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House of Representatives

The House met at 10 a.m.

PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

We pray, gracious God, that we will not be content simply to follow old paths and repeat meaningless patterns, but that our hearts and minds would be open to new adventures and new opportunities of service. May Your good Spirit breathe into our souls a freshness that cleanses our ideas, our hopes, and our dreams and may we truly look to Your guidance for the days ahead. Teach us to grow in Your grace and trust in Your goodness, this day and every day. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from North Carolina [Mr. JONES] come forward and lead the House in the Pledge of Allegiance.

Mr. JONES led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER RELATIVE TO FLOOR PRIVILEGES OF FORMER MEMBERS

The SPEAKER. On June 9, 1994, Speaker Foley reminded former Members of the prohibition of clause 3 of rule XXXII against former Members obtaining floor privileges during the pendency of a matter in which they have a personal or pecuniary interest, emphasizing that the test for whether the rule is being violated is the former Member's status as one with a personal or pecuniary interest rather than their intent to lobby. On that occasion Speaker Foley also admonished former Members from importuning the doorkeepers to waive the restrictions of the rule, since the Chair may not even recognize a unanimous-consent request to do so.

The Chair is taking this opportunity to reiterate the guidelines first announced by Speaker O'Neill under clause 3 of rule XXXII on January 6, 1977, and again on June 7, 1978, and by Speaker Foley last year in order to discourage former Members from attempting to exercise their limited floor privileges when they find themselves under this restriction and to remind former Members that the prohibition extends beyond the floor to rooms leading thereto, such as the Speaker's lobby and the respective Cloakrooms.

ANNOUNCEMENT BY THE SPEAKER RELATIVE TO 1-MINUTES

The SPEAKER. The Chair will take 20 1-minutes on each side.

VINE AND WINE

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

Mrs. SEASTRAND. Mr. Speaker, over the last 30 years, the Federal Government has become far too generous with the taxpayer's money. Washington bureaucrats not satisfied with wasting money on domestic programs find new and inventive ways to waste it in other countries.

Here are a few examples of what I am talking about: The International Institute for the Unification of Private Law, the International Office of Vine and Wine, the Permanent International Association of Road Congresses, the Colombo Plan Council for Technical Cooperation, and the International Natural Rubber Study Organization.

All of these programs have two things in common: They are funded by the American taxpayer and they need desperately to be unfunded by the American taxpayer.

Mr. Speaker, we realize that the Federal Government cannot continue spending money as if there were no tomorrow, and we can no longer afford overseas extravagance. It is time to streamline bureaucracy and eliminate the proliferation of silly named programs that have no real purpose and no real need to exist. The American Overseas Interests Act will reduce our monetary aid commitments overseas to one percent of the Federal budget, much more in line with what the American people want us to do in this Congress.

HOUSE REPUBLICANS FAVOR TAX CUTS FOR WEALTHY

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

Mr. GEPHARDT. Mr. Speaker, now that the Republicans have forced their budget resolution through this House, it is easy to get lost in a sea of numbers and statistics—to forget about the impact this trickle-down travesty will have on the hard-working people of America.

But I cannot forget—because every time I walk the streets of my district in St. Louis, I meet the people who stand to lose health care benefits, pension benefits, and student loans—all to pay for a tax cut for the wealthy that is so unfair, so unnecessary, so

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unaffordable that even a Republican Senate rejected it.

This is a picture of Shawn D'Abreu, a student at Webster University in St. Louis. He depends on student loans, as well as college grants and a part-time job, to pay his way through college. To lose any part of his financial aid package could put Shawn's college career in jeopardy, forcing him to delay his degree, or find some source of outside income to make up the difference.

Under the new Republican budget plan, Shawn would have his student loan cut by about $5,000. That is a cut he simply cannot afford to sustain.

If you ask me, a budget that sacrifices Shawn's college education to line the pockets of the wealthy is a dangerous reversal of priorities. The Republicans want to let billionaires renounce their citizenship and pay no taxes. But Shawn, who is the very future of this country, gets stuck with the bill.

That is what the Republicans voted for—tax cuts for the wealthy, and student loan cuts for struggling young people like Shawn. If you ask me, the Senate had it right: That kind of reckless redistribution of income is just plain wrong, and has no place in the United States of America.

HOUSE REPUBLICANS FAVOR FISCAL SANITY

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

Mr. HAYWORTH. Mr. Speaker, once again the distinguished minority leader has given us ample evidence as to why my friends on the other side of the aisle will remain in the minority. I am sorry I did not blow up this picture as did the distinguished minority leader, but I have here a picture of my three children.

My oldest daughter is Nicole. She is preparing to go to Arizona State University and Nicole is very interested in getting a student loan. But Nicole is happy to step up and pay an extra 68 cents a day if it will help us restore fiscal sanity in this country.

To my friends on the other side of the aisle, again I appeal to you, please quit trying to play this baseless class warfare game. Put your shoulder to the wheel and help us govern, because this is not about redistribution of wealth, this is about saving a republic from fiscal disaster, and it is incumbent upon all of us to answer this clarion call to save this country, including students willing to pay an additional 68 cents a day because that is the average they would pay in an increase on their student loan.

HEART SURGERY IN THE OTHER BODY

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

Mr. DOGGETT. Mr. Speaker, perhaps my colleague from Arizona had best direct his remarks to his Republican colleagues in the U.S. Senate. You see, yesterday they did a little heart surgery over in the U.S. Senate. Yes, my colleague from Texas, PHIL GRAMM, said the heart, the very heart of this budget resolution was a tax cut for the privileged.

PARLIAMENTARY INQUIRY

Mr. LINDER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. BONILLA). The gentleman will state it.

Mr. LINDER. Mr. Speaker, is it appropriate under the rules to address specific actions taken in the other body?

The SPEAKER pro tempore. The Chair advises Members that they should avoid references to Members of the other body.

Mr. DOGGETT. Yesterday the U.S. Senate chose to perform heart surgery. Sixty-nine Members, including 23 Republicans in that body, decided to remove from the budget resolution any tax cut for the privileged. That is good news for Americans. We are still not there. We still do not have a reasonable budget resolution, but the fact that that heart surgery occurred over there in the Senate with joint bipartisan participation to add some reason to the budget resolution speaks volumes for Medicare recipients, speaks volumes for young people in this country, certainly speaks to the needs of Tina Henderson and her daughter Erica in my district who stand to lose substantially on student loans and student assistance, if the budget resolution the House passed is ever written into law.

CONGRESS ACTS TO OVERHAUL FOREIGN AID POLICY

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

Mr. JONES. Mr. Speaker, this week, Congress has the opportunity to vote on legislation which would put American interests first. The American Overseas Interests Act overhauls our Nation's foreign aid policy to reflect our foreign policy and national security interests in the 1990's, not the 1950's. It defends our national security and supports our trade and economic interests while balancing the budget for our children's future.

We draw a line between offering a helping hand to countries which support us and countries who choose to work against our interests. We send a bold statement to our enemies by cutting off funds to countries that spy on us, provide weapons to terrorist states and consistently vote against us in the United Nations.

Most importantly, it eliminates three foreign policy agencies and cuts foreign aid spending by nearly $1 billion. Finally, it sends a message to neighbors around the world that we know ''we cannot buy friendship.''

REPUBLICANS TO STUDENTS: NEED HELP? FORGET IT

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

Mr. GONZALEZ. Mr. Speaker, America is the place that invented mass education, and that is one thing that made this the great country that it is.

For the past 50 years, great programs like the GI bill and the Student Loan Program have opened the doors of opportunity to generations of kids from poor, struggling families. The strongest, richest, most progressive regions in America are those regions where a fine education is within the reach of every worthy student, no matter how poor that student might be.

One would think that with millions of success stories, and one would think that with all the lessons of history, the Republicans would conclude that education ought to get a very high priority.

Nope. The Republicans want to strangle very form of student aid. They want to add thousands of dollars to the cost of student loans, and make deep cuts in every other kind of student aid. Hundreds of thousands of deserving kids will find it impossible to afford a good college education.

In my district alone there are almost 33,000 students who need student loans to make it through school. Losing the interest rate benefit will cost them millions of dollars. Since my district is among the Nation's poorest, many of those kids will lose their best chance for a decent life.

The Republican message to them is that hard work and studious habits do not pay. The Republican message to the 50 per cent of kids who need help to go to college is forget it. As a social policy it is tragic. As an economic policy, it is foolish. Our Government has assisted education as a high priority since the Northwest Ordinance of 1789. George Washington must be embarrassed to see the Republican budget.

IN SUPPORT OF THE AMERICAN OVERSEAS INTERESTS ACT

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

Ms. ROS-LEHTINEN. Mr. Speaker, the Committee on International Relations, under the excellent leadership of our chairman, BEN GILMAN, has brought to the floor a bill that combines wise policy guidance with sound fiscal discipline.

The bill represents a substantial cutback in the level of discretionary spending proposed by the administration in its 1996 budget request.

It is fair that the foreign affairs programs of this Government join with the domestic programs in making the sacrifices that are necessary to bring our Federal budget into balance by the year 2002.

It is the administration's responsibility to manage the program entrusted

to it so that these cutbacks in funding levels produce a leaner and more effective set of programs.

I am convinced that with better management and more cost-consciousness, these cuts can be absorbed without major harm to our overseas interests.

We have allowed the Administration a great deal of management flexibility to make these program changes.

Mr. Speaker, I commend the chairman for the responsible bill he has brought to the floor and urge its adoption.

THE AMERICAN WORKER

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

Mr. TRAFICANT. Mr. Speaker, Boeing Corp. needs profits. So guess what? Boeing will get rid of 12,000 workers. That is right. The new American economy: Companies need profits, companies get rid of American workers, companies make more money, Government says, companies are strong, Government says the economy is improving.

Beam me up. In the words of Larry, Moe, and Curly, thank God for Ronald McDonald, ladies and gentlemen. These companies are lean and mean all right, but the problem is the American workers have liens on their homes, without means to pay the mortgages.

Where do we go from here? Four fifty an hour. Congress, Ronald McDonald does not have enough jobs to take care of the American workers' problems in this country. Congress better take a look at this new economy because there is not a job left. I only pray to God that these companies do not have a record year; do you know what I mean?

□ 1015

CAMPAIGN FINANCE REFORM MEASURES

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

Mr. CLINGER. Mr. Speaker, the American people are sick and tired of lopsided elections that allow politicians to return to office year after year regardless of their performance. The overwhelming reelection advantages of incumbents have left many American voters feeling that entrenched politicians are rarely held accountable to those they represent.

Many frustrated Americans have identified term limits as a way of bringing Government closer to the people, but the term limits movement has been put on hold after its defeat in the House and the Supreme Court decision handed down this week.

If the 104th Congress wants to address the heart of the public's concerns, we must adopt real campaign finance reform that improves the competitiveness of congressional races.

Today, I am reintroducing a series of bills designed to level the playing field between incumbent and challenger. My four bills would reduce the influence of special interest PAC's, ban leadership PAC's, reinstate the tax credit for in-State contributors, and require that residents of a candidate's district account for a clear majority of the candidate's contributions.

If my colleagues want to restore public confidence in the election process, improve membership turnover, and ensure elected representatives are held more accountable to their constituents. I invite them to join me in cosponsoring these campaign finance reform measures.

ETHICS COMMITTEE ACTION LOOKS LIKE A POLITICAL COVERUP

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

Mr. POMEROY. Mr. Speaker, when ethics charges are filed against a Member, the public has the right to have the absolute assurance that the charges are investigated and appropriate action taken. Appropriate action, as I see it, could even include dismissal of the charges and sanctions against those who filed the charges if they were found to be frivolous and malicious.

I, therefore, cannot understand why the Ethics Committee, on a party line vote, rejected the call for an outside counsel to investigate the charges currently pending against the Speaker of the House, the gentleman from Georgia, NEWT GINGRICH. If the charges are frivolous, no action could dispel the stigma which presently exists more clearly. If the charges are serious, then each of us, regardless of party, ought to support the appropriate handling of them.

In the meantime, the public is thinking, I believe, if there is nothing to hide, what is the problem with an outside counsel. Instead, the Ethics Committee action to date begins to look like a political coverup of serious charges. We will not restore confidence in Government if this troubling problem continues to exist.

MEMBERS URGED TO SUPPORT THE AMERICAN OVERSEAS INTERESTS ACT

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

Mr. GILMAN. Mr. Speaker, the House today is scheduled to continue our work on the American Overseas Interests Act—a bill designed to reform and reorganize and downsize our Nation's foreign affairs operations so that we can better serve our international interests in the years ahead.

This bill cuts foreign aid spending by $3 billion over 2 years and $21 billion over 7 years, while serving our national security needs and international economic interests, and providing humanitarian assistance for people who have been hit by disaster and cannot provide for themselves.

By maintaining support for the Camp David accords, we are signaling the opponents of peace in the Middle East as well as radical fundamentalists working to undermine other countries in the Middle East that are friendly to the United States, that our resolve to stay the course remains firm.

Our international relations measure punishes our adversaries by cutting off aid to countries that provide weapons to terrorist states and that consistently vote against us in the United Nations.

It is a sound bill, in the interests of Government reform. I urge my colleagues to support it.

A 1988 QUOTATION BY THE CURRENT SPEAKER OF THE HOUSE

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

Mr. GUTIERREZ. Mr. Speaker, I would like to explain why the Speaker's alleged ethics violations require a full and thorough investigation.

But, I do not think I can say anything original.

Someone already said it best 7 years ago here on the House floor.

Let me first read the quote from 1988, and then you guess who said it.

I quote:

> The rules normally applied by the Ethics Committee to an investigation of a typical Member are insufficient in an investigation of the Speaker of the House * * * the second-most powerful elected position in America. Clearly this investigation has to meet a higher standard of public accountability * * * the integrity of the House is at stake.

OK—who said it? Sound familiar?

Well, here is a hint—he is from Georgia.

And, he has got a big office.

Yes, the speaker of that quote is the current Speaker of the House: Congressman NEWT GINGRICH.

Well, here is a chance for the Speaker to put his money where his mouth is—or, at least, where it was.

Simply ask your hand-picked Ethics Committee to select an outside counsel with broad powers, just as you wanted in 1988.

The moral is this: You have to live by the words you speak, even when you are the Speaker.

EIGHTY-ONE PERCENT OF AMERICANS WANT DRAMATIC CUTS IN FOREIGN AID

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

Mr. BAKER of California. Mr. Speaker, while the liberal Democrats are attacking the Speaker of the House, we are going to go on and change the government because the people last November demanded change. They want changes in foreign aid. The liberal establishment here in Washington is not real fond of change. They do not approve of things like balanced budgets or fiscal responsibility. For years, now, liberals and Washington bureaucrats have made piles of money of the American taxpayer.

Last November, Americans clearly rejected the status quo here in Washington. They rejected deficit spending, and they told Congress to balance their budget and end the bureaucratic spending spree.

This week, Congress will have a chance to make some fundamental changes in our foreign assistance programs. We will scale back foreign aid and eliminate wasteful agencies. Clearly this is an opportunity to dramatically restructure international involvement, making it more accountable to the American taxpayers and more responsive to American interests.

Less than 10 percent cut this year in foreign aid. That is disgraceful. It is not even hors d'oeuvres. Placing AID under the State Department is like giving your mother to the post office. This bill needs work. Eighty-one percent of the American people want dramatic cuts in foreign aid, and we have not done it. This bill is just the beginning. When it goes to conference, this bill needs tremendous cuts.

PLEASE DO NOT CUT FUNDING FOR EDUCATION: IT IS AMERICA'S FUTURE

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

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today to object to the budget put forth by the majority Republicans as it relates to education cuts. The majority Republicans have been saying for the past few weeks that their budget is one for the children of America.

Honestly, Mr. Speaker, their drastic budget cut slams the door in the face of our children. Many young people today see education as their only way to become part of the middle class, and they are right. If we cut title I funding, if we cut bilingual funding, if we cut national service assistance, if we cut student loans, if we cut job training, where are they going to get the education and training they need to earn a decent income and become taxpaying citizens?

It does not save taxes next century by cutting education today. Our children will not have a job in the next century to pay taxes if they do not have access to a good education today.

Mr. Speaker, I am particularly concerned about the elimination of bilingual education in the Republican budget. These two children in this picture are from the Love Elementary School in the Heights area of Houston. Love has an incredible success rate in the bilingual program at their school The children are learning English, they are excelling in their studies, and the program works. The students are continuing into junior and senior high. But, they will not if we pass the Republican budget because it cuts education funding.

CHINA SHOULD NOT HAVE MOST-FAVORED-NATION STATUS

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

Mr. WOLF. Mr. Speaker, I suspect that when we are gone, the administration will announce they are going to give China MFN. We should know several things: one, persecution has increased. Catholic priests have been arrested; on Easter Monday a Catholic priest was taken away. On Maundy Thursday they raided a house church. Violations of human rights have increased. The Gulags have increased. Most of the people watching this today are wearing clothing made perhaps in Gulags, but since that time, we have found out two additional things. We now know conclusively that they are shooting 25-year-old men and taking their kidneys and selling them for $25,000. We have conclusive proof. I urge anyone who wants to see it to come to my office and I will show them.

The, last week, we found out in Chinese hospitals they are selling aborted fetuses, aborted babies, for food to eat. When this Congress has an opportunity to vote on MFN, I ask Members to think in terms, do they want to give a country like that MFN when they are selling aborted babies for eating and killing people for kidney transplants? These are the things that the Nazis did, and we would never give MFN to Nazi Germany.

REPUBLICANS SHOULD NOT CUT THE STUDENT LOAN PROGRAM

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

Mr. OLVER. Mr. Speaker, I have studied the Republican budget. I have seen the charts and the graphs. I have seen the Republicans cut student loans with one hand to give a huge tax cut to the wealthiest Americans with the other hand.

Carissa Guertin of Fitchburg State College in Massachusetts has seen it, too. She says student loan cuts might take her out of college. Carissa writes, and I quote:

> I am the first in my family to actually go to college. Without student aid, I will be forced to quit college and try to get a job without a degree. This may cause me to add to the growing number of welfare recipients. I might have to become one. I do not see how student aid cuts will help our economy at all in the long run.

Mr. Speaker, I agree with Carissa.

A FRIENDLY WAGER: THE HOUSTON ROCKETS VERSUS THE SPURS

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

Ms. JACKSON-LEE. Mr. Speaker, yesterday I fought against student loan cuts, but today I ask for a moment of personal privilege. As spring proceeds, Mr. Speaker, many say that the hearts of Americans turn to the boys of summer. Mr. Speaker, the hearts of Texans turn to the boys of the B-ball; that is basketball.

Therefore, Mr. Speaker, who I understand is from San Antonio, a friendly wager is in order. That is that the Houston Rockets will take this series in 7. I wonder, does the Speaker have the right stuff to accept this wager, the loser having to provide reasonable penalty for the loss to our respective constituents. I wonder, does he have the right stuff to accept this wager?

The SPEAKER pro tempore (Mr. BONILLA). If the gentlewoman will yield, I thank her, and I would like to say I accept the challenge with great enthusiasm, and I am sure that my fellow Texan shares the pride that we all have in our State in watching two Texas teams battle it out to represents the West in the NBA finals.

I, as a Spurs ticket holder for many years, will be rooting with my heart and soul for the San Antonio Spurs, and I know the gentlewoman will be doing the same for the Houston Rockets, but regardless of who wins, I am sure that she shares my pride in knowing that there will be a Texas team represented in the NBA finals.

Ms. JACKSON-LEE. We are on, Mr. Speaker.

FOREIGN AID

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

Mrs. WALDHOLTZ. Mr. Speaker, speaking as a jazz fan, wait until next year. But today, we will continue debating the American Overseas Act. This act takes bold steps to downsize the Federal bureaucracy, and at the same time make the United States more responsive to a rapidly changing world.

Critics of this bill have said that this is America turning inward, withdrawing from the rest of the world. In fact, however, this is America opening its eyes and squarely facing both our need to balance the budget and to respond to a very different and changing world. Our foreign affairs agencies were created during the cold war, when we had

to work to outbid the Soviet Union to buy friends abroad. Now, in a new post-cold-war world that is fundamentally different from the old one, our foreign affairs apparatus is too big and outdated.

The American Overseas Interest Act will overhaul the foreign aid bureaucracy by merging three independent agencies into the State Department, eliminating outdated bureaucracies, and doing away with conflicting and divisive foreign policy. I urge my colleagues to vote for this bill, and vote for eliminating bureaucracy and streamlining foreign policy. We need foreign policy for the nineties, not for the fifties.

□ 1030

DR. FOSTER DESERVING OF SUPPORT FOR SURGEON GENERAL POSITION

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

Mr. HILLIARD. Mr. Speaker, I rise today in strong support of Dr. Henry Foster's nomination for the position of Surgeon General. Dr. Foster's credentials are impeccable. In my opinion, his background symbolizes the type of doctor we are seeking to fill this important position.

Throughout his career, Dr. Foster has immersed himself in alleviating two of our Nation's biggest problems, the crisis of teen pregnancy, and the tragedy of drug abuse. Teen pregnancy and drug abuse are perhaps the biggest factors in the high school dropout rate today, not to mention the crime, poverty, and child abuse that is rampant throughout our Nation. It is commendable that Dr. Foster has recognized this, and taken the time to reach out to the teenagers in his community and across the country.

I am offended by the way the radical right of this country and in this Congress have treated Dr. Foster. They are playing politics with a good man's life, and I object.

Dr. Henry Foster exemplifies the strong values and innovative thinking that this country needs in a leader, especially now during these difficult times. I ask that my colleagues in the Senate please bring the Foster nomination to the floor, and vote to confirm his appointment.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BONILLA). The Chair reminds Members that they should not refer to the confirmation process in the Senate in their remarks here in the House.

CRUEL CUTS IN STUDENT FINANCIAL AID

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

Mr. DEFAZIO. Mr. Speaker, I come to the floor because I heard an extraordinary exchange earlier between the Democratic leader, who justly slammed the Republicans' budget for its cuts in student loans and grants that will add $5,000 to the debt burden of the typical financial aid student graduating from college in future years for families that earn less than $75,000 a year. A Republican freshman rose on the other side to say he would sacrifice for the sake of his daughter, he would take those financial aid cuts for the sake of his daughter.

Well, I have got news for him. He earns $133,000 a year as a Member of Congress. He had a successful career as a sportscaster. His daughter does not need help to go to college, but millions of other American kids do who come from families of modest means, and he is stomping on their fingers as they try and reach that first rung of the ladder to climb up to the success that we all strive for in this country.

These cuts are cruel and they fall only on families who earn less than $75,000 a year. That is the Republican budget's answer for student financial aid.

CUTS IN STUDENT LOAN PROGRAM AFFECT AVERAGE AMERICANS

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

Mr. FLAKE. Mr. Speaker, I rise this morning to bring attention to the dramatic real-life effects that the proposed cuts to Federal student loan programs and the elimination of the Department of Education will have on average Americans.

I am one of 13 children born to parents of fifth and sixth grade educations. For families like mine and maybe even others, more importantly for the millions of middle-class taxpayers, the American dream of education and improving their lives for the next generation will be just that, a dream.

On Saturday I received my doctor-of-ministry degree. For the most part I earned my degree because of my personal commitment to self-improvement and self-responsibility and the fact that somebody along the way cared about my future.

Without the National Defense Student Loan Program, I would not have even had the opportunity to go to college in the first place. It was a loan. I paid it back. Others will do the same thing if given the opportunity.

We must be mindful that even with all of our ivory tower exhortations about the virtues we hold dear, somebody out there in real life places outside of Washington needs a helping hand. We should care enough, even if nobody else does, to help them to make their American dream come true by getting the best education they can. We can do it by maintaining student support.

STUDENT LOANS

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

Ms. VELÁZQUEZ. Mr. Speaker, let me tell you about a letter I recently received from Maria Casillas. Maria lives in my district and writes:

> Cuts in student aid just don't make sense. Student aid actually saves taxpayers money by stimulating economic growth and increasing productivity. Student aid is important to me because it gives me the opportunity to get a better education than my mother or grandmother had. I work hard in school to get good grades and without financial aid, I could not afford college.

Maria wants to go to college and without Federal funding for student loans, she will not have the opportunity to do so. We cannot afford to squander our human resources. Let us invest in the future of our country. Let us provide Maria and young men and women like her with the educational opportunity they deserve. Let us do what is right for the people of this Nation, not what is right for the privileged few.

CALL FOR SPECIAL COUNSEL IN SPEAKER'S ETHICS CASE

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

Mr. JOHNSTON of Florida. Mr. Speaker, it is common knowledge today that the Republican members of the Ethics Committee defeated a motion to appoint a special counsel to look into the complaints against the Speaker of the House, NEWT GINGRICH. I am disheartened by this action, and I know many of my colleagues as well as public interest groups share my feelings.

Mr. Speaker, I call on you now to do what is right. Release the Republican members from their obligation to vote in lockstep. These are men and women of conscience for whom the vote consequence is beyond any inquiry into your actions.

Rise up and meet the appropriate precedent of the past. Permit the committee and this House to conduct a fair and formal investigation through the vehicle of a special counsel. Anything less falls short of your moral obligation and our collective responsibility to the public. As quoted by Al Hunt in today's Wall Street Journal, there is no way that the House of Representatives is going to achieve any credibility unless they go to an outside counsel.

Mr. Speaker, if you have no fear of the truth, do the right thing.

UNITED STATES-JAPAN AUTO DISPUTE

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

Ms. KAPTUR. Mr. Speaker, as the New York Times recently reported, it is a steep, nearly insurmountable uphill journey to Japan for United States autos and auto parts. It is also an expensive journey, as rigged prices in Japan serve as significant nontariff barriers to higher sales of our goods in that country.

In my hometown of Toledo, OH, the world-renowned Jeep Cherokee is manufactured having a factory price of $19,100. By the time that Jeep Cherokee clears customs, passes through Japan's Byzantine distribution system, is checked for compliance with 238 regulations and is inspected in no less than 3 places, the sticker price of the same Jeep Cherokee in Nagoya is $31,372, a 52-percent markup.

Japan claims to be one of the world's greatest competitors. This label seems to be true in every market except their own. The Clinton administration is right to keep its foot on the accelerator of the unfair trade practices of Japan.

Open up your market, Japan. It is long overdue.

MEDICARE REFORM

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

Mr. KINGSTON. Mr. Speaker, even though the third largest expenditure of the national budget is the interest on the national debt, there are still Members of Congress and the Senate and the administration who are debating the need to balance our budget. I think this is clearly irresponsible, particularly in view of what we want to do for the future of America, for the future of children, students, senior citizens and so forth.

These same people are debating the need to change Medicare, even though the administration has told us that Medicare is going to be out of money and broke within 6 years. The Republican Party is trying to transform Medicare. If you want to help senior citizens, you need to save Medicare.

We are working on insurance reform, trying to make insurance more affordable and more accessible. We are working on some Medicare options so that senior citizens can keep their choice of doctors, so senior citizens can join a health maintenance organization if they choose to, if they can get better care.

We are trying to cut down on the fraud and abuse in the Medicare system which has driven up the price of it. The average cost payout has gone from $4,700 to $6,300. I hope that the Democrats will join the Republicans in trying to save Medicare rather than partisan grandstanding.

MEDICARE AND THE FEDERAL BUDGET

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

Mr. FORD. Mr. Speaker, I rise in reference to the budget that is before the House and the Senate, and to say as we look toward the Medicare cuts that many of the new Republican majority in the House have indicated that they want these Medicare cuts for the purposes of giving huge tax cuts to the well-to-do in America. I think when we look around and we really study what these Medicare cuts are all about, $289 billion, we are basically saying that we are going to increase those premiums on the elderly population of this Nation, those recipients of Medicare.

Yes, we ought to reform Medicare. Sure, we ought to look at some type of national health care plan for this country. Sure, those things should happen. But to say like the new Republican majority that we want to cut the Medicare Program for the well-to-do in America, to give them a tax cut, that is wrong, it is mean to the elderly.

We should not let that happen. We ought to take the budget that we have before this House and the Senate and move over the next 7, 8 to 10 years to try to bring about a balanced budget, but let us not do it with the elderly population and the Medicare Program.

PERMISSION FOR CERTAIN COMMITTEES AND SUBCOMMITTEES TO SIT DURING 5-MINUTE RULE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that the following committees and their subcommittees be permitted to sit today while the House is meeting in the Committee of the Whole House under the 5-minute rule:

Committee on Agriculture; Committee on Banking and Financial Services; Committee on Commerce; Committee on Economic and Educational Opportunities; Committee on Government Reform and Oversight; Committee on the Judiciary; Committee on National Security; Committee on Resources; and Permanent Select Committee on Intelligence.

Mr. Speaker, it is my understanding that the minority has been consulted and that there is no objection to these requests.

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

Mr. SKAGGS. Mr. Speaker, reserving the right to object, and I do not intend to object, the majority has consulted with our ranking members on these requests and we have no objection.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

AMERICAN OVERSEAS INTERESTS ACT OF 1995

The SPEAKER pro tempore. Pursuant to House Resolution 155 and rule XXIII, the chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1561.

□ 1043

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 1561) to consolidate the foreign affairs agencies of the United States; to authorize appropriations for the Department of State and related agencies for fiscal year 1996 and 1997; to responsibly reduce the authorizations of appropriations for United States foreign assistance programs for fiscal years 1996 and 1997, and for other purposes, with Mr. GOODLATTE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Tuesday, May 23, 1995, amendment No. 10, offered by the gentleman from Indiana [Mr. BURTON], had been disposed of and the bill was open for amendment at any point.

Eight hours and ten minutes remain for consideration of amendments under the 5-minute rule.

Are there further amendments to the bill:

AMENDMENT OFFERED BY MR. SMITH OF NEW JERSEY

Mr. SMITH of New Jersey. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Smith of New Jersey: In title XXI (relating to authorization of appropriations for Department of State and certain international affairs functions and activities) insert at the end the following new chapter.

CHAPTER 2—GENERAL LIMITATIONS

SEC. 2121. PROHIBITION ON FUNDING FOR ABORTION.

(a) IN GENERAL.—

(1) Notwithstanding any other provision of law or of this Act, none of the funds authorized to be appropriated by this Act for population assistance activities are authorized to be available for any private, nongovernmental, or multilateral organization that, directly or through a subcontractor or subgrantee, performs abortions in any foreign country, except where the life of the mother would be endangered if the fetus were carried to term or in cases of forcible rape or incest.

(2) Paragraph (1) may not be construed to apply to the treatment of injuries or illnesses caused by legal or illegal abortions or to assistance provided directly to the government of a country.

(b) LIMITATION ON LOBBYING ACTIVITIES.—(1) Notwithstanding any other provision of law or of this Act, none of the funds authorized to be appropriated by this Act for population assistance activities are authorized to be available for any private, nongovernmental, or multilateral organization that

violates the laws of any foreign country concerning the circumstances under which abortion is permitted, regulated, or prohibited, or that engages in any activity or effort to alter the laws or governmental policies of any foreign country concerning the circumstances under which abortion is permitted, regulated, or prohibited.

(2) Paragraph (1) shall not apply to activities in opposition to coercive abortion or involuntary sterilizations.

SEC. 2122, PROHIBITION ON FUNDING FOR COERCIVE POPULATION CONTROL METHODS.

Notwithstanding any other provision of law or of this Act, none of the funds authorized to be appropriated by this Act are authorized to be available for the United National Population Fund (UNFPA), unless the President certifies to the appropriate congressional committees that—

(a) the United Nations Population Fund has terminated all activities in the People's Republic of China; or

(b) during the 12 months preceding such certification there have been no abortions as the result of coercion associated with the family planning policies of the national government or other government entities within the People's Republic of China. As used in this section the term ''coercion'' includes physical duress or abuse, destruction or confiscation of property, loss of means of livelihood, or severe psychological pressure.

In section 2102(b)(2)(F), delete subsections (iii), (iv), and (v).

Mr. SMITH of New Jersey (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SMITH of New Jersey. Mr. Chairman, while the pro-life anti-abortion policies I seek to reinstate in our foreign aid population control programs are not new, recent experience suggests that these pro-life provisions are needed now more than ever before. In recent months, the Government-imposed nightmare of forced abortion and involuntary sterilization in the People's Republic of China has taken yet another turn for the worse.

□ 1045

In February of this year the Government announced a new intensified campaign against women who attempt to have a child without explicit government permission. According to Steven Mosher, the Director of the Asian Studies Center, Claremont Institute, ''China's population control policy, which is without question the most coercive in the world, is about to become more so.'' Mr. Mosher explains on February 14 the Chinese Government announced a new campaign designed to ensure what Mr. Mosher termed as the most rigorous enforcement of its 16-year-old one child per couple policy.

By now I think, Mr. Chairman, most people are aware of the fact that brothers and sisters are illegal in China, and the one child per couple policy instituted in 1979 relies heavily on forced abortion and forced sterilizations to achieve its results. Forced abortion, Mr. Chairman, is a crime against humanity. This House has gone on record on two occasions to condemn it as a crime against humanity, and we recognized in those resolutions that just as in the Nuremberg war crimes tribunals forced abortion against Polish women was construed to be a crime against humanity, forced abortions in China likewise is such a crime, and sadly it is on the rise in China and sadly as well the U.N. Population Fund is supporting the program to the hilt.

Arrogant leaders, Mr. Chairman, in Beijing have decreed that children should not be born, and the population control cadres march off in lockstep to ensure that millions of women every year are shamelessly violated and their children are poisoned and dismembered.

Last week the Subcommittee on International Operations and Human Rights which I chair heard expert testimony from Dr. John Aird, the former research specialist on China at the United States Census Bureau. Dr. Aird, who is an advocate of abortion rights, who does not support my view on the right to life, nevertheless testified that the brutal, and I quote, ''1991 crackdown is continuing.'' And he also pointed out that it took a turn for the worse in February, and I quote that, ''contrary to the claims of some apologists for the Chinese program, it continues to rely on coercive measures to achieve its objective.'' He also pointed out in his testimony that the Clinton administration's resumption of funding for the U.N. Population Fund was seen by the Chinese Government as a ''retreat on the coercion issue and indeed that is what it was.''

Mr. Chairman, a retreat on coercion is a retreat on human rights. It is a retreat and abandonment of women who are exploited by their government with international organizations joining in and it is a retreat from the protection and the advocacy of children.

The language in the bill now, Mr. Chairman, and the substitute that will be offered by the gentlewoman from Maryland [Mrs. MORELLA], would codify that retreat by paying lipservice to concerns about coercion, all the while facilitating U.S. taxpayer funds to the U.N. Population Fund, which unapologetically applauds the Chinese program. Make no mistake about it, the substitute will allow the money to get there and adds some language that looks good. It is form without substance.

Let me remind Members that the U.N. Population Fund cannot say enough good things about the Chinese program. In 1989, even when many abortion advocates in Congress had come to recognize the widespread coercion in China, Dr. Sadig, the executive director of UNFPA, continued to defend the programs as she does today, but she said at that time, ''the UNFPA firmly believes, and so does the Government of the People's Republic of China, that their program is a totally voluntary program.'' She also said that China has—and she gushed with this—''has every reason to feel proud of and pleased with its remarkable achievements made in its family planning policy, and control of its population.''

''Now the country,'' she goes on to say, ''could offer its experiences and special experts to help other countries.'' God forbid that that happen, that the Chinese policy, which has pervasive use of forced abortion and forced sterilizations, be exported to other countries to impose that kind of exploitation on women.

The CHAIRMAN. The time of the gentleman from New Jersey [Mr. SMITH] has expired.

(By unanimous consent, Mr. SMITH of New Jersey was allowed to proceed for 5 additional minutes.)

Mr. SMITH of New Jersey. Mr. Chairman, these kinds of statements make a mockery of human rights and the idea that the UNFPA says over and over again that the Chinese program is voluntary does not comport with reality. It is a whitewash of very, very, serious crimes.

A police state, I would submit, could not ask for a better front. If the U.N. Population Fund was fronting for international terrorists or perhaps a drug cartel, we would not hesitate for a moment in redirecting U.S. taxpayer funds to more worthy recipients, which is exactly what Presidents Reagan and Bush had done when they were in office. They, like me and like many Members of Congress, believe that fronting for crimes against women and children is unconscionable.

Mr. Chairman, just let me remind Members, and Mr. Mosher and others have pointed this out—and again, he is the one who broke the story back in the early 1980's—in China today women who have an unauthorized birth, because again the government tells you when and if you can have that child. And you are only allowed one, they tell you when and if, and if you fight that, women are arrested, they are taken to abortion clinics in handcuffs, and they are tied up and they are forcibly aborted.

Pregnant women are routinely incarcerated, embarrassed until they acquiesce and make the voluntary decision because they have nowhere else to turn. It is not voluntary, it is coercion. They are forced to attend study sessions away from their families until they agree to have abortions. They are forced to carry out sterilizations without their consent. Infants' skulls are crushed, very often late in the term of the pregnancy as a routine. Often when children are being born to a woman who has an unauthorized child she is carrying. Can you imagine it, a country where children are illegal? And here we have—often have the injecting of iodine, alcohol, or formaldehyde into the cranium of the child as the child is emerging from the womb.

Also, Amnesty International just came to us with a chilling report on

how two villages are being focused upon because they refuse to comply, and their homes have been bulldozed, their women have been raped, and there has been torture to get compliance with forced abortions and with the one-child-per-couple policy.

There is also the issue of missing girls, a whole generation of girls, and you are only allowed one. Particularly in the Chinese culture, very often boys are the preference, and that is just the way they do it, but girls are screened out by way of an ultrasound or some other way, and they are killed because they are only allowed one, and the families say if they are only allowed one it is going to be a boy. There is a whole missing generation of girls. Infanticide is on the rise in China.

We are poised, if the Morella amendment were to pass—and unfortunately in the first 2 years of the Clinton administration we are giving money to the group that is out there providing tangible assistance, people on the ground to help and assist these Chinese population-control zealots.

Mr. Chairman, let me remind Members as well that UNFPA, in addition to providing cover and tangible assistance, has pumped over $100 million into this heinous program, and it is the kind of program that only a Nazi could be proud of.

Mr. Chairman, let me also say that the language that I am offering today also would restore longstanding policy as it relates to the so-called Mexico City policy, which erected a wall of separation between family planning and abortion. I remember when President Reagan first announced that back in 1984, Members said no one will accept those clauses. Well, most of the family planning organizations said we want to provide family planning, not abortion, so they accepted it and they and their subcontractees decided to get out of the abortion business.

This is especially important in light of the fact that most of the countries of the world protect their unborn children. Between 95 and 100 nations, virtually all of Central and South America, have laws on their books that protect their unborn children. We are out of the mainstream of human rights when we put those children at such grave risk and allow them to be killed. But let us not export it.

Again, family planning money during the Reagan and Bush years flowed uninterrupted. Only groups like International Planned Parenthood Federation of London, a London-based organization, and PPF of America, their foreign-based organizations, would not accept it, and I say this noting that a number of IPPF affiliates did accept it. They countered what the national office was doing and they said we want to provide family planning and we want to get out of the abortion business.

Mr. Chairman, let me just conclude by saying that this amendment is pro-life. It is backed by all of the pro-life organizations. The amendment of the gentlewoman from Maryland [Mrs. MORELLA] I like CONNIE MORELLA, she is a good friend and colleague—is opposed by all of the pro-life organizations. It is form without substance. It repeats some of the current law and tries to substitute that with the substantive language that we are offering today.

Mr. JOHNSTON of Florida. Mr. Chairman, I move to strike the last word.

Mr. Chairman, first, this amendment was defeated in the Committee on International Relations and was proposed by the gentlewoman from Kansas [Mrs. MEYERS]. I am prochoice, but I am adamantly opposed to forced abortions and certainly against sterilization and the policies of the Chinese Government on these issues, but neither does the United Nations Population Control nor any other multilateral or nongovernmental organization working in China fund abortions or support coercive family planning practices.

But because there are forced abortions and sterilizations taking place in China, the Congress, this Congress, previously has mandated that no United States money provided to the United Nations Population Control may be used in China. That is the law today there, and I support this approach.

This amendment is totally unnecessary. It goes far beyond the existing law that we have. It has far-reaching implications for all United States-supported international health and family planning activities.

The real purpose of this amendment is to cut off all U.S. funding for population control worldwide without a doubt.

The United Nations Population Control is the leading multilateral organization providing voluntary family planning services in the developing world. In this bill we already repeat existing law, the Kemp-Kasten language which ensures that no U.S. money go directly or indirectly to support these Chinese programs. This language allows us to take a forceful stand against China without undermining overall multilateral efforts in population planning worldwide.

I strongly urge my colleagues to oppose this amendment, the same as they did in committee.

AMENDMENT OFFERED BY MRS. MORELLA TO THE AMENDMENT OFFERED BY MR. SMITH OF NEW JERSEY

Mrs. MORELLA. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mrs. MORELLA to amendment No. 19 offered by Mr. SMITH of New Jersey: Page 1, strike line 4 and all that follows and insert the following:

(1) Notwithstanding any other provision of law or of this Act, none of the funds authorized to be appropriated by this Act for population assistance activities are authorized to pay for the performance of abortions in any foreign country, except where the life of the mother would be endangered if the fetus were carried to term or in cases of rape or incest.

(2) Paragraph (1) may not be construed to apply to the treatment of injuries or illnesses caused by unsafe abortions.

(b) LIMITATION ON LOBBYING ACTIVITIES.—

(1)(A) Notwithstanding any other provision of law or of this Act, none of the funds authorized to be appropriated by this Act for population assistance activities are authorized to be available for any private, nongovernmental, or multilateral organization that violates the laws of any foreign country concerning the circumstances under which abortion is permitted, regulated, or prohibited.

(B) Notwithstanding any other provision of law or of this Act, none of the funds authorized to be appropriated by this Act for population assistance activities are authorized to be available to lobby for or against abortion.

(2) Paragraph (1) shall not apply to activities in opposition to coercive abortion or involuntary sterilization.

SEC. 2122. UNITED NATIONS POPULATION FUND LIMITATIONS ON FUNDING.

(a) LIMITATION.—Notwithstanding any other provision of law or of this Act, none of the funds authorized to be appropriated by this Act are authorized to be available for the United Nations Population Fund (UNFPA), unless the President certifies to the appropriate congressional committees that—

(1) either—

(A) the United Nations Population Fund does not support coercive abortion and that no United States funds have been used for activities in the People's Republic of China; or

(B) during the 12 months preceding such certification there have been no abortions as a result of coercion associated with the family planning policies of the national government or other governmental entities within the People's Republic of China; and

(2) the United States representative to the governing board of the United Nations Population Fund (UNFPA) has made an official request that UNFPA censure Chinese coercive practices and transmit a report of the action taken on such request to the appropriate congressional committees of the Congress.

(b) DEFINITION.—As used in this section the term ''coercion'' includes physical duress or abuse, destruction or confiscation of property, loss of means of livelihood, or severe psychological pressure.

Mrs. MORELLA (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Maryland?

There was no objection.

Mrs. MORELLA. Mr. Chairman, I offer this perfecting amendment on behalf of the prime sponsor, the gentlewoman from Kansas [Mrs. MEYERS], who could not be here today because of illness. Mrs. MEYERS is a member of the committee. The amendment of the gentleman from New Jersey [Mr. SMITH] was rejected by the full committee, which supported Mrs. MEYERS.

This perfecting amendment states that no American money may be used to perform an abortion overseas except in the case of rape, incest, or endangerment of the mother's life. No American money may be used to lobby either for or against abortion, and no American money may be spent by the UNFPA in China, and further, the

United States representative to the UNFPA must ask UNFPA to condemn Chinese coercion. The bill already reduces our aid to UNFPA by the percentage of its budget which the UNFPA spends in China.

I want to also indicate exactly what it is we are talking about here. This is not, Mr. Chairman, whether or not U.S. taxpayers' money should be going to pay for abortions. This is already prohibited by current law. The Smith amendment strikes directly at women's rights to access family planning information, to space and time their pregnancies to suit the needs of their families, and to prevent pregnancy if they do not want more children. Access to family planning information and contraception decreases abortions, and we have many examples of that.

The amendment of the gentleman from New Jersey [Mr. SMITH], by cutting out funding of organizations solely because they have an opinion on abortion, will deny money to those groups which have been most effective in preventing unwanted pregnancies.

□ 1100

This proposal is even more extreme than the Reagan administration's Mexico City policy that denied funding only to groups which actually performed abortions, and this amendment will not just affect groups like Planned Parenthood. The provisions threaten any number of humanitarian assistance organizations sponsored by prolife religious institutions. After all, the U.S. Catholic Conference lobbies on abortion. The proposal offered by the gentleman from New Jersey [Mr. SMITH] will deny funds to Catholic Relief Services. The United States foreign assistance funds have, to the greatest extent possible, been channeled through nongovernmental organizations, because they use the money more effectively and with greater accountability than Government agencies. The Smith amendment will, by default, require population assistance to be channeled through foreign government agencies and less of the money will be available to assist those that it is meant to assist.

The amendment that I offer today will maintain current law. No U.S. taxpayers' money will be used to finance abortion. That is the current law. No U.S. taxpayers' money will be used to lobby for more liberal abortion laws. That is already the law. No United States taxpayers money will be spent by UNFPA in China. This is currently the law.

I would like to also point out, Mr. Chairman, the Smith amendment is extreme because it would defund organizations that perform legal abortions or engage in abortion-related advocacy with their own funds. It is an attempt to revive the so-called Mexico City policy and place a new twist on an old gag rule. It is, in fact, an international gag rule. And the gag rule has been repudiated by Congress.

This version would go far beyond cutting off family planning assistance, however. It would cut off any U.S. foreign aid for child survival programs, HIV–AIDS prevention programs, and other basic health services if a local hospital also provides legal abortion services.

Similarly, indigenous women's organizations that receive U.S. aid to improve, the status of women or to promote female literacy would also be defunded if they engage with their non-U.S. funds in efforts to influence their own country's abortion law either for or against.

And, quite frankly, Mr. Chairman, the Smith amendment would have no impact on access to abortion. Rather, it would only hinder access to family planning and other health and development programs centered on the needs of women.

Despite its ostensible goal of reducing abortion, during the time the Mexico City policy was in effect, which was 1985 to 1993, there was no decrease in the number of abortions worldwide, no decrease.

The CHAIRMAN. The time of the gentlewoman from Maryland [Mrs. MORELLA] has expired.

(By unanimous consent, Mrs. MORELLA was allowed to proceed for 5 additional minutes.)

Mrs. MORELLA. Mr. Chairman, instead, it perpetuated the situation where women resorted to unsafe abortions in the absence of access to quality family planning and information about safe abortion. According to the World Health Organization, 500,000 women die each year of pregnancy-related causes, 99 percent in the developing world, and up to one-third of these maternal deaths are attributable to septic or incomplete abortion.

Indeed, the only impact of the old Mexico City policy as well as the new, more sweeping version offered by the gentleman from New Jersey [Mr. SMITH] is to interfere with the delivery of effective family planning and other development programs whose purpose is to reduce the incidence of unwanted pregnancy and the need for abortion. The prime target of the amendment that the gentleman from New Jersey [Mr. SMITH], who is my friend, has offered, the prime target concerning China is the United Nations Population Fund, UNFPA. The gentleman from New Jersey [Mr. SMITH] and the anti-abortion movement are using the UNFPA's presence in China as a pretext for pressing for United States withdrawal from supporting UNFPA altogether, and, indeed, they succeeded in convincing some administrations to boycott UNFPA for almost a decade until funding was resumed by the Congress, with the support of the administration, in 1994.

Operating in over 140 countries, besides China, UNFPA is the principal multilateral organization providing worldwide family planning and population assistance. Nearly half of UNFPA assistance is used for family planning services and maternal and child health care in the poorest and most remote regions of the world. And since its founding, UNFPA has saved the lives of countless women and children.

And I, frankly, think the amendment is unnecessary. Current law already denies foreign aid funding to any organization or program that supports or participates in the management of a program of coerced abortion or involuntary sterilization, and this is in any country under the so-called Kemp-Kasten amendment, which is restated in H.R. 1561.

And, further, current law also ensured that none of the United States contributions to UNFPA may be used in its China program, including numerous penalties for any violation of this requirement.

So, current restrictions and conditions are reiterated in H.R. 1561, as amended by the gentlewoman from Kansas [Mrs. MYERS], in committee. So, frankly, for that and a lot of other reasons, if we want to avoid abortions, if we want to allow these organizations to help women and children in countries throughout the world, then I ask this body to vote for the Morella-Meyers-Porter-Gilman amendment.

Mr. HYDE. Mr. Chairman, I rise in sharp opposition to the amendment to the amendment.

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

Mr. HYDE. Mr. Chairman, my colleagues, if you think abortion is a good idea or if you think it is a neutral idea or if you think it is an acceptable solution to unwanted pregnancies, then this amendment is for you.

But if you are troubled by abortion, if you understand the difference between family planning, which prevents a conception from occurring, or facilitate one if you want to get pregnant, as distinguished from abortion, which kills the life of an unborn child once it has begun, and those are the words of Planned Parenthood, which used them in a brochure for some years until they got into the business of promoting abortions, then they backed away from it, abortions kill a human life. They do not kill an animal, a vegetable or a mineral. And so it you think that is a good idea and a helpful idea, there are just too many people in the world and once they get created in the womb, exterminate them, then this is a good amendment.

But if you do not think American money should go to pay for exterminating unborn children, this is a terrible amendment and ought to be opposed.

Now, family planning is one thing. This country supports family planning. But it should not and ought not, and by defeating this amendment will not, support abortion. And those are 2 different ideas. One prevents a conception; the other exterminates it once it has begun.

In this country, now, following, Roe versus Wade, we have had over 33 million abortions. Is that a figure to be proud of?

I hope and pray and believe that this Congress will back away funding organizations that support abortion.

Now, the UNFPA, with all of its gimmicks and its semantic gymnastics, at the end of the day they support the Chinese coerced abortion policy. Nothing is more evil or inhuman that coercing a woman to have an abortion because it conflicts with the population policy. And yet that is what China does, and that is what the UNFPA supports.

Oh, they have a bookkeeping gimmick, but money is fungible, and that would not deceive anybody, and it ought not deceive you.

Now, we support population control if it is done through family planning, and by withdrawing the money from the UNFPA, there are still some 350 family planning organizations that will receive the largesse, the taxpayers' money to pay for family planning around the world. But the two organizations that do not want to take the money under those terms are International Planned Parenthood and the Planned Parenthood Federation of America. Well, they get plenty of money from other sources, from the abortion culture. Let them get it. But the taxpayers ought to make sure their money does not go to support killing unborn children.

And, therefore, I urge you, with all the vigor I can muster, to reject the Morella amendment. I mean no reflection on the gentlewoman from Maryland [Mrs. MORELLA] or her cosponsors, who are all wonderful people. They just are not as offended by abortion as I am, and I hope this amendment will be defeated.

Mrs. LOWEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in strong opposition to the Smith amendment and in support of the Morella perfecting amendment. The Smith amendment would do nothing to stop China's policy of coerced abortions to which I object just as strongly as does the gentleman from New Jersey. It is merely an attack on international family planning efforts which I strongly support.

The coercive abortion policy in China violates all principles of a modern society. Despite overwhelming evidence of forced abortions and involuntary sterilization, the Chinese Government denies it is conducting a campaign of intimidation and violence against the Chinese people. We must condemn this brutal policy, which deprives families of real choices and threatens hundreds of thousands of lives. We must ensure that no United States funds contribute to China's repression and violation of individual liberties.

That is why we have a compromise that strikes a sensible balance between the need to censure China for its deplorable policies, while restoring the United States commitment to critical family planning programs in other nations that are trying hard to struggle with exponential population growth which makes their economic development goals even more difficult to meet. The family planning portion of the bill before us today accomplishes these goals. It imposes strong policies to confront the abuses, and imposes tough restrictions on the use of United States funds. We continue to ensure that no UNFPA would be used in China.

One of the most important forms of aid we promise to other countries is family planning assistance. No one can deny that the need for family planning services in developing countries is urgent and the aid we provide is both valuable and worthwhile.

The world's population is growing at an unprecedented rate. In 40 years our planet's population will more than double as a responsible world leader, the United States must do more to deter the environmental, political, and health consequences of this explosive growth.

And let us not forget what family planning assistance means to women around the world. Complications of pregnancy, childbirth and unsafe abortion are the leading killers of women of reproductive age throughout the third world. One million women die each year as a result of reproductive health problems.

Each year, 250,000 women die from unsafe abortion.

Only 20 to 35 percent of women in Africa and Asia receive prenatal care.

Five hundred million married women want contraceptives but cannot obtain them.

Most of these disabilities and deaths could be prevented.

Today we have the opportunity to ensure funding for the United Nations populations fund, funding which has been held hostage to anti-abortion politics in the past. Today, we can make a real difference in the lives of millions of women, and the future of our planet.

Yet despite the opportunity to make real progress in world health, some would punish UNFPA, developing nations, and many other public health organizations around the world for China's policies. Approval of the Smith amendment would mean denying funds not only for UNFPA, but for critical projects all over the world.

Let us be frank. The language currently in the foreign aid bill makes clear that no United States funds shall be used in China. A vote for the Smith amendment is a vote against sensible, cost-effective international family planning programs.

I urge my colleagues to oppose the Smith amendment. And support the Morella perfecting amendment.

□ 1115

Mr. CHABOT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as a member of the committee I rise in strong support of the Smith amendment and in opposition to the Morella amendment, and I would also like to make clear that the gentleman from Illinois [Mr. HYDE], who spoke so eloquently just a few minutes ago, when he was speaking out against the amendment, he was referring to the Morella amendment. The gentleman from Illinois [Mr. HYDE] strongly supports the Smith amendment.

Mr. Chairman, my colleague from New Jersey, Mr. SMITH, is one of the great leaders of the pro-life movement, along with the gentleman from Illinois, Mr. HYDE and also the gentlewoman from Nevada, Mrs. VUCANOVICH, who will be speaking shortly, and I want to commend all three of them for their commitment over the years to the defense of the innocent unborn.

This amendment will simply restore the pro-life policies that served as the basis for U.S. international population policy during the Reagan and Bush administrations. Even though the American people strongly oppose the use of tax dollars for abortions, the Clinton administration has embarked on a worldwide crusade to promote abortion in the developing world. The Smith amendment attempts to curb that crusade by preventing U.S. tax dollars from going to any private, nongovernmental or multilateral organization that directly or indirectly performs abortions in foreign countries.

Mr. Chairman, I believe that the Smith amendment is a sensible amendment, it is a much-needed amendment, and it is the right thing to do. I urge my colleagues to support it.

Mr. OBERSTAR. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the Morella substitute and in support of the Smith amendment and to compliment my colleague, the gentleman from New Jersey [Mr. SMITH], on his sustained, vigorous and forthright leadership on the issue of opposition to abortions performed with U.S. funds overseas. He has been vigilant on this issue and has led the way on the committee and in the House year after year.

Mr. Chairman, we cannot allow U.S. funds to be used for population control programs in other countries where abortion is the means of population control. it is just that simple.

If we do not support such policies at home, and we do not—consistently under the Hyde language year after year we have opposed the funding of abortions with U.S. taxpayer dollars here at home—we should not be promoting such practices or allowing such practices to take place overseas. An unborn human being is still a human being whether American, or Chinese, or African, or wherever in the world.

Clearly the language offered by our colleague from Maryland would open the way for funds to be moved from one account to another, would make, as the technicians say, those monies fungible

to be used for abortion support activities in other countries, and particularly in China. The language in the bill is insufficient to prevent the use of Federal funds for abortions overseas.

The Smith amendment will tighten that language up, will make it very clear that no U.S. funding to any private, nongovernmental or multilateral organization that directly or indirectly provides funding for or performs abortions in a foreign country can be supported with U.S. taxpayer dollars in our foreign aid program. That principle should be maintained, should be set forth very clearly in law, and the Smith amendment will do so.

Support the Smith amendment. Defeat the Morella amendment.

Mr. PORTER. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. PORTER. Mr. Chairman, the committee did not include in its bill a prohibition on funding for the UNFPA, nor did it impose the Mexico City prohibitions on what international family planning organizations can do with their own funds overseas. The Smith amendment was specifically not adopted by the committee, and for good reason, because it is not in the best interests of the United States, and that is what any foreign policy bill is all about.

Mr. Chairman, the United States is the largest international donor of funds for voluntary family planning. We recognize that a host of international issues, including economic development, immigration, political stability, health, and the environment are all linked to population. Providing targeted family planning assistance to nations that request it is in our Nation's interest.

The U.S. voluntary family planning program is a proven success. In Kenya there was a 20-percent reduction in family size in just 4 year, done through voluntary family planning. In Bangladesh the contraceptive prevalence rate went from 5 percent in 1975 to 40 percent in 1993, and there was a decline in fertility from 6.7 births per woman to 4.9, voluntarily. In Egypt the average number of children per family has declined from 5.8 to 3.9 between 1960 and 1994 through voluntary family planning.

The gentleman from New Jersey [Mr. SMITH] aims at an egregious practice of coercive abortion in China that all of us deplore, but the Smith amendment guts United States bilateral and multilateral population programs, and it would first effectively cut off all United States funds to UNFPA, which operates not in China alone, but in 140 developing countries, including the poorest countries in the world, only one of which is engaged in coercive practices. He claims correctly that China is engaged in a regime of coercive family planning practices, but he would condition all United States contributions to UNFPA on its pulling out of China, and there is not anybody who does not understand that a U.N. agency cannot pull out of a member country. It cannot unilaterally pull out of China.

Mr. Chairman, the Smith amendment is a killer amendment for all U.S. family planning programs.

The UNFPA activity in China is minuscule, and very little, or none, of it goes to support the Government. The UNFPA is not supporting coercive practices. It has a total annual budget of $275 million. Only $4 to $5 million goes to China. China's own family planning expenditures are $1 billion a year. UNFPA is not part of the problem in China, it is part of the solution.

Mr. Chairman, the Morella amendment would prohibit any United States funding going to UNFPA unless the President would certify that the UNFPA does not support coercive abortions in China. That is a reasonable way to approach the problem.

The bill also contains language walling off all United States funds into a separate account that cannot be used in China, and United States law has long prohibited funds in this bill from being used to perform abortions overseas.

These are reasonable protections. They ensure that U.S. funds are not used for coercion or for abortions, but allow truly voluntary family planning programs, the ones that we supported in 139 other countries, to continue, all of which would be cut off if the Smith amendment were to be adopted.

Second, the Smith amendment prohibits U.S. funds from going to the most active and effective voluntary family planning organizations overseas, including Planned Parenthood, and it reinstates the so-called Mexico City language keeping AID from funding the most experienced, successful NGO's in family planning.

The Smith amendment keeps U.S. funds from going to entities that use their own funds for performing abortions or for engaging in any activity or effort to alter the laws of any foreign country concerning the circumstance under which abortion is performed, regulated, or prohibited.

This is, in effect, an international gag rule.

Now, Mr. Chairman, I do not say or support abortion as a legitimate family planning method; it is certainly not, and we do not fund it. But this amendment keeps organizations from promoting their own agenda with their own funds.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. PORTER] has expired.

(By unanimous consent, Mr. PORTER was allowed to proceed for 1 additional minute.)

Mr. PORTER. It is the equivalent of in the United States prohibiting hospitals using title X funds on the first floor from performing privately funded abortions on the third floor. Existing law already prohibits U.S. funds from going for abortions.

Mr. Chairman, I would say that the Smith amendment is extreme, it prevents organizations from using their own funds for their own legal purposes, and it would, together with the part dealing with UNFPA, effectively destroy U.S. voluntary family planning programs in 139 countries that depend upon our support and are making real progress in this area voluntarily, not with coercion.

Mr. WOLF. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in very strong opposition to the Morella amendment and in very, very strong support of the Smith amendment.

As a background, the gentleman from New Jersey [Mr. SMITH] and I spent a week in China, the week we went into Beijing Prison No. 1, but we interviewed all of the population people in China, and what they are doing is abysmal, it is just a disgrace. I say to my colleagues, ''If you look at the statement by Director of UNFPA, Nafis Sadik, she said China has every reason to feel proud and pleased with its remarkable achievements made in family planning policy and control of its population growth over the past 10 years. Now the country could offer its experience and especially experts to help other countries.''

That is crazy. Let me tell my colleagues what we have now found out. We have found out in China, and I am not going to show this picture, but I will show it to any Member that wants to see it, but we have found out in China that in government hospitals, because of their forced abortion policies, they are selling, and I would urge all Members to read this article from Eastern Express that says embryonic food of life; they are selling aborted fetuses, or frankly they are selling aborted babies for money, for about $1.25 in Hong Kong money. This money will be used by the Chinese indirectly to literally track down women. We have heard, CHRIS and I, the gentleman from New Jersey [Mr. SMITH] and I have heard, of cases whereby they literally track down women in the villages, and bring them in and force them to have an abortion.

This is a fundamental, important vote; it is much more important than population control. Let me just say, too, that I support birth control, I support money for birth control to India and places like that unable to gain control of the population, but under no circumstances would I ever support, nor should this Congress support, nor should any Member support, giving any American taxpayer money indirectly that goes to China.

Here is a picture of what is not bad to show, of a young lady leaving, leaving with a container of aborted babies, leaving to go to Hong Kong. I say to my colleagues, ''When you read this story and look at these pictures, which

I will not show, they will make you sick.''

This is a vote on a fundamental, ethical, moral issue. Under no circumstances should any American money go to UNPF and then go to China.

So, the gentleman from New Jersey [Mr. SMITH] is right, and I commend him for offering this, and I urge all my colleagues, those who have been following this issue and those who may be new, this is a vote that will be watched. The Chinese Government will watch what we will do, and by voting for the Smith amendment we will send the strongest possible message we can to the Chinese Government that their policy of tracking women down, of forced abortions, of selling aborted babies, is fundamentally wrong, and we will support it in no way. A vote for the Smith amendment is a vote, I think, to help a lot of people.

Mrs. VUCANOVICH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment offered by the gentlewoman from Maryland [Mrs. MORELLA]. I have a great deal of respect for the gentlewoman from Maryland, but I truly believe she is wrong on this amendment. The Morella amendment would facilitate taxpayer funding to organizations which provide and promote abortion on demand.

I rise in support of the amendment offered by the gentleman from New Jersey [Mr. SMITH]. Now, some may claim that this amendment is a gag rule on family planning assistance. Nothing could be further from the truth. This amendment would not prevent groups from merely advising women as to what the laws are in each country regarding abortion. Furthermore, abortion is not considered a family planning method and should not be promoted as one, especially by the United States. Recently the State Department decided that the promotion of abortion should be a priority in advancing U.S. population-control efforts. This is unacceptable to the millions of Americans who do not view abortion as a legitimate method of family planning and do not support Federal funding of abortion except to save the life of the mother or in cases of rape and incest.

This is just one reason why this amendment is important. This amendment will simply ensure that none of the moneys sent to the UNPF may be used to fund any private, nongovernmental, or multilateral organization that directly or through a subcontractor performs abortions in any foreign country—except to save the life of the mother or in cases of rape and incest.

Most recipients of U.S. population assistance readily agreed to these terms from 1984 to 1993 and this amendment does not reduce the funding level for real international population assistance.

In a time when 69 percent of the American public opposes Federal funding for abortion this amendment is desperately needed to clarify congressional intent so that it cannot be disregarded by those who seek to fund abortion on demand throughout the world. I urge my colleagues to support the Smith amendment to H.R. 1561.

□ 1130

Ms. PELOSI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the Morella amendment and, regretfully, in opposition to the Smith amendment. It is with the highest regard for the gentleman from New Jersey [Mr. SMITH] and others who support his amendment that I beg to differ.

I share the gentleman's concern about the number of abortions that occur in our country, and I believe that if some strong language has been used in this debate already, and I will use a couple strong words too, one being hate, which I do not like to use, but if you hate abortion, as we all do, I think you should love family planning, because this is the way that we can reach the goals that I believe we all share, which is to decrease the number of abortions that occur in our country and in the world.

The Morella amendment reasserts the restriction against any U.S. funds being used to fund abortion except where the life of the mother would be endangered. No taxpayer dollars should be used to fund abortion, nor would they be. The amendment also reasserts the restriction against U.S. funds being used for lobbying on the abortion issue. The Morella amendment further reasserts our strong opposition to the coercive population practices in China.

On the Smith amendment, Mr. Chairman, I believe it is inappropriate to pass this amendment because there are some general setbacks that we would suffer should it become the law. Stabilizing population growth is vital to U.S. national interests. Rapid population expansion is a major source of political instability in developing countries as well as a drain on the global environment. That does not mean that we perform abortions in order to control population growth. It means that we should instead be educating people in methods of family planning so that we, again, can control population growth and reduce the number of abortions.

Rapid population growth makes successful development and democratization much less likely. It reduces the quality and availability of health services, limits employment opportunities, and undermines economic and social progress. There has been tremendous progress already achieved in stabilizing world population, but we can do better and indeed we must.

The new international consensus in support of population planning provides an opportunity to achieve global population stabilization within the next generation. Existing law already prohibits the use of U.S. funds for abortion-related activities. For 20 years there has been a protection in law and policy against using U.S. funds to pay for or advocate abortion.

U.S. population programs focus on providing quality voluntary family planning services. They are directed toward improving maternal and child care of health, slowing the spread of AIDS and HIV and enhancing access to basic education. Population programs work. Since the 1960's, births for women in developing countries have dropped by 37 percent, child mortality by 50 percent, and primary school enrollment is up by 38 percent. U.S. assistance has played an important role in these achievements.

As I said before, there are already strict prohibitions in U.S. funding for abortion as a method of family planning or to motivate or coerce any person to practice abortion. Also, there are strict prohibitions against funding for organizations that support and participate in the management of coercive abortion or in voluntary sterilization. There are existing provisions in the law that prohibit the use of Federal funds for lobbying on abortion.

In addition, Mr. Chairman, I want to point out that, similar to that, indigenous women's organizations that receive U.S. aid to improve the status of women or to promote female literacy would also be defunded if they engage with their non-U.S. funds, with their non-U.S. funds, in efforts to influence their own country's abortion laws, either for or against.

Those are some of the reasons I urge my colleagues to support the Morella amendment and oppose the Smith amendment.

On the subject of China, I am adamantly, as all of our colleagues have declared, adamantly opposed to forced abortion and sterilization and to policies of the Chinese Government on these issues. Neither the UNFPA nor other multilateral or multigovernment organizations working in China fund abortion or support coercive family planning practices. But because forced abortion and sterilization may be taking place in China, and indeed I believe they are, the Congress has mandated that no United States money provided to UNFPA may be used in China. I support this approach. This amendment, the Smith amendment, has far reaching implications for all U.S.-supported health and family planning activities.

Mr. Chairman, I urge my colleagues to support the Morella amendment and reluctantly to oppose the Smith amendment.

The real purpose of this amendment is to cut off U.S. funding for UNFPA. UNFPA is the leading multilateral organization providing voluntary family planning services in the developing world.

In this bill, we already repeat existing law (the Kemp-Kasten language) which ensures

that no United States money directly or indirectly supports the Chinese program. This language allows us to take a forceful stand concerning China, without undermining overall multilateral efforts in population planning.

Mr. GILMAN. Mr. Chairman, we have now gone 50 minutes with regard to this issue. We have about three speakers on our side. I think the other side has about three speakers. I ask unanimous consent that all debate on this amendment be limited to 12 noon today, and that the time be equally divided between both sides of the issue. This is with regard to the Smith amendment and all amendments thereto.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The time will be equally divided between the minority and the majority to manage.

Mr. VOLKMER. Mr. Chairman, I ask unanimous consent to control the time on this side.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The CHAIRMAN. Who will control time for the majority?

Mr. GILMAN. Mr. Chairman, I will control the time until the gentlewoman from Maryland [Mrs. MORELLA] returns.

Mr. Chairman, I yield 3 minutes to the gentleman from Maryland [Mr. GILCHREST].

Mr. GILCHREST. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise today in support of the amendment of the gentlewoman from Maryland [Mrs. MORELLA]. The amendment continues the policy of preventing funds provided to UNFPA from being spent in China. Further, the United States representative to the UNFPA must seek condemnation of China's coercive population policy, and the amendment prevents funds to groups that lobby for changes in abortion laws in other countries. It does just about everything that anybody wants it to do.

This amendment is the reasonable approach that our foreign policy should take with respect to family planning programs. The aid provided by the United States for the purpose of improving knowledge and access to family planning methods is an important investment in helping people improve the quality of their lives.

Just listen to some of these statistics. In 1830, the world's population reached 1 billion people. Today the world's population is close to 6 billion people. In the year 2020, 8 billion people are expected to live on earth. In 40 years the population is expected to double, to about 12 billion people. During the years 2000 to 2025, the poorest countries will grow the fastest, accounting for 5.1 billion people of the world's population.

Twenty-five percent of the Earth is land, and that is where we live. We do not have that much room on the planet.

Mr. Chairman, population conferences such as the Bucharest Conference, the Mexico City Conference, and the Cairo Conference in 1994, all became mired in this controversy about the abortion issue. I really think it is time, people are pleading with us around the world and people are pleading with us in this country, it is time for us to stop the argument and for those who are pro-choice, if I can label that, and pro-life, if I can label that, to get together and think of creative, thoughtful solutions to this most difficult problem.

I do not think there is anybody in this Chamber that favors abortion. But the people who are discussing this issue today recognize the serious, severe potential calamity if we do not reduce the number of people, the huge burgeoning population growth, especially in underdeveloped countries, where they will never have an economy that can support the people, they do not have resources right now that can support their population.

So it is necessary for us to sit down together, pro-choice people, pro-life people, and think of thoughtful, creative solutions that can solve the problem, so that abortions will become unnecessary as a result of the funds that we provide through education.

Mr. Chairman, I urge my colleagues to support the gentlewoman from Maryland's amendment.

Mr. VOLKMER. Mr. Chairman, I yield 2 minutes to the gentleman from South Carolina [Mr. INGLIS].

Mr. INGLIS of South Carolina. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in strong support of the Smith amendment and in strong opposition to the Morella amendment, and to make three very brief points.

First, I think we need to approach this, every time the word ''abortion'' is mentioned on this floor, with tremendous compassion for the victims of abortion that are walking around today. Unfortunately, most of us have had experience with abortion. Somewhere in the family there is somebody hurting from this tragedy of abortion. So every time it comes up on the floor, I think it is important to indicate compassion for those for whom this is a very painful memory. The question then becomes why would we export this pain to other countries?

The second point I would like to make is, is it not wonderful to have a bipartisan discussion here? It is sort of a break here on the floor where you have Republicans and Democrats of good faith working together to restore the right policy created in 1984 under Ronald Reagan.

The third point I would like to make is money is fungible. Any time you have funding for a program, the money is fungible. That means if the money comes to that program, yes, it may be restricted so that it cannot go directly to abortion services, but since money is fungible, it means it frees up other money of that program to go into the provision of those services.

It is very important that we understand what is at stake here. We simply want to return to the Mexico City policy enunciated by President Reagan in 1984 that we will not use taxpayer funded dollars to fund any program in any foreign country that provides abortion services. So it is a very simple point here. What the Morella amendment would like to do is change that policy or actually preserve the now existing policy that we will fund those programs. I believe very strongly we should return to that Mexico City policy and not fund programs that provide abortion services.

Mr. GILMAN. Mr. Chairman, I yield the balance of my time to the gentlewoman from Maryland [Mrs. MORELLA], and ask unanimous consent that she be allowed to control that time.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mrs. MORELLA. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. GREENWOOD].

□ 1145

Mr. GREENWOOD. Mr. Chairman, I rise in very strong support of the Morella amendment to the Smith language.

I believe that every Member of this body who calls him or herself pro-choice should be a yes vote on the Morella amendment but so should every Member of this body who calls him or herself pro-life but also supports family planning, who also supports child survival programs around the world.

The language in the bill gives every Member of this body who is pro-life anything they could possibly want. It prohibits use of U.S. funds for abortion. But it also, unfortunately, produces a result that no Member of this body could possibly want, and that is to deny life saving services to innocent people around the world, many of them children.

Mr. Chairman, whether we are talking about a hospital in Russia, a community center in India or Bangladesh, a hospital in Kenyatta, where on one side of the hospital, with private funds, abortions are being performed and they will continue to be performed with or without this language, precisely because those nations lack family planning services. And on the other side of the hospital services are being provided that all of the Members in support of my friend's amendment say they support, family planning services, also providing services of child nutrition, child inoculation, services to save young lives.

This amendment would cut off funds to those institutions, simply because in another wing of the hospital, unrelated

to those services, not using American money at all, abortions are performed.

For that reason, Mr. Chairman, those of us who do not want to see abortion used as a method of birth control or family planning but do want to see that family planning continues internationally along with American funds for child survival programs should support the Morella amendment. The Morella amendment amending the Smith amendment is a good compromise that we should all support.

Mr. VOLKMER. Mr. Chairman, I yield 30 seconds to the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. Chairman, let me point out to my friends that on the Child Survival Program, I take a back seat to nobody. In the mid-1980's, I authored the continuation of that program and made sure that money for immunization and oral rehydration and the like was available.

This language comports, I am not talking about the Morella language, the Smith language, with that whole idea that children born and unborn are precious and valuable. When the Mexico City policy was in effect during the Reagan and Bush years, child survival was not hurt. Family planning organizations had agreed to put a wall of separation between abortion, and family planning got their money. Only the crusaders for abortion disqualified themselves by not agreeing to the walls.

Mr. VOLKMER. Mr. Chairman, how much time remains on both sides?

The CHAIRMAN. The gentleman from Missouri [Mr. VOLKMER] has 8½ minutes remaining, and the gentlewoman from Maryland [Mrs. MORELLA] has 5 minutes remaining.

Mr. VOLKMER. Mr. Chairman, I yield 1 minute to the gentlewoman from California [Mrs. SEASTRAND].

Mrs. SEASTRAND. Mr. Chairman, I rise in strong support of the Smith amendment and strongly oppose the Morella amendment.

The Smith amendment is a straightforward attempt to make sure that the American people are not forced to use their tax dollars to subsidize abortions around the world. I think all Americans, virtually all Americans, no matter where they stand on the issue of abortion, agree that millions of abortions around the world is a human tragedy and what makes this tragedy even worse is the fact that some nations impose abortion.

The Chinese population control policy forces women to have abortions. I can think of few established policies that are more antiwoman or policies that are making women victims.

This is not about family planning. Most Americans support responsible family planning. But support for family planning does not mean support for subsidizing abortions around the world. There is no reason why this Congress should continue to provide financial support for these types of international organizations.

Mrs. MORELLA. Mr. Chairman, I yield 2 minutes to the gentlewoman from Connecticut [Mrs. JOHNSON].

(Mrs. JOHNSON of Connecticut asked and was given permission to revise and extend her remarks.)

Mrs. JOHNSON of Connecticut. Mr. Chairman, I rise today in support of the Morella amendment to the Smith amendment. Family planning money that the United States contributes annually to the United Nations Population Fund has had an extremely positive impact in developing countries throughout the world. In the 28 countries with the largest U.S. AID-sponsored family planning programs, the average number of children born per family has dropped from six in the 1960's to about four today, a decline of nearly one-third.

Providing women with the means to control fertility enables them to better provide for the children they choose to have. Thailand has made controlling the rate of population growth a priority issue in their development, and it has paid off. The average number of children born to Thai women has declined from 6 in the 1960's to the replacement level of 2.1 now. That means better health; that means less poverty; that means less tragedy in the lives of women and children in Thailand and a far better future for everyone.

Let me point out to my colleagues that current law already prohibits the use of U.S. funds to either pay for or lobby for abortion. We do not need the Smith amendment. The Smith amendment, however, would cut off all foreign aid not just for family planning but to any organization that performs abortions so that local hospitals throughout the world that legally perform abortions would be denied any foreign aid for child nutrition programs, disease prevention or other basic health services for women and families, simply because those institutions, according to their national law, perform abortions.

This is tragic. This is a stunning example of U.S. hubris that we are willing to micromanage the domestic and health policies of developing nations.

I urge my colleagues to support the Morella amendment, maintain the ban against any U.S. dollars for abortion, maintain the ban against any U.S. dollars used to lobby for abortion, but preserve health services for women and children and population growth programs, population control programs throughout the world.

Mr. VOLKMER. Mr. Chairman, I yield 1½ minutes to the gentleman from Texas [Mr. DELAY].

Mr. DELAY. Mr. Chairman, when President Clinton took office in 1993, he changed U.S. family planning policy overseas in fundamental ways.

He reinterpreted law with regard to funding for the U.N. Population Fund so that United States dollars could be used in China, where it is well-known that a brutal and coercive birth quota policy is in place.

Clinton also outright repealed the Mexico City policy, which prohibited United States funding from going to nongovernmental organizations which perform abortions and which lobby internationally for the repeal of laws protecting unborn children and their mothers from abortion.

Now, regardless of one's personal view of whether abortion is right or wrong, one generally agreed-upon principle is that taxpayers' dollars should not be used for its promotion. These drastic policy changes made by the Clinton administration completely fly in the face of this principle.

The Smith amendment contains nothing radical—it simply puts into law what was practiced prior to Clinton's coming to office. It is Clinton's policy that is radical, forcing U.S. taxpayers to fund organizations that promote or lobby for abortion as a method of family planning overseas.

To my colleagues, I say let us stick to the principle that has served U.S. family planning funding overseas well for so many years—that taxpayers should not be forced to support coercive population control or the promotion of abortion as a method of family planning.

