the United States move its Embassy from Tel Aviv to Jerusalem by May 31, 1999. We are also committed to seeing this happen and have included provisions to do so in H.R. 1757.

I urge my colleagues to vote for both House Concurrent Resolution 60, as well as H.R. 1757, which reaffirm our belief that Jerusalem should remain Israel's undivided capital.

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

Mr. GILMAN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CALVERT). The question is on the motion offered by the gentleman from New York [Mr. GILMAN] that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 60.

The question was taken.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 1998 AND 1999

The SPEAKER pro tempore. Pursuant to House Resolution 159 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. 1757.

□ 1257

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. 1757) to consolidate international affairs agencies, to authorize appropriations for the Department of State and related agencies for fiscal years 1998 and 1999, and for other purposes, with Mr. EWING—Chairman pro tempore—in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose on Thursday, June 5, 1997, the amendment offered by the gentleman from New Jersey [Mr. SMITH] had been disposed of.

Pursuant to the order of the House of Thursday, June 5, 1997, each further amendment to the bill, and all amendments thereto, shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent, except for the following amendments which shall be debated without a time limit:

1. Amendments en bloc offered by the gentleman from New York [Mr. GILMAN] pursuant to the previous order;
2. The amendment by the gentleman from Rhode Island [Mr. KENNEDY] regarding Indonesia;
3. The amendment by the gentleman from California [Mr. MILLER] regarding Cuba;
4. The amendment by the gentleman from New York [Mr. SCHUMER] regarding Egypt;
5. The amendment by the gentleman from New York [Mr. PAXON] or the gentleman from New York [Mr. ENGEL] regarding Palestinian land transactions;
6. The amendment by the gentleman from Ohio [Mr. NEY] regarding Libya;
7. The amendment by the gentleman from South Carolina [Mr. SANFORD] regarding authorization levels;
8. The amendment by the gentlewoman from Georgia [Ms. MCKINNEY] regarding arms transfer code of conduct;
9. The amendment by the gentleman from California [Mr. CAPPS] regarding Tibet;
10. The amendment by the gentleman from New York [Mr. GILMAN] regarding counternarcotics authorities;
11. The amendment by the gentleman from Indiana [Mr. HAMILTON]; and
12. The amendment by the gentleman from New York [Mr. GILMAN].

□ 1300

It shall be in order at any time for the chairman of the Committee on International Relations, or his designee, with the concurrence of the ranking minority member of that committee, or a designee, to offer amendments en bloc. Those amendments en bloc shall be considered read, shall not be subject to amendment, shall not be subject to a demand for a division of the question, and may amend portions of the bill previously read for amendment.

The original proponents of an amendment included in such amendments en bloc may insert a statement in the CONGRESSIONAL RECORD immediately before the disposition of the amendments en bloc.

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

Mr. Chairman, we are now resuming consideration of the foreign relations authorization bill for fiscal years 1998 and 1999. We have a unanimous-consent agreement that makes in order several amendments to be considered under the 5-minute rule without any special time limitation. Other amendments not mentioned in the unanimous-consent request are debatable for up to 10 minutes equally divided between a Member in support and a Member in opposition on the amendment. I request that any Members having an amendment would advise our committee if they plan to offer an amendment. It would help facilitate our work here for the remainder of the day.

I would also like to point out that we are continuing to work with the administration to reach an agreement on reorganization of the foreign affairs agencies. The President has directed that consolidation of USIA and the Arms Control Disarmament Agency take place over a 2-year period. That is our responsibility, to implement that decision. It is my intention to find a solution. I hope that my colleagues on the other side of the aisle will work with us to that end, and I want to thank the ranking minority member, the gentleman from Indiana [Mr. HAMILTON], for his cooperation. We will try to move this bill as expeditiously as possible, and we appreciate the cooperation of our colleagues to work within the agreed time limits.

AMENDMENT OFFERED BY MR. GILMAN

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

The CHAIRMAN pro tempore (Mr. EWING). Is the amendment one of those specifically listed in the order of the House of June 5, 1997?

Mr. GILMAN. Yes, it is, Mr. Chairman.

The Clerk read as follows:

Amendment offered by Mr. GILMAN:

At end of Title XVII (relating to foreign policy provisions) add the following new section (and conform the table of contents accordingly):

SEC. ADDITIONAL REQUIREMENTS RELATING TO ASSISTANCE.

(a) IN GENERAL.—Section 481(e)(4) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(e)(4)) is amended—

(1) in subparagraph (A)(ii), inserting ''or under chapter 5 of part II'' after ''(including chapter 4 of part II)''; and

(2) in subparagraph (B), by inserting before the semicolon at the end the following: '', other than sales or financing provided for narcotics-related purposes following notification in accordance with procedures applicable to reprogramming notifications under section 634A of this Act.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to assistance provided on or after the date of the enactment of this Act.

Mr. GILMAN. Mr. Chairman I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. GILMAN. Mr. Chairman, the euphemism, war on drugs, is often misused to describe the struggle against the illicit narcotics which destroy our communities and takes the lives of so many of our young people. However in Colombia, the major drug producing nation in our hemisphere, there is a raging narcotics based drug war, and it is only a short 3 hours away by aircraft from Miami. The Colombian National Police, the CNP, our longtime courageous and honest allies in the fight against the drug cartels and their narcoguerrilla allies, in the last 10 years alone they have lost nearly 3,000 police officers. These heavy casualties were taken fighting ours as well as their own grave struggle against the illicit drug trade. These brave police officers captured or killed all of the leadership of the ruthless Medellin cartel as well as all of the key kingpins of the more sophisticated and powerful Cali international drug cartel.

The administration twice decertified the Government of Colombia over the last 2 years without a national interest waiver because of alleged corruption surrounding the Presidency. At the same time, it has badly hurt the Colombian National Police and military fighting the real drug war from the safe and secure office of the Presidency in Bogota.

The annual drug certification statute as now written automatically cuts off foreign military sales and international military education and training. That assistance is given once a nation like Colombia is decertified, without being given a national interest waiver.

As a result, today in Colombia we cannot routinely provide FMS and IMET assistance to the police and the army. In addition, we cannot provide any lethal assistance, ammunition and explosives, in the middle of their raging narcowar.

Nor can we help adequately maintain the numerous pieces of U.S. military equipment we have provided to the security forces in the past to fight drugs. The net effect has been a classic case of shooting one's self in the foot in a matter involving our vital national security, illicit drugs coming from abroad.

The certification law also creates a catch-22 situation for the nation decertified. We are denying them the very military assistance and training they often need to produce increased results in fighting drugs, results they will need later to get certified for fully cooperating in the following year.

My amendment is simple. It was included in H.R. 1486 as it came out of our committee without any opposition. It makes clear that FMS and IMET narcotics-related assistance, when the United States decertifies a nation in the future, without a national interest waiver, would no longer automatically be cut off.

Under my proposal, while the administration need not automatically provide FMS or IMET drug-related assistance, they are not precluded from doing so especially when needed in such clear cut cases like the current drug war that exists in Colombia.

I urge my colleagues to please join in this common sense solution to correct a serious glitch in the current law. Let us give our courageous friends and allies in the Colombian National Police and military in its vital struggle for their lives and that of our children a real fighting chance, and I urge adoption of the amendment.

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

Mr. HAMILTON. Mr. Chairman, I rise in opposition to the chairman's amendment which inserts into this bill one of his sections in the foreign aid division, which of course the Committee on Rules had stripped from the bill.

This amendment, taken out of the foreign aid division of H.R. 1486, would remove the current legal prohibition against providing military training and military aid to decertified countries. What that means is that, if a country is decertified because it is not cooperating with us in the fight against drugs, the United States would still automatically cut off most development assistance as well as OPIC and Exim which help U.S. companies, but lethal equipment and other military assistance could still be sent to those decertified countries.

I oppose this amendment for two reasons. First, the amendment, I think, is an affront to fair process. The Committee on Rules stripped out the foreign aid half of the Committee on International Relations' bipartisan bill. Now the gentleman from New York [Mr. GILMAN] is coming back with a provision out of the foreign aid division. Members of Congress, the gentleman from New Jersey [Mr. MENENDEZ] and the gentleman from Florida [Mr. HASTINGS] and I, had a provision to revise the drug certification process, but we did not attempt to add it to a State Department authorization bill where it does not belong.

