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REAFFIRMING SUPPORT FOR THE LEGITIMATE, DEMOCRATICALLY-ELECTED GOVERNMENT OF LEBANON UNDER PRIME MINISTER FOUAD SINIORA; EXPRESSING CONDOLENCES AND SYMPATHY TO THE PEOPLE OF THE PRC FOR THE LOSS OF LIFE AND DESTRUCTION CAUSED BY THE MASSIVE EARTHQUAKE CENTERED IN SICHUAN PROVINCE; AND MERIDA INITIATIVE TO COMBAT ILLICIT NARCOTICS AND REDUCE ORGANIZED CRIME AUTHORIZATION ACT OF 2008

MARKUP

BEFORE THE

COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES

ONE HUNDRED TENTH CONGRESS

SECOND SESSION

ON

H. Res. 1194, H. Res. 1195 and H.R. 6028

MAY 14, 2008

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REAFFIRMING SUPPORT FOR THE LEGITIMATE, DEMOCRATICALLY-ELECTED GOVERNMENT OF LEBANON UNDER PRIME MINISTER FOUAD SINIORA; EXPRESSING CONDOLENCES AND SYMPATHY TO THE PEOPLE OF THE PRC FOR THE LOSS OF LIFE AND DESTRUCTION CAUSED BY THE MASSIVE EARTHQUAKE CENTERED IN SICHUAN PROVINCE; AND MERIDA INITIATIVE TO COMBAT ILLICIT NARCOTICS AND REDUCE ORGANIZED CRIME AUTHORIZATION ACT OF 2008

WEDNESDAY, MAY 14, 2008

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

The committee met, pursuant to notice, at 11:08 a.m. in room 2172, Rayburn House Office Building, Hon. Howard L. Berman (chairman of the committee) presiding.

Chairman BERMAN. The committee will come to order. We have two non-controversial bills on the agenda. It is the intention of the chair to consider these measures en bloc, and by unanimous consent, authorize the chair to report certain measures to the full House and seek consideration of the remaining bills, all of those bills, under suspension of the rules, and also the next bill, as well. Members are given leave to insert remarks on the measures into the record, should they choose to do so.

So without objection, the chairman is authorized to seek consideration of the following bills under suspension of the rules, and the amendments to those measures which the members have before them shall be deemed adopted. We are talking about House Resolution 1194, Reaffirming the support of the House of Representatives for the legitimate, democratically-elected Government of Lebanon under Prime Minister Fouad Siniora; House Resolution 1195, Expressing condolences and sympathy to the people of the People's Republic of China for the grave loss of life and vast destruction caused by the massive earthquake centered in Sichuan Province. Without objection, these bills are deemed to have passed.

[H. Res. 1194 and H. Res. 1195 follow:]

Howard L. Berman
(Original Signature of Member)

110TH CONGRESS
2D SESSION

H. RES. 1194

Reaffirming the support of the House of Representatives for the legitimate, democratically-elected Government of Lebanon under Prime Minister Fouad Siniora.

IN THE HOUSE OF REPRESENTATIVES

(For Himself, Mr. Ackerman and Mr. Issa)

Mr. BERMAN submitted the following resolution; which was referred to the Committee on _____

RESOLUTION

Reaffirming the support of the House of Representatives for the legitimate, democratically-elected Government of Lebanon under Prime Minister Fouad Siniora.

Whereas, on May 7, 2008, the terrorist group Hizballah, in response to the justifiable exercise of authority by the sovereign, democratically-elected Government of Lebanon, initiated an unjustifiable insurrection by fomenting riots, blocking roads, seizing buildings, and organizing marauding groups of gunmen who took control of much of Beirut, including the sites of key government institutions, and provoked sectarian fighting elsewhere in Lebanon;

Whereas, in the course of this ongoing insurrection initiated by Hizballah, more than 80 Lebanese citizens have been murdered and more than 250 have been wounded;

Whereas, in the course of this fighting, Hizballah and allied fighters attacked the residences of Future Party leader Saad Hariri and Progressive Socialist Party leader Walid Jumblatt, both of whose parties are members of the legitimate governing coalition under Prime Minister Fouad Siniora;

Whereas, in the course of their insurrection, Hizballah and allied fighters forced the Future Party's television station off the air and burned the building housing the Future Party's newspaper;

Whereas Hizballah and its allies have turned over some of the areas they conquered in Beirut to the Lebanese Armed Forces;

Whereas key government institutions, including the prime ministry, remain under siege, as do the residences of Saad Hariri and Walid Jumblatt;

Whereas the purpose of Hizballah's insurrection is to intimidate the legitimate, democratically-elected Government of Lebanon, the Lebanese Armed Forces, and other legitimate Lebanese authorities, so that Hizballah will have maximum freedom of military action, can deepen its control over its ''state within a state'' in Shiite-dominated areas of Lebanon, and can enhance its influence on Lebanese Government decision-making in order to render Lebanon subservient to Iranian foreign policy;

Whereas United Nations Security Council Resolutions 1559, 1680, and 1701 affirm the sovereignty, territorial integrity, unity, and political independence of Lebanon under

the sole and exclusive authority of the Government of Lebanon;

Whereas United Nations Security Council Resolutions 1559, 1680, and 1701 call for the disbanding and disarming of all militias in Lebanon;

Whereas United Nations Security Council Resolution 1701 insists that no country transfer arms into Lebanon other than with the consent of the Government of Lebanon;

Whereas United Nations Security Council Resolution 1747 explicitly forbids Iran from transferring arms to any entity;

Whereas Hizballah has contemptuously dismissed the requirements of the United Nations Security Council by refusing to disarm;

Whereas Hizballah and its allies have repeatedly sought to undermine the legitimate Government of Lebanon under Prime Minister Siniora by preventing parliament from meeting and blocking the election of a new President, leaving that office vacant for the past half-year;

Whereas, contrary to the explicit and binding mandates of the United Nations Security Council, Iran continues to provide training, arms, and funding to Hizballah;

Whereas, contrary to the explicit and binding mandates of the United Nations Security Council, Syria continues to facilitate the transfer of arms to Hizballah via its territory;

Whereas Syria, through, inter alia, its support of Hizballah's efforts to undermine Prime Minister Siniora, its suspected campaign of assassinations of Lebanese leaders, its minimal cooperation with the international investigation of these assassinations, and its refusal to delineate

its border with Lebanon, shows every sign of wanting to control Lebanon as it did prior to its April 2005 withdrawal;

Whereas it is highly likely that Hizballah provoked the recent fighting in Lebanon with~~out~~ the blessing of Syria and Iran; and

Whereas Hizballah and its Lebanese political allies continue to pursue an agenda favoring foreign interests over the will of the majority of Lebanese as expressed in a legitimate and democratic election: Now, therefore, be it

Resolved, That the House of Representatives—

(1) reaffirms its strong support for the legitimate, democratically-elected Government of Lebanon under Prime Minister Fouad Siniora;

(2) expresses its profound sympathy to the people of Lebanon, who have again been thrust unjustly, and against their will, into a conflict initiated by Hizballah;

(3) offers its condolences to all those in Lebanon who have suffered displacement, injury, or death in their family, or among their loved ones, as a consequence of Hizballah's unjustifiable insurrection against the Government of Lebanon;

(4) condemns—

(A) Hizballah's illegitimate assault on the sovereign Government of Lebanon, which has

led to the worst sectarian warfare in that country since the civil war from 1975 to 1990;

(B) Hizballah for its unprovoked attacks against Lebanese leaders, citizens, and against Lebanese public and private institutions and for its illegal occupation of territory under the sovereignty of the Government of Lebanon; and

(C) Syria and Iran for illegally transferring arms and providing other forms of military support to Hizballah, in clear violation of United Nations Security Council Resolutions 1559, 1680, 1701, and 1747;

(5) demands that Hizballah immediately cease its attacks and withdraw from all areas in Beirut and elsewhere in Lebanon that it has occupied since May 7, 2008, as a first step towards its total disarmament; and

(6) urges—

(A) the United States Government and the international community to immediately take all appropriate actions to support and strengthen the legitimate Government of Lebanon under Prime Minister Fouad Siniora;

(B) the United Nations Security Council to—

(i) condemn Syria and Iran for their blatant violation of United Nations Security Council Resolutions 1559, 1680, and 1701;

(ii) condemn Iran for its violation of Chapter-VII-based United Nations Security Council Resolution 1747; and

(iii) as part of sanctions on Iran for violating Chapter-VII-based United Nations Security Council Resolution 1747, prohibit all air traffic between Iran and Lebanon and between Iran and Syria;

(C) every country controlling possible transit routes from Iran to Lebanon to impose the strictest possible controls on the movement of Iranian vehicles, airplanes, and goods to ensure that Iran is not exploiting its land and airspace for the purpose of illegally transferring arms to Hizballah and other terrorist groups; and

(D) the European Union, in light of recent and earlier Hizballah actions, to designate Hizballah as a terrorist group and to treat it accordingly.

110th CONGRESS
2nd Session

H. RES. 1195

Expressing condolences and sympathy to the people of the People's Republic of China for the grave loss of life and vast destruction caused by the massive earthquake centered in Sichuan Province.

IN THE HOUSE OF REPRESENTATIVES

May 13, 2008

Mr. WU submitted the following resolution, which was referred to the Committee on Foreign Affairs

---

RESOLUTION

Expressing condolences and sympathy to the people of the People's Republic of China for the grave loss of life and vast destruction caused by the massive earthquake centered in Sichuan Province.

Whereas on Monday, May 12, 2008 at 2:28 p.m. local time, a massive earthquake measuring 7.9 on the Richter scale struck a mountainous region in Sichuan Province in southwest China;

Whereas the epicenter of the earthquake was Wenchuan County, 60 miles northwest of the provincial capital of Chengdu;

Whereas the earthquake destroyed 80 percent of structures in some of the towns and small cities near the epicenter;

Whereas the death toll is currently estimated to exceed 12,000 and is expected to rise as the scope of the damage becomes clearer;

Whereas tens of thousands of people across southwest China remain buried beneath rubble, and hundreds of thousands of people are injured or homeless;

Whereas an estimated 900 eighth and ninth grade students and their teachers remain trapped, with as many as hundreds dead, after a school collapsed in Dujiangyan, a county located southeast of the epicenter;

Whereas another school with up to 1,000 students and teachers inside collapsed in the city of Mianyang;

Whereas two chemical plants have collapsed in Shifang, northeast of the epicenter, spilling 80 tons of toxic ammonia;

Whereas more than 150 people have been killed in the provinces of Gansu and Shaanxi, and in Chongqing municipality;

Whereas the People's Republic of China has mobilized 50,000 police and civilian rescue workers, who have been working tirelessly in disaster areas to aid in rescue and recovery efforts;

Whereas the tremors of the powerful earthquake were felt as far south as Vietnam and Thailand and set off another, smaller earthquake in the outskirts of Beijing, 900 miles away;

Whereas the earthquake is China's largest natural disaster since an earthquake struck the city of Tangshan in eastern China in 1976;

Whereas the People's Republic of China has said that it is spending $120 million on rescue efforts and that it would accept international aid to cope with the disaster; Now, therefore, be it

Resolved, That the House of Representatives—

(1) extends its condolences and sympathy to the people of the People's Republic of China for the grave loss of life and vast destruction caused by the massive earthquake centered in Sichuan Province;

(2) vows its full support for the people of the People's Republic of China as well as the Chinese American community in the United States in addressing this disaster;

(3) expresses confidence that the people of the People's Republic of China will come together to help those in need and succeed in overcoming the hardships incurred because of this tragedy.

Chairman BERMAN. Before we begin discussion of the legislation today, I do want to make clear the committee's policies on handling protests, in case anyone in the audience feels the need to speak out during these proceedings.

We do not have any objection to audience members wearing t-shirts and hats expressing their views. But to maintain order in the hearing room, we request that audience members do not hold up or waive signs, make gestures to attract attention, stand up and protest, shout, or yell, or otherwise disrupt this business meeting of the meeting.

We will ask the Capitol Police to remove anyone from the room who violates this policy, and it is the policy of the Capitol Police to arrest anyone who is ejected from the hearing room.

Now pursuant to notice, I call up the bill H.R. 6028, the Merida Initiative to Combat Illicit Narcotics and Reduce Organized Crime Authorization Act of 2008 for purposes of markup. I recognize myself to explain the bill.

[H.R. 6028 follows:]

.....
(Original Signature of Member)

110TH CONGRESS
2D SESSION

H. R. 6028

To authorize law enforcement and security assistance, and assistance to enhance the rule of law and strengthen civilian institutions, for Mexico and the countries of Central America, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. BERMAN introduced the following bill; which was referred to the Committee on _____

A BILL

To authorize law enforcement and security assistance, and assistance to enhance the rule of law and strengthen civilian institutions, for Mexico and the countries of Central America, and for other purposes.

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

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Merida Initiative to Combat Illicit Narcotics and Reduce Organized Crime Authorization Act of 2008".

1 (b) TABLE OF CONTENTS.—The table of contents for
2 this Act is as follows:

Sec. 1. Short title and table of contents.
Sec. 2. Definitions.

TITLE I—ASSISTANCE FOR MEXICO

Sec. 101. Findings.
Sec. 102. Declarations of policy.

Subtitle A—Law Enforcement and Security Assistance

Sec. 111. Purposes of assistance.
Sec. 112. Authorization of assistance.
Sec. 113. Activities supported.
Sec. 114. Limitation on assistance.
Sec. 115. Authorization of appropriations.

Subtitle B—Assistance to Enhance the Rule of Law and Strengthen Civilian Institutions

Sec. 121. Sense of Congress.
Sec. 122. Authorization of assistance.
Sec. 123. Activities supported.
Sec. 124. Authorization of appropriations.

TITLE II—ASSISTANCE FOR COUNTRIES OF CENTRAL AMERICA

Sec. 201. Findings.
Sec. 202. Declarations of policy.

Subtitle A—Law Enforcement and Security Assistance

Sec. 211. Purposes of assistance.
Sec. 212. Authorization of assistance.
Sec. 213. Activities supported.
Sec. 214. Limitation on assistance.
Sec. 215. Authorization of appropriations.

Subtitle B—Assistance to Enhance the Rule of Law and Strengthen Civilian Institutions

Sec. 221. Authorization of assistance.
Sec. 222. Activities supported.
Sec. 223. Authorization of appropriations.

TITLE III—ADMINISTRATIVE PROVISIONS

Sec. 301. Conditions on provision of assistance.
Sec. 302. Limitations on provision of assistance.
Sec. 303. Limitation on monitoring.
Sec. 304. Exemption from prohibition on assistance for law enforcement forces.
Sec. 305. Relationship to other authority.
Sec. 306. Rule of construction.

TITLE IV—SUPPORT ACTIVITIES IN THE UNITED STATES

Sec. 401. Report on reduction of drug demand in the United States.
Sec. 402. Reduction of southbound flow of illegal weapons.
Sec. 403. Reduction of southbound flow of illegal precursor chemicals and bulk-cash transfers.
Sec. 404. Report.

TITLE V—MISCELLANEOUS PROVISIONS

Sec. 501. Coordinator of United States Government Activities to Implement the Merida Initiative.
Sec. 502. Metrics and oversight mechanisms.
Sec. 503. Report.
Sec. 504. Sense of Congress.
Sec. 505. Sunset.

SEC. 2. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

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

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

(2) COUNTRIES OF CENTRAL AMERICA.—The term ''countries of Central America'' means Belize, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and Panama.

(3) MERIDA INITIATIVE.—The term ''Merida Initiative'' means the program announced by the United States and Mexico on October 22, 2007, to

fight illicit narcotics trafficking and criminal organizations throughout the Western Hemisphere.

TITLE I—ASSISTANCE FOR MEXICO

SEC. 101. FINDINGS.

Congress finds the following:

(1) The drug crisis facing the United States remains a significant national security threat.

(2) The Government Accountability Office (GAO) estimates that 90 percent of illegal drugs that enter the United States come through the Mexico-Central America corridor.

(3) The same smuggling routes that are used to bring illegal narcotics north are utilized to illegally distribute arms, precursor chemicals, and bulk cash transfers south.

(4) Drug gangs that operate in the United States, Mexico, and Central America have become sophisticated and vertically-integrated operations expert at penetrating the United States-Mexico border.

(5) Narcotics-related activity and expanding cross-border trafficking is dangerously undermining the security environment for our neighbors to the South, as well as in the United States.

(6) Mexico can and has served as a critical ally and partner in stemming the flow of illegal narcotics into the United States. Under the leadership of Mexican President Felipe Calderón, the United States and Mexico have initiated an approach of joint responsibility to confront the threat of drug trafficking and organized crime in the Western Hemisphere.

(7) The spread of illicit narcotics through United States borders and the violence that accompanies it cannot be halted without a comprehensive interdiction and security strategy planned and executed jointly with our southern neighbors.

(8) In March 2007, President George W. Bush and Mexican President Calderón held a summit in the Mexican City of Merida and agreed that the United States and Mexico must expand bilateral and regional cooperation to fight violence stemming from narcotrafficking and regional criminal organizations.

