

**H.R. 3378, H.R. 4673, S. 484, H. RES. 547,
H. CON. RES. 242, H. J. RES. 100, H.R.
1064, H. RES. 451, H. CON. RES. 257, AND
S. 2460**

MARKUP
BEFORE THE
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INTERNATIONAL RELATIONS
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THURSDAY, SEPTEMBER 7, 2000

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Committee met, pursuant to notice, at 10:15 a.m. in room 2172, Rayburn House Office Building, Hon. Benjamin A. Gilman (Chairman of the Committee) presiding.

Chairman GILMAN. The Committee on International Relations meets today in open session, pursuant to notice, to take up a number of legislative items.

H.R. 3378—RIVER AND OCEAN POLLUTION IN THE SAN DIEGO AREA

We will first consider H.R. 3378, relating to river and ocean pollution in the San Diego area.

[The bill appears in the appendix.]

Chairman GILMAN. This bill was referred by the Speaker to the Committee on Transportation and Infrastructure in addition to the Committee on International Relations, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

The bill was introduced by Mr. Bilbray and Mr. Filner.

The Chair lays the bill before the Committee. The clerk will report the title of the bill.

Ms. BLOOMER. "H.R. 3378, a bill to authorize certain actions to address the comprehensive treatment of sewage emanating from the Tijuana River in order to substantially reduce river and ocean pollution in the San Diego border region."

Chairman GILMAN. Without objection the first reading of the bill is dispensed with. The clerk will read the bill for amendment.

Ms. BLOOMER. "Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, section 1—"

Chairman GILMAN. The bill is considered as having been read. Mr. Rohrabacher is recognized.

Mr. ROHRABACHER. I have an amendment at the desk.

[The amendment appears in the appendix.]

Chairman GILMAN. Is that in the nature of a substitute?

Mr. ROHRABACHER. It is.

Chairman GILMAN. The clerk will report the amendment which is on the desks of the Members.

Ms. BLOOMER. Amendment in the nature of a substitute offered by Mr. Rohrabacher. "Strike all after the enacting clause and insert the following: Section 1. Short title. This act may be cited as the 'Tijuana River——'"

Chairman GILMAN. I ask unanimous consent that the amendment in the nature of substitute be considered as having been read and as open for amendment at any point. Without objection it is so ordered.

Who seeks recognition? Mr. Rohrabacher.

Mr. ROHRABACHER. I would just say that the substitute I am offering changes one particular part of the bill, makes this more practical and permits the purpose of the bill, which is to protect American citizens along the border from the sewage threat—permits the whole plant to function better. Because of a glitch, the bill had been written in a way that it would have actually been very difficult for us to have contract with the companies that were necessary to get the job done. I believe that the changes that we have made here are very inconsequential.

Thank you.

Chairman GILMAN. Thank you, Mr. Rohrabacher. I see that we have the gentleman from California, Mr. Filner, one of the sponsors of the measure. I recognize Mr. Filner on the amendment.

Mr. FILNER. I thank the Chairman and Ranking Member for your courtesy, for allowing me to be here today, and for acting so expeditiously on this bill and for my colleague from California for offering the substitute.

Mr. Bilbray and I have introduced this jointly. There are no two people in Congress who could say that 50 million gallons of raw sewage flows through their districts. That is sewage that comes from Tijuana, Mexico, which unfortunately has only plumbing facilities for half of its population. San Diego gets the raw sewage in the river valley which flows north into the Pacific Ocean.

So we have been working on this for almost 20 years, Mr. Bilbray and I—he as a county supervisor, myself as a city councilman. We think we have before you a solution that will finally solve the problem. It is a win-win-win-win-win kind of legislation. It is a win for the health of American citizens who are threatened by the raw sewage; it is a win for the taxpayers of this country, who will pay, I am convinced, a reduced cost because of the private public partnership involved here; it is a win for the Mexican people, who will get recycled sewage in the form of water that will help them in agriculture and commercial areas; and it is a win for a regional environment because we will solve the problem that has been with us for 50 years.

Again, I thank you for taking this up so expeditiously. I thank you for relying on the expertise of Mr. Bilbray and myself on this and look forward to, finally after 50 years, the cleanup of the border environment that has been so harmful to both countries.

Chairman GILMAN. I thank the gentleman from California. I want to commend Representative Brian Bilbray and Representative Bob Filner of California for introducing this important legislation and for Mr. Rohrabacher's interest, in addition to the work on this measure.

The San Diego border region is afflicted by an ongoing serious problem of sewage-tainted water from the city of Tijuana in Mexico flowing down the Tijuana River contaminating U.S. seashores and the Tijuana National Estuary Wildlife Preserve. Ocean currents carry the contamination to the Imperial Beach, Coronado and San Diego area. Our International Relations Committee has previously gone on record expressing our concern over this issue.

In 1989 this Committee approved H. Con. Res. 331, expressing the sense of Congress concerning the inadequacy of sewage infrastructure facilities in Tijuana, Mexico. This is a problem that our Nation and Mexico must work together to jointly solve. To date, our Nation has provided the lion's share of infrastructure to address the problem, to take action to comprehensively address the treatment of sewage emanating from the Tijuana River area, Mexico. Subject to treaty negotiations the bill provides authority to the International Boundary Commission to provide for the secondary treatment of up to 50 million gallons a day of sewage at a proposed public-private facility that is located in Mexico.

I want to thank our Ranking Democratic Member, Mr. Gejdenson, for his help in the legislation. I urge our colleagues to join in supporting this bipartisan initiative.

Chairman GILMAN. Are there any amendments to the amendment in nature of a substitute? Are there any other Members seeking to make any comments?

If there are no amendments, without objection, the previous question is ordered on the amendment in the nature of a substitute.

Without objection, the amendment in the nature of a substitute is agreed to.

Mr. FILNER. All of us in San Diego thank the Chair and thank the Committee.

Chairman GILMAN. Counsel informs me that we need a quorum before we can complete our consideration of the bill. The bill will be temporarily set aside until the quorum appears; without objection, we will now move on to the next measure.

H.R. 4673—USE OF COOPERATIVES AND CREDIT UNIONS IN INTERNATIONAL ECONOMIC DEVELOPMENT

We will now consider H.R. 4673 to assist in international economic development, utilizing cooperatives and credit unions. This bill was introduced by the distinguished vice Chairman of the Committee, the gentleman from Nebraska, Mr. Bereuter.

The Chair lays the bill before the Committee.

[The bill appears in the appendix.]

Chairman GILMAN. The clerk will report the title of the bill.

Ms. BLOOMER. "H.R. 4673, a bill to assist in the enhancement of the development and expansion of international economic assistance programs that utilize cooperatives and credit unions, and for other purposes."

Chairman GILMAN. Without objection, the first reading of the bill is dispensed with. The clerk will read the bill for amendment.

Ms. BLOOMER. "Be it enacted by the Senate and House of Representatives in Congress assembled, Section 1. Short Title——"

Chairman GILMAN. Without objection, the bill is considered as having been read and is open to amendment at any point.

I now recognize Mr. Bereuter on the bill.

Mr. BEREUTER. Thank you, Mr. Chairman. I want to express the reasons for my strong support in initiation of this legislation. Indeed, our distinguished Committee colleague from North Dakota, Mr. Pomeroy, and I introduced this bill to recognize the importance and strengthen the support for cooperatives as international development tools.

I would also like to thank the distinguished gentleman from Connecticut, the Ranking Member of the Committee, Mr. Gejdenson; the distinguished gentleman from California, Ranking Member of the Subcommittee on Asia and the Pacific, Mr. Lantos, and the distinguished gentleman from Ohio, Mr. Gillmor, for their cosponsorship of this measure and the Chairman for permitting us to expedite it.

The legislation enhances language currently within Section 111 of the Foreign Assistance Act, which authorizes the use of cooperatives in international development programs. Specifically, this bill will give priority to funding overseas cooperatives working in the following fields: agriculture, financial systems, rural electric and telecommunications infrastructure, housing and health. Importantly, H.R. 4673 does not provide for additional appropriations; and while the Administration does not routinely take a position on such matters, the Agency for International Development has not raised any objections to H.R. 4673 and I think looks kindly upon it.

As you may know, cooperatives are voluntary organizations formed to share the mutual economic and self-help interest of their members. In the United States, cooperatives have existed of course for many years and in many forms, including agriculturally based cooperatives, electrical cooperatives and credit unions. The common thread among all cooperatives is that they allow their members who, for a variety of reasons, might not otherwise be served by traditional institutions to mobilize resources available to them and to reap the benefits of association.

Since the 1960's, overseas cooperative projects have proven successful in providing compassionate assistance to low-income people in developing and transitional countries. Today, people in 60 countries are benefiting from U.S. cooperatives working abroad through projects which can be completed at very little cost to the U.S. taxpayer, if any cost at all. The low costs are possible because money used for the projects is spent on technical and managerial expertise, not on extensive bureaucracy and direct foreign assistance payments.

The benefits of cooperatives as a development tool are, I think, numerous. But let me mention examples of the economic and democratic results of fostering cooperatives overseas. Building economic infrastructure is a key role of course of overseas development cooperatives. Through representatives from U.S. cooperatives, people who have traditionally been underserved in their country, especially those in rural areas and especially women, receive technical training never before available to them. Such training in accounting, marketing, entrepreneurship and strategic planning purposes

prepare them to effectively compete for the first time in their country's economy.

For example, agricultural cooperatives in El Salvador helped to rebuild the once war-ravaged country by providing a venue for farmers to pool their scarce resources and scarce experience in capitalism so that they can market and sell the fruits and vegetables that they grow.

In rural Macedonia, a small country whose neighbors are immersed in ethnic conflict, credit unions providing their members a way to build lines of credit and savings for the future are an important and new institutional arrangement.

In rural Bangladesh during the early 1990's, cooperative members bought equipment for an electrical project which now supplies 5 million people with electric power.

Cooperatives lay the foundation for future economic stability. When reviewing the impact of overseas cooperatives, one simply can't ignore the impact they have on assisting people in transitional countries to build democratic habits and traditions. In forming cooperatives, people who have had no previous experience with democracy create an opportunity to routinely vote for leadership, to set goals, to write policies and to implement those policies. Cooperative members learn to expect results from those decisions and that their decisions can and do in fact have an impact on their lives.

I would like to thank the Overseas Cooperative Development Council [OCDC] for its contributions to this measure. The OCDC represents eight cooperative development organizations which have been active in building cooperatives worldwide. The Credit Union National Association [CUNA] has also been very supportive of this legislation and is a member of the World Council of Credit Unions. CUNA has contributed technical assistance to aid the growth of credit unions in key transitional countries, such as the former Yugoslavia, the Republic of Macedonia and Bolivia.

Again, overseas cooperative projects are simply a good investment toward building economic stability and democratic habits in developing countries. I urge the Committee to support H.R. 4673, and particularly again want to thank my colleague from North Dakota, Mr. Pomeroy, for his interest, his active support, and his initiatives and ideas in this legislation.

Chairman GILMAN. Thank you, Mr. Bereuter.

Any other Members seeking recognition? Mr. Faleomavaega.

Mr. FALEOMAVAEGA. Mr. Chairman, I support the gentleman's legislation. I commend him for that. But for purposes of better understanding for this Member, I want to ask the gentleman a question if I might.

I wanted to ask Mr. Bereuter, how does this cooperative program contrast or appear different from the OPIC program that we currently have in giving assistance to companies from the United States that make investments in foreign countries? Is there a connection between the cooperatives in connection with the current operations of the OPIC?

Mr. BEREUTER. If the gentleman would yield for response, I would say there is only a potential complementary relationship. OPIC does provide some additional financial resources, but what this does is provide the technical assistance through USAID to help

through the American cooperative effort these credit unions and these cooperatives working on infrastructure and marketing. It will also help them during the elementary stages of their existence. So this is really a technical assistance.

But the other OPIC program does indeed provide some of the financial resources that they could use. That is my understanding, Mr. Faleomavaega.

Mr. FALEOMAVAEGA. I thank the gentleman for his response. Again, I fully support the gentleman's proposed bill.

Chairman GILMAN. Thank you. If no other Member is seeking recognition, I will take a few moments.

H.R. 4673 is a bill introduced by our Committee Members—Mr. Bereuter, the gentleman from Nebraska, and cosponsored by Mr. Pomeroy, the gentleman from North Dakota—and serves to enhance and expand international economic assistance programs that utilize co-ops and credit unions. This bill encourages the formation of credit unions and grass-roots financial institutions as a way to promote democratic decisionmaking, while concurrently fostering free market principles and self-help approaches to development in some of the world's poorest and neediest nations.

The bill's purpose is multifaceted, encouraging the creation of agricultural and urban cooperatives in the telecommunications and housing fields as well as the establishment of base-level credit unions. By doing so, the bill also promotes the adoption of international cooperative principles and practices in our foreign assistance programs and encourages the incorporation of market-oriented applications in those programs.

By ensuring that small businessmen and women, as well as small-scale farmers have access to credit and also a stake in their own financial institutions, our nation will foster the key values of self-reliance, community participation, and democratic decision-making in programs that directly affect their lives.

The bill amends Section 111 of the Foreign Assistance Act of 1961, the section of the act that concerns the development and promotion of cooperatives by adding specific language that promotes agricultural cooperatives, the establishment of credit and telecommunications and housing cooperatives. The bill also lists these increasingly critical areas of development as priorities for foreign assistance programs and requires the administrator of the Agency for International Development to prepare and submit a report to the Congress on the implementation of Section 111 of the Foreign Assistance Act of 1961.

I commend my colleagues for drafting this bill, that also strengthens the intent and spirit of H.R. 1143, the Microenterprize for Self-Reliance Act of 1999 that our International Relations Committee reported and the House passed last year. Although strides have been made to increase access to credit for those who need it most, it is clear to me that much more needs to be done to enhance microcredit institutions and credit unions, as well as agricultural cooperatives in the developing world, to ensure that sound fiscal practices will be applied in both rural and urban areas in the world's poorest countries. Accordingly, I commend the bill's sponsors once again for their efforts to promote the formation of more and better-managed cooperatives, as well as the establishment of

credit unions that are managed by the poor themselves, addressing agricultural, housing and health care needs.

Does any other Member seek recognition? Are there any amendments to the bill?

If there are no further comments, without objection the previous question is ordered on the bill.

The gentleman from Nebraska, Mr. Bereuter, is recognized to offer a motion.

Mr. BEREUTER. Mr. Chairman, I thank you for your supportive statement. I move that the Chairman be requested to seek consideration of the pending bill on the suspension calendar.

Chairman GILMAN. The question is now on the motion of the gentleman from Nebraska. Those in favor of the motion, signify by saying aye.

Those opposed say no.

The ayes have it. The motion is agreed to.

Without objection, the Chair or his designee is authorized to make motions under Rule 20 with respect to conference on the bill or a counterpart from the Senate.

DISCUSSION ON THE SITUATION IN SOUTHEAST ASIA

Mr. BEREUTER. I would ask unanimous consent to address the Committee for 1 minute.

Chairman GILMAN. Without objection, the gentleman is recognized.

Mr. BEREUTER. Thank you, Mr. Chairman.

In light of the fact that we have a number of Members here, I did want to update the Members very briefly on our intent with respect to a couple of things happening in Southeast Asia. Already, before we adjourned, we had announced our intention to hold a markup on John Porter's legislation that relates to Burma. In light of very unfortunate developments, to say the least, in Burma, we are updating that legislation; but we intend to proceed with a markup on what should be a bipartisanly-supported bill with respect to Burma on September 13, in time for Full Committee action that week.

Second, I wanted to mention that we had a bipartisan staff CODEL visit to parts of Southeast Asia during the recess, including West Timor where really tragic things have happened in the last few days. I am drafting a resolution on which we will work with Republican and Democratic Members, so that we will have something ready to address this issue perhaps as early as next week as well. I just wanted to advise the Members we are not ignoring what is happening in that area. We will be taking some action, certainly by next week.

Thank you, Mr. Chairman.

Chairman GILMAN. Ms. McKinney.

Ms. MCKINNEY. May I ask Mr. Bereuter a question?

On the West Timor legislation, will you be addressing West Timor or will you be addressing Indonesia and perhaps requesting sanctions against Indonesia?

Mr. BEREUTER. On the latter part of your question, we certainly do not know at this point, but of course we will be addressing West Timor—West Timor being a part of Indonesia. We inherently are

going to be addressing the difficulties that exist in that government controlling violence against international observers and the residents of East Timor that are still refugees in West Timor.

Ms. MCKINNEY. Particularly I was thinking about the military relationship that this Administration has just renewed with Indonesia.

Mr. BEREUTER. That is something that we are going to be looking at. What we of course want to do is something that is productive and not counterproductive. I think the fact that the Millennium Summit is taking place, where President Wahid will be in attendance, may have been a factor in the violence itself. I hope that is not the case, but it may be the fact.

So I appreciate your interest, and we will be happy to of course work with you if you would like.

Chairman GILMAN. Mr. Faleomavaega.

Mr. FALEOMAVAEGA. I want to commend the gentleman for taking a delegation recently to that part of the world. I apologize. I would have loved to have been part of that delegation.

In reference to the current crisis in West Timor, I just wanted to ask did the gentleman also visit West Papua, New Guinea, in his visit to Indonesia?

Mr. BEREUTER. Just to clarify, it was a staff bipartisan delegation that visited. This Member and other Members did not visit during the recess as far as I am aware.

Chairman GILMAN. Thank you.

S. 484—THE BRING THEM HOME ALIVE ACT

The Committee will now consider Senate bill 484, the Bring Them Home Alive Act of 2000.

This bill was introduced in the other body by Senator Campbell, where it was passed on May 24, 2000. The bill was referred by the Speaker to the Committee on the Judiciary and in addition to the Committee on International Relations “in each case for consideration of such provisions as fall within the jurisdiction the committee concerned.”

The Chair lays the bill before the Committee.

[The bill appears in the appendix.]

The clerk will report the title.

Ms. BLOOMER. “S. 484, to provide for the granting of refugee status in the United States to nationals of certain foreign countries in which American Vietnam War POW/MIAs or American Korean War POW/MIAs may be present, if those nationals assist in the return to the United States of those POW/MIAs alive.”

Chairman GILMAN. Without objection, the first reading of bill is dispensed with. The clerk will read the bill for amendment.

Ms. BLOOMER. “Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled—”

Chairman GILMAN. Without objection, the bill is considered as having been read and is open to amendment at any point.

Is any Member seeking recognition? Mr. Rohrabacher.

Mr. ROHRABACHER. I rise in strong support of this legislation. Senator Campbell, as we all know, is a Korean War veteran and

a former Member of this House and now a Member of the Senate, a good friend of all of ours who feels very strongly about this issue.

I would like to remind my colleagues that there is a million dollar reward that is still outstanding for anyone who would help us overseas in retrieving an American POW from Southeast Asia. This bill would add to that some sort of protection for anyone, if there is an American POW still alive in Southeast Asia, that would provide that a foreign national in Vietnam or in Laos or in other countries would be able to come to the United States and enjoy that reward, if indeed an American POW is delivered to us.

There is reason for us to take this issue seriously. I know that many people would like to think that this is fantasizable, but it is not. From the very beginning I remember as a young reporter interviewing Richard Nixon the day after an announcement was made that people would be coming home; and I asked him, as a young reporter out in California, why he felt they were going to get everybody back. His answer was not clear to me then, and after everyone came home, there were lists of people who could justifiably have been last seen alive in enemy hands. President Nixon's explanation did not seem to hold water with me then. Over the years I have spent time in Southeast Asia—and I did spend time in Southeast Asia in 1967, as well—and Vietnam. It didn't seem that with the war going on in Vietnam, the war still going on in Laos, the war going on in Cambodia, I didn't understand how the North Vietnamese were going to give everybody back. So it is possible that they held people behind.

We know now that not one American POW who was returned was ever interrogated by a Russian, for example, which leads us to believe that there was a two-tier system, a prison system. Pete Peterson himself, our former colleague, now Ambassador to Vietnam, talked to me just after the floor debate last month about this issue and admitted to me that he was wrong when he told Members of the House that all the records from American prisons had been given. In fact, he was wrong and the Vietnamese have never given us the records for the prisons in Vietnam where American POWs were held. That is one way we could verify how many prisoners they had.

Last, let me just say that I worked in the White House for 7 years and the very last conversation that I had with President Reagan in the White House concerned American POWs in Southeast Asia. President Reagan personally verified for me that he had been notified as President of the United States that American POWs were still alive in Southeast Asia, but he was told that they were now married to local women, had local families, and didn't want to come home. Unfortunately, I didn't have time—that was my last day at the White House—to followup on that. But I would certainly like to know who talked to those American POWs and determined that they didn't want to come home.

So there is been a lot of murky activity on the part of our government and our military, and especially the communist governments in Southeast Asia on this issue. It deserves our putting a message out, which this bill does say, that anyone, a government official or nongovernment official, who could help us get back one of those people who Ronald Reagan was talking about or a prisoner of war

who has been kept there all these years, would find refuge in the United States and could enjoy the reward that is being offered in the private sector.

So I would say to my colleagues that we can't lose anything by passing this kind of legislation, and let's pray if there is anyone alive there, that this offer is an avenue out.

I yield back the balance of my time.

Chairman GILMAN. Thank you, Mr. Rohrabacher.

Are any other Members seeking recognition?

If not, I will take a few moments.

I am pleased to bring before the Committee today S. 484, the "Bring Them Home Alive Act" introduced by Senator Ben Campbell, the other Senator Campbell. This legislation addresses a continuing deep concern of our veterans, our families, and Members of Congress in accounting for those U.S. military service members who disappeared during the course of the Vietnam and Korean Wars.

The year 2000, which marks a half century since the outbreak of the Korean War and a quarter century since the end of the Vietnam conflict, is a particularly fitting time to address this issue. As we move forward to meet the global challenges of the new century, we should seek, to the best of our ability, to address the unfinished business of the old, including the fullest possible accounting of our POWs and MIAs.

Foremost among the unresolved issues is doing what we can to relieve the anguish of those who lost loved ones on the battlefield in defense of freedom and who lack any confirmation with regard to their final fate or resting place.

Those who can assist in bringing home our servicemen deserve concrete recognition by our nation for their efforts. It seems altogether appropriate to grant refugee status in the United States for nationals of nations where American Vietnam War and Korean War POW/MIAs may still be present and who assist in their safe return.

As the title of this bill states, let us do all that we can to bring them home alive.

I would like to urge my colleagues on our Committee to fully support this bill. I ask that the Judiciary Committee move forward as quickly as possible. I hope to see it on the floor at an early date for consideration by the House.

Are there any other Members seeking recognition?

If there are no other Members seeking recognition, are there any amendments to the bill?

If there are no amendments, without objection the previous question is ordered on the bill. The gentleman from Nebraska, Mr. Bereuter, is recognized to offer a motion.

Mr. BEREUTER. Mr. Chairman, I move the Chairman be requested to seek consideration of the pending bill on the suspension calendar.

Chairman GILMAN. Thank you, Mr. Bereuter. The question is on the motion of the gentleman from Nebraska. Those in favor of the motion, signify by saying aye.

Those opposed, no. The ayes have it. Without objection, the Chair or his designee is authorized to make motions under Rule 20 with respect to a conference on this bill or counterpart from the Senate.

H. RES. 547—RELATING TO THE PEACE PROCESS IN NORTHERN IRELAND

Chairman GILMAN. We will now consider H. Res. 547 relating to the peace process in Northern Ireland.

The Chair lays the resolution before the Committee.

The clerk will report the title.

[The resolution appears in the appendix.]

Ms. BLOOMER. "H. Res. 547, a resolution expressing the sense of the House of Representatives with respect to the peace process in Northern Ireland."

Chairman GILMAN. Without objection, the clerk will read the preamble and text of the resolution, in that order, for amendment.

Ms. BLOOMER. "Whereas the April 10, 1998, Good Friday agreement established a framework for the peaceful settlement—"

Chairman GILMAN. Without objection, the resolution is considered as having been read and is open to amendment at any point. Are there any Members—

Mr. GEJDENSON. I have an amendment.

Chairman GILMAN. Mr. Gejdenson.

Mr. GEJDENSON. Thank you, Mr. Chairman. I am just going to speak for a moment.

This is a terribly important resolution, and I just want to yield to my good friend and colleague, Mr. Neal, who has really led the effort here. We have got to have a real peace in Northern Ireland. It is going to have to include a police department reflective of the population and not the present one.

I yield to Mr. Neal.

Chairman GILMAN. Mr. Neal, we welcome having the gentleman from Massachusetts who is the original sponsor of the bill. I recognize Mr. Neal.

Mr. NEAL. We don't have this kind of technology at the Ways and Means Committee. We have to shout at each other.

I do want to thank you, Mr. Chairman. I want to thank Mr. Gejdenson because much of the strong leadership emanating from the Congress has come from this Committee in the words of you and Mr. Gejdenson on this issue. It is delightful that such bipartisanship prevails on this issue. If I could, I might take 3 or more minutes to read a statement because I think that statement is that important.

Chairman GILMAN. Without objection.

Mr. NEAL. On June 29 of this year, I wrote a letter to British Secretary of State Peter Mandelson on the important issue of policing in its future in the north of Ireland. Knowing the interest that many of my colleagues have in Irish affairs, I asked him to cosign the letter. With the Police Bill being debated in the House of Commons, I felt it was appropriate to share our thoughts and concerns with Secretary Mandelson about this essential component of the peace process. More than 120 Members of the Congress signed the letter, an unprecedented number, in urging the British Government to fully implement the Patten reforms on policing.

Over 2 years ago, the vast majority of the people on the island of Ireland voted for the Good Friday Agreement. People of both traditions said yes to a future of peace, justice and reconciliation. Included in that historic accord was a provision that established an Independent Commission on Policing that would make recommendations for future policing structures and arrangements. Its mandate was to create, "a new beginning to policing with a police service capable of attracting and sustaining support from the community as a whole."

Later that fall, Commission Chairman Chris Patten, a Conservative member of the British Government, traveled to Washington to brief Members of Congress on his report. He told us that his primary objective was to take politics out of policing and then outlined the 175 recommendations made by the Commission, including changing the name, the flag, and the emblems of the Royal Ulster Constabulary, a new oath for all officers, a new recruitment strategy and more accountability and community involvement, in essence, a new police service that reflects and can serve all traditions equally in the six counties.

Policing is a touchstone issue for the nationalist and republican communities. Across the island of Ireland, they have spoken with one clear and unambiguous voice on this important matter. From the SDLP to religious leaders to the Irish government and Sinn Fein, their message is simple: the Patten Report should not be diluted, minimized or altered by the British Government. In the letter and spirit of the Good Friday Agreement, it must be implemented in full.

The resolution that I have introduced in the House of Representatives and Senator Kennedy has introduced in the Senate would put this Congress on record in the debate. It would add our strong voice to the growing list of individuals and groups internationally who support the full implementation of the Patten Report. Indeed, it was Chris Patten himself who advised, "in the strongest terms against cherry picking in this report;" and suggested, "The recommendations represent a package which must be implemented comprehensively if the north of Ireland is to have the policing arrangement it so badly needs."

I urge my colleagues to follow his advice and support House Resolution 547. And once again I thank you, Mr. Gilman; and thank Mr. Gejdenson as well as Members of this Committee for the strong leadership you have offered on this question.

[The prepared statement of Mr. Neal appears in the appendix.]

Chairman GILMAN. Thank you, Mr. Neal, for being here.

I might note that Mr. Neal is cochair of the Ad Hoc Committee on Irish Affairs.

I now call on Mr. Smith.

Mr. SMITH. Thank you very much, Mr. Chairman. I want to thank you, I want to thank Mr. Neal and the bipartisan group of lawmakers who have sponsored H. Res. 547; and I am very proud to be among those who are fully supporting it and cosponsoring it.

Mr. Chairman, as Chairman of the Subcommittee on International Operations and Human Rights and also as Chairman of the Helsinki Commission, I have held five hearings on the human rights situation in Northern Ireland. The need to reform the RUC,

if not disband it altogether, was a common theme in those hearings.

Later this month I plan to convene yet another hearing of the Helsinki Commission to examine the areas in which the British Government's current Police Bill falls short in fully implementing the Patten Commission's recommendations. Unfortunately, as my good friend from Massachusetts just pointed out, there are clear indications that the current bill falls far short in several areas and that, if enacted, will not generate the cross-community support that a new police service in Northern Ireland needs.

Nearly 1 year ago, on September 24, 1999, Chris Patten and Senator Maurice Hayes appeared before our subcommittee to discuss the Patten Commission's 175 recommendations for reforming the police service in the north of Ireland. At the hearing they described the themes running through the Commission's report. The first thing was accountability, the second was transparency, the third was respect for human rights, and the fourth was community representative effectiveness and efficiency.

Senator Hayes also said, "The Holy Grail in all of this is the participation of young Catholic and nationalist people in the police force." At the meeting with Commissioner Patten, I stressed, as did many of us here today, that the Patten report actually fell short, did not go far enough, because there was no vetting of what the Commission calls "bad apples," those who had committed egregious abuses in the past.

Despite this flaw, Mr. Patten and his fellow commissioners seemed to understand that community policing cannot be achieved in Northern Ireland without bringing Catholics and nationalists into a police service that is representative of and accountable to the community it serves.

Though there was no vetting in the recommendations, there were other changes that would make the force at least more accountable—an ombudsman, for example, a human rights oath, local boards that could oversee the police. These methods of accountability are a bare minimum, and Patten himself stated that his report must be taken in full that there would be no cherry picking if it is to live up to the spirit and the intent of the Good Friday Agreement.

