B) which of such programs should be voluntarily funded, other than those specified in subparagraphs (A) through (R) of subsection (c)(2) of section 11 of the United Nations Participation Act of 1945, as amended by section 101(c) of this Act.*

***SEC. 504. GOVERNMENT ACCOUNTABILITY OFFICE.***

*(a) REPORT ON UNITED NATIONS REFORMS.—Not later than 12 months after the date of the enactment of this Act and again 12 months thereafter, the Comptroller General of the United States of the Government Accountability Office shall submit to the appropriate congressional committees a report on the status of the 1997, 2002, and 2005 management reforms initiated by the Secretary General and on the reforms mandated by this Act.*

*(b) REPORT ON DEPARTMENT OF STATE CERTIFICATIONS.—Not later than six months after each certification submitted by the Secretary of State to the appropriate congressional committees under this Act and subsection (d)(3) of section 11 of the United Nations Participation Act of 1945 (as amended by section 101(c) of this Act), the Comptroller General shall submit to the appropriate congressional committees a report on each such certification. The Secretary shall provide the Comptroller General with any information required by the Comptroller General to submit any such report.*

***TITLE VI—CERTIFICATIONS AND WITHHOLDING OF CONTRIBUTIONS***

***SEC. 601. CERTIFICATIONS AND WITHHOLDING OF CONTRIBUTIONS.***

*(a) CERTIFICATIONS.—*

*(1) IN GENERAL.—Except as provided in paragraph (3), the certifications required under subsection (d)(3) of section 11 of the United Nations Participation Act of 1945 (as amended by section 101(c) of this Act) and section 103, sections 104(a) through 104(e), sections 201(c) and 201(e), and section 202 of this Act are certifications submitted to the appropriate congressional committees by the Secretary of State that the requirements of each such section have been satisfied with respect to reform of the United Nations.*

*(2) ALTERNATE CERTIFICATION MECHANISM.—*

*(A) IN GENERAL.—Except as provided in paragraph (3), in the event that the Secretary is unable to submit a certification in accordance with paragraph (1), the Secretary may submit to the appropriate congressional committees, in accordance with subparagraph (B), an alternate certification that certifies that the requirements of the section to which the original certification applies have been implemented through reforms that are substantially similar to the requirements of such section or accomplish the same purposes as the requirements of such section.*

*(B) EQUIVALENCY.—Reforms are substantially similar or accomplish the same purposes if—*

*(i) such reforms are formally adopted in written form by the entity or committee of the United Nations or of its specialized agency that has authority to enact or implement such reforms or are issued by the Secretariat or the appropriate entity or committee in written form; and*

*(ii) such reforms are not identical to the reforms required by a particular certification but in the determination of the Secretary will have the same, or nearly the same effect, as such reforms.*

*(C) WRITTEN JUSTIFICATION AND CONSULTATION.—*

*(i) WRITTEN JUSTIFICATION.—Not later than 30 days before submitting an alternate certification in accordance with subparagraph (A), the Secretary shall submit to the appropriate congressional committees a written justification explaining in detail the basis for such alternate certification.*

*(ii) CONSULTATION.—After the Secretary has submitted the written justification under clause (i), but no later than 15 days before the Secretary exercises the alternate certification mechanism described under subparagraph (A), the Secretary shall consult with the appropriate congressional committees regarding such exercise.*

*(3) LIMITED EXCEPTION FOR SUBSTANTIAL COMPLIANCE.—*

*(A) SUBSTANTIAL COMPLIANCE.—Subject to subparagraph (B), if at least 32 of the 39 reforms represented by the ten certifications specified under paragraph (1) have been implemented, all such reforms (including the unimplemented reforms) so represented shall be deemed to have been implemented for the year in which the Secretary submits such certifications.*

*(B) MANDATORY IMPLEMENTATION OF CERTAIN REFORMS.—*

*(i) IN GENERAL.—The provisions of subparagraph (A) shall not apply unless the reforms under the following sections have been implemented for the year to which subparagraph (A) applies:*

*(I) Subsection (d)(3) of section 11 of the United Nations Participation Act of 1945 (as amended by section 101(c) of this Act).*

*(II) Section 103(b)(1)(A).*

*(III) Section 103(b)(2)(D).*

*(IV) Section 104(a)(1).*

*(V) Section 104(a)(6).*

*(VI) Section 104(b)(1).*

*(VII) Section 104(b)(2).*

*(VIII) Section 104(c)(1).*

*(IX) Section 201(b)(1).*

*(X) Section 201(b)(2).*

*(XI) Section 201(b)(3).*

*(XII) Section 201(b)(5).*

*(XIII) Section 202(a)(1).*

*(XIV) Section 202(a)(2).*

*(ii) FULL COMPLIANCE IN SUCCEEDING YEAR.—If the unimplemented reforms under subparagraph (A) are not implemented in the year succeeding the year to which subparagraph (A) applies, the provisions of subsection (b) shall apply for such succeeding year.*

*(b) WITHHOLDING OF UNITED STATES CONTRIBUTIONS TO REGULAR ASSESSED BUDGET OF THE UNITED NATIONS.—*

*(1) IN GENERAL.—Except as provided in paragraph (4) and in accordance with paragraph (2), until such time as all certifications (or alternate certifications) are submitted in accordance with subsection (a), the United States shall appropriate, but withhold from expenditure, 50 percent of the contributions of the United States to the regular assessed budget of the United Nations for a biennial period.*

*(2) AVAILABLE UNTIL EXPENDED.—The contributions appropriated but withheld from expenditure under paragraph (1) are authorized to remain available until expended.*

*(3) APPLICATION WITH RESPECT TO SECTION 11(B) OF THE UNITED NATION PARTICIPATION ACT OF 1945.—Until such time as all certifications (or alternate certifications) are submitted in accordance with subsection (a), subsection (b) of section 11 of the United Nations Participation Act of 1945 (as amended by section 101(c) of this Act) shall be administered as though such section reads as follows: ''The Secretary may not make a contribution to a regularly assessed biennial budget of the United Nations in an amount greater than 11 percent of the amount calculable under subsection (c).''.*

*(4) SECTION 11(D)(3) OF UNITED NATIONS PARTICIPATION ACT OF 1945.—*

*(A) SPECIAL RULE.—A certification under subsection (d)(3) of section 11 of the United Nations Participation Act of 1945 (as amended by section 101(c) of this Act) (relating to the 2008–2009 biennial period and subsequent biennial periods) shall not be required until such time as the United Nations makes its formal budget presentation for the 2008–2009 biennial period.*

*(B) APPLICATION.—If the Secretary does not submit a certification under such section, the 50 percent withholding described under paragraph (1) shall apply.*

*(c) RELEASE OF FUNDS.—At such time as all certifications (or alternate certifications) are submitted in accordance with subsection (a), the United States shall transfer to the United Nations amounts appropriated but withheld from expenditure under subsection (b).*

*(d) ANNUAL REVIEWS.—*

*(1) IN GENERAL.—The Secretary shall conduct annual reviews, beginning one year after the date on which the Secretary submits the final certification (or alternate certification) in accordance with subsection (a), to determine if the United Nations continues to remain in compliance with all such certifications (or alternate certifications). Not later than 30 days after the completion of each such review, the Secretary shall submit to the appropriate congressional committees a report containing the findings of each such review.*

*(2) ACTION.—If during the course of any such review the Secretary determines that the United Nations has failed to remain in compliance with a certification (or an alternate certification) that was submitted in accordance with subsection (a), the 50 percent withholding described under subsection (b) shall re-apply with respect to United States contributions each fiscal year to the regular assessed budget of the United Nations beginning with the fiscal year immediately following such review and subsequent fiscal years until such time as all certifications (or alternate certifications) under subsection (a) have been submitted.*

*(e) EFFECTIVE DATE.—The certifications (or alternate certifications) specified under subsection (a) shall be required with respect to United States contributions towards payment of regular assessed dues of the United Nations for 2007 and subsequent years.*

The Acting CHAIRMAN. No amendment to the committee amendment shall be in order, except those printed in House Report 109–32 and amendments en bloc described in section 3 of House Resolution 319.

Each amendment printed in the report shall be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent of the amendment, shall not be subject to an amendment, and shall not be subject to a demand for division of the question.

Additional periods of general debate shall be in order as follows, to be equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations:

Number 1, 20 minutes prior to consideration of amendments printed in subpart A of part 1 of the report on the subject of accountability of the United Nations;

Number 2, 10 minutes prior to consideration of amendments printed in subpart B of part 1 of the report on the subject of United Nations peacekeeping operations;

Number 3, 10 minutes prior to consideration of amendments printed in subpart C of part 1 of the report on the subject of the International Atomic Energy Agency;

Number 4, 20 minutes prior to consideration of amendments printed in subpart D of part 1 of the report on the subject of human rights; and,

Number 5, 20 minutes prior to consideration of amendments printed in subpart E of part 1 of the report on the subject of the Oil-for-Food program.

It shall be in order at any time for the chairman of Committee on International Relations or his designee to offer amendments en bloc consisting of amendments printed in part 2 of the report not earlier disposed of or germane modifications of any such amendment. Amendments en bloc shall be considered read, except that modifications shall be reported, shall be debatable for 20 minutes equally divided and controlled by the chairman and ranking minority member or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

The original proponent of an amendment included in amendments en bloc may insert a statement in the CONGRESSIONAL RECORD immediately before disposition of the amendment en bloc.

It is now in order to debate the subject of accountability of the United Nations.

The gentleman from California (Mr. ROHRABACHER) and the gentleman from California (Mr. LANTOS) each will control 10 minutes.

The Chair recognizes the gentleman from California (Mr. ROHRABACHER).

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

Mr. ROHRABACHER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I stand here with great pride next to my chairman, the gentleman from Illinois (Mr. HYDE), and recall all the great and wonderful battles that he has fought in his career, and I am so proud to be at his side at this, not the last battle that we will fight, but, as we lead into the sunset of his career, a battle that will be meaningful and remembered, and for which the American people will be grateful that we had his leadership.

Also, I might add, we are grateful for the honorable adversarial relationship that we have on the other side of the aisle, the gentleman from California (Mr. LANTOS), a champion of human rights, a dear friend, and someone who I greatly respect and whose guidance, I might say, has been important to my own career.

We are here today to take up the bill named for the gentleman from Illinois (Mr. HYDE), the Henry Hyde United Nations Reform Act of 2005. This bill will reform the United Nations in a meaningful and lasting way, especially in the arena of accountability.

□ 1800

Reform is vital in this area. And if anyone should doubt that, they only need look at the Oil-for-Food scandal which my subcommittee, under the leadership of the gentleman from Illinois (Mr. HYDE), has been investigating. The Oil-for-Food scandal, let us remember what it was. The Oil-for-Food program was set up in order to make sure that the women and children and noncombatants of Iraq did not die of lack of food and medicines because of an oil boycott that we had put, the United Nations had placed, on Iraq under Saddam Hussein's regime as a way of pressuring Saddam Hussein to give up his chemical and biological weapons, weapons of mass destruction, and to continue, and to refrain from his hostile acts like the invasion of Kuwait.

Unfortunately, the Oil-for-Food scandal is what happened to the Oil-for-Food program. We decided to establish a program, the Oil-for-Food program, which would permit the Iraqi regime to sell a certain amount of oil under United Nations supervision and to use the resources from that sale to purchase a certain amount of humanitarian supplies to help the so-called starving women and children of Iraq so these people would not be necessarily harmed.

Right from the beginning, as the United Nations organized the program, Saddam Hussein, this vicious dictator, this mass murderer, was able to choose the buyers for Iraq's oil, as well as the suppliers of humanitarian goods, which would then be the product of the sale of that oil. What do you expect will happen when that is the way it is organized? And why was it organized that way? It was organized that way because it was a United Nations program.

Let us note that our allies, including France and Russia, who had demanded that we have an Oil-for-Food program to help those poor and starving Iraqi children, that as we put the program in place, instead of helping us, they became hindrances to our making sure that the program was run in an honest way. Saddam Hussein was able to demand kickbacks and surcharges for the sale of oil and the purchase of humanitarian goods. Our allies were all too willing to pay those kickbacks. These are the same ones who pressured us to establish the program.

Business was the driving factor, of course, in their decision. But let us note that another driving factor was the fact that we have uncovered that as part of the Oil-for-Food program bribes were being channeled to people in those very governments, and perhaps that had something to do with the decision-making process of our so-called allies.

Of the estimated $65 billion in oil sales during the time of the Oil-for-Food program, perhaps as much as $10 billion was siphoned off by Saddam Hussein, this mass murderer, and this $10 billion, which was supposed to be going to the Iraqi people to alleviate their suffering.

A United Nations-sanctioned inquiry led by Federal Reserve Bank chairman Paul Volcker has unearthed these evidences of kickbacks paid, for example, to the former director of the Oil-for-Food program in the United Nations. Thus we are saying that it was a United Nations program and the Oil-for-Food program resources were used to bribe Benon Sevan, United Nations official who oversaw the program who had been appointed by Secretary-General Kofi Annan and was a close confidant of Kofi Annan.

The Volcker Commission also published evidence detailing the destruction of documents about the Oil-for-Food program as late as last year by Annan's former chief of staff, Iqbal Riza.

The House International Relations Committee has been investigating the United Nations Oil-for-Food program since March of 2004. The oversight of the Oil-for-Food program at the United Nations itself was undercut by the weak institutional oversight management structures in the United Nations itself. The United Nations, as it was organized, as it is organized unless we act today, bears a great deal of the responsibility for the failure of these type of programs like the Oil-for-Food program.

There is not a culture of openness at the United Nations nor is the structure open, but instead a closed structure and a culture of arrogance. The United Nations Office of Internal Oversight Services, for example, was denied adequate funding and manpower needed to properly audit the Oil-for-Food program. If they were not given the proper resources, why would we expect it not to be corrupted, especially when dealing with the likes of Saddam Hussein?

Saddam provided gifts from $10,000 to $25,000 to families of Palestinian suicide bombers with the kickback money that he received from the Oil-for-Food program. And let us note something else. If you want to find out what this program did and the power it gave Saddam Hussein, and the corruption of this idea of saving innocent women and children as a program officiated over by the United Nations, let us recall a speech in this body, not too long ago.

The President of the United States gave his State of the Union message here and introduced us to a lady sitting next to his wife, the first lady. Next to her was an Iraqi woman whose father had been assassinated by Saddam Hussein because he was a human rights activist. How was the assassin paid off? We have traced back the payment of the assassin of the woman who joined us for the State of the Union, the assassin of that woman's father, we have traced back that payment to a man who received the money from Saddam Hussein, and it was channeled through this United Nations program; and the money ended up going through a United Nations program to an assassin who murdered the father of the woman who was introduced to us because he was a human rights activist.

If ever there was a travesty, it is this. Saddam Hussein was manipulating the program; and the United Nations, it seems, if not willing to go along with Saddam Hussein, was certainly not willing to go along with the reforms that would have corrected the program.

Without approval, the New York office of the Banque de Paris, or Paribas, this was the bank that oversaw the Oil-for-Food program, the U.N.'s bank for the program made unauthorized payments from the program to so-called third parties on more than 400 occasions. These third parties where the unauthorized payments were made went to people that they had no idea who they were giving the money to. We have yet to be able to trace back who actually runs the corporations who received over 400 payments from the bank that ran this Oil-for-Food program, all of this, of course, under the United Nations' direction.

Now, that is the Oil-for-Food program. We could go on about that for hours. But there are other problems at the U.N. which we need to mention, the nepotism at the United Nations. We have seen over and over again people hiring their children. We have seen situations where, for example, Benon Sevan sold his vouchers to a company in which his stepdaughter was hired,

which was in violation of U.N. job violation rules. And let us note former Secretary Boutros Boutros Ghali's nephew.

Neoptism is rampant at the U.N. Maurice Strong, a long-time U.N. official and confidant of Secretary General Annan, hired his stepdaughter Kristina Mayo for a U.N. job in violation of U.N. staff regulations. Benon Sevan allegedly sold his oil vouchers to a company run by former Secretary General Boutros Boutros-Ghali's nephew. Moreover, this deal with Sevan was set up by Fred Nadler, Boutros-Ghali's brother-in-law.

Strong has also been tainted by his association with the Tongsun Park, from the Koreagate scandal, against whom a complaint was filed by the U.S. Attorney in the Southern District of New York in April. Park was attempting to illicitly influence ''a U.N. official'' through Iraqi Oil-For-Food money. Strong has confirmed that he was that U.N. official but denies wrongdoing.

The WMO in Geneva, Switzerland, a long-time WMO employee and Sudanese national was accused of skimming $3 million from accounts at the organization over a 3–4 year period. The funds were lost to this corruption and they will likely never be recovered.

He is said to have faked his death to avoid investigation. Accordingly, his wife presented a death certificate, acknowledged by Sudanese authorities to have been false, in order to claim his U.N. pension, which the U.N. has withheld pending the results of a full investigation being conducted by the Swiss authorities at the request of the WMO.

WMO authorities believe that ultimately there are 10–15 other WMO employees who could be viewed as negligent or even gross negligence.

The WMO Senior Legal Advisor reported that while bad, ''the internal procedures were not the worst seen in the U.N. family of organizations.''

At WIPO, also in Geneva, Michael Wilson, an Annan family friend, is being investigated by a Swiss judge on charges of bribing a senior official at WIPO to win a renovation contract on the agency's headquarters. The WIPO official acknowledges receiving $270,000 from Wilson. Wilson claims the money was from a private business venture.

There are also allegations of employee skimming of WIPO agency funds related to the renovation.

Prior to Operation Iraqi Freedom, the agency coordinated with international relief agencies and U.N. member states to relieve the suffering of the Iraqi people.

In January of 1998, $43,701 had to be recovered from staff members no longer at the mission as well as outstanding obligations of $328,287 in November 1997 for the UNOHCI.

The audit revealed that an inventory of physical assets in May 1998 discovered that 185 items totaling $100,994 could not be accounted for.

The United Nations Claims Commission (UNCC) processes claims for losses and damage suffered as a direct result of Iraq's unlawful invasion and occupation of Kuwait in 1990–91.

In an audit of the UNCC's awards, the OIOS viewed the present system resulted in overpayments of $2,170,951 to the claimants in the 10th installment. Furthermore, in the absence of relevant information, OIOS estimates that UNCC has overpaid by $.51 billion to date for other claims. In addition, it is estimated that UNCC would overpay future claims by $1.27 billion, under the current exchange rate procedures.''

The United Nations Population Fund and U.N. Environment Program promotes environmental and population strategies among member governments.

In a statement before a U.N. Committee in 2004, Thomas Respasch of the U.S. Mission to the U.N. explained, the following extravagant travel expenses of two programs at the U.N.: ''In the U.N. Population Fund, we were quite surprised to learn that some senior staff members who spend more than half their time in travel status are racking up travel costs of $225,000. In the U.N. Environment Program, travel advances to other persons, in the amount of $82,208, had been outstanding for more than 20 months.''

United Nations Office of Drugs and Crime (UNODC) assists member states in their struggle against illicit drugs, crime and terrorism.

In 2003, Samuel Gonzalez-Ruiz, a senior adviser to UNODC, resigned, charging that the office ''tolerates administrative and in some cases criminal violations'' such as nepotism, mismanagement and misappropriation of funds by agency staff. A U.N. probe into corruption allegations found that ''a senior official improperly gave 11 contracts to his wife.'' In 2003, an OIOS probe found mismanagement by executive director Pino Arlacchi; collapse of $250 million 10-year plan to eradicate drugs from Afghanistan. Also found evidence of lavish, excessive spending, such as purchase of a $100,000 Mercedes.

These are but a few of the signs that the U.N. is on the wrong path. But talking about problems is not enough, we must do something about it.

This bill is vital for reform of the United Nations. Chairman HYDE's bill brings real reform to an institution that is quite simply broken.

Regarding the Accountability section of the bill, there is a provision for a special investigator to be assigned to investigate further instances of corruption by high officials of the U.N., such as Benon Sevan.

This bill brings independence to the Office of Internal Oversight Services, OIOS, removing it from under the thumb of political influence at the U.N. and assures OIOS of proper funding to carry out its mission.

This bill creates a U.N. Office of Ethics—an office that after more than a year of investigation into the Oil-for-Food Program has shown—is sorely needed.

Also, the Ethics office will be tasked in this bill with facilitating and operating a system for financial disclosure.

Finally, the bill creates an Independent Oversight Board (IOB) to review the audits of the OIOS and other audit bodies of the U.N. This office is vital to provide proper oversight of the U.N.

What we have certainly discovered about the U.N. in the hearings on the Oil-for-food program that I have held in the subcommittee on Oversight and Investigations in the International Relations Committee, is that the U.N. was corrupted by Saddam Hussein. This bill will go some distance toward repairing this corruption.

I conclude by saying that the U.N. has not been accountable, transparent and it has not been living up to the standards expected of an institution that receives hundreds of millions of dollars every year from the United States. The American taxpayers deserve more for their money. This is why Chairman HYDE wrote this bill and why we are here today: to fix the U.N. so that the problems exemplified by the Oil-for-Food program as well as others such as the horrific rapes committed by U.N. peacekeepers are never repeated.

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

Mr. Chairman, before yielding, let me commend the gentleman from California (Mr. ROHRABACHER) for his powerful statement. And let me commend the gentleman from Illinois (Chairman HYDE) for including in his bill extremely important measures that enhance accountability. I would like to state that the Lantos-Shays substitute which we will present later contains the same measures. We are in full accord on dramatically enhancing accountability at the United Nations.

Mr. ROHRABACHER. Mr. Chairman, would the gentleman yield for one moment?

Mr. LANTOS. Mr. Chairman, I would be delighted to yield to the gentleman from California.

Mr. ROHRABACHER. Mr. Chairman, let me just note that what measures that we have been suggesting in the bill, as you have just underscored, are very reasonable, and the fact that we have bipartisan support on the measures demanding accountability suggest that these are things that the United Nations should not be opposing. This is nothing that should raise the fur up on the back of the necks of any official at the United Nations. So I appreciate the gentleman, and also, all those ladies and gentlemen on the other side of the aisle coming at these issues of accountability in a very bipartisan fashion.

Mr. LANTOS. Mr. Chairman, I thank the gentleman from California (Mr. ROHRABACHER) for his comments.

I am delighted to yield 3 minutes to the gentleman from Iowa (Mr. LEACH), the distinguished chairman of the Asia and Pacific Affairs Subcommittee of the International Relations Committee, my distinguished Republican colleague.

Mr. LEACH. Mr. Chairman, as so ably demonstrated by the gentlemen from California (Mr. LANTOS and Mr. ROHRABACHER), the U.N. is crying out for reform. But let us not forget that the only oath we as Members take is to the Constitution and votes should reflect this obligation, not pique, not ideology, not well-intentioned concern for reform.

Unfortunately, the approach contained in the bill before us contravenes the United Nations charter and undercuts the rule of law. It also misreads the constitutional prerogatives of Congress. It is true that under article 1 we have been given purse-string authority. It is not true that we have been provided the power to negotiate. That authority resides with the executive branch.

There has been a suggestion made that only by threatening the withholding of resources can progress be made at the U.N. This assertion at first blush sounds like commonsense realism. But counterintuitively to utterers of this precept, historical experience reveals that prior U.S. withholding tactics have frequently embarrassed the United States and weakened, rather than strengthened, our diplomatic positions. Nobody likes to be threatened, especially when threats represent breaches of the law of nations.

It is no accident that the Bush administration has voiced opposition to this bill and warned that unilaterally backing out of our financial obligations will undermine our credibility and effectiveness at the U.N.

One obvious issue, especially for my Republican colleagues, is whether deference to the judgment of House leadership in matters of multilateral diplomacy is more compelling than deference to the President. But this quandary is secondary to the issue of the rule of law. The fundamental choice today is between deference to the law or to sovereign impunity.

Any sense of history would suggest that now is not the time to denigrate law. The passions of men, no matter how understandable must be constrained by law if there is any hope for a more peaceful and just world.

Accordingly, I intend to vote for the principal substitute to the committee bill, but against either the committee bill or the substitute on final passage. The former represents a congressional directive that in all likelihood will require the U.S. to declare financial war on the United Nations. The alternative approach, while more restrained, has the effect of authorizing the executive branch to conduct a financial war on the U.N. should the Secretary of State choose to do so. Both presumptuously imply that the United States is free of an international obligation to pay its assessment. This body would be wiser to abide by the rule of law and fidelity to the Constitution, not the politics of the moment.

Finally, Mr. Speaker, it is at times like this I am reminded of the warning of the English philosopher, John Locke, who once suggested that little is more dangerous than a good prince, because that prince is so respected it is hard to object when he may be wrong. HENRY HYDE is not just a good prince, he is a great one. But I fear in this instance he may be wrong, and I would suggest to my colleagues that the most appropriate way to show our esteem is through respectful dissent to the finest in our midst.