(9) On October 22, 2007, the United States and Mexico issued a joint statement announcing the Merida Initiative, a program to fight illicit drug trafficking and criminal organizations throughout the Western Hemisphere.

(10) In the joint statement—

(A) Mexico pledged to ''strengthen its operational capabilities to more effectively fight drug-traffickers and organized crime'';

(B) the United States pledged ''to intensify its efforts to address all aspects of drug trafficking (including demand-related portions) and continue to combat trafficking of weapons and bulk currency to Mexico''; and

(C) both nations pledged to ''augment cooperation, coordination, and the exchange of information to fight criminal organizations on both sides of the border''.

(11) A long-term strategy to adequately contain the northbound and southbound flows of illicit drugs along the United States-Mexico border, as well as protect the vast and free flow of trade, will require the United States to partner with its southern neighbors in their efforts to build the capacity of their own law enforcement agencies and enhance the rule of law, as well as to fortify United States illicit drug reduction efforts.

SEC. 102. DECLARATIONS OF POLICY.

Congress makes the following declarations:

(1) The Merida Initiative is a critical part of a growing partnership and strategy of cooperation be-

tween the United States and its southern neighbors to confront the illegal flow of narcotics as well as violence and organized crime that it has spawned.

(2) The United States needs to ensure the free flow of trade between the United States and its critical neighbor, Mexico, while ensuring that the United States border is protected from illegal smuggling into the United States.

(3) The United States must intensify efforts to stem the flow of precursor chemicals, bulk cash, and the so-called ''iron-river'' of arms illegally flowing south, as well as demand-related aspects of the illicit drug phenomenon.

(4) The United States should provide its expertise to meet immediate security needs along the United States-Mexico border, fight the production and flow of illicit narcotics, and support Mexico in its efforts to do the same.

(5) The United States should support the Government of Mexico's work to expand its own law enforcement to independently conduct successful counternarcotics and organized crime-related operations.

(6) The Merida Initiative reflects the belief that Mexican military involvement is required in the short term to stabilize the security situation, but that

most aspects of this problem fall into the realm of law enforcement.

(7) In implementing the Merida Initiative, the United States should work with its southern neighbors to mitigate the so-called ''balloon effect'' in which successful counternarcotics efforts shift narcotics-related activities to other areas.

(8) The United States should coordinate with the Congress of the Union of Mexico to ensure full partnership on the programs authorized under this Act.

Subtitle A—Law Enforcement and Security Assistance

SEC. 111. PURPOSES OF ASSISTANCE.

The purposes of assistance under this subtitle are to—

(1) enhance the ability of the Government of Mexico, in cooperation with the United States, to control illicit narcotics production, trafficking, drug trafficking organizations, and organized crime;

(2) help build the capacity of law enforcement forces of Mexico to control illicit narcotics production, trafficking, drug trafficking organizations, and organized crime;

(3) aid the support role that the armed forces of Mexico is providing to law enforcement agencies of Mexico as the security situation in Mexico is initially stabilized;

(4) protect and secure the United States-Mexico border, and control illegal activity going south as well as north;

(5) strengthen the bilateral and regional ties of the United States with Mexico and the countries of Central America by assuming shared responsibility and offering concrete assistance in this area of great mutual concern;

(6) strengthen respect for internationally recognized human rights and the rule of law in efforts to stabilize the security environment relating to the illicit narcotics production and trafficking and organized crime; and

(7) support the judicial branches of the Government of Mexico and the countries of Central America, as well as support anti-corruption efforts in those countries; and

(8) respond to the direct requests of the Government of Mexico that the United States reduce the demand for illicit drugs in the United States, stem the flow of illegal arms into Mexico from the United

States, stem the flow of illegal bulk-cash transfers into Mexico from the United States, and stem the flow of illegal precursor chemicals into Mexico from the United States.

SEC. 112. AUTHORIZATION OF ASSISTANCE.

To carry out the purposes of section 111, the President is authorized to provide assistance for Mexico to support the activities described in section 113.

SEC. 113. ACTIVITIES SUPPORTED.

(a) IN GENERAL.—Activities that may be supported by assistance under section 112 include the following:

(1) COUNTERNARCOTICS AND COUNTERTRAFFICKING.—To assist in building the capacity of law enforcement and security forces of Mexico to eradicate illicit drug trafficking and reduce trafficking-fueled violence, including along the United States-Mexico border, including assistance such as—

(A) radar and aerial surveillance equipment;

(B) land and maritime interdiction equipment and training, including—

(i) transport helicopters and night-operating capabilities;

(ii) surveillance platform planes; and

(iii) maintenance and training relating to maintenance of aircraft; and

(C) training of security and law enforcement units to plan and execute counternarcotics operations.

(2) PORT, AIRPORT, AND RELATED SECURITY.—To assist in monitoring and controlling the United States-Mexico border and the border between Mexico and Central America to combat illicit drug trafficking, including assistance such as—

(A) computer infrastructure and equipment;

(B) secure communications networks; and

(C) nonintrusive monitoring technology.

(3) OPERATIONAL TECHNOLOGY.—

(A) ASSISTANCE OBJECTIVES.—To assist in investigation and collection of intelligence against illicit drug trafficking organizations, including—

(i) expansion of intelligence databases; and

(ii) hardware, operating systems, and training for updating the communications networks of security agencies.

(B) SENSE OF CONGRESS.—It is the sense of Congress that—

(i) operational technology transferred to the Government of Mexico for intelligence or law enforcement purposes should be used solely for the purposes for which the operational technology was intended; and

(ii) the Government of Mexico should take all necessary steps to ensure that use of operational technology described in clause (i) is consistent with United States and Mexican law, including protections of freedom of expression, freedom of movement, freedom of association, and full respect of privacy rights.

(4) PUBLIC SECURITY AND LAW ENFORCEMENT.—To assist in the modernization of law enforcement entities and prevent crime, including assistance and activities such as—

(A) law enforcement training and equipment, including—

(i) transport helicopters;

(ii) surveillance aircraft, including Cessna Caravan light utility aircraft;

(iii) nonintrusive inspection equipment; and

(iv) human rights training for law enforcement units;

(B) enhancement of the Government of Mexico's financial intelligence unit;

(C) safety-related equipment for law enforcement officers and prosecutors, including protective vests and helmet sets;

(D) reduction of drug demand in Mexico, including activities such as—

(i) assistance to the National Council Against Addictions (CONADIC) to establish an Internet web-based support network;

(ii) establishment of a national data center to support the CONADIC; and

(iii) training of CONADIC and other agency staff in best practices and outreach and treatment programs, and design of a methodology to implement best practices in conjunction with the National Network for Technological Transfers in Addiction.

(b) PROVISION OF HELICOPTERS.—Funds made available to carry out this subtitle to provide helicopters

to the Government of Mexico, shall, to the extent possible, be used to procure or provide helicopters that are of a similar manufacture to those helicopters already in the possession of the Government of Mexico in order to facilitate integration of those assets into Mexico's existing air fleet.

(c) SENSE OF CONGRESS.—It is the sense of Congress that the United States shall ensure, to the extent possible, that assistance under this subtitle is made available and cross-utilized by the armed forces of Mexico and relevant law enforcement agencies of the Government of Mexico, including the Mexican Office of the Attorney General.

SEC. 114. LIMITATION ON ASSISTANCE.

(a) LIMITATION.—No assistance may be provided under this subtitle to any unit of the armed forces of Mexico or any unit of the law enforcement agencies of Mexico if the Secretary of State determines that, consistent with section 620J of the Foreign Assistance Act of 1961 (22 U.S.C. 2378d), there is credible evidence that such unit has committed gross violations of human rights.

(b) EXCEPTION.—The limitation in subsection (a) shall not apply if the Secretary of State determines and reports to the appropriate congressional committees that the Government of Mexico is taking effective means to

bring the responsible members of the unit of the armed forces or law enforcement agencies, as the case may be, to justice.

SEC. 115. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—To carry out this subtitle, there are authorized to be appropriated to the President $350,000,000 for fiscal year 2008, $390,000,000 for fiscal year 2009, and $40,000,000 for fiscal year 2010.

(b) LIMITATION.—

(1) IN GENERAL.—Of the amounts appropriated pursuant to the authorization of appropriations under subsection (a)—

(A) not more than $205,000,000 may be provided as assistance for the armed forces of Mexico for 2008;

(B) not more than $120,000,000 may be provided as assistance for the armed forces of Mexico for 2009; and

(C) not more than $9,000,000 may be provided as assistance for the armed forces of Mexico for 2010.

(2) ADDITIONAL LIMITATION.—None of the funds appropriated pursuant to the authorization of appropriations under subsection (a) for fiscal year 2009 may be provided as assistance for the Mexican

Secretariat of Public Security until the President determines that the Mexican National Registry of Police Personnel (Registro Nacional de Personal Policial) is operational at the Federal, state, and local levels.

(c) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under subsection (a) are—

(1) authorized to remain available until expended; and

(2) in addition to funds otherwise available for such purposes, including funds available under chapter 8 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2291 et seq.).

Subtitle B—Assistance to Enhance the Rule of Law and Strengthen Civilian Institutions

SEC. 121. SENSE OF CONGRESS.

It is the sense of Congress that, as a critical part of a joint, comprehensive security, counternarcotics, and organized crime initiative, the United States should support—

(1) programs of the United States Agency for International Development and other United States agencies focused on strengthening civilian institu-

tions and rule of law programs in Mexico at the Federal, state, and municipal levels; and

(2) anti-corruption, transparency, and human rights programs to ensure due process and expand a culture of lawfulness in Mexico.

SEC. 122. AUTHORIZATION OF ASSISTANCE.

The President is authorized to provide assistance for Mexico to support the activities described in section 123.

SEC. 123. ACTIVITIES SUPPORTED.

Activities that may be supported by assistance under section 122 include the following:

(1) INSTITUTION BUILDING AND RULE OF LAW.—To assist Mexico's efforts to expand the rule of law and build the capacity, transparency, and trust in government institutions, including assistance such as—

(A) rule of law and systemic improvements in judicial and criminal justice sector institutions, including—

(i) courts management and prosecutorial capacity building;

(ii) prison reform activities, including those relating to anti-gang and anti-organized crime efforts;

(iii) anti-money laundering programs;

(iv) victim and witness protection and restitution; and

(v) promotion of transparent oral trials via training for the judicial sector;

(B) police professionalization, including—

(i) training regarding use of force;

(ii) human rights education and training;

(iii) training regarding evidence preservation and chain of custody; and

(iv) enhanced capacity to vet candidates;

(C) support for the Mexican Office of the Attorney General, including—

(i) judicial processes improvement and coordination;

(ii) enhancement of forensics capabilities;

(iii) data collection and analyses;

(iv) case tracking and management;

(v) financial intelligence functions; and

(vi) maintenance of data systems.

(2) ANTI-CORRUPTION, TRANSPARENCY, AND HUMAN RIGHTS.—To assist law enforcement and

court institutions in Mexico to develop mechanisms to ensure due process and proper oversight and to respond to citizen complaints, including assistance such as—

(A) enhancement of polygraph capability in the Mexican Police agency (SSP);

(B) support for greater transparency and accountability in the Mexican legal system, including—

(i) establishment of a center in the Mexican Office of the Attorney General for receipt of citizen complaints;

(ii) establishment of clerk of the court system to track cases and pretrial detentions;

(iii) reorganization of human and financial resources systems; and

(iv) equipping and training of criminal investigators; and

(C) promotion of human rights, including—

(i) support for human rights organizations, bar associations, and law schools; and

(ii) training for police, prosecutors, and corrections officers.

(3) PREVENTION.—To assist in the prevention of individuals from participating in illicit narcotics-related violent activities, such as—

(A) establishment of programs that address domestic violence and increase school attendance rates; and

(B) expansion of intervention programs, including after-school programs and programs for at-risk and criminal involved youth.

(4) DEVELOPMENT.—To assist in the development of areas where lack of jobs breeds illicit narcotics-related violence, including—

(A) expansion of alternative livelihood programs, including job creation programs and rural development programs; and

(B) establishment of gang reeducation and training programs.

SEC. 124. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—To carry out this subtitle, there are authorized to be appropriated to the President $120,000,000 for fiscal year 2008, $100,000,000 for fiscal year 2009, and $110,000,000 for fiscal year 2010.

(b) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under subsection (a) are—

(1) authorized to remain available until expended; and

(2) in addition to funds otherwise available for such purposes, including funds available under chapter 8 of part I of the Foreign Assistance Act of 1961.

TITLE II—ASSISTANCE FOR COUNTRIES OF CENTRAL AMERICA

SEC. 201. FINDINGS.

Congress finds the following:

(1) A May 2007 report by the United Nations Office on Drugs and Crime (UNODC) argues that countries of Central America are particularly vulnerable to violent crimes fueled by drug trafficking and corruption because such countries are geographically located between the world's largest drug producing and drug consuming countries.

(2) According to Assistant Secretary of State for Western Hemisphere Affairs Thomas Shannon, "[T]he nations of Central America have committed to collective action to address these common security

concerns. Through the Central American Integration System (SICA), the governments have expressed the political resolve to join forces to strengthen regional security; however they lack sufficient tools and capacity to execute such will.''.

(3) Crime and violence in Central America has increased in recent years.

(4) In 2005, the estimated murder rate per 100,000 people was roughly 56 in El Salvador, 41 in Honduras, and 38 in Guatemala.

(5) Youth gang violence has been one of the major factors contributing to increased violence in Central America, with the United States Southern Command estimating that there are 70,000 gang members in Central America.

(6) Many Central American youth gangs are transnational and negatively impact both Central America and the United States.

(7) Youth gang violence cannot be curbed only through enforcement, but must also include a substantial investment in prevention, rehabilitation, and reintegration.

(8) Deportees sent from the United States back to Central America, while not a central cause of

crime and violence, can contribute to crime and violence in Central America.

(9) Guatemala has experienced a surge in murders of women in recent years, many of which have been committed by illicit drug traffickers and other organized criminals.

(10) Violence between partners, particularly violence by men against their wives or girlfriends, is widespread in Central America, and an international violence against women survey comparing selected countries in Africa, Latin America, Europe, and Asia found that 60 percent of women in Costa Rica—often considered the least violent country in Central America—reported having experienced domestic violence during their lives.

(11) Weak justice systems in the countries of Central America have led to a high level of impunity in Central America.

(12) The United Nations International Commission against Impunity in Guatemala (CICIG) was recently created to begin to address impunity related to illegally armed groups in Guatemala.

(13) The United States and the Central American Integration System (SICA) signed an agreement in July 2007 to improve intelligence sharing

and policing and to institutionalize dialogue on regional security.

SEC. 202. DECLARATIONS OF POLICY.

Congress makes the following declarations:

(1) A long-term United States strategy to curb illicit narcotics trafficking must include Central America, which is the corridor for 90 percent of the cocaine that transits from South America to the United States.

(2) It is in the interest of the United States to support a long-term commitment to assisting the countries of Central America to improve security by combating illicit narcotics trafficking, investing in prevention programs, increasing intelligence sharing, improving regional security coordination, improving border and customs capabilities, professionalizing police, justice, and other government officials, and funding programs to reintegrate deportees from the United States.

(3) The countries of Central America are committed to combating illicit narcotics trafficking and its related violence and crime, including gang violence, and the United States must seize the opportunity to work in partnership with Central America.

Subtitle A—Law Enforcement and Security Assistance

SEC. 211. PURPOSES OF ASSISTANCE.

The purposes of assistance authorized by this subtitle are to—

(1) enhance the ability of governments of countries of Central America to control illicit narcotics production, trafficking, illicit drug trafficking organizations, and organized crime;

(2) help build the capacity of law enforcement agencies of the countries of Central America to control illicit narcotics production, trafficking, illicit drug trafficking organizations, and organized crime;

(3) strengthen the bilateral ties of the United States with the countries of Central America by offering concrete assistance in this area of great mutual concern;

(4) strengthen respect for internationally recognized human rights and the rule of law in efforts to stabilize the security environment relating to the illicit narcotics production and trafficking and organized crime; and

(5) support the judicial branch of governments of the countries of Central America, as well as to support anti-corruption efforts in such countries.

SEC. 212. AUTHORIZATION OF ASSISTANCE.

To carry out the purposes of section 211, the President is authorized to provide assistance for the countries of Central America to support the activities described in section 213.

SEC. 213. ACTIVITIES SUPPORTED.

Activities that may be supported by assistance under section 212 include the following:

(1) COUNTERNARCOTICS, COUNTERTRAFFICKING, AND RELATED SECURITY.—

(A) ASSISTANCE OBJECTIVES.—To assist in the following:

(i) Investigation and collection of intelligence against illicit drug trafficking.

(ii) Combating illegal trafficking in arms.

(iii) Prevention of bulk currency smuggling.

(iv) Collection of information on crime and establishment of a regional database.