I do not like fooling around with the process. This approach, I think, is unfair to other Members who had provisions in the foreign aid division. The gentleman from New York [Mr. GILMAN] is trying to attach an undoubtedly popular amendment from the foreign assistance bill to a different vehicle. This approach, I think, shows that the gentleman from New York [Mr. GILMAN] has no confidence in the Committee on Rules' pledge that the foreign aid bill will be taken up at a later time. What he is doing now is putting very popular, very attractive, provisions from the foreign aid division into this bill, rewriting it so that it fits under the State Department authorization bill.

Second, however, I oppose the amendment on substance. One of the main reasons for prohibiting military aid is to have a powerful stick to persuade militaries in major drug countries to become U.S. allies on counternarcotics. This amendment removes one of the key levers that the United States has under current law.

What we do here is we would decertify a country saying that they do not cooperate with us, and then we turn around under this amendment and say, ''Even though you do not cooperate, we are going to continue to supply you with all of the military aid that you want.''

With this amendment, for example, the United States would provide approximately $30 million in additional military assistance to Colombia. Keep in mind Colombia is a country that does not cooperate with us by our own finding in the fight against drugs. This contradicts this amendment, I believe, the very purpose of cutting off assistance to decertified countries. Colombia's military has less incentive to improve Colombia's record if it is getting the aid that it wants any way.

Now I do agree with the gentleman from New York [Mr. GILMAN] that automatic sanctions are counterproductive. The entire decertification statute is badly flawed, and for this reason the committee voted to revise the decertification process and voted to remove all mandatory sanctions. The committee has been denied a chance to bring that product before the House.

In my view rather than make piecemeal changes, as proposed in the Gilman amendment, we should revise the entire statute. The gentleman from New York [Mr. GILMAN] said at committee markup that major changes to the decertification statute should undergo a close review including hearings. Well, this amendment is such a change. The gentleman from New York should withdraw this amendment until such time as the committee has completed that review.

Mr. Chairman, I urge my colleagues to oppose the amendment.

Mr. GILMAN. Mr. Chairman, I ask unanimous consent for 5 additional minutes.

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

There was no objection.

Mr. GILMAN. Mr. Chairman, I would like to engage in a short colloquy with the gentleman from Indiana [Mr. HAMILTON].

Mr. Chairman, is it the gentleman's understanding that the administration supported this legislative fix to the decertification statute?

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

Mr. GILMAN. I yield to the gentleman from Indiana.

Mr. HAMILTON. Mr. Chairman, is the gentleman asking me if the administration supports his amendment?

Mr. GILMAN. No, I am asking if it is the gentleman's understanding the administration supported this legislative fix to the decertification statute so that they could meet IMET and FMS in these cases?

Mr. HAMILTON. May I respond?

Mr. GILMAN. It is my understanding that the administration did support it.

Mr. HAMILTON. Mr. Chairman, I took the position I did without reference to the administration. I do not know what their position is. They can speak for themselves.

Mr. GILMAN. Mr. Chairman, in further addressing the gentleman's comments I want the gentleman to know that I have full confidence that we are going to move the foreign aid bill at a later date, but this proposal is a matter of extreme urgency. Today the Colombian National Police have only 10 days worth of ammunition in order to continue to conduct the kind of fight that they are conducting against the guerrillas who have been trafficking in narcotics, and it is for that reason that I propose this amendment which merely restores FMS and IMET so that these courageous fighters in the drug war could continue in their efforts.

Mr. HAMILTON. Mr. Chairman, if the gentleman would continue to yield, I was very pleased to hear him say a moment ago that he believes the foreign aid bill will be brought up.

Does the gentleman from New York, the chairman of the committee, have the assurance of the leadership that a foreign aid bill will in fact be brought up on this floor?

Mr. GILMAN. Mr. Chairman, we have been conferring with the leadership,

and I will continue in my efforts to try to bring the foreign aid measure to the floor of the House.

Mr. HAMILTON. But the gentleman has no assurance from the leadership that such a bill will be brought forward?

Mr. GILMAN. I have no guarantees at this time. I can only state to the ranking minority member that I will continue strenuous efforts to try to bring the measure to the floor of the House.

Mr. HAMILTON. Let me assure the gentleman I support him in those efforts.

□ 1315

The CHAIRMAN pro tempore (Mr. EWING). The question is on the amendment offered by the gentleman from New York [Mr. GILMAN].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. NEY

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

The CHAIRMAN pro tempore. Is the amendment one of those specifically listed in the order of the House of June 5, 1997?

Mr. NEY. Yes, Mr. Chairman, it is.

The CHAIRMAN pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. NEY:

At the end of the bill add the following (and conform the table of contents accordingly):

DIVISION C—MISCELLANEOUS PROVISIONS

SEC. 2001. PROHIBITION ON FOREIGN ASSISTANCE TO ANY COUNTRY THAT ASSISTS LIBYA IN CIRCUMVENTING UNITED NATIONS SANCTIONS.

(a) IN GENERAL.—None of the funds made available in this Act and the amendments made by this Act shall be made available for assistance to any government if the President determines that such country has assisted the Government of Libya in violating sanctions imposed by United Nations Security Council Resolution 748 (1992).

(b) EXCEPTION.—This section shall not apply if the President determines that making such funds available is important to the national security interest of the United States.

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

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. NEY. Mr. Chairman, Steven Burrell, Shannon Davis, Christopher Jones, Sarah Phillipps, Cynthia J. Smith, these are names of students, not the names of students who I would like to say today are in their communities and able to continue their education and add to their communities' benefit, and maybe one of these names could have found a cure for cancer, maybe one of these names would have done a great humanitarian effort. No, Mr. Chairman, the names I read, Steven Burrell, Shannon Davis, Christopher Jones, Sarah Phillipps, Cynthia J. Smith, these are the names of just a few of the 35 students from Syracuse University who cannot be with us today and never will be with us because they were passengers on Pan Am Flight 103, which was blown out of the sky by a powerful bomb over Lockerbie, Scotland. All told, all 259 passengers and crew aboard the plane were killed, along with 11 people on the ground.

After one of the most extensive investigations in history, two Libyan intelligence agents were implicated for planting an explosive device on the plane that murdered all of the passengers on the plane. After repeated requests, I stress repeated requests, and Libya's failure to extradite the two Libyan agents, the United Nations imposed a ban on air traffic in and out of Libya as a result.

Last week, in a reckless attempt to have the sanctions lifted without actually delivering the two suspects, the Libyan Government, under the direction of Moammar Qadhafi, sent a direct appeal to the families of the victims talking about a compromise. Unfortunately, the letter was more of a cynical propaganda ploy aimed at manipulating the victims' families than it was an actual concession, and the victims' families recognized this publicly.

On top of murdering the families, I think one of the worst things that could have been done was to try to involve them in a propaganda ploy of the Libyan Government.

Now, why did this happen? It happened because earlier this year, on May 8, the Libyan leader, Moammar Qadhafi, defied the U.N. ban on all traffic in and out of Libya. He flew a flotilla of four Boeing 727's to two Libyan countries, Niger and Nigeria. Now this matter is currently being pursued in the U.N. Security Council and the Sanctions Committee.

My amendment, very simply, will prohibit any funds made available through this bill from going to any government that assists Libya in circumventing the U.N. sanction.

We took upon ourselves, and the United Nations agreed, these sanctions for a reason. Not for the pleasure of Moammar Qadhafi to do as he pleases without doing the right thing, which is to turn these people over for trial that killed all of the people on the Pan Am flight, but on top of it, Mr. Chairman, it is blatantly obvious that Moammar Qadhafi does not take the U.N. sanctions seriously, and that Libya continues to harbor and finance terrorist groups that share Qadhafi's anti-Western views all over our planet.

However, real problems begin to arise when other nations of the world assist rogue governments and rogue countries like Libya in circumventing U.N. sanctions. That does not add to the peace or the security of any citizen of any country who at any point in time can fall victim to the rogue activities of a rogue government headed by a ruthless rogue leader, which is what Moammar Qadhafi is.