Mr. Chairman. At the outset, let me express my appreciation to Chairman HYDE and his staff for reaching out to consult with me as this legislation was developed. Although we have differing perspectives on this bill, I have the utmost respect for our distinguished Chairman, as well as his staff, who are among the finest on Capitol Hill.

The Committee has done a quality job in assembling a panoply of United Nations reform proposals. Virtually all of the suggestions are compelling. The problem is the framework of their consideration. Unfortunately, in my judgment, the underlying Committee approach is thoroughly inappropriate. The Democratic substitute is better, but is inappropriate as well.

All of us have pique of one kind or another about the U.N. As a supporter of the principles that underlie the founding of the United Nations, I must confess to profound disappointment in the conflicts of interest that developed in the oil-for-food program.

Bizarrely, according to a federal indictment made public earlier this spring, a South Korean named Tongsun Park appears to be at the center point of one set of Iraqi oil transfers in which as a middleman he may have used part of his commissions to influence several U.N. officials. What is astonishingly ''déjà vu'' about these charges is that Tongsun Park had been indicted on bribery and conspiracy charges in the late 1970s for using his role as a rice agent for the U.S. Food for Peace program to bestow money and gifts on Members of Congress who had legislated the guidelines that allowed commissions on those agricultural sales.

The involvement of Tongsun Park in the Iraqi oil-for-food scandal may be a footnote to the abuses that developed but it symbolically underscores the urgent need for reform, accountability and transparency in U.N. endeavors.

Ironically, the oil-for-food program was authorized by the Security Council with U.S. support and every contract had to be approved by the government of the United States. It appears that proceeds from some of these contracts may have benefited influential individuals and institutions in various countries, including Russia and France, and thus had the effect of providing financial incentives for people in key foreign countries to oppose the policy perspectives of the United States. It also appears that conflicts of interest may have been precipitated with a small number of U.N. employees.

Perspective is difficult to bring to issues of the day, but with regard to the oil-for-food program, it is apparent that the international system is vulnerable to corruption. It may be that relative to the multi-billion-dollar size of the program, the conflicts in New York may to some seem paltry. But it should be clear that a few thousand here and a few thousand there add up to a loss of confidence in institutions of governance.

Bureaucratic waste and ineptitude are a challenge to any large organization, but of all institutions the U.N. should be the one most sensitive in the world to the problem of the ''two c's:'' corruption and conflicts of interest.

The United Nations was created to promote the rule of law among and within nations. It was expected to be an honest and implacably neutral broker to help settle international disputes and advance international law in areas as diverse as arms control, trade, human rights, and the environment. In all these activities, political differences were to be expected, but integrity of purpose and deed was to be the U.N.'s hallmark. But tragically, no institution can fulfill its mission if its programs are subverted or its representatives conduct themselves in ways that are not respectful of the law. Corruption is the bitterest breach of trust, especially for the U.N., which in so many parts of the world represents the aspirations of people who live in desperate poverty and fear.

In this regard, in December 2004, Congress directed the United States Institute of Peace to establish a Task Force on the United Nations. The 12-member bipartisan Task Force, chaired by former House Speaker Newt Gingrich and former Senate Majority Leader George Mitchell, worked with leading public policy organizations to assess reforms that would enable the U.N. to better meet the goals of its 1945 charter and offer the U.S. government an actionable agenda to strengthen the U.N.

The report recommends establishing a chief operating officer to be in charge of daily U.N. operations; empowering the Secretary General to replace his or her top officials; and creating an Independent Oversight Board with adequate audit powers to prevent another scandal like oil-for-food. In addition, the report suggests abolishing the current U.N. Human Rights Commission and establishing a new Human Rights Council, ideally to be composed of democratic governments committed to monitoring, promoting, and enforcing human rights.

Over the years, there have been many reports advocating U.N. reform. By background, in the early 1990's I co-Chaired the United States Commission on Improving the Effectiveness of the United Nations. The Commission held six hearings in regional centers across the country, receiving testimony from hundreds of witnesses representing a cross-section of philosophical perspectives.

The report the commission put forth underlined a certain degree of optimism that the U.N. could play a constructive role in world affairs, but explicitly recognized ''serious management problems'' and lack of adequate financial accountability in the U.N. system, and called for the U.N. to establish a fully independent Inspector General's office.

With respect to political and security issues, the Commission, like the Gingrich-Mitchell Commission, recognized that means must be found to make the Security Council more representative of power balances in the world today; accordingly, it recommended the expansion of permanent membership of the Security Council. I introduced a bill to this effect yesterday, House Resolution 321, and am hopeful it will receive serious Committee and House review at a later date.

Also like the Gingrich-Mitchell Commission, the U.S. Commission on Improving the Effectiveness of the United Nations recommended the establishment of a U.N. rapid reaction force to prevent acts of genocide and crimes against humanity.

Arguably, these last recommendations—expansion of the Security Council and establishment of a U.N. rapid deployment force—are the two most important reform proposals the U.N. is considering today. The reform bill before us today is silent on each.

While both the Gingrich-Mitchell Commission and the earlier U.N. Commission highlighted severe management concerns, neither advocated linking progress on U.N. reform to U.S. payment of dues to the organization. Indeed, eight former U.S. ambassadors to the United Nations—Madeleine Albright, John Danforth, Richard Holbrooke, Jeane Kirkpatrick, Donald McHenry, Thomas Pickering, Bill Richardson and Andrew Young—urged Congress earlier this week to reject legislation that would withhold payments to the world body unless specific reform plans were enacted.

Here, we must understand precisely what the meaning of a 50 percent cut in U.S. contributions to the U.N., as envisioned in the bill before us, implies. As the country in the world that most stands for the rule of law, we are proposing to circumvent it. The Committee approach represents a Congressional directive that in all likelihood will require the U.S. to declare financial war on the United Nations. The alternative Democratic approach, while more restrained, has the effect of authorizing the Executive Branch to conduct a financial war on the U.N. should the Secretary of State choose to do so.

Both approaches contravene the U.N. Charter, a treaty binding all parties, including the United States. It specifies: ''The expenses of the Organization shall be borne by the Members as apportioned by the General Assembly'' (Article 17(2)). In 1962, the International Court of Justice held—sustaining the position of the United States—that apportionment of expenses by the General Assembly creates the obligation of each Member to bear that part of the expenses apportioned to it.

Both efforts, the first boldly, the second with an extra Executive Branch hurdle, presumptuously imply that the United States is free of an international obligation to pay its assessments. This position runs counter to elemental principles of international law. The Vienna convention on the Law of Treaties provides that: ''Every treaty in force is binding upon the parties to it and must be performed by them in good faith'' (Article 26). It specifies that: ''A state party to a treaty may not invoke the provisions of internal law as justification for its failure to perform the treaty'' (Article 21(1)).

The only oath we as Members take is to the Constitution. Votes should reflect this obligation, not pique, not ideology, not well-intentioned concern for reform.

The bill before us undercuts the rule of law. It also misreads the Constitutional prerogative of Congress. It is true under Article I that we have been given purse string authority. It is not true that we have been provided the power to negotiate. That authority resides with the Executive Branch.

The legislation before us eviscerates the separation of powers that our founders so thoughtfully constructed. The Democratic alternative represents a credible political, but uncompelling legal balancing. The wiser way to go is to take the group of reform ideas assembled in the Committee bill, many of which, by the way have been derived from recommendations of various U.N. initiated panels, and simply direct the Executive to use its authority to seek to advance them in a way only it can.

There has been a suggestion made that only by threatening the withholding of resources can progress at the U.N. be made. This assertion at first blush sounds like common-sense realism. But counter-intuitively to utterers of this precept, historical experience reveals that prior U.S. withholding tactics have frequently embarrassed the U.S. and weakened rather than strengthened U.S. diplomatic positions. Nobody likes to be threatened, especially when threats represent breaches of the law of nations.

This bill, while frustratingly reflective of many legitimate sentiments, will almost certainly prove counterproductive. While it contains good ideas that many in the U.N. community support, the coercive methodology implicit in the threat of withholding legally obligated resources will jeopardize rather than advance prospects for reform. It is no accident that the Bush Administration has voiced opposition to this bill and warned that unilaterally backing out of our financial obligations will undermine our credibility and effectiveness at the U.N.

We may be the greatest democracy in history but in a world where U.S. leadership has for so many lost its luster, good policy is far likelier to precipitate constructive results than big economic threats.

One obvious issue, especially for my Republican colleagues, is whether on matters of multilateral diplomacy deference to the judgment of House leadership is more compelling than deference to the President. But this quandary is secondary to the issue of the rule of law. The fundamental choice today is between deference to the law or to sovereign impunity.

Any sense of history would suggest that now is not the time to denigrate law. The passions of men, no matter how understandable, must be constrained by law, if there is any hope for a more peaceful and just world.

Accordingly, I intend to vote for the principal substitute to the Committee bill, but against either the Committee or the substitute on final passage. It is the rule of law and fidelity to the Constitution, not the politics of the moment that should guide our consideration of this bill.

Mr. LANTOS. Mr. Chairman, I am delighted to yield the balance of my time to the gentleman from Massachusetts (Mr. DELAHUNT), the ranking member of the Oversight and Investigation Subcommittee of the International Relations Committee.

Mr. DELAHUNT. Mr. Chairman, I think it is important that when we talk about reforming the United Nations that we have to be clear about what the United Nations is. It is not simply the Secretariat. The Secretariat is just the staff. They are the hired help. They run the day-to-day affairs of the United Nations; but it is the Member states that set policy, that make decisions that are responsible for oversight in implementation of the United Nations resolutions.

□ 1815

In particular, it is the function of the Security Council to carry out those responsibilities. The United States is a permanent member of the Security Council, with the power to veto any resolution.

When the Security Council does not want the United Nations to work, it will not work. The Gingrich-Mitchell report put it this way, and I am quoting, ''Too often the phrase 'the United Nations failed' should actually read 'members of the United Nations blocked or undermined action by the United Nations.' ''

An excellent example of this concept is the sanctions against Iraq in the Oil-for-Food program. The United States advocated for the sanctions on Iraq in the aftermath of the Gulf War and then supported the Oil-for-Food program, advocated for it, but it was the Security Council, not some amorphous United Nations somewhere up in New York, that had the responsibility to oversee the Oil-for-Food program and the sanction regime.

But when Jordan and Turkey notified the Security Council that they intended to purchase oil from Iraq, in direct violation of the sanctions regime, the Security Council simply took notice, whatever that means. I still cannot figure it out, but they did nothing else. It did not block Jordan and Turkey from this trade. It did not sanction those countries. It did not instruct the Secretariat to take any action. It did nothing.

As a result, Syria and Egypt then began to purchase oil from Iraq as well, and it is important to understand that this ended up as the largest illicit source of revenue for Saddam Hussein, and it had nothing to do with the Oil-for-Food program, nothing to do with it at all. The moneys derived from these so-called trade protocols far exceeded the money that Saddam Hussein skimmed from the Oil-for-Food program. This chart next to me shows that the so-called trade protocols generated over $8 billion in revenue for Saddam Hussein.

My friend, the chairman of the Subcommittee on Oversight and Investigations talks about $10 billion; 8 billion of that came from the Security Council's inaction while looking the other way.

Even some of the money that Saddam stole from the Oil-for-Food program could have been saved by aggressive oversight by the Security Council. It is important to note it was the Security Council that approved all prices on oil exports from Iraq, and every contract needed their approval for humanitarian goods coming into Iraq, and yet when the Secretariat brought 71 contracts to the attention of the Security Council because of concerns of pricing irregularities, the Security Council did nothing, did nothing, and Saddam profited and stayed in power as a result.

Why? Why did the Security Council not address any of these issues? Because the Security Council, including our own government, and there was two administrations involved, both the Clinton and the Bush administration, reached a political decision that it was not in their interests to fully enforce the sanctions. That has to be understood.

So when we talk about making the United Nations more effective, let us be clear that the changes that are being proposed, and that I embrace, do not fully address the problem. What is ultimately required is improving the way member states work together, and some level of transparency in the internal workings of the Security Council, not unilaterally withholding dues.

I am convinced that those eight Ambassadors who sent that letter to our congressional leadership are correct when they say withholding dues to the United Nations may sound like smart

policy, but would be counterproductive. It would create resentment, build animosity and actually strengthen the opponents of reform. It would place in jeopardy the reform initiatives that we embrace. Please understand that.

The CHAIRMAN. All time for general debate has expired on Part 1.

It is now in order to consider amendment No. 1 printed in Subpart A of Part 1 of House Report 109–132.

PART 1, SUBPART A AMENDMENT NO. 1 OFFERED BY MR. KING OF NEW YORK

Mr. KING of New York. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part 1, Subpart A Amendment No. 1 offered by Mr. KING of New York:

In section 104, add at the end the following new subsection:

(f) WAIVER OF IMMUNITY.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to ensure that the Secretary General exercises the right and duty of the Secretary General under section 20 of the Convention on the Privileges and Immunities of the United Nations to waive the immunity of any United Nations official in any case in which such immunity would impede the course of justice. In exercising such waiver, the Secretary General is urged to interpret the interests of the United Nations as favoring the investigation or prosecution of a United Nations official who is credibly under investigation for having committed a serious criminal offense or who is credibly charged with a serious criminal offense.

The CHAIRMAN. Pursuant to House Resolution 319, the gentleman from New York (Mr. KING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York (Mr. KING).

Mr. KING of New York. Mr. Chairman, I yield myself such time as may consume.

At the outset, Mr. Chairman, let me join with my other colleagues in commending the gentleman from Illinois (Chairman HYDE) for the outstanding leadership he has demonstrated on this bill. It caps a tremendous career in this body and is just one further shining example of how much we owe him and how we are indebted to him for his years of service to the United States Congress.

Mr. Chairman, my amendment should be noncontroversial. As both sides have acknowledged, there have been enormous scandals at the United Nations. Its reputation has suffered dramatically.

For those who do wish the United Nations to be reformed, and for the United Nations to reform itself, it is essential that it restore or regain some modicum of credibility from the American public and, indeed, from the world community. To do that, my amendment urges or directs the President of the United States to urge our permanent representative to the U.N. to call upon the Secretary General to waive immunity in those instances where U.N. officials have committed serious offenses.

We have heard descriptions of various alleged misconduct by officials such as Benon Sevan, who is head of the Oil-for-Food program. Also, other individuals have been relieved of their duties at the U.N., such as the official charged with supervising contractor selection.

To me, it just makes elemental sense that the Secretary General under section 20 exercise his discretion to waive immunity in those cases so that criminal action, if necessary, can be brought, and it would be imperative upon our upcoming representative to the United Nations to call upon him to do that.

It is an amendment on which I urge its adoption. I believe it is essential, again, a significant step, and yet one which is a common-sense step to restoring the credibility that the U.N. deserves.

Mr. LANTOS. Mr. Chairman, will the gentleman yield?

Mr. KING of New York. I yield to the gentleman from California.

Mr. LANTOS. Mr. Chairman, I want to commend my friend from New York for offering this amendment. Our side is prepared to accept the gentleman's amendment.

The diplomatic immunity that the United Nations is granted under international law is not designed to shield its employees from the due process of law when they commit crimes. Secretary General Kofi Annan has stated on numerous occasions that he would never allow the U.N.'s diplomatic immunity to protect any employee from prosecution for a crime she or he may have committed.

The Lantos-Shays substitute has a parallel amendment, and we are happy to accept the gentleman's amendment.

Mr. KING of New York. Mr. Chairman, reclaiming my time, as always, I appreciate the kind words of the gentleman from California who, again, I am proud to call my friend, and I certainly accept his support of the amendment.

Mr. HYDE. Mr. Chairman, will the gentleman yield?

Mr. KING of New York. I yield to the gentleman from Illinois.

Mr. HYDE. Mr. Chairman, I thank the gentleman for yielding.

We, too, are very pleased to accept this excellent amendment and thank the gentleman from New York.

Mr. KING of New York. Mr. Chairman, I thank the chairman.

Mr. DELAHUNT. Mr. Chairman, will the gentleman yield?

Mr. KING of New York. I yield to the gentleman from Massachusetts.

Mr. DELAHUNT. Mr. Chairman, I thank the gentleman for yielding to me.

I do obviously support the acceptance by our ranking member of the amendment.

I think it is important to note for the record that there are currently investigations that are ongoing, and for the information of my friend from New York, the Secretary General has been very explicit that he will fully cooperate. We have received information back that that cooperation is, in fact, occurring, and he has publicly stated, without equivocation, that there will be no immunity for members of the United Nations.

Mr. KING of New York. Mr. Chairman, reclaiming my time, I would agree with the gentleman.

In my remarks, I particularly did not direct my remarks to the Secretary General, and, in fact, the remarks are directed to our Ambassador to the United Nations, that in the future he continue that policy.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. KING).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. KING of New York. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York (Mr. KING) will be postponed.

It is now in order to consider amendment No. 2 printed in Subpart A of Part 1 of House Report 109–132.

PART 1, SUBPART A AMENDMENT NO. 2 OFFERED BY MR. GARRETT OF NEW JERSEY

Mr. GARRETT of New Jersey. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part 1, Subpart A Amendment No. 2 offered by Mr. GARRETT of New Jersey:

In section 504, add at the end the following new subsection:

(c) UNITED NATIONS CONSTRUCTION AND CONTRACTING.—Not later than six months after the date of the enactment of this Act, the Comptroller General shall submit to the Committee on International Relations of the House of Representatives, the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the Senate a report describing the costs associated with the contracting for and construction of the Geneva, Switzerland, buildings of the World Meteorological Organization (WMO) and the World Intellectual Property Organization (WIPO). The report shall include analyses of the procurement procedures for each such building and shall specifically address issues of any corrupt contracting practices that are discovered, such as rigged bids and kickbacks, as well as other improprieties. The report shall also include an identification of other credible allegations of corrupt contracting at United Nations construction projects that involve major construction on a scale comparable to the WMO and WIPO construction projects, and a description of the results of an investigation into each such credible allegation.

The CHAIRMAN. Pursuant to House Resolution 319, the gentleman from New Jersey (Mr. GARRETT) and a Member opposed each will control 5 minutes.

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

Mr. GARRETT of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

Before I begin, let me just use this opportunity to extend my appreciation to the chairman for his work in so many different areas important and vital to the people of this country, but right now, at the issue at hand before us, an area that is of utmost importance to the constituents in my district, as well as the citizens of this Nation and the world community as well. So I thank the chairman for his steadfast dedication to addressing these problems.

Also, let me take this opportunity to express my appreciation to the chairman's staff as well for their efficiency in bringing these matters to the floor and their cooperation in working with our offices in order to proceed along on these matters.

I rise today, Mr. Chairman, to offer an amendment regarding possible contract abuses by high-ranking U.N. officials and to hopefully make the U.N. a more accountable and transparent body.

This amendment will ask the Office of the Comptroller General to submit a report to Congress detailing the costs associated with the renovation of two U.N. buildings in Geneva, Switzerland. Let my give my colleagues a little background.

Michael Wilson, a friend of U.N. Secretary General Kofi Annan, who has referred to the Secretary General as his ''uncle,'' is being investigated by a Swiss judge of possibly bribing a top U.N. official for a $50 million renovating contract at the World Intellectual Property Organization.

It is alleged that Mr. Wilson paid $270,000 to a top official at the intellectual property agency named Khamis Suedi. In return, the construction company Mr. Wilson represented was to be awarded the construction contract for this renovation work.

Here is the interesting connection. Mr. Wilson has also been a close business partner with the Secretary General's son Kojo Annan. In fact, Mr. Wilson helped get Kojo a job at Cotecna, a Swiss-based inspection firm. Not long after hiring him, Cotecna was awarded a lucrative contract to inspect goods going to Iraq with the newly implemented Oil-for-Food program that we have heard talked about on this floor earlier.

Kofi Annan has continuously denied ever meeting with or supporting the Cotecna contract proposal. In fact, the Volcker Commission, appointed by Kofi Annan to investigate the Oil-for-Food scandal, in their second interim report that came out this spring came out and stated, ''There is no evidence that the selection of Cotecna in 1998 was subject to any affirmative or improper influence of the Secretary General in the bidding or selection process.''

□ 1830

However, just this week, a memo obtained from Mr. WILSON around the time that the Oil-for-Food inspection contract was being decided, stated: ''We had brief discussions with the Secretary-General. We could count on their support.''

Now, the Volcker Commission only now is hastily reevaluating its initial findings in light of this new evidence; and Kofi Annan, as suspected, is dodging questions and hiding now behind the commission. I believe that the Volcker Commission has proven to be too cozy to the Secretary-General to adequately assess the true depth of corruption. In order to provide a full accounting of any illicit dealings to the American taxpayer, the United States must continue its aggressive investigation, and my amendment will further that goal.

Even real estate magnet Donald Trump states, in speaking about the proposal in New York City about their planned expansion of their headquarters, ''The United Nations is a mess and they are spending hundreds of millions of dollars unnecessarily on this project.'' If Donald Trump says they are wasting millions of dollars, I can only imagine what the average American taxpayer's view must be on the U.N.

Investigations of the U.N. financial dealings under Kofi Annan resemble the peeling back of an onion. The more that is cut away, the greater the stench. This amendment is a bold step, I believe, in slicing away one more slice of the onion, another layer, to reveal the full account of any illicit dealings at the U.N.

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

Mr. LANTOS. Mr. Chairman, I claim time in opposition to the amendment, although I am not in opposition.

Mr. Chairman, I yield 1½ minutes to the gentleman from Massachusetts (Mr. DELAHUNT).

The CHAIRMAN. Without objection, the gentleman from California will control the time in opposition.

There was no objection.

Mr. DELAHUNT. Mr. Chairman, I thank my friend for yielding me this time.

I also read the same report that the gentleman from New Jersey referred to, but I would like to provide him an update at this point because I am sure he received his information from a newspaper report, if I am correct.

Mr. GARRETT of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. DELAHUNT. I yield to the gentleman from New Jersey.

Mr. GARRETT of New Jersey. I received it from different locations, actually. It began, if I may, it began with newspaper reports.

Mr. DELAHUNT. Mr. Chairman, reclaiming my time, again, let me provide this as an update, because this is a report by the Associated Press from today, titled ''U.N. Oil-for-Food author of e-mail memo says he never discussed Oil-for-Food contract bid with Kofi Annan. The executive who wrote an e-mail suggesting that the U.N. Secretary General Kofi Annan may have known about a U.N. contract awarded to his son's company has denied ever discussing the firm's bid with Annan, a law firm said Wednesday.''

So, again, I think it is worthy of a review, clearly worthy of an investigation; but I do find it interesting that when we talk about investigations that we have not taken the opportunity to investigate the report by the Special Inspector General for Iraq Reconstruction of the report by an American official indicating that the Coalition Provisional Authority provided less than adequate controls for approximately $9 billion of development funds for Iraq funds provided to Iraq through the national budget process. We cannot find that money.

Mr. LANTOS. Mr. Chairman, I yield myself such time as I may consume. Our side is prepared to accept the gentleman's amendment. We have heard very disturbing reports about possible contracting scandals involving kickbacks at the World Meteorological Organization and the World Intellectual Property Organization in recent years. It will be extremely helpful to have our General Accounting Office also undertake a thorough review of these matters.

We are looking forward to working with the gentleman from Illinois (Mr. HYDE) and others to make certain that all U.N.-affiliated organizations achieve the appropriate reforms, and I thank the gentleman for offering this important amendment which will support our efforts.

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

Mr. GARRETT of New Jersey. Mr. Chairman, I yield myself such time as I may consume, and I just want to say that I appreciate both gentlemen's comments and the information that they conveyed.

Mr. Chairman, I yield 30 seconds, the balance of my time, to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, I thank the gentleman for yielding me this time. On behalf of the majority we are also very happy to accept this amendment.

This amendment seeks to identify overspending due to possibly rigged contracts at U.N. buildings around the world. The U.S. generally pays 22 percent of those costs. The savings could be in the millions of dollars for U.S. taxpayers if other instances of building improprieties were found and, by connection, action taken to correct those improprieties.

Mr. Chairman, I want to congratulate the gentleman on his amendment, and we are accepting it again as well.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from New Jersey (Mr. GARRETT).

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 3 printed in Subpart A of Part 1 of House Report 109–132.

PART 1, SUBPART A AMENDMENT NO. 3 OFFERED BY MR. CANNON

Mr. CANNON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part 1, Subpart A amendment No. 3 offered by Mr. CANNON:

In section 108(b)(4) (relating to the report on United Nations reform), strike ''and'' after the semicolon.

In section 108(b)(5), strike the period at the end and insert ''; and''.

In section 108(b), add at the end the following new paragraph:

(6) whether the United Nations or any of its specialized agencies has contracted with any party included on the Lists of Parties Excluded from Federal Procurement and Nonprocurement Programs.

The CHAIRMAN. Pursuant to House Resolution 319, the gentleman from Utah (Mr. CANNON) and a Member opposed each will control 5 minutes.

The gentleman from Utah (Mr. CANNON) is recognized for 5 minutes.

Mr. CANNON. Mr. Chairman, I yield myself such time as I may consume.

