

the notice required by subsection (b), the Secretary of the Treasury shall dispose of all unused funds described in paragraph (2) as follows:

(A) By making additional payments pursuant to the Iraq claims program.

(B) By depositing in the Treasury of the United States as miscellaneous receipts any such funds that are not used for such additional payments.

(2) UNUSED FUNDS.—The unused funds referred to in paragraph (1) are—

(A) any remaining balance in the UN Commission Claims Funds or in the Iraq Claims Funds, including the amount of any unpaid certified claim under the Iraq claims program; and

(B) any remaining balance in any fund referred in section 3(b)(2) to the extent such balance reflects amounts deposited pursuant to that section.

**SEC. 9. DEFINITIONS.**

As used in this Act—

(1) the term "Government of Iraq" includes agencies, instrumentalities, and controlled entities (including public sector enterprises) of that government;

(2) the term "Executive agency" has the meaning given that term by section 105 of title 5, United States Code;

(3) the term "Iraq claims program" means the claims whose adjudication is provided for in this Act and any other claims that are within the jurisdiction of the United Nations Commission;

(4) the term "United Nations Commission" means United Nations Compensation Commission established pursuant to the United Nations Security Council Resolution 687 (1991); and

(5) the term "United States Commission" means the Foreign Claims Settlement Commission of the United States.

**SEC. 10. ADMISSION TO THE UNITED STATES AS REFUGEES OF INDIVIDUALS WHO SERVED IN THE ARMED FORCES OF IRAQ DURING THE PERSIAN GULF CONFLICT.**

(a) STATEMENT OF POLICY.—It is the sense of the Congress that individuals who have served in the armed forces of Iraq during the Persian Gulf conflict should not be admitted to the United States as refugees under the Immigration and Nationality Act except in exceptional circumstances until all claims under section 2(b) of this Act have been paid in full.

(b) PERSIAN GULF CONFLICT DEFINED.—For purposes of this section, the term "Persian Gulf conflict" means the period beginning on August 2, 1990, and ending on February 27, 1991.

**SEC. 11. HUMANITARIAN ASSISTANCE.**

(a) FINDINGS.—The Congress finds that—

(1) Saddam Hussein has been condemned by the international community for his unwillingness to take the steps necessary to provide for the basic humanitarian needs of the Iraqi people;

(2) dire shortages of food, medicine, and basic medical supplies (including insulin, anesthetics, and antibiotics) have resulted in a continuing humanitarian disaster in Iraq, including massive human suffering and the death of hundreds of thousands of innocent Iraqi civilians during the past 4 years;

(3) This humanitarian tragedy is occurring throughout Iraq;

(4) the United States has a long history of providing humanitarian assistance to alleviate human suffering in many parts of the world; and

(5) the United States Agency for International Development has the authority under chapter 9 of part I of the Foreign Assistance Act of 1961 (relating to international disaster assistance) and other provisions of law to provide assistance to address humanitarian needs throughout Iraq.

(b) STATEMENT OF CONGRESSIONAL POLICY.—It is the sense of the Congress that—

(1) the United States should immediately provide additional humanitarian assistance, particularly medicine and medical supplies, to alleviate the humanitarian disaster throughout Iraq;

(2) such assistance should be provided through independent nongovernmental organizations and through international organizations so that this desperately needed assistance can reach all areas of need, in particular those outside the United Nations protected areas; and

(3) the costs of such assistance should be reimbursed from any available Iraqi resources, including the Iraqi assets that have been blocked pursuant to the International Emergency Economic Powers Act so long as such reimbursement does not reduce the amount paid on those priority claims of members of the United States Armed Forces and other described in section 2(d) of this Act and does not delay payment on those claims.