Unfortunately for the people of Northern Ireland, recent indications, again from London, suggest that the British Government is out of touch with what it would take to bring the Catholics and the nationalists into the police service in the north of Ireland. Northern Ireland Secretary Peter Mandelson insists that the government's Police Bill does implement the Patten report and will result in a reformed police service. The major nationalist political parties, however, have made clear that they will not encourage their constituents to join the police service until it is reformed in accordance with all of the Patten recommendations, the 175 recommendations, and that is their strongest recommendation.

Mr. Chairman, I would ask that my full statement be made a part of the record. This resolution again puts us on record, again expresses a very clear nonambiguous line of thought from the Congress that we want real reform. Band aids, sugar coating, some change but not going far enough, will not lead to the kind of credi-

bility for the RUC that has been riddled with human rights abuses in the past. It has got to be done and made over from top to bottom.

Again, this resolution, the upcoming hearing, hopefully will impress upon the members of Parliament in Great Britain that we are watching very closely and we would like to see some real reform with regard to the RUC.

I thank the Chairman.

[The prepared statement of Mr. Smith appears in the appendix.]

Chairman GILMAN. Without objection, the gentleman's full statement will be made a part of the record. The gentleman will hold his amendment until we finish the statements and we will continue.

Mr. Crowley.

Mr. CROWLEY. Thank you, Mr. Chairman, for first of all holding this important markup today on Resolution 547, legislation expressing the sense of the House with respect to the peace process in the north of Ireland. Your leadership on Irish issues, as well as that of Ranking Member Gejdenson, is deeply appreciated by myself and other members of the Irish community.

I would also like to thank my good friend and colleague, Congressman Richard Neal, for introducing Resolution 547 and for all of his hard work on this and other issues of importance to the Irish-American community. As Chairman Gilman has pointed out, although not a member of this Committee, he has cochaired, along with myself, Chairman Gilman and Representative Pete King of New York, the congressional Ad Hoc Committee on Irish Affairs. So I know personally of his deep commitment to these issues.

On June 5, the Northern Ireland Assembly resumed its important work after 4 months in limbo because of the issue of decommissioning. Many in the international community, the press, and the public placed the blame for the suspension of the Assembly squarely on the shoulders of the IRA.

Although I disagree with that assessment, I want to point out that important progress has been made on the issue of decommissioning, the issue that the unionist community has often singled out as one of great importance. Unfortunately, a delay on a related issue, one that is of paramount importance to the nationalist community in Northern Ireland, the issue of police reform, has not been met with the same international criticism.

The Patten Commission report, entitled "Policing in Northern Ireland: A New Beginning," was intended to be a compromise on the very delicate issue of police reform. While many of the unionist community view the RUC with respect, too many in the nationalist community have lived under what is considered an occupying army in the guise of a police force.

The Patten Commission report was undertaken under the authority of the Good Friday Agreement to help change this situation. From the beginning, people in both communities knew it would be a compromise between the two sides. While no side was entirely happy with the 175 specific recommendations, many of the nationalist community felt it was more important to move forward with the police reform than to hold up the process.

I continue to believe that a true new beginning on policing in Northern Ireland requires a brand-new police force, not changes to one; that has been viewed with great suspicion by well over 40 percent of the population in the north of Ireland. At the very least, I view the Patten Commission recommendations as an absolute minimum, not an a la carte menu for the British Government to pick and choose from.

Unfortunately, the British Government has done exactly that. Instead of adhering to the language and spirit of the Good Friday Agreement, they are sending legislation through Parliament that does not fully implement the Patten recommendations. This is not only wrong, it is dangerous to the peace process.

Dr. Gerald Lynch, a member of the eight-member independent Patten Commission on Policing and president of New York's John Jay College of Criminal Justice, stated that the Patten Commission's suggestions on reforming the RUC should not be watered down by the British Government and expresses concern that doing so could damage the peace process significantly.

The legislation introduced by the British Government will likely go to the House of Lords in early October and return to the House of Commons for its final consideration shortly thereafter. That is why this legislation is of such critical importance and urgently needed.

I urge my colleagues to cast their vote in favor of this legislation. I urge the British Government to do the right thing and fully implement the Patten report.

Thank you, Mr. Chairman.

Chairman GILMAN. Thank you, Mr. Crowley.

Mr. King, another Cochairman of our Irish Ad Hoc Committee.

Mr. KING. Thank you, Mr. Chairman.

At the outset, I want to commend you for the tremendous leadership you have shown on this issue for many years, particularly of course during the years as Chairman of this Committee. Along with Mr. Crowley, I want to commend Mr. Gejdenson for the bipartisan spirit with which he has always engaged this issue; and of course, Congressman Neal for many years has done a truly outstanding job. I think the fact that he is the author of this resolution today speaks volumes both to his dedication and also to the concern that so many Americans have in this country that the Patten Commission report is not being fully implemented.

I also want to thank Chairman Smith for the truly landmark work, ground-breaking work that he has done in pushing forth human rights issues as far as the whole Irish situation is concerned. His hearings have gone really right to the very heart of what is wrong with the police system in Northern Ireland, with the security forces in Northern Ireland, and his amendment today is just another example of that.

And as far as Mr. Crowley, of course, he has been dedicated for many years, long before he came to the Congress and even more so now that he has been in the Congress.

I join in strong support of this resolution today. I concur in everything that has been said by the previous speakers, especially the fact that, as Chairman Smith said, the Patten Commission report itself was a compromise.

The Good Friday Agreement was a compromise. What the British Government is doing now with the Patten Commission report is attempting to compromise a compromise. It is taking the heart and soul out of the recommendations of the Patten Commission. It is emasculating that report. It is coming up with an end product which is not going to in any way ameliorate the concerns of the nationalist community.

We have to emphasize, when we are talking about the nationalist community, we are talking about all the political parties in the nationalist community. This is not a partisan issue on that side; whether it is Sinn Fein, whether it is the SDLP or even others who are not aligned, they realize that the legislation put forth by the British Government just takes away the heart and soul of the recommendation of the Patten Commission report.

It is going to result in a police force which is just slightly different from the one that exists today. It is one which young Catholics would not want to join, because they realize the inherent weaknesses and deficiencies, the inherent immorality of the current force will not have been rooted out. Instead, it is just going to put a protective covering over the immoral, disgraceful human rights violating force which is in effect today under the guise of the RUC.

Like the previous speakers, I would have preferred that the RUC itself be gutted, that it be restructured, that it be abolished, that it be changed root and branch. The Patten Commission didn't do that. As Chairman Smith said last year when Commissioner Patten was in here, we had serious differences with him believing that his Commission report did not go far enough. Now we find the situation where that report itself is being dramatically watered down.

Police reform in Northern Ireland is a metaphor for the entire Irish peace process. The immorality the human rights violations, the bias, the discrimination, the immoral activities of the RUC are a metaphor for the living conditions under which nationalists have had to live for the last 80 years. If the police reforms are not enacted, then it is hard to believe and see how the Good Friday Agreement itself can be enacted.

This has to be all-encompassing. You cannot compromise a compromise. You cannot, in turn, dilute a report which is already diluted enough. If the Patten Commission report is not adopted in toto by the British Parliament, then I have to agree with Mr. Lynch and Mr. Crowley—Mr. Lynch being a member of the Patten Commission, who said that he thinks the peace process itself could crumble if the Patten Commission report is not enacted in toto.

So I give my strongest endorsement to this resolution today. As always and on so many previous occasions, I commend Congressman Neal for being a leader, for having the foresight to introduce this resolution, as he said, to get really unprecedented numbers of signatures on the letter to Secretary of State Mandelson who should realize that the United States, no matter which party is in power in either the White House or Congress, that we stand together as one on this issue. The American people stand together as one; we will not be divided among partisan lines. We stand together, united, calling for the full implementation of the Good Friday Agreement, and essentially also as an absolute part of that integral part of the Patten Commission report.

I yield back.

Chairman GILMAN. Thank you, Mr. King.

Mr. Menendez.

Mr. MENENDEZ. Thank you, Mr. Chairman. I also want to commend Mr. Neal.

When I arrived here at the Congress 8 years ago, I joined the Ad Hoc Caucus—and Menendez is really an Irish name; the Spanish Armada invaded parts of Ireland, but then they got kicked out. Nonetheless, I have enjoyed working with Richie and the rest, and I appreciate his tenacious but balanced approach to the issue. I think many times he has been a very important voice in moving us forward.

I am pleased to be an original cosponsor of this resolution, and I would like to get right to the point. With this Sense of Congress, we commend the parties for the progress made so far. But we are also calling on the British Government to come to its senses on the issue of police reform.

All parties to the peace process in Northern Ireland must be praised for the progress they have made to date. The Good Friday Agreement still stands as a remarkable achievement and the best hope for lasting peace in Northern Ireland. I am pleased also to cosponsor another resolution on Northern Ireland we will deal with today, one that urges the Nobel Commission to award its Peace Prize this year to George Mitchell for his untiring efforts to forge a nonviolent and fully democratic future for Northern Ireland.

The seating of Northern Ireland's new executive and the ensuing reestablishment of the power-sharing Assembly have indeed been crucial to solidifying peace in Northern Ireland. It would not have been possible had the IRA not allowed its weapons dumps to be inspected and its weapons declared out of commission by a distinguished group of international verifiers led by Martti Ahtisaari and Cyril Ramaphosa.

Decommissioning was one of the two most pressing and sensitive issues facing Northern Ireland, but the other is police reform. Without full implementation of the recommendations of the Patten Commission, a commission called for in the Good Friday Agreement, the peace process will remain lopsided, and a full peace will remain elusive.

Common sense calls for a radical change in the police force, for the name of the Royal Ulster Constabulary [RUC] (I cannot imagine a more British-sounding name) to be changed; and for the membership in the police force, now 93 percent Protestant and 7 percent Catholic, to be more equitably formed to reflect the 42 to 58 percent population split in the community.

Here in America, in communities across the country, we raise the issues of police forces that do not reflect the communities that they are called upon to serve. And this situation of the Royal Ulster Constabulary far exceeds any problem that we have in America. Peace cannot be achieved when those with the badge, the legal authority, but ultimately those with the gun—the ultimate authority who are supposed to provide peace to the people—are seen as oppressing them.

We are once again at a perilous point. The answers lie in moving forward to full implementation of the Good Friday Accord, includ-

ing the full implementation of the Patten Commission, to full participatory, accountable and representative government and the rule of law as is represented in the police force in Northern Ireland, not in stagnation and trepidation.

I am glad to join my voice with all of those of our colleagues in sending this message, that we must have a police force that is truly representative of the people of Northern Ireland that they can have faith in, and that when someone puts on the badge and the ultimate authority of the gun, that people can have faith and confidence that they will be protected as well as served.

Chairman GILMAN. Thank you, Mr. Menendez.

We will continue right on through the voting. We have one of our Members going over so that we will not pause for any recess, but we will continue right on through.

Mr. Delahunt.

Mr. DELAHUNT. Thank you, Mr. Chairman. I am going to take this occasion to commend my friend and colleague from Massachusetts, Richie Neal, for his leadership, particularly coming from Massachusetts where so many of our citizens are of Irish-American heritage. He has certainly demonstrated leadership, vision and a persistence that is so important to those of us in Massachusetts, to those of us in America and to people who are concerned about justice all over the planet.

We are very proud of you, Richie.

I am going to be very brief. I just would echo the sentiments expressed by many who have preceded me. I think the bottom line here is very clear. If the peace agreement is going to survive, if there is truly going to be a reform of the police service in Ireland, there has to be a reconfiguration of the police service. And the most significant aspect of that is a balance between the demographics of those that serve in the police force. Clearly, we have heard the statistic already, 93 percent Protestant, 7 percent Catholic; that is just unacceptable and unconscionable.

It is also clear that if there are not changes in the proposal before the British Parliament today, the nationalists, the Catholics within Northern Ireland, will not be attracted to the police service and therefore we will not have the reform that is so necessary to the fulfillment of the Good Friday Agreement.

I think this is a very important resolution because it does speak, as Peter King alluded, for all of us—Democrats, Republicans, people from various faiths and different ethnic backgrounds.

I would suggest again that I think it would have been a better course if we had started from scratch, if the RUC had been abolished and we began again. But that is not the case, that is not the reality.

But I think it is important to understand that the Patten Commission report has within it a coherence. And I think someone—it might have been you, Representative Neal, who used the term “cherry picking.” But once you begin to separate and divide and extract pieces here, it loses its coherence; and for those of us who have a background in law enforcement, we know how significant and important it is to have that coherence because of its relationship to the community.

Clearly, as it is principally being proposed, without amendment, it will lack that coherence. This is important that I would urge this, and I know I am confident that this will pass unanimously in this Committee and hopefully come to the floor.

Again, thank you, Representative Neal, for bringing this to our attention and leading this cause.

Chairman GILMAN. Thank you, Mr. Delahunt.

I am pleased the Committee is considering this measure, H. Res. 547, a bill introduced by Mr. Neal of Massachusetts; and I want to thank him for bringing it to our Committee. I joined as an original cosponsor, as did many on this Committee from both sides of the aisle who are familiar with the problems in Northern Ireland.

Last spring, the IRA's efforts at putting arms beyond use and having that verified by outside observers showed good courage and good faith. This made it possible for the power-sharing executive to get up and running, and for real, peaceful democratic change.

As part of that arrangement to restore the executive, in May 2000 the British and Irish Governments made a firm commitment to the nationalist community to fully implement the Patten Commission policing reforms that form a core portion of the Good Friday Accord for a new beginning in policing. The British Government and the unionists have failed to show a similar good faith that the IRA has exercised. They need to live up to their agreements in the Good Friday Accord, especially concerning full RUC police reform as envisioned by the Patten report of September 1999, a report that was issued consistent with the terms of the Good Friday Accord and was itself a compromise that was not agreed upon by all.

The Irish National Caucus supports the bill, as does Sinn Fein. The Socialist Democratic Labor Party, the largest nationalist Catholic party in the north of Ireland whose leader, John Hume, was the winner of the Nobel Peace Prize, wants Patten fully implemented. The SDLP's Deputy Minister in charge of the new executive has said failure to implement Patten policing proposals will have a damaging effect on the whole psyche of the fledgling political process. We do not want, nor can we afford that kind of result.

The Washington Post noted in July that the onus remains now on the British Government to respond to Catholic objections on failure to fully implement all of Patten's police reforms, since these reforms were part of the agreement on the Good Friday Accord. To date, they have not responded.

We hope to see full and meaningful police reform happen, not a continuation of the old British Government/unionist politics being played with a one-sided veto over the policing issue. The Patten report reforms should and must be fully implemented as is, and done so now, as promised, and no longer delayed.

A 93 percent Protestant police force is a nearly equally divided society, which does not have the support and confidence of many in the nationalist Catholic community. That must be changed as the Roman Catholic community and the party leaders want, demand, and are entitled to. Politics as usual must end over there.

All of our International Relations Committee Members who want lasting peace and justice to take hold in Northern Ireland must act favorably on this. We hope to see change soon.

I recognize Mr. Faleomavaega.

Mr. FALEOMAVAEGA. Thank you, Mr. Chairman. I want to personally commend the gentleman from Massachusetts, my dear friend, Mr. Neal, for his authorship of this very important legislation.

I also want to compliment the chief sponsors of this legislation. You know, with Irish names like Faleomavaega and Campbell and Neal and Delahunt, how could we do otherwise? I want to associate myself with all of the compliments and the comprehensive statements that have been made by Members of this Committee on both sides of the aisle.

And again commending Mr. Neal for doing an outstanding job in authoring this legislation, I also personally want to commend the former Senator from Maine, Mr. George Mitchell, for an outstanding job in trying to resolve the very serious problem there in Northern Ireland.

Thank you, Mr. Chairman. I urge the Members of our Committee to pass this resolution.

Chairman GILMAN. Thank you, Mr. Faleomavaega.

There will be a brief recess and we will take up the Smith amendment as soon as we return. Thank you.

[Recess.]

Mr. BEREUTER [presiding]. The Committee will be in order and resume its markup.

The gentleman from New Jersey, Mr. Payne, is recognized for his statement.

Mr. PAYNE. Thank you, Mr. Chairman.

I would like to add my support to H. Res. 547, expressing the Sense of the House with respect to the peace process in Northern Ireland. I associate myself with the remarks of the previous speakers as they discussed the Patten Commission. I would like to commend Congressman Richard Neal and the others who have been so involved with this—Mr. Crowley, Mr. Gejdenson, Mr. Gilman.

As you may know, I have been very interested and involved in activities in the north of Ireland, and just this past marching season was again on Garvaghy Road where I stayed during the July 4th Orange Order March in Drumcree. I was there when Johnny Adair, who is a known drug pusher and criminal, marched with the Orange Order. It was a disgrace that they would allow such a notorious person to be with their order.

The RUC has to be totally disbanded. The process of bringing in people at the bottom, which would once again continue to push those who are currently members of RUC up to positions of authority, would mean that it would take a century before nationalists could work their way up to any kind of responsible positions.

As a matter of fact, I believe that in the RUC's oath of office, members still have to swear allegiance to the Queen. I don't know whether a nationalist would feel comfortable because that person does not represent the thinking of the nationalist community.

They are in the reconstruction of the new organization—they still have kept some basic incorporations which talk about the old RUC. So I think that, as was done in Haiti where the police were the military and they controlled the streets, they disbanded the entire

military and started from scratch with the new police force; and that is really what has to happen here.

The arrogance of Ronnie Flanagan and his officers, their behavior, looking the other way in the case of Rosemary Nelson when she knew that her life was in jeopardy. The RUC did not provide any special protection, still the question in the case of Pat Finucane. I believe that Bloody Sunday should still be opened and reviewed again, and that is something that we must see happen so that there can be a true accounting of what happened there in 1972.

I would like to commend Mr. Blair for his initial move in the right direction; but it seems like there are some forces in Britain that are pushing Mr. Blair away from his original direction, and I think it is unfortunate.

So I join with my colleagues. I will continue to push. The marching season once again brings out the worst. They fortunately were prevented from going down to Lower Ormean Road in Belfast and also off of Garvaghy Road.

But there have still been the tensions. I believe, as my colleagues have said, we need to disband the RUC totally and start all over again. So Mr. Chairman, I appreciate Richie Neal and those who have brought this resolution to the floor, and I wholeheartedly support it as a cosponsor. Thank you, Mr. Chairman.

Mr. BEREUTER. Thank you Mr. Payne.

The gentleman from New Jersey, Mr. Smith.

Mr. SMITH. I have an amendment at the desk.

Mr. BEREUTER. The clerk will report the amendment.

[The amendment appears in the appendix.]

Ms. BLOOMER. "Amendment offered by Mr. Smith. Strike the 9th clause of the preamble and insert the following: Whereas many of the signatories——"

Mr. BEREUTER. I ask unanimous consent that further reading of the amendment be dispensed with. The Chair recognizes the gentleman from New Jersey to speak to his amendment.

Mr. SMITH. Thank you, Mr. Chairman. The amendment I have proposed highlights some of the criticisms that have been voiced by nationalist parties, human rights groups and other observers of the policing bill and about the British Government bill's failure to fully and faithfully implement the Patten Commission's recommendations.

Specifically, the amendment notes that the proposed bill would fail to create key accountability structures envisioned by the Patten Commission because the bill fails to give the policing board and the police ombudsman the broad authority they need to conduct inquiries into police practices and policies without political interference.

Mr. Chairman, there is an astonishing new proposal that the secretary of state can overrule—overrule the board if he or she determines that the inquiry would serve, "no useful purpose." I mean that just completely vitiates the authority of the board, when for political reasons the secretary of state for Northern Ireland so construes it. And that is an absolute fatal flaw.

This amendment at least tries to say to the British Government, we are watching. You can't expect us to accept that this is a faithful adherence, especially to the Patten recommendations, when you build in that Achilles heel.

The amendment also notes that the British bill would fail to appoint a commissioner to oversee implementation of all of the Patten Commission's 175 recommendations and instead would limit the commissioner to overseeing all those changes in policing which are decided upon by the British Government.

Finally, the amendment notes that the British Government's bill would exempt existing RUC officers from taking an oath expressing their commitment to uphold human rights, despite the fact that one of the Patten report's very first recommendations was that all new and existing officers take such an oath as an important step toward focusing the Northern Ireland police service on the human rights approach. In other words, the same ones that were worried about that have not been looked at in terms of vetting, because that was completely bypassed by Patten himself. Now they don't even have to take the oath to uphold human rights, a glaring omission on the part of the British Government.

We hope that they will take note of this and make the necessary changes. I hope the Committee will support the amendment.

Mr. BEREUTER. Thank you, Mr. Smith.

Are there Members seeking recognition? The gentleman from Florida.

Mr. HASTINGS. Mr. Chairman, only for just a moment of levity. I support the amendment and the underlying bill and wanted to compliment Mr. Neal, our colleague, and let him know that Mr. Payne has spoken in your absence; but I want you to know the rest of us black Irishmen are with you, too.

Mr. BEREUTER. The gentleman from New York, Mr. King.

Mr. KING. Thank you, Mr. Chairman. I want to thank my cousin, Mr. Hastings, for his kind remarks.

I want to speak in strong support of Chairman Smith's amendment. I believe this amendment is entirely compatible with the underlying resolution of Mr. Neal, and it is important when we discuss this issue to realize we are not just talking about philosophical extractions, we are talking about reality.

The fact is that the Royal Ulster Constabulary has been guilty of egregious human rights violations over the years. In just two instances there is strong evidence not just of brutality, not just of violence, but of outright complicity in murder. Just 12 years ago, a good friend of mine, Patrick Finucane, the human rights lawyer in Belfast, was murdered, shot dead by loyalist paramilitary forces. Every month that goes by, increasing evidence comes out of collusion by the Royal Ulster Constabulary in that murder.

I guess it was just 2 years ago, Chairman Smith held a hearing here, and had a human rights lawyer, Rosemary Nelson, testifying, saying how she felt her life was being threatened and that she felt that the security forces, including the Royal Ulster Constabulary, were hostile to her. Just several months after that she was also murdered. And again there was increasing evidence that the Royal Ulster Constabulary was involved in that murder.

So this is what we are talking about. We are not just talking about a force that occasionally may be brutal, occasionally may be violent, that maybe has a few bad apples. We are talking about a police force which is rooted in brutality, rooted in the most graphic

and vicious human rights violations and, yes, guilty of murder itself.

Those of us who follow the situation—and I know it is hard very often for Americans to realize that the British Government with all its pomp and ceremony would allow things like this occur in an area within its jurisdiction—but I find example after example where the police force, the Royal Ulster Constabulary, in Northern Ireland gives out confidential information on the homes, the whereabouts, the jobs, the telephone numbers, whatever it is, of prominent Catholics in their communities, gives those to loyalist murderers so that murders can be carried out. This is outright collusion between the police forces and the outlawed paramilitary forces in Northern Ireland.

This is a way of life. That is why this has to be changed. And that is why Congressman Neal's resolution is so important and why Congressman Smith's amendment to that resolution is also vital.

So I strongly support the resolution; I strongly support Chairman Smith's amendment.

Mr. BEREUTER. Thank you.

If there are no further requests for recognition, the Chair asks unanimous consent that Chairman Gilman's statement in support of the Smith amendment be made a part of the record at this point.

[The prepared statement of Mr. Gilman appears in the appendix.]

The question then is on the Smith amendment. Members who are in favor will say aye.

Opposed will say no.

The ayes appear to have it. The ayes do have it.

Are there other Members seeking recognition or seeking to offer an amendment?

If not, the gentleman from New Jersey, Mr. Smith, is recognized to offer a motion.

Mr. SMITH. I move that the Chairman be requested to seek consideration of the pending resolution, H. Res. 547, as amended, on the suspension calendar.

Mr. BEREUTER. The question is on the motion of the gentleman from New Jersey. All those in favor of the motion will say aye.

All those opposed will say no.

The ayes have got it. The motion is agreed to. Further proceedings on the measure are postponed.

The Chair asks unanimous consent that we change the order of the agenda and take up a resolution which should be noncontroversial, until other Members that want to participate in other intervening resolutions have returned. Are there objections?

H. CON. RES. 257—CONCERNING THE IRANIAN BAHÁ'Í COMMUNITY

Hearing no objections, we will now consider H. Con. Res. 257 concerning the emancipation of the Iranian Baha'i Community.

The Chair lays the resolution before the Committee.

[The resolution appears in the appendix.]

The clerk will report the title of the resolution.

Ms. BLOOMER. "H. Con. Res. 257, a resolution concerning the emancipation of the Iranian Baha'i community."

Mr. BEREUTER. Without objection, the clerk will read the preamble and text of the resolution in that order for amendment.

Ms. BLOOMER. "Whereas in 1982, 1984, 1988, 1990, 1992, 1994 and 1996, Congress, by concurrent resolution, declared that it holds——"

Chairman GILMAN [presiding]. Without objection, the resolution is considered as having been read and is open for amendment at any point.

At the request of the Minority, without objection, the measure will be set aside. We will proceed to the next measure.

Mr. Gejdenson.

Mr. GEJDENSON. Thank you, Mr. Chairman.

This is, I think, an appropriate time as the Nobel Commission will soon be making its—oh, we are back to the Baha'i resolution.

H. CON. RES. 242—URGING THAT FORMER SENATOR GEORGE MITCHELL
BE AWARDED THE NOBEL PRIZE

Chairman GILMAN. We will now proceed with the Mitchell resolution. We will now consider H. Con. Res. 242 urging that the Nobel Peace Prize be awarded to former Senator George Mitchell.

The Chair lays the resolution before the Committee.

[The resolution appears in the appendix.]

The clerk will report the title of the resolution.

Ms. BLOOMER. "H. Con. Res. 242, to urge the Nobel Commission to award the Year 2000 Nobel Prize for Peace to former——"

Chairman GILMAN. Without objection, the clerk will read the preamble and the text of resolution in that order for amendment. The clerk will read.

Ms. BLOOMER. "Whereas Senator Mitchell has worked tirelessly over the past 4 years——"

Chairman GILMAN. Without objection, the resolution is considered as having been read and is open for amendment at any point.

The Chair recognizes the sponsor of the resolution, the distinguished Ranking Member of the Committee, Mr. Gejdenson, to introduce the resolution to the Committee.

Mr. GEJDENSON. Thank you, Mr. Chairman. Thank you for supporting this resolution.

It is clear as we approach the time that the Nobel Committee will make its decision, this is an appropriate time to move this resolution. George Mitchell has worked tirelessly over the past 4 years to bring peace to the region, to end strife and violence in an area where more than 3,200 have been killed, and thousands more have been injured. At times when others would have walked away, Senator Mitchell continued to return to make every effort possible in trying to revive negotiations when they appeared to be at a hopeless and stalled deadlock at one point.

Finally, in September 1999, Senator Mitchell went back for one more try and has moved us to where we are today, where we can really see hope for the future in Northern Ireland.

Those of us who, like yourself, Mr. Chairman, and I and others who worked with Senator Mitchell, know his basic, steady, decent approach, his endless efforts toward resolving the crisis in Northern Ireland. He is someone for whom all of us who have worked with him have a great respect.

Support from the press across the country for this resolution has been significant. So I thank you for bringing this forward and urge that it pass rapidly to the floor to make sure that the Nobel Committee knows of the broad support for Senator Mitchell's efforts here in the Congress.

Chairman GILMAN. Thank you. Is there any other Member seeking recognition? Mr. Rohrabacher.

Mr. ROHRABACHER. I will be very brief because I know there are other Members who have been much more active on this issue.

Let me just say that I think that Senator Mitchell deserves our highest bipartisan praise for what he has been doing, and you are going to hear me say something now that you rarely have heard me say. I think President Clinton deserves a pat on the back for this as well.

Mr. GEJDENSON. Would the gentleman yield?

Mr. ROHRABACHER. Certainly.

Mr. GEJDENSON. Just fearing that my age is starting to affect my hearing, could the gentleman please repeat that last statement? I am not sure that I heard it correctly.

Mr. ROHRABACHER. I will. I think that President Clinton does deserve praise for his efforts to bring peace in Northern Ireland, which has been a very vexing problem. And President Clinton has also been very active and deserves our commendation for the work that he has done in the Middle East, as well.

But as the Nobel Prize Committee meets—and we could recognize that there has been a great convergence here—we have a situation where sides were so far apart 5 and 6 years ago. Through Senator Mitchell's tireless efforts, they brought them much closer together and there is a real chance for peace.

I recently visited Ireland on the way back from a trip, a CODEL to the Soviet Union. We had a chance to speak to the Prime Minister of Ireland, and he is very optimistic, and that optimism wasn't always there. That optimism was caused by the hard work of, first, the commitment of this Administration, the Clinton Administration, and the hard work of Senator Mitchell.

Let me just say that from the last debate, it is clear and should be made clear to everyone that when the British retreated from their empire in the middle of the last century—and it was the last century, it was in the 1900's now when you think about it—that they left time bombs all over the world. They may well have dominated—the British Empire, Rule Britannia, may have created a certain kind of peace in the world for a number of decades during the last century, but Rule Britannia left behind time bombs throughout their former empire, as can now be seen in Northern Ireland. And it has taken a lot of time to try to diffuse the time bomb they left there; but it can also be seen in Africa, can also be seen in, for example, the faraway Fiji Islands.

The type of problems that were left behind, it is incumbent upon us, as a democratic people who would like to be peacemakers in this world, to not only do our best, but to recognize those people like Senator Mitchell who are representing the very best of our country in trying to promote peace and maybe to clean up after the British, who left these problems behind for us.