For their work on this bill, I would first of all like to thank the gentleman from Illinois (Mr. HYDE), the chairman, and the gentleman from California (Mr. LANTOS), two giants of this institution and people who I am pleased to call friends.

Mr. Chairman, our government is being forced to give financial support to corporations we normally would exclude because of our membership in the United Nations and where our dues are spent. When a Federal agency takes an action to exclude a contractor under the nonprocurement or procurement debarment and suspension system, the agency enters the information about the excluded party into the Excluded Parties List System, the EPLS, which is maintained by the General Services Administration.

This means that we have a list of individuals and companies with whom our government is forbidden to do business or provide grants or similar assistance. The EPLS identifies those who are deemed corrupt or untrustworthy or even those involved in terrorist activities, like the Islamic jihad and Hezbollah. These contractors are excluded from entering contracts and agencies may not solicit offers from, award contracts to, or consent to subcontracts with these contractors.

Contractors are excluded from conducting business with the government as agents or representatives of other contractors. What is more, every U.S. citizens can view the EPLS on line. We know who we do not support and why we do not support them and what their punishment is.

However, though our government has a list of parties we refuse to deal with, our dollars might be supporting them through the U.N. I am offering an amendment that will add a paragraph to section 108 of H.R. 2745, the Henry J. Hyde United Nations Reform Act of 2005. This section requires a report to be filed with the Congress of the United States on the status of the U.N.'s reform. My amendment requires a report on the contracts entered into by the U.N. or any of its specialized agencies with parties on the U.S. Government's EPLS.

This amendment is endorsed by the Heritage Foundation, as well as Americans For Tax Reform. U.N. officials have time and again demonstrated poor judgment and an inability to appropriately manage the money provided by many countries, including the United States. It is absolutely clear, Mr. Chairman, that something has to be done about the U.N.

The release this week of the Oil-for-Food contractor Cotecna, calling into question Kofi Annan's claim that he was unaware of Cotecna's bid for a contract in 1998, is just the latest in a long stream of ethical blunders.

As a bipartisan report, featured in yesterday's Wall Street Journal stated, ''Until and unless it changes dramatically, the United Nations will remain an uncertain instrument, both for the governments that comprise it and for those that look to it for salvation.''

It is only logical that the same restrictions we place upon on our Federal agencies be applied to the money we give to the U.N. This extra measure of oversight will help prevent future corruption by the U.N. and create clear guidelines regarding who the U.N. contracts with.

Mr. LANTOS. Mr. Chairman, will the gentleman yield?

Mr. CANNON. I yield to the gentleman from California.

Mr. LANTOS. Mr. Chairman, I want to thank my friend for yielding, and I want to commend him for bringing before this body an important amendment. We strongly support his amendment, and I am very pleased to accept it.

Mr. CANNON. Reclaiming my time, Mr. Chairman, I thank the gentleman for his comments.

Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, on behalf of the majority, I want to thank the gentleman from Utah (Mr. CANNON) for offering this very, very important amendment. It will ensure that the U.N. is not using its funds to inadvertently fund terrorism or fraudulent companies. It is a very good amendment, and we accept it and support it.

Mr. CANNON. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Utah (Mr. CANNON).

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 4, printed in Subpart A of Part 1 of House Report 109–132.

PART 1, SUBPART A AMENDMENT NO. 4 OFFERED BY MR. MCCOTTER

Mr. MCCOTTER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part 1, Subpart A amendment No. 4 offered by Mr. MCCOTTER:

In section 104(c)(1), add at the end the following new sentence: ''The UNOE shall promulgate ethics rules, including the following:''.

In section 104(c)(1), add at the end the following new subparagraphs:

(A) No employee of any United Nations entity, bureau, division, department, or specialized agency may be compensated while participating in the domestic politics of the country of such employee, except for voting or acting as part of a Security Council, General Assembly, or legitimately authorized United Nations mission or assignment.

(B) No United Nations entity, bureau, division, department, or specialized agency may hire an individual convicted in a generally recognized court of a democratically-elected government with an independent judiciary and an extradition treaty with the United States and the European Union for any crime or crimes involving financial misfeasance, malfeasance, fraud, or perjury.

(C) The employment of an employee of any United Nations entity, bureau, division, department, or specialized agency who is convicted in a generally recognized court of a democratically-elected government with an independent judiciary and an extradition treaty with the United States and the European Union of any crime or crimes involving financial misfeasance, malfeasance, fraud, or perjury shall be subject to termination.

(D) If an employee of any United Nations entity, bureau, division, department, or specialized agency has contact regarding the disposition of ongoing internal United Nations operations or decisions with an individual who is not an employee or official of the government of a Member State (or a similarly situated individual), with an individual who is not officially employed by any United Nations entity, bureau, division, department, or specialized agency, or with an individual who is not a working member of the media, a memorandum of such contact shall be prepared by such employee and, upon request, be made available to Member States.

The CHAIRMAN. Pursuant to House Resolution 319, the gentleman from Michigan (Mr. MCCOTTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan (Mr. MCCOTTER).

Mr. MCCOTTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment is relatively self-explanatory. It is an effort to add some commonsense reforms to the United Nations in the area of employment, in the area of what their employees may or may not do with the entity's monies while they are politicking in their own domestic elections and an attempt to make sure there is a record should they have outside unauthorized contact with individuals who are not members of government or the media.

I would like to say that the rationale for bringing this forward is to provide a practical benefit to the reform effort at the United Nations; but I think it also is important that we recognize, as Martin Luther King, Jr., once said, ''There can be no great sorrow where there is no great love.''

We are engaged today to try to redeem the dream of Franklin Roosevelt that the United Nations in the age of the nuclear bomb; that in the age of a global war on terror, at some point we could have something at night to get us to sleep, and that is the belief that the United Nations would be a force for good in the world; that international disputes could be resolved there; that the finest and most noble motives of humanity could find expression and implementation.

Mr. Chairman, as the gentleman from California (Mr. LANTOS) has said in a wonderfully elegant phrase, ''Unfortunately the United Nations at present is a derivative reality.'' So I am trying to inject some practicality into that derivative reality.

Mr. LANTOS. Mr. Chairman, will the gentleman yield?

Mr. MCCOTTER. I yield to the gentleman from California.

Mr. LANTOS. Mr. Chairman, I thank the gentleman for yielding to me, and we are prepared to accept the gentleman's amendment. I want to commend him on bringing this matter before the body.

Mr. MCCOTTER. Mr. Chairman, I yield myself such time as I may consume and would like to thank the distinguished minority ranking member, the chairman of our committee, and everyone who is engaged in this debate. It has been an honor to work on this issue with them. It has been an honor to learn from them. And more importantly, it has been an honor to see the example they set and to set a bar for others in this institution to emulate their integrity.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. MCCOTTER).

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 5 printed in Subpart A of Part 1 of House Report 109–132.

PART 1, SUBPART A AMENDMENT NO. 5 OFFERED BY MR. POE

Mr. POE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part 1, Subpart A amendment No. 5 offered by Mr. POE:

In title I, add at the end the following new section:

**SEC. 110. REPORT ON UNITED STATES CONTRIBUTIONS TO THE UNITED NATIONS.**

Not later than 12 months after the date of the enactment of this Act, the Director of the Office of Management and Budget shall submit to the Committee on International Relations of the House of Representatives, the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the Senate a report on United States contributions to the United Nations. Such report shall examine assessed, voluntary, in-kind, and all other United States contributions.

The CHAIRMAN. Pursuant to House Resolution 319, the gentleman from Texas (Mr. POE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas (Mr. POE).

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

As a former judge, I believe in consequences for bad conduct; and of course when improper behavior takes place, I do not believe in saying to the perpetrator, no matter who it is, try to do a little better. The United Nations has a history of abuse, misconduct, criminal negligence, money laundering, some corruption, and sexual violence against the very people the United Nations swears to protect. Mr. Chairman, there should be consequences, and my question is who is holding the United Nations accountable for that conduct.

Thanks to the leadership of the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS), and others in Congress, the United States has begun the tough task of investigating the scandals which the United Nations is ridden with. But in my opinion, the United States will never be able to hold the United Nations accountable if we do not know where our aid, our money is going once we hand it over to the United Nations.

My amendment simply would require the OMB to give a yearly report to Congress on all the contributions, whether they be assessed, voluntary, or in-kind, that the United States gives to the United Nations. The American taxpayers have the right to know how the United Nations is spending American money. So by keeping track of our contributions, the United States will be more capable of holding the United Nations accountable for the way it spends members' monies and makes use of members' contributions.

Mr. LANTOS. Mr. Chairman, will the gentleman yield?

Mr. POE. I yield to the gentleman from California.

□ 1845

Mr. LANTOS. Mr. Chairman, I commend the gentleman from Texas (Mr. POE) for presenting this amendment. We have no objections. We are prepared to accept it.

Mr. SMITH of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. POE. I yield to the gentleman from New Jersey.

Mr. SMITH of New Jersey. Mr. Chairman, I thank the gentleman for offering this amendment. One of the difficulties we had when involved with the arrearage issue some years ago was the fact that for many Americans, it was a shock to learn how much of the voluntary and in-kind contributions the United States did make, which were justified, but for which we got no credit.

I think by getting all of the information on assessed, voluntary and in-kind contributions, I think Americans will be amazed, as will international friends around the world in like manner will be amazed, how much the U.S. Government does provide.

So often in-kind contributions like airlift for military operations in no way gets on the ledger, so we do not have a thorough and a full accounting of the U.S. contribution and how the money is spent. I commend the gentleman for his amendment.

Mr. POE. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. POE).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. POE. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas (Mr. POE) will be postponed.

It is now in order to consider amendment No. 6 printed in Part 1, Subpart A of House Report 109–132.

It is now in order to debate the subject of United Nations peacekeeping operations.

The gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. LANTOS) each will control 5 minutes.

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

Mr. SMITH of New Jersey. Mr. Chairman, I reserve the balance of my time.

Mr. LANTOS. Mr. Chairman, I yield 5 minutes to the gentleman from California (Mr. BERMAN).

Mr. BERMAN. Mr. Chairman, I thank the ranking member for yielding me this time.

Because he is not on the floor at this point, I am not going to take this opportunity, I will have many more, to express in some detail my affection, my respect and my admiration for the chairman of our committee who sponsors this bill and who has announced his intent not to seek reelection to the next Congress. But once in a while in the course of both of our tenures here, I have had occasion to oppose an initiative, and in this case I do so very strongly.

On the surface this may look like a partisan conflict, but in reality it is not. The Ambassador under Ronald Reagan to the United Nations says about the bill before us, Reforming the United Nations is the right goal. Withholding our dues to the U.N. is the wrong methodology. When we last built debt to the U.N., the U.S. isolated ourselves from our allies within the U.N. and made diplomacy an impossible

task. Modernizing the United Nations to be more capable and effective must be done through engaging our allies and being a leader for creating a U.N. for a new century. That is Ambassador Jeane Kirkpatrick, no member of the United World Federalists is she.

A recent commission co-chaired by our former speaker Newt Gingrich, not a man enamored of ideological multilateralism, prepared a report on much-needed U.N. reforms and never suggests a mandatory dues cut as a way to effectively achieve those results.

The President of the United States and this administration, which I believe is a Republican administration, indicates very strongly the error of this approach and asks this body to reconsider moving ahead with this particular bill.

But the area that I want to most focus on does not deal with the dues cut, but has a provision on peacekeeping that is particularly egregious. Based on the failure to implement five reforms by the effective date of this bill, the day after this bill is signed into law, and those reforms are much needed, I think they are on the way to happening, I do not quarrel with any of them, in fact, I think they are compelling in their nature, this bill mandates the President of the United States to instruct our Ambassador to the United Nations to veto any new or the expansion of any existing peacekeeping operation.

In other words, the Congress steps in, usurps the executive branch function of formulating foreign policy in exercising its discretion on what its appointee will do in the end without regard to U.S. national interests and in direct violation of executive branch prerogatives.

For the chairman of this committee to sponsor a bill that does something like that is, I would suggest, quite out of character because there is no one in this House who has made a stronger point in his career of trying to ensure that the President's power as Commander in Chief and implementer of foreign policy is maintained.

The national interest issue compels us to say this is not the right approach. What if a new U.N. peacekeeping operation, the problems with China or Russia in the context of Darfur are overcome, and there is a consensus for a new augmented operation there involving African countries, involving European countries, perhaps with no commitment whatsoever from the United States for such an operation? Because of the failure to fully implement all five of these reforms, our Ambassador, notwithstanding the humanitarian tragedy, notwithstanding how the United States will look to the rest of the world, our Ambassador is required to veto such a peacekeeping operation?

What if a situation like East Timor comes up again, and whatever the problems have been, and whatever the failures to fully implement these reforms, there is a compelling national interest reason for us to support a peacekeeping operation once again that may not involve U.S. troops or forces? Why would we want to mandate something that is fraught with constitutional problems and does a disservice to our national interest in such legislation? This is a foolish and improper amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I ask unanimous consent to yield the balance of my time to the gentleman from Indiana (Mr. PENCE) and that he may control the time.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PENCE. Mr. Chairman, I yield myself such time as I may consume.

I rise for a few brief moments to speak on behalf of title VI of this bill which calls for far-reaching reforms in the areas of planning, management, conduct and accountability of peacekeeping operations within the United Nations. It does, as the gentleman from California said quite accurately, it does involve some tough love and the potential for withholding support for the creation of new or expanded peacekeeping missions if the U.N. does not implement the most basic yet critically important reforms that are called for.

As I have said before, the power of the purse is the power of the American people. While title IV of the peacekeeping reforms of this bill do not cut peacekeeping funds, they do withhold the expansion of any U.S. involvement in peacekeeping operations if these reforms are not enacted.

The need for the reforms are obvious. The Congo in this last calendar year, U.N. peacekeepers and civilian personnel stand accused of widespread sexual exploitation of refugees in the Democratic Republic of Congo.

In Eritrea in 2005, U.N. peacekeeping staff ran up more than $500,000 of unpaid international calls.

In Burundi in 2004, two U.N. peacekeepers were suspended following allegations of sexual misconduct.

In Sierra Leone in 2003, U.N. peacekeepers were accused by Human Rights Watch of systematic rape of women, and the list goes on and on and on.

The need for reform is real. I am pleased to say there is broad agreement about the need for reform. In fact, the United Nations Special Committee on Peacekeeping Operations has endorsed specifically all seven of the reforms that are included in this legislation. In fact, those reforms have been endorsed by Prince Zeid of Jordan, the Secretary General's special advisor on sexual exploitation and abuse, and all but one, the signature of an oath, have already been adopted by the U.N. special committee.

According to officials at the U.N., most of these reforms are expected to be in place by the end of July 2005. Five of the peacekeeping reforms under this title are linked to immediate withholding of support for new and expanded missions. They are: the adoption of a uniform code of conduct; the training of peacekeeping personnel on that code of conduct; the signature of an oath to abide by the code of conduct; design of programs to explain prohibited acts to host populations so there would be greater accountability for the behavior of peacekeepers; and the creation of a centralized database to track these areas of misconduct.

Once again I say that officials at the U.N. believe that most of these reforms will be in place in a matter of weeks, so it is difficult to understand how requiring these reforms before any additional U.S. missions are approved under peacekeeping operations is a little hard to understand.

Two additional reforms are equally critical, but may require more time to implement: the adoption of a model memorandum of understanding; and the establishment of an independent investigative audit that functions for peacekeeping missions.

These are all part and parcel of restoring the credibility of the good work that U.N. peacekeepers have done throughout the past 60 years, and it is central to the principle of the Henry J. Hyde U.N. Reform Act that we stand, even with tough love, for the idea that we use the power of the purse, which is the power of the American people, in this case the threat of withholding additional missions to the United Nations under peacekeeping operations to demand that these necessary reforms are implemented.

Mr. LANTOS. Mr. Chairman, will the gentleman yield?

Mr. PENCE. I yield to the gentleman from California.

Mr. LANTOS. Mr. Chairman, I have the greatest respect for the gentleman from Indiana (Mr. PENCE). The problem with this provision, as with much of the bill, is the lack of judgment that our Secretary of State could bring to bear as a new, tragic Darfur-like situation erupts someplace.

We do not question the need for improving the peacekeeping process, we are with you totally on that, but we would like to have our Secretary of State have the opportunity of exercising her judgment in a rapidly changing and evolving situation.

The CHAIRMAN. All time for general debate on Part 1, Subpart B has expired.

It is now in order to consider amendment No. 1 printed in Subpart B of Part 1 printed in House Report 109–132.

□ 1900

PART 1, SUBPART B AMENDMENT NO. 1 OFFERED BY MR. BOOZMAN

Mr. BOOZMAN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part 1, Subpart B amendment No. 1 offered by Mr. BOOZMAN:

In section 402(1) (relating to reform of United Nations peacekeeping operations), add at the end the following new subparagraph:

(E) GRATIS MILITARY PERSONNEL.—The General Assembly should lift restrictions on the utilization at the headquarters in New York, the United States, of the Department of Peacekeeping Operations of gratis military personnel by the Department so that the Department may accept secondments from Member States of military personnel with expertise in mission planning, logistics, and other operational specialties.

The CHAIRMAN. Pursuant to House Resolution 319, the gentleman from Arkansas (Mr. BOOZMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arkansas (Mr. BOOZMAN).

Mr. BOOZMAN. Mr. Chairman, I yield myself such time as I may consume.

I rise today to offer an amendment that would give the United Nations greater flexibility in the peacekeeping operations that they are involved in by allowing voluntary military personnel to serve at the Department of Peacekeeping Operations in New York. This was the norm until early 1999. Over time, 130 experienced officers had been loaned. They had expertise in mission planning, logistics, all of the things that are so important in these types of missions. There was a lull and because of the complaint of some of the other nations that 85 percent of this group came from developed countries, it was discontinued.

As a member of the Committee on International Relations, I frequently hear of the problems that we have with peacekeeping, the atrocities in various parts of the world. Again, I think that this is a situation that would greatly remedy that.

Rotating these professionals into the U.N. on a periodic basis provides a means for introducing new ideas, techniques, and experience without having to deal with terminating contracts or moving people and positions. It allows the system to deal with unexpected demands. The U.N.'s new operational responsibilities demand a more flexible approach.

I think the other thing is that this would not cost anything. This would be a mechanism where, in fact, I think we could save a great deal of money by being much more efficient. We are asking the United Nations to be more effective with their planning and their operations. The other thing that is important is that in no way does this require our Department of Defense to assign any U.S. military personnel. It only leaves the door open.

I want to thank my chairman and thank the ranking member for their work on this and, again, our staffs.

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

Mr. LANTOS. Mr. Chairman, I ask unanimous consent, although we do not oppose this amendment, that we have 5 minutes to explain our position.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LANTOS. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. BERMAN).

Mr. BERMAN. Mr. Chairman, I thank the gentleman for yielding me this time. I just want to respond to what I think was an inadvertent misstatement by the gentleman from Indiana on what I think is an over-the-top provision of this bill, requiring a veto of any new or expanded peacekeeping operations in the Security Council. He referred to it as an ability for the U.S. to withhold its forces for it. But read the provision you have written: the President shall direct the United States permanent representative to the U.N. to use the voice, the vote and the influence of the U.S. at the U.N. to oppose the creation of a new or expansion of existing peacekeeping operations.

''Vote'' means ''veto'' at the Security Council. You veto the peacekeeping operation, it does not happen. The genocide in Darfur continues, no matter what the political will is of the body, because we have only trained 60,000 of the 68,000 peacekeepers by the day this bill passes. This has nothing to do with the debate about withholding dues as leverage. This has to do with define our own national interests in the name of I do not know what. It makes no sense, it is unconstitutional, and it should have been stricken from this bill.

Mr. LANTOS. Mr. Chairman, I yield the balance of my time to the gentleman from Massachusetts (Mr. DELAHUNT).

The CHAIRMAN. The gentleman from Massachusetts is recognized for 4 minutes.

Mr. DELAHUNT. I thank the gentleman for yielding me this time.

Mr. Chairman, I would like to speak to reality, too, as the gentleman from California just did. I think it is important we not deceive ourselves. While the United Nations clearly needs our leadership, we also need the United Nations, particularly in the area of peacekeeping. There are some 16 peacekeeping missions deployed around the world today. They number at least 70,000 troops. Ten of them, 10, are American. These so-called ''blue helmets'' have saved the lives of hundreds of thousands of innocent people and some of them have been killed while doing so.

Are there problems? Clearly there are problems. Is progress being made? Yes, progress is being made. The gentleman from New Jersey (Mr. SMITH) and myself recently met with Prince Zeid. There is progress being made, but this amendment does not help the cause.

Just imagine, if you will, the cost to the United States in terms of dollars and blood if Americans were required to fill those roles. This bill could very well force the U.S. military, which is as we know already stretched dangerously thin, to deploy to more and more inhospitable venues. One example that we are all familiar with, Haiti. There are 6,700 United Nations troops in Haiti today along with 1,400 U.N. police working to keep order, and more are scheduled. Without that United Nations presence, the United States would be left with the responsibility of restoring order, providing security, and rebuilding a functioning government. This is nation-building for real that hopefully will transpire in Haiti. Otherwise, we will be looking at a failed state close to our southern borders with all the consequences that that will implicate.

It is the United Nations that is keeping Haiti from total collapse into anarchy. I have no doubt that the expenses associated with that scenario, if there is a total collapse, will vastly exceed our annual commitment to the United Nations, both voluntary and assessed, for years to come. Not only would we have to commit U.S. troops to restore order; we might have to deal with a humanitarian crisis that could very well compel us to use Guantanamo for something significantly different from its current use, much like we did in the early 1990s when it was a refugee center for Haitians who were fleeing from their country in makeshift crafts and dying by the thousands. As the world's richest nation and the sole superpower, this unpleasant task would fall to us alone.

Do we really want to assume that burden? That is just one example. Multiply the potential by 16, by a factor of 16, if this particular provision should eventually become law. We put ourselves, our troops, our taxpayers at great risk.

Mr. BOOZMAN. Mr. Chairman, I yield myself such time as I may consume.

Not too long ago, my wife came to me. She had, the night before, seen a program on television. She said, John, is it true that the U.N. peacekeepers are trading sex for peanut butter with 9- and 10-year-old kids? She could not believe it. I looked at her, and I said, Cathy, it's true. That is happening.

I talked to Chairman SMITH and he subsequently held hearings. They came over and assured us that things were getting better. We were told that basically the implication was on the battlefield, these things happen, sexual abuse occurs. My response was, This isn't sexual abuse. That taking pictures of 9- and 10-year-old kids, exploiting them, was child abuse and a criminal matter.

We heard that there would be zero tolerance. A week later, another television program and the guy said, We have heard there is going to be zero tolerance. He said, What does that mean? He showed pictures of these guys sneaking out at night to a village, again to do their work and showed a picture of a guy riding around in a U.N. vehicle with a prostitute.

I think we have worked, we have held our hearings, we have coerced. I think the time now is to demand accountability. Again, I would ask all of my colleagues to vote for this amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas (Mr. BOOZMAN).

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider amendment No. 2 printed in Subpart B of Part 1 of House Report 109–132.

PART 1, SUBPART B AMENDMENT NO. 2 OFFERED BY MR. KLINE

Mr. KLINE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part 1, Subpart B amendment No. 2 offered by Mr. KLINE:

In title IV (relating to United Nations peacekeeping operations), add at the end the following new section (and conform the table of contents accordingly):

**SEC. 404. RULE OF CONSTRUCTION RELATING TO PROTECTION OF UNITED STATES OFFICIALS AND MEMBERS OF THE ARMED FORCES.**

Nothing in this title shall be construed as superseding the Uniform Code of Military Justice or operating to effect the surrender of United States officials or members of the Armed Forces to a foreign country or international tribunal, including the International Criminal Court, for prosecutions arising from peacekeeping operations or other similar United Nations-related activity, and nothing in this title shall be interpreted in a manner inconsistent with the American Servicemembers' Protection Act of 2002 (title II of the 2002 Supplemental Appropriations Act for Further Recovery From and Response To Terrorist Attacks on the United States; Public Law 107–206).

The CHAIRMAN. Pursuant to House Resolution 319, the gentleman from Minnesota (Mr. KLINE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota (Mr. KLINE).

Mr. KLINE. Mr. Chairman, I am very pleased to yield 30 seconds to the gentleman from Texas (Mr. DELAY), the distinguished majority leader.

Mr. DELAY. Mr. Chairman, I thank the gentleman for yielding me this time. I rise in strong support of the Kline amendment and thank the gentleman from Minnesota for offering it today.

No one in this body knows better than the gentleman from Minnesota the paramount and absolute need to protect, with every tool at our disposal, our men and women in uniform. The gentleman from Minnesota's amendment today does just that by expressly stating in this long overdue United Nations reform package that all of the reforms we will pass augment, and in no way change, the Federal law that exempts our troops from prosecution in the International Criminal Court.