Mr. Chairman, I urge a ''no'' vote on the Morella amendment and a ''yes'' vote on the Smith amendment.

Mr. VOLKMER. Mr. Chairman, I yield 1 minute to the gentleman from Mississippi [Mr. WICKER].

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

Mr. WICKER. Mr. Chairman, I thank the gentleman for yielding time to me.

This debate has nothing to do with family planning. It has everything to do with coerced family planning. The Smith amendment has everything to do with funding of forced abortions and everything to do the use of American taxpayer dollars to support organizations which perform abortions overseas and which lobby for pro-abortion policies.

As my colleague from Texas just pointed out, the Smith amendment reenacts, simply reenacts, a policy which was in effect during the Reagan and Bush years. I hope my colleagues can agree that the United States should not be spending American taxpayer dollars promoting abortion anywhere or promoting China's forced abortion policy.

I urge my colleagues to vote ''no'' on the Morella amendment and to vote ''yes'' on the Smith amendment.

Mrs. MORELLA. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from Texas [Ms. JACKSON-LEE].

Ms. JACKSON-LEE. Mr. Chairman, I thank the distinguished gentlewoman from Maryland [Mrs. MORELLA] for her leadership on this issue.

I simply ask the question, Mr. Chairman, are we in fact our brothers' and sisters' keepers? And yes, we are. This Nation has been in the forefront of

seeking peace but as well of helping those who cannot help themselves. Unless we implement the Morella amendment, 139 countries across this world will lose opportunities for informed, educated family planning. And yes, millions of families across this international family will lose the opportunity to be informed and educated about the ability to do wise family planning.

Where are we in this instance? Are we willing then to cause the annihilation of young children, through hunger and disease simply because we have not further informed these families of the opportunities of sure family planning?

Mr. Chairman, this is a wise amendment. I encourage us to support the Morella amendment that aids us in providing support for our brothers and sisters across the world for family planning.

Mr. VOLKMER. Mr. Chairman, I yield 1 minute to the gentleman from Missouri [Mr. EMERSON], who has been an outstanding advocate for the prolife position.

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

Mr. EMERSON. Mr. Chairman, I rise in strong opposition to the Morella amendment and in support of the Smith amendment.

Mr. Chairman, I rise today to give my strong support to the Smith amendment to the bill which codifies the Mexico City policy and prohibits funding to the U.N. Fund for Population Activities unless that organization discontinues all activities in China.

During the 1970's and early 1980's, foreign nongovernment organizations were the major source of funding for a number of groups which promoted abortion and the legalization of abortion in developing countries. Adopted in 1984, the Mexico City policy substantially changed the United States position on funding such organizations by stipulating that the Agency for International Development will NOT fund any private organization which participates in performing or promoting abortion as a method of family planning.

A year later, in 1985, the House approved the Kemp-Kasten amendment which denies funds to organizations that support coercive population programs. Funding is denied the UNFPA due to its active participation in China's population control program—its one-child-per-family program.

Today, the Clinton administration is conducting an ideological crusade to expand access to abortion throughout the developing world. The Clinton administration's policy was announced by Under Secretary Tim Wirth in a speech to a U.N. population meeting in 1993. Mr. Wirth stated that the Clinton administration's position was to, ''support reproductive choice, including access to safe abortion'' and to make such ''reproductive choice'' available to every woman by the year 2000.

It is inconceivable to me that as we debate the American Overseas Interest Act—a bill which attempts to support basic human rights across the globe—that the Congress would even consider denying the most basic human right, LIFE.

Mr. SMITH'S amendment will codify the Mexico City policy and ensure that United States tax dollars do not support China's coercive population control policies. The Smith amendment is not a gag rule and will have no effect on private organizations that merely advise, counsel, or refer women for whatever types of abortions are legal within a given country. Rather, the Smith amendment will simply ensure that the United States will not pay for abortions or impose a proabortion doctrine in foreign countries.

I urge my colleagues to support the Smith amendment. The right to life is the most fundamental human right—both here and abroad.

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

Mr. Chairman, I rise in strong opposition to the Morella amendment and in favor of the Smith amendment.

I would like to cut through all the rhetoric that has been heard here today for a little over the last hour and put it very simply. If you are in favor of using taxpayers money to kill babies, then I say vote for Morella. If you are in favor of saving those babies and not using taxpayers money to kill babies, then I say vote for Smith.

Mrs. MORELLA. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. BERMAN].

Mr. BERMAN. Mr. Chairman, I think the gentleman from New Jersey and the proponents of the Smith approach have some obligation to explain to the body the effectiveness of their strategy.

Coercive abortion and coercive policies are going on in China. We pulled out for many years. Nothing changed. Things got worse. Meanwhile, you cut out a whole bunch of positive, important profamily planning programs all over the world.

The Morella amendment in this bill reduces the amendment by the amendment they put in to China, requires them not to support any process and allows the other programs to go on. You cannot keep pushing things on rhetorical and ideological basis without some look at the consequences of what you are doing. Your policy did not work. You tried it. China went on, continued to do it, and all you have done is hurt important and good programs all around the world.

I urge a vote for the Morella amendment and defeat the Smith amendment.

□ 1200

Mr. VOLKMER. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Washington [Mrs. SMITH], who is a strong advocate of life.

Mrs. SMITH of Washington. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I want to talk about a woman who, except for being in another country, would look a lot like me. Her name is Chee An. She is a Chinese citizen. I want to give the Members her words as she came back from an abortionist.

She said:

> The population control official gave me an ultimatum. ''I have made an appointment for you tomorrow at 8 a.m.,'' she told me. ''If you miss it, the party secretary swears the consequences will be serious.'' I knew I had no choice, and the next morning, escorted by the population control officials, I went to the hospital. The following days passed in a haze of emotional pain.

I want to tell the Members, under the Smith amendment we would be assured that our tax dollars would not go to that. I ask American women to listen carefully. After Clinton changed the policy, money can be shifted and shuffled to where money that is given for birth control, as we know it, IUDs, condoms, and such, forces women like Chian into stirrups.

I will tell the Members, I started in the proabortion, and none of us ever believed our tax dollars would go to forcing a woman into stirrups. I have to tell the Members, if there is one woman that is kept from this inhumane position, we have done great things today by passing the Smith amendment.

Mr. VOLKMER. Mr. Chairman, I yield 30 seconds to the gentleman from Nebraska [Mr. CHRISTENSEN].

Mr. CHRISTENSEN. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, 95 nations, including all, I repeat all, of Latin America, most of Africa, and much of the rest of the developing world have laws that are protective of unborn children. We have allowed our own proabortion laws to undermine American values at the expense of 4,000 children killed every day. The Clinton administration arrogantly believes we should require this poison to be spread to other nations. We need to defeat the Morella amendment and pass the amendment offered by the gentleman from New Jersey [Mr. SMITH].

Mr. VOLKMER. Mr. Chairman, I yield 1½ minutes to the gentleman from New Jersey [Mr. SMITH], our outstanding leader.

Mr. SMITH of New Jersey. Mr. Chairman, I thank my good friend for yielding time to me.

Mr. Chairman, I would like to ask my colleagues how they would think they would feel if they, their loves ones, including families and friends, were forced to live in a land where brothers and sisters were officially declared illegal; where only one child per couple is permitted; where children, if not explicitly authorized by a birth quota system, engineered by the Government, are literally stolen from their moms and killed with poison by population

control fanatics; where, as we talk, a new policy of eugenics reminiscent of the Nazis has just gone into effect across the country, and then to know that the United Nations Population Fund is there whitewashing these crimes against humanity in all kinds of international fora where apologists will stand up and say, ''But our money is not going to do that.''

We all know money is fungible. The Morella amendment allows the FPA to take the United States donation, put it in their right pocket, and it frees up other money that they would send to China where this terrible crime and exploitation of women is daily practiced.

Remember, too, that the U.N. FPA Executive Director has said that this is a totally voluntary program. That is a big lie, Mr. Chairman. It is not true. It is a terrible crime against women.

She has always said we need to export the experience of the Chinese Government. God forbid. We would never allow it to happen here. If we were told that women had to be forcibly aborted, there would be rioting in the streets. Defeat the Morella amendment. I urge Members to support the underlying amendment, the Smith amendment.

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

Mr. Chairman, I am really very surprised about the rhetoric, not only the hyperbole, but the accuracy of what the amendment would do.

Under the bill already, Mr. Chairman, none of the funds authorized would be used to help manage a program of any coercive abortion. No funds can be used for abortion. No funds can be used for lobbying. In fact, there is a reduction of the percentage that the United States would give to U.N. FPA for any funds that go to China. We have spoken against China's policies. The amendment would also direct the United States representative at the U.N. FPA to censure Chinese policies.

Mr. Chairman, I want to reflect on the previous reference to the woman looking for an abortion. She may well be a Russian woman. Russian women have an average of 9 abortions during their lifetime. Why? Because they do not have access to family planning. We are not talking about any proabortion policies, we are talking about policies that are going to enable people to have the ability to manage their lives and their families, and to avoid the need for any abortion.

The amendment of the gentleman from New Jersey [Mr. SMITH] is not about cutting off China; it is about cutting off family planning aid to 139 other countries. We know the world population tops 5 billion. Many of us will live to see it double by 2025. I urge adoption of the amendment. The Morella amendment is endorsed by the committee of jurisdiction and I hope by this House.

Mr. BACHUS. Mr. Chairman, I rise in strong opposition to the Morella amendment and in support of the Smith amendment. The Smith amendment will reinstate the long-standing prohibition on providing taxpayer dollars to any private organization that performs or promotes abortion in foreign countries.

The Smith amendment is correct in recognizing that promoting abortion is never in the true interests of our Nation. Over 95 countries in Central and South America and Africa have laws on the books against abortion on demand. The Hyde amendment, prohibiting taxpayer funded abortions here in the United States, has been in effect for years.

The United States has no business using American taxpayer dollars to overturn abortion laws in other countries. Why would we, as a nation, encourage a practice that is so divisive and controversial in our own country?

The Smith amendment provides clear rules that will ensure that no taxpayer dollars will be diverted for any form of abortion promotion. The outrageous practice of forced abortion in China demands such clear and strong rules as proposed by the Smith amendment.

It should be noted that the Smith amendment will not prevent private individuals from promoting family planning or abortion around the globe. Rather, the Smith amendment reinstates a sound policy that was in effect under the Reagan and Bush administrations. It is a policy that reflects the views of most Americans. Family planning is important but killing the unborn is just as wrong in Africa, Asia, or Latin America as it is in the United States.

Ms. FURSE. Mr. Chairman, the consequences of rapid population growth include poverty, unemployment, hunger and malnutrition, economic degradation, and urban decay.

These conditions may very well worsen before they improve—especially in countries experiencing high rates of population growth. Forty-five percent or more of the populace in several developing countries—including Libya, Syria, Iraq, Nigeria, Ethiopia, Kenya, Cambodia, Guatemala, and Honduras—have not yet reached their reproductive years.

We must mobilize resources to achieve stabilization of our human numbers through modern, safe, effective family planning. Abortion is not a means of family planning. It is a procedure resorted to when people lack access to modern family planning methods or appropriate information and knowledge about such methods.

Those voting on the Smith amendment should know that it is really not about abortion. It would not prevent a single abortion. It is an amendment to limit funds for the U.N. Population Fund—the largest multilateral provider of family planning services for poor women. Thus, its approval would limit access to family planning, which is what it would indeed to. I intend to vote against it and call on my colleagues to do the same.

Mr. BEILENSON. Mr. Chairman, I rise in strong support of the amendment offered by the gentlewoman from Maryland [Mrs. MORELLA], and in opposition to the amendment offered by the gentleman from New Jersey [Mr. SMITH].

The effect of the Smith amendment would be to cripple the ability of such organizations as the UNFPA and International Planned Parenthood to make available family planning services to millions of women and men around the world, at a time when we need these services more than ever, not less than before.

The rapid growth of the world's human population is the most serious problem the world—and the U.S.—faces. We must not adopt a policy that would cut off funding to the organizations that are the most effective in reducing unwanted pregnancies, as the Smith amendment would do. To do so would be utterly senseless.

At this moment, nearly 5.7 billion people share our planet. By this time tomorrow, another quarter of a million will be added to that number.

Ninety-five percent of the newcomers will be born in the developing world. Many of them will die in childhood of malnutrition or disease, and most of the rest will live out their lives in countries that cannot begin to adequately take care of their existing populations, where there are already too few jobs, inadequate schools, inadequate health care, inadequate amounts of food and, usually, very little, if any, individual freedom.

By the year 2020, the world's already strained and overexploited resources will have to sustain life for more than 8 billion people—an increase of 2½ billion, most of them desperately poor, in just 25 years.

In much of the developing world, high birth rates, caused largely by the lack of access of women to basic reproductive health services and information, are contributing to intractable poverty, malnutrition, widespread unemployment, urban overcrowding, and the rapid spread of disease. Population growth is outstripping the capacity of many nations to make even modest gains in economic development, leading to political instability and negating other U.S. development efforts.

The impact of exponential population growth, combined with unsustainable patterns of consumption, is also evident in mounting signs of stress on the world's environment. Under conditions of rapid population growth, renewable resources are being used faster than they can be replaced. Other direct, and catastrophic, environmental consequences of the world's burgeoning population are tropical deforestation, erosion of arable land and watersheds, extinction of plant and animal species, and pollution of air, water, and land.

Overpopulation, however, is not a problem for developing countries only. Rapid population growth in already overcrowded and underdeveloped areas of the world has given rise to an unprecedented pressure to migrate, as people seek decent, and more hopeful lives for themselves and their families. According to a report by the United Nations Population Fund [UNFPA], over 100 million people, or nearly 2 percent of the world's population, are already international migrants, and countless others are refugees within their own countries. Many of the world's industrialized nations are now straining to absorb huge numbers of people, and in the future, as shortages of jobs and living space in urban areas, and resources such as water, agricultural land, and new places to dispose of waste grow even more acute, there will be even greater pressure to emigrate.

Population growth is an enormous problem, but one we can solve—if we make a determined effort to do so. Over the last three decades, population programs have been remarkably successful. Since the early 1960's, contraceptive use worldwide has gone up from roughly 10 percent of couples to over 50 percent today. And over the same period, the number of births per woman dropped from 6

to 3.3, almost half the fertility of just one generation ago. Much of this progress is a direct result of U.S. involvement. In the 28 countries with the largest USAID-sponsored family planning programs, the average number of children per family has dropped from 6.1 in the mid-1960's to 4.2 today.

These international trends, however, while highly encouraging, conceal great demographic diversity among countries and regions. In most of sub-Saharan Africa and some Pacific Island countries, where family planning services are not yet widely available, contraceptive use is below 15 percent, and women bear an average of six or more children. At the global level, an estimated 350 million couples do not have access to a full range of modern family planning information and services. One indication of the large unmet demand for more and better family planning services is the estimated 50 million abortions that occur every year, many of them unsafe.

But time is of the essence. How quickly we provide worldwide access to family planning and reproductive health services is crucial. Like compound interest applied to financial savings, high fertility rates produce ever-growing future populations. For example, if a woman bears three children instead of six, and her children and grandchildren do likewise, she will have 27 great-grandchildren rather than 216.

That is why it is absolutely essential that we adopt the Morella amendment and continue the progress we have been making toward reducing population growth. At the International Conference on Population and Development [ICPD], held in Cairo last year, the United States was instrumental in helping to build a broad consensus behind a comprehensive program of action, which was signed by almost all of the 180 countries that participated in the conference, and which will help guide the population and development programs of the United Nations and national governments into the next century. Central to this plan is the recognition that with adequate funding this decade for family planning and reproductive health services, as well as educational, economic, and social opportunities necessary to enhance the status of women, we can stabilize world population in the first half of the next century.

The ICPD program of action represents a historic opportunity to address adequately the causes and effects of the world's rapidly growing population, while placing an emphasis on individual choice and freedom. To meet this challenge, the international community—developing and industrial countries alike—has agreed to increase spending dramatically to achieve universal access to family planning and basic reproductive health services. In order to fulfill our responsibility under the Cairo agreement, the United States would need to allocate $850 million in fiscal year 1996 for international population programs, an increase of more than $260 million over this year's level.

The U.S. contribution under this bill will no doubt fall short. The fiscal reality of our Nation's fiscal situation has eroded our ability to fully fund even the most effective and cost-efficient programs. But we should still do as much as we can. The Morella amendment will prevent the crippling of our efforts in this area.

Mr. Chairman, combating rapid population growth by ensuring that our limited dollars for family planning assistance are used as effectively as possible is one of the most humane and farsighted efforts we can undertake. Providing adequate funding now will save many times this expense in future U.S. foreign assistance, will greatly reduce human suffering, and will promote global peace and security.

I urge our colleagues to support the Morella amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Maryland [Mrs. MORELLA] to the amendment offered by the gentleman from New Jersey [Mr. SMITH].

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

RECORDED VOTE

Mrs. MORELLA. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. Pursuant to clause 2(c) of rule XXIII, the Chair announces that he may reduce to not less than 5 minutes the period of time within which a rollcall vote by electronic device may be taken without intervening business on the amendment offered by the gentleman from New Jersey [Mr. SMITH].

The vote was taken by electronic device, and there were—ayes 198, noes 227, not voting 9, as follows:

[Roll No. 349]

AYES—198

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barrett (WI)
Bass
Becerra
Beilenson
Bentsen
Berman
Bilbray
Bishop
Boehlert
Boucher
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Castle
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Coyne
Cramer
Danner
Davis
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Dunn
Durbin
Edwards
Ehrlich
Engel
Eshoo
Evans
Farr
Fattah
Fawell
Fields (LA)
Filner
Flake
Foglietta
Foley
Ford
Fowler
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gejdenson
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Gordon
Green
Greenwood
Gunderson
Gutierrez
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hobson
Horn
Houghton
Hoyer
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnston
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Klug
Kolbe
Lantos
Lazio
Leach
Levin
Lewis (GA)
Lincoln
Lofgren
Lowey
Luther
Maloney
Markey
Martinez
Martini
Matsui
McCarthy
McDermott
McHale
McKinney
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Moakley
Moran
Morella
Nadler
Neal
Obey
Olver
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Pickett
Pomeroy
Porter
Pryce
Ramstad
Rangel
Reed
Reynolds
Richardson
Rivers
Rose
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schiff
Schroeder
Schumer
Scott
Serrano
Shaw
Shays
Sisisky
Skaggs
Slaughter
Spratt
Stark
Stokes
Studds
Thomas
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Upton
Velazquez
Vento
Visclosky
Ward
Waters
Watt (NC)
Waxman
White
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates
Zimmer

NOES—227

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Bereuter
Bevill
Bilirakis
Bliley
Blute
Boehner
Bonilla
Bonior
Bono
Borski
Brewster
Browder
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Camp
Canady
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Costello
Cox
Crane
Crapo
Cremeans
Cunningham
de la Garza
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Doyle
Dreier
Duncan
Ehlers
Emerson
English
Ensign
Everett
Ewing
Fields (TX)
Flanagan
Forbes
Fox
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Gillmor
Goodlatte
Goodling
Goss
Graham
Gutknecht
Hall (OH)
Hall (TX)
Hancock
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hoekstra
Hoke
Holden
Hostettler
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson, Sam
Jones
Kanjorski
Kasich
Kildee
Kim
King
Kingston
Klink
Knollenberg
LaFalce
LaHood
Largent
Latham
LaTourette
Laughlin
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
LoBiondo
Longley
Lucas
Manton
Manzullo
Mascara
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
McNulty
Metcalf
Mica
Miller (FL)
Molinari
Mollohan
Montgomery
Moorhead
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Ortiz
Orton
Oxley
Packard
Parker
Paxon
Peterson (MN)
Petri
Pombo
Portman
Poshard
Quillen
Quinn
Radanovich
Rahall
Regula
Riggs
Roberts
Roemer
Rohrabacher
Ros-Lehtinen
Roth
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Seastrand
Sensenbrenner
Shadegg
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thornberry
Tiahrt
Tucker
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff

NOT VOTING—9

Calvert
Cubin
Fazio
Hansen
Kleczka
McDade
Meyers
Peterson (FL)
Rogers

□ 1223

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair advises Members that there has been a problem with one of the voting machines, so the Members are asked to please confirm their vote with the screen and in the voting machine.

□ 1225

Messrs. MOORHEAD, DORNAN, and BUYER changed their vote from ''aye'' to ''no.''

Messrs. SABO, CLAYBURN, and DAVIS changed their vote from ''no'' to ''aye.''

So the amendment to the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. ROGERS. Mr. Chairman, on rollcall No. 349, I was unavoidably detained. Had I been present, I would have voted ''no.''

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. SMITH].

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

RECORDED VOTE

Mr. SMITH of New Jersey. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 240, noes 181, not voting 13, as follows:

[Roll No. 350]

AYES—240

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Bereuter
Bevill
Bilirakis
Bliley
Blute
Boehner
Bonilla
Bonior
Bono
Borski
Brewster
Browder
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Camp
Canady
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clement
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Costello
Cox
Cramer
Crane
Crapo
Cremeans
Cunningham
Danner
de la Garza
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Ensign
Everett
Ewing
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Gillmor
Goodlatte
Goodling
Goss
Graham
Gutknecht
Hall (OH)
Hall (TX)
Hancock
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hoekstra
Hoke
Holden
Hostettler
Hunter
Hutchinson
Hyde
Inglis
Istook
Jacobs
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kildee
Kim
King
Kingston
Knollenberg
LaFalce
LaHood
Largent
Latham
LaTourette
Laughlin
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
LoBiondo
Longley
Lucas
Manton
Manzullo
Mascara
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
McNulty
Metcalf
Mica
Miller (FL)
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Murtha
Myers
Myrick
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Ortiz
Orton
Oxley
Packard
Parker
Paxon
Peterson (MN)
Petri
Pombo
Portman
Poshard
Quillen
Quinn
Radanovich
Rahall
Regula
Riggs
Roberts
Roemer
Rohrabacher
Ros-Lehtinen
Roth
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Seastrand
Sensenbrenner
Shadegg
Shaw
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thornberry
Thornton
Tiahrt
Tucker
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff

NOES—181

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barrett (WI)
Bass
Becerra
Beilenson
Bentsen
Berman
Bilbray
Bishop
Boehlert
Boucher
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Castle
Chapman
Clay
Clayton
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Coyne
Davis
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Durbin
Edwards
Ehrlich
Engel
Eshoo
Evans
Farr
Fattah
Fawell
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Franks (CT)
Frelinghuysen
Frost
Furse
Gejdenson
Gephardt
Gibbons
Gilchrest
Gilman
Gonzalez
Gordon
Green
Greenwood
Gunderson
Gutierrez
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hobson
Horn
Houghton
Hoyer
Jackson-Lee
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E.B.
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Klug
Kolbe
Lantos
Lazio
Leach
Levin
Lewis (GA)
Lincoln
Lofgren
Lowey
Luther
Maloney
Markey
Martinez
Martini
Matsui
McCarthy
McHale
McKinney
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Moran
Morella
Nadler
Olver
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Pickett
Pomeroy
Porter
Pryce
Ramstad
Rangel
Reed
Reynolds
Richardson
Rivers
Rose
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schiff
Schroeder
Schumer
Scott
Serrano
Shays
Sisisky
Skaggs
Slaughter
Spratt
Stark
Stokes
Studds
Thomas
Thompson
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Upton
Velazquez
Vento
Visclosky
Ward
Waters
Watt (NC)
Waxman
White
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates
Zimmer

NOT VOTING—13

Calvert
Cubin
Fazio
Franks (NJ)
Hansen
Johnston
Kleczka
Klink
McDade
McDermott
Meyers
Peterson (FL)
Rogers

□ 1235

The Clerk announced the following pairs:

On this vote:

Mr. Calvert for, with Mr. Johnston of Florida against.

Mrs. Cubin for, with Mr. McDermott against.

Mr. DAVIS and Mr. THOMAS changed their vote from ''aye'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. ROGERS. Mr. Chairman, on rollcall No. 350, I was unavoidably detained. Had I been present, I would have voted ''aye.''

The CHAIRMAN. The Committee will rise informally in order that the House may receive a message.

MESSAGE FROM THE PRESIDENT

The SPEAKER pro tempore (Mr. LAHOOD) assumed the Chair.

The SPEAKER pro tempore. The Chair will receive a message.

MESSAGE FROM THE PRESIDENT

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

The SPEAKER pro tempore. The Committee will resume its sitting.

AMERICAN OVERSEAS INTERESTS ACT OF 1995

The CHAIRMAN. Are there further amendments?

AMENDMENT OFFERED BY MS. MCKINNEY

Ms. MCKINNEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment numbered 16 offered by Ms. MCKINNEY: After chapter 5 of title XXXI of the bill, insert the following new chapter (and redesignate the subsequent chapter accordingly and make other appropriate conforming amendments):

CHAPTER 6—ARMS TRANSFERS CODE OF CONDUCT

SEC. 3174. SHORT TITLE.

This chapter may be cited as the ''Code of Conduct on Arms Transfer Act of 1995''.

SEC. 3175. FINDINGS.

The Congress finds the following:

(1) Approximately 40,000,000 people, over 75 percent civilians, died as a result of civil and international wars fought with conventional weapons during the 45 years of the cold war, demonstrating that conventional weapons can in fact be weapons of mass destruction.

(2) Conflict has actually increased in the post cold war era, with 34 major wars in progress during 1993.

(3) War is both a human tragedy and an ongoing economic disaster affecting the entire world, including the United States and its economy, because it decimates both local investment and potential export markets.

(4) International trade in conventional weapons increases the risk and impact of war in an already over-militarized world, creating far more costs than benefits for the United States economy through increased United States defense and foreign assistance spending and reduced demand for United States civilian exports.

(5) The newly established United Nations Register of Conventional Arms can be an effective first step in support of limitations on the supply of conventional weapons to developing countries and compliance with its reporting requirements by a foreign government can be an integral tool in determining the worthiness of such government for the receipt of United States military assistance and arms transfers.

(6) It is in the national security and economic interests of the United States to reduce dramatically the $1,038,000,000,000 that all countries spend on armed forces every year, $242,000,000,000 of which is spent by developing countries, an amount equivalent to 4 times the total bilateral and multilateral foreign assistance such countries receive every year.

(7) According to the Congressional Research Service, the Untied States supplies more conventional weapons to developing countries than all other countries combined, averaging $14,956,000,000 a year in agreements to supply such weapons to developing countries since the end of the cold war, compared to $7,300,000,000 a year in such agreements prior to the dissolution of the Soviet Union.

(8) In recent years the vast majority of United States arms transfers to developing countries are to countries with an undemocratic form of government whose citizens, according to the Department of State Country Reports on Human Rights Practices do not have the ability to peaceably change their form of government.

(9) Although a goal of United States foreign policy should be to work with foreign governments and international organizations to reduce militarization and dictatorship and therefore prevent conflicts before they arise, during 4 recent deployments of United States Armed Forces—to the Republic of Panama, the Persian Gulf, Somalia, and Haiti—such Armed Forces faced conventional weapons that had been provided or financed by the United States to undemocratic governments.

(10) The proliferation of conventional arms and conflicts around the globe are multilateral problems, and the fact that the United States has emerged as the world's primary seller of conventional weapons, combined with the world leadership role of the United States, signifies that the United States is in a position to seek multilateral restraints on the competition for the transfers of conventional weapons.

(11) The Congress has the constitutional responsibility to participate with the executive branch in decisions to provide military assistance and arms transfers to a foreign government, and in the formulation of a policy designed to reduce dramatically the level of international militarization.

(12) A decision to provide military assistance and arms transfers to a government that is undemocratic, does not adequately protect human rights, is currently engaged in acts of armed aggression, or is not fully participating in the United Nations Register of Conventional Arms, should require a higher level of scrutiny than does a decision to provide such assistance and arms transfers to a government to which these conditions do not apply.

SEC. 3176. PURPOSE.

The purpose of this chapter is to provide clear policy guidelines and congressional responsibility for determining the eligibility of foreign governments to be considered for United States military assistance and arms transfers.

SEC. 3177. PROHIBITION OF UNITED STATES MILITARY ASSISTANCE AND ARMS TRANSFERS TO CERTAIN FOREIGN GOVERNMENTS.

(a) PROHIBITION.—Except as provided in subsections (b) and (c), beginning on and after October 1, 1996, United States military assistance and arms transfers may not be provided to a foreign government for a fiscal year unless the President certifies to the Congress for that fiscal year that such government meets the following requirements;

(1) PROMOTES DEMOCRACY,—Such government—

(A) was chosen by and permits free and fair elections;

(B) promotes civilian control of the military and security forces and has civilian institutions controlling the policy, operation, and spending of all new enforcement and security institutions, as well as the armed forces;

(C) promotes the rule of law, equality before the law, and respect for individual and minority rights, including freedom to speak, publish, associate, and organize; and

(D) promotes the strengthening of political, legislative, and civil institutions of democracy, as well as autonomous institutions to monitor the conduct of public officials and to combat corruption.

(2) RESPECTS HUMAN RIGHTS.—Such government—

(A) does not engage in gross violations of internationally recognized human rights, including—

(i) extra judicial or arbitrary executions;

(ii) disappearances;

(iii) torture or severe mistreatment;

(iv) prolonged arbitrary imprisonment;

(v) systematic official discrimination on the basis of race, ethnicity, religion, gender, national origin, or political affiliation; and

(vi) grave breaches of international laws of war or equivalent violations of the laws of war in internal conflicts;

(B) vigorously investigates, disciplines, and prosecutes those responsible for gross violations of internationally recognized human rights;

(C) permits access on a regular basis to political prisoners by international humanitarian organizations such as the International Committee of the Red Cross;

(D) promotes the independence of the judiciary and other official bodies that oversee the protection of human rights;

(E) does not impede the free functioning of domestic and international human rights organizations; and

(F) provides access on a regular basis to humanitarian organizations in situations of conflict or famine.

(3) NOT ENGAGED IN CERTAIN ACTS OF ARMED AGGRESSION.—Such government is not currently engaged in the acts of armed aggression in violation of international law.

(4) FULL PARTICIPATION IN U.N. REGISTER OF CONVENTIONAL ARMS.—Such government is fully participating in the United Nations Register of Conventional Arms.

(b) REQUIREMENT FOR CONTINUING COMPLIANCE.—Any certification with respect to a foreign government for a fiscal year under subsection (a) shall cease to be effective for that fiscal year if the President certifies to the Congress that such government has not continued to comply with the requirements contained in paragraphs (1) through (4) of such subsection.

(c) EXEMPTIONS.—The prohibition contained in subsection (a) shall not apply with respect to a foreign government for a fiscal year if—

(1)(A) the President submits a request for an exemption to the Congress containing a determination that it is in the national security interest of the united States to provide military assistance and arms transfer to such government; and

(B) the Congress enacts a law approving such exemption request (including a law containing an approval of such a request); or

(2) the President determines that an emergency exists under which it is vital to the interest of the United States to provide military assistance and arms transfer to such government.

(d) NOTIFICATIONS TO CONGRESS.—

(1) IN GENERAL.—The President shall submit to the Congress initial certifications under subsection (a) and requests for exemptions under subsection (c)(1) in conjunction with the submission of the annual request for enactment of authorizations and appropriations for foreign assistance programs for a fiscal year and shall, where appropriate, submit additional or amended certifications and requests for exemptions at any time thereafter in the fiscal year.

(2) DETERMINATION WITH RESPECT TO EMERGENCY SITUATIONS.—The President shall submit to the Congress at the earliest possible date reports containing determinations with respect to emergencies under subsection (c)(2). Each such report shall contain a description of—

(A) the nature of the emergency;

(B) the type of military assistance and arms transfers provided to the foreign government; and

(C) the cost to the United States of such assistance and arms transfers.

SEC. 3178. SENSE OF THE CONGRESS.

It is the sense of the Congress that the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate should hold hearings on—

(1) controversial certifications submitted under section 3177(a).

(2) all requests for exemptions submitted under section 3177(c)(1); and

(3) all determinations with respect to emergencies under section 3177(c)(2).

SEC. 3179. UNITED STATES MILITARY ASSISTANCE AND ARMS TRANSFERS DEFINED.

For purposes of this chapter, the terms ''United States military assistance and arms transfers'' and ''military assistance and arms transfers'' means—

(1) assistance under chapter 2 of part II of the Foreign Assistance Act of 1961 (relating to military assistance), including the transfer of excess defense articles under section 516 of that Act;

(2) assistance under chapter 5 of part II of the Foreign Assistance Act of 1961 (relating to international military education and training); or

(3) the transfer of defense articles, defense services, or design and construction services under the Arms Export Control Act (excluding any transfer or other assistance under section 23 of such Act), including defense articles and defense services licensed or approved for export under section 38 of that Act.

Ms. MCKINNEY (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Georgia?

There was no objection.

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

Ms. MCKINNEY. Mr. Chairman, today, I will offer the Code of Conduct amendment to H.R. 1561. My amendment seeks to give Congress—for the first time in two decades—a role in U.S. arms export policy.

As the law is currently written, Mr. Chairman, it is nearly impossible for Congress to stop an arms sale. Not since 1986 has a floor vote been taken on an arms sale, nor has a sale proposed by the administration formally been disapproved by Congress.

In addition to the lack of congressional oversight in arms sales, the economic cost to the American taxpayer is more than $7 billion a year just to support the arms export bureaucracy.

U.S. weapons are being used in 90 percent of today's most significant regional and ethnic conflicts. The weapons and technology that devastated the Iraqi Army only a few years ago, are now available to nations that are undemocratic, violate human rights, and are governed by dictators.

In 1993, the U.S. Government cornered a colossal 70 percent of the global arms sales market, and in 1994 U.S. foreign military arms sales were a whopping $12.9 billion.

America's arms sales have skyrocketed since the end of the cold war. As this first chart shows, Mr. Chairman, U.S. arms transfers from 1990 to 1993 averaged $21.7 billion a year, whereas, from 1986 to 1989, arms transfers only averaged $10.6 billion. It is amazing and shameful that as America solidifies its post-cold war leadership and encourages global democracy, the U.S. Government sold $83.1 billion in foreign military sales to dictators with no congressional review.

Despite this enormous dominance of the international arms market and the ''Boomerang Effect'' against U.S. Armed Forces—only a few Members of Congress have worked to restrain this dangerous trade.

Additionally, America spends billions of tax dollars to finance exports to tyrants—highlighted by the second chart—while cutting billions from key domestic programs like veterans benefits, Social Security, and student loans.

Mr. Chairman, the Code of Conduct amendment would not prohibit arms transfers to any country. Rather it would establish a higher standard of scrutiny for countries receiving U.S. weapons and more congressional oversight of arms sales. The Code of Conduct makes sure that we look before we leap by providing four guiding principles for U.S. arms transfers.

History demonstrates that as a result of Siad Barre's Somalia, Cedras' Haiti, and Saddam Hussein's Iraq, our soldiers have paid the price for selling U.S. materiel to dictators.

The code would require that both the President and Congress agree that providing assistance to a certain country is in the best interest of the United States. The code also gives the President flexibility. He can request a 1-year waiver for countries not meeting the code's standards, or in cases where vital U.S. interests are in jeopardy, use an emergency authority.

The code is endorsed by 275 organizations from Amnesty International to the YWCA and is supported by the European Parliament. Arms sales to unstable governments must end, and the Code of Conduct will be the first step in that direction.

There are 102 Members of Congress who support the guiding principles of the code—democracy, respect for human rights, and nonaggression. I urge all of you to cast your vote in favor of the Code of Conduct. Let's ensure that America's leadership is positively reflected in our arms export policy. Vote for the Code of Conduct.

[From World Policy Institute, May 1995]

U.S. WEAPONS AT WAR: U.S. ARMS DELIVERIES TO REGIONS OF CONFLICT

(By William D. Hartung)

EXECUTIVE SUMMARY

From Richard Nixon to Bill Clinton, it has been an article of faith for executive branch policy makers that U.S. weapons exports are only made to responsible allies who use these systems for legitimate defense purpose. This report puts that thesis to the test by documenting U.S. weapons deliveries to 50 current ethnic and territorial conflicts.

Contrary to the conventional wisdom in Washington, official U.S. government data on arms transfers provides overwhelming circumstantial evidence that U.S.-supplied weaponry is at the center of many of today's most dangerous and intractable conflicts:

In the past ten years, parties to 45 current conflicts have taken delivery of over $42 billion worth of U.S. weaponry;

Of the significant ethnic and territorial conflicts going on during 1993–94, 90% (45 out of 50) of them involved one or more parties that had received some U.S. weaponry or military technology in the period leading up to the conflict;

In more than half of current conflicts (26 out of 50), the United States has been a significant arms supplier, accounting for at least 5% of the weapons delivered to one party to the dispute over a five year period;

In more than one-third of all current conflicts (18 out of 50), the United States has been a major supplier to one party to the dispute, accounting for over 25% of all weapons imported by that participant in the most recent five year period;

Despite the popular perception that it is U.S. policy to cease deliveries of weapons once a conflict is under way, as of the end of 1993 (the latest year for which full statistics are available) the United States was shipping military goods and services to more than half (26 out of 50) of the areas where there were wars being fought;

In a number of volatile areas the United States has been the primary supplier to governments that are involved in ongoing conflicts. In Turkey (76%), Spain (85%), Israel (99%), Morocco (26%), Egypt (61%), Chad (27%), Somalia (44%), Liberia (40%), Kenya (25%), Pakistan (44%), the Philippines (93%), Indonesia (38%), Guatemala (86%), Haiti (25%), Columbia (28%), Brazil (35%), and Mexico (77%), the United States has been the primary supplier of imported weaponry in the most recent five year period for which full data is available.

Turkey's use of U.S.-supplied fighter aircraft, helicopters, tanks and armored personnel carriers in its recent invasion of Northern Iraq highlights the dangers of a policy of uncritical assistance to allies engaged in ethnic or territorial disputes, as does the employment of U.S.-supplied equipment on both sides of the 1995 Peru-Ecuador border war.

Since the end of the Cold War, the continuing U.S. policy of promoting weapons exports as a key element of U.S. security strategy and economic policy has accelerated the incidence of the ''boomerang effect'': the transfer of U.S. weaponry to forces that end up doing battle against U.S. troops. The last four times the United States sent troops into combat in significant numbers—in Panama, Iraq, Somalia, and Haiti—they faced adversaries that had received U.S.-origin arms, training, or military production technology in the period leading up to the conflict. This is a clear sign that something is awry in U.S. arms transfer decision making processes.

Last but not least, covert U.S. arms sales have come back to haunt U.S. citizens by inadvertently strengthening terrorist organizations. Two of the men convicted in the 1993 World Trade Center bombing received weapons training in Afghanistan under the direction of fundamentalist Islamic forces that were armed and trained by the CIA. The suspects in the recent murders of several U.S. embassy employees in Karachi, Pakistan are also suspected of having ties to the CIA's Afghan arms pipeline. David Whipple, the former head of counterterrorism at the CIA, has indicated that these are not isolated cases: ''some of the people who are actual or potential terrorists in this country are former guerrilla fighters in Afghanistan.'' And an Algerian official has described the existence of a ''floating army'' of Islamic fundamentalist fighters who were trained with CIA assistance in Afghanistan and are now engaged in organized attempt to overthrow the governments of Algeria, Egypt, and Saudi Arabia, among others.

As President Clinton tries to mobilize world public opinion against Iran, in part for its alleged role in supporting terrorism in the Middle East, it would behoove him to get his own house in order by clamping down on the CIA's covert weapons trafficking operations, which all too often end up hurting innocent people, including U.S. citizens. The recent revelations that a Guatemalan colonel on the CIA payroll is implicated in the murders of Michael DeVine, an American who ran a farm in Guatemala, and Efrain Bamaca Velazquez, a Guatemalan rebel leader who was married to American lawyer and activist Jennifer Harbury, is just the latest example of a covert arms trading culture that is out of control.

RECOMMENDATIONS

The report makes the following specific recommendations for promoting greater accountability in arms transfer decision making (for the full text of the recommendations, see section IV, below):

Recommedation 1: Pass the arms transfer Code of Conduct bill

In February of 1995, Senator Mark Hatfield (R–OR) and Representative Cynthia McKinney (D–GA) reintroduced legislation calling for the establishment of a Code of Conduct for U.S. weapons transfers. Under the code, governments that engage in aggression against their neighbors, violate the human rights of their own citizens, come to power through undemocratic means, or refuse to participate in international agreements like the United Nations arms register would not be eligible to receive weaponry from the United States. If the President wanted to make an exception for a specific country on national security grounds, he would have to ask Congress to pass a bill providing an exemption for that nation.

The benefits of the Code of Conduct would be twofold. First, it would place considerations about the character of a given arms recipient and how that nation might use U.S. weaponry up front in the arms transfer decision making process, preventing sales to unstable regimes in the process. Second, even in cases where the President sought an exemption, members of Congress would be forced to go on the record for or against, providing a measure of public accountability that rarely occurs under current law.

Recommendation 2: Provide more detailed reporting on U.S. transfers of arms and military technology, and press for other nations to do the same

Up until the Reagan Administration, the State Department issued an annual report under Section 657 of the Foreign Assistance Act that listed most significant items of military equipment delivered from the United States to any foreign country in the prior fiscal year, ranging from rifles and bullets on up to advanced combat aircraft. The section 657 report should be reinstituted as an annual publication, to provide a tool for keeping track of potential abuses of U.S.-supplied weaponry.

A full accounting of U.S. arms transfer policy must also include regular, detailed reporting on U.S. transfers of so-called ''dual use'' equipment—items such as advanced machine tools and computers, measuring instruments, or unarmed light helicopters and aircraft. If Congress and the public had been aware of the particulars of the nearly $1.5 billion in dual use export licenses that the Commerce Department granted to companies seeking to sell equipment to Iraq during 1985 through 1990, some of the more dangerous items on the list might not have been approved for sale.

Recommendation 3: The Pentagon and the intelligence community should publish regular reports on the use of U.S.-supplied weaponry in ongoing conflicts

All too often, U.S. weapons are supplied on a ''fire 'em and forget 'em'' basis: the decision to sell is made based on short-term political, strategic, or economic considerations, with little thought given to how these arms might be used a few years down the road. In an attempt to prevent this ''boomerang effect'' from repeating itself in the future, Representative Cynthia McKinney sponsored a successful amendment to the Fiscal Year 1995 Department of Defense Authorization bill requiring the Pentagon to report annually on how proposed arms transfers might create ''increased capabilities'' on the part of potential adversaries, and how they might ''pose an increased threat'' to U.S. forces in some future conflict.

As a further step in the right direction, the Pentagon and the Central Intelligence Agency should be required to file annual reports on how U.S.-supplied weaponry is being put to use in current conflicts, either by the original recipients, or as the result of unauthorized transfers to third parties. These reports could serve as a running record of the consequences of past U.S. weapons trading activities, and they would hopefully inject a note of caution into congressional debates over new proposed transfers.

Recommendation 4: Outlaw covert weapons shipments

From Iran/contra to the arming of Iraq to the ongoing proliferation of weapons originally intended for Afghan rebel movements, covert weapons trafficking have been at the center of a series of unmitigated foreign policy fiascos. As part of the effort to restructure the CIA to better meet the realities of the post-Cold War world, covert arms sales by the CIA and other government departments should be strictly outlawed.

Recommendation 5: The Clinton Administration (or its successor) should vigorously pursue a policy of multilateral arms transfer restraint designed to limit sales of conventional weaponry to regions of conflict or repressive regimes

Contrary to the findings of the Clinton Administraton's new conventional arms transfer policy, Presidential Directive 41, limiting the spread of weaponry to regions of conflict should be the paramount priority governing U.S. arms transfer decisions in the post-Cold War era. Economic and defense industrial base concerns should take a back seat to efforts to construct a multilateral arms export control regime that can serve both as a tool for preventing conflicts, and for limiting their duration and severity once they break out. At a time when the United States controls 72% of new arms sales agreements with the developing world, U.S. leadership remains an essential prerequisite for implementing any meaningful multilateral arrangement for limiting the flow of conventional armaments.

I. Introduction: U.S. Arms Transfers—Promoting Stability or Fueling Conflict?

''[T]here is almost no case since World War II in which arms provided by the United States have been used by the country receiving them for purposes of aggression.''—Richard Nixon, ''The Real War,'' 1980.

''[T]here is almost no instance of a country which is primarily dependent upon U.S. weapons using those weapons in an offensive manner.''—Joel Johnson, Aerospace Industries Association, February 1994.

''[T]here is strong evidence that countries relying on American weaponry have not started wars with their neighbors . . . To cite the most egregious example, Iraq . . . purchased its weapons primarily from Russia and France.''—Ethan Kapstein, ''Foreign Affairs,'' May/June 1994.

''Given the complexities of arms transfer decisions and the multiple U.S. interests involved . . . decisions will continue to be made on a case-by-case basis. These case-by-case reviews will . . . draw the appropriate balance between legitimate arms sales to support the national security of our friends and allies, and the need for multilateral restraint against the transfer of arms that would enhance the military capabilities of hostile states or that would undermine stability.''—Fact Sheet on Clinton Administration, Arms Sales Policy Directive, February 17, 1995.

The Arms Export Control Act states that U.S. military equipment and services shall be provided to other nations only for purposes of internal security, ''legitimate self-defense,'' participation in United Nations peacekeeping operations, or involvement in operations consistent with the U.N. Charter.[1] Based in part on this legislative requirement and in part on their ingrained assumptions regarding U.S. weapons sales, several generations of executive branch officials, policymakers, and independent analysts have taken it as an article of faith that U.S.-supplied weapons are primarily used for defensive purposes.

Now that the United States controls nearly three-quarters of all weapons exports to the developing world, the question of whether or not U.S. weapons are used aggressively is of more than merely academic interest.[2]

As of early 1994, there were 50 significant ethnic and territorial conflicts under way in Europe, Africa, the Middle East, Asia and Latin America.[3] By the end of 1993, the number of ongoing wars involving more than one thousand battle-related deaths reached 34, marking the first increase in this grim statistic since the end of the Cold War.[4] By early 1995, progress towards peace in South Africa, the Middle East, and Northern Ireland had been offset by the escalation of conflicts in North Africa (Algeria) and Russia (Chechnya), and the outbreak of a border war between Peru and Ecuador.[5]

With the exception of Russia, China, and a few other nations that produce a wide array of weapons systems for their own use, the majority of participants in today's armed conflicts depend upon imported weaponry.[6] The conventional wisdom among U.S. policymakers is that the weapons that are actually used in the majority of the world's conficts are supplied by other, less ''responsible'' suppliers. To the extent that U.S. officials raise questions about arms supplies to regions of conflict, the usual targets of criticism are either Russia or China, which have historically been more willing to supply arms and military technology to ''rogue'' states like Iraq, Libya, North Korea, and Iran.[7] In addition, some observers make pointed references to France's allegedly amoral, mercantile approach to arms sales.[8] In contrast, it has been argued that U.S. arms sales are grounded in carefully considered decisions to bolster the security of trustworthy allies in critical regions.

The notion that the United States is only arming the ''good guys'' has a long history. In his book ''The Real War,'' Richard Nixon, the architect of the current U.S. role as the world's leading weapons trafficking nation, argued that U.S.-supplied weapons have rarely been used in a belligerent manner, but that ''Soviet arms are the ones that are constantly used to break the peace.''[9] Nixon's blanket claim ignored a series of aggressive actions by major U.S. arms clients during the Nixon/Ford administrations, including Turkey's invasion of Cyprus, Indonesia's invasion of East Timor, Morocco's occupation of the Western Sahara, and General Augusto Pinochet's reign of terror in the wake of his 1973 coup d'etat in Chile.[10]

The Reagan Administration presided over one of the most revealing incidents in the history of U.S. policy towards aggressive uses of U.S. military equipment when it responded to Israel's June 1981 bombing of Iraq's Osirak nuclear reactor. Initially, U.S. weapons deliveries to Israel were suspended until the State Department could determine whether the bombing, which utilized U.S.-supplied F–15 and F–16 aircraft, violated Israel's pledge to use U.S. systems for defensive purposes. After a ten week review, Secretary of State Alexander Haig decided to resume arms shipments to Israel, arguing that ''I think one in a subjective way can argue to eternity as to whether or not a military action may be defensive or offensive in character.'' Rather than making a specific case that Israel's bombing of Osirak was justified as a defensive act, Haig seemed to be saying, in Alice-in-Wonderland style, that a defensive use of a weaponry is whatever the U.S. government and its allies say it is.[11] Turkey's 1995 invasion of Northern Iraq, which has been justified by Turkish Prime Minister Tansu Ciller on the grounds that Turkish forces are in ''hot pursuit'' of Kurdish terrorists, raises similar questions about what constitutes a genuinely defensive deployment of U.S.-supplied weaponry (for further discussion of Turkey's use of U.S. weapons against its Kurdish population, see section II, below).

This ''see-no-evil'' approach to U.S. weapons trading has survived into the 1990s. The last four times the United States has sent troops into combat they have faced adversaries that received U.S. arms or military technology in the period leading up to the conflict, yet the Clinton Administration's arms transfer policy review stubbornly refused to take into account the very real possibility that U.S.-supplied weapons may be used for purposes contrary to U.S. interests. As if to

underscore the business-as-usual tone of the Clinton approach, an official involved in the policy review has indicated that under the Administration's new guidelines, not a single one of the hundreds of major U.S. arms sales of the past fifteen years would have been rejected.[12] The administration's decidedly upbeat perspective on arms sales was summed up early on by Lt. General Teddy Allen, the former Director of the Pentagon's Defense Security Assistance Agency, during testimony to Congress in June 1993: ''Many friends and allies depend on U.S. defense equipment, services, and training to deter, and when necessary, defeat, armed aggression.''[13] When it finally released the results of its arms export policy review in February of 1995, the Clinton Administration described the five key goals of its policy as follows:

(1) To ensure that our military forces can continue to enjoy technological advantages over potential adversaries;

(2) To help allies and friends deter or defend themselves against aggression, while promoting interoperability with U.S. forces when combined operations are required;

(3) To promote regional stability in areas critical to U.S. interests, while preventing proliferation of weapons of mass destruction and their missile delivery systems;

(4) to promote peaceful conflict resolution and arms control, human rights democratization and other U.S. foreign policy objectives;

(5) to enhance the ability of the U.S. defense industrial base to meet U.S. defense requirements and maintain long-term military technological superiority at lower costs. [14].

The idea of controlling the spread of U.S. weaponry to ensure that U.S. exports do not sustain ongoing wars, fuel regional arms races, or strengthen potential U.S. adversaries is only obliquely hinted at in the Clinton administration's priority list; the underlying assumption is that U.S. weapons transfers go to potential ''coalition partners'' to be used for strictly defensive purposes. Despite recent evidence to the contrary, the possibility that today's partner could be tomorrow's adversary doesn't seem to enter into the administration's thinking.

To further underscore how small a role the potential risks of U.S. weapons exports will play in executive branch decisionmaking, Clinton Administration officials have indicated that the contribution of a given transfer to the defense industrial base will now be an explicit factor in deciding whether to go ahead with the sale. This could mean that the fact that a deal might extend Lockheed's production run for the F–16 fighter or sustain General Dynamics' assembly line for the M–1 tank will carry greater weight than whether these weapons are being provided to unstable regimes. [15].

Not surprisingly, the claim that U.S.-supplied arms are only used defensively has also been made repeatedly by executives and lobbyists in the defense industry. For example, Don Fuqua, president of the Aerospace Industries Association, made the following claim in a November 1994 article entitled ''Merchants of Peace'': ''during more than half a century, no American soldier ever faced any significant American military equipment used by a hostile power.'' [16] This industry argument has been echoed in academic circles as well, most notably in an article by Ethan Kapstein of the John M. Olin Institute for Strategic Studies at Harvard which appeared in the May/June 1994 issue of Foreign Affairs:

''. . . there is strong evidence that countries relying on American weaponry have not started wars with their neighbors. Contrast that record with the one compiled by countries that have purchased their weapons from Russia, Western Europe, or Third World suppliers. To cite the most egregious example, Iraq, which attacked Iran in 1980 before turning on Kuwait a decade later, had purchased its weapons primarily from Russia and France.

''Why American arms should be used primarily for defensive purposes is an interesting question. The most likely reason is that countries reliant on the United States fear being cut off and forced to look elsewhere if they misbehave.''[17]

The question of whether U.S. weapons transfers are as overwhelmingly constructive and stabilizing as this version of the conventional wisdom claims they are deserves closer scrutiny. As the next section will demonstrate, the sheer volume of U.S. arms shipments to areas of conflict calls into question the notion that these transfers have exerted a uniformly positive or predictable influence on local, regional, and international security.

II. U.S. Weapons at War

A comparison of the Pentagon's own data on deliveries of weapons through the U.S. Foreign Military Sales (FMS) and Commercial Sales (CS) programs over the past decade with a list of 50 significant wars that were under way during 1993–94 indicates that U.S. weapons exports have played a major role in fueling the ethnic and territorial conflicts that have become one of the most difficult security challenges of the post-Cold War era [18]:

In the past ten years, parties to 45 current conflicts have taken delivery of over $42 billion worth of U.S. weaponry;

Of the significant ethnic and territorial conflicts going on during 1993–94, 90% (45 out of 50) of them involved one or more parties that had received some U.S. weaponry or military technology in the period leading up to the conflict;

In more than half of current conflicts (26 out of 50), the United States has been a significant arms supplier, accounting for at least 5% of the weapons delivered to one party to the dispute over a five year period;

In more than one-third of all current conflicts (18 out of 50), the United States has been a major supplier to one party to the dispute, accounting for over 25% of all weapons imported by that participant in the most recent five year period;

Despite the popular perception that it is U.S. policy to cease deliveries of weapons once a conflict is under way, as of the end of 1993 (the latest year for which full statistics are available) the United States was shipping military goods and services to more than half (26 out of 50) of the areas where there were wars being fought.

The data outlined above demonstrate that contrary to the assertions of key policymakers, academic analysts, and industry lobbyists, the United States is sustaining the warfighting capabilities of a substantial number of the parties to the world's current conflicts. In a number of volatile areas the United States has been the primary supplier to governments that are involved in either internal or regional conflicts. In cases where the United States has supplied a majority of a client government's imported weaponry over an extended period of time, it is likely that some U.S. systems will be utilized in future conflicts involving these nations (see Table I, below)

Among the most serious conflicts in which the United States has been the primary weapons supplier are Turkey, Morocco, Somalia, Liberia, Kenya, Zaire, Pakistan, Indonesia, the Philippines, Haiti, Guatemala, Colombia and Mexico. Official U.S. weapons deliveries to Haiti, Guatemala, Liberia, and Zaire were cut off as of the early 1990s, but U.S. deliveries to conflict zones in Turkey, Morocco, Somalia and Kenya have actually increased over the past few years. In the case of Somalia, the increase is explained by the fact that a new government has been installed as a result of a UN peacekeeping mission in that nation. But continuing U.S. deliveries to Morocco, Turkey, and Kenya have no such rationale: in these cases, U.S. arms are shoring up regimes that have been intransigent in their pursuit of military solutions to sensitive ethnica and territorial disputes. Last but not least, in both Haiti and Guatemala, legislative attempts to terminate U.S. military assistance were subverted by the implementation of covert aid programs that were actually larger than the overt programs that were eliminated by Congress (see sections II and III for further discussion).

TABLE I—AREAS OF CONFLICT IN WHICH THE U.S. HAS BEEN A PRIMARY WEAPONS SUPPLIER

Region (and recipient)	Percent of total arms imports received from the United States	
	1987–91	1991–93 [1]
Southern Europe:		
Spain	85	86
Turkey	76	80
Middle East/North Africa:		
Israel	99	91
Morocco	26	76
Egypt	61	89
Sub-Saharan Africa:		
Chad	27	25
Somalia	44	100
Liberia	40	[2]0
Kenya	25	100
Zaire	17	0
Asia:		
Pakistan	44	3
Philippines	93	75
Indonesia	38	33
Latin America:		
Guatemala	86	[3]0
Haiti	>25	[2]0
Colombia	28	19
Brazil	35	40
Mexico	77	64

[1] The overlap in years covered by the two columns (1987–1991 and 1991–1993) is a function of the way the data is reported in the two most recent editions of the ''World Military Expenditures and Arms Transfers'' report. For a brief description of the nature of the conflicts in each of these nations, see Appendix A, Table I, below.

[2] The Arms Control and Disarmament Agency (ACDA) reported no arms transfers to Haiti or Liberia from any source during 1991–1993; this does not necessarily mean that there were no transfers of any kind—it is likely that there was some black market trading in light weaponry that was not detected by the intelligence sources that serve as the basis for ACDA's data.

[3] It has recently been revealed that the Central Intelligence Agency continued to make millions of dollars in payments to Guatemalan military and intelligence officials after U.S. military aid was officially cut off in 1991; it has yet to be determined whether some of this money was used to import weaponry.

Source: U.S. Arms Control and Disarmament Agency, ''World Military Expenditures and Arms Transfers'', 1991–92 and 1993–94 editions, Table III.

While data on the total volume of U.S. weapons supplies to areas of conflict is readily available, specific information on how U.S. weaponry is being put to use in today's wars is harder to come by. This is in part because neither the media nor the armed forces have made it their business to identify the specific types of weaponry utilized in a given conflict or to document the origins of these armaments. Even if gathering such data was a priority, the reality of warfare, particularly multi-sided civil conflicts involving light weaponry, would make it difficult to obtain comprehensive information. Nonetheless, accounts in the mainstream and specialty press have uncovered a number of recent examples of how U.S.-supplied weaponry is being put to use on the battlefield, and a number of arms control and human rights researchers have recently begun a concerted effort to gather more information on the patterns of deliveries of light weaponry to ethnic conflicts. The following examples are illustrative of the ways in which U.S. weapons are being utilized in current conflicts: a more comprehensive accounting would require more open reporting of the nature of U.S. weapons transfers to these areas.

Turkey: Turkey received over $6.3 billion worth of military equipment and services from the United States between F.Y. 1984 and F.Y. 1993.[19] The United States supplied 76% of all weapons imported by the Turkish government between 1987 and 1991, a figure which increased to 80% for the period from 1991 to 1993. The majority of U.S. weapons supplies to Turkey have been paid for by U.S. taxpayers as part of an extensive military aid program that has provided over $5 billion in assistance from F.Y. 1986 through F.Y. 1995.[20] Turkey has also received large deliveries of U.S. weaponry for free or at minimal cost as part of the NATO ''cascading'' program, which involves redistributing surplus weapons rendered redundant by the Conventional Forces in Europe Treaty (CFE).[21] Last but not least, a number of U.S. weapons systems are produced in Turkey under coproduction and licensing agreements with U.S. firms, including Lockheed's F–16 fighter plane and the FMC Corporation's M–113 armored personnel carrier.[22]

There have been reports in the international and Turkish press indicating that U.S.-supplied weaponry has been used extensively by the Turkish government in its war on the Kurdistan Worker's Party (PKK) in southeastern Turkey. A wide range of U.S. systems, including F–16, F–4, F5, and F–104 fighter aircraft, Cobra and Black Hawk helicopters, cluster bombs, and M–60 tanks and M–113 armored personnel carriers have been used in the conflict, which has claimed over 15,000 lives since 1984.[23]. The Clinton Administration and other supporters of the Turkish government have argued that the PKK is a terrorist organization, not a legitimate political movement. However, regardless of their views on the PKK, most independent observers agree that the politico-military strategy of the Turkish government—strafing and depopulating entire villages in the southeast—entails unnecessary suffering and repeated violations of the human rights of civilian noncombatants. Human Rights Watch has reported that as of October 1994, the Turkish government has depopulated as many as 1,400 villages and hamlets and displaced several hundred thousand people in its prosecution of the war against the PKK.[24] Major encounters involving U.S.-supplied weaponry have included May 1993 bombing raids in the Karliova valley that utilized F–4 fighter plans and Cobra helicopters to kill 44 Kurdish fighters and a January 1994 incursion into Iraq to bombard PKK camps with cluster bombs, 500- and 2000-pound bombs dropped from F–16 and F–4 aircraft.

The Turkish government's March 1995 invasion of Northern Iraq marks the latest chapter in its quest for a military solution to the Kurdish question. A Turkish government spokesperson proudly described the cross-border raid by 35,00 troops as ''the biggest military operation in the history of the Turkish Republic.''[25] Ironically, the Turkish attack targeted the same sector of Iraq in which the United States had been enforcing a ''no fly zone'' as part of the United Nations-backed Operation Provide Comfort, an effort designed to protect Iraqi Kurds in the area from Saddam Hussein's regime. Because the United States is far and away Turkey's largest supplier of weapons and military aid, Turkish Prime Minister Tansu Ciller cleared the operation with President Clinton by telephone before sending her military forces into Iraq. White House spokesperson Mike McCurry reported that the President accepted Ciller's explanation that the raids were strictly aimed at PKK ''terrorist bases'' in Northern Iraq, and that Clinton expressed ''understanding for Turkey's need to deal decisively'' with the rebel group.[26]

In a move that may prompt debate for some time to come, President Clinton and the Pentagon also ordered U.S. military personnel in Northern Iraq to ''stand down'' from enforcing the no fly zone against Turkey aircraft for the duration of Turkey's intervention. when a reporter asked Pentagon spokesperson Dennis Boxx whether the Pentagon was ''uncomfortable'' over the fact that a U.S. ally was ''beating up on . . . the same people we've been trying to protect from Iraq for a number of years,'' Boxx argued that Turkey was taking great care to focus its attacks on PKK terrorist strongholds. When he was asked where U.S. enforcement of the no fly zone would be rendered inoperative for the duration of the Turkish intervention in Northern Iraq, Boxx implied that it would, noting that ''it's simply better not to put these people at risk [U.S. military personnel involved in Operation Provide Comfort] until this has been resolved.'' The chilling implication of Boxx's remark is that the Pentagon actually feared that if U.S. forces had tried to enforce the no fly zone against the Turkish military, Turkish forces would have engaged in an air war against U.S. troops, using U.S.-supplied aircraft. It was almost as if the Pentagon spokesman was acknowledging that Turkey had intimidated the U.S. into allowing its Iraqi incursion to go forward unhindered.[27]

As has been the case in its major anti-Kurdish operations of the recent past, Turkey's offensive in Northern Iraq has relied heavily on U.S.-supplied equipment. Reports in the European press have indicated that Turkey's air war against the PKK (and against a number of Kurdish settlements and refugee camps) in Northern Iraq has been conducted almost entirely with U.S.-designed fighter planes such as the McDonnel Douglas F–4, the Lockheed F–104, and the Lockheed Martin F–16. Other U.S.-supplied aircraft such as the Textron-Bell Cobra helicopter gunship and the United Technologies/Sikorsky Black Hawk troop transport have also been used in support of Turkey's move into Iraq.[28]

U.S. support of the Turkish intervention is based on the assumption that it is a carefully crafted defensive operation aimed at wiping out PKK bases in Iraq, with little or no negative impact on Kurdish civilians. But press reports from the area have raised serious doubts regarding Turkey's claim that it has been mounting a ''surgical strike'' against terrorists. Turkey's ongoing war against the PKK, both in Northern Iraq and Southeastern Turkey, is looking increasingly like it may become that nation's Vietnam: a draining, divisive, and ultimately unsuccessful effort to defeat a nationalist movement by military means. An April 2nd news analysis piece by John Pomfret of the Washington Post—appropriately entitled ''Turkey's Hunt for the Kurds: the Making of a Quagmire?''—captured the dilemma faced by Turkish troops in Northern Iraq as they attempted to sort out Kurdish PKK militants from Kurdish civilians (both Turkish and Iraqi) in the area:

''. . . by embracing a military answer to what it considers a terrorist question, Turkey risks bogging its army down in a vicious cycle of incursion and withdrawal, followed by guerilla counterattacks and more incursions again. Such a cycle, Western officials have said, would only empty government coffers overtaxed by an ailing economy and a similar counterinsurgency operation within Turkey.''[29]

A western relief worker underscored the futility of Turkey's military strategy when he told Pomfret ''you can't wipe out a terrorist operation that operates on two continents by attacking the mountains. It's like killing a fly with a sledgehammer.'' Turkish soldiers reported a conundrum similar to that faced U.S. forces in Vietnam—an inability to distinguish friend from foe. One soldier told the Post ''we have a big problem because we don't know who is a villager and who the PKK is . . . we can't do a thing.''[30]

Unfortunately, contrary to the soldier's report, Turkish troops did plenty of things in Northern Iraq, including a number of documented cases of killings and displacement of Kurdish civilians. There is no way of knowing at this point whether these were isolated incidents or part of a larger pattern of abuse, because at a number of key stages in the conflict Turkish military commanders limited access to the combat zones on the part of both journalists and relief workers.[31] At the end of March, during the second week of the Turkish invasion, residents of the Iraqi village of Beshile reported that their village had been bombed and burned to the ground by Turkish forces. Fevzi Rashid, a 43 year old farmer who witnessed the Turkish attack, described it to a reporter from Reuters news service as follows:

''First the planes bombed our village. Then soldiers came some days later and burned our houses. Yesterday they came again and fired at the village with rockets and mortars.''[32]

Turkey's claim to be targeting only PKK terrorists has been further undercut by assertions by the Iraqi National Congress, the Iraqi Kurdish organization that controls most of the territory impacted by the Turkish invasion, that on the very first day of the invasion ''Turkish soldiers . . . arrested hundreds of refugees as suspected followers of the Kurdish Workers' Party.''[33]

Although the Clinton Administration firmly held to its position that the Turkish invasion would be limited in duration and narrow in focus, one expected withdrawal date—Turkish Prime Minister Tansu Ciller's April 19th visit to Washington—came and went with no final timetable for withdrawal in sight. A partial pullback of Turkish troops in late April of 1995 still left at least 10,000 Turkish troops inside Iraq, and there is some dispute even now as to whether all Turkish troops have cleared out of the area (see discussion below). In contrast to the policy of Germany, which has cut off all weapons shipments to Turkey in response to the Iraqi incursion, the Clinton Administration's position on the Kurdish question appears to be ''Turkey right or wrong.''[34] The U.S. arms industry has officially weighed in on the side of the Turkish government's tactics as well, in the form of a comment by Joel Johnson, chief lobbyist for the Aerospace Industries Association, to the effect that Turkey's military plan was no different from what other global and regional powers have done in similar circumstances:

''It must be acknowledged that the Turks have not invented Rolling Thunder. We used B–52s to solve a guerrilla problem [in Vietnam]. The Russians used very large weapons platforms [in Afghanistan]. And the Israelis get irritated on a reasonably consistent basis and use F–16s in Southern Lebanon. One wishes that it didn't happen. Sitting in the comfort of one's office, one might tell all four countries they're wrong. It's a lot easier to say that here than when you're there and it's your military guys who are getting chewed up.''[35]

Setting aside for a moment the obvious moral issues raised by massive bombing raids as a tool of modern warfare, it must be pointed out that Johnson's statement glosses over a key strategic point: in two of the three examples he cites, Vietnam and Afghanistan, the ''Rolling Thunder'' tactic was employed by great powers that were ultimately defeated militarily and politically by

smaller, better motivated nationalist forces. Even staunch allies of the current Turkish regime might find reason to advise Prime Minister Ciller to abandon her country's current military strategy vis-a-vis Kurdish separatist forces.

In response to a growing international outcry against the Turkish government's tactics in its war against the PKK, the Clinton Administration has repeatedly urged Turkey to stop its indiscriminate approach of bombing and depopulating entire villages. congress has gone beyond rhetoric by withholding 10% of Turkey's U.S. military aid for F.Y. 1995 pending a report on abuses against civilians by the Turkish military. In December 1994, Human Rights Watch published a report entitled ''U.S. Cluster Bombs for Turkey?'' which called for a reversal of a plan to provide advanced U.S.-built CBU–87 cluster bombs to Turkey on the grounds that the weapons might be used against civilians. As a result of the pressure generated by the report, the cluster bomb sale has been shelved for the moment.[36]

Despite these efforts to restrict the flow of U.S. arms to Turkey's war against the PKK, the United States remains Turkey's number one weapons supplier, and Turkey's inhumane warfighting tactics continue. As of the first week of May, 1995, Turkish officials claimed to have removed all of their troops from Northern Iraq, but Prime Minister Ciller has stated in no uncertain terms that she retains the right to invade the area again if Turkey detects further PKK activities there.[37] So far, moves to curb Turkey's use of imported weaponry have had no discernible impact on Ciller's approach to the Kurdish problem: she told members of her governing coalition in early April that ''we have one thing to say to those who threaten us about using their arms when they should be standing by us—we will use our right to defend ourselves under any circumstances. You can keep your weapons.''[38] Maybe it's time for President Clinton to take Prime Minister Ciller up on her offer.

Afghanistan: Beginning during the late 1970s under the Carter Administration and accelerating during the 1980s under the Reagan Administration, the United States supplied rebel factions in Afghanistan with an estimated $2 billion in covert military assistance.[39] This effort has been widely cited as one of the great success stories of the Reagan Doctrine of arming anticommunist rebels, and there is no question that U.S. weapons supplies contributed to the ability of Afghan guerrilla fighters to drive Soviet forces out of their country. Unfortunately, the longer term consequences of U.S. arms supplies to Afghan forces have been far more problematic. Since Soviet troops withdrew from Afghanistan in February 1989, U.S. weapons have helped to sustain a vicious civil war amongst competing rebel organizations inside Afghanistan. In addition, systems supplied to the Afghan factions for purposes of fighting off Soviet forces are now being resold on the international market, turning up in conflicts where they were never intended to be used.

As Ted Galen Carpenter of the Cato Institute has noted, ''[e]ven before they ousted the Soviet-backed government from power in April 1992 feuding mujahadin guerrilla units spent almost as much time battling each other as they did fighting the communists.'' Far from setting the stage for a period of peaceful reconstruction and reconciliation, the fighting inside Afghanistan actually intensified after the Soviet-supported regime was overthrown—2,000 people were killed in one three-week period in August of 1992, and by the spring of 1994 600,000 people had been displaced from the capital city of Kabul. Much of the equipment used on each side of the Afghan civil war comes from stocks supplied to the various rebel factions by the CIA during the 1980s. [40]

The violence sparked by U.S. weapons and training to the Afghan rebel movements extends far beyond Afghanistan. An Algerian government official has described the existence of a ''floating army'' of Islamic fundamentalist fighters who received weapons and training in Afghanistan starting in the 1980s, and are now mounting terrorist attacks on U.S.-backed governments in Algeria, Egypt, Israel, and Saudi Arabia. [41] This international network of armed Islamic fundamentalists that the CIA helped to create has struck in the United States as well: two of the men convicted in the 1993 bombing of the World Trade Center had received weapons and explosives training from CIA-backed rebels in Afghanistan prior to their attack in New York. And these two men may not be the only examples of U.S. covert aid backfiring. According to David Whipple, the former head of counterterrorism at the CIA, ''some of the people who are actual or potential terrorists in this country are former guerrilla fighters in Afghanistan.'' And it now appears that the suspects in the recent murders of several U.S. embassy employees in Karachi, Pakistan are also suspected of having ties to the CIA's Afghan weapons pipeline.[42]

One of the most dangerous lingering side effects of the CIA's Afghan weapons trafficking has been the proliferation of U.S.-built Stinger missiles. The Stinger, a shoulder-fired antiaircraft missile that can be used to shoot down anything from a fighter plane to a civilian airliner, has been described by Senator Dennis DeConcini as ''the ultimate terrorist weapon.'' [43] Afghan rebel commanders have been putting their U.S.-supplied Stingers up for sale to the highest bidder in the international arms bazaar, and there have been reports that some of the weapons have now turned up in such unlikely places as Iran, Libya, Qatar, and North Korea. [44]. The CIA was so disturbed by these reports that they put up $65 million for a Stinger ''buyback'' plan; so far the program has only succeeded in driving up the price that Afghan forces can get for the missiles to two to three times their original price, while recovering very few of the missiles. [45].

The shortsighted attitudes of U.S. policymakers involved in creating the Afghan weapons pipeline were summarized by Edward Juchniewicz, the CIA's associate director for covert operations during the Reagan Administration:

''The Iranians have already captured or otherwise obtained some Stingers and continue to accumulate them. I can understand why people are exercised. I wouldn't want one to hit the airplane I'm on . . . [but] one makes the assumption when one goes to battle that one's equipment will be captured by the enemy. So unfortunately, we lost some Stingers, and now our enemy has one of our best weapons.''[46]

What Juchniewicz fails to acknowledge is that the Stingers that were transferred to Iran were not captured by an enemy in battle; they were provided to Iran by Afghan rebel forces that had been considered friends of the United States.

While the spread of U.S.-supplied Stinger missiles poses an ongoing threat because of their possible role in augmenting the capabilities of terrorist organizations, the tens of thousands of tons of light weaponry that the CIA funneled to Afghan factions through its contacts in Pakistani intelligence services may pose an even more serious risk to the stability of South Asia. Analysts of the Afghan conflict have reported that during the 1980s the United States purchased literally hundreds of thousands of combat rifles from such diverse sources as China, Turkey, Egypt, and Israel and passed them on to Afghan rebel groups.[47] However, as British researcher Chris Smith has noted, many of these weapons were siphoned off along the way, because the Afghan pipeline was ''extremely badly organized and poorly thought out,'' to the point that it ''leaked profusely and virtually ruptured.'' As a result, the Northwest Frontier area of Pakistan is dotted with a series of open air weapons marts that are doing a brisk business reselling weapons that were originally intended to go to Afghan rebel forces. Pakistani intelligence officials have been running guns to Islamic fundamentalist forces in the India province of Kashmir, increasing the level of violence of that conflict and undermining efforts to encourage India and Pakistan to come to a diplomatic resolution of the Kashmir issue. Sikh militants fighting in the Punjab region of India have large quantities of Chinese Type 56 assault rifles of the kind that were supplied in large numbers by the CIA to the Afghan war, indicating a likely spillover of the Afghan pipeline into this conflict as well. U.S.-supplied weapons have also been utilized by Islamic fundamentalist fighters engaged in a civil war against Russian-backed government in the former Soviet republic of Tajikistan.[48]

In reviewing the evidence of the spread of U.S.-supplied guns and ammunition that was originally intended for the Afghan war, Human Rights Watch has observed that ''[t]he single most important factor in the introduction of small arms and light weapons into South Asia was the effort by the U.S. and Pakistan to arm the Afghan mujahidin resistance.''[49]

Indonesia: Governed by one of the world's longest enduring military rulers, General Suharto, Indonesia also has one of the worst human rights records of any major U.S. weapons client. There is direct evidence that some of these human rights violations have been carried out using U.S.-supplied equipment.

In addition to restrictions on freedom of the press, freedom of assembly, and labor rights within Indonesia, the Indonesian government has sustained an illegal military occupation of neighboring East Timor for nearly 20 years. In November of 1991, two U.S. journalists, Allan Nairn and Amy Goodman, witnessed a massacre carried out by Indonesian troops in the Timorese capital of Dili. The troops, armed with U.S.-supplied M–16 rifles, opened fire on a memorial mass and procession in honor of a young Timorese man who had been murdered by the Indonesian army for attempting to speak out about human rights abuses in East Timor.[50] Human rights abuses by Indonesian forces have continued up to the present, both in East Timor and within Indonesia; a recent summary of Indonesia's record of Human Rights Watch described ''a pattern of abuse . . . characterized by military intervention in virtually all aspects of Indonesian public life and by the arbitrary exercise of authority by President Soeharto.''[51]

The massacre in Dili and subsequent actions of the Indonesian military have sparked calls by the public and the Congress for a cutoff of U.S. military assistance, training and sales to the Indonesian government, but so far these demands have only been partially met. In October of 1992 Congress cut off U.S. assistance to Indonesia under the International Military Education and Training (IMET) program. In 1994, the Clinton administration announced that it would stop permitting arms sales or export licenses to Indonesia for deals involving small arms or crowd control equipment.[52]

Despite these steps, there continues to be a significant flow of U.S. weapons to Indonesia, adding to the more than $583 million in U.S. weapons deliveries to that nation from F.Y. 1984 through F.Y. 1993. In 1993, the last year for which full data is available, U.S. deliveries to Indonesia through the Pentagon's Foreign Military sales program and commercial sales licensed by the State Department topped $34 million. And the most recent statistics from the U.S. Arms Control and Disarmament Agency demonstrate that for a five year period ending in 1991, the U.S. supplied 38% of all weapons imported by the Indonesian government; for the period from 1991 to 1993, the U.S. share of Indonesia's weapons imports dropped slightly, to 33%. As this report was going to press, Defense News reported that the Clinton Administration was seriously considering giving clearance for a multi-billion dollar sale of F–16 fighter aircraft to Indonesia; the article reported some ambivalence within the administration, noting that ''White House officials . . . realize they must tiptoe around congressional sensitivity over killings and arbitrary arrests in the former East Timor.''[53]

Other examples: In addition to these specific examples of the utilization of U.S.-supplied weapons in active areas of conflict, there is strong circumstantial evidence to indicate that U.S. systems have either already been used or may yet come into play in a host of other wars. The mere fact that U.S. weapons have been delivered to 45 of the 50 current localities that are in the midst of significant conflicts in one strong indication that U.S. weapons are involved in many of today's wars.

Moving form statistical evidence to actual cases, a few recent examples should suffice to demonstrate the myriad ways in which U.S. weaponry may be used in ethnic and territorial conflicts.