**SEC. 12. PROSECUTION OF SADDAM HUSSEIN AND OTHER MEMBERS OF THE IRAQI GOVERNMENT FOR WAR CRIMES.**

(a) FINDINGS.—The Congress finds that—

(1) as ordered by Saddam Hussein, Iraq engaged in unprovoked aggression in its conquest and occupation of Kuwait;

(2) the Iraqi occupation force treated Kuwaiti citizens barbarously;

(3) Saddam Hussein used American and European civilians as "human shields" in an attempt to protect strategic facilities throughout Iraq and directed that captured American and allied prisoners of war be used for the same purposes;

(4) Saddam Hussein ordered his military to launch missile attacks against innocent civilians in Israel and Saudi Arabia; and

(5) former President Bush and President Clinton rightly warned Saddam Hussein and Iraqi Government officials that they would be held responsible for any abuses they have caused.

(b) ESTABLISHMENT OF TRIBUNAL.—The Congress urges the President to request the United Nations to establish a tribunal to charge Saddam Hussein and other responsible Iraqi Government officials for war crimes, acts of aggression, and crimes against humanity they have committed.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. MANZULLO moved to recommit the bill to the Committee on Foreign Affairs with instructions to report the bill back to the House forthwith with the following amendment:

Strike section 10(a) and insert the following:

"(a) Notwithstanding any other provision of the law, individuals who have served in the armed forces of Iraq during the Persian Gulf conflict may not be admitted to the United States as refugees under the Immigration and Nationality Act."

Pending consideration of said motion to recommit with instructions,

¶40.8 POINT OF ORDER

Mr. HAMILTON made a point of order against the motion to recommit with instructions, and said:

"Mr. Speaker, I object to the motion to recommit and make a point of order against it.

"Mr. Speaker, I think the motion to recommit is not germane, because as I

understand it, and I have not had the opportunity to see it, but I was trying to listen very carefully. As I understand it, it tries to change the basic immigration law that is the law of the land. I therefore think it should be subject to a point of order as not germane."

Mr. GILMAN was recognized to speak to the point of order and said:

"Mr. Speaker, I join with the distinguished chairman of the Committee in raising the issue that this is a non-germane amendment."

Mr. MANZULLO was recognized to speak to the point of order and said:

"Mr. Speaker, under these very exceptional circumstances as to this rough language that was found in this bill as brought to the house by the gentleman from Pennsylvania, I think it would be in the best order and in the best interests of the American public to defeat this bill in final passage and sent it back to the full Committee on Foreign Affairs to redo the language."

The SPEAKER pro tempore, Mr. KLECZKA, sustained the point of order, and said:

"The gentleman from Indiana [Mr. HAMILTON] makes a point of order that the amendment contained in the motion to recommit with instructions is not germane. The test of germaneness in this situation is to measure the amendment against the bill in its perfected form. The bill, as amended, appears to confine changes in law to those within the jurisdiction of the Committee on Foreign Affairs.

"While section 10 does express the sense of Congress relating to Iraqi refugees, the bill does not change the Immigration and Nationality Act, other laws relating to admission of refugees, or contain other matter within the jurisdiction of the Committee on the Judiciary.

"Since the amendment would change immigration law and the bill would not, the Chair sustains the point of order."

Mr. MANZULLO moved to recommit the bill to the Committee on Foreign Affairs with instructions to report the bill back to the House forthwith with the following amendment:

Strike section 10(a) and insert the following:

**SEC. 10. ADMISSION TO THE UNITED STATES AS REFUGEES OF INDIVIDUALS WHO SERVED IN THE ARMED FORCES OF IRAQ DURING THE PERSIAN GULF CONFLICT.**

(a) STATEMENT OF POLICY.—It is the sense of the Congress that individuals who have served in the armed forces of Iraq during the Persian Gulf conflict should not be admitted to the United States as refugees under the Immigration and Nationality Act except in exceptional circumstances.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, *viva voce*,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. KLECZKA, announced that the yeas had it.

So the motion to recommit with instructions was agreed to.

Mr. HAMILTON, by direction of the Committee on Foreign Affairs and pursuant to the foregoing order of the House reported the bill back to the House with said amendment.

The question being put, *viva voce*,

Will the House agree to said amendment?

The SPEAKER pro tempore, Mr. KLECZKA, announced that the yeas had it.

So the amendment was agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, *viva voce*,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. KLECZKA, announced that the yeas had it.