The ICC is a threat not only to the sovereignty of the United States and to the constitutional rights of American citizens; it is an overreaching distortion of the United Nations charter and its mission. The ICC would, in effect, disregard not only Federal and State law but also the Uniform Code of Military Conduct, thereby establishing a rogue court in which foreign judges can indict, try, and convict American troops for broadly defined and openly interpreted crimes, all without any of the fundamental legal rights guaranteed by the United States Constitution.

The ICC, then, represents a clear and present danger to the ultimate success of the civilized world's war on terror and an affront to both our troops and the Nation they serve. When we ask American men and women to risk their lives around the world to defend our freedom, the least we can do is promise them they will not be hauled before an unaccountable, politically motivated court just for doing their job.

The United States is not a party to the ICC and has even taken the unprecedented step of ''unsigning'' the treaty to clarify that point. We do not cooperate in any of its proceedings or pretenses, and we do not recognize its authority over any action undertaken by a single citizen of this Nation. The ICC is a product of the worst excesses of the undemocratic mindset that has so permeated the United Nations and distorted its true purpose.

The United Nations' mission is to protect and promote human rights around the globe, to exhort with clarity and courage the principles of justice and liberty to those who would seek to oppress them. The ICC, on the contrary, could be an instrument of undemocratic score-settling, a shadowy kangaroo court in which despots and their diplomats can humiliate and even imprison the men and women who have the courage to do the work the U.N. refuses to do.

I urge our colleagues to vote for the Kline amendment and reiterate America's commitment to our troops, our national sovereignty, and the hard work of human freedom.

Mr. LANTOS. Mr. Chairman, I ask unanimous consent that we be given 5 minutes to explain our position.

The CHAIRMAN. Is the gentleman from California in opposition to the amendment?

Mr. LANTOS. I am not opposed to the amendment.

The CHAIRMAN. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

□ 1915

Mr. LANTOS. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. BERMAN).

Mr. BERMAN. Mr. Chairman, I would like to use this time, if I might, to ask the gentleman from Minnesota a question.

His amendment says that nothing in this title, this title that the gentleman from Illinois (Chairman HYDE) has brought to us, should be construed to supersede the Uniform Code of Military Justice or surrender U.S. officials to a foreign country or international tribunal.

Could the gentleman tell the body what section of the gentleman from Illinois' (Chairman HYDE) bill could be construed to require the surrender of officials, what section of the gentleman from Illinois' (Chairman HYDE) bill could be construed as requiring superseding the Uniform Code of Military Justice? I am certainly unaware of any such section, and I am certainly unaware of any desire by the gentleman from Illinois (Chairman HYDE) to present to the body such a section.

Mr. KLINE. Mr. Chairman, will the gentleman yield?

Mr. BERMAN. I yield to the gentleman from Minnesota.

Mr. KLINE. Mr. Chairman, I thank the gentleman for yielding to me.

This is extremely well-crafted legislation that the chairman has brought forward in close cooperation with many of his colleagues on the Committee on International Relations, and I am in very strong support of this bill. There is language in section 4 which calls for a uniform code of conduct, which I think is a very excellent idea.

We want to be very certain that as this legislation goes forward, it in no way can be misinterpreted to impinge upon the Uniform Code of Military Justice or the American Servicemembers' Protection Act. We are trying to avoid any confusion here and make sure that our men and women who are going to work in United Nations peacekeeping operations and go around the world are in no way compromised.

Mr. DELAHUNT. Mr. Chairman, will the gentleman yield?

Mr. LANTOS. I yield to the gentleman from Massachusetts.

Mr. DELAHUNT. Mr. Chairman, I do not know if the proponent of the amendment is aware of the fact that U.S. personnel are already prohibited from being under the command of another nation, and therefore would always be subject to the UCMJ.

Mr. KLINE. Mr. Chairman, will the gentleman yield?

Mr. LANTOS. I yield to the gentleman from Minnesota.

Mr. KLINE. Mr. Chairman, we are trying to make sure that there is no possibility for misinterpretation as we bring forward this very important new legislation, and that it can in no way subject the American Armed Forces or any other American personnel, for that matter, to foreign tribunals or the International Criminal Court.

Mr. BERMAN. Mr. Chairman, will the gentleman yield?

Mr. LANTOS. I yield to the gentleman from California.

Mr. BERMAN. Mr. Chairman, would it be fair to say that, in effect, his effort is an effort to gild the lily?

Mr. KLINE. Mr. Chairman, will the gentleman yield?

Mr. LANTOS. I yield for the final time, but before I do so, Mr. Chairman, let me say that we accept the gentleman's amendment.

I yield to the gentleman from Minnesota for the final time.

Mr. KLINE. Mr. Chairman, I thank the gentleman for yielding to me.

I just want to be very brief.

Mr. BURTON of Indiana. Mr. Chairman, will the gentleman yield?

Mr. LANTOS. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Chairman, I just want to say to my colleagues this is a very serious debate, and when one starts using terminology like is he trying to gild the lily, he is trying to protect American servicemen from any kind of legal action that might be taken against them. So let us be serious about it.

Mr. KLINE. Mr. Chairman, I yield myself such time as I may consume, and I thank the gentleman from Indiana for his comments.

I want to be very clear that I am in strong support of this legislation that has come forward by the Committee on International Relations, but there are things that raise my interest and my concern.

A few weeks ago media outlets throughout the world proudly parroted Amnesty International's unfounded charges of torture and ill treatment in the so-called America ''gulags.'' Instead of condemning the government-inflicted famine in Kim Jong-Il's North Korea or continued human rights abuses in Castro's Cuba, the executive director of Amnesty International USA revealed the true goal of organizations such as his when he called on foreign governments to arrest and prosecute U.S. Government officials and military personnel. We want to make sure that we have got language in here that would prevent that.

The Belgian experience, for example, and recent propaganda espoused by Amnesty International shows that we were wise to doubt the merchants who were peddling ''universal jurisdiction'' at the cost of national sovereignty. Indeed, even President Clinton did not send the Rome Statute establishing the International Criminal Court to the U.S. Senate because of its fundamental flaws.

The United States is a Nation dedicated to justice and the rule of law, and we cannot allow these fundamental protections to be stripped from our servicemen and women performing peacekeeping missions, and I think we in this body need to be ever vigilant to ensure that that does not happen.

Mr. LANTOS. Mr. Chairman, if the gentleman will yield, we are pleased to accept the gentleman's amendment.

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

Mr. KLINE. Mr. Chairman, I yield the balance of my time to the gentleman from Missouri (Mr. BLUNT), the distinguished majority whip.

Mr. BLUNT. Mr. Chairman, I thank the gentleman for yielding me this time.

I thank our friends for accepting this important amendment that the gentleman from Minnesota (Mr. KLINE) has brought forward to the bill. Certainly today United States troops are deployed around the world as they defend our freedoms and as they assist others in defending their freedom.

In Iraq and Afghanistan they are working tirelessly to create a secure environment for fledgling democracies. On the Korean Peninsula, they face a brutal dictator. In Kosovo they observe an uneasy peace among old adversaries, and in Japan and Europe they stand to react to any national crisis. In addition, our naval personnel operate in dozens of bases worldwide to protect global trade routes, prevent nuclear proliferation, and many other important tasks.

And even as they perform these actions in defense of liberty in other nations, our troops serve the United States of America, not the United Nations or any other foreign power. Their mission may send them abroad, but we must never allow a foreign court to interfere in U.S. military affairs.

Examples already exist of the dangers of the International Criminal Court. During the most notable example recently, European opponents of the Iraq War suggest that senior U.S. officials including the Secretary of Defense and top military commanders should be tried by that Court.

The United States of America has a long history of fair and firm military justice. The Uniform Code of Military Justice is understood and respected by our military personnel that serves our Armed Forces well. Under no circumstances should our men and women in uniform fear retribution in the form of prosecution by a foreign court of justice.

I think the gentleman from Minnesota (Mr. KLINE) understands this as well as any Member of this body. I appreciate his bringing this amendment to the floor, and I am pleased to see it included in a bill that I hope is heartily responded to by support today.

Mr. KLINE. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota (Mr. KLINE).

The amendment was agreed to.

The CHAIRMAN. It is now in order to debate the subject of the International Atomic Energy Agency.

The gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. LANTOS) each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN).

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

I rise in strong support of the Henry J. Hyde United Nations Reform Act and would like to provide some insight on the background and the impetus for Title III of the bill that relates, as the Chair pointed out, to the International Atomic Energy Agency.

To put it simply, the catalyst was the Iran case. For at least two decades, the Iranian regime has been pursuing a covert nuclear program. According to the November 2003 report of the IAEA, Iran's deceptions have dealt with the most sensitive aspects of the nuclear cycle. Furthermore, the International Atomic Energy Agency could not disprove that Iran's nuclear program was not for weapons development. In 2004, the IAEA reports enumerated more Iranian breaches, including work on an element that could be used for nuclear explosions. And the response from the Iranian Foreign Minister as well as the Secretary of Iran's Supreme National Security Council was that Iran had to be recognized by the international community as a member of the nuclear club and, ''This is an irreversible path,'' they said.

Fast forward to this year, and the news reports appearing in the last few months state that the Iranian regime plans to install 54,000 advanced P–2 model centrifuges at its facility in Natanz. The Director General of the IAEA has called upon Iran to allow its inspectors full access to the sites in Lavizan and Parchin.

Yet Iran has recently barred the International Atomic Energy Agency from visiting those sites, and Western intelligence sources cited by the media sources suspect that Iran may be experimenting with high explosives appropriate for nuclear weapons.

Just yesterday at the Board meeting in Vienna of the IAEA, it was revealed that Iran had conducted experiments to create plutonium for many more years beyond what it claimed.

All of this, and Iran has yet to suffer any consequences or has been held accountable by the IAEA for its flagrant and indeed dangerous violations and breaches. In fact, Iran recently served on the Board of Governors of the International Atomic Energy Agency because, under the current structure, under its policies, countries that are suspected of breaching their safeguards, they are allowed to serve in leadership positions within the Agency.

The Iran case as well as the linkage to the nuclear black market network of Pakistani scientist A.Q. Khan illustrates another grave issue, the need to deny and deprive terrorists, whether state or nonstate actors, the access to the technology, to the parts, and to the materials to develop a nuclear-related arsenal. These dangers prompted the gentleman from Illinois (Chairman HYDE) and me to take immediate steps within the context of the U.N. reform bill to strengthen the International Atomic Energy Agency in the areas of safeguard inspections and nuclear security; also, to effectively use U.S. contributions to deny rogue states and state sponsors of terrorism, such as Iran, such as Syria, the ability to pursue dangerous weapons with virtual impunity.

And title III of this bill thereby translates objectives into concrete actions to achieve U.S.

counterproliferation goals. It seeks the establishment of an Office of Compliance and enforcement within the Secretariat of the Agency to function as an independent body of technical experts that will assess the activities of member states and recommend specific penalties for those that are in breach or violation of their obligations. Also, it establishes a Special Committee on Safeguards and Verification to advise the Board of Governors on additional measures necessary to enhance the Agency's ability to detect undeclared activities by member nations. Furthermore, it seeks the suspension of privileges of member states that are under investigation or in breach or noncompliance of their obligations and the establishment of membership criteria that would keep such rogue states, such as Iran, such as Syria, from serving on the Board of Governors.

The section in this act reinforces our U.S. priorities concerning the safety of nuclear materials and counterproliferation by calling for U.S. voluntary contributions to the Agency to primarily be used to fund activities related to nuclear security.

And, Mr. Chairman, that is why, under the leadership and expertise of the gentleman from Illinois (Chairman HYDE), we understand that the bill before us and especially Title III of this bill translates these objectives into concrete actions, and we hope that the full body will recommend passage of this bill.

The CHAIRMAN. The time of the gentlewoman from Florida expired.

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

The International Atomic Energy Agency is a vital U.N.-affiliated agency that directly serves the national security interests of the United States and underpins the global nuclear nonproliferation regime.

The IAEA safeguards and inspection system is the primary means, and sometimes the only means, by which we and the rest of the world can gain information and insight into the nuclear activities of countries of concern such as Iran.

□ 1930

I want to take this opportunity to commend the IAEA's investigation into Iran's deceit, obfuscation and outright lies about its nuclear activities. For over 2 years now, IAEA investigators have refused to be intimidated by Iran's crude threats and tactics, and they keep confronting Tehran with facts and inconsistencies in Iran's feeble excuses and fabrications about its nuclear activities.

Even today, Mr. Chairman, an IAEA official is reporting that Iran has admitted, when confronted by IAEA investigators, to conducting plutonium processing experiments far more recently than it previously claimed and lying about when it obtained uranium centrifuge enrichment equipment.

Mr. Chairman, we must provide with all the financial and other support that we can, while pushing it, and its governing councils of member states, to give it more authority to investigate and even punish countries that have violated their safeguards agreements and their non-nuclear commitments. The provisions of the Lantos-Shays substitute amendment do just that.

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

The CHAIRMAN. All time for general debate under Part 1 of Subpart C has expired.

It is now in order to consider amendment No. 1 printed in Subpart C of Part 1 of House Report 109–132.

PART 1, SUBPART C AMENDMENT NO. 1 OFFERED BY MR. CANTOR

Mr. CANTOR. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part 1, Subpart C amendment No. 1 offered by Mr. CANTOR:

In section 301, redesignate subsection (d) as subsection (e).

In section 301, insert after subsection (c) the following new subsection:

(d) NUCLEAR PROGRAM OF IRAN.—

(1) UNITED STATES ACTION.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to make every effort to ensure the adoption of a resolution by the IAEA Board of Governors that makes Iran ineligible to receive any nuclear material, technology, equipment, or assistance from any IAEA Member State and ineligible for any IAEA assistance not related to safeguards inspections or nuclear security until the IAEA Board of Governors determines that Iran—

(A) is providing full access to IAEA inspectors to its nuclear-related facilities;

(B) has fully implemented and is in compliance with the Additional Protocol; and

(C) has permanently ceased and dismantled all activities and programs related to nuclear-enrichment and reprocessing.

(2) PENALTIES.—If an IAEA Member State is determined to have violated the prohibition on assistance to Iran described in paragraph (1) before the IAEA Board of Governors determines that Iran has satisfied the conditions described in subparagraphs (A) through (C) of such paragraph, such Member State shall be subject to the penalties described in section 301(a)(3), shall be ineligible to receive nuclear material, technology, equipment, or assistance from any IAEA Member State, and shall be ineligible to receive any IAEA assistance not related to safeguards inspections or nuclear security until such time as the IAEA Board of Governors makes such determination with respect to Iran.

The CHAIRMAN. Pursuant to House Resolution 319, the gentleman from Virginia (Mr. CANTOR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today in support of this amendment to increase the ability of the United States to protect our world from the spread of nuclear weapons to dangerous governments.

This amendment does two things: first, it calls for the U.S. permanent representative to the International Atomic Energy Agency to do all it can to ensure that Iran be cut off from any nuclear material technology and assistance.

Secondly, the amendment provides for penalties for any country that continues to provide assistance to Iran's nuclear efforts.

Mr. Chairman, for over 35 years Iran has been a non-nuclear party to the Nuclear Nonproliferation Treaty. As such, it is bound by the treaty to open up all of its nuclear program efforts for international inspection. Despite this obligation, Iran has continued to pursue the development of nuclear capability in the dark without transparency.

Two years ago, an Iranian opposition group revealed the location of hidden facilities used for the development of a nuclear program, locations which have since been verified by the IAEA. As the gentlewoman from Florida (Chairman ROS-LEHTINEN) pointed out just yesterday, Iran acknowledged working with plutonium, a possible nuclear arms component, for years longer than it admitted to the IAEA. We also found out it had received sensitive technology that can be used as parts of weapons programs earlier than it originally said it did.

Iran claims these efforts are for a peaceful purpose. But how can one really believe that Iran needs a civilian nuclear program when it sits on the world's second largest proven reserves of natural gas, not to mention its petroleum deposits? Clearly, Mr. Chairman, I posit Iran cannot be trusted.

As Iran has repeatedly lied to the world regarding the extent and sophistication of its nuclear program, Tehran serves as the world's capital for the export and sponsorship of terrorism. It has demonstrated a willingness to provoke its neighbors, as well as the United States and Israel. Past efforts to stop Iran's pursuit of nuclear weapons have obviously failed.

Mr. Chairman, this amendment makes a clear and unequivocal declaration to Iran, as well as to the nations of the world, that the United States is serious about stopping Iran's development of nuclear weapons. I urge the passage of this amendment.

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

Ms. BERKLEY. Mr. Chairman, I am not opposed to the amendment, and I ask unanimous consent to claim the time in opposition.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Nevada?

There was no objection.

The CHAIRMAN. The gentlewoman from Nevada (Ms. BERKLEY) is recognized for 5 minutes.

Ms. BERKLEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to thank the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) for their work on this issue,

and my good friend, the gentleman from Virginia (Mr. CANTOR), for cosponsoring this amendment with me.

This amendment would take a strong stand against Iranian nuclear proliferation and would help to ensure that Iran ceases its weapons program. The amendment directs the permanent representative to the IAEA to use his influence to ensure that Iran does not receive any nuclear material or technological assistance from other IAEA member states. This restriction will remain in place until Iran allows full access to its nuclear-related facilities by IAEA inspectors, has fully implemented IAEA's additional protocol, and has completely ended all nuclear enrichment programs.

Tehran has relentlessly pursued a large-scale, covert nuclear weapons program for almost 2 decades. This program represents the great proliferation challenge to the United States. Iran is the most active state sponsor of terrorism. It has provided Hezbollah, Hamas, Islamic jihad, and the Popular Front For the Liberation of Palestine with funding, training, and weapons to continue their terrorist attacks throughout the world.

Unless the world community intervenes, Iran will become the first active state sponsor of terrorism to acquire the greatest instrument of terror and destruction, nuclear weapons. A nuclear-armed Iran will terrorize and destabilize the entire Middle East and pose a serious threat to Europe, Asia, Africa, as well as the United States.

Iran has already tested the Shahab-3 missile, with a range of over 1,250 miles. This not only puts Israel, the only democracy in the Middle East, in danger, but can be used to attack U.S. bases in the region. There is strong evidence that Iran would be willing to sell nuclear material to the highest bidder. Worse yet, Iran might be willing to simply give the nuclear material away. Faced with the reality of a radical Iran with nuclear weapons, other countries in the region might feel compelled to develop their own nuclear capability to maintain an awful balance of power.

Iran continues to deceive the international community and hide its actions from international observers. Iran did not acknowledge the existence of the Natanz fuel enrichment plant until after its existence was discovered. This facility can manufacture enough uranium to produce 25 to 30 nuclear weapons per year. In 2003, Iran admitted that it had a laser uranium enrichment program not previously disclosed.

We know of two facilities that manufacture and refine nuclear materials, including an enrichment facility designed for 1,000 centrifuges, and a large buried facility intended to house up to 50,000 centrifuges.

Today, a report was delivered to the IAEA's Board of Governors by the Deputy Director General of the UN. In it Iran admits to experimenting with and producing plutonium.

Recently, Moscow entered into an agreement to provide nuclear fuel for Iran's controversial Bushehr reactor. Under the agreement, Russia would control the fissile material. But there is nothing to prevent Iran from withdrawing from the agreement. If Iran did that, the Bushehr reactor could produce enough plutonium annually for 30 nuclear weapons.

The Ayatollahs of Terror must not be allowed to acquire nuclear weapons under any circumstances. A nuclear Iran threatens the entire planet. I urge adoption of this amendment.

Mr. LANTOS. Mr. Chairman, will the gentlewoman yield?

Ms. BERKLEY. I yield to the gentleman from California.

Mr. LANTOS. Mr. Chairman, I want to commend my good friend from Virginia and the gentlewoman from Nevada for their outstanding amendment. We strongly support it.

Ms. BERKLEY. Mr. Chairman, I yield back the balance of my time.

Mr. CANTOR. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I thank the gentleman from California for his leadership and also the gentlewoman from Nevada. But I do want to take this time, Mr. Chairman, to recognize the extraordinary leadership of the gentleman from Illinois (Chairman HYDE) of the Committee on International Relations.

The gentleman from Illinois is truly a man with a backbone of steel and a heart of gold. He is an icon of this institution; and I, for one, know I am joined by every Member of this House in thanking him for his leadership on this bill and the number of other measures that he has worked on and done such a tremendous job with.

I am proud to be here in support of the Henry J. Hyde U.N. Reform bill, and I know my colleagues join me in thanking the gentleman from Illinois (Chairman HYDE) for all that he does.

In paraphrasing a well-known phrase, I would like to just say, Mr. Chairman, I sleep better every night knowing that HENRY HYDE is here fighting for America.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia (Mr. CANTOR).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. CANTOR. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia (Mr. CANTOR) will be postponed.

The CHAIRMAN. It is now in order to consider amendment No. 2 printed in Subpart C of Part 1 of House Report 109–132.

PART 1, SUBPART C AMENDMENT NO. 2 OFFERED BY MR. SMITH OF NEW JERSEY

Mr. SMITH of New Jersey. Mr. Chairman, I offer an amendment.

The CHAIRMAN. Is the gentleman from New Jersey seeking to offer the amendment as the designee of the gentleman from Illinois (Mr. KIRK)?

Mr. SMITH of New Jersey. Yes, I am.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part 1, Subpart C amendment No. 2 offered by Mr. SMITH of New Jersey:

In section 301, redesignate subsection (d) as subsection (e).

In section 301, insert after subsection (c) the following new subsection:

(d) SMALL QUANTITIES PROTOCOL.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to make every effort to ensure that the IAEA changes the policy regarding the Small Quantities Protocol in order to—

(1) rescind and eliminate the Small Quantities Protocol;

(2) require that any IAEA Member State that has previously signed a Small Quantities Protocol to sign, ratify, and implement the Additional Protocol, provide immediate access for IAEA inspectors to its nuclear-related facilities, and agree to the strongest inspections regime of its nuclear efforts; and

(3) require that any IAEA Member State that does not comply with paragraph (2) to be ineligible to receive nuclear material, technology, equipment, or assistance from any IAEA Member State and subject to the penalties described in section 301(a)(3).

The CHAIRMAN. Pursuant to House Resolution 319, the gentleman from New Jersey (Mr. SMITH) and a Member opposed each will control 5 minutes.

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

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

Mr. Chairman, by way of background, the Small Quantities Protocol frees countries from reporting the possession of up to 10 tons of uranium, up to 20 tons of depleted uranium, depending on enrichment, and up to 2.2 pounds of plutonium. Some experts suggest that 10 tons of natural uranium can be processed into sufficient material for up to two nuclear warheads. Iran has already reportedly utilized much smaller quantities of uranium or plutonium in laboratory experiments with suspected links to nuclear arms programs.

A recent IAEA internal memorandum reportedly recommended that the agency's board approve no further small quantity protocols and that it grant the IAEA chief the authority to ask that all signatories to the protocol agree to cancel them.

This amendment seeks to close the loophole from the inspections regime by, number one, calling for the IAEA to rescind the Small Quantities Protocol; secondly, to require that any nation that has signed the Small Quantities Protocol to have implemented and be in compliance with the additional protocol providing for more stringent inspections; and, third, to prohibit any IAEA members from receiving any nuclear-related material, technology, equipment, or assistance and be subjected to penalties if they do

not adhere to the higher inspection standards.

Clearly, Mr. Chairman, the protocol is out of date in an era marked by secret nuclear programs that have been discovered in Iran, Libya and North Korea, and where the bar is set much higher for suspicions of possible atomic activities. By rescinding the Small Quantities Protocol, the IAEA will have additional access to evaluate the nuclear program of an IAEA member state and to confirm that the state is in full compliance with its safeguards obligations.

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

Mr. MENENDEZ. Mr. Chairman, I am not opposed to the amendment, but I ask unanimous consent to claim the time in opposition.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The CHAIRMAN. The gentleman from New Jersey (Mr. MENENDEZ) is recognized for 5 minutes.

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

Mr. MENENDEZ. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I wanted to rise in strong support of the previous amendment by the gentleman from Virginia (Mr. CANTOR) and the gentlewoman from Nevada (Ms. BERKELEY). It is an important initiative, one that I have been working on in similar context for some time as a member of the Committee on International Relations.

It is certainly appropriate that we be voting on this amendment tonight, the day after Iran admits that it has once again lied to the international community, this time about its plutonium experiments, 5 years after they said that they had ceased continuing such experiments.

□ 1945

For nearly two decades, Iran has pursued a clandestine nuclear program, while claiming it had to keep this program hidden from the international community because of sanctions against it. Iran has repeatedly stated that it will never give up its right to enrich fuel for peaceful purposes under the Nuclear Nonproliferation Treaty.

What they have here is clearly a pattern of deception. They have forfeited their right to any peaceful nuclear technology when they deliberately hid the activities, facilities, and materials of their nuclear program from the entire world for nearly two decades.