Guatemala has been on the front pages of American newspapers in recent months because of revelations that CIA-financed Guatemalan military officers were involved in the murders of Efrain Bamaca Velazquez (a Guatemalan rebel leader who was the husband of Jennifer Harbury, an American lawyer and anti-war activist), and Michael DeVine, an American citizen who owned a farm in Guatemala before he was killed in 1990. Ironically, it took the deaths of an American and the husband of an American citizen to focus widespread media attention on the routine use of U.S. arms to promote murder and torture in Guatemala. As R. Jeffrey Smith and Dana Priest noted in a Washington Post piece that ran after the revelations of CIA complicity in these two deaths, ''while U.S. public attention was distracted by civil wars in El Salvador and Nicaragua, the CIA and U.S. military trained and equipped anti-communist military forces widely believed to have killed more than 100,000 peasants during a decades-long simmering insurgency, according to U.S. intelligence, military, and diplomatic officials.'' Once the Cold War aura of anti-communist ''legitimacy'' is removed from these activities, an objective view of the behavior of U.S.-backed Guatemalan forces reveals that they have been engaged in a campaign of systematic terror against their own people for over three decades.[54]

As if the obscene spectacle of U.S. government funds supporting the murder of a U.S. citizen were not evidence enough that U.S. arms policies towards Guatemala have gone seriously awry, subsequent revelations about the CIA's role in Guatemala raise even more troubling questions.

From 1986 through 1991, the United States accounted for 86 percent of all weaponry imported by the Guatemalan military. In response to ongoing human rights abuses in Guatemala in general and the murder of Michael DeVine in particular, U.S. military assistance to Guatemala was officially suspended by the Bush Administration in 1990. As far as the public, the media, most members of Congress, the Secretary of State, and even the U.S. ambassador to Guatemala were concerned, this cutoff of military aid meant that the U.S. government's role in arming and financing the Guatemalan military had been brought to an end. This reasonable assumption turned out to be dead wrong.

In the wake of the revelations about the Guatemalan military's role in the murders of Michael DeVine and Efrain Velazquez, Tim Weiner of the New York Times revealed that from the moment official U.S. aid to Guatemala was suspended in 1990, the CIA immediately initiated a multi-million dollar program of payments to key Guatemalan military and intelligence officials. The payments, which were allegedly aimed at ''maintaining good relations'' with Guatemalan security officials, totaled $5 to $7 million per year, more than twice the level of the public U.S. military aid that was terminated by the Bush Administration. Among the recipients of CIA funds was Col. Alpirez, the principal suspect in the murders of Michael DeVine and Efrain Velazquez.[55]

In addition to the secret CIA payments, investigative journalist Allan Nairn has uncovered documentation of 144 separate sales of rifles and pistols to Guatemala from U.S. sources, all of which occurred after the 1990 aid cutoff.[56]

As the Clinton Administration and the Congress proceed with separate investigations of the Guatemalan arms scandal, they will have to consider new, tougher safeguards over the CIA's role in the covert arming and financing of foreign military and intelligence services. Otherwise, there will be no guarantee that the will of the President, the Congress, or the public will be respected in future arms sales relationships. The CIA's conduct in Guatemala brings to mind a remark made by former New Hampshire Senator Warren Rudman with respect to another covert arms trafficking scheme run amok, Iran/contra: ''If you carry this to its logical extreme, you don't have a democracy any more.''[57]

When Mexico moved to put down the rebel uprising in the southern state of Chiapas in early 1994, they initially used some of the nearly three dozen helicopters that the United States had supplied to the Mexican Attorney General's office for use in anti-narcotics activities. Under questioning from Congress, Assistant Secretary of State Alexander Watson acknowledged that ''USG-supplied helicopters were being used in Chiapas,'' but argued that their use was acceptable because ''[s]enior officials assured our Embassy that the helicopters were use in a logistical, noncombat role.''[58] Since a ''logistical'' function for the U.S.-supplied helicopters could include the militarily essential task of transporting troops and equipment to the front, the assertion regarding a ''noncombat role'' is misleading at best.

In March of 1994, the San Antonio Express-News reported that the Mexican government was ''quietly importing millions of dollars worth of riot control vehicles across the Texas border, apparently in preparation for any civil unrest after the late-summer presidential election.'' The systems imported from the United States included the 17-ton Cobra riot control vehicle, equipped with water cannon and dye guns that can be used to ''mark'' troublesome demonstrators for later identification by the police; and the 12-ton Textron armored water cannon, which can spray with an impact of 120 pounds at a range of up to 50 feet. Pro-democracy activists in Mexico roundly condemned the sale. Apparently, the vehicles have yet to be utilized to put down any major demonstrations, but given the continued political turbulence in Mexico they may yet be used for that purpose.[59]

In February of 1995, Newsday reporter Ray Sanchez reported that U.S.-supplied Black Hawk helicopters were being used to ferry troops to Chiapas in the Mexican government's abortive attempt to round up the top leadership of the Zapatista movement. There is a strong possibility that U.S. weaponry will be used again if there is further civil strife in Mexico: the Mexican government has taken delivery of over $300 million worth of U.S. weaponry over the past decade, and U.S. deliveries accounted for over three-quarters of Mexican weapons imports in the most recent five year period for which information is available.[60]

The Bush Administration's initiative to utilize military assistance to help Andean nations fight the ''war on drugs'' has led to a number of documented instances of the use (and abuse) of U.S.-supplied weaponry in conflicts having little or nothing to do with the problem of drug interdiction. As the Washington Office on Latin America (WOLA) noted in its 1991 report ''Clear and Present Dangers; The U.S. Military and the War on Drugs in the Andes'', under the impetus of the Bush policy ''the Andean region has supplanted Central America as the main locus of U.S. military activity in the hemisphere.'' In the first three years of the 1990s, Colombia, Peru, and Bolivia were slated to receive more U.S. military assistance than all of Central America combined, with the rationale of providing equipment and training that could be used to fight drug trafficking in those countries. Despite rhetoric about shifting its emphasis toward reducing demand for drugs in the United States, the Clinton Administration has carried on the Bush policy of providing substantial amounts of military assistance to Andean, Central American, and Caribbean nations for use in anti-narcotics efforts.[61]

In Colombia, Black Hawk helicopters and Textron/Cessna A–37 counterinsurgency aircraft that were supplied as part of the Bush Administration's September 1989 emergency antidrug aid package to that nation were used just a few months later in a series of bombing raids against the village of Llana Fria that resulted in the displacement of 1,400 peasants. The Colombian military claimed that the raids were aimed at leftist guerrilla forces—clearly not a purpose that was covered in the original rationale for the emergency U.S. weapons shipments. To make matters worse, a report by the Washington Office on Latin America (WOLA) indicated that ''witnesses claim that the attacks were not aimed at guerrilla camps, as the military said, but at civilian settlements.'' In a statement that proved to be prophetic, WOLA Executive Director Alexander Wilde warned in a June 1990 congressional hearing that funneling U.S. aid to the Colombian armed forces under the guise of fighting drugs would just ''further fuel the crisis of human rights abuse [in Colombia] . . . and undermine political stability, by strengthening the Colombian armed forces.'' Five years and hundreds of millions of dollars in U.S. military aid later, Colombia has made little progress in stemming the flow of cocaine from its territory to the United States; in fact, in March of 1995 the Clinton Administration stopped just short of cutting off all U.S. aid to Colombia as punishment for the current government's lackluster efforts to bring members of the drug cartels to justice.[62]

When tensions between Ecuador and Peru erupted into a full-scale border war in January of 1995, it marked the latest case in

which the United States has provided substantial amounts of weaponry to both sides of a conflict.

Ecuador received over $111 million in U.S. Military equipment between F.Y. 1984 and F.Y. 1993. U.S. shipments accounted for more than 33% of all Ecuadorean weapons imports in the most recent five year period, and 50% of all such shipments from 1991 through 1993. In the five years following the announcement of the Bush Administration's Andean antidrug initiative, Ecuador has received $21 million in security assistance from the United States, including military grants and training, giveaways of excess U.S. Defense equipment, and balance of payments assistance under the Economic Support Fund program (ESF).[63] A passage on the aid program for Ecuador in the 1993 edition of the joint Pentagon/State Department Congressional Presentation on Security Assistance provided an ironic foreshadowing of precisely how the U.S. Weaponry provided to that nation for the fight against drugs would prove useful in its 1995 jungle border war with Peru:

''The proposed FY 93 FMF [Foreign Military Financing] program will provide vehicles, aircraft spare parts, and communications equipment to improve military mobility in remote regions. It will also provide weapons and ammunition.''[64]

This increased mobility apparently proved useful to Ecuadorean forces during the early weeks of the war, as they seized a decidedly remote border zone in the Amazon jungle.

When Peru counterattacked to win back the captured territory, its armed forces were also well equipped with U.S. Weaponry. Although U.S. Military aid to Peru has been an on again, off again affair in recent years due to questions raised by Peruvian President Alberto Fujimori's imposition of martial law, the United States still managed to ship $136 million worth of military equipment to Peru between F.Y. 1984 and F.Y. 1993. In all, U.S. sources supplied 6% of Peru's total arms imports between F.Y. 1987 and F.Y. 1991, increasing slightly to 8.5% between 1991 and 1993. Protestations over Fujimori's record notwithstanding, the United States supplied over $293 million in security assistance to Peru between F.Y. 1990 and F.Y. 1994, mostly in the form of cash payments under the Economic Support Fund (ESF) program.[65] A presentation to Congress on the F.Y. 1992 aid proposals for Peru provides a capsule summary of the kinds of assistance and training that the United States has attempted to provide to the Peruvian government and armed forces in the period leading up to the 1995 border war with Ecuador:

''The proposed FY 1992 FMF [Foreign Military Financing] program will provide individual troop equipment, small arms and heavy weapons and ammunition, communications equipment, vehicles, river patrol boats and spare parts for previously-provided aircraft and helicopters. ESF [Economic Support Funds] will provide balance of payments support and fund alternative development activities in coca-growing areas and judicial reform activities. IMET [International Military Education and Training] will provide professional military education, technical, management, and special police antinarcotics training, and training to improve military and police human rights practices.''[66]

Important elements of this ambitious aid program were sidetracked in April of 1992 when President Fujimori imposed martial law, but previous U.S. weapons and training (not to mention hundreds of millions of dollars in aid provided under the Economic Support Fund program) left a substantial mark on the shape and size of the Peruvian armed forces. In a February 1995 briefing for foreign correspondents at the presidential palace in Lima, Fujimori noted that one of the Peruvian aircraft that was shot down in the air war with Ecuador was an A–37 attack plane, a U.S. counterinsurgency aircraft that is manufactured by the Cessna division of Textron and nicknamed the ''Dragonfly.''[67]

In Asia, the fastest growing arms market in the world, U.S. weapons are playing a central part in a critical conflict as well.

The government of the Philippines has been waging counterinsurgency campaigns against the New People's Army (NPA) and several other indigenous guerrilla movements for over two decades. The United States has taken sides in this civil war by supplying the Philippine government with over $619 million worth of U.S. weaponry over the past decade. The U.S. supplied 93% of the Philippine government's arms imports from 1987 through 1991, dropping to 75% for the period from 1991 through 1993.[68]

While there has been no detailed accounting of the role of U.S. weapons and training in the civil war in the Philippines, it is clear that at least some of the equipment being supplied by the United States has direct applications to counterinsurgency, and that the United States government has gone to some effort to obscure this fact. For example, when the United States made its first report to the United Nations arms register in 1993, it indicated a delivery of nine ''combat aircraft'' to the Philippines, with no further description. When the Philippines reported on its weapons imports for that same year, they indicated receipt of 19 (not nine) combat aircraft, and they identified the planes as Rockwell OV–10A Broncos, an aircraft designed specifically for counterinsurgency missions. [69] In early April, the International Herald Tribune reported that Philippine forces had used U.S. supplied Broncos to conduct bombing raids against Muslim guerrilla forces near the city of Zamboanga. [70]

The war in Afghanistan is not the only instance of U.S. covert weapons assistance being misused long after the original purpose of that assistance has passed. In Angola, where the U.S. provided approximately $250 million in covert weapons shipments to Jonas Savimbi's UNITA movement between 1986 and 1991, U.S.-supplied systems were utilized extensively in UNITA's efforts to shoot its way into power and overturn the results of U.N.-sponsored elections. A November 1994 report by Human Rights Watch notes that ''U.S.-made 106mm recoilless rifles mounted on four-wheel-drive vehicles have been particularly popular with UNITA.'' The report also recounts Angolan government assertions that they have captured U.S.-made antitank missiles, mortars, and grenade launchers from UNITA forces. As in Afghanistan, UNITA forces in Angola also received Stinger antiaircraft missiles from the United States during the 1980s, although the Bush Administration apparently got the Stingers back from UNITA by swapping them for ''less sensitive lethal equipment.'' [71] As of early 1995, it appeared that UNITA was finally prepared to put down its arms as part of a United Nations sponsored demobilization plan; but the question remains whether the Angolan civil war could have been ended years sooner with considerably less loss of life if the United States and other major arms suppliers hadn't provided hundreds of millions of dollars worth of armaments to both sides in that twenty year conflict.

Last but not least, when a civil war erupted in Yemen at the end of 1994, reporting focused on Soviet-origin weaponry utilized by the government of Yemen, along with the possibility that some of it had been maintained with the assistance of Iraqi advisors. Less attention was paid to the fact that the Yemeni government also had access to 11 F–5E fighters, 50M60A1 tanks, and 70 M113 armored personnel carriers that it had inherited from the government of North Yemen (a former U.S. ally) when North and South Yemen merged. Despite reports that the U.S. government withheld spare parts for U.S. systems during the conflict, at least four of the F5–Es and an unknown number of the U.S.-supplied tanks and armored personnel carriers were utilized in the conflict. [72]

III. Strengthening Potential Adversaries: The Boomerang Effect

One of the most striking features of U.S. arms sales policy since the end of the Cold War has been the regularity with which U.S.-supplied weapons have ended up in the hands of U.S. adversaries. The last four times the United States has sent troops into conflict in substantial numbers—in Panama, Iraq, Somalia, and Haiti—they faced forces on the other side that had received U.S. weapons, training or military technology in the period leading up to the outbreak of hostilities. While representatives of arms exporting companies have argued that this ''leakage'' of U.S. weaponry to potential adversaries has been minimal (see section II, above), the statistical evidence tells a different story.

Panama: When President Bush ordered U.S. troops into Panama in December of 1989 to capture Panamanian President Manuel Noriega and bring him back to the United States to face trial on charges of drug trafficking and money laundering, they faced a Panamanian defense force that had been to a considerable extent made in the U.S.A. Panama received $33.5 million in U.S. weaponry under the FMS and commercial sales programs during the 1980s, and the U.S. accounted for 44% of Panama's weapons imports in the five years leading up to the invasion. Equally important, a large part of the Panamanian officer corps had been trained by the United States military: from 1950 through 1987, 6,695 Panamanian military personnel received training under the Pentagon's International Military Education and Training program (IMET), at a cost of $8.3 million.[73] Although U.S. troops encountered minimal resistance in their effort to capture Noriega, the Panama invasion was the first incident in a disturbing pattern that has characterized every major U.S. military intervention since the end of the Cold War: U.S. forces going into battle against forces that have been armed or trained by their own government.

Iraq: Despite recent efforts by the defense industry and the Clinton Administration to argue that the United States did not arm Iraq in the period leading up to the 1991 Gulf War, there is ample documentation demonstrating that the Reagan and Bush administrations supplied critical military technologies that were put directly to use in the construction of the Iraqi war machine. There is also strong evidence indicating that the executive branch's failure to crack down on illegal weapons traffickers or keep track of third party transfers of U.S. weaponry allowed a substantial flow of U.S.-origin military equipment and military components to make their way to Iraq.[74]

The differences in perception regarding the degree to which the United States government helped to arm Iraq center around the fact that the most significant U.S. contributions to the Iraqi military complex were not through direct transfers of guns, tanks, helicopters, or other finished weapons systems, but rather through supplies of so-called ''dual use'' technologies. This misunderstanding was at the heart of the misleading press coverage of the Justice Department's investigation of the BNL affair, a scandal involving provision of U.S.-guaranteed loans to

Iraq by the Atlanta branch of Italy's state-run Banca Nazionale del Lavoro. For example, a headline in the New York Times announced that ''Inquiry Finds No U.S. Involvement in the Iraqi Arms Buildup,'' and the Washington Post reported that the Justice Department's lead investigator, John Hogan, had asserted that ''Washington appears to have authorized the sale to Saddam only of some communications gear and a single pistol.'' In fact, the Justice investigators made it clear in their summary of findings that their mandate was not to assess the extent to which U.S. exports may have contributed to Iraq's military production capabilities but rather to ''determine whether chargeable crimes could be proved beyond a reasonable doubt.'' The report went on to note that ''[b]ecause our inquiry was limited in that way, this report is not intended either to criticize or to approve of any policy decisions.''[75]

To craft a policy for the future that avoids ''another Iraq,'' it is necessary to undertake precisely the task that the Justice Department's investigators viewed as outside their purview: a critical analysis of the policy-making process regarding transfers of militarily useful equipment to the Baghdad regime during the period from 1985 through 1990. As for the types of equipment that were approved for sale to Iraq, the Justice Department report acknowledges that hundreds of dual use items with applications to military production were approved for export to Iraq in the five years prior to the Gulf conflict of 1990–91. The Iraq issue was never about pistols—it has always been about the transfer of weapons production technology.

The first step in understanding the United States contribution to the Iraqi military buildup prior to the 1991 Gulf War is to look at the concept of dual use technologies. Dual use items include everything from unarmed light aircraft or helicopters that can be adapted to military uses, to instruments of torture like thumbscrews, to equipment like computers, machine tools, and measuring devices that can be applied to the production and testing of civilian or military products. Between 1985 and 1990, the U.S. Department of Commerce granted licenses for more than $1.5 billion in dual use exports to Iraq, more than $500 million of which was delivered before the outbreak of the Gulf War in August of 1990.[76] Under pressure from Congress and the public, in March 1991 the Commerce Department released a list of the dual use licenses it granted for exports to Iraq in the five years leading up to the conflict. Even a casual perusal of the list makes it evident that many of these items were put directly to work in Iraq's military research and production network. In addition to items that were licensed for export to obvious military end users like the Iraqi Air Force or the Iraqi Atomic Energy Agency, the list included numerous licenses for equipment that was being sent to Saad 16, a military production complex south of Baghdad that is known, among other things, as the center for Iraq's research and production work on ballistic missiles.[77] Congressional investigators later learned that even this list, which revealed significant U.S. contributions to Iraq's defense industrial base, was incomplete and misleading; at least 68 entries had been changed to obscure their military applications.[78]

While the Commerce Department's licensing process provided the most direct channel for U.S. assistance to Iraq's military buildup, there were also significant transfers of U.S. military technology and knowhow through indirect channels. When Chilean arms dealer Carlos Cardoen decided to sell Iraq $400 million worth of cluster bombs along with the technology for Iraq to build its own cluster bomb factory, he apparently did so with the acquiescence of several agencies of the U.S. government. According to Nasser Beydoun, a Lebanese-born arms dealer who worked as Cardoen's U.S. representative, the CIA was aware of the deal but ''looked the other way'' because Cardoen and his associates had been helpful in a covert CIA plan to provide missile technology to South Africa. In addition, investigators for ABC News discovered that in 1986 the U.S. Patent Office had improperly granted Cardoen a patent for his own version of a U.S. cluster bomb design, at a time when Chile was ineligible to receive cluster bombs from the United States.[79] Howard Teicher, who served on Ronald Reagan's National Security Council from 1982 to 1987, has made even more explicit charges of U.S. involvement in Cardoen's scheme to ship cluster bomb technology to Iraq. In a recent sworn statement filed in federal court in Miami, Teicher asserts that under the direction of William Casey, the CIA ''authorized, approved, and assisted'' Cardoen's effort to give cluster bombs to Iraq, because Casey believed that the weapons would be ''the perfect force multiplier'' for Iraq to fight off Iran's strategy of sending ''human waves'' of attackers against Iraqi positions during the Iran/Iraq war.[80] Whether due to oversight or wilful negligence, U.S. government agencies helped smooth the way for Cardoen's transfer of U.S.-origin cluster bomb know-how to Iraq.

Another major source of weapons for Iraq was Canadian-born artillery specialist (and naturalized U.S. citizen) Gerald V. Bull. During the 1970s Bull ran his firm, the Space Research Corporation, on a 10,000 acre site on the Vermont/Canadian border. It was here that he developed the technology for the G–5 155mm howitzer, a state-of-the-art artillery piece notable for its extensive range. Bull received considerable help at key stages in his career from various agencies of the U.S. government. Before he set up his U.S.-based company, he was granted U.S. citizenship under a rare special act of Congress sponsored by Sen. Barry Goldwater (R–AZ). During the period when Bull was perfecting his howitzer design, Space Research benefited from millions of dollars worth of contracts from the U.S. Army. According to former CIA Angola station chief John Stockwell, in the mid-1970s Bull was assisted by the CIA in setting up a lucrative deal with to supply howitzers, artillery shells, and howitzer production technology to South Africa for use in its war against the government of Angola. When this deal was uncovered, Bull was prosecuted for violations of U.S. arms export laws and served four and one-half months in the U.S. federal prison at Allenwood, Pennsylvania. However, the Customs Service investigator who made the case against Bull has argued that the Justice Department let Bull off relatively easily because his illegal acts were linked to a CIA covert operation.

After Bull was released from prison in 1980, he set up shop in Belgium, marketing his howitzer technology to a customer list that included both China and Iraq. Because Bull was a U.S. citizen and his howitzer technology was developed in the United States, he was required under U.S. law to receive clearance from the State Department's Office of Munitions Control in order to market this system internationally; despite his prior conviction for violating U.S. export laws, the State Department readily granted Bull clearance to sell his guns on the world market. Iraq ended up purchasing Bull-designed G–5 howitzers from both South Africa and Austria. In the case of the Austrian sales, U.S. officials were aware that the guns were being sold to both Iran and Iraq, by lodged protests with the Austrian government only with respect to the sales to Iran. Bull's most ambitious project, helping Iraq to build a ''supergun'' that would allegedly have been capable of launching a projectile from Baghdad to Tel Aviv, was cut short when he was assassinated in March of 1990. [81]

One final example of U.S. government complicity in the arming of Saddam Hussein is the case of Sarkis Soghanalian, who for years worked as an arms dealer for Iraq out of offices based at the Miami airport. Among the deals that Soghanalian worked on from his U.S. base were a successful scheme to send 26 Hughes MD–50 helicopters to Iraq and a failed deal to procure Romanian uniforms for Iraqi military forces. Soghanalian has maintained publicly that his arms deals with Iraq were not challenged during the 1980s because key U.S. government agencies were ''in on the deal,'' a claim that is lent some credence by the fact that he operated so openly as an arms procurement agent for Saddam Hussein without any interference from U.S. intelligence or law enforcement agencies. He was finally convicted on charges of illegally selling helicopters to Iraq in the fall of 1991, long after his services as one of Saddam Hussein's most valued arms brokers had been rendered irrelevant by Iraq's defeat in the Gulf War. [82]

When he learned of the details of U.S. government acquiescence in Gerald Bull's various illegal arms transactions at the height of the Gulf conflict, Rep. Howard Wolpe (D–MI) reacted angrily, with a statement that could just as easily been applied to the whole executive branch approach to private arms dealers and producers like Cardoen, Bull, and Soghanalian:

''The bottom line here is that because we have been so lax in our enforcement of American laws we are now finding American-made technology in the hands of the Iraqi forces that are pointing their cannons at American soldiers. That's outrageous.'' [83]

Somalia: The U.S. arms supply relationship with Somalia presents a textbook case of what can go wrong when short-term political interests outrank long-term strategic considerations in U.S. arms transfer decisionmaking. From the end of the Carter Administration in 1979 through beginning of the Bush Administration in 1989, the regime of Maj. Gen. Mohammed Siad Barre received roughly $1 billion in U.S. military and economic aid, including $154 million in weapons deliveries under the foreign military sales and commercial sales programs. U.S. arms deliveries accounted for 31% of Somalia's arms imports from 1985 to 1989, making the United States Somalia's top weapons supplier during the period leading up to the overthrow of the Barre regime and the outbreak of clan warfare in Somalia.[84]

The rationale for U.S. arms aid to Somalia was pure Cold War geopolitics. The Carter Administration decided that Somali ports and airfields would be useful as stepping stones for a potential military intervention in the Middle East by the new U.S. Rapid Deployment Force (since renamed and reorganized as the Central Command). The Carter and Reagan Administrations justified this new arms relationship with Somalia (which was a Soviet arms client during the 1970s) as a straight quid pro quo: U.S. arms were swapped for access to Somalia military facilities such as the port of Berbera. An added argument for supplying the Somalia regime was the fact the Somalia's larger neighbor, Ethiopia, had recently fallen out of the U.S. orbit and allied itself with the Soviet Union. A run through the executive branch's justifications to Congress from the 1980s for shipping weaponry to Somalia provides a virtual catalog of wishful thinking regarding how U.S. arms supplies might somehow turn

around what was obviously a rapidly deteriorating security situation. Time and again, despite mounting human rights abuses and an emerging civil war, Pentagon and State Department officials justified the arms flow to Siad Barre's regime on the grounds that it would ''foster stability.''[85] the most unintentionally ironic statement of the U.S. policy of ignoring instability in Somalia and pressing ahead with military-related assistance was offered by the Bush Administration in a 1991 presentation to Congress:

''Prior to the civil war, ended by a January 1991 coup, we urged the Siad Barre government to improve human rights, undertake real political reform and promote national reconciliation. * * * Despite the adverse impact of the civil war and the coup of U.S.-Somali relations, our interests in the region remain the same. The new Somali government has expressed an interest in resuming bilateral relations, and may be willing to undertake several democratic reforms which we support''.[86]

This analysis was offered in support of offering U.S. military training to the new Somali government. A new round of fighting within Somalia ensured shortly thereafter, and a year and one-half later President Bush sent U.S. troops to Somalia as part of a United Nations force charged with imposing some semblance of order upon rival armed factions that were threatening the delivery of humanitarian relief to a beleaguered and malnourished Somali populace. From 1991 to 1993, the United States has supplied 100% of all new weaponry imported by Somalia's governing coalition.

When Siad Barre was overthrown in January of 1991, much of the weaponry that the United States had so diligently supplied to his government during the 1980s fell into the hands of the rival factions that carried on the civil war that served as the rationale for the dispatch of U.S. troops to that nation in December of 1992. Despite the usual assertions that U.S. weapons deliveries to Somalia were largely ''defensive'' or ''nonlethal'' equipment, the U.S. provided significant quantities of small arms, including 4,800 M–16 rifles, 84 106mm recoilless rifles, two dozen machine guns, 75 81mm mortars, and an unspecified quantity of land mines. Larger weaponry included 24 M–113 armored personnel carriers, 18 155mm towed howitzers, and 448 TOW anti-tank missiles. The smaller items on this list, including the M–16s, machine guns, recoilless rifles, and land mines, were precisely the kinds of weaponry that were utilized by the forces of the warlord Mohammed Farah Aideed and other Somali factions in their fighting with U.S. and United Nations troops posted to Somalia. While the U.S. was far from the only supplier to add to the atmosphere of armed chaos that took hold of Somali society, U.S. weapons delivered during the 1980s played a significant role, first in supporting the regime of Siad Barre in its campaign of terror against his own population, and then in supporting the warfighting capabilities of the Somali factions involved in the civil war that carried on after Barre was overthrown.[87]

Haiti: When President Clinton decided to dispatch U.S. troops to Haiti in late 1994 to clear the way for the restoration to power of Haiti's elected leader, Jean Bertrand Aristide, most of the media attention was focused on the last minute shuttle diplomacy carried out by former President Jimmy Carter retired Gen. Colin Powell, and Senator San Nunn. There was very little discussion of the historic U.S. role in arming and training the Haitian military and intelligence forces that United States troops were sent to keep in check. From F.Y. 1984 to F.Y. 1993, the United States delivered $2.6 million worth of weaponry to Haiti under the FMS and commercial sales programs. This seemingly modest amount was significant by the standards of Haiti, which maintains 7,000 personnel in its armed forces and spends on average only about $50 million per year on its military budget. Of equal importance, during the past ten years the United States has trained 164 members of the Haitian officer corps. In addition, from 1986 through 1991, U.S. intelligence agencies were secretly arming and training key military and intelligence officials in Haiti at a cost of up to $1 million per year, allegedly for the purpose of assisting in the interdiction of illegal narcotics. Taking into account these secret weapons shipments, total U.S. arms deliveries to Haiti during the period from 1987 through 1991 exceeded 25% of total Haitian arms imports. Key U.S.-designed equipment in the Haitian military's inventory include six Cadillac Gage V–150 Commando armored personnel carriers (a vehicle specially tailored for ''riot control''), two Cessna 337 aircraft armed with rockets, and a variety of naval equipment and small arms. [88]

While the Haitian mission proceeded remarkably smoothly, with minimal U.S. casualties, the question remains whether past U.S. supplies of arms, training, and intelligence resources to a series of military-dominated regimes in Haiti may have unnecessarily complicated Haiti's transition to democracy, calling forth an intervention that might have been prevented if sounder arms transfer decisions had been made by the United States during the 1970s and 1980s.

IV. Taking Control: Reforming the Arms Transfer Decisionmaking Process

Contrary to recent claims of the Clinton Administration and other key participants in the arms export debate, U.S. weapons are decidedly not limited to responsible suppliers who are using them strictly for legitimate defensive purposes. When 90% of the world's ongoing conflicts involve parties that have received U.S. weaponry; when the last four major U.S. troop deployments have been against adversaries that received arms, training, or military technology from the United States; and when U.S. weapons are utilized to kill innocent civilians and abuse human rights in Indonesia, Turkey, Angola, and Guatemala, something is clearly wrong with the arms transfer decisionmaking process. This section makes specific recommendations for promoting greater accountability in arms transfer decisions, in the hopes of preventing a repetition of the disastrous arms deals that have been documented in this report.

Recommendation 1: Pass the arms transfer Code of Conduct bill

In February of 1995, Senator Mark Hatfield (R–OR) and Representative Cynthia McKinney (D–GA) reintroduced legislation calling for the establishment of a Code of Conduct for U.S. weapons transfers (bill number H.R. 772 in the House and bill number S. 326 in the Senate). Under the Code, governments that engage in aggression against their neighbors, violate the human rights of their own citizens, come to power through undemocratic means, or refuse to participate in the United Nations arms register would not be eligible to receive weaponry from the United States. If the President wanted to make an exception for a specific country on national security grounds, he would have to ask Congress to pass a bill providing an exemption for that nation.

The benefits of the Code of Conduct would be twofold. First, it would place considerations and the character of a given arms receipt and how that nation might use U.S. weaponry up front in the arms transfer decisonmaking process, preventing sales to unstable regimes in the process. Second, even in cases where the President sought an exemption, members of Congress would be forced to go on the record for or against, providing a measure of public accountability that rarely occurs that rarely occurs under current law.

Under current procedures, if a major arms sale does not involve the provision of U.S. assistance, Congress can choose whether or not to vote on the deal; failure to vote signals acquiescence in the sale. Of the 50 to 100 major arms sales notified to Congress each year, the vast majority of them are not subjected to a vote, scrutizined in hearings, or debated on the floor of the Congress. And in the more than twenty years since Congress first acquired the power to vote down arms sales, it has never successfully done so. There have been a few ''close calls'' such as the 1981 Saudi AWACS sale. There have also been a few cases where the executive branch has withdrawn a deal or reduced it in size to avoid a battle with the Congress, such as the 1986 decision by the Reason Administration to forgo additional sales of F–15 aircraft to Saudi Arabia (a decision which was reversed by the Bush Administration when it offered the Saudis 72 F–15s in 1992). But on the whole, the current system has allowed tens of billions of dollars in arms sales to be made every year with very little in the way of congressional scrunity or public input. The Code of Conduit bill would correct this deficiency by stimulating the kind of vigorous public debate that should be a fundamental requirement for making decisions on transfers of weaponry that can have dangerous and unforeseen consequences for United States and international security.[89]

Recommendation 2: Provide more detailed reporting on U.S. transfers of arms and military technology, and press for other nations to do the same.

Although the United States generally discloses more information on sales of arms and military technology than any other major weapons supplying nation, there are still a number of significant gaps in reporting that to make it difficult (and in some cases impossible) to assess the potential impacts of U.S. transfers to a given regime.

At the high end of the trade, prospective sales of fighter planes, tanks, and advanced attack helicopters, and other sophisticated systems are routinely reported to the Congress for its approval or disapproval. However, this information is not always made readily available to the public in a timely fashion. During the 1970s, the unclassified portions of all major proposed arms sales were routinely reprinted in the Congressional Record, thereby allowing interested members of the public to inform themselves about prospective weapons exports and make their voices heard to the Congress when it would still make a difference (Congress currently has thirty calendar days to disapprove or acquiesce in a given sale). This practice was discontinued in the early 1980s, allegedly because of Pentagon concerns that releasing this data would reveal too much information about the ''order of battle'' of U.S. weapons clients. In the interests of stimulating an informed debate, Congress should return to the practice of printing the details of all major arms sales proposals in the Congressional Record.[90]

At the mid-to-low end of the trade, there is no longer any regular U.S. government reporting on the trade in small arms or ''light weaponry''—the rifles, mortars, light vehicles, land mines, and ammunition that are frequently the weapons of choice in today's ethnic conflicts and civil wars. This was not always the case. Up through fiscal year 1980, the State Department issued an annual report under Section 657 of the Foreign Assistance Act that listed every item of military

equipment delivered from the United States to any foreign country in the prior fiscal year, ranging from rifles and bullets on up to advanced combat aircraft. The report was discontinued during the Reagan Administration, but the information upon which it was based is still regularly collected by the Pentagon's Defense Security Assistance Agency and the State Department's Office of Defense Trade Controls. The section 657 report should be reinstituted as an annual publication, to provide a tool for keeping track of potential abuses of U.S.-supplied weaponry by undemocratic regimes or nations at war with their neighbors. The report should be widely disseminated in the Congress, the media, and among interested members of the general public.[91]

Finally, a full accounting of U.S. arms transfer policy must include regular, detailed reporting on U.S. transfers of so-called ''dual use'' equipment—items such as advanced machine tools and computers, measuring instruments, or unarmed light helicopters and aircraft. These items can either be adapted for military use, or, more importantly, utilized to build advanced weapons systems. If Congress and the public had been aware of the particulars of the nearly $1.5 billion in dual use export licenses that the Commerce Department granted to companies seeking to sell equipment to Iraq during 1985 through 1990, some of the more dangerous items on the list might not have been approved for sale. In keeping with the findings of a 1991 Congressional review of U.S. export procedures in the wake of the Persian Gulf War, legislation should be passed requiring the Commerce Department to make public the details of its dual use licensing decisions, including the type of equipment and company involved, the value of the proposed sale, and the institution within the recipient country slated to receive that equipment.[92]

If these steps toward greater transparency regarding U.S. transfer of weapons and militarily useful technology are implemented, the United States will be in a much stronger position to press for increased reporting by other major suppliers.

The United Nations arms register currently excludes reporting on important categories such as small arms and dual use technologies. The Clinton Administration should press to have small arms added to the UN arms register, so that the weapons of choice in today's ongoing wars are covered by this important international monitoring mechanism. For dual use items, in addition to pressing for consultation on sale of major items in the context of developing a successor regime to the Cold War-era Coordination Committee on Multilateral Export Controls (Cocom), the administration should press for some form of international, public reporting system on dual use sales. This might take the form of an annual report by the members of a Cocom successor regime detailing major dual use licenses granted during the previous year, or a voluntary reporting mechanism that could run in parallel to the United Nations arms register.

Recommendation 3: The Pentagon and the intelligence community should publish regular reports on the use of U.S.-supplied weaponry in ongoing conflicts

All too often, U.S. weapons are supplied on a ''fire 'em and forget 'em'' basis: the decision to sell is made basis on short-term political, strategic, or economic considerations, with little thought given to how these arms might be used a few years down the road. The classic cases of this syndrome are the ''runaway weapons'' that U.S.-backed Afghan rebel forces have been putting up for sale on the world market during the 1990s and U.S. arms supplies that fell into the hands of eventual U.S. adversaries in Panama, Iraq, Somalia and Haiti (see sections III and IV, above). In an attempt to prevent this ''boomerang effect'' from repeating itself in the future, Representative Cynthia McKinney sponsored a successful amendment to the Fiscal Year 1995 Department of Defense Authorization bill requiring the Pentagon to report annually on how proposed arms transfers might create ''increased capabilities'' on the part of potential adversaries, and how they might ''pose an increased threat'' to U.S. forces in some future conflict. The amendment also requires the Pentagon to ''present alternative strategies for regional security based on mutual reductions in the size, spending, and capabilities of forces and among agreements among arms supplying nations to join the United States in reducing or halting military cooperation activities.''[93] Representative McKinney's amendment represents an important first step toward shifting the terms of the debate over U.S. arms transfers toward consideration of the long-term dangers of unrestrained weapons trading rather than the apparent short-term political and economic payoffs of a given arms deal.

As a further step in the right direction, the Pentagon and the Central Intelligence Agency should be required to file annual reports on how U.S.-supplied weaponry is being put to use in current conflicts, either by the original recipients, or as the result of unauthorized transfers to third parties. These reports could serve as a running record of the consequences of past U.S. weapons trading activities, and they would hopefully inject a note of caution into Congressional debates over new proposed transfers. The institution of this reporting mechanism would mark a sharp break from past practice, which indicates that in some instances the intelligence community hasn't even been keeping close tabs on its own covert weapons shipments, much less reporting them to the Congress or the public. For example, the Justice Department's final report of its investigation of the U.S. role in arming Iraq contained the following troubling description of the CIA's handling of information on its arms sales activities: ''Is one instance, it took the CIA two months to identify the intended recipient of weapons shipped at the CIA's request.''[94]

Recommendation 4: Outlaw covert weapons shipments

From Iran/contra to the arming of Iraq to the ongoing proliferation of weapons originally intended for Afghan rebel movements, covert weapons trafficking has been the driving force behind a series of unmitigated foreign policy fiascoes.

Whatever rationale there may have been for covert weapons trading during the Cold War, it is no longer a viable policy instrument in today's unpredictable international security environment. The cases of covert weapons trading gone awry that have been documented in this report—Afghanistan, Iran/contra, Iraq, Guatemala, and Haiti—provide ample indication that secret wheeling and dealing in weapons does more harm than good, both by subverting the democratic conduct of U.S. foreign policy and by damaging U.S. credibility and standing in the international community. As part of his restructuring of the CIA, President Clinton should shut down its covert operations directorate and press for legislation outlawing all forms of secret weapons trading by any U.S. government agency.[95]

Recommendation 5: The Clinton Administration (or its successor) should vigorously pursue a policy of multilateral arms transfer restraint designed to limit sales of conventional weaponry to regions of conflict or repressive regimes

Contrary to the findings of the Clinton Administration's new conventional arms transfer policy, Presidential Directive 41, limiting the spread of weaponry to regions of conflict should be the paramount priority governing U.S. arms transfer decisions in the post-Cold War era. Economic and defense industrial base concerns should take a back seat to efforts to construct a multilateral arms export control regime that can serve as a tool for preventing conflicts, and for limiting their duration and severity once they break out. At a time when the United States controls 72% of new arms sales agreements with the developing world, U.S. leadership remains an essential prerequisite for any meaningful multilateral arrangement for limiting the flow of conventional armaments.[96]

FOOTNOTES

1. On this point see Lora Lumpe, ''Arms and No Influence,'' Arms Sales Monitor, No. 27, Washington, DC, Federation of American Scientists, November 30, 1994; and Dr. Louis J. Samuelson, editor, The Management of Security Assistance (Wright Patterson Air Force Base, Dayton, Ohio: April 1991), p. 51.

2. Richard F. Grimmett, Conventional Arms Transfers to the Third World, 1986–1993, (Washington, DC: Congressional Research Service, July 1994).

3. The list of fifty conflicts was compiled by the author, drawing upon the following sources: Ted Robert Gurr, ''Peoples Against States: Ethnopolitical Conflict and the Changing World System,'' International Studies Quarterly, Vol. 38, No. 3, September 1994, pp. 347–377; Peter Wallensteen and Karen Axell, ''Mayor Armed Conflicts,'' in SIPRI Yearbook 1994 (New York: Oxford University Press, 1994), pp. 81–95; and David Binder and Barbara Crossette, ''As Ethnic Wars Multiply, U.S. Strives for a Policy,'' New York Times, February 7, 1993. The list utilized in this study includes all ''major conflicts,'' defined by SIPRI as ''prolonged combat between military forces of two or more governments, or of one government and an organized armed group, and incurring the battle-related deaths of at least 1,000 people during the entire conflict. This study also covers all but a handful of the smallest wars covered in Gurr's list of ''Serious and Emerging Ethnopolitical Conflicts in 1993–94.'' Gurr's list uses a more inclusive standard, namely deaths incurred ''directly through fighting or massacres or indirectly through starvation, disease, and displacement, from the beginning of its current phase through mid-1993.''

4. Wallensteen and Axell, op. cit., p. 80.

5. Because the Peru-Ecuador border war erupted in January of 1995, it is not covered in the statistical appendix, but it is discussed in the text (see section II, below).

6. Outside of the major producers in the developed world—the United States, Russia, Germany, France, Italy and the United Kingdom—there are only a handful of nations that can be considered self-sufficient (or nearly so) in armaments production. If one considers only smaller, less sophisticated systems such as rifles, mortars, and light military vehicles, the number of countries with significant indigenous production capabilities increases to perhaps two to three dozen. But even in these cases it is clear that arms imports have a substantial impact on the levels at which violent conflicts can be sustained. Unfortunately, trade in small arms (also referred to as ''light weapons'' by some analysts) is the least well documented aspect of the international arms trade, even though it probably accounts for the bulk of the weapons systems that are actually utilized in current ethnic conflicts. For two recent accounts of the state of the small arms trade, see Jeffrey Boutwell, Michael T. Klare, and Laura Reed, editors, Lethal Commerce: The Global Trade in Small Arms and Light Weapons (Cambridge, MA: American Academy of Arts and Sciences, 1995); and Swadesh Rana, Small Arms and Intrastate Conflicts (New York: United Nations Centre for Disarmament Affairs, February 1995). In addition, the Arms Project at Human Rights Watch has done pathbreaking case studies on the trade in small arms that have been used in massacres and systematic human rights violations, most notably Arming Rwanda: The Arms Trade and Human Rights Abuses in the Rwandan

War (New York: Human Rights Watch Arms Project, January 1994).

7. This narrow emphasis on preventing transfers to ''rogue states'' is at the heart of the Clinton Administration's approach to arms sales, as embodied in Presidential Directive 41, which was released in February of 1994; in addition, the Clinton foreign policy team has maintained the Bush Administration double standard of denouncing Russia and China for particular weapons deals they have entered into the Middle East and Asia at the same time that the United States dominates the overall arms market in each of these regions. For a critical analysis of the ''rogue state'' strategy, see Michael T. Klare, *Rogue States and Nuclear Outlaws: America's Search for a New Foreign Policy* (New York: Hill and Wang, 1995).

8. It is a commonplace in discussions with representatives of U.S. industry and arms sales policymakers in Washington to hear the refrain that ''the French will sell to anybody,'' or words to that effect. While criticism of French arms transfer policy is certainly justified by France's recent record of providing arms that were used in devastating wars such as the 1991 Gulf conflict and the slaughter in Rwanda, Paris is hardly the only world power that needs to reexamine its weapons export practices.

9. Richard M. Nixon, *The Real War* (New York: Random House, 1980), p. 197.

10. On aggression by U.S. arms clients during the Nixon era see William D. Hartung, *And Weapons for All*, (New York: HarperCollins, 1994), pp. 25–26.

11. Steven R. Weisman, ''Reagan Lifts Ban on Sending Israel 16 Jet War Planes,'' New York Times, August 18, 1981; and Lee Lescaze, ''Reagan Lifts Ban on Delivery of 16 Jets to Israel,'' Washington Post, August 18, 1981.

12. On this point see Chapter 13, ''Clinton Policy: Arms Control or Business As Usual?'' in William D. Hartung, *And Weapons for All* (New York: HarperCollins, paperback edition, 1995).

13. Statement of Lt. Gen. Teddy G. Allen, Director, Defense Security Assistance Agency, before the Subcommittee on International Economic Policy, Trade, Oceans, and Environment of the Committee on Foreign Relations, United States Senate, June 16, 1993.

14. Wording of the administration's policy goals is taken verbatim from ''Fact Sheet: Conventional Arms Transfer Policy,'' White House Press Office, Washington, DC, February 17, 1995.

15. Ibid. See also Thomas E. Ricks, ''Arms Sales to Take Into Account Effect on Industry,'' The Wall Street Journal, November 16, 1994.

16. Don Fuqua, President, Aerospace Industries Association, ''Merchants of Peace,'' Aerospace Industries Association Newsletter, Volume 7, Number 5, November 1994, p. 3.

17. Ethan Kapstein, ''America's Arms Trade Monopoly,'' Foreign Affairs, Vol. 73, No. 3, May/June 1994, p. 18.

18. See appendix A, Table I for details on U.S. transfers to fifty current conflicts. Data used for this analysis is drawn from two principal sources: U.S. Department of Defense, Defense Security Assistance Agency, *Foreign Military Sales, Foreign Military Construction Sales, and Military Assistance Facts as of September 30, 1993* (Washington, DC: DSAA, 1994), tables 2 and 6; and U.S. Arms Control and Disarmament Agency, *World Military Expenditures and Arms Transfers, 1991–92* (Washington, DC: U.S. GPO, 1994), Table III. For further details on sources, see the footnotes to Table I in Appendix A, below.

19. See Appendix A, Table I.

20. Human Rights Watch Arms Project, *U.S. Cluster Bombs for Turkey?*, (New York: Human Rights Watch, December 1994), p. 9.

21. Ibid., p. 11; see also British American Security Information Council, *Fueling Balkan Fires: The West's Arming of Greece and Turkey*, Project on the Arms Trade Report 93.3, (Washington, DC: BASIC, 1993), and British American Security Information Council, ''US-German Arms Exports and Greece at a Record High,'' May 20, 1994.

22. For an overview of Turkey's military industrialization drive and the role of U.S. and other foreign firms in helping to sustain it through coproduction and licensing deals, see Gulay Gunluk-Senesen, ''An Overview of the Arms Industry Modernization Program in Turkey,'' in *SIPRI Yearbook 1993: World Armaments and Disarmament* (New York: Oxford University Press, 1993), pp. 521–532.

23. For the best review of the evidence on the Turkish armed forces use of U.S.-supplied systems against the PKK, see *U.S. Cluster Bombs for Turkey?*, op. cit., pp. 4–6.

24. Human Rights Watch/Helsinki, *Turkey: Forced Displacement of Ethnic Kurds from Southeastern Turkey* (Washington, DC: Human Rights Watch, October 1994), p. 4.

25. ''Turkey Unleashes a Massive Raid on Kurdish Bases in Turkey,'' *International Herald Tribune*, March 21, 1995.

26. Ibid.

27. Department of Defense News Briefing by Dennis Boxx, March 21, 1995, official DoD transcript.

28. ''Turkey Unleashes,'' op. cit., note 25; ''Turkish Army Readies Final Assault on Kurd Pockets,'' *International Herald Tribune*, March 25–26, 1995; and John Barham, ''Turkish Army Invades Iraq to Strike at Turkish Bases,'' *Financial Times* (London), March 21, 1995.

29. John Pomfret, ''Turkey's Hunt for the Kurds: The Making of a Quagmire?'', *Washington Post*, April 2, 1995.

30. Ibid.

31. ''UN Evacuates Kurds from Path of Turkey's Offensive,'' *International Herald Tribune*, March 27, 1995; ''Turkey Plays Down Criticism of Assault,'' *International Herald Tribune*, March 29, 1995; and Pomfret, ''Turkey's Hunt,'' op. cit.

32. Suna Erdem, ''Iraqi Kurds Say Turkey Torched Their Town,'' *Washington Post*, March 30, 1995.

33. ''Turkey Unleashes,'' op. cit.

34. ''Germany Withholds Materiel Over Drive on Kurds,'' *International Herald Tribune*, March 30, 1995.

35. David Morrison, ''Turkish War Concern for America,'' National Journal, April 15, 1995.

36. U.S. Cluster Bombs for Turkey, op. cit., pp .9–10; and Thomas W. Lippman, ''Rights Group Seeks to Block Proposed Cluster-Bomb Sale to Turkey,'' Washington Post, December 28, 1995.

37. ''Turkish Aid Says Troops Have Left Iraq,'' New York Times, May 5, 1995. The article actually cites conflicting reports from two different Turkish officials—Turkish Defense Minister Mehmet Golhan is quoted as saying ''We have no one there . . . We have withdrawn them all and we only have security measures on the border.'' However, the article goes on to indicate that ''Deputy Prime Minister Hikmet Cetin said . . . that a few troops still remain in Northern Iraq, but he did not give details.''

38. John Pomfret, ''Turkish Premier Assails Kurdish Attack's Critics,'' Washington Post, April 5, 1995.

39. Kenneth Katzman, ''Afghanistan: U.S. Policy Options,'' Congressional Research Service Issue Brief, November 29, 1993, p. 15.

40. Ted Galen Carpenter, ''The Consequences of Afghanistan,'' World Policy Journal, Vol XI, No. 1, Spring 1994, p. 77.

41. Jim Hoagland, ''No More Frankensteins,'' Washington Post, July 13, 1993.

42. Tim Weiner, ''U.S. Will Try to Buy Antiaircraft Missiles Back From Afghans,'' New York Times, July 24, 1993; on the ties of the World Trade Center suspects to Afghan weapons training camps, see Caryle Murphy, ''U.S. Policies Trouble Egypt,'' Washington Post, August 1, 1993 and Tim Weiner, ''Blowback from the Afghan Battlefield,'' New York Times Magazine, March 13, 1994.

43. William D. Hartung, ''Proliferation's Profiteers,'' CEO/International Strategies, February/March 1993.

44. Molly Moore, ''Missile Buyback Stumbles,'' Washington Post, March 7, 1994; and Tim Weiner, ''U.S. Will Try to Buy Back Antiaircraft Missiles from Afghans,'' op. cit.

45. David Rogers, ''U.S. to Buy Back Some of Missiles Held by Afghans,'' Wall Street Journal, January 15, 1993.

46. Weiner, ''U.S. Will Try to Buy Back . . .,'' op. cit.

47. Human Rights Watch Arms Project, India: Arms and Abuses in Indian Punjab and Kashmir, (Washington: Human Rights Watch, September 1994), pp. 5–11.

48. Christopher Smith, ''Light Weapons: The Forgotten Dimension of the International Arms Trade,'' in Brassey's Defence Yearbook 1994 (London: Center for Defence Studies, 1994), pp. 280; and Human Rights Watch, India: Arms and Abuses, op. cit., pp. 12–13; and Kenneth Katzman, ''Afghanistan: U.S. Policy Options,'' op. cit., p. 8.

49. Human Rights Watch, India: Arms and Abuses, op. cit., p. 5.

50. Matthew Jardine, ''Weapons for Genocide in East Timor,'' San Francisco Examiner, May 31, 1993; and Allan Nairn, ''A Narrow Escape from East Timor,'' USA Today, 11/21/91.

51. Human Rights Watch, Human Rights Watch World Report 1995 (New York: Human Rights Watch, December 1994), p. 157.

52. Ibid., p. 162; and Human Rights Watch, Human Rights Watch World Report 1993 (New York: Human Rights Watch, December 1992), pp. 177–178.

53. For the sources of the statistics cited in this paragraph, see appendix, Table I; for the quote on the potential sale of F–16s to Indonesia see ''F–16 Sale to Indonesia Gains Wider Support,'' Defense News, May 1–7, 1995.

54. R. Jeffrey Smith and Dana Priest, ''In Washington: Covert Aid Undermined Public Outrage,'' Washington Post, April 2, 1995.

55. Tim Weiner, ''Guatemalan Agent of CIA Tied to Killing of American,'' New York Times, March 23, 1995; Tim Weiner, ''CIA's Workaday Cloak,'' New York Times, April 5, 1995; and Tim Weiner, ''Retracting Words, White House Halts CIA Money to Guatemala,'' New York Times, April 5, 1995.

56. Alan Nairn, ''CIA Death Squad,'' The Nation, April 17, 1995.

57. The Warren Rudman quote is cited in Michael T. Klare and Peter Kornbluh, Low Intensity Warfare: Counterinsurgency, Proinsurgency, and Antiterrorism in the 1980s (New York: Hill and Wang, 1988), p. 19.

58. ''Mexico: The Uprising in Chiapas and Democratization in Mexico,'' Hearings Before the Subcommittee on the Western Hemisphere of the Committee on Foreign Affairs, U.S. House of Representatives, February 2, 1994 (Washington, DC: U.S. GPO, 1994), p. 103.

59. John MacCormack and Carmina Danini, ''Mexico Importing Riot Control Vehicles,'' San Antonio Express-News, April 27, 1994.

60. Ray Sanchez, ''Mexican Army Maneuvers In—Crackdown Overshadows Elections,'' New York Newsday, February 13, 1995; see also Appendix Table I.

61. Washington Office on Latin America, Clear and Present Dangers: The U.S. Military and the War on Drugs in the Andes, (Washington, DC: WOLA, October 1991), p. 1.

62. Testimony of Alexander Wilde, Executive Director, Washington Office on Latin America, to the Subcommittee on Western Hemisphere Affairs, Committee on Foreign Affairs, U.S. House of Representatives, June 6, 1990; Daniel Williams, ''Colombia Remains Ally in Drug Fight,'' Washington Post, March 2, 1995; and ''No Hail to Colombia,'' (unsigned editorial), Washington Post, March 6, 1995.

63. Data on U.S. aid and arms transfers to Ecuador is from U.S. Department of Defense, Defense Security Assistance Agency, Foreign Military Sales, Foreign Military Construction Sales, and Military Assistance Facts as of September 30, 1993 (Washington, DC: DSAA, 1994); and U.S. Arms Control and Disarmament Agency, World Military Expenditures and Arms Transfers, 1991–92 (Washington, DC: U.S. GPO, 1994), Table III.

64. U.S. Department of State and U.S. Department of Defense, Congressional Presentation on Security Assistance, F.Y. 1993, (Washington, DC: U.S. Department of State/Department of Defense, 1992), p. 156.

65. Information on U.S. military assistance and arms transfers to Peru is taken from appendix Table I; data on assistance under the Economic Support Fund program is taken from U.S. Department of Defense and U.S. Department of State, Congressional Presentation, op. cit., editions for F.Y. 1990 through F.Y. 1994.

66. U.S. Department of State and U.S. Department of Defense, Congressional Presentation for Security Assistance, F.Y. 1992 (Washington, DC: U.S. Department of State/Department of Defense, 1991), p. 252.

67. James Brooke, ''Ecuador and Peru Trade Air Strikes Along the Border,'' New York Times, February 12, 1995.

68. See appendix Table I.

69. United Nations Register of Conventional Arms: Report of the Secretary General (New York: United Nations General Assembly, October 11, 1993), pages 83 and 111.

70. ''Philippine Planes Bomb Guerrillas,'' International Herald Tribune, April 21, 1995.

71. Human Rights Watch Arms Project, Angola: Arms Trade and Violations of the Laws of War Since the 1992 Elections (New York: Human Rights Watch, November 1994), p. 47.

72. Philip Finnegan, ''Yemen's Iraqi Use Irks U.S., Defense News, December 5–11, 1994.

73. U.S. Department of Defense, Defense Security Assistance Agency, Foreign Military Sales, Foreign Military Construction Sales, and Foreign Military Assistance Facts as of September 30, 1990 (Washington, DC: DSAA, 1991); and United States Arms Control and Disarmament Agency, World Military Expenditures and Arms Transfers, 1990 (Washington, DC: U.S. GPO, 1991), Table III.

74. See statements by Joel Johnson and Don Fuqua of the Aerospace Industries Association (referenced in footnotes 16 and 17, above).

75. John M. Hogan, BNL Task Force Final Report—Report to the Attorney General, (Washington, DC: U.S. Department of Justice, October 21, 1994—released to the public in January of 1995); Neil Lewis, ''Inquiry Finds No U.S. Involvement in the Iraqi Buildup,'' New York Times, January 24, 1995; and Serge F. Kovaleski and R. Jeffrey Smith, ''Justice Department Find No BNL Conspiracy,'' Washington Post, January 24, 1995.

76. Michael Wines, ''U.S. Tells of Prewar Technology Sales to Iraq Worth $500 Million,'' New York Times, March 12, 1991.

77. U.S. Department of Commerce, ''Fact Sheet on Export Licensing for Iraq,'' with attached computer printout, March 1991.

78. Statement of Henry Gonzalez, Chairman, Committee on Banking, Finance and Urban Affairs, U.S. House of Representatives, at Hearings Before the Committee on the Judiciary, U.S. House of Representatives, on the Issue of Appointing a Special Counsel on Matters Relating to Iraq, June 2, 1992, p. 7; and Congressional Record, March 16, 1992, pp. H1274–H1282.

79. Andy Pasztor, ''Investigators Say Chilean Dealer Smuggled U.S. Weapons to Iraq,'' Wall Street Journal, November 20, 1991; ABC News Nightline, show 2609, transcript, May 23, 1991; Kenneth Timmerman, The Death Lobby: How the West Armed Iraq, (New York: Houghton Mifflin, 1991), pp. 167–170 and 250; and ABC News 20/20, ''Made in the U.S.A.,'' February 1, 1991.

80. Dean Baquet, ''U.S. Supplied Arms to Iraq, Ex-Aide Says,'' New York Times, February 5, 1995.

81. For a capsule history of Gerald Bull's arms trafficking activities and his relationships with various U.S. government agencies, see William D. Hartung, And Weapons for All (New York: HarperCollins, 1994), pp. 195–197 and 235–236.

82. Hartung, op. cit., pp. 189–90 and 236–237.

83. ''The Man Who Made the Supergun,'' Frontline transcript, (Boston, MA: WGBH–TV, February 12, 1991).

84. William D. Hartung, ''Somalia and the Cycle of Arms Sales,'' Christian Science Monitor, February 22, 1993; U.S. Arms Control and Disarmament Agency, World Military Expenditures and Arms Transfers 1990, op. cit.; and Richard F. Grimmett, ''Somalia: Arms Deliveries,'' Congressional Research Service Report for Congress, October 28, 1993.

85. U.S. Department of State and U.S. Department of Defense, Congressional Presentation on security assistance programs, op. cit., editions for F.Y. 1980 through 1992.

86. Congressional Presentation, op. cit., F.Y. 1992 edition, p. 273.

87. See Appendix A, Table 1; and Grimmett, ''Somalia: Arms Deliveries,'' op. cit.

88. See Appendix Table I; Tim Weiner, Stephen Engelberg, and Howard French, ''CIA Formed Haitian Unit Later Tied to Narcotics Trade,'' New York Times, November 14, 1993; and Jane's Defense Weekly Global Update: Flashpoints and Conflicts, August 1994, pp. 21–24.

89. For a brief history of Congressional procedures for reviewing arms sales, see Chapter 3, ''Congress Steps In,'' in William D. Hartung, And Weapons for All, op. cit. pp. 45–62; and Richard Grimmett, Executive-Legislative Consultation on U.S. Arms Sales (Washington, DC: Congressional Research Service, 1982).

90. As of the early 1980s, it was still possible to construct a list of major U.S. arms sales proposals by tracking the announcements of new letters of offer that were reprinted in the Congressional Record; for an example of an analysis conducted using this data, see William D. Hartung ''Weapons for the World Update—1982,'' New York, Council on Economic Priorities, 1982, it is still possible to track major U.S. arms sales through a combination of Pentagon press releases and notices in the industry press, but this method can result in time lags that limit the ability of the public to learn about major sales proposals and make their views known to Congress before the 30 day period within which Congress can vote down a sale has passed. For current efforts to track major arms sales, wee the ''Deals in the Works'' section in Lora Lumpe, ed., Arms Sales Monitor (Washington, DC: Federation of American Scientists, published 8 to 10 times per year); and Sarah Walkling. ACA Register of U.S., U.S. Arms Transfers, (Washington, DC: Arms Control Association, February 1995).

91. The idea of reinstituting the section 657 reports has been put forward in recent years by a number of non-governmental organizations, including Human Rights Watch, the British American Security Information Council (BASIC), and the Project on Demilitarization and Democracy, See Natalie J. Goldring and Ottfried Nassauer, ''Available Sources and Data: The Trade in Light Weapons,'' paper prepared for the American Academy of Arts and Sciences Conference, ''International Trade in Light Weapons,'' February 24–25, 1994; and Stephen D. Goose and Frank Smyth, ''Arming Genocide in Rwanda,'' Foreign Affairs, Vol. 73, no. 5, September/October 1994, pp. 86–96.

92. Strengthening the Export Licensing System: First Report by the Committee on Government Operations (Washington, DC: U.S. Government Printing Office, 1991), pp. 40–53.

93. Lora Lumpe, editor, Arms Sales Monitor, No. 27, (Washington, DC: Federation of American Scientists, November 30, 1994), p. 9.

94. John M. Hogan, ''Addendum to the BNL Task Force—Final Report,'' (Washington, DC: United States Department of Justice, 1995), p. 3.

95. Caleb Rossiter of the Project on Demilitarization and Democracy suggested prohibiting covert arms supplies and training in his February 22, 1994 testimony before the Senate Foreign Relations Committee's Subcommittee on International Economic Policy, noting that ''[C]overt aid programs corrupt the recipient precisely because they are covert and have no leverage . . . If we are to engage in aiding foreign forces, we should do so openly.'' A summary of Rossiter's testimony appears in Lora Lumpe, editor, Arms Sales Monitor, No 24, (Washington, DC: Federation of American Scientists, March 15, 1994), pp. 4–5.

96. See White House Press Office, ''Fact Sheet: Conventional Arms Sales Policy,'' and ''Fact Sheet—Criteria for Decisionmaking on U.S. Arms Exports,'' February 17, 1995; and Richard Grimmett, Conventional Arms Sales to the Third World, F.Y. 1986–F.Y. 1993, op. cit.

APPENDIX A: U.S. ARMS DELIVERIES TO AREAS OF CONFLICT, 1984–1993

Region/Conflict (Major conflicts in bold) [1]	U.S. deliveries, 1984–1993 ($ millions) [2]	Last year U.S. Arms delivered [3]	Percent of imports provided by U.S. 1987–91/1991–93 [4]	Other suppliers [5]
Europe:				
1. **Former Yugoslavia** (Conflicts in Croatia and Bosnia/Herzegovina)	$163.4	1991	13/0	Russia, Germany, Slovakia, Iran, Egypt, Saudi Arabia.
2. Spain (Govt. vs. Basque Separatists)	4,003.6	[6] 1993	85/86	France.
3. **United Kingdom** (British forces and protestant paramilitary groups vs. IRA).	6,318.5	1993	100/95	
4. **Russia** [7] (Conflicts in Chechnya and North Ossetia)	None			NA.
5. Moldova (Conflicts in Dniester region)	None			NA.
6. **Georgia** (Conflicts in Abkhazia and Southern Ossetia)	None			NA.
7. **Turkey** (Govt. vs. Kurdish separatists)	6,302.8	1993	76/80	Germany.
Middle East/North Africa:				
8. **Azerbaijan** (Conflict with Armenia over Nagorno/Karabakh)	None			NA.
9. **Iraq** (Conflicts with Kurdish groups in the North and Shiite Muslim groups in the South).	4.4 [8]	1989	<1/0 (see [8])	Former Soviet Union, China, France.
10. **Israel** (Vs. Palestine intifada through mid-1993 and vs. Hamas)	9,544.1	1993	99/91	
11. **Algeria** (Govt. vs. Islamic militants)	105.2	1993	1/0	Former Soviet Union, Egypt, China.
12. Morocco (Moroccan govt. vs. Western Sahara independence movement; UN referendum to be held).	404.0	1993	26/76	France, other West European suppliers.
13. Egypt (Govt. vs. Islamic militants)	7,227.9	1993	61/89	France.
14. **Sudan** (Govt. vs. Sudanese People's Liberation Army)	155.6	1989	9/0	China, Middle Eastern suppliers, Italy.
15. Yemen (Civil war, North vs. South)	50.6	1991	1/0 [9]	Former Soviet Union, China.
16. **Iran** (Govt. vs. Kurdish separatists, Mujahaddin guerillas)	Covert sales, value undisclosed [10]	NA	NA/0	Russia, China, European suppliers.
Sub-Saharan Africa:				
17. Mauritania (Govt. vs. black minority)	1.5	1992	<1/0	Former Soviet Union.
18. Mali (Govt. vs. Tuareg ethnic group)	.2	1993	<1/0	Former Soviet Union, Middle Eastern sources.
19. Chad (Ongoing civil war between Anakaza and Bideyet ethnic groups)	50.3	1993	27/25	France.
20. **Somalia** (Multi-sided clan warfare)	109.3	1991	44/100	Italy.
21. Senegal (Govt. vs. Diola tribe)	13.6	1993	11/100	France, other European suppliers.
22. **Liberia** (Govt. & West African peacekeeping forces vs. rebels led by Col. Charles Taylor).	33.4	1990	40/0	Former Warsaw Pact, Middle Eastern sources.
23. Togo (Govt. vs. opposition forces, including members of Ewe tribe)	1.9	1993	<1/0	Latin American sources.
24. Nigeria (Military-dominated govt. vs. pro-democracy forces; Hausa vs. Yoruba ethnic conflict).	82.4	1993	9/2	Italy, Czechoslovakia, Former Soviet Union, France.
25. Uganda (Govt. vs. rebels based in Northern Uganda)	10.6	1993	5/100	Former Soviet Union, Italy.
26. **Rwanda** (Hutu-dominated govt. vs. Tutsi minority; govt. overthrown by Rwandan Patriotic Front in 1994).	1.4	1993	<5/0	China, France, Egypt, Uganda, South Africa.
27. Burundi (Ethnic conflicts between Hutu & Tutsi ethnic groups)	.6	1993	<1/0	Former Soviet Union.
28. Kenya (Ethnic conflicts in Rift Valley region sparked by supporters of President Moi).	100.2	1993	25/100	U.K., France.
29. Zaire (Multiple rebellions vs. regime of President Mobutu)	55.9	[11] 1990	17/0	China, France.
30. **Angola** (Govt. vs. UNITA rebels)	250–300	NA	NA/0	Former Soviet Union (to Angolan govt.).
31. **South Africa** (Govt. & Inkatha Party supporters vs. ANC, through mid-1993; radical white ultra-nationalists vs. ANC govt.).	8.3 [13]	1988	NA/NA	See [13].
Asia:				
32. **Tajikistan** (Govt. vs. Islamic opposition)	Rebels have rec'vd U.S. weapons that were originally supplied to Afghan rebels by the CIA [14].	NA	NA/0	NA.
33. **Afghanistan** (Civil war among competing ethnic factions)	$2B in covert military assistance provided by U.S. to Afghan rebel factions, 1980–1991.	1991	NA/0	Former Soviet Union, Saudi Arabia (financier).
34. Pakistan (Govt. vs. secessionist movements in Sindh and NW Frontier Province; conflict with India over Kashmir).	1,801.7	1993	44/3	China.
35. **India** (Govt. vs. secessionist forces in Kashmir; govt. vs. Sikh militants in Punjab; govt. vs. secessionists in Assam; Hindu-Muslim conflict in state of Uttar Pradesh).	316.6	1993	1/0	Russia, U.K., West European suppliers.
36. Bhutan (Govt. vs. ethnic Nepalese rebels)	0.2	1992	<1/0	NA.
37. **Sri Lanka** (Govt. vs. Tamil insurgents; Sinhalese militants)	8.6	1993	7/0	China.
38. **Bangladesh** (Govt. vs. Chittagong Hill People's Coordination Association)	16.7	1993	4/5	Former Soviet Union, China.
39. **Myanmar (Burma)** (Govt. vs. Karen separatists, Islamic opposition)	6.2	1989	1/0	China.
40. China (Govt. vs. Tibetan independence movement; govt. vs. Muslim secessionists in Xinjiang province).	423.9 [15]	1993	8/1	Russia.

APPENDIX A: U.S. ARMS DELIVERIES TO AREAS OF CONFLICT, 1984–1993—Continued

Region/Conflict (Major conflicts in bold) [1]	U.S. deliveries, 1984–1993 ($ millions) [2]	Last year U.S. Arms delivered [3]	Percent of imports provided by U.S. 1987–91/1991–93 [4]	Other suppliers [5]
41. **Philippines** (Govt. vs. New People's Army)	619.3	1993	93/75	Italy.
42. **Cambodia** (Govt. vs. Khmer Rouge)	Covert assistance to rebel factions during 1980's; reports of U.S.-supplied Thai army transferring weaponry to Khmer Rouge [16].	NA	NA/0	Former Soviet Union, China.
43. **Indonesia** (Govt. vs. independence forces in East Timor; govt. vs. separatist movement in Northern Sumatra).	583.3	1993	38/33	Germany, Netherlands, U.K., other European suppliers.
44. Papua New Guinea (Govt. independence movement on Bougainville island)	None			Former Soviet Union.
Latin America:				
45. **Guatemala** (Govt. vs. Guatemala National Revolutionary Unity)	35.8	[17] 1993	86/0	Israel.
46. Haiti (Govt. and paramilitary forces vs. democracy movement, through mid-1994; new govt. and UN forces vs. paramilitary groups 1994 on).	2.6 [18]	1992	[19] >25/0	Latin American sources.
47. **Colombia** (Govt. vs. Revolutionary Armed Forces of Colombia; govt. vs. National Liberation Army).	647	1993	28/19	Brazil.
48. **Peru** (Govt. vs. Shining Path guerrillas; govt. vs. Tupac Amaru revolutionary movement).	136	[21] 1993	6/8	France, Former Soviet Union.
49. Brazil (Govt. vs. indigenous peoples of Amazon region)	528.8	1993	35/40	Germany, France.
50. Mexico (Govt. vs. rebel movement in Chiapas)	301.2	1993	77/64	

[1] This table reviews U.S. arms transfers to a list of fifty significant ethnic and territorial conflicts that were under way during 1993 or 1994. The informed reader will note that some of the conflicts listed here have since been resolved and/or reduced in intensity (for example, in South Africa and Angola), while other, new conflicts are not covered (such as the January/February 1995 Peru-Ecuador border war). For an explanation of how the list of conflicts was arrived at and the sources used in making that determination, see footnote 2 in the text, above. Countries listed in bold print represent major conflicts that have resulted in 1,000 or more battle-related deaths since the outbreak of the war.

[2] Unless otherwise noted, figures in this column are based on U.S. deliveries under the Pentagon's Foreign Military Sales (FMS) program and the commercial arms sales program (which involves items on the U.S. Munitions List and requires a license from the State Department); the source of the data is U.S. Department of Defense, Defense Security Assistance Agency, ''Foreign Military Sales, Foreign Military Construction Sales, and Military Assistance Facts as of September 30, 1993'' (Washington, DC: DSAA, 1994). One of the main limitations of this data source (a limitation common to all other major compilations of data on the arms trade) is that it does not include covert arms sales or sales to non-government recipients such as militias, guerrilla movements, and rebel organizations that are major players in the majority of today's ethnic and civil conflicts.

[3] The figures on the last year U.S. arms were delivered is based on data on deliveries under the FMS and commercial sales programs in ''Foreign Military Sales . . . Facts,'' op. cit. In many cases commercial arms sales are allowed to continue even after the U.S. government has cut off military aid and/or sales under the Pentagon's Foreign Military Sales programs.

[4] Data on the percentage of a nation's imports provided by the United States is drawn from United States Arms Control and Disarmament Agency, ''World Military Expenditures and Arms Transfers,'' 1991–92 and 1993–94 editions (Washington, DC: U.S. GPO, 1994 and 1995), Table III. The column on % of deliveries provided by the U.S. is divided into two time segments (1987–91 and 1991–93) separated by a slash. The one year overlap (1991 is covered in both series) is a function of ACDA reports the data in its 1991–92 and 1993–94 reports. The ACDA data are not directly comparable to the data on deliveries listed in column 2, because they cover a different range of equipment. The Pentagon's delivery figures include items considered to be weapons by virtue of their inclusion on the U.S. Munitions List. The Arms Control and Disarmament Agency (ACDA) report uses a broader definition that includes ''weapons of war, parts thereof, ammunition, support equipment and other commodities designed for military use . . . Dual use equipment, which can have application in both military and civilian sectors, is included when its primary mission is identified as military.'' Dual use equipment is by definition ''not'' included in the Pentagon's figures on deliveries under the FMS and CS programs. The time lag between the currency of the data on U.S. deliveries listed in column 2 and the ACDA data on the U.S. proportion of deliveries to each of the governments involved is a function of the slower schedule for the release of the ACDA data, which is no doubt in part a function of the greater difficulty of compiling information on arms deliveries and purchases by every nation in the world. As noted in note 2, above, the percentages listed here represent the proportion of weapons imported by the governments involved in each conflict that came from U.S. sources; there are no comparably reliable figures on supplies to non-state actors such as rebel movements and private militias. Listings of 0%* are marked with an asterisk to denote the fact that according to ACDA's figures the country in question received no arms imports from any governmental source during the period covered—this does not mean that there were no weapons deliveries at all, but rather that there are no known deliveries by governments (i.e., weapons may have flowed through covert or private channels).

[5] Unless otherwise noted, identifications of other major suppliers are drawn from two sources: U.S. ACDA, ''World Military Expenditures and Arms Transfers,'' Table III, op. cit., and Ian Anthony, Paul Claesson, Elisabeth Skons, and Siemon T. Wezeman, ''Arms Production and Arms Trade,'' in ''SIPRI Yearbook 1993: World Armaments and Disarmament'' (New York: Oxford University Press, 1994), Table 10B.3. Countries listed as other suppliers provided approximately 10% or more of a recipient government's imported weaponry in the most recent multi-year period covered by one or both of these sources. Since the periods covered begin before the breakup of the Soviet Union, all transfers involving constituent states of the former Soviet Union are identified as ''former Soviet Union.'' In the case of ongoing arms transfer relationships, Russia is by far the most active arms exporting nation amongst the former Soviet Republics, although its total deliveries in recent years have been only a fraction of the levels achieved by the Soviet Union during the 1970s and 1980s.

[6] Since the main data source for this table only goes up through 1993, an indication that the last U.S. delivery was in 1993 does ''not'' mean that U.S. arms shipments have been halted, but rather that as of the end of 1993 the nation in question was an active, ongoing weapons client of the United States.

[7] Human rights monitors have reported war-related deaths in Russia's intervention in Chechnya at levels as high as 20,000 to 25,000; although some observers have argued that these figures are an overstatement, there seems to be no question that this qualifies as a major conflict (based on a standard of 1,000 or more battle-related deaths).

[8] This figure for U.S. arms deliveries to Iraq does not include the $500 million in dual use items shipped to Iraq from the United States between 1985 and 1990, nor does it encompass covert shipments or sales of U.S. equipment via third parties. For a summary of these U.S. contributions to the Iraqi war machine, see the discussion of Iraq in section IV of the text, above.

[9] U.S. arms supplies to North Yemen from as early as 1978–79 made their way into the government arsenal of the combined state of Yemen formed by the merger of North and South Yemen; these shipments are not reflected in this table. For further discussion of this point, see section III, above.

[10] According to the final report of Iran/Contra special prosecutor Lawrence Walsh, the Oliver North/Richard Secord ''enterprise'' that ran the Iran/Contra arms operations for the Reagan Administration took in over $47 million and delivered substantial quantities of military equipment to Iran, including over 1,000 TOW anti-tank missiles; on this point, see Lawrence E. Walsh, ''Final Report of the Independent Counsel for Iran/Contra Matters, Volume I: Investigations and Prosecutions'' (Washington, DC: Office of the Independent Counsel, August 4, 1993). In addition, according to a 1986 report in ''Aviation Week and Space Technology,'' (Paul Mann and James K. Gordon, ''Iran Secures Operational Gains from U.S.-backed Military Aid,'' ''AW&ST,'' November 17, 1986), a Reagan Administration official involved in Middle East affairs asserted that ''at U.S. instigation Iranians bought critical radar and landing gear components that at times . . . enabled Iran to double the number of sorties flown by its McDonnell Douglas F–4 aircraft against Iraq.''

[11] For many years Zaire served as a conduit for U.S. covert arms supplies to rebel forces fighting against the Angolan government. It is not known precisely how much of this U.S. assistance may have been siphoned off to bolster the military forces of the Mobutu regime in Zaire. For a discussion of the role of Zaire in the Angolan arms pipeline, see Lucy Mathiak, ''Light Weapons and Internal Conflict in Angola,'' in Boutwell, Klare, and Reed, editors, ''Lethal Commerce,'' op. cit., pp. 89–90.

[12] The range of values cited for U.S. covert arms shipments to Angola in the 1980s is based on Human Rights Watch Arms Project, ''Angola; Trade and Violations of the Laws of War Since the 1992 Elections,'' op. cit., p. 47 (for the $250 million estimate); and Mathiak, op. cit., p. 89 (for the $300 million estimate).