(B) ASSISTANCE.—Activities under subparagraph (A) may include—

(i) automated fingerprint identification systems (AFIS);

(ii) vetting sensitive investigative units to collaborate on counternarcotics at the Federal, state, and local levels;

(iii) technical assistance to develop strong and effective financial crimes investigation units;

(iv) maritime security support, including refurbishing and procuring patrol boats;

(v) firearms interdiction training; and

(vi) illicit drug demand reduction programs.

(2) PUBLIC SECURITY AND LAW ENFORCEMENT.—To assist in building the capacity of the police in countries of Central America, supporting efforts to combat transnational gangs, investing in gang prevention and rehabilitation programs, and programs for the reintegration of deportees, including assistance such as—

(A) funding to continue the United States-Central American Integration System (SICA) Dialogue;

(B) youth gang prevention activities, including targeted education for at-risk youth, vocational training and funding of community

centers in areas with high youth gang violence rates and other risk factors;

(C) programs to reintegrate deportees from the United States back into the societies of their home countries to avoid further criminal activity;

(D) transnational anti-gang initiatives;

(E) police professionalization, including—

(i) training regarding use of force;

(ii) human rights education and training;

(iii) training regarding evidence preservation and chain of custody; and

(iv) enhanced capacity to vet candidates;

(F) utilization of the International Law Enforcement Academy (ILEA) in El Salvador consistent with traditional respect for human rights and professional police practices;

(G) police training programs of the Organization of American States (OAS);

(H) police equipment, including communications equipment; and

(I) anti-domestic violence education programs and women's shelters.

SEC. 214. LIMITATION ON ASSISTANCE.

(a) LIMITATION.—No assistance may be provided under this subtitle to any unit of the armed forces of a country of Central America or any unit of the law enforcement agencies of a country of Central America if the Secretary of State determines that, consistent with section 620J of the Foreign Assistance Act of 1961 (22 U.S.C. 2378d), there is credible evidence that such unit has committed gross violations of human rights.

(b) EXCEPTION.—The limitation in subsection (a) shall not apply if the Secretary of State determines and reports to the appropriate congressional committees that the government of the relevant country of Central America is taking effective means to bring the responsible members of the unit of the armed forces or law enforcement agencies, as the case may be, to justice.

SEC. 215. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—To carry out this subtitle, there are authorized to be appropriated to the President $60,000,000 for fiscal year 2008, $80,000,000 for fiscal year 2009, and $80,000,000 for fiscal year 2010.

(b) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under subsection (a) are—

(1) authorized to remain available until expended; and

(2) in addition to funds otherwise available for such purposes, including funds under chapters 2 and 8 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2166 and 2291 et seq.).

(c) LIMITATION.—Of the amounts appropriated pursuant to the authorization of appropriations under subsection (a) for any fiscal year, at least $15,000,000 should be made available to carry out section 213(2)(B).

Subtitle B—Assistance to Enhance the Rule of Law and Strengthen Civilian Institutions

SEC. 221. AUTHORIZATION OF ASSISTANCE.

The President is authorized to provide assistance for the countries of Central America to support the activities described in section 222.

SEC. 222. ACTIVITIES SUPPORTED.

Activities that may be supported by assistance under section 221 include assistance in building the capacity, transparency, and trust in the justice system of the countries of Central America and reducing high impunity rates in the countries of Central America, including assistance such as—

(1) improved police academies and entry level training on crime investigations;

(2) courts management and prosecutor capacity building;

(3) witness and victim protection programs, including in Guatemala in coordination with the United Nations International Commission Against Impunity in Guatemala (CICIG);

(4) programs to enhance transparency in the procedures to designate and remove personnel in the recipient country's judicial system;

(5) prosecutor and judge protection programs, including in Guatemala and in coordination with the CICIG;

(6) short-term assignment of United States Government personnel to the CICIG to provide technical assistance for criminal investigations, specifically but not limited to investigations involving money laundering so long as this assignment does not negatively impact United States domestic operations;

(7) regional juvenile justice reform;

(8) prison management;

(9) programs to rehabilitate gang members released from prison, including job training; and

(10) community policing, including human rights and use of force training for community policing projects.

SEC. 223. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—To carry out this title, there are authorized to be appropriated to the President $40,000,000 for fiscal year 2008, $50,000,000 for fiscal year 2009, and $95,000,000 for fiscal year 2010.

(b) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under subsection (a) are—

(1) authorized to remain available until expended; and

(2) in addition to funds otherwise available for such purposes, including funds available under chapters 2 and 8 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2166 and 2291 et seq.)..

TITLE III—ADMINISTRATIVE PROVISIONS

SEC. 301. CONDITIONS ON PROVISION OF ASSISTANCE.

(a) IN GENERAL.—The President may not provide assistance under title I or II to a foreign country for a fiscal year until the end of a 15-day period beginning on the date on which the President determines to the appropriate congressional committees that the requirements de-

scribed in subsection (b) have been met with respect to the government of such foreign country for such fiscal year.

(b) REQUIRED DETERMINATION.—The requirements referred to in subsection (a) are the following:

(1) The provision of assistance will not adversely affect the human rights situation in the foreign country.

(2) Vetting procedures are in place to ensure that members and units of the armed forces and law enforcement agencies of the foreign country that may receive assistance under title I or II have not been involved in human rights violations.

(3) The civilian authority in the foreign country is investigating and prosecuting any member of any government agency or entity receiving assistance under title I or II who has been credibly alleged to have committed human rights violations on or after the date of the enactment of this Act.

(4) Equipment and material provided as support is being used only by officials and employees of the government of the foreign country who have been approved by such government to perform counternarcotics activities, including on the basis of the background investigations by such government.

(5) The government of the foreign country has cooperated with the Secretary of State to ensure that—

(A) the equipment and material provided as support will be used only by the officials and employees referred to in paragraph (4);

(B) none of the equipment or material will be transferred (by sale, gift, or otherwise) to any person or entity not authorized by the United States to receive the equipment or material; and

(C) the equipment and material will, to the extent possible, be used for the purposes intended by the United States Government and will be utilized by those agencies for whom such assistance is intended.

(6) The government of the foreign country has implemented, in consultation with the Secretary of State, a system that will provide an accounting and inventory of the equipment and material provided as support.

(7) The government of the foreign country will, along with United States personnel, conduct periodic observation and review of the use of the equipment and material provided as support under terms and

conditions similar to the terms and conditions imposed with respect to such observation and review under section 505(a)(3) of the Foreign Assistance Act of 1961 (22 U.S.C. 2314(a)(3)).

(8) To the extent the foreign country has received equipment in the past, it has utilized the equipment properly and in a manner that warrants additional provision of equipment or assistance.

SEC. 302. LIMITATIONS ON PROVISION OF ASSISTANCE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) activities undertaken under titles I and II of this Act should be performed wherever possible by official employees, personnel, or officers of the federal, state, or local government of the recipient foreign country; and

(2) the United States should limit, to the maximum extent possible, the number of United States civilians and foreign nationals retained as contractors in a recipient country.

(b) LIMITATIONS.—Except as provided in subsection (c)—

(1) none of the funds made available to carry out title I may be available for the employment of any United States individual civilian retained as a

contractor in Mexico or any foreign national retained as a contractor if that employment would cause the total number of individual civilian contractors employed in Mexico in support of the Merida Initiative who are funded by Federal funds to exceed 50;

(2) none of the funds made available to carry out title II may be available for the employment of any United States individual civilian retained as a contractor in a country of Central America or any foreign national retained as a contractor if that employment would cause the total number of individual civilian contractors employed in all countries of Central America in support of the Merida Initiative who are funded by Federal funds to exceed 100; and

(3) none of the funds made available under this Act shall be made available for budget support or cash payments.

(c) EXCEPTION.—The limitations contained in subsection (b) shall not apply if the President determines that it is in the national interest of the United States that such limitations shall not apply and transmits to the appropriate congressional committees a notification thereof.

SEC. 303. LIMITATION ON MONITORING.

Beginning on October 1, 2009, no surveillance-related equipment may be transferred under this Act to any

entity of Mexico or a country of Central America unless the President determines that the recipient country has cooperated with the United States to ensure that such equipment will be used principally for the purposes for which it is provided.

SEC. 304. EXEMPTION FROM PROHIBITION ON ASSISTANCE FOR LAW ENFORCEMENT FORCES.

Notwithstanding section 660 of the Foreign Assistance Act of 1961 (22 U.S.C. 2420; relating to the prohibition on assistance to foreign law enforcement forces), the President may provide assistance under title I or II if, at least 15 days before providing the assistance, the President notifies the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate, in accordance with the procedures applicable to reprogramming notifications pursuant to section 634A of the Foreign Assistance Act (22 U.S.C. 2394–1), that (1) it is in the national interest to provide such assistance, and (2) the recipient country is making significant progress to eliminating any human rights violations.

SEC. 305. RELATIONSHIP TO OTHER AUTHORITY.

(a) ASSISTANCE UNDER TITLE I.—The authority to provide assistance under title I is in addition to any other authority to provide assistance for Mexico.

(b) ASSISTANCE UNDER TITLE II.—The authority to provide assistance under title I is in addition to any other authority to provide assistance for the countries of Central America.

SEC. 306. RULE OF CONSTRUCTION.

Nothing in title I or II shall be construed to alter, modify, or otherwise affect the provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.) unless otherwise specified in this Act.

TITLE IV—SUPPORT ACTIVITIES IN THE UNITED STATES

SEC. 401. REPORT ON REDUCTION OF DRUG DEMAND IN THE UNITED STATES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) supply-side drug reduction strategies when executed alone are not an effective way to fight the phenomenon of illegal narcotics;

(2) the Government of Mexico has identified reduction of United States drug demand as among the most important contributions the United States can make to a joint strategy to combat drug trafficking; and

(3) the United States pledged in the United States-Mexico October 2007 Joint Statement on the

Merida Initiative, to ''intensify its efforts to address all aspects of drug trafficking (including demand related portions)'' here in the United States.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the President shall transmit to the appropriate congressional committees a report on the measures taken to intensify United States efforts to address United States demand-related aspects of the drug-trafficking phenomenon in accordance with the Joint Statement on the Merida Initiative announced by the United States and Mexico on October 22, 2007.

SEC. 402. REDUCTION OF SOUTHBOUND FLOW OF ILLEGAL WEAPONS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) much of the increased violence in Mexico is perpetrated using firearms and ammunition smuggled illegally from the United States into Mexico;

(2) the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) has told Congress of an ''iron river of guns'' with thousands of weapons per week illegally crossing into Mexico from the United States;

(3) more than 90 percent of the guns confiscated yearly in Mexico originate in the United

States and approximately 40 percent of the total trafficked weapons are linked to drug trafficking organizations;

(4) along the 2,000 mile border from Brownsville, Texas, to San Diego, California, there are 6,700 licensed gun sellers, but only 100 Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) special agents to investigate allegations of weapons trafficking and only 35 inspectors to ensure compliance with United States laws;

(5) on January 16, 2008, ATF announced that it will add 25 special agents and 15 inspectors to their Project Gunrunner along the Southwest Border. And, the ATF budget request for fiscal year 2009 includes funding for another 12 inspectors; and

(6) an effective strategy to combat these illegal arms flows is a critical part of a United States contribution to a jointly executed anti-narcotics strategy with Mexico.

(b) PROJECT GUNRUNNER INITIATIVE.—

(1) IN GENERAL.—The Attorney General shall dedicate and expand the resources provided for the Project Gunrunner initiative (hereafter in this subsection referred to as the ''initiative'') of the Bureau

of Alcohol, Tobacco, Firearms, and Explosives to identify, investigate, and prosecute individuals involved in the trafficking of firearms across the United States-Mexico border.

(2) ACTIVITIES.—In carrying out this subsection, the Attorney General shall—

(A) assign additional agents of the Bureau of Alcohol, Tobacco, Firearms, and Explosives to the area of the United States adjacent to the United States-Mexico border to support the expansion of the initiative;

(B) establish not fewer than 1 initiative team in each State along the United States-Mexico border; and

(C) coordinate with the heads of other relevant Federal law enforcement agencies and State and local law enforcement agencies to address firearms trafficking in a comprehensive manner.

(3) ADDITIONAL STAFF.—The Attorney General may hire additional persons to be Bureau of Alcohol, Tobacco, Firearms, and Explosives agents for, and may use such other resources as may be necessary to adequately support, the initiative.

(4) AUTHORIZATION OF APPROPRIATIONS.—To carry out this subsection, there are authorized to be appropriated to the Attorney General $15,000,000 for each of the fiscal years 2008 through 2010.

(c) ENHANCED INTERNATIONAL COOPERATION.—

(1) IN GENERAL.—The Attorney General, in cooperation with the Secretary of State, shall—

(A) assign agents of the Bureau of Alcohol, Tobacco, Firearms, and Explosives to the United States mission in Mexico, specifically in areas adjacent to the United States-Mexico border, to work with Mexican law enforcement agencies in conducting investigations relating to firearms trafficking and other criminal enterprises;

(B) provide the equipment and technological resources necessary to support investigations and to trace firearms recovered in Mexico; and

(C) support the training of vetted Mexican law enforcement officers in serial number restoration techniques and canine explosive detection.

(2) AUTHORIZATION OF APPROPRIATIONS.—To carry out this subsection, there are authorized to be

appropriated to the Attorney General $9,500,000 for each of the fiscal years 2008 through 2010.

SEC. 403. REDUCTION OF SOUTHBOUND FLOW OF ILLEGAL PRECURSOR CHEMICALS AND BULK-CASH TRANSFERS.

It is the sense of Congress that—

(1) a significant quantity of precursor chemicals used in the production of illegal drugs flows south from the United States to Mexico;

(2) the Government of Mexico has identified reduction of southbound flows from the United States of precursor chemicals and bulk-cash transfers as a critical component of its anti-narcotics strategy; and

(3) an effective strategy to combat these illegal flows is a critical part of a United States contribution to a jointly executed anti-narcotics strategy with Mexico.

SEC. 404. REPORT.

Not later than 180 days after the date of the enactment of this Act, the President shall transmit to the appropriate congressional committees a report on the measures taken to combat the southbound flow of illegal precursor chemicals and bulk cash transfers into Mexico.

TITLE V—MISCELLANEOUS PROVISIONS

SEC. 501. COORDINATOR OF UNITED STATES GOVERNMENT ACTIVITIES TO IMPLEMENT THE MERIDA INITIATIVE.

(a) DECLARATION OF POLICY.—Congress declares that the Merida Initiative is a Department of State-led initiative which combines programs of numerous United States Government departments and agencies and therefore requires a single coordinator to manage and track all Merida-related efforts government-wide to ensure accountability and avoid duplication.

(b) DESIGNATION OF HIGH-LEVEL COORDINATOR.—

(1) IN GENERAL.—The President shall designate, within the Department of State, a Coordinator of United States Government Activities to Implement the Merida Initiative (hereafter in this section referred to as the ''Coordinator'') who shall be responsible for—

(A) designing an overall strategy to advance the purposes of this Act;

(B) ensuring program and policy coordination among agencies of the United States Government in carrying out the policies set forth in this Act;

(C) ensuring that efforts of the United States Government under this Act are in full consonance with the efforts of the Government of Mexico and the governments of Central America in implementing the Merida Initiative;

(D) tracking all United States Government assistance which fulfills the goals of the Merida Initiative or is closely related to the goals of the Merida Initiative, including information required under section 620J of the Foreign Assistance Act of 1961 (22 U.S.C. 2378d) with respect to Mexico and the countries of Central America;

(E) coordinating among agencies of the United States Government on all United States assistance to Mexico and the countries of Central America, including assistance from other relevant government agencies, which fulfills the goals of the Merida Initiative to avoid duplication or conflict among programs; and

(F) coordinating with federal, State, and local law enforcement authorities in the United States that are responsible for law enforcement activities along the United States-Mexico border.

(2) RANK AND STATUS OF THE COORDINATOR.—The Coordinator shall have the rank and status of ambassador.

SEC. 502. METRICS AND OVERSIGHT MECHANISMS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) to successfully support building the capacity of recipient countries' civilian security institutions, enhance the rule of law in recipient countries, and ensure the protection of human rights, the President should establish metrics and oversight mechanisms to track the effectiveness of activities undertaken pursuant to this Act;

(2) long-term solutions to Mexico and Central America's security problems depend on strengthening and holding accountable civilian institutions;

(3) it is difficult to assess the impact of United States assistance towards these goals absent specific oversight and monitoring mechanisms; and

(4) the President, in developing metrics, should consult with Congress as well as the Government of Mexico and the Central American Integration System (SICA).

(b) REQUIREMENT.—The President shall develop metrics to identify, track, and manage the progress of ac-

tivities authorized pursuant to this Act and use these metrics to determine resources allocations for counternarcotics- and organized crime-related efforts.

(c) INITIAL REPORT.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the President shall transmit to the appropriate congressional committees a report that specifies metrics of achievement for each activity to be undertaken under this Act.

(2) CONTENTS OF REPORT.—The report shall be divided into two sections, the first addressing those activities undertaken pursuant to subtitle A of title I and subtitle A of title II, and the second addressing those activities undertaken pursuant to subtitle B of title I and subtitle B of title II. Metrics may include the following:

(A) Indicators on long-term effectiveness of the equipment and training provided to Mexican and Central American security institutions.