Let us be clear. Iran is a country with huge oil and natural gas reserves. They simply do not need nuclear power for energy consumption. That is why I am very happy to support this amendment. We need to send a very clear message. It is clearly in the national security interest of the United States that Iran cannot move forward with impunity, and, certainly, that we do not, through the IAEA, give it operational capacity to do so; to be able to have the ability, for example, at the Bushehr Nuclear Facility, to be able to have operational capacity.

That is why that amendment is clearly so important. I look forward to the State Department authorization bill, where language has been included that we hope moves us closer, along with the Security Council, to coming to understand the grave nature of the challenge that we face in Iran and its nuclear energy.

Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. Chairman, I thank my good friend, the gentleman from New Jersey for yielding me this time, and I rise in strong support of the amendment that the gentleman from New Jersey (Mr. SMITH) has proffered. I commend the gentleman from Illinois for being the original author of the amendment, and I am proud to be his cosponsor.

The reason we need this amendment is that a quantity of nuclear materials that could be put into a suitcase and made into a nuclear weapon and detonated in Times Square or in some other major place in the United States or around the world could be legally obscured from international inspection under the present protocol. This inspection protocol was written at a time when nuclear weapons were only reusable on warheads or submarines. It ignored the deadly new technology that can compress the size of the weapons, but not their deadliness.

The fact of the matter is that no quantity of uranium or plutonium that could be used for weapon purposes is too small for inspection. Those who would deem it worthy of using these quantities are more dangerous with smaller amounts.

So the idea here is that the international inspection regime be geared to the realities of the present risk. It is a very good idea. I would urge Members on both sides to support it so we can preclude the awful day when a very small amount of weapons material makes a very big and horrible difference for innocent people in our country or innocent people around the world.

I would urge a ''yes'' vote in favor of the amendment.

Mr. MENENDEZ. Mr. Chairman, I yield back the balance of my time.

Mr. SMITH of New Jersey. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. SMITH).

The amendment was agreed to.

The CHAIRMAN. It is now in order to consider Amendment No. 3 printed in Subpart C of Part 1 of House Report 109–132.

PART 1, SUBPART C AMENDMENT NO. 3 OFFERED BY MR. MARKEY

Mr. MARKEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part 1, Subpart C Amendment No. 3 offered by Mr. MARKEY:

In section 301(a)(3), amend the paragraph heading so as to read: ''PENALTIES WITH RESPECT TO THE IAEA.—''.

In section 301(a), add at the end the following new paragraph:

(4) PENALTIES WITH RESPECT TO THE NUCLEAR NONPROLIFERATION TREATY.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to ensure that a Member State of the IAEA that is found to be in breach of, in noncompliance with, or has withdrawn from the Nuclear Nonproliferation Treaty shall return to the IAEA all nuclear materials and technology received from the IAEA, any Member State of the IAEA, or any Member State of the Nuclear Nonproliferation Treaty.

The CHAIRMAN. Pursuant to House Resolution 319, the gentleman from Massachusetts (Mr. MARKEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, in the 35 years since the Nuclear Nonproliferation Treaty has been in force, much has changed around the world, but what has not changed is the danger inherent in the spread of nuclear weapons.

My amendment says that the President of the United States shall direct the United States permanent representative to the IAEA to use their influence and their vote to secure an agreement within the IAEA requiring that any member state of the NPT that is in breach of the treaty or withdraws from the treaty must return any nuclear materials or technology acquired for peaceful purposes.

Now, why is this amendment needed? Well, for the first time in the treaty's history, one country has withdrawn from the treaty. In 2002, international inspectors were asked to leave North Korea, and, in 2003, North Korea withdrew from the nonproliferation treaty. And just this year North Korea announced to the world that it has nuclear weapons; all the while, North Korea is allowed to keep any and all nuclear materials, nuclear technology, and assistance they receive as a member of the NPT.

So while considerable diplomatic activity has taken place to try to convince North Korea to reverse its action, there is actually no rule in place now at the IAEA that would require North Korea to return all of the nuclear materials it received.

My amendment would mandate that the President direct the United States permanent representative at the IAEA to secure such an agreement amongst the IAEA member states.

This type of requirement is not just important because of North Korea. Currently we have Iran declaring its rights to pursue all nuclear technology for peaceful purposes, it says. The United States and Europe are worried that Iran has a clandestine nuclear weapons program, but all the while Iran is insisting on its right to receive all nuclear materials, nuclear technology, and assistance for its peaceful program.

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

Mr. SMITH of New Jersey. Mr. Chairman, I ask unanimous consent to claim the time in opposition to the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SMITH of New Jersey. Mr. Chairman, I rise in support of the amendment, and I yield myself such time as I may consume.

Let me just say to my friends and colleagues that this is a good amendment, and, on behalf of the majority, we would like to accept it.

I would say very briefly that unless states which are in noncompliance with their nuclear nonproliferation treaty obligations, or which seek to withdraw from the treaty, are forced to give up their peaceful nuclear capabilities legally acquired under the treaty, they can use these to illegally develop nuclear weapons. As was pointed out by my colleague, such states as North Korea and Iran have already used their status as nuclear nonproliferation treaty parties to develop nuclear weapons, and this closes the loophole. It is a good amendment.

Mr. Chairman, I yield the remainder of the time to the gentleman from California (Mr. ROYCE).

Mr. ROYCE. Mr. Chairman, I thank the gentleman for yielding me this time.

I rise in support of this amendment offered by the gentleman from Massachusetts (Mr. MARKEY). The global nuclear nonproliferation regime that has served the world well for many years has developed shortcomings, and the Markey amendment addresses one such shortcoming that I think we must address.

This is an issue that is especially important to me as chairman of the Subcommittee on International Terrorism and Nonproliferation. We held a hearing in April on the Nuclear Nonproliferation Treaty, and one of the key issues that we looked at was how NPT states should address the noncompliance or attempted withdrawal of a state from the treaty. This amendment takes a step forward in solving this challenge by calling upon the President to work with other International Atomic Energy Agency member states to mandate that any State which is found to be in noncompliance with its NPT obligations, or attempts to withdraw from the NPT, will be compelled to return all the nuclear materials and technology it received as a consequence of being an NPT member. I believe such a provision would be helpful in convincing states to adhere to their NPT obligations.

States such as North Korea and Iran have likely already used their status, past status in the case of North Korea, as NPT states to develop nuclear weapons programs, and I believe it is vital that the United States play a leading role in multilateral efforts to close the loophole in the NPT that allows states to receive nuclear energy assistance, but not pay any penalty if they subsequently withdraw from the treaty, as has North Korea. Compelling the surrender of materials and equipment gained under the NPT would be a positive step forward, so I am pleased to support the Markey amendment.

Mr. MARKEY. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. LANTOS).

Mr. LANTOS. Mr. Chairman, I thank my friend for yielding me this time. I want to commend him on this most important amendment.

We cannot permit countries such as Iran to profit from their exploitation of the nuclear nonproliferation regime to acquire nuclear equipment and technology that they then use to develop nuclear weapons capabilities in violation of their solemn commitments under the Nuclear Nonproliferation Treaty.

The Markey amendment is a necessary step to establish a new global requirement that violators of the Nuclear Nonproliferation Treaty must surrender all nuclear materials, equipment, and technology they acquired through the subterfuge of ''peaceful nuclear activities.''

This is a singularly significant amendment, and I urge my colleagues across the aisle to support the amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I yield back the balance of my time.

Mr. MARKEY. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman from Massachusetts has 2 minutes remaining.

Mr. MARKEY. Mr. Chairman, I yield myself such time as I may consume.

I will conclude by saying this: There are no Democrats, there are no Republicans when it comes to the issue of nuclear nonproliferation. The one thing that President Bush and JOHN KERRY agreed upon in their Presidential debates is that this is the most important issue in the world. It may have been the only thing that they agreed upon, but they did agree upon this one issue.

Now, interestingly, in the Atomic Energy Act of the United States, in 1954, it is, in fact, a requirement under our law that if another nation is in violation of the agreement, that the nuclear materials which we give to that country is not used for peaceful purposes, that all of the materials that we have sent to that country must be returned to our country.

What this amendment says is that as a member of the United Nations and the IAEA, that we now will extend this not just to the United States, but to all countries in the world; that the IAEA must enforce a requirement that if a country is in violation of its agreement to use materials only for peaceful purposes, then the IAEA must act immediately to begin the process of reclaiming all of the material that all of the countries of the world have sent to that country which is in violation of the law.

We must put teeth in this law. We must not allow the short-term diplomatic or political agenda of any President or any Secretary of State, Democrat or Republican, to interfere with the overarching goal of ensuring that nuclear weapons are not used anywhere on this planet at any time.

□ 2000

And so I urge all Members to support this amendment. It goes a long way in sending a message to the rest of the world that the United States intends on being the leader on the issue of nuclear nonproliferation, regardless of which other country in the world is involved and regardless of which other country in the world was the supplier of those materials. We will be the moral leader.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY).

The amendment was agreed to.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order: amendment No. 1 printed in Subpart A by the gentleman from New York (Mr. KING), amendment No. 5 printed in Subpart A by the gentleman from Texas (Mr. POE), amendment No. 1 printed in Subpart C by the gentleman from Virginia (Mr. CANTOR).

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PART 1, SUBPART A, AMENDMENT NO. 1 OFFERED BY MR. KING OF NEW YORK

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 1 printed in Subpart A of Part 1 of House Report 109–132 offered by the gentleman from New York (Mr. KING) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 405, noes 13, answered ''present'' 1, not voting 14, as follows:

[Roll No. 270]

AYES—405

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Wynn
Young (FL)

NOES—13

Capuano
Conyers
Hastings (FL)
Hinchey
Jones (OH)
Kucinich
Lee
McDermott
McKinney
Rangel
Scott (VA)
Stark
Woolsey

ANSWERED ''PRESENT''—1

Waters

NOT VOTING—14

Blumenauer
Bono
Cardin
Cox
Cuellar
Davis, Tom
Gillmor
Hooley
Millender-McDonald
Oberstar
Pelosi
Reyes
Sessions
Young (AK)

□ 2027

Mrs. JONES of Ohio, Ms. LEE, Mr. CONYERS, Ms. WOOLSEY, and Messrs. CAPUANO, McDERMOTT, KUCINICH and RANGEL changed their vote from ''aye'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PART 1, SUBPART A AMENDMENT NO. 5 OFFERED BY MR. POE

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 5 printed in Subpart A, Part 1 of House Report 109–132 offered by the gentleman from Texas (Mr. POE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 402, noes 14, not voting 17, as follows:

[Roll No. 271]

AYES—402

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Israel
Issa
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer

Ney
Northup
Norwood
Nunes
Nussle
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Wynn
Young (FL)

NOES—14

Carson
Frank (MA)
Hastings (FL)
Honda
Jackson (IL)
Kucinich
Lee
McDermott
McGovern
Moore (WI)
Payne
Stark
Watt
Woolsey

NOT VOTING—17

Blumenauer
Bono
Buyer
Cardin
Conyers
Cox
Cuellar
Davis, Tom
Gillmor
Hooley
Inslee
Millender-McDonald
Oberstar
Pelosi
Reyes
Sessions
Young (AK)

□ 2036

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PART 1, SUBPART C AMENDMENT NO. 1 OFFERED BY MR. CANTOR

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. CANTOR) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 411, noes 9, not voting 13, as follows:

[Roll No. 272]

AYES—411

Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOES—9

Abercrombie
Conyers
Kucinich
Lee
McDermott
McKinney
Moore (WI)
Paul
Stark

NOT VOTING—13

Blumenauer
Bono
Cox
Cuellar
Davis, Tom
Gillmor
Hooley
Millender-McDonald
Oberstar
Pelosi
Reyes
Sessions
Young (AK)

□ 2056

Mr. CAPUANO changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Mr. FORTENBERRY. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) having assumed the chair, Mr. BASS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2745) to reform the United Nations, and for other purposes, had come to no resolution thereon.

## LIMITING DEBATE ON HOUSE RESOLUTION 324

Mr. DELAY. Mr. Speaker, I ask unanimous consent that debate on the resolution noticed by the gentleman from New York (Mr. NADLER) be limited to 30 minutes equally divided and controlled by the gentleman from New York (Mr. NADLER) and the gentleman from Wisconsin (Mr. SENSENBRENNER).

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

There was no objection.

## PRIVILEGES OF THE HOUSE—INTEGRITY OF PROCEEDINGS OF THE HOUSE

Mr. NADLER. Mr. Speaker, I offer a privileged resolution (H. Res. 324) as to a question of the privileges of the House and ask for its immediate consideration.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read the resolution, as follows:

H. RES. 324

Resolution disapproving the manner in which Representative Sensenbrenner has responded to the minority party's request under rule XI of the House of Representatives for an additional day of oversight hearings on the reauthorization of the USA PATRIOT Act and the manner in which such hearing was conducted.

Whereas Representative Sensenbrenner willfully and intentionally violated the Rules of the House of Representatives by abusing and exceeding his powers as chairman;

Whereas subsequent to receiving a request for an additional day of hearings by members of the minority party pursuant to rule XI, Representative Sensenbrenner scheduled such hearing on less than 48 hours notice;

Whereas such hearing occurred on Representative Sensenbrenner's directive at 8:30 a.m., on Friday, June 10, 2005, a date when the House was not in session and votes were not scheduled;

Whereas Representative Sensenbrenner directed his staff to require that the witnesses' written testimony be made available on less than 18 hours notice;

Whereas, during the course of the hearing, Representative Sensenbrenner made several false and disparaging comments about members of the minority party in violation of rule XVII;

Whereas, Representative Sensenbrenner failed to allow members of the committee to question each witness for a period of 5 minutes in violation of rule XI;

Whereas Representative Sensenbrenner refused on numerous and repeated occasions throughout the hearing to recognize members of the minority party attempting to raise points of order;

Whereas when Representative Nadler and Representative Jackson-Lee sought recognition to raise a point of order, Representative Sensenbrenner refused to recognize Representative Nadler or Representative Jackson-Lee, and intentionally and wrongfully adjourned the committee without obtaining or seeking either unanimous consent or a vote of the committee members present in violation of rule XVI;

Whereas subsequent to Representative Sensenbrenner's improper adjournment of the hearing, his staff turned off the microphones and the electronic transmission of the proceedings and instructed the court reporter to stop taking transcription, even though the committee hearing had not been properly adjourned, and members of the minority party had invited witnesses to continue to speak; and

Whereas Representative Sensenbrenner willfully trampled the right of the minority to meaningfully hold an additional day of hearings in violation of the Rules of the House of Representatives, and brought discredit upon the House of Representatives: Now, therefore, be it

*Resolved*, That

(1) the House strongly condemns the manner in which Representative Sensenbrenner has responded to the minority party's request for an additional day of oversight hearings on the reauthorization of the USA PATRIOT Act, and the manner in which such hearing was conducted; and

(2) the House instructs Representative Sensenbrenner, in consultation with Representative CONYERS, to schedule a further day of hearings with witnesses requested by members of the minority party concerning the reauthorization of the USA PATRIOT Act.''

□ 2100

The SPEAKER pro tempore (Mr. THORNBERRY). The resolution presents a question of the privileges of the House.

Under the previous order of the House, the gentleman from New York (Mr. NADLER) and the gentleman from Wisconsin (Mr. SENSENBRENNER) each will control 15 minutes.

The Chair recognizes the gentleman from New York (Mr. NADLER).

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

Mr. Speaker, it is with regret that I must rise again to invoke the privileges of the House and to defend the rules and the spirit of simple courtesy and cooperation. I do not enjoy taking the time of this House away from our important business to do so; but recent events, the willful and repeated disregard for the rules of the House, the persistent abuse of power by the chairman of the Judiciary Committee, and the flagrant abuse of the rights of the minority make this resolution necessary.

As I said the last time I came to the floor for this purpose, it is my fervent hope that this will be the last time it will ever be necessary for me or any other Member to offer such a resolution or to rise on a question of personal privilege. We should be spending our time dealing with the problems and concerns of the American people; but when a chairman abuses his power to stifle debate, Members of this House, both Republicans and Democrats, have a duty to defend the honor of this institution and the integrity of its proceedings. So long as power is abused, rules are ignored and broken and the rights of Members who represent millions of Americans are violated, this House cannot do its job properly. The American people are cheated of their right to an honest, open, fair, and democratic debate on issues affecting the future of our Nation. That is why we are here again today.

These are the facts: the minority is entitled by the rules to a day of hearings. It is a right rarely exercised, but it guards against the majority abusing its power to exclude competing views. Call it the fair and balanced rule. It is not the chairman's right to determine whether we deserve, in quotes, a hearing. It is not the chairman's right to decide whether his prior hearings were sufficient. It is not the chairman's right to decide whether what we say or think is acceptable or relevant. And it is certainly never the chairman's right to violate the rules in order to interfere with our right to conduct the hearing guaranteed to us by the rules.

The chairman is entitled to his opinions. He is not entitled to break the rules, to abuse his power and to impose his will. The chairman as a general rule permits only one minority witness in each committee or subcommittee hearing of the Judiciary Committee. I know of no other committee with this sort of restrictive rule. No matter what the issue, no matter how complex, no matter how many perspectives there might be, the chairman does not allow more than one minority witness.

On that basis alone, we have every right to insist on a day of hearings every time, a day of minority hearings, but we do not. Of course, that is when he allows hearings at all. In this Congress alone, the chairman has decided that we do not need hearings on such important issues as amendments to the Constitution, alleged mistreatment of detainees, and a rewrite of our bankruptcy code. These are hardly isolated cases. Is that the way we are supposed to do our job? No need for a hearing, the chairman wants to do it, so let's just do it. We do not need a hearing to look at the facts.

Members under the rules have the right to question each witness for 5 minutes apiece. We checked with the Parliamentarian. That is 5 minutes for each member for each witness. Yet the chairman repeatedly refused to recognize members. He consistently and abusively cut off members and witnesses in mid-sentence. It is the chairman's custom, to which we have not objected, to be fairly strict and after the 5 minutes are over to say, finish your thought or make your answer brief. That is fine.

In this hearing, because it was a minority-called hearing, he consistently cut off members and witnesses in mid-sentence, and rather rudely. In one case, when a member of the majority accused a witness of endangering American lives, the chairman refused the witness the opportunity to respond. Of course, the chairman did not limit himself to 5 minutes. He recognized himself for an additional 5 minutes toward the end of the hearing in order to deride the witnesses and the minority members of the committee without allowing any response.

Every Member of this House, Mr. Speaker, serves on committees and every Member of this House knows that this kind of abusive behavior is virtually unheard of. Witnesses should be treated with respect. So should colleagues. I thought we all knew that. The chairman refused to recognize members who were seeking recognition. He refused to recognize members who were attempting to raise points of order. Unacceptable. A clear violation of the rules. A plain abuse of power.

The chairman simply ended the hearing unilaterally. While members were seeking recognition and attempting to raise points of order, he simply ignored

them and banged the gavel and got up from his seat. The rules require a motion to adjourn because hearings are not normally ended unilaterally by a chairman. We consulted with the House Parliamentarian who confirmed that an adjournment motion must be approved by the members of the committee unless there is unanimous consent. The fact that adjournment is not normally contested because it is not necessary because everybody agrees does not change the rules.

After the chairman unilaterally adjourned the hearing, while members were seeking recognition, while he refused to recognize those members seeking to raise points of order, the committee staff, either on the chairman's instructions or acting on their own accord, switched off members' microphones while we were attempting to speak, instructed the stenographer to stop recording the hearing and turned off the electronic transmission of the hearing. Again, the hearing was still proceeding because it had not been legally adjourned because there had been no vote and no unanimous consent. Thanks to C–SPAN, the rest of the hearing was recorded and broadcast so the chairman was unable to censor the minority and hide our thoughts from the American people, although he tried.

Can any Member recall a time when a member's microphone was turned off while he or she was speaking in a committee meeting? Mr. Speaker, it is fair to ask, why should a member of the majority or the public care about adherence to the rules in these respects or about the rights of the minority? The answer is simple. Every Member represents more than half a million American citizens. Every one of those Americans is entitled to a voice in our government. No one should ever be allowed to abuse the power of his office to silence opposing views or to disenfranchise millions of Americans from having their views represented simply because they chose representatives of the minority party.

The greatness of our Nation is our freedom to stand up for what we believe and to have everyone's voice heard in the halls of government. The arrogance of power, the abuse of power, the silencing of minority voices, is a direct threat not only to our rules but to our democracy and to our freedom. The rules of this House exist to protect our democracy. Every Member of this House, regardless of party, must stand up for this institution, for its rules, and for the democracy it represents.

That is why I urge the adoption of this resolution and why I hope such a resolution will never again be necessary in this House.

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

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

I strongly oppose this resolution because it does not state what the facts are relative to the Judiciary Committee's consideration of the PATRIOT Act. I rise today to respond to false, misleading, and malicious allegations that have been made by Members of this House and reported in the media concerning the conduct of the Judiciary Committee's June 10 hearing on the reauthorization of the USA PATRIOT Act and my consideration of the PATRIOT Act as chairman of the Committee on the Judiciary.

Since becoming chairman of this committee in January 2001, I have consistently demonstrated a commitment to fair and equitable consideration of issues before the committee. Perhaps no other issue better demonstrates this commitment than the committee's response to the tragic events of September 11, 2001. Shortly following the attacks, I called a committee hearing to draft antiterrorism legislation at which the Attorney General and other top officials of the Justice Department testified. At that meeting, I pledged to work with the minority to draft bipartisan legislation to help detect, deter, and defeat terrorist threats to our Nation's security.

Since that time, the record clearly demonstrates that I have kept my word by conducting bipartisan and even-handed consideration of this critical issue.

In October of 2001, the committee unanimously approved the PATRIOT Act by a vote of 36–0. I was enormously proud of this vote because it proved that a committee comprising sharply diverging viewpoints could speak in a clear and united voice on an issue of overwhelming importance to the security, safety, and liberty of all Americans. When drafting this legislation, I also insisted that provisions expanding the scope of Federal authority be subject to congressional reauthorization. I included sunsets in these provisions because I strongly believe that Congress must play an active and continuing role in ensuring that the PATRIOT Act protects the safety and security of all Americans while preserving the freedom and liberty that distinguish us as Americans.

To ensure that the PATRIOT Act is being implemented in a manner that reflects the priorities of Congress, on multiple occasions Ranking Member CONYERS and I have sent detailed, extensive, and bipartisan inquiries to the Department of Justice concerning the implementation of the legislation.

□ 2115

When the Justice Department did not fully respond to one set of detailed inquiries, I forcefully asserted the committee's prerogatives by raising the possibility of a committee subpoena to obtain the requested information.

The committee has conducted several hearings on matters related to the PATRIOT Act, at which senior administration officials have testified. At my request committee members have also received briefings on the implementation of the PATRIOT Act from senior law enforcement officials.

On March 28 of this year, the gentleman from Michigan (Mr. CONYERS), ranking member, and I jointly announced a series of hearings on the reauthorization of the PATRIOT Act. We made this announcement in the same spirit of bipartisanship that has typified the committee's consideration of this issue since the committee's first hearing on this subject following September 11. While the primary focus of this series of hearings has been to examine provisions in the PATRIOT Act that are set to expire at the end of this year, the scope of these hearings has been broadened to include provisions of the PATRIOT Act that will not sunset, and issues that are only tangentially related to PATRIOT Act have also received formal committee consideration at the request of the minority.

The record clearly proves that I have worked in a bipartisan manner to ensure that the committee has received testimony from an array of knowledgeable witnesses of diverging viewpoints, and that members had the opportunity to address questions to each of them. And at this time I include in the RECORD a listing of the oversight activities and a chronology of the hearing record that has been held since April before the Committee on the Judiciary and its subcommittees.

OVERSIGHT: HOUSE JUDICIARY COMMITTEE OVERSIGHT OF THE USA PATRIOT ACT

OVERSIGHT THROUGH LETTERS TO THE DEPARTMENT OF JUSTICE

House Judiciary Committee sent the Attorney General, John Ashcroft, a letter on June 13, 2002, with 50 detailed questions on the implementation of the USA PATRIOT Act. The questions were a result of extensive consultation between the majority and minority Committee counsel. Assistant Attorney General, Daniel Bryant, responded to Chairman Sensenbrenner and Ranking Member Mr. Conyers on July 26, 2002, providing lengthy responses to 28 out of the 50 questions submitted. On August 26, 2002, Mr. Bryant sent the responses to the remaining questions, after sending responses to six of the questions to the House Permanent Select Committee on Intelligence. Then, on September 20, 2002, Mr. Bryant sent the minority additional information regarding the Department of Justice's responses to these questions.

On April 11, 2003, Chairman Sensenbrenner and Ranking Member Mr. CONYERS sent a second letter to the Department of Justice with additional questions regarding the use of pre-existing authorities and the new authorities conferred by the USA PATRIOT Act. Once again, the questions were the product of bipartisan coordination by Committee counsel. Acting Assistant Attorney General, Jamie E. Brown, responded with a May 13, 2003 letter that answered the questions she deemed relevant to the Department of Justice and forwarded the remaining questions to the appropriate officials at the Department of Homeland Security on June 13, 2003, the Assistant Secretary for Legislative Affairs at the Department of Homeland Security, Pamela J. Turner, sent responses to the forwarded questions.