[13] This figure does includes only officially sanctioned exports licensed by the U.S. government. There is considerable anecdotal evidence to indicate that a number of U.S.-based firms made shipments of weaponry and weapons components to South Africa during the 1970s and 1980s in violation of the United Nations arms embargo on the apartheid regime.

[14] On this point see Katzman, op. cit., ''Afghanistan: U.S. Policy Options,'' note 28 in the text.

[15] U.S. arms deliveries to China were suspended by the Bush Administration in response to the 1989 Tiananmen Square massacre, but the Clinton Administration has been flirting with the idea of reopening military exports to China, beginning with dual use items.

[16] There have been recent reports to indicate that the flow of weapons to the Khmer Rouge from Thailand and China has been cut off, starting some time in 1994 (cite new Human Rights Watch report).

[17] Although U.S. military aid and commercial arms sales to Guatemala were cut off in December of 1990 because of the Guatemalan government's record of human rights abuses, modest commercial deliveries continued through 1993, as did military-related aid under the ''international narcotics control'' segment of U.S. security assistance. See ''Human Rights Watch World Report 1993,'' op. cit., p. 117–118.

[18] Deliveries to Haiti listed here exclude $500,000 to $1 million per year in covert military aid supplied to Haitian military and intelligence forces between 1986 and 1991.

[19] This figure takes into account the provision of $3 to $6 million in military-related assistance justified as anti-narcotics aid (see note 18).

Dear Code of Conduct Supporter:

I would like to thank those who voted for the ''Code of Conduct'' during the markup of HR 1561 on May 11. The close vote (18–17) and the 101 cosponsors demonstrate the commitment and support for the ''Code.'' It is one of the most important reforms of the arms export process in two decades.

I will be offering the ''Code'' as a floor amendment to HR 1561 on May 24. I urge your support as we move this legislation forward.

Let's end the ''Boomerang Effect'' on our armed forces and take a serious step toward underscoring America's leadership role in the new world order and ending our role as the world's number one gun dealer.

We must live up to our claim to protect human rights, foster democracies and promote peace and stability. The arms sales of today are the ''Boomerangs'' of tomorrow. Vote for the ''Code of Conduct'' Amendment and end our role as the client for tyrants!

Sincerely,

CYNTHIA MCKINNEY,
Member of Congress.

[From the Christian Science Monitor, May 23, 1995]

IT'S TIME THE U.S. STOPPED ''BOOMERANG'' ARMS SALES—AN AMENDMENT TO FOREIGN AID BILL WOULD BAN WEAPONS FOR DICTATORS

(By Cynthia McKinney and Caleb Rossiter)

A defining moment in post-cold-war foreign policy will come today when the House of Representatives takes up the ''Code of Conduct'' amendment to the foreign aid bill. The Code of Conduct would ban US arms sales to dictators, human rights abusers, and governments not participating in the United Nations arms trade register.

On May 11, the code was narrowly defeated in the House International Relations Committee by an 18-to-17 vote after a heated debate. The vote on the House floor will be the first time in 19 years that Congress debates which countries should be permitted to receive our weaponry.

The code's surprisingly strong showing came despite the opposition of the Aerospace Industries Association, which represents arms-exporters whose political-action committees gave $7.5 million to candidates in the last election cycle. The Clinton administration also weighed in heavily against the amendment, with Assistant Secretary of State Wendy Sherman appearing before the committee and distributing a letter ''firmly opposing'' passage of the code while supporting its principles.

Congress is getting involved in arms restraint for the simple reason that successive administrations have failed to show leadership. In 1993, the administration approved a record $12.9 billion in arms sales to developing countries, three times the sales to all other countries combined. More than 90 percent of those weapons went to dictators. Then in February, 1995, the president issued a directive that, for the first time, makes corporations' financial health a factor in arms sales decisions.

As the Pentagon buys less, arms-makers pressure the government to keep production lines open by approving strategically questionable sales abroad. In fact, arms sales to developing countries have doubled since the fall of the Berlin Wall.

The arms industry claims that the increase in sales saves jobs. As defense industry profits and CEO salaries rise, however, layoffs of

line workers have increased almost in direct relation. Even worse for the American economy, one-third of all sales are paid for by the taxpayer through foreign aid. ''Offset'' agreements that help purchasing countries co-produce weapons and sell commercial products in America displace as many workers as the arms sales save.

Hence, we are giving bullies bigger sticks, even though in the past they have used them against their own people and the United States. We have already seen this ''boomerang effect'' from past sales to armed forces that oppressed their citizens. In the last four overseas US engagements—Panama, Iraq, Somalia, and Haiti—our troops faced the very weapons we sold to those dictators who were once our friends. In Somalia, we spent $2 billion and two dozen American lives trying to clean up the mess that flowed from our $200 million in arms sales.

Who among today's favored customers are tomorrow's Somalias and Iraqs?

If the House passes the Code of Conduct, maybe we will not have to find out. Until then, arms transfer policy will be business as usual—big business as usual.

Cynthia McKinney (D) of Georgia is the primary House sponsor of the McKinney/Hatfield Code of Conduct Bill. Caleb Rossiter is the former deputy director of the Congressional Arms Control and Foreign Policy Caucus.

HOUSE OF REPRESENTATIVES, COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC, May 10, 1995.

DEAR COLLEAGUE: During the full International Relations Committee mark-up of the foreign aid authorization, my colleague on the Committee, Cynthia McKinney, will be offering as an amendment her ''Code of Conduct on Arms Transfers'' bill (H.R. 772). I urge your support for this important reform of the arms sales process.

The amendment establishes a Code of Conduct for recipients of U.S. military exports and training. The President would decide which countries meet the specific language of the four criteria: promotes democracy, protects human rights, not engaged in aggression, and participates in the U.N. arms trade register. Countries not meeting the criteria would require a waiver agreed to by both the President and Congress.

At present, the decision on whether a country should be eligible to receive U.S. weapons is made by the executive branch alone. The Code of Conduct is really a congressional responsibility act that restores the balance that existed in the original Arms Export Control Act before a Supreme Court decision on an unrelated case invalidated its review procedures.

Arms transfers to undemocratic countries have been the Achilles heel of U.S. foreign policy. Many times we have spent scarce foreign aid cleaning up after conflicts fueled by our own arms transfers; many times we have seen our own troops face weapons we sold to once-friendly dictators. This bill creates a presumption against such transfers while providing a channel for a joint decision to approve them if national security requires.

I have attached for your review a description of the bill, which includes answers to questions about it. Thank you for your consideration of the McKinney amendment.

Sincerely,

HOWARD L. BERMAN,
Member of Congress.

AMNESTY INTERNATIONAL, USA,
Washington, DC, May 10, 1995.

Dear Member of the House International Relations Committee:

As a member of both the House International Relations Committee (HIRC) and the Congressional Human Rights Caucus you are in a strategic position to help stem the flow of U.S. weapons to countries who violate the human rights of its citizens. The ''Code of Conduct on Arms Transfers Act'' sponsored by Representative Cynthia McKinney (D–GA), will be presented to the HIRC as an amendment to ''Division C'' of the Foreign Aid Reorganization bill (H.R. 1561) as early as tomorrow. I urge you to vote in favor of this provision.

As an ally in exposing and stemming human rights violations, you recognize the importance of governments accepting accountability. Under this legislation, recipients of U.S. weapons and security assistance would have to vigorously investigate, discipline, and prosecute those responsible for violations, as well as take other positive measures to combat gross violation of internationally recognized rights.

The Code of Conduct would require the President to make an annual certification of countries eligible to receive U.S. weapons. Arms would be prevented from going to countries that are undemocratic, violators of human rights, engaged in armed aggression, not full participants in the U.N. Register of Conventional Arms. If a country does not meet the criteria, transfers can still be made if it is found to be in the interest of U.S. national security.

Amnesty International continues to investigate countries known to have committed human rights violations and their receipt of U.S. security assistance. The Code of Conduct offers another avenue to make violators of human rights accountable for their actions. We urge your support on this important legislation.

Sincerely,

JAMES O'DEA,
Director, Washington Office.

HOUSE OF REPRESENTATIVES,
Washington, DC, May 9, 1995.

Dear International Relations Committee member:

As you may be aware, our colleague, Rep. Cynthia McKinney, will offer an amendment to attach the Code of Conduct for international arms sales to the Foreign Aid bill later this week. It is my hope that you will join Rep. McKinney, myself, and almost 100 of our colleagues in supporting this timely and reasonable legislation.

Often times, international terrorists acquire U.S.-supplied weapons through pro-American dictators, aggressors, and human rights abusers. A prime example of this was the supplying of Afghani rebels through Pakistan and Saudi Arabia. Moreover, the arms we supplied to the Shah of Iran eventually ended up in the hands of Khomeini and his global terror network. We must stop the boomerang effect which ends up placing U.S. troops, and even U.S. civilians, at the risk of being attacked by our own weapons.

The guiding principle of the Code is that U.S. arms should not be provided to countries that are undemocratic, violate human rights, or are engaged in acts of aggression. However, the United States currently provides 73 percent of all arms to the third world, many of which have not yet held a free and fair election or do not adhere to internationally accepted standards of human rights.

Congress owes it to the American people to play a stronger role in reaching decisions over the transfer and sale of weapons to rogue nations. While the Code is not a ban on arms sales, it will increase congressional oversight and public scrutiny of arms sales.

Once again, I urge you to support Rep. McKinney's Code of Conduct amendment in the International Relations Committee.

Sincerely,

ELIOT L. ENGEL,
Member of Congress.

DEPARTMENT OF SOCIAL DEVELOPMENT AND WORLD PEACE,
Washington, DC, May 10, 1995.

Hon. BENJAMIN A. GILMAN,
Chairman, International Relations Committee, Washington, DC.

DEAR CHAIRMAN GILMAN: I write to express our concerns about H.R. 1561. I enclose a letter, which the U.S. Catholic Conference has co-signed, which opposes proposals to cut drastically development assistance and U.N. peacekeeping, and questions the wisdom of restructuring that could weaken development and human rights programs.

The enclosed letter does not address our strong support for continued U.S. funding for overseas assistance and protection for refugees, the main provisions for which are contained in a separate State Department Authorization Bill, H.R. 1564. It is our understanding that the International Relations Committee plans to vote on consolidated H.R. 1561, which incorporates these other provisions, rather than allowing them to be considered separately. We regret this decision as it leaves us in the uncomfortable position of opposing a consolidated bill that, in our view, is still fundamentally flawed but which contains provisions we would wholeheartedly endorse were they to be considered on their own merits.

In addition to these concerns, I would like to raise two additional matters related to this legislation. First, I encourage you to support the Code of Conduct on Arms Transfers, an amendment that will be offered to H.R. 1561. In his recent encyclical, The Gospel of Life, Pope John Paul II condemned the arms trade as ''scandalous.'' That weapons of war are bought and sold almost as if they were simply another commodity like appliances or industrial machinery is a serious moral disorder in today's world. The predominant role of our country in sustaining and even promoting the arms trade, sometimes for economic reasons, is a moral challenge for our nation. The foreign aid cuts in H.R. 1561 are another example of our country's increasing reluctance to share its economic resources in support of sustainable economic development, while we remain the dominant supplier of weapons to the developing world.

The Code of Conduct is important for two reasons. It imposes appropriate conditions for arms transfers: respect for democracy and human rights, non-aggression, and participation in the U.N. Register of Conventional Arms. And it would bring greater openness and public accountability to decisions to transfer arms by forcing these decisions to be more openly debated in Congress. The Code could thereby improve prospects that the United States would more strictly enforce and strengthen controls on arms transfers and would reduce substantially its role in this deadly trade.

Third, we are concerned about proposals to absorb the Arms Control and Disarmament Agency (ACDA) into the State Department. While we do not normally comment on matters of government reorganization, we are concerned that placing ACDA within the State Department will reduce the prominence of critical arms control and disarmament issues at a time when they are already receiving less attention than they have in the past. There is an urgent need to implement existing arms control agreements, to move toward deeper reductions in

nuclear weapons, to stem nuclear proliferation, and to control conventional weapons, such as landmines. Maintaining ACDA's independent voice in foreign policy making is more likely to ensure that this important arms control agenda receives the attention it needs.

Thank you for considering these various concerns about the legislation currently before the International Relations Committee.

Sincerely,

DREW CHRISTIANSEN,
Director, Office of International Justice & Peace.

HOUSE OF REPRESENTATIVES,
Washington, DC, May 8, 1995.

Dear House International Relations Committee Member: The ''Code of Conduct Arms Transfer Act,'' restricts arms exports to countries that are undemocratic, do not abide by basic international human rights standard, and are engaged in acts of armed aggression.

Today—given the new world order—it is in the best interest of the United States to encourage the development of stable, democratic, and economically viable allies that respect the fundamental human rights of its citizens.

While there are current restrictions on exports of U.S. arms to countries that demonstrate a ''gross and consistent'' pattern of human rights abuses, these restrictions are seldom enforced. In fiscal year 1994, the State Departments' annual ''Country Reports on Human Rights Practices,'' showed that the U.S. sold weapons to at least four nations that had significant human rights abuses. These four nations purchased $6.2 billion in arms—nearly half of the total $12.9 billion sold. Additionally, $2 billion in U.S. grant money or subsidized U.S. loans to these nations was used to purchase arms.

It is time for Congress to become more proactive in protecting international human rights. We need to end arms exports to those nations that fail to respect the dignity and fundamental well-being of their citizens.

Your vote on May 11 for the Code of Conduct is a vote for the protection of basic human rights.

Sincerely yours,

DONALD M. PAYNE,
Member of Congress.

PROJECT ON DEMILITARIZATION AND DEMOCRACY
Washington, DC, May 5, 1995.

THE MCKINNEY-HATFIELD CODE OF CONDUCT ON ARMS TRADE: RESTORING THE CONGRESSIONAL ROLE IN THE ARMS TRANSFER PROCESS

This is the first major reform of the arms export process in two decades. Prior to enactment of the Arms Export Control Act in 1976, there were virtually no restrictions on the executive branch's arms transfers. Congress, led by Sen. Hubert Humphrey, enacted the Arms Export Control Act in response to record transfers of arms by Secretary of State Henry Kissinger. The Shah of Iran and President Marcos of the Philippines were among the leading recipients. Today's record U.S. transfers to undemocratic and unstable governments similarly threaten our interests in democracy and development abroad.

The Arms Export Control Act originally gave Congress a major role in reviewing proposed arms transfers, but the Supreme Court's decision in the unrelated ''Chadha'' case in 1983 eliminated that role. The AECA gave each House of Congress the ability to block a proposed transfer by passing a resolution. The Supreme Court ruled such ''one-House vetoes'' unconstitutional, declaring that Congress can only change policy by enacting laws, not by taking such partial steps as passing one-House resolutions. As a result, for the past 12 years, Congress could only block a sale by passing a resolution in both Houses and enacting it over a presidential veto, all within 30 days. In terms of time alone, this is nearly impossible. Congress has never enacted such a resolution, and rarely even takes up a resolution opposing an arms transfer, because there is no meaningful chance to succeed.

The Code of Conduct legislation would restore Congress to its earlier role as an equal partner in arms transfer decisions, by requiring congressional approval for sales to countries not meeting the Code's standards. Under the Code legislation, the President would certify countries for eligibility each year. The President could request a one-year waiver for a country not meeting the Code's standards (for democracy, human rights, aggression, and the U.N. arms trade register). Both Houses of Congress would have to approve the waiver, either by enacting a foreign aid bill containing the waivers, or by enacting a separate law. The Congressional Research Service has studied the Code of Conduct process, and declared it constitutional.

CALEB ROSSITER,
Director.

MAY 9, 1995.

DEAR MEMBER OF THE HOUSE INTERNATIONAL RELATIONS COMMITTEE: The undersigned arms control, development, religious, human rights and veterans organizations are writing to voice support for the ''Code of Conduct on Arms Transfers'' bill sponsored by Representative Cynthia McKinney (D-GA) and close to 100 other members. A full committee vote on the Code, as an amendment to the Foreign Aid bill, is expected this week. We urge you to vote in favor of this provision.

The Code of Conduct would require the President to make an annual certification of which countries are eligible, under four criteria, to receive U.S. weapons. To be eligible to receive U.S. weaponry a country cannot: grossly abuse human rights; deny democratic rights; or attack a neighbor or its own people. Also, countries must participate in the U.N. Register of Conventional Arms to be eligible. By creating these criteria weapons will be kept from countries that are bad risks and, it is hoped, the Code will induce undemocratic and aggressor nations to improve their current practices.

This bill is neither a ban nor a moratorium on arms sales. If, for national security reasons, the President wants to sell weapons to countries that are not certified, a majority of Congress must vote to approve the arms transfer. Under the current system, Congress can only vote to stop an arms sale. Under the Code of Conduct Congress can, after careful scrutiny, determine which countries are vital to U.S. security interests and should therefore be eligible to receive arms. The Code also underscores Congress' Constitutional power to regulate trade with foreign nations.

History has shown that sometimes American weapons last longer than U.S. friendships with foreign governments. In Panama, Somalia and Haiti, U.S. troops faced forces that has been equipped with American weapons. The Code of Conduct is an attempt to reduce the likelihood that the men and women of the armed forces will be affected by this ''boomerang effect'' of the arms trade. Only by closely examining the circumstances surrounding a pending arms sale can Congress hope to minimize the chance of an American soldier being injured by an American weapon.

Furthermore, in a time of tough budgetary decisions, continuing to spend billions of dollars each year in foreign aid to support arms transfers flies in the face of budget cutting measures. Reducing arms transfers would be a prudent way to cut federal spending while contributing to our national defense by keeping advanced weapons out of the hands of future potential adversaries.

As the world's leading arms supplier, the U.S. must demonstrate restraint and international leadership regarding weapons sales to undemocratic nations. The Code of Conduct provides the President and Congress an opportunity to take the first step to reduce the potential for conflict and to prevent harm being done to lives and livelihoods. We urge you to contact Representative McKinney's office to be listed as a co-sponsor of the Code and to vote in favor of this amendment when it comes before the full committee later this week.

Sincerely,

John Isaacs, President, Council For a Livable World; Howard Hallman, Director, Methodists United for Peace With Justice; Peter J. Davies, U.S. Representative, Saferworld; Steve Goose, Program Director-Arms Project, Human Rights Watch; Deborah Walden, Director of Policy and Programs, Women's Action For New Directions; Edith Villastrigo, National Legislative Director, Women Strike for Peace; Tim McElwee, Director, Church of the Brethren; John B. Anderson, President, World Federalist Association; Robin Caiola, Co-Director, 20/20 Vision; James Matlack, Director-Washington Office, American Friends Service Committee; Lora Lumpe, Director-Arms Sales Monitoring Project, Federation of American Scientists; Joe Volk, Executive Secretary, Friends Committee on National Legislation; Caleb Rossiter, Director, Project on Demilitarization and Democracy; Monica Green, Executive Director, Peace Action; Mark B. Brown, Acting Director-Lutheran Office for Governmental Affairs, Evangelical Lutheran Church in America; Vice Admiral John Shanahan, Director, Center for Defense Information; Maurice Paprin, President, Fund for New Priorities in America; Darryl Fagin, Legislative Director, Americans for Democratic Action; Jerry Genesio, Chairman/Executive Director, Veterans for Peace; Greg Bischak, Executive Director, National Commission for Economic Conversion and Disarmament.

MAY 8, 1995.

COMMITTEE ON INTERNATIONAL RELATIONS,
House of Representatives, Washington, DC.

DEAR MEMBER: The officers, directors and members of Veterans for Peace urge you to support passage of the McKinney-Hatfield Code of Conduct on Arms Trade (H.R. 772). We understand the bill may be offered as an amendment to the Foreign Aid Authorization bill later this week.

Veterans for Peace (VFP) is a national membership organization of U.S. military veterans, including decorated veterans of both World Wars, the Korean and Vietnam Wars, and many other conflicts and skirmishes. Our members include retired officers and enlisted men, some of whom served twenty or more years. Many are graduates of military academies, a number are former POWs. One, a pilot during the Vietnam War, languished in the Hanoi Hilton for eight years. Two are recipients of the Congressional Medal of Honor, dozens received Silver and Bronze Stars for valor, and hundreds were awarded the Purple Heart for combat

wounds. The work of VFP is primarily educational: to raise awareness of the great costs of preparing for war and of war itself in comparison to the alternatives of international behavior.

The Code of Conduct legislation should have universal support, if for no other reason than the increasing phenomenon of U.S.-made arms returning to threaten our own U.S. forces. There are other reasons to support the bill. For example, it would substantially help:

Keep arms from dictators and countries using weapons in aggression against neighbors or even their own people;

Restore needed Congressional power and responsibility in the area of arms trade and control;

Protect the U.S. jobs currently being destroyed by the application of so-called ''offset'' agreements, by which defense contractors promote foreign goods in order to secure arms sales.

Thank you for your consideration of these important issues, and, hopefully, for your support of H.R. 772.

Sincerely yours,

JERRY GENESIO
Chairman and Executive Director
(USMC/1956–62).

CENTER FOR DEFENSE INFORMATION,
May 8, 1995.

THE MCKINNEY-HATFIELD CODE OF CONDUCT ON ARMS TRADE: ENSURING THE SAFETY OF U.S. MILITARY FORCES

The Clinton Administration's recent arms sales policy states that the impact on defense jobs must be taken into account when exports are considered. One wishes that the same consideration was extended to the impact on the lives and wellbeing of American service personnel. The current laissez-faire status quo in the international arms trade, where increasingly any conventional weapons sale is deemed permissible as long as it purports to make a profit for its manufacturer, is creating a self-generated danger—the possibility that our service men and women will someday be fighting nations or groups who obtained U.S. weapons and technology.

Many of our former current and arms customers—Panama, Iran, Iraq, Israel, numerous Arab countries, Taiwan, South Korea, Pakistan, and India are in highly volatile parts of the world or have undemocratic governments. Thus our arms and technology sales potentially create—as in the Gulf—the very threat our own forces may someday confront. Furthermore, the threat we are building by our arms sales also justified the continued inflated military spending for even newer equipment to counter the items we have sold others.

Even the Pentagon now officially acknowledges that it faces the prospect of American weapons being used against U.S. military personnel. In the latest Annual Report of the Secretary of Defense to the President and Congress Secretary William Perry writes, ''In general, threats encountered in MRCs [Major Regional Conflicts] would be standing armies of foreign powers, armed with mixes of old and modern weapons systems. . . Thus, U.S. forces must be prepared to face a wide variety of systems, including some previously produced in the United States.'' [author's emphasis, p. 170]

A comparison of the Pentagon's own data on deliveries of weapons through the U.S. FMS and commercial sales programs over the past decade with a list of fifty significant wars that were under way during 1993–94 indicates that U.S. weapons exports have played a major role in fueling the ethnic and territorial conflicts that have become the primary post-war security challenge as indicated by the Pentagon's own Bottom-Up Review and National Military Strategy. These are the same types of conflicts U.S. forces are most likely to be deployed to in the future.

Parties to 45 current conflicts have taken delivery of over $42 billion worth of US weapons in the past decade.

Out of the fifty significant ethnic and territorial conflicts going on during 1993–94, 90% (45 out of 50) of them involved one or more parties that had received some US weapons or military technology in the period leading up to the conflict.

In more than half of the fifty current conflicts (26 out of the 50), the United States has been a significant arms supplier, accounting for at least 5% of the weapons delivered to one party to the dispute over a five year period.

Areas where U.S. weapons are most likely to be utilized in current or future conflicts include southern Europe; the Middle East and North Africa; Sub-Saharan Africa; Southwest and Southeast Asia; and Central and Latin America.

This data raises serious questions about the claim that US weapons are only used for defensive purposes. As a weapons supplier to fully 90% of the areas where wars are now going on and a major supplier to more than one-third of these areas, it is clear that the US is bolstering the warfighting capabilities of a substantial number of the parties to the world's current conflicts. It does not take a stroke of genius to realize that these capabilities can just as easily be used against U.S. soldiers, sailors, and airmen. It is a sad irony that the current U.S. arms trade policy confirms the words of cartoonist Walt Kelly's character Pogo when he said, ''We have met the enemy and he is us.''

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 8, 1995.

DEAR COLLEAGUE: The House International Relations Committee will mark up HR 1561, the Foreign Aid and Reorganization Bill this week. I will offer HR 772, the Code of Conduct Arms Transfer Act as an amendment to Title 31 of Division C. The ''Code'' now has 99 cosponsors in the House and would provide guidelines for arms exports—prohibiting transfers to governments that are undemocratic, violate human rights, or are engaged in acts of armed aggression.

The ''Code'' would not ban all arms sales. Sales and transfers would continue in the national interest of the United States and to those nations which meet the ''Code's criteria.'' Today's exports could be tomorrow's nightmare for American forces. In the last four US deployments—Panama, Iraq, Somalia, and Haiti—American troops faced armies strengthened by US materiel and technology. In 1993, of the 14.8 billion in US arms sales, 90 percent were purchased by nations that do not meet the Code's guidelines.

Americans throughout the nation support the ''Code''—with more than 227 citizen's organizations endorsing its principles and 96 percent of Americans demanding an end to arms sales to dictators.

Let's stop the ''Boomerang effect.'' Vote for the ''Code of Conduct on May 11!''

Please contact Robin Sanders at 51605 with questions or concerns.

Sincerely,

CYNTHIA MCKINNEY,
Member of Congress.

FRIENDS COMMITTEE ON NATIONAL LEGISLATION,
May 10, 1995.

House International Relations Committee,
U.S. House of Representatives Washington, DC

DEAR REPRESENTATIVE: Does the United States need a Code of Conduct on Arms Trade? Who answers Yes to that question?

Vietnam Veterans of America Foundation; Amnesty International; Human Rights Watch; Lutheran Office for Governmental Affairs; Maryknoll Justice & Peace Office; Federation of American Scientists; Bread for the World; Committee for National Security.

Institute for Food & Development (Food First); United Methodist Church, General Board of Church & Society, Peace with Justice Program; American Baptist Churches, USA; Center for Defense Information; Physicians for Social Responsibility.

More than 250 other national and regional organizations have endorsed the principles for a Code of Conduct on Arms trade.

Humanitarisn aid, human rights, arms control, economic development, women's religious, and veterans' agendas, all would benefit from a Code of Conduct on Arms Trade. That is why the Code is popular with a growing grassroots movement for nonproliferation of conventional weapons.

The Friends Committee on National Legislation urges you to vote for the Code of Conduct on Arms Trade when the House International Relations Committee considers the amendment by Representative McKinney on the Foreign Aid Authorization bill.

Sincerely,

JOE VOLK.

BRITISH AMERICAN SECURITY INFORMATION COUNCIL.

To: Members of the House International Relations Committee.
From: Bronwyn Brady and Susannah Dyer, BASIC.
Re: Arms Transfer Amendment to Foreign Aid Bill.
Date: 10 May 1995.

It has come to our attention that the Committee is scheduled to vote on the Code of Conduct on Arms Transfers as an amendment to the Foreign Aid Bill. Your consideration of this legislation coincides with a parallel initiative being pursued in the European Union.

Congress now has the opportunity to join its partners in the European Union as they seek to implement similar controls. According to the US Arms Control and Disarmament Agency, Europe and the United States together sell over 90% of the world's weapons. Focusing narrowly on maintaining market share, no country has been willing to take unilateral steps toward control, fearing it will lose export markets to competitors. Therefore, it is vital that as the world's leading suppliers, the EU and the United States work together to implement restraint. Cooperation will prevent either US or European companies from undercutting one another in pursuit of sales.

Tomorrow in Brussels, the European Code of Conduct will be launched, calling on the EU to adopt stricter controls on weapons exports. This Code builds on the eight existing criteria on arms exports already agreed by member states in 1991–92. These criteria stress that weapons exports should take into consideration: the purchasing country's human rights record; the internal and regional stability of recipient states; and the effects of weapons purchases on the recipient country's economy.

A number of members of the European Parliament have declared their support for this initiative, highlighting the need for a coherent and controlled approach to European weapons exports, and encouraging the Parliament to press for the Code. In addition,

the proposed Code has already been endorsed by almost 50 NGOs across Europe, including Save the Children and Medico International. In the lead-up to the review of the Maastricht Treaty in 1996, it is critical that an effective EU arms export control regime be an integral part of an EU Common Foreign and Security Policy.

In addition to the US and European Code of Conduct Initiatives, similar measures have also been pursued in other international fora. In November 1994, a proposal was tabled at the United Nations, calling for a Code of Conduct for international conventional arms transfers with a view to promoting restraint. These efforts will continue in both working groups and the General Assembly. In addition, the Organization for Security and Cooperation in Europe (OSCE) agreed a series of ''Principles Governing Conventional Arms Transfers'' in December 1993, requiring member states to consider human rights, and reiterating ''their strong belief that excessive and destabilizing arms buildups pose a threat to national, regional, and international peace and security''. It is clear that there is growing international consensus regarding the urgent need to restrain the international weapons trade.

In its position as the world's leading exporter of weaponry, the United States has a special responsibility to provide a global leadership in the area of restraint. Passage of the Code will encourage the United States to work in concert with its allies to control the spread of weapons to rogue regimes and regions of conflict. This will prevent scenarios such as the one which unfolded in the Gulf War, where US troops faced weapons supplied to Iraq by both the United States and its European allies.

As your European counterparts begin developing a harmonized EU arms export policy, we urge you to support the Code of Conduct amendment and demonstrate US leadership in promoting unified international restraint of the global weapons trade. Please feel free to contact our office in London or Washington for further details on the European initiatives described above.

UNITARIAN UNIVERSALIST
ASSOCIATION OF CONGREGATIONS,
Washington, May 10, 1995.

DEAR REPRESENTATIVE: Unitarian Universalist Association of Congregations, strongly supports the Code of Conduct on Arms Transfers bill introduced by Rep. Cynthia McKinney and Senator Mark Hatfield that would place restrictions on the sale and transfer of conventional weapons by the United States to dictators.

We think that the present U.S. arms sales policy which permits the sale of arms to governments which abuse internationally recognized human rights; engage in aggression against their own people or other nations; and do not participate in international efforts to control arms is not in our national interest, fuels regional and local conflicts and aids and abets undemocratic governments.

The Arms Export Control Act of 1976 (AECA) gave Congress the power to review proposed U.S. arms exports using a human rights standard. Unfortunately, the AECA has not stopped a single arms transfer since it became law. The Supreme Court in 1983 found the Congressional mechanism whereby either House could block such sales to be unconstitutional. The McKinney-Hatfield Code of Conduct bill would return to Congress a mechanism for participating in the decision making process on U.S. arms transfers.

We respectfully urge you to support the McKinney measure when it comes before the Committee. The Code of Conduct on Arms Transfers has gained more support among the Unitarian Universalist grassroots than any other legislation we have worked on.

The time has come for charting a new U.S. arms sales policy that puts our country on the high ground and sets an example for the international community to match.

Sincerely,

ROBERT Z. ALPERN,
Director.

Ms. WOOLSEY. Mr. Chairman, I move to strike the last word.

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

Ms. WOOLSEY. Mr. Chairman, I rise in strong support of the code of conduct amendment offered by the gentlewoman from Georgia, and I would like to commend her for her tireless work on this important issue.

As written, our current arms transfer policy is reckless and dangerous. Over the past decade, we have sent weapons to countries who have turned around and used them against our sons and daughters in the Armed Forces. We have provided ammunition for governments who oppress their people and commit acts of aggression against the international community. U.S. arms transfer policy must be more responsible.

In the debate over military spending and foreign policy, we continue to hear that ''the cold war is over, but the world is still a dangerous place.'' Mr. Chairman, our current arms transfer policy is making the world an even more dangerous place. I thought we fought the cold war in order to make the world safe for democracy and human rights, not dangerous for U.S. soldiers and innocent citizens worldwide.

Opponents of this measure argue that the United States should not restrict itself to selling arms only to countries who promote democracy and protect human rights. They suggest that we should be allowed to sell weapons to countries which may not fit these categories, but who are friendly to the United States.

Mr. Chairman, Members of the House, Manuel Noriega used to be friendly. Iraq used to be friendly. Why do we refuse to learn that even the Devil can be friendly if he wants to make a deal?

Mr. Chairman, I urge my colleagues to support the McKinney amendment and reject the current reckless arms transfer policy.

Mr. BERMAN. Mr. Chairman, will the gentlewoman yield?

Ms. WOOLSEY. I yield to the gentleman from California.

Mr. BERMAN. Mr. Chairman, I want to add my support for what the gentlewoman said for the McKinney amendment. This is a restrained and sensible set of guidelines which reinvolve the Congress in the way that it used to be in the process of arms transfers before the Supreme Court decision knocked that process out and made us essentially irrelevant.

This provides waiver authority. There may be times when a country that is bad on human rights or a country that is not democratic should get some of our assistance for other, larger kinds of considerations.

□ 1245

There is waiver authority here. Come to Congress, let us go through that process. I think it is a sensible, restrained approach to try and deal with the causes of regional instability in so much of the world and the fueling of an arms race.

Mr. HASTINGS of Florida. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to express my support for the amendment offered by my colleague, the gentlewoman from Georgia, [Ms. MCKINNEY].

This amendment establishes a code of conduct for recipients of U.S. military exports and training. It gives the President the authority to decide which countries meet the four responsible criteria: promote democracy, protect human rights, not engaged in acts of aggression, and participants in the U.N. arms trade register. Those countries which do not meet the criteria would require a waiver agreed to by both the President and the Congress.

As we apply conditions on our military aid to other countries, so should we apply conditions to our weapons exports. It is outrageous that in our last four overseas United States engagements—Panama, Iraq, Somalia, and Haiti—our troops were threatened by weaponry that we sold to various dictators who were once our friends, and later our enemies.

As the only superpower in the world, it is imperative that the United States set the standard for responsible leadership. Congresswoman MCKINNEY's amendment would ensure our moral leadership by prohibiting the sale of arms to those countries that are undemocratic, violate human rights, or are engaged in acts of armed aggression.

Arms transfers to undemocratic countries which past administrations have courted for a variety of reasons, have often come to haunt us. We have spent precious human and financial resources cleaning up after conflicts which were fueled by our own arms transfers. Our own children have been endangered by the very same weaponry that we sold because of short-term foreign policy interests. This legislation will protect our children in the future by creating a presumption against such transfers, but does establish a thorough, responsible review process for those sales that are in our best interest.

Mr. Chairman, I ask the Members to support the McKinney amendment.

Mr. BURTON of Indiana. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I find myself in a kind of an uncomfortable position because I do not particularly like some of the ways that the President has conducted

foreign policy, and I did not particularly like the invasion of Haiti or the way he conducted our operations in Somalia and lost a bunch of American lives, but here is one case where I do agree with the President. The President has to have some leverage and be able to conduct foreign policy, and many times his ability to negotiate with countries that are buying U.S. arms is one way that he can get the job done.

So the President of the United States, Mr. Clinton, is against this particular amendment. In this particular case, I concur with him because I think it hamstrings him in one respect, as far as his ability to conduct foreign policy is concerned.

But, in addition to that, there is another economic issue that needs to be taken into consideration. If anybody believes that a country that wants to buy weaponry is going to not buy it simply because they cannot buy them from the United States, they are just barking up the wrong tree. France sells weapons, Great Britain sells weapons, a number of countries sell sophisticated weaponry. If they do not buy them from the United States of America, then certainly they are going to buy them from some place else.

It will have an adverse economic impact on many segments of our society. If you go out to California and take a look at the aircraft industry, it is in a depressed state. It is starting to come out of it now because of the commercial sales. The fact of the matter is if you put these kinds of constraints on the sales of these kinds of materials, you are going to have an impact on industry in this country, and there are going to be a lot of people lose their jobs and those jobs will go overseas to manufacturers of this equipment in foreign countries.

Mr. KENNEDY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentleman from Massachusetts.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I appreciate the sentiments that the gentleman from Indiana is showing in terms building up our own economic base here at home. It is a legitimate concern.

This amendment does not say that we cannot sell arms to Third World countries, nor does it say we cannot sell arms to other countries throughout the world. All it says is that when there are human rights abuses, when there are gross inequities in terms of how the country that is trying to purchase arms treats its neighbors, is overly aggressive in those issues, in terms of spending far too much money on its own arms industry rather than looking out after its own people, that the United States ought to take those issues into account.

It gives the President the flexibility of overruling these on a national security basis, and in any given year. So I think it does provide the kind of flexibility that is necessary to address the concerns the gentleman from Indiana has articulated, but it does put us into the immoral position that we are currently in where we are actual selling arms to our neighbors that end up using those arms, or to our friends that end up using those arms against us when we get into conflict.

Mr. BURTON of Indiana. I thank the gentleman for his contribution. I disagree simply because the President of the United States has the ability right now to put pressure on those countries by not allowing arms sales to them. As a matter of act, the President has exercised that authority already in a number of countries. If you followed what has been going on in the past several years, you will find there are a number of countries that even purchased equipment from the United States and the President has not allowed those purchases to go forward.

So he does have some latitude. It is a Democrat President. He is asking for this authority to be maintained. Whether it is a Republican or Democrat, I would support it.

The fact of the matter is there is an inconsistency as far as our foreign policy is concerned. There are many pieces of legislation which I have sponsored, regarding human rights abuses in India, for instance, that have not passed this House because the minority now, then the majority, would not support them.

So I find it kind of interesting that here is the President of the United States wanting to protect his ability to conduct foreign policy and, because of human rights issues, his party is trying to stop it, while at other times in our history when we were fighting for human rights abuses to be removed on other pieces of legislation, we could not get that support.

Mr. KENNEDY of Massachusetts. If the gentleman would yield further, maybe this kind of legislation would actually improve and get the kind of result that you were looking for in terms of your amendment with regard to Pakistan.

Mr. BURTON of Indiana. Not Pakistan. India.

Mr. KENNEDY of Massachusetts. With regard to India in times past. The fact of the matter is, if we had a uniform policy instead of the hodgepodge policy that we have today, I think we would get the moral leadership of the rest of the world to support us, as we have seen today in the European Parliament, which is taking up legislation very similar to this.

Mr. BURTON of Indiana. I appreciate the gentleman's contribution. In a perfect world we might have a consistent foreign policy worldwide. But as the gentleman well knows, we do not have a perfect world; we have an inconsistency in foreign policy. That is why the President, whether Republican or Democrat, has to have latitude in conducting that foreign policy that includes the ability to stop arms sales or allow those arms sales to go forward.

I am very sympathetic to the human rights abuses issue being raised here.

The CHAIRMAN. The time of the gentleman from Indiana [Mr. BURTON] has expired.

(By unanimous consent, Mr. BURTON of Indiana was allowed to proceed for 1 additional minute.)

Mr. BURTON of Indiana. I am very sympathetic to the human rights issue being raised here. This is a very, very complex world. It is a dangerous world. Even though the so-called cold war is over, we still have to have a foreign policy that will allow us to be able to deal with friends to make sure that they have the ability to defend themselves.

I might add one more time, if we do not sell them these weapons, we will make sure that they will buy them someplace else. Let us allow that the President of the United States will be able to make these determinations where necessary and at the same time protect American jobs by not letting them go overseas.

Mr. KENNEDY of Massachusetts. If the gentleman will yield further, the fact is that I have worked very closely with Members of the Republican side in the Committee on Banking and Financial Services to structure amendments that are very similar to this dealing with funding for the World Bank and the IMF, which have received bipartisan support. The question is whether or not Members of this body want to provide this authority in the Presidency or whether or not we want to establish this as a national policy for this country.

We have gotten bipartisan support for such a policy in times past, and I would hope we would gain support on the Republican side for this well-thought-through amendment that the gentlewoman from Georgia [Ms. MCKINNEY] is offering.

The CHAIRMAN. The time of the gentleman from Indiana [Mr. BURTON] has again expired.

(By unanimous consent, Mr. BURTON of Indiana was allowed to proceed for 30 additional seconds.)

Mr. BURTON of Indiana. I thank the gentleman for his contribution.

Let me just end up by saying that we have asked time and time again that there be a stronger voice by the Congress in the conducting of foreign policy, and the Administration has found that they do not want that to be accomplished. They wanted to keep that power in the executive branch, and I understand that. And we have not been successful in making those changes.

In this particular case, I think the President's arguments are well founded, and I, as a Republican, find myself once again in a difficult position, but I am supporting the President in this particular case.

Mrs. MEEK of Florida. Mr. Chairman, I move to strike the requisite number of words.

Mr. MILLER of California. Mr. Chairman, will the gentlewoman yield?

Mrs. MEEK of Florida. I am happy to yield to the gentleman from California.

Mr. MILLER of California. I thank the gentlewoman for yielding.

I rise in strong support of this amendment. I think it is very important that we consider it. I would hope we would pass it.

The gentleman is right. It is not a perfect world, but we have got to strive to make it a better world.

Mrs. MEEK of Florida. Mr. Chairman, I rise in strong support of the amendment offered by my colleague, the gentlewoman from Georgia [Ms. MCKINNEY].

The United States has long been an arms merchant to the world, Mr. Chairman, but this amendment is not about the quantity of arms sales. This amendment is about who we sell arms to and who makes these decisions.

At the present time, except in rare circumstances, the executive branch alone decides what countries are eligible to receive weapons. This process has resulted in arms transfers to undemocratic countries that use our arms to maintain their own control and to oppress their own people, and in recent United States military operations overseas, in Panama, Iraq, and Somalia, our troops had to fight against hostiles armed with the very weapons we previously sold to them.

We sold $200 million in weapons to Somalia. We spent $2 billion fighting soldiers armed with these weapons, many times at the destruction of the U.S. soldiers and citizens.

This amendment brings Congress into the arms sales process without tying the hands of the President. This amendment sets reasonable criteria that have to be met before arms can be transferred, including promoting democracy, protecting human rights, participating in the U.N. arms trade register, and refraining from aggression. A waiver is provided for countries that do not meet this criteria if the national security requires.

Mr. Chairman, the McKinney amendment is a very sound amendment. It is reasonable and responsible reform. It restores the balance of power in arms sales between the legislative and the executive branches. It helps secure responsible decisions in this important policy area.

Mr. Chairman, I commend the gentlewoman from Georgia [Ms. MCKINNEY] for bringing forth this wonderful amendment, and I strongly urge its passage.

Mr. FATTAH. Mr. Chairman, will the gentlewoman yield?

Mrs. MEEK of Florida. I yield to the gentleman from Pennsylvania.

Mr. FATTAH. Mr. Chairman, I thank the gentlewoman for yielding.

Let me commend the sponsor of the code of conduct amendment, and let me try to be as brief as possible, Mr. Chairman.

I rise in support of this amendment. I think that we cannot divorce American ideals from American foreign policy, and in the area of arms sales, I do not think we would want our contribution and our legacy to the world to be that we have sold arms to everyone and allowed for the continuation of the practice of war as almost a permanent vocation in this world.

So I would hope that we would support the McKinney amendment and the companion effort in the Senate because I think it moves us in the right direction, and even though it may be a debatable matter in some people's minds, I think that for all of us, if we want to be on the right side of history on this issue, that we should, in the final analysis, find ourselves voting favorably for the McKinney amendment.

Mr. SALMON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this amendment is offered in good faith. But it is slightly misnamed. This amendment is not about human rights, and this amendment is not about foreign policy. This amendment instead is about a philosophical difference that exists within the Congress.

Some in this body simply believe that all arms sales to our allies are wrong in all cases. They believe that helping our allies defend themselves and helping them defend our vital interests amounts to exporting violence.

□ 1300

I disagree. Often selling arms to our allies may mean we do not have to send U.S. troops, and that makes sense for Americans.

Moreover, responsible arms sales have for many years played an important role in our Nation's foreign policy.

Obviously, opponents of arms sales to our allies could not hope to enact a complete ban on the practice, so they have come up with this lesser amendment.

But we should not artificially restrict our arms sales to our allies, or hold them hostage to interpretations of vague definitions contained in this amendment.

I welcome continued debate on whether we should ban all arms sales to other nations. But this back door effort at beginning such a ban today, should be defeated.

Mr. Chairman, I yield to the gentleman from Florida [Mr. MICA].

Mr. MICA. Mr. Chairman and my colleague, I just want to make a couple of points and rise in opposition to the amendment that has been offered here this afternoon.

First of all, this does address the human rights violation question, and none of us favor any type of human rights violations anywhere in the world or by any of our allies, but the matter of fact is that this amendment is not a realistic amendment, and it is not a needed amendment. I say to my colleagues: First of all, if you want to look at human rights violations, just refer to—and I invite all my colleagues to do this, and other folks that are listening—read the Amnesty International human rights violation reports. You find actually one of the countries that is cited is the United States. Not only is the United States cited, but you also have Israel, Egypt, Turkey, and, if this amendment passed, I think you really would jeopardize the status of peace efforts in the Middle East if this was properly applied according to the language in the amendment, and again I think it serves no purpose. We must work against human rights violations wherever they occur, and human rights violations are not condoned by this Congress.

Let me also point out that a major flaw in this amendment is the President already has the authority. Maybe the other side of the aisle or the sponsor does not trust the President of the United States, but in fact under current law the President of the United States is required to even notify Congress before there is an arms sale in the appropriate committee of Congress.

So first of all, it is not a realistic amendment, and it is not an amendment that recognizes that there are human rights violations, whether it is in the United States or with our allies that are sometime recipients of these arms; and, second, the amendment has no purpose because the President really already has the authority, and the Congress is, in fact, notified when there are these arms sales pending. So it is not a needed amendment, and it is not a useful amendment, and I urge its defeat.

Ms. WATERS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in favor of this amendment authored by the gentlewoman from Georgia [Ms. MCKINNEY].

This amendment is about the new world order. The United States has emerged as the undisputed political, economic, and military leader of the world.

With the end of the cold war, the old ways of doing international business—especially military business—are no longer adequate. This is a time to reevaluate. It is a time for America to live up to the promise of its creed—across our borders as well as within them.

This Nation must not support dictators. It must stand strongly against human rights abuses. We have the capacity—through diplomatic pressure, business opportunity, and military arms relationships—to make the world safer for its citizens. The United States should exercise that power. This, Mr. Chairman, is what the McKinney amendment is all about.

We only need to look at the recent past to find examples of good intentions gone bad in the U.S. arms sales.

Many people have heard about the recent, gross violations of human rights in Turkey. Turkey happens to be one of the largest recipients of United States military aid. Former Assistant Secretary of Defense Lawrence Korb testified yesterday that Turkey's rulers

have used United States-supplied F–16's, Black Hawk helicopters and M–60 tanks against its own Kurdish population.

The United States also militarily supplies human rights abusers in Indonesia and Malaysia. Unfortunately, we are considering more aid to the Government of Indonesia—despite widely reported human rights abuses by the Indonesian military against East Timor.

In the not quite so recent past, this country felt forced to stop a military exercise by Iraqi leader, Saddam Hussein. We had a major war—risking the lives of thousands of soldiers—against Iraq, a country which had always been a human rights abuser, and which had been the recipient of U.S. aid, including military aid.

Too many times in this country's history, we have been short-sighted policy in our arms export policy. Too many times, short-term military alliances have led to long-term human rights disasters, or worse.

The McKinney amendment does not preclude military assistance to any country. If the President and Congress agree that an arms sale is in the national security interest, that sale would be allowed.

However, the McKinney amendment would establish basic, humane, and appropriate standards for the conduct of U.S. military export policy. These standards are common sense standards such as requiring our military exports to go to countries which hold free and fair elections; such as being sure our sales go to countries which do not engage in gross violations of human rights, and making sure that our arms exports do not go to countries which engage in illegal acts of armed aggression.

If there was ever a time when this country could justify working with human rights abusers to further some longer-term strategic objective, that time is surely past. This country, without any serious military threat to our security, now must face its responsibility, and act as the world's moral leader. The McKinney amendment would apply a moral test to U.S. foreign policy.

Let us assert our role as a moral leader in the world. Support the McKinney amendment.

Mr. BEREUTER. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. BEREUTER. Mr. Chairman, I rise in opposition to the McKinney amendment. I agree with some of her concerns, but not the solutions embodied in the amendment.

Certainly, Mr. Chairman, during the cold war the two superpowers did transfer billions of dollars of weapons to the developing world every year as a part of their strategic competition. With the dissolution of the former Soviet Union and excess conventional military equipment flooding global markets, I believe it is essential to find a way to stop the spiral of militarization. An overarmed developing world not only has a terrible human cost, it is also contrary to American interests in fostering democracy, building political stability, and enhancing growing global economy, and I think those are some of the gentlewoman's concerns, and I certainly agree with them.

In my mind the solution to the problem of militarization in arms transfer must be a multilateral one. It would do us, nor the developing world, any good if we reduce exports only to find the gap filled by other suppliers. Yet it is also clear that multi-lateral solutions require U.S. leadership both by the President and by the Congress.

Congress has already begun to address the need for arms restraint, enacting several measures which I support, including, No. 1, encouraging the President to establish a multilateral arms restraint regime; No. 2, imposing a moratorium on the export of antipersonnel land mines and calling on the administration to negotiate a worldwide ban on their deployment; and, No. 3, calling on the administration to oppose multilateral lending to countries who refuse to reduce military spending in concert with their neighbors.

That brings me to the amendment at hand.

Mr. Chairman, I am in strong agreement with the sentiments, as I said, which were expressed in the amendment which express the view that we should not sell arms to countries that are democratic, that do not respect human rights, and that do not promote peace and stability. Where I have problems with this amendment is that it mandates, at least as I read it, that human rights, democracy, and participation of the U.N. arms registry of conventional arms be the only criteria that should govern our arms transfers. To say that these criteria should be paramount in evaluating a particular transfer is, I think, going too far. This is too restrictive in my view. Arms transfers serve important foreign policy and national security objectives. That can contribute to regional stability and help deter aggression. They can even foster interoperability should U.S. Assistance ever be required as in the Desert Storm operation.

Human rights and the democratic make up of recipient governments ought to be among the criteria in making a final decision on a proposed transfer. In some cases they may be the primary criterion, but not in all cases. The President must be able to weigh all relevant criteria to reach sensible, sound decisions on the merit of each proposed transfer.

Moreover, the amendment would require the President to certify annually those nations that qualify for arms transfer according to these criteria. Transfer to other countries could only be made if the President certifies to Congress that such a transfer is in the national security interests of the United States and the Congress enacts a law approving such an exception or if the President determines that an emergency exists under which it is vital to the interests of the United States to provide the transfer. If the President cannot meet this very high standard, quote, that an emergency exists, end of quote, then this amendment would force the Congress to enact a resolution of approval for arms sale. This, of course, turns the current system of congressional review of arms transfer on its head, a system that I, for one, do not think to be broken.

Now, I do believe the author of this amendment has made a very serious effort to modify the language to address concerns of limiting Presidential flexibility by inserting new language under which countries could receive arms if they were violating the criteria in the bill if the President determines that an emergency exists, so there is that flexibility for the President. I would only point out this is a very high standard and one that I think cannot be met, at least not in very many instances. The President's room to maneuver is largely circumscribed, so in my view the modification does not fix one of the fundamental flaws of the amendment.

I want to correct the conclusion here that I think supporters of the amendment may be making. The Congress, contrary to what the supporters——

The CHAIRMAN. The time of the gentleman from Nebraska [Mr. BEREUTER] has expired.

(By unanimous consent, Mr. BEREUTER was allowed to proceed for 3 additional minutes.)

Mr. BEREUTER. The Congress, contrary to what the supporters of the amendment are seeming to be saying, currently has a very important role in determining which sales are made. In many ways, tangible or not so tangible, the Congress influences the sales about which the administration ends up notifying the Hill. There is an elaborate consultation procedure which we will not find in the formal statutory law whereby the administration vets possible sales with the appropriate committees. Members and staff briefings are convened on proposed sales that are controversial, and, contrary to what some may think, the administration backs off and drops proposed sales, not just this administration, but that has been the trend and the practice.

So, it is incorrect, I think, to argue that we have no role under the current process. The administration and the Congress are in constant dialogue about arms transfers which are conducted in accordance with the Arms Export Control Act. The Congress significantly influences arms transfers in direct and practical ways through the years beginning with consultation on the Javits report. Critics of arms transfer point to the fact that Congress

has never enacted a resolution of disapproval on arms sales. That is not a correct measure. In fact, congressional passage of such a resolution would represent a breakdown of the existing process, not a measure of its success. The fact that we have not passed a resolution then is evidence that in fact the consultation process is working.

□ 1315

Now, I have gone on at length here because I think this is a serious amendment with much merit. But the author of this amendment is committed to the issue, and I commend her. But for the reasons I stated, I cannot support it in its current form, and I would urge a ''no'' vote for all of my colleagues.

Mr. Chairman, I strongly urge a ''no'' vote.

Mr. ROHRABACHER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, will wonders never cease, where my colleague from Georgia and I are standing together on an issue in this body?

Let me note that the cold war is over. I would not have supported this amendment if it had been 10 years ago. I believe that now is the time for us as a Nation to seriously consider what our policies are around the world in a different light than what we did 10 years ago during the cold war.

This amendment puts Congress squarely in the decisionmaking process. My good friend, the gentleman from Nebraska [Mr. BEREUTER], just suggested there is a process that is taking place right now, but it is just not codified. It is not set down solid in legislation.

Well, I believe that now that the cold war is over we can afford to take this decisionmaking process about what kind of countries that we will be dealing with, especially arming to the teeth, what kind of countries we will be selling our sophisticated weaponry to, is a decision in which the Congress can play a legitimate and verifiable role, and that we can be held accountable to our own people for the moral basis of the decisions that are being made by our Government in this area.

When the cold war was on, we left these decisions up to the President of the United States, and I supported that, because we were up against an enemy that wanted to destroy our country. I was, as many of you know, a member of President Reagan's staff for 7 years. I felt it appropriate that the President had the right to counter Soviet moves that were aimed at putting us in a vulnerable situation to a military threat, without necessarily having to come to Congress and have the issue debated on for weeks.

We are not in that situation today. In fact, during the cold war, human rights were secondary in many of the cases in our dealings with foreign countries. In many cases, if we were not dealing with such a hostile and horrible enemy as the communists, we should have been ashamed of ourselves in dealing with the tyrants we were dealing with. But just like in the Second World War when we allied ourselves with Stalin, we allied ourselves in the cold war against the communists with some unsavory characters.

That is no longer the case. The cold war is over, and today human rights should play a more important role in our decisionmaking process than it did when we were under attack. If a country is crucial to our national security, even besides the fact we are not in the cold war, this amendment provides us the ability to say well, you may not be up to our democratic standards, and indeed we want you to be more democratic and respect human rights, but we will put you on an exception list. You are acceptable because you are crucial to the national security interests of the United States.

I would imagine we might debate countries like Saudi Arabia, who I believe is crucial to the security of the United States, and other kingdoms where people in those countries are more inclined toward having a kingdom than a democracy. That would be a legitimate decision we could make. I have no doubt this Congress is capable to working with the President to determine which nondemocratic countries are crucial to our national security.

This gives the President in fact leverage even in those countries to secure more human rights for their people, when now the President cannot just say well, the Congress is forcing me and thus have a dialog with these countries.

Now, I may, as I say, disagree with the proponents of this amendment on many issues in terms of what countries we are dealing with, but the principle is sound. Let me say this in terms of the practicality. When Ronald Reagan became President of the United States, we decided we were no longer going to be just anti-Communist and support anti-Communist regimes. I believe that was the turning point in the cold war.

When Ronald Reagan made human rights and democracy the issue against the Communists, when he turned away from just supporting dictators who are anti-Communist but instead went to the people of then the Soviet Union and other countries under Communist domination and said we in the West do believe in democracy and we are willing to support those people who are struggling for freedom, and we established the National Endowment for Democracy, that is when the cold war turned around.

In the long run, that proved the downfall of communism. It was the practical thing to do. In the short run, it gave us some problems, because there were some anti-Communist dictatorships which basically were on our side. This too will be practical if we have guts enough to stand for our principles.

The CHAIRMAN. The time of the gentleman from California [Mr. ROHRABACHER] has expired.

(On request of Mr. BURTON of Indiana and by unanimous consent, Mr. ROHRABACHER was allowed to proceed for 1 additional minute.)

Mr. BURTON of Indiana. Mr. Chairman, will the gentleman yield?

Mr. ROHRABACHER. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Chairman, the gentleman made one salient point in his comments. He said during the Reagan administration, in which he served, that the felt the President should have this latitude, because of the critical time problems that the President should not have to mess around with Congress for 3 or 4 weeks when he might have to make a quick decision.

What makes the gentleman think that will not happen at some point in the future with some future President?

Mr. ROHRABACHER. Mr. Chairman, reclaiming my time, the cold war is over. The fact is that today we should not be operating under the same rules as when our country was targeted by a very powerful enemy that meant to destroy us. We now can afford to bring the moral questions into play, and we should, the human rights questions, the democracy questions. This is what America can stand for, and if we do, we will have the allegiance of young people around the world, rather than the fear of those young people of their own regimes that might be armed by our people. That is the way America should be. That is the strength. Abraham Lincoln said, ''Right makes might.''

Mr. FARR. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the gentlewoman from Georgia's amendment to H.R. 1561, the McKinney Arms Code of Conduct. The Arms Code of Conduct is a rational approach. It implements a coherent and comprehensive arms control policy. This legislation would prohibit U.S. military assistance and arms transfers to foreign governments, unless the President certifies that the foreign government adheres to a national code of conduct.

In order to be eligible for military assistance, the gentlewoman's amendment specifically requires that the foreign government head be elected through a fair and free elections process; that the country respect human rights and not be engaged in any aggression which violates international law; and must fully participate in the U.N. Register of Conventional Arms.

The United States is the sole superpower in the world and the world's undisputed leader in arms exports. Today, U.S. firms dominate more than 70 percent of the international arms sale market, up from 57 percent in 1991. According to the U.S. Arms Control and Disarmament Agency's 1993–94 report, World Military Expenditures and Arms Transfers, the United States sold $10.3

billion in arms exports worldwide, compared to our closest competitor, which is Great Britain, which racked up $4.3 billion in sales. In 1994 alone, the U.S. taxpayer paid more to subsidize weapons sales than we paid for the Federal elementary and secondary education programs.

Ninety percent of the significant ethnic and territorial conflicts in the world in the last 2 years involve one or more parties which had received some type of U.S. weaponry or military technology in a period leading up to the conflict. Additionally, in the war with Iraq there were countless documented and verified instances where U.S. troops faced the enemy who was armed with U.S. based technology and weaponry.

Mr. Chairman, as the world's leading exporter of weaponry, the United States has an implicit responsibility to provide global leadership on this issue by formulating a policy of restraint. While the world's arms market is a lucrative venture, no country has been willing to take up unilateral steps toward control, fearing loss of exports to market competitors. Therefore, it is vital as the world's leading supplier, that the United States take responsibility for initiating a comprehensive and a rational approach to controlling arms sales, which will prevent repeat scenarios, such as those that occurred in Iraq where United States forces faced weapons supplied by the United States.

I urge my colleagues to support the adoption of the McKinney Arms Code of Conduct amendment. This amendment is supported by 103 cosponsors, Democrats and Republicans alike, including the chair of the Senate Committee on Appropriations. Approving this legislation will be one of the most significant steps this body takes to enhance our national foreign policy.

Mr. Chairman, I yield to the gentleman from Maryland [Mr. WYNN].

Mr. WYNN. Mr. Chairman, I would like to thank the gentleman for yielding.

Mr. Chairman, I also rise in support of the McKinney amendment. I think it is a very responsible amendment. I comment her for introducing it. Quite simply, it seems to me in the absence of the cold war we have lost our way in terms of foreign policy. Foreign policy is supposed to advance our interests, our long-term interests, in the global community. To do this, however, we cannot be passive. We have to have some standards and objectives to pursue.

It seems to me our objective ought to be encouraging diplomatic solutions around the world and discouraging warfare and the use of weapons around the world. The McKinney amendment represents sound policy advancing our foreign policy interests, because it sets a specific criteria on which we can evaluate arms sales. Democracy, adherence to human rights, the absence of aggression, and participation in the U.N. Registry of Conventional Arms, all give us a sound basis on which to evaluate who we ought to be selling arms to. It is correct policy because it gives us leverage. It enables us to leverage those people who are buying our arms in the direction that we wish them to go.

It is also good policy because it imposes moral values. People throw that around. We ought to have moral values in U.S. policy. Well, opposing human rights violations, promoting democracy, and opposing aggression represents the best of moral values.

I am not naive. There are certainly circumstances that are exigent that will require changes in this policy. The bill addresses that. It has a national security exception which the President can utilize. It also has an emergency waiver which the President can utilize. But it seems to me we have got to quit being passive and reactionary and understand what advancing our interests really means. I urge adoption of the McKinney amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, today I rise in support of the code of conduct amendment that is offered by my friend and colleague, the gentlewoman from Georgia [Ms. MCKINNEY]. The code of conduct will be the first major reform of U.S. arms transfer policy in almost two decades.

The code of conduct highlights guiding principles on human rights and democracy which I believe are important to America's leadership role in the post-cold-war era. This amendment would help stem the flow of U.S. weapons to countries that violate human rights of its citizenry and fail to respect international human rights standards. The code of conduct offers an avenue for America to make violators of human rights accountable for their actions if they wish to continue to receive U.S. arms sales.

Mr. Chairman, two-thirds of all the foreign military sales went to countries described by the State Department Country Reports on Human Rights Practices as human rights violators, with undemocratic governments. The code of conduct is supported by some 275 national organizations who believe that human rights should play a key role in our arms export policy.

Mr. Chairman, I will never forget some years back when I made a trip to Croatia when it was under siege. The gentleman from Virginia [Mr. WOLF] and I got into a place by the name of Vukovar. Vukovar was surrounded by Serb artillery and tanks. We went there to try to bear witness to peace and to try to encourage the people there. We followed it up with meetings with President Milosevic and others. But I remember looking at shell casings and bomb casings that littered the streets, dozens of bomb casings, and they were U.S. made.

Now, some people can say ''Oh, big deal. That doesn't really matter. We sell it to them and how they use it is their business.'' But it greatly distressed me to know that people, innocent civilians, were being destroyed by the dropping of these 500-pound bombs. I remember bringing that issue to the attenetion of our National Security Adviser, Brent Scowcroft. He surely agreed. He said, ''Yeah, we sold those bombs, and other kinds of military hardware to the former Yugoslavia,'' which had a disgusting human rights record.

Now, I think we need to be more serious about who we are willing to sell arms to. This code of conduct may not be perfect. It may be liable to additional change as it makes its way through conference, should it pass. There are reasonable objections by reasonable people about what ought to be a part of this, whether or not the national security exemption is the best and most properly drawn way of proceeding. But I think it makes a clear statement that it will not be business as usual. Arms sales ought to be conditioned and human rights ought to matter.

Unfortunately, we have had hearings in the Committee on Human Rights, the Subcommittee on International Operations and Human Rights which I chair, two human rights hearings. Amnesty International came forward and told us in this administration, the Clinton administration, human rights is an island, disconnected from policy considerations.

□ 1330

We have seen it in a myriad of other issues like the most-favored-nation status for China and other kinds of human rights considerations. There is a disconnect. This tries to, at least in the selling of arms, which kill people, we try to make sure, the gentlewoman from Georgia [Ms. MCKINNEY] tries to make sure that, if we are going to sell arms, that human rights is a significant factor.

I thank the gentlewoman for offering the amendment.

Mr. FALEOMAVAEGA. Mr. Chairman, I move to strike the requisite number of words.

I rise to offer my strong support of the amendment offered by my colleague and good friend the gentlewoman from Georgia, [Ms. MCKINNEY].

Mr. Chairman, I recall one of the fundamental concerns raised by one of our great Presidents in our time—the late President Dwight Eisenhower. Before leaving the White House and in one of his speeches—President Eisenhower warned our nation of the everincreasing power and influence of the industrial military interests in our country.

Now don't get me wrong—I want our military industry complex to produce weapons and military equipment that meet our national security interest too—but the question is how much and to whom should we sell these weapons?

Mr. Chairman, everyone here in this Chamber knows that our Nation is the

largest producer and exporter of military equipment and weapons of war. It is time that our national leaders need to be more sensitive about exporting and selling of weapons of war to kill and maim other human beings.

Mr. Chairman, I commend the gentlewoman for introducing this amendment, and I urge my colleagues to support this amendment.

Mr. Chairman, I include for the RECORD the following article:

[From the Washington Post, May 24, 1995]

ARMS SALES 'CONDUCT CODE' OPPOSED—STATE DEPARTMENT SAYS PROPOSAL COULD IMPINGE ON POLICY AND FRIENDLY NATIONS

(By R. Jeffrey Smith)

The Clinton administration declared yesterday that it opposes a ''code of conduct'' drafted by some members of Congress to block U.S. arms sales to countries that commit human rights abuses or are not democratic.

At a Senate hearing, Undersecretary of State Lynn E. Davis criticized the proposed code on grounds that its rigid criteria for arms sales would impinge on the administration's authority to decide foreign policy and could force a cutoff of military aid to friendly nations in regions important to U.S. interests.

The code, which is scheduled to come up for a vote on the House floor today, was crafted by Sen. Mark O. Hatfield (R-Ore.) and Rep. Cynthia McKinney (D-Ga.) to stanch estimated annual sales or gifts of billions of dollars worth of U.S. arms to countries that the sponsors claim are not upholding important U.S. values. At the hearing, Hatfield particularly criticized recent U.S. arms sales to Malaysia, Indonesia and Turkey, which he said had each engaged in recent human rights abuses.

The proposed code states that U.S. military assistance and arms transfers should be provided only to nations with governments chosen by free elections that protect basic freedoms and are not engaged in ''gross violations of internationally recognized human rights.''

It also bars aid to nations engaged in illegal acts of armed aggression and to nations that do not register their arms transactions with the United Nations. The president could waive these restrictions for any country, but only with congressional approval.

The code has collected 102 sponsors in the House, but last week it missed gaining the International Relations Committee's endorsement by a one-vote margin. Hatfield has vowed to try to attach it to a foreign aid or defense appropriations bill this year.

Davis told a Senate Appropriations subcommittee that while the administration supports the ''principles'' expressed by the code, it ''simply cannot agree to this weighting of criteria'' for deciding on individual arms sales.

Instead, she said, the administration prefers its own policy of selling arms based on ''national security,'' as spelled out in flexible language approved by President Clinton in February.

Under this policy, Davis said, no single criterion such as respect for human rights ''takes precedence over another.'' Arms transfers can be made to nondemocratic nations if they promote regional stability or help prop up failing U.S. defense companies that produce key military technologies.

Although McKinney has charged that 90 percent of the $12.9 billion in U.S. arms sales approved last year went to countries that Washington classifies as nondemocratic, Davis said the ''vast majority [went to] . . . allies, major coalition partners, and European neutrals.''

Davis confirmed that the administration is considering offering F–16 jet fighters to Indonesia, despite recent evidence of fresh abuses by Indonesian military forces in East Timor.

Assistant Secretary of State for Human Rights John Shattuck, who appeared with Davis, said ''we are paying close attention to Indonesia's human rights situation and will take this into consideration'' in deciding on such sales.

With regard to Turkey, he said ''we are, as you know, gravely concerned about the use of [U.S.-made] military material, particularly cluster bombs'' during Turkey's military assaults on Kurds in southeastern Turkey and northern Iraq.

But Shattuck did not say whether the use of these arms would affect future sales to Turkey, which he described as ''a crucial NATO ally.''

Lawrence J. Korb, an assistant secretary of defense in the Reagan administration who is now at the Brookings Institution, testified later that Turkey's use of F–16s, Black Hawk helicopters and M–60 tanks against the Kurds indicated that many U.S. arms transferred overseas ''are used not against the foreign enemies of the U.S., but against the indigenous populations.''

Mr. GILMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Chairman, I will not take the whole 5 minutes. I would just like to put some facts on the table.

Right now under the Export Control Act, the Congress of the United States can stop sales. In the past when the President, any President, has started to go ahead with arms sales and he found opposition was rising under the Export Control Act that was passed by the Congress of the United States, they have pulled in their horns and they have renegotiated those sales deals with these foreign countries. So we already have the authority in law to do what is being talked about today. The only difference is we are turning the process around. That hamstrings the President of the United States in his conducting of foreign policy. That is a mistake

Ten years ago, the United States controlled only 15 percent of the arms sales. My colleagues who spoke on the other side are absolutely right; we do control a large part of arms sales today, but that is because the Soviet Union has disintegrated. Ten years ago, they controlled 50 percent of the arms sales worldwide, and they sold to countries like Iraq, Iran, and Libya. We are not selling to those pariah countries, but they did.

Now that they have fallen apart, our percentage of the market has gone up, but we are still below, way below, where we were 10 years ago. So while our percentage is higher, our actual sales are lower. So the bottom line is this. Simply put, we have the control in the Congress to stop any arms sales that we want to under the Export Control Act. We do not need this legislation.

Second, we should not hamstring the President of the United States in his conducting of foreign policy. And third, the economic concerns that I talked about awhile ago are real, because there are other countries who will sell this equipment to foreign governments if we do not. Along with those sales will go American jobs.

I think those points should be considered by my colleagues. We have the authority to deal with this problem already. We do not need this amendment. I thank the gentleman for yielding to me.

Mr. DURBIN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of this amendment offered by the gentlewoman from Georgia. I can tell you that in the course of my service in Congress, too often we have seen instances where we have taken the scarce resources of the United States, bought military weaponry, sent it to corners of the world and then find not too much later that it has been turned either on our country or on our allies.

These so-called boomerang sales are addressed directly by the amendment offered by the gentlewoman from Georgia. I think her amendment is a step in the right direction. I rise in strong support.

Mr. Chairman, I yield to the gentlewoman from Georgia.

Ms. MCKINNEY. Mr. Chairman, I would just like to correct for the record some misstatements and misrepresentations that have been made about this amendment.

First of all, this amendment does not ban arms sales to any country. Second, if there is a problem with this amendment in terms of human rights, it is not that this amendment will fail because it does not address human rights well enough; it will fail for other reasons.

Let me just begin to say what some of those reasons are.

One is that we are spending millions of dollars to quell regional strife that we, in turn, are the fomenters of. First of all, we are fomenting murder and rampage around the world by fueling conflict, by arming potential adversaries, that is the boomerang effect that my colleague just spoke about, by promoting territorial expansion and crossborder aggression and also by facilitating terrorism and repression. And, in fact, as we learned recently, the CIA funded Jihad school over in Afghanistan trained two of the suspects in the World Trade Center bombing.

Second, we are violating our own law. The law states that it shall be the policy of the United States to exert leadership in the world community to bring about an arrangement for reducing the international trade in implements of war. We are violating our own policy.

And then finally, why is that the case? It is the case because in the Washington Post story by Jeffrey

Smith in today's newspaper, it says that the present administration takes the tack that arms transfers can be made to nondemocratic nations if they help to prop up failing U.S. defense companies.

So the bottom line, once again, is the amount of money that is being spent in failing U.S. defense industries.

Finally, I would just like to compliment and thank those people who have worked so hard on behalf of this amendment. They are the over 200 grassroots organizations that have gone around the country in support of this amendment, the strong support of our colleagues who have spoken here this afternoon and who have cosponsored this amendment, and finally the strong staff work of Robin Sanders who put it all together.

Mr. DURBIN. Mr. Chairman, I thank the gentlewoman. I want to echo her comments. It is a false economy for us to believe that we are encouraging exports and creating American jobs by these arms transfers and in questionable situations, because, as the gentlewoman alludes to, many times we find in the future even greater expenditures are necessary because of this so-called boomerang effect. We send guns to the wrong people. They turn on us. They shoot at us and they shoot at our friends.

What the gentlewoman is trying to do is to minimize that possibility. She has the strong support of so many organizations, including the U.S. Catholic Conference and others, and I hope my colleagues will take her amendment very seriously and join me in supporting it.

Ms. FURSE. Mr. Chairman, I rise in support of the Arms Trade Code of Conduct.

The House International Relations Committee nearly passed this historic piece of legislation in its markup last week, where it failed by a margin of just 18 to 17. A Gallup Poll released in February found that only 15 percent of those queried supported our Government selling military equipment to other countries.

The European Union and the United States together sell 90 percent of the world's weapons. No country has been willing to take unilateral steps toward control, fearing it will lose export markets to competitors. Therefore, it is vital that as the world's leading suppliers, the European Union, and the United States work together to implement restraint.

Fortunately, the European Parliament has started that process already. In January of this year, the European Parliament passed a resolution calling on the European Union to immediately implement a coherent and comprehensive arms export control policy at the Union level. A measure similar to this amendment before us today is being considered by the European Union at this time.

As the world's leading exporter of weaponry, the United States has a special responsibility to provide global leadership in the area of restraint.

As to the issue of jobs in the United States, we must weigh the limited economic benefits of expanding arms exports against the larger costs to the economy as a whole. Arms exports do nothing to address the fundamental problems of lagging U.S. competitiveness in nonmilitary industries. Furthermore, arms exports undermine peaceful conflict resolution upon which world trade, economic growth, and long-term job creation are based.

Administration policy states that the impact on defense jobs must be taken into account when exports are considered. Well, Mr. Chairman, I wish we would extend the same consideration to the impact on the lives and well-being of American service personnel. Our laissez-faire approach to arms sales creates a self-generated danger—the possibility that our service men and women will someday be fightings nations or groups who obtained U.S. weapons and technology.

Even the Pentagon now officially acknowledges that it faces the prospect of American weapons being used against U.S. military personnel. In his latest Annual Report to the President and Congress, Secretary of Defense Perry writes that ''threats encountered in major regional conflicts would be standing armies of foreign powers, armed with mixes of old and modern weapons systems. * * * Thus, U.S. forces must be prepared to face a wide variety of systems, including some previously produced in the United States.''

With its current policy, the United States is bolstering the warfighting capabilities of a substantial number of those fighting today's conflicts. It does not take a stroke of genius to realize that these capabilities can just as easily be used against U.S. soldiers, sailors, and airmen.

It is a sad irony that the current U.S. arms trade policy confirms the words of cartoonist Walt Kelly's character, Pogo, when he said, ''We have met the enemy and it is us.''

Mr. MARKEY. Mr. Chairman, I rise today in strong support of the Code of Conduct on Arms Transfers and commend my colleague from Georgia, Representative CYNTHIA MCKINNEY, for bringing this important legislation to the floor today.

Since 1990, the United States has been the top-selling merchant in the international arms bazaar. We have dominated the global arms market by sending billions and billions of dollars worth of all types of weaponry to some of the world's worst human rights abusers and most corrupt and repressive regimes. Sophisticated combat weapons exported from the United States, such as armored personnel carriers, antitank missiles, and specialized rifles, have found their way into the hands of notorious international troublemakers and fueled conflicts raging throughout the world.

Placing short-term economic interests above crucial security concerns and fundamental human rights principles has serious consequences, both for our stature as a world leader and for the safety of U.S. military personnel engaged around the world. By cashing in on profits from arms sales abroad without closely scrutinizing potential customers according to criteria like the ones outlined by Representative MCKINNEY, we risk incurring substantial security and human costs. During the Gulf war and in Somalia, for example, the safety of many of our men and women in the Armed Forces was threatened by weaponry sold by our own Government. Moreover, skyrocketing arms sales have contributed to regional arms races, which in turn force us to increase spending to deal with greater threats to our national security.

As we continue to adjust to the realities of the post-cold-war world, we need to revise our philosophies concerning foreign military sales. With the dissolution of the Soviet Union, many of the principles which guided our arms export policies in the past no longer are relevant. The provisions of the Code of Conduct on Arms Transfers will establish a sensible, much-needed framework for making decisions about what we send abroad and to whom. The United States should take a leadership role in forging new policies and encouraging new thinking in this area.

Being the world's No. 1 weapons supplier is a very dubious distinction. As we approach the start of the 21st century, we should re-evaluate the priorities which have placed us in this category and look to the Code of Conduct as a model.

Again, I would like to thank Representative MCKINNEY for all her hard work on behalf of this important issue. I strongly support this initiative and urge my colleagues to vote for the McKinney amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Georgia [Ms. MCKINNEY].