(B) Statistics of counter narcotic-related arrests.

(C) Number of interdictions of drug shipments.

(D) Specific progress on police reform.

(E) Counterdrug-related arrests.

(F) Quantification of reduction of supply of drugs into the United States.

(G) Cross-utilization, if any, of equipment among the armed forces and law enforcement entities.

(H) Increased school attendance rates.

(I) Attendance in primary prevention programs

(J) The rate of cooperation among United States, Mexican, and Central American law enforcement agencies.

SEC. 503. REPORT.

(a) IN GENERAL.—The President shall transmit to the appropriate congressional committees a report concerning the programs and activities carried out under this Act during the preceding fiscal year. The first report shall be transmitted not later than 180 days after the date of the enactment of this Act and subsequent reports shall be transmitted not later than October 31 of each year thereafter.

(b) MATTERS TO BE INCLUDED.—The report required under subsection (a) shall include the following:

(1) METRICS.—A general description of the progress in stabilizing the security situation in each

recipient country as well as combating trafficking and building its capacity based on the metrics developed under section 502.

(2) COORDINATION.—Efforts of the United States Government to coordinate its activities pursuant to section 501, including—

(A) a description of all counternarcotics and organized crime assistance provided to recipient countries in the previous fiscal year;

(B) an assessment of how such assistance was coordinated; and

(C) recommendations for improving coordination.

(3) TRANSFER OF EQUIPMENT.—A description of the transfer of equipment, including—

(A) a description of the progress of each recipient country toward the transfer of equipment, if any, from its armed forces to law enforcement agencies;

(B) a list of organizations that have used the air assets provided to the government of each recipient country, and, to the extent possible, a detailed description of those agencies that have utilized the air assets, including a

breakdown of the percentage of use by each agency; and

(C) a description of training of law enforcement agencies to operate equipment, including air assets.

(4) HUMAN RIGHTS.—Consistent with sections 116(d) and 502B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d) and 2304(b)) and section 504 of the Trade Act of 1974 (19 U.S.C. 2464), an assessment of the human rights impact of the equipment and training provided under to this Act, including—

(A) a list of accusations of serious human rights abuses committed by the armed forces and law enforcement agencies of recipient countries from the date of enactment of this Act; and

(B) a description of efforts by the government of recipient countries to investigate and prosecute allegations of abuses of human rights committed by any agency of the recipient countries.

(5) EFFECTIVENESS OF EQUIPMENT.—An assessment on the long-term effectiveness of the equipment and maintenance packages and training pro-

vided to each recipient country's security institutions.

(6) MEXICO PUBLIC SECURITY STRATEGY.—A description of Mexico's development of a public security strategy, including—

(A) an update on the effectiveness of the Mexican National Registry of Police Personnel to vet police recruiting at the National, state, and municipal levels to prevent rehiring from one force to the next after dismissal for corruption and other reasons; and

(B) an assessment of how the Merida Initiative complements and supports the Mexican Government's own public security strategy.

(7) FLOW OF ILLEGAL ARMS.—A description of efforts to reduce the southbound flow of illegal arms.

(8) USE OF CONTRACTORS.—A detailed description of contracts awarded to private companies to carry out provisions of this Act, including—

(A) a description of the number of United States and foreign national civilian contractors awarded contracts;

(B) a list of the total dollar value of the contracts; and

(C) the purposes of the contracts.

(9) CENTRAL AMERICAN REGIONAL SECURITY PLAN.—A description of implementation by the countries of Central America of the Central American Regional Security Plan, including an assessment of how the Merida Initiative complements and supports the Central American Regional Security Plan.

(10) PHASE OUT OF LAW ENFORCEMENT ACTIVITIES.—A description of the progress of phasing out law enforcement activities of the armed forces of each recipient country.

SEC. 504. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the United States Government requires an effective public diplomacy strategy to explain the purposes of the Merida Initiative; and

(2) to the extent practicable, the Secretary of State, in coordination with other relevant heads of agencies, shall design and implement a public diplomacy campaign regionally regarding the Merida Initiative.

SEC. 505. SUNSET.

The authority of this Act shall expire after September 30, 2010.

Chairman BERMAN. As I think my colleagues would all agree, the drug crisis facing the United States remains a top national security threat. Ninety percent of the illegal drugs entering the United States arrive here via the Mexico/Central America corridor. At the same time, drug gangs that operate in the United States, Mexico, and Central America are dangerously undermining the security environment south of our border, with considerable spill-over onto United States soil.

Under President Calderon, Mexico has stepped up its fight, and its citizens and government have paid a very high price. Drug cartels have been blamed for 6,000 deaths in 2½ years of this battle in Mexico alone. Twelve Mexican Federal police officials have been assassinated in the past 2 months.

Just a few days ago, the chief of Mexico's Federal Police was gunned down just south of the border with California. He was shot nine times. And this past Saturday, the deputy police chief of Juarez was murdered.

President Bush and Mexican President Calderon met in the city of Merida last year, giving rise to the proposal the President sent to Congress to address the cost of border narcotics and the violent problems that the drug trade spawns.

The Merida Initiative represents the U.S. part of a partnership to confront the immediate security threat of drug gangs, to help build the capacity of our neighbor's law enforcement agencies, and to enhance the rule of law in the region. The legislation before the committee puts our stamp on this initiative, devoting resources to disrupting the drug supply lines, and cracking down on the criminals who operate them.

The act is underpinned by several basic elements: The responsibility for illegal narcotics trafficking and violence across the border is shared, and that we have arrived at a critical moment of opportunity to execute comprehensive joint action; that the armed forces in both Mexico and Central America have been called upon in the short term to stabilize the security situation, but that this problem falls into the realm of law enforcement, and we therefore must help build law enforcement capacity; and that ultimately the solution to this problem lies in respect for the rule of law and strength of the institutions charged with upholding it.

The legislation authorizes $1.6 billion over 3 years for counter-narcotics work; for the fight against organized crime, as well as law enforcement modernization, institution building, and support for the rule of law. It authorizes considerably more funding than the administration has proposed for the fragile Central American region.

The legislation contains significant human rights safeguards, including a stringent requirement to investigate allegations of human rights violations, committed by anyone receiving assistance under the Merida Initiative. It prohibits cash payments of any kind, concentrating on equipment and training.

Finally, the bill requires the President to devise the means by which the program's success or failure can be measured, and mandates regular reports to Congress on the results.

Responding to a request from the Mexican Government, the bill authorizes almost $74 million to bolster our country's efforts in

stemming the illegal flow of arms going south by significantly expanding the ATF's Project Gun Runner.

Perhaps most importantly, this legislation recognizes that the spread of illicit drugs through this region and into the United States, as well as the violence that accompanies it, cannot be halted without a comprehensive interdiction and security strategy. This strategy must be planned and executed jointly with our southern neighbors.

The bill incorporates many features discussed at the Merida Summit last year. I believe it reflects the work of the Bush administration and Congress together, to find a way to work with our southern neighbors against the drug scourge.

I also want to thank members of the committee for their thoughtful contributions, including the chairman of the Western Hemisphere Subcommittee, Mr. Engel, Ms. Giffords of Arizona, the ranking member, and all the other members of the committee who participated, and Mr. Burton, as well, the ranking member of the subcommittee.

I urge all of my colleagues to join me in supporting this important legislation, and I now yield to the ranking member to explain her views on the legislation.

Ms. ROS-LEHTINEN. Thank you so much, Mr. Chairman, and I am pleased to support authorization of the Merida Initiative, as it sends a clear message to our partners throughout the hemisphere that the United States stands ready to work with our friends to confront the perils of illicit drugs and organized crime.

For too long, these evils have plagued the prosperity of our region, threatening the future of our children, and curtailing the stability of our nations. Together, as equal and trusted partners, we have a shared responsibility and indeed an obligation to confront this deadly scourge.

In Mexico, President Calderon has made actions against criminal organizations and drug traffickers a cornerstone of his Presidential tenure, allocating one-third of Mexico's overall security budget to the fight, and sending more than 25,000 soldiers and Federal Police to the country's most dangerous drug trafficking hot spots. This has put pressure on the cartels, and the sacrifices being made to confront these criminals must be recognized.

Just last week alone, as the chairman pointed out, three high ranking Federal security officials were murdered in retaliation for the government's actions against organized crime. Countries in Central America are also stepping up to the plate, collectively and individually, bolstering their efforts to fight crime and impunity.

The Security Strategy for Central America and Mexico was published late last year, demonstrating the political will of these countries to work together to confront these issues regionally.

Here in the United States, we spend billions of dollars each year to stem the dangerous drug demand holding many of our youth hostage. I have seen my own district in Miami make tremendous strides to overcome the hold that drugs once held in our vibrant city.

Throughout the country, in fact, we have seen great success. Yet, it is clear that we have a long road still ahead of us. With 90 percent of the narcotics used to feed the United States drug demand

transmitting through the Mexico/Central America corridor alone, it is essential that we step up our efforts to coordinate with our neighbors against narcotrafficking and organized crime.

The Merida Initiative affords us the ability to do this, to make this important commitment. In a comprehensive and transparent way, this initiative allows the United States to support the capacity and sustainability of Mexico and Central America's efforts to meet the challenge of confronting crime and supporting the rule of law.

It is a historic opportunity for our governments to put behind the old days of finger pointing, and instead do what our people and our communities need us to do, to take the necessary steps to stem the flow of drugs and arms, restore the rule of law, and strengthen our common ties in the interest of our nations.

The bill before us, the Merida Initiative to Combat Illicit Narcotics and Reduce Organized Crime Authorization Act of 2008, fully supports this opportunity and takes it even further. Additional emphasis and aid is allocated to institution building and the rule of law, and metrics and reporting requirements are put in place to minimize corruption and enhance accountability in the recipient countries.

The position for a high level coordinator is also created to oversee implementation of the initiative and ensure program and policy coordination among U.S. agencies to maximize the accomplishment of our U.S. goals.

Furthermore, the authorization takes into account the need for assistance to be made available for domestic efforts to confront drugs and organized crime. It authorizes a significant expansion of Project Gun Runner, an ATF program dedicated to stemming the illicit flow of firearms across the United States/Mexico border, and supports the assignment of additional ATF agents to the border region, to work with Mexican law enforcement agencies in conducting criminal investigations.

The violence and destruction these twin evils of drugs and crime cause cannot continue to define the potential of our hemisphere. By supporting efforts such as these, we are making the way for democracy and development to instead take hold. We are also addressing the conditions that help breed instability in the region, and create fertile territory, even for Islamist extremist recruitment.

I fully support this initiative, and I hope that the Appropriations Committee will look to this committee and this bill for direction when determining funding levels for the Merida Initiative.

Mr. Chairman, we have some of our Republican members, like Mr. Bilirakis, Mr. Burton, Mr. Fortenberry, Mr. McCaul, Mr. Poe, and Mr. Tancredo, who are offering amendments at this markup, and I hope that they get treated seriously, as always; thank you, Mr. Chairman.

Chairman BERMAN. Thank you, and they certainly will. I appreciate your wonderful remarks in support of the legislation.

Ms. ROS-LEHTINEN. Thank you.

Chairman BERMAN. It is the chair's intent to recognize the chairman of the Western Hemisphere Subcommittee and, if he is here, the ranking member of the subcommittee, for opening comments. Then to the extent there are other members who want to just address comments about the legislation, I would suggest moving to

strike the last word. The gentleman from New York, Mr. Engel, is recognized.

Mr. ENGEL. Thank you, Mr. Chairman. As the chairman of the Western Hemisphere Subcommittee, I would like to personally commend you for pressing ahead with this important initiative that authorizes full funding for the Merida Initiative. We should be proud of the work this committee is doing under your leadership, Mr. Chairman; so thank you.

Just last week, the chief of the Mexican Federal Police was brutally murdered in his home, as was mentioned before, and then the deputy police chief of Ciudad Juarez, a city smack on the border with the United States, was shot dead this past Saturday.

Furthermore, on April 22nd, the total number of murders in Mexico reached 1,000 since the beginning of the year. In 2007, Mexico did not even cross this deadly threshold until May 14th; and in 2006, it did not breach it until July. So this is accelerating. Something must be done, and clearly, the time to act is now.

Let us not forget why we are here today. The narco violence in Mexico is not only undermining the safety and security of our friends to the south, but it is fueling the drug trade and violence here in the United States. We are concerned about what is happening in Mexico and Central America, because obviously what happens there affects us. We stand with our friends during their difficult times, as we ask them to stand with us.

I was pleased to work with Chairman Berman in developing this legislation, and was pleased to contribute two key parts. First, an essential America piece of this legislation authorizes a much greater amount of assistance for the sub-region than the Bush administration initially proposed.

Quite frankly, when the Merida Initiative was first unveiled last October, many of us were concerned about the disparity in funding between Mexico and Central America. The initial $50 million proposed for Central America was really just a drop in the bucket, especially considering that 90 percent of the cocaine shipped from the Andes to the United States flows through Central America.

H.R. 6028 earmarks at least $15 million per year for youth gang prevention programs. With approximately 70,000 gang members in Central America, and the transnational connections linking gang members to the United States, this is a vast improvement over the administration's proposal which significantly under-funded these programs.

I hope we have learned by now that failing to adequately invest in prevention programs will only hurt us in the future.

I was also pleased to work with the chairman on a provision in H.R. 6028, which establishes a Merida coordinator at the State Department. My staff and I have too often been frustrated by the inability to obtain information on Merida activities, or to figure out who is responsible for what, or what falls under Merida.

The Merida coordinator will keep track of all U.S. Government assistance which fulfills the goals of the Merida Initiative, and will coordinate among agencies of the U.S. Government to avoid duplication or conflict among programs.

Finally, I was delighted that the Southwest Border Violence Reduction Act of 2008 was incorporated into H.R. 6028. I am an origi-

nal co-sponsor of this important bill, which was introduced by my good friend, Sarah Rodriguez. The bill helps us live up to our obligation to the Mexicans to do a better job curbing the flow of arms into Mexico.

I was astonished to learn last year that 90 percent of the weapons seized in Mexico originated in the United States. We found this out through one of our subcommittee hearings. This is simply unacceptable.

As was mentioned before, we hope that the Appropriations Committee will continue to raise the amount of money appropriated for this important initiative. I have just been informed by the Majority Leader that the proposal has been upped to $100 million.

So I thank you, Mr. Chairman. I think that our pressure and our talks really helped pump that number up, and it is really just so important.

So, Mr. Chairman, thank you again for your leadership on this important legislation, and you commitment to the governments and people of Central America and Mexico. I look forward to having this important bill pass our committee and pass the Floor, and I yield back.

Mr. SMITH OF NEW JERSEY. Mr. Chairman?

Chairman BERMAN. The gentleman from New Jersey.

Mr. SMITH OF NEW JERSEY. I move to strike the last word.

Chairman BERMAN. The gentleman is recognized for up to 5 minutes.

Mr. SMITH OF NEW JERSEY. Thank you very much, Mr. Chairman. First of all, let me say I very strongly support this legislation, which builds on the Bush/Calderon Merida Initiative, to build also on our neighbor's capacity to fight narcotrafficking. I am particularly interested in the human rights safeguards that have been written into the legislation.

Mr. Chairman, the people of Mexico and Central America are getting it from both sides. Right now, they are suffering terribly from the outrages perpetrated by the narcotrafficking gangs, and from the general lawlessness these gangs have spread, especially along the border.

But people are also suffering from the human rights abuses committed by the Mexican and other Central American police forces. While most of the human rights abuses have not been perfectly substantiated, there are far too many of them for us not to take this concern very seriously.

Many of us on this committee have Congresswoman Solis's letter to Mexican officials on the case of a large group of women raped by police in San Salvador Atenco, Mexico. I am also sending a letter requesting an investigation be pursued vigorously.

I want to mention another horrifying case which members of this committee are very well aware of: The hundreds and hundreds of young women murdered or reported missing in Juarez, Mexico. Of those whose bodies were found, many had been mutilated or the victims of the most brutal sexual violence.

Juarez is a border city and a host for drug smuggling northward; and major human rights groups have suggested that the murders might be an initiation ritual for narcotrafficking rings.

Many others have suggested that corruption by narcotraffickers has prevented the murders from being properly investigated. In any case, human rights groups have long documented the deep flaws in the Mexican police, who have a history of serious human rights violations, and a culture of almost total impunity.

The situation in Juarez has gone on for so long and is so terrible that it has drawn worldwide attention. In 2006, this House passed a Resolution, pointing out the Mexican prosecutor's evidence that the Juarez police had been negligent in investigating these horrific crimes.

Last week, I am proud to say, students at Georgian Court University, which is in my district, not only held a prayer service for the murder victims and a march to urge Mexican authorities to redouble their efforts; but in March of this year, five Georgian Court students accompanied by Sister Tina Geiger traveled to the border to learn more. They have become much more proactive ever since.