So, with that, I support the legislation and thank Mr. Gejdenson and others who have spent time promoting it.

I yield back.

Chairman GILMAN. Thank you.

Mr. King.

Mr. KING. Thank you, Mr. Chairman. I just want to commend Mr. Gejdenson and certainly join in the remarks of Dana Rohrabacher.

This certainly is an historic moment. I am delighted I had the honor of being here to witness it. I would also say that I think Dana did put this in perspective when he spoke about the time bombs left behind by the British. While Britannia may rule the waves, it really can't waive the rules.

The fact is, they waive too many international rules when dealing within their countries, such as Ireland and others. And Senator Mitchell deserves tremendous credit for the time and effort that he put in. The seemingly limitless patience that he had and the brilliancy he was able to show in bringing the parties together, first for the Good Friday Agreement, and then last fall, which really did pave the way for the IRA statement of last June that has resulted in the Northern Ireland Assembly being set up.

So this is an issue which, depending on where you want to draw the time line or begin the time line, has vexed diplomats for either 800 years or 300 years or 80 years or 30 years. The fact is, it was Senator Mitchell who was most instrumental in resolving the centuries-old dispute, and certainly the Nobel Peace Prize will be a fitting tribute for the tremendous work that he has done. I support the resolution.

Chairman GILMAN. Thank you, Mr. King.

Mr. Bereuter.

Mr. BEREUTER. Thank you, Mr. Chairman.

I would say to Mr. Gejdenson, I was not made aware of the fact that you were ready to take up in your resolution.

I certainly will support the resolution before us, which gives special recommendation with respect to the Nobel Peace Prize for Senator Mitchell. I also want to recognize that Senators Lugar and Nunn have been nominated by international sources for the Nobel Peace Prize.

This congressional initiative was and is of increasingly fundamental importance to the well-being of the United States and the world. And the fact that we are having this specific resolution supporting the nomination and award to Senator Mitchell should not detract from our very strong bipartisan support for our former colleague from Georgia and our current colleague, the Senior Senator from Indiana.

Thank you, Mr. Chairman.

Chairman GILMAN. Thank you, Mr. Bereuter.

Mr. Payne.

Mr. PAYNE. I join in strong support of this resolution. As I indicated, I have been very involved in this situation in the north of Ireland and know many of the players from all sides, and I have to really commend Senator Mitchell for his patience.

He makes Job look like an amateur, his patience has been so outstanding. For hours and hours and days and days and weeks and

weeks, he would sit and listen to issues and incidents that occurred 1,000 years ago—not 1,000 but 500 years ago and 400 years ago and 300 years ago. People who said they would never sit at the table together, never would shake a person's hand, sat at the table because Senator Mitchell just would not take "no." He would say whenever there was an obstacle, he would just confront it and take it on.

It takes a certain kind of personality and commitment, tenacity, patience, ability, and Senator Mitchell certainly possesses all of those qualities. He could have been doing other things with his time. But he dedicated his life and those years to negotiations.

So I think there is no person more fitting at this time to receive the award than our former colleague, Senator Mitchell.

Chairman GILMAN. Thank you, Mr. Payne.

I am pleased to be an original cosponsor of this resolution, H. Con. Res. 242, that was introduced by Mr. Gejdenson. It is a resolution that now has more than 50 cosponsors in broad bipartisan support.

In the resolution, Congress justifiably urges the Nobel Commission to award the Nobel Peace Prize for the year 2000 to former Senator George Mitchell for his extraordinary and impressive efforts in securing the peace in Northern Ireland.

Few observers of the lasting peace and justice in the north of Ireland could not help but agree with this resolution. Senator Mitchell surely deserves the Nobel Peace Prize for his successful efforts in bringing together a comprehensive and fair agreement to the age-old struggle between the two traditions in that troubled region.

More than 3,000 people have died in the last 30 years in the "troubles" in Northern Ireland. The hatreds, misunderstandings, and mistrust run very deep. There was an enormous trust deficit that had to be breached, and Senator Mitchell did so in brokering the peace.

Senator Mitchell, with his ability to listen, his fundamental sense of fairness, and his integrity and impartiality fully breached those age-old and wide gaps between the two traditions in Northern Ireland. Eventually, after years of hard work and dedication, he brokered a complex power-sharing agreement between the parties, a power-sharing agreement that later won wide support from the people of Ireland and referendum both in the north and in the south.

Senator Mitchell's efforts in securing the Good Friday Agreement in April 1998, and his subsequent efforts at ensuring implementation of the new power-sharing institutions were expressions of the master of the possible. All of this effort and resulting progress is a strong testament to the extraordinary diplomatic efforts and skills of Senator Mitchell in bringing all sides together.

Senator Mitchell said recently that the peace process in the north of Ireland is irreversible. As a long-time observer of that situation, I agree. The people want peace and they want reconciliation. The tide of history is on the side of the peace process that George Mitchell started. Much more, of course, needs to be done on the ground to bring about a permanent, peaceful change and the reconciliation in Northern Ireland, especially on policing reform relating to the Royal Ulster Constabulary.

The path has now been cleared for real and much-needed change. The Irish people and both governments must now insist on adherence to the Good Friday Accord. Sadly, some insist on not living up to the Accord. However, that should not be a reflection on George Mitchell.

Today, the British Government is playing politics with the policing issue in not implementing the full Patten Commission police reforms that were intended under the terms of the negotiated Good Friday Accord to depoliticize the police. What we need now is a new beginning on policing and a new police service capable of attracting and sustaining support from the community as a whole, as envisioned by the Good Friday Accord.

What Senator Mitchell achieved ought to be faithfully adhered to by all parties in both governments in the region. Senator Mitchell deserves the Nobel Peace Prize for these extraordinary efforts. This resolution before us puts Congress on record in favor of that proposition, and I urge its adoption.

Mr. Gejdenson, the author of the resolution, is further recognized.

Mr. GEJDENSON. Thank you, Mr. Chairman. I just appreciate your support and urge passage of the bill.

Chairman GILMAN. Are there any other Members seeking recognition or seeking to offer any amendments?

If not, the gentleman from Nebraska, Mr. Bereuter, is recognized to offer a motion.

Mr. BEREUTER. I move the Chairman request to seek consideration of the pending resolution on the suspension calendar.

Chairman GILMAN. Thank you.

The question is on the motion of the gentleman from Nebraska, and all those in favor of the motion, signify by saying aye.

All those opposed say no.

The ayes have it. The motion is agreed to. Further proceedings on this measure are now postponed.

H.J. RES. 100—25TH ANNIVERSARY OF THE HELSINKI FINAL ACT

We will now move to consider H.J. Res. 100, asking the President to recognize the 25th anniversary of the Helsinki Final Act.

The Chair lays the resolution before the Committee.

[The resolution appears in the appendix.]

The clerk will now report the title of the joint resolution.

Ms. BLOOMER. "H.J. Res. 100, a resolution calling upon the President to issue a proclamation recognizing the 25th anniversary of the Helsinki Final Act."

Chairman GILMAN. This resolution is in the original jurisdiction of the Full Committee.

Without objection, the clerk will read the preamble and text in that order for amendment.

Ms. BLOOMER. "Whereas August 1, 2000, is the 25th Anniversary of the Final Act of the Conference on Security and Cooperation in Europe [CSCE], renamed the Organization——"

Chairman GILMAN. The resolution is considered as having been read. We will now consider the resolution.

It was introduced by the distinguished Chairman of the Subcommittee on International Operations and Human Rights, the

gentleman from New Jersey, Mr. Smith, who is now recognized to introduce the resolution to the Committee.

Mr. SMITH. Thank you, Mr. Chairman.

H.J. Res. 100 commemorates the 25th anniversary of the Helsinki Final Act and international accords signed by 35 countries, including the United States and the former Soviet Union.

No doubt the Final Act represents a milestone in European history. This resolution has 40 cosponsors, including all of my fellow Helsinki commissioners, and we introduced it back on June 8; a companion resolution, H.J. Res. 48, passed the Senate on July 27.

As you know, we had hoped to schedule consideration of this prior to the August recess. With its language on human rights, the Helsinki Final Act granted human rights the status of a fundamental principle in regulating international relations. The Final Act's emphasis on respect for human rights in the fundamental freedoms is rooted in the recognition that the declaration of such rights affirms the inherent dignity of men and women and are not privileges bestowed at the whim or caprice of the state.

The Helsinki Final Act and the process it originated was instrumental in consigning the communist Soviet empire, responsible for untold violations of human rights, to the dust bin of history. The standards of Helsinki, which served as a valuable lever in pressing human rights issues, also provided encouragement and sustenance to courageous individuals who dared to challenge repressive communist regimes.

Many of these brave men and women, including members of the Helsinki monitoring groups in Russia, Ukraine, Lithuania, Georgia, Armenia, and similar groups in Poland and Czechoslovakia, Soviet Jewish immigration activists, members of repressed Christian denominations and origins, paid a high price in the loss of personal freedom, and in some instances, their lives, for their act of support of principles enshrined in the Helsinki Final Act. Without these Helsinki human rights activists, indeed without the Helsinki process and its emphasis on human rights, it is likely that the momentous events of 1989 and 1991 would not have occurred.

With the dissolution of the Soviet Union and Yugoslavia, Mr. Chairman, the OSCE region has changed dramatically. In many OSCE states, we have witnessed transformations and the consolidation of the core OSCE values of democracy, human rights, and the rule of law. In others, there has been little, if any, progress; and in some, armed conflicts have resulted in hundreds of thousands having been killed in grotesque violation of human rights.

Today, we have the equivalent. The Helsinki monitors human rights defenders who call upon their government to uphold human rights commitments in places such as Uzbekistan, Turkmenistan, Belarus and even in Northern Ireland. The OSCE, which now includes 54 participating states, has changed to reflect the changed international environment, undertaking a variety of initiatives designed to prevent, manage, and resolve conflict and emphasizing the rule of law in respect for the rule of law and the fight against organized crime and corruption which constitute the threat against economic reform and prosperity.

The Helsinki process is still dynamic and active, and the importance of a vigorous review in which countries are called to account

for violations of their freely undertaken Helsinki commitments has not diminished.

In fact, next month in Warsaw there will be another in a series of meetings of the OSCE to review implementation of the OSCE human rights commitments made by countries. This resolution again calls upon the OSCE states to abide by their commitments under the Helsinki Final Act, recognizing that respect for human rights and fundamental freedoms, democratic principles, economic liberty and related commitments continue to be vital elements in promoting a new era of democracy, peace, and the rule of law.

In the 25 years since this historic process was initiated in Helsinki, there have been many, many successes. The task is far from complete. Let's continue on, and this resolution puts us behind that effort.

Chairman GILMAN. Thank you.

Mr. Hastings.

Mr. HASTINGS. Thank you, Mr. Chairman. Mr. Gejdenson had planned to yield time to me and I appreciate you very much for doing so.

Of course I offer deep gratitude to Mr. Smith of New Jersey for introducing this timely and very important resolution. And thank you, Mr. Chairman, for bringing this to the Full Committee today.

My colleagues, it gives me special pride to speak about the 25th anniversary of the Helsinki Final Act. As has already been detailed by Mr. Smith, the Helsinki Final Act led to the formation of the Conference on Security and Cooperation in Europe, which we now call the Organization for Security and Cooperation in Europe [OSCE]. As many of our colleagues know, I have been an active participant in the last six congressional delegations to the annual meetings of the OSCE's Parliamentary Assembly. In fact, I sit before you today not only as a Member of this distinguished Committee, but also as a Chairperson of the OSCE Parliamentary Assembly's Committee on Political Affairs and Security.

So as I said, it gives me special pride to speak on Chairman Smith's bill and to briefly explain why I feel it is so critical that Congress recognize this milestone.

When the Helsinki Final Act was signed 25 years ago, the world was a much different place. The Cold War was still actively being waged, and there were literally dozens of nations still hidden to the world by the Iron Curtain. The Helsinki Final Act was a hope, and the resulting OSCE was the fulfillment of that hope.

We have seen many changes in recent years, particularly within the OSCE region. We have witnessed the rebirth of democracy in Eastern Europe and the evolution of some of these states into stable economic and democratic countries. However, our work is not complete. As long as there is a continuum of human rights violations within our circles, we must not—indeed, we will not—stand still.

Mr. Chairman, as we begin the new century and the new millennium, we enter a time of change and adaptation. When I reflect upon the technological and political advances we made in the last 25 years, from the development of the Internet to the almost complete extermination of totalitarian regimes, with some significant and conspicuous exceptions, I cannot even imagine what the world

will be like 25 years from now. I do, however, have no doubt that the OSCE will continue to play a vital role in helping the members of the organization, as well as the other countries of the world, not just to adjust to the global shifts of governmental structures but to prosper from them as well.

While we advance in the technological and political world, we have retracted in other areas. The human rights violations that are presently taking place in some OSCE countries are not traits to be found in the modern age, but rather in the Middle Ages. But it is because of the success of the Helsinki Final Act and the OSCE that these are occurrences that are becoming more and more rare.

While Mr. Smith has been nothing less than stellar in his current chairmanship of the Helsinki Commission during the 106th Congress, I want to salute a former chairman of the Commission who also was critical in establishing the CSCE, and that is Steny Hoyer, the Commission's current Ranking Member.

Additionally, I would appreciate an opportunity, Mr. Chairman, to point with some parochial interest that it is my good friend and yours and many Members of this Committee, our late former colleague from Florida, Dante Fascell, who was instrumental in the establishment of the CSCE. Dante's spirit continues in Congress today for any Member of this body who realizes that the world does not end at the boundaries of the United States.

Mr. Chairman, I am pleased to be a cosponsor of H.J. Res. 100, and I am pleased to be an active member of the OSCE. I commend Chairman Smith for bringing this resolution before us and thank you for bringing it before the Full Committee today.

Mr. Chairman, the world is becoming a better place every day. The OSCE plays a critical role in this reality. It is therefore altogether fitting and appropriate that we recognize the 25th anniversary of the Helsinki Final Act. I urge the Full Committee to support Mr. Smith's resolution and bring it to the House floor.

Chairman GILMAN. Thank you, Mr. Hastings. Does any other Member seek recognition?

If not, I want to express my strong support for the resolution offered by the gentleman from New Jersey, Mr. Smith, honoring the Helsinki Final Act in light of the recent 25th anniversary, its signing and calling on the President to reassert the United States' commitment to its implementation.

The Organization of Security and Cooperation in Europe, the OSCE, created by the Helsinki Act of 1975, is actually not a security alliance. The OSCE is also not based on any ratified treaty with provisions that are binding on its signatories. And yet, the OSCE and the agreement that established the Helsinki Final Act have proven extremely influential in modern European affairs, both during the Cold War and in today's post-Cold War world.

As the resolution notes, the Helsinki Act inspired many of those seeking freedom from Communism to create nongovernmental organizations to monitor their governments' compliance with the human rights commitments made by communist regimes in Helsinki in 1975. Those groups—their efforts, in turn, helped speed the end of those communist regimes and the end of the Cold War itself.

Today's OSCE, in continuing to hold up to the Helsinki Act signatory, states the standards that they should aspire to meet—particularly with regard to respect for human and political rights—continues to play a very beneficial role. Moreover, since the OSCE includes in the ranks of its participatory states almost all of the states of Europe, those states have agreed to grant the OSCE a greater role in conflict prevention and conflict resolution—again, in spite of the fact that it is not a traditional treaty-based security organization.

I am certain that as we continue to work toward a Europe and the North Atlantic community of states that it is truly democratic “from Vancouver to Vladivostok,” the OSCE will continue to play a vital role.

I am pleased to support this resolution, and I commend Mr. Smith for his strong support of the OSCE, along with Mr. Hastings.

Are there any other Members who seek recognition?

If not, the gentleman from Nebraska, Mr. Bereuter, is recognized to offer a motion.

Mr. BEREUTER. I move the Chairman be requested to seek consideration of the pending resolution on the suspension calendar.

Chairman GILMAN. Thank you, Mr. Bereuter.

The question is on the motion of the gentleman from Nebraska. All those in favor of the motion, signify by saying aye.

As many as are opposed, say no.

The ayes have it. The motion is agreed to.

Without objection, the Chairman is authorized to make motions under Rule 20 relating to a conference on this bill or counterpart from the Senate. Further proceedings on this measure are now postponed.

H.R. 1064—SERBIA AND MONTENEGRO DEMOCRACY ACT OF 1999

We now move to consider H.R. 1064, the Serbia and Montenegro Democracy Act of 1999. This bill was introduced by the distinguished Chairman of the Subcommittee on International Operations and Human Rights, the gentleman from New Jersey, Mr. Smith.

The Chair lays the bill before the Committee.

[The bill appears in the appendix.]

The clerk will report the title of this bill.

Ms. BLOOMER. “H.R. 1064, a bill to authorize a coordinated program to promote the development of democracy in Serbia and Montenegro.”

Chairman GILMAN. Without objection, the first reading of the bill is dispensed with.

The clerk will read the bill for amendment.

Ms. BLOOMER. “Be it enacted by the Senate and House of Representatives—”

Chairman GILMAN. Without objection, the bill will be considered as having been read and is open for amendment at any point.

I now recognize the sponsor of the bill, the distinguished gentleman from New Jersey, Mr. Smith, who I understand has an amendment which he may want to offer.

Mr. SMITH. I have an amendment in the nature of a substitute to H.R. 1064.

[The amendment appears in the appendix.]

Chairman GILMAN. The gentleman has offered an amendment. The clerk will report the amendment.

The clerk will distribute the amendment.

Ms. BLOOMER. "An amendment in the nature of a substitute offered by Mr. Smith. Strike all after the enacting clause and insert the following——"

Chairman GILMAN. The amendment is considered as having been read.

Mr. Smith is recognized on the amendment.

Mr. SMITH. Thank you, Mr. Chairman.

I offer an amendment in the nature of a substitute to H.R. 1064, the Serbia and Montenegro Democracy Act. The amendment which I circulated in the Dear Colleague to Members incorporates language supported in the Senate and by the Department of State.

It is important for this Committee and this Congress to support those seeking democratic change in Serbia, as well as those undertaking democratic change in Montenegro. This amendment does just that. It updates the original bill which was introduced in February 1999, and is based on language which passed the Senate by unanimous consent last year.

In preparing this amendment, my staff worked closely with the Senate staff, our own majority-minority staff, and the State Department, to find a text that we could all support; and funds authorized to support democracy in Serbia and Montenegro correspond to those of the President's original budget request for fiscal year 2001. I also note that the language of this amendment parallels some of that originally introduced in H.R. 1373 by our colleague from South Carolina, Mr. Sanford.

The amendment also calls for maintaining sanctions on Serbia until such time that democratic change is under way.

Reflective of another resolution, H. Con. Res. 118, which I introduced last year, the amendment supports the efforts of the International Crimes Tribunal for the former Yugoslavia to bring those responsible for war crimes and crimes against humanity, including Slobodan Milosevic, to justice.

Mr. Chairman, I ask that Members consider this amendment in the nature of a substitute favorably, and I yield back the balance of my time.

Chairman GILMAN. Thank you.

Is there any Member seeking recognition?

Mr. Payne.

Mr. PAYNE. Mr. Chairman, I support the legislation of the gentleman from New Jersey. But before I give my final vote, I wonder if the Administration has any position on this legislation. Would anyone from the Administration like to address——

Chairman GILMAN. Would the gentlelady please indicate her name and title.

Ms. COOKS. Thank you, Mr. Chairman. My name is Shirley Cooks; I am from the Bureau of Legislative Affairs at the State Department.

I would like, with your permission, Mr. Chairman, to ask Ambassador Napper to comment on this legislation.

Chairman GILMAN. Ambassador Napper, would you please take the witness chair and, again, identify full name and title.

Mr. NAPPER. Thank you, Mr. Chairman. My name is Larry Napper. I am the coordinator for the East European Assistance Program in the State Department.

Thank you very much. We appreciate your work on this legislation, bringing it before the Committee, the support of Mr. Gejdenson, of Members from both sides of the aisle, and particularly Chairman Smith's initiatives in bringing this important legislation forward.

The State Department fully supports the effort here to send a strong signal of support for democratic forces in Serbia. We especially appreciate the efforts that have been undertaken by Mr. Smith and members of his staff to consult with us about the language in the bill. We are supportive of it, and strongly so.

We do hope, in the period between today and the time when the bill finally comes to the floor, that there will be an opportunity to continue dialogue on certain technical wording in the bill, which we think could clarify some of the provisions. We don't seek that today, but we do hope there will be an openness to working with the staff here and the staff in the Senate on a couple of what we regard as purely technical fixes, but they can be of some importance.

Chairman GILMAN. We will be pleased to work along with you on that.

Mr. NAPPER. If I might mention just one, Mr. Chairman, very quickly, and I will finish. That is, in Section 408 where there is a waiver for the President in the event of a democratic change, a positive change, a new democratic Serbia, to lift some of the existing sanctions and to provide assistance. We think it important that what we take to be the intent of both this Committee and in the Senate, to make it possible not only to provide assistance but also to provide a positive vote in the international financial institutions, be clearly enough delineated so that it will be clear in that event that we can take those actions.

So again, we think that kind of thing can be done in a very technical way and we appreciate your expression of willingness to work with us. Thank you.

Chairman GILMAN. Thank you, Ambassador.

Is there any other Member seeking recognition?

Mr. Sanford.

Mr. SANFORD. I would yield to the gentleman from California.

Mr. CAMPBELL. I thank the gentleman for yielding. Just a very quick comment on page 5, line 21 through 24. This is a sense of Congress so I will not offer an amendment, but it seems to me that it may at some point be appropriate, for the sake of all of the objectives of the legislation, to meet with President Milosevic, not that I have any commending or positive feelings toward him in the slightest. But that sometimes it is necessary to meet with the person in charge in order to make progress.

As I say, it is only a sense of Congress, but I think it is worth noting that it may be going a little too far to say that we not meet

with an individual. The prior clause seems to be adequate, which says to minimize to the extent practicable any direct contacts with the officials of the Yugoslav or Serbian Governments.

I don't make a motion to that extent because it is only a sense of Congress.

I thank the gentleman for yielding.

Chairman GILMAN. Mr. Sanford.

Mr. SANFORD. I would just want to speak on behalf of Mr. Smith's amendment in that basically I had offered a bill that had many of the same provisions back in April of last year with the belief that we need to come up with some counter-strategy, some alternative strategy, in dealing with Milosevic.

I think what this bill really begs is the larger point of what are we doing in that part of the world. Because if you look at the operations, if you look at the amount of money we spent in both Kosovo and in the skies over Serbia, with the region, if you look at the total of basically \$15.7 billion that was spent of the United States taxpayer's money over the last couple of years in the Balkans, I guess the question has to be, where does this end?

Because what this bill attempts to do is look at Montenegro and what is going to happen there over the next couple of years. If we have not begun to help out with some kind of democracy building as some alternative to our current strategy, we are going to be in there, in yet a third spot, with troops in armament; and I think that will be a horrendous mistake.

I think the overall issue needs to be examined regarding our strategy in the Balkans and what is our exit strategy because of, again, the overall numbers. I look at the different operations—I have enumerated them here, and I will submit these for the record—but military operations in Kosovo, \$3.3 billion; refugee operations—Noble Anvil, Joint Guardian, Balkan Call, Eagle Eye, Sustained Hope, Task Force Hawk, \$5 billion in Kosovo alone—and you add back Bosnia, you add what we are looking to in the future in an area like Montenegro, and you see basically American troops bowled down in that part of the world for years upon years upon years.

So I would applaud Mr. Smith's efforts on this amendment and I would beg that the Administration come up with some kind of strategy other than sending troops and bombs through the sky in dealing with the Balkans, because that seems to be our current strategy, and I think that this is a pleasant alternative.

With that, I would yield back.

Chairman GILMAN. Thank you, Mr. Sanford.

Mr. Smith.

Mr. SMITH. I will be very brief. I thank Mr. Sanford for the text and the leadership he provided by his legislation.

Let me just note very strongly that this is bipartisan legislation. Mr. Gilman obviously is a cosponsor with Mr. Hoyer, Mr. Engle, Mrs. Slaughter, Mr. Moran, to name just a few of those who are cosponsors in addition to a number of Republicans. So we are trying to send a clear message that democracy building, strengthening the NGO's, and building up the free independent media are vitally important.

I just would note, in response to Mr. Sanford again, we had a hearing with the Helsinki Commission in February devoted to the deteriorating situation in Montenegro and the fact that their efforts at reform were gravely threatened, and we had an update with at least one witness in July, an additional hearing. So they are at risk.

This money hopefully will go toward strengthening and spreading out the root system for those who believe in democracy and human rights in Montenegro.

Chairman GILMAN. Thank you. Is there any other Member seeking recognition?

Mr. Payne.

Mr. PAYNE. Mr. Chairman, I too support this legislation. I do think though that it does talk about assistance to promote democracy in a civil society. It talks about authority for radio and television broadcasting, and it talks about ways that we would try to strengthen civil society, to try to strengthen the judiciary and the Administration of justice and the transparency of political parties.

So I agree that we don't need to send bombs and tanks all around, but I see in this legislation, as a matter of fact, those things aren't mentioned. We are talking about trying to create an atmosphere where we can have dialogue and democracy moving forward.

So I think that Mr. Smith has a good sense of the situation, and I support the gentleman from New Jersey.

Chairman GILMAN. Thank you, Mr. Payne.

Are there any other Members seeking recognition?

If not, I would like to comment on the bill H.R. 1064 introduced by the gentleman from New Jersey, Mr. Smith, as well as the amendment in the nature of a substitute that I understand he has offered to the original text. My colleague from New Jersey has rightfully earned his reputation as a strong supporter of democracy and human rights around the world, and both his bill as introduced and his amendment to that bill demonstrate once again that this is the case.

The people of Serbia need to know that our Nation does not wish to have antagonistic relations with their country. They need to know, instead, our nation is simply opposed to the kinds of policies that their country has pursued under the leadership of Mr. Milosevic.

They also need to know that our nation supports the cause of true democracy in Serbia, just as it does in the rest of Europe; that Serbia is a European country, and deserves a place at the European table once it has started down the road of real democracy, real reform, and real respect for human rights.

Regrettably, Slobodan Milosevic has proven himself a master of manipulation of Serbian patriotism and of Serbian nationalist fears. Milosevic has employed the ethnic distrust and unrest that surrounded the breakup of the former communist Yugoslav federation to portray himself as a protector of Serbian rights.

Instead, he has simply led Serbia down the road to ruin. While Serbia's economy today lies in shambles and its people face a future that promises nothing better, Mr. Milosevic lingers on, sur-

rounded by a web of corruption, mysterious murders, political manipulation, and state repression.

And, after yet another series of manipulative steps, Milosevic has now set the groundwork for his election to yet another term as Yugoslav president later on this month, an the election that most likely will be rigged to ensure that very outcome.

This bill makes it clear that our nation has not given up on, and will not give up on, the freedom of the nation of Serbia and the effort to create a true democracy there. This bill's passage should make that clear to the Serbian people.

Accordingly, I urge our colleagues to join in supporting this measure.

Are there any other Members seeking recognition? Are there any amendments to the amendment? If there are no further amendments, without objection the previous question is ordered on the amendment in the nature of a substitute. Without objection, the amendment in the nature of a substitute is agreed to.

The gentleman from Nebraska, Mr. Bereuter, is recognized to offer a motion.

Mr. BEREUTER. Mr. Chairman, I move the Chairman be requested to seek consideration of the pending bill, as amended, on the suspension calendar.

Chairman GILMAN. The question is now on the motion of the gentleman from Nebraska, Mr. Bereuter. Those in favor of the motion signify by saying aye. Those opposed say no. The ayes have it; the motion is agreed to.

Without objection the Chair or his designee is authorized to make motions under Rule 20 with respect to a conference on the bill or counterpart from the Senate.

Further proceedings on this measure are postponed.

H. RES. 451—RELATING TO THE FUTURE OF KOSOVO

We will now move on to consider H. Res. 451 relating to the future of Kosovo.

The Chair lays the resolution before the Committee. The clerk will report the title of the resolution.

[The resolution appears in the appendix.]

Ms. BLOOMER. "H. Res. 451, a resolution calling for lasting peace, justice, and stability in Kosovo."

Chairman GILMAN. Without objection, the clerk will read the preamble and the text of the resolution in that order for amendment.

Ms. BLOOMER. "Whereas on June 10, 1999, the North Atlantic Treaty Organization——"

Chairman GILMAN. I have an amendment in the nature of a substitute at the desk. The clerk will report the amendment and distribute the amendment.

[The amendment appears in the appendix.]

Ms. BLOOMER. "Amendment offered by Mr. Gilman. Strike the preamble and insert the following: Whereas on June 10, 1999 the North——"

Chairman GILMAN. Without objection, the amendment in the nature of a substitute is considered as having been read. It is now open at any point for amendment. I will recognize myself briefly and introduce the amendment to the Committee.

When I introduced this resolution last April, there were numerous problems in evidence concerning the U.N. mission in Kosovo. Since that time some of those difficulties have been mitigated. A number, however, have not; and, accordingly, I have introduced an amendment in the nature of a substitute at this time for the Committee's consideration. I would like to thank our Ranking Member, the gentleman from Connecticut, Mr. Gejdenson, for his assistance and suggestions that make this amendment a bipartisan effort.

Our principal concern is that the international community, rather than fostering a self-reliant and prosperous Kosovar-run Kosova, is creating a new international dependency, hooked on assistance funds and the presence of numerous international aid workers. What seems to have been overlooked in the current approach is the fact that prior to the move to strip away Kosova's political autonomy in 1989, and even during the decade of oppression the Kosovars suffered under Milosevic, the Kosovar people demonstrated a remarkable amount of initiative, hardihood, and economic skill. These characteristics should be part of our strategy in restoring Kosova's economy, and not largely ignored.