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

RECORDED VOTE

Ms. MCKINNEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 157, noes 262, not voting 15, as follows:

[Roll No. 351]

AYES—157

Abercrombie
Ackerman
Barrett (WI)
Becerra
Beilenson
Berman
Bishop
Boehlert
Bonior
Borski
Boucher
Brown (CA)
Brown (OH)
Bryant (TX)
Cardin
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Costello
Coyne
Danner
DeFazio
Dellums
Diaz-Balart
Dixon
Doggett
Dooley
Dornan
Durbin
Ehlers
Engel
Eshoo
Evans
Farr
Fattah
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Furse
Gephardt
Gordon
Green
Gutierrez
Hall (OH)
Hastings (FL)
Hefner
Hilliard
Hinchey
Horn
Houghton
Hoyer
Jackson-Lee
Jacobs
Johnson (SD)
Johnston
Kanjorski
Kaptur
Kasich
Kennedy (MA)
Kennedy (RI)
Kildee
Lantos
Leach
Levin
Lewis (GA)
Lincoln
Lipinski
LoBiondo
Lowey
Luther
Maloney
Manton
Markey
Martinez
McCarthy
McDermott
McHale
McKinney
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Moakley
Morella
Nadler
Neal
Oberstar
Obey
Orton
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Peterson (MN)
Pomeroy
Porter
Poshard
Rahall
Rangel
Reed
Reynolds
Richardson
Rivers
Rohrabacher
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schiff
Schroeder
Scott
Serrano
Skaggs
Slaughter
Smith (NJ)
Stark
Stokes
Studds
Stupak
Tanner
Thompson
Torres
Torricelli
Towns
Traficant
Tucker
Velazquez
Vento
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Wise

Wolf
Woolsey
Wyden
Wynn
Yates
Zimmer

NOES—262

Allard
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bentsen
Bereuter
Bevill
Bilbray
Bilirakis
Bliley
Blute
Boehner
Bonilla
Bono
Brewster
Browder
Brown (FL)
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Camp
Canady
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Cramer
Crane
Crapo
Cremeans
Cunningham
Davis
de la Garza
Deal
DeLauro
DeLay
Deutsch
Dickey
Dicks
Dingell
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Gallegly
Ganske
Gejdenson
Gekas
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hamilton
Hancock
Harman
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Hostettler
Hunter
Hutchinson
Hyde
Inglis
Istook
Jefferson
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones
Kelly
Kennelly
Kim
King
Kingston
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
Lofgren
Longley
Lucas
Manzullo
Martini
Mascara
Matsui
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
McNulty
Metcalf
Mica
Molinari
Mollohan
Montgomery
Moorhead
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Oxley
Packard
Parker
Paxon
Payne (VA)
Petri
Pickett
Pombo
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Roemer
Rogers
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Schaefer
Schumer
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Skelton
Smith (MI)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stump
Talent
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Upton
Visclosky
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Young (AK)
Young (FL)
Zeliff

NOT VOTING—15

Andrews
Bateman
Calvert
Cubin
Fazio
Hansen
Kleczka
McDade
Meyers
Miller (FL)
Moran
Olver
Peterson (FL)
Scarborough
Sisisky

□ 1358

Mr. COX and Mr. DICKS changed their vote from ''aye'' to ''no.''

Messrs. REYNOLDS, DOOLEY, and EHLERS changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. BEREUTER

Mr. BEREUTER. Mr. Chairman, I offer an amendment, amendment No. 26.

The Clerk read as follows:

Amendment offered by BEREUTER: At the end of the bill, add the following:

DIVISION D—ADDITIONAL PROVISIONS

TITLE XLI—PUBLIC LAW 480

SEC. 4001. AUTHORIZATION OF APPROPRIATIONS FOR TITLE III.

(a) IN GENERAL.—Notwithstanding section 3242 of this Act, there are authorized to be appropriated $25,000,000 for each of the fiscal years 1996 and 1997 for the provision of agricultural commodities under title III of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1727 et seq.).

(b) AUTHORITY TO TRANSFER AMOUNTS.—Notwithstanding any other provision of law, amounts authorized to be appropriated by subsection (a) may be used to carry out title II of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1721 et seq.).

SEC. 4002. REDUCTION IN AUTHORIZATIONS FOR CERTAIN UNITED STATES INFORMATIONAL, EDUCATIONAL, AND CULTURAL PROGRAMS.

Notwithstanding paragraphs (1) and (3)(F) of section 2106 of this Act, the following amounts are authorized to be appropriated to carry out international information activities and educational and cultural exchange programs under the United States Information and Educational Exchange Act of 1948, the Mutual Educational and Cultural Exchange Act of 1961, Reorganization Plan Number 2 of 1977, the United States International Broadcasting Act of 1994, the Radio Broadcasting to Cuba Act, the Television Broadcasting to Cuba Act, the Board for International Broadcasting Act, the Inspector General Act of 1978, the North/South Center Act of 1991, the national Endowment for Democracy Act, and to carry out other countries in law consistent with such purposes:

(1) SALARIES AND EXPENSES.—For ''Salaries and Expenses'', $445,645,000 for the fiscal year 1996 and $423,080,000 for the fiscal year 1997.

(3) EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.—For ''Hubert H. Humphrey Fellowship Program'', ''Edmund S. Muskie Fellowship Program'', ''International Visitors Program'', and ''Mike Mansfield Fellowship Program'', ''Claude and Mildred Pepper Scholarship Program of the Washington Workshops Foundation'', ''Citizen Exchange Programs'', ''Congress-Bundestag Exchange Program'', ''Newly Independent States and Eastern Europe Training'', ''Institute for Representative Government'', and ''Arts America'', $67,265,800 for the fiscal year 1996 and $67,341,400 for the fiscal year 1997.

Mr. BEREUTER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

□ 1400

Mr. BEREUTER. Mr. Chairman, the budget neutral Bereuter amendment restores the $25,160,000 to the current funding level of the Food for Development United States food assistance program for fiscal year 1996 and 1997. This is the Food for Peace Program, title III.

The current funding is $157 million. The legislation before us cuts it to zero. What I am attempting to do is to take $25 million from the USIA, the U.S. Information Agency's education and cultural exchange programs, and restore at least $25 million to the title III program.

The Bereuter amendment helps ensure that U.S. foreign assistance is directed to the world's most deserving aid recipients, starving people in famine- and war-stricken countries.

Mr. Chairman, the U.S. food assistance has been reduced by 24 percent in the last 2 years. In March the United States told other food donor countries that we would decrease our minimum commitment of food aid from 4.47 to 2.5 million metric tons. Over the past decade, the United States has provided between 6.5 and 8 million metric tons. The Bereuter amendment, through authorizing $25 million for the Food for Peace Program, still represents a 50-percent cut in the President's fiscal year 1996 budget request.

U.S. food assistance funds are spent here in the United States on agricultural commodities, processing, bagging, enrichment, internal transportation, port facilities and shipping. My amendment is supported by the merchant marine organizations.

I am pulling the $25 million in this amendment from USIA's education and cultural exchange programs and administrative accounts. The Congressional Quarterly May 6, 1995, article pointed out a $2 billion international exchange program, ''They have exploded into a hodgepodge of seemingly duplicative and overlapping overseas activities.''

Mr. Chairman, I think it is an appropriate place for us to move $25 million to the Title III Food for Peace Program so it is not completely zeroed out. It is important for humanitarian reasons. It is important for our domestic purposes, as well, and it keeps a commitment we have made. It still cuts the President's request by 50 percent. I think that is too much, but $25 million seems to me at least to be a start back up the hill.

I urge my colleagues to strongly support the amendment.

Mr. Chairman, I yield to the distinguished gentleman from Kansas [Mr. ROBERTS], the chairman of the Committee on Agriculture.

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

Mr. ROBERTS. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in support of the gentleman's amendment to restore the $25 million in funding for title III of the Food for Peace Program.

I think it is essential, as the gentleman has pointed out, that we fund

all titles of the Food for Peace Program. The amendment does not increase spending. Let me emphasize that to all of my colleagues. It cuts spending responsibly without really gutting the program.

Last year marked the 40th anniversary of the Food for Peace Program. It started in the Eisenhower years. It started with a gentleman who formerly represented the district I have the privilege of representing now, Mr. Cliff Hope, Sr.

We on the Committee on Agriculture have a very keen interest in making the Food for Peace Program as sound and as effective as possible. We are going to work very closely with the gentleman from New York [Mr. GILMAN], the chairman, and the gentleman from Nebraska [Mr. BEREUTER], and the rest of the committee to see that the Food for Peace Program effectively and efficiently meets its goals.

The gentleman from Missouri [Mr. EMERSON], chairman of the Subcommittee on Department Operations, Nutrition, and Foreign Agriculture, intends to hold hearings on this program. We intend to address any concerns with the program as a whole in the 1995 farm bill.

I urge support in regards to the Bereuter amendment. I thank the gentleman for his leadership in this regard.

Mr. BEREUTER. Mr. Chairman, I thank the gentleman.

Mr. Chairman, I yield to the gentleman from Missouri [Mr. EMERSON].

Mr. EMERSON. Mr. Chairman, I thank the gentleman from Nebraska for yielding.

Mr. Chairman, I, too, rise in strong support of his amendment. I wonder if we could have a brief colloquy here.

I am concerned that the most basic fundamental humanitarian assistance, food and medical assistance, be maintained in the posture that it currently sits; that is to say, immune from politics and the whims of the State Department. I would like some assurance that it will remain a tool of the PVO's who are so committed in the administration of the most fundamental humanitarian assistance.

Mr. BEREUTER. Mr. Chairman, I would say to the gentleman, we have done our best to assure that in fact we have an increase in the title II program which is most important. Sometimes, as the gentleman knows, however, we have to take from the title III program for those title II-related humanitarian programs. This amendment I am offering will continue to provide us that flexibility.

The CHAIRMAN. The time of the gentleman from Nebraska [Mr. BEREUTER] has expired.

(By unanimous consent, Mr. BEREUTER was allowed to proceed for 2 additional minutes.)

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

Mr. BEREUTER. Mr. Chairman, I will come back to the gentleman from Missouri in a second, but I yield to the gentleman from New York [Mr. GILMAN], the chairman.

Mr. GILMAN. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I just want to join with the gentleman from Missouri [Mr. EMERSON] and the gentleman from Kansas [Mr. ROBERTS] with regard to their concern on the Public Law 480 proposal. We want to make certain that we keep that at reasonable levels. It is an important program. I want to assure the gentleman we will do our best to make certain it is going to be effectively administered.

Mr. BEREUTER. Mr. Chairman, I thank the gentleman for that assurance, and I yield back to the gentleman from Missouri.

Mr. EMERSON. Mr. Chairman, I thank the gentleman for yielding further.

Mr. Chairman, I think it is very important to point out that what we are talking about here is fundamental humanitarian assistance, food that goes to people when they are starving to death. We are not talking about pouring money down a rat hole here, or giving some Ambassador the opportunity with the use of taxpayer dollars to build the Taj Mahal.

We are talking about keeping starving people alive. I think that point needs to be made, and I think an understanding of the fact that the Food for Peace Program is part of the foreign assistance program is a fact with which most Americans are unfamiliar.

I mean, most Americans, I believe, would think that we are just throwing money willy-nilly around the world for no good purposes, and I happen to be one who believes that most Americans think that when there are people who are starving, they ought to be fed.

I thank the gentleman for his contribution to this cause, and I look forward to continuing to work with him to pursue our mutual interests in this subject area.

Mr. BEREUTER. Mr. Chairman, I thank the gentleman for his strong statement. He is exactly right. This is the program that ends up putting food in people's mouths across the world, in the most terrible situations that we have seen so much in our electronic media.

The gentleman is a former ranking member of the Hunger Committee, he knows well how directly this food assistance has been provided in Ethiopia and Somalia and other places. I thank the gentleman for his comments.

Mr. Chairman, I urge a strong ''aye'' vote.

AMENDMENT OFFERED BY MR. BROWNBACK TO THE AMENDMENT OFFERED BY MR. BEREUTER

Mr. BROWNBACK. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. BROWNBACK to the amendment offered by Mr. BEREUTER: Strike section 4002 of the Bereuter Amendment and insert the following:

SEC. 4002. REDUCTION IN AUTHORIZATIONS FOR CERTAIN UNITED STATES INFORMATIONAL, EDUCATIONAL, AND CULTURAL PROGRAMS.

Notwithstanding paragraphs (1), (3)(F), (4)(A), and (5) of section 2106 of this Act, the following amounts are authorized to be appropriated to carry out international information activities and educational and cultural exchange programs under the United States Information and Educational Exchange Act of 1948, the Mutual Educational and Cultural Exchange Act of 1961, Reorganization Plan Number 2 of 1977, the United States International Broadcasting Act of 1944, the Radio Broadcasting to Cuba Act, the Television Broadcasting to Cuba Act, the Board for International Broadcasting Act, the Inspector General Act of 1978, the North/South Center Act of 1991, the National Endowment for Democracy Act, and to carry out other authorities in law consistent with such purposes:

(1) SALARIES AND EXPENSES.—For ''Salaries and Expenses'', $445,645,000 for the fiscal year 1996 and $402,080,000 for the fiscal year 1997.

(2) EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.—For ''Hubert H. Humphrey Fellowship Program'', ''Edmund S. Muskie Fellowship Program'', ''International Visitors Program'', ''Mike Mansfield Fellowship Program'', ''Claude and Mildred Pepper Scholarship Program of the Washington Workshops Foundation'', ''Citizen Exchange Programs'', ''Congress-Bundestag Exchange Program'', ''Newly Independent States and Eastern Europe Training'', ''Institute for Representative Government'', and ''Arts America'', $82,265,800 for the fiscal year 1996 and $62,341,400 for the fiscal year 1997.

(3) RADIO CONSTRUCTION.—For ''Radio Construction'', $70,164,000 for the fiscal year 1996 and $52,647,000 for the fiscal year 1997.

(4) INTERNATIONAL BROADCASTING ACTIVITIES.—For ''International Broadcasting Activities'', $311,191,000 for the fiscal year 1996 and $246,191,000 for the fiscal year 1997.

Mr. BROWNBACK (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. BROWNBACK. Mr. Chairman, my amendment has been agreed to by the gentleman from Nebraska [Mr. BEREUTER] and a copy of it has been shared with the minority.

What my amendment simply does is it spreads the $25 million in cuts around a little bit further than what the Bereuter proposal has. The gentleman from Nebraska [Mr. BEREUTER] suggests cuts to USIA salaries and exchanges, and my amendment would lighten those cuts in the salaries and exchanges areas and broaden the reductions to radio construction and broadcasting.

What we are attempting to do by this is to support what the gentleman from Nebraska [Mr. BEREUTER] is doing to put this money into the hunger programs, to be able to feed those who are starving, but spreading around a little bit more the cuts in the USIA program. That is what my amendment to the Bereuter amendment would do. I would ask for it to be considered.

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

Mr. BROWNBACK. I yield to the gentleman from Nebraska.

Mr. BEREUTER. Mr. Chairman, I thank the gentleman my colleague and my neighbor for yielding.

Mr. Chairman, I have no objections to the additional flexibility he provides to USIA and where those cuts must come to make this basic amendment budget neutral. I thank him for his initiative.

Mr. BROWNBACK. Mr. Chairman, with that, I would hope that we could vote on this because I think it does do what most people would like, let the USIA agency be able to take care of this within its own, and that would be then supportive of the Bereuter amendment to put $25 million in additional food aid program.

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

Mr. BROWNBACK. I yield to the gentleman from New York.

Mr. GILMAN. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I urge my colleagues to support the proposed amendment by the gentleman from Kansas [Mr. BROWNBACK] that has been accepted by the gentleman from Nebraska [Mr. BEREUTER], the proponent of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas [Mr. BROWNBACK] to the amendment offered by the gentleman from Nebraska [Mr. BEREUTER].

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska [Mr. BEREUTER], as amended.

The amendment, as amended, was agreed to.

AMENDMENT OFFERED BY MR. WYNN

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

The Clerk read as follows:

Amendment offered by Mr. WYNN: In section 3414 of the bill (in subsection (e) of section 711 of the Foreign Assistance Act of 1961)—

(1) in paragraph (1) of such subsection (e), strike ''$3,000,000'' and insert ''$15,000,000'';

(2) redesignate paragraph (2) of such subsection as paragraph (3); and

(3) insert after paragraph (1) of such subsection the following new paragraph:

''(2) USE OF AMOUNTS FOR LATIN AMERICA AND THE CARIBBEAN.—Of the amounts authorized to be appropriated under paragraph (1) for fiscal years 1996 and 1997, $12,000,000 for each such fiscal year shall be made available for the sale, reduction, and cancellation of loans, or portions thereof, for countries in Latin America and the Caribbean.

Mr. WYNN (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. WYNN. Mr. Chairman, the amendment I am proposing today is a very straightforward one that addresses our economic interest in Latin America. This amendment would put $12 million into a debt relief program for Latin America and the Caribbean.

Yesterday in the course of our debates, we cut money out of a fund called International Organizations, which is dues-assessed, International Organizations. I wan to take a portion of that money, $12 million, and put it toward debt relief.

I believe in so doing we can advance our economic interests. One of the things I said a little earlier today was this: that in a post-cold war era, we have to understand that our foreign policy ought to advance our interests. We have specific interests in the Western Hemisphere in terms of encouraging and expanding trade opportunities.

Why? Because these trade opportunities in our own backyard can create jobs in the United States. But unfortunately the debt burden in many of our neighboring countries in Latin America and the Caribbean is a major factor in inhibiting economic growth and decreases the absorptive capacity. In other words, they cannot trade with us because they are paying off these very old debts. A debt relief program would help address this concern.

To be eligible for this program, these countries would have to meet specific economic and political criteria included in existing legislation for the region.

These requirements include an IMF program, a World Bank program, significant investment reform and normalized relations with commercial creditors. In addition, eligible countries must have governments which have been democratically elected, are not in gross violation of human rights, and have supported our efforts to combat narcotics and terrorism. In other words, we want to deal with friendly, democratic countries that are working with us and have normalized economic conditions.

Why are we doing this? Debt reduction provides a catalyst for Caribbean and Latin American countries undertaking economic reforms and liberation programs.

□ 1415

Debt reduction is specifically important for small countries in the Caribbean, where most debt is bilateral. In Jamaica, for example, debt service continues to consume more than 49 percent of the government's budget. Debt relief will accelerate trade links by freeing vital foreign exchange reserves that otherwise would have be used for debt service. These reserves can now be used to import products from the United States.

For example, with 70 cents of each dollar buying U.S. goods and services in the Caribbean, debt reduction in the region can stimulate significant U.S. exports. Think about that, 70 cents of every dollar in that region is spent on our goods and services. We need to do business with them.

After a decade of economic adjustment and reform, many countries in Latin American and in the Caribbean are enjoying their best economic prospects. Policy reforms in these countries and the resulting economic stability encouraged will help our economic ties with these countries. Total trade between the United States and Latin America and the Caribbean has grown since 1987. There has been a steady growth in terms of both imports and exports.

Latin America is the fastest-growing U.S. export market in the world, and the only region where the United States now enjoys a trade surplus.

Open markets also promote economic development in poor Latin American countries. This will help them stem the flow of illegal immigration to the United States. My colleagues are going to hear my colleagues from across the aisle say well, perhaps these are laudable goals, but we just cannot afford it, but I think that argument misses the boat.

In the business of economic trade and foreign policy we have to promote our long-term interests. It is terribly shortsighted not to spend this small amount of money, only $12 million from our own backyard to ultimately create jobs for our own people.

They can either spend the money on debt service or they can spend the money buying U.S. products. Debt reduction, especially for heavily indebted countries of the Caribbean basin, will send an important signal of U.S. commitment to democratically elected governments in the region.

I would like to urge all Members of the House to consider the importance of our regional neighbors, to consider the importance of trade in terms of our long-term economic picture, and begin to think of foreign policy as a proactive endeavor and not just a reactive endeavor and not just an area where we can find some savings here.

I think in that context Members will find this amendment is certainly reasonable, modest in the amount of money involved, but the long-term investment will certainly serve America's economic interests.

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

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

Mr. GILMAN. Mr. Chairman, this is a budget-breaking amendment. It simply adds money to the bill without reducing funding elsewhere.

The gentleman from Ohio [Mr. KASICH] gave us clear direction to cut this bill, and we did so yesterday under the Brownback amendment by reducing our spending by an additional over $400 million. This amendment earmarks funds. The distinguished chairman of the Committee on Appropriations, Mr. LIVINGSTON, has made it clear to all of us that the Committee on Appropriations would oppose such earmarks.

Furthermore, the gentleman from Maryland [Mr. WYNN] is seeking to add

funds to a new and untested program. And I would like to note that already in the bill we authorized $3 million for fiscal year 1996, and $3 million for fiscal year 1997, to do what the gentleman is suggesting. It is a total of $6 million for an initial start on this program to begin operations in a limited way.

Accordingly, I urge my colleagues to oppose the Wynn amendment even though it has a worthy endeavor as its objective.

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

Mr. GILMAN. I yield to the gentleman from Maryland.

Mr. WYNN. Mr. Chairman, I thank the gentleman for yielding. Let me emphasize first to my colleagues the amount of money that I am proposing to expend is less that the amount of money that was in the bill when it came out of committee. There is not one nickel more than came out of the committee in its original form.

Had I gone ahead of the gentleman from Kansas [Mr. BROWNBACK] yesterday, I would have proposed moving $12 million out of the international organizations account. Unfortunately, because he moved ahead of me, he took $400 million out across the board. I am only suggesting that of that $400 million he would remove that we preserve $12 million to advance our economic interests in the region. But clearly this is not a budget-buster in any form or fashion.

I would have to reiterate to the chairman that I believe that this is also an opportune time to advance our interests in that region.

It seems to me that all of our foreign policy positions to date have been reactive. Nothing has been done to advance or leverage the direction in which we want to go. Nothing has been done to create new jobs or new trade markets.

Mr. GILMAN. If I may reclaim my time from the gentleman, the gentleman I think is incorrect in that he does specifically add $6 million to this proposal, without any offsets. So that creates a budgetary problem for us, and it is for that reason that we are opposing the gentleman's amendment.

Mr. WYNN. If the gentleman will yield further, I would say that all of the money I am proposing to spend comes out of the money that the gentleman from Kansas [Mr. BROWNBACK] has already cut, so it is not any additional money added on. The money has already been cut. I am just suggesting it be moved into a second area.

Let me make one comment about appropriations. I feel very strongly about this. This is an authorization bill. We are the Committee on International Relations. We are the ones who ought to set foreign policy that we recommend to our colleagues in the Congress. We should not let the appropriators dictate to us what direction this money should be spent. The purpose of the authorizing bill is just the opposite, to give direction in terms of our priorities. We studied this issue. We need markets in Latin America and the Caribbean. It seems to me our directive to appropriators ought to be this is a worthwhile purpose. It does not bust the budget. It does not exceed what we came out of committee with.

Mr. GILMAN. If I may reclaim my time, once again I would like to submit that the gentleman has a worthy purpose, but he has not provided any offset. Mr. BROWNBACK's measure put us in conformance with the budget so we would not meet a budgetary problem.

Moreover we are trying to work very closely with the Committee on Appropriations so we are not spinning our wheels here and so our authorization measure will be finally met with approval by the Committee on Appropriations.

So, I think since this is a new program, I will be pleased to work with the gentleman in the future to see if we can work out a better method of funding for the gentleman's worthy objective.

Mr. HAMILTON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of this amendment. I think the gentleman from Maryland is making a very worthy initiative here. What you have in the context of the total bill is very, very sharp reductions for all of Latin America. There is very little in this bill which sends a favorable signal to Latin America. The gentleman from Maryland is merely requesting $12 million, as he has requested.

This is a terribly important amendment from the standpoint of the Caribbean. Our economic interests in that region are growing very, very rapidly and the gentleman from Maryland has called that to our attention again and again, and that is one of the fastest-growing markets for us in the world. So the $12 million is a very modest move, it is an important signal to countries that are much neglected in this bill, and I commend him for it and I support the amendment.

Mr. ROTH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would just like to follow up on Chairman GILMAN's remark that this may well be a worthy purpose, but I want the people of this House to know that we already have $3 million authorized for 1996 and 1997 for this program. What this amendment would do is to add another $12 million to this bill, and that is going in the wrong direction. We need to go in the opposite direction.

I will soon be offering an amendment to make some additional cuts, but while this may be a worthy purpose, it would earmark some $12 million additional for Latin America. And as I mentioned, we already have authorized in 1996 and 1997 $3 million to authorize this program. So we are going along with the Treasury initiative. That is why we authorized the program.

There are many, many good programs, but we have to draw fine lines, and the fine line we drew was to start this program and authorize it at 1996 and 1997 levels at $3 million, and what the gentleman wants to do in this amendment is add $12 million onto that. This is in the wrong direction, so I would have to be constrained to ask the House to vote against this particular amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maryland [Mr. WYNN].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 125, noes 297, not voting 12, as follows:

[Roll No. 352]

AYES—125

Abercrombie
Ackerman
Andrews
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bishop
Bonior
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Coyne
de la Garza
DeLauro
Dellums
Deutsch
Dicks
Dixon
Doggett
Dooley
Edwards
Engel
Evans
Farr
Fattah
Filner
Flake
Foglietta
Frank (MA)
Frost
Gejdenson
Gephardt
Gonzalez
Gutierrez
Hall (OH)
Hamilton
Hastings (FL)
Hefner
Hilliard
Hinchey
Hoyer
Jackson-Lee
Jefferson
Johnson, E. B.
Johnston
Kennedy (MA)
Kennedy (RI)
LaFalce
Lantos
Lewis (GA)
Lofgren
Lowey
Maloney
Manton
Markey
Martinez
Matsui
McKinney
Meek
Menendez
Mfume
Miller (CA)
Mineta
Mink
Moakley
Mollohan
Moran
Murtha
Nadler
Neal
Oberstar
Olver
Ortiz
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Rangel
Reed
Reynolds
Richardson
Rose
Roybal-Allard
Rush
Sabo
Sawyer
Schumer
Scott
Serrano
Skaggs
Slaughter
Stark
Stokes
Studds
Tejeda
Thompson
Thurman
Torres
Torricelli
Towns
Tucker
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Williams
Wilson
Wise
Woolsey
Wynn
Yates

NOES—297

Allard
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bevill
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Borski
Boucher
Brewster
Browder
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Camp
Canady
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Costello
Cox
Cramer
Crane
Crapo
Cremeans
Cunningham
Danner
Davis
Deal
DeFazio
DeLay
Diaz-Balart
Dickey
Dingell

Doolittle	Kasich	Rahall
Dornan	Kelly	Ramstad
Doyle	Kennelly	Regula
Dreier	Kildee	Riggs
Duncan	Kim	Rivers
Dunn	King	Roberts
Durbin	Kingston	Roemer
Ehlers	Klink	Rogers
Ehrlich	Klug	Rohrabacher
Emerson	Knollenberg	Ros-Lehtinen
English	Kolbe	Roth
Ensign	LaHood	Roukema
Eshoo	Largent	Royce
Everett	Latham	Salmon
Ewing	LaTourette	Sanders
Fawell	Laughlin	Sanford
Fields (LA)	Lazio	Saxton
Fields (TX)	Leach	Scarborough
Flanagan	Levin	Schaefer
Foley	Lewis (CA)	Schiff
Forbes	Lewis (KY)	Schroeder
Ford	Lightfoot	Seastrand
Fowler	Lincoln	Sensenbrenner
Fox	Linder	Shadegg
Franks (CT)	Lipinski	Shaw
Franks (NJ)	Livingston	Shays
Frelinghuysen	LoBiondo	Shuster
Frisa	Longley	Sisisky
Funderburk	Lucas	Skeen
Furse	Luther	Skelton
Gallegly	Manzullo	Smith (MI)
Ganske	Martini	Smith (NJ)
Gekas	Mascara	Smith (TX)
Geren	McCarthy	Smith (WA)
Gibbons	McCollum	Solomon
Gilchrest	McCrery	Souder
Gillmor	McHale	Spence
Gilman	McHugh	Spratt
Goodlatte	McInnis	Stearns
Goodling	McIntosh	Stenholm
Gordon	McKeon	Stockman
Goss	Meehan	Stump
Graham	Metcalf	Stupak
Greenwood	Mica	Talent
Gunderson	Miller (FL)	Tanner
Gutknecht	Minge	Tate
Hall (TX)	Molinari	Tauzin
Hancock	Montgomery	Taylor (MS)
Harman	Moorhead	Taylor (NC)
Hastert	Morella	Thomas
Hastings (WA)	Myers	Thornberry
Hayes	Myrick	Thornton
Hayworth	Nethercutt	Tiahrt
Hefley	Neumann	Torkildsen
Heineman	Ney	Traficant
Herger	Norwood	Upton
Hilleary	Nussle	Volkmer
Hobson	Obey	Vucanovich
Hoekstra	Orton	Waldholtz
Hoke	Oxley	Walker
Holden	Packard	Walsh
Horn	Parker	Wamp
Hostettler	Paxon	Ward
Houghton	Payne (VA)	Watts (OK)
Hunter	Peterson (MN)	Weldon (FL)
Hutchinson	Petri	Weldon (PA)
Hyde	Pickett	Weller
Inglis	Pombo	White
Istook	Pomeroy	Whitfield
Jacobs	Porter	Wicker
Johnson (CT)	Portman	Wolf
Johnson (SD)	Poshard	Wyden
Johnson, Sam	Pryce	Young (AK)
Jones	Quillen	Young (FL)
Kanjorski	Quinn	Zeliff
Kaptur	Radanovich	Zimmer

NOT VOTING—12

Calvert	Green	McDermott
Conyers	Hansen	McNulty
Cubin	Kleczka	Meyers
Fazio	McDade	Peterson (FL)

1445

The Clerk announced the following pairs: On this vote:

Mr. Conyers for, Mr. Calvert against.

Mr. Gene Green of Texas for, Mrs. Cubin against.

Ms. ESHOO changed her vote from ''aye'' to ''no.''

Messrs. MARTINEZ, HILLIARD, and PALLONE, Ms. DELAURO, Mrs. MINK of Hawaii, and Messrs. WILSON, ORTIZ, BARRETT of Wisconsin, and DOGGETT changed their vote from ''no to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. GENE GREEN of Texas. Mr. Chairman, I was unavoidably detained and was not able to vote on the Wynn amendment, rollcall No. 352. Had I been present, I would have voted ''yes''.

□ 1445

AMENDMENT OFFERED BY MR. BEREUTER

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

The Clerk read as follows:

Amendment offered by Mr. BEREUTER: In section 2104(a)(1)(A) (relating to authorizations of appropriations for migration and refugee assistance) strike ''$560,000,000'' and insert ''$590,000,000''.

In section 2104 strike subsection (a)(4), subsection (b), and subsection (d).

In section 2104 redesignate subsection (c) as subsection (b).

Mr. BEREUTER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

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

Mr. BEREUTER. Mr. Chairman, this Member rises to offer an amendment to section 2104 of H.R. 1561, along with my colleagues, Mr. LAMAR SMITH and Mr. OBEY, which would restore common sense to the bill's handling of the 47,000 Indochinese asylum seekers in refugee camps in Southeast Asia. While the issues here are, in one sense, emotional and complex, the justification for our amendment can be boiled down to one short sentence. Economic migrants have no claim to resettlement in the United States as political refugees and should return to their home countries.

The Bereuter-Obey-Lamar Smith amendment would allow the repatriation of Indochinese in Southeast Asian camps who have been determined by the U.N. High Commissioner on Refugees to have no, I repeat no, claim to refugee status. These migrants—at least 12,000 of whom are North Vietnamese—have been screened out by the UNHCR, i.e., they have been declared economic migrants, not political refugees.

Let me make one crucial point so there is no misunderstanding about the intent of this amendment. Since our departure from Vietnam in 1975 the United States has resettled more than 1 million Indochinese refugees. This Member has always supported that effort and continues to believe the United States must offer refuge to bona fide political refugees who have a well founded fear of persecution in Indochina, as elsewhere. This Member will work with others concerned about fair treatment of legitimate refugees, but this Member cannot support a program to give non-refugees the rights and privileges of bona-fide political refugees.

The language in this section appears to be doing just that by calling for the bulk of the 47,000 Indochinese in the camps to be, and I quote, ''offered resettlement outside of their countries or origin.'' Another fundamental issue in this debate is the role of the U.N. High Commissioner for Refugees. The legislation suggests that UNHCR can no longer be trusted to make fair and objective refugee determinations. If that is what the drafters intended, then I would ask them who should take over this international refugee determination role, the United States? Clearly, we cannot fill the breach. This is a very dangerous precedent, which could undermine future refugee efforts worldwide.

Let me take a minute to point out the problems I see with the existing language in the bill. Section 2104 calls for the resettlement of tens of thousands of Indochinese economic migrants to the United States. While the language does not name the United States explicitly as the resettlement country, there should be no misunderstanding about it—no other country would take them. The Governments of Canada and Australia, also home to thousands of Indochinese refugees, have told my office that they and the other resettlement countries would not be willing to take any of the screened out from the camps.

In addition to the immigration problems that this language would cause us, there are some real dangers in this legislation for the asylum seekers themselves. I must say that I have been somewhat surprised at the breadth and depth of concern about the legislation among the non-government organizations which advocate refugee rights and interests. Not only the U.N. High Commissioner for Refugees, but also the U.S. Committee on Refugees, Save and Children, World Vision, World Education, World Learning, and the Southeast Asian Resource Action Center have all make issued statements opposing major elements of this section. Many other groups have raised similar concerns with us orally. These NGO's with many years of direct experience working with Indochinese asylum seekers, have convinced me that the bill as written holds the following dangers.

This provision could prompt a new exodus of Indochinese seeking entry into the United States, putting them at risk on the high seas and swelling the refugee camp populations. My colleagues, you should be aware that last year, as reported in the New York Times, more than a thousand Vietnamese took to the sea when a false rumor was spread that Japan was offering employment opportunities. The bill's message of hope for resettlement in the

United States would likely have a similar effect on large numbers of Vietnamese.

The UNHCR and the refugee groups have expressed fears that the provision would increase the chance for violence in refugee camps by giving the 47,000 asylum seekers false hope for resettlement in the United States when the countries where the camps are located are unlikely to give us access to them and, even if they did, many of the asylum seekers would not be eligible for resettlement.

The bill would cause the absolute collapse of voluntary repatriation through which 72,000 Indochinese have already returned home without evidence of persecution. Now asylum seekers who can demonstrate that the negative screening decision of the UNHCR was mistaken can request reconsideration from U.S. officials or other resettlement countries in Vietnam.

Finally, for my colleagues who have an interest in refugee issues in other parts of the world, you should understand that this section would reduce the funds available for other refugee programs, such as for bona fide refugees from the former Soviet Union and Eastern Europe, by earmarking $30 million dollars to resettle economic migrants from Vietnam, Cambodia, and Laos. Moreover, by conditioning use of these funds on unmeetable conditions, it is likely that the funding would disappear completely and not be available for any refugee programs.

In closing, let me reiterate what the Bereuter-Obey-Lamar Smith Amendment would do. It would:

Stop the resettlement of Indochinese economic migrants in the United States.

Make full refugee funding available for bona fide political refugees, for example from the Former Soviet Union and Eastern Europe.

Prevent a new outflow of boat people from Indochina seeking entry into the United States.

Allow the international voluntary repatriation program to proceed with U.S. assistance and under close U.S. monitoring.

Assist U.S. nongovernment agencies monitoring the migrants who have returned home to ensure that they are not persecuted.

Maintain U.S. refugee policy that only bona fide political refugees enter as refugees.

Support an international consensus on refugee determination and processing that prevents the United States from having to bear the full brunt of refugee programs all over the world.

Stop yet another example of refugee decisions being made without regard to costs for local communities to educate, train and assist the refugees.

I request your support for the Bereuter-Obey-Lamar Smith amendment to the refugee provisions of H.R. 1561

AMENDMENT OFFERED BY MR. SMITH OF NEW JERSEY TO THE AMENDMENT OFFERED BY MR. BEREUTER

Mr. SMITH of New Jersey. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of New Jersey to the amendment offered by Mr. BEREUTER: Strike everything after ''$590,000,000'', and insert the following:

In section 2104(a)(4) (relating to authorizations of appropriations for the resettlement of Vietnamese, Laotians, and Cambodians) strike ''There'' and all that follows through ''who—'' and insert ''Of the amounts authorized to be appropriated for fiscal year 1996 under paragraph (1) there are authorized to be appropriated such amounts as are necessary for the admission and resettlement, within numerical limitations provided by law for refugee admissions, of persons who—''

At the end of section 2104 add the following new subsection:

(e) STATUTORY CONSTRUCTION.—Nothing in this section may be construed to require or permit an increase in the number of refugee admissions for fiscal year 1996 from the numerical limitation for refugee admissions for fiscal year 1995.

Mr. SMITH of New Jersey. Mr. Chairman, this amendment perfects the language of section 2104, which protects certain high-risk refugees from forced repatriation to Vietnam, Laos, and Cambodia. This bill, as it currently stands, contains important language that will prevent United States tax dollars from being spent for the forcible repatriation to Vietnam and Laos of people who fought side by side with American forces.

Under current U.S. law, these people are refugees, and they are also our friends. They should not be forced back to the places where they were persecuted, but, at the very least, U.S. tax dollars should not be spent to force them back. Thousands of people who served on our side in the war and were later persecuted by the Communists on account of such service are now being detained in camps throughout Southeast Asia. The camps also hold Catholics, Protestants, Buddhists punished for religious observance, and others who served time in reeducation camps or new economic zones for their anticommunist views or activities.

Despite the strength of their claim to refugee status, almost all of these people are scheduled for repatriation to Vietnam and Laos within the next few months under a scheme known as the comprehensive plan of action. I suppose the comprehensive plan of action [CPA] was intended as a sincere effort to deal humanely with the Vietnamese boat people. Unfortunately, it has turned out to be just the opposite. First, the responsibility for deciding who is and who is not a refugee, which used to be done by United States and U.N. refugee interviewers, was transferred to local immigration officials who had no real experience or training. Big mistake. Some of the interviewers were not only incompetent but also corrupt. There are well-documented instances of local officials demanding money and sexual favors from refugees as a condition of favorable screening. And to the surprise of no one, almost nobody now is a refugee.

The Lawyers Committee for Human Rights visited and did in-depth analysis of the refugee process in Hong Kong. Their conclusion, after looking over several hundred cases, was the following: The entire screening process and review procedures remain seriously flawed. The process remains hostile to genuine refugees. Several international standards were ignored. Hundreds, perhaps thousands, of Vietnamese refugees have been wrongly rejected.

Because of unfair screening and defective screening, Mr. Chairman, our tax dollars are about to pay to send back soldiers who served for years in reeducation camps. They are going to send back anti-Communists, writers and poets, members of the underground resistance movement, and even people who work for the CIA.

□ 1500

They are going to send back Buddhist monks whose temples were shut down because they would not join the official church and Catholic nuns whose convents were violated. That is what U.S. taxpayers will pay for if the underlying amendment is adopted.

Mr. Chairman, a core provision of the CPA, the comprehensive plan of action, that has been deep-sixed, was that repatriation to Vietnam and Laos was to be strictly voluntary. The idea was that the United Nations would work with governments of these countries to make sure that it was safe, and then would work to convince the people in the camps that it was safe for them to return. Unfortunately, some of the people who returned were persecuted. In Laos some were even killed.

The U.N. monitoring program consists of only eight monitors for all of Vietnam and two for the country of Laos, along with support staff that has been hired through the Communist governments of these countries. So they have been unable to check up on most of the people who were returned.

Wonders of wonders, with government people interacting as translators and being there as part of this process, they never seemed to have discovered a single instance of persecution. I would ask my friends if you were in the situation of having been sent back against your will, and a so-called observer comes in, or repatriation monitor, to talk to you, and with that person happens to be a translator hired by the government, are you going to talk about harassment, knowing when they walk out the door you are going to be probably mistreated?

It reminds me of the visits to the POW camps during the Vietnam war when people would go over there to Vietnam, Hanoi, and elsewhere, and would meet with our prisoners. They would be told stories that there is no torture. Of course, those prisoners, our

POW's would not talk of torture. They would only go back to even more torture had they spoken the truth.

One of our POW's, you might recall, ingenuously with his eyes flashed out ''torture'' in Morse Code, getting the word out that indeed they were using torture against these people.

Mr. Chairman, somehow the people in the camp with this situation just do not believe there has not been a single instance of persecution.

The CHAIRMAN. The time of the gentleman from New Jersey [Mr. SMITH] has expired.

(By unanimous consent, Mr. SMITH of New Jersey was allowed to proceed for 4 additional minutes.)

Mr. SMITH of New Jersey. Mr. Chairman, so the CPA soon ran out of volunteers. They then began selecting people to volunteer and imprisoning them when they refused. Sometimes they just dragged them into airplanes, sometimes literally kicking and screaming. If they know someone is going to resist, they may tranquilize him or her before putting them on the plane.

So the CPA has become a looking glass world in which refugees are not refugees and voluntary repatriation is not voluntary. Yet the United States has given over $150 million during the last 6 years. The language now in section 2104 that has been put there by myself and my good friend, the gentleman from New York [Mr. GILMAN], the chairman of our committee, and other members of our subcommittee, would cut further funding to the CPA unless the United Nations and other countries involved agree to fix the program, to provide resettlement opportunities for a limited number of high-risk refugees, again the old soldiers, the nuns and others with compelling cases, within existing refugee allotments.

Mr. Chairman, the amendment I am offering today is a perfecting amendment to meet the objections raised by some, making it absolutely clear that this language in the bill would not mean the admission of large numbers of immigrants or even refugees. It provides explicitly that the provision should not be construed either to require or to permit an expansion of the numerical limitation on refugees beyond the number that it was allocated for 1995. It gives the State Department more flexibility in its refugee budget by eliminating separate authorization of funds for resettlement of people.

The State Department has been lobbying very hard against this provision. But after my perfecting amendment, the only thing to say to the State Department is take a hard look at these people in high-risk categories. If they are refugees under U.S. law, we should not hide behind an inadequate third country screening to pay for them to be forced back to persecution; second, no more money for the repatriation program until you can certify that it has been fixed and everyone has been given a fair screening and everyone that should be resettled has been resettled.

Mr. Chairman, I do hope that Members will support the Smith amendment to the Bereuter amendment. It has the support of a number of organizations in the refugee communities who are adamantly opposed to the Bereuter amendment and have come out as such within the last couple of days, the list of which I will talk about further.

Mr. HYDE. Mr. Chairman, I rise in support of the Smith perfecting amendment.

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

Mr. HYDE. Mr. Chairman, I will be very brief. This is not a simple problem, but I think one of the darkest chapters in our country's history in this century was called Operation Keelhaul. It occurred in Europe after World War II when defecting Russians who were amassed in camps were forcibly repatriated in boxcars back, to return and never to be seen again. Our troops and our soldiers at gunpoint forced these people, who had fled from the tyranny of the Soviet Union, back into these boxcars. As I say, they were never seen again.

Forcibly repatriating people who have fled from their own homeland is an atrocious act. We ought not to countenance it. We ought to help people who have risked the seas and pirates and risked their lives to flee to what they thought was a safe haven, and then finding that we are participating in forcibly repatriating them.

These people deserve better. It is a matter of honor. They worked with us, they fought with us, they moved where we are, the land of liberty and freedom. We are not asking that they be repatriated to America. We are asking only that they not be forcibly returned to the places from which they fled.

A person born in a faraway country loves their homeland. If they could return, they would. But these people face all sort of dangers. They lived in reeducation camps. They have finally escaped. Now we are going to forcibly repatriate them? I hope my country never does that. If people want to leave tyranny and leave abuse and move towards the light of freedom, we should facilitate that, not inhibit it.

So I strongly support, and I do not criticize Mr. BEREUTER or Mr. OBEY or Mr. SMITH, they are as well-intentioned as anybody can be. But I just think they are dead wrong. We ought never at the point of a gun or barbed wire or anything else force people to go back from whence they have fled in terror.

So I hope the Smith amendment is adopted.

Mr. OBEY. Mr. Chairman, I rise in opposition to the Smith perfecting amendment.

Mr. Chairman, I take a back seat to no one in this institution in terms of my concern about decent treatment for refugees. I think all who know me know that. But the fact is that section 2104 of this bill, in the original bill, sets aside $30 million specifically for the purpose of admitting for resettlement in the United States thousands of Southeast Asian refugees who do not qualify for legitimate refugee status. It also creates artificial incentives for those people to come to the United States rather than return to their homeland, because it in effect cuts off any aid to Southeast Asians who want to return to their homeland and need tiny amounts of help to do so.

In my view, that is wrong-headed. The amendment that Mr. BEREUTER and Mr. SMITH and I are trying to offer would eliminate that section of the bill.

Now, I am supporting and offering this amendment with these other two gentlemen for two reasons: First of all, I think the committee provision really breaks an international agreement which was made by the United States with 78 other countries. It makes no distinction between legitimate political refugees and persons who simply want to come to the United States for economic reasons. It also, I would point out, leaves local communities holding the bag for the cost of educating and training refugees who can often be very difficult to resettle and train, because some of them, for instance, do not even have a written language.

I want to get into the case of the Hmong, for instance. The United States Government has allowed more than 120,000 of the 400,000 Hmong who were living in Laos in 1975 to enter this country. There was a very good reason for the United States doing that. The Hmong had done our dirty work in Laos during the Vietnam War. When the government collapsed, we allowed many of them to come into this country because of the service they had provided to the United States during the war.

I understand that. But I would point out that the obligation that the United States has to recognize what people like the Hmong did for us is an obligation of the Federal Government. It is not an obligation of the county government, it is not an obligation of the municipal government. In fact, what we have now is the Federal Government in effect posing for political holy pictures by allowing into this country all of the refugees that we can allow in, but then transferring the responsibility to pay for the cost of those refugees to the States and local government. I do not believe that is an equitable arrangement.

It seems to me that if this committee wants to create the impression that it is allowing any and all refugees under this amendment to enter this country, then they ought to be guaranteeing that the Federal Government in fact is going to meet its responsibility by sharing the costs of educating and training those refugees. If it does not, the Federal Government is welching on

its commitment not only to those refugees, but to local communities as well.

I would also point out that if you adopt the Smith amendment to the Bereuter-Obey-Smith amendment, what you are doing in effect is creating false expectations and making a shambles of what an orderly refugee process is supposed to be.

I do not favor forcing a single refugee back into their original country if they do not want to go. I believe even in the case of refugees who have initially determined they want to go back to their country of origin, that in the case of the Hmong, which is the one case I know pretty intimately, it seems to me they ought to be given a chance to change their minds so that there can be no doubt that the United States is not forcibly repatriating a single refugee.

I did my graduate thesis on Operation Keelhaul. I am very familiar with it. It was an outrageous chapter in American history. I do not want to see us repeat that chapter. But neither do I want to see us in a soft-headed way simply appear to be doing a favor for refugees, when in fact what you will be doing is causing more turmoil in those refugee camps, causing more confusion, causing them to believe that the refugee program is now blown away and that they will therefore all have an opportunity to enter the United States.

I would point out or simply ask why we should be creating an artificial incentive so that not only do we make available resources to bring refugees to this country, but we also shut off, in effect, the resources necessary to allow refugees who want to return to their original country to do so.

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. OBEY] has expired.

(By unanimous consent, Mr. OBEY was allowed to proceed for 1 additional minute.)

Mr. OBEY. Mr. Chairman, it just seems to me in this instance the opponents of the Bereuter amendment are well meaning, but I think in my heart they are misguided. I would urge Members to reject the Smith amendment because it will simply leave a false impression out there, which will cause great additional turmoil in those refugee camps.

What we ought to be doing is saying to the Thai Government and other governments in the area, we ought to be asking them to help us in the process by which we give every refugee an opportunity to determine for themselves whether they want to be repatriated or whether they want to come to this country. We ought not be creating artificial incentives so that in the end they have no financial alternative to coming to the United States, unless this committee is willing to guarantee that it is the Federal Government that will then bear the financial burden of that decision. I do not think this committee is going to do that. Absent that guarantee, I think we ought to support the Bereuter amendment.

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

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

Mr. DAVIS. Mr. Chairman, I rise in support of the Smith amendment.

Mr. Chairman, many of the Vietnamese boat people and Hmong asylum seekers in Southeast Asia are facing imminent deportation to communist Vietnam and Laos. Many of them have been severely persecuted because of their U.S. ties during the war or because of their political or religious beliefs. However, many of them have been unfairly denied refugee status by local governments under a screening program established by the United Nations High Commissioner for Refugees and heavily funded by the U.S. Government. This screening program is rife with corruption and other fundamental flaws. Among those already denied refugee status, there are some 100 religious leaders, thousands of former political prisoners and officers of South Vietnam, and many human rights activists and dissident intellectuals.

□ 1515

Classified as nonrefugees, they now face deportation to Vietnam. Many of them have taken their own lives to protest the injustices in screening to avoid deportation.

Thousands of Hmongs already recognized as refugees are also facing deportation to Laos. In my judgment, no U.S. contribution to the UNHCR should be used to finance such refoulement of refugees. Any use of United States money for the repatriation of Vietnamese boat people or Hmong asylum seekers must be conditioned on a fair review of their refugee claims.

I would like to review with the House who some of these individuals are, because you need to look sometimes beyond the numbers and the rhetoric to look at who are the individuals we are talking about that would be protected under the Smith amendment.

One of the people comprehensive plan of action would force back to Vietnam is a lady, a Sister K, a Catholic nun. Her father served as a counterintelligence officer for the Republic of Vietnam of Vietnam. After 1975, he was sent to a reeducation camp for more than 6 years.

In 1988, the communists raided Sister K's convent. They arrested her and the mother superior, who was accused of plotting against the government. The seminary was confiscated. Sister K was sentenced to 6 months at hard labor. She then went to live with her family, but in 1991 her father and other Catholics were arrested for planning to build a church. Sister K went into hiding and escaped from Vietnam. Sister K has been labeled an economic migrant by the Thai immigration inspector who was in charge or her interview under the comprehensive plan of action. She is scheduled to be forced back to Vietnam. Her story of persecution has been corroborated by her mother superior, who also eventually escaped to the United States and is hospitalized through the effects of the torture she underwent while in prison.

Another individual called Captain Tran was an officer in the Army of the Republic of South Vietnam. He served side by side with American troops. After 1975, he managed to evade capture and joined an underground anti-Communist resistance movement. Eventually the movement was uncovered by the Communist authorities. Many of its members were tracked down, viciously tortured, and executed.

The members of the movement who managed to escape then plotted the assassination of the Communist officer who had ordered the torture and extrajudicial killings. Captain Tran eventually escaped from Vietnam. But the Hong Kong authorities found him to be credible. They agreed that he had reason to fear punishment by the Communists upon return, but held that his participation in the counterrevolutionary plot was a nonpolitical crime and that made him ineligible for asylum.

Captain Tran is scheduled to be forced back to Vietnam this year under the comprehensive plan of action. Staff members of the House Committee on International Relations interviewed him and found him highly credible. He said he will commit suicide before returning to Vietnam.

Mr. Chairman, as a nation, I think we have to take steps that will bring about a fair, humane, and dignified solution to the Indo-Chinese refugee problem once and for all within United States laws and without any increase in quota or budget. So, Mr. Chairman, I rise in support of the Smith amendment and ask my colleagues to support it.

Mr. SMITH of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. PAYNE of New Jersey. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Bereuter amendment regarding Southeast Asian refugees. I have visited refugee camps in Thailand and Hong Kong over the last 20 years, most recently just last summer in Hong Kong. It is my observation that while the early refugees were certainly tied in with U.S. interests and support of our war efforts, the present refugees do not reflect this early perception by the American people and veteran organizations.

Most of the refugee population in the Hong Kong camps have been through a screening process and have been classified as economic migrants, or to put it explicitly many are northern Vietnamese fishermen who had nothing to do with supporting our war efforts.

The United States was a signature to the Comprehensive Plan of Action in 1989 which strengthened the principles of first asylum in Southeast Asia. For

example this program enabled the repatriation of Vietnamese, Cambodian, and Laotians back to their country of origin if not classified as a refugee. By this action countries like Thailand that had become weary of holding refugees were able to see the end of the tunnel, and stopped pushing back potential refugees into the sea. We all remember the terrible piracy and raping of women on boats that occurred. This new program helped to reduce such incidents. It also worked out agreements with countries that were the source of the migration like Vietnam to take back these people and encourage them to utilize internationally accepted immigration programs like the Orderly Departure Program that has allowed 500,000 to start new lives in the United States and other countries. While there may be some refugees who have been improperly classified, these cases could be reviewed with U.S. intervention under the flexibility of the present agreement.

Moreover, the root cause of the migration is the poor economic conditions in these countries, especially Vietnam. By continuing our agreement we encourage additional cooperation with Vietnam which will lead to increased cooperation on the POW issue and complete the normalization of relationships between our two countries.

The Bereuter amendment will also maintain funding to continue the Comprehensive Plan of Action. It will also send a signal that the United States remains a partner in this well-thought-out plan.

This will discourage those still detained in the Hong Kong camps from rioting. Over 200 were wounded yesterday in Hong Kong fighting with handmade metal spears according to this morning's edition of the New York Times. It is downright cruel for us to build expectancies that the United States will take these migrants as refugees. Support the Bereuter amendment and help to stop the bloodshed in Hong Kong.

Mr. BURTON of Indiana. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, what is even worse is to send them back to possible death and torture at the hands of the Communist Vietnamese Government. Some of those people have been disappearing.

Mr. Chairman, I am happy to yield to the gentleman from Virginia [Mr. WOLF].

Mr. WOLF. Mr. Chairman, I will be brief. I urge every Member to read the letter of the gentleman from Florida [Mr. MCCOLLUM] before they vote on this. The gentleman is going to speak, so I will not reiterate his letter. But his letter probably sums it up better than anything. In his letter he points out in the PS that the important provision in H.R. 1561 has been endorsed by the American Legion. This is what the American Legion says. They said:

These former members of the South Vietnamese armed forces who escaped certainly have great reason to fear being forcefully repatriated. All one needs to do is review the latest State Department report on human rights in Vietnam to realize that little has changed with respect to what happens.

We have talked to families in my area who have talked about their family members who have literally committed suicide. I think the gentleman is right, and I strongly support the Smith amendment. I think it will be very good for the country.

Mr. BURTON of Indiana. I yield to the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. Chairman, I thank the gentleman for yielding to me.

I think it needs to be reiterated that human rights groups have reported several instances of people being hurt upon their return, jailing, interrogation about anticommunist political activities in the camps, discrimination in employment and housing, and in Loas the disappearance and the probable killing of Hmong leader Vue Mai.

The American Legion again, the gentleman from Virginia [Mr. WOLF], brought the American Legion, relying on their own contacts with former Vietnamese comrades in arms who corroborate these accounts. One reason that the United Nations cannot find any persecution is that they have only eight monitors for all of Vietnam and only two for Laos.

I wanted to remind the membership we are talking about people that are going out with a support staff that has been hired through the Vietnamese and the Laotion Government. This is a situation where the person that is with the repatriation monitor is reporting to a government, and the government is hostile in many instances to these individuals. Who can blame them for not speaking openly after being forcibly repatriated in the first place? I do think there is underreporting as well.

Mr. BURTON of Indiana. Mr. Chairman, let me just end up by saying that there is an anti-illegal-immigration attitude in America today with justification. We have millions of people coming across the Mexican-American border for economic reasons, and that has caused a real problem with our economy in many States. But the fact of the matter is there are still people in this world who are fleeing Communist dictatorships, and to send them back to death or worse is a horrible thought. It is analogous to taking people who came across the Berlin Wall. It is a wrong-headed move. I hope my colleagues will support the gentleman from New Jersey [Mr. SMITH].

□ 1530

The CHAIRMAN. The time of the gentleman from Indiana [Mr. BURTON] has expired.

(At the request of Mr. OBEY and by unanimous consent, Mr. BURTON of Indiana was allowed to proceed for 2 additional minutes.)

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

Mr. BURTON of Indiana. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I thank the gentleman from yielding to me.

Mr. Chairman, I very much respect the gentleman's concern about the refugees in question, but I would simply ask this: Why should we engage in a legislative process which in fact cuts off the assistance to refugees who do, on a voluntary basis want to go back to their own country? Why should we eliminate the financial assistance provided to those people?

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

Mr. BURTON of Indiana. I yield to the gentleman from California.

Mr. DORNAN. Mr. Chairman, because, with all due respect, I would say to the gentleman from Wisconsin, the process has been corrupted by money and sexual abuse, so some of these people are volunteering to go back out of coercion.

Mr. OBEY. If the gentleman will continue to yield, the fact is that under the process for Hmong refugees, each refugee will have to again resign a statement indicating that he or she is engaging in voluntary repatriation, and if they do not sign a statement, they are not repatriated. It seems to me the gentleman's statement is off base.

Mr. SMITH of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentleman from New Jersey.

Mr. SMITH of New Jersey. Mr. Chairman, this is part of the problem. If they do not sign the voluntary agreement, they are put in jail, in many instances. In Thailand six Hmong leaders, all of whom were screened in as refugees, but scheduled for voluntary repatriation to Laos anyway, were jailed because they were actively resisting voluntary repatriation.

Mr. OBEY. Tell the whole story.

Mr. SMITH of New Jersey. This is the whole story, if the gentleman will yield further. These people, we wonder why there may be people who may react, and I do not condone the violence, but when people come in in riot gear to tell these people ''It is time for you to be voluntarily repatriated,'' they react with an attitude.

The CHAIRMAN. The time of the gentleman from Indiana [Mr. BURTON] has expired.

(At the request of Mr. OBEY and by unanimous consent, Mr. BURTON of Indiana was allowed to proceed for 1 additional minute.)

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

Mr. BURTON of Indiana. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, let me simply ask the gentleman, why do we not also explain the fact that the same organization which is peddling those stories in fact is also raising funds by selling military, police, and civilian titles in their resistance army? Why do we not talk about the intimidation

from them that is going on within the Hmong community? There is intimidation going on on both sides.

Mr. SMITH of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentleman from New Jersey.

Mr. SMITH of New Jersey. Mr. Chairman, let me make clear to the gentleman that our embassy confirmed this story. I want to go back to something I said earlier on. The Refugee Committee of Lawyers for Human Rights has so blasted the process of screening they have changed international standards. The credibility is one where they are viewed with unbelievable skepticism before they even open their mouths. It is a flawed process.

We are saying that the President should certify, and if it is not a flawed process, then the money is okay, but if he can certify these people are being voluntarily repatriated, that is a different story.

The CHAIRMAN. The time of the gentleman from Indiana [Mr. BURTON] has expired.

(By unanimous consent, Mr. BURTON of Indiana was allowed to proceed for 30 additional seconds.)

Mr. BURTON of Indiana. Mr. Chairman, let me just end real briefly by saying this. If there is any doubt about these people being sent back to possible death, or worse, at the hands of the Vietnamese Communists, then we should err on the side of safety. That is the reasonable and humanitarian thing to do.

Mr. GILMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the Smith amendment. We should not support the shameful forced repatriation of our allies who fought by our side during the Vietnam war. The gentleman's amendment would permit our Nation to end that period with honor and dignity.

The American Overseas Interest Act does not require one extra penny to be spent nor would it increase the number of refugees admitted to the United States. It merely disassociates the United States with sending people back to Vietnam and Laos who have genuine refugee claims because they fought with us during the war.

It is not accurate to speculate that it is safe for our allies to return to Vietnam and Laos. The U.N. repatriation monitoring process in place in Vietnam and Laos are run by Vietnamese and Laotian citizens hired in coordination with those Governments. In Laos 14 of the 18 UNHCR repatriation monitoring personnel are citizens of Laos hired by UNHCR with the coordination of the Laotian Government. In Vietnam 30 of the 38 UNHCR repatriation monitoring personnel are Vietnamese citizens hired by UNHCR with the coordination of the Vietnamese Government. It is no small wonder that it is claimed that there have been no cases of retribution. The Governments of those two repressive governments are investigating themselves. This is clearly a case of allowing the fox to guard the hen house.

It is for this reason that the American Legion and other veteran organizations support Mr. SMITH'S amendment and fully support the provision in the bill. Our military men and women who fought in Vietnam and in Laos are unanimously opposed to any effort to abandon our allies.

Permit me to read from a letter dated May 23 sent to me by John Summer, the executive director of the American Legion.

> The American Legion supports the initiative . . . which would provide for a reexamination of the refugee status of thousands of Vietnamese who fled their homeland out of fear of political reprisal, up to and including death.
>
> The American Legion considers it a debt of honor to strongly support your efforts to authorize the proper screening of those individuals who continue to be held in refugee camps in Asia, and to allow for the resettlement of those refugees who fought side-by-side with the American forces during the Vietnam war, as well as their families.

The United Nations will not allow our Hmong allies living in camps in Thailand and eligible under United States law to immigrate here, to leave the camps. Instead the Thai Government and the U.N. are using our funds to forcefully send our Hmong allies back to a dangerous fate in Laos.

The screening process of refugees administered by the comprehensive plan of action must be broadly reviewed in order to remedy unfair and otherwise defective status determination. The use of U.S. funds must be conditioned on a thorough review of this process. The American Overseas Interests Act would allow for such a review.

Accordingly, I strongly support the Smith amendment, and oppose the Bereuter amendment. Let us end this sad period of history in Vietnam and Laos with honor and dignity.

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

Mr. GILMAN. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I thank the gentleman for yielding to me.

Mr. Chairman, I would ask the gentleman, does he really believe that Save the Children would be participating in forced repatriation? Does the gentleman really believe that? That is one agency we have provided the $1.5 million to to assist people who want to return to their own country.

Does the gentleman really believe Save the Children Foundation is in the business of forcing people to be repatriated?

Mr. GILMAN. Mr. Chairman, we are not talking about Save the Children now, we are talking about the Vietnamese UNHCR personnel, the Laotian UNHCR personnel, who are apparently not doing an effective job.

Mr. OBEY. Mr. Chairman, if the gentleman will continue to yield, I would simply say that I sent two of my staffers into the region to try to determine what the facts were. They came back with many indications that the voluntary agencies involved do not support the elimination of the ability to assist people who want to go back to their own country.

Mr. GILMAN. Mr. Chairman, I would ask the gentleman, does he believe there has not been one single case of retribution? We sent our own staff people over to look into the refugee camps, and they were refused entrance and examination.

Mr. OBEY. Mr. Chairman, will the gentleman continue to yield so I could answer his question?

The CHAIRMAN. The time of the gentleman from New York [Mr. GILMAN] has expired.

(At the request of Mr. OBEY and by unanimous consent, Mr. GILMAN was allowed to proceed for 1 additional minute.)

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

Mr. GILMAN. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I would, frankly, be surprised if there had not been any cases of retribution, because, after all, this is not heaven. However, the fact is that I do not oppose anybody's efforts to try to see to it that each and every refugee has an honest choice about where they want to go, but I do think it is softheaded for this Congress or for the American Legion or any other organization in this country to say ''Oh, yes, we will accept the system which will in fact bring financial incentives for all of them to come to the United States, and by the way, we will not provide the funds for it, and we will let the local units of government get stuck with having to support them.'' That is not good.

Mr. SMITH of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. GILMAN. I yield to the gentleman from New Jersey.

Mr. SMITH of New Jersey. Mr. Chairman, it does not help this debate one iota for the gentleman to call it softheaded to say that the screening process was influenced. The overwhelming consensus by the human rights groups is that it is flawed.

Let me just, again, remind the gentleman, and this is not a conservative human rights organization, the Lawyers Committee for Human Rights Refugee Project concluded, and I quote, ''The entire screening process and review procedures remain seriously flawed.'' They went on to state: ''The process remains hostile to genuine refugees, and thousands may have been wrongly rejected.''

Mr. BERMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Smith amendment to the Bereuter amendment.

Ms. LOFGREN. Mr. Chairman, will the gentleman yield?

Mr. BERMAN. Mr. Chairman, before I make any comments, I yield to my colleague, the gentlewoman from California.

Ms. LOFGREN. Mr. Chairman, I thank the gentleman for yielding to me.

I also support the Smith amendment, Mr. Chairman, and I would like to say how proud I am to be involved with a movement that would allow boat people to be treated as the refugees that they really are. There are thousands of these refugees lingering in miserable camps throughout Southeast Asia, waiting for freedom. I think we need to stand by our former allies and make sure that they are treated as the refugees they are.

Mr. Chairman, I remember a few years back refugees were forced out of the camps in Hong Kong, and a number of refugees committed suicide rather than return to the Communist regimes from which they fled. Mere economic refugees do not commit suicide when faced with repatriation.

Mr. Chairman, I know lawyers who have been involved in the Lawyers Committee on Human Rights. They tell me what the gentleman has said, that the process has been flawed. We need to stand by our former allies. I remember when Vietnam fell 20 years ago, the efforts I made to save those who were escaping from communism. We must not forget them today.

Mr. Chairman, I thank the gentleman for yielding to me, and I strongly urge support of the Smith amendment.

The CHAIRMAN. The time of the gentleman from California [Mr. BERMAN] has expired.

(At the request of Mr. VENTO and by unanimous consent, Mr. BERMAN was allowed to proceed for 3 additional minutes.)

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

Mr. BERMAN. I yield to the gentleman from Minnesota.

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

Mr. VENTO. Mr. Chairman, I rise in support of the Smith amendment and the underlying intent of the bill.

It is really a difficult one. I understand the good intentions, but I think there has been a shadow over this process. The increased interest of the governments in camps, the Thai Government, to close refugee camps has, I think, rushed the process greatly. There has been repeated reports, and I mean extensive reports, even in the Minnesota papers, concerning mistreatment and abuse of individuals in these areas.

Mr. Chairman, I rise in support of the Smith amendment to the Bereuter amendment which would rewrite a provisions in the legislation. Specifically, I am very concerned that the Hmong currently in refugee camps in Thailand, first, that they are voluntarily returning, and second, that they receive whatever funding has been promised if they do repatriate. These people are returning to very difficult conditions in Laos and are in dire need of the minimal assistance being provided to them in order to survive. They are often sent to locations where they must glean a living from lands and communities with few resources. It is, however, vital that we support the non governmental organization and a truly objective UNHCR presence in Laos and Vietnam, because of the necessary monitoring to ensure the safety of those repatriated. There has been a great deal of trouble getting credible information out of Laos with regards to the Hmong.

The Hmong are in a special situation. It is my understanding that most of the Hmong have refugee status and therefore are already eligible for resettlement in the United States or another country. There are now reported less than 500 Hmong who have been determined to be ineligible for resettlement. Other reports indicate a much higher number. This legislation and initiative should be viewed as ensuring that the process is credible and that the resettlement decisions are voluntary.

Hopefully with the modifications now presented the Smith language will more precisely resolve the questions raised.

Certainly some groups opposed to funding repatriation assistance because of the possibility of persecution of the Hmong by the Laotian Government. Unfortunately, our own State Department has done a poor job of laying these fears to rest. The Hmong in the United States and those still in the refugee camps hear from the State Department that there is no need to worry about those who return to Laos at the same time they hear stories of Hmong who have disappeared or been shot. It has been extremely difficult to get satisfactory information or answers to specific circumstances hence this legislative language attempts to ensure certification of the circumstance, a common practice to verify or qualify support that Congress has written into law, certainly we can assume that the Clinton administration will proceed with dispatch and a good faith effort.

The Hmong are special because the large majority of them already have refugee status and are eligible for resettlement in the United States or another country. What the United States Government needs to ensure is that the Thai Government and other camp governments and the U.N. High Commissioner for Refugees is making a proper determination of the Hmong who are requesting resettlement. The Hmong are under considerable pressure from the Thai to repatriate because the Thai want to close the refugee camps and be done with this 20-year-old problem. We and certainly the Clinton administration and most in Congress don't want anyone to be forced to repatriate nor do we want to cut off aid for those who choose to return, who do not want to resettle in the United States or elsewhere.

Clearly, the situation of Hmong refugees in Thai refugee camps is an ugly and sad one which we would all gladly see resolved. It is crucial that these people be treated fairly, that they not be denied the opportunity to resettle in the United States or elsewhere because they have not previously chosen this option. Many of these people, although they suffered persecution by the Government in Laos, many in fact some would say most, hoped one day to be able to return to their native land. They stayed in the refugee camps, a bad place to live, because they dreamed that one day they would be able to return to life in their country. Now these people are being faced with a choice they must make now and they should be allowed to make the choice for which they are eligible.

The United States cannot neglect its obligation to the Hmong people who sacrificed lives and homeland to fight on the side of the United States in the Vietnam war. They cannot be allowed to forget those who are still suffering as a result of the Vietnam war. This amendment maintains the fragile status quo, a situation that much concerns the Hmong-Americans in Minnesota. Certainly, reports of serious human rights violations need to be fully resolved and rectified. Often the choice of Hmong within a refugee camp is being questioned as to whether such a person made a voluntary choice to return to Laos. That must be resolved. There can be no misunderstanding that when a refugee returns to his or her homeland that there basic rights and personal safety are secure. That funding and assistance provided for reintegration is necessary should be obvious. The certification process in this measure is viewed by my Hmong-American constituents as the last hope to rectify this situation that affects their family members. The hearings held in Congress and the letters written too often have left more questions than answers, therefore I oppose stripping the language from the bill, and am in support of the rewritten Smith amendment and the Hmong refugees.

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

Mr. BERMAN. I yield to the gentleman from New York.

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

Mr. NADLER. Mr. Chairman, I rise in support of the Smith amendment. I want to simply state that I differ from my friend, the gentleman from Tennessee [Mr. DUNCAN], in that we ought to protect refugees, whether they are refugees from communistic dictatorships or from any other dictatorships. They have the same human rights, and we ought to protect them.

Clearly in this instance the Smith amendment ought to be adopted, and the Bereuter amendment replaced, because we should protect these refugees, and because the so-called screening over there, most human rights observers and organizations have said is not adequate.

Mr. Chairman, I thank the gentleman for yielding to me.

Mr. Chairman, I rise in support of the Smith amendment to the Bereuter amendment. If adopted without the Smith amendment the Bereuter amendment will make the United States complicit in the persecution of thousands of Southeast Asian refugees.

Forget the rhetoric of the nativism demagogues, the Bereuter amendment would not close any loophole in our immigration law, because none exists. In fact, it would shatter what is best and most balanced in our refugee policy.

Without Smith, the Bereuter amendment would eliminate language in the bill requiring that no one can be returned to Vietnam with the assistance of American taxpayer money until they receive a fair and impartial screening to determine if they are genuine refugees.

Is there something wrong with that?

The language of the bill is straightforward:

It provides up to $30 million for the relocation of Vietnamese, Laotian, or Cambodian refugees.

It prohibits the use of U.S. funds to repatriate those refugees unless the President can certify that bona fide refugees, and only bona fide refugees, have been offered, not even placed in but offered resettlement outside their countries of nationality. That means relocation anywhere else, not only to the United States.

It also requires the President to certify that the process of determining refugee status conforms to our basic commitment to fairness, honesty, and due process.

The bill does not, as you may have heard, require that all these refugees come to the United States. Read the bill, it's on pages 102–103.

The bill does not steal money away from refugees from the former Soviet Union. Eighty million dollars is set aside for that purpose on page 101.

So what is all the excitement about?

These refugees are not on U.S. soil; our Government is not running these refugee camps. Is it too much to suggest that we should not pay for their forced repatriation until we can be assured that they will not face persecution?

For those refugees who will come to the United States, this bill does not create any new refugee slots. In fact it does not even use all of the slots available. These are refugees who quality for resettlement, that is, refugees who are persecuted for their past affiliation with the United State or who have been persecuted on the basis of religion or ethnicity.

We must not abandon our commitment to honesty, fairness, and decency.

I know money for refugee programs is politically unpopular these days. At the very least we should agree that those scarce dollars that are available should not be used to move refugees involuntarily to their countries of origin to face persecution.

Mr. Speaker, I opposed the war in Vietnam. Many of our colleagues here supported that war, and some even fought there. Those differences still have the power to divide this Nation. The mere suggestion that some may come from the northern part of Vietnam sill seems to have the power to suggest to some Members that these refugees will make war on us when they arrive here. I think that, regardless of the stand you took 25 years ago, if you ever cared about the people of Southeast Asia, of if you were moved to take a stand on either side because the preservation of fundamental American values was important to you, then you must help adopt the Smith amendment. I urge a yes vote on Smith and no vote on Bereuter.

Mr. BERMAN. Mr. Chairman, this is a very complicated and important issue. There is a lot of right on both sides. The fact is the Orderly Departure Program and CPA have dealt with the problem of boat people, dealt with a way to allow people who are in fear of political persecution to leave Vietnam directly to resettle in countries, and have set up a process which, unfortunately, has been too flawed in the camps on the countries of first asylum to resettle in other countries.

The gentleman from New Jersey [Mr. SMITH], by his amendment, has taken a major step toward ameliorating concerns earlier expressed during committee debate on the language which is in the bill. He has softened the earmark, he has made it clear that the intention of his amendment is not to increase the number of refugees admitted to the United States above those currently permitted.

The gentleman from Nebraska [Mr. BEREUTER] and the gentleman from Wisconsin [Mr. OBEY] are pointing out the potential problems with some of the restrictions in the language of the gentleman from New Jersey [Mr. SMITH], or some of the requirements in the language. However, I, at least at this particular point in time, want to focus on energizing our State Department to get the UNHCR and the people in charge of that screening process to take a look at a number of cases where it is clear that people with a well-founded fear of persecution, if they were to be repatriated back to Vietnam, should have a chance to prevent what could be a catastrophe for them.

□ 1545

Between now and the conference committee, we can look at how to do this. I do not think every candidate should be rescreened. I do not think we want to end voluntary repatriation. I do not think we want to give the people in the camps false hopes about things that are going to happen.

I do not want them to think we want to embark on something which would become politically unsustainable in the United States, but the gentleman from Illinois [Mr. HYDE] and others were right. When you are talking about people who fought on our side, who were imprisoned for 10 years for political acts and now are talked about being sent back, you want to make sure that that is not being done in a fashion that is going to put their lives and their liberty in jeopardy.

I think the Smith language in the bill as modified now helps to send the message to the State Department, to the international community about our concerns about the flaws in the rescreening process and in the repatriation process and that between now—I actually hope this bill does not get to a conference committee, but if it were to get to a conference committee, we can deal with some of the problems that people have correctly pointed out.

Mr. BEREUTER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as chairman of the Subcommittee on Asia and the Pacific of the Committee on International Relations, I rise in strong opposition to the Smith amendment. It is well-intended but it is a disastrously bad approach.

The gentleman from California has said the section of the bill is made slightly better, by the amendment of the gentleman from New Jersey [Mr. SMITH]. The gentleman, Mr. BERMAN, was the person that raised the initial concerns about this section in the committee. I say this section of the bill is a disastrously bad approach. I do not use that language very often. I know that the intention of the gentleman from New Jersey is to be highly respected, and I respect it, too, but the results, the bloodshed, the tragedies that will result from this reversal of policy are just going to be extraordinary.

If we make this change in the refugee program in Southeast Asia the blood is going to be on our hands for the additional boats of refugees that are going to be launched. This section of the bill and the Smith amendment completely devastates the UNHCR-multinational Comprehensive Plan for Action which is being implemented.

Why is it that most of the refugee groups that have spoken out on the issue have spoken against the language in the bill and would speak, if they have not done so already, against the language offered by the gentleman from New Jersey [Mr. SMITH] as an amendment to my amendment? It is because they understand that what you are unleashing here by approving the Smith amendment is a tragedy.

Mr. Chairman, we have heard many comments about forced repatriation. Of course no one is in favor of forced repatriation. We have accepted over 1 million Indochinese refugees into this country because we have a responsibility as our former allies to do so. We have done that generously. Now we have the UNHCR trying to get a reasonable hold on this economic refugee and boat people process. We have 47,000 refugees waiting there at this moment, which are categorized by the UNHCR as economic refugees.

I want to see any Member stand up in front of their local VFW chapter and American Legion chapter and say, ''We granted refugee status to economic refugees from North Vietnam, our former enemies.'' That is what I want to see you do. If you vote in favor of this amendment which guts my amendment offered for myself and for the gentleman from Wisconsin [Mr. OBEY] and for the gentleman from Texas [Mr. SMITH], you are devastating the Comprehensive Plan for Action.

What about UNHCR? Is it a corrupt process? Well, no, it is not. Are there corruptive elements in it? Absolutely, there are.

Take a look at this. Since the screening process began in 1989, about 125,000 Indochinese have been screened under close supervision of the UNHCR. One-quarter of those screened, representing more than 31,000 asylum seekers, have been found to be bona fide refugees and have been resettled in the West. The screening process included the right to appeal directly to UNHCR, which did not hesitate to overturn bad screening decisions. In fact, it overturned 1,500 initial refusals.

While there are undoubtedly examples of error in such a massive screening process, the bulk of informed opinion, both government and NGO, disputes the assertion of mass fraud and corruption in the process. If you destroy this process by the Smith language in the bill, you have left the United States holding all of the responsibilities for the tide of refugees that you are about to launch. I ask you to think seriously about that.

What about the egregious cases that are mentioned and identified by the NGO's? I will work with my colleagues and the NGO's to press UNHCR and the State Department to be more active in seeking redress. I understand that at least 48 cases from the list have been successfully overturned, and more perhaps should be. But I caution my colleagues in the House, do not launch this wave of refugees.

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

Mr. BEREUTER. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I would like to ask a specific question with respect to a specific group of refugees.

Right now, there are a lot of Hmong refugees trapped in Thailand. Some of them want to go back to Laos. A lot of them want to come to the United States. And a lot of them, if given the opportunity, would prefer to stay in Thailand.

I would simply ask this question of those who are supporting the Smith amendment. If this country today unilaterally takes this action, and sends a message to refugees around the world that we are about to absorb all of the refugees discussed under this amendment, and if under those circumstances the Thailand Government then decides against allowing those Hmong refugees to resettle in Thailand, are we really doing those Hmong refugees any good?

The CHAIRMAN. The time of the gentleman from Nebraska [Mr. BEREUTER] has expired.

(On request of Mr. OBEY, and by unanimous consent, Mr. BEREUTER was allowed to proceed for 2 additional minutes.)

Mr. BEREUTER. Mr. Chairman, I continue to yield to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Are we not in fact by this action today going to make it highly unlikely that the Thai Government would in fact make that third option available to those Hmong refugees? And does that not in fact mean, just as the gentleman says, that the United States is going to unilaterally assume onto its own shoulders all of the burden for the turmoil that will result and all of the financial burden that will result as well?

It just seems to me that if we want to change the screening process, we ought to focus on demands to change the screening process. We should not in the process blow up an international agreement unilaterally, which this language does.