The United States has the ability, however, to help deter other countries from assisting Libya through the threat of withholding American assistance, and that is the sole purpose of my amendment.

Mr. Chairman, I urge my colleagues' support of this amendment on behalf of the innocent Americans and the innocent peoples from all around the world who were on this flight and for the other people who have fallen victim to the hideous ways of this brutal leader. I again urge my colleagues' support of this amendment. I would also like to thank the gentleman from New York [Mr. GILMAN] and his staff for all of the hard work that they put into this bill. They have done a wonderful job.

Mr. HAMILTON. Mr. Chairman, I rise in support of the amendment, and I will vote for it. I want to work to refine it down the line, and I have a question or two to the sponsor.

Mr. Chairman, I would inquire of the gentleman from Ohio, what countries would be affected by this amendment?

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

Mr. HAMILTON. I yield to the gentleman from Ohio.

Mr. NEY. Mr. Chairman, the countries that would be affected would be those countries who, in fact as the amendment states, the President feels has violated the U.N. sanctions. So it could be any country of the world in fact that would allow for a situation like the flotilla to land in their country and they would violate U.N. sanctions. So it is not specific to what countries, but it would be any country who violates the already existing U.N. sanctions.

Mr. HAMILTON. Mr. Chairman, can the gentleman name any country that would be affected, any specific country that would be affected?

Mr. NEY. Well, if the gentleman would further yield, it could be whatever country that violated from this point forward.

Mr. HAMILTON. Is there a country that now violates, if this were law?

Mr. NEY. Mr. Chairman, I feel that the two countries that allowed him to land, and of course the United Nations has to make that decision, which was Niger and Nigeria, but this amendment would be a deterrent to future situations where a country would allow the leader, Moammar Qadhafi, in fact to land on their soil.

Mr. HAMILTON. Mr. Chairman, reclaiming my time, I think the gentleman should be commended. All of us want to support tough sanctions against Libya, because there is not any doubt that Libya has not cooperated with respect to the investigation of Pan Am 103, and there is not any doubt that Libya is not complying with the U.N. resolutions. But I do want to point out in the interest of indicating that some refinements probably have to be made on the gentleman's amendment, the kinds of problems that arise.

For example, South Africa. President Mandela has invited Qadhafi to visit. Is

South Africa going to get caught up in this amendment? Or take Tunisia, who is the largest recipient of United States antiterrorism assistance. It is certainly hostile to Libya on a state-to-state basis, but through the Island of Djerba is a major international gateway to Libya. It is quite possible, for example, that Tunisia would be caught up in this amendment.

I point these things out not to be critical of the gentleman's amendment, but simply to encourage him, as the bill moves forward, to be open and receptive to refinements to the bill which would permit us to deal with these fairly specific and fairly difficult situations.

Mr. NEY. Mr. Chairman, if the gentleman would continue to yield, I would just note that I am willing to communicate during the process, of course, and I know the gentleman from Indiana [Mr. HAMILTON] would agree that we would have to be narrow in the scope so that certain unforeseen situations such as the ones that were mentioned, but I think that we would have to be careful, obviously, to always encourage countries to not deal with such regimes, but again, I think we can definitely have a discussion of what situations are appropriate, and also note the language. There is a certain amount of executive flexibility which we can communicate on.

Mr. HAMILTON. Mr. Chairman, I thank the gentleman.

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

Mr. Chairman, the committee is willing to accept the amendment by the gentleman from Ohio [Mr. NEY], and I want to commend him for his good work on this measure.

I appreciate the work that has been done in trying to improve our sanctions legislation. I will note that the amendment cuts off aid to any country that breaks U.N. sanctions against Libya, and while there is some concern that this amendment will cut off aid to some key allies, I note that this provision does have a national security waiver which the President may exercise in order to continue aid amongst those countries.

Accordingly, Mr. Chairman, I strongly support the amendment.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Ohio [Mr. NEY].

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

Mr. NEY. Mr. Chairman, I demand a recorded vote, and pending that I make the point of order that a quorum is not present.

The CHAIRMAN pro tempore. Pursuant to the House Resolution 159, further proceedings on the amendment offered by the gentleman from Ohio [Mr. NEY] will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT OFFERED BY MR. CAPPS

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

The CHAIRMAN pro tempore. Is the amendment one of those specifically listed in the order of the House of June 5, 1997?

Mr. CAPPS. Yes, Mr. Chairman, it is.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. CAPPS:

At the end of Title XVII (relating to foreign policy provisions) add the following new section (and conform the table of contents accordingly);

Notwithstanding section 1407(b)(1) of this act, for each of the fiscal years 1998 and 1999 at least 30 scholarships shall be made available to Tibetan students and professionals who are outside of Tibet (if practicable, including individuals active in the preservation of Tibet's unique culture, religion, and language), and at least 15 scholarships shall be made available to Burmese students and professionals who are outside Burma.

Mr. CAPPS. Mr. Chairman, my amendment directs USIA, whenever feasible, whenever practical, to include individuals that are active in preserving the culture, religion and language of Tibet in the existing Tibetan Education and Cultural Exchange Program authorized in this bill.

Mr. Chairman, as we know, the Tibetan people have suffered tremendously under a succession of regimes, present regimes in Beijing. Beijing has singlemindedly implemented policies that have plundered and decimated spiritual life, the cultural life, the religious life, and specifically the monastic life, the life of the monks of the people of that country, and forced change in the day-to-day cultural traditions of the Tibetan people.

In the last 2 years, regrettably, this repression has increased. The current Chinese policy toward Tibet may well end in relegating Tibetan culture and language to the history books unless we make conscious efforts to support the preservation of this culture.

Mr. Chairman, before I came here as a Congressman, I was professor of religious studies at the University of California in Santa Barbara. Tibet is very much on my mind these days. Last week I participated in a celebration at Santa Barbara to establish a professorial chair in Tibetan Buddhist studies in my own department.

□ 1330

My own dedication to the study of religion is born of the belief that the cultural and spiritual life of the world benefits immeasurably from the diversity of the world's religious traditions. In Tibet, as in all places, the religion and culture inextricably intertwine and is the glue that holds the people of Tibet together.

Furthermore, the richness of the Tibetan culture in my judgment benefits all of humanity. It enriches the human spirit. The annihilation of this would be a loss to all of us.

This amendment encourages Tibetans to participate in this preservation activity. The preservation of Tibetan culture, religion, and language, as I have said, is important to us all. This amendment is a significant step in that direction.

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

Mr. CAPPS. I yield to the gentleman from Indiana.

Mr. HAMILTON. Mr. Chairman, I just want to express my commendation to the gentleman from California [Mr. CAPPS] for offering this amendment. He is a very distinguished scholar in this field. He is applying his expert knowledge to a provision of law and refining it, I think, in a very productive and constructive way. I fully support the amendment and congratulate him for offering it.

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

Mr. CAPPS. I yield to the gentleman from New York.

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

Mr. Chairman, I rise in support of the amendment offered by the gentleman from California [Mr. CAPPS]. His Holiness, the Dalai Lama, has diligently and courageously sought to protect Tibetans' unique cultural and religious heritage. The Fulbright Exchange Program has helped in that goal. Accordingly, we are pleased to accept the gentleman's amendment. I urge my colleagues to support the amendment.

Mr. CAPPS. I thank the gentleman.

The CHAIRMAN pro tempore (Mr. EWING). The question is on the amendment offered by the gentleman from California [Mr. CAPPS].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MILLER OF CALIFORNIA

Mr. MILLER of California. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. Is the amendment one of those specifically listed in the order of the House of June 5, 1997?

Mr. MILLER of California. Yes, Mr. Chairman.

The CHAIRMAN pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. MILLER of California:

At the end of title XVII, insert the following section:

SEC. 1717. CUBAN CIGARS.

It is the sense of Congress that the United States should not prohibit the importation into the United States, or the sale or distribution in the United States, of cigars that are the product of Cuba.