On November 20, 2003, Chairman Sensenbrenner and Congressman Hostettler, Chairman of the Subcommittee on Immigration,

Border Security, and Claims, sent a letter to the Comptroller General of the Government Accountability Office (GAO) requesting a GAO study of the implementation of the USA PATRIOT Act anti-money laundering provisions. This report was released on June 6, 2005.

OVERSIGHT THROUGH HEARINGS

On May 20, 2003, the Committee's Subcommittee on the Constitution held an oversight hearing entitled, ''Anti-Terrorism Investigations and the Fourth Amendment After September 11th: Where and When Can Government Go to Prevent Terrorist Attacks.'' On June 5, 2003, the Attorney General testified before the full Committee on the Judiciary at an oversight hearing on the United States Department of Justice. Both the hearing on May 20 and the hearing on June 5 discussed oversight aspects of the USA PATRIOT Act.

OVRSIGHT THROUGH BRIEFINGS

The Subcommittee on Crime, Terrorism, and Homeland Security of this Committee requested that officials from the Department of Justice appear and answer questions regarding the implementation of the USA PATRIOT Act. In response to our request, the Department of Justice gave two separate briefings to Members, counsel, and staff:

During the briefing held on August 7, 2003, Department officials covered the long-standing authority for law enforcement to conduct delayed searches and collect business records, as well as the effect of the USA PATRIOT Act on those authorities.

During the second briefing, held on February 3, 2004, the Department of Justice discussed its views of S. 1709, the ''Security and Freedom Ensured (SAFE) Act of 2003'' and H.R. 3352, the House companion bill, as both bills proposed changes to the USA PATRIOT Act.

The Department of Justice has also provided three classified briefings on the use of the Foreign Intelligence Surveillance Act (FISA) under the USA PATRIOT Act for Members of the Judiciary Committee:

On June 10, 2003, October 29, 2003, and June 7, 2005 the Justice Department provided these briefings.

The Department also provided a law enforcement sensitive briefing on FISA to the House Judiciary Committee Members and staff on March 22, 2005.

HEARING CHRONOLOGY: HOUSE JUDICIARY COMMITTEE CONSIDERATION OF THE USA PATRIOT ACT

FULL COMMITTEE CONSIDERATION

June 10, 2005: Oversight Hearing on the Reauthorization of the USA PATRIOT Act: Carlina Tapia-Ruano, First Vice-President of the American Immigration Lawyers Association (Minority witness); Dr. James J. Zogby, President of the Arab American Institute (Minority witness); Deborah Pearlstein, Director of Human Rights First (Minority witness); and Chip Pitts, Chair of the Board of Amnesty International USA; Minority Members Present: Conyers, Jackson-Lee, Nadler, Scott, Van Hollen, Wasserman Shultz, Watt.

June 8, 2005: Oversight Hearing on the Reauthorization of the USA PATRIOT Act: Deputy Attorney General James B. Comey; Minority Members Present: Berman, Conyers, Delahunt, Lofgren, Nadler, Scott, Wasserman, Shultz, Waters.

April 6, 2005: Oversight Hearing on the Department of Justice, The Use of the Law Enforcement Authorities Granted under the USA PATRIOT Act: Attorney General Alberto Gonzales; Minority Members Present: Berman, Conyers, Delahunt, Jackson-Lee, Lofgren, Nadler, Schiff, Scott, Van Hollen, Watt, Weiner.

SUBCOMMITTEE CONSIDERATION

May 26, 2005: Oversight Hearing on Material Witness Provisions of the Criminal Code and the Implementation of the USA PATRIOT Act: Section 505 that Addresses National Security Letters and Section 804 that Addresses Jurisdiction over Crimes Committed at U.S. Facilities Abroad: Chuck Rosenberg, Chief of Staff to the Deputy Attorney General of the Department of Justice (Majority witness); Matthew Berry, Counselor to the Assistant Attorney General of the Department of Justice (Majority witness); Gregory Nojeim, Acting Director of the Washington Legislative Office of the American Civil Liberties Union (Minority witness); and Shayana Kadidal, Staff Attorney, Center for Constitutional Rights (Minority witness); Minority Members Present: Conyers, Delahunt, Nadler, Scott, Waters.

May 10, 2005: Oversight Hearing on the Prohibition of Material Support to Terrorists and Foreign Terrorist Organizations and on the DOJ Inspector General's report on Civil Liberty Violations under the USA PATRIOT Act: Honorable Glenn Fine, Inspector General of the Department of Justice (Majority witness); Honorable Gregory G. Katsas, Deputy Assistant Attorney General, Civil Division of the Department of Justice (Majority witness); Barry Sabin, Chief of the Counterterrorism Section of the Criminal Division of the Department of Justice (Majority witness); and Ahilan Arulanantham, Staff Attorney for the American Civil Liberties Union of Southern California (Minority witness); Minority Members Present: Delahunt, Scott, Waters.

May 5, 2005: Oversight Hearing on section 212 of the USA PATRIOT Act that Allows Emergency Disclosure of Electronic Communications to Protect Life and Limb: Honorable William Moschella, Assistant Attorney General, Office of Legislative Affairs, U.S. Department of Justice (Majority witness); Willie Hulon, Assistant Director of the Counterterrorism Division, Federal Bureau of Investigation (Majority witness); Professor Orrin Kerr, Professor of Law at the George Washington University Law School (Majority witness); and James X. Dempsey, Executive Director of the Center for Democracy and Technology Minority witness); Minority Members Present: Conyers, Delahunt, Jackson-Lee, Scott.

May 3, 2005: Oversight Hearing on Sections 201, 202, 213, and 223 of the USA PATRIOT Act and Their Effect on Law Enforcement Surveillance: Honorable Michael J. Sullivan, US. Attorney for the District of Massachusetts (Majority witness); Chuck Rosenberg, Chief of Staff to the Deputy Attorney General (Majority witness); Heather Mac Donald, John M. Olin fellow at the Manhattan Institute (Majority witness); and the Honorable Bob Barr, former Representative of Georgia's Seventh District (Minority witness); Minority Members Present: Delahunt, Scott.

April 28, 2005: Oversight Hearing—Section 218 of the USA PATRIOT Act—If it Expires will the ''Wall'' Return?: Honorable Patrick Fitzgerald, U.S. Attorney for the Northern District of Illinois (Majority witness); David Kris, former Associate Deputy Attorney General for the Department of Justice (Majority witness); Kate Martin, Director of the Center for National Security Studies (Minority witness); and Peter Swire, Professor of Law at Ohio State University (Minority witness); Minority Members Present: Jackson-Lee, Scott.

April 28, 2005: Oversight Hearing—Have sections 206 and 215 improved FISA Investigation: Honorable Kenneth L. Wainstein, U.S. Attorney for the District of Columbia Majority witness); James Baker, Office for Intelligence Policy and Review (Majority witness); Robert Khuzami, former Assistant United States Attorney in the United States Attorney's Office for the Southern District of New York (Majority witness); and Greg Nojeim, the Associate Director and Chief Legislative Counsel of the American Civil Liberties Union's Washington National Office (Minority witness); Minority Members Present: Conyers, Delahunt, Jackson-Lee, Scott, Waters.

April 26, 2005: Oversight Hearing—Have sections 204, 207, 214 and 225 of the USA PATRIOT Act, and Sections 6001 and 6002 of the Intelligence Reform and Terrorism Prevention Act of 2004, improved FISA Investigations?: Honorable Mary Beth Buchanan, United States Attorney for the Western District of Pennsylvania (Majority witness); James Baker, Office for Intelligence Policy and Review, U.S. Department of Justice (Majority witness); and Suzanne Spaulding, Managing Director, the Harbour Group, LLC (Minority witness); Minority Members Present: Conyers, Delahunt, Scott.

April 21, 2005: Oversight Hearing on Crime, Terrorism, and the Age of Technology—Section 209: Seizure of Voice-Mail Messages Pursuant to Warrants; Section 217: Interception of Computer Trespasser Communications; and Section 220: Nationwide Service of Search Warrants for Electronic Evidence: Laura Parsky, Deputy Assistant Attorney General of the Criminal Division, U.S. Department of Justice (Majority witness); Steven M. Martinez, Deputy Assistant Director of the Cyber Division, Federal Bureau of Investigation (Majority witness); James X. Dempsey, Executive Director of the Center for Democracy and Technology (Majority witness as a favor to Minority); and Peter Swire, Professor of Law, Mortiz College of Law, the Ohio State University (Minority witness); Minority Members Present: Delahunt, Jackson-Lee, Scott, Waters.

April 19, 2005: Oversight Hearing on Sections 203(b) and (d) of the USA PATRIOT Act and their Effect on Information Sharing: Barry Sabin, Chief of the Counterterrorism Section of the Criminal Division of the Department of Justice (Majority witness); Maureen Baginski, Executive Assistant Director of FBI Intelligence (Majority witness); Congressman Michael McCaul (Majority witness); and Timothy Edgar, the National Security Policy Counsel for American Civil Liberties Union (Minority witness); Minority Members Present: Delahunt, Scott, Waters.

Mr. Speaker, by scheduling 12 hearings on the reauthorization of the PATRIOT Act during this Congress, in addition to the bipartisan record established in previous Congresses, I have proven my commitment to conducting rigorous and comprehensive oversight of the implementation of the PATRIOT Act. Since commencing this latest series of hearings in April, two top officials at the Justice Department, Attorney General Gonzales and his Deputy James Comey, have testified before the committee on separate occasions. In each of the nine additional recent hearings held on the subject, the minority was allowed to designate at least one and sometimes two of the customary four witnesses at committee hearings, thus providing a consistent platform for additional and often dissenting views.

The record clearly demonstrates that this committee has engaged in a thorough, comprehensive, and bipartisan review of the PATRIOT Act since its passage. Assertions to the contrary are not only unfounded, they are plainly false, misleading, and malicious.

On June 8, 2005, the committee held a hearing on the ''Reauthorization of the

PATRIOT Act,'' at which Deputy Attorney General Comey testified. At the commencement of this hearing and without previous notice or consultation, the gentleman from Michigan (Mr. CONYERS), ranking member, and other minority members of the committee requested additional witnesses to testify before the committee on the ''Reauthorization of USA PATRIOT Act'' pursuant to House Rules.

House Rule XI(2)(j)(1) states: ''Whenever a hearing is conducted by a committee on a measure or matter, the minority members of the committee shall be entitled, upon request to the chairman by a majority of them before the completion of the hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least 1 day of hearing thereon.'' I complied with that request and set the additional hearing on June 10.

At the outset of this hearing, I reminded members and witnesses of the permissible scope of the hearing requested by the minority under House Rule XI by stating: ''It is the Chair's intention to limit the scope of the hearing to the topic that was chosen by the Democratic minority that called this hearing and chose the witnesses, which is the reauthorization of the PATRIOT Act. Members and witnesses are advised that questions and testimony not falling within the subject matter of the hearing chosen by the Democrats will not be included in the hearing record pursuant to House Rule XI.'' After reviewing the testimony of the witnesses, I again expressed my concern stating that, ''I am disturbed that some of the testimony that has been presented in written form by the witnesses today are far outside the scope of the hearing, which the Democratic minority called and which they set in their letter.''

Notwithstanding repeated reminders and admonitions concerning the permissible scope of the hearing under House Rules, the gentleman from Michigan (Mr. CONYERS), ranking member, and members of the minority invited witnesses to provide testimony and make statements clearly outside of the scope of the reauthorization of the PATRIOT Act.

For example, in his opening remarks, the gentleman from Michigan (Mr. CONYERS) stated: ''For many of us, this process of hearings is not merely about the extension of the 16 expiring provisions of the PATRIOT Act. It is about the manner in which our government uses its legal authority to prosecute the war against terror both domestically and abroad. As we hear from our witnesses today, I think we will demonstrate that much of this authority has been abused.''

My repeated reminders and admonitions about House Rules concerning the permissible scope of the hearing were ignored by witnesses and members of the committee.

In the face of this refusal by the witnesses and members to appropriately conform their testimony to the subject matter of the hearing requested by the minority, I exercised great patience in permitting witnesses and members to weigh in on issues totally unrelated to that subject. I recognized all four witnesses as well as each majority and minority member present at the hearing for 5 minutes. The record clearly shows that I evinced no favoritism in providing time either to witnesses or members.

At the conclusion of the hearing, when each witness and member had been provided equal time to raise questions, and the witnesses asked and received permission to submit their complete testimony into the hearing record, I expressed my great disappointment that opponents of the PATRIOT Act have used it as a vehicle to assert broad, sweeping, and sometimes wildly unsubstantiated allegations concerning matters totally unrelated to the legislation.

As I concluded my remarks, at least two minority members who had been accorded their time to speak again sought recognition, and I adjourned the hearing in a manner inconsistent with the spirit of comity that has and should continue to inform committee deliberations. While I concede this point without qualifications, Members should also be aware that the practice of the Democratic chairman of the Committee on the Judiciary under whom I have served, as well as the practice of the gentleman from Michigan (Mr. CONYERS), ranking member, during his chairmanship of the Committee on Government Operations, was to adjourn hearings without motion and without expressly seeking the unanimous consent of committee members.

Since this hearing I have been unfairly criticized by several Members of this body. In a press release dated June 10, the gentlewoman from California (Ms. PELOSI), minority leader, said, ''Chairman Sensenbrenner proved again today that he is afraid of ideas, that Republicans will stop at nothing to silence Democrats and the voice of the minority, to deny millions of Americans a voice in Congress. Republicans are unwilling and unable to compete in the marketplace of ideas; so they have chosen to arbitrarily and capriciously abuse their power simply because they can.''

In a similar statement, the gentleman from Maryland (Mr. HOYER), minority whip, stated that the committee's June 10 hearing represented a ''quintessential example of shutting up, shutting down opposition, dissenting views, and democracy.''

Both these statements are a grossly unfair and distorted depiction of my conduct and demand correction. I am not afraid of diverse ideas. I welcome that, and the chronology of the hearing record shows that. I have never attempted to stifle democracy, and I never will.

This committee's bipartisan consideration of the PATRIOT Act under my leadership underscores the malice that motivates these accusations. There is a difference between spirited debate and partisan vitriol that transgresses the bounds of decency and maligns the integrity of a Member of this House.

Following the hearing, the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), who is the newest member of the committee, issued a press release stating that I had acted in an illegal manner under headlines stating: ''Democracy Thwarted at Judiciary Committee Hearing on the PATRIOT Act.'' In the course of this hearing, I did nothing that remotely resembles conduct that can be described as illegal. And as chairman of the Committee on the Judiciary, I take particular umbrage at this mischaracterization.

The gentleman from New York (Mr. NADLER) has also contended that I chaired the hearing in a manner that was ''with an attitude of total hostility.'' Based on these remarks, it has been inaccurately reported that I ''abruptly pulled the plug . . . when a hearing on the PATRIOT Act turned to prisoners and anti-immigration militia on the Mexican border.'' These statements are clearly false. I permitted each witness an opportunity to complete his or her oral remarks, and the hearing was only concluded after 2 hours' duration only when each member had been provided an equal opportunity to speak.

Following the hearing, I have met with the gentleman from Michigan (Mr. CONYERS), ranking member, to discuss ways in which the committee could respond to concerns expressed by some members of the minority, and we reached a resolution that might have averted this impasse. However, some in the minority have preferred a political issue to a workable solution. I trust that by fully and fairly examining the record of the June 10 hearing, as well as my demonstrated longstanding record of bipartisan consideration of matters relating to the PATRIOT Act and other matters before the committee, Members of this House and the public at large will reject the false, malevolent, and derogatory allegations leveled against me by certain minority Members of this body.

Mr. Speaker, the American people expect and deserve Members of Congress to approach terrorism prevention in a thoughtful, factual, and responsible manner. All too often opponents of the PATRIOT Act have constructed unfounded and totally unrelated conspiracy theories, erected strawmen that bear no relation to reality, engaged in irresponsible and totally unfounded hyperbole, or unjustly impugned the law enforcement officials entrusted with protecting the security of America's citizens. While the PATRIOT Act was drafted and passed by both Houses with wide bipartisan majorities, it has been transformed by some into a political weapon of choice to allege a broad range of violations which have nothing to do with that

legislation. These efforts coarsen public debate and undermine the responsible, substantive examination that must inform congressional and public consideration of this critical issue.

I will not be deterred by malicious attacks or minority obstructionism. In the coming months I will continue to energetically discharge my responsibilities as chairman to ensure thorough, bipartisan, and thoughtful consideration of issues relating to the PATRIOT Act and other legislation before the committee. This House and the American people who elect us to represent them expect and deserve no less.

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

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I believe all of my colleagues would accept the premise that justice is not outside of the jurisdiction of the Committee on the Judiciary, nor is the concept of justice outside of the concept of this august body.

Judge Learned Hand is cited to have stated that the spirit of liberty is a spirit which is not too sure that it is right. So sometimes, Mr. Speaker, it is appropriate that those of us who believe in liberty should step back for a moment and question whether everything that we have done or everything that we think is right.

I think it is well to remind my colleagues that our Founding Fathers, those who came freely to this Nation, fled because they fled from persecution. And they fled to have the opportunity and the right to speak. We have always abhorred the tyranny of the majority. So it is important that those of us who stand today welcome, welcome, the offer being made by the previous speaker that we can sit down and resolve these questions and these disputes.

But there is no doubt that the resolution offered by the gentleman from New York (Mr. NADLER) has not been refuted. Violation of Rule XVII did occur. A motion did not occur to adjourn, and it is the rule that we have accepted. The violation of Rule XVII did occur, and as much as we did have a hearing, there were witnesses who were not able to respond to accusations or allegations being made by Members of Congress.

□ 2130

I think that we as Members recognize that we represent the American people, and whether or not witnesses come and take an oath and offer to this Congress words that you agree or disagree with, courtesies should be given to them so that their voice might be heard.

The previous speaker is right. We worked in a bipartisan way on the PATRIOT Act. We did it within a 6 week period. But ultimately another bill went to the floor of the House. It behooves us now to insist on behalf of the American people a complete overview and oversight of the PATRIOT Act.

So I simply say to my colleagues, justice should not be fleeting, and we should abide by justice, all of us, and we should vote for the Nadler resolution.

Mr. Speaker, Judge Learned Hand is cited to have stated that "The spirit of liberty is the spirit which is not too sure that it is right. . . ."I would like to associate myself with the resolution filed by the Gentleman from New York and I join him in expressing displeasure and outrage at the disrespectful conduct of the Republican majority at the Committee hearing that was held on Friday, June 10, 2005. The Hearing was requested by the distinguished Ranking Member Mr. CONYERS, for the purpose of hearing important testimony relating to questions of civil rights and civil liberties, immigration policy, and human rights resulting from the provisions to be reauthorized in the USA PATRIOT Act.

What happened on June 10 was not only an attempt to silence Democratic Members of Judiciary, it was to silence Democracy in America. In my 11 years on the Committee on the Judiciary, I have never witnessed such treatment and disrespect as we saw by the Committee Leadership, who in addition to walking out of the hearing, also unilaterally decided to shut off the microphones for both Members and witnesses.

Furthermore, to do so in the context of analysis of very substantive legislation such as PATRIOT Act Reauthorization, something that greatly concerns all Americans, only exacerbated the repugnancy with which the very legislation itself was passed.

Throughout that hearing, which was called at the least convenient time of 8:30 a.m. on a Friday when Congress was not in session, witnesses and Members were cut-off in mid-sentence, and the Chairman refused to yield to points of order or points of personal privilege called for by the Committee Democrats. The hearing was abruptly adjourned by the Chairman, in violation of the Rules of the House while microphones of Democratic members were shut off while they attempted to speak.

Sixteen provisions of the USA PATRIOT Act automatically sunset at the end of the year unless reauthorized by Congress. As such, the Judiciary Committee held hearings on the reauthorization of the USA PATRIOT Act that absolutely required bipartisan cooperation. Legislation that touches upon fundamental civil rights and civil liberties should not be commingled with petty games, personal gripes, or hostile acts steeped in partisan politics. It is my hope that the Republicans will issue an apology and begin taking strides to form a bridge across the aisle that has been widened by ugly partisan divide.

Sixteen (16) provisions that are due to sunset at the end of 2005 are set for reauthorization. These provisions include Section 213 that allows delayed notification search warrants, Section 209's emergency disclosure of e-mails without a court order, and the provision that allows access to business records.

I commend the Chairman for his disposition to hold the 10 oversight hearings that have been held on these controversial provisions. However, if my colleagues on this side of the hearing room were to file an action based on the common law principle of forum non conveniens, we would likely be justified based on the fact that this hearing has been called for 8:30 a.m. on the day following the end of votes for the week! Nevertheless, we applaud this de minimis effort to appeal to the requests for hearings that have been made by the distinguished Ranking Member of this body.

By way of background, I remind this body that the PATRIOT Act was passed into law a mere six weeks following the terrorist attacks on September 11, 2001. The process of drafting this bill until its signing into law by President Bush took only four days from October 23 to October 26, 2001. The final measure, H.R. 3162, incorporated provisions of H.R. 2977, which the House passed on October 12, 2001, and S. 1510, which the other body passed on October 11, 2001. While Congress grappled with the need to act expeditiously to fight terrorism, I still marvel that a bill more than three hundred pages long moved from introduction to enactment at such a daunting speed. The process of reauthorization seems to resemble this path.

Mr. Speaker, while the Committee on the Judiciary has exercised oversight on the provisions that are up for reauthorization, I feel that, given their continued and increasing contentiousness, we must further analyze the possibly negative impact that they will have on our civil rights, civil liberties, and other guarantees under the U.S. Constitution. Conduct that disrespects Members who wish to conduct substantive debate as representatives of the House of Representatives.

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I thank the gentleman from New York for yielding me time.

Mr. Speaker, last week it was an honor to begin my new assignment as a member of the Committee on the Judiciary. This Nation was founded on the principles of ensuring that the rights of the minority are protected from the tyranny of the majority. The display that I witnessed and experienced at our committee hearing last Friday was, honestly, the most egregious abuse of power witnessed in my 13 years of combined public service in three legislative bodies.

This is a political institution, with individuals who feel passionately about their views, and this is an institution that runs on power. But my hope is that even when we disagree, we will treat each other with respect and dignity. Respect and dignity were nowhere to be found at that hearing last Friday, and it was a shame.

I was particularly surprised and disappointed by the disposition demonstrated by the chairman during the hearing, and found it ironic that the Committee on the Judiciary, whose responsibilities include reviewing, safeguarding and upholding our Constitution, thought nothing of trampling the rights the minority's witnesses by severely limiting their opportunities to be heard.

After 9/11, the vast majority of Americans were and remain willing today to give up some of our freedoms and civil liberties in order to keep us safe. When the USA PATRIOT Act was adopted by Congress, there were 16 provisions that

were troubling enough to most Members that they were required to be reviewed by Congress before they could remain in law past this year.

I think I share the views of many when I say that I may ultimately support all 16 provisions remaining in law. However, it did not seem too much to ask to thoroughly review those provisions, and not just hear a drastically lopsided set of witnesses called by the majority party.

If we are going to restrict civil liberties in the name of national and homeland security, it is more important than ever to shine the light on these provisions and make sure they can withstand a rigorous test.

Forfeiting civil liberties is not merely an inconvenience for our citizens. It must be a conscious decision, made with full disclosure and review and for good reason. If this forfeiture cannot withstand a review where proponents and opponents have their concerns aired, then our citizens cannot be expected to give up rights they were born with and for which our forefathers and foremothers so desperately fought.

It is my hope that, like the other committee on which I serve, the Committee on Financial Services, which operates in an spirit of bipartisanship even on the most contentious of issues, that we can withstand the test, and this should be done without the abuse of power and trampling of democracy that we experienced last week.

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. CONYERS), the distinguished ranking minority member of the Committee on the Judiciary.

Mr. CONYERS. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, this is an embarrassing circumstance that we again find ourselves in. There are reasons that have required that the gentleman from New York, regretfully, bring this privileged resolution to the floor. There is little question that the demeanor of the chairman, the gentleman from Wisconsin (Mr. SENSENBRENNER), was very, very unusual for the meeting that was held, which he was required to hold.

Now, do not take my word for it. I want you to go look at the evidence. It was all taped. I was stunned by my friend's continued hostility, not just toward the members of the Democratic side, but the witnesses themselves. I have never, ever experienced a witness being stopped dead in mid-sentence. It was highly inappropriate. The meeting was ended incorrectly. You cannot walk out of a meeting. You cannot say ''The meeting is adjourned,'' slam the gavel down and walk out.

I have worked in the Committee on the Judiciary. I came to this committee and all my career has been spent there. I worked under Emanuel Celler, Jack Brooks and Peter Rodino. I had wonderful times with the chairman that preceded the gentleman from Wisconsin (Chairman SENSENBRENNER), the gentleman from Illinois (Mr. HYDE).