So on the one hand, the tragedies of San Salvador Atenco and Juarez highlight the need for this bill. The professional training and capacity building in the Mexican policy, we believe and I believe, in sections of this bill, will help to ensure that human rights safeguards are in place. Sections 114, 301, and 503 can be a tool for reforming the Mexican police in most of these regards.

But we should be sure that we do follow-up, Mr. Chairman, to ensure that those provisions are adequately adhered to, as this legislation is implemented. I yield back the balance.

Chairman BERMAN. Thank you, and the gentleman from Texas, for what purpose does he seek recognition?

Mr. GREEN. To strike the last word.

Chairman BERMAN. The gentleman is recognized for 5 minutes.

Mr. GREEN. Mr. Chairman, I will not use the whole 5 minutes. I would like unanimous consent to place a statement into the record.

Chairman BERMAN. Without objection, so ordered.

[The prepared statement of Mr. Green follows:]

PREPARED STATEMENT OF THE HONORABLE GENE GREEN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF TEXAS

Thank you, Mr. Chairman, for holding a markup on this important bill.

The drug crisis facing the United States remains a top national security threat not only in our country, but in many of our neighbors to the south.

90% of the illegal drugs that enter the United States travel through the Mexico-Central America corridor.

"The Merida Initiative to Combat Illicit Narcotics and Reduce Organized Crime Authorization Act" will codify the U.S. implementation of a partnership with Mexico and other Central American countries to face the immediate security threat of drug gangs, help build the capacity of our neighbors' law enforcement agencies, and enhance the rule of law in the region.

Not only, does this bill direct funding to addressing the issues that I just listed, but it also importantly directs American resources to curbing the illegal flow of arms going south by expanding ATF's Project Gunrunner and directing the Attorney General to assign additional agents of the Bureau of Alcohol, Tobacco, Firearms, and Explosives to the U.S. Mexico border.

Given the bureaucratic and judicial corruption that we some times see in some of these countries, I understand that some of my colleagues have concerns about this initiative.

However, I think that it's important to note that this bill contains significant human rights safeguards as well as end use monitoring provisions for the equipment and training provided.

This bill also requires the President to devise the metrics up front that will be used to measure the success of the initiative, and subsequently to report regularly on them to the Congress.

Most importantly, critics of this bill should note that it will not provide cash payments of any kind to the participating countries.

Last October, I met with the Mexican Congreso, and I can tell you firsthand that they are serious about committing to this program both monetarily and with personnel.

Mexico spent $2.6 billion on these effort in 2007 and plans to spend $3.9 billion in 2008.

Now, the United States needs to do its part.

I look forward to quickly moving this legislation to the floor, and I urge my colleagues to support this bill.

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

Mr. GREEN. I will just briefly say, over the last number of months, I met with Members of the Congress, both Senators and House Members and their Chamber of Deputies, and the relationship that I think that is building between our two countries, not only on the Presidential level—as we know, Presidents come and go, but Members of Congress sometimes are here much longer.

I think we are seeing a great deal of coordination between our respective legislative bodies in Mexico and the United States. The support in Mexico for this, they had some concerns at first, mainly on the human rights issues. I think they can take care of theirs, and we have some provisions in this to do it.

What is happening in Mexico in the success, but also the tragedies, of Mexico trying to control what is happening in their own country; I think the United States, as a neighbor, we would benefit from it, because of their efforts. That is why I support the bill, and we are hopeful that it will pass, to give Mexico the support that they have been trying to do with President Calderon. I yield back my time.

Mr. CHABOT. Mr. Chairman?

Chairman BERMAN. I appreciate the gentleman. The gentleman from Ohio, for what purpose does he seek recognition?

Mr. CHABOT. I move to strike the last word.

Chairman BERMAN. The gentleman is recognized for 5 minutes.

Mr. CHABOT. Thank you, I move to strike the last word. Let me just start by saying that I appreciate the chairman's and the ranking member's work on this critical issue. Drugs and cartels, and the violence and terror that brings, not only undermine public safety; but they are a national security threat. We need to work cooperatively with those nations that are on the front lines of this war.

However, I would like to mention one fact that I think is very important. Last summer, news reports highlighted the unwillingness of the Mexican Government to work with the United States to resolve a 1½-mile boundary dispute near Columbus, New Mexico. Because of a mapping error, the fence was constructed on Mexican land.

Although the United States Government promptly notified the Mexican Government of the error, the Mexican Government demanded that the mistake be corrected at the cost of $3 million to the United States and the U.S. taxpayers.

This was despite the fact that the previously existing boundary had never been in dispute, prior to notification by the U.S.; and the fact that the United States provided more than $270,000 million in

aid to Mexico between 2004 and 2007, including more than $140 million for counternarcotics and law enforcement.

Today, we are authorizing funding for an additional $1.6 billion over 3 years. Last July, we introduced H. Res. 545, which states that it is the sense of this Congress that if Mexico does not work together to resolve the boundary dispute, United States assistance to Mexico should be reduced in that exact amount of $3 million.

If the United States and Mexico are truly partners, and I believe that we are or we should be, we should be working together in all areas, including the construction of the fence, which plays a key role in our international interdiction efforts.

I would like to work with the chairman and the ranking member to ensure that these concerns are addressed as we move forward, and I yield back.

Chairman BERMAN. The time of the gentleman has expired. The gentleman from California?

Mr. ROHRABACHER. I would move to strike the last word.

Chairman BERMAN. The gentleman is recognized for 5 minutes. Please do not make this the fourth of my bills that is not agreed to.

Mr. ROHRABACHER. I do not have my feet in cement on this. But the bill looks bad. To the degree that we have problems down in Mexico with human rights abuses by their law enforcement and also by their military—and this is true throughout Central America, as well—to the degree that the good people down there find that their government is lacking in honesty, et cetera, we are not going to be able to solve that problem for them.

By inserting ourselves this way, what we are going to do, the people of Mexico, when their police begin abusing them in the next 5 or 6 years, they will blame the Americans. When their military is abusing them, they will blame the Americans.

We will have become so involved in their society, maybe we do deserve some of the blame, if we are willing to go down there and give them weapons and train them, and say this is the way you should be doing things.

I think this is just the type of intervention that leads to animosity with the United States among the people of various countries of the world.

Let me put it this way. Mexico is a fabulously wealthy country. There was a briefing that I recently had that indicated that there are massive offshore oil resources off of the Coast of Baja, California. You know, these are huge, and these are wealth-producing assets that Mexico has.

We cannot go down there and restructure their society. I notice in here, some of the money, this $1.6 billion, is going to be going to try to thwart the violence between husbands and wives in Latin America.

I mean, what type of social intervention is that? The people of the United States, we are going to go down and try to teach the husbands and wives in Latin America how to get along with one another?

That, coupled with, of course, trying to have activities that will thwart the development of youth gangs by, I guess, midnight basketball for Mexico and Latin America, I guess that is what we have

in mind, when it comes to this—I think this is just the type, as I say, of cultural and of military and of law enforcement intervention that is going to reap very negative returns for the United States, and results in turning off the people of Mexico and Latin America to the United States by having us take the blame for some of the faults in their own country. The last thing we need to do is something like this. Thank you very much, Mr. Chairman.

Chairman BERMAN. We have a vote on. But this is, as I understand it, only one vote. Then we will have an hour to, hopefully, finish up this legislation. The committee is in recess.

[Recess.]

Chairman BERMAN. The ranking member has convinced me to get this show on the road. Are there further amendments? The gentleman from Indiana, Mr. Burton, the ranking member of the Western Hemisphere Subcommittee.

Mr. BURTON. Thank you, Mr. Chairman.

Chairman BERMAN. You seek recognition?

Mr. BURTON. I do have an amendment; yes, sir.

Chairman BERMAN. The clerk will read the amendment and pass it out.

Ms. RUSH. Amendment to H.R. 6028, offered by Mr. Burton of Indiana, in Section 123.

Chairman BERMAN. Without objection, the reading of the amendment will be dispensed with. The gentleman is recognized on his amendment for 5 minutes.

[The amendment of Mr. Burton follows:]

AMENDMENT TO H.R. 6028

OFFERED BY MR. BURTON OF INDIANA

In section 123(4)(A) of the bill, after ''including job creation programs and rural development programs'' insert ''and the provision of microenterprise development assistance under title VI of chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2211 et seq.)''.

☒

Mr. BURTON. Thank you, Mr. Chairman. I, like a number of my colleagues, have reservations about this program.

But if we are going to go ahead with it, it seems to me that there ought to be a provision in the underlying bill for microenterprise development assistance to be provided through a specific agency. That agency, in my opinion, should be the USAID's Micro and Rural Finance Program.

If we use the money and it is administered through that program, it could facilitate creating more investment and jobs on the Mexican side of the border, which would cut down on illegal immigration and maybe some of the gangs that are coming into the United States.

I have sponsored a lot of bills, and co-sponsored over 25 bills, dealing with illegal immigration. But one of the things that would help with the illegal immigration problem is to create more jobs and opportunity on the southern side of the Mexican/American border.

My amendment will not hurt the bill at all. It will be a positive adjunct to the bill, and it will create a way for jobs to be created on the Mexican side of the bill, which should help hopefully to cut down on some of the problems we are facing.

Chairman BERMAN. Will the gentleman yield?

Mr. BURTON. I would be happy to yield to the chairman.

Chairman BERMAN. If the gentleman will accept support from someone who has no reservations about this bill, I think it is a good amendment, and I am happy to support it.

Mr. BURTON. Thank you, Mr. Chairman, and because of that, I will say no more.

Chairman BERMAN. Does anyone else seek recognition?

[No response.]

Chairman BERMAN. If not, all those in favor, say "aye."

[Chorus of ayes.]

Chairman BERMAN. All opposed, "no."

[No response.]

Chairman BERMAN. The ayes have it. The amendment is adopted.

Mr. BURTON. Thank you.

Chairman BERMAN. The gentleman from Nebraska.

Mr. FORTENBERRY. Mr. Chairman, I have an amendment, as well.

Chairman BERMAN. The clerk will read.

Ms. RUSH. Amendment to H.R. 6028, offered by Mr. Fortenberry of Nebraska—in Section 503(b) of the bill, add at the end the following.

Chairman BERMAN. Without objection, the amendment will be considered as read. The gentleman from Nebraska is recognized for 5 minutes.

[The amendment of Mr. Fortenberry follows:]

AMENDMENT TO H.R. 6028

OFFERED BY MR. FORTENBERRY OF NEBRASKA

In section 503(b) of the bill, add at the end the following:

(11) DISPLACEMENT AND DIVERSION OF DRUG TRAFFICKING PATTERNS.—A description of any displacement effect and diversion of drug trafficking patterns from Mexico and the countries of Central America to other routes, including through potentially vulnerable Caribbean countries.

☒

Mr. FORTENBERRY. Thank you, Mr. Chairman, this is a straightforward that tries to augment the reporting section of the bill.

I think as we potentially move forward on this important piece of legislation, we also ought to understand the potential impact it is going to have on movement of drug trafficking areas, or movement of drug trafficking into more vulnerable areas; in other words, a substitution or displacement effect, particularly in the Caribbean. This amendment simply asks that that be included in the reports that are required in the underlying bill.

Chairman BERMAN. Would the gentleman yield?

Mr. FORTENBERRY. I will yield.

Chairman BERMAN. I appreciate the gentleman yielding. I want to indicate I support the amendment. This is actually, I think, a very appropriate amendment; because of the balloon effect, whereby a successful counternarcotic effort pushes the drug problem to another area.

It is already taking hold in the Caribbean; and for that reason, we are contemplating expansion of this bill to Haiti and the Dominican Republic. So I think the reporting on the effect of Merida Initiative assistance on the trafficking patterns throughout vulnerable Caribbean countries would be a welcome development to ensure the Congress is informed of the full impact of the assistance in this bill; and I ask my colleagues to join me in supporting your amendment.

Mr. FORTENBERRY. Thank you, Mr. Chairman. I understand the ranking member is supportive, as well. So I appreciate their efforts.

Chairman BERMAN. Very good, is there any further debate on this amendment?

[No response.]

Chairman BERMAN. If not, all those in favor of the amendment, say "aye."

[Chorus of ayes.]

Chairman BERMAN. All opposed, "no."

[Chorus of nos.]

Chairman BERMAN. The ayes have it. The amendment is adopted. The gentleman from Texas, for what purpose do you seek recognition?

Mr. POE. I have an amendment.

Chairman BERMAN. The clerk will read.

Mr. ACKERMAN. Mr. Chairman, I would like to reluctantly reserve a point of order against the amendment.

Chairman BERMAN. The reluctant reservation is registered. The clerk will read.

Ms. RUSH. Amendment to H.R. 6028, offered by Mr. Poe of Texas, in Section 115(a) of the bill, strike $350 million for Fiscal Year 2008, $390 million for Fiscal Year 2009.

Chairman BERMAN. The amendment will be considered as read. If there is no objection, the gentleman from Texas is recognized on his amendment.

[The amendment of Mr. Poe follows:]

AMENDMENT TO H.R. 6028

OFFERED BY MR. POE OF TEXAS

In section 115(a) of the bill, strike "$350,000,000 for fiscal year 2008, $390,000,000 for fiscal year 2009, and $40,000,000 for fiscal year 2010" and insert "$175,000,000 for fiscal year 2008, $195,000,000 for fiscal year 2009, and $20,000,000 for fiscal year 2010".

In section 124(a) of the bill, strike "$120,000,000 for fiscal year 2008, $100,000,000 for fiscal year 2009, and $110,000,000 for fiscal year 2010" and insert "$60,000,000 for fiscal year 2008, $50,000,000 for fiscal year 2009, and $55,000,000 for fiscal year 2010".

At the end of title IV of the bill, insert the following:

1 **SEC. 4xx. GRANTS TO STATE AND LOCAL LAW ENFORCE-**
2 **MENT AGENCIES.**

3 (a) GRANTS.—The Attorney General is authorized to
4 provide grants to law enforcement agencies of States and
5 localities located on the United States-Mexico border for
6 the purpose of combating illicit narcotics trafficking activi-
7 ties at or near the United States-Mexico border.

8 (b) AUTHORIZATION OF APPROPRIATIONS.—To carry
9 out this section, there are authorized to be appropriated

1 to the Attorney General $235,000,000 for fiscal year
2 2008, $245,000,000 for fiscal year 2009, and
3 $75,000,000 for fiscal year 2010.

☒

Mr. POE. Thank you, Mr. Chairman. As a former prosecutor and a long-time judge for over 22 years, I have always been concerned about drugs and the corruption that the drug industry brings into many countries.

I have great sympathy and compassion for the Mexicans that live on the border, especially those that live on the Texas/Mexican border. I have been there 13 to 14 times, and each time I go and visit with those individuals on the border, the situation seems to be worse.

According to the DEA, 500 people were murdered in Nuevo Laredo in 2005, and most of those cases were never solved, and a good many of those were peace officers. There have been 400 kidnappings in Nuevo Laredo, and 41 of those were American citizens, none of which have been solved. I doubt if anyone would be surprised to find out that the drug cartels are to blame for most of the violence on the border.

What you might be surprised to learn is that the United States has trained Mexican forces, and some of those have deserted and have become responsible for these attacks.

The Department of Homeland Security has reported that in the last 10 years, there have been over 250 documented incursions by suspected military forces into the United States. Most of those have been along the borders of Texas, California, and Arizona.

I have been down to Neely Pass is Hudspeth County, where the Sheriff's Department had witnessed these incursions by Mexican military.

In order to gain control of access corridors into the United States, the drug cartels are hiring hit men from an elite force in Mexico's military. The group is called the Zetas.

The Zetas are military deserters that were trained in the United States at the former School of the Americas in Ft. Benning, Georgia, as an elite force of antidrug commandos. They were sent by the Mexican Government to the United States Mexican border to combat drug trafficking.

Instead, they switched sides and deserted, and became assassins and recruiters for Mexican drug cartels. Officials suspect that there are more than 200 Zetas, including former Mexican police officers in this group.

The problem is not just at the border, either. The Zetas operate over a vast area of the United States Mexican border, and authorities believe they are responsible for drug related murders as far north as Dallas; a sign that the group is extending their deadly operations into the United States.

The Brownsville Herald Newspaper has reported that the Gulf Cartel has hired at least 31 Mexican solders to be Zetas and work with them. The Zetas have developed strong ties with the Cabillas. The Cabillas are a similar organization, but they are from Guatemala. Like the Zetas, many of them received training, once again, in the United States in counterinsurgency operations. Like the Zetas, many of them have deserted the Special Forces and have begun to help the drug cartels, specifically the Gulf Cartel.

Mr. Chairman, this is a photograph taken by Sheriffs in the Texas Mexican border of apparent Cabillas coming from Mexico into the United States. You notice, they are all in black uniforms,

carrying AK–47s, and each one of them has a backpack that contains cocaine. These individuals, like the Zetas, trained in the United States and have switched sides.

The problem with all of this, of course, is the fact that we are now attempting to send money in the form of training and equipment south of the border to be used by these same areas to protect or to stop the drug cartel.