(Mr. MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. MILLER of California. Mr. Chairman, the purpose of this amendment is twofold. One is to put an end to the duplicity that takes place so very often inside the beltway in Washington, DC, as members of the government, both the executive branch, the congressional branch, and others denounce the Cuban embargo, or denounce Cuba and continue to support the embargo against Cuba, and then after doing so, light up a Cuban cigar and extol the pleasures and the attributes of that cigar.

However, this practice of lighting up Cuban cigars is not something that is just limited to those who favor, oppose, or have a position on the Cuban embargo. What we know now is that for many, many years, the life of the embargo, over 30 years, is that even in its inception it was designed not to be respected and not to be honored. President Kennedy, when he knew he was going to sign an embargo against Cuba, immediately asked one of his aides to go out and purchase all the Cuban cigars that he could get his hands on so he would have a full stock of them when the embargo went in place.

Since that time, Members of Congress have gone to Cuba in official delegations and met with Fidel Castro and met with other officials in the Cuban Government and have come back with Cuban cigars. They have shared them on a very discreet basis with their good friends, and again, they have enjoyed them to the hilt.

Those of the Members who have served here for some time know very often Members would report to the Speaker of the House of Representatives, Tip O'Neill, about their trips and their conversations with the Cuban Government; and he would very quickly ask you, where are the cigars, knowing that a box of cigars had been sent from Fidel Castro or from some other Governmental official to him.

So the point is this, the point is this: that we have people in the political elites, we have people in the media elites, the intellectual elites, who visit the island or who travel overseas and who have the money to buy these cigars, to purchase them. What has happened? For the middle-class cigar smoker, it means the cigar costs somewhere between $15 and $35, maybe more. I think we ought to, if it is good enough for those in the Government, if it is good enough for those in the media, I think we ought to share it with the middle class in this country.

We understand the purposes of this embargo. The idea was that we could impose hardship on the Cuban Government and they would change their ways. This was a sacrifice we were prepared to enter into. If this sacrifice is worth making, it is worth sharing. I think that is what this amendment does.

This amendment also understands that we cannot have it both ways. We cannot have it to condemn and to support the embargo and then engage openly in the products of that. This is what we are talking about. This is the Cohiba cigar. This is the mother lode of cigars.

This is what, when people get together and go to cigar smokers, a few people in the room will have it, and the rest in the crowd will watch them light it up with great admiration. They will talk about how they acquired it; did they mail order it on the Internet? Did they have it sent to them from Holland, where the bands were removed, the Cohiba bands were removed, it entered the country, and then they had the bands sent separately so they could get the bands back on to impress their friends? Or did they get it from a governmental official, a Member of Congress who traveled to Cuba and brought them back to hand them out; let me do you a favor, let me give you a cigar.

Why should not all Americans, if they so desire, enjoy that pleasure? But what we have done is established an embargo on cigars that now means it is really only for the elite. It is only for the elite. This amendment suggests that that should not be allowed, that we should not continue that purpose. We should end the duplicity about this.

Some have suggested that if the ban and embargo were truly enforced, we probably could not get a quorum in the Congress of the United States, or in the U.S. Senate, or maybe even in the President's Cabinet, because they would all be taken off for smoking contraband. Is that what forces us to spend over $1 million a year in customs agents just in Miami for the purposes of searching out cigars?

Do we not have larger problems in terms of our customs service, drugs, other illegal materials, piracy? Should we spend this kind of money just in one city to search out this dangerous little cigar that is enjoyed only inside of the beltway and in the parties among the elite?

I think we can do better than that. I think we can do better by redirecting our resources to those things that are causing the American public great angst, mainly the illegal importation of drugs into this country where we would better use those customs agents. I think we could do better in terms of ending the hypocrisy by those who will raise cain about the Government of this island, about the Government of Fidel Castro, and then enjoy a Cuban cigar.

This is not a partisan amendment. This smoke flows as heavily from the Republican Cloakroom as it does in the Democratic Cloakroom.

The CHAIRMAN pro tempore. The time of the gentleman from California [Mr. MILLER] has expired.

Mr. MILLER of California. Mr. Chairman, I ask unanimous consent for 30 additional seconds.

Mr. DIAZ-BALART. Mr. Chairman, I object.

The CHAIRMAN pro tempore. Objection is heard.

AMENDMENT OFFERED BY MR. DIAZ-BALART TO THE AMENDMENT OFFERED BY MR. MILLER OF CALIFORNIA

Mr. DIAZ-BALART. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. DIAZ-BALART to the amendment offered by Mr. MILLER of California:

Delete the final period and at the end of the amendment, add the following: ''at such time as the government of Cuba has (1) freed all political prisoners, (2) legalized all political activity, and (3) agreed to hold free and fair elections.''

Mr. DIAZ-BALART. Mr. Chairman, this amendment offered by the gentleman from California, an attempt to trivialize the suffering of the Cuban people and the apartheid economy that the Cuban worker has to live under, is truly unfortunate. The issue is not cigars, the issue is the fact that the Cuban worker in this example, for example, those who work in the fields and in the factories producing the cigars, their product is sold only in dollars, in hard currency. Yet the Cuban worker cannot collect in any way, shape, or fashion the earnings produced by the dictatorship from his labor.

So he is paid in almost worthless Cuban currency, made worthless, by the way, by the apartheid economy. And of course the dictatorship collects the very handsome, substantial sums in dollars that are generated by the actions of the Cuban worker; in this case, the cigar manufacturer and the agriculture manufacturer, the agricultural worker who works in the fields taking the tobacco to the factories.

So what my amendment to the amendment says, to this very obvious attempt to trivialize the suffering of the Cuban worker and the apartheid economy, what my amendment to the trivializing effort says is very simple: We will have no objection to making Cuban cigars legal when the Cuban producers and the workers involved in that process are able to collect what their labor produces.

Once there is a government in Cuba that frees political prisoners and legalizes political activity, and agrees, in effect, to return sovereignty to the people through willingness to hold free and fair elections, then that will be a government, obviously, that will permit that when the Cuban worker produces something like a cigar, then that currency that is generated by that sale will go to the worker, and not like now, where the dictatorship collects the dollars and keeps the worker in a situation, on the verge of the 21st century, of a total apartheid economy and abject, almost slavery, as I say, just a few years from the 21st century.

I think it is really unfortunate we are trivializing this situation, but that is, in effect, what the amendment, what the core amendment, seeks to do. That is why I think, Mr. Chairman, it is important to amend the amendment by making clear that yes, the American people will be glad to help support the Cuban economy by the purchase of that wonderful product that nature makes possible and the hard work of the Cuban worker makes possible, the Cuban cigar, once the Cuban worker is able to benefit from his and her labor and not an apartheid economy, a regime that imposes an apartheid economy on the Cuban worker.

That is what the amendment makes clear, Mr. Chairman. It is self evident.

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

Mr. SMITH of New Jersey. I thank the gentleman for yielding time to me, Mr. Chairman.

Mr. Chairman, I rise in support of the Diaz amendment to the Miller amendment. Cuba is one of the few countries in the world in which the struggle against totalitarianism has not yet been won. Because of the proximity of Cuba to the United States and the historical close relationship between the peoples of our two nations, it is especially important that this victory come sooner rather than later.

In evaluating all proposed legislation, in evaluating all administrative action and diplomatic initiatives with respect to Cuba, it is important to keep several principles in mind.

The CHAIRMAN pro tempore. The time of the gentleman from Florida [Mr. DIAZ-BALART] has expired.

Mr. SMITH of New Jersey. Mr. Chairman, I move to strike the last word.

Mr. Chairman, in evaluating all of the proposed legislation, any kind of diplomatic or administrative initiative vis-a-vis Cuba, it is important to keep these following principles in mind: First, such actions must be calculated to emphasize the status of the Castro government as a rogue regime with whom the civilized nations of the world should have no dealings.

Second, our actions must be calculated to hurt the dictatorship and not the Cuban people.

Finally, we should make it clear that Cuba will receive a warm welcome back into the family of free and democratic nations.

□ 1345

By this standard, we have made some terrible mistakes, such as the 1994 Clinton-Castro antirefugee agreement. We made this agreement just a few months after the Castro regime had brutally murdered 40 men, women, and children who were trying to escape from Cuba on the vessel the *Thirteenth of March*. The agreement gave the Castro government just what it wanted, an end to the longstanding United States policy of accepting people who escape from Cuba.