What I want Members to do, and I plead with them, is to support the gentleman from New York's privileged resolution, and allow the gentleman from Wisconsin (Chairman SENSENBRENNER) and me to continue meetings trying to get this committee back on track and make it whole again. Join us in that request. Please.

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

The SPEAKER pro tempore (Mr. THORNBERRY). The gentleman from New York has 2 minutes remaining.

Mr. NADLER. Mr. Speaker, we are not here discussing the substance or the merits of the PATRIOT Act or the manner in which it was adopted 4 years ago or the sufficiency of the oversight of the PATRIOT Act by the Committee on the Judiciary. We will have plenty of time to discuss that on the floor in coming weeks. We are discussing the abuse of power and flouting of the rules by the chairman of the committee at the minority hearing on June 10.

What the chairman said today did not contest or dispute a single point or a single allegation or assertion in the resolution. He did not deny that he rigidly cut off witnesses, every witness, in mid-sentence, a practice unheard of normally in the Committee on the Judiciary.

He did not deny that he made several false and disparaging comments about members of the minority in violation of the rules.

He did not deny that he refused on numerous occasions throughout the hearing to recognize members of the minority party attempting to raise points of order.

He did not deny that he violated the rules by adjourning unilaterally and peremptorily the committee hearing while members were seeking recognition and seeking points of order.

He did not deny that his staff cut off our microphones and even the lights when we were attempting to continue the hearing that he had illegally attempted to cut off.

He says that I said that he chaired the hearing with an attitude of total hostility. Watch the C–SPAN tape, not the tape on the committee website, the entire tape on the C–SPAN website. You will see the accuracy of what I said.

This was unforgivable, it was undemocratic, it was tyrannical. It was demeaning to the House and it should not occur again. Regardless of how he normally chairs hearings, regardless of whatever may happen about the PATRIOT Act in the future, this was an exercise in tyrannical disregard of the rights of the members of the minority and the millions of Americans we represent.

It is intolerable, it is abusive, and, therefore, this resolution should be passed and it should not happen again.

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

The SPEAKER pro tempore. All time for debate has expired.

MOTION TO TABLE OFFERED BY MR. DELAY

Mr. DELAY. Mr. Speaker, I move to table the resolution.

The SPEAKER pro tempore. The question is on the motion to table offered by the gentleman from Texas (Mr. DELAY).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. NADLER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 222, noes 191, not voting 20, as follows:

[Roll No. 273]

AYES—222

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis, Jo Ann
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schwarz (MI)
Sensenbrenner
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland

Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (FL)

NOES—191

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berry
Bishop (GA)
Bishop (NY)
Boren
Boswell
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
DeLauro
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Miller (NC)
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—20

Berman
Blumenauer
Bono
Boucher
Cox
Cuellar
Davis, Tom
Delahunt
Dicks
Gillmor
Hooley
LaTourette
Millender-McDonald
Miller, George
Oberstar
Oxley
Pelosi
Reyes
Sessions
Young (AK)

□ 2208

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid upon the table.

## PACTS MEAN LITTLE WHEN IT COMES TO TRADE

(Mr. BROWN of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROWN of Ohio. Mr. Speaker, a quote from Congress Daily: ''Lawmakers seeking to trade their votes on CAFTA should be forewarned. Such deals do not pan out.''

A Public Citizen report catalogues promises made to lawmakers by the Clinton and Bush administrations on trade votes from NAFTA to PNTR to TPA. Democratic and Republican administrations delivered on 16 out of 92 deals.

Examples of broken promises, a pledge from the Clinton administration to put in place expedited safeguard procedures for tomatoes. The Bush administration did nothing to utilize those procedures. Tomato imports have grown 137 percent.

On textiles and apparel, a promise made during 2002 TPA to the gentleman from North Carolina (Mr. HAYES), the gentlewoman from North Carolina (Mrs. MYRICK), and then-Representative Ballenger to hire 72 additional customs inspectors, which was never fulfilled.

The gentleman from North Carolina (Mr. HAYES) is leaning against CAFTA. The gentlewoman from North Carolina (Mrs. MYRICK) this week announced her support. That support is based on a pledge from Trade Representative Portman to seek an amendment to CAFTA to help North Carolina producers of pockets and linings proving that textile members like the gentlewoman from North Carolina (Mrs. MYRICK) seem to have learned nothing from the record of broken deals, the report states.

The gentlewoman from North Carolina (Mrs. MYRICK) said she has been assured by Secretary Chertoff that those positions would be filled by 2006.

## SPECIAL ORDERS

The SPEAKER pro tempore (Mr. CONAWAY). Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. GUTKNECHT) is recognized for 5 minutes.

(Mr. GUTKNECHT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

## ORDER OF BUSINESS

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to take my Special Order at this time.

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

There was no objection.

## CENTRAL AMERICAN FREE TRADE AGREEMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

Mr. BROWN of Ohio. Mr. Speaker, at a recent White House news conference President Bush called on Congress to pass the Central American Free Trade Agreement this summer. A couple of weeks ago in this Chamber the most powerful Republican in the House, the gentleman from Texas (Mr. DELAY), promised a vote by July 4. Well, actually, last year the gentleman promised a vote on CAFTA during 2004, then a couple of months ago he promised there would be a vote by Memorial Day. Now, I think the gentleman from Texas (Mr. DELAY) really means it, that there will actually be a vote on CAFTA by July 4.

The many of us who have spoken out against CAFTA, and that includes lots of Republicans and Democrats, people on both sides of the aisle have a message. Our message is dump this Central American Free Trade Agreement. Renegotiate a CAFTA that large numbers of Members of both parties can support.

Now, President Bush signed CAFTA more than a year ago. Every trade agreement negotiated by this administration, Chile, Singapore, Australia, Morocco, every single trade agreement negotiated by this administration has passed Congress within 2 months.

□ 2215

CAFTA, on the other hand, was signed in May of 2004. It has been almost 13 months since CAFTA was signed by the President, but it has languished in Congress for more than a year, six times longer than any other trade agreement. It has languished in Congress for more than a year because this wrong-headed trade agreement offends Republicans and Democrats in large numbers.

Just look at what happened with our trade policy in the last decade. I was elected to Congress in 1992. In those days for that year, the trade deficit, meaning the amount of goods exported from the United States versus imported into the United States, the trade deficit was $38 billion. Twelve years later, in 2004, last year, our trade deficit was $618 billion. From $38 billion to $618 billion, and the President and the gentleman from Texas (Mr. DELAY), the most powerful Republican in the Congress, says that our trade policies are working.

If you think it is working look at this. In addition to the trade deficit going from $38 billion to $618 billion in a dozen years, look at what is happening to the American manufacturing in the last 5 or 6 years.

The States in red are States which have lost 20 percent or more, at least 20

percent, of their manufacturing: Michigan, 210,000 jobs lost; Illinois, 224,000 jobs lost; Pennsylvania, 199,000; New York, 222,000; Mississippi and Alabama, 138,000; South Carolina and North Carolina, 207,000; the gentleman from Ohio's (Mr. KUCINICH) and my State, 217,000 manufacturing jobs lost, more than one out of five manufacturing jobs in our State.

The States in blue have lost 15 to 20 percent of their manufacturing jobs. More than 200,000 in Texas; Florida and Georgia, 178,000. State after State after State. Our trade policy simply is not working, Mr. Speaker.

Now, what the administration's doing, though, what CAFTA supporters in this Congress have done is they have crafted a one-sided plan to benefit multinational corporations at the expense of American and Central American workers, at the expense of American and Central American small business, at the expense of American and Central American farmers.

It is the same old story. Every time there is a trade agreement, the President says three things: It will be mean jobs for Americans, it will mean more manufacturing done in the U.S. and more exports, and it will mean better wages for workers in developing countries.

Mr. Speaker, Benjamin Franklin said 200 or so years ago, the definition of insanity is doing the same thing over and over and over and expecting a different outcome. Every time the President says it is going to mean more jobs for Americans it is going to mean more manufacturing and more export, and it is going to raise living standards in the developing countries. Mr. Speaker, it never, ever does. These promises fall by the wayside in favor of big business interests that send U.S. jobs overseas.

Again, look at this chart. Look at the millions, 200,000, 200 plus, 200, 200, 200,000, 350,000 in California. Millions of jobs sent overseas. The standard of living in the developing world is stagnant, not going up. We are continuing to outsource jobs and the administration says let us pass the dysfunctional cousin of NAFTA. It is pass CAFTA. There is a reason CAFTA and NAFTA rhyme. It is because it is the same old story, the same dysfunctional cousin of NAFTA.

Now, the administration is doing something different. They are linking CAFTA to helping democracy, and helping democracy develop in the developing world. That argument does not sell.

In May, the Chamber of Commerce brought the six Central American and Dominican Republic presidents to the United States on a junket, to Cincinnati, to Albuquerque, to New York, to Los Angeles, to Washington, trying to convince the American people and the American media that this is not working.

The Costa Rican president said they will not ratify CAFTA unless an independent commission could determine the agreement will not hurt the working families in his country.

Now, the administration has opened the bank in time to cut deals.

Mr. Speaker, when the world's poorest people can buy American products, not just make them, we will know our trade policies are finally working.

## IN HONOR OF THE 140TH ANNIVERSARY OF JUNETEENTH

The SPEAKER pro tempore (Mr. CONAWAY). Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Mr. Speaker, I rise today in honor of the 140th anniversary of Juneteenth. This is the oldest known African American celebration commemorating the ending of slavery in the United States. This holiday actually started because of an event in Texas history.

Back on June 19, 1856, Major General Gordon Granger led Northern soldiers into Galveston, Texas, to announce the ending of the War Between the States and to order the release of the last remaining slaves. While President Lincoln's issuance of the Emancipation Proclamation occurred over 2 years earlier, on January 1, 1863, in the midst of the War Between the States, the peculiar institution of slavery, as Southerners referred to it, continued until this historic day. No one in Texas had ever heard that the slaves had been freed until June 19, 1865.

Before Texas was a State, it was a free republic, independent Nation, for 9 years. The Constitution of the Republic of Texas of 1836 expressly forbid the importation of slaves from Africa, but slaves continued to come to Texas from the United States. As a result, slavery spread.

Texas was admitted to the Union in 1845, by just one vote. I might add that some say they wish the vote had gone the other way. Nonetheless, the Lone Star State had some 30,000 slaves. In the census of 1850, 27 percent of the Texas population was slaves. In 1860, right before the war started, it was almost 30 percent.

So on that day in 1865, June 19, thus the phrase, ''Juneteenth,'' Major General Granger dramatically declared when he landed in Galveston, Texas: ''The people of Texas are informed that in accordance with a Proclamation from the Executive of the United States, all slaves are free. This involves an absolute equality of rights and rights of property between former masters and slaves.''

It is interesting to note, Mr. Speaker, that Lincoln's Emancipation Proclamation only applied to the Southern States. It took the 13th Amendment to free the slaves in the border States and the rest of the United States.

Now Juneteenth has become not just a Texas holiday but a national event. This Sunday, as thousands of Americans across the Nation celebrate Juneteenth through cultural displays and various educational activities, let us reflect back on this milestone in this ongoing struggle for equality and freedom. Let us remember the committed, courageous and critical men and women who made tremendous sacrifices to secure the end of slavery.

Our Nation's history is littered with struggles for freedom starting with our revolution for independence from the British empire. World history, too, is filled with great labors for liberty, based on gender, race, religion and ethnicity. Just this January, I traveled to Iraq to observe its historic election, in which young and old, men and women, achieved the opportunity to make a free choice.

So amidst intimidation, threats and actual violence, the people of Iraq spoke out against the past oppression and broke off the chains of slavery from Saddam Hussein. There is something down in the soul of each of us that we have the yearning and the God-given desire to be free.

African American freedom fighters throughout countless generations paid a precious price to deliver equality and freedom for their brothers and sisters and their posterity. Overcoming many dangers, toils, and snares, civil rights activists like Texan Barbara Jordan, the first black woman to serve in the United States Congress from the South and Craig Washington, a masterful criminal defense attorney and the first black State senator in the State of Texas. He was an attorney and former Member of the United States House of Representatives. James Farmer, another Texas and principal organizer of the ''Freedom Rides.'' Dred Scott, Frederick Douglass, Sojourner Truth, Rosa Parks and Dr. Martin Luther King and some colleagues in this House, as well as many more, helped in the fight for equality in America.

Although we have made significant strides in ensuring that this country fulfills the words of our national anthem, ''land of the free and home of the brave,'' we must always remain ever vigilant and also make the Declaration of Independence a true reality for all peoples.

As that Declaration of Independence says, ''We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.''

## CENTRAL AMERICAN FREE TRADE AGREEMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. KUCINICH) is recognized for 5 minutes.

Mr. KUCINICH. Mr. Speaker, soon the House of Representatives will bring before it legislation to clear the way for the Central American Free Trade Agreement to not only be discussed but, in my view, to be challenged.

Earlier my colleague the gentleman from Ohio (Mr. BROWN) spoke about the

loss of manufacturing jobs. I come from the Cleveland area, where we know that these trade agreements, NAFTA, GATT, the WTO which followed, have all worked against the American working people. We were told when these agreements were formed that it would mean more jobs in the United States because people in other countries would be buying our goods.

Well, let us look at the facts. Let us look at what the actual wages are and the purchasing power of people in various countries.

How, for example, can people in Honduras, $2,600 a year, be able to buy something that is made in the United States that has any powerful commercial value, like a car or like a washing machine? How could someone living in El Salvador, $4,800 a year, be able to purchase something, some manufactured product in the United States, that costs hundreds or thousands of dollars?

What is happening is that trade agreements are seeking cheaper labor where they can go to countries where the labor is cheap, but they are not selling American goods there. So we are seeing that we are not finding new markets for our goods; yet, we are finding markets for cheap labor. That is what these trade agreements do. They open up markets for cheap labor.

Keep in mind, the workers in Honduras, Guatemala, El Salvador, Dominican Republic, Nicaragua and others represented on this chart, they do not have any rights. They do not have a right under these trade agreements, an inherent right for collective bargaining, a right to organize, a right to strike, a right to decent wages and benefits.

No. As these corporations get more power, they force upon the workers a take-it-or-leave-it proposition where people are basically left to accept working under conditions that are awful, for wages that are miserably low, and if they do not like it, they do not have any kind of a job at all.

Meanwhile, what happens in the United States? We are losing jobs by the millions. The trade agreements, which we have seen this country pass over the last 12 years, have resulted in a destruction of America's basic manufacturing capability.

Remember, our national security has depended on our strategic industrial base of steel, automotive and aerospace, and yet, we are seeing that base decline because of these trade agreements. We are giving away our ability to even defend our country. We are giving away our ability to create good-paying jobs.

Henry Ford understood more than 100 years ago that you had to be able to pay people a good wage so they could buy the things they make. These trade agreements turn all that on its head. Now, American workers are seeing their jobs exported to countries where people make low wages and countries where people cannot by American goods. That is where we are.

CAFTA is another in a long series of trade agreements which have worked against the interests of the American people. We have welcomed representatives of Central America to this Congress in the last week. They have communicated to us. These Members of Congress of Central American countries have communicated to us that this trade agreement was passed in the dead of night in their countries; that this trade agreement was passed without the representatives even knowing what was in the bill; that this trade agreement was passed and set the stage for the privatization of public services. This trade agreement was passed and set the stage for higher taxes, with people already living very humbly with the lowest wages.

We are here to stand up for the American worker, stand up for American manufacturing, to stand up for the future of this country and to stand up for international solidarity on questions of human rights, workers rights and environmental quality principles.

□ 2230

It is time for us to say that CAFTA must be defeated; that we must go back to a whole new trade structure that is based on workers' rights, that is based on human rights, that is based on environmental quality principles.

Commerce essentially depends on the agreements which we come up with in this House of Representatives. But commerce without economic justice is tyranny. Commerce without morality is a degradation of the human spirit. Commerce without basic principles which can strengthen a society is commerce that erodes the social compact of a society.

Mr. Speaker, I appreciate having this opportunity to share with the American people the urgency of seeing CAFTA defeated.

## JUNETEENTH

The SPEAKER pro tempore (Mr. CONAWAY). Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

Mr. DAVIS of Illinois. Mr. Speaker, June 19th, Juneteenth as it is called, is a unique people's holiday. It is the oldest known celebration of the end of slavery in the United States. It marks the day that union soldiers arrived in Galveston, Texas, in 1865, with news that the war had ended and that all slaves were now free, 2½ years after the Emancipation Proclamation.

We do not know why it took so long for the news to get to Texas, but we do know that the military general order which was posted that day read in part, and I quote ''The people of Texas are informed that in accordance with the proclamation from the executive of the United States, all slaves are free.''

The news spread like wildfire, and spontaneous celebrations sprang up throughout the State and were repeated each June 19th of each following year. We continue to celebrate Juneteenth because of the importance of slavery in American history and because the lingering effects of slavery remain a part of the legacy of our country.

The legacy of slavery continues to play a role in our daily lives and politics. The vast racial disparities in employment, income, home ownership, education, voter registration and participation, health status and mortality all continue to exist. The great historian John Hope Franklin wrote, and I quote, ''Much history occurs of which some historians decide to take no notice.''

Juneteenth is the people's answer to the obscuring and distortion of much of the history and experience of African Americans in this country. It is an enduring statement that the truth cannot be suppressed forever, and that the struggle for justice and equality will and must continue.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. NORWOOD) is recognized for 5 minutes.

(Mr. NORWOOD addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

(Mr. CUMMINGS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. SCHIFF) is recognized for 5 minutes.

(Mr. SCHIFF addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BLUMENAUER (at the request of Ms. PELOSI) for today after 4:10 p.m. and the balance of the week on account of official business.

Ms. HOOLEY (at the request of Ms. PELOSI) for today after 4:10 p.m. and the balance of the week on account of official business in the district.

Mr. REYES (at the request of Ms. PELOSI) for today after 4:10 p.m. and the balance of the week on account of official business.

Mr. TOM DAVIS of Virginia (at the request of Mr. DELAY) for today after 3:30 p.m. and the balance of the week on account of personal reasons.

Mr. GILLMOR (at the request of Mr. DELAY) for today after 8:00 p.m. and the balance of the week on account of business in the district.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. BROWN of Ohio) to revise and extend their remarks and include extraneous material:)

Mr. PALLONE, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

(The following Members (at the request of Mr. POE) to revise and extend their remarks and include extraneous material:)

Mr. GUTKNECHT, for 5 minutes, June 23.

Mr. POE, for 5 minutes, June 17 and 20.

Mr. NORWOOD, for 5 minutes, June 17.

Mr. OSBORNE, for 5 minutes, June 20.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mr. KUCINICH, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

## SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1140. An act to designate the State Route 1 Bridge in the State of Delaware as the ''Senator William V. Roth, Jr. Bridge''; to the Committee on Transportation and Infrastructure.

## ENROLLED BILL SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled a bill of the House of the following title which was thereupon signed by the Speaker:

H.R. 483. An act to designate a United States courthouse in Brownsville, Texas, as the ''Reynaldo G. Garza and Filemon B. Vela United States Courthouse''.

## SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 643. An act to amend the Agriculture Credit Act of 1987 to reauthorize State mediation programs.

## ADJOURNMENT

Mr. DAVIS of Illinois. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 34 minutes p.m.), the House adjourned until tomorrow, Friday, June 17, 2005, at 9 a.m.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

2384. A letter from the General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations — received June 3, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2385. A letter from the General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations — received June 3, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2386. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Dental Devices; Reclassification of Tricalcium Phosphate Granules and Classification of Other Bone Grafting Material for Dental Bone Repair [Docket No. 2002P-0520] (formerly Docket No. 02P-0520) received May 13, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2387. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's ''Major'' final rule — Use of Ozone-Depleting Substances; Removal of Essential-Use Designations [Docket No. 2003P-0029] (RIN: 0910-AF18) received April 28, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2388. A letter from the General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket No. FEMA-7877] received June 3, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

2389. A letter from the Deputy Assistant Administrator, Office of Diversion Control, DEA, Department of Justice, transmitting the Department's final rule — Schedules of Controlled Substances: Placement of Alpha-Methyltryptamine and 5-Methoxy-N,N-Diisopropyltryptamine Into Schedule I of the Controlled Substances Act [Docket No. DEA-252F] received April 28, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2390. A letter from the Legal Advisor to the Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Sparta and Morrison, Tennessee) [MB Docket No. 04-316; RM-11047] received May 20, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2391. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Standards for Business Practices of Interstate Natural Gas Pipelines [Docket No. RM96-1-026] received June 3, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2392. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule — Children's Online Privacy Protection Rule — received April 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2393. A letter from the General Counsel, Federal Retirement Thrift Investment Board, transmitting the Board's final rule — Various Changes to the Thrift Savings Plan — received June 3, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

2394. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's final rule — Recruitment, Relocation, and Retention Incentives (RIN: 3206-AK81) received May 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

2395. A letter from the Director, Office of Workers' Compensation Programs, Department of Labor, transmitting the Department's final rule — Performance of Functions; Claims for Compensation Under the Energy Employees Occupational Illness Compensation Program Act (RIN: 1215-AB51) received June 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

2396. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30444; Amdt. No. 3121] received May 19, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2397. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30374; Amdt. No. 3063] received May 19, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2398. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30379; Amdt. No. 3068] received May 19, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2399. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Pyrotechnic Signaling Device Requirements [Docket No. FAA-2004-19947; Amendment No. 91-285] (RIN: 2120-AI42) received May 19, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2400. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revision of Incorporated by Reference Provisions [Docket No. FAA-2004-19247; Amdt. Nos. 71-33, 97-1355] (RIN: 2120-AI39) received May 19, 2005,

pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2401. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Aviation Safety and Health Partnership Program [Docket No. FAA-2003-14578] received May 19, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2402. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Harrisburg, PA [Docket No. FAA-2005-20056; Airspace Docket No. 05-AEA-01] received June 15, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2403. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Washington, KS. [Docket No. FAA-2005-20575; Airspace Docket No. 05-ACE-12] received June 15, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2404. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Harper, KS. [Docket No. FAA-2005-20577; Airspace Docket No. 05-ACE-14] received June 15, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2405. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Burns, OR [Docket FAA 2004-18915; Airspace Docket 04-ANM-11] received June 15, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2406. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Harrisburg, PA [Docket No. FAA-2005-20057; Airspace Docket No. 05-AEA-02] received June 15, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2407. A letter from the Director, Regulations Management, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting the Department's final rule — Presumption of Sound Condition: Aggravation of a Disability by Active Service (RIN: 2900-AL90) received May 4, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

2408. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Estate of Mitchell v. Commissioner — received June 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2409. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Weighted Average Interest Rates Update [Notice 2005-46] received June 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2410. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Time for performing certain acts postponed by reason of service in a combat zone or a Presidentially declared disaster (Rev. Proc. 2005-27) received May 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2411. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Last-in, first-out inventories. (Rev. Rul. 2005-34) received May 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2412. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Announcement and Report Concerning Pre-Filing Agreements (Announcement 2005-42) received June 7, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. POMBO:

Committee on Resources.

H.R. 394. A bill to direct the Secretary of the Interior to conduct a boundary study to evaluate the significance of the Colonel James Barrett Farm in the Commonwealth of Massachusetts and the suitability and feasibility of its inclusion in the National Park System as part of the Minute Man National Historical Park, and for other purposes; with an amendment (Rept. 109–135).

Referred to the Committee of the Whole House on the State of the Union.

Mr. BOEHNER:

Committee on Education and the Workforce.

H.R. 2123. A bill to reauthorize the Head Start Act to improve the school readiness of disadvantaged children, and for other purposes; with an amendment (Rept. 109–136).

Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska

Committee on Transportation and Infrastructure.

H.R. 1412. A bill to amend the Ports and Waterways Safety Act to require notification of the Coast Guard regarding obstructions to navigation, and for other purposes; with an amendment (Rept. 109–137).

Referred to the Committee of the Whole House on the State of the Union.

Mr. OXLEY:

Committee on Financial Services.

H.R. 280. A bill to facilitate the provision of assistance by the Department of Housing and Urban Development for the cleanup and economic redevelopment of brownfields (Rept. 109–138).

Referred to the Committee of the Whole House on the State of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. STUPAK (for himself, Mr. EHLERS, Mr. EMANUEL, Ms. SCHAKOWSKY, Mr. BROWN of Ohio, Mr. KILDEE, Mr. KIRK, Mr. LATOURETTE, Ms. BALDWIN, Mr. DINGELL, Mr. LEVIN, Mr. KUCINICH, Ms. BEAN, Mr. HIGGINS, Ms. KAPTUR, and Ms. SLAUGHTER):

H.R. 2930. A bill to prohibit the issuance of any Federal or State permit or lease for new oil and gas slant, directional, or offshore drilling in or under one or more of the Great Lakes; to the Committee on Energy and Commerce.

By Mr. OWENS:

H.R. 2931. A bill to amend part B of title III of the Higher Education Act of 1965 to expand the eligibility requirement to include Predominantly Black Institutions of higher education; to the Committee on Education and the Workforce.