The Zetas are targeting Mexican military and law enforcement now, because they even promise in their recruitment better food, free cars, life insurance, and houses for their family. With all those benefits, we can see why people are deserting and are becoming corrupt along the border.

Under the Fox administration, the National Police Commander was caught with $2.4 million in his car. He was later convicted of this offense. In the 1990s, we were promised the Mexican Government would have a new drug czar, and the United States drug czar gave him great praise. It turned out that he was taking bribes from the drug cartels.

These are reasons why this amendment is being offered. I am very concerned about drugs, as I mentioned. But it seems as though the United States has a history, in some cases, of giving support and that support turns around and is used against the very people that we are trying to protect. In this case, it is us, the United States. We have no assurance that the equipment we are sending to Mexico will not be turned over to the drug cartels and be used against us.

This amendment basically does one thing. It cuts the money in half. Half of it stays on the U.S. side to be used by state and local officers to fight the drug cartels. The other half then would go to Mexico as the bill proposes initially. I would hope adoption of this amendment. However, Mr. Chairman, I understand that there is a point of order, and that that point of order is valid. So I offer and withdraw my amendment.

Chairman BERMAN. Without objection, the amendment is withdrawn. I appreciate the gentlemen doing that. The gentleman from New York, for what purpose do you seek recognition?

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

Chairman BERMAN. The clerk will read.

Ms. RUSH. Amendment to H.R. 6028, offered by Mr. Meeks of New York. In Section 22 of the bill, add at the end before the period the following: "and includes Haiti and the Dominican Republic."

Chairman BERMAN. The gentleman is recognized for 5 minutes on his amendment.

[The amendment of Mr. Meeks follows:]

AMENDMENT TO H.R. 6028

OFFERED BY MR. MEEKS OF NEW YORK

In section 2(2) of the bill, add at the end before the period the following: ''and includes Haiti and the Dominican Republic''.

☒

Mr. MEEKS. Thank you, Mr. Chairman. I have offered this amendment to the Merida Initiative to Combat Illicit Narcotics and Reduce Organized Crime Authorization Act of 2008.

This amendment extends the benefits of the Merida Initiative to the Dominican Republic and Haiti. It is important that Haiti and the DR be included in this bill to maximize the potential for the success of this initiative. If we assist the selected Central American countries and Mexico without also providing additional assistance to Haiti and the DR, we leave a gap in coverage.

A major transshipment point that is connected to drugs and weapons trafficking cannot be left out; or else we risk exacerbation of the problems faced by the U.S. in the countries identified in this bill.

We know that Haiti and the Dominican Republic are growing transshipment points for drugs headed to the United States. The data tells us that there has been at least a 38 percent increase in drugs smuggling flights from the Island of Hispaniola.

It is evident that Haiti and the Dominican Republic need help to control criminally infested air space. Recently, when these countries have joined forces with the United States, there has been success in overcoming the challenges.

Just last year, a joint interdiction operation with the United States Drug Enforcement Administration resulted in seizure of over 1,000 pounds of cocaine. International narcotics control strategy reports has outlined that progress has been made in both Haiti and the Dominican Republic to quell corruption.

Including these nations in this bill would allow the United States to deepen its effort to help institutionalize judicial reform and good governance, and expand the United States narcotics control strategy in the region.

This amendment would also allow the Haitian Government to assert better control over the territory, including working closely with the U.N. stabilization mission in Haiti.

I want to point out that as an associate member of the Central American Integration System, the Dominican Republic has participated in regional summits focused on finding ways to better secure Central America and the Caribbean Basin.

Notably, in October 2006, the Governments of SICA, Guatemala, El Salvador, Honduras, Nicaragua, and the Dominican Republic, proposed legislation to make a local felony into a regional felony and pledged to improve intelligence sharing within the region.

I urge my colleagues to support this amendment, and give Haiti and the Dominican Republic the assistance they so desperately need. We know they are ready and willing to pursue security strategies with the United States and their Central American neighbors. This amendment will help. Thank you, Mr. Chairman.

Chairman BERMAN. Will the gentleman yield?

Mr. MEEKS. Yes, I yield.

Chairman BERMAN. I appreciate the gentleman yielding and I thank him for his thoughtful amendment. In the context of the amendment from the gentleman from Nebraska, we discussed the balloon effect that pushes a drug problem to another area. This is already happening in both Haiti and the Dominican Republic.

While we have programs there, I think it makes a lot of sense to include these two countries in this initiative. Drug flights, especially coming from Venezuela, a country that has not been helping regional antidrug efforts, have increased significantly to Hispaniola. There is a rumor floating around that the supplemental may include Haiti and the Dominican Republic, as well.

So I support your amendment. I will yield back and let the gentleman from New York speak for himself.

Mr. ENGEL. Thank you, Mr. Chairman. I move to strike the last word.

Chairman BERMAN. Okay, the time of the other gentleman from New York has expired. The gentleman from New York is recognized for 5 minutes.

Mr. ENGEL. Thank you very much, Mr. Chairman. When you said, the gentleman from New York, I automatically assumed it would be me, since I am so much more of a gentleman than my New York colleague. [Laughter.]

Chairman BERMAN. And that is no compliment?

Mr. MEEKS. I object. [Laughter.]

Mr. ENGEL. I want to thank my good friend from New York, Congressman Meeks, for offering this important amendment. Quite frankly, when the Merida Initiative was first unveiled, I was disappointed to see that the administration had failed to include Haiti and the Dominican Republic.

We all know, even if we are successful in Mexico and Central America, experience tells us that this will not end drug production or trafficking. It will merely go elsewhere, and the logical place seems to be the Caribbean; seems to be Haiti and the Dominican Republic.

Two weeks ago, officials from the Joint Interagency Task Force South in Key West Florida said that more and more drug traffickers are flying into the Dominican Republic and dropping off cocaine packages. Suspected drug smuggling flights to the DR surged to 107 last year, compared to only 33 in 2006, the year before. So in 1 year, we had more than a three-fold increase.

We have already seen the devastating impact that drug trafficking has had on Haiti, the poorest country in the hemisphere with the smallest capacity to handle the problem. The DEA successfully carried out Operation Rum Punch in early 2007, which helped divert drug traffickers from Haiti. But then the operation ended, and the drug traffickers naturally returned.

We must more actively and consistently support our friends in Haiti and the Dominican Republic, and I thank Congressman Meeks for doing so with this important amendment.

I might also just add that when I learned that I was going to become chairman of the Western Hemisphere Subcommittee, after our side had won the elections, in 2006, in December, Haiti and the Dominican Republic were the first two countries that I visited, because they are so important to the United States.

We obviously have large Haitian American and Dominican American communities in the United States. In fact, the Dominican American community is here today on Capitol Hill lobbying, and it is very, very important that we coordinate things with our friends in Haiti and the Dominican Republic.

So this is a very, very important and good amendment, and I am happy to be associated with it. I thank Mr. Meeks for offering it, and I thank you, Mr. Chairman, for indulging me.

Chairman BERMAN. The time of the gentleman has expired. Does anyone else seek recognition on this amendment; the gentleman from California, Mr. Rohrabacher?

Mr. ROHRABACHER. Yes, I move to strike the last word.

Chairman BERMAN. You are recognized for 5 minutes.

Mr. ROHRABACHER. I certainly support the amendment, because it also exemplifies why the bill itself should be opposed.

Certainly, let us include these countries. Let us include all the countries of the hemisphere. In fact, let us include all the countries of the world.

Because as our good friend, Eliot, just mentioned, if we squeeze that toothpaste tube and try to cut off drugs here, it is going to just squirt over here some place else. So let us just follow that toothpaste and go all over the world, and make commitments to everybody.

Every country needs some military help. Every country needs some counseling on how their wives and husbands should not beat up on each other, which is included in this bill for Latin American countries.

This is the worst kind of social and political and military interventionism that turns the world against us in the long run. Believe me, we can go into Mexico and into Latin America, and provide their military with new equipment. We can send our military advisors there. We can send our advisors in to tell them how to run their courts, how to run their country.

This will breed nothing but animosity against the United States. The people of Mexico, the people of Latin America, are proud and decent people. They do not need us to come in and dictate to them, and tell them, do things our way.

Now they do have a corruption problem them. They have got gang problems. They have got all these problems that are outlined in the bill. For us take that onto our shoulders, and to expect that it is not going to come back to bite us in the end, when the people of those areas start blaming us for those problems—because our intervention is not going to solve all these problems.

Of course, as we say, we could include all the rest of the countries of the world, too, because that would be consistent. I do not think that we have that capability. We have problems of our own.

Chairman BERMAN. Would the gentleman from California yield?

Mr. ROHRABACHER. I just have one or two more points, and I will be happy to. If we are going to spend all this money, $1.6 billion, and use the threat across the border as an excuse, let us just strengthen the border with that money.

We could use eight helicopters, rather than giving them to the Mexican military. Let us send some of those eight helicopters down to our own Border Patrol agents. They will be very grateful to have those kind of resources available to them.

On top of this, this looks like, to me, frankly to be another step toward this grandiose scheme that is some dream in some scholar's head somewhere, that has been accepted by some policymaker somewhere, that there should be some kind of a North American

union; that in the end, we can just ease into this situation where the United States and Mexico just have the same government.

Well, that is not good for our people. It is not good for the Mexican people. I think that this effort—while certainly it is a very good-hearted effort and it is all based on positive motives, trying to help the poor little people down there in Mexico and Latina America—this is arrogant, it is insulting, it is interventionism at its worst. We should oppose it, and I will certainly yield back my time to the chairman.

Chairman BERMAN. I appreciate the gentleman yielding. I do want to say for the record that this is the fourth bill I have had this Congress that you have referred to as the worst, and I am wondering if this is worse than the other three.

Mr. ROHRABACHER. No, no. I will have to admit to you, Mr. Chairman, that sometimes you come up with some real whoppers.

Chairman BERMAN. The time of the gentleman has completely expired. Does anyone wish to offer amendments?

[Discussion held off the record.]

Chairman BERMAN. I am sorry. I just assumed it was over, but we have got to go to a vote. Does anyone else want to speak on this amendment? If not, the question is on the amendment. All of those in favor, say "aye."

[A chorus of ayes.]

Chairman BERMAN. All of those opposed, "no." The ayes have it. The amendment is adopted.

The gentleman from Florida, Mr. Bilirakis. For what purpose do you seek recognition?

Mr. BILIRAKIS. I have an amendment at the desk. Thank you, Mr. Chairman.

Chairman BERMAN. The clerk will read the amendment.

Ms. RUSH. Amendment to H.R. 6028, offered by Mr. Bilirakis of Florida. "In Section 503(b) of the bill, add at the end the following: 11. Impact on border violence and security"——

Chairman BERMAN. Without objection, the amendment shall be considered as read. The gentleman from Florida is recognized for 5 minutes.

[The amendment of Mr. Bilirakis follows:]

AMENDMENT TO H.R. 6028

OFFERED BY MR. BILIRAKIS OF FLORIDA

In section 503(b) of the bill, add at the end the following:

1 (11) IMPACT ON BORDER VIOLENCE AND SECU-
2 RITY.—A description of the impact that activities
3 authorized under this Act have had on violence
4 against United States and Mexican border personnel
5 and the extent to which these activities have in-
6 creased the protection and security of the United
7 States-Mexico border.

☒

Mr. BILIRAKIS. Thank you, Mr. Chairman. Thank you, Ranking Member Ros-Lehtinen.

I am very concerned about the safety of our men and women in uniform who patrol our borders every day and put their lives on the line. At the very least, we should be kept informed as to how the Merida Initiative impacts violence at the border.

As such, I have offered a very simple amendment that would add to the matters to be included in the President's report on the activities authorized under this act: A description of the impact that they have had on the violence against United States and Mexican border personnel.

I hope my colleagues agree that having this information will help us to better measure the effectiveness of billions of taxpayer dollars that will be expended to fight this insidious evil and instruct us about the necessity of future measures to help our border personnel to do their jobs as safely and effectively as possible. That is my explanation, Mr. Chairman. Thank you.

Chairman BERMAN. Will the gentleman yield?

Mr. BILIRAKIS. Yes, I will.

Chairman BERMAN. I appreciate the gentleman yielding, and I thank him for his amendment. This amendment is exactly in line

with what we are trying to achieve in this bill. There are a lot of monitoring provisions in this bill, and monitoring specifically how Merida is affecting the security of United States and Mexican personnel fits right into the whole purpose and thrust of this legislation, and it is in the spirit of our efforts to ensure that the administration has metrics to determine the efficacy of the initiative, and I support your amendment, and I yield back.

Mr. BILIRAKIS. Thank you. I have nothing further, Mr. Chairman. Thank you.

Chairman BERMAN. Any debate on this amendment? If not, the question is on the amendment. All of those in favor, say "aye."

[A chorus of ayes.]

Chairman BERMAN. All opposed? The ayes have it. The amendment is adopted.

The gentlelady from Arizona is recognized.

Ms. GIFFORDS. Thank you, Mr. Chairman. I would like to strike the last word "insupportive."

Chairman BERMAN. The gentlelady is recognized for 5 minutes.

Ms. GIFFORDS. Thank you, Mr. Chairman. I have some deep concerns about this initiative since the Bush administration sent the funding request to Congress last year. In particular, I was dismayed that a program that was to be aimed at reducing drug trafficking through the United States-Mexico border was developed behind closed doors without consulting local law enforcement agencies, Federal law enforcement agencies in regions like southern Arizona.

I also found that the proposal lacked some clear coordination among Federal agencies. Furthermore, it was sent to Congress without transparent or measurable benchmarks and metrics for determining the initiative's success.

I wrote to you, Mr. Chairman, with recommendations to address these key deficiencies in the administration's plan. Those recommendations reflect what we have all heard in committee hearings and what I have learned through meetings with local and state law enforcement officials throughout southern Arizona.

I represent a portion of the Tucson sector of the border, which is the most porous sector along the entire 2,000 miles of the border. More than 48 percent of the nation's drug traffic and 44 percent of all of the illegal immigrants, which is approximately 1,049 per day, and 2,700 pounds of marijuana each day cross into southern Arizona. With this high amount of traffic, southern Arizona has seen a very steep increase in crime and in violence.

So it is clear that a comprehensive approach is vital to addressing this crisis. A Merida Initiative that only provides funding for programs and equipment in Mexico and Central America would fail to recognize the need for funding an engagement on both sides of the southern border.

So I commend the chairman and members of this committee for drafting legislation that takes a more responsible and comprehensive approach. This bill matches funding with requirements for international and domestic coordination, as well as putting in place some clear metrics for reporting to track the progress of authorized activities.

We have to make sure that our taxpayers' United States dollars being put into use in Mexico and Central America that should be delivering results here at home would be seen in terms of decreasing violence, crime, drugs, gun running, human trafficking here in the United States.

So I am particularly pleased to see expanded assistance for law enforcement to address the southward bound flow of illegal guns into Mexico from states like Arizona. That assistance includes the assignment of additional agents of the Bureau of Alcohol, Tobacco, Firearms, and Explosives to the United States-Mexico border.

I also appreciate the thoughtful consideration that Chairman Berman and Western Hemisphere Subcommittee Chairman Engel have given to this initiative. It provides an important opportunity for coordination between the United States and southern partners to secure our communities. I think it also highlights the need for additional resources on our side of the United States-Mexico border. We have to keep in mind that our communities in Arizona and along our 2000 miles of southern border are on the front lines of this national struggle to stop the flow of guns, drugs, and violence into the United States.

So I support the efforts of my colleagues to add funding for this domestic justice and border programs into the bill, and I think that Congress must continue to work to address the drug crisis in a comprehensive way, and I commend this committee for your role in the process.

Chairman BERMAN. Will the gentlelady yield?

Ms. GIFFORDS. Yes, I will.

Chairman BERMAN. I thank the gentlelady for her comments, and I would like to add that I agree with her analysis of the way this was done. There was another group other than local law enforcement in the border areas that were not consulted, and they were much closer to the White House: Us. Congress was not part of this initiative at that time, but I appreciate your noting the origins of this and the questionable procedure.

Ms. GIFFORDS. Thank you, Mr. Chairman.

Chairman BERMAN. The time of the gentlelady has expired. Who else seeks recognition? The gentleman from Texas, Mr. McCaul.

Mr. MCCAUL. I thank the chairman. I have an amendment at the desk.

Mr. ACKERMAN. Mr. Chairman?

Chairman BERMAN. Yes.

Mr. ACKERMAN. I reserve a point of order.

Chairman BERMAN. A point of order is reserved. The clerk will read the amendment.

Ms. RUSH. Amendment to H.R. 6028 offered by Mr. McCaul of Texas. "Add at the end of Title IV the following new section: Section (blank). Additional funding for certain DOJ programs. In addition to any amounts authorized or appropriated in any other act, there is authorized to be appropriated to the Department of Justice for the period of Fiscal Years 2008 through 2010: (1) $600 million to carry out the Edward Byrne Memorial Justice Assistance Grant program authorized under subpart 1 of part E of Title I of the Omnibus Crime Control and Safe Streets Act of 1968. With respect to grants under such program"——

Chairman BERMAN. Without objection, the reading will be dispensed with, and the gentleman from Texas is recognized for 5 minutes.