The agreement specified that Castro was to use mainly persuasive methods to keep people from fleeing from Cuba. The United States thereby accepted moral responsibility for whatever forms of persuasion he should choose to employ. And it enhanced the international prestige and the domestic power of the regime.

The Castro government returned the favor a year later by murdering four American citizens, members of the pro-freedom organization Brothers to the Rescue who were flying in international airspace. So we got tough again for a little while.

Mr. Chairman, the adoption of the Miller amendment, if it is not amended successfully by the gentleman from Florida [Mr. DIAZ-BALART], would send a clear signal that the get-tough period is over again. It would send a signal, and it would signal an unwarranted unilateral departure from our policy of isolating Castro. Once again we would send a signal to the world that Castro is not so bad after all.

Mr. Chairman, it is important that we remember just what kind of regime we are dealing with. We must bear in mind that the Castro regime is the No. 1 violator of human rights in our hemisphere.

According to the State Department's country reports on human rights practices for 1996, Cuba is a totalitarian state controlled by Fidel Castro, who has exercised control over all aspects of Cuban life. According to the country reports, among the more serious human rights violations by the regime in recent years are, and I quote:

> The authorities were responsible for the extrajudicial killing of dozens of people.
>
> The government continued to employ acts of repudiation, which are attacks by mobs organized by the government but portrayed as responsible public rebukes, against dissident activity.
>
> The government also metes out exceptionally harsh prison sentences to democracy and human rights advocates whom it considers a threat to its control.
>
> Police and prison officials often use beatings, neglect, isolation, and other abuse against detainees and prisoners convicted of political crimes, including human rights advocates, or those who persisted in expressing their views.
>
> Citizens have no legal right to change their government or to advocate change.
>
> The government does not allow criticism of the revolution or its leaders. The Communist Party controls all media as a means to indoctrinate the public.
>
> Religious persecution continues,

The country reports point out.

> The government has ignored calls for democratic reform and labeled activists who proposed them as worms and traitors.

The decision on whether to embrace or isolate the Castro regime raises the question of what role human rights and basic decency are to play in our foreign policy. I urge a strong ''yes'' vote for the Diaz-Balart amendment, and salute him for his longstanding support for democracy in Cuba. His amendment is a step in the right direction in that endeavor.

Ms. ROS-LEHTINEN. Mr. Chairman, I move to strike the requisite number of words.

I rise in opposition to the amendment originally proposed by the gentleman from California [Mr. MILLER] and in support of the new amendment as proposed by the gentleman from Florida [Mr. DIAZ-BALART].

The Miller amendment comes across as a parody or a caricature, very cruel, of the Cuban people. It makes a mockery of the suffering Cuban people, of their subjugation, and it belittles their suffering. The Miller amendment is also an affront to the more than three-decades-old United States policy toward Cuba, for it focuses on violations of the trade embargo as justification or cause to weaken our United States policy.

I think it defies all logic when violations in and disregard for U.S. laws are used to defend a position of accommodation with smugglers or, in the final equation, with the Castro regime itself.

Essentially, this Miller amendment is saying that if we cannot beat them, join them. If we cannot curb the violations of U.S. laws and we cannot inhibit interest in Castro's blood products, then let us just make things easier for all and lift those prohibitions.

This is not the way, certainly, that U.S. foreign policy should be run. I really do not think that the United States would have won the cold war and sit as the leader of the free world, if every time its laws were blatantly disregarded, we had thrown up our hands in the air and said, fine, we cannot seem to enforce the laws because people are violating them, so let us just change the law.

This is not the way to proceed. We do not change laws because someone decides to violate them or skirt them. This is like saying we cannot prevent murderers from killing or drug traffickers from polluting our society, so we should change our laws to accommodate those crimes. That is unconscionable and it is just plain wrong.

It would be helpful for the cause of freedom if the gentleman from California would instead introduce an amendment that focused on human rights violations in Cuba, or on the narcotics trafficking by the Castro regime, or on their sponsorship of activities to undermine United States security and hemispheric stability.

If the gentleman would only reflect on four innocent, unarmed victims shot down over international waters on February 24 of last year, three of them United States citizens and the fourth a U.S. legal resident, one of these brave young men served this country proudly in Vietnam, having been decorated for courage in defending the ideals of democracy. I suppose it would be too difficult to think of them or think of the men, women, and children killed by Castro's thugs in Cuban waters because they merely tried to seek freedom; or think about the thousands who perish in Castro's jails because they had the courage to stand up to this cruel regime and defend their right to be free.

That is much more difficult and much less financially rewarding. This amendment certainly seems to be the easy way out.

They should be remembered, and we should remember every day the blood shed by so many throughout the years in the struggle to free Cuba from its enslavement at the hands of the Castro regime. We should not be considering an amendment like the one introduced by the gentleman from California [Mr. MILLER], which only serves to provide a lifeline to the Castro dictatorship.

The Miller amendment contradicts and undermines the objectives and the priorities of United States policy toward Cuba. It serves to belittle the views of the majority of this body, and of the Senate as well, that overwhelmingly supported the passage of the Helms–Burton law. It disregards United States foreign policy priorities and national security interests by placing

greater emphasis on financial gain than on the overarching commitment of the United States to help bring democracy to Cuba.

The United States must assume its leadership role and effect concrete, positive changes within the last remaining bastion of totalitarianism and dictatorship. It should not be wasting its position of influence to help fill the pockets of a ruthless dictator.

Unfortunately, it appears that some in this body cannot shift the focus from dollars and cents. It appears that the desire for a Cuban cigar and the idea of capitalizing on trade is stronger than the human instinct to protect the downtrodden and the oppressed.

I hope that the latter will prevail, and that my colleagues will overwhelmingly reject the Miller amendment and instead support the Diaz-Balart amendment.

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

Mr. Chairman, I rise to support the Diaz-Balart perfecting amendment and to oppose the Miller amendment of my colleague from California.

I have respect for his desire and the desire of a lot of people in this country who want to smoke a Cuban cigar. I understand that. I understand that. But the nature of the question is, What has worked to move the Castro regime to make some positive changes?

And the fact of the matter is, I would quote to the body the realities that our policy, which is to deny the regime hard currency, thereby forcing it to move toward a greater opening, hopefully, for democracy and human rights, has been a policy that has begun to work, especially over the last several years for which the loss of the Soviet Union $6 billion a year and the tightening of our embargo, ending the loopholes and the Libertad legislation, have taken effect so much so that we hear the regime constantly, daily speak against them, and they would not even pay attention to it if it was not having an impact.

Now, the fact of the matter is that our policy has created some very significant things. It has reduced the third largest army in the Western Hemisphere after the United States and Brazil per capita, good for the people in Cuba. Less of a military means more food for Cuban families, less of a military means less instability throughout the Americas, and certainly it is a good action. That has happened because of the necessity created on the regime.

What else has happened? The fact of the matter is that international investment, limited as it is in Cuba, has only been created and accepted over the last couple of years out of necessity, necessity by the fact that the Soviet Union no longer exists and no longer does their aid flow to the regime, and at the same time our policy. So in fact, whatever we believe, for those of us who even disagree with the policy that economic opportunities would create democratic movements, that has been created by necessity.

Lastly, the American dollar, the most hated symbol of the revolution, illegal to own until a couple years ago, is now actively sought within Cuba.

So the fact of the matter, it is our policy of denying the regime hard currency that has moved them, albeit ever so slowly and ever so limitedly, that has moved them to the only positive openings that we have seen.

The other thing is, I know that my colleagues, especially on this side of the aisle, are in strong support of labor rights. A laborer in Cuba, particularly in the tobacco industry and the cigar and leaf-producing and cigar-making industry, does not have the right in Cuba to receive resources directly from a foreign company investment in terms of a salary. That is to say, the foreign company comes into Cuba producing cigars for export and in fact they cannot be paid directly by that foreign company. In fact, they pay the regime. The regime takes the overwhelming amount of the salary and gives a subsistence wage to the worker.