Mr. BEREUTER. I thank the gentleman. That is exactly what it would mean with respect to the Hmong refugees. About 2 months ago, I wrote to the State Department in support of the Hmong. I now understand an agreement is being worked out with the Thai Government to grant us access to the Hmong in the camps later this year. But if we blow it up by this action today, that is gone.

Mr. Chairman, the gentleman from New York [Mr. GILMAN], the committee chairman, asked me in his absence to make a unanimous-consent request. I do that in concluding my remarks.

Mr. Chairman, I ask unanimous consent that debate on the pending amendments and any amendments thereto be limited to 30 minutes, to be controlled by the gentleman from New Jersey [Mr. SMITH] for 15 minutes, the gentleman from Wisconsin [Mr. OBEY] for 7½ minutes, and myself, the gentleman from Nebraska [Mr. BEREUTER], for 7½ minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Nebraska?

Mr. GUNDERSON. Mr. Chairman, reserving the right to object, there are a number of us who have been patiently waiting to engage in this debate and we are not about, when we have constituents and their families whose fate is at the mercy of the outcome of this, to agree to that kind of a unanimous-consent request when we have had no time, when certain Members have continued to ask for more time, more time and more time so they can conduct their discussions at our expense. At this point, I object, Mr. Chairman.

The CHAIRMAN. Objection is heard.

Mr. MCCOLLUM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have heard a lot of emotional debate today and I would just like to try to put this in some perspective. I do not serve on this particular committee, but I have served on the Immigration and Refugee Subcommittee for over 14 years. I personally have visited the Hmong camps, I have personally visited Hong Kong, I have been there more than once, and I think I have some feel for the history of this matter since about 1980.

The story that I would like to tell a little bit of to put it in perspective is the story of the way in which the decisions were being made back in the 1980's with regard to how we screened people in and out among these groups of boat people and the Hmong and so on. In the very early 1980's, there was a very strict screening. President Reagan when he came into office, was in office a couple of years, and some of us reported to him from our visits over there that this was a major problem, that indeed the standards being used to screen in were not allowing those to come in who had been those who had assisted us during the war, who were truly people who have credible fears of persecution, and so on and so forth.

So in light of that, in 1983 President Reagan adopted a command performance, if you will, from our Immigration and Naturalization Service and the State Department, for how we were going to handle the screenings of refugees to come in from over in that part of the world. That series of standard criteria, if you will, were later adopted into statute in what is known as the Lautenberg amendment.

It is those criteria which the gentleman from New Jersey [Mr. SMITH] has offered and put in the bill which is underlying this today and which we are trying to defend on this side, and I must reluctantly oppose my good friend, the gentleman from Nebraska [Mr. BEREUTER], because he wants to strike that more liberal standard, if you will.

That standard prevailed, this standard I am talking about, for nearly 6 years, until 1989, when this comprehensive plan was adopted. It is only since the comprehensive plan has been adopted that the U.S. screeners are out of the picture pretty much, and all of the UNHCR folks are doing the screening we are hearing the complaints about.

We do not want to let everybody in. The standard that Ronald Reagan promoted and adopted and we operated under for 6 years is the standard that we simply want, those of us supporting the Smith and the underlying bill position want to have adopted at least for 1 year, to look at the group that we are talking about forcibly repatriating in many cases. Let's screen them under that standard.

Let me tell you what the preferences are to that standard, the presumption almost that they still have to prove credible fear:

Former officials of the government in the south existing prior to the takeover in 1975, and we are talking about Vietnam, national and local officials.

Former members of the military of the government in the south existing prior to the takeover in 1975.

Catholics and Buddhist monks. Now, there might be some of them, a very tiny few of them, from the north. I think they are going to be the only ones you hear today who could be even under this list.

Persons formerly or presently employed by the United States or Western institutions, or persons educated in the West.

Persons required after the takeover in 1975 to undergo reeducation in reeducation or labor camps, or who were imprisoned or sent involuntarily to new economic zones because they were considered politically or socially undesirable.

Ethnic Chinese.

Montagnards.

Chams.

Accompanying members of households or persons falling into any of the preceding categories.

The same type of list, I am not going to read it, is there for the Laotian and the Cambodian situation.

We are not talking about just letting everybody in who is an economic refugee. With all due respect to the gentleman from Nebraska [Mr. BEREUTER], that is not what this whole debate is about.

What those of us who believe in the underlying bill and believe in the modest amendment that the gentleman from New Jersey [Mr. SMITH] is offering today want to see happen is that for at least a year, maybe two if it takes it, that we take a look at the boat people from Hong Kong, the Hmong who are over in Thailand, the others in the camps in Malaysia, and judge them and have them judged by the standards that were on that list in 1983 to 1989, so that we can be satisfied in our consciences as American people that we have indeed allowed those to come out who really should and not be sending those back that would be sent back in harm's way.

A lot of us just do not have confidence in the current process. We have seen too many examples where it is not working. I do not see the harm in it. I personally do not see the draw of the boat people, that we are going to draw a whole bunch more people out with this.

The standard is pretty darn clear and it is pretty narrow. It is not economic refugees, again, with all due respect. It is substantially below the 40,000 figure some have used that would ever be allowed in under this standard. I suspect a very small number, comparatively speaking, would actually qualify under this Lautenberg or this Ronald Reagan standard, which is really what it is. It would be a modest number of people who would be ultimately screened out.

Again, we are not actually going to accomplish this necessarily because the underlying proposal simply says we are not going to provide money for the comprehensive plan anymore. We are not going to be a party to what we think is wrong unless these standards are adopted and used in the screening process. That is all it does.

The CHAIRMAN. The time of the gentleman from Florida [Mr. MCCOLLUM] has expired.

(On request of Mr. BEREUTER, and by unanimous consent, Mr. MCCOLLUM was allowed to proceed for 2 additional minutes.)

Mr. MCCOLLUM. Mr. Chairman, I yield to the gentleman from Nebraska.

Mr. BEREUTER. Mr. Chairman, I thank the gentleman for yielding, and I appreciate his expertise and his experience.

Mr. Chairman, I have two questions for the gentleman. I will ask them both first and let the gentleman respond.

First of all, the gentleman said we may need a year, perhaps two years. What happens when the country of first asylum begins to fail to cooperate, an action which I fully expect to take place immediately?

The second question: In light of the fact that even a small rumor floated that there were jobs available in Japan caused a boat flotilla of over 1,000 people to leave. They had to be rescued from the sea. Given that example, why does the gentleman think we are not about to launch a major exodus of boat people?

Mr. MCCOLLUM. First of all, I do not personally believe we are going to launch any major exodus, because the amount involved in this as far as what the changes are concerned is modest. They are not comprehensive like the gentleman I know in all due respect believes; I understand he does.

Second, I believe, yes, there is a chance that Thailand and some of the other countries, Hong Kong perhaps, will not accept this standard that we would say we will impose. If we do not provide them the money, they may very well forcibly send a lot of these folks on back, anyway, and I think that that may very well continue to happen. I do not know.

But I do not want my name and the name of this Congress and the money of the American people being spent for the kind of forcible repatriation that I believe is going on with a substantial number, not all, but a substantial number of these folks.

□ 1600

I in good conscience, and I think most of the Members who are on our side of this issue are really voting with that in mind, and we believe the downside is not as great as the upside of what we are doing. There is some risk, but I think it is a modest risk.

Mr. BEREUTER. If the gentleman will yield one more time, the UNHCR I believe the gentleman understands, has screened in 125,000 Indochinese. And then when we had the appeals process for those screened out at least 1,500 were screened in. So in fact it is not a totally corrupt process and it isn't a hopeless process for legitimate political refugees.

Mr. MCCOLLUM. Reclaiming my time, I realize they have done a modestly good job, maybe a good job in some cases, but there have been enough reports to this Member and experienced staff, including one sitting beside me in the gentleman's committee that have not been able to get the answers to satisfy this Member that convinces me there is a corruption in its process and there is something going on I cannot condone. While some may have been good, all of it has not been good. It is my personal belief, with all due respect to the gentleman, if we need to give it a second look, we will give it, and if it does not work, so be it. But we owe it to the people involved and all those who came out in the past and that have been allies of us in the process and in the long since Vietnam period to do this, in my judgment, and that is why I feel as passionate about it as I do.

I think we need to give them the one more chance. I urge an aye vote for the Smith amendment as a major alteration and as the gentleman said, it will change your amendment. It restores the basic bill to what it should be, allowing all of the refugees to come in under the existing ceiling now so we would not be taking in any additional, and at no additional cost, I submit.

Mr. DORNAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have friends on all sides of this debate. But I rise in strong support of the Smith amendment and sadly against the Bereuter amendment, and I do so not only as a matter of intellect but with some measure of heart.

It was in the Central Highlands 27 years ago this summer when the village chieftain of a Hmong tribe, the Montagnard mountain people, wound a small piece of cheap silver around my wrist, and I have not had it off in 27 years. And I promised him I would not take it off until, as he put it, the Communists stopped kidnaping, killing, and abusing his people.

Now we have finally gotten around to treating native Americans with respect simply because they were here first by 10,000 to 20,000 years. The Hmong people are perfectly analogous to our American native Indian tribes in this country. And they have been terribly abused.

And it is not only for them but for the Vietnamese, and all of the other various backgrounds in that small abused country for almost two centuries of Laos that I speak.

Once about every 10 years, Mr. Chairman, so this may be the last time I will be sitting in the front bench, I will look at these Roman letters that are cut into the front bench of our clerks and our leadership. It reads union on the eastern end and peace on the western side, but these three words I think are apropos to this debate—justice, tolerance and liberty. Most of them, even the economic refugees, are yearning for freedom and for liberty so badly that it enables them to be horribly abused.

I have been fascinated that all sides here agree there is abuse. We are arguing over how much abuse. To ask a man to give you his daughter for sexual abuse, a type of coercive rape over seeking liberty, is probably the most offensive sex crime that you could possibly imagine. To keep upping the ante from a few hundred dollars to thousands of dollars. I have gotten names of people here that I will not put in the RECORD, because we have a defense mechanism in this well where we can name people, and I am not prepared to do it outside of this Chamber so I will not use their names. But they are colonels, higher ranking men, hired by the United Nations refugee people to operate in this screening process. Some of these high-ranking men will make families in the camps put together their money and fly a leader all the way down to the capital of Indonesia, to then be told that half his family will get refugee status but the other half,

generally including wives and daughters, will have to submit to more bribes if not to this form of coercive rape.

I think it is terrible that screening officials have charged as low as $400 U.S. dollars, demanding U.S. currency, up to $4,000 and there have been substantiated cases as high as $10,000 or $12,000.

I have been to Southeast Asia eight times while the war for freedom was going on, twice to Hanoi as a Congressman and several times to go back to those camps. My oldest of my five children, my daughter Robin, spent a year in those camps in 1980 and 1981. She saw abuses then, Mercedes Benz cars arriving from Bangkok, air-conditioned cars extorting money from those people. This corruption has been going on for 14 years. I do not care if it is 3 percent, 5 percent, or 10 percent. My evidence shows me it is even more than that. We have got to come to a screeching halt here.

Of course we do not like to see people fashioning spears and stakes. God forbid they get hold of guns to fight for their liberty as this country has done. There are excesses and innocent people in Hong Kong who are law enforcement authorities that have been terribly wounded, but the whole process, we must step back from it and look at it. The Smith amendment is the best way to do it.

As the gentleman from Florida, Mr. MCCOLLUM, did not point out in his letter, but the gentleman from Virginia, FRANK WOLF, who is an absolutely sterling person in this Chamber in either party on these human rights issues, pointed out that the American Legion is asking us to step back from this process. I have never found people in any American Legion hall, with all due respect to the gentleman from Wisconsin, Mr. OBEY, to be soft-headed. Far from it. I think what we have got to do is give these people the benefit of the doubt that they have put their lives at stake, on the road and more often at sea, have fielded Thai raping, pirates. They have fielded shark attack, dehydration and at least 700,000 or 800,000 people drowned on the high seas.

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

Mr. DORNAN. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I thank the gentleman for yielding. I want to make clear when I used the term soft-headed I was referring to Members of Congress, not members of the American Legion.

Mr. DORNAN. I will try not to take that personally. As a member of the American Legion I guess I have a pass on that. I would urge to rarely vote ''no'' on my good friend the gentleman from Nebraska, Mr. BEREUTER, and ''yes'' for my friend, the gentleman from New Jersey, CHRISTOPHER SMITH.

[From the Washington Times, May 22, 1995]

U.S. BANKROLLS CORRUPT U.N. PROGRAM

Since 1989, the United States has contributed roughly 150 million dollars to a United Nations program that screens refugees for resettlement and non-refugees for repatriation. This screening program is, however, seriously corrupt and has placed numerous refugees at risk. It affects thousands of U.S. citizens whose tax dollars have gone into financing it, ironically.

In Indonesia, for instance, screening officials have charged asylum seekers 500–4,000 U.S. dollars for refugee status at the initial screening stage. At the final appeal stage, the price goes as high as $10,000–12,000.

The head of the corruption racket is none other than Colonel Wim Roesdi, Chairman of the Indonesian Task Force, in charge of Vietnamese asylum seekers. He has even opened a bank account under the name of Obrien Sitepu, his right-hand man, at Chemical Bank, New York to collect cash directly from U.S. relatives of the asylum seekers.

Several lawyers working for the U.N. High Commissioner for Refugees (UNHCR) to oversee the screening process also took part in the racket. Rahmad Irwan, representing UNHCR on the Refugee Status Appeal Board, is known to have demanded both money and sexual favors from asylum seekers in exchange for refugee status. He then shared the proceeds with his Indonesian counterparts on the Appeal Board.

In a number of instances, the boat people had to offer their wives and daughters for several nights or longer, sometimes for weeks, as part of the deal. Many refugees with strong persecution claims have been denied refugee status because they could not afford the bribes or because they refused to offer their wives or daughters.

In some cases, U.S. relatives were required to travel to Jakarta to pay cash directly to Colonel Roesdi. Some female relatives had to satisfy his sexual demands in addition to the cash.

A number of officials affiliated with U.S. consular offices are also involved. For instance, Sumarno, an Office Manager of the Joint Voluntary Agency—a U.S. agency funded by the State Department and operating out of U.S. consular offices—routinely proposed deals to U.S. citizens who came to visit their relatives in Galang Camp. Several U.S. citizens have denounced his criminal activities to U.S. consular officials but were met with bureaucratic indifference. Meanwhile, their relatives in Galang Camp suffered retaliation by the Indonesian authorities. They have become victims of threats and physical abuses, and their correspondences have been intercepted and confiscated.

As a consequence of corruption, those with cash as well as collaborators, operators, and mistresses of screening officials are recognized as refugees and resettled. On the other hand, genuine refugees with compelling claims but without money to pay, or who refuse to offer their wives or daughters to screening officials, have often been denied refugee status and now face deportation.

Many religious leaders severely persecuted in Vietnam, have been ''screened out'' because they have nothing to offer. For instance, Ven. Thich Thanh Lien, Chief Representative of the Unified Buddhist Church of Vietnam in Galang Camp was denied refugee status despite his strong refugee claims. In 1993, his disciples and colleagues in the United States and other countries had to pool money to pay Colonel Roesdi $7000 to get the screening decision reversed. Similarly, Ven. Thich Minh Hau, another Buddhist monk, was granted refugee status only after his disciples paid $5000 to the screening authorities so as to prevent his deportation to Vietnam. Several other monks are less fortunate. They have spent the past seven months in prison awaiting eventual deportation to Vietnam, where their Church had been outlawed.

Thousands of former political prisoners, human rights activists, resistance fighters, who had been imprisoned for their U.S. ties during the war or because of their political beliefs have also been denied refugee status.

In a number of instances, screening officials intentionally screen in only have of the family. Once resettled, they must pay to get the rest of their family out. Those who do not have the means to pay have to accept indefinite separation from their loved ones,

Many boat people recently resettled have offered to testify. A number of former UNHCR lawyers have gone public. In late 1993, Simon Jeans, formerly with UNHCR in Indonesia, publicly denounced the flawed screening system. In his words, ''several refugees whose status had been accepted by UNHCR officials were turned down by Indonesian officials after failing to come up with the cash.''

Another lawyer, who established the screening program in Indonesia but who later resigned, reported that ''the reason why corruption was possible to such an extent in Indonesia was that the UNHCR leadership in that country was never interested in enforcing qualitative standards in screening.

Despite the many appeals by asylum seekers and refugee advocates and the many undeniable evidences, UNHCR has steadfastly denied any wrongdoing by its own officials or local screening officials. Instead, the agency has invested considerable resources into silencing protesters and into explaining away the egregious screening decisions.

The United States ends up bank rolling a corrupt U.N. program, which victimizes not only victims of persecution in Vietnam but also thousands of U.S. citizens who have been coerced into paying bribes to screening officials. Those who refuse to cooperate have seen their relatives abused and threatened by camp officials. Some of their relatives have committed suicide to protest the injustice or to escape deportation to Communist Vietnam.

It is time to stop the tragedy and save lives.

Mr. GUNDERSON. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. GUNDERSON. Mr. Chairman, I think I am as much of an establishment guy or at least accused of that as any of my colleagues, and I come here today with the highest respect for the gentleman from Nebraska [Mr. BEREUTER] and the gentleman from Wisconsin [Mr. OBEY], and frankly, I think they are partially right. But it is the part where they may not be right that drives me to this particular debate and why I rise in such strong support for the Smith amendment.

The fact is that we are dealing with either an intentional or an unintentional misinformation game, and people's lives are at stake as this game goes on.

I want Members to know that last fall the gentleman from New York [Mr. GILMAN], the distinguished chairman of this committee, the gentleman from Iowa [Mr. LEACH], and myself wrote a letter to the United Nations High Commissioner for Refugees. We wrote that letter because six members of the Hmong community who were in the

Ban Napho camp had tried to provide a petition to Mr. GILMAN's staff raising their concerns about the repatriation process. Those six gentlemen were as a result of that effort arrested, and they were taken to a prison or an immigration detention center at Suan Phlu.

Now we wrote asking about them, and we received a letter back on December 7 which said: ''Their well-being, like that of other persons of concern to UNHCR, are monitored by full-time UNHCR personnel. You might be interested to know that the persons concerned are in good health and are receiving preferential treatment, including English classes. They are only complaining of boredom.''

Why do I tell Members that? I tell them that because between Christmas and New Year's of this past year a member of my staff and five other staff people gave up of their holidays to go over to Thailand and to try to investigate the circumstances. They were able to get in during visitation hours to that detention center, and while they were there they were able to talk to these six individuals. Do you know what these six individuals told them? They told them that there had only been one visit over the entire 4-month detention process by anyone from the U.N. High Command on Refugees. They had only been out of their cell once, and that was when a friend from the Ministry of Interior came to visit them. No one from the United States Embassy, despite our requests, had been there to visit them, and the U.S. Embassy was only 2½ blocks away. They were quarantined in a small cell of 18 people. They were required to sleep on concrete floors with only a towel as their bedding. They were given only two meals a day of bamboo and rice. They were given no medical care at all. Two people complained of fevers and two others complained of ulcers.

Now, I tell you all of that because as this debate was emerging last week, our State Department sent a new letter regarding this same situation at which they said, ''Although the six were taken to Suan Phlu, they were still considered refugees by the Thai Government and UNHCR. They were well treated and their welfare was monitored by the UNHCR.''

I do not enjoy calling people like our State Department or the UNHCR liars, but I have to tell my colleagues when we are talking about truth, when we are talking about justice, when we are talking about people's lives, both of these agencies are misrepresenting the truth.

I do not doubt for 1 second that what the gentleman from Nebraska [Mr. BEREUTER] and the gentleman from Wisconsin [Mr. OBEY] are suggesting is that there is some room for some problems that need to be resolved. But let us not kid ourselves about this debate this afternoon. This is a debate that is going to be heard around the world, because this is a debate about whether the United States Congress approves of the forced repatriation procedures as they are ongoing at this very moment, and if we reject the Smith amendment, Members will reject the hopes and the lives of many people of the Hmong community to torture and in many cases eventual death.

I would suggest that since we voted on the Desert Storm resolution and the vote to send our troops into hostility and harm's way, it is this vote this afternoon on the Smith amendment which will affect more lives of more individuals than any vote since that time.

I plead with Members for the sake of these people who stood with us as our friends, support the Smith amendment.

Mr. ROTH. Mr. Chairman I move to strike the requisite number of words.

Mr. Chairman, I think that we have had a good debate on this amendment this afternoon, and I compliment the previous speaker from Wisconsin. I think that his heart is in the right place, and like him and many of you I have been contacted by our Hmong community, and our hearts go out to them. But we also have an obligation to our own people and our own taxpayers.

We are being flooded with legal and illegal immigrants in this country. Now we are going to open up the borders. In fact we do not have borders over our own country anymore. We are going to take in tens of thousands of economic refugees again.

Yes, we should help these people in the camps. We should look out for them. They did stand with us. But the war was 20 years ago. How many more are we going to bring into this country? Yes, we would like to bring everybody into America, but that is not possible.

This is well-intentioned, but we cannot allow a new outflow of boat people. Is that fair to these people, to give them hope to bring them on the high seas again? This would not be in their best interests.

Yes, we also have to consider our own people. You know who is going to pay for this. We had unfunded mandates we passed in the first 100 days. These people coming into local communities, who is going to educate them, who is going to train them? This is going to cost a lot of money. I heard here in debate before that we have 1 million that we have brought into the country. How many more can we absorb?

□ 1615

Yes, the Hmong are good citizens. We have a million here now. How many more can we absorb? How many more can we assimilate?

We have an obligation to our own people, too, and we have to draw fine lines, our own people, your taxpayers and mine. The American people are a people with a great heart, but we must also have a level head, and that is why this is a good amendment. It is an amendment with a heart, but it is also an amendment with reason, and that is why I am for the Bereuter-Obey amendment.

Mr. MORAN. Mr. Chairman, I move to strike the requisite number of last words.

I rise in support of the Bereuter-Obey amendment and against the amendment by my friend, the gentleman from New Jersey [Mr. SMITH].

Mr. Chairman, there are two very fine Vietnamese restaurants in Arlington, Cafe Saigon and Nam Viet. They are owned by a Vietnamese gentleman who served South Vietnam in the army. In fact, he was imprisoned afterward, tortured.

I met with him in my office, as he is a constituent, on Friday. He showed me dozens of pictures. One of those pictures was of the chief of intelligence for the South Vietnamese army, who is a very wealthy man now. He is a consultant to the Vietnamese Government. He showed me any number of other pictures of people who had been very active in high-ranking positions for the South Vietnamese army who had been considered enemies of the people on the fall of Saigon but are now very much a part of society and the economy. He showed me pictures of him standing in Hanoi, pictures of him standing in every place that we would have thought was off limits.

He explained that he was able to travel anyplace. He went over there because he has helped to set up an orphanage for Vietnamese children, particularly the Amerasian children, the children of American GIs, who had been orphaned who are left in Vietnam, and he told me, Mr. Chairman, that the real need is for American involvement, not for us to turn our backs and continue trying to punish Vietnam. He felt his country and his people had been punished enough, that it is now time for healing, it is time for people like him and others like him to participate in Vietnam's economy.

He feels very strongly that the people who are living in very difficult conditions in refugee camps ought to be repatriated back to Vietnam to see, as he did, the changes that have occurred in Vietnam, to realize that time marches on, that the Vietnamese people now are far more focused on the future, a fairly bright economic future, than they are obsessed in the past.

There seem to be more people in this country who are looking upon Vietnam with the blinders of the past than there are in Vietnam itself. This body time and again has made wrong decisions with regard to that country. That country has suffered a great deal. I do not want that country to be a Communist nation, but when you trace the history, we were in many ways complicit with what occurred.

I am not going to go through a whole history at this point, but I think we would be far better off taking a constructive role, helping Vietnam develop a free enterprise economy, develop a democracy at some point,

which I think is possible, and work with them to show them how important protection of human rights is to us and should be to them. We can only do that when we have face-to-face contact with the Vietnamese people.

That is why the Bereuter-Obey amendment is the appropriate, constructive one, and I think the Smith amendment, with all due deference to my friend from New Jersey, is focused too much in the past and past bigotries and does not take into consideration the enormous progress that has been made in the last few years.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. SMITH] to the amendment offered by the gentleman from Nebraska [Mr. BEREUTER].

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

RECORDED VOTE

Mr. SMITH of New Jersey. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 266, noes 156, not voting 12, as follows:

[Roll No. 353]

AYES—266

Ackerman
Allard
Andrews
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Bateman
Becerra
Bentsen
Berman
Bevill
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brewster
Browder
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Camp
Canady
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Coble
Coburn
Collins (GA)
Condit
Cooley
Cox
Cramer
Crane
Crapo
Cremeans
Cunningham
Davis
de la Garza
DeLay
Diaz-Balart
Dickey
Dooley
Doolittle
Dornan
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Evans
Everett
Farr
Fawell
Fields (LA)
Flake
Flanagan
Foglietta
Forbes
Fox
Franks (CT)
Franks (NJ)
Frisa
Funderburk
Ganske
Gekas
Geren
Gilman
Goodling
Graham
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hancock
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hinchey
Hobson
Hoekstra
Hoke
Holden
Hostettler
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Klink
Knollenberg
Kolbe
LaHood
Lantos
Largent
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Lincoln
Linder
Livingston
LoBiondo
Lofgren
Longley
Lowey
Lucas
Manzullo
Martini
Mascara
McCollum
McCrery
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
Menendez
Metcalf
Mica
Mineta
Molinari
Mollohan
Montgomery
Moorhead
Murtha
Myers
Myrick
Nadler
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Ortiz
Orton
Owens
Oxley
Packard
Pastor
Paxon
Peterson (MN)
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Radanovich
Rahall
Rangel
Regula
Rohrabacher
Ros-Lehtinen
Roybal-Allard
Royce
Sabo
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Schumer
Scott
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Shuster
Skeen
Skelton
Smith (NJ)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stark
Stenholm
Stockman
Stupak
Talent
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thornton
Tiahrt
Torkildsen
Torricelli
Towns
Upton
Velazquez
Vento
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Waters
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wise
Wolf
Young (AK)
Young (FL)
Zimmer

NOES—156

Abercrombie
Archer
Baldacci
Barrett (WI)
Barton
Bass
Beilenson
Bereuter
Bilbray
Bonior
Borski
Boucher
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Castle
Clay
Clayton
Clement
Clinger
Clyburn
Coleman
Collins (IL)
Collins (MI)
Combest
Costello
Coyne
Danner
Deal
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Duncan
Durbin
Ensign
Eshoo
Ewing
Fattah
Fields (TX)
Filner
Foley
Ford
Fowler
Frank (MA)
Frelinghuysen
Frost
Furse
Gallegly
Gejdenson
Gephardt
Gibbons
Gilchrest
Gillmor
Gonzalez
Goodlatte
Gordon
Goss
Green
Greenwood
Hamilton
Harman
Hastert
Hastings (FL)
Hefner
Hilliard
Horn
Houghton
Jacobs
Jefferson
Johnson (CT)
Johnston
Jones
Kanjorski
Kaptur
Klug
LaFalce
Latham
Laughlin
Lewis (GA)
Lightfoot
Lipinski
Luther
Maloney
Manton
Markey
Martinez
Matsui
McCarthy
McDermott
Meehan
Meek
Mfume
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Moran
Morella
Neal
Obey
Olver
Pallone
Parker
Payne (NJ)
Payne (VA)
Pelosi
Petri
Pickett
Ramstad
Reed
Reynolds
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rose
Roth
Roukema
Rush
Sanders
Sawyer
Schroeder
Sisisky
Skaggs
Slaughter
Smith (MI)
Smith (TX)
Stearns
Stokes
Studds
Stump
Tanner
Thomas
Thompson
Thornberry
Thurman
Torres
Traficant
Tucker
Visclosky
Ward
Woolsey
Wyden
Wynn
Yates
Zeliff

NOT VOTING—12

Calvert
Conyers
Cubin
Fazio
Hansen
Kleczka
McDade
McNulty
Meyers
Peterson (FL)
Quinn
Watt (NC)

□ 1649

Messrs. EWING, MANTON, THORNBERRY, STEARNS, BARRETT of Wisconsin, JACOBS, MATSUI, and MEEHAN, and Ms. WOOLSEY changed their vote from ''aye'' to ''no''.

Messrs. ALLARD, LAZIO of New York, BONO, JOHNSON of South Dakota, UPTON, MARTINI, BACHUS, HOYER, NETHERCUTT, PETERSON of Minnesota, BROWDER, HALL of Texas, STENHOLM, MONTGOMERY, CRAMER, CONDIT, BEVILL, MCHALE, TAUZIN, BISHOP, TOWNS, CHAPMAN, SPRATT, HOLDEN, KILDEE, PASTOR, THORNTON, TORKILDSEN, WILLIAMS, POMEROY, WISE, DE LA GARZA, PORTER, and EDWARDS, and Ms. EDDIE BERNICE JOHNSON of Texas changed their vote from ''no'' to ''aye''.

So the amendment to the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska [Mr. BEREUTER], as amended.

The amendment, as amended, was agreed to.

AMENDMENT OFFERED BY MR. HASTINGS OF FLORIDA

Mr. HASTINGS of Florida. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HASTINGS:

At the end of the bill add the following new title:

TITLE XXXVI—ADDITIONAL PROVISIONS

SEC. 3601. ADDITIONAL AUTHORIZATION FOR THE DEVELOPMENT FUND FOR AFRICA.

Notwithstanding section 3221(a)(2) of this Act, $802,000,000 is authorized to be appropriated for each of the fiscal years 1996 and 1997 to carry out chapter 10 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2293 et seq.).

Mr. HASTINGS of Florida (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HASTINGS of Florida. Mr. Chairman, I offer an amendment today to increase by $173 million the Development Fund for Africa account. This additional $173 million will restore this account to the current funding level.

The Development Fund for Africa was established by a bipartisan majority in 1987. Why? Because development aid is clearly in our long-term interest. Development assistance ensures that underdeveloped economies become stable friends and future trading and business partners.

The Development Fund for Africa has been critical to supporting the transition in South Africa, crucial in turning around Africa's economic decline, has helped bring about market liberalization efforts in some 20 countries, and has addressed basic issues such as girls education, vaccinations against curable diseases, and halting the spread of AIDS.

The Development Fund for Africa helps develop the physical infrastructure, the human resource base, and the rule of law structures which provide a safe and hospitable locale for American businesses to operate successfully. The Development Fund for Africa was specifically created to target development resources efficiently in countries that both need the assistance and have the potential to become self-sufficient economies which can later buy our products.

Cuts in the Development Fund for Africa account would undercut our efforts to strengthen export markets and fledgling democracies in southern Africa; undermine our ability to prevent Somalia-like crises and famine; and diminish support for democracy building to countries in political transition, allowing countries like Mozambique and Angola (which are on the cusp of recovery) to slip into chaos and crises similar to Rwanda.

Those who would dismiss Africa as being unimportant are taking a narrow, shortsighted view of American interests. We are making a long-term investment in Africa, and we know from our own experience that the United States benefits directly from the development which foreign aid helps fuel.

We hear a lot of talk about Africa being a sinkhole for foreign aid and that the U.S. has no reason to remain engaged in Africa.

But I am not sure that many Members are aware that South Africa played a key role in the recent indefinite extension of the Nuclear Non-Proliferation Treaty.

U.S. engagement, and U.S. assistance, has played an important part in the emergence of South Africa as a democratic partner for the United States.

South Africa's role in the NPT conference shows that our support is already bringing dividends.

Nor are many Members aware that American exports to Africa are growing faster than U.S. exports to Europe and that U.S. trade with Africa exceeds our trade with the former Soviet Union.

It is in our national interest to prevent crises like we have witnessed in Rwanda and Somalia, which together cost us $2.25 billion in emergency assistance funds. Preventive diplomacy will help us avoid these crises.

Aid to Africa is not only in our self-interest, it is consonant with our national values. We have a long and proud tradition in this great country of helping the needy both home and abroad. Emergency aid is invaluable for relieving human suffering, but sustainable development assistance is critical to breaking the cycle of dependency and despair by addressing the root causes of poverty.

We have unavoidable responsibilities around the world. Some of the problems around the world which currently demand our attention are problems of our own making. Our foreign policy goal for the past 40 years was the dissolution of the communist system. We have been largely successful in achieving this goal, but the repercussions of the breakup mean that there is both a political and financial vacuum in many troubled spots. Now that we have forced so many countries to abandon either their type of government or their support system, do we now say, ''Sorry, you're on your own? We can't help?'' I don't think so.

Senator Claude Pepper of Florida was the only Member of Congress to criticize the isolationist mood in the U.S. Congress when Hitler began toppling nations in 1939. Senator Pepper argued that it was the responsibility of all mankind to intervene in the face of evil. Senator Pepper said, ''when a few men are wronged and the force of brutality and the jungle are let loose, when civilization is denied and godliness and goodness scorned, that is no private war, that is a war against man. Hence, to vindicate those things for which good men stand, good men everywhere must stand together against wrong, not only wrong to a chosen few, but wrong to any man, woman or child.''

To ignore our responsibilities to nations less fortunate, to refuse to share our bounty, to silence our teachers, to shut out friends who cry for our help, these are crimes against humanity. The American people are not that cruel, nor should we be. I beg my colleagues, support the Hastings amendment.

□ 1700

Ms. ROS-LEHTINEN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, it is with great reluctance that I rise to oppose this amendment to increase the funding level for aid to Africa.

If we had an unlimited amount of money to allocate to foreign aid, I would join Mr. HASTINGS in supporting $802 million for the Development Fund for Africa.

Mr. HASTINGS has been a good friend, both as a fellow member of the Florida delegation, and, as one of the most active members of the Subcommittee on Africa.

Whenever we have a subcommittee meeting—not just at the hearings or formal briefings, but in the many informal, private activities we have, such as meetings with foreign officials or the local members of the African diplomatic corps—I can always count on Mr. HASTINGS to be there and to be a very active participant.

And, as someone who is new to the assignment on the Africa Subcommittee, I have found that Mr. HASTINGS is a very valuable resource as I study the issues of American policy toward Africa.

But we don't live in an age of unlimited resources.

We live in a time of fiscal austerity and we have to make the hard decisions on how to allocate limited resources among the various spending priorities.

It was in that context of competing priorities that the committee, while considering the bill at our mark up sessions, gave a great deal of attention to the funding of the Development Fund for Africa.

While the budget climate required that all programs contribute their fair share to the deficit reduction effort, we cut aid to Africa less than other development assistance programs.

Aid for Latin America and the Caribbean, areas of the world also of great concern to every member of the Florida delegation, has not been protected with funds destined as a separate line item in this bill.

What will happen is that by raising the aid for Africa without specifying the source of the funds, eventually it could hurt the poor nations of the Caribbean and Latin America whose development assistance programs will be cut or perhaps other areas will be cut.

This has been the history of the aid program over the last few years—as other regions of the world have received increased development assistance funding, at least some part of the money to provide that assistance has been taken from the aid programs in Latin America and the Caribbean or other areas of the globe.

I think this would be a mistake.

We are trying to help countries in the Caribbean to improve their standard of living, just as we are trying to help Africa, Latin America, Europe and on and on.

Economic development programs in Latin America are an important part of our overall efforts to control the illegal immigration and drug trafficking that has had an impact on the people of Florida and other southern States.

There was an intensive debate in Committee, and the bill's funding level of $629 million for the Development Fund for Africa is one that was given great care.

We had to find other programs in the bill and forced them to accept disproportionately large cuts in order to provide this level of aid to Africa.

I should note that the Development Fund for Africa is not the only source of funding for aid programs in Africa.

It is important to keep this in mind.

President Clinton has the authority to take funds from the PL–480 program and channel PL–480 resources to Africa.

He also has the authority to allocate general development assistance funds and apply them to projects and programs in Africa.

In addition to the DFA funding, Africa projects are funded by A.I.D., through its Global Programs Bureau and out of regular Development Assistance funding.

About $60 million a year in Peace Corps programs, and a quarter billion dollars of PL–480 programs, are also provided to Africa each year.

One should, in the current climate of cutbacks in all programs, allow the administration some flexibility in managing these program cuts.

Increasing the funding for Africa will actually deprive President Clinton, and his Secretary of State, of the flexibility they need to manage the program cutbacks in accord with their foreign policy needs and priorities.

I therefore urge Members to vote against this amendment.

Mr. HASTINGS. Mr. Chairman, will the gentlewoman yield?

Ms. ROS-LEHTINEN. I yield to the gentleman from Florida.

Mr. HASTINGS. Mr. Chairman, I ask most respectfully, is the gentlewoman aware that the accounts that she identified are all being cut as well?

Ms. ROS-LEHTINEN. Mr. Chairman, absolutely, we agreed. That is part of the basis of my speech. All of the programs are being cut.

In fact, the Africa program, in relation to the other programs that are being cut, is not nearly cut as much. I think that is the point that I was making; all of the programs are cut, just as we are cutting domestic programs, so we should cut foreign programs.

Mr. ACKERMAN. Mr. Chairman, I move to strike the requisite number of words.

I yield to the gentlewoman from Texas [Ms. JACKSON-LEE].

Ms. JACKSON-LEE. Mr. Chairman, I rise to support restoring the development fund for Africa to its current funding levels which is good for people and for business and for all of America.

Mr. ACKERMAN. Mr. Chairman, I rise today in strong support of the Development Fund for Africa. The DFA protects some of the most vulnerable people on earth. And efforts to slash it by $173 million are simply unacceptable.

As you know, Mr. Chairman, the African continent represents one of the last untapped markets in the world. And the continent has seen tremendous progress, with new democracies taking root throughout:—South Africa being the most shining example.

If the DFA is cut by $173 million, not only will ordinary people suffer, but the U.S. image as a world leader will be seriously damaged:

The aid program to South Africa—a role model of evolutionary change with respect for market economics—will be undermined. Should the United States cut and run after campaigning against apartheid for so long?

The AIDS epidemic will worsen—an estimated two million additional people will become infected with HIV due to cutbacks in U.S.-supported programs.

Programs that help prevent hunger by investing in sustainable farming will be decimated.

And the expansion of United States exports to the African continent, which now amount to over $4.4 billion, will be hindered.

Mr. Chairman, U.S. aid is not a give away; it's an investment that brings about exports to the developing world—exports which amount to 40 percent of all U.S. exports.

But for there to be a market there needs to be healthy, educated and economically productive societies. Slashing the DFA to bits will not accomplish that goal. Not at all.

That is why I am cosponsoring this amendment, along with some of my distinguished colleagues on the International Relations Committee, to raise the DFA to the fiscal year 1995 level of $802 million.

Strangely enough, while this bill slashes lifesaving programs like the DFA, we are finding room to increase our military sales program.

Unlike the DFA, this is not a program geared to help people that are starving, or are in the midst of democracy building. Maintaining aid to Africa is within our responsibility as a world leader and it is the least that we can do for people who are deserving of our assistance. I strongly urge your support for this amendment.

Mr. ROTH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as a member of this subcommittee, the Subcommittee on Africa, I know how heartfelt this amendment is. I congratulate the author of this amendment. I agree that the people of Africa need help. I would like to support my friend from Florida in his efforts to help deserving people in Africa. Like everyone else, I have a question, however. Where is the money going to come from?

If my colleague could offer a corresponding cut and make his amendment budget neutral, then possibly we could all support his amendment. But just to come in with a blank amendment is not going to get the job done. It is only a wish list.

If instead the money must come from the taxpayers packets, then I must oppose the amendment. I cannot agree to add $173 million to the budget deficit. It is clear as a bell that there are many worthwhile programs, but that is how we got into this budget mess that cries out today for a solution. So let me reiterate; the goals here are laudable, but the ladder to the goal is missing.

If the 167 million can be found in other programs, if we can find the money in other projects, then I think this would be an amendment that we should go with. But this Congress cannot abide and adhere to every Member's wish list.

On my way into the Capitol this afternoon I was looking again. Is there any money growing on the trees? And to everybody's surprise, I must say I did not find any money growing on trees. Until that happens, i.e., money grows on trees, we must find money from sources in this bill. Reallocate or find new funds.

Again, the goals of this amendment are laudable. I appreciate what the gentleman is trying to do. But the question remains, the $173 million, where will it come from?

Therefore, without the funding, I must be opposed to this amendment.

Mr. JOHNSTON of Florida. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, at the markup of the full committee, I made probably the improprietous observation that this bill is racist. And I want to point out that it is not racist through malice, it is racist through ignorance. The fact is that I do not think that many of the Members of the full committee have any idea about Africa.

For the last 2 years, I chaired the Subcommittee on Africa of the Committee on International Relations. I toured 26 countries during that period of time. Each time I went, I asked Members of the minority party, then Republicans, to accompany me. In fact, I begged them to come with me to Africa, and in that 2-year period not one ventured to travel.

In the majority report to this bill, they refer to ''Africa did this'' and ''Africa did that.'' You would think that Africa was a country in itself. I made the flip remark in the committee that someday I am going to expect a Republican to come up to me and ask me where the capital of Africa is. But would we say the same thing about Asia? Would we say Asia did this and Asia did that and, therefore, let us cut off relief to this entire continent?

My colleagues, this is Africa. This is a continent four times larger than the United States. It is a continent that has over 56 countries in there, and it is a continent which is exploding with democracies.

Let me go around there. Let us start out with South Africa, the jewel of the crown. South Africa now is an emerging democracy. It has $100 billion in GNP. You can just go around the continent. Botswana. Botswana has surplus now in its treasury. Malawi just ended up having its elections and is a democracy.

Zimbabwe. Mozambique is coming out of a depression there. Uganda, Idi Amin's country, is now a democracy there and is trading with the United States.

Tanzania. Look at the French francophone countries, Chad, Niger, Benin, Carte de Vois, Burkina Faso, Senegal, Mali, all of these countries want to have better relationships with the United States and are breaking away from the French codes there and will be great trading partners.

Look at Ghana. Jerry Rawlings now in Ghana is trying to settle the dispute in Liberia, a great ally there and a great trading partner.

□ 1715

Namibia down here, free elections, and a democracy. Seychelles, Mauritius, Eritrea, such a new country it is not even on my map here. Eritrea is a democracy which we will trade with. Next year, see Angola come around. Angola can feed this entire continent. Zambia, Central African Republic, the

Congo and even Kenya. Look at 1997, where Liberia, our colony in this continent and our responsibility, will probably be a democracy, along with Ethiopia and Nigeria.

My friend, the gentleman from Wisconsin [Mr. ROTH], at the committee meeting said ''Gee, Egypt is in Africa.'' Of course it is in Africa. Egypt gets about $1.5 billion. I might point out, though, that Egypt is not sub-Saharan Africa. Egypt is not black Africa, which I came up with the phrase, this being racist. Egypt is not in the jurisdiction of the subcommittee on Africa. Egypt is not under the Assistant Secretary of State for Africa. Egypt is now considered the Middle East. Let us talk about sub-Saharan Africa.

We now have the development fund for Africa. The development fund for Africa is $600 million for 600 million people. There is where I think it is immoral. That is why I feel this bill is immoral.

If we want to get the funds for this, last night the gentleman from Indiana [Mr. BURTON], said ''We can cut the State Department by 5 percent and nobody will be harmed.'' Why not cut the Defense Department by 5 percent, that is $12 billion 5 million, and it can underwrite the entire foreign affairs bill that we are stripping to pieces here today.

Mr. Chairman, I strongly support the Hastings amendment. I think these funds should be restored, or we are going to lose Africa. We are going to lose a great trading partner. We are going to lose 28 emerging democracies, which we have pumped money into, and we are seeing results for the first time.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Our visitors in the gallery are admonished not to applaud during the debate.

Mr. BURTON of Indiana. Mr. Chairman, I move to strike the requisite number of words.

First of all, Mr. Chairman, I am very sympathetic to the remarks made by my colleague, the gentleman from Florida. I do not believe anybody in this Chamber is racist, but I do believe there are problems in Africa that should be addressed. We are trying our best to do that. We are sending $629 million there this year, and $614 million next year. This amendment would, over a 2-year period, increase by $360 million the amount of money that is going over there.

I notice we have a lot of young people visiting with us today. Many of them applauded. Many of us in this Chamber are very concerned about their futures, because we know if we do not get control of Government spending in this country, that at one point, some point in the future, we are going to have a debt so great that the interest on the debt alone is going to gobble up a lot of our tax dollars, and their quality of life will start to deteriorate. We have to get control of Federal spending, so we have to make hard choices.

Ms. MCKINNEY. Mr. Chairman, will the gentleman yield? I would like to know why he is cutting student loans.

Mr. BURTON of Indiana. The school lunch program was increased 4 percent per year. We are just sending it back in block grants, we are not cutting it. We are cutting the rate of growth. However, that is another subject.

The fact of the matter is we have to control spending. That means we have to make hard choices. I am very concerned about the people in the Sudan. My colleague, the gentleman from Virginia [Mr. WOLF], has been down here on the floor talking about that.

We have met with some of the people from the Sudan about the horrible atrocities that are taking place, and the people starving to death over there. We worked very hard to get food aid in there. We did the same thing in Somalia. However, we cannot cut the defense budget to take care of those problems. The fact of the matter is the defense budget has been used in large part for a lot of the new military forays and objectives in Somalia and in Haiti, and we have used an awful lot of our military money in those areas.

The budget is so strapped in that area that we have a lot of people who are in the military whose quality of life is already suffering. We all know that. In fact, some of those people have been on food stamps, people in our own military. We have to be careful when we start talking about cutting the defense of this Nation.

Mr. Chairman, let me just get back to the case at hand. We need to set priorities. Make no mistake about it, Africa is a priority. Maybe it should be a higher priority, but as my colleague, the gentleman from Wisconsin, said a while ago, let us find the money someplace else. If we can find it someplace else and we can do it, then I do not have any problem with doing that in conference committee.

The fact of the matter is that at this point, $629 million, plus $5 million for the Africa regional peacekeeping force, $1.1 million for the Organization of African Unity, $10 million for Angola, or $5 million, and some other funds from other areas of government, is about all we can afford.

I would just like to say to my colleagues, we are doing what we can. This is a lean, mean foreign affairs budget, foreign aid package, but it is one that I think is realistic and one that deals with the problem.

I would like to end up by saying one other thing. I think the last speaker that spoke on the Democrat side alluded to the fact that Angola in a few short years could take care of the whole continent. There are a number of countries in Africa that are mineral-rich. They have large resources. They have diamond mines, all kinds of minerals. As a matter of fact, during the cold war, 11 minerals that we had to have to survive as a Nation only came from two sources, the Soviet Union, and the southern part of Africa. Yet, because of the wars and because of lack of democracy over there and because of the problems, those minerals and those things that would make them self-sufficient have not been mined.

Therefore, rather than just throwing money at the problem, we as a Nation need to be working with those governments to bring about the democracy that my colleagues have talked about, so they can start taking care of themselves, so we can wean them away from the United States foreign aid program. We cannot take care of the entire world indefinitely. We are the only superpower left, we do have responsibilities, but the amount of money we have in this budget is realistic. I think this amendment, therefore, should be defeated.

Mr. FOGLIETTA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of this important amendment which would restore funding for the Development Fund for Africa.

The African continent is in a state of transition. This transition holds great promise as well as peril for the people of Africa and the community of nations. In South Africa, we have witnessed the peaceful transition to a multiracial democracy. In Rwanda, untold innocents have been killed in the struggle between rival Hutus and Tutsis.

Despite the challenges, I believe that Africa's future can be one of peace and economic prosperity.

However, they will need our help.

The Development Fund for Africa has proven to be a successful economic development tool which has enabled many nations to begin the transition to free market economies and stable democratic institutions. This proven program has made valuable investments which have greatly improved health care services, expanded educational opportunities and boosted small business development.

Several years ago, Mozambique was embroiled in a vicious civil war. Last year, with the help of American assistance, free and fair elections were held and ninety percent of registered voters went to the polls.

In Guinea, American assistance and training programs have helped to increase elementary school attendence by 43 percent. In the country of Mali, agricultural production has doubled since 1981 with the help of American technical assistance.

These are the building blocks of a stable continent—a community of nations which can help advance American interests in the world and can become an important trading partner.

Working in partnership with the people of Africa we have made great progress. With a relatively small investment—representing roughly 0.05 percent of our 1.5 trillion budget, we can continue this work and build a bright future.

Mr. Chairman, I urge my colleagues to support the people of Africa and

American interests in this important part of the world by supporting this amendment.

Mrs. CLAYTON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment offered by my colleague, the gentleman from Florida [Mr. HASTINGS] and others. I believe it is shortsighted to think that we can promote democracy, encourage world peace and expand trade opportunities in America, while pursuing a policy of isolation. That is particularly true when it comes to developing nations—nations that may hang in the balance—when it comes to their tilt towards democracy. I have been encouraged, in recent years, by the growing number of African nations that have converted to democracy, and, I believe, foreign aid has been a vital element in those conversions.

I also believe that foreign aid is particularly critical to the expansion of trade opportunities. Although, I believe that the policies we pursue to encourage the expansion of trade should be evaluated, an across-the-board budget cutting is an unwise position. Unfortunately, the House-passed budget resolution and the Senate committee budget resolution propose the elimination or major reduction of the International Trade Administration, the Trade Development Agency, the Eximbank and agricultural export promotion programs. The Overseas Private Investment Corporation [OPIC] would be privatized. On top of that restructuring, the bill we are now considering, H.R. 1561, would reduce the amount of foreign aid authorized by $1 billion, and would eliminate three agencies—The Agency for International Development, the U.S. Information Agency and the Arms Control and Disarmament Agency. The functions of those agencies would be moved to the Department of State. The Senate version of the bill had proposed moving the functions of the U.S. and Foreign Commercial Service to the Department of State and combining the Eximbank, the Trade Development Agency and OPIC into one quasi-independent agency. Those provisions, however, did not survive committee consideration last week and are not now included in the Senate bill.

Mr. Chairman, I do not think we should lose sight of the fact that, compared to other, major industrialized nations, the United States ranks last in terms of the percentage of gross national product [GNP] devoted to exports. There seems, therefore, to be little wonder that we have a growing balance of trade deficit when Britain, France, Canada, Italy, Germany, and Japan, spend more per thousand dollars of gross national product than we do. The irony of these proposals is that this radical change comes at a time when our export promotion programs and, presumably, our foreign aid programs, are helping to produce unprecedented gains in peace and commerce. In the area of agriculture, for example, we now export about one-third of the products we produce. Last year, farm and farm-related exports generated more than $100 billion in economic activity for America, producing nearly 1 million jobs here. With respect to merchandise trade, farm production actually generates a trade surplus which, this year, is expected to be some $20 billion. In North Carolina, farm and farm-related jobs constitute at least one-fifth of the employment and, on average, 25 to 30 percent of the revenue. It, therefore, greatly concerns me when I see proposals to impose deep cuts in foreign development for Africa programs which provide opportunity for trade. We should not blindly cut programs in our march toward a balanced budget by the year 2002. We should pass a budget bill that aims at a balanced budget. I support that goal.

We must be certain that our actions do not further weaken the United States as we seek to compete in an increasingly competitive global marketplace. This is not 1946, Mr. Chairman. America no longer maintains the dominant position we once held in the world marketplace. We are being dramatically outspent by other nations whose goal is to promote their products and replace us whenever they can. Perhaps, even more importantly, Mr. Chairman, I believe we can best achieve security in this Nation by interacting economically with other nations. Foreign aid and economic interaction with other nations is not a giveaway, it is a sound and prudent investment in our own security. The best way to avoid war is to promote peace. An effective way of promoting peace is to engage in commerce and finance with the World community. The Hastings amendment focuses on mineral rich and strategically important Africa—a continent where democracy can flourish. By investing in Africa now, we can assure that we will continue and expand trade with them in the future. And, by investing in Africa now, we establish relationships that will be vital if the security of the United States is threatened. Support the Hastings amendment.

Mr. PAYNE of New Jersey. Mr. Chairman, I move to strike the requisite number of words.

(Mr. PAYNE of New Jersey asked and was given permission to revise and extend his remarks.)

Mr. PAYNE of New Jersey. Mr. Chairman, I rise in support of the Hastings amendment to restore the $802 million level for the Development Fund for Africa.

In order to put this subject in perspective it would be helpful to look at the three periods in recent Africa history that have bearing on changing the course of events for Africa. First, the independence era in the early 1960's when the continent was freed of their colonial masters, and leaving them without adequate resources and preparation for their new freedom.

Second, during the cold war, when Africa was used and abused. Used by both the Soviet Union and the United States to fight hot wars on African soil. The most symbolic were in Angola, Ethiopia, Eritrea, and Somalia, and you know there were others.

Abused, because we ignored humanitarian principles, and turned our eyes away from corruption and human rights abuses when it seemed in the interest of winning.

It now would seem fair that preferential rehabilitation assistance is needed to right the wrongs of the past, even though they may have been justified in winning the cold war.

We really were not very good teachers in preparing Africa for our grand plans of multi-party democracies and free markets economies to be operated free of corruption.

Measures of the quality of life in Africa have spiralled down in the last two decades, at the same time going up in other parts of the developing world. Many, like Vice President GORE, who read the Kaplan article in Atlantic Monthly were appalled at the condition of Africa, and determined to assist the continent. Unfortunately, others doubted Africa was even salvageable.

We are now a few years into the third period, which I would call the post cold war period. Armed conflict continues to afflict sub-Saharan Africa where fighting persists in Sudan, Liberia, and Sierra Leone, and we have our fingers crossed on Angola, despite the cease fire agreement. The potential for renewed outbreaks in Rwanda, Burundi, and Somalia is high, and other countries like Zaire and Nigeria are at risk. Human rights problems have been accelerated due to overpopulation and lack of sustainable development. However, all is not gloom and doom. There have been historic advances. In South Africa, Namibia, Botswana, Ghana, and other countries we could name.

I would also like to relate the historic Congressional Black Caucus efforts to reverse the inequalities of the past lead by former Congressmen Diggs, Dymally, and Gray, not to mention the contribution of RON DELLUMS in sponsoring the Anti-Apartheid Act which mobilized Americans against racial discrimination in South Africa. And, remember the late Mickey Leland, who gave his very life in pursuit of increasing the awareness of all Americans to the plight of our Africa.

I do not feel aid to Africa should be considered a partisan issue. Both the Republicans and Democrats have been most cooperative in preserving the Subcommittee on Africa when Congress was requested to scale down the number of committees. Africa, which usually comes last, was considered important by both parties. Members like former Chairman HAMILTON, Chairman GILMAN, Speaker GINGRICH, and HENRY HYDE were most helpful.

There are many Republicans on the Senate side like NANCY KASSEBAUM, Chair of the Senate Africa Affairs Committee, JAMES JEFFORDS, PAUL

COVERDELL. All have Africa's interest at heart.

Just think, Africa has almost 60 countries with a population over 600 million. If we do not adopt the Hastings Amendment this will leave us providing less than $1 per person in the neediest of all continents.

In closing I would like to quote Tony Lake, the President's national security advisor in a recent speech he made on May 3. He said:

> If the United States cuts aid to Russia, the pace of economic reform will be slowed and important American interests will be harmed. If the United States cuts Aid to Africa, while our interests are less effected, people will die.

I ask you—is an African life not worth the investment of a few more pennies per person to come back to the $802 million level for the Development Fund for Africa. Support the Hastings amendment and save African children.

□ 1730

Mr. GILMAN. Mr. Chairman, I have been informed that we have 5 speakers on the other side remaining and that we have several on this side.

Mr. Chairman, I ask unanimous consent that all debate on this amendment be concluded by 6 p.m. with the time to be equally divided on both sides.

The CHAIRMAN. On this amendment and all amendments thereto?

Mr. GILMAN. On this amendment and all amendments thereto, Mr. Chairman.

The CHAIRMAN. With 12 minutes on each side and the time to be managed by the gentleman from New York [Mr. GILMAN] and the gentleman from Florida [Mr. HASTINGS].

Is there objection to the request of the gentleman from New York?

Mr. HASTINGS of Florida. Mr. Chairman, preserving the right to object, if I could engage the gentleman from New York [Mr. GILMAN], the chairman, in dialogue further, I misunderstood the gentleman.

Did the gentleman say 12 minutes for each side total?

Mr. GILMAN. Mr. Chairman, if the gentleman will yield, the total would be concluded by 6 p.m., with the time remaining to be equally divided.

Mr. HASTINGS of Florida. Mr. Chairman, further reserving the right to object, I most respectfully will have to object because I do have a number of speakers that have been waiting, and I recognize that they, too, deserve an opportunity to be heard.

Mr. GILMAN. How many speakers does the gentleman have?

Mr. HASTINGS of Florida. Probably there are 6 additional speakers. I could ask them to curtail some of their remarks and doubtless they will be able to do that.

Mr. GILMAN. Mr. Chairman, I will be pleased to reduce our time to 10 minutes and give the remainder of the time to the gentleman as long as we conclude by 6 p.m.

Would the gentleman find that acceptable?

Mr. HASTINGS of Florida. Further reserving the right to object, I would still need an additional 15 minutes, Mr. Chairman. If we could conclude by 6:15, then that would be acceptable.

Mr. GILMAN. Mr. Chairman, we will accept the 6:15 deadline, with the time to be equally divided.

Mr. HASTINGS of Florida. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Without objection, the gentleman from New York [Mr. GILMAN] will be recognized for 20 minutes, and the gentleman from Florida [Mr. HASTINGS] will be recognized for 20 minutes.

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Chairman, I think since they have more speakers on the other side, I would reserve my time and allow the other side to proceed.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. HASTINGS].

Mr. HASTINGS of Florida. Mr. Chairman, I yield 3 minutes to the gentleman from Maryland [Mr. WYNN].

Mr. WYNN. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, I rise today in strong support of the amendment of the gentleman from Florida to restore full funding to the Development Fund for Africa.

You have heard a lot of talk about how we cannot afford it. Let me set the record straight. For anyone who is under a misconception, foreign aid amounts to 1 percent of the United States budget.

I think we can afford it, because it is consistent with our long-term objectives. Someone said, ''Well, money doesn't grow on trees. Where are we going to get the money?''

I suggest that there are a lot of Republican pork projects laying around from which we can get the money. I suggest there are a lot of tax breaks for the wealthy from which we can get the money. At any rate, when you are only talking about a fraction, 1 percent, of the budget, it seems to me the money ought to be found.

I would like to talk today about some of the success stories involved in the Development Fund for Africa because I think they illustrate the point. Our foreign aid program ought to advance our interests. Our interests are reflected in these successes.

American exports to Ghana expanded by 73 percent between 1992 and 1993 as a result of U.S. programs that helped revise the investment code, remove regulatory bottlenecks and improve infrastructures.

In Zimbabwe, U.S. programs to strengthen the business climate have helped to formulate antitrust laws, lowered interest barriers for U.S. exporters, and investors.

Forty years ago we had a very different situation. Nine out of ten African countries were still under colonial rule. That is not true today. Today nearly two-thirds of the countries in Sub-Saharan Africa have or are in the transition to democratically elected governments.

In some of the poorest regions of Africa, U.S. support for childhood immunization and oral rehydration therapy has resulted in saving 800,000 children per year. We have had great successes.

But the important point today is we can have far greater successes if we make a very small investment. An investment has two benefits: First, it helps us avoid humanitarian crises which we may ultimately be called on to address. Second and most importantly, though, it opens new markets for U.S. goods. What does that mean? It means jobs for American workers.

I think we have an opportunity to advance our long-term interests, provide assistance with infrastructure in Africa, and create new open markets receptive to U.S. exports. We have got examples of our export situation improving dramatically in Africa. We need to take advantage of it. The money is there. It may not grow on trees but it is certainly available in this budget. I hope the House will concur and support the Hastings amendment.

Mr. HASTINGS of Florida. Mr. Chairman, I yield 3 minutes to my friend, the gentleman from New York [Mr. ENGEL].

Mr. ENGEL. Mr. Chairman, I thank my friend, the gentleman from Florida, for yielding me the time.

Mr. Chairman, last November he was my colleague, along with the gentleman from Florida [Mr. JOHNSTON] and the gentleman from Louisiana [Mr. JEFFERSON] on a trip to West Africa. We visited five countries in West Africa, and it was just unbelievable.

These countries, many of which were leaning toward the Soviet bloc during the 1960's, are now looking to the United States for aid and help. I said it the other day. I will say it again now. My colleagues, did we win the cold war to just throw it all away?

A little bit of U.S. money goes such a long way, No. 1, in helping democracy take root in these countries; No. 2, in making these countries effective as a trading partner with the United States; No. 3, in ensuring that these countries will continue to have friendly relations with the United States; and, No. 4, in ensuring that the United States will have influence in these countries.

The other side talks a lot about free market economies and business and whatever. I can think of no better way to spend our money than in these emerging African nations which will develop free market economies which will be good trading partners with the United States with just a little bit of help from us.

It makes no sense for me, and that is why I have problems with this bill. This is essentially an isolationist bill. We are retreating from our traditional role in the world. I know some people

say, well, America cannot be the policeman of the world. I do not think we can, either, but we certainly can help with technology. We certainly can help democracy take root.

My colleagues, it is to our benefit, it is to America's benefit. Seventy-five percent of all foreign aid moneys are spent right back in this country, stimulating our economy, helping us by creating jobs. One percent of our budget, that is all foreign aid is, and all we hear is cut, cut. It makes no sense whatsoever.

I am on the Subcommittee on Africa of the Committee on International Relations. I want to be on that subcommittee because I want to be part of a generation of Americans that does something for this continent, that shows a partnership with the countries of Africa. I can think of no more important place whereby America can establish democracy in these emerging republics.

Mr. Chairman, I support the gentleman's amendment to restore funding for the Development Fund for Africa to current levels. If I had my druthers, we would do even more. I hope my colleagues support this amendment.

Mr. HASTINGS of Florida. Mr. Chairman, I yield 3 minutes to my colleague and neighbor in service, the distinguished gentlewoman from Florida [Mrs. MEEK].

Mrs. MEEK of Florida. Mr. Chairman, first of all, I have the greatest amount of respect and admiration for my colleague, the gentleman from Florida [Mr. HASTINGS] who has conducted himself so notably in his pursuit of fairness for Africa

Today we keep talking about cuts and reductions in the Development Fund for Africa. We all know that there must be cuts. The cuts are too deep, Mr. Chairman, for the development funds in Africa, because these deep reductions could prove to be penny wise and pound foolish, and we will need to respond to humanitarian emergencies, and it will be more costly than our investment that we make in development activities.

For example, Mr. Chairman, we have spent $2 in humanitarian aid for every $1 in development aid in the greater Horn of Africa in recent years. The record is already there. It has already been spent. We need to address some of the root causes and not the symptoms, and I am hoping that you are willing to do that for Africa as you have some other developing countries.

It is very, very important that you think of the image of providing lesser funds for Africa now when they were not even even in the very beginning. We did not have a Development Fund for Africa until the 1980's, and now that they are at the bottom of the list, it would show a greater strength if this Congress were to bring them up to par so then they could take a cut that would not ostensibly take away everything.

Foreign aid for Africa has never received full funding. That is really not an argument here.

It is not hard to imagine reductions severely compromising the many gains that you have made in helping create strong economies, reduce population growth and protect the environment in Africa. Deep cuts could also lead to the rapid destabilization of these early democracies, possibly resulting in untenable and costly human crises and conflicts.

This is not a situation in which the United States would want to find itself. It is very, very important that we protect our interests in Africa. Three of them. We want to help them develop the economies which will create exports, which we have heard before, and jobs here in the United States. We do not want to have any more Somalias or Rwandas which had a terrible cost in terms of human suffering and social significance.

The Development Fund for Africa is our main policy instrument in developing these interests. I think we should just be fair and be sure that the Development Fund for Africa does not keep the deep, deep cuts which you have done to them already.

□ 1745

Remember that to support the Hastings amendment; it is a good amendment.

Mr. HASTINGS of Florida. Mr. Chairman, I yield 3 minutes to the distinguished gentlewoman from Michigan [Miss COLLINS].

Miss COLLINS of Michigan. Mr. Chairman, I thank the gentleman from Florida for yielding me this time.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Florida [Mr. HASTINGS]. This amendment will restore funding for the Development Fund for Africa. Maintaining effective aid programs for Africa is in our national interests. The amount of development assistance we provide to Africa is so small, even a slight reduction in the Development Fund will have a drastic consequence that far outweigh any short-term savings.

Cuts of funding will prevent us from providing African countries with the resources needed to promote educational and economic opportunities for its people.

Africa is a potentially significant partner in world trade, thus it is in our national interest to assist African nations.

To the gentleman from Indiana who said that we must start getting African nations to wean off of aid from America so they can develop their own resources, I would like to say that two countries in this entire world get one-half the foreign aid; Israel gets $3 billion, and they have been getting that for the past 9 years or 10 years; Egypt gets $2 billion. I do not want that money cut, I want Israel and Egypt to get that money.

But we are talking about merely $802 million for 56 countries, a mere $802 million for 56 countries. Gentleman, $629 million is simply too little.

I urge my colleagues to support the Hastings amendment. The Development Fund for Africa must not be singled out to carry a disproportionate share of cutbacks simply to meet my colleagues' commitment to reduce the budget.

Mr. HASTINGS of Florida. Mr. Chairman, how much time is remaining?

The CHAIRMAN. The gentleman from Florida [Mr. HASTINGS] has 8 minutes remaining.

Mr. HASTINGS of Florida. Does my distinguished chairman have any additional speakers?

Mr. GILMAN. We have one more speaker on this side, Mr. Chairman.

Mr. HASTINGS of Florida. Do I have the right to close, Mr. Chairman?

The CHAIRMAN. The manager of the bill has the right to close. The gentleman from New York [Mr. GILMAN] has the right to close.

Mr. HASTINGS of Florida. That being the case, Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, to close the debate on our side, nowhere is the justification for foreign aid clearer and more compelling in terms of our national values than Africa. Africa is the final frontier for development. The great global challenges of tomorrow can be seen in the challenges facing Africa today, and even if I were to turn to the tragedy of disease which obviously foments within the confines of the rain forests in that great country, there are also many discoveries yet to be made in that same rain forest for medicinal purposes for the rest of the world.

If we give up Africa, the continent could well slide into chaos, we could find ourselves in a world of two distinct communities where the difference between the rich and poor become unbearably extreme, and that is not a world which we want for our children.

A lot of times my colleagues in this body need to have for them language couched in business terms. Let me see if I can do that briefly. In 1993 the United States exported more to sub-Saharan Africa, $4.8 billion precisely, than to Eastern Europe, which was $2.3 billion, or to the NIS, which was $4 billion, including Russia, where the United States exports a total $3 billion.

The current 1992 figures for sub-Saharan international markets, excluding South Africa, is $28.5 billion. If that market were to grow at a nominal rate of 3 percent a year in constant terms, it would double every 21 years, reaching a level of $83.2 billion in the year 2025. That market would exceed the size of Korea's market today.

I make those points for the reason that foreign aid is often thought of by the American people as a giveaway. But there is something else that is given away with foreign aid, and that is stability for American companies to do business.

In my district alone, there is one company that does $20 million a year of exports to the continent of Africa. There are numerous countries from Africa that provide immense resources ranging from crude oil to other minerals for this country. I ask my colleagues to stop looking at this continent as a battleground and to start looking at it as marketplace as rightly we should.

I have asked not that there be money taken from any account. I have asked merely that we restore to an account an amount for the Development Fund of Africa that was already in existence and is meager by comparison to the multiplier effect of the good that it does.

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

Mr. GILMAN. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Florida [Ms. ROS-LEHTINEN], our ranking chairman of the Subcommittee on Africa.

Ms. ROS-LEHTINEN. Mr. Chairman, we have heard a number of Members come forward in support of this amendment. Unfortunately, I must remain opposed to the Hastings amendment. It is a budget buster. Without making corresponding cuts in other accounts, this amendment deviates from our plan to balance our Federal budget by the year 2002.

Many Members have talked about the importance of development in Africa. I agree. Chairman GILMAN agrees. That is why, in this bill, aid to Africa is cut less than any other region.

Those who say that the majority in this body do not care about Africa are wrong. As my good friend Mr. PAYNE noted, the majority kept the Subcommittee on Africa despite a reduction from seven subcommittees to five.

The Development Fund for Africa, the DFA, is maintained in this bill.

Mr. Chairman, the American Overseas Interests Act is an excellent bill. It keeps the United States engaged throughout the world, including the continent of Africa. It does so while complying with our plan to balance the Federal budget by the year 2002. Chairman GILMAN deserves great credit for this accomplishment.

I regret very much that I cannot support this amendment, but I firmly believe that this bill maintains our United States commitment to Africa.

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

Mr. Chairman, I must oppose the Hastings amendment.

This amendment busts the budget, simply adds hundreds of billions of dollars back into the bill.

I support aid to Africa, and we added money for Africa above the level in the introduced bill because of our concerns, and the concerns of the gentleman. Our committee supported the Houghton amendment and added back even more funding for Africa. In the end we added $100 million back for aid to Africa above the amount introduced in the bill initially.

Therefore, reluctantly, while I support the proposals of the gentleman from Florida [Mr. HASTINGS], I oppose his amendment.

We are underbudgeted because we did make those cuts. Under the bill, Africa was cut far less than all other development assistance. This amendment, offered by the gentleman from Florida [Mr. HASTINGS], while well-intended, would add over a period of 2 years some $360 million in foreign assistance in this bill. In addition to all of the aid that the gentleman from Indiana [Mr. BURTON] mentioned such as peacekeeping, economic support, et cetera, we also provide funds for many U.N. programs, and we also provide food aid under title II of Public Law 480.

Our bill is within the constraints of our budget resolution, and will help to cut the deficit. But if we adopt the Hastings amendment, it will add substantially to deficit spending, forcing us to borrow even more.

Accordingly, I am urging my colleagues to oppose the Hastings amendment.

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

The CHAIRMAN. Under the unanimous-consent agreement, all time on this amendment has expired.

The question is on the amendment offered by the gentleman from Florida [Mr. HASTINGS].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 141, noes 278, answered ''present'' 1, not voting 14, as follows:

[Roll No. 354]

AYES—141

Abercrombie
Ackerman
Andrews
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bishop
Bonior
Borski
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Coyne
DeLauro
Dellums
Deutsch
Dicks
Dixon
Doggett
Durbin
Engel
Eshoo
Evans
Farr
Fattah
Filner
Flake
Foglietta
Ford
Frank (MA)
Franks (CT)
Frost
Furse
Gejdenson
Gephardt
Gibbons
Gonzalez
Green
Gutierrez
Hall (OH)
Hamilton
Hastings (FL)
Hayes
Hefner
Hilliard
Hinchey
Hoyer
Jackson-Lee
Jacobs
Jefferson
Johnson, E. B.
Johnston
Kennedy (MA)
Kennelly
Kildee
LaFalce
Levin
Lewis (GA)
Lofgren
Lowey
Maloney
Manton
Markey
Martinez
Matsui
McCarthy
McDermott
McKinney
Meek
Menendez
Mfume
Miller (CA)
Mineta
Mink
Moakley
Mollohan
Moran
Murtha
Nadler
Neal
Oberstar
Olver
Ortiz
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Pomeroy
Rangel
Reed
Reynolds
Richardson
Rivers
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Skaggs
Slaughter
Stark
Stokes
Studds
Stupak
Tejeda
Thompson
Thornton
Torres
Torricelli
Towns
Tucker
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Waxman
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

NOES—278

Allard
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bevill
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Boucher
Brewster
Browder
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Camp
Canady
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Costello
Cox
Cramer
Crane
Crapo
Cremeans
Cunningham
Danner
Davis
de la Garza
Deal
DeFazio
DeLay
Diaz-Balart
Dickey
Dingell
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Gordon
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hastert
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson (SD)
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (RI)
Kim
King
Kingston
Klink
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Longley
Lucas
Luther
Manzullo
Martini
Mascara
McCollum
McCrery
McHale
McHugh
McInnis
McIntosh
McKeon
Meehan
Metcalf
Mica
Miller (FL)
Minge
Molinari
Montgomery
Moorhead
Morella
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Obey
Orton
Oxley
Packard
Parker
Paxon
Payne (VA)
Peterson (MN)
Petri
Pickett
Pombo
Porter
Portman
Poshard
Pryce
Quillen
Radanovich
Rahall
Ramstad
Regula
Riggs
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roth
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Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stump
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry

Thurman	Walsh	Wicker
Tiahrt	Wamp	Williams
Torkildsen	Watts (OK)	Wolf
Traficant	Weldon (FL)	Young (AK)
Upton	Weldon (PA)	Young (FL)
Vucanovich	Weller	Zeliff
Waldholtz	White	Zimmer
Walker	Whitfield	

ANSWERED ''PRESENT''—1

Fields (LA)

NOT VOTING—14

Calvert	Harman	Meyers
Conyers	Kleczka	Peterson (FL)
Cubin	Lantos	Quinn
Fazio	McDade	Watt (NC)
Hansen	McNulty	

□ 1819

Mr. EHLERS changed his vote from ''aye'' to ''no.''

Ms. EDDIE BERNICE JOHNSON of Texas changed her vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. SABO. Mr. Chairman, I rise to express my strong opposition to H.R. 1561, the American Overseas Interest Act, and the proposal to eliminate the Arms Control and Disarmament Agency (ACDA). This agency performs a unique advocacy role in formulating our nation's foreign policy. Under this legislation, ACDA's strong and knowledgeable voice on arms control and non-proliferation issues will be muted by a new State Department ''super-bureaucracy.''

The State Department performs the necessarily broad mission of advancing and protecting the global interests of the United States and its citizens. To accomplish its responsibilities, the State Department must consider many different issues as it formulates our Nation's foreign policy. On the other hand, ACDA's mission if sharply focused on strengthening our national security by advocating, formulating, negotiating, implementing, and verifying sound arms control, nonproliferation, and disarmament policies and agreements. As a result, ACDA is staffed with physicists, chemists, engineers, and other specialists who spend their entire careers dealing with one issue—arms control. To fold ACDA into the State Department would be a serious mistake. This nation needs ACDA to maintain a strong, independent voice for arms control.

Even if the State Department could match ACDA's arms control expertise, the goals of arms control and non-proliferation are sometimes at odds with the broader objectives of the State Department. In fact, if this bill had been enacted thirty years ago, we would not have a nuclear Non-Proliferation Treaty [NPT]. In the 1960's, it was ACDA that pressed for the NPT. The State Department had opposed the original negotiations out of deference to friendly countries that wanted to explore the nuclear option.

I have listened to the arguments that, because the cold war is over, an independent voice for arms control is no longer needed. One only needs to look at the nuclear ambitions of North Korea and Iran or the recent gas attacks in Japan to understand the continued importance of battling the proliferation of nuclear, chemical, and other weapons of mass destruction. Some have also claimed that the reorganization proposed in this bill will save the taxpayers money. However, no study has identified any savings from eliminating ACDA. In fact, a recent Congressional Research Service study has found that merging ACDA into the State Department could actually cost $10 million.

Clearly, this legislation doesn't take into account the importance of having a strong and independent arms control and non-proliferation viewpoint within the United States government. Instead, it appears to me that organizational boxes are simply being moved in an arbitrary manner. I urge my colleagues to oppose this bill, ACDA must be protected.

Mr. ANDREWS. Mr. Chairman, I rise today to support a provision in the American Overseas Interests Act, which modifies section 36(b)(1) of the Arms Export and Control Act to require greater congressional oversight and scrutiny of arms sales to the Government of the Kingdom of Saudi Arabia until such time as the Secretary of State certifies and reports to Congress that the unpaid claims of American companies described in the June 30, 1993 report by the Secretary of Defense pursuant to section 9140(c) of the Department of Defense Appropriation Act, 1993 (Public Law 102–396; 106 Stat 1939), including the additional claims noticed by the Department of Commerce as page 2 of the report, have been resolved satisfactorily.

The $43.4 million claim of Gibbs & Hill, Inc. is one of the claims as yet unresolved. Gibbs & Hill was decimated by financial losses incurred in the design of the desalination and related facilities for the Yanbu Industrial City in Saudi Arabia in the late 1970's and early 1980's as a result of the Kingdom's failure to honor its contractual obligations and pay for additional work required of the company.

My involvement in this matter dates back almost 2 years. The company, which is a large employer in my district, approached me for assistance in having its claim paid through the Special Claims Process established for the resolution of claims of American companies which had not received fair treatment in their commercial dealing with the Government of the Kingdom of Saudi Arabia. This Special Claims Process was established between our Government and the Government of the Kingdom of Saudi Arabia, following congressional hearings on the unfair commercial practices of the Kingdom of Saudi Arabia first held in the House Subcommittee on Europe and the Middle East in May 1992. In response to my letter to Saudi Ambassador Bandar bin Sultan Abdulaziz of April 29, 1993, the Ambassador promised to spare ''no efforts in resolving this claim in an expeditious and fair manner.'' Since this date, the company, the Congress and the past and present administrations have received a series of promises and commitments from the Government of the Kingdom of Saudi Arabia to resolve the claim favorably for Gibbs & Hill. The most recent commitment coming on October 6, 1994, one day prior to our country once again coming to the defense of the Kingdom when threatened by invasion from Iraq, in fulfillment of our commitment to our bilateral relationship.