Another problem is the plight of thousands of Kosovars who are being illegally detained in Serbia. Some of these individuals were taken in the final hours of Serbia's sway over Kosova last June as virtual hostages. They include some of the leading intellectual lights of Kosovar society—doctors, lawyers, journalists, and teachers. The fact that the international community has remained nearly mute in the face of their continued detention is disappointing, and the refusal of the U.N. Security Council to demand their immediate release is frankly outrageous. Until the Kosovar detainees have been released and accounted for, no real peace will come to Kosova.

The important industrial town of Mitrovice remains a divided city where international peacekeepers have been unable to return hundreds of ethnic Albanian residents to their homes. Failure to resolve this issue leaves a shadow of possible partition still hanging over Kosova.

Another problem in the United Nations' approach to its Kosova mission is the issue of who should be able to control and operate important economic assets such as the Trepca mines. Although there have been recent steps to explore reopening of this most important economic asset, for many months the United Nations did not take action because of its fears that Serb ownership was an obstacle.

Elections have been scheduled in 30 municipalities throughout Kosova for October 28. This resolution calls upon all citizens of Kosova to avail themselves of the democratic process and to peacefully express their political preferences. Let us hope that the adoption of this resolution and those upcoming elections will provide the beginning of the journey to a lasting and just peace for Kosova. I urge our Members to support this amendment.

Are there any Members seeking recognition?

Mr. Gejdenson.

Mr. GEJDENSON. I want to thank you for working out a resolution that we can all broadly support. I think it is important for us to remember that with all the problems we face today in Kosova, it

is clear that the United States led an effort to prevent what would have been an outrageous atrocity and holocaust. It is very easy to find that where we are today is difficult and we face many challenges.

Today on the floor we have passed a resolution concerning the Holocaust memorial in this country. I think Americans need to understand that what we did is the right thing. With all the problems that are associated with preventing the slaughter of thousands of Kosovar Albanians, the alternative would have been the United States and the world standing by watching innocent civilians slaughtered yet once again. We talked—I talked to Mr. Smith earlier today about finding a way to have forces in the United Nations that would be more reactive when there are these kinds of human rights crises in the world.

We have sat by all too often in Africa and Asia; we have seen U.N. workers and one American killed recently in West Timor.

What we did in Kosova is why the world looks to America for leadership. We did it without any self-interest. We did it for the right reasons. We prevented the death of thousands of women and children, and for that we should be very proud. I thank the Chairman for working with us to come up with a resolution we can all support.

Chairman GILMAN. Thank you.

Mr. Bereuter.

Mr. BEREUTER. I thank you very much. I want to commend you for your initiative. The substitute before us, I think, certainly does take into account, where appropriate, information that has been conveyed to us by the European community. I am very concerned about what is happening in Kosovo as we all should be. We should not have any impression that things are going well. Members of Congress and people across the country should understand that things are not proceeding well. The level of violence in Kosovo is continuing to be high. We have murders of the Serbian ethnics going on there. We are not able to stop it. Across the line in Serbia we have murders of Albanian ethnics by Serbian interests and individuals.

Mr. Gejdenson puts a very positive construction on what the Administration's role in the war against Yugoslavia resulted in and how it started. I do not agree with that kind of construction whatsoever. I think we need to speak out when we see an operation so badly handled. The peace accord put before the Yugoslavians and the KLA and other Albanian Kosovars was unacceptable to both sides. We pushed ahead with a war against Yugoslavia that was at least premature. The military operations with their gradual upgrading of bombing were inappropriate, and this country pushed that effort through NATO.

We in this Administration are responsible for the very ineffective way that that war was waged. We should not have been engaged in bombing Yugoslavia at that stage. We did not exhaust even in the short term the kind of alternatives that were available. The peace proposal at Rambouillet was of course unacceptable to the Albanian Kosovars. They did not want some degree of autonomy from Yugoslavia; they wanted independence. We put before the

Yugoslavians something that totally was unacceptable and, naturally so, to them.

This was a war that should not have started at this point; and to put the proper construction on it, we need to be truthful about what happened there. But in any case, the resolution presented by the Chairman is entirely appropriate; and it urges a much larger, more effective European role as well as activities driven by organizations; and I support the resolution.

Chairman GILMAN. Thank you. Do any other Members seek recognition?

Mr. Smith.

Mr. SMITH. I think it is critical that we strongly condemn all the violence that is occurring in Kosova today, also regardless of the ethnicity of the victim or the culprit. This resolution puts us four square—and I think it is very important that in item No. 9 you point out that all citizens of Kosova should adhere to the principles enunciated where all parties agree to a rigorous campaign against violence. Just because the bombs have stopped—and I too disagree with the bombing—but now making peace is turning out to be much more problematic and vexing as well. Retaliatory hits again Serbs are so less egregious than hits on Kosovar Albanians. I think we need to send that clear unambiguous message to all involved. We want peace. We want people to be treated with respect and dignity. This resolution, again, keeps us focused on that very important goal.

Chairman GILMAN. Thank you.

Mr. Payne.

Mr. PAYNE. Thank you very much, Mr. Chairman.

I support the resolution although it seems that we all have a different take on what happened in Kosova. I think as we sit here and say we moved prematurely only hundreds of Albanians were being killed today and we should not have moved, it was premature. Maybe we should have waited until thousands a day were killed. That is what we did in Rwanda, where we saw close to a million people killed because we sat around and we twiddled our thumbs. We wouldn't use the word genocide. We allowed that country to have 700,000, 800,000 people killed because it wasn't enough and we sat around.

And so in Kosova, where the situation was not nearly as grave but it was very serious, action had to be taken. As we know, our troops will no longer be put on the ground. There is no more use of ground troops around the world because we don't want to put our troops in harm's way. Although we are the world's mightiest power, we have a no-casualty philosophy, I suppose. That is good, but if you are going to be a world power, you are going to be a paper tiger if everyone knows you will never put your troops in harm's way unless people are coming up on your shores.

Therefore, the only other alternative is to let the people continue to be slaughtered or to use the next best thing, where you lose no people, by using the air strike. I am not a military man. I don't know how to evaluate effectiveness. I have never flown a plane or dropped a bomb or shot a gun. But I do know that people have been killed, innocent people. We saw Sierra Leone, where people's arms were chopped off and maimed or killed. Thankfully, the Nige-

rians, even though their country was run by a military dictator, did send in troops to try to prevent the continued maiming and slaughter of innocent women, primarily, and children.

So I don't know what the solution is that some of us might have when you see the inhumanity to man going on. We say it is premature. When is it not premature? When is a death not a death? I think we have to take a look at where we are going in the world because a world with no order, with no so-called policing, is going to be a place of total chaos. So I supported the President's bold move. I think it took courage for him to urge NATO to take the action that it did, and I think that many lives were saved. I think that some of the failure was because of the position of not having collateral damage to try to avoid the killing of innocent civilians. It wasn't like Hiroshima, where you drop a bomb and everybody just dies.

Mr. BEREUTER. Will the gentleman yield?

I thank the gentleman for a little opportunity for a debate here. I want to say to the gentleman that I think that U.S. policy with respect to its nonintervention in Rwanda was definitely a tragic error. I think we were affected by the failures and the inept way that things were handled in Somalia. We were unwilling, therefore, to take a chance and do what was right.

But I do think the parallels between Rwanda and Kosovo are not appropriate. I would just suggest that by our premature—what I consider to be a premature—effort to give peace a chance there, we got all the international observers out of Kosovo. We facilitated ethnic cleansing and devastation on the part of Yugoslavian Serbs in Kosovo, and the world community was totally unprepared for the incredible number of refugees that fled across into Macedonia, into Montenegro, into Albania itself and other locations.

I believe that our policy there cost lives, dramatically cost lives, in the way it was pursued. That is why I associate myself with the gentleman's attitudes about our noninvolvement in Rwanda, but I do not think it is parallel.

I thank the gentleman respectfully for letting me have the opportunity to discuss this issue.

Mr. PAYNE. Thank you.

Resuming my time, I appreciate your remarks. Once again, though, I believe that the fact that there were refugees should not have been a surprise to anyone. Whenever there is conflict you have people fleeing, and they go to the closest place that they can.

I think it should actually have been anticipated to have a conflict with borders open; to have no refugees is absolutely being naive. So it was a surprise that I went to a camp in the early days when it was only 40,000 people coming over; and I was among the first to go there and actually interview people about the atrocities, the brutality that I don't even want to discuss here, because it is similar to atrocities that happened in Sierra Leone. It is just that they were not publicized, the same kind of amputations and mutilation, that was going on right there in Kosovo.

So perhaps there should be a time for a debate. I am one who, if it were up to me, there would be no military; but that is not the way the world is. I am not a big supporter of our \$310 billion military budget, or that we hear that it is not enough. But I just think

that we need to really discuss these issues and discuss them clearly. I still contend that if something happens—it is easy to say we did the wrong thing. So the other solution is, you sit back and nothing happens; therefore, you make no mistakes.

It is just that those people in harm's way continue to be brutalized, murdered, and killed. You can say we made no mistake, but we don't create any kind of a solution.

Chairman GILMAN. The gentleman's time has expired. We thank the gentleman.

Are there any other Members seeking recognition or offering amendments?

If not, without objection, the previous question is ordered on the amendment. The amendment is agreed to without objection. It is so ordered.

The gentleman from Nebraska, Mr. Bereuter, is recognized to offer a motion.

Mr. BEREUTER. I move the Chairman be requested to seek consideration of the pending resolution, as amended, on the suspension calendar.

Chairman GILMAN. The question is now on the motion of the gentleman from Nebraska. All those in favor of the motion signify by saying aye.

All those opposed say no.

The ayes have it. Further proceedings on this measure are now postponed.

We will now move to consider H. Con. Res. 257, concerning the emancipation of the Baha'i community.

The Chair lays the resolution before the Committee.

RESUMPTION OF CONSIDERATION OF H. CON. RES. 257—CONCERNING
THE BAHA'I COMMUNITY OF IRAN

Chairman GILMAN. The clerk will report the title of the resolution.

Ms. BLOOMER. "H. Con. Res. 257, a resolution concerning the emancipation of the Iranian Baha'i community."

Chairman GILMAN. Without objection, the clerk will read the preamble and text of the resolution in that order for amendment.

Ms. BLOOMER. "Whereas in 1982, 1984, 1988, 1990, 1992, 1994 and 1996, Congress, by concurrent resolution——"

Chairman GILMAN. Without objection, the resolution is considered as having been read and is open to amendment at any point.

H. Con. Res. 257 deals with a matter of ongoing and severe religious persecution. The Baha'i community is Iran's largest religious minority. Since 1982, seven resolutions have placed the Congress on record expressing our continuing concern and disapprobation of the treatment of the Baha'i by the current Iranian regime.

At present, 11 Baha'i are imprisoned in Iran. Four of these individuals are under a death sentence. Their crime is attempting to convert Muslims to the Baha'i faith, an act each of the four has denied, but one that can hardly be considered criminal under any accepted standard of international human rights.

It should be noted that under Iranian law the Baha'i are considered as unprotected infidels, which means they have absolutely no

rights of protection under Iranian law. They cannot marry or pass on an inheritance or conduct businesses.

I commend the gentleman from Illinois, Mr. Porter, for his forthright support of this community struggling to preserve its identity in the land where the Baha'i faith was born. I also thank our senior Member of the Committee, Mr. Lantos, for his support.

I urge the Members of our Committee to unanimously support this measure.

Are there any other Members seeking recognition with regard to this resolution or offering amendments?

If not, the gentleman from Nebraska, Mr. Bereuter, is recognized to offer a motion.

Mr. BEREUTER. Again, I move the Chairman be requested to seek consideration of the pending resolution on the suspension calendar.

Chairman GILMAN. The question is on the motion of the gentleman from Nebraska, Mr. Bereuter. All those in favor of the motion signify by saying aye.

All those opposed say no.

The ayes have it. The motion is agreed to.

Without objection, the Chairman is authorized to make motions under Rule 20 relating to a conference on this resolution or a Senate counterpart.

Further proceedings on this measure are postponed.

S. 2460—EXPANSION OF INTERNATIONAL LAW VIOLATIONS REWARDS

We will now take up S. 2460, expanding the rewards program to include events in Rwanda. This bill was introduced in the other body by Senator Feingold, where it was passed on June 24, 2000.

The Chair lays the bill before the Committee.

[The bill appears in the appendix.]

The clerk will report the title of the bill.

Ms. BLOOMER. "S. 2460, a bill to authorize the payment of rewards to individuals furnishing information relating to persons subject to indictment for serious violations of international humanitarian law in Rwanda, and for other purposes."

Chairman GILMAN. Without objection, the first reading of the bill is dispensed with.

The clerk will read the preamble and the text in that order.

Ms. BLOOMER. "Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, Section 1—"

Chairman GILMAN. Without objection, the bill is considered as having been read and is open for amendment at any point.

Mr. Campbell.

Mr. CAMPBELL. Thank you, Mr. Chairman. And thank you for your legislation in 1998, H.R. 4660, which originally included just this provision.

With foresight, Mr. Chairman, you removed the specification of Rwanda simply out of concern that it may not pass the other body with that specification. Having passed the other body with the strong support of our esteemed colleague from Wisconsin, Senator Feingold, it is as straightforward to apply the benefits of this program to Rwanda, as it is to Yugoslavia.

A word of background: The proposal gives the Secretary of State the authority to offer up to \$15 million total—no more than \$5 million in any one case and no more than \$100,000 without the explicit approval and decision by the Secretary of State—to anyone who might provide information leading to the arrest and prosecution of individuals for genocide and war crimes such as were experienced in Rwanda.

The legislation already exists for the provision of such testimony with regard to the atrocities in Yugoslavia, and it ought to apply to the situation in Rwanda as well.

In conclusion, Mr. Chairman, I renew my appreciation for your efforts. You saw this years ago, and it should just have been done then; we are correcting that error today. I would also just recognize my good friend and colleague, Mr. Payne, with whom I have traveled to Rwanda on more than one occasion, where we have personally seen the results of the genocide, and also to Arusha, Tanzania, where the International War Crimes Tribunal is taking place.

Thank you, Mr. Chairman.

Chairman GILMAN. Mr. Payne.

Mr. PAYNE. Thank you. Let me commend you, Mr. Chairman, for moving this legislation through. As my colleague said—and I associate myself with his remarks—we now have the second link of this package that was unlinked last year to ensure passage. I think it is timely now that the Rwanda portion be passed.

I would also like to commend my colleague, Mr. Campbell. I was looking over a piece of legislation here a minute or two ago, and I was taken aback a bit—I don't know the number; I don't have it handy—because it said, “introduced by Senator Campbell,” and I looked at it again.

But let me just say, getting back to the point, I certainly will miss traveling with you unless you are in the other House. But the trip to the Tribunal in Rwanda, seeing the problems that they were having there at the hearings, seeing the difficulties in getting witnesses, difficulty in getting the evidence, the deliberation with which the proceedings were going on. Of course, as you know, there was a debate. I am a person opposed to the death penalty everywhere, and as you know, the Arusha Tribunal does not recognize the death penalty; whereas the proceedings in Rwanda, similar hearings, recognize the death penalty.

So there is somewhat of a problem, especially since the “big fish” as they call them, are in Arusha, those who were the ones who planned the genocide, and if convicted, of course will get a maximum penalty of life; whereas some Rwandans feel that they should be in Rwanda where the penalty is more severe.

But also, I said I support the Arusha Tribunal, since I am opposed to the death penalty in any form anywhere in the world.

But once again I can thank my colleague, Mr. Campbell, for the time that we had to travel throughout the world; and I wish him success in whatever he pursues in the future.

Chairman GILMAN. Thank you, Mr. Payne.

Are there any other Members seeking recognition?

I will take a few moments on the measure.

On April 6, 1994, a massive genocide began in Rwanda. There was no mention of Rwanda in *The Washington Post* on that day,

but soon horrific accounts of a bloody and well-planned massacre filled its pages. A month later—one month later, 200,000 or so were dead and more were being killed each and every day, but White House spokesmen still quibbled with reporters about the definition of a “genocide.”

Too many of the masterminds of that ugly chapter in human history are still at large. An International Criminal Tribunal for Rwanda exists, but it has failed to bring to justice all the leaders. Rwanda needs reconciliation, but without accountability, there will be no reconciliation.

Congress extended the rewards program to those providing information leading to the indictment of Yugoslavia war criminals 2 years ago. It is now time to place a generous bounty, in U.S. dollars, on the heads of all those who seek power through extermination. These killers have fled to Paris, to Brussels, to Kinshasha, and elsewhere. But with the passage of this measure, their havens will be less safe.

Accordingly, I urge my colleagues to support this important measure.

Are there any other Members seeking recognition or amendments to the bill?

If not, without objection, the previous question is ordered on the bill.

The gentleman from Nebraska, Mr. Bereuter, is recognized to offer a motion.

Mr. BEREUTER. Mr. Chairman, I move the Chairman be requested to seek consideration of the pending bill on the suspension calendar.

Chairman GILMAN. The question is now on the motion of the gentleman from Nebraska, Mr. Bereuter. Those in favor of the motion signify by saying aye.

Those opposed say no.

The ayes have it.

Without objection, the Chair or his designees are authorized to make motions under Rule 20 with respect to a conference on this bill. Further proceedings on this bill are postponed.

TRIBUTE TO THE SERVICE OF MR. SETH FOTI AND TO U.N.
HUMANITARIAN WORKERS AND PEACEKEEPERS

Before leaving, I want to take the opportunity to recognize three recent tragedies. One was the loss of an American diplomatic courier in the recent plane crash in Bahrain. We extend our sympathy to the friends and family of the deceased, Mr. Seth Foti, and to his colleagues in the American foreign affairs community. Again we are reminded of the dangers of service abroad.

Also, there were three U.N. humanitarian workers recently killed in West Timor. In the past few days previously, two peacekeepers were killed. We extend our sympathies to their families and our colleagues. We also recognize and salute the dedication of peacekeepers and humanitarian workers who put themselves in harm's way.

RESUMPTION OF CONSIDERATION OF H.R. 3378, ON RIVER AND OCEAN
POLLUTION IN THE SAN DIEGO AREA

Because we lack a quorum to report H.R. 3378, we will instead be in receipt of a motion to seek its consideration on the suspension calendar. I understand that is the intention of the committee of primary jurisdiction, the Transportation and Infrastructure Committee.

The gentleman from Nebraska is recognized.

Mr. BEREUTER. Mr. Chairman, I move that the Chairman request and seek consideration of that resolution, as amended, on the suspension calendar.

Chairman GILMAN. All in favor of the resolution by the gentleman from Nebraska signify in the usual manner.

Opposed?

The resolution is adopted.

Without objection, the Chair or his designee is authorized to make motions under Rule 20 with respect to a conference on this bill or a counterpart from the Senate.

If there is no further business before the Committee, the Committee stands adjourned. I thank the gentlemen for remaining until the end of our deliberations.

[Whereupon, at 12:50 p.m., the Committee was adjourned.]

A P P E N D I X

SEPTEMBER 7, 2000

**STATEMENT OF CONGRESSMAN BOB FILNER
before the
UNITED STATES HOUSE OF REPRESENTATIVES
INTERNATIONAL RELATIONS COMMITTEE
September 7, 2000**

**"Bajagua is a win-win comprehensive solution for the
United States and Mexico to the
international sewage problem"**

Mr. Chairman and my colleagues, I thank you so much for letting me testify today and for considering this bill that provides the best chance for a comprehensive solution to the problem of Mexican sewage flowing in to the U.S. and our waters.

I introduced H.R. 3378, the "Tijuana River Valley Estuary and Beach Sewage Cleanup Act," along with my colleague Mr. Bilbray to end a problem that has plagued the San Diego area – and no other Congressional district in the country – for decades. No other district has endured raw sewage from Mexico flowing unabated in their river bed and beaches.

This bill would advance a common sense solution to the problem of international sewage along the border between the United States and Mexico – the treatment of Mexican sewage in Mexico. This is a win-win solution for both countries. The growing amount of sewage currently left untreated by Mexico and flowing into the U.S. would be treated – a win for both countries. And the treated sewage – which belongs to Mexico to begin with – could be reused in Mexican industrial and agricultural endeavors.

Current plans – those short-sighted plans supported by both the EPA and International Boundary Water Commission (IBWC) – call for treating less than half of the sewage that fouls our beaches and estuaries. It has taken bureaucracies ten years to prepare to build a secondary treatment arm of the International Wastewater Treatment (the IWTP). In that time, the sewage flows have more than doubled, yet the plans persist for a "solution" that really will not solve the problem. The problem in beach pollution now is not the outfall of the International Wastewater Treatment Plant, but a growing amount of sewage that Tijuana can't handle.

This bill would seize the momentum for solving this problem – and fix the problem now and comprehensively.

The plan on which the other gentleman from San Diego and I are asking for your support would take care of that extra sewage as well as the sewage now being treated at the IWTP.

This is an acute problem. An official of the Surfrider Foundation have said, "I'm surfing in sewage." He put it a little less delicately – and it is not a very genteel situation in my District when sewage washes up on the beach, flows down our rivers and canyons and fouls the water where our children should be able to swim worry-free.

A solution to not surfing in sewage? Build enough sewage treatment to handle the problem. That's what our bill would do. It says we will pursue a plan that can easily treat 50 million gallons of sewage each day – and perhaps even more. The plan makes even more sense when you know that the Mexican sewage will be reclaimed and reused by industrial and agricultural users in Mexico to help cover the cost. That way, all the hazardous and unhealthy sewage that now flows into our ocean without proper treatment will be cleaned – and much of it reused so that it never gets to the ocean. We may owe that to our surfers – but we definitely owe that to our children.

I ask for your support of the bill so that this innovative plan can move forward. Thank you again for your time and consideration.

**Statement for Mark-up of
H.R. 4673, the Support for Overseas Cooperative Development Act**

**The Honorable Doug Bereuter
September 7, 2000**

Mr. Chairman, I am pleased to support H.R. 4673, the Support for Overseas Cooperative Development Act. Indeed, our committee colleague from North Dakota (Mr. Pomeroy) and I introduced this bill to recognize the importance of and the strengthen support for cooperatives as an international development tool. I would also like to thank the distinguished gentleman from Connecticut, the Ranking Member of this Committee (Mr. Gejdenson), the distinguished gentleman from California, the Ranking Member of the Subcommittee on Asia and the Pacific (Mr. Lantos), and the distinguished gentleman from Ohio (Mr. Gillmor) for their co-sponsorship of this measure.

This legislation (H.R. 4673) enhances language currently within Section 111 of Foreign Assistance Act which authorizes the use of cooperatives in international development programs. Specifically, this bill will give priority to funding overseas cooperatives working in the following areas: agriculture, financial systems, rural electric and telecommunication infrastructure, housing, and health. Importantly, H.R. 4673 does not provide for additional appropriations. And, while the Administration does not routinely take a position on such matters, the Agency for International Development (AID) has not raised any objections to H.R. 4673.

As you may know, cooperatives are voluntary organizations formed to share the mutual economic and self-help interests of their members. In the United States, cooperatives have existed for many years and in many forms including agriculturally-based cooperatives, electric cooperatives, and credit unions. The common thread among all cooperatives is that they allow their members, who (for a variety of reasons) might not otherwise be served by traditional institutions, to mobilize resources available to them and to reap the benefits of association.

Since the 1960s, overseas cooperative projects have proven successful in providing compassionate assistance to low-income people in developing and transitional countries. Today people in 60 countries are benefitting from U.S. cooperatives working abroad through projects which can be completed at very little cost to U.S. taxpayers. The low costs are possible because money used for the projects is spent on technical and managerial expertise, not on extensive bureaucracy and direct foreign assistance payments.

The benefits of cooperatives as a development tool are numerous, but let me mention examples of the economic and the democratic results from fostering cooperatives overseas.

Building economic infrastructure is a key role of overseas development cooperatives. Through representatives from U.S. cooperatives, people who have traditionally been underserved

in their country (especially those in rural areas and women) receive technical training never before available to them. Such training in accounting, marketing, entrepreneurship, and strategic planning prepares them to effectively compete for the first time in their country's economy. For example, agricultural cooperatives in El Salvador help to rebuild the once war-ravaged country by providing a venue for farmers to pool their scarce resources and scarce experience in capitalism so that they can market and sell the fruits and vegetables they grow. In rural Macedonia, a small country whose neighbors are immersed in ethnic conflict, credit unions provide their members a way to build lines of credit and savings for the future. In rural Bangladesh during the early 1990s, cooperative members bought equipment for an electrification project which now supplies five million people with electric power. Cooperatives lay the foundation for future economic stability.

When reviewing the impact of overseas cooperatives, one simply cannot ignore the impact they have on assisting people in transitional countries to build democratic habits and traditions. In forming cooperatives, people who have had no previous experience with democracy create an opportunity to routinely vote for leadership, to set goals, to write policies, and to implement those policies. Cooperative members learn to expect results from their decisions and that their decisions can and do, in fact, have an impact on their lives.

I would like to thank the Overseas Cooperative Development Council (OCDC) for its contributions to this measure. The OCDC represents eight cooperative development organizations which have been very active in building cooperatives world-wide. The Credit Union National Association (CUNA) has also been very supportive of this legislation and as a member of the World Council of Credit Unions (WOCCU) has contributed technical assistance to aid the growth of credit unions in key transitional countries such as the Former Yugoslav Republic of Macedonia and Bolivia.

Again, overseas cooperative projects are simply a good investment toward building economic stability and democratic habits in developing countries, and I urge the Committee to support H.R. 4673.

**STATEMENT OF CONGRESSMAN RICHARD E. NEAL
ON HOUSE RESOLUTION 547
U.S. HOUSE OF REPRESENTATIVES
HOUSE INTERNATIONAL RELATIONS COMMITTEE
SEPTEMBER 7, 2000**

“On June 29, 2000, I wrote a letter to British Secretary of State Peter Mandelson on the important issue of policing and its future in the north of Ireland. Knowing the interest that many of my colleagues have in Irish affairs, I asked them to co-sign the letter. With the Police Bill being debated in the House of Commons, I felt it was an appropriate time to share our thoughts and concerns with Secretary Mandelson about this essential component of the peace process. Over 120 Members of Congress signed on, an unprecedented number, in urging the British government to fully implement the Patten reforms on policing.

Over two years ago, the vast majority of the people on the island of Ireland voted for the Good Friday Agreement. People of both traditions said yes to a future of peace, justice and reconciliation. Included in that historic accord was a provision that established an Independent Commission on Policing that would make recommendations for future policing structures and arrangements. Its mandate was to create “a new beginning to policing...with a police service capable of attracting and sustaining support from the community as a whole.”

Later that Fall, Commission Chairman Chris Patten traveled to Washington to brief Members of Congress on his report. He told us that his primary objective was to take politics out of policing, and then outlined the 175 recommendations made by the Commission including changing the name, flag and emblems of the RUC, a new oath for all officers, a new recruitment strategy, and more accountability and community involvement. In essence, a new police service that reflects and can serve both traditions equally in the six counties.

Policing is a touchstone issue for the nationalist and republican communities. Across the island of Ireland, they have spoken with one clear and unambiguous voice on this important matter. From the SDLP, the Catholic Church, the Irish government and Sinn Fein, their message is simple: the Patten Report should not be diluted, minimized, or altered by the British government. In the letter and spirit of the Good Friday Agreement, it must be implemented in full.

The resolution that I introduced in the House of Representatives, and Senator Kennedy introduced in the Senate, would put the United States Congress on record in this debate. It would add our strong voice to the growing list of individuals and groups internationally who support the full implementation of the Patten Report. Indeed, it was Chris Patten himself who “advised in the strongest terms against cherry picking from this report” and suggested that “the recommendations represent a package which must be implemented comprehensively if Northern Ireland is to have the policing arrangement it needs.” I urge my colleagues to follow his advice and support H Res 547.”

Statement of Congressman Christopher H. Smith
House International Relations Committee
September 7, 2000

Mark-up of H. Res. 547

- Nearly one year ago, on September 24, 1999, Chris Patten and Senator Maurice Hayes appeared before the International Operations and Human Rights Subcommittee, which I chair, to discuss the Patten Commission's 175 recommendations for reforming the police service in the North of Ireland. At the hearing, they described the themes running through the Commission's report. The first theme was accountability, the second was transparency, the third was respect for human rights, and the fourth was community representativeness, effectiveness and efficiency. Senator Hayes also said, and I quote, "the Holy Grail in all of this is the participation of young Catholic and Nationalist people in the police force."
- At the meeting with Commissioner Patten, I stressed, as did many of us here today, that the Patten Report actually fell short, did not go far enough, because there was no "vetting" of what the Commission called "bad apples". No way to hold accountable those RUC officers who have committed human rights abuses.
- Despite this flaw, Patten and his fellow commissioners seemed to understand that community policing can not be achieved in Northern Ireland without bringing Catholics and nationalists into a police service that is representative of, and accountable to, the community it serves. Though there is no vetting in the recommendations, there were other changes that would make the force accountable -- an ombudsman, a human rights oath, local boards that could oversee the police.
- These methods of accountability are the minimum. And Patten stated that his report must be taken in full -- no cherry picking -- if it is to live up to the spirit and intent of the Good Friday Agreement.
- Unfortunately for the people of Northern Ireland, recent indications from

London suggest that the British Government is out of touch with what it will take to bring Catholics and nationalists into the police service in the North of Ireland. Northern Ireland Secretary Peter Mandelson insists that the government's police bill does implement the Patten report and will result in a reformed police service. The major nationalist political parties, however, have made clear that they will not encourage their constituents to join the police service until it is reformed in accordance with all of the Patten Commission's 175 recommendations and that, to date, the police bill falls short of full Patten implementation in several respects.