I am sure that my colleagues do not want to be part of an enterprise, as we talk about China and the people's army there, and products produced there and other parts of the world, I am sure that we do not want to exploit Cuban workers who are not able to fully receive the benefits, working conditions and the salary of their sweat and labor.

In fact, by doing this, we would do that. We would permit hard currency to go to the regime. We would not improve the life of workers. On the contrary, we would continue to promote the subsistence wages that they get. We would continue to promote the under class that in fact they slave in on behalf of the regime, and we would permit the regime to be able to continue to oppress its people because it would have resources flowing into it in very significant dollars.

While this is only a sense of the Congress, I think it is the wrong sense. Right now at this very moment, I just finished getting off of Radio Marti, doing a program in which people from the islands are connected to people through Radio Marti. When we think of the work of independent journalists who get arrested every day for trying to report what is going on in Cuba, if we think about the dissidents that are active in Cuba, the fact of the matter is, this debate even makes a mockery of what they are trying to accomplish every day.

Just a little while ago the gentleman from Ohio [Mr. NEY] offered an amendment pertaining to Libya. No Member here would consider offering an amendment to allow any single Libyan product to enter the United States because of Libya's actions. I can think about that replicated in a whole series of countries across the globe, that we say we will not permit their products to come in because of the nature of forced labor, prison camp labor, or in fact the exploitation of workers.

I have heard many of my colleagues passionately speak about those rights. And so I would urge my colleagues to support the Diaz-Balart amendment. Let Cuban cigars in when freedom and democracy come to the people of Cuba, and when workers are not exploited and they can share in the benefits of proceeds received from the work of their labor.

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

I am rising in opposition to the Miller amendment and in support of the Diaz-Balart amendment. As much as some appreciate the Cuban cigars, it is certainly not the key issue. The key issue today with regard to the Miller amendment is freedom in Cuba.

Cuba is not free and this Congress has acted repeatedly to tighten, not loosen, the embargo against Cuba. I cite the Cuba Democracy Act passed by a Democratic Congress and signed by a Republican President. I cite the Helms-Burton Act passed by a Republican Congress, signed by a Democratic President. The gentleman from California [Mr. MILLER] is right, Castro cannot have it both ways or either way, Republican or Democrat, Congress or the President.

The message has been the same, from President Kennedy through Presidents Reagan and Clinton: Free Cuba.

I ask the gentleman from California [Mr. MILLER] to note that there are many fine cigars made outside of Cuba, and I urge the gentleman to familiarize himself with the Opus X or Arturo Fuente cigars until Cuba is free, and let us not allow our strong commitment to human rights to be blown away by any cigar smoke.

Accordingly, I support the Diaz-Balart perfecting amendment. I urge its adoption and defeat of the Miller amendment.

□ 1400

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

(Mr. MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. MILLER of California. Mr. Chairman, I recognize the arguments of my colleagues, and that is the reason we have the embargo, but they obviously missed the point on the amendment; that it gets a little old, as people are thumping their chests in the media, in the intellectual discussion groups, in Washington, DC, and in the Halls of Congress about the evils of the Cuban Government and of Fidel Castro, and then kick back to light up a Cuban cigar.

Now, we have an embargo, and the American public does not imbibe in Cuban sugar or Cuban medical services, or financial services or travel, or whatever, and that is a shared sacrifice. That is a shared understanding.

But somehow among the political elites and Members of Congress, the Supreme Court, the U.S. Senate, the President's Cabinet, people can light up a cigar and go on like nothing has happened. The purpose of this amendment is just to point that out; that we ought not to have a policy that is so ragged because of the duplicity that is put in it by the opinion makers in this country. That is the purpose of this amendment. I think, Mr. Chairman, that the reaction I have gotten from my colleagues points that out; that we cannot have it both ways.

But with this policy, a lot of people in this country believe in fact that they can, they can go on and they can condemn these practices and then they can decide to smoke a Cohiba or some other Cuban cigar.

Mr. Chairman, I would urge passage of this amendment.

The CHAIRMAN pro tempore (Mr. EWING). The question is on the amendment offered by the gentleman from Florida [Mr. DIAZ-BALART] to the amendment offered by the gentleman from California [Mr. MILLER].

The amendment to the amendment was agreed to.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from California [Mr. MILLER] as amended.

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

Mr. MILLER of California. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN pro tempore. Pursuant to House Resolution 159, further proceedings on the amendment offered by the gentleman from California [Mr. MILLER] will be postponed.

The point of no quorum is considered withdrawn.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore. Pursuant to House Resolution 159, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

The amendment offered by the gentleman from Florida [Mr. STEARNS]; the amendment offered by the gentleman from Florida [Mr. SCARBOROUGH]; the amendment offered by the gentleman from New Jersey [Mr. ENGEL]; and the amendment offered by the gentleman from Washington [Mr. NETHERCUTT].

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

MODIFICATION TO AMENDMENT OFFERED BY MR. SCARBOROUGH TO TITLE XVII, FOREIGN POLICY PROVISIONS

Mr. SCARBOROUGH. Mr. Chairman, I ask unanimous consent to modify a previous amendment that we are about to vote on.

The CHAIRMAN pro tempore. The Clerk will report the modification.

The Clerk read as follows:

Modification to the amendment offered by Mr. SCARBOROUGH.

At the end of the amendment, add the following:

''This restriction shall not be interpreted to restrict humanitarian assistance or transactions relating to normal diplomatic activities.''

The CHAIRMAN pro tempore. Is there objection to the modification offered by the gentleman from Florida?

Mr. CAPPS. Mr. Chairman, reserving the right to object, I would like the gentleman to explain the changes he has in mind, and I yield to the gentleman from Florida for that purpose.

Mr. SCARBOROUGH. Mr. Chairman, I thank the gentleman and I advise him that we were going to have the gentleman from Indiana [Mr. HAMILTON] speak to this, but the vote is coming up right away and I regret that we were not able to give the gentleman the background that we gave the gentleman from Indiana.

We add the last line, ''This restriction shall not be interpreted to restrict humanitarian assistance or transactions relating to the normal diplomatic activities'' in Sudan. And we did so because the gentleman from Indiana had some concerns that the language would actually hamper humanitarian efforts.

Obviously, we are concerned about persecution in Sudan, and we want to do everything we can do to expedite humanitarian assistance to the people in that troubled land, so we have agreed to work with the gentleman from Indiana in any way we can to ensure that humanitarian assistance to Sudan would not be adversely affected.

Mr. CAPPS. Mr. Chairman, further reserving my right to object, I yield to the gentleman from Indiana [Mr. HAMILTON].

Mr. HAMILTON. Mr. Chairman, I thank the gentleman for yielding to me, and I want to express my appreciation to the gentleman from Florida for his amendment. I think it is a worthy objective.

I certainly do not intend to object. I do simply want to indicate to him that I think the amendment needs further refinement, and I have appreciated the fact that he is willing to work with me and others, and I think the chairman of the committee, to try to achieve that.

For example, I think under the language as it stands, it may be the case that United States nationals could not receive payment for claims from the Sudanese Government even for a terrorist act. It is possible under the language that U.S. nationals could no longer travel to the countries, even journalists, for example.

I simply point these things out, not to object to the gentleman's amendment, but to raise concerns about it and to say that I will work with him to tighten the amendment and to refine it, and I appreciate very much his willingness to do that.

Mr. SCARBOROUGH. Mr. Chairman, if the gentleman will continue to yield, I thank the gentleman from Indiana, and I certainly would defer to the judgment of the chairman and the ranking member on matters such as this. Obviously, they have had experience in these areas much longer than I have. So, actually, I look forward to working with the chairman and the ranking member.

Mr. CAPPS. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Florida?

Mr. GILMAN. Mr. Chairman, reserving the right to object, and I do not intend to object, I merely wish to advise the gentleman that we accept his amendment.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

The CHAIRMAN pro tempore. The modification is agreed to.

The text of the amendment, as modified, is as follows:

Page 185, after line 17, insert the following section:

SEC. 1717. UNITED STATES POLICY REGARDING RELIGIOUS PERSECUTION AND SUPPORT OF TERRORISM BY SUDAN.

(a) FINDINGS.—The Congress finds the following:

(1) Continued disregard of the freedom of religion by Sudan is unacceptable.