I should note that I am not alone in my support of the full and prompt resolution of the Gibbs & Hill claim. More than 3 dozen Senators and Members of Congress, the President, the National Security Council, the Senate Foreign Relations Committee, and Senate Armed Services Committee, the Department of Defense, State and Commerce have all expressed their desire to see this claim resolved so as to successfully conclude the Special Claims Process.

On January 23, 1995, I expressed my growing frustration with the delaying tactics of the Saudi Embassy in fulfilling its commitment to the company, the Congress and our Government. I also noted that the failure of the Saudi Embassy to resolve this claim, under the mandate established by its own Government, was beginning to grow into a significant strain on the United States-Saudi relations. Again, this was a sentiment shared by numerous of my colleagues in the Congress, who wrote and communicated with the Department of State, and the Saudi Embassy in January of this year. In these communications, it was made clear that the delaying tactics of the Saudi Embassy would no longer be tolerated, and unless serious discussions were held between the company and the Kingdom leading to the full and prompt resolution of the claim, legislative alternatives would be considered to bring this matter to a close.

Despite several attempts to resolve the claim successfully, the Government of the Kingdom of Saudi Arabia has shown no signs of cooperation. Therefore, I introduced H.R. 1243, which would focus its attention on resolving all the unresolved claims with the Kingdom of Saudi Arabia. Under the leadership of Congressman CHRIS SMITH, this bill was made part of the American Overseas Interest Act. I hope in the long run we will focus on other remedies in our bilateral relationship with the Kingdom of Saudi Arabia to ensure the prevention of unfair treatment of any other United States company doing business with the Kingdom of Saudi Arabia.

Mr. GILMAN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. FOX of Pennsylvania) having assumed the chair, Mr. GOODLATTE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1561) to consolidate the foreign affairs agencies of the United States; to authorize appropriations for the Department of State and related agencies for fiscal years 1996 and 1997; to responsibly reduce the authorizations of appropriations for United States foreign assistance programs for fiscal years 1996 and 1997, and for other purposes, had come to no resolution thereon.

LEGISLATIVE PROGRAM

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

Mr. GEPHARDT. Mr. Speaker, I ask for this 1-minute for the purpose of inquiring of the distinguished chairman of the Committee on Rules about the schedule for the rest of today and tomorrow.

Mr. SOLOMON. Mr. Speaker, will the gentleman yield?

Mr. GEPHARDT. I yield to the gentleman from New York.

Mr. SOLOMON. Mr. Speaker, I thank the gentleman for yielding, and let me

just say that there will be no more votes tonight. We will be in at 10 a.m. tomorrow morning. We will suspend 1-minutes. We will then go to conference on the Medicare select bill.

I would like to announce now also there will be an emergency meeting of the Committee on Rules to consider a second rule on the American Overseas Interests Act, H.R. 1561.

After we finish the Medicare select bill tomorrow morning, we will go back on the 5-minute rule on the remaining time on this American Overseas Interests Act.

Mr. GEPHARDT. Will the gentleman tell us what time he is intending to adjourn tomorrow?

Mr. SOLOMON. No later than 2:30.

Mr. GEPHARDT. Mr. Speaker, I thank the gentleman from New York.

ACHIEVEMENTS IN AERONAUTICS AND SPACE DURING FISCAL YEAR 1994—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore. laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, without objection, referred to the Committee on Science:

To the Congress of the United States:

I am pleased to transmit this report on the Nation's achievements in aeronautics and space during Fiscal Year 1994, as required under section 206 of the National Aeronautics and Space Act of 1958, as amended (42 U.S.C. 2476). Aeronautics and space activities involve 15 contributing departments and agencies of the Federal Government, as this report reflects, and the results of their ongoing research and development affect the Nation as a whole in a variety of ways.

Fiscal Year 1994 featured many important developments and changes in U.S. aeronautics and space efforts. It included 7 Space Shuttle missions successfully completed, 15 Government launches of Expendable Launch Vehicles (ELVs), and 4 commercial launches from Government facilities. Among notable developments in the ELV area were the launch of the Deep Space probe, Clementine, initial use of the Titan IV Centaur upper stage, and the first launch of the Taurus launch vehicle. Highlights of the Shuttle missions included the highly successful servicing mission for the Hubble Space Telescope (HST), which replaced several faulty parts and installed a sophisticated package of corrective optics to compensate for the spherical aberration in HST's primary mirror. Also, the flight of the Space Radar Laboratory began to provide information on environmental change, and a mission with a Russian astronaut, Sergei Krikalev, as a member of the crew signalled the beginning of a three-phased cooperative program in space between Russia and the United States.

In a year of tremendous accomplishments for the international Space Station, National Aeronautics and Space Administration (NASA) developed an initial set of specifications that included Russian elements as part of the design. Russia's agreeing to join the 12 original participating nations as a partner resulted in the expansion of the existing Shuttle/Mir program into Phase I of the international Space Station program, which officially began with Sergei Krikalev's flight on the Shuttle. All of the partners held a successful systems design review in Texas in March, and in June Russia and the United States signed an interim agreement on the Space Station and a $400 million contract for Russian space hardware, services, and data. In August, the program completed a vehicle architecture review and in September, the Space Station Control Board ratified the recommendations it included. The redesigned Space Station costs $5 billion less than Space Station Freedom and still offers increased research capability and users flexibility.

In aeronautics, activities included development of technologies to improve performance, increase safety, reduce engine noise and other environmental degradation, improve air traffic management, lower costs, and help American industry to be more competitive in the world market. For example, high-speed research continued during Fiscal Year 1994 to focus on resolving critical environmental issues and laying the technological foundation for an economical, next generation, High Speed Civil Transport (HSCT). In this connection, the United States reached agreement with Russia to use the Tu–144 supersonic transport as a testbed for HSCT development. In addition, efforts in advanced subsonics focused on reducing aircraft and engine noise levels, on development of wind shear sensing devices, and on creating technologies that will improve general aviation aircraft.

In space science, astronomers using HST's revitalized optics discovered disks of protoplanetary dust orbiting stars in the Orion Nebula, suggesting that the formation of planets in the Milky Way and elsewhere may be relatively common. Also, HST's revelation of helium in distant constellations provides valuable information about the conditions in the universe during its initial evolution. The Spacelab Life Sciences-2, U.S. Microgravity Payload-2, and International Microgravity Laboratory-2 greatly increased our understanding of the role of gravity on biological, physical, and chemical processes. In biology, we learned that gravity affects the function of the neural connections between brain cells; this can have profound implications for rebuilding damaged brain cells due to strokes and diseases. In Earth science, the Space Radar Laboratories-1 and -2, plus the Lidar In-Space Technology Experiment payload, used powerful radar and laser technology to penetrate cloud cover and map critical factors on a global scale. Also, the highly successful launch of the Clementine Deep Space Probe tested 23 advanced technologies for high-tech, lightweight missile defense. The relatively inexpensive, rapidly-built spacecraft constituted a major revolution in spacecraft management and design; it also contributed significantly to lunar studies by photographing 1.8 million images of the surface of the Moon.

Additionally, on May 5, 1994, the White House announced that the National Oceanic and Atmospheric Administration (NOAA), the Department of Defense, and NASA were establishing a joint program to effect the convergence of civil and military polar-orbiting operational environmental satellite systems into a single operational program. Other White House announcements during the year included a policy for licensing U.S. firms by the Secretary of Commerce to operate private remote sensing systems and sell their images to domestic and foreign entities and a national space transportation policy that will sustain and revitalize U.S. Space transportation capabilities by providing a coherent strategy for supporting and strengthening U.S. space launch capabilities to meet the growing needs of the civilian and national security sectors.

Thus, Fiscal Year 1994 was a highly successful one for the U.S. aeronautics and space programs. Efforts in both areas have contributed significantly to furthering the Nation's scientific and technical knowledge, international cooperation, a healthier environment, and a more competitive economy.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *May 24, 1995.*

APPOINTMENT OF INDIVIDUALS AS MEMBERS OF THE BOARD OF DIRECTORS OF THE OFFICE OF COMPLIANCE

The SPEAKER pro tempore. Without objection, and pursuant to the provisions of section 301 of Public Law 104–1, the Chair announces on behalf of the Speaker and minority leader of the House of Representatives and the majority and minority leaders of the U.S. Senate their joint appointment of the following individuals to the Board of Directors of the Office of Compliance:

Mr. Glen D. Nager of Washington, DC, chairman, to a 5-year term;

Ms. Virginia A. Seitz of Washington, DC, to a 5-year term;

Mr. Jerry M. Hunter of Missouri, to a 4-year term;

Mr. James N. Adler of California, to a 4-year term; and

Mr. Lawrence Z. Lorber of Washington, DC, to a 3-year term.

There was no objection.

A VISION FOR AN AMERICA WITH MORE GRATITUDE

(Mr. INGLIS of South Carolina asked and was given permission to address

the House for 1 minute and to revise and extend his remarks, and include extraneous matter.)

Mr. INGLIS of South Carolina. Mr. Speaker, I rise today to congratulate Joey Hill, a winner of the South Carolina Voice of Democracy Broadcast scriptwriting contest in South Carolina. Joey Hill is the president of the student body at Southside High School in Greenville, SC.

In this year, on the theme ''My Vision for America,'' Joey wrote this: ''I have a vision for America. I long to see gratitude return to the hearts of our citizens. Too often we always want to play the victim, the person to whom the world owes a great debt. Although pointing the finger is easy and maybe even a little fun, we will, after continued pointing, find the consequences too great to bear, so we must change, and the key to change is gratitude.''

Mr. Speaker, I agree with Joey, that this is a time of change. We do not need to blame others and claim entitlement for past debts. What we need, instead, is a little gratitude for what has been given us. I am very proud to congratulate Joey today, and to enter his speech in the RECORD of today's proceedings, as follows:

MY VISION FOR AMERICA

''It's too hard.'' ''It's not fair.'' ''I never get the good things in life.'' ''The grass on the other side gets greener and greener while useless stubble sprouts on my side of the fence.'' Complaining; it seems as if it comes natural to Americans. Of the many purposes for which words could be used, complaints tiptoe off our tongues most often and that fact reflects badly on us. We always want to play the victim, the person who is never in the wrong, the person to whom the world owes a great debt. Although pointing the finger is easy, and maybe even a little fun, we will, after continued pointing, find the consequences too great to bear. So we must change, and the key to changing is gratitude. I have a vision for America. I long to see gratitude return to the hearts of our citizens. We must be grateful to those persons who came before us, who paved a smooth, scenic way for us to travel on through life and we must take advantage of the blessings they have won for our sake.

History is spotted with them. They are dubbed the movers and shakers—the somebodies. The people to whom the United States of America fall into unpayable debt. These persons struggled under the most uncompromising of trials to gain freedoms for this nation's citizens. Their names are many: Frederick Douglass, Susan B. Anthony, Sojourner Truth, Thurgood Marshall, Cesar Chavez, John Brown, Harriet Beecher Stowe, John Kennedy, Martin King, Malcolm X. Their voices spoke the same message, but in a myriad of ways. This message covered many topics: perseverance in the midst of a trial, retention of goodwill when the world gives you its worst, striving for excellence in the realm of education. These persons sincerely encouraged us to better ourselves. They gave us wisdom to live by. For example, Cesar Chavez stated to the world that ''the strongest act of manliness is to sacrifice ourselves for others in a totally nonviolent struggle for justice.'' Susan B. Anthony tested our sincerity about the equality of women with her establishment of temperance organizations. And every American has heard of the labors of Dr. Martin Luther King, Jr.—but many of Americans fail to understand the significance of his work. King courageously led a people who were punched, kicked, beaten, bitten by dogs, waterhosed, and murdered in some of the most inhumane ways so that we, the present day citizens of the United States of America—White, Black, Latino, Oriental, Indian, Native American—might be educated in the realm of culture; that we might not be discriminated against because of our culture.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. GOSS] is recognized for 5 minutes.

[Mr. GOSS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio [Ms. KAPTUR] is recognized for 5 minutes.

[Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

SAD NEWS FROM COLORADO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado [Mr. MCINNIS] is recognized for 5 minutes.

Mr. MCINNIS. Mr. Speaker, once again I stand in front of my colleagues of the great House of Representatives bringing sad news from the State of Colorado. On Friday, April 28, 1995, a mad killer drove into a local grocery store in South Jefferson County. As he drove into that grocery store, he walked, and got out of his car, walked into the grocery store, shot his wife dead, then shot the store manager dead, and then a police officer, the first officer responding to the scene, Sgt. Tim Mossbrucker, was shot before he even knew what hit him.

□ 1830

Sergeant Mossbrucker was a father, he was a husband, he was an officer strongly admired by his fellow officers in Jefferson County. He was a young father. He was a father of five children, with a sixth child on the way.

Once again, a police officer has given his life in the line of duty, and, once again, as too often happens, his wife, Lynn, who in her own respects is a strong, wonderful woman, will be delivering their child without his presence.

Once again we have children who will be raised through life without their father, because their father gave his life in the line of duty. Lynn, his wife, tucked 3-year-old Alex into bed that Friday night, saying, ''A bad person hurt daddy bad—so bad that he can't come home.''

Lynn, his wife, will have to go through life maintaining the strength she has so far shown in life.

Mr. Speaker, I would like to read a poem that was presented at the service for this fine officer. First of all, for the officer, from mother to son.

MOTHER TO SON

God gave me a wonderful little pride and joy,
a bouncing baby boy.
And as he grew straight and tall,
he was always ready to give it his all.
A policeman he decided to be,
as he studied life sitting on my knee.
He exceeded far beyond expectation,
honest and smart, care and loving.
A little soul, entrusted to my care,
always helpful, his goodness he would share.
Growing straight and tall, a protector of life he became,
until one Friday morning an angel came.
Swift and graceful, taking him from me.
No more ''Hi, Mom,'' or sweet smile I would see.
A role model for his children had always been his fame,
but in the calm, a hero for his community he became.
Lovingly he left me, a strong young woman and the little flock of six,
all in all, a glorious mix.
But that's not all, I am truly blessed you see,
two more sons and a daughter gave to me.
They grew, too, in much the same way,
adding more to our family, making me proud every day.
With a husband, daughters, sons, grandchildren, parents and friends,
now ''our little hand.''
Steadfast and strong we make our stand.
Timothy Michael was your name,
it occurred to me long before you came into my life to stay.
I love you more than I can say.
God bless and keep my little boy,
my strong, straight and tall deputy son,
For your hard fought battle has been won.
Until some day when we meet again,
fighting the good fight as best we can.
Tim, guide us in God's great and wondrous plan.
Love, Mom.

The sergeant was a true professional, a true professional that was taken from us by a despicable killer. But we also had two other lives that were lost that day, and I should point out that 11 children as a result of this incident were left without a parent: Lynn, Matt, Erin, Annie, Alex, William, Moss, Iralee, Mark, David, and Mindy.

Mr. Speaker, all too often we have to appear in front of this body and speak of an officer, a man or woman in blue, who has given their life for the rest of us.

Mr. Speaker, I make these statements for the RECORD as a memorial and as a thank you from the United States of America, not only to the fallen officer, but to his strong wife and his wonderful children. I also include for the RECORD a tribute from Russ Cook, the Chief of Police of the Golden Police Department.

To the EDITOR:

Residents of South Jefferson County were shocked last week when they were awakened by a tragic crime, usually thought to occur in big cities. No one could have suspected that an angry and enraged killer was about to walk into their local grocery store and

gun down his wife, the store manager, and wound an innocent, unsuspecting pregnant woman. Sheriffs deputies were doing their job responding to the many daily calls where violence is anticipated and usually resolved by their skills and training. But Friday, April 28, 1995 was going to be different!

Certainly, Sheriff's Sergeant Tim Mossbrucker didn't know that when he turned into the parking lot of this sleepy little suburban grocery store, he would be gunned down in cold blood. I'm sure that other deputies responding did not know that they would be confronted by gunfire that was going to take the life of their colleague and friend.

How they must feel. You can rest assured that how they feel is how we all feel. What can be done about someone who has so much rage and anger that he is willing to cut down members of society by simply pulling a trigger?

I know that the entire law enforcement community shares the grief and sense of helplessness that must be felt by members of the Jefferson County Sheriff's Department. I, too, share the grief and despair that they are experiencing. Sadly, this will not be the last law enforcement officer we will put to rest; this is not the last time we will have innocent victims taken from us over senseless violence.

I would hope the next time you see someone who is willing to put his/her life on the line for little pay and lousy hours, you will tell them that you appreciate them and what they do. It is quite possible that each time they put on a uniform and start a tour of duty, it could be their last.

RUSS COOK,
Chief of Police, Golden Police Department.

May 2, 1995.

The SPEAKER pro tempore (Mr. NETHERCUTT). Under a previous order of the House, the gentleman from New York [Mr. OWENS] is recognized for 5 minutes.

[Mr. OWENS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. BURTON] is recognized for 5 minutes.

[Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. DOGGETT] is recognized for 5 minutes.

[Mr. DOGGETT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. EHLERS] is recognized for 5 minutes.

[Mr. EHLERS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. GENE GREEN] is recognized for 5 minutes.

[Mr. GENE GREEN of Texas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

BIPARTISANSHIP NEEDED TO SAVE SOCIAL SECURITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee [Mr. BRYANT] is recognized for 5 minutes.

Mr. BRYANT. Mr. Speaker, I come here tonight with a stronger hope and brighter optimism for a sound and stable future for this country.

Bipartisanship is alive and well in the U.S. Senate, and we need more of it here in the House of Representatives.

I would like to take a few moments to commend Senators ALAN SIMPSON and BOB KERREY—two Senators of opposite parties—for their willingness to put politics aside and work together to save Social Security.

To me, the significance to be found in their effort is their realization of a big problem and their willingness to put partisan politics aside in order to go about the task of solving it.

Mr. Speaker, in Monday afternoon's issue of Congress Daily, Senator KERREY said, and I quote: ''I am the chairman of the Democratic Senatorial Campaign Committee, and so it's possible for us to come forward and say the DSCC is not going to go out and attack Republican Senators for doing the right and responsible thing. We can take politics out of it.''

Senator KERREY also said, and again I quote: ''I will not put blinders on and say, 'well, I've got to attack somebody just because they're a Republican.''

Senator KERREY, if you're watching this, I thank you and applaud you for championing this crucial issue with someone from the other side of the aisle. The House of Representatives needs more bipartisanship like that of you and Senator SIMPSON.

Like Social Security, one of the most crucial issues facing this Congress is preventing Medicare from going broke for the millions of seniors who depend on it.

But no one seems to want to put politics aside, roll up their sleeves, and solve the problem.

Instead, all we've heard are criticisms and attacks.

What good are these attacks doing? What legitimate purpose are they serving?

None. Nothing. All the carping, all the complaining, all the criticisms, are doing not one thing to save Medicare.

In the May 29 edition of Newsweek magazine, it was reported that during a meeting of Democrats at the White House to discuss saving Medicare, Senator JOHN BREAUX suggested that Democrats join in a bipartisan commission to reform Medicare.

The article went on to report that many of those present in the meeting rejected the idea, instead opting to let Republicans take the heat on this crucial effort.

What kind of leadership is that? How can we make any real progress with that kind of an attitude coming from the other side of the aisle?

Senator BREAUX, you're right on target, and I appreciate your foresight of this important issue. We need more of that kind of thinking here in the House of Representatives. We're going to have to have it if we're ever to save Medicare.

It's time for Congress to come together and devise a plan to preserve Medicare, and don't worry about who saves it.

Saving Medicare won't be something that will take place overnight.

It will require vision and foresight by the policy makers. Any Medicare reform proposal Congress proposes must entail reasonable, flexible, and common-sense alternatives for those who may choose to seek their medical care another source, such as an HMO.

Saving Medicare will require understanding by the millions of seniors who depend on it. Any restructuring of Medicare will require some changes. But everyone must realize that if there are no changes, there won't be any Medicare.

And most importantly, saving Medicare will require everyone in this body to work together if we are to realize success in our efforts.

We cannot—we must not—waste our time haggling with each other about preserving Medicare, because in the next 7 years, father time will grant us no time outs, no reprieves, and no second chances.

The many millions of seniors who are depending on us to save Medicare cannot afford gridlock.

Like Senator KERREY said, ''we can take politics out of it.''

I hope everyone in Congress can come together like Senators SIMPSON, KERREY, and BREAUX. Together, we must devise a plan to save Medicare.

I urge my colleagues on the other side of the aisle to participate in the process of saving Medicare in a positive and constructive manner.

We owe the millions of seniors of this country who are depending on us, our best effort.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio [Ms. KAPTUR] is recognized for 5 minutes.

[Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to avoid references to Members of the other body.

INCIDENTS AT UNITED STATES-MEXICAN BORDER SHOULD BE INVESTIGATED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. BILBRAY] is recognized for 5 minutes.

Mr. BILBRAY. Mr. Speaker, I have the privilege of representing the 49th District of California. I also happen to have the privilege of living in the southwestern corner of the United States, where the Pacific Ocean meets the Mexican border. Sad to say, I also happen to have to represent an area that is severely impacted by intrusion and incursions across the Mexican border, not only of illegal immigration, but those individuals that cross the border to perpetuate crime and theft.

Mr. Speaker, the problem is not just those of unorganized crime or organized crime, but the problem is actually of those who are invested with government authority in Mexico, participating in a program of theft and violence against the people of the United States and those in San Diego County.

This photo here is a good example of the problem. This is a federal Mexican police officer driving a United States stolen car, without even having the wherewithal to bother to take off the California license plate that was on the vehicle. This vehicle is stolen, and identified by the Federal agents as stolen, and still is being used on official business for Mexico's Government.

Now, this week we had a situation that I think has to be brought to attention here in Washington, D.C. Mr. Speaker, this week two Mexican Federal agents crossed over into United States territory at the port of entry and actually stopped members of the United States, citizens of the United States, with AK–47 weapons in their possession and took those individuals, tried to forcibly take those individuals back into Mexico. Our United States agents confronted them with their weapons drawn, and for a moment there was actually a standoff between Mexican Federal agents on United States soil and American Federal agents on United States soil, point-blank range, ready to have a shoot-out.

Thank the powers above that we did not have a tragedy here. But we did have a situation that really calls for attention, and that is the fact that U.S. citizens were ready to be forced off of U.S. territory by agents of a foreign government, with weapons, I want to point out, that are illegal, not only to be imported into this country but to be possessed in this country, and that is a fully automatic AK–47.

Now, the Mexican Attorney General has said these people are going to be handled, and our Government has turned them back over to Federal agents to be taken to Mexico City. I certainly want everyone in this capital and in Mexico City to recognize this Member will be watching this quite closely, along with my constituents.

Mr. Speaker, not only did that happen, but in the City of Coronado an individual was arrested who has been identified as being a state police officer in the act of stealing a vehicle from my district to export it to Mexico. Now, let us be frank. A lot of us support free trade, but this is not the type of free trade I or my constituents support. If we are going to export cars, we would like it to be paid for first.

Mr. Speaker, I want to point out that an interesting side note to this incidence at the border is the car that was being driven by the Mexican officials who tried to take the American citizens across the border was not only found to have alcohol and drugs in it, but actually happened to be a stolen American car being driven in this act.

Now, there was other instances that have occurred, again this week, where there were two individuals who identified themselves as being dealers for officials on the Mexican side who were Government officials, and they were being paid and reimbursed for that theft.

Mr. Speaker, this is another incident of the situation that our border is out of control. I am not speaking against the people of Mexico or their Government, as much as the fact that there are problems within their Government that we must insist be corrected.

There have been successes. I would like to announce that the State of Baja California Sur has cooperated with the United States, identified 300 cars for investigation, and actually have identified that 75 of those 300 cars are in fact stolen American cars. They have cooperated with U.S. officials, and those cars are now going to be returned to their rightful owners.

□ 1845

So there are successes, but the problem is that we have recognized a situation here to where we not only have crime crossing the border, but we have crime and violence crossing the border under the guise of government authority.

When my police officers in Coronado stop a car burglar and stop them in the act, I think it is quite inappropriate for my police officers to be greeted with a Mexican badge that says, you have to release me because I am a Mexican official.

Well, thank God our police officers do not play by that game. I will ask all my colleagues to pay attention to this issue, Mr. Speaker, and that this Nation pay attention. And I hope that we send a message to the White House and to Mexico City that these things have to stop now.

The SPEAKER pro tempore (Mr. NETHERCUTT). Under a previous order of the House, the gentleman from Michigan [Mr. SMITH] is recognized for 5 minutes.

[Mr. SMITH of Michigan addressed the House. HIs remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. KINGSTON] is recognized for 5 minutes.

[Mr. KINGSTON addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

MEDICARE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. FOX] is recognized for 5 minutes.

Mr. FOX of Pennsylvania. Mr. Speaker, I appreciate the opportunity to address my colleagues in the House about the very important issues facing our senior citizens. This has been a very senior-sensitive 104th Congress, and I am proud to say that under the leadership of individuals on both sides of the aisle we have been able to accomplish some very good things.

Most notably, we have been able to raise the income eligibility for those seniors under 70 who want to have income above $11,280 and earn it. Under our new legislation, they will be able to make up to $30,000 a year over the next 5 years without it being deducted from the Social Security.

In addition, we have rolled back the very unfair 1993 Clinton tax increase on Social Security. In addition, we have instituted the $500 elder care tax credit and the tax credit for the purchase of long-term care health insurance.

Now that brings us to the issue that was raised by my colleague and friend, Congressman BRYANT of Tennessee, about Medicare. We, in the Congress, want to do all we can to make sure we preserve and protect it for the 32 million of our Nation's senior citizens and 4 million persons with disabilities. But the Medicare spending, as you know, has gone up between 10 and 11 percent a year, whereas in the private sector health care is about a 4 to 5 percent increase a year, which tells many of us in Congress and those also watching to see what we will do that there really has been a great deal of fraud, abuse and waste in the system. If we do not take action to save Medicare, Mr. Speaker, by the year 2002, the Medicare portion of the FICA taxes for everyone will be raised 125 percent from the current level.

Seniors will face an increase in their annual premiums. We can stop that by preserving, protecting and improving our Medicare by making sure we control the rate of growth and also look to innovations with possibilities of the medical savings accounts and with managed care.

Last year we have seen that the Social Security Medicare board of trustees projected that the part A of the trust fund, the hospital care portion, would go broke by 1996. The trustees, who included Labor Secretary Robert

Reich, Health and Human Services Secretary Donna Shalala, and then Secretary Lloyd Bentsen of the Treasury, all members of the Clinton cabinet, said:

> The federal hospital insurance trust fund, which pays inpatient hospital expenses, will be able to pay for only about seven years and is severely out of financial balance in the long range.

The trustees, therefore, have logically called for prompt, effective and decisive action to save the fund from its own insolvency. As well the bipartisan commission on entitlement and tax reform, headed by Senator BOB KERREY and Senator John Danforth came to the same conclusion.

This impending disaster only came to light very recently. The Clinton administration had tried to sweep it under the rug. His fiscal year 1996 budget proposes no changes or solutions to Medicare's problems, and he even did not bring that up when he had the White House Conference on Aging. It was not even addressed by him.

As Medicare travels the road toward bankruptcy, President Clinton has been AWOL, absent without leadership, on this issue. He has even refused to participate in a bipartisan effort to save Medicare. Not until the Republicans had come forward to talk openly and honestly about how we can save, preserve and protect Medicare has the problem been described and the options been discussed.

House Republicans are determined to work with House Democrats to save Medicare by using new approaches, new management, new technologies to improve it, preserve it and protect it. Congress has an unprecedented opportunity, Mr. Speaker, to undertake a fundamental reform of this important Medicare Program.

One of the steps many of us are taking are Medicare preservation task forces, where we have senior citizens, people involved with AARP, RSVP, groups across our country like my own in Montgomery, Pennsylvania to make sure we include seniors in the solution. Seniors need to be served. We want to make sure we hear from them about options on making sure we protect it not only for seniors now but for generations to come.

The General Accounting Office has estimated that there is $44 billion that is wasted on fraud and abuse in the Medicare and the Medicaid funds. As much as 30 cents of every $1 is simply wasted or lost due to mismanagement.

House Republicans will increase Medicare spending under our proposal from $4,700 per retiree to as much as $6,300 per retiree by 2002. This is a 45-percent increase in Medicare spending per retiree.

We will preserve the current Medicare system but we need to develop a new series of options for our senior citizens so they can control their own future. I believe that by working together both sides of the aisle we can save Medicare, preserve and protect it so that we can provide the best possible health care at the lowest cost to our senior citizens so they can control their destiny. And we working together with them, we will in fact have a bright future.

TIMBER SALVAGE

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from North Carolina [Mr. TAYLOR] is recognized for 60 minutes as the designee of the majority leader.

Mr. TAYLOR of North Carolina. Mr. Speaker, we are here today to talk about the Presidential veto of the timber rescission or timber salvage amendment that is part of the rescission package that has passed this House, passed the Senate, has been confirmed, from the conferees, by the House and is waiting confirmation in the Senate.

The President has promised to veto the entire rescission package, and that includes the timber salvage amendment. The salvage amendment was put together after considerable consultation with the Forest Service, with many groups; in fact, the final amendment reflected a good many suggestions from the White House itself, and still the White House wishes to veto the entire rescission package, including the timber amendment.

What we are talking about with the timber amendment tonight is to tell people what is going to be the result of that Presidential veto. First of all, we have to look at what is happening to our forests and what is happening to the jobs related to forest harvesting. Our forests are deteriorating in health because we are not managing them along the lines of our best scientific knowledge in forests. We have a well-funded special interest of environmental groups in Washington that take in over $600 million, and they take in that money by scaring people into thinking the last tree is going to be cut tomorrow or some other fantasy in order to bring those hundreds of millions of dollars in to themselves. This does not meet with true science or with what is actually happening in the forest.

The forests are deteriorating because of the bad management that has been pushed by these organizations creating the policy over the last several years.

The salvage amendment was an effort to try to return sensible environmentalism and sensible science back to the harvest of our timber. And what else is at stake? Is it better environmental policy for us not to harvest dead and dying wood in our forests, to lose tens of thousands of jobs because we do not allow that harvest, to make the people of our country have to use alternative resources other than wood? And what is the consequence of using alternative resources other than wood?

We will make this podium, these chairs, this table out of either wood, metal or plastic. If we make them out of plastic, then we have to import the oil from the Middle East. We have to fight to get it out, many times. We spill it several times along the way. The toxicity in the manufacturing is greater than it is in wood manufacturing. And it is much harder to recycle or to dispose of when its usefulness is over.

The same thing with metal. We dig it from the ground. A great deal of energy in the smelting process, and it is much harder to recycle than is the renewable resource of wood. Also, both of those items are finite resources; when they are gone, they are gone.

The renewable resource of wood managed on a perpetual yield basis can take our lands, our best suited lands for timber and grow over and over again the multitude of products that we need for all of our home products, paper, many resources that otherwise we would have to use finite resources.

Now, it is better for us to use the renewable resource of wood or use up our finite resources?

We are today importing over one-third of the timber that we need, over 16 billion board feet. Often this is harvested from far more sensitive environmental areas than we have available to us in the United States.

So by forcing these imports, we are damaging tropical rain forests in many cases and other more sensitive parts of land.

What we tried to do with the timber amendment, a bipartisan amendment that had the support of the United Brotherhood of Carpenters, the United Paperworkers International Union, Western Council of Industrial Workers, National Association of Home Builders, Realtors, Women in Timber and many other small business organizations. It was to craft language that would provide us with 59,000 more jobs during the three years in the timber communities. It would bring in an additional $2 billion in payroll for timber workers in communities all over this country. It would provide over $450 million in additional tax revenue, and it would put over $423 million returned to the Treasury directly. Two hundred three million dollars would be shared with the counties, mostly going to education, which is where the counties put funds coming from the harvest of timber.

It would also bring us a lower cost in fighting forest fires, which utilized $1 billion in Federal cost in 1994 and cost us 32 lives in this country fighting fire.

The President plans to veto this bill, the entire rescission bill and the timber salvage provision. That would put people back to work, reduce expenditures on forest fires, and improve forest health.

Included also was section 318 timber. Many people have said that the timber salvage bill is not needed because the Government has a process now for harvesting salvaged timber. It does. But it has been used in such a way by many organizations through the appeals

process, through delaying processes, that they render the harvest in salvaging of timber useless. If timber in the Northwest, in the Southeast, the Southwest, is not utilized within 6 to 24 months, then it usually is lost as far as any practical use and the ability to salvage it.

So it must be done quickly. Appeals and other actions by special interests in this country delay it for years.

For instance, the section 318 timber, it is in Washington and Oregon, this area has already met all the environmental requirements. This is green timber but it has not yet been released. It has been waiting since 1990, over 5 years. And this meets all the environmental requirements, and it meets, it has already been approved to move, but it has been held up for over 5 years while people in Washington and Oregon are without jobs.

I think the salvage bill itself provides an opportunity to review environmental laws. It requires the secretary of agriculture to see that those laws are followed; if he feels that a tract can be salvaged following the Environmental Species Act and the Forest Acts and some other group disagrees with him, they have the right to appeal. They cannot have endless appeals. They must appeal directly to a federal judge, a district court judge and they have 45 days in which the judge will hear the evidence and then make a ruling, and then that is the end.

If he feels the environment is endangered, then he can declare the sale unacceptable. If he thinks there is no environmental damage to be done, he can declare the sale to move ahead, and that is the end of the appeals process.

□ 1900

The Forest Service itself then puts together, through professionals, the sale, and puts it out to the highest bidder. There is no forest giveaway, there is a sale to the highest bidder for the timber to be utilized.

Mr. Speaker, the fact that this legislation brings in revenue, puts people back to work, uses our best science, and gives full protection for environmental laws should mean that the President should not veto this legislation, but should pass it.

Mr. Speaker, I will yield to some of the people affected by this. I yield to the gentleman from California [Mr. DOOLITTLE].

Mr. DOOLITTLE. Mr. Speaker, I thank the gentleman for yielding to me. I wish to acknowledge the gentleman's leadership on this salvage issue as a member of the Committee on Appropriations and a member of the conference committee. He is to be commended for the work that he has done.

Mr. Speaker, this will definitely result in a vast improvement for the quality of our forest health, which is so desperately needed in many parts of my district. In many parts of California and the Sierras, the percentages range up to one-third of dead and dying trees. A third of the Sierras in parts are dead and dying trees.

I believe the gentleman is the only licensed forester in the United States Congress, so the gentleman has an expertise that no one else really does, not to the degree that the gentleman does. He understands what happens when we have a forest fire, and the environmental damage that that does when it burns so hot. He understands that if we do not take this dead and dying timber while it still has commercial value, then the taxpayer is burdened by shelling out money out of, I guess, the general fund to go remove these trees. There is nothing to be regained in terms of repaying the Treasury.

Is that your understanding?

Mr. TAYLOR of North Carolina. This is true, and not only that. I doubt if we could get that money expended, and the wood would not go to create jobs, in most cases, if it was harvested that way.

Mr. DOOLITTLE. Yes, because it has a no value. So at that point they are just doing something to improve the health.

I would comment, we have had a highly slanted, unfair, biased report called the Green Scissors Report, which is a coalition of, I believe, Earth First and the National Taxpayers Union and Citizens Against Government Waste, which is, I think, just shocking in terms of the distortion that is in that report. One of the things they attack is so-called below-cost timber sales.

What I find interesting is that many of these self-professed groups that profess to protect the environment drag out the appeals process as long as they can, so they make sure that timber has no commercial value, and then, when money is spent to get rid of that timber to protect the health of the forest, I believe that counts against the overall tree program, and so it is bootstrapping. They make sure that it does not recover the costs, and then they try and show ''Look what pork barrel scandal support of industry we have here, because the taxpayer money is going to support the timber industry,'' when in reality, their own actions have guaranteed that result.

Mr. TAYLOR of North Carolina. Mr. Speaker, I yield to the gentleman from Washington [Mr. METCALF], whose State is also involved in this, if he would talk to us about the impact in his area.

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

Mr. METCALF. Mr. Speaker, the President will soon have on his desk legislation that would make good use of a valuable natural resources. However, without the President's signature, this resource will rot away.

Tonight I will tell Members the story of just one tree, one in thousands in western Washington State. The Forest Service estimates that over $20 billion board feet of dead, dying, or downed timber is now in our forests. This tree on this picture and many others like it blew down in a windstorm on the Olympic Peninsula.

This is not an uncommon occurrence in this Washington State coast. While this tree grew in a region that is perfect for its growth, the unique combination of heavy rainfall, wet soil, and high winds caused trees like this giant 500-year-old growth Douglas fir tree to blow down. Thousands of these blown-down trees are lying on the forest floor right now.

However, this tree had a chance to be different. Mr. Jim Carlson, in the picture, tried to purchase this tree from the Forest Service, to be cut up in his sawmill and sold to the public. His sawmill used to employ about 100 people. The Quinault Ranger District refused to sell this tree to him. Mr. Carlson later came back to the Forest Service and asked to buy the tree, pay money for it, the lumber to be used in the construction of an interpretive building that he wanted to build on this ranch as part of an economic diversification project. This would have allowed Mr. Carlson to get into the tourism business which, as long as we are going to put him out of the timber business, seems to me about the least we could do.

The request was also denied, in spite of the fact that provisions for this type of sale were contained in the Grays Harbor Federal Sustained Yield Unit Agreement.

The taxpayers are the big losers in this story, though. This tree contained, just look at this tree, it contained 21,000 board feet of lumber. The sale of this tree by the Federal Government to Mr. Carlson would have brought the taxpayers, would have brought the Federal Government, $10,000 to $20,000. Mr. Carlson would have been able to manufacture that lumber from this one tree and sell it for approximately $60,000 on the retail market. That is the value of that one tree.

Mr. Speaker, the sad end for this tree came in a perfectly legal, though terribly wasteful manner. An out of-work timber worker, armed with a firewood permit and a chain saw, cut up this grand old giant for $5 a cord and paid about $115, $115 to the taxpayers of this Nation, instead of the $10,000 to $20,000 that that tree was worth when it fell.

The rest of the story, as Paul Harvey likes to say, is that this past year this timber worker had his home sold on the steps of the county courthouse, because he could not pay $932 in back taxes, while the Quinault Ranger District that would not sell him the tree for lumber did not have enough money to purchase the diesel fuel to run their road grader.

The extreme environmentalists oppose harvesting downed or diseased timber. For those who feel good to have that fine timber rot on the forest floor, for those people, I remind them that 15 billion board feet that lies there now will rot. There are no roads to get

to it. It is not accessible, and it will rot.

I feel good about the 6 billion board feet that we can salvage. The environmentalists claim these trees are necessary for the nutrients they provide to the forest floor. However, if we check with the forestry scientists, they will tell us that 90 percent of the nutrient value is found in the crown of the tree. That is what stays in the forest when you take out the lumber. It stays in the crown of the tree, while 80 percent of the fiber is found in he trunk. That 80 percent that we need, and which can be put to good use, contains less than 10 percent of the nutrient value.

It is possible, therefore, Mr. Speaker, to have the majority of the fiber we seek from these trees and at the same time leave the majority of nutrients behind. With a sensible salvage policy, we can have our cake and eat it too, and at a profit to the Federal Government.

Mr. Speaker, there are thousands of trees just like this one in the Pacific Northwest. When in full operation, Mr. Carlson could have run his mill with only 150 trees like this each year. He would employ 60 direct, full-time workers, with a payroll of over $1 million, from a yearly sales total of $7.5 million to $9 million. He would pay $200,000 to $400,000 per year in corporate income tax, he would pay $1 million to $2 million in Forest Service stumpage fees. That is what the Federal Government gets directly.

His employees would pay personal income tax of over $1 million. They would have complete company-paid medical care for themselves and their families. In addition, Mr. Carlson would employ up to 40 other people in subcontractor positions. These would include the loggers and those people that would help get the logs out of the forest.

To the State of Washington alone, this legislation would mean 7,500 man-years of direct, indirect, and induced employment. These are jobs we desperately need, as well as making wise use of a resource that would otherwise go to waste.

Sadly, if these giants are not harvested within 2 years of being blown down, or fire or disease-damaged, they are of no value as timber. They begain to deteriorate within 2 years. Thus, they are of no value to us as taxpayers. This is part of the emergency situation we face in our forests.

Unless the President signs this important legislation, giant trees like that will rot back into the forest floor from which they sprang. It is my hope that he can see the common sense in this legislation, and make the best use of our forest resources.

The forest communities all over the Pacific Northwest are dying. Our people are dying, in economic terms. This salvage timber opportunity is here now, and it is something that we deeply need in the State of Washington. We can wait no longer for consideration and meaningful action addressing this situation. We desperately need President Clinton to help by signing the bill which authorizes the timber salvage.

Mr. TAYLOR of North Carolina. Mr. Speaker, I thank the gentleman for his comments. Of course, he has given an exact case, something very close to home, where individual lives are being impacted by a policy that does not realize science, and does not realize the reality of forest management, but is trying to pander to an elite group of special interests in Washington.

Mr. Speaker, I would say to the President of the United States that if he is serious about helping working people, and if he is serious about providing a balanced budget and providing resources to carry out a number of programs that he would like to see in that budget, then we have an opportunity here to restore hundreds of millions of dollars to the taxpayers, to the budget, and to put tens of thousands of people back to work.

I was mentioning a moment ago that we have section 318 timber that has been approved. If the President signs this bill, we will get the benefit of 8,942 instant jobs, in addition to the ones in the salvage bill, because part of the timber salvage amendment includes three phases. It includes the timber salvage portion, it includes the section 318 timber that has been approved and been waiting 5 years now, past all regulations, been waiting 5 years to be put on the market, and the option 9 that the President himself recommended.

With the 318 money we will put 8,942 people to work immediately, $313 million in additional payroll funds for timber workers, $47 million in additional tax revenue, $184 million returned to the Treasury, and $61 million to be shared with the counties for whatever uses they need and see fit.

Good-paying jobs are not government-trained jobs, they are reality, they are what is needed in the marketplace. We have 151 job training programs, yet here we could put tens of thousands of people back to work without the taxpayer training.

Mr. Speaker, I yield to the gentleman from California [Mr. HERGER], who also has a personal experience. He has a personal experience of what is going on in the mismanagement of forests in California.

Mr. HERGER. Mr. Speaker, I thank the gentleman for yielding to me, and for all of his hard work. I believe he is the only certified forester in the House of Representatives. I thank him for his leadership in this area.

Mr. Speaker, when the President threatened to veto the 1995 Supplemental Appropriations and Rescission Bill, H.R. 1158, he stated, among other things, that he ''really objected to the timber salvage provision of the bill.'' I was quite surprised to hear this, particularly in light of what the amendment stands for in terms of wildfire prevention, forest health, jobs, and the preservation of rural schools all over the country.

What I would like to do for the next few minutes, Mr. Speaker, is outline just what the President means when he says he objects to the amendment. That is, where his priorities lie, and what that means to the rural communities in my district in northern California and in other regions throughout the country.

□ 1915

Apparently the President is objecting to wildfire prevention and forest health.

Mr. Speaker, last year nearly 4 million acres of forestland nationwide and some 375,000 acres in my district alone were consumed by wildfire. This was due primarily to the excessive buildup of natural fuels, that is, dead and dying trees in our forests.

Mr. Speaker, of the 8 national forests in my northern California congressional district, I have areas where as much as 50 to 80 percent of the trees are dead and dying due to disease, insect infestation caused primarily because of 7 out of 9 years of severe drought. In fact, tree mortality in my district is so severe that the California State Board of Forestry has declared much of the area as a zone of infestation.

When these dead and dying trees ignite, they burn with such intensity that virtually everything in the forest, live trees, riparian habitat, owl nesting sites and even the soil is consumed. This kind of wildfire brings the health of the forest to its lowest ebb. Nature is unable to repair itself for years, even if man does everything within his power to help. Wildfire also does not discriminate between animal and human habitat.

Last year the city of Loyalton, for example, in my district was threatened to be burned to the ground 3 times by the same fire. Each time the town was spared by changing winds. Next year the families who live in Loyalton may not be so fortunate.

Our salvage amendment offered the President the tools to protect our forests and forest communities from this kind of catastrophe, but apparently the President finds this proposition objectionable. Apparently the President would rather see our forests and the towns adjacent to them, the Loyaltons in States throughout the country, blow up in fire storms than remove the dead and dying trees that cause this kind of disaster.

The President apparently also objects to putting unemployed people back to work. Mr. Speaker, since 1987, 51 mills have closed in northern California due to drastic decreases in Federal timber sales and the listing of the Northern Spotted Owl. Forty-two of these mills have closed since the beginning of 1990. Twenty-nine are in my district.

These closures have literally devastated many small timber-dependent communities. Thousands of workers have been dislocated, causing unemployment to exceed 20 percent in some

areas. Welfare rolls have ballooned and domestic violence has risen sharply. It has simply been a social travesty.

When the President held his Western Forest Health Summit in 1992, he promised to help these people. What has he done since then? Since he made his highly touted promises to the people of northern California, Forest Service timber sales in the region have fallen to approximately half of their 1992 levels and to approximately one-third of their historic levels.

Year 1995 looks even more bleak for the timber communities. Of the 20 timber purchasers which currently have outstanding timber contracts in the Klamath and Sierra Provinces of northern California, only 7 of these 20 will have outstanding contracts at the end of 1995. The bottom line is, the industry is being bled dry.

How ironic it is to consider that at the same time we have a desperate need to remove the dead and dying timber from our forests, we also have a work force in desperate need of jobs. Mr. Speaker, common sense says that we have the wherewithal to kill two birds with one stone, to save our forests and put a number of people back to work. But again, Mr. Speaker, the President apparently finds this objectionable. The fact is that he is turning his back on the promises he made in 1992 and to the people to whom he made them.

Finally, the President apparently also objects to infusing money for schools and roads into depressed rural communities which have not the money for either. Mr. Speaker, 25 percent of the receipts of all Federal timber sales are returned directly to counties to fund schools and road construction. Any county school superintendent in northern California would tell you of the devastating impact reduced timber sales have had on the schools in his or her district.

Plumas County, for example, has had its annual school budget cut by as much as $5.3 million from its 1992 levels. Siskiyou County has lost over $1.7 million annually since 1992. These drastic cuts to school budgets which are very small to begin with, Mr. Speaker, have forced school boards to eliminate some of the most basic scholastic programs which most school districts take for granted.

Our salvage amendment would give county school districts and road funds an infusion of a projected $380 million. This money would also help restore basic programs in rural schools. But, again, Mr. Speaker, the President apparently finds this proposition objectionable. Apparently his ''people first'' philosophy does not include children in poor rural communities.

So what does the President not object to? If he objects to fire prevention, job creation, and the preservation of rural schools, what does he not object to? He apparently does not object to continuing what he began the day he took office, an all-out war on the West spurred on by environmental extremists and special interest groups, a preservationist war that apparently he will continue waging until our forests are locked up completely and the enemy, the people who have lived and managed them for generations, have been vanquished.

Mr. Speaker, I thank the gentleman from North Carolina [Mr. TAYLOR] for his leadership in having this special order and bringing this to the attention of not only the Members of the Congress but to the American people.

Mr. TAYLOR of North Carolina. I appreciate the gentleman's commitment to his constituency and the people of this country and his willingness to tell them the truth about what is happening in your district, and it is happening in districts all over the United States.

I would like to ask the gentleman a question. The President when he indicated that he would veto this bill, he made a statement, and I am quoting from it. He says, ''I object to this amendment which would basically direct us to make timber sales to large companies.''

The people who harvest the timber out in your area, are those the major companies, the Weyerhausers and the other larger corporations? In our area, it is mostly mom-and-pop outfits, they hire maybe under 100 people, they are people in the community, and most of those folks are right there in the community. These are not large companies. These are basic community small businesses.

Is that the case in your area?

Mr. HERGER. That is absolutely the case in our area. Again there is probably not any other industry that has as many small business type family organizations than in the timber business, that business which provides our Nation with our paper products, provides us with the wood products to be able to build our homes, to be able to have affordable homes, essential needs. Yet as the gentleman mentioned, these are primarily done by family small businesses.

Mr. TAYLOR of North Carolina. I would suggest that the President get away from the elite environment that he is surrounded by at the White House and go out and talk to these folks and see how many businesses are involved.

Major timber companies that have millions of acres of land do not need this to produce their forest products, but small businesses do. They are being devastated to the point of tens of thousands of jobs all over this country.

I think the gentleman brought our another point, homebuilding. The average cost of a home has gone up over $7,000 just over what has happened in the Pacific Northwest, and expected to go higher. We are using today metal studs for construction purposes as well as other metal components instead of the renewable resource of wood.

How can you possibly be an environmentalist and want to use a finite product that is hard to recycle, hard on the environment when it is brought in and smelted and produced as opposed to a renewable resource like wood, easily recyclable and can be used over and grown over and over again?

Mr. HERGER. I thank again the gentleman for bringing this out. Again we are talking about a renewable resource. As I mentioned earlier in my talk, I have some eight national forests, all or parts of them in my district. Of that part, during the time when we were under historic levels and were harvesting, approximately 75 percent were off-limits to any type of harvesting at all. They were in preserves, they were in national parks, in wilderness areas. So we really had about 25 percent of the pie that could be harvested, and through our California laws could not be harvested any more rapidly than they were growing back.

At this point, even that 25 percent has been locked up. Maybe there is about 5 percent or even less that we are able to harvest. Again, we are talking about a renewable resource. These steel studs that you are referring to or even in our grocery store, the plastic. Plastic is not renewable. Steel studs are not renewable. But yet our forest products are renewable. Again, it is a tragedy to our environment to see this happening, that not only are our forests rotting and burning but our communities are being deprived of their very livelihoods. Again, this is a tragedy, and I thank the gentleman for bringing this out.

Mr. TAYLOR of North Carolina. The gentleman makes another good point. We are not talking about any harvest in national parks. We are not talking about harvesting in wilderness areas or wild and scenic river areas. As you say, 75 percent of the national forests even are off-limits from this harvest. Only about 25 percent of the area which is already being used and harvested from a commercial standpoint, or at least eligible—it is not being harvested now—for harvesting will be impacted. A very small part, one-third, of this Nation's public lands that the Government owns today.

I would also remind, and I think the gentleman pointed out a moment ago, management of the forest and thinning of the forest is important for forest health, whether it is down wood or standing wood. There was a wire today, a green wire that came out that pointed out that aspen trees in New Mexico and Arizona are on a rapid decline.

It points out that in 1962, there were 486,000 acres and it is down to 263,000 acres now, a 46 percent decrease of aspen, and the primary reason is the aspen, and I am quoting from it, needs open spaces to grow. They need to clear the forests so the younger trees can grow out, and that can be done, according to this green wire, in several ways. One is by wood harvest. That is important in managing today's forest. If you are going to have a wealthy forest, it has to be managed, and harvest is part of that management.

I would go back and talk again about what the President said in his statement. He went on in addition to saying this was made up of large timber companies, we were directing the cuts in sales to large timber companies, and that is entirely false. I would say it is close to 99 percent of these companies that are going to be harvesting, that will be winning bids on forest sales, come from small family firms and would be classified as small businesses under all the definitions of small business.

He also mentioned there would be a subsidy to the taxpayer. The Congressional Budget Office saw no subsidy, the taxpayer was not subsidizing these sales. In fact, they saw tens of millions of dollars coming into the treasury, and I think we quoted from those figures a moment ago.

Then he went on to say that this legislation would essentially throw out all environmental laws, and that is ridiculous. If he would talk to his own chief of the U.S. Forest Service, he would tell them that the environmental laws are not being thrown out, that the Secretary is required to follow a number of the environmental laws. If there was no requirement for following them, there would be no reason for an appeal, and there is an appeal process.

I would go to the last segment in the salvage amendment, and, that is, that was inserted by the Senate. It was option 9 timber harvest.

□ 1930

The President himself went to the Pacific Northwest directly after his election and promised the people that he would start seeing that the forests there were being harvested. Now he cut the harvest down to approximately 20 percent of what it would be or what it had been in the past, but even that is not happening. The extreme elements who are influencing the administration are seeing that is not happening. Of the 1.2 billion board feet that were selected for harvest under Option 9, almost none of that timber has been cut since the plan was selected by the administration.

It was tested in district court, was upheld in district court in December, and the conference language would require that it now proceed and it would insulate it from further judicial review so that we do not have to subject the tens of thousands of employees to endless appeals on this process.

In real terms if we restore and bring the Option 9 procedures ahead, it would restore almost 19,000 jobs for timber workers in the communities in the so-called spotted owl areas, it would add $664 million in additional payroll for timber workers, it would add $54 million in additional tax revenue, and $360 million would be returned to the Treasury; $120 million would go to the counties to be shared as we mentioned a moment ago primarily for education.

Even the Forest Service estimates that if we do not proceed it may be years and years before option 9 can move ahead, and that in effect is the President denying the people even that part of his promise that he made in the Pacific Northwest.

We have a section that is called the 4–D areas, a provision that legitimizes future action for the administration's 4–D section on Endangered Species Act rulings for relief of small landowners which was also included by the conferees. When the administration finishes its 4–D rules, millions of small landowners will be out from under the ESA restrictions on timber harvesting. It would free up hundreds of thousands of board feet of new timber by small property landowners.

The acceptance of this provision was basically a good-faith attempt to show that Congress is willing to work with the administration's plan to utilize section 4–D of the ESA to provide relief for small landowners.

In other words, the President has made many representations. What we are trying to do is to bring those representations to fruition. Certainly the President can support that.

The President's veto means that the administration's commitment to provide relief in timber communities will not happen. The President's veto threat and comments on the timber provisions in the rescission bill is proof that his campaign pledge to put people first has been breached.

The number of jobs in the entire rescission bill, including the salvage portion, 318 and option 9, would create over 88,000 jobs; in other words, it would put that many people who have been unemployed this period of time back in their jobs all across this country. Instead of that, the President is willing rather to see that the forests rot or burn than to see that good silviculture, good management, forest health management is put in place.

I would remind him that his promise was to help bring economic activity back to the area. His veto of this legislation will kill that entirely. His signing of that bill will give 88,000 people across this country and primary in the Pacific Northwest immediate employment.

There are numerous opportunities for us to evaluate this bill. The Congress had hearings, the Committee on Agriculture and Committee on Resources had joint hearings before they requested that I sponsor this amendment in the Committee on Appropriations. We had debate in the Committee on Appropriations, we had debate upon the floor. There were 277 members of Congress who supported this bill; it was opposed by 149. It passed with almost two-thirds of this Congress' support. It passed in the Senate. It came back and was approved, the conference language in the House was approved overwhelmingly, as it will be in the Senate. And so, this is the people through their representatives speaking for what is needed in this country and what they want.

The President is vetoing it because he is being asked by a group of ill-informed special interests in Washington not to do it.

If you read the Wall Street Journal of 2 weeks ago last Friday you will see why. The environmental organizations in this town, the special interest to which I refer that take in the $600 million and lavish it out to political special interests, were polled as to their support. The report said they were basically left-leaning, 93 percent who support the President of the United States, voted for President Clinton in the 1992 election. And he now is reaching out to pander to that very elite special interest and forget 88,000 honest taxpaying citizens who can be put back to work immediately.

I would remind them of one other statement that was made by the group, an environmental group who spoke positively about the President's threat to veto, and I am quoting the Oregon-based Headwaters organization, and it said ''By preventing these clear cuts, President Clinton today saved the marble murrelet from extinction.'' Now that defies sensibility. We are talking about dead timber, we are talking about timber that in many cases has already blown over on the ground, we are talking about timber that has been burned, we are talking about timber that is insect-infested. Clearcutting dead and dying timber is ridiculous, and how you could have saved anything, the marbled murrelet from taking out salvaging dead timber remains to be seen.

I yield to the gentleman from California, Mr. RIGGS, whose district also is impacted by this legislation, who has real people who are suffering because of the policies of this administration and because of the veto threat of this administration.

Mr. RIGGS. I thank the gentleman for yielding, and I commend him for his extraordinary leadership in helping to steer this very important piece of legislation properly called the emergency timber salvage amendment through the House and making sure it survived the House and Senate conference committee.

I want to tell the gentleman that I am dismayed to put it mildly that the President might specifically point to our emergency timber salvage amendment as grounds for vetoing the emergency supplemental appropriations and rescissions package, first of all because the bill as the gentleman well knows appropriates Federal assistance, Federal aid for disaster victims in California, many of whom live in my congressional district and were victims of last winter's severe flooding, but also because, frankly, we need to ensure a greater supply to timber, and what better source than the dead and dying trees on Federal forest lands for the independent mills in the north part of my congressional district, which are

very much a part of that regional economy, and the independent mills, frankly, are almost the backbone of our regional economy and have been beset by any number of pressures in recent years, not least of which is in my view an overregulation of our Federal forest lands and a moving away from utilizing those forest lands to produce a resource that the mills can then use to turn into products and to create and to save jobs.

Let me point out to the gentleman what I am sure he has already mentioned here tonight, and that is our amendment is vitally needed for fire-supression purposes and the health of the forests. Our amendment would save lives and save, frankly, the Federal Government millions of dollars in fire-suppression costs that have been spent combating these raging wildfires that have burned out of control particularly in the western United States in recent years.

Second, it would generate revenues for the Federal Treasury by again allowing the salvage harvesting of these dead and dying trees on Federal forest lands. Our amendment, which the gentleman was able to incorporate into the appropriations bill when it left the full committee, was actually one of the revenue-positive aspects of that piece of legislation, and was one of the measures that were used to pay if you will for the expenditures in the bill, not least of which again was Federal disaster assistance for emergency victims in California.

Second, I would like to point out, as again I am sure the gentleman has stressed here tonight, that our amendment is designed at taking some of these dead and dying and diseased trees out of Federal forest lands at a rate, frankly, that is far below the annual mortality rate on Federal forest lands, so what we have proposed here is a very reasonable amendment, one that is good for the environment, again good for forest health purposes, it is good forestry technique or silvicultural technique in that it allows the selective thinning of our forest lands targeting dead and dying trees, thinning those forest lands and managing those forest lands for again forest-health and fire-suppression purposes.

I must say I am perplexed by the President's position on this particular issue. It seems like his administration has been, frankly, talking on both sides of this issue. In fact the very day before the President mentioned in his veto threat our emergency timber salvage amendment as grounds for a potential Presidential veto I has been assured by our former colleague and the new Secretary of Agriculture, Dan Glickman from Kansas, that he as the Agriculture Secretary intended to do all that he could as a key representative of the administration to ensure that we began selling more timber off of our Federal forest lands, and as the gentleman pointed out in his opening remarks when he was kind enough to introduce me and yield ti me to me, my congressional district, the First Congressional District of northwest California, is home to all or part of four Federal forest lands. Our economy, our regional economy in northwest California is very much resource-dependent. We have traditionally relied upon the forest products industry as the primary source of steady, good-paying, industrial-type jobs, and, frankly, I would hope that the administration will reconsider their position, allow us to begin extracting that resource off of Federal forest lands for the benefit of our economies and the benefit of our local communities in our congressional district, in your congressional district, and in many congressional districts across the country.

Mr. TAYLOR of North Carolina. Would the gentleman perhaps consider this question: If the President signs this rescission package, he will put 88,000 people back to work, and these are good, high-paying jobs, that is why we have at least three or four union endorsements here, we have the National Home Builders, we have many organizations endorsing this.

At a time when unemployment is relatively high across the country and especially high in the Pacific Northwest and other areas that would be impacted greatest by this, why would the President not sign a bill that would put 88,000 people back to work, would improve the forests' health, would actually by his own Forest Service admission, would really create a healthier forest? Why would he not do that?

Mr. RIGGS. If the gentleman would yield, I would be the last one to speculate for the administration on this particular question, and I know that the gentleman's question is somewhat rhetorical in nature. But he makes a very, very good point.

First of all we are talking about jobs that are not easily replaced in the local economies of resource-dependent communities. And I cannot fathom his motivation, except for the possibility that the President is afraid of frankly antagonizing a core constituency in the national Democratic Party, and that is the more militant environmental element which has made professional environmental activism a movement in America in recent years. They are the forces, the entrenched forces of the status quo on this particular issue. They are the ones that are frankly saying let those dead and dying trees rot on the forest floor rather than use those trees as a resource to produce a value-added product and again ensure good paying jobs in the forest products industry and the communities that depend on that industry as the primary source of their economic livelihood and economic well-being.

Mr. TAYLOR of North Carolina. A little while ago I mentioned the study that was published in the Wall Street Journal a couple of weeks ago pointed out this special interest in Washington of the environmental movement, and this is to be distinguished from genuine, honest, working people out there that are concerned about the environment. I have three children, I am concerned about the environment.

□ 1945

Many people across the country are concerned. I am talking a special interest here that takes in over $600 million by frightening people and does not come close to putting out the truth of what is happening. It is an organization that, according to the Journal report, is very far left. It voted 93 percent for Mr. Clinton in 1992. I know it is a special interest group that backs him.

But pandering to that group at the expense of these tens of thousands of wage earners out in that part of the country and doing it against the recommendations that he made himself, promises he made himself, with option 9 and other promises to get these people back to work, I cannot understand why he is picking this very left-wing group over this large part of America's working people, labor unions that want to go back to work, members, others, and I am just confused as to why this administration would pander to this small, elite group as opposed to mainstream America, why he would fly in the face of nearly two-thirds of the House of Representatives.

This was a bipartisan effort.

To get two-thirds, we had over 70 Democrats who voted and worked hard for the bill. The gentleman from Washington [Mr. DICKS] was particularly helpful to get the bill passed; the gentleman from Texas [Mr. WILSON], others were involved in this, as well as the gentleman from California [Mr. RIGGS], and it is all of us who are looking to help these working men and women get their jobs back, high-paying jobs in most cases, to get them back in the mainstream economy, and here the President is threatening to do that, to veto it. He is threatening because of the pressure from a group that does not know a sourwood from a white pine.

I had one of them testifying in the Committee on Interior the other day who testified he was an environmental educator. After he told me all the things that were happening in the forest, the world was coming to an end, I tried to ascertain his qualifications. I found out he did not have a degree in anything, and his practical knowledge was void. I asked him what portion of the country was owned by the Federal Government. It is about a third. He did not have a clue. I asked him how many acres were in the U.S. Forest Service system. It is 191 million acres. He did not know. I asked him how much of that 191 million acres could be harvested today. He said it all could. Less than 25 percent of it can be harvested today.

What I am saying is, with that kind of misinformation, the President would do well to listen to the working men and women in California and Washington and Oregon and other parts of this

country as opposed to listening to a very elite special interest group that is giving him very bad information.

Mr. RIGGS. If the gentleman will yield, I think the gentleman makes an excellent point, and I would simply add that again the hard-core professional environmental element, which again has become, giving, I guess, the devil its due, a well-organized and well-funded movement in this country in recent years, having lost this debate through a fair and open process at the full Committee on Appropriations level when the bill was marked up, in fact, when the gentleman's amendment was voted on on an up-or-down basis, having lost the debate out here on this House floor when we debated at some length the merits of the gentleman's emergency timber salvage amendment, then employs a back-door mechanism, goes to the White House and convinces the certain figures in the President's administration that he really ought to veto this bill, which, as the gentleman pointed out, passed the House with strong bipartisan support, and I want to say that the President, frankly, is not, in my just intuitive sense here, he is not heeding his instinct. He is not doing what I think, frankly, he knows is the right thing.

I mean, after all, this is a President who campaigned on a promise of putting people first. Well, I want to point out to the President that the independent timber mills of this country have launched a new campaign called Putting Family Businesses First, so if the President met his campaign rhetoric, if he really does believe in putting people and families first, he can begin by reconsidering his threat to veto the gentleman's outstanding emergency timber salvage amendment.

Mr. TAYLOR of North Carolina. That falls in line with the President's declaration that these are large companies. These are not large companies. These are small, family-size businesses.

THE REAL ENVIRONMENTAL EXTREMISTS

The SPEAKER pro tempore (Mr. NETHERCUTT). Under the Speaker's announced policy of May 12, 1995, the gentleman from Georgia [Mr. LEWIS] is recognized for 30 minutes as the designee of the minority leader.

Mr. LEWIS of Georgia. Mr. Speaker, I yield to the gentleman from Ohio [Mr. BROWN], my friend and colleague.

Mr. BROWN of Ohio. Mr. Speaker, I just sat here listening for the last hour as the gentleman from Georgia [Mr. LEWIS] did, and my friend, the gentlewoman from North Carolina [Mr. CLAYTON] talking about environmental extremists and environmental extremism.

The fact is that 70 percent of the American public wants to see not weaker but stronger environmental laws, and the real extremists and the real radicals in this environmental debate are not people that support the clean water laws and not people that support the clean air laws and not people that support public health laws, but the real extremists are a good many Republicans in this body who literally want to privatize some of the national parks, sell the national parks to large corporations, want to roll back a lot of the environmental laws, clean air laws, safe drinking water laws, laws that affect, that we have built a consensus in this country around that have given us the best public health in our history, that have given us the best, strongest laws in the world to protect our citizens against everything from breast cancer to tuberculosis. We have done that well in this country in the last 3 or 4 decades, something I am proud of.

I live in Lorain, Ohio. My back door looks out over Lake Erie. Twenty years ago, Lake Erie was declared dead in many parts. Part of the Cuyahoga River in Cleveland caught on fire.

Becuase of the efforts of the U.S. EPA, because of the commitment of a lot of people in Lorain, Cleveland, Medina, and all of northeast Ohio and other areas, we as a Nation were able to clean up that lake, so my daughters, Emily and Elizabeth, can now swim in Lake Erie, and other people, we drink the water, we can enjoy that lake recreationally, and it helps create jobs. It helps attract people to the Great Lakes to build their businesses and build their industries and employ people.

The extremists and the environmental issue are not those 70 or 80 percent of the American people that want clean air, pure food, safe drinking water for their children and their families and their grandchildren, but the people that want to sell off the national parks and allow the chemical companies and other polluters to write the laws that dismantle the best environmental laws in our history and the best environmental laws in the whole world, and that is what concerns me when I hear this kind of debate on the House floor.

Mr. LEWIS of Georgia. I say to my friend, the gentleman from Ohio [Mr. Brown] I must agree with you. There is nothing radical about wanting to know what is in the air we breathe, what is in the water we drink or what is in the food we eat. I thank the gentleman very much for his comments.

I yield to the gentlewoman from North Carolina [Mrs. CLAYTON].

CELEBRATING THE MOTOR-VOTER LAW

Mrs. CLAYTON. Mr. Speaker, I also want to applaud my colleague, the gentleman from Georgia [Mr. LEWIS] for organizing this special order and his dedication and commitment to the cause of voting and the rights of civil rights. He has an impeccable reputation, and those people who know of his record know that, indeed, the gentleman from Georgia [Mr. LEWIS] is a long-distance runner in the struggle for civil rights and the opportunity for basic rights that the Constitution affords all Americans, the right to vote for all our citizens.

He has faced all manner of discouragement, and yet he has never been discouraged. I just want to thank you, I say to the gentleman from Georgia [Mr. LEWIS], for not only this special order but for the life that you have lived and showing that America should be there for everyone and living the life that is exemplary, what you are. And so I am delighted to participate with you.

Mr. LEWIS of Georgia. I thank the gentlewoman for those comments.

Mrs. CLAYTON. The right to vote is a precious right because all rights derive from the voting right. Freedom of speech, which we know as the First Amendment, has far less meaning without the right to vote and to elect those persons who will uphold that fundamental freedom.

Freedom from illegal search and seizure, which we know as the fourth amendment, has little meaning if those who hold elective office do not stand up and protect those basic freedoms.

The term due process, the fifth amendment, providing important procedural safeguards, guaranteed by the Constitution, become mere words if those who we elect fail to protect them.

And the equality of treatment under the law, the 14th amendment, is a platitude we talk about that becomes a living reality only when, now only when, those we vote into office become champions of those rights.

The Constitution is a living and breathing document that gets its life from people we elect.

It is, therefore, clearly the best way to safeguard all of our rights is to exercise our most fundamental right, and that is the right to vote. And the first step in exercising that right obviously is to register. We in Congress have made registering to vote easy. The National Voter Registration Act of 1993, the so-called motor voter bill, was passed by Congress and signed into law by President Clinton May 20, 1993.

The motor voter act took effect January 1 of this year. It requires basically that we get our drivers license, we can register by mail, any time we get public services, those three areas allow us to register very easily. With this simplified registration, we expect citizens will register to vote.

Indeed, in North Carolina, since implementation of the motor voter law, some 88,000 new voters have registered, 88,000. The reason for the simplified registration procedure is actually to encourage more people to participate, and we know there has been a declining participation of citizens in elections, so we need to do that.

One author has said the deadliest enemy is not really those who live in foreign lands but really it is within ourselves. I want to say to you, JOHN, that the same thing could be applied to us in our own community or in our own private life: The deadliest enemy is not

without, it is within, and that deadly enemy that is within is those who would discourage the participation, and this would be apathy, idleness, inattention and indifference. And because of these enemies, only about one-fourth of those voting last November actually voted, and so, therefore, we had, what, the Contract With America as a result of that, apathy and indifference, although we have the right to register.

The majority of Americans did not vote for those who pressed for the Contract With America. The proponents offered it, nevertheless, but one-half of them accepted that, only one-half of that 25 percent who voted, but nevertheless if people had voted, it would have been a different study.

Compare the record with those who voted in Africa. When people voted in Africa, they stood in long lines to vote; they stood, and the weather was inclement. Some of the people were disabled themselves, but they wanted to vote so well that they would suffer personal indignities just to have the opportunity to vote, the threat of violence, even death, for those who were in South Africa. They wanted the opportunity to participate.

And I think, I would say to the gentleman from Georgia [Mr. LEWIS] that we, too, need to have that same sort of spirit that the right to vote guarantees all other rights, and unless we understand that very fundamentally, that the Constitution is indeed a living and breathing instrument and each of those elements are important, but unless we exercise our right to vote, we will not have people who will implement properly the Constitution.

Again, I want to thank the gentleman for the efforts you had in making the motor voter a reality and thank you for allowing us to participate with you on this anniversary.

Mr. LEWIS of Georgia. Let me just thank the gentlewoman from North Carolina for those comments, those words, and for participating really in this special order tonight.

Mr. Speaker, I yield to the gentleman from Ohio [Mr BROWN]

Mr. BROWN of Ohio. It is my pleasure to join with the gentlewoman from North Carolina [Mrs. CLAYTON] and the gentleman from Georgia [Ms. MCKINNEY], and also the gentleman from Georgia, [Mr. LEWIS], celebrating the second-year anniversary of one of the things that I think was very positive, one of those most positive accomplishments of this dead in Congress, and that is the National Voter Registrations Act, which is the final jewel in opening up our political system to everyone in this country.

Unfortunately, there are some people that in this body want to repeal the National Voter Registration Act, and some Republican Governors around the country that do not want to implement it even though it is the most efficient, most cost-effective way to achieve universal voter registration in this society.

I was Ohio secretary of state for 8 years. One of my jobs was to encourage people and do all I could to get them to register to vote. We registered literally 1 million people over those 8 years. We were able to do it by using a lot of the motor voter registration at unemployment offices, registration at restaurants, reaching out all over to people in all walks of life, and it works.

Nationally, that is what is happening right now. we are reaching into all segments of the community, rich and poor, black and white, men and women, all across the board. We are seeing hundreds of thousands of people in State after State after State register to vote.

□ 2000

If we are going to be the kind of democracy that we need in this country that we have all striven for, it means we need to expand the number of people voting so everyone has a choice in selecting the next Congress, selecting the next President.

I say to the gentleman, ''I am proud to join with you, Mr. LEWIS, in your efforts to get more people registered to vote, whether it is—regardless of where those people are registered, whether it is a government office, whether it is a license bureau, whatever kind of place it might be, so that people more efficiently can find opportunities to register to vote all over our land. It has made a difference in registering millions of voters and expanding the electorate so we do, in fact, like most countries in the world, have universal suffrage so more and more people vote and choose our leaders.''

Mr. Speaker, I thank the gentleman again for his efforts in bringing us the National Voter Registration Act.

Mr. LEWIS of Georgia. I want to thank my friend, the gentleman from Ohio [Mr. BROWN], for participating in this special order, for all of his good work to increase voter participation, long before I came to this body, as the Secretary of State of the great State of Ohio. I say to the gentleman, ''Thank you very much.'' On January 1 of this year, the National Voter Registration Act, known as motor-voter, went into effect. This month marks the two year anniversary of Motor Voter becoming law. Tonight I want to recognize the important role Motor Voter has played in registering voters and promoting democracy.

The motor-voter law allows citizens to register at motor vehicle bureaus, welfare offices and other agencies. The goal of the law is to simplify voter registration and encourage people to participate in the political process. After only 3 months, the results are in. Motor Voter is working.

In only 3 months, over 2 million citizens have registered or updated their registration. Motor Voter will add an estimated 20 million voters to the rolls by the 1996 election. Motor Voter would be an even greater success if all states complied with the law.

Unfortunately, some States have not complied with the Motor Voter law. They refuse to follow the law of the land. Even some Members of Congress oppose Motor Voter. They want to repeal this successful law.

Mr. Speaker, during an earlier period of my life, I put my body, my heart and my soul on the line to increase participation of all people in the political process. From the sit-ins to the Freedom Rides to the March on Washington, to the March from Selma to Montgomery, I and thousands of others worked for the civil rights of all Americans. We wanted to make one man, one vote—one woman, one vote—a reality. This was our cause.

In the history of our nation, we were not alone. Time and again, ordinary American citizens have risen in defense of one person, one vote. From the Minutemen at Lexington and Concord to Abraham Lincoln—from Susan B. Anthony to Viola Liuzzo—from Dr. Martin Luther King, Jr., to James Chaney, Andy Goodman and Mickey Schwerner . . . people have given their heart, their soul—and often their lives—so that all Americans could vote.

We have all come a long way. The Declaration of Independence and the United States Constitution first stated that all people are created equal, and that they are endowed with certain inalienable rights. The Thirteenth, Fourteenth and Fifteenth Amendments to our Constitution, the Voting Rights Act and the Civil Rights Act have ensured that all Americans can exercise their right to vote. Motor Voter guarantees that they will.

Too many people, especially the young and the poor, are sitting on the sidelines. They have not registered to vote. They are not going to the ballot box. We must encourage all Americans to vote. We all must be involved. For people not to register—for people to refuse to participate in the political process—is dangerous to the health of our country.

Despite our proud democratic history—despite the obvious success of Motor Voter, certain Members of this body want to repeal Motor Voter. They want us to take a step back in history—a step away from having a truly democratic society. We must not let this happen.

Why do so many of my colleagues want to repeal Motor Voter? Why do they want to make it harder for people to vote? What do they fear? That people will vote? That people will get involved? That we will expand democracy?

This is what Motor Voter does. It makes it easier for all Americans to participate in our democratic process. Motor Voter opens up the process—it makes it easier for people to come in, to participate. Registering to vote is as simple as renewing your driver's license.

The more people vote—the more people become involved—the more government becomes responsive to the people. Each and every citizen has the power to hold their elected officials accountable.

When people do not vote, they forfeit their power—they silence their own voices. They say ''I do not care.''

How can so many Members of Congress continue to oppose Motor Voter? They say it is an unfunded mandate—an unfunded mandate. My Colleagues, if telling states to register voters is an unfunded mandate, it's a mandate as old as the Constitution.

Read article I, section 4 of the Constitution. ''The times, places and manner of holding elections for Senators and Representatives shall be prescribed in each state by the legislature thereof; but Congress may at any time by law make or alter such regulations.''

My Colleagues, our Constitution is not just another unfunded mandate. We cannot put a price tag on political participation. We cannot put a price on democracy.

Despite the opposition, despite the attempts to make it harder for Americans to vote, I am heartened by all that Motor Voter has accomplished in three short months. We must encourage people to become involved—to stand up and speak out—to vote. We must continue to support Motor Voter.

Now, Mr. Speaker, I am delighted to yield to the gentlewoman from the State of Georgia, the gentlewoman from the great State of Georgia [Ms. MCKINNEY].

Ms. MCKINNEY. Congressman LEWIS, I just want to commend you for remembering the importance of motor voter to our democracy, and I cannot help but think about I have a 9-year-old son, and I buy books. The most recent book that I purchased for him was a pictorial of the civil rights movement. It has got all of these wonderful, glorious, and infamous pictures about the dogs, and the water hoses, and Bull Connor, and this is a legacy of this country.

This is also a legacy of our quest for real and true democracy. You were there. You saw it. I can only rewalk your footsteps. I can only go back and see where you were 30 years ago at Edmund Pettis Bridge and recall in my own new way the contributions of Goodwin, Chaney and Schwerner, and Viola Liuzzo, and, when I go to Montgomery, I never go there without passing by the civil rights memorial at Morris Deze's Southern Poverty Law Center.

We have some of our colleagues here who participated in that struggle for American democracy. BOB FILNER is one who serves in Congress with us now who was there with the Freedom Riders fighting for a more perfect democracy.

I have a question for you. You have a story that you tell about the man with a cattle prod in his hand, and for our viewers tonight I just would like for you to retell that story because this is a part of our history, and this is a history that we cannot forget; lest we forget, we will surely allow those enemies of democracy who want to restrict the American people's right to vote to wane. So please tell the story.

Mr. LEWIS of Georgia. Well, let me just say to my friend and colleague from Georgia, I will never forget some 30 years ago in the little town of Selma, AL, in the heart of the black belt in Dallas County in 1965. Only 2.1 percent of blacks of voting age were registered to vote. They had to take a so-called literacy test. People were afraid. There were black men and women teaching in the local college, black doctors and lawyers, but they flunked the so-called literacy test. They could only go down to attempt to register on the first and third Mondays of each month.