- The amendment I've proposed highlights some of the criticisms that have been voiced by nationalist parties, human rights groups, and other observers of the policing bill about the bill's failure to fully and faithfully implement the Patten Commission's recommendations.
- Specifically, the amendment notes that the proposed bill would fail to create key accountability structures envisioned by Patten because the bill fails to give the Policing Board and Police Ombudsman the broad authority they need to conduct inquiries into police practices and policies without political interference.
- The amendment notes that the bill would also fail to appoint a commissioner to oversee implementation of all of the Patten Commission's 175 recommendations and instead would limit the commissioner to overseeing only those changes in policing which are decided upon by the British Government.
- Finally, the amendment notes that the bill would exempt existing RUC officers from taking an oath expressing their commitment to uphold human rights despite the fact that one of the Patten report's very first recommendations was for all new and existing police officers to take such an oath as an important step toward focusing the Northern Ireland's police service on a human-rights based approach.
- My amendment is a strengthening amendment. Our friends in the U.K. insist that their police bill does implement the Patten report and that, if the bill deviates from Patten to any extent, then those deviations are minor.

This resolution, with my amendment, should serve as a wake up call to the British Government that even if 95% of Patten's recommendations are reflected in the bill, the remaining 5% which are omitted may very well doom any chances of convincing Northern Ireland's nationalist parties to support the police service or to encourage young nationalists and Catholics to join the service. If that happens, the Patten Commission's efforts could well end up having been an exercise in futility and the failure of the British Government to fully implement Patten's reforms could well end up undermining the peace process in Northern Ireland.

- I urge my colleagues to support this amendment and to support the resolution.

Statement of Congressman Joseph Crowley
H. Res. 547, Expressing the sense of the House of Representatives with respect to the peace
process in Northern Ireland
September 7, 2000

- Thank you, Mr. Chairman, for holding this important mark-up on H. Res. 547, legislation expressing the Sense of the House with respect to the peace process in Northern Ireland
- Your leadership on Irish issues, as well as that of Ranking Member Gejdenson, is deeply appreciated by myself and other members of the Irish-American community.
- I would also like to thank my good friend and colleague Congressman Richard Neal for introducing H. Res. 547 and for all of his hard work on this and other issues of importance to the Irish-American community. As Chairman Gilman has pointed out, although not a member of this Committee, he is a Co-Chair, along with myself, Chairman Gilman and Representative King, of the Congressional Ad Hoc Committee for Irish Affairs, so I know personally of his deep commitment to these issues.
- One June 5, the Northern Ireland Assembly resumed its important work after four months in limbo because of the issue of decommissioning.
- Many in the international community, the press and the public placed the blame for the suspension of the assembly squarely on the shoulders of the IRA.
- Although I disagree with this assessment, I want to point out that important progress has been made on the issue of decommissioning, the issue that the Unionist community has often singled out as one of great importance.
- Unfortunately, a delay in a related issue, and one that is of paramount importance to the Nationalist community in the North of Ireland, the issue of police reform, has not been met with the same international criticism.
- The Patten Commission Report, entitled "Policing in Northern Ireland, A New Beginning," was intended to be a compromise on the very delicate issue of police reform. While many in the Unionist community view the RUC with respect, too many in the Nationalist community have lived under what is considered an occupying army in the guise of a police force.
- The Patten Commission report was undertaken under the authority of the Good Friday Agreement to help change this situation.

- From the beginning, people in both communities knew it would be a compromise between the two sides. While no side was entirely happy with 175 specific recommendations, many in the nationalist community felt it was more important to move forward with police reform than to hold up the process.
- I continue to believe that a true new beginning on policing in Northern Ireland requires a brand new police force - not changes to one that has been viewed with great suspicion by over 40% of the population in the North of Ireland. At the very least, I view the Patten Committee Recommendations as an absolute minimum, not an à la carte menu for the British government to pick and choose from.
- Unfortunately, the British Government has done exactly that. Instead of adhering to the language and spirit of the Good Friday Agreement, they are sending legislation through the Parliament that does not fully implement the Patten recommendations.
- This is not only wrong, it is dangerous to the peace process. Again, it is dangerous to the peace process.
- Dr Gerald Lynch, a member of the eight member independent Patten Commission on policing and President of New York's John Jay College of Criminal Justice, stated that the Patten Commission's suggestions on reforming the RUC should not be watered down by the British government and expressed his concern that doing so could damage the peace process significantly.
- The legislation introduced by the British government will likely go to the House of Lords in early October and return to the House of Commons for its final consideration shortly thereafter. That is why this legislation is of such critical importance and urgently needed.
- I urge my colleagues to cast their vote in favor of this legislation urging the British government to do the right thing and fully implement the Patten Commission report.

Statement by Chairman Ben Gilman on Smith Amendment to H. Res. 547

I am pleased to support Chairman Smith's amendment that sets forth some specific instances where the British government's bill and the Patten Commission policing reforms are at great odds.

This amendment is a valuable contribution, since it makes clear that the differences in the bill and what Patten proposed are significant and meaningful. The police bill now before the Parliament at Westminster does not reflect many of the Patten Commission reforms in several important areas.

For example, the international overseer is limited to only overseeing the reforms agreed to in the bill instead of all of Patten's 175 proposed reforms, and the independent ombudsman and the Police Board would face absolute and arbitrary veto over their possible investigations of police misconduct by in the Northern Ireland Secretary of State.

This Committee knows well the need for these vital independent investigations into police misconduct, such as the case of defense counsel Rosemary Nelson, who faced threats by the RUC merely because she served as defense counsel for Catholic/nationalist clients. Rosemary Nelson spoke of these threats in this very hearing room, and was later murdered.

I urge support for the Smith amendment.

**Statement of Congressman Joseph Crowley
H.Con.Res. 242, To urge the Nobel Commission to award the year 2000 Nobel Prize
for Peace to former United States Senator George J. Mitchell for his dedication to
fostering peace in Northern Ireland
September 7, 2000**

- I would like to thank Chairman Gilman for holding this mark-up on this important legislation, urging the Nobel Commission to award the year 2000 Nobel Prize for Peace to former United States Senator George Mitchell for his dedication to fostering peace in Northern Ireland.
- I would also like to thank Ranking Member Gejdenson for introducing H.Con.Res. 242, which I am proud to cosponsor.
- Senator Mitchell has shown his unwavering commitment to the peace process, even when the two sides did not. He not only brokered the historic Good Friday Agreement; he also went back to the North of Ireland to help broker a compromise when the peace process seemed hopelessly stalled.
- The peace process in Northern Ireland has not been easy, but it has been successful thanks in no small part to the work of Senator Mitchell.
- Awarding him the Nobel Peace Prize would be a well-deserved honor.
- I urge my colleagues to support this important legislation.

106TH CONGRESS
1ST SESSION

H. R. 3378

To authorize certain actions to address the comprehensive treatment of sewage emanating from the Tijuana River in order to substantially reduce river and ocean pollution in the San Diego border region.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 16, 1999

Mr. BILBRAY (for himself and Mr. FILNER) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To authorize certain actions to address the comprehensive treatment of sewage emanating from the Tijuana River in order to substantially reduce river and ocean pollution in the San Diego border region.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Tijuana River Valley
5 Estuary and Beach Sewage Cleanup Act of 1999".

1 **SEC. 2. FINDINGS.**

2 (a) IN GENERAL.—The Congress finds that it is nec-
3 essary to take appropriate actions to address the com-
4 prehensive treatment of sewage emanating from the Ti-
5 juana River in order to substantially reduce river and
6 ocean pollution in the San Diego border region.

7 (b) FACTORS.—Congress bases the finding under
8 subsection (a) on the following factors:

9 (1) The San Diego border region is adversely
10 impacted from cross border raw sewage flows that
11 affect the environment and the health and safety of
12 citizens in the United States and Mexico.

13 (2) The United States and Mexico have agreed,
14 pursuant to the Treaty for the Utilization of Waters
15 of the Colorado and Tijuana Rivers and of the Rio
16 Grande, dated February 3, 1944, “to give pref-
17 erential attention to the solution of all border sanita-
18 tion problems”.

19 (3) The United States and Mexico recognize the
20 need for utilization of reclaimed water to supply the
21 growing needs of the City of Tijuana, Mexico, and
22 the entire border region.

23 (4) Current legislative authority regarding
24 funding of the IWTP limits the geographic scope of
25 proposed options for treatment of effluent from the
26 IWTP.

1 (5) This Act provides authority to take action
2 to address the comprehensive treatment of sewage
3 emanating from the Tijuana River in order to sub-
4 stantially reduce river and ocean pollution in the
5 San Diego border region and to exploit effective rec-
6 lamation opportunities.

7 **SEC. 3. PURPOSES.**

8 The purposes of this Act are as follows:

9 (1) Subject to the negotiation and approval of
10 a new or modified Treaty Minute under section 6, to
11 authorize the Commission to provide for secondary
12 treatment of effluent of the IWTP in Mexico.

13 (2) Subject to the negotiation and approval of
14 a new or modified Treaty Minute under section 6, to
15 authorize the Commission to provide for the develop-
16 ment of a privately-funded Mexican Facility, through
17 the execution of a fee-for-services contract with the
18 owner of such facility, in order to provide for—

19 (A) secondary treatment of effluent from
20 the IWTP, if such treatment is not provided for
21 at a facility in the United States; and

22 (B) additional capacity for primary and
23 secondary treatment of up to 50 mgd of sewage
24 in order to fully address the trans-border sani-
25 tation problem.

1 (3) To request the Secretary to initiate negotia-
2 tions with Mexico, within 60 days after the date of
3 the enactment of this Act, for a new Treaty Minute,
4 or a modification of Treaty Minute 283, so as to
5 allow for the siting of sewage treatment facilities in
6 Mexico, provide for additional treatment capacity
7 (up to 50 mdg) for the treatment of additional sew-
8 age emanating from the Tijuana area, and to ad-
9 dress other matters necessary for compliance with
10 the provisions of this Act.

11 (4) To provide such other authority as may be
12 necessary to implement a comprehensive solution to
13 the trans-border sanitation problem as soon as prac-
14 ticable.

15 **SEC. 4. DEFINITIONS.**

16 In this Act:

17 (1) ADMINISTRATOR.—The term “Adminis-
18 trator” means the Administrator of the Environ-
19 mental Protection Agency.

20 (2) COMMISSION.—The term “Commission”
21 means the United States section of the International
22 Boundary and Water Commission, United States
23 and Mexico.

24 (3) IWTP.—The term “IWTP” means the Ad-
25 vanced Primary Wastewater Treatment Facility con-

1 structured under the provisions of the Federal Water
2 Pollution Control Act of 1987, section 510 of the
3 Water Quality Amendments Act of 1987, and Treaty
4 Minutes to the Treaty for the Utilization of Waters
5 of the Colorado and Tijuana Rivers and of the Rio
6 Grande, dated February 3, 1944.

7 (4) SECRETARY.—The term “Secretary” means
8 the Secretary of State.

9 (5) MEXICAN FACILITY.—The term “Mexican
10 Facility” means the proposed public/private waste-
11 water treatment facility to be constructed within
12 Mexico for the purpose of treating sewage flows gen-
13 erated within Mexico, which flows impact the surface
14 waters, health, and safety of the United States and
15 Mexico, to be authorized by this Act.

16 (6) MGD.—The term “mgd” means million gal-
17 lons per day.

18 **SEC. 5. ACTIONS TO BE TAKEN BY THE ADMINISTRATOR**
19 **AND THE COMMISSION.**

20 (a) AUTHORITY.—

21 (1) Subject to the negotiation and conclusion of
22 a new Treaty Minute or the amendment of Treaty
23 Minute 283 under section 6, and notwithstanding
24 section 510(b)(2) of the Water Quality Amendments
25 Act of 1987, the Commission is authorized to pro-

1 vide for the secondary treatment of effluent from the
2 IWTP in Mexico.

3 (2) Subject to subsection (b) and notwith-
4 standing any other provision of law, in order to pro-
5 vide for sewage treatment in Mexico, the Commis-
6 sion is authorized to enter into a fee-for-services
7 contract with the owner of the Mexican Facility in
8 order to provide for the following:

9 (A) The secondary treatment of effluent
10 from the IWTP, if such treatment is not pro-
11 vided for at a facility in the United States.

12 (B) The primary and secondary treatment
13 not more than 50 mgd of additional sewage
14 from the Tijuana area so as to ensure to the ex-
15 tent possible that untreated sewage will not
16 flow into the United States through the Tijuana
17 River.

18 (b) CONTRACT.—Any contract under subsection (a)
19 shall provide for the following:

20 (1) Transportation of the advance primary ef-
21 fluent from the IWTP to the Mexican Facility for
22 secondary treatment.

23 (2) Treatment of effluent from the IWTP to
24 the secondary level in a manner which is in compli-

1 ance with applicable water quality laws of the
2 United States, California, and Mexico.

3 (3) Return conveyance of any such treated ef-
4 fluent that cannot be reused in either Mexico or the
5 United States to the South Bay Ocean Outfall for
6 disposition into the Pacific Ocean.

7 (4) Sewage treatment capacity which provides
8 for primary and secondary treatment of up to 50
9 mgd of sewage in addition to the capacity required
10 to treat the advanced primary effluent from the
11 IWTP.

12 (5) A contract for a term of 30 years.

13 (6) Appropriate arrangements for the moni-
14 toring and verification of compliance with applicable
15 United States, California, and Mexican water quality
16 standards.

17 (7) Arrangements for the appropriate disposi-
18 tion of sludge, produced from the IWTP and the
19 Mexican Facility, at a location or locations in Mex-
20 ico.

21 (8) Payment of appropriate fees by the Com-
22 mission to the owner of the Mexican Facility for
23 sewage treatment services with the annual amount
24 payable to reflect all costs associated with the devel-

1 opment, construction, operation, and financing of
2 the Mexican Facility.

3 (9) Provision for the transfer of ownership of
4 the Mexican Facility to the United States if the
5 Commission fails to perform its obligations under
6 the fee-for-services contract and provision for a can-
7 cellation fee by the United States to the owner of
8 the Mexican Facility, which shall be established in
9 amounts declining over the term of the contract an-
10 ticipated to be sufficient to repay construction debt
11 and other amounts due to the owner that remain
12 unamortized due to early termination of the con-
13 tract.

14 (10) A contract to which the Contract Disputes
15 Act (41 U.S.C. 601-613) and the Federal Acquisi-
16 tion Regulations (41 C.F.R. Chapters 1-99) do not
17 apply.

18 **SEC. 6. NEGOTIATION OF NEW TREATY MINUTE.**

19 (a) CONGRESSIONAL STATEMENT.—In light of the
20 existing threat to the environment and to public health
21 and safety within the United States as a result of the river
22 and ocean pollution in the San Diego United States-Mex-
23 ico border region, the Secretary is requested to give the
24 highest priority to the negotiation and execution of a new
25 Treaty Minute, or a modification of Treaty Minute 283,

1 consistent with the provisions of this Act, in order that
2 the other provisions of this Act to address such pollution
3 may be implemented as soon as possible.

4 (b) NEGOTIATION.—

5 (1) The Secretary is requested to initiate nego-
6 tiations with Mexico, within 60 days after the date
7 of the enactment of this Act, for a new Treaty
8 Minute or a modification of Treaty Minute 283 con-
9 sistent with the provisions of this Act.

10 (2) A new Treaty Minute or a modification of
11 Treaty Minute 283 under this Act shall be subject
12 to the provisions of the National Environmental Pol-
13 icy Act of 1969 (NEPA).

14 (3) A new Treaty Minute or a modification of
15 Treaty Minute 283 under paragraph (1) should ad-
16 dress the following:

17 (A) The siting of treatment facilities in
18 Mexico and in the United States.

19 (B) The secondary treatment of effluent
20 from the IWTP at the Mexican Facility if such
21 treatment is not provided for at a facility in the
22 United States.

23 (C) Provision for the primary and sec-
24 ondary treatment of up to 50 mgd of sewage,
25 in addition to treatment capacity for the ad-

1 vanced primary effluent from the IWTP at the
2 Mexican Facility, to be funded by the United
3 States.

4 (D) Provision for any and all approvals
5 from Mexican authorities necessary to facilitate
6 water quality verification and enforcement at
7 the Mexican Facility.

8 (E) Any terms and conditions considered
9 necessary to allow for use in the United States
10 of treated effluent from the Mexican Facility, if
11 there is reclaimed water which is surplus to the
12 needs of users in Mexico and such use is con-
13 sistent with applicable California law.

14 (F) Any other terms and conditions consid-
15 ered necessary by the Secretary in order to fully
16 implement the provisions of this Act.

17 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

18 There are authorized to be appropriated such sums
19 as may be necessary to carry out this Act.

○

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 3378
OFFERED BY Mr. Rohrabacher**

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the "Tijuana River Valley
3 Estuary and Beach Sewage Cleanup Act of 2000".

4 **SEC. 2. PURPOSE.**

5 The purpose of this Act is to authorize the United
6 States to take actions to address comprehensively the
7 treatment of sewage emanating from the Tijuana River
8 area, Mexico, that flows untreated or partially treated into
9 the United States causing significant adverse public health
10 and environmental impacts.

11 **SEC. 3. DEFINITIONS.**

12 In this Act, the following definitions apply:

13 (1) **ADMINISTRATOR.**—The term "Adminis-
14 trator" means the Administrator of the Environ-
15 mental Protection Agency.

16 (2) **COMMISSION.**—The term "Commission"
17 means the United States section of the International
18 Boundary and Water Commission, United States
19 and Mexico.

1 (3) IWTP.—The term “IWTP” means the
2 South Bay International Wastewater Treatment
3 Plant constructed under the provisions of the Fed-
4 eral Water Pollution Control Act (33 U.S.C. 1251 et
5 seq.), section 510 of the Water Quality Act of 1987
6 (101 Stat. 80–82), and Treaty Minutes to the Trea-
7 ty for the Utilization of Waters of the Colorado and
8 Tijuana Rivers and of the Rio Grande, dated Feb-
9 ruary 3, 1944.

10 (4) SECONDARY TREATMENT.—The term “sec-
11 ondary treatment” has the meaning such term has
12 under the Federal Water Pollution Control Act and
13 its implementing regulations.

14 (5) SECRETARY.—The term “Secretary” means
15 the Secretary of State.

16 (6) MEXICAN FACILITY.—The term “Mexican
17 facility” means a proposed public-private wastewater
18 treatment facility to be constructed and operated
19 under this Act within Mexico for the purpose of
20 treating sewage flows generated within Mexico,
21 which flows impact the surface waters, health, and
22 safety of the United States and Mexico.

23 (7) MGD.—The term “mgd” means million gal-
24 lons per day.

1 **SEC. 4. ACTIONS TO BE TAKEN BY THE COMMISSION AND**
2 **THE ADMINISTRATOR.**

3 (a) **SECONDARY TREATMENT.**—

4 (1) **IN GENERAL.**—Subject to the negotiation
5 and conclusion of a new Treaty Minute or the
6 amendment of Treaty Minute 283 under section 5,
7 and notwithstanding section 510(b)(2) of the Water
8 Quality Act of 1987 (101 Stat. 81), the Commission
9 is authorized and directed to provide for the sec-
10 ondary treatment of a total of not more than 50
11 mgd in Mexico—

12 (A) of effluent from the IWTP if such
13 treatment is not provided for at a facility in the
14 United States; and

15 (B) of additional sewage emanating from
16 the Tijuana River area, Mexico.

17 (2) **ADDITIONAL AUTHORITY.**—Subject to the
18 results of the comprehensive plan developed under
19 subsection (b) revealing a need for additional sec-
20 ondary treatment capacity in the San Diego-Tijuana
21 border region and recommending the provision of
22 such capacity in Mexico, the Commission may pro-
23 vide not more than an additional 25 mgd of sec-
24 ondary treatment capacity in Mexico for treatment
25 described in paragraph (1).

1 (b) COMPREHENSIVE PLAN.—Not later than 24
2 months after the date of enactment of this Act, the Ad-
3 ministrator shall develop a comprehensive plan with stake-
4 holder involvement to address the transborder sanitation
5 problems in the San Diego-Tijuana border region. The
6 plan shall include, at a minimum, an analysis of—

7 (1) the long-term secondary treatment needs of
8 the region;

9 (2) upgrades in the sewage collection system
10 serving the Tijuana area, Mexico; and

11 (3) an identification of options, and rec-
12 ommendations for preferred options, for additional
13 sewage treatment capacity for future flows ema-
14 nating from the Tijuana River area, Mexico.

15 (c) CONTRACT.—

16 (1) IN GENERAL.—Subject to the availability of
17 appropriations to carry out this subsection, the Com-
18 mission may enter into a fee-for-services contract
19 with the owner of a Mexican facility in order to
20 carry out the secondary treatment requirements of
21 subsection (a) and make payments under such con-
22 tract.

23 (2) TERMS.—Any contract under this sub-
24 section shall provide, at a minimum, for the fol-
25 lowing:

1 (A) Transportation of the advanced pri-
2 mary effluent from the IWTP to the Mexican
3 facility for secondary treatment.

4 (B) Treatment of the advanced primary ef-
5 fluent from the IWTP to the secondary treat-
6 ment level in a manner that is in compliance
7 with water quality laws of the United States,
8 California, and Mexico.

9 (C) Return conveyance from the Mexican
10 facility of any such treated effluent that cannot
11 be reused in either Mexico or the United States
12 to the South Bay Ocean Outfall for discharge
13 into the Pacific Ocean in compliance with water
14 quality laws of the United States and Cali-
15 fornia.

16 (D) Subject to the requirements of sub-
17 section (a), additional sewage treatment capac-
18 ity that provides for advanced primary and sec-
19 ondary treatment of sewage described in para-
20 graph (1)(B) in addition to the capacity re-
21 quired to treat the advanced primary effluent
22 from the IWTP.

23 (E) A contract term of 30 years.

24 (F) Arrangements for monitoring, verifica-
25 tion, and enforcement of compliance with

1 United States, California, and Mexican water
2 quality standards.

3 (G) Arrangements for the disposal and use
4 of sludge, produced from the IWTP and the
5 Mexican facility, at a location or locations in
6 Mexico.

7 (H) Payment of fees by the Commission to
8 the owner of the Mexican facility for sewage
9 treatment services with the annual amount pay-
10 able to reflect all costs associated with the de-
11 velopment, financing, construction, operation,
12 and maintenance of the Mexican facility.

13 (I) Provision for the transfer of ownership
14 of the Mexican facility to the United States,
15 and provision for a cancellation fee by the
16 United States to the owner of the Mexican fa-
17 cility, if the Commission fails to perform its ob-
18 ligations under the contract. The cancellation
19 fee shall be in amounts declining over the term
20 of the contract anticipated to be sufficient to
21 repay construction debt and other amounts due
22 to the owner that remain unamortized due to
23 early termination of the contract.

24 (J) Provision for the transfer of ownership
25 of the Mexican facility to the United States,

1 without a cancellation fee, if the owner of the
2 Mexican facility fails to perform the obligations
3 of the owner under the contract.

4 (3) LIMITATION.—The Contract Disputes Act
5 of 1978 (41 U.S.C. 601–613) shall not apply to a
6 contract executed under this section.

7 **SEC. 5. NEGOTIATION OF NEW TREATY MINUTE.**

8 (a) CONGRESSIONAL STATEMENT.—In light of the
9 existing threat to the environment and to public health
10 and safety within the United States as a result of the river
11 and ocean pollution in the San Diego-Tijuana border re-
12 gion, the Secretary is requested to give the highest priority
13 to the negotiation and execution of a new Treaty Minute,
14 or a modification of Treaty Minute 283, consistent with
15 the provisions of this Act, in order that the other provi-
16 sions of this Act to address such pollution may be imple-
17 mented as soon as possible.

18 (b) NEGOTIATION.—

19 (1) INITIATION.—The Secretary is requested to
20 initiate negotiations with Mexico, within 60 days
21 after the date of enactment of this Act, for a new
22 Treaty Minute or a modification of Treaty Minute
23 283 consistent with the provisions of this Act.

24 (2) IMPLEMENTATION.—Implementation of a
25 new Treaty Minute or a modification of Treaty

1 Minute 283 under this Act shall be subject to the
2 provisions of the National Environmental Policy Act
3 of 1969 (42 U.S.C. 4321 et seq.).

4 (3) MATTERS TO BE ADDRESSED.—A new
5 Treaty Minute or a modification of Treaty Minute
6 283 under paragraph (1) should address, at a min-
7 imum, the following:

8 (A) The siting of treatment facilities in
9 Mexico and in the United States.

10 (B) Provision for the secondary treatment
11 of effluent from the IWTP at a Mexican facility
12 if such treatment is not provided for at a facil-
13 ity in the United States.

14 (C) Provision for additional capacity for
15 advanced primary and secondary treatment of
16 additional sewage emanating from the Tijuana
17 River area, Mexico, in addition to the treatment
18 capacity for the advanced primary effluent from
19 the IWTP at the Mexican facility.

20 (D) Provision for any and all approvals
21 from Mexican authorities necessary to facilitate
22 water quality verification and enforcement at
23 the Mexican facility.

24 (E) Any terms and conditions considered
25 necessary to allow for use in the United States

1 of treated effluent from the Mexican facility, if
2 there is reclaimed water which is surplus to the
3 needs of users in Mexico and such use is con-
4 sistent with applicable United States and Cali-
5 fornia law.

6 (F) Any other terms and conditions consid-
7 ered necessary by the Secretary in order to im-
8 plement the provisions of this Act.

9 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

10 There are authorized to be appropriated such sums
11 as may be necessary to carry out this Act.

106TH CONGRESS
2D SESSION

H. R. 4673

To assist in the enhancement of the development and expansion of international economic assistance programs that utilize cooperatives and credit unions, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 2000

Mr. BEREUTER (for himself and Mr. POMEROY) introduced the following bill; which was referred to the Committee on International Relations

A BILL

To assist in the enhancement of the development and expansion of international economic assistance programs that utilize cooperatives and credit unions, and for other purposes.

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

3 **SECTION. 1. SHORT TITLE**

4 This Act may be cited as the "Support for Overseas
5 Cooperative Development Act".

6 **SEC. 2. FINDINGS**

7 The Congress makes the following findings:

1 (1) It is in the mutual economic interest of the
2 United States and peoples in developing and transi-
3 tional countries to promote cooperatives and credit
4 unions.

5 (2) Self-help institutions, including cooperatives
6 and credit unions, provide enhanced opportunities
7 for people to participate directly in democratic deci-
8 sion-making for their economic and social benefit
9 through ownership and control of business enter-
10 prises and through the mobilization of local capital
11 and savings and such organizations should be fully
12 utilized in fostering free market principles and the
13 adoption of self-help approaches to development.

14 (3) The United States seeks to encourage
15 broad-based economic and social development by cre-
16 ating and supporting—

17 (A) agricultural cooperatives that provide a
18 means to lift low income farmers and rural peo-
19 ple out of poverty and to better integrate them
20 into national economies;

21 (B) credit union networks that serve peo-
22 ple of limited means through safe savings and
23 by extending credit to families and microenter-
24 prises;

1 (C) electric and telephone cooperatives that
2 provide rural customers with power and tele-
3 communications services essential to economic
4 development;

5 (D) housing and community-based co-
6 operatives that provide low income shelter and
7 work opportunities for the urban poor; and

8 (E) mutual and cooperative insurance com-
9 panies that provide risk protection for life and
10 property to under-served populations often
11 through group policies.

12 **SEC. 3. GENERAL PROVISIONS.**

13 (a) DECLARATIONS OF POLICY.—The Congress sup-
14 ports the development and expansion of economic assist-
15 ance programs that fully utilize cooperatives and credit
16 unions, particularly those programs committed to—

17 (1) international cooperative principles, demo-
18 cratic governance and involvement of women and
19 ethnic minorities for economic and social develop-
20 ment;

21 (2) self-help mobilization of member savings
22 and equity, retention of profits in the community,
23 except those programs that are dependent on donor
24 financing;

1 (3) market-oriented and value-added activities
2 with the potential to reach large numbers of low in-
3 come people and help them enter into the main-
4 stream economy;

5 (4) strengthening the participation of rural and
6 urban poor to contribute to their country's economic
7 development; and

8 (5) utilization of technical assistance and train-
9 ing to better serve the member-owners.

10 (b) DEVELOPMENT PRIORITIES.—Section 111 of the
11 Foreign Assistance Act of 1961 (22 U.S.C. 2151i) is
12 amended by adding at the end the following: "In meeting
13 the requirement of the preceding sentence, specific priority
14 shall be given to the following:

15 “(1) AGRICULTURE.—Technical assistance to
16 low income farmers who form and develop member-
17 owned cooperatives for farm supplies, marketing and
18 value-added processing.

19 “(2) FINANCIAL SYSTEMS.—The promotion of
20 national credit union systems through credit union-
21 to-credit union technical assistance that strengthens
22 the ability of low income people and micro-entre-
23 preneurs to save and to have access to credit for
24 their own economic advancement.

1 “(3) INFRASTRUCTURE.—The establishment of
2 rural electric and telecommunication cooperatives for
3 universal access for rural people and villages that
4 lack reliable electric and telecommunications serv-
5 ices.