[The amendment of Mr. McCaul follows:]

AMENDMENT TO H.R. 6028

OFFERED BY MR. MCCAUL OF TEXAS

Add at the end of title IV the following new section:

1 **SEC. _____. ADDITIONAL FUNDING FOR CERTAIN DOJ PRO-**
2 **GRAMS.**
3 In addition to any amounts authorized or appro-
4 priated in any other Act, there is authorized to be appro-
5 priated to the Department of Justice for the period of fis-
6 cal years 2008 through 2010—
7 (1) $600,000,000 to carry out the Edward
8 Byrne Memorial Justice Assistance Grant Program
9 authorized under subpart 1 of part E of title I of
10 the Omnibus Crime Control and Safe Streets Act of
11 1968 (42 U.S.C. 3750 et seq.), with respect to
12 grants under such program for use by law enforce-
13 ment entities within 100 miles of the United States-
14 Mexico border;
15 (2) $400,000,000 to carry out the Public Safety
16 and Community Policing (COPS ON THE BEAT)
17 Grant Program authorized under part Q of title I of
18 the Omnibus Crime Control and Safe Streets Act of
19 1968 (42 U.S.C. 3796dd et seq.), with respect to
20 grants under such program for use by law enforce-

ment entities within 100 miles of the United States-Mexico border, including for—

(A) community policing development;

(B) hiring and rehiring career law enforcement officers;

(C) establishing and implementing programs to reduce and prevent illegal drug manufacturing, distribution, smuggling, and use; and

(D) law enforcement technology; and

(3) $400,000,000 to carry out the zero tolerance border security initiative established by the Department of Justice, known as Operation Streamline, to be used to lease or rent detention beds and to hire judges, magistrates, United States attorneys, district clerk employees, United States Marshals, pre-trial services employees, and such other support staff for the judicial system as may be necessary to ensure that immigration laws are enforced within 100 miles of the United States-Mexico border with zero tolerance for violations of such laws.

Mr. MCCAUL. I thank the chairman. The United States has an imminent security threat on its doorstep. It is not in Iraq. It is not in Afghanistan. It is not in Pakistan. It is just across the border from my home State of Texas, just a stone's throw away from American soil.

I met with President Calderon several months ago. He has deployed 30,000 troops to the border. This is a military strategy. He said he is at war with the drug cartels, and, in my judgment, we need to fight that war. I think that is what this authorization does.

The threat comes from brazen Mexican drug cartels that breed violence and corruption and flourish in a lawless environment. The cartels employ any means necessary to sell their drugs to our children and increase market demand for their product. They are responsible for violence and murders in the United States' cities which accompany their drug trade. They seek to confront and overpower our own law enforcement on the border, as they have done with Mexican authorities.

This is a frightening threat that I warned about in my 2006 report, "The Line in the Sand," which as become the reality we face today. To face this reality, we need a military strategy to confront and destroy and take out these drug cartels. There is no other alternative.

Just last week, the cartels murdered Mexico's interim Federal police chief, shooting him 10 times outside of his home in Mexico City. The next day, they are believed to be responsible for the shooting of the commander of Mexico City's investigative police force. Both murders were in retaliation for Mexico's renewed commitment to attacking these drug cartels.

The violence carried out by these Mexican drug cartels amounts to narcoterrorism. As the former chief of counterterrorism in the U.S. Attorney's Office in Texas, I see no distinction between this narcoterrorism and the War on Terror. Both constitute a clear and present danger to our safety and our national security.

Just as the United States has taken aggressive steps to root out terrorism in Iraq and Afghanistan, we must take action similar against these drug cartels on their own turf. They are the root cause of our problems.

We must, in supporting this program, not forget also, though, the brave men and women on our side of the border who are fighting the agents of the drug cartels that have already infiltrated are southern border, and to that end, I offer this amendment, which essentially, Mr. Chairman, offers an equal amount of resources to our federal, state, and local law enforcement and our border sheriffs, offers an equal amount of funding for resources that this authorization provides to knock out the drug cartels on the Mexican side.

It seems to me that if this initiative has a two-pronged approach, a two-pronged assault on the drug cartels, that it has the best chance for success. With that, I yield to the chairman.

Chairman BERMAN. Does the gentleman insist on his point of order?

Mr. MCCAUL. Yes, Mr. Chairman. Yes, I do. My understanding, Mr. Chairman, is that the Judiciary Committee—this will be a point of order raised, that the chairman believes that this amendment lies more within the Judiciary Committee's jurisdiction, but

I would ask if I could engage in a colloquy with the chairman on this. I understand the chairman does preside on the Judiciary Committee, and I would ask the chairman's assistance in moving this forward on the Judiciary Committee.

I have received assurances from the ranking member that he is supportive of this.

Ms. GIFFORDS. If the gentleman would yield.

Mr. MCCAUL. The ranking member of the Judiciary Committee, I should say. I will yield.

Ms. GIFFORDS. If the gentleman would yield. I know that there may be some points-of-order question about jurisdiction and the proper committee, but if this is ruled in order here in this committee, I plan to support the gentleman's amendment, and I commend him for a way to attack what is truly a horrible problem. So I thank you for the good ideas that you bring forward.

Mr. ACKERMAN. Mr. Chairman?

Chairman BERMAN. Would the gentleman yield?

Mr. MCCAUL. I yield.

Chairman BERMAN. If this amendment were ruled in order, and I do not think it would be, I would support this amendment because you are addressing a critical issue. I do not preside in the Judiciary Committee, but I do reside on the Judiciary Committee. The COPS program, the Byrne program, and the need for detention facilities and judicial personnel, particularly in the border areas, is just enormous. So I actually think it is a great amendment, but I would encourage the gentleman to withdraw it in order that I do not have to rule against an amendment I like.

Mr. MCCAUL. Reclaiming my time, I appreciate the chairman's support for this amendment. I understand the jurisdictional issues here, but I would ask for your support on the Judiciary Committee, as I have received from the ranking member of the Judiciary Committee. Also, in the Senate, I know there is an equal amount of funding. It seems to me, if we are going to do this, we ought to do it right, and we ought to have funding on this side as well. So, with that, I will withdraw my amendment.

Chairman BERMAN. Without objection, the amendment of the gentleman is withdrawn. Who else seeks recognition?

Mr. TANCREDO. I do, Mr. Chairman.

Chairman BERMAN. Last, but definitely not least, the gentleman from Colorado, Mr. Tancredo.

Mr. TANCREDO. Thank you, Mr. Chairman. I think——

Chairman BERMAN. Do you have an amendment at the desk?

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

Chairman BERMAN. The clerk will read the amendment.

Ms. RUSH. Amendment to H.R. 6028 offered by Mr. Tancredo of Colorado. "Amend Section 301(a) of the bill to read as follows: (a) In general, the President may not provide assistance under Title I or II to a foreign country for"——

Chairman BERMAN. Without objection, the amendment will be deemed to have been read, and the gentleman from Colorado is recognized for 5 minutes.

[The amendment of Mr. Tancredo follows:]

AMENDMENT TO H.R. 6028

OFFERED BY MR. TANCREDO OF COLORADO

Amend section 301(a) of the bill to read as follows:

(a) IN GENERAL.—The President may not provide assistance under title I or II to a foreign country for a fiscal year until—

(1) the President transmits to the appropriate congressional committees a determination that the requirements described in subsection (b) have been met with respect to the government of such foreign country for such fiscal year; and

(2) a joint resolution approving the determination of the President under paragraph (1) is enacted into law in accordance with the requirements of subsection (c).

At the end of section 301(b) of the bill, add the following:

(9) The government of the foreign country is fully cooperating with all United States extradition requests.

(10) The government of the foreign country is fully cooperating with United States efforts to deport or repatriate nationals of that foreign country.

(11) The armed forces and law enforcement agencies in the recipient country are not involved or complicit in the trafficking of drugs, weapons, or people.

(12) The government of the foreign country does not assist or in any way encourage its nationals to illegally immigrate to the United States.

(13) The government of the foreign country is thoroughly investigating and prosecuting crimes committed against United States citizens by local, provincial, or state law enforcement officers in that foreign country, including crimes reported to the foreign government by the Government of the United States.

(14) With respect to assistance to Mexico, a determination that the United States-Mexico border is secure.

At the end of section 301 of the bill, add the following:

(c) REQUIREMENTS RELATING TO JOINT RESOLUTION.—For purposes of this section, the term ''joint resolution'' means only a joint resolution introduced after the

date on which Congress receives the determination of the President under this section, the matter after the resolving clause of which is as follows: ''That Congress approves the determination of the President with respect to _____ transmitted by the President to Congress on _____.'', the first blank space being filled in with the name of the government of the foreign country with respect to which a determination has been made under this section, and the second blank space being filled with the date on which the President transmits the determination under subsection (a)(1).

☒

Mr. TANCREDO. Thank you, Mr. Chairman. I was just going to say, I do not think you are going to have the same sort of emotional conflict over this amendment as you had in the past. So, with that in mind, I would——

Chairman BERMAN. But I am not going to rule it out of order either.

Mr. TANCREDO. I am glad to hear that, too. I think we all agree, on this panel, that Latin America, in particular, Mexico, needs help in fighting the drug cartels, but what we have dealt with now for so long, this is, unfortunately, not a set of new ideas, as was mentioned, I think, earlier by Congressman Chabot. We have, in various ways, supplied Mexico with over $720 million of aid over the past several years.

Unfortunately, it has not achieved any of the desired goals, and there is a problem, I think, that is really the basis of my concerns with regard to any bill of this nature, and that is it really does not address the underlying root cause of the problems in Mexico and the other areas of Latin America that the bill is directed to, and those problems deal with, of course, the corruption that is endemic, going from the cop on the beat, unfortunately, to sometimes the highest level of government.

The underlying bill requires the President to make a number of determinations before aid can be disbursed to recipient governments. Unfortunately, all of the required determinations in the underlying bill deal primarily with human rights-related issues, and although human rights-related issues are certainly important, and human rights abuses are not the primary problem confronting Mexico today, they, in fact, comprise a significant problem. I will give you that.

The maintenance of elementary law and order in the face of organized violence against law enforcement and legal institutions, infiltration on the armed services and local police by drug cartels, and endemic corruption at all levels of government are the primary threat to Mexico's people and the democratic institutions today.

My amendment would require that the President make a number of additional determinations that I hope will help address the problems. Without these safeguards, the aid that we send to Mexico is likely to end up helping the cartels more than hurting them.

Among other things, the amendment would require a determination that the armed forces and/or law enforcement agencies in the recipient country are not involved or complicit in the drug trafficking activity, weapons or people.

Now, we already heard the discussion, so I will not go into it with regard to the Zetas and other gangs that are operating in Mexico that have, in fact, received training from the United States and other western countries, used that training, and even some of the hardware and equipment, I am told, in pursuit of their goal of increasing the drug activity, the drug shipments to the United States.

That endemic corruption is not only confined to the military; it has also infected Federal and local police. My amendment attempts to address this problem by requiring a determination that the recipient governments have a program in place to thoroughly investigate and prosecute crimes committed against United States citi-

zens by law enforcement officers at the municipal and state and provisional level.

My amendment would also require that, with regard to assistance to Mexico, the President must determine that the United States-Mexico border is secure against illegal entry before any funds can be released. We have a responsibility to protect the American taxpayer. Certainly, everyone understands that. Many of those on the other side have spoken very forcefully, and I have heard you, Mr. Chairman, on more than one occasion, wax eloquently about the fact that we have abdicated much of our oversight authority to the Executive Branch.

I agree that is the case. That is why my amendment includes a provision that would require an up-or-down vote by Congress on whether or not to accept the President's determinations before any money can be distributed. We should not provide this administration with a blank check. Once the State Department makes a handful of claims to this committee that may or may not be supported by the evidence, if the administration wants this money, they should be able to convince Congress to give it to them. With that, Mr. Chairman, I will yield the time.

Chairman BERMAN. The time of the gentleman has expired. Who seeks recognition? The gentleman from New York, chairman of the subcommittee, Mr. Engel, is recognized for 5 minutes.

Mr. ENGEL. Yes. Thank you very much, Mr. Chairman. Let me say that I oppose the amendment. I certainly understand the goals of the amendment from the gentleman from Colorado, but while his amendment may be well intentioned, I believe it is not workable and will actually undermine the basic purposes of this bill.

The conditions in Mexico have become unbearable, and it is in our interest to help. Let us not forget why we are here today. The narco violence in Mexico is not only undermining the safety and security of our friends to the south, but it is fueling the drug trade and violence here in the United States. That is why I disagree with my good friend, Mr. Rohrabacher from California, on this measure.

We care about what is happening in Mexico and Central America because what happens there affects us all. They are countries that are closest to our border, so it is not just any country in the world; it is countries that are close to our borders and affect what happens in our country. So we stand with our friends during their difficult times, as we ask them to stand with us.

What Presidents Bush and Calderon achieved in the Merida Initiative, I believe, is unprecedented. Never before has the Mexican Government agreed to cooperate so closely with the United States on security matters. Mexico is spending billions of its own dollars and putting its own people on the front lines. I am not saying the Mexican authorities are perfect; neither are we. And I am not saying that abuses have not been committed there because we cannot even say that about us. But we must not make the perfect the enemy of the good.

The Mexican and Central American governments are today standing up to fight the narco violence and are willing to accept American help to become more effective and responsible. That is a very good situation, and we must support them in this.

As for the Tancredo Amendment, while I may agree with the goals of the gentleman from Colorado, his amendment's absolutionist form, I believe, would shut down the entire program. This would endanger the citizens of our country, which this bill is trying to protect. Further, the bill already contains strong provisions which achieve many of the goals of the Tancredo Amendment while not halting the entire initiative.

Under this legislation, countries cannot receive assistance unless vetting procedures are in place to ensure that the units have not committed human rights violations and that the personnel using U.S.-supplied equipment have been fully vetted.

Furthermore, the bill contains significant assistance to Mexico and Central America to professionalize their security services. This is a very, very important provision of this bill.

So, in conclusion, Mr. Chairman, the Merida Initiative is a critical effort to improve security for citizens of the United States. Our subcommittee takes this very seriously. We have had a number of hearings on the Merida Initiative. Mexico, Central America, and the United States are all in this together. So let us not shut down the program with a well-intentioned but, I believe, misguided amendment. I urge my colleagues to oppose the Tancredo Amendment, and I yield back.

Chairman BERMAN. The time of the gentleman has expired. Who seeks recognition on this amendment? The gentleman from California.

Mr. ROHRABACHER. I move to strike the last word.

Chairman BERMAN. The gentleman is recognized for 5 minutes.

Mr. ROHRABACHER. Mr. Chairman, I rise in support of Mr. Tancredo's amendment. It establishes some guidelines and some standards for us to determine whether or not this well-intentioned bill is actually fulfilling its purposes or not, and we just heard described that this amendment is well intentioned but unworkable. I would suggest that this bill is well intended but unworkable.

Congressman McCaul's approach refocuses at least some of the resources that we are talking about on our side of the border to try to improve how we handle ourselves in the United States. Mr. McCaul's approach is on target, as, in fact, the entire amount that is being committed by this bill should be focused on our side of the border.

The people of Mexico and the people of Latin America are very proud people, and they have incredible resources available to them. They are very hard-working people. But the thing that they demand the most, and, I think, justifiably so, is that we treat them with respect, and they do not believe that the United States, in the past, has treated the people of Mexico and perhaps some of the people of Latin America with the respect that we would expect to be treated with.

I think this bill reflects an attitude that is less than respectful. I think this bill reflects an elitist attitude that we are going to go in and tell the people of Mexico what to do. Now, most people here understand that I am one of the leading spokesmen against illegal immigration into our country, whether it is from Mexico or Latin America or any other part of the world.

But that, in no way, should indicate that I do not respect the people of those areas that want to come here, but our goal in the United States should not, number one, have people come here and siphon off good people from these countries, but, at the same time, it should also not be that we are telling those countries how to run their affairs, and to intervene in what they are doing. Mr. Tancredo is suggesting, if we do, let us make sure that there are some standards with which to judge whether we have been successful.

Let me just note, the purpose of this legislation, this grand scheme of interventionism that is being proposed today, the purpose is to try to confront the threat of narcoterrorism, and it has been expressed here. There is no doubt about it. The purpose and the well meaning of this bill on this effort are not under question.

But let me just suggest today that when we are talking to the people of Mexico, we are talking to the people of these countries, for us to blame them for the narcotics consumption in our country is all wrong. The fact is that if we spent our time and effort trying to curb the appetite for illegal drugs of our own people rather than trying to bolster the military and political forces and police forces of other societies, I believe it would be much more effective in the long run, and the people of Mexico have very right to say to us, "Look, it is your demand, it is your appetite for drugs, that feeds this narcoterrorism."

Let us get to the heart of the matter here. Let us be honest with each other rather than beat around the bush. Just improving the military capabilities and the police capabilities of Mexico is not going to solve this problem, and until we are serious about it and are willing to admit that, we are not going to make headway, and, in fact, no matter how well intended, it will not work, and, in the long run, we will actually cause the people of those areas to dislike us.