Mr. KANJORSKI demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative

Yeas .....	398
Nays .....	5

¶40.9 [Roll No. 146]  
YEAS—398

Abercrombie	Cantwell	Farr
Ackerman	Cardin	Fawell
Allard	Carr	Fazio
Andrews (ME)	Castle	Fields (LA)
Andrews (NJ)	Chapman	Fields (TX)
Andrews (TX)	Clayton	Fingerhut
Applegate	Clement	Fish
Archer	Clinger	Flake
Armey	Clyburn	Foglietta
Bacchus (FL)	Coble	Fowler
Bachus (AL)	Coleman	Frank (MA)
Baesler	Collins (GA)	Franks (CT)
Baker (CA)	Collins (IL)	Franks (NJ)
Baker (LA)	Collins (MI)	Furse
Ballenger	Combest	Galleghy
Barca	Conyers	Gallo
Barcia	Cooper	Gejdenson
Barrett (NE)	Coppersmith	Gekas
Barrett (WI)	Costello	Gephardt
Bartlett	Cox	Geren
Barton	Coyne	Gibbons
Bateman	Cramer	Gilchrest
Becerra	Crane	Gillmor
Beilenson	Crapo	Gilman
Bentley	Cunningham	Gingrich
Bereuter	Danner	Glickman
Berman	Darden	Gonzalez
Bevill	de la Garza	Goodling
Bilbray	Deal	Goss
Bilirakis	DeLay	Grams
Bishop	Dellums	Green
Blackwell	Deutsch	Greenwood
Bliley	Diaz-Balart	Gunderson
Blute	Dickey	Gutierrez
Boehlert	Dicks	Hall (OH)
Boehner	Dingell	Hall (TX)
Bonilla	Dixon	Hamburg
Bonior	Dooley	Hamilton
Borski	Doolittle	Hancock
Boucher	Dornan	Hansen
Brewster	Dreier	Harman
Brooks	Duncan	Hastert
Browder	Dunn	Hastings
Brown (CA)	Durbin	Hayes
Brown (FL)	Edwards (CA)	Hefley
Brown (OH)	Edwards (TX)	Hefner
Bunning	Ehlers	Hergert
Burton	Emerson	Hilliard
Buyer	Engel	Hinchev
Byrne	Eshoo	Hoagland
Callahan	Evans	Hobson
Camp	Everett	Hochbrueckner
Canady	Ewing	Hoekstra