(2) Continued support of terrorist activities by Sudan is of deepest concern and shall not be tolerated.

(c) FINANCIAL TRANSACTIONS WITH TERRORISTS.—Notwithstanding any other provision of law, the exception with respect to Sudan under section 2332(a) of title 18, United States Code (provided in regulations issued in August 1996 by the Office of Foreign Assets of the Treasury Department), shall cease to be effective on the date of the enactment of this Act. No such exception under such section may be issued with respect to Sudan until the President certifies to the Congress that Sudan is no longer sponsoring or supporting terrorism. This restriction shall not be interpreted to restrict humanitarian assistance or transactions relating to normal diplomatic activities.

AMENDMENT OFFERED BY MR. STEARNS

The CHAIRMAN pro tempore. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida [Mr. STEARNS] on which further proceedings were postponed and on which the noes prevailed by a voice vote.

The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. STEARNS: At the end of title XVII insert the following new section:

SEC. . STUDY OF THE UNITED NATIONS.

It is the sense of the Congress that the President and the Permanent Representative of the United States to the United Nations should strongly encourage the United Nations to establish a commission to study, report promptly, concerning—

(1) establishing a new location for the headquarters for the United Nations; and

(2) to establish the United Nations as a part-time body.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 108, noes 315, not voting 11, as follows:

[Roll No. 170]

AYES—108

Aderholt
Bachus
Barr
Bartlett
Barton
Bilbray
Bono
Brady
Burr
Burton
Callahan
Campbell
Chambliss
Chenoweth
Christensen
Coble
Collins
Combest
Cooksey
Cox
Cramer
Crane
Crapo
Cubin
Cunningham
Deal
DeLay
Doolittle
Dreier
Duncan
Dunn
Emerson
Ensign
Everett
Foley
Fowler
Gekas
Gibbons
Goode
Goodlatte
Goodling
Green
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayworth
Hefley
Hill
Hilleary
Hostettler
Hulshof
Hunter
Hutchinson
Istook
Jones
Kingston
Klug
Largent
Lewis (KY)
Lucas
Manzullo
McInnis
McIntosh
McKeon
Metcalf
Moran (KS)
Neumann
Norwood
Nussle
Paul
Paxon
Pombo
Radanovich
Regula
Riley
Rogan
Rohrabacher
Royce
Ryun
Sanford
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Smith (MI)
Smith, Linda
Solomon
Souder
Spence
Stearns
Stump
Taylor (MS)
Taylor (NC)
Thornberry
Thune
Tiahrt
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weller
Whitfield
Young (AK)

NOES—315

Abercrombie
Ackerman
Allen
Andrews
Archer
Armey
Baesler
Baker
Baldacci
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Buyer
Calvert
Camp
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Clay
Clayton
Clement
Clyburn
Coburn
Condit
Conyers
Cook
Costello
Coyne
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Ehlers
Ehrlich
Engel
English
Eshoo
Etheridge
Evans
Ewing
Fattah
Fawell
Fazio
Filner
Forbes
Ford
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Gordon
Goss
Graham
Granger
Greenwood
Gutierrez
Hall (OH)
Hamilton
Harman
Hastert
Hastings (FL)
Hefner
Herger
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Houghton
Hoyer
Hyde
Inglis
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek
Menendez
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Ney
Northup
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pomeroy
Porter
Portman
Poshard
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Redmond
Reyes
Rivers
Rodriguez
Roemer
Rogers
Ros-Lehtinen
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schumer
Scott
Serrano
Shaw
Shays
Sherman
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Snowbarger
Snyder
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Thomas
Thompson
Thurman
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Waters
Watt (NC)
Waxman
Weldon (PA)
Wexler
Weygand
White
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (FL)

NOT VOTING—11

Borski
Farr
Flake
Foglietta
Kasich
Molinari
Pryce (OH)
Riggs
Rothman
Salmon
Schiff

☐ 1432

Messrs. SMITH of Texas, MCCOLLUM, SAM JOHNSON of Texas, DICKEY, and GORDON changed their vote from ''aye'' to ''no.''

Messrs. THUNE, DELAY, BACHUS, SANFORD, WELLER, GOODLATTE, and CRAMER 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. RIGGS. Mr. Chairman, on rollcall No. 170. I was unavoidably detained and could not be present to vote had I been present, I would have voted ''no.''

AMENDMENT, AS MODIFIED, OFFERED BY MR. SCARBOROUGH

The CHAIRMAN pro tempore (Mr. EWING). The unfinished business is the demand for a recorded vote on the amendment, as modified, offered by the gentleman from Florida [Mr. SCARBOROUGH] on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will designate the amendment, as modified.

The text of the amendment, as modified, is as follows:

Amendment, as modified, offered by Mr. SCARBOROUGH:

Page 185, after line 17, insert the following section:

SEC. 1717. UNITED STATES POLICY REGARDING RELIGIOUS PERSECUTION AND SUPPORT OF TERRORISM BY SUDAN.

(a) FINDINGS.—The Congress finds the following:

(1) Continued disregard of the freedom of religion by Sudan is unacceptable.

(2) Continued support of terrorist activities by Sudan is of deepest concern and shall not be tolerated.

(c) FINANCIAL TRANSACTIONS WITH TERRORISTS.—Notwithstanding any other provisions of law, the exception with respect to Sudan under section 2332(a) of title 18, United States Code (provided in regulations issued in August 1996 by the Office of Foreign Assets of the Treasury Department) shall cease to be effective on the date of the enactment of this Act. No such exception under such section may be issued with respect to Sudan until the President certifies to the Congress that Sudan is no longer sponsoring or supporting terrorism. This restriction shall not be interpreted to restrict humanitarian assistance or transactions relating to normal diplomatic activities.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 415, noes 9, not voting 10, as follows:

[Roll No. 171]

AYES—415

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Fattah
Fawell
Fazio
Filner
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost

Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NOES—9

Campbell
Conyers
Harman
Hinchey
Kucinich
LaFalce
Paul
Rahall
Watt (NC)

NOT VOTING—10

Borski
Farr
Flake
Hall (OH)
Molinari
Owens
Rothman
Salmon
Schiff
Thune

□ 1440

Mr. CONYERS changed his vote from ''aye'' to ''no.''

Mr. SPENCE changed his vote from ''no'' to ''aye.''

So the amendment, as modified, was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. ENGEL

The CHAIRMAN pro tempore. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York [Mr. ENGEL] on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. ENGEL:

At the end of title XVII (relating to foreign policy provisions) add the following (and conform the table of contents accordingly):

SEC. 1717. SANCTIONS AGAINST SYRIA.

(a) FINDINGS.—The Congress finds the following:

(1) Syria remains in a state of war with Israel and maintains large numbers of heavily armed forces near the border with Israel.

(2) Syria occupies Lebanon with almost 40,000 troops and maintains undue influence on all aspects of the Lebanese Government and society.

(3) Syria continues to provide safe haven and support for several groups that engage in terrorism, according to the Department of State's ''Patterns of Global Terrorism'' report for 1996.

(4) Syria was listed by the Department of State as a country that does not cooperate in the war on drugs.

(5) Syria has not signed the Chemical Weapons Convention, and numerous reports indicate that Syria has increased the production and level of sophistication of chemical weapons. Reports also indicate that such unconventional warheads have been loaded on SCUD-type ballistic missiles with the range to reach numerous targets in friendly nations, such as Israel, Turkey, and Jordan.

(6) Syria routinely commits a wide array of serious human rights violations, and according to a recent Human Rights Watch report, is engaging in the abduction of Lebanese citizens and Palestinian refugees in Lebanon.

(7) Several reports indicate that Syria knowingly allowed the explosives used in the June 1996 Dharan bombing, which killed 19 United States service personnel, to pass through Syria from Lebanon to Saudi Arabia.

(8) More than 20 trips by former Secretary of State Christopher to Damascus, a meeting between President Clinton and Syrian President Hafez Assad, and a Department of State-sponsored intensive negotiation session at Wye Plantation were all unsuccessful in convincing Syria to make peace with Israel. At the same time, most reports indicated that Israel was prepared to make substantial concessions of land in exchange for peace.