The good people who want to cooperate with us will be turned against us. They will blame us for the problems in their country because we have intervened internally rather than looking at our own selves to try to correct our own drug problem. Thank you very much, Mr. Chairman.

Chairman BERMAN. The time of the gentleman has expired. I recognize myself to strike the last word for 5 minutes.

The gentleman's last point about the demand side, I think, is very important. I find it somewhat ironic that the gentleman is supply side on economics and demand side on drugs, but the fact is that the demand side is very important.

But where I disagree with the gentleman is with respect to his comments that the Mexican people deserve our respect, and this has nothing to do with either the author or the author's intentions, but when I read this amendment, this amendment does not treat the Mexican people with respect.

Here are the new conditions that are set forth before any money can flow from this legislation: That the government of the foreign country—let us call it what it is here—it is called Mexico—is fully cooperating with all United States extradition requests. I would not contend that Mexico is cooperating with all extradition requests, but I know one thing: The position of Mexico on our extradition requests over the last 5 years has improved markedly.

The second point: In many ways, I am sure that more bilateral programs with respect to deportation and repatriation of nationals could be done, but the fact is there is, in a number of places, a level of cooperation.

Number 11: Essentially, this says no funds can move in this program if any law enforcement agency in the recipient country is involved with or complicit in the trafficking of drugs, weapons, or people.

So the whole thrust of this program would be totally vitiated if a local law enforcement agency had been infiltrated by the cartels, had been involved in this, and the Federal police and the Federal administration wanted to use all of its resources and all of the resources they could manage to go after that. It creates an impossible situation. The very reason for this initiative is nullified by that particular condition.

Finally, with respect to assistance to Mexico, the amendment demands a determination that the United States-Mexico border is secure. In other words, no money can go unless the border is secure. The border will never be secure as long as the drug cartels and all of the people they operate with inside influence certain parts of law enforcement. Unless those people are stopped, the border will never be secure.

So this is a second impossibility. And all of this requires is a presidential certification and then a joint resolution of Congress. Yes, we should have oversight over this issue. The way we have oversight is by monitoring provisions that we have in this legislation, the reports that we mandate in this legislation, and the fact that we will annually appropriate the funds in this legislation, giving one Senator, who might just be from Oklahoma, a chance to put a hold on a joint resolution of approval is not the kind of oversight I think is meaningful, and I urge the amendment be rejected.

If there is no further debate, the question occurs on the amendment. All in favor will vote aye.

[A chorus of ayes.]

Chairman BERMAN. All opposed will vote no. No.

[A chorus of noes.]

Chairman BERMAN. In the opinion of the chair, the nays have it.

Mr. TANCREDO. Mr. Chairman, may I ask for a recorded vote on that?

Chairman BERMAN. A recorded vote is requested. The clerk will call the roll.

Ms. RUSH. Chairman Berman?

Chairman BERMAN. No.

Ms. RUSH. Chairman Berman votes no. Mr. Ackerman?

[No response.]

Ms. RUSH. Mr. Faleomavaega?

Mr. FALEOMAVAEGA. No.

Ms. RUSH. Mr. Faleomavaega votes no. Mr. Payne?

Mr. PAYNE. No.

Ms. RUSH. Mr. Payne votes no. Mr. Sherman?

[No response.]

Ms. RUSH. Mr. Wexler?

[No response.]

Ms. RUSH. Mr. Engel?

Mr. ENGEL. No.
Ms. RUSH. Mr. Engel votes no. Mr. Delahunt?
[No response.]
Ms. RUSH. Mr. Meeks?
Mr. MEEKS. No.
Ms. RUSH. Mr. Meeks votes no. Ms. Watson?
Ms. WATSON. No.
Ms. RUSH. Ms. Watson votes no. Mr. Smith of Washington?
Mr. SMITH OF WASHINGTON. No.
Ms. RUSH. Mr. Smith of Washington votes no. Mr. Carnahan?
Mr. CARNAHAN. No.
Ms. RUSH. Mr. Carnahan votes no. Mr. Tanner?
[No response.]
Ms. RUSH. Mr. Green?
[No response.]
Ms. RUSH. Ms. Woolsey?
Ms. WOOLSEY. No.
Ms. RUSH. Ms. Woolsey votes no. Ms. Jackson Lee?
Ms. JACKSON. No.
Ms. RUSH. Ms. Jackson Lee votes no. Mr. Hinojosa?
Mr. HINOJOSA. No.
Ms. RUSH. Mr. Hinojosa votes no. Mr. Crowley?
Mr. CROWLEY. No.
Ms. RUSH. Mr. Crowley votes no. Mr. Wu?
[No response.]
Ms. RUSH. Mr. Miller?
Mr. MILLER. No.
Ms. RUSH. Mr. Miller votes no. Ms. Sánchez?
Ms. SÁNCHEZ. No.
Ms. RUSH. Ms. Sánchez votes no. Mr. Scott?
[No response.]
Ms. RUSH. Mr. Costa?
[No response.]
Ms. RUSH. Mr. Sires?
Mr. SIRES. No.
Ms. RUSH. Mr. Sires votes no. Ms. Giffords?
Ms. GIFFORDS. Yes.
Ms. RUSH. Ms. Giffords votes yes. Mr. Klein?
Mr. KLEIN. No.
Ms. RUSH. Mr. Klein votes no. Ms. Lee?
Ms. LEE. No.
Ms. RUSH. Ms. Lee votes no. Mrs. Ros-Lehtinen?
Ms. ROS-LEHTINEN. No.
Ms. RUSH. Mrs. Ros-Lehtinen votes no. Mr. Smith of New Jersey?
[No response.]
Ms. RUSH. Mr. Burton?
Mr. BURTON. Aye.
Ms. RUSH. Mr. Burton votes yes. Mr. Gallegly?
[No response.]
Ms. RUSH. Mr. Rohrabacher?
Mr. ROHRABACHER. Yes.
Ms. RUSH. Mr. Rohrabacher votes yes. Mr. Manzullo?
[No response.]
Ms. RUSH. Mr. Royce?

Mr. ROYCE. Yes.
Ms. RUSH. Mr. Royce votes yes. Mr. Chabot?
[No response.]
Ms. RUSH. Mr. Tancredo?
Mr. TANCREDO. Yes.
Ms. RUSH. Mr. Tancredo votes yes. Mr. Paul?
[No response.]
Ms. RUSH. Mr. Flake?
[No response.]
Ms. RUSH. Mr. Pence?
[No response.]
Ms. RUSH. Mr. Wilson?
Mr. WILSON. Yes.
Ms. RUSH. Mr. Wilson votes yes. Mr. Boozman?
[No response.]
Ms. RUSH. Mr. Barrett?
Mr. BARRETT. Yes.
Ms. RUSH. Mr. Barrett votes yes. Mr. Mack?
[No response.]
Ms. RUSH. Mr. Fortenberry?
[No response.]
Ms. RUSH. Mr. McCaul?
Mr. MCCAUL. Yes.
Ms. RUSH. Mr. McCaul votes yes. Mr. Poe?
Mr. POE. Yes.
Ms. RUSH. Mr. Poe votes yes. Mr. Inglis?
[No response.]
Ms. RUSH. Mr. Fortuño?
Mr. FORTUÑO. No.
Ms. RUSH. Mr. Fortuño votes no. Mr. Bilirakis?
Mr. BILIRAKIS. Yes.
Ms. RUSH. Mr. Bilirakis votes yes.
Chairman BERMAN. Members wishing to cast a vote? The gentleman from New York, Mr. Ackerman.
Mr. ACKERMAN. No.
Ms. RUSH. Mr. Ackerman votes no.
Chairman BERMAN. The gentleman from Florida?
Mr. WEXLER. No.
Ms. RUSH. Mr. Wexler votes no.
Chairman BERMAN. The gentleman from Oregon?
Mr. WU. No.
Chairman BERMAN. The gentleman from California?
Mr. SHERMAN. No.
Ms. RUSH. Mr. Wu votes no. Mr. Sherman votes no.
Chairman BERMAN. Seeing no further people wishing to vote, the clerk will count the vote and report it.
[Pause.]
Chairman BERMAN. The clerk will report.
Ms. RUSH. On this vote, there are 10 yeses and 23 noes.
Chairman BERMAN. The amendment is defeated, and does anyone seek recognition?
Ms. JACKSON. Mr. Chairman, I have an amendment at the desk.
Mr. ACKERMAN. Mr. Chairman?
Chairman BERMAN. Mr. Ackerman?

Mr. ACKERMAN. I reserve a point of order against the amendment.

Chairman BERMAN. The clerk will read the amendment.

Ms. RUSH. Amendment to H.R. 6028 offered by Ms. Jackson Lee of Texas. "At the end of Title IV, add the following new section. Section 4, Report on United States Government Resources."

Chairman BERMAN. Without objection, the amendment is considered as read.

[The amendment of Ms. Jackson Lee follows:]

AMENDMENT TO H.R. 6028

OFFERED BY MS. JACKSON-LEE OF TEXAS

At the end of title IV, add the following new section:

SEC. 4xx. REPORT ON UNITED STATES GOVERNMENT RESOURCES.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the President, in coordination with the heads of the relevant United States Government departments and agencies, including the Department of Homeland Security, shall transmit to congressional committees specified in subsection (b) a report—

(1) assessing the role of the relevant United States Government departments and agencies, including the Department of Homeland Security, in supporting the Merida Initiative;

(2) providing specific information on what staffing, equipment, and other resources the relevant United States Government departments and agencies, including the Department of Homeland Security, have provided for the Merida Initiative;

(3) assessing the impact of the Merida Initiative on the border security operations of the relevant United States Government departments and agen-

cies, including the Department of Homeland Security; and

(4) identifying additional resources, if any, that the relevant United States Government departments and agencies, including the Department of Homeland Security, need to make available to carry out the Merida Initiative.

(b) CONGRESSIONAL COMMITTEES SPECIFIED.—The congressional committees referred to in subsection are—

(1) the Committee on Appropriations, the Committee on Foreign Affairs, and the Committee on Homeland Security of the House of Representatives; and

(2) the Committee on Appropriations, the Committee on Foreign Relations, and the Committee on Homeland Security and Government Relations of the Senate.

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Ms. JACKSON. Mr. Chairman, while I believe that this legislation represents, and I thank the distinguished chairman—I seek recognition. I seek recognition, Mr. Chairman.

Chairman BERMAN. I am sorry. The gentlelady is recognized on her amendment for 5 minutes.

Ms. JACKSON. Thank you. Mr. Chairman, this effort that has been put forward is a very, very forward-thinking effort.

I had the opportunity to meet with the Ambassador from the United States to Mexico, and I think this is more of a challenging mountain to climb than we might even imagine.

I do think we can work together in partnership, and I have asked that the President of the United States, on the basis of my amendment, submit a report assessing the role of the relevant United States Government departments and agencies, including the Department of Homeland Security. I ask that there be a report on the particular staffing and resources that are being used. I ask that there be an assessment on the border security operations of relevant Homeland Security or government operations, and identifying additional resources.

Now, I know that we are moving this bill forward through Foreign Affairs, and so it was my attempt to put this on the record to indicate that we must have a continued partnership between the State Department and the Department of Homeland Security. Having just come back from the border and looking at the utilization of a new technology, I realize that we have to do this together.

I would like to work with the committee to ensure that this initiative has those parameters and has the teeth to do the job.

Let me conclude by acknowledging that the legislation, Mr. Chairman, does have a sense of Congress relating to the drug usage here in the United States. I think if we were to put a map up before our colleagues to see the pinpoints of drug activity in the United States, as was shown to us in our meeting with the Ambassador, we would look in horror.

So the more we can do to ensure that the violence of the drug trade does not continue on our border and then victimize those in the United States, I think the more effective this effort and these resources will be, and that being the case, I am going to ask unanimous consent to withdraw this amendment but to work with the chairman, recognizing that our goal is to get this on the floor and passed to ensure that there are vital elements of this that can work because we are collaborating with departments who have the resources and who are using these dollars effectively.

Chairman BERMAN. Would the gentlelady yield?

Ms. JACKSON. I would be happy to yield to the gentleman.

Chairman BERMAN. I agree with everything that the gentlelady has said, and I agree with the thrust of her amendment, but I would like to work with her between now and the floor. Homeland Security does need to be involved directly with the State Department on this and for all of the reasons that you mentioned. I appreciate the gentlelady's request, and, without objection, the amendment will be withdrawn.

Ms. JACKSON. I thank the chairman. I yield back.

Chairman BERMAN. The chairman is prepared to receive a motion.

Mr. ENGEL. Mr. Chairman?

Chairman BERMAN. Mr. Engel.

Mr. ENGEL. Mr. Chairman, I move the favorable recommendation of H.R. 6028, as amended, to the House.

Chairman BERMAN. The question occurs on the motion by the gentleman to report H.R. 6028, as amended, favorably to the House. All in favor, say "aye."

[A chorus of ayes.]

Chairman BERMAN. All opposed, say "no."

[A chorus of noes.]

Chairman BERMAN. The ayes have it, and the motion is adopted. Without objection, the bill will be reported as a single amendment in the nature of a substitute incorporating the amendments adopted by the committee, and the staff is directed to make any technical and conforming amendments.

Thank you all very much for your participation in this, and the meeting is adjourned.

[Whereupon, at 1 o'clock p.m., the committee was adjourned.]

APPENDIX

MATERIAL SUBMITTED FOR THE HEARING RECORD

PREPARED STATEMENT OF THE HONORABLE LYNN C. WOOLSEY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. Chairman, thank you for the time.

As Chair of the Workforce Protections Subcommittee, I join U.S. and international labor organizations in their strong concern about this bill.

As introduced, the bill goes a long way to improve upon the President's request. The human rights protections have been strengthened but must be further improved.

We *must* ensure that before any agreement is authorized and funded, that the most basic human and labor rights have been guaranteed.

I have strong concerns about abuses committed by Mexican and some of the Central American law enforcement agencies.

Labor activists and community leaders have been harassed, arrested, and physically assaulted. Many live in fear for themselves and their families.

I am concerned that these same law enforcement officials will be receiving military-style training, transportation, and weapons. Do we want to be putting military helicopters and weaponry in their hands?

We must proceed with extreme caution on this proposal. I will have to oppose the legislation in its current form. I hope that we will be able to address the concerns of human and labor rights leaders here at home and in the Merida (Mer-EE-dah) nations before this proposal reaches the Floor.

PREPARED STATEMENT OF THE HONORABLE BARBARA LEE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

I move to strike the last word. Thank you, Mr. Chairman for holding this hearing. I commend you and Mr. Engel for your hard work in bringing this legislation before this committee. The bill, H.R. 6028, is more than 50 pages in length and I suspect that many of our colleagues are still digesting its many provisions.

The Merida Initiative is a multi-year $1.4 billion proposal to provide equipment and training to support law enforcement operations and technical assistance for long-term reform and oversight of security agencies in Mexico and Central America.

This initiative is a response to the ever increasing spiral of violence taking place on our southern border that we have witnessed in recent years.

Mr. Chairman, no one will disagree that drug trafficking poses a threat to the well-being and security of people in the United States and throughout the hemisphere.

Strengthening security forces to combat the drug cartels is an important component, but it is only one component of what must be a comprehensive strategy to combat drug trafficking, drug use, violence, and lawlessness.

A successful strategy must also have a meaningful prevention side, including programs that address the problems of domestic violence, at-risk and criminally involved youth, job creation and training, and rural economic development.

And success also requires systemic change and reform in the administration of justice.

We should think long and hard before spending $500 million of the taxpayers' money on an initiative if it is has little prospects of success.

I am reviewing this legislation carefully to assure myself that it addresses many of the concerns that have been raised against the Merida Initiative by human rights groups and labor unions.

Thank you. I yield back my time.

PREPARED STATEMENT OF THE HONORABLE GUS BILIRAKIS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA

Thank you, Mr. Chairman and Ranking Member Ros-Lehtinen. I appreciate the opportunity to offer an Amendment to the Merida Initiative.

As you know the drug crisis facing the United States remains a top national security threat, with 90 percent of the illegal drugs making there way through the Mexico-Central America corridor. Drug gangs that operate in the U.S., Mexico, and Central America are undermining regional security. Something needs to be done.

While I commend President Calderon for making the war against drug cartels a top priority of his Administration, I am not sure that dumping $ 1.6 billion dollars in aid and assets into Mexico is the answer since corruption is pervasive and many Mexican authorities starting from the local cop on the beat on up cannot be trusted.

I am most concerned about the safety of our men and women in uniform who patrol our borders everyday and put their lives on the line. At the very least we should be kept informed as to how the Merida initiative impacts violence at the border. As such, I have offered a very simple amendment that would require a description of the impact that activities authorized under this Act have had on violence against U.S. and Mexican border personnel. I hope my colleagues agree that having this information will help us to better measure the effectiveness of billions of taxpayer dollars that will be expended to fight this insidious evil.

Thank you.