By Mrs. BLACKBURN:

H.R. 2932. A bill to amend the International Air Transportation Competition Act of 1979 to modify restrictions on the provisions of air transportation to and from Love Field, Texas; to the Committee on Transportation and Infrastructure.

By Mr. FORBES (for himself, Mr. GALLEGLY, Mrs. JO ANN DAVIS of Virginia, Mr. GOODLATTE, Mr. BOOZMAN, Mr. BURTON of Indiana, Mr. NORWOOD, Mr. DEAL of Georgia, Ms. HARRIS, Ms. GINNY BROWN-WAITE of Florida, Mr. ISSA, Mr. FEENEY, and Mr. KING of Iowa):

H.R. 2933. A bill to amend the Immigration and Nationality Act to render inadmissible and deportable aliens who have participated in criminal street gangs, and for other purposes; to the Committee on the Judiciary.

By Mr. FILNER (for himself, Mr. KOLBE, Mrs. DAVIS of California, and Mr. FLAKE):

H.R. 2934. A bill to authorize Federal payment to emergency ambulance and medical services providers for the cost of uncompensated care of aliens aided by the border patrol or other Federal immigration official; to the Committee on Energy and Commerce.

By Mrs. DAVIS of California:

H.R. 2935. A bill to amend the Internal Revenue Code of 1986 to allow individuals a deduction for qualified long-term care insurance premiums, use of such insurance under cafeteria plans and flexible spending arrangements, and a credit for individuals with long-term care needs; to the Committee on Ways and Means.

By Mrs. DAVIS of California:

H.R. 2936. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require that group and individual health insurance coverage and group health plans provide coverage for second opinions; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, 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.

By Mrs. DAVIS of California:

H.R. 2937. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require that group and individual health insurance coverage and group health plans permit enrollees direct access to services of obstetrical and gynecological physician services directly and without a referral; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, 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.

By Mr. DUNCAN (for himself and Mr. GORDON):

H.R. 2938. A bill to provide for local control for the siting of windmills; to the Committee on Energy and Commerce, and in addition to the Committees on Resources, and Ways and Means, 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.

By Mr. WELDON of Pennsylvania (for himself, Mr. FARR, Mr. ALLEN, and Mr. SAXTON):

H.R. 2939. A bill to establish a national policy for our oceans, to strengthen the National Oceanic and Atmospheric Administration, to establish a Committee on Ocean Policy, and for other purposes; to the Committee on Resources, and in addition to the Committee on Science, 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.

By Mr. ENGLISH of Pennsylvania (for himself, Mr. BECERRA, Mr. REYNOLDS, Mr. BOEHLERT, Mr. THOMPSON of California, and Mr. WELLER):

H.R. 2940. A bill to amend the Internal Revenue Code of 1986 to clarify that certain settlement funds established under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 are beneficially owned by the United States and are not subject to tax; to the Committee on Ways and Means.

By Mr. ENGLISH of Pennsylvania:

H.R. 2941. A bill to amend the Internal Revenue Code of 1986 to modify the qualified small issue bond provisions; to the Committee on Ways and Means.

By Mr. GRAVES (for himself, Mr. KENNEDY of Minnesota, and Mr. WILSON of South Carolina):

H.R. 2942. A bill to amend title 18, United States Code, to protect potential victims of sex crimes by strengthening the sentencing provisions for sex offenders; to the Committee on the Judiciary.

By Mr. GRAVES (for himself, Mr. HONDA, Mr. INSLEE, and Mr. BAIRD):

H.R. 2943. A bill to amend the Small Business Act to establish eligibility requirements for business concerns to receive awards under the Small Business Innovation Research Program; to the Committee on Small Business, and in addition to the Committee on Science, 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.

By Mr. HASTINGS of Florida (for himself, Mr. HINCHEY, Mr. MOORE of Kansas, and Mr. OWENS):

H.R. 2944. A bill to provide for the assessment of a penalty to gasoline retailers who charge prices grossly in excess of the prescribed index price for gasoline; to the Committee on Energy and Commerce.

By Mr. LOBIONDO (for himself, Mr. HOLDEN, Mr. SAXTON, Mr. HASTINGS of Florida, Mr. KING of New York, Mr. VAN HOLLEN, Ms. HERSETH, Mr. BROWN of South Carolina, Mr. MOORE of Kansas, Mr. PASCRELL, Mr. FRELINGHUYSEN, Mr. SMITH of New Jersey, Mr. MENENDEZ, Mr. OWENS, Mr. PLATTS, Mr. HOLT, Mr. MCNULTY, Mr. PALLONE, Mr. HINCHEY, and Mr. ISSA):

H.R. 2945. A bill to amend the Public Health Service Act to extend preventive-health and research programs with respect to prostate cancer; to the Committee on Energy and Commerce.

By Mrs. MALONEY (for herself and Ms. HART):

H.R. 2946. A bill to amend the Public Health Service Act and Employee Retirement Income Security Act of 1974 to require that group and individual health insurance coverage and group health plans provide coverage for qualified individuals for bone mass measurement (bone density testing) to prevent fractures associated with osteoporosis; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, 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.

By Ms. MILLENDER-MCDONALD:

H.R. 2947. A bill to amend the Elementary and Secondary Education Act of 1965 to authorize the use of funds for the inclusion in domestic violence education programs of information on legal rights available to teenage victims of dating violence; to the Committee on Education and the Workforce.

By Ms. MILLENDER-MCDONALD (for herself, Mr. OWENS, Mr. MOORE of Kansas, Mr. JEFFERSON, Mr. WEXLER, and Ms. WOOLSEY):

H.R. 2948. A bill to give States the flexibility to reduce bureaucracy by streamlining enrollment processes for the Medicaid and State children's health insurance programs through better linkages with programs providing nutrition and related assistance to low-income families; to the Committee on Energy and Commerce.

By Mr. GEORGE MILLER of California (for himself, Mr. KILDEE, Ms. PELOSI, Mr. OWENS, Mr. PAYNE, Ms. WOOLSEY, Mr. HINOJOSA, Mrs. MCCARTHY, Mr. TIERNEY, Mr. WU, Mr. KUCINICH, Mr. HOLT, Ms. MCCOLLUM of Minnesota, Mrs. DAVIS of California, Mr. DAVIS of Illinois, Mr. GRIJALVA, Mr. VAN HOLLEN, Mr. RYAN of Ohio, Mr. BISHOP of New York, Mr. BARROW, Mr. HIGGINS, Mr. DOGGETT, Ms. MATSUI, Ms. BALDWIN, Mr. MICHAUD, Mrs. JONES of Ohio, Mr. STARK, Mr. CONYERS, and Ms. SOLIS):

H.R. 2949. A bill to amend the Higher Education Act of 1965; to the Committee on Education and the Workforce.

By Mr. NEAL of Massachusetts:

H.R. 2950. A bill to amend the Internal Revenue Code of 1986 to provide a revenue-neutral simplification of the individual income tax; to the Committee on Ways and Means.

By Mr. POMEROY:

H.R. 2951. A bill to amend the Internal Revenue Code of 1986 to encourage guaranteed lifetime income payments by excluding from income a portion of such payments; to the Committee on Ways and Means.

By Mr. RYAN of Wisconsin (for himself and Mr. HERGER):

H.R. 2952. A bill to amend the Internal Revenue Code of 1986 with respect to the eligibility of veterans for mortgage bond financing, and for other purposes; to the Committee on Ways and Means.

By Mr. SCOTT of Georgia:

H.R. 2953. A bill to designate the building located at 493 Auburn Avenue, N.E., in Atlanta, Georgia, as the ''John Lewis Civil Rights Institute''; to the Committee on Resources.

By Mr. SESSIONS:

H.R. 2954. A bill to suspend temporarily the duty on manganese metal flake containing at least 99.5 percent by weight of manganese; to the Committee on Ways and Means.

By Mr. SMITH of Texas:

H.R. 2955. A bill to amend title 28, United States Code, to clarify that the Court of Appeals for the Federal Circuit has exclusive jurisdiction of appeals relating to patents, plant variety protection, or copyrights, and for other purposes; to the Committee on the Judiciary.

By Mr. STUPAK:

H.R. 2956. A bill to provide for the establishment of certain restrictions with respect to drugs containing isotretinoin (including the drug marketed as Accutane); to the Committee on Energy and Commerce.

By Mr. ABERCROMBIE (for himself, Mr. JONES of North Carolina, Mr. KUCINICH, Mr. PAUL, Mr. MEEHAN, Ms. WOOLSEY, and Ms. LEE):

H.J. Res. 55. A joint resolution requiring the President to develop and implement a plan for the withdrawal of United States Armed Forces from Iraq, and for other purposes; to the Committee on International Relations, 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.

By Mr. BROWN of Ohio (for himself and Mr. BILIRAKIS):

H. Con. Res. 179. Concurrent resolution expressing the sense of the Congress regarding bone marrow failure diseases; to the Committee on Energy and Commerce.

By Mr. HOYER (for himself, Mr. WELDON of Pennsylvania, Mr. ANDREWS, Mr. BOEHLERT, and Mr. THOMPSON of Mississippi):

H. Con. Res. 180. Concurrent resolution to support initiatives developed by the Firefighter Life Safety Summit and the mission of the National Fallen Firefighters Foundation and the United States Fire Administration to reduce firefighter fatalities and injuries, to encourage implementation of the new ''Everyone Goes Home'' campaign to make firefighter safety a national priority, and to support the goals of the national ''stand down'' called by fire organizations; to the Committee on Science.

By Mr. FOSSELLA (for himself, Mr. BILIRAKIS, Mrs. MALONEY, Mr. RYAN of Ohio, Mr. PETERSON of Minnesota, Mr. MCNULTY, Mr. ANDREWS, Mr. RANGEL, Mr. KUHL of New York, Mr. DAVIS of Illinois, Mr. ROTHMAN, Ms. WATSON, Mr. FRELINGHUYSEN, Mr. HOLT, Mr. MCGOVERN, Mr. PALLONE, Mr. LANTOS, Mr. SCOTT of Virginia, Mr. MENENDEZ, and Mr. MCCOTTER):

H. Res. 325. A resolution honoring the spiritual leadership of Archbishop Iakovos to Greek Orthodox Christians in the Western Hemisphere; to the Committee on Government Reform.

By Mr. GALLEGLY (for himself, Mr. WEXLER, and Mr. SMITH of New Jersey):

H. Res. 326. A resolution calling for free and fair parliamentary elections in the Republic of Azerbaijan; to the Committee on International Relations.

By Ms. LEE (for herself, Mr. LANTOS, Mr. PAYNE, Mr. GUTIERREZ, Ms. NORTON, Mr. CONYERS, Mr. OWENS, and Ms. JACKSON-LEE of Texas):

H. Res. 327. A resolution supporting the goals and ideals of National Passport Month; to the Committee on Government Reform.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 19: Mr. MCCAUL of Texas.

H.R. 21: Ms. SCHWARTZ of Pennsylvania and Mr. PLATTS.

H.R. 66: Mr. FITZPATRICK of Pennsylvania.

H.R. 70: Mr. TOM DAVIS of Virginia.

H.R. 75: Mr. BASS.

H.R. 97: Ms. SOLIS.

H.R. 98: Mr. COBLE.

H.R. 111: Mr. OLVER.

H.R. 128: Mr. ISRAEL and Mr. MILLER of Florida.

H.R. 147: Mr. BOOZMAN and Mr. FORBES.

H.R. 274: Mr. GERLACH and Mr. SOUDER.

H.R. 282: Mr. LUCAS, Mr. LEWIS of Kentucky, and Mrs. BLACKBURN.

H.R. 408: Mrs. CAPPS, Mrs. BONO, and Ms. ZOE LOFGREN of California.

H.R. 503: Mr. SCOTT of Virginia and Mr. BOEHLERT.

H.R. 515: Mr. GREEN of Wisconsin.

H.R. 517: Ms. WOOLSEY, Mr. HAYWORTH, Mr. MATHESON, Mr. TAYLOR of North Carolina, Mr. DANIEL E. LUNGREN of California, and Mrs. NAPOLITANO.

H.R. 559: Mr. BRADY of Pennsylvania.

H.R. 586: Mr. RENZI.

H.R. 602: Mr. AL GREEN of Texas, Mr. KENNEDY of Rhode Island, Mrs. JO ANN DAVIS of Virginia, and Mr. SOUDER.

H.R. 676: Ms. MCKINNEY.

H.R. 698: Mr. KUHL of New York and Mr. MARCHANT.

H.R. 752: Ms. ROYBAL-ALLARD, Mr. SPRATT, and Mr. ORTIZ.

H.R. 758: Mr. RYAN of Ohio and Mr. GRIJALVA.

H.R. 759: Mr. HINCHEY, Mr. SERRANO, Mr. RANGEL, Mr. FATTAH, Mr. CLAY, Ms. LEE, Mr. WEINER, and Mr. BISHOP of New York.

H.R. 791: Mrs. MALONEY, and Ms. WATSON.

H.R. 801: Mr. BOUCHER.

H.R. 809: Mr. HENSARLING, Mr. PRICE of Georgia, Mr. MCKEON, Mr. DOOLITTLE, and Mr. REICHERT.

H.R. 822: Mr. LEWIS of Georgia and Mr. CONYERS.

H.R. 827: Mr. ROTHMAN.

H.R. 846: Mrs. CAPPS.

H.R. 881: Mr. BISHOP of New York.

H.R. 910: Mr. WELLER, Mr. RYUN of Kansas, Mr. REYES, and Mr. RAHALL.

H.R. 916: Mr. STRICKLAND, Mr. FITZPATRICK of Pennsylvania, and Mr. NADLER.

H.R. 920: Mr. JONES of North Carolina, Mr. LATHAM, and Mr. FRANKS of Arizona.

H.R. 923: Mr. SOUDER.

H.R. 947: Mr. MILLER of Florida and Mr. JEFFERSON.

H.R. 953: Mr. BRADY of Pennsylvania.

H.R. 972: Mr. GRIJALVA.

H.R. 997: Mr. FEENEY.

H.R. 1002: Mr. LAHOOD, Mr. BACA, and Mr. MOORE of Kansas.

H.R. 1059: Mr. LYNCH.

H.R. 1078: Ms. SCHAKOWSKY.

H.R. 1106: Mr. BRADY of Pennsylvania and Mr. STUPAK.

H.R. 1149: Mr. SOUDER.

H.R. 1155: Ms. BERKLEY.

H.R. 1157: Mr. THOMPSON of California.

H.R. 1186: Mr. CANNON.

H.R. 1199: Mr. PASTOR.

H.R. 1204: Mr. HIGGINS, Mr. DAVIS of Tennessee, Ms. BERKLEY, and Mr. WATT.

H.R. 1214: Mr. LARSEN of Washington.

H.R. 1216: Mr. HIGGINS.

H.R. 1219: Mr. PRICE of Georgia.

H.R. 1288: Mr. HOEKSTRA, Mr. RENZI, Mr. PEARCE, Mr. FLAKE, Mr. HAYWORTH, Mr. GIBBONS, Mr. BISHOP of Utah, and Mr. ENGLISH of Pennsylvania.

H.R. 1295: Mr. BACA.

H.R. 1306: Mr. BUYER, Mr. SAXTON, and Mr. PICKERING.

H.R. 1313: Mr. GOODE, Ms. SCHWARTZ of Pennsylvania, and Mr. MARCHANT.

H.R. 1316: Mr. CARTER, Mr. BURTON of Indiana, and Mr. WILSON of South Carolina.

H.R. 1322: Mr. KENNEDY of Rhode Island.

H.R. 1402: Mr. MICHAUD, Mr. FORD, and Mr. BRADY of Pennsylvania.

H.R. 1417: Mr. MACK.

H.R. 1424: Mr. LEACH.

H.R. 1431: Ms. ZOE LOFGREN of California.

H.R. 1438: Ms. GINNY BROWN-WAITE of Florida.

H.R. 1471: Mr. BASS.

H.R. 1494: Mr. BOSWELL, Mr. WELDON of Pennsylvania, Mr. BOEHLERT, Mr. BISHOP of Georgia, Mr. RYAN of Ohio, Ms. BORDALLO, and Mr. UDALL of Colorado.

H.R. 1510: Mr. DAVIS of Kentucky.

H.R. 1517: Mrs. JO ANN DAVIS of Virginia, Mr. HAYWORTH, and Mrs. Drake.

H.R. 1526: Mr. NADLER and Ms. WOOLSEY.

H.R. 1540: Mr. ADERHOLT.

H.R. 1548: Mrs. JONES of Ohio, Mr. LEACH, and Mr. FORD.

H.R. 1566: Mr. DUNCAN.

H.R. 1582: Mr. HINCHEY.

H.R. 1588: Ms. HOOLEY and Mr. BRADY of Pennsylvania.

H.R. 1591: Mr. KILDEE, Mr. STUPAK, and Mr. HINCHEY.

H.R. 1600: Mr. MURTHA.

H.R. 1632: Mr. POMEROY and Mr. COOPER.

H.R. 1639: Mr. TIERNEY.

H.R. 1668: Mr. THOMPSON of Mississippi, Mr. PAYNE, and Mr. FRANK of Massachusetts.

H.R. 1671: Mr. SCHIFF.

H.R. 1672: Mr. PAYNE.

H.R. 1696: Mr. SNYDER.

H.R. 1736: Mr. HIGGINS, Ms. MCCOLLUM of Minnesota, and Mr. REICHERT.

H.R. 1749: Mr. LAHOOD and Mr. ETHERIDGE.

H.R. 1792: Mr. CLYBURN, Mr. CUMMINGS, Mr. DAVIS of Illinois, and Mr. PASCRELL.

H.R. 1793: Mr. SPRATT.

H.R. 1850: Mr. WAXMAN.

H.R. 1951: Mr. REYES, Mr. BARTLETT of Maryland, and Mr. PETERSON of Minnesota.

H.R. 2012: Ms. SCHAKOWSKY.

H.R. 2061: Mrs. MUSGRAVE, Mrs. DRAKE, Mr. LATHAM, Mr. TIAHRT, Mr. BOREN, Mr. MACK, Mr. ENGLISH of Pennsylvania, and Mr. BOUSTANY.

H.R. 2123: Ms. ROS-LEHTINEN.

H.R. 2188: Mr. CUMMINGS.

H.R. 2207: Mr. JEFFERSON and Mr. CONYERS.

H.R. 2216: Mrs. MUSGRAVE.

H.R. 2230: Mr. CAMP.

H.R. 2233: Mr. MENENDEZ, Mr. MCDERMOTT, and Mr. WEXLER.

H.R. 2234: Mr. TOM DAVIS of Virginia and Mr. ENGLISH of Pennsylvania.

H.R. 2317: Mr. ANDREWS, Mr. GRIJALVA, Mr. HASTINGS of Florida, Mr. JACKSON of Illinois, Mr. MEEKS of New York, Ms. MILLENDER-MCDONALD, Mr. PAYNE, Mr. ROTHMAN, Ms. LORETTA SANCHEZ of California, and Ms. WATERS.

H.R. 2327: Mr. KENNEDY of Rhode Island and Mr. CARNAHAN.

H.R. 2328: Ms. HERSETH.

H.R. 2335: Mr. ALEXANDER, Mr. WEXLER, Mr. FALEOMAVAEGA, and Mr. ROGERS of Kentucky.

H.R. 2389: Mr. JINDAL.

H.R. 2418: Mr. DAVIS of Illinois, Mr. FEENEY, Mr. BRADY of Pennsylvania, Ms. ZOE LOFGREN of California, Mr. CROWLEY, Mr. JOHNSON of Illinois, Mr. SCHIFF, and Mrs. BLACKBURN.

H.R. 2429: Mr. ISRAEL, Mr. PASTOR, and Mr. RUSH.

H.R. 2474: Mr. BURTON of Indiana and Mr. ISSA.

H.R. 2521: Mr. PUTNAM, Mr. PAYNE, and Ms. NORTON.

H.R. 2533: Mr. SKELTON, Mr. MCHUGH, and Mr. HINOJOSA.

H.R. 2562: Mr. SABO.

H.R. 2574: Mr. BLUNT.

H.R. 2616: Ms. LINDA T. SÁNCHEZ of California.

H.R. 2629: Mr. BRADY of Pennsylvania.

H.R. 2648: Mr. SOUDER and Mr. FOLEY.

H.R. 2692: Mr. ALLEN.

H.R. 2694: Mr. SCHIFF.

H.R. 2722: Mr. DOYLE.

H.R. 2794: Mrs. CUBIN, Ms. HERSETH, and Mr. MCNULTY.

H.R. 2804: Mr. BASS and Mr. ROGERS of Michigan.

H.R. 2830: Mr. SHAW and Mr. SESSIONS.

H.R. 2834: Mr. COOPER.

H.R. 2877: Mr. OWENS.

H.R. 2895: Mr. STARK.

H.R. 2899: Mrs. CUBIN.

H.R. 2927: Mr. CARNAHAN.

H.J. Res. 53: Mr. LUCAS, Mr. HEFLEY, Mr. CAMP, and Mr. EHLERS.

H. Con. Res. 40: Ms. HERSETH.

H. Con. Res. 55: Mr. COBLE, Mr. ALEXANDER, Mr. OWENS, Mr. CONAWAY, and Mr. SALAZAR.

H. Con. Res. 71: Mr. DAVIS of Illinois.

H. Con. Res. 90: Mr. KENNEDY of Rhode Island and Mr. BERMAN.

H. Con. Res. 123: Mr. FATTAH.

H. Con. Res. 128: Mr. WAXMAN.

H. Con. Res. 155: Mr. KING of New York, Ms. SLAUGHTER, and Mr. POMEROY.

H. Con. Res. 157: Mr. VAN HOLLEN, Mr. MILLER of Florida, Mr. ENGLISH of Pennsylvania, Ms. MILLENDER-MCDONALD, Mr. CUMMINGS, Mr. MURTHA, Mr. CHANDLER, Mr. MCGOVERN, Mr. HINCHEY, Mr. GOHMERT, Ms. HERSETH, Mr. SNYDER, Mr. BOEHLERT, and Mr. CONYERS.

H. Con. Res. 160: Mr. HOLT.

H. Con. Res. 172: Mr. MCNULTY, Mr. OWENS, Mr. BERMAN, Mr. RANGEL, and Mrs. MCCARTHY.

H. Res. 15: Mr. COOPER, Mr. WAMP, Mr. FORD, Mr. JENKINS, Mr. TANNER, Mr. DAVIS of Tennessee, Mr. GORDON, Mr. MCINTYRE, Mr. ORTIZ, and Mr. JEFFERSON.

H. Res. 67: Mr. SABO.

H. Res. 166: Mr. MEEHAN, Mr. KIRK, Mr. PAYNE, Mr. CONYERS, Mr. KILDEE, Mr. TOWNS, Mrs. LOWEY, Mr. MARIO DIAZ-BALART of Florida, Mr. ANDREWS, Mr. BERMAN, and Mr. HOLT.

H. Res. 215: Mr. MARCHANT.

H. Res. 220: Mr. COSTA, Mr. CASE, Mr. JOHNSON of Illinois, Mr. OTTER, Mrs. DAVIS of California, and Mr. PICKERING.

H. Res. 289: Mr. MCNULTY, Mr. OLVER, Mr. BISHOP of Georgia, Mr. ABERCROMBIE, Mr. CASE, Mr. SHIMKUS, Ms. ZOE LOFGREN of California, Mr. LAHOOD, and Mrs. DAVIS of California.

H. Res. 318: Mr. FEENEY.

H. Res. 323: Mr. VAN HOLLEN, Mr. SOUDER, Mr. MOORE of Kansas, Mr. WELDON of Pennsylvania, Mr. BOSWELL, and Mr. OWENS.

## PETITIONS, ETC.

Under clause 3 of rule XII,

22. The SPEAKER presented a petition of the Committee on European Affairs, Hungarian Parliament, relative to a Declaration regarding the imprisonment of medical staff in Libya; which was referred to the Committee on International Relations.

## AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2863

OFFERED BY: MR. DEAL OF GEORGIA

AMENDMENT NO. 12: At the end of the bill (before the short title), insert the following:

TITLE X—ADDITIONAL GENERAL PROVISIONS

SEC. 10001. None of the funds made available in this Act may be used for the Defense Prisoner of War/Missing Personnel Office of the Department of Defense until the Secretary of Defense submits to Congress a report assessing the level of cooperation and interaction of that Office with the National League of Families of American Prisoners and Missing in Southeast Asia and The Chosin Few (the organization of Korea/Cold War Families) and the members of those organizations, particularly with respect to compliance with chapter 76 of title 10, United States Code, and other applicable provisions of law.

H.R. 2863

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 13: Page 29, line 17, after the dollar amount, insert the following: ''(reduced by $500,000,000)''.

Page 102, line 24, after the dollar amount, insert the following: ''(increased by $500,000,000)''.

Page 112, line 4, after the dollar amount, insert the following: ''(increased by $500,000,000)''.