Hoke	Meek	Schenk
Horn	Menendez	Schiff
Houghton	Meyers	Schroeder
Hoyer	Mfume	Schumer
Hughes	Mica	Scott
Hunter	Michel	Sensenbrenner
Hutchinson	Miller (CA)	Serrano
Hutto	Miller (FL)	Sharp
Hyde	Mineta	Shaw
Inglis	Minge	Shays
Inhofe	Mink	Shepherd
Inslee	Moakley	Shuster
Jacobs	Molinari	Sisisky
Jefferson	Mollohan	Skaggs
Johnson (CT)	Montgomery	Skeen
Johnson (GA)	Moorhead	Skelton
Johnson (SD)	Moran	Slaughter
Johnson, E.B.	Morella	Smith (IA)
Johnson, Sam	Myers	Smith (MI)
Johnston	Nadler	Smith (NJ)
Kaptur	Neal (MA)	Smith (OR)
Kasich	Neal (NC)	Smith (TX)
Kennedy	Nussle	Snowe
Kennelly	Oberstar	Solomon
Kildee	Obey	Spence
Kim	Olver	Spratt
King	Ortiz	Stark
Kingston	Orton	Stearns
Kleczka	Owens	Stenholm
Klein	Oxley	Strickland
Klug	Packard	Studds
Knollenberg	Pallone	Stump
Kolbe	Parker	Stupak
Kopetski	Pastor	Sundquist
Kreidler	Paxon	Sweet
LaFalce	Payne (NJ)	Swift
Lambert	Payne (VA)	Synar
Lancaster	Penny	Talent
Lantos	Peterson (FL)	Tanner
LaRocco	Peterson (MN)	Tauzin
Laughlin	Petri	Taylor (MS)
Lazio	Pickett	Taylor (NC)
Leach	Pickle	Tejeda
Lehman	Pombo	Thomas (CA)
Levin	Pomeroy	Thomas (WY)
Levy	Porter	Thompson
Lewis (CA)	Portman	Thornton
Lewis (FL)	Poshard	Thurman
Lewis (GA)	Price (NC)	Torkildsen
Lightfoot	Pryce (OH)	Torres
Linder	Quillen	Torricelli
Lipinski	Rahall	Towns
Livingston	Ramstad	Traficant
Long	Rangel	Tucker
Lowe	Ravenel	Unsoeld
Machtley	Reed	Upton
Maloney	Regula	Valentine
Mann	Reynolds	Velazquez
Manton	Richardson	Vento
Manzullo	Ridge	Visclosky
Margolies-	Roberts	Walker
Mezvinsky	Roemer	Walsh
Markey	Rogers	Walters
Martinez	Rohrabacher	Watt
Matsui	Ros-Lehtinen	Waxman
Mazzoli	Rose	Weldon
McCandless	Rostenkowski	Wheat
McCloskey	Roth	Whitten
McCollum	Roukema	Williams
McCrary	Rowland	Wilson
McCurdy	Roybal-Allard	Wise
McDade	Royce	Wolf
McDermott	Sabo	Woolsey
McHugh	Sanders	Wyden
McInnis	Sangmeister	Wynn
McKeon	Santorum	Yates
McKinney	Sarpalius	Young (AK)
McMillan	Sawyer	Young (FL)
McNulty	Saxton	Zeliff
Meehan	Schaefer	Zimmer

NAYS—5

Filner	Kanjorski	McHale
Holden	Klink	
Barlow	Ford (TN)	Murtha
Bryant	Frost	Pelosi
Calvert	Goodlatte	Quinn
Clay	Gordon	Rush
Condit	Grandy	Slattery
DeFazio	Huffington	Stokes
DeLauro	Istook	Volkmer
Derrick	Kyl	Vucanovich
Lloyd	Lloyd	Washington
Murphy	Murphy	

NOT VOTING—29

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶40.10 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. HAMILTON, by unanimous consent,

*Ordered*, That in the engrossment of the foregoing bill, the Clerk be authorized to change "1993" to "1994" in section 1 of the bill, to correct duplicative section numbers of sections added to the bill during the amendment process, and to make such other technical corrections as may be necessary.

¶40.11 HEAD START AND COMMUNITY SERVICES

On motion of Mr. ARMEY, by unanimous consent, it was ordered that the ordering of the yeas and nays be vacated on the motion to suspend the rules and pass the bill (H.R. 4250) to authorize appropriations for fiscal years 1995 through 1998 to carry out the Head Start Act and the Community Services Block Grant Act, and for other purposes.

¶40.12 STATE DEPARTMENT AUTHORIZATION

Mr. HAMILTON, pursuant to the order of the House of April 25, 1994, called up the following conference report (Rept. No. 103-482):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2333), to authorize appropriations for the Department of State, the United States Information Agency, and related agencies, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Foreign Relations Authorization Act, Fiscal Years 1994 and 1995".

**SEC. 2. TABLE OF CONTENTS.**

The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.

**TITLE I—DEPARTMENT OF STATE AND RELATED AGENCIES**

**Part A—Authorization of Appropriations**

- Sec. 101. Administration of foreign affairs.
- Sec. 102. International organizations, programs, and conferences.
- Sec. 103. International commissions.
- Sec. 104. Migration and refugee assistance.
- Sec. 105. Other programs.
- Sec. 106. United States Arms Control and Disarmament Agency.

**Part B—Authorities and Activities**

- Sec. 121. Authorized strength of the Foreign Service.
- Sec. 122. Transfers and reprogrammings.
- Sec. 123. Expenses relating to certain international claims and proceedings.
- Sec. 124. Child care facilities at certain posts abroad.

So the bill was passed.