6 “(4) HOUSING AND COMMUNITY SERVICES.—
7 The promotion of community-based cooperatives
8 which provide employment opportunities and impor-
9 tant services such as health clinics, self-help shelter,
10 environmental improvements, group-owned busi-
11 nesses, and other activities.”.

12 **SEC. 4. REPORT.**

13 Not later than 6 months after the date of enactment
14 of this Act, the Administrator of the United States Agency
15 for International Development, in consultation with the
16 heads of other appropriate agencies, shall prepare and
17 submit to Congress a report on the implementation of sec-
18 tion 111 of the Foreign Assistance Act of 1961 (22 U.S.C.
19 2151i), as amended by section 3 of this Act.

○

106TH CONGRESS
2D SESSION

S. 484

IN THE HOUSE OF REPRESENTATIVES

MAY 25, 2000

Referred to the Committee on the Judiciary, and in addition to the Committee on International Relations, 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

AN ACT

To provide for the granting of refugee status in the United States to nationals of certain foreign countries in which American Vietnam War POW/MIAs or American Korean War POW/MIAs may be present, if those nationals assist in the return to the United States of those POW/MIAs alive.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Bring Them Home
5 Alive Act of 2000".

1 **SEC. 2. AMERICAN VIETNAM WAR POW/MIA ASYLUM PRO-**
2 **GRAM.**

3 (a) **ASYLUM FOR ELIGIBLE ALIENS.**—Notwith-
4 standing any other provision of law, the Attorney General
5 shall grant refugee status in the United States to any alien
6 described in subsection (b), upon the application of that
7 alien.

8 (b) **ELIGIBILITY.**—Refugee status shall be granted
9 under subsection (a) to—

10 (1) any alien who—

11 (A) is a national of Vietnam, Cambodia,
12 Laos, China, or any of the independent states
13 of the former Soviet Union; and

14 (B) personally delivers into the custody of
15 the United States Government a living Amer-
16 ican Vietnam War POW/MIA; and

17 (2) any parent, spouse, or child of an alien de-
18 scribed in paragraph (1).

19 (c) **DEFINITIONS.**—In this section:

20 (1) **AMERICAN VIETNAM WAR POW/MIA.**—

21 (A) **IN GENERAL.**—Except as provided in
22 subparagraph (B), the term “American Viet-
23 nam War POW/MIA” means an individual—

24 (i) who is a member of a uniformed
25 service (within the meaning of section
26 101(3) of title 37, United States Code) in

1 a missing status (as defined in section
2 551(2) of such title and this subsection) as
3 a result of the Vietnam War; or

4 (ii) who is an employee (as defined in
5 section 5561(2) of title 5, United States
6 Code) in a missing status (as defined in
7 section 5561(5) of such title) as a result of
8 the Vietnam War.

9 (B) EXCLUSION.—Such term does not in-
10 clude an individual with respect to whom it is
11 officially determined under section 552(c) of
12 title 37, United States Code, that such indi-
13 vidual is officially absent from such individual's
14 post of duty without authority.

15 (2) MISSING STATUS.—The term “missing sta-
16 tus”, with respect to the Vietnam War, means the
17 status of an individual as a result of the Vietnam
18 War if immediately before that status began the
19 individual—

20 (A) was performing service in Vietnam; or

21 (B) was performing service in Southeast
22 Asia in direct support of military operations in
23 Vietnam.

24 (3) VIETNAM WAR.—The term “Vietnam War”
25 means the conflict in Southeast Asia during the pe-

1 riod that began on February 28, 1961, and ended on
2 May 7, 1975.

3 **SEC. 3. AMERICAN KOREAN WAR POW/MIA ASYLUM PRO-**
4 **GRAM.**

5 (a) **ASYLUM FOR ELIGIBLE ALIENS.**—Notwith-
6 standing any other provision of law, the Attorney General
7 shall grant refugee status in the United States to any alien
8 described in subsection (b), upon the application of that
9 alien.

10 (b) **ELIGIBILITY.**—Refugee status shall be granted
11 under subsection (a) to—

12 (1) any alien—

13 (A) who is a national of North Korea,
14 China, or any of the independent states of the
15 former Soviet Union; and

16 (B) who personally delivers into the cus-
17 tody of the United States Government a living
18 American Korean War POW/MIA; and

19 (2) any parent, spouse, or child of an alien de-
20 scribed in paragraph (1).

21 (c) **DEFINITIONS.**—In this section:

22 (1) **AMERICAN KOREAN WAR POW/MIA.**—

23 (A) **IN GENERAL.**—Except as provided in
24 subparagraph (B), the term “American Korean
25 War POW/MIA” means an individual—

1 (i) who is a member of a uniformed
2 service (within the meaning of section
3 101(3) of title 37, United States Code) in
4 a missing status (as defined in section
5 551(2) of such title and this subsection) as
6 a result of the Korean War; or

7 (ii) who is an employee (as defined in
8 section 5561(2) of title 5, United States
9 Code) in a missing status (as defined in
10 section 5561(5) of such title) as a result of
11 the Korean War.

12 (B) EXCLUSION.—Such term does not in-
13 clude an individual with respect to whom it is
14 officially determined under section 552(c) of
15 title 37, United States Code, that such indi-
16 vidual is officially absent from such individual's
17 post of duty without authority.

18 (2) KOREAN WAR.—The term “Korean War”
19 means the conflict on the Korean peninsula during
20 the period that began on June 27, 1950, and ended
21 January 31, 1955.

22 (3) MISSING STATUS.—The term “missing sta-
23 tus”, with respect to the Korean War, means the
24 status of an individual as a result of the Korean

1 War if immediately before that status began the
2 individual—

3 (A) was performing service in the Korean
4 peninsula; or

5 (B) was performing service in Asia in di-
6 rect support of military operations in the Ko-
7 rean peninsula.

8 **SEC. 4. BROADCASTING INFORMATION ON THE "BRING**
9 **THEM HOME ALIVE" PROGRAM.**

10 (a) REQUIREMENT.—

11 (1) IN GENERAL.—The International Broad-
12 casting Bureau shall broadcast, through
13 WORLDNET Television and Film Service and
14 Radio, VOA-TV, VOA Radio, or otherwise, informa-
15 tion that promotes the "Bring Them Home Alive"
16 refugee program under this Act to foreign countries
17 covered by paragraph (2).

18 (2) COVERED COUNTRIES.—The foreign coun-
19 tries covered by paragraph (1) are—

20 (A) Vietnam, Cambodia, Laos, China, and
21 North Korea; and

22 (B) Russia and the other independent
23 states of the former Soviet Union.

24 (b) LEVEL OF PROGRAMMING.—The International
25 Broadcasting Bureau shall broadcast—

1 (1) at least 20 hours of the programming de-
2 scribed in subsection (a)(1) during the 30-day period
3 that begins 15 days after the date of enactment of
4 this Act; and

5 (2) at least 10 hours of the programming de-
6 scribed in subsection (a)(1) in each calendar quarter
7 during the period beginning with the first calendar
8 quarter that begins after the date of enactment of
9 this Act and ending five years after the date of en-
10 actment of this Act.

11 (c) AVAILABILITY OF INFORMATION ON THE INTER-
12 NET.—International Broadcasting Bureau shall ensure
13 that information regarding the “Bring Them Home Alive”
14 refugee program under this Act is readily available on the
15 World Wide Web sites of the Bureau.

16 (d) SENSE OF CONGRESS.—It is the sense of Con-
17 gress that RFE/RL, Incorporated, Radio Free Asia, and
18 any other recipient of Federal grants that engages in
19 international broadcasting to the countries covered by sub-
20 section (a)(2) should broadcast information similar to the
21 information required to be broadcast by subsection (a)(1).

22 (e) DEFINITION.—The term “International Broad-
23 casting Bureau” means the International Broadcasting
24 Bureau of the United States Information Agency or, on
25 and after the effective date of title XIII of the Foreign

1 Affairs Reform and Restructuring Act of 1998 (as con-
2 tained in division G of Public Law 105-277), the Inter-
3 national Broadcasting Bureau of the Broadcasting Board
4 of Governors.

5 **SEC. 5. INDEPENDENT STATES OF THE FORMER SOVIET**
6 **UNION DEFINED.**

7 In this Act, the term "independent states of the
8 former Soviet Union" has the meaning given the term in
9 section 3 of the FREEDOM Support Act (22 U.S.C.
10 5801).

Passed the Senate May 24, 2000.

Attest:

GARY SISCO,
Secretary.

106TH CONGRESS
2D SESSION

H. RES. 547

Expressing the sense of the House of Representatives with respect to the peace process in Northern Ireland.

IN THE HOUSE OF REPRESENTATIVES

JULY 11, 2000

Mr. NEAL of Massachusetts (for himself, Mr. GILMAN, Mr. GEJDENSON, Mr. KING, Mr. CROWLEY, Mr. WALSH, Mr. MENDENDEZ, Mr. SMITH of New Jersey, Mr. ACKERMAN, and Mr. LAZIO) submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Expressing the sense of the House of Representatives with respect to the peace process in Northern Ireland.

Whereas the April 10, 1998, Good Friday Agreement established a framework for the peaceful settlement of the conflict in Northern Ireland;

Whereas the Good Friday Agreement stated that it provided “the opportunity for a new beginning to policing in Northern Ireland with a police service capable of attracting and sustaining support from the community as a whole”;

Whereas the Good Friday Agreement provided for the establishment of an Independent Commission on Policing to make “recommendations for future policing arrangements

in Northern Ireland including means of encouraging widespread community support for these arrangements”;

Whereas the Independent Commission on Policing, led by Sir Christopher Patten, concluded its work on September 9, 1999, and proposed 175 recommendations in its final report to ensure a new beginning to policing, consistent with the requirements in the Good Friday Agreement;

Whereas the Patten report explicitly “warned in the strongest terms against cherry-picking from this report or trying to implement some major elements of it in isolation from others”;

Whereas section 405 of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (as contained in H.R. 3427, as enacted by section 1000(a)(7) of Public Law 106-113, and as contained in appendix G to such Public Law) requires President Clinton to certify, among other things, that the Governments of the United Kingdom and Ireland are committed to assisting in the full implementation of the recommendations contained in the Patten Commission report issued on September 9, 1999 before the Federal Bureau of Investigation or any other Federal law enforcement agency can provide training for the Royal Ulster Constabulary;

Whereas a May 5, 2000, joint letter by the British Prime Minister and the Irish Prime Minister stated that “legislation to implement the Patten report will, subject to Parliament, be enacted by November 2000”;

Whereas on May 16, 2000, the British Government published the proposed Police (Northern Ireland) bill, which purports to implement in law the Patten report;

Whereas many of the signatories to the Good Friday Agreement have stated that the draft bill does not live up to the letter or spirit of the Patten report and dilutes or does not implement many key recommendations of the Patten Commission;

Whereas Northern Ireland's main nationalist parties have indicated that they will not participate or encourage participation in the new policing structures unless the Patten report is fully implemented; and

Whereas on June 15, 2000, British Secretary of State for Northern Ireland Peter Mandelson said, "I remain absolutely determined to implement the Patten recommendations and to achieve the effective and representative policing service, accepted in every part of Northern Ireland, that his report aimed to secure": Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) commends the parties for progress to date
3 in implementing all aspects of the Good Friday
4 Agreement and urges them to move expeditiously to
5 complete the implementation;

6 (2) believes that the full and speedy implemen-
7 tation of the recommendations of the Independent
8 Commission on Policing for Northern Ireland holds
9 the promise of ensuring that the police service in
10 Northern Ireland will gain the support of both na-
11 tionalists and unionists and that "policing structures
12 and arrangements are such that the police service is
13 fair and impartial, free from partisan political con-

1 trol, accountable... to the community it serves, rep-
2 resentative of the society that it polices...[and]
3 complies with human rights norms", as mandated by
4 the Good Friday Agreement; and

5 (3) calls upon the British Government to fully
6 and faithfully implement the recommendations con-
7 tained in the September 9, 1999, Patten Commis-
8 sion report on policing.

○

AMENDMENT TO H. RES. 547
OFFERED BY MR. SMITH OF NEW JERSEY

Strike the 9th clause of the preamble and insert the following:

Whereas many of the signatories to the Good Friday Agreement have stated that the proposed Police (Northern Ireland) bill does not live up to the letter or spirit of the Patten report and dilutes or fails to implement many of the Patten Commission's key recommendations regarding accountability, such as, by limiting the Policing Board and Police Ombudsman's powers of inquiry, by failing to appoint a commissioner to oversee implementation of the Patten Commission's 175 recommendations and instead limiting the commissioner to overseeing those changes in policing which are decided upon by the British Government, and by rejecting the Patten Commission's recommendation that all police officers in Northern Ireland take an oath expressing an explicit commitment to uphold human rights;



106TH CONGRESS
2D SESSION

H. CON. RES. 257

Concerning the emancipation of the Iranian Baha'i community.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 29, 2000

Mr. PORTER (for himself, Mr. LANTOS, Mr. SMITH of New Jersey, Mr. HOYER, Mr. NEAL of Massachusetts, Mr. CAPUANO, Mr. GEORGE MILLER of California, Mr. FORBES, Mr. WOLF, Mr. GUTIERREZ, Mr. EVANS, Mr. McDERMOTT, Mr. ROGAN, Mr. ABERCROMBIE, Mrs. MORELLA, Mr. HORN, Mr. TRAFICANT, Mr. MCGOVERN, Mr. WAXMAN, Mr. MOORE, Mr. WEXLER, Mr. HINCHEY, Mrs. MINK of Hawaii, Mr. UNDERWOOD, Mr. VISCLOSKY, Mr. BATEMAN, Mrs. LOWEY, Mr. CLEMENT, Mr. DEUTSCH, Mr. COYNE, Mr. DEFazio, Ms. SCHAKOWSKY, Ms. BERKLEY, Mr. ACKERMAN, Mr. FRANK of Massachusetts, Mr. ENGEL, Mr. RAHALL, and Mr. FALEOMAVAEGA) submitted the following concurrent resolution; which was referred to the Committee on International Relations

CONCURRENT RESOLUTION

Concerning the emancipation of the Iranian Baha'i community.

Whereas in 1982, 1984, 1988, 1990, 1992, 1994, and 1996, Congress, by concurrent resolution, declared that it holds the Government of Iran responsible for upholding the rights of all its nationals, including members of the Baha'i Faith, Iran's largest religious minority;

Whereas Congress has deplored the Government of Iran's religious persecution of the Baha'i community in such resolutions and in numerous other appeals, and has con-

demned Iran's execution of more than 200 Baha'is and the imprisonment of thousands of others solely on account of their religious beliefs;

Whereas in July 1998 a Baha'i, Mr. Ruhollah Rowhani, was executed by hanging in Mashhad after being held in solitary confinement for 9 months on the charge of converting a Muslim woman to the Baha'i Faith, a charge the woman herself refuted;

Whereas 2 Baha'is remain on death row in Iran, 2 on charges on apostasy, and 10 others are serving prison terms on charges arising solely from their religious beliefs or activities;

Whereas the Government of Iran continues to deny individual Baha'is access to higher education and government employment and denies recognition and religious rights to the Baha'i community, according to the policy set forth in a confidential Iranian Government document which was revealed by the United Nations Commission on Human Rights in 1993;

Whereas Baha'is have been banned from teaching and studying at Iranian universities since the Islamic Revolution and therefore created the Baha'i Institute of Higher Education, or Baha'i Open University, to provide educational opportunities to Baha'i youth using volunteer faculty and a network of classrooms, libraries, and laboratories in private homes and buildings throughout Iran;

Whereas in September and October 1998, Iranian authorities arrested 36 faculty members of the Open University, 4 of whom have been given prison sentences ranging between 3 to 10 years, even though the law makes no men-

tion of religious instruction within one's own religious community as being an illegal activity;

Whereas Iranian intelligence officers looted classroom equipment, textbooks, computers, and other personal property from 532 Baha'i homes in an attempt to close down the Open University;

Whereas all Baha'i community properties in Iran have been confiscated by the government, and Iranian Baha'is are not permitted to elect their leaders, organize as a community, operate religious schools, or conduct other religious community activities guaranteed by the Universal Declaration of Human Rights;

Whereas on February 22, 1993, the United Nations Commission on Human Rights published a formerly confidential Iranian government document that constitutes a blueprint for the destruction of the Baha'i community and reveals that these repressive actions are the result of a deliberate policy designed and approved by the highest officials of the Government of Iran; and

Whereas in 1998 the United Nations Special Representative for Human Rights, Maurice Copithorne, was denied entry into Iran: Now, therefore, be it

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

3 (1) continues to hold the Government of Iran
4 responsible for upholding the rights of all its nation-
5 als, including members of the Baha'i community, in
6 a manner consistent with Iran's obligations under
7 the Universal Declaration of Human Rights and

1 other international agreements guaranteeing the civil
2 and political rights of its citizens;

3 (2) condemns the repressive anti-Baha'i policies
4 and actions of the Government of Iran, including the
5 denial of legal recognition to the Baha'i community
6 and the basic rights to organize, elect its leaders,
7 educate its youth, and conduct the normal activities
8 of a law-abiding religious community;

9 (3) expresses concern that individual Baha'is
10 continue to suffer from severely repressive and dis-
11 criminatory government actions, including executions
12 and death sentences, solely on account of their reli-
13 gion;

14 (4) urges the Government of Iran to permit
15 Baha'i students to attend Iranian universities and
16 Baha'i faculty to teach at Iranian universities, to re-
17 turn the property confiscated from the Baha'i Open
18 University, to free the imprisoned faculty members
19 of the Open University, and to permit the Open Uni-
20 versity to continue to function;

21 (5) urges the Government of Iran to implement
22 fully the conclusions and recommendations on the
23 emancipation of the Iranian Baha'i community made
24 by the United Nations Special Rapporteur on Reli-
25 gious Intolerance, Professor Abdelfattah Amor, in

1 his report of March 1996 to the United Nations
2 Commission of Human Rights;

3 (6) urges the Government of Iran to extend to
4 the Baha'i community the rights guaranteed by the
5 Universal Declaration of Human Rights and the
6 international covenants of human rights, including
7 the freedom of thought, conscience, and religion, and
8 equal protection of the law; and

9 (7) calls upon the President to continue—

10 (A) to assert the United States Govern-
11 ment's concern regarding Iran's violations of
12 the rights of its citizens, including members of
13 the Baha'i community, along with expressions
14 of its concern regarding the Iranian Govern-
15 ment's support for international terrorism and
16 its efforts to acquire weapons of mass destruc-
17 tion;

18 (B) to emphasize that the United States
19 regards the human rights practices of the Gov-
20 ernment of Iran, particularly its treatment of
21 the Baha'i community and other religious mi-
22 norities, as a significant factor in the develop-
23 ment of the United States Government's rela-
24 tions with the Government of Iran;

1 (C) to emphasize the need for the United
2 Nations Special Representative for Human
3 Rights to be granted permission to enter Iran;

4 (D) to urge the Government of Iran to
5 emancipate the Baha'i community by granting
6 those rights guaranteed by the Universal Dec-
7 laration of Human Rights and the international
8 covenants on human rights; and

9 (E) to encourage other governments to
10 continue to appeal to the Government of Iran,
11 and to cooperate with other governments and
12 international organizations, including the
13 United Nations and its agencies, in efforts to
14 protect the religious rights of the Baha'is and
15 other minorities through joint appeals to the
16 Government of Iran and through other appro-
17 priate actions.

○

106TH CONGRESS
2D SESSION

H. CON. RES. 242

To urge the Nobel Commission to award the year 2000 Nobel Prize for Peace to former United States Senator George J. Mitchell for his dedication to fostering peace in Northern Ireland.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 27, 2000

Mr. GEJDENSON (for himself, Mr. ALLEN, Mr. BENTSEN, Mr. CAPUANO, Ms. CARSON, Mr. CONYERS, Mr. CROWLEY, Ms. DANNER, Mr. DAVIS of Florida, Mr. DOYLE, Mr. ENGEL, Ms. ESHOO, Mr. FROST, Mr. GILMAN, Mr. GUTIERREZ, Mr. HINCHEY, Mr. KING, Mr. LARSON, Mr. LATOURETTE, Mr. LEVIN, Mr. LUCAS of Kentucky, Mr. MARKEY, Mr. MCGOVERN, Mr. McNULTY, Mr. MEEHAN, Mr. PALLONE, Mr. PAYNE, Ms. PELOSI, Mr. POMEROY, Mr. RAHALL, Mr. SAWYER, Mr. SKELTON, Mr. STUPAK, Mr. TIERNEY, Mrs. JONES of Ohio, Mr. VENTO, Mr. WALSH, Mr. WAXMAN, Mr. WEINER, and Mr. ABERCROMBIE) submitted the following concurrent resolution; which was referred to the Committee on International Relations

CONCURRENT RESOLUTION

To urge the Nobel Commission to award the year 2000 Nobel Prize for Peace to former United States Senator George J. Mitchell for his dedication to fostering peace in Northern Ireland.

Whereas Senator Mitchell has worked tirelessly over the past four years to bring peace to a place which has known strife and violence for far too long;

Whereas Senator Mitchell's father, who immigrated to the United States from Ireland, and his mother, who immigrated from Lebanon, taught him "that every human being has an obligation to help those who are in need.";

Whereas President Clinton appointed Senator Mitchell as a special advisor and envoy for peace in 1995;

Whereas Senator Mitchell endured initial criticism that he would be biased toward one side only to demonstrate to all skeptics that he could serve as an honest broker for all the people of Northern Ireland;

Whereas Senator Mitchell was nominated for a Nobel Prize in 1998 for his heroic work in mediating the Good Friday Accords which finally offered the people of Northern Ireland a framework for lasting peace;

Whereas in September of 1999, Senator Mitchell was asked to return to revive peace talks which had appeared hopelessly stalled, conducted a review of the Good Friday Accords, and then crafted a compromise which cleared the final hurdles to a historic devolution of authority from London to a new Northern Ireland Assembly;

Whereas Monica McWilliams, founder of the Northern Ireland Women's Coalition and a central participant in the peace talks, asserted that Senator Mitchell's invaluable role was to "remind people that they are mirror images, to show the cyclical effect we have on each other" and said that Senator Mitchell "refused to contemplate failure and made us refuse to contemplate it, too."; and

Whereas after helping resolve the most recent crucial impasse, Senator Mitchell said "I believe that all of this desire for peace by the people of Northern Ireland is so strong that it cannot be denied." and that peace has ar-

rived because of the “will of the people of Northern Ireland to turn away from the bitterness of the past and the courage of the political leaders of Northern Ireland to act upon that will”: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring)*, That the Congress of the United States urges
3 the Nobel Commission to award the year 2000 Nobel Prize
4 for Peace to former United States Senator George J.
5 Mitchell for his dedication to fostering peace in Northern
6 Ireland.

○

106TH CONGRESS
2D SESSION

H. J. RES. 100

Calling upon the President to issue a proclamation recognizing the 25th anniversary of the Helsinki Final Act.

IN THE HOUSE OF REPRESENTATIVES

JUNE 8, 2000

Mr. SMITH of New Jersey (for himself, Mr. HOYER, Mr. WOLF, Mr. CARDIN, Mr. SALMON, Ms. SLAUGHTER, Mr. GREENWOOD, Mr. FORBES, and Mr. PITTS) introduced the following joint resolution; which was referred to the Committee on International Relations

JOINT RESOLUTION

Calling upon the President to issue a proclamation recognizing the 25th anniversary of the Helsinki Final Act.

Whereas August 1, 2000, is the 25th anniversary of the Final Act of the Conference on Security and Cooperation in Europe (CSCE), renamed the Organization for Security and Cooperation in Europe (OSCE) in January 1995 (in this joint resolution referred to as the "Helsinki Final Act");

Whereas the Helsinki Final Act, for the first time in the history of international agreements, accorded human rights the status of a fundamental principle in regulating international relations;

Whereas during the Communist era, members of nongovernmental organizations, such as the Helsinki Monitoring Groups in Russia, Ukraine, Lithuania, Georgia, and Armenia and similar groups in Czechoslovakia and Poland, sacrificed their personal freedom and even their lives in their courageous and vocal support for the principles enshrined in the Helsinki Final Act;

Whereas the United States Congress contributed to advancing the aims of the Helsinki Final Act by creating the Commission on Security and Cooperation in Europe to monitor and encourage compliance with provisions of the Helsinki Final Act;

Whereas in the 1990 Charter of Paris for a New Europe, the participating states declared, "Human rights and fundamental freedoms are the birthright of all human beings, are inalienable and are guaranteed by law. Their protection and promotion is the first responsibility of government";

Whereas in the 1991 Document of the Moscow Meeting of the Conference on the Human Dimension of the CSCE, the participating states "categorically and irrevocably declare[d] that the commitments undertaken in the field of the human dimension of the CSCE are matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the State concerned";

Whereas in the 1990 Charter of Paris for a New Europe, the participating states committed themselves "to build, consolidate and strengthen democracy as the only system of government of our nations";

Whereas the 1999 Istanbul Charter for European Security and Istanbul Summit Declaration note the particular challenges of ending violence against women and children as well as sexual exploitation and all forms of trafficking in human beings, strengthening efforts to combat corruption, eradicating torture, reinforcing efforts to end discrimination against Roma and Sinti, and promoting democracy and respect for human rights in Serbia;

Whereas the main challenge facing the participating states remains the implementation of the principles and commitments contained in the Helsinki Final Act and other OSCE documents adopted on the basis of consensus;

Whereas the participating states have recognized that economic liberty, social justice, and environmental responsibility are indispensable for prosperity;

Whereas the participating states have committed themselves to promote economic reforms through enhanced transparency for economic activity with the aim of advancing the principles of market economies;

Whereas the participating states have stressed the importance of respect for the rule of law and of vigorous efforts to fight organized crime and corruption, which constitute a great threat to economic reform and prosperity;

Whereas OSCE has expanded the scope and substance of its efforts, undertaking a variety of preventive diplomacy initiatives designed to prevent, manage, and resolve conflict within and among the participating states;

Whereas the politico-military aspects of security remain vital to the interests of the participating states and constitute a core element of OSCE's concept of comprehensive security;

Whereas the OSCE has played an increasingly active role in civilian police-related activities, including training, as an integral part of OSCE's efforts in conflict prevention, crisis management, and post-conflict rehabilitation; and

Whereas the participating states bear primary responsibility for raising violations of the Helsinki Final Act and other OSCE documents: Now, therefore, be it

1 *Resolved by the Senate and House of Representatives*

2 *of the United States of America in Congress assembled,*

3 That the Congress calls upon the President to—

4 (1) issue a proclamation—

5 (A) recognizing the 25th anniversary of the
6 signing of the Final Act of the Conference on
7 Security and Cooperation in Europe;

8 (B) reasserting the commitment of the
9 United States to full implementation of the
10 Helsinki Final Act;

11 (C) urging all signatory states to abide by
12 their obligations under the Helsinki Final Act;
13 and

14 (D) encouraging the people of the United
15 States to join the President and the Congress
16 in observance of this anniversary with appro-
17 priate programs, ceremonies, and activities; and

18 (2) convey to all signatory states of the Hel-
19 sinki Final Act that respect for human rights and
20 fundamental freedoms, democratic principles, eco-

1 nomic liberty, and the implementation of related
2 commitments continue to be vital elements in pro-
3 moting a new era of democracy, peace, and unity in
4 the region covered by the Organization for Security
5 and Cooperation in Europe.

○

106TH CONGRESS
1ST SESSION

H. R. 1064

To authorize a coordinated program to promote the development of democracy in Serbia and Montenegro.

IN THE HOUSE OF REPRESENTATIVES

MARCH 10, 1999

Mr. SMITH of New Jersey (for himself, Mr. GILMAN, Mr. HOYER, Mr. PORTER, Mr. ENGEL, Mr. BURTON of Indiana, Ms. SLAUGHTER, Mr. ROHRBACHER, and Mr. MORAN of Virginia) introduced the following bill; which was referred to the Committee on International Relations

A BILL

To authorize a coordinated program to promote the development of democracy in Serbia and Montenegro.

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

3 **SECTION. 1. SHORT TITLE.**

4 This Act may be cited as the "Serbia and Montenegro
5 Democracy Act of 1999".

6 **SEC. 2. FINDINGS.**

7 The Congress makes the following findings:

8 (1) In multi-party elections held in the Republic
9 of Serbia in 1990, 1992, 1996 and 1997, inter-

1 national observers found considerable evidence of
2 election fraud and the manipulation of state-run
3 media, allowing the ruling Socialist Party of Serbia
4 led by Slobodan Milosevic to maintain power.

5 (2) On many occasions, and specifically in
6 1991, 1996 and 1997, the Serbian authorities dem-
7 onstrated a clear willingness to intimidate and use
8 force against citizens of Serbia who were peacefully
9 exercising their rights by protesting publicly against
10 the undemocratic practices of the regime.

11 (3) Beginning in 1991, the Serbian Government
12 formed by the Socialist Party of Serbia sought to
13 enhance its power and counter democratic pressures
14 by fomenting extreme nationalism and instigating
15 conflict within the former Socialist Federal Republic
16 of Yugoslavia, which, by the time peace was restored
17 in 1995, resulted in the deaths of hundreds of thou-
18 sands, the torture and rape of tens of thousands and
19 the forced displacement of nearly 3,000,000 people.

20 (4) In 1992, the republics of Serbia and Mon-
21 tenegro asserted the establishment of a new "Fed-
22 eral Republic of Yugoslavia", the government and
23 institutions of which have been dominated by those
24 holding power in Serbia and their political allies in
25 Montenegro, enabling Serbian President Slobodan

1 Milosevic to become the President of the new Yugo-
2 slav state in 1997, when his final term as President
3 of Serbia ended.