On the third Monday in January 1965, it was my day to lead a group of people down to the Dallas County Courthouse. To be exact, it was January 18, and we walked up to the steps of the courthouse, and there was a sheriff named Jim Clark. He wore a gun on one side, a night stick on the other, and he carried an electric cattle prod in his hand, and he did not use it on cows, he used it on people, and he said to me, ''John Lewis, you're not some agitator. You're the lowest form of humanity.''

At that time I was almost 25, and I had all of my hair. I was a few pounds lighter, but I looked him straight in the eye, and I said, ''Sheriff, I may be an agitator, but I'm not an outsider. I grew up 90 miles from here, and we're going to stay here until these people are allowed to register and vote.''

And he said, ''John, you're under arrest,'' and he arrested me along with many other people.

A few days later in a little town near Selma a young black man by the name of Jimmy Lee Jackson was leading the march for the right to vote. He was shot in the stomach by a state trooper, and a few days later he died. In the course of what happened to him we said that we were marching from Selma to Montgomery to dramatize to the Nation and to the world that people wanted the right to participate in the democratic process. And on March 7 we decided to march in twos, leaving downtown Selma, walking through the streets of Selma, about 525 of us, elderly men and women and a few young children.

We came to the apex of the bridge. We saw a sea of blue. It was the Alabama State troopers. We continued to walk until we came within hearing distance of the State troopers, and a man identified himself and said, ''I'm Major John Cloud of the Alabama State troopers. I give you 3 minutes to disperse and go back to your church.''

In less than 1½ minutes he said, ''Troopers, advance,'' and they came toward us, beating us with night sticks and bull whips, trampling us with horses and using tear gas.

This became known as bloody Sunday, and because of what happened in Selma, President Johnson came to this hall, and spoke to a joint session of Congress, and introduced the Voting Rights Act, and it was passed, and since then I must say, my colleague, we have seen hundreds and thousands and millions of new registered voters because this Congress had the courage to pass the Voting Rights Act in 1965, and Motor Voter is another step down that long road toward opening up the political process and letting all of the people come in.

Ms. MCKINNEY. You know you said something about accountability, and the fact that we enlarge the voting pool also indicates that we would enlarge the attentive public; that is, the public that is paying attention to what we do with the laws that we pass and the impact that what we do here has on those peoples' lives. I cannot help but believe that there is a group of people, and I am sure they are a small group of people, who want to escape accountability for the things that they do, and therefore they introduced legislation to repeal Motor Voter, or they try to call it an unfunded mandate in an effort to escape the accountability that the American people would bring on them for the kinds of policies that we are seeing put into play now.

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Also, I have to say that it has never been so easy, particularly in the South, in Georgia, to register people, as it is today, and that is because of motor voter. We have a simple little form.

I remember in 1992, we had Jesse Jackson come down to the 11th district to do some voter registration for us because we knew we needed that. We found all kinds of voting registration barriers. And in one little small town, Milledgeville, I know you know Milledgeville, GA, we had to stage a protest march, because for some reason it was inconvenient for the folks down at the courthouse to register a lot of people in the town, who happened to be African-American and who happened to be students in the town.

So we have got these impediments that have been removed. And now it is so easy, all people have to do is want to be registered and they can register. And it sure makes it a whole lot easier for those of us who want them to be registered.

I think this new move on the part of this small group of people is perhaps, well, we know it is wrong-headed and ill-founded, but it takes us in the wrong direction. It takes us backwards, and we do not need to be going back. We need to be going forward. Our democracy is stronger when the American people feel that they have an investment in their Government. Right now the American people do not feel that they have an investment, and a lot of people sit on the sidelines at election time because it is so darn hard to go out there and register to vote. We, of course, as you know, have the purges that go on.

Motor voter cures all of that. You can register to vote at midnight in your home if you want to, and that is the beautiful thing about motor voter.

So I just think this move that is afoot is wrong-headed and ill-founded,

but there are 170 cosponsors on the repeal bill, so it is a threat that is imminent. And that is why I am so happy that the gentleman is alerting the rest of us here to the importance of motor voter, and at the same time the American viewing public that is interested and is looking at C–SPAN right now, to let them know that motor voter is good and motor voter is not safe.

Mr. LEWIS of Georgia. Let me agree with you that motor voter is good, and it is necessary to open up the political process. As you well know, in our own State hundreds and thousands of people have been registered during the past 3 months. I think in Georgia more than 3,000 people every single day are being registered because of motor voter.

Ms. MCKINNEY. And we do not even have all of the counties on line yet. Just imagine what it would be like if we had all of the counties, 159 counties in Georgia, on line for motor voter. When that happens, Georgia will not be last anymore. I am so sick and tired of Georgia being last in most things. Georgia can become first, and it will also be first in democracy.

Mr. LEWIS of Georgia. Let me just thank my colleague, the gentlewoman from the State of Georgia, CYNTHIA MCKINNEY, for participating in this special order tonight. I appreciate your help and all of your support. I think we have a moral obligation, a mandate, and a mission as Members of this body to do what we can to increase the political participation of all of our citizens. Open the process up, let everybody come in.

Ms. MCKINNEY. The gentleman knows that I have long admired his work and his advocacy on behalf of the American people and the American democracy.

Just a word about the nature of this discourse tonight: This is not about Democrat or Republican. This is about the American people and enhancing and fine-tuning our democracy. We do have, we are blessed in this country to have the most perfect democracy on the face of the Earth. Yet it can still be a whole lot better. Motor voter is but one tool to get us there, and I appreciate the gentleman and his strong leadership and advocacy. You know you have my support every step of the way.

Mr. LEWIS of Georgia. Thank you very much for those kind words and for participating in this special order tonight.

Miss COLLINS of Michigan. Mr. Speaker, the absolute need for the motor-voter law is clear. Without it, millions of American voters will continue to be denied equal access to the franchise by a bureaucratic opposition that simply does not make sense. Without it, millions of Americans will remain voteless, and voteless people are powerless people.

Like the Voting Rights Act, a thirty-year old success story itself, this new law has clearly begun to eclipse the barriers and the lingering legacy of voting booth exclusion that have had a ''chilling'' effect on the political participation of African-Americans and other ethnic minorities in this country.

The motor-voter law is already a striking success in some states where discriminatory and unfair registration laws and procedures once prevailed. In states like Texas, Florida, and Georgia—where the history of voting discrimination has been most egregious—more than 200,000 previously unregistered voters have gained new opportunities to register to vote, at motor vehicle departments, public assistance offices, mental health and disability agencies, and by mail.

Instead of mouthing platitudes about democracy, we in this body ought to feel more compelled to make democracy a reality. But the truth is, until every American citizen has one-hundred percent, undeniable access to the ballot box, Democracy will be little more than an illusion. Democracy, it is said, is a ''collectivity'' of individuals. But there can be no democracy when millions of Americans remain shut out of the Democratic process.

Mr. Speaker, making voting more accessible to the public is not a partisan issue. In fact, Mr. GINGRICH himself has said that ''it is simply good public policy.''

Voting is the linchpin of American Democracy. Registering to vote should be as convenient as applying for a library card, or filling out a tax return. The costs of the motor-voter law are minimal, especially when considering the payoff in increased citizen participation.

Even my own home state of Michigan is now resisting this great effort to eliminate the final barriers to full enfranchisement, and of this I am ashamed. Mr. Speaker, it is a national disgrace if America is permitted to return to its darkest period, when millions of citizens were systematically denied equal access to the franchise, and ultimately their power to govern. It is a disgrace that this country simply cannot afford.

Mr. STOKES. Mr. Speaker, I want to thank my distinguished colleague, the gentleman from Georgia [Mr. LEWIS], for reserving this Special Order. I am pleased to join him for a discussion of the motor-voter law. The National Voter Registration Act was signed into law by President Clinton on May 20, 1993. The law requires motor vehicle bureaus, welfare offices and other public agencies to offer voter registration services. Today, we gather to mark the two year anniversary of this successful legislative initiative.

The motor-voter law took effect on January 1, 1995. It is noted that during the months of January and February alone, more than 630,000 citizens across the country registered to vote. Analysts predict that next year, as many as 20 million Americans will be added to the ranks of the voting population. Not since the Voting Rights Act of 1965, which removed obstacles that had kept many African-Americans from the voting booth, have so many new voters registered to vote.

Mr. Speaker, the road to passage of national voter registration laws has not been an easy one. Many in this Chamber will recall that efforts to establish a national voter registration system followed closely on the heels of the passage of the Voting Rights Act of 1965. During the 1970's, a substantial effort was made to implement a national voter ''postcard'' or mail registration system. Efforts also focused on the passage of a national voter registration standard that would have allowed citizens to register to vote on election day. Both measures failed to be enacted by both the House and Senate.

During the 1980's, we celebrated the enactment of several voter registration measures. In 1984, Congress passed the Voting Accessibility for the Elderly and Handicapped Act. The Act established national requirements for making polling places more accessible to the elderly and the handicapped, and provided greater access to absentee ballots for these individuals. The Uniform and Overseas Citizens Absentee Voting Act required States to permit absentee uniformed service personnel and overseas voters to use absentee registration procedures, and to vote by absentee ballot in federal elections.

Mr. Speaker, the goal of the National Voter Registration Act is to simplify voter registration, thereby encouraging citizens to participate in the election process. In addition to making it easier for individuals to register to vote, the Act also provides more than adequate measures to prevent voter fraud by making violations of the Act a federal offense. Further, the cost that states bear to implement the motor-voter law has proven to be minimal.

As we celebrate the success of the motor-voter law, we must ensure that this important Act is not repealed. We must also ensure that all states are in compliance with the motor-voter law. In the United States, 80 percent of our nation's youth, those 18 or 19 years of age, apply for driver's licenses. Yet, fewer than 40 percent of this age population is registered to vote. We have a responsibility to make certain that all Americans are participants in the electoral process. The motor-voter law represents an important step in achieving this objective.

Mr. Speaker, I am proud to join Congressman LEWIS for this special order. He has played a major role in securing and protecting the voting rights of minority citizens and others. I applaud his leadership, and I offer my full support of his efforts.

IN REMEMBRANCE OF APHIS EMPLOYEES

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Texas [Mr. DE LA GARZA] is recognized for 60 minutes as the designee of the minority leader.

Mr. DE LA GARZA. Mr. Speaker, we stand here today in memory of the seven employees of the Animal and Plant Health Inspection Service of the U.S. Department of Agriculture, those that were tragically murdered in the bomb blast at the A.P. Murrah Federal Building in Oklahoma City on April 19, 1995. The explosion murdered scores of innocent children and adults, injured hundreds, shattered innumerable lives, and shook the soul of the Nation. We remember them all.

But today we mention the 15 employees stationed in the building at the time of the explosion. By stroke of providence, five of the employees were not in the building at the time. Three of the employees left the building

alive. The remaining seven were killed in the explosion.

Mr. Speaker, I personally feel some kinship with these APHIS employees. My father in his late years worked for APHIS. He was a proud, dedicated, loyal employee, as were these who worked in that building and the seven that we lost.

Today the Department of Agriculture held a day of remembrance to honor the victims and survivors, continuing the tradition of planting trees to honor those we have lost. These employees were dedicated workers who have left a legacy of service to all citizens. They have one thing in common: They died serving their country.

As APHIS employees, these men and women were on the front lines working in the heartland of America to improve agriculture productivity and to protect our public health. These employees were beloved by families and friends and cannot be replaced. I know all of us here today and people throughout the country and the world embrace their families and friends in their sorrow and join me in paying tribute to them.

I hope that somehow the American people might learn and grow closer from this tragic incident. What we must learn is that the agenda of a small minority of anti-government terrorists is based on extremism and hatred and has no place in America. We must also learn respect for our Federal workers who are trying hard every day to make this government work.

On April 22, the Washington Post printed an editorial entitled ''Federal Employees.'' I will include that for the RECORD, Mr. Speaker.

FEDERAL EMPLOYEES

Some of them are still buried in the rubble. Some are hospitalized, perhaps broken in body, if not in spirit, for the rest of their lives. Others will be memorialized by the nation tomorrow. They are part of the group of an estimated 550 women and men who earned their living in that federal building in Oklahoma City. They are federal workers.

The next time you are tempted to go off on the federal work force, as if those employed inside federal office buildings constitute nothing more than a financial threat to the Republic, think of that gutted facility in Oklahoma City. But don't stop there.

Suspects in this country's worst bombing in 70 years are now in custody. Credit a swiftly launched, massive round-the-clock investigation conducted by thousands of law-enforcement agents and officers around the country—yet more federal government workers of that nameless, faceless, much-denounced variety. When you are tempted to indulge in easy, all-purpose, indiscriminate rhetoric about slow, cumbersome and complacent federal bureaucrats caught up in an entitlement mentality, think of the men and women in law-enforcement agencies such as the FBI, Alcohol, Tobacco and Firearms and Secret Service who dropped everything to be part of the manhunt. They, too, like their colleagues who were at work in the devastated Oklahoma City building, are federal workers.

The Oklahoma City bombing, as tragic as it is, is not the first time federal employees have found themselves putting so much on the line by mere reason of their association with the U.S. government. Far away from the national spotlight, in places as remote as Khartoum and Karachi, federal workers on the front lines have paid the ultimate sacrifice in service of their country. Women and men on the federal payroll in those locations bear the title of Foreign Service officer, or AID worker, or U.S. Embassy staff. But they pursue the same basic mission that employees of the Department of Housing and Urban Development, Social Security, the Food and Drug and the General Services administrations and other federal agencies in Oklahoma City are also about: They are trying to make their government work. And most work long and hard to make that happen.

So the next time you feel yourself about to deliver categorical thoughts about federal workers not having to work for a bottom line and getting caught up in process rather than results and all the other easy words of generalized contempt that serve to undermine respect for the work these famously ''faceless'' workers actually perform, consider the possibility that they are good people who not only work hard but also are committed to the work they perform in our behalf. That is why so many of them were where they were when evil visited them Wednesday morning in Oklahoma City. It's worth remembering.

Mr. Speaker, what brought us closer was that these are good people, who not only work hard, but also are committed to the work they perform in our behalf. That is why so many of them worked where they work when evil visited them that Wednesday morning in Oklahoma City.

It is worth remembering. I hope in tribute to them, all of us, the Nation, have respect, the proper admiration for those. I know it is very easy to say bureaucrat or say Federal employee sometimes in a negative, derogatory way. But, Mr. Speaker, these seven died serving their country and serving us.

I yield to my distinguished colleague from Oklahoma who represents that district.

Mr. LUCAS. Mr. Speaker, on Wednesday morning, April 19, at 2 minutes after 9 o'clock, America's heartland lost its innocence. The bombing of the Alfred P. Murrah Building in downtown Oklahoma City was a cowardly act of tragic proportions, with no justification. I, like you and the Nation as a whole, will never forget the scene or the devastation, the death, the suffering, and, most of all, the innocence of the victims.

I cannot begin to express the heartbreak and sense of helplessness one feels when faced with such a gruesome scene. As each day has passed since this crime, the spirit, courage, resourcefulness that exemplifies our great Nation has been displayed. Our outrage, while still in mind, has been superseded by charity, kindness, prayer and healing.

This evening, I join with heavy heart the distinguished chairman of the Committee on Agriculture, Mr. ROBERTS, and the equally distinguished ranking member of the committee, Mr. DE LA GARZA, to memorialize the employees of the Animal and Plant Health Inspection Service who lost their lives in this bombing. While the building resided in my district, a number of these good folks were my constituents.

With that, I would like to thank my colleagues for organizing this special order this evening.

Mr. DE LA GARZA. Mr. Speaker, I yield to my distinguished colleague, the chairman of the Committee on Agriculture, Mr. ROBERTS.

Mr. ROBERTS. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today to, as has been said, honor the memory of the men and women and children who lost their lives in the Oklahoma City bombing. Among killed, as has been said, were the seven employees of the Department of Agriculture agency called the Animal and Plant Health Inspection Service. It is commonly known by its acronym as APHIS. As chairman of the House Committee on Agriculture, along with the committee's distinguished ranking member, Mr. DE LA GARZA and the gentleman from Oklahoma, Mr. LUCAS, and other members of the committee and Members of the Oklahoma delegation, we gather here this evening to pay a special tribute to these seven employees and the families and friends that they leave behind.

Mr. Speaker, the decision to take this special order came from many members of the House Committee on Agriculture who wanted to pay their respects. As chairman of the committee, I wish to pay, however, a special tribute to a long-time employee of the Department of Agriculture, Mr. Carl Barnes, who was the Personnel Director for the department under Secretary of Agriculture Mr. Orville Freeman. Mr. Barnes served under several Presidents and continues to be an example and champion of public service. He also just happens to be a good neighbor and brought to my attention the article by Steve Twomey in the Washington Post entitled ''They walk, they talk, and they bleed.'' Mr. Twomey wrote his column following the tragedy in Oklahoma City, and I think it is fitting and appropriate that this article be brought to the attention of our colleagues and to everyone concerned, as it has been all too easy when people are unhappy with the way that our government works, or does not work, that we point a finger of blame at the hard working men and women who makeup our Federal work force.

Excerpts from his article include, ''To get there, you march down a long, gloomy, marble corridor, devoid of human touches. Doors slip by at an exact spacing and interval. Nothing distinguishes one office from the next, except small signs identifying the occupants and their titles. Yes, this fits. Cold is how the bureaucracy is supposed to look. It is tempting to imagine Federal gnomes in here dreaming up costly regulations, wasting forms in triplicate, and funding cost-plus contracts with your money, because that is what you imagine the Federal workers do. Your escort, and yes, while security is tight, walks you to room 312–

E, which is to say the third floor east of the administration building, the United States Department of Agriculture. It is an older but attractive building along the Mall that exudes government formality right down to the flower beds on Jefferson Drive.

What a sign hanging outside 312E: Administrator, Animal and Plant Health Inspection Service. You think it even sounds make-work. ''60 Minutes'' would love this office, which, naturally, has a government acronym, APHIS, pronounced A-fus.

You enter, and from an inner room emerges not a bureaucrat, not a GS-level, not an anonymous cog in the federal machine, but a human, who has a name and, at the moment, feelings so overwhelming you hesitate to ask about them.

Lonnie King, in dark suit and white shirt, a man of average build with graying hair but a youthful and pleasant face, has served APHIS for 17 of his 51 years, rising to acting administrator.

''Here's a ribbon,'' he says, ''from Oklahoma City.''

He tosses a purple one on the table in front of you. He carried it home Sunday, after the memorial service. Does the public know what APHIS does? What the seven did?

''No,'' King says. ''No.''

The 6,500 people who work for him can be found in every state and even overseas. The federal budget says they ''protect the animal and plant resources of the nation from destructive pests and diseases.'' They help farmers, monitor imports, do research. What that means for you is better, more abundant and cheaper food on the table, be it at home or in a restaurant. Before that Wednesday, King certainly knew that the reputation of The Federal Employee wasn't what it used to be.

''We're not immune to the press and the TV,'' he says. Comedians, journalists and talk-show hosts have made mincemeat of the type, calling them wasteful, incompetent, dangerous. King took the contempt personally, because it clashed with his view, which was that he was surrounded by people who cared, who showed up every day, not for the paycheck, not to waste, but to serve.

''Who thinks of us in those terms?'' he says, ''Is it that bad, that we're so hated? Could it happen here? Am I safe?''

In a way, the bombing also was an attack on this region, the capital region, on the 360,004 civilians here who do Uncle Sam's tasks. We often forget that they got those tasks from us, through Congress. It is we who have told them to provide clean air and water, stop the flow of drugs, help farmers, process Social Security checks, promote trade, protect workers and much more.

Do they perform flawlessly? Of course not. Who does?

The irony of the bombing, King says, is that the perpetrator benefited every day from what APHIS does, every time he ate. ''He was probably degrading the government with his mouth full,'' King says, ''and dumb enough not to understand.''

Yes, Linnie King is angry.

''I'm not blaming anybody,'' King says, ''but I hope people will stop and think and ask themselves about what's being said.''

He leaves you with this.

Monday morning, with seven of their colleagues still buried in the rubble, two of three APHIS workers who survived went back to work in temporary offices.

Mr. Speaker, today special ceremonies were held by the Department in behalf of the service deceased employees. In keeping with these ceremonies, it is our privilege to honor each individual with a brief tribute.

Olen Bloomer is survived by his adult daughters, Maureen Bloomer and Lucretia Bjorklund; his son, Lee Switzer; four grandchildren, Amelia, Heather, Jeff, and Sara; and one great granddaughter, Dillon Ann. His memory will be cherished by seven siblings—Ester Willis, Elwanda McComas, Merle Easter, Erdene Jones, Doyle Blommer, Dean Bloomer, and Dennis Blommer. He was preceded in death by his wife of 26 years, Norma Jean, who passed away in 1990.

Olen was born in Elk City, Oklahoma, in 1933, and spent his youth working on his father's cotton farm near the Beckham-Washita county line. A few years after graduating from Highway High School, Olen joined the U.S. Air Force, where he served in a number of locations, including Thailand. His work in the Air Force focused on purchasing and inventory management. He retired in 1974 after 20 years of service.

Olen went back to work for the Federal government in 1977, this time for APHIS. Olen began this second career at the screwworm rearing lab in Mission, Texas. He was subsequently reassigned to Salt Lake City, Utah, where he worked for 5 years as an administrative assistant. He was serving as the budget assistant for Oklahoma at the time of his death.

Olen labored to keep the agency's budget trim and in order and was admired by the staff he supported for his ability to stay cool under pressure and cut through the bureaucratic red tape when emergencies struck. He was always willing to help and volunteered ably at troubleshooting computer problems. His grandchildren called him ''Big Dad,'' not only out of deference to his 6-foot, 6-inch stature, but to distinguish him from their fathers. He was a true gentle giant and will be sorely missed by many.

Mr. DE LA GARZA. Mr. Speaker, I yield to my distinguished colleague the gentleman from Oklahoma.

Mr. LUCAS. Jim Boles is survived by his loving wife of 12 years, Jennifer, his 8-year-old son, James Michael, and adult son, Stephen, and his family in Mississippi.

Jim was born in Quitman, Mississippi. He attended Lake High School in Lake, MS and graduated in 1964. He entered the U.S. Army in 1964 and served as the noncommissioned officer-in-charge of the 793rd military police battalion, a small M.P. detachment, in Bayreuth, West Germany. Upon leaving the U.S. Army in 1968, Jim managed an oil station and served as accounting clerk for State Beverage Company, both in Jackson, MS.

In 1970, Jim joined APHIS where he worked for the next 25 years. During his tenure with APHIS, he made many friends throughout the Department and lived in Mississippi, Florida, Maryland, and finally, Oklahoma. Jim met his wife Jennifer through APHIS.

As administrative officer for APHIS' Veterinary Services office in Oklahoma City, Jim helped develop new and better ways of conducting the various administrative functions Government agencies must carry out. His progressive ideas paved the way for innovative resource—and responsibility—sharing with sister branches that saved the Government both time and money.

Above and beyond his on-the-job duties, he will be remembered for encouraging, guiding and helping develop his coworkers' career goals. But his foremost concern was the well-being of his colleagues as people. He was careful to recognize fellow employees for their accomplishments and service to the community and agency. We all will miss his smile, sense of humor, and dedication.

Mr. DE LA GARZA. Mr. Speaker, Margaret Louis Clark was known by her many friends and colleagues as Peggy. She is survived by her loving husband, David Spencer, three daughters, Rosslyn 16, Margaret Blayne 13, and Chelsea 6, her mother Mary Spurlin, and sister, Susan Winchester. Peggy was 42.

A native of Chichasha, OK, Peggy attended Star Spencer High School in Oklahoma City. Her academic achievements were all made at Oklahoma State University, where she earned a bachelor of science degree in agriculture in 1976, and a doctorate of veterinary medicine degree in 1978. After completing her studies, Peggy began veterinary private practice placing special emphasis on the equine industry.

In 1981, Peggy worked for the Oklahoma Department of Agriculture as a staff veterinarian and coordinated Federal/State disease control programs. In 1985, she moved over to the State of Oklahoma's Horse Racing Commission. As the official veterinarian, she performed pre- and post-race examinations. Peggy joined APHIS in 1994 as part of a Federal training program called the Public Veterinary Practice Career Program. Her assignment to the Oklahoma City office as a Veterinary medical officer was part of that developmental training.

Outside of the office, Peggy was very involved in the lives of her children

and was active in horse shows, livestock shows, and soccer. She was an active and popular member of the Oklahoma Veterinary Medical Association, and helped run her family's horse breeding operation. Peggy was appointed by the Governor to serve a 6-year term on the Oklahoma State Board of Veterinary Medical Examiners, where she served as secretary. Although she was the newest member of the Veterinary Service staff in Oklahoma City, Peggy's outgoing personality, willingness to help, and professional competence made her a most welcome addition.

Mr. Speaker, I yield to the distinguished chairman of the committee.

Mr. ROBERTS. Richard Leroy Cummins' memory will be cherished by a large and loving family, including his wife of 30 years, Frances; his daughters, Courtney and Nikki; his son, Kraig; grandsons Chayse and Austin; his mother, Christine; his two brothers, Wall, of Tucson, AZ, and Frank of Ruidosa, NM; and many friends and coworkers.

Dick was born in Douglas, AZ, in 1940. He spent his youth in and around Douglas and graduated from Douglas High School in 1957. He then attended Arizona State University in Tempe, AZ, where he pursued studies in business administration.

Dick's notable career as a public servant began with the U.S. Air Force in 1959, where he worked in aircraft maintenance in Colorado and Oklahoma for 4 years. Upon leaving the Air Force, he worked for the Southern Pacific Railroad for 2 years.

In 1965, Dick joined the U.S. Department of Agriculture, where his professional contributions were welcomed for 30 years. He first worked with the Agricultural Research Service on the screwworm eradication program in Douglas, AZ. In 1980, he moved to Henryetta, OK, and become Animal Health Technician. A short time later he moved to Durant, OK, where he served in the same capacity. Dick was promoted to investigator in 1987 and reassigned to Oklahoma City to work with the Regulatory Enforcement and Animal Care staff. In this position, Dick was responsible for ensuring that animal breeders, dealers, and exhibitors comply with the standards of humane care and treatment prescribed in the Animal Welfare Act. Dick moved again to Mustang, OK, where he continued to work as an investigator working out of his home. He was a senior investigator at the time of his death.

Dick received well-deserved recognition in 1990 for his work on the Midwest Stolen Dog Task Force. His diligence helped curb the theft of pets for sale to research institutions. Dick was a devoted family man, animal lover and advocated human treatment of all living things.

Mr. DE LA GARZA. Mr. Speaker, I yield to the gentleman from Oklahoma [Mr. LUCAS].

Mr. LUCAS. Known by her many admiring friends and relatives as Adele, Doris Adele Higgenbottom is survived by her loving husband, David; his children, Kelly and Van; her mother, Melanie; and the Maddox family. She was 44.

Adele was born in Pecos, TX, and graduated from Pecos High School in 1968. Several years later, Adele resumed her studies at the University of Oklahoma in Norman, OK, where she earned a bachelor of arts degree in English in 1982.

Adele began her Federal career with APHIS as a clerk/typist in Oklahoma City in 1978. A few years later, she transferred to the Federal Aviation Administration where she served as a purchasing agent. In 1980, she resigned from the FAA and went to San Antonio, TX, to spend a few months with her family. While there, she worked as an advertising salesperson for the San Antonio Express and News. She rejoined APHIS in Oklahoma City in late 1980 as she mastered the often complicating purchasing regulations.

Adele was popular in the Oklahoma City office, as much for her positive outlook as her animated personality. Adele served as manager of the Federal Women's Program and was an ardent supporter of equality and women's rights. Adele and her husband, David, met in 1989 through David's work with the State Department of Agriculture.

Adele was heard to say she was happy to be married to someone with whom she could share so much of her professional life and who cared about the same people and issues she did. David and Adele considered themselves a happy and compatible team whose personalities and interests complemented each other well.

Mr. DE LA GARZA. Carole Sue Khalil is survived by her daughter, Heather, and many loving relatives and friends. She was 50.

Carole was born in Shattuck, OK, and attended Laverne High School in Laverne, OK. She graduated in 1962. Following graduation, she attended the Draughons School of Business in Oklahoma City for 1 year where she completed an executive secretarial course. Already she had big plans to serve her country and the civic good as a public servant.

Carole began a lifelong commitment to the U.S. Government in 1964 when she took the first of several temporary positions in the clerical field with the Internal Revenue Service in Oklahoma City. Her career with the U.S. Department of Agriculture began with the Agriculture Research Service's Animal Health Division in 1967. In this position, which was based in Oklahoma City, Carole provided clerical support to a variety of animal disease eradication programs.

Carole was promoted to export document examiner in 1992. In this position, she provided critical review of documents used to clarify the health of all animals exported from Oklahoma to other countries. Her eye for detail and ability to catch even minute errors were among the reasons she was a valuable contributor to the staff.

Carole also took care of many routine personnel functions, such as time and attendance reports, training nominations, personnel reports and benefit actions. She was an able and dedicated employee whose contributions were appreciated by everyone with whom she worked.

□ 2045

I yield to my chairman, the gentleman from Kansas [Mr. ROBERTS].

Mr. ROBERTS. Mr. Speaker, Rheta Long is survived by a large and loving family, including her daughter, Valerie Tramel; son, John; sisters, Wilda York and Leona Thompson; and grandsons, Kenneth and Christopher Tramel, and Nicholas Long. Rheta was preceded in death by her husband of 11 years, Thomas; her brothers Earl and Andrew Dean Bender; father, Andrew Bender; and grandson, John Thomas. Rheta was 60.

Rheta was born in Guymon, OK. She attended Guymon High School and graduated in 1952. Afterwards, she attended Panhandle State College and Phillips University to study education. She earned a bachelor of science degree in education in 1955.

Rheta was married in the summer of 1955 and dedicated herself to her family and church. She was an active volunteer with the Boy Scouts and Girl Scouts of America. In 1968, Rheta began teaching mathematics in Guymon and found the experience rewarding. She said it was a pleasure to show children that school and learning could be fun.

Rheta began her 20-year Federal career in 1974 as a military personnel clerk with the U.S. Army. In 1978, Rheta transferred to the U.S. Fish and Wildlife Service in Guymon, OK, to take a clerical position. Rheta came to APHIS in Oklahoma City in October 1982, where she served as a program clerk. She handled workers' compensation claims, and was the final authority on payment eligibility for indemnity claims. She was very active in the Federal Employees Women's Group and Equal Employment Opportunities Committees. Rheta had a vision disability and she served as the Persons with Disabilities Special Emphasis Program Manager as a means of helping educate people about the challenges of working with a physical handicap.

Rheta was active with the Christian Women's Foundation and looked forward to the Jewel Box Theater's seasonal plays. A devoted grandmother, Rheta was very proud of her grandchildren and kept snapshots of them at her desk. Her dedication, cheerful attitude, and many contributions to the effectiveness of the office helped many of her coworkers in their time of need. She will be greatly missed by all.

Mr. Speaker, the members of the Committee on Agriculture, the chair of

the Committee on Agriculture, the distinguished chairman emeritus of the Committee on Agriculture, and the gentleman from Oklahoma, [Mr. LUCAS], share in the sense of personal loss and share in the sense of personal pride regarding the contribution of these employees. Perhaps an appropriate closing is this from Helen Steiner Rice.

When I must leave you for a little while,
Please go on bravely with a gallant smile
And for my sake and in my name,
Live on and do all things the same—
Spend not your life in empty days,
But fill each waking hour in useful ways—
Reach out your hand in comfort and cheer,
And I in turn will comfort you and hold you near.

Mr. Speaker, I thank the distinguished gentleman from Texas for taking this special time.

Mr. DE LA GARZA. I thank my distinguished colleague.

Mr. Speaker, if I might add a personal note, we notice that Mr. Bloomer served at the screwworm eradication plant in Mission, TX, the years when my father worked there, so I feel certain that they knew each other in those days and they have already found each other up there and they are talking about the good old days at the plant in Mission.

Mr. Speaker, I thank my two colleagues. The seven that we lost not only belonged to APHIS, to USDA, they belonged to our Nation and they belong now to all of us. May they rest in peace.

GENERAL LEAVE

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject of my special order this evening.

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

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HANSEN (at the request of Mr. ARMEY), for today and the balance of the week, on account of official business relating to base closings.

Mr. MCNULTY (at the request of Mr. GEPHARDT), for today after 2 p.m., on account of personal business.

Mr. KLECZKA (at the request of Mr. GEPHARDT), for the week of May 22, on account of medical reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. LOFGREN) to revise and extend their remarks and include extraneous material:)

Ms. KAPTUR, for 5 minutes, today.

Mr. OWENS, for 5 minutes, today.

Mr. DOGGETT, for 5 minutes, today.

Mr. GENE GREEN of Texas, for 5 minutes, today.

(The following Members (at the request of Mr. EHRLICH) to revise and extend their remarks and include extraneous material:)

Mr. BURTON of Indiana, for 5 minutes, today and on May 25.

Mr. EHLERS, for 5 minutes, today and on May 25.

Mr. BRYANT of Tennessee, for 5 minutes, today.

Mr. BILBRAY, for 5 minutes, today.

Mr. SMITH of Michigan, for 5 minutes, today.

Mr. KINGSTON, for 5 minutes, today.

Mr. FOX of Pennsylvania, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Ms. LOFGREN) and to include extraneous matter:)

Mr. FOGLIETTA.

Mr. STARK.

Mr. STOKES.

Mr. VISCLOSKY.

Mr. SCHUMER.

Mr. MENENDEZ.

Mr. MORAN.

Mr. BARRETT of Wisconsin.

Mr. MINETA.

Mr. HOYER in two instances.

Mr. RICHARDSON in four instances.

Mr. FORD.

Mr. ENGEL.

Mrs. KENNELLY.

Mr. CLAY.

Mr. RUSH.

Mr. TUCKER.

Mr. BONIOR in two instances.

(The following Members (at the request of Mr. EHRLICH) and to include extraneous matter:)

Mr. DAVIS.

Mr. RIGGS.

Mr. PACKARD.

Mr. FORBES in two instances.

Mr. SMITH of Washington.

Mrs. ROUKEMA.

Mr. LEWIS of California.

Mr. LIGHTFOOT.

Mr. TAYLOR of North Carolina.

Mr. SOLOMON.

Mr. CHAMBLISS.

Mr. TALENT.

Mr. SHADEGG.

Mr. MCCOLLUM.

(The following Members (at the request of Mr. DE LA GARZA) and to include extraneous matter:)

Mr. GILMAN.

Mr. SHAW.

Mr. WELLER.

Mr. BARCIA.

ENROLLED BILLS SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1421. An Act to provide that references in the statutes of the United States to any committee or officer of the House of Representatives the name or jurisdiction of which was changed as part of the reorganization of the House of Representatives at the beginning of the One Hundred Fourth Congress shall be treated as referring to the currently applicable committee or officer of the House of Representatives.

BILL PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 1421. An act to provide that references in the statutes of the United States to any committee or officer of the House of Representatives the name or jurisdiction of which was changed as part of the reorganization of the House of Representatives at the beginning of the One Hundred Fourth Congress shall be treated as referring to the currently applicable committee or officer of the House of Representatives.

ADJOURNMENT

Mr. DE LA GARZA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 51 minutes p.m.), the House adjourned until Thursday, May 25, 1995, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

909. A letter from the Under Secretary, Department of Defense, transmitting the defense environmental quality program annual report to Congress for fiscal year 1994, pursuant to 10 U.S.C. 2706(b)(1); to the Committee on National Security.

910. A communication the President of the United States, transmitting his follow-up report on the deployment of United States combat-equipped aircraft to support NATO's enforcement of the no-fly zone in Bosnia and Herzegovina (H. Doc. No. 104–79); to the Committee on International Relations and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. LEVIN (for himself and Mr. HOUGHTON):

H.R. 1690. A bill to amend the Internal Revenue Code of 1986 to simplify certain rules relating to the taxation of U.S. business operating abroad, and for other purposes; to the Committee on Ways and Means.

By Mr. LAZIO of New York:

H.R. 1691. A bill to provide for innovative approaches for homeownership opportunity and provide for the temporary extension of

the rural rental housing program, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. CLINGER:

H.R. 1692. A bill to amend the Federal Election Campaign Act of 1971 to increase the limitation amount applicable to contributions to candidates in Federal elections by individuals and to decrease the limitation amount applicable to contributions to such candidates by nonparty multicandidate political committees; to the Committee on House Oversight.

H.R. 1693. A bill to amend the Federal Election Campaign Act of 1971 to prohibit congressional leadership committees; to the Committee on House Oversight.

H.R. 1694. A bill to amend the Federal Election Campaign Act of 1971 to provide for a voluntary limitation on contributions from other than individual district residents in House of Representatives elections; to the Committee on House Oversight.

H.R. 1695. A bill to amend the Internal Revenue Code of 1986 to provide for an income tax credit for in-State contributions to congressional candidates; to the Committee on Ways and Means.

By Mr. COOLEY:

H.R. 1696. A bill to authorize the Administrator of the Environmental Protection Agency to exempt certain small landfills from the ground water monitoring requirements contained in landfill regulations promulgated by the Agency; to the Committee on Commerce.

H.R. 1697. A bill to provide for the continuation of certain commercial activities at the Red's Horse Ranch area of the Eagle Cap Wilderness, Wallowa and Whitman National Forests, OR; to the Committee on Resources.

By Mr. LIGHTFOOT (for himself, Mr. HOYER, Mr. CLINGER, Mr. VISCLOSKY, and Mr. HORN):

H.R. 1698. A bill to amend title 31, United States Code, to require electronic funds transfer for all Federal payments by 2001 to promote efficiency and economy in the disbursement of Federal funds and to eliminate crime incident to the issuance of Treasury checks; to the Committee on Government Reform and Oversight.

By Mr. MCCOLLUM:

H.R. 1699. A bill to amend the Community Reinvestment Act of 1977, the Equal Credit Opportunity Act, and the Fair Housing Act to improve the administration of such acts, to prohibit redlining in connection with the provision of credit, and for other purposes; to the Committee on Banking and Financial Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NADLER (for himself, Ms. MCKINNEY, Mrs. MALONEY, Ms. VELÁZQUEZ, Mr. FRANK of Massachusetts, Mr. SERRANO, Ms. WOOLSEY, Mr. FATTAH, Mr. TORRES, Mr. DELLUMS, Mr. MEEHAN, Mr. COYNE, and Mr. SABO):

H.R. 1700. A bill to make an exception to the United States embargo on trade with Cuba for the export of medicines or medical supplies, instruments, or equipment, and for other purposes; to the Committee on International Relations.

By Mr. ROEMER (for himself, Mr. ZIMMER, Mr. BARRETT of Wisconsin, Mr. SHAYS, Mr. KLECZKA, Mrs. ROUKEMA, Mr. YATES, Mr. INGLIS of South Carolina, Mr. JACOBS, Mr. UPTON, Mr. FRANK of Massachusetts, Mrs. MALONEY, Mr. MEEHAN, Mr. OBERSTAR, Mr. SCHUMER, Ms. DANNER, Mr. WYDEN, and Mr. DEFAZIO):

H.R. 1701. A bill to cancel the space station project; to the Committee on Science.

By Mr. SERRANO:

H.R. 1702. A bill to protect the constitutional right to travel to foreign countries; to the Committee on International Relations.

H.R. 1703. A bill to allow for news bureau exchanges between the United States and Cuba; to the Committee on International Relations.

H.R. 1704. A bill to reinstate the authorization of cash remittances to family members in Cuba under the Cuban Assets Control Regulations; to the Committee on International Relations.

By Mrs. SMITH of Washington (for herself and Mr. TATE):

H.R. 1705. A bill to amend the Stewart B. McKinney Homeless Assistance Act to require public notice and local hearings before property is made available under that act for use to assist the homeless, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. SOLOMON:

H.R. 1706. A bill to amend the Public Health Service Act to establish Federal standards to ensure quality assurance of drug testing programs for private employers, and for other purposes; to the Committee on Commerce, and in addition to the Committee on Economic and Educational Opportunities, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STARK (for himself, Mr. WAXMAN, Mr. ACKERMAN, Mr. COYNE, Mr. DELLUMS, Mr. FOGLIETTA, Mr. GONZALEZ, Mr. KENNEDY of Rhode Island, Mr. MCDERMOTT, Mr. OLVER, Mr. PALLONE, Ms. PELOSI, Mr. RANGEL, and Ms. WOOLSEY):

H.R. 1707. A bill to amend title XVIII of the Social Security Act to ensure access to services and prevent fraud and abuse for enrollees of health maintenance organizations under the Medicare Program, to amend standards for Medicare supplemental policies, to modify the Medicare Select Program, and for other purposes; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WELLER (for himself, Mr. METCALF, Mr. BARR, Mr. FOX, Mr. STOCKMAN, Mr. EHRLICH, Mr. CHRYSLER, Mr. NEY, Mr. HEINEMAN, Mr. BONO, Mr. HAYWORTH, Mr. LOBIONDO, Mrs. KELLY, Mr. TATE, Mr. DAVIS, Mr. GRAHAM, Mr. FOLEY, Mr. FORBES, Mr. SALMON, Mr. ENGLISH of Pennsylvania, Mr. FRISA, Mr. BURR, Mr. WAMP, and Mr. BRYANT of Tennessee):

H.R. 1708. A bill to establish the Federal Mortgage Insurance Corporation as a wholly owned Government corporation to provide full mortgage insurance and provide for the development of credit enhancement products for mortgages for single family homes of low- and moderate-income homebuyers, and for other purposes; to the Committee on Banking and Financial Services.

By Ms. DANNER:

H.J. Res. 92. Joint resolution proposing an amendment to the Constitution of the United States to limit the terms of office for Representatives and Senators in Congress; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 65: Mr. HINCHEY.

H.R. 103: Mr. ENGEL and Mrs. MORELLA.

H.R. 104: Mr. SOUDER.

H.R. 109: Mr. PETERSON of Minnesota and Mr. POMBO.

H.R. 127: Mr. KILDEE, Mr. STUPAK, Mr. GONZALES, Mr. BARCIA of Michigan, Mr. DURBIN, and Mr. SABO.

H.R. 303: Mr. CALLAHAN.

H.R. 390: Mr. LAUGHLIN.

H.R. 467: Mr. EVANS and Mr. SOLOMON.

H.R. 468: Mr. PETERSON of Florida, Mr. HEFNER, and Mr. RIGGS.

H.R. 488: Mr. LUTHER.

H.R. 500: Mr. MCCRERY.

H.R. 540: Mr. BARTON of Texas, Mr. NADLER, Mr. TORRES, and Mr. BONIOR.

H.R. 625: Mr. YOUNG of Florida and Ms. LOFGREN.

H.R. 733: Mr. BARR and Mr. FRANK of Massachusetts.

H.R. 734: Mr. FRANK of Massachusetts.

H.R. 747: Mr. ENGLISH of Pennsylvania and Mr. NEAL of Massachusetts.

H.R. 755: Mr. BROWN of Ohio.

H.R. 784: Mr. SHADEGG, Mr. SAM JOHNSON of Texas and Mr. BONO.

H.R. 789: Mr. HASTERT.

H.R. 801: Mr. DOYLE, Mr. RUSH, Mr. FOX, and Mr. SOLOMON.

H.R. 863: Mr. ROSE.

H.R. 868: Mr. CANADY.

H.R. 873: Mr. BATEMAN and Mr. RIGGS.

H.R. 1023: Mr. SABO, Mr. FILNER, and Mr. GEKAS.

H.R. 1037: Mr. PAYNE of Virginia.

H.R. 1044: Mr. SOLOMON.

H.R. 1090: Ms. RIVERS and Mr. PASTOR.

H.R. 1143: Mr. RIGGS.

H.R. 1144: Mr. RIGGS.

H.R. 1145: Mr. RIGGS.

H.R. 1210: Mr. COSTELLO.

H.R. 1222: Mr. GOSS, Mr. OLVER, Mr. CANADY, Mr. SKAGGS, and Mr. LOBIONDO.

H.R. 1233: Mr. SCOTT, Mr. BORSKI, Mrs. LOWEY, and Mr. FILNER.

H.R. 1235: Mr. LUTHER.

H.R. 1242: Mr. BURTON of Indiana, Mr. MONTGOMERY, Mr. LEWIS of Kentucky, and Mr. BUYER.

H.R. 1264: Mr. THOMPSON, Mr. HINCHEY, and Mr. GUTIERREZ.

H.R. 1297: Mr. THOMPSON.

H.R. 1298: Mr. BROWN of California.

H.R. 1302: Mr. BORSKI.

H.R. 1352: Mr. BLILEY, Mr. PETERSON of Florida, Mr. BEREUTER, Mr. FAZIO of California, and Mr. SPRATT.

H.R. 1402: Mr. HINCHEY and Ms. WOOLSEY.

H.R. 1431: Mr. BAKER of Louisiana.

H.R. 1442: Mr. CONDIT and Mr. PAYNE of Virginia.

H.R. 1450: Mr. LUTHER and Mr. SABO.

H.R. 1487: Mr. BACHUS and Mr. HAYWORTH.

H.R. 1490: Mr. EVANS, Mr. UNDERWOOD, and Ms. LOFGREN.

H.R. 1491: Mr. ORTON.

H.R. 1493: Mr. PACKARD, Mr. JACOBS, Mr. ACKERMAN, Mr. HASTINGS of Florida, Mr. THOMPSON, and Mr. PAYNE of New Jersey.

H.R. 1500: Mrs. KELLY, Mr. STOKES, Ms. VELÁZQUEZ, and Mr. YATES.

H.R. 1510: Mr. LUTHER.

H.R. 1532: Mr. GENE GREEN of Texas and Mr. FROST.

H.R. 1533: Mrs. KELLY and Mr. BAKER of Louisiana.

H.R. 1552: Mr. MCCOLLUM, Mr. CRANE, Ms. MCCARTHY, Mr. JONES, Mr. WELLER, Mr. WOLF, Ms. LOFGREN, Mr. POMEROY, Mr. TALENT, Mr. RAHALL, Mr. WISE, Mr. BROWN of California, Mr. BARRETT of Wisconsin, Mr. BARRETT of Nebraska, Mr. FOLEY, Mr. LATHAM, Mr. MCKEON, Mr. KLUG, Mr. ROEMER, Mr. CLYBURN, Mr. LEACH, Mr. MONTGOMERY, Mr. PETE GEREN of Texas, and Mr. GENE GREEN of Texas.

H.R. 1583: Mr. HASTINGS of Florida.

H.R. 1588: Mr. HOSTETTLER.

H.R. 1594: Mr. INGLIS of South Carolina and Mr. HEFLEY.

H.R. 1595: Mr. HAYWORTH, Mr. DEUTSCH, Mr. CHABOT, Mr. BUNN of Oregon, Ms. PRYCE, Mr. FOX, Mr. CLYBURN, Mr. HOSTETTLER, Mr. LATOURETTE, Mr. LAHOOD, Mr. ANDREWS, and Mr. COBLE.

H.R. 1611: Mr. NEY.

H.R. 1662: Mr. RANGEL, Mr. HASTINGS of Florida, Mr. YOUNG of Alaska, Mr. KENNEDY of Rhode Island, Mr. BAKER of Louisiana, and Mr. MOLLOHAN.

H. Con. Res. 42: Mr. MORAN and Mr. DOOLITTLE.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 1561

OFFERED BY: MR. ANDREWS

AMENDMENT NO. 79: Add the following at the end of Division A:

TITLE VI—OVERSEAS PRIVATE INVESTMENT CORPORATION

SEC. 601. ABOLITION OF OVERSEAS PRIVATE INVESTMENT CORPORATION.

(a) ABOLITION.—The Overseas Private Investment Corporation is abolished, effective October 1, 1995.

(b) ADMINISTRATION OF EXISTING OBLIGATIONS.—The Secretary of State shall carry out the functions performed on September 30, 1995, by the Overseas Private Investment Corporation only for purposes of administering insurance, reinsurance, financing, and other contracts or agreements issued or entered into by the Corporation that are effective on October 1, 1995. Such functions shall terminate when all such insurance, reinsurance, financing, and other contracts or agreements expire.

(c) TERMINATION OF PROVISIONS.—Title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2191 and following) shall cease to be effective on October 1, 1995, except that such title shall continue in effect with respect to the functions performed by the Secretary of State under subsection (b).

(d) TERMINATION OF AFFAIRS.—The Director of the Office of Management and Budget shall take the necessary steps to terminate the affairs of the Overseas Private Investment Corporation.

H.R. 1561

OFFERED BY: MR. BILBRAY

AMENDMENT NO. 80: Page 100, line 10, strike ''$12,472,000'' and insert ''$21,958,000''.

At the end of the bill, add the following:

DIVISION D—ADDITIONAL PROVISIONS

TITLE XLI—FOREIGN BUILDINGS

SEC. 4001. AUTHORIZATION OF APPROPRIATIONS.

Notwithstanding section 2101(a)(4), there are authorized to be appropriated for ''Acquisition and Maintenance of Buildings Abroad'', $367,274,000 for the fiscal year 1997.

H.R. 1561

OFFERED BY: MR. BURTON OF INDIANA

AMENDMENT NO. 81: In paragraph (1) of section 3309(b) (relating to the future of the United States military presence in Panama)—

(1) in the matter preceding subparagraph (A), strike ''a new base rights'' and insert ''an''; and

(2) strike subparagraph (B) and insert the following new subparagraph:

(B) to ensure that the United States will be able to act after December 31, 1999, to maintain the security of the Panama Canal and guarantee its regular operation; and

H.R. 1561

OFFERED BY: MR. BURTON

AMENDMENT NO. 82: In paragraph (1) of section 3309(b) (relating to the future of the United States military presence in Panama)—

(1) in the matter preceding subparagraph (A), strike ''a new base rights'' and insert ''an''; and

(2) strike subparagraph (B) and insert the following new subparagraph:

(B) to ensure that the United States will be able to act after December 31, 1999, to maintain the security of the Panama Canal and guarantee its regular operation, consistent with the Panama Canal Treaty, the Treaty Concerning the Permanent Neutrality and Operation of the Panama Canal, and the resolutions of ratification thereto; and

H.R. 1561

OFFERED BY: MR. CHABOT

AMENDMENT NO. 83: At the end of the bill, add the following:

DIVISION D—ADDITIONAL PROVISIONS

TITLE XLI—AUTHORIZATION OF APPROPRIATIONS

SEC. 4101. AUTHORIZATION OF APPROPRIATIONS.

(a) FOREIGN MILITARY FINANCING PROGRAM.—Notwithstanding section 3101 of this Act, there are authorized to be appropriated for grant assistance under section 23 of the Arms Export Control Act (22 U.S.C. 2763) and for the subsidy cost, as defined in section 502(5) of the Federal Credit Reform Act of 1990, of direct loans under such section—

(1) $3,274,440,000 for fiscal year 1996; and

(2) $3,216,020,000 for fiscal year 1997.

(b) ECONOMIC SUPPORT ASSISTANCE.—Notwithstanding section 3201 of this Act, section 532(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2346a(a)) is amended to read as follows:

''(a) There are authorized to be appropriated to the President to carry out the purposes of this chapter $2,346,378,000 for fiscal year 1996 and $2,238,478,000 for fiscal year 1997.''.

(c) DEVELOPMENT FUND FOR AFRICA.—Notwithstanding paragraph (2) of section 3221(a) of this Act, there are authorized to be appropriated $649,214,000 for fiscal year 1996 and $634,214,000 for fiscal year 1997 to carry out chapter 10 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2293 et seq.).

H.R. 1561

OFFERED BY: MR. FILNER

AMENDMENT NO. 84: In section 2103(1)(A), strike ''$12,472,000'' and insert ''$19,372,000''.

In section 2103(4), strike ''$13,202,000'' and insert ''$6,302,000''.

H.R. 1561

OFFERED BY: MR. GILMAN

AMENDMENT NO. 85: Strike subsection 505(e) and insert the following:

''Section 505(e) AUTHORITY SUBJECT TO EXPRESS APPROPRIATION. The authority to make voluntary separation incentive payments which is provided under this section shall be effective for any fiscal year only to the extent or in such amounts as provided in advance for that express purpose in appropriation Act.''

H.R. 1561

OFFERED BY: MR. GILMAN

AMENDMENT NO. 86: After section 510, insert the following new section:

SEC. 511. TRANSFER OF FUNCTION.

Any determination as to whether a transfer of function, carried out under this Act, constitutes a transfer of function for purposes of subchapter I of chapter 35 of title 5, United States Code, shall be made without regard to whether or not the function involved is identical to functions already being performed by the receiving agency.

H.R. 1561

OFFERED BY: MR. HAMILTON

AMENDMENT NO. 87: On page 286 after line 19, amend the subsection ''(e)'' which would be added to Section 222 of the Foreign Assistance Act of 1961, by adding at the end a new sentence as follows:

''The provisions of this subsection shall not apply to guaranties which have been issued for the benefit of the Republic of South Africa.''

H.R. 1561

OFFERED BY: MR. HAMILTON

AMENDMENT NO. 88: At the end of the bill add the following new chapter:

CHAPTER XXXVI—ADDITIONAL PROVISIONS

SEC. 3601. ADDITIONAL AUTHORIZATIONS.

(a) Notwithstanding any other provision of this Act, except for sections 2101(a)(3), 2101(a)(5), 2101(a)(6), 2102(e)(1), 2104(a), 2106(2), 2106(3)(B), 2106(3)(C), 2106(3)(D), 2106(3)(E), 2106(6), 2106(7), 3141, 3151, 3161, the following amounts are authorized to be appropriated for the specified programs and activities:

(1) $1,748,438,000 for each of the fiscal years 1996 and 1997 for ''Diplomatic and Consular Programs'' of the Department of State.

(2) $372,480,000 for each of the fiscal years 1996 and 1997 for ''Salaries and Expenses'' of the Department of State.

(3) $421,760,000 for each of the fiscal years 1996 and 1997 ''Acquisition and Maintenance of Buildings Abroad''.

(4) $24,250,000 for each of the fiscal years 1996 and 1997 for ''Office of the Inspector General'' of the Department of State.

(5) $15,465,000 for each of the fiscal years 1996 and 1997 for ''Payment to the American Institute in Taiwan''.

(6) $8,579,000 for each of the fiscal years 1996 and 1997 for ''protection of Foreign Missions and Officials''.

(7) $934,057,000 for each of the fiscal years 1996 and 1997 for ''Contributions to International Organizations''.

(8) $425,000,000 for each of the fiscal years 1996 and 1997 for ''Voluntary Contributions to International Organizations''.

(9) $533,304,000 for each of the fiscal years 1996 and 1997 for ''Contributions for International Peacekeeping Activities''.

(10) $100,000,000 for each of the fiscal years 1996 and 1997 for the Department of State to carry out section 551 of Public Law 87–195.

(11) $13,858,000 for each of the fiscal years 1996 and 1997 for ''International Boundary and Water Commission, United States and Mexico; Salaries and Expenses''.

(12) $10,393,000 for each of the fiscal years 1996 and 1997 for ''International Boundary and Water Commission, United States and Mexico; Construction''.

(13) $740,000 for each of the fiscal years 1996 and 1997 for ''International Boundary and Water Commission, United States and Canada''.

(14) $3,550,000 for each of the fiscal years 1996 and 1997 for ''International Joint Commission''.

(15) $14,669,000 for each of the fiscal years 1996 and 1997 for ''International Fisheries Commissions''.

(16) $15,000,000 for each of the fiscal years 1996 and 1997 for ''Asia Foundation''.

(17) $496,002,000 for each of the fiscal years 1996 and 1997 for the purposes of section 2106(1) of this Act.

(18) $130,799,000 for each of the fiscal years 1996 and 1997 for the purposes of section 2106(3)(A) of this Act.

(19) $119,536,000 for each of the fiscal years 1996 and 1997 for the purposes of section 2106(3)(F) of this Act.

(20) $395,340,000 for each of the fiscal years 1996 and 1997 for the purposes of section 2106(5) of this Act.

(21) $85,919,000 for each of the fiscal years 1996 and 1997 for the purposes of section 2106(5) of this Act.

(22) $4,300,000 for each of the fiscal years 1996 and 1997 for the purposes of section 2106(8) of this Act.

(23) $20,000,000 for each of the fiscal years 1996 and 1997 for the purposes of section 2106(9) of this Act.

(24) $76,300,000 for each of the fiscal years 1996 and 1997 to carry out the purposes of the Arms Control and Disarmament Act.

(25) $3,351,910,000 for grant assistance under section 23 of the Arms Export Control Act (22 U.S.C. 2763) and for the subsidy costs, as defined in section 502(5) of the Federal Credit Reform Act of 1990, of direct loans under such section.

(26) $2,504,300,000 for each of the fiscal years 1996 and 1997 to carry out chapter 5 of part II of the Foreign Assistance Act of 1961.

(27) $1,300,000,000 for each of the fiscal years 1996 and 1997 to carry out sections 103 through 106 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151a through 2151d).

(28) $802,000,000 for each of the fiscal years 1996 and 1997 to carry out programs under chapter 11 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2295 et seq.).

(29) $788,000,000 for each of the fiscal years 1996 and 1997 to carry out programs under chapter 11 of Part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2295 et seq.).

(30) $480,000,000 for each of the fiscal years 1996 and 1997 for economic assistance for Eastern Europe and the Baltic states under the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) and the Support for East European Democracy (SEED) Act of 1989.

(31) $31,760,000 for each of the fiscal years 1996 and 1997 to carry out section 401 of the Foreign Assistance Act of 1969 (22 U.S.C. 290f).

(32) $17,405,000 for each of the fiscal years 1996 and 1997 to carry out the African Development Foundation Act (22 U.S.C. 290h et seq.).

(33) $529,027,000 for each of the fiscal years 1996 and 1997 for necessary operating expenses of the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961 (other than the office of the inspector general of such agency).

(34) $39,118,000 for each of the fiscal years 1996 and 1997 for necessary operating expenses of the office of the inspector general of the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961.

(35) $50,000,000 for each of the fiscal years 1996 and 1997 for the provision of agricultural commodities under title III of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1727 et seq.).''

(b) Nothing in this section shall be construed to affect sections 3103, 3104, 3202, and 3203 of this Act.

SEC. 3602. AGGREGATE AUTHORIZATION OF APPROPRIATIONS.

Notwithstanding any other provision of law, the aggregate authorization of appropriations provided for in this Act shall not exceed $16,505,843,000 for fiscal years 1996 and $15,395,362,000 for fiscal year 1997.

H.R. 1561

OFFERED BY: MR. HOKE

AMENDMENT NO. 89: Page 289, add the following after line 26 and redesignate the succeeding chapter accordingly:

CHAPTER 8—OVERSEAS PRIVATE INVESTMENT CORPORATION

SEC. 3275. SUBSIDY COST OF OPIC PROGRAMS.

Section 235(a)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2195(a)(2)) is amended by adding at the end the following:

''(C) The subsidy cost of the investment guaranties and direct loan programs under subsections (b) and (c) of section 234 may not exceed $79,000,000 for fiscal year 1996. The subsidy cost of such programs shall not be separately designated for the independent states of the former Soviet Union, or for any other particular country or group of countries, but shall be combined for all countries. The standards in effect on May 15, 1995, for determining for which projects the Corporation should provide guaranties and loans in countries other than the independent states of the former Soviet Union shall apply to projects in all countries. No net subsidy cost of the investment guaranties and direct loan programs may be incurred after September 30, 1998.''.

SEC. 3276. STUDY ON PRIVATIZATION.

(a) STUDY AND REPORT.—The Overseas Private Investment Corporation shall conduct a study on privatizing the activities of the Corporation and, not later than 180 days after the date of the enactment of this Act, submit to the Congress a report on the study.

(b) CONTENTS OF REPORT.—In the report submitted under subsection (a), the Overseas Private Investment Corporation shall set forth the necessary steps to transfer to the private sector all the evidences of ownership of the Corporation with respect to the activities of the Corporation, whether through the sale of the Corporation's stock, contracts, leases, or other agreements or rights, or otherwise. The process of privatization described in the preceding sentence shall be prudent and orderly, shall maximize the value to United States taxpayers, shall proceed as quickly as market conditions permit, through a limited transition period, and shall be completed by a date certain. The report shall outline a privatization plan which, at a minimum—

(1) specifies the date certain for completion of the privatization process that begins not later than 1 year after the report is submitted;

(2) ensures that any transitional United States Government support before the completion of the privatization process involves no net cost to the United States Government;

(3) provides for the sale or other transfer of the existing portfolio and reserves of the Overseas Private Investment Corporation; and

(4) retains, during the transition period, the agreements entered into with foreign countries under section 237(a) of the Foreign Assistance Act of 1961.

SEC. 3277. REPEAL.

Effective on the date certain that is specified under section 3276(b)(1), title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 is repealed, and any reference in any other law to the Overseas Private Investment Corporation shall cease to be effective.

H.R. 1561

OFFERED BY: MS. JACKSON-LEE

AMENDMENT NO. 90: on page 260, line 24, strike ''$2,000,000'' and insert in lieu thereof ''$2,500,000''.

H.R. 1561

OFFERED BY: MS. JACKSON-LEE

AMENDMENT NO. 91: on page 265, line 10, strike ''$5,000,000'' and insert in lieu thereof ''$6,500,000''.

H.R. 1561

OFFERED BY: MR. MICA

AMENDMENT NO. 92: page 75, lines 6 through 22, and insert the following:

separates from service with the agency during the period beginning on the date on which the offer is made for a voluntary separation incentive payment under this section and the last day of the second quarter of the fiscal year in which the offer is made.

(d) PERIOD OF AUTHORITY.—The head of an agency shall have authority to authorize payment of voluntary separation incentive payments under this section for a 60-day period beginning on the 61st day after the date on which the President transmits to the appropriate congressional committees the applicable reorganization plan for the agency under section 221, 321, or 421.

H.R. 1561

OFFERED BY: MR. MICA

AMENDMENT NO. 93:

SEC. 2106. UNITED STATES INFORMATIONAL, EDUCATIONAL, AND CULTURAL PROGRAMS.

Page 105, strike lines 20 through 23.

SEC. 3212. MICRO- AND SMALL ENTERPRISE DEVELOPMENT CREDITS.

Page 260, line 24, strike ''$2,000,000'' and insert ''$2,800,000''.

H.R. 1561

OFFERED BY: MRS. MORELLA

AMENDMENT NO. 94: Page 196, after line 2, insert the followng new section:

SEC. 2712. REGARDING THE GUATEMALAN PEACE PROCESS AND THE NEED FOR GREATER PROTECTION OF HUMAN RIGHTS IN GUATEMALA.

(a) FINDINGS.—The Congress makes the following findings:

(1) Formal negotiations to bring an end to the 34-year armed conflict in Guatemala and to establish conditions for democracy in Guatemala were resumed in January 1994 under United Nations mediation between the Government of Guatemala and the armed opposition, the Guatemalan National Revolutionary Union (URNG).

(2) These negotiations have resulted in the signing of a series of landmark accords on human rights, the establishment of a Commission for the Historical Clarification of Human Rights Violations, the resettlement of displaced populations, indigenous rights and identity, and other issues, and are expected to lead to the signing of further accords and a final comprehensive accord in the near future.

(3) The government and the Guatemalan National Revolutionary Union (URNG) agreed in the human rights accord signed on March 29, 1994, that ''[t]he Government shall not sponsor the adoption of legislative or any other type of measures designed to prevent the prosecution and punishment of persons responsible for human rights violations''.

(4) The United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala (MINUGUA) established under the Global Human Rights Accord to monitor compliance with that agreement began operations across Guatemala in November 1994 and released its first report in March 1995.

(5) MINUGUA reports that in Guatemala there have been numerous violations of the right to life, and that the vast majority of cases involving death have not been adequately investigated or resolved by the competent Guatemalan authorities.

(6) MINUGUA reports that the Guatemalan Government has not adequately guaranteed the right to be free from torture or other cruel, inhuman, or degrading treatment, and that no information exists to demonstrate that such cases in which the involvement of military and police officers has been verified have been investigated in depth or that the guilty parties have been prosecuted.

(7) MINUGUA reports that Guatemala has made no progress in the investigation of

criminal acts alleged to constitute human rights violations, and that specific actions and inquiries which could and should have been undertaken promptly were not carried out.

(8) MINUGUA has observed numerous, persistent serious human rights violations to which, in nearly every case, there has been no response from competent Guatemalan authorities.

(9) Systematic human rights violations are committed with impunity against Guatemalan civilians, especially members of the indigenous population, by members of government security forces and by the Civil Self-Defense Patrols acting under their authority.

(10) Human rights abuses that endanger and intimidate judicial authorities, human rights activists, and public figures continue to occur, such as the killing of Guatemala's Constitutional Court President Epaminondas Gonzalez Dubon on April 1, 1994, civil patrollers firing on a group of peaceful human rights demonstrators in Colotenango on August 3, 1993, the killing of former presidential candidate Jorge Carpio Nicolle on July 3, 1993, the killing of Chimaltenango district court judge Edgar Ramiro Elias Ogaldez on August 20, 1994, the kidnapping on August 29, 1994, of police agent Miguel Manolo Pacheco, who was assigned to protect appeals court judge Maria Eugenia Villasenor, and the October 14, 1994, murder of police agent Cesar Augusto Medina.

(11) The Organization of American States has found that the Civil Self-Defense Patrols are a ''source of human rights violations'' and should be ''disbanded or reorganized''.

(12) The Organization of American States has found that in Guatemala there have been serious ''cases of arbitrary arrest, illegitimate deprivation of liberty, isolation, and torture and execution without trial'' of individuals, including Efrain Bamaca, the husband of United States citizen Jennifer Harbury, and other members of the Guatemalan National Revolutionary Union who are held by various government security forces.

(13) The Organization of American States has determined that the Communities of Populations in Resistance, which have been harassed and attacked by government armed forces and the Civil Self-Defense Patrols, are civilian communities.

(14) The Organization of American States has called on the Government of Guatemala to ''take a clear stand on the grave problems that obstruct the full observance of human rights, set well defined goals, and schedule policies for attaining them''.

(15) The security of repatriated refugees in Guatemala and of internally displaced civilians, including the Communities of Populations in Resistance, remains at risk due to continued military intimidation and harassment, and their reintegration into Guatemalan society has been hampered by inadequate access to land and other productive resources.

(16) There has been insufficient progress in bringing to justice all of those responsible for the murders of United States citizens Michael DeVine, Griffin Davis, and Nicholas Blake, the abduction and torture of United States citizen Dianna Ortiz, the attempted murder of United States citizen Meredith Larson, the murder of guerrilla comandante Efrain Bamaca Velazquez (the husband of United States citizen Jennifer Harbury), and the murders of the following Guatemalan citizens: anthropologist Myrna Mack Chang, politician Jorge Carpio Nicolle, Constitutional Court President Epaminondas Gonzalez Dubon, and victims of the Colotenango massacre perpetrated by Civil Self-Defense Patrols.

(17) Recent reports and congressional hearings have established that United States agencies hold information concerning the role of individual Guatemalan military officers in several human rights cases in which the United States and the Congress have expressed longstanding concern, including the cases of Michael DeVine and Efrain Bamaca.

(18) Eyewitness testimony presented to the Inter-American Commission on Human Rights has implicated nine Guatemalan military officers in the clandestine detention and torture of Efrain Bamaca.

(19) The United States Embassy and Honduras threatened to revoke the visas of all possible witnesses to the December 1994 shooting of an American citizen in Tegucigalpa when they refused to provide information on the crime.

(20) Congressional hearings have established that covert actions taken by the Central Intelligence Agency were in direct contradiction of officially articulated United States policy toward Guatemala.

(21) Guatemala has failed to extradite Colonel Carlos Rene Ochoa Ruiz, under indictment in Tampa for drug-trafficking, in spite of the official request from the United States Government.

(22) The Guatemalan National Revolutionary Union has engaged in violations of the laws of war, including the assassination of military commissioner Teofilo Lopez Castillo, firing on a bus filled with civilians which ran a roadblock in Chupol, and the recruitment of child soldiers.

(23) MINUGUA has called on the URNG to stop the destruction, and threatened destruction, of installations on rural estates, to refrain from sabotaging electric power pylons, and to prevent retaliatory attacks against civilian persons or property.

(b) DECLARATION OF CONGRESS.—The Congress—

(1) commends the President of Guatemala, Ramiro de Leon Carpio, and the leaders of the Guatemalan National Revolutionary Union for establishing a framework for formal negotiations, and for reaching agreement on several important accords in these negotiations, which, under the mediation of the United Nations, are designed to bring an end to more than 30 years of internal armed conflict and set Guatemala on the road to democracy;

(2) commends the leaders of the various segments of civilian society for their role in articulating the concerns of all sectors of Guatemalan society and for bringing critical issues onto the agenda of the peace negotiations;

(3) calls on President de Leon Carpio and all parties in the negotiation process to proceed in the spirit of the Oslo Accords to achieve peace by political means, to the end that a final, binding, and verifiable agreement will be attained at the earliest possible date;

(4) calls on the Group of Friends of the peace negotiations (Colombia, Mexico, Spain, Venezuela, Norway, and the United States) to continue and intensify their support of the peace negotiations through diplomatic initiatives and dialogue with all parties;

(5) calls on President de Leon Carpio to immediately develop a measurable and substantive plan to end grave human rights abuses, in compliance with internationally recognized human rights standards, Guatemala's national Constitution, and the recommendations of MINUGUA, the United Nations Independent Human Rights Expert for Guatemala, and the Inter-American Commission on Human Rights, a part of the Organization of the American States;

(6) calls on President de Leon Carpio, as a sign of good faith and a contribution to peace, to immediately disband the Civil Self-Defense Patrols, which are one of the major sources of human rights violations in Guatemala, and to cancel plans to convert these patrols to ''Peace and Development Committees'';

(7) calls on the Guatemalan Government to ensure that any amnesty promulgated to allow the URNG to be reintegrated as a political party cover only crimes against the state and not human rights violations;

(8) calls on President de Leon Carpio to ensure the safety and complete return and reintegration of Guatemalan refugees in Mexico, in full compliance with the Accord of the Permanent Commissions of the Guatemalan Refugees in Mexico and the Government of the Republic of Guatemala, signed in Guatemala on October 8, 1992, that determines the conditions and understandings under which certain Guatemalan refugees may be repatriated;

(9) calls on President de Leon Carpio to recognize the civilian character of the Communities of Populations in Resistance, ensuring their security and their right to peaceful integration into Guatemalan society with the full exercise of rights and liberties guaranteed under Guatemala's national Constitution;

(10) calls on the United States executive branch to allocate sufficient funding for a transition to peace fund for Guatemala, which should include all of the military aid frozen in the pipeline since 1990 and should be supplemented with additional resources, to be used to finance the United Nations Verification Mission and to implement other peace accord implementation programs as they are determined;

(11) calls on the executive branch of the United States Government to undertake every effort to assure that no foreign assistance provided to the Government of Guatemala is made available to ''Peace and Development Committees'' which have been created from transformed civil patrols;

(12) calls on the executive branch of the United States Government to condition all assistance to Guatemala, with the exception of humanitarian assistance, development assistance, and Administration of Justice assistance, on—

(A) full compliance with MINUGUA recommendations and the recommended precautionary measures of the Inter-American Commission on Human Rights, including resolution of concerns involving clandestine prisons;

(B) progress in the continuation of the peace process;

(C) substantive improvement in the protection of human rights;

(D) the dissolution of the Civil Self-Defense Patrols;

(E) the guaranteed safety of refugees, returnees, and the internally displaced;

(F) verifiable resolution of the DeVine, Ortiz, Davis, Blake, Larson, Bamaca, Mack, Carpio, Gonzalez Dubon, Elias Ogaldez, Pacheco, Medina, and Colotenango cases;

(G) the strengthening of the various segments of civilian society, which are essential to the establishment of genuine democracy in Guatemala; and

(H) extradition of Guatemalan Colonel Carlos Rene Ochoa Ruiz;

(13) urges the executive branch, in its efforts to achieve the goals listed in paragraph 12, to also consider termination of Caminos Fuertes civic action program, and the licensing of private arms sales and the sale of excess defense articles;

(14) calls on the executive branch to immediately suspend the visas of any Guatemalan military officer implicated in human rights abuses, drug-trafficking, and other crimes until these cases have been adjudicated to the satisfaction of the Secretary of State;

(15) calls on the executive branch to permanently cancel the visas of Guatemalan military officers implicated in human rights violations or other criminal activity if the judicial process related to such activity is disrupted by threats or acts of intimidation against police investigators, prosecutors, judges, witnesses, or their families;

(16) calls on the executive branch to permanently cancel the visas of Guatemalan military officers and those of their immediate family if the threats or acts in section 15 are carried out;

(17) calls on the executive branch to comply as fully and as expeditiously as possible with freedom of information act requests dealing with human rights cases in Guatemala, beginning with those that have already been filed by Jennifer Harbury and Dianna Ortiz;

(18) calls on the Administration to support the work of the Commission on the Clarification of the Past by moving to review for declassification in an expedited manner all United States Government records pertaining to human rights violations in Guatemala; and

(19) calls on the administration to assure that no covert action undertaken in Guatemala contradicts publicly stated policy unless the President signs a finding authorizing such activity and fully informs the appropriate congressional committees of the action authorized and the reasons for the authorization.

H.R. 1561

OFFERED BY: MR. ROEMER

AMENDMENT NO. 95: In paragraph (3) of section 3221(a) (relating to authorization of appropriations for development assistance for the independent states of the former Soviet Union), strike ''$643,000,000'' and insert ''$578,000,000''.

H.R. 1561

OFFERED BY: MRS. SCHROEDER

AMENDMENT NO. 96: At the appropriate place, insert the following:

Whereas, female genital mutilation is a violation of women's basic human rights; and

Whereas, female genital mutilation constitutes a major health risk to women, with lifelong physical and psychological consequences; and

Whereas, female genital mutilation should not be condoned by any government;

It is the sense of Congress that:

The President seek to end the practice of female genital mutilation worldwide through the active cooperation and participation of governments in whose nations female genital mutilation takes place. Steps to end the practice of female genital mutilation shall include:

(1) encouraging nations to establish clear policies against female genital mutilation, and enforcing existing laws which prohibit it; and

(2) assisting nations in creating culturally appropriate outreach programs that include education and counseling about the dangers of female genital mutilation for women and men of all ages; and

(3) ensuring that all appropriate programs in which the U.S. participates includes a component pertaining to female genital mutilation, so as to ensure consistency across the spectrum of health and child related programs conducted in any country in which female genital mutilation is known to be a problem.

H.R. 1561

OFFERED BY: MR. SMITH OF TEXAS

AMENDMENT NO. 97: In section 2252 (relating to persecution for resistance to coercive population control methods)—

(1) insert ''(a) DEFINTION OF REFUGEE.—'' before ''Section''; and

(2) add at the end the following new subsection:

(b) NUMERICAL LIMITATION ON ASYLUM.—Section 208 of the Immigration and Nationality Act (8 U.S.C. 1158) is amended by adding at the end the following new subsection:

''(f) Notwithstanding any other provision of law or of this Act, for any fiscal year not more than 2,000 aliens may be granted asylum on the basis of a determination pursuant to the third sentence of section 101(a)(42) (relating to persecution for resistance to coercive population control methods).''.

H.R. 1561

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 98: At the end of title XXVII (relating to congressional statements), add the following new section:

SEC. 2712. SENSE OF THE CONGRESS REGARDING SYRIAN OCCUPATION OF LEBANON.

It is the sense of the Congress that—

(1) the Government of Syria should honor the Taif Agreement and withdraw all of its troops from Lebanon;

(2) the United States should take every action feasible through the United Nations to encourage the Government of Syria to withdraw all of its troops from Lebanon not later than 6 months after the date of the enactment of this Act; and

(3) the Secretary of State should report to the Congress, not later than 6 months after the date of the enactment of this Act, as to the actions the United States has taken to effect a withdrawal of all Syrian troops from Lebanon.

H.R. 1561

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 99: At the end of chapter 2 of title XXXIV of division C (relating to special authorities and other provisions of foreign assistance authorizations), add the following new section:

SEC. 3420. LIMITATION ON PROCUREMENT OUTSIDE THE UNITED STATES.

Funds made available for assistance for fiscal years 1996 and 1997 under the Foreign Assistance Act of 1961, for which amounts are authorized to be appropriated for such fiscal years, may be used for procurement outside the United States or less developed countries only if—

(1) such funds are used for the procurement of commodities or services, or defense articles or defense services, produced in the country in which the assistance is to be provided, except that this paragraph only applies if procurement in that country would cost less than procurement in the United States or less developed countries;

(2) the provision of such assistance requires commodities or services, or defense articles or defense services, of a type that are not produced in, and available for purchase from, the United States, less developed countries, or the country in which the assistance is to be provided;

(3) the Congress has specifically authorized procurement outside the United States or less developed countries; or

(4) the President determines on a case-by-case basis that procurement outside the United States or less developed countries would result in the more efficient use of United States foreign assistance resources.

H.R. 1561

OFFERED BY: MR. WAMP

AMENDMENT NO. 100: Strike subsection (a) of section 3204 (relating to funding for the International Fund for Ireland).

Strike section 3221 (relating to authorization of appropriations for development assistance authorities).