4 (5) In 1997 and 1998, forces within the ruling
5 Democratic Socialist Party of Montenegro which
6 supported the building of democratic institutions
7 separated from those allied with the ruling party in
8 Serbia, cooperated with opposition parties, including
9 those representing minority communities, and suc-
10 ceeded, despite threats and intimidation on the part
11 of Serbian officials, in holding elections reflective of
12 the will of the citizens of Montenegro and bringing
13 increased openness and tolerance in Montenegrin so-
14 ciety.

15 (6) In 1998, conflict in the area resumed with
16 an assault by Yugoslav military and Serbian police
17 and security forces on innocent civilians in Kosovo
18 which have resulted in more than 1,000 people dead
19 or missing and the forced displacement of tens of
20 thousands before a tentative ceasefire was reached
21 which has been threatened by further atrocities in
22 1999.

23 (7) The ethnically Albanian majority of the
24 population of Kosovo has established its own politi-
25 cal, medical, education and media institutions in re-

1 action to the illegal revocation in 1990 of Kosovo's
2 autonomy as a province in the former Socialist Fed-
3 eral Republic of Yugoslavia and the subsequent
4 years of repression of the people living in Kosovo.

5 (8) In 1998, new, draconian laws on informa-
6 tion and higher education placed further restrictions
7 on the independent media and academic freedom in
8 Serbia.

9 (9) The chronology of events in Serbia and
10 Montenegro since 1990 indicate a clear and close re-
11 lationship between the instigation of conflict and the
12 denial of democratic development.

13 **SEC. 3. POLICY TOWARD SERBIA AND MONTENEGRO.**

14 It is the policy of the United States to promote the
15 development of democracy in Serbia and Montenegro and
16 to support those who are committed to the building of
17 democratic institutions, defending human rights, promot-
18 ing rule of law, and fostering tolerance in society.

19 **SEC. 4. ASSISTANCE TO SUPPORT DEMOCRATIC EFFORTS**
20 **IN SERBIA AND MONTENEGRO.**

21 (a) ASSISTANCE.—In carrying out the Support for
22 East European Democracy (SEED) Act of 1989, the
23 President shall provide the following assistance to support
24 democratic efforts in Serbia and Montenegro (excluding
25 Kosovo):

1 (1) OPEN MEDIA.—

2 (A) IN GENERAL.—Assistance to improve
3 infrastructure and programming, to provide ad-
4 vice, technical support and education, and to
5 help provide legal protection.

6 (B) AUTHORIZATION OF APPROPRIA-
7 TIONS.—There is authorized to be appropriated
8 \$10,000,000 for fiscal year 2000 to carry out
9 subparagraph (A).

10 (2) NONGOVERNMENTAL ORGANIZATIONS.—

11 (A) IN GENERAL.—Assistance to train, to
12 develop regional networks, to encourage multi-
13 ethnic focus on issues of common concern, and
14 to help provide legal protection.

15 (B) AUTHORIZATION OF APPROPRIA-
16 TIONS.—There is authorized to be appropriated
17 \$5,000,000 for fiscal year 2000 to carry out
18 subparagraph (A).

19 (3) INDEPENDENT LABOR UNIONS.—

20 (A) IN GENERAL.—Assistance to promote
21 membership, to facilitate contacts and coopera-
22 tion with labor unions elsewhere in Europe, and
23 to help provide legal protection.

24 (B) AUTHORIZATION OF APPROPRIA-
25 TIONS.—There is authorized to be appropriated

1 \$3,000,000 for fiscal year 2000 to carry out
2 subparagraph (A).

3 (4) EDUCATION.—

4 (A) IN GENERAL.—Assistance to assist
5 independent education networks, to help provide
6 support for those fired for political reasons, and
7 to develop improved teaching materials on de-
8 mocracy and civic responsibilities.

9 (B) AUTHORIZATION OF APPROPRIA-
10 TIONS.—There is authorized to be appropriated
11 \$5,000,000 for fiscal year 2000 to carry out
12 subparagraph (A).

13 (5) JUDICIARY.—

14 (A) IN GENERAL.—Assistance to train
15 judges on international judicial standards, to
16 support a trial monitoring program, and to help
17 provide support of those fired for political rea-
18 sons.

19 (B) AUTHORIZATION OF APPROPRIA-
20 TIONS.—There is authorized to be appropriated
21 \$2,000,000 for fiscal year 2000 to carry out
22 subparagraph (A).

23 (6) POLITICAL PARTIES AND COALITIONS.—

24 (A) IN GENERAL.—Assistance to expand
25 training in grassroots organization, to develop

1 coalition-building and campaign skills, and to
2 develop party leadership below the state or re-
3 public level.

4 (B) AUTHORIZATION OF APPROPRIA-
5 TIONS.—There is authorized to be appropriated
6 \$7,000,000 for fiscal year 2000 to carry out
7 subparagraph (A).

8 (7) LOCAL GOVERNANCE.—

9 (A) IN GENERAL.—Assistance to provide
10 support to democratically-oriented local govern-
11 ments to provide services, to establish local eco-
12 nomic development plans, and to increase the
13 transparency and accountability of decision-
14 making.

15 (B) AUTHORIZATION OF APPROPRIA-
16 TIONS.—There is authorized to be appropriated
17 \$3,000,000 for fiscal year 2000 to carry out
18 subparagraph (A).

19 (8) ELECTION ADMINISTRATION.—

20 (A) IN GENERAL.—Assistance to train
21 election officials in transparent election proce-
22 dures, to provide tamper-resistant electoral sup-
23 plies, and to develop sound registration and vot-
24 ing procedures.

1 (B) AUTHORIZATION OF APPROPRIA-
2 TIONS.—There is authorized to be appropriated
3 \$3,000,000 for fiscal year 2000 to carry out
4 subparagraph (A).

5 (9) YOUTH ORGANIZATIONS.—

6 (A) IN GENERAL.—Assistance to promote
7 student organizations and to develop and pro-
8 vide for study programs in Europe and the
9 United States.

10 (B) AUTHORIZATION OF APPROPRIA-
11 TIONS.—There is authorized to be appropriated
12 \$3,000,000 for fiscal year 2000 to carry out
13 subparagraph (A).

14 (b) ADMINISTRATION OF ASSISTANCE.—Assistance
15 described in subsection (a) shall be provided to institu-
16 tions, nongovernmental organizations, and persons that
17 are eligible organizations designated in accordance with
18 section 5, by the President, acting through appropriate
19 Federal agencies and the National Endowment for Democ-
20 racy, based on a determination by the President of the
21 potential effectiveness of the agency or entity in providing
22 the assistance.

1 **SEC. 5. ELIGIBILITY AND DESIGNATION OF ORGANIZA-**
2 **TIONS AND INSTITUTIONS.**

3 (a) **ELIGIBILITY.**—An institution, nongovernmental
4 organization, or person shall be eligible for designation
5 under subsection (b) if such institution, nongovernmental
6 organization, or person—

7 (1) clearly advocates democratic principles in its
8 programs (if a nongovernmental entity) or in the im-
9 plementation of its policies (if governmental entity);

10 (2) has membership which does not discrimi-
11 nate on the basis of ethnicity and is open to dialogue
12 across state and republic lines; and

13 (3) has no known direct involvement in, nor
14 open support for, atrocities associated with the con-
15 flict in the former Socialist Federal Republic of
16 Yugoslavia or any of the independent states which
17 have emerged therefrom, since 1991.

18 (b) **DESIGNATION.**—The President shall designate 1
19 or more institutions, nongovernmental organizations, or
20 persons that meet the requirements of subsection (a) as
21 eligible to receive assistance under this Act.

22 **SEC. 6. DEVELOPMENT OF POLITICAL CONTACTS RELAT-**
23 **ING TO SERBIA AND MONTENEGRO.**

24 (a) **SENSE OF THE CONGRESS.**—It is the sense of the
25 Congress that political contacts between United States of-
26 ficials and those who, in an official or unofficial capacity,

1 represent a genuine desire for democratic governance in
2 Serbia and Montenegro and designated in accordance with
3 section 5, should be developed through regular and well
4 publicized meetings.

5 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
6 authorized to be appropriated to the Secretary of State
7 \$350,000 for fiscal year 2000 for a voluntary contribution
8 to the Organization for Security and Cooperation in Eu-
9 rope (OSCE) and the OSCE Parliamentary Assembly—

10 (1) to facilitate contacts by those who, in an of-
11 ficial or unofficial capacity, represent a genuine de-
12 sire for democratic governance in Serbia and Mon-
13 tenegro and designated in accordance with section 5,
14 with their counterparts in other countries; and

15 (2) to encourage the development of a multilat-
16 eral effort to promote democracy in Serbia and Mon-
17 tenegro.

○

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 1064
OFFERED BY MR. SMITH OF NEW JERSEY**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

2 (a) **SHORT TITLE.**—This Act may be cited as the
3 “Serbia Democratization Act of 2000”.

4 (b) **TABLE OF CONTENTS.**—The table of contents for
5 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—SUPPORT FOR THE DEMOCRATIC FORCES

Sec. 101. Findings and policy.

Sec. 102. Assistance to promote democracy and civil society in Yugoslavia.

Sec. 103. Authority for radio and television broadcasting.

Sec. 104. Development of political contacts relating to the Republic of Serbia and the Republic of Montenegro.

TITLE II—ASSISTANCE TO THE VICTIMS OF OPPRESSION

Sec. 201. Findings.

Sec. 202. Sense of Congress.

Sec. 203. Assistance.

TITLE III—“OUTER WALL” SANCTIONS

Sec. 301. “Outer Wall” sanctions.

Sec. 302. International financial institutions not in compliance with “Outer Wall” sanctions.

TITLE IV—OTHER MEASURES AGAINST YUGOSLAVIA

Sec. 401. Blocking assets in the United States.

Sec. 402. Suspension of entry into the United States.

Sec. 403. Prohibition on strategic exports to Yugoslavia.

Sec. 404. Prohibition on loans and investment.

Sec. 405. Prohibition of military-to-military cooperation.

Sec. 406. Multilateral sanctions.

Sec. 407. Exemptions.

Sec. 408. Waiver; termination of measures against Yugoslavia.



Sec. 409. Statutory construction.

TITLE V—MISCELLANEOUS PROVISIONS

- Sec. 501. International Criminal Tribunal for the former Yugoslavia.
- Sec. 502. Sense of Congress with respect to ethnic Hungarians of Vojvodina.
- Sec. 503. Ownership and use of diplomatic and consular properties.
- Sec. 504. Transition assistance.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means the Committee on Foreign Relations
4 of the Senate and the Committee on International
5 Relations of the House of Representatives.

6 (2) **COMMERCIAL EXPORT.**—The term “commercial export” means the sale of an agricultural
7 commodity, medicine, or medical equipment by a
8 United States seller to a foreign buyer in exchange
9 for cash payment on market terms without benefit
10 of concessionary financing, export subsidies, govern-
11 ment or government-backed credits or other non-
12 market financing arrangements.

13 (3) **INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA OR TRIBUNAL.**—The term
14 “International Criminal Tribunal for the former
15 Yugoslavia” or the “Tribunal” means the Inter-
16 national Tribunal for the Prosecution of Persons Re-
17 sponsible for Serious Violations of International Hu-
18 manitarian Law Committed in the Territory of the
19
20
21
22



1 Former Yugoslavia Since 1991, as established by
2 United Nations Security Council Resolution 827 of
3 May 25, 1993.

4 (4) YUGOSLAVIA.—The term “Yugoslavia”
5 means the so-called Federal Republic of Yugoslavia
6 (Serbia and Montenegro), and the term “Govern-
7 ment of Yugoslavia” means the central government
8 of Yugoslavia.

9 **TITLE I—SUPPORT FOR THE**
10 **DEMOCRATIC FORCES**

11 **SEC. 101. FINDINGS AND POLICY.**

12 (a) FINDINGS.—Congress finds the following:

13 (1) The President of Yugoslavia, Slobodan
14 Milosevic, has consistently engaged in undemocratic
15 methods of governing.

16 (2) Yugoslavia has passed and implemented a
17 law strictly limiting freedom of the press and has
18 acted to intimidate and prevent independent media
19 from operating inside Yugoslavia.

20 (3) Although the Yugoslav and Serbian con-
21 stitutions provide for the right of citizens to change
22 their government, citizens of Serbia in practice are
23 prevented from exercising that right by the Milosevic
24 regime’s domination of the mass media and manipu-
25 lation of the electoral process.



4

1 (4) The Yugoslav and Serbian governments
2 have orchestrated attacks on academics at institutes
3 and universities throughout the country in an effort
4 to prevent the dissemination of opinions that differ
5 from official state propaganda.

6 (5) The Yugoslav and Serbian governments
7 hinder the formation of nonviolent, democratic oppo-
8 sition through restrictions on freedom of assembly
9 and association.

10 (6) The Yugoslav and Serbian governments use
11 control and intimidation to control the judiciary and
12 manipulate the country's legal framework to suit the
13 regime's immediate political interests.

14 (7) The Government of Serbia and the Govern-
15 ment of Yugoslavia, under the direction of President
16 Milosevic, have obstructed the efforts of the Govern-
17 ment of Montenegro to pursue democratic and free-
18 market policies.

19 (8) At great risk, the Government of Monte-
20 negro has withstood efforts by President Milosevic to
21 interfere with its government.

22 (9) The people of Serbia who do not endorse
23 the undemocratic actions of the Milosevic govern-
24 ment should not be the target of criticism that is
25 rightly directed at the Milosevic regime.



1 (b) POLICY; SENSE OF CONGRESS.—

2 (1) POLICY.—It is the policy of the United
3 States to encourage the development of a govern-
4 ment in Yugoslavia based on democratic principles
5 and the rule of law and that respects internationally
6 recognized human rights.

7 (2) SENSE OF CONGRESS.—It is the sense of
8 Congress that—

9 (A) the United States should actively sup-
10 port the democratic forces in Yugoslavia, in-
11 cluding political parties and independent trade
12 unions, to develop a legitimate and viable alter-
13 native to the Milosevic regime;

14 (B) all United States Government officials,
15 including individuals from the private sector
16 acting on behalf of the United States Govern-
17 ment, should meet regularly with representa-
18 tives of democratic forces in Yugoslavia and
19 minimize to the extent practicable any direct
20 contacts with officials of the Yugoslav or Ser-
21 bian governments, and not meet with any indi-
22 vidual indicted by the International Criminal
23 Tribunal for the former Yugoslavia, particularly
24 President Slobodan Milosevic; and



6

1 (C) the United States should emphasize to
2 all political leaders in Yugoslavia the impor-
3 tance of respecting internationally recognized
4 human rights for all individuals residing in
5 Yugoslavia.

6 **SEC. 102. ASSISTANCE TO PROMOTE DEMOCRACY AND**
7 **CIVIL SOCIETY IN YUGOSLAVIA.**

8 (a) ASSISTANCE FOR THE SERBIAN DEMOCRATIC
9 FORCES.—

10 (1) PURPOSE OF ASSISTANCE.—The purpose of
11 assistance under this subsection is to promote and
12 strengthen institutions of democratic government
13 and the growth of an independent civil society in
14 Serbia, including ethnic tolerance and respect for
15 internationally recognized human rights.

16 (2) AUTHORIZATION FOR ASSISTANCE.—To
17 carry out the purpose of paragraph (1), the Presi-
18 dent is authorized to furnish assistance and other
19 support for the activities described in paragraph (3).

20 (3) ACTIVITIES SUPPORTED.—Activities that
21 may be supported by assistance under paragraph (2)
22 include the following:

23 (A) Democracy building.

24 (B) The development of nongovernmental
25 organizations.



1 (C) The development of independent Ser-
2 bian media.

3 (D) The development of the rule of law, to
4 include a strong, independent judiciary, the im-
5 partial administration of justice, and trans-
6 parency in political practices.

7 (E) International exchanges and advanced
8 professional training programs in skill areas
9 central to the development of civil society and
10 a market economy.

11 (F) The development of all elements of the
12 democratic process, including political parties
13 and the ability to administer free and fair elec-
14 tions.

15 (G) The development of local governance.

16 (H) The development of a free-market
17 economy.

18 (4) AUTHORIZATION OF APPROPRIATIONS.—

19 (A) IN GENERAL.—There is authorized to
20 be appropriated to the President \$50,000,000
21 for the period beginning October 1, 2000, and
22 ending September 30, 2001, to be made avail-
23 able for activities in support of the democratiza-
24 tion of the Republic of Serbia (excluding
25 Kosovo) pursuant to this subsection.



1 (B) AVAILABILITY OF FUNDS.—Amounts
2 appropriated pursuant to subparagraph (A) are
3 authorized to remain available until expended.

4 (b) PROHIBITION ON ASSISTANCE TO GOVERNMENT
5 OF YUGOSLAVIA OR OF SERBIA.—In carrying out sub-
6 section (a), the President should take all necessary steps
7 to ensure that no funds or other assistance is provided
8 to the Government of Yugoslavia or to the Government
9 of Serbia, except for purposes permitted under this title.

10 (c) ASSISTANCE TO GOVERNMENT OF MONTE-
11 NEGRO.—

12 (1) IN GENERAL.—The President may provide
13 assistance to the Government of Montenegro, unless
14 the President determines, and so reports to the ap-
15 propriate congressional committees, that the leader-
16 ship of the Government of Montenegro is not com-
17 mitted to, or is not taking steps to promote, demo-
18 cratic principles, the rule of law, or respect for inter-
19 nationally recognized human rights.

20 (2) AUTHORIZATION OF APPROPRIATIONS.—
21 Unless the President makes the determination, and
22 so reports to the appropriate congressional commit-
23 tees, under paragraph (1), there is authorized to be
24 appropriated to the President \$55,000,000 for the
25 period beginning October 1, 2000, and ending Sep-



1 tember 30, 2001, to be made available for activities
2 for or in the Republic of Montenegro for purposes
3 described in subsection (a), as well as to support on-
4 going political and economic reforms, and economic
5 stabilization in support of democratization.

6 **SEC. 103. AUTHORITY FOR RADIO AND TELEVISION BROAD-**
7 **CASTING.**

8 (a) **IN GENERAL.**—The Broadcasting Board of Gov-
9 ernors shall further the open communication of informa-
10 tion and ideas through the increased use of radio and tele-
11 vision broadcasting to Yugoslavia in both the Serbo-Cro-
12 atian and Albanian languages.

13 (b) **IMPLEMENTATION.**—Radio and television broad-
14 casting under subsection (a) shall be carried out by the
15 Voice of America and, in addition, radio broadcasting
16 under that subsection shall be carried out by RFE/RL,
17 Incorporated. Subsection (a) shall be carried out in ac-
18 cordance with all the respective Voice of America and
19 RFE/RL, Incorporated, standards to ensure that radio
20 and television broadcasting to Yugoslavia serves as a con-
21 sistently reliable and authoritative source of accurate, ob-
22 jective, and comprehensive news.

23 (c) **STATUTORY CONSTRUCTION.**—The implementa-
24 tion of subsection (a) may not be construed as a replace-
25 ment for the strengthening of indigenous independent



1 media called for in section 102(a)(3)(C). To the maximum
2 extent practicable, the two efforts (strengthening inde-
3 pendent media and increasing broadcasts into Serbia)
4 shall be carried out in such a way that they mutually sup-
5 port each other.

6 **SEC. 104. DEVELOPMENT OF POLITICAL CONTACTS RELAT-**
7 **ING TO THE REPUBLIC OF SERBIA AND THE**
8 **REPUBLIC OF MONTENEGRO.**

9 (a) SENSE OF CONGRESS.—It is the sense of Con-
10 gress that political contacts between United States offi-
11 cials and those individuals who, in an official or unofficial
12 capacity, represent a genuine desire for democratic gov-
13 ernance in the Republic of Serbia and the Republic of
14 Montenegro should be developed through regular and well
15 publicized meetings.

16 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
17 authorized to be appropriated to the Secretary of State
18 \$350,000 for fiscal year 2001 for a voluntary contribution
19 to the Organization for Security and Cooperation in Eu-
20 rope (OSCE) and the OSCE Parliamentary Assembly—

21 (1) to facilitate contacts by those who, in an of-
22 ficial or unofficial capacity, represent a genuine de-
23 sire for democratic governance in the Republic of
24 Serbia and the Republic of Montenegro, with their
25 counterparts in other countries; and



1 (2) to encourage the development of a multilat-
2 eral effort to promote democracy in the Republic of
3 Serbia and the Republic of Montenegro.

4 **TITLE II—ASSISTANCE TO THE**
5 **VICTIMS OF OPPRESSION**

6 **SEC. 201. FINDINGS.**

7 Congress finds the following:

8 (1) Beginning in February 1998 and ending in
9 June 1999, the armed forces of Yugoslavia and the
10 Serbian Interior Ministry police force engaged in a
11 brutal crackdown against the ethnic Albanian popu-
12 lation in Kosovo.

13 (2) As a result of the attack by Yugoslav and
14 Serbian forces against the Albanian population of
15 Kosovo, more than 10,000 individuals were killed
16 and 1,500,000 individuals were displaced from their
17 homes.

18 (3) The majority of the individuals displaced by
19 the conflict in Kosovo was left homeless or was
20 forced to find temporary shelter in Kosovo or outside
21 the country.

22 (4) The activities of the Yugoslav armed forces
23 and the police force of the Serbian Interior Ministry
24 resulted in the widespread destruction of agricultural
25 crops, livestock, and property, as well as the poi-



1 soning of wells and water supplies, and the looting
2 of humanitarian goods provided by the international
3 community.

4 **SEC. 202. SENSE OF CONGRESS.**

5 It is the sense of Congress that—

6 (1) the Government of Yugoslavia and the Gov-
7 ernment of Serbia bear responsibility to the victims
8 of the conflict in Kosovo, including refugees and in-
9 ternally displaced persons, and for property damage
10 in Kosovo;

11 (2) under the direction of President Milosevic,
12 neither the Government of Yugoslavia nor the Gov-
13 ernment of Serbia provided the resources to assist
14 innocent, civilian victims of oppression in Kosovo;
15 and

16 (3) because neither the Government of Yugo-
17 slavia nor the Government of Serbia fulfilled the re-
18 sponsibilities of a sovereign government toward the
19 people in Kosovo, the international community offers
20 the only recourse for humanitarian assistance to vic-
21 tims of oppression in Kosovo.

22 **SEC. 203. ASSISTANCE.**

23 (a) **AUTHORITY.**—The President is authorized to fur-
24 nish assistance under section 491 of the Foreign Assist-
25 ance Act of 1961 (22 U.S.C. 2292) and the Migration and



1 Refugee Assistance Act of 1962 (22 U.S.C. 2601 et seq.),
 2 as appropriate, for—

3 (1) relief, rehabilitation, and reconstruction in
 4 Kosovo; and

5 (2) refugees and persons displaced by the con-
 6 flict in Kosovo.

7 (b) PROHIBITION.—No assistance may be provided
 8 under this section to any organization that has been des-
 9 ignated as a foreign terrorist organization under section
 10 219 of the Immigration and Nationality Act (8 U.S.C.
 11 1189).

12 (c) USE OF ECONOMIC SUPPORT FUNDS.—Any funds
 13 that have been allocated under chapter 4 of part II of the
 14 Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.)
 15 for assistance described in subsection (a) may be used in
 16 accordance with the authority of that subsection.

17 **TITLE III—“OUTER WALL”**
 18 **SANCTIONS**

19 **SEC. 301. “OUTER WALL” SANCTIONS.**

20 (a) APPLICATION OF MEASURES.—The sanctions de-
 21 scribed in subsections (c) through (g) shall apply with re-
 22 spect to Yugoslavia until the President determines and
 23 certifies to the appropriate congressional committees that
 24 the Government of Yugoslavia has made significant



1 progress in meeting the conditions described in subsection
2 (b).

3 (b) CONDITIONS.—The conditions referred to in sub-
4 section (a) are the following:

5 (1) Agreement on a lasting settlement in
6 Kosovo.

7 (2) Compliance with the General Framework
8 Agreement for Peace in Bosnia and Herzegovina.

9 (3) Implementation of internal democratic re-
10 form.

11 (4) Settlement of all succession issues with the
12 other republics that emerged from the break-up of
13 the Socialist Federal Republic of Yugoslavia.

14 (5) Cooperation with the International Criminal
15 Tribunal for the former Yugoslavia, including the
16 transfer to The Hague of all individuals in Yugo-
17 slavia indicted by the Tribunal.

18 (c) INTERNATIONAL FINANCIAL INSTITUTIONS.—
19 The Secretary of the Treasury shall instruct the United
20 States executive directors of the international financial in-
21 stitutions to oppose, and vote against, any extension by
22 those institutions of any financial assistance (including
23 any technical assistance or grant) of any kind to the Gov-
24 ernment of Yugoslavia.



1 (d) ORGANIZATION FOR SECURITY AND COOPERA-
2 TION IN EUROPE.—The Secretary of State should instruct
3 the United States Ambassador to the Organization for Se-
4 curity and Cooperation in Europe (OSCE) to oppose and
5 block any consensus to allow the participation of Yugo-
6 slavia in the OSCE or any organization affiliated with the
7 OSCE.

8 (e) UNITED NATIONS.—The Secretary of State
9 should instruct the United States Permanent Representa-
10 tive to the United Nations—

11 (1) to oppose and vote against any resolution in
12 the United Nations Security Council to admit Yugo-
13 slavia to the United Nations or any organization af-
14 filiated with the United Nations; and

15 (2) to actively oppose and, if necessary, veto
16 any proposal to allow Yugoslavia to assume the
17 membership of the former Socialist Federal Republic
18 of Yugoslavia in the United Nations General Assem-
19 bly or any other organization affiliated with the
20 United Nations.

21 (f) NATO.—The Secretary of State should instruct
22 the United States Permanent Representative to the North
23 Atlantic Council to oppose and vote against the extension
24 to Yugoslavia of membership or participation in the Part-



1 nership for Peace program or any other organization affli-
2 ated with NATO.

3 (g) SOUTHEAST EUROPEAN COOPERATION INITIA-
4 TIVE.—The Secretary of State should instruct the United
5 States Representatives to the Southeast European Co-
6 operation Initiative (SECI) to actively oppose the partici-
7 pation of Yugoslavia in SECI.

8 (h) SENSE OF CONGRESS.—It is the sense of Con-
9 gress that—

10 (1) the President should not restore full diplo-
11 matic relations with Yugoslavia until the President
12 has determined and so reported to the appropriate
13 congressional committees that the Government of
14 Yugoslavia has met the conditions described in sub-
15 section (b); and

16 (2) the President should encourage all other
17 European countries to diminish their level of diplo-
18 matic relations with Yugoslavia.

19 (i) INTERNATIONAL FINANCIAL INSTITUTION DE-
20 FINED.—In this section, the term “international financial
21 institution” includes the International Monetary Fund,
22 the International Bank for Reconstruction and Develop-
23 ment, the International Development Association, the
24 International Finance Corporation, the Multilateral In-



1 vestment Guaranty Agency, and the European Bank for
2 Reconstruction and Development.

3 **SEC. 302. INTERNATIONAL FINANCIAL INSTITUTIONS NOT**
4 **IN COMPLIANCE WITH "OUTER WALL" SANC-**
5 **TIONS.**

6 It is the sense of Congress that, if any international
7 financial institution (as defined in section 301(i)) approves
8 a loan or other financial assistance to the Government of
9 Yugoslavia over the opposition of the United States, then
10 the Secretary of the Treasury should withhold from pay-
11 ment of the United States share of any increase in the
12 paid-in capital of such institution an amount equal to the
13 amount of the loan or other assistance.

14 **TITLE IV—OTHER MEASURES**
15 **AGAINST YUGOSLAVIA**

16 **SEC. 401. BLOCKING ASSETS IN THE UNITED STATES.**

17 (a) **BLOCKING OF ASSETS.**—All property and inter-
18 ests in property, including all commercial, industrial, or
19 public utility undertakings or entities, of or in the name
20 of the Government of Serbia or the Government of Yugo-
21 slavia that are in the United States, that come within the
22 United States, or that are or come within the possession
23 or control of United States persons, including their over-
24 seas branches, are blocked.



1 (b) PROHIBITED TRANSFERS.—Payments or trans-
2 fers of any property or any transactions involving the
3 transfer of anything of economic value by any United
4 States person to the Government of Serbia, the Govern-
5 ment of Yugoslavia, or any person or entity acting for or
6 on behalf of, or owned or controlled, directly or indirectly,
7 by any of those governments, persons, or entities, are pro-
8 hibited.

9 (c) EXERCISE OF AUTHORITIES.—The Secretary of
10 the Treasury, in consultation with the Secretary of State,
11 shall take such actions, including the promulgation of reg-
12 ulations, orders, directives, rulings, instructions, and li-
13 censes, and employ all powers granted to the President
14 by the International Emergency Economic Powers Act, as
15 may be necessary to carry out the purposes of this section,
16 including, but not limited to, taking such steps as may
17 be necessary to continue in effect the measures contained
18 in Executive Order No. 13088 of June 9, 1998, and Exec-
19 utive Order No. 13121 of April 30, 1999, and any rule,
20 regulation, license, or order issued thereunder.



21 (d) PAYMENT OF EXPENSES.—All expenses incident
22 to the blocking and maintenance of property blocked under
23 subsection (a) shall be charged to the owners or operators
24 of such property, and expenses shall not be paid for from
25 blocked funds.

1 (e) PROHIBITIONS.—The following are prohibited:

2 (1) Any transaction within the United States or
3 by a United States person relating to any vessel in
4 which a majority or controlling interest is held by a
5 person or entity in, or operating from, Serbia, re-
6 gardless of the flag under which the vessel sails.

7 (2)(A) The exportation to Serbia or to any enti-
8 ty operated from Serbia or owned and controlled by
9 the Government of Serbia or the Government of
10 Yugoslavia, directly or indirectly, of any goods, soft-
11 ware technology, or services, either—

12 (i) from the United States;

13 (ii) requiring the issuance of a license by
14 a Federal agency; or

15 (iii) involving the use of United States reg-
16 istered vessels or aircraft.

17 (B) Any activity that promotes or is intended to
18 promote exportation described in subparagraph (A).

19 (3)(A) Any dealing by a United States person
20 in—

21 (i) property exported from Serbia; or

22 (ii) property intended for exportation from
23 Serbia to any country or exportation to Serbia
24 from any country.



1 (B) Any activity of any kind that promotes or
2 is intended to promote any dealing described in sub-
3 paragraph (A).

4 (4) The performance by any United States per-
5 son of any contract, including a financing contract,
6 in support of an industrial, commercial, public util-
7 ity, or governmental project in Serbia.

8 (f) EXCEPTIONS.—Nothing in this section shall apply
9 to—

10 (1) assistance provided under section 102 or
11 section 203 of this Act; or

12 (2) information or informational materials de-
13 scribed in section 203(b)(3) of the International
14 Emergency Economic Powers Act.

15 (g) DEFINITION.—In this section, the term “United
16 States person” means any United States citizen, any alien
17 lawfully admitted for permanent residence within the
18 United States, any entity organized under the laws of the
19 United States (including foreign branches), or any person
20 in the United States.

21 **SEC. 402. SUSPENSION OF ENTRY INTO THE UNITED**
22 **STATES.**

23 (a) PROHIBITION.—The President shall use his au-
24 thority under section 212(f) of the Immigration and Na-



1 tionality Act (8 U.S.C. 1182(f)) to suspend the entry into
2 the United States of any alien who—

3 (1) holds a position in the senior leadership of
4 the Government of Yugoslavia or the Government of
5 Serbia; or

6 (2) is a spouse, minor child, or agent of a per-
7 son inadmissible under paragraph (1).

8 (b) SENIOR LEADERSHIP DEFINED.—In subsection
9 (a)(1), the term “senior leadership”—

10 (1) includes—

11 (A) the President, Prime Minister, Deputy
12 Prime Ministers, and government ministers of
13 Yugoslavia;

14 (B) the Governor of the National Bank of
15 Yugoslavia; and

16 (C) the President, Prime Minister, Deputy
17 Prime Ministers, and government ministers of
18 the Republic of Serbia; and

19 (2) does not include the President, Prime Min-
20 ister, Deputy Prime Ministers, and government min-
21 isters of the Republic of Montenegro.

22 **SEC. 403. PROHIBITION ON STRATEGIC EXPORTS TO YUGO-**
23 **SLAVIA.**

24 (a) PROHIBITION.—No computers, computer soft-
25 ware, or goods or technology intended to manufacture or



1 service computers may be exported to or for use by the
2 Government of Yugoslavia or by the Government of Ser-
3 bia, or by any of the following entities of either govern-
4 ment:

- 5 (1) The military.
- 6 (2) The police.
- 7 (3) The prison system.
- 8 (4) The national security agencies.

9 (b) **STATUTORY CONSTRUCTION.**—Nothing in this
10 section shall prevent the issuance of licenses to ensure the
11 safety of civil aviation and safe operation of United States-
12 origin commercial passenger aircraft and to ensure the
13 safety of ocean-going maritime traffic in international wa-
14 ters.

15 **SEC. 404. PROHIBITION ON LOANS AND INVESTMENT.**

16 (a) **UNITED STATES GOVERNMENT FINANCING.**—No
17 loan, credit guarantee, insurance, financing, or other simi-
18 lar financial assistance may be extended by any agency
19 of the United States Government (including the Export-
20 Import Bank and the Overseas Private Investment Cor-
21 poration) to the Government of Yugoslavia or the Govern-
22 ment of Serbia.

23 (b) **TRADE AND DEVELOPMENT AGENCY.**—No funds
24 made available by law may be available for activities of
25 the Trade and Development Agency in or for Serbia.



1 (c) THIRD COUNTRY ACTION.—The Secretary of
 2 State is urged to encourage all other countries, particu-
 3 larly European countries, to suspend any of their own pro-
 4 grams providing support similar to that described in sub-
 5 section (a) or (b) to the Government of Yugoslavia or the
 6 Government of Serbia, including by rescheduling repay-
 7 ment of the indebtedness of either government under more
 8 favorable conditions.

9 (d) PROHIBITION ON PRIVATE CREDITS.—

10 (1) IN GENERAL.—Except as provided in para-
 11 graph (2), no national of the United States may
 12 make or approve any loan or other extension of cred-
 13 it, directly or indirectly, to the Government of Yugo-
 14 slavia or to the Government of Serbia or to any cor-
 15 poration, partnership, or other organization that is
 16 owned or controlled by either the Government of
 17 Yugoslavia or the Government of Serbia.

18 (2) EXCEPTION.—Paragraph (1) shall not
 19 apply to a loan or extension of credit for any hous-
 20 ing, education, or humanitarian benefit to assist the
 21 victims of oppression in Kosovo.

22 **SEC. 405. PROHIBITION OF MILITARY-TO-MILITARY CO-**
 23 **OPERATION.**

24 The United States Government (including any agency
 25 or entity of the United States) shall not provide assistance



1 under the Foreign Assistance Act of 1961 or the Arms
2 Export Control Act (including the provision of Foreign
3 Military Financing under section 23 of the Arms Export
4 Control Act or international military education and train-
5 ing under chapter 5 of part II of the Foreign Assistance
6 Act of 1961) or provide any defense articles or defense
7 services under those Acts, to the armed forces of the Gov-
8 ernment of Yugoslavia or of the Government of Serbia.

9 **SEC. 406. MULTILATERAL SANCTIONS.**

10 It is the sense of Congress that the President should
11 continue to seek to coordinate with other countries, par-
12 ticularly European countries, a comprehensive, multilat-
13 eral strategy to further the purposes of this title, includ-
14 ing, as appropriate, encouraging other countries to take
15 measures similar to those described in this title.

16 **SEC. 407. EXEMPTIONS.**

17 (a) **EXEMPTION FOR KOSOVO.**—None of the restric-
18 tions imposed by this title shall apply with respect to
19 Kosovo, including with respect to governmental entities or
20 administering authorities or the people of Kosovo.

21 (b) **EXEMPTION FOR MONTENEGRO.**—None of the re-
22 strictions imposed by this title shall apply with respect to
23 Montenegro, including with respect to governmental enti-
24 ties of Montenegro, unless the President determines and
25 so certifies to the appropriate congressional committees



1 that the leadership of the Government of Montenegro is
2 not committed to, or is not taking steps to promote, demo-
3 cratic principles, the rule of law, or respect for internation-
4 ally recognized human rights.

5 **SEC. 408. WAIVER; TERMINATION OF MEASURES AGAINST**
6 **YUGOSLAVIA.**

7 (a) GENERAL WAIVER AUTHORITY.—Except as pro-
8 vided in subsection (b), the requirement to impose any
9 measure under this Act may be waived for successive peri-
10 ods not to exceed 12 months each, and the President may
11 provide assistance in furtherance of this Act notwith-
12 standing any other provision of law, if the President deter-
13 mines and so certifies to the appropriate congressional
14 committees in writing 15 days in advance of the implemen-
15 tation of any such waiver that—

16 (1) it is important to the national interest of
17 the United States; or

18 (2) significant progress has been made in Yugo-
19 slavia in establishing a government based on demo-
20 cratic principles and the rule of law, and that re-
21 spects internationally recognized human rights.

22 (b) EXCEPTION.—The President may implement the
23 waiver under subsection (a) for successive periods not to
24 exceed 3 months each without the 15 day advance notifica-
25 tion under that subsection—



1 (1) if the President determines that exceptional
 2 circumstances require the implementation of such
 3 waiver; and

4 (2) the President immediately notifies the ap-
 5 propriate congressional committees of his determina-
 6 tion.

7 (c) **TERMINATION OF RESTRICTIONS.**—The restric-
 8 tions imposed by this title shall be terminated if the Presi-
 9 dent determines and so certifies to the appropriate con-
 10 gressional committees that the Government of Yugoslavia
 11 is a government that is committed to democratic principles
 12 and the rule of law, and that respects internationally rec-
 13 ognized human rights.

14 **SEC. 409. STATUTORY CONSTRUCTION.**

15 (a) **IN GENERAL.**—None of the restrictions or prohi-
 16 bitions contained in this Act shall be construed to limit
 17 humanitarian assistance (including the provision of food
 18 and medicine), or the commercial export of agricultural
 19 commodities or medicine and medical equipment, to Yugo-
 20 slavia.

21 (b) **SPECIAL RULE.**—Nothing in subsection (a) shall
 22 be construed to permit the export of an agricultural com-
 23 modity or medicine that could contribute to the develop-
 24 ment of a chemical or biological weapon.



1 **TITLE V—MISCELLANEOUS**
2 **PROVISIONS**

3 **SEC. 501. INTERNATIONAL CRIMINAL TRIBUNAL FOR THE**
4 **FORMER YUGOSLAVIA.**

5 (a) FINDINGS.—Congress finds the following:

6 (1) United Nations Security Council Resolution
7 827, which was adopted May 25, 1993, established
8 the International Criminal Tribunal for the former
9 Yugoslavia to prosecute persons responsible for seri-
10 ous violations of international humanitarian law
11 committed in the territory of the former Yugoslavia
12 since January 1, 1991.

13 (2) United Nations Security Council Resolution
14 827 requires full cooperation by all countries with
15 the Tribunal, including the obligation of countries to
16 comply with requests of the Tribunal for assistance
17 or orders.

18 (3) The Government of Yugoslavia has dis-
19 regarded its international obligations with regard to
20 the Tribunal, including its obligation to transfer or
21 facilitate the transfer to the Tribunal of any person
22 on the territory of Yugoslavia who has been indicted
23 for war crimes or other crimes against humanity
24 under the jurisdiction of the Tribunal.



1 (4) The Government of Yugoslavia publicly re-
2 jected the Tribunal's jurisdiction over events in
3 Kosovo and has impeded the investigation of rep-
4 resentatives from the Tribunal, including denying
5 those representatives visas for entry into Yugoslavia,
6 in their efforts to gather information about alleged
7 crimes against humanity in Kosovo under the juris-
8 diction of the Tribunal.

9 (5) The Tribunal has indicted President
10 Slobodan Milosevic for—

11 (A) crimes against humanity, specifically
12 murder, deportations, and persecutions; and

13 (B) violations of the laws and customs of
14 war.

15 (b) POLICY.—It shall be the policy of the United
16 States to support fully and completely the investigation
17 of President Slobodan Milosevic by the International
18 Criminal Tribunal for the former Yugoslavia for genocide,
19 crimes against humanity, war crimes, and grave breaches
20 of the Geneva Convention.

21 (c) SENSE OF CONGRESS.—Subject to subsection (b),
22 it is the sense of Congress that the United States Govern-
23 ment should gather all information that the intelligence
24 community (as defined in section 3(4) of the National Se-
25 curity Act of 1947 (50 U.S.C. 401a(4)) collects or has



1 collected to support an investigation of President Slobodan
2 Milosevic for genocide, crimes against humanity, war
3 crimes, and grave breaches of the Geneva Convention by
4 the International Criminal Tribunal for the former Yugo-
5 slavia (ICTY) and that the Department of State should
6 provide all appropriate information to the Office of the
7 Prosecutor of the ICTY under procedures established by
8 the Director of Central Intelligence that are necessary to
9 ensure adequate protection of intelligence sources and
10 methods.

11 (d) REPORT TO CONGRESS.—Not less than 180 days
12 after the date of enactment of this Act, and every 180
13 days thereafter for the succeeding 5-year period, the Presi-
14 dent shall submit a report, in classified form if necessary,
15 to the appropriate congressional committees that describes
16 the information that was provided by the Department of
17 State to the Office of the Prosecutor of the International
18 Criminal Tribunal for the former Yugoslavia for the pur-
19 poses of subsection (c).

20 **SEC. 502. SENSE OF CONGRESS WITH RESPECT TO ETHNIC**
21 **HUNGARIANS OF VOJVODINA.**

22 (a) FINDINGS.—Congress finds that—

23 (1) approximately 350,000 ethnic Hungarians,
24 as well as several other minority populations, reside



1 in the province of Vojvodina, part of Serbia, in tradi-
2 tional settlements in existence for centuries;

3 (2) this community has taken no side in any of
4 the Balkan conflicts since 1990, but has maintained
5 a consistent position of nonviolence, while seeking to
6 protect its existence through the meager opportuni-
7 ties afforded under the existing political system;

8 (3) the Serbian leadership deprived Vojvodina
9 of its autonomous status at the same time as it did
10 the same to the province of Kosovo;

11 (4) this population is subject to continuous har-
12 assment, intimidation, and threatening suggestions
13 that they leave the land of their ancestors; and

14 (5) during the past 10 years this form of ethnic
15 cleansing has already driven 50,000 ethnic Hungar-
16 ians and members of other minority communities out
17 of the province of Vojvodina.

18 (b) SENSE OF CONGRESS.—It is the sense of Con-
19 gress that the President should—

20 (1) condemn harassment, threats, and intimidati-
21 on against any ethnic group in Yugoslavia as the
22 usual precursor of violent ethnic cleansing;

23 (2) express deep concern over the reports on re-
24 cent threats, intimidation, and even violent incidents



1 against the ethnic Hungarian inhabitants of the
2 province of Vojvodina;

3 (3) call on the Secretary of State to regularly
4 monitor the situation of the Hungarian ethnic group
5 in Vojvodina; and

6 (4) call on the NATO allies of the United
7 States, during any negotiation on the future status
8 of Kosovo, also to pay substantial attention to estab-
9 lishing satisfactory guarantees for the rights of the
10 people of Vojvodina, and, in particular, of the ethnic
11 minorities in the province.

12 **SEC. 503. OWNERSHIP AND USE OF DIPLOMATIC AND CON-**
13 **SULAR PROPERTIES.**

14 (a) FINDINGS.—Congress finds the following:

15 (1) The international judicial system, as cur-
16 rently structured, lacks fully effective remedies for
17 the wrongful confiscation of property and for unjust
18 enrichment from the use of wrongfully confiscated
19 property by governments and private entities at the
20 expense of the rightful owners of the property.

21 (2) Since the dissolution of the Socialist Fed-
22 eral Republic of Yugoslavia until March and June
23 1999, when the United States Government took cus-
24 tody, the Government of Yugoslavia exclusively used,
25 and benefited from the use of, properties located in



1 the United States that were owned by the Socialist
2 Federal Republic of Yugoslavia.

3 (3) Until the United States Government took
4 custody, the Governments of Bosnia and
5 Herzegovina, Croatia, the Former Yugoslav Republic
6 of Macedonia, and Slovenia were blocked by the Gov-
7 ernment of Yugoslavia from using, or benefiting
8 from the use of, any property located in the United
9 States that was previously owned by the Socialist
10 Federal Republic of Yugoslavia.

11 (4) The occupation and use by officials of
12 Yugoslavia of that property without prompt, ade-
13 quate, and effective compensation under the applica-
14 ble principles of international law to the Govern-
15 ments of Bosnia and Herzegovina, Croatia, the
16 Former Yugoslav Republic of Macedonia, and Slo-
17 venia is unjust and unreasonable.

18 (b) POLICY ON NEGOTIATIONS REGARDING PROP-
19 erties.—It is the policy of the United States to insist
20 that the Government of Yugoslavia has a responsibility to,
21 and should, actively and cooperatively engage in good faith
22 negotiations with the Governments of Bosnia and
23 Herzegovina, Croatia, the Former Yugoslav Republic of
24 Macedonia, and Slovenia for resolution of the outstanding
25 property issues resulting from the dissolution of the So-



1 cialist Federal Republic of Yugoslavia, including the dis-
 2 position of the following properties located in the United
 3 States:

4 (1) 2222 Decatur Street, NW, Washington,
 5 DC.

6 (2) 2410 California Street, NW, Washington,
 7 DC.

8 (3) 1907 Quincy Street, NW, Washington, DC.

9 (4) 3600 Edmonds Street, NW, Washington,
 10 DC.

11 (5) 2221 R Street, NW, Washington, DC.

12 (6) 854 Fifth Avenue, New York, NY.

13 (7) 730 Park Avenue, New York, NY.

14 (c) SENSE OF CONGRESS ON RETURN OF PROP-
 15 erties.—It is the sense of Congress that, if the Govern-
 16 ment of Yugoslavia refuses to engage in good faith nego-
 17 tiations on the status of the properties listed in subsection
 18 (b), the President should take steps to ensure that the
 19 interests of the Governments of Bosnia and Herzegovina,
 20 Croatia, the Former Yugoslav Republic of Macedonia, and
 21 Slovenia are protected in accordance with international
 22 law.

23 **SEC. 504. TRANSITION ASSISTANCE.**

24 (a) SENSE OF CONGRESS.—It is the sense of Con-
 25 gress that once the regime of President Slobodan Milosevic



1 has been replaced by a government that is committed to
2 democratic principles and the rule of law, and that re-
3 spects internationally recognized human rights, the Presi-
4 dent of the United States should support the transition
5 to democracy in Yugoslavia by providing immediate and
6 substantial assistance, including facilitating its integration
7 into international organizations.

8 (b) AUTHORIZATION OF ASSISTANCE.—The Presi-
9 dent is authorized to furnish assistance to Yugoslavia if
10 he determines, and so certifies to the appropriate congres-
11 sional committees that the Government of Yugoslavia is
12 committed to democratic principles and the rule of law and
13 respects internationally recognized human rights.

14 (c) REPORT TO CONGRESS.—

15 (1) DEVELOPMENT OF PLAN.—The President
16 shall develop a plan for providing assistance to
17 Yugoslavia in accordance with this section. Such as-
18 sistance would be provided at such time as the
19 President determines that the Government of Yugo-
20 slavia is committed to democratic principles and the
21 rule of law and respects internationally recognized
22 human rights.

23 (2) STRATEGY.—The plan developed under
24 paragraph (1) shall include a strategy for distrib-
25 uting assistance to Yugoslavia under the plan.



1 (3) DIPLOMATIC EFFORTS.—The President
2 shall take the necessary steps—

3 (A) to seek to obtain the agreement of
4 other countries and international financial insti-
5 tutions and other multilateral organizations to
6 provide assistance to Yugoslavia after the Presi-
7 dent determines that the Government of Yugo-
8 slavia is committed to democratic principles, the
9 rule of law, and that respects internationally
10 recognized human rights; and

11 (B) to work with such countries, institu-
12 tions, and organizations to coordinate all such
13 assistance programs.

14 (4) COMMUNICATION OF PLAN.—The President
15 shall take the necessary steps to communicate to the
16 people of Yugoslavia the plan for assistance devel-
17 oped under this section.

18 (5) REPORT.—Not later than 120 days after
19 the date of enactment of this Act, the President
20 shall transmit to the appropriate congressional com-
21 mittees a report describing in detail the plan re-
22 quired to be developed by paragraph (1).



106TH CONGRESS
2D SESSION

H. RES. 451

Calling for lasting peace, justice, and stability in Kosova.

IN THE HOUSE OF REPRESENTATIVES

MARCH 29, 2000

Mr. GILMAN (for himself, Mr. LANTOS, Mr. ENGEL, Mr. SMITH of New Jersey, Mr. ROHRBACHER, Mr. TRAFICANT, Ms. VELÁZQUEZ, Mr. RANGEL, and Mr. LEWIS of Georgia) submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Calling for lasting peace, justice, and stability in Kosova.

Whereas on June 10, 1999, the North Atlantic Treaty Organization (NATO) military air operation in the former Yugoslavia victoriously concluded with the withdrawal of all Serbian police, paramilitary, and military forces from Kosova;

Whereas, shortly following the NATO victory, nearly 1,000,000 refugees and hundreds of thousands of internally displaced persons attempted to return to their homes in Kosova in the belief that a peaceful, stable, and just society would be created through their diligent efforts, supported by the international community;

Whereas United Nations Security Council Resolution 1244 (June 10, 1999) established the United Nations Mission

in Kosovo (UNMIK) as the sole administration of the province until such time as its political status is decided;

Whereas some 2,000 citizens were illegally detained and kidnapped to Serbia by Serbian forces as they withdrew from Kosovo in violation of the Geneva Conventions and international humanitarian law;

Whereas a provision requiring the return of these illegally detained citizens of Kosovo was dropped from the Military Technical Agreement negotiated between NATO and the Federal Republic of Yugoslavia in order to end the conflict more expeditiously;

Whereas an additional 5,000 Kosova citizens are believed to be detained in Serbian prisons;

Whereas hundreds of Kosova Albanian citizens have been prevented from returning to their homes in the divided city of Mitrovice by Serb Kosova citizens who are believed to be assisted by Serb paramilitaries who have illegally re-entered Kosova;

Whereas the present international peacekeeping force in Mitrovice has proven inadequate to perform the task of maintaining peace and eliminating wide scale human rights violations in that town, and there have been allegations of partiality to Serb residents by elements of the peacekeeping force;

Whereas recent violence in Mitrovice led to the expulsion of hundreds more Albanians from their homes who have been unable to return;

Whereas more than nine months following the establishment of UNMIK, adequate services such as police, sanitation, telecommunications, electricity, and water supply for the

citizens of Kosova still are not reliably available throughout the province;

Whereas Albanian citizens of Kosova have been prevented by the United Nations from utilizing major economic assets in Kosova such as the Trepca mine that could provide needed stimulus to the economy of Kosova;

Whereas persistent deprivation and the creation of an aid economy that is contradictory to development of a flourishing free market economy is fostering criminality;

Whereas, in view of the disproportionate share of the military costs borne by the United States during the NATO operation, the European Union has agreed that it will undertake the major share of the costs for economic reconstruction in Kosova;

Whereas the European Commission and the World Bank have estimated the costs for the reconstruction of Kosova over the next 4 to 5 years at \$2,300,000,000, with nearly half that amount available to be spent by the end of 2001;

Whereas the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000 (as enacted by section 1000(a)(2) of Public Law 106-113) capped United States contributions for economic reconstruction in Kosova at 15 percent of the total; and

Whereas despite its generous pledges, the European Union has been dilatory in actually disbursing urgently required funds for Kosova: Now, therefore, be it

1 *Resolved*, That—

2 (1) the European Union should disburse its

3 pledged funds for Kosova more rapidly;

1 (2) pledged funds by the European Union re-
2 quired to provide baseline services for Kosova such
3 as police, sanitation, water, telecommunications, and
4 electrical supply should be made available imme-
5 diately, and the administration of these services
6 should be put in the hands of the people of Kosova
7 at the earliest possible date;

8 (3) the strategy for economic reconstruction in
9 Kosova should be focused on utilizing private invest-
10 ment and empowerment of the people of Kosova to
11 take charge of their livelihoods instead of fostering
12 their reliance on donated assistance;

13 (4) the United States Government should make
14 it a priority to promote noncorrupt government and
15 business practices in Kosova by providing judicial
16 training and technical advice and assistance to po-
17 lice, border police, and customs officers;

18 (5) the United Nations Security Council should
19 demand the immediate and unconditional return of
20 all Kosova citizens from Serbia; and

21 (6) a more capable international peacekeeping
22 force should be established in Mitrovice so that all
23 residents are able to return in security to their
 homes.

○

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H. RES. 451
OFFERED BY MR. GILMAN**

Strike the preamble and insert the following:

Whereas on June 10, 1999, the North Atlantic Treaty Organization (NATO) military air operation in the former Yugoslavia victoriously concluded with the withdrawal of all Serbian police, paramilitary, and military forces from Kosova;

Whereas after the NATO victory, the international community mobilized assistance that helped feed and house more than 1,000,000 Kosova refugees before the first post-war winter;

Whereas nearly 1,000,000 refugees and hundreds of thousands of internally displaced persons attempted to return to their homes in Kosova in the belief that a peaceful, stable, and just society would be created through their diligent efforts, supported by the international community;

Whereas United Nations Security Council Resolution 1244 (June 10, 1999) established the United Nations Mission in Kosovo (UNMIK) as the sole administration of the province until such time as its political status is decided;

Whereas some 2,000 citizens were illegally detained and kidnapped to Serbia by Serbian forces as they withdrew from Kosova in violation of the Geneva Conventions and international humanitarian law;

Whereas an additional 5,000 Kosova citizens are believed to be detained in Serbian prisons;



Whereas the international mission in Kosova successfully negotiated an agreement with the Kosovo Liberation Army (KLA) to disband and publicly hand over its weapons;

Whereas hundreds of Kosova Albanian citizens have been prevented from returning to their homes in the divided city of Mitrovica by Serb Kosova citizens who are believed to be assisted by Serb paramilitaries who have illegally re-entered Kosova;

Whereas although the initiation of the recent operation between the NATO-led peacekeeping force in Kosova (KFOR) and UNMIK to confirm international authority throughout northern Kosova is welcomed, KFOR and UNMIK must fully implement their plan and take appropriate action to ensure that all residents are able to return to their homes;

Whereas the United Nations and the Organization for Security and Cooperation in Europe (OSCE) have set the date for local municipal elections in Kosova for October 28, 2000;

Whereas the assertion of authority over the Trepca mining complex by UNMIK is welcomed and an assessment of its environmental hazards and financial viability should proceed as quickly as possible in order to maximize employment for Kosovar citizens;

Whereas although daily life in Kosova in the summer of 2000 is significantly improved in comparison to the violence, devastation, and chaos that plagued the region during armed conflict in 1999, more must be done to develop a self-sustaining economy that discourages the rise of criminal elements;



Whereas, in view of the disproportionate share of the military costs borne by the United States during the NATO operation, the European Union has agreed that it will undertake the major share of the costs for economic reconstruction in Kosova;

Whereas the European Commission and the World Bank have estimated the costs for the reconstruction of Kosova over the next 4 to 5 years at \$2,300,000,000, with nearly half that amount available to be spent by the end of 2001; and

Whereas the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000 (as enacted by section 1000(a)(2) of Public Law 106-113) capped assistance for Kosova at the subsequent Kosova donors conference at 15 percent of the total resources pledged by all donors: Now, therefore, be it

Strike all after the resolving clause and insert the following:

1 That—

2 (1) the European Union should continue to
3 bear the primary responsibility and costs for the eco-
4 nomic reconstruction of Kosova, and take all nec-
5 essary steps to ensue that its future budgets provide
6 the required resources in a timely fashion;

7 (2) the administration of all baseline services
8 such as police, sanitation, water, telecommuni-
9 cations, and electrical supply should be put into the



1 hands of the people of Kosova at the earliest possible date;
2

3 (3) the strategy for economic reconstruction in
4 Kosova should be focused on utilizing private investment and empowerment of the people of Kosova to
5 take charge of their livelihoods;
6

7 (4) the United States Government should make
8 it a priority to promote noncorrupt government and
9 business practices in Kosova by providing judicial
10 training and technical advice and assistance to police,
11 border police, and customs officers;

12 (5) the United Nations Security Council should
13 demand the immediate and unconditional return of
14 all Kosova prisoners from Serbia;

15 (6) the international peacekeeping force in
16 Mitrovice should take immediate measures to ensure
17 that all the residents are able to return in security
18 to their homes;

19 (7) all the citizens of Kosova should avail themselves of the opportunity to democratically express
20 their political preferences by participating in the
21 elections on October 28, 2000;
22

23 (8) the resolve of the international community
24 to work towards lasting peace, stability, and justice



1 in Kosova will not be deterred by Slobodan
2 Milosevic's provocations within the region; and

3 (9) all citizens of Kosova should adhere to the
4 principles enunciated by community leaders at the
5 Airlie House declaration of July 23, 2000, where all
6 parties agreed to a rigorous Campaign Against Vio-
7 lence, representation of all citizens in municipal
8 councils, surrendering of illegal weapons, a commit-
9 ment to counter Slobodan Milosevic's influence in
10 Kosova, and to dissolve any other illegitimate gov-
11 erning and security structures.



106TH CONGRESS
2D SESSION

S. 2460

IN THE HOUSE OF REPRESENTATIVES

JUNE 26, 2000

Referred to the Committee on International Relations

AN ACT

To authorize the payment of rewards to individuals furnishing information relating to persons subject to indictment for serious violations of international humanitarian law in Rwanda, and for other purposes.

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

1 **SECTION 1. EXPANSION OF REWARDS PROGRAM TO IN-**
2 **CLUDE RWANDA.**

3 Section 102 of the Act of October 30, 1998 (Public
4 Law 105-323) is amended—

5 (1) in the section heading, by inserting “**OR**
6 **RWANDA**” after “**YUGOSLAVIA**”;

7 (2) in subsection (a)(2), by inserting “or the
8 International Criminal Tribunal for Rwanda” after
9 “Yugoslavia”; and

10 (3) in subsection (c)—

11 (A) by inserting “(1)” immediately after
12 “REFERENCE.—”; and

13 (B) by adding at the end the following:

14 “(2) For the purposes of subsection (a), the statute
15 of the International Criminal Tribunal for Rwanda means
16 the statute contained in the annex to Security Council
17 Resolution 955 of November 8, 1994.”

Passed the Senate June 23, 2000.

Attest:

GARY SISCO,
Secretary.