(9) According to the Central Intelligence Agency World Fact Book of 1995, petroleum comprises 53 percent of Syrian exports.

(10) By imposing sanctions against the Syrian petroleum industry, the United States can apply additional pressure against Syria to press the Assad regime to change its dangerous and destabilizing policies.

(b) POLICY.—It is the sense of the Congress that the United States should consider applying to Syria sanctions which are currently enforced against Iran and Libya under the Iran and Libya Sanctions Act of 1996 if the Government of Syria does not eliminate its dangerous and destabilizing policies.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 410, noes 15, not voting 9, as follows:

[Roll No. 172]

AYES—410

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Fattah
Fawell
Fazio
Filner
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee

Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Roybal-Allard
Royce
Ryun
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NOES—15

Bonior
Conyers
Hall (TX)
Hamilton
John
Kucinich
LaFalce
LaHood
McDermott
Minge
Obey
Paul
Rahall
Sabo
Waters

NOT VOTING—9

Farr
Flake
Hall (OH)
Livingston
Molinari
Rothman
Rush
Salmon
Schiff

□ 1449

Mr. BONIOR changed his vote from ''aye'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. NETHERCUTT

The CHAIRMAN pro tempore. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Washington [Mr. NETHERCUTT] on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill add the following section:

SEC. . SENSE OF CONGRESS RELATING TO THE ABDUCTION AND DETAINMENT OF DONALD HUTCHINGS OF THE STATE OF WASHINGTON.

(a) FINDINGS.—The Congress makes the following findings:

(1) Al-Faran, a militant organization that seeks to merge Kashmir with Pakistan, has waged a war against the Government of India.

(2) During the week of July 2, 1995, Al-Faran abducted Donald Hutchings of the State of Washington, another American John Childs, and 4 Western Europeans in the State of Jammu and Kashmir. John Childs has since escaped.

(3) Al-Faran has executed one hostage and threatened to kill Donald Hutchings and the remaining Western European hostages unless the Government of India agrees to release suspected guerrillas from its jails.

(4) Several militants have been captured by the Indian Government and have given conflicting and unconfirmed reports about the hostages.

(5) Donald Hutchings and the 3 remaining Western European hostages have been held against their will by Al-Faran for nearly 2 years.

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

(1) the militant organization Al-Faran should release, immediately, Donald Hutchings and 3 Western Europeans from captivity;

(2) Al-Faran and their supporters should cease and desist from all acts of hostage-taking and other violent acts within the State of Jammu and Kashmir.

(3) the State Department Rewards Program should be used to the greatest extent possible to solicit new information pertaining to hostages; and

(4) the governments of the United States, the United Kingdom, Germany, Norway, India, and Pakistan should share and investigate all information relating to these hostages as quickly as possible.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 425, noes 0, answered ''present'' 1, not voting 8, as follows:

[Roll No. 173]

AYES—425

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Fattah
Fawell
Fazio
Filner
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
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McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
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McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
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Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
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Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (MN)
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Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Serrano

Sessions	Stearns	Vento
Shadegg	Stenholm	Visclosky
Shaw	Stokes	Walsh
Shays	Strickland	Wamp
Sherman	Stump	Waters
Shimkus	Stupak	Watkins
Shuster	Sununu	Watt (NC)
Sisisky	Talent	Watts (OK)
Skaggs	Tanner	Waxman
Skeen	Tauscher	Weldon (FL)
Skelton	Tauzin	Weldon (PA)
Slaughter	Taylor (MS)	Weller
Smith (MI)	Taylor (NC)	Wexler
Smith (NJ)	Thomas	Weygand
Smith (OR)	Thompson	White
Smith (TX)	Thornberry	Whitfield
Smith, Adam	Thune	Wicker
Smith, Linda	Thurman	Wise
Snowbarger	Tiahrt	Wolf
Snyder	Tierney	Woolsey
Solomon	Torres	Wynn
Souder	Towns	Yates
Spence	Traficant	Young (AK)
Spratt	Turner	Young (FL)
Stabenow	Upton	
Stark	Velazquez	

ANSWERED ''PRESENT''—1

Paul

NOT VOTING—8

Farr	Livingston	Salmon
Flake	Molinari	Schiff
Hall (OH)	Rothman	

☐ 1458

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. PAXON

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

The CHAIRMAN pro tempore. Is the amendment one of those specifically listed in the order of the House of June 5, 1997.

Mr. PAXON. Yes, it is, Mr. Chairman.

The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. PAXON:

At the end of the bill add the following (and conform the table of contents accordingly):

TITLE XVIII—OTHER FOREIGN POLICY PROVISIONS

SEC. 1801. CONDEMNATION OF PALESTINIAN DEATH PENALTY FOR LAND SALES.

(a) FINDINGS.—The Congress finds the following:

(1) In recent weeks, senior officials of the Palestinian Authority have announced that the death penalty will be imposed on anyone who sells land to a Jew, based on a now-repealed Jordanian law, even in Israel.

(2) Palestinian Authority Chairman Yasser Arafat stated on May 21, 1997, ''Our law is a Jordanian law that we inherited . . . and sets the death penalty for those who sell land to Israelis. . . . We are talking about a few traitors, and we shall implement against them what is written in the law books.''.

(3) Palestinian Authority Justice Minister Freih Abu Middein stated on May 5, 1997, ''I warned the land dealers several times through the media not to play with fire. For us, whoever sells land to Jews and settlers is more dangerous than collaborators. Therefore, they must be put on trial and sentenced to death . . . they are traitors.''.

(4) Palestinian Authority Justice Minister Freih Abu Middein stated on May 28, 1997, ''it is obligatory to forbid the sale of land in Ramle, Lod, the Negev, and everywhere else. . . . There are many [land dealers] who have fled from Palestine, but anyone who has broken this serious law will remain a wanted fugitive by the Palestinian people, wherever he may go.''.

(5) Legislation implementing the death penalty was prepared for consideration by the Palestinian Legislative Council, but has not yet been considered.

(6) Since the pronouncement of senior Palestinian leaders, at least three Palestinians have been killed for selling land to Israelis, some after visits or other scrutiny by Palestinian security officials. There is further evidence that the killings were committed by Palestinian security officials.

(7) Three Palestinians were extrajudicially executed following their sale of land to Israelis.

(8) The International Covenant on Civil and Political Rights, to which the United States is a party, states, ''sentence of death may be imposed only for the most serious crimes in accordance with the law in force at the time of commission of the crime. . . . This penalty can only be carried out pursuant to a final judgement rendered by a competent court.''.

(9) The United States has made a financial commitment to the Palestinian Authority with the understanding that the rule of law would prevail, that there would be no official sanction to extrajudicial killings or violations of human rights, and that basic principles of peaceful and normal relations would be upheld.

(10) Despite claims to the contrary, there is no law in Israel forbidding the sale of land to Arabs or people of other ethnicities or nationalities.

(b) DECLARATIONS OF POLICY.—The Congress declares the following:

(1) The Congress condemns in the strongest possible terms the abhorrent policy and practice of murdering Palestinians for sales of land to Jews. Such actions are violations of international law and the spirit of the Oslo agreements, casting strong doubt as to whether the Palestinians are in compliance with their commitments to Israel. The Congress finds the endorsement and encouragement of this practice by the most senior leadership of the Palestinian Authority to be reprehensible.

(2) The Congress demands that this practice of murder and racism be condemned and renounced by the Palestinian leadership and that it will end immediately. If it does not, the Congress should not permit the provision of direct aid to the Palestinian Authority when the Middle East Peace Facilitation Act of 1995 is considered for reauthorization. The Congress urges the President to take this practice fully into account as he now determines whether the Palestinian Authority is in compliance with its commitments to Israel, which he must do in accordance with the Middle East Peace Facilitation Act of 1995.

(3) The Congress strongly urges the Palestinian Legislative Council to reject categorically legislation imposing the penalty of death on those who sell land to Israelis.

(c) TRANSMISSION OF COPIES.—The Clerk of the House of Representatives and the Secretary of the Senate are directed to transmit copies of this section to the President of the United States, the Secretary of State, the United Nations Secretary General, the United States Ambassador to Israel, the Consul General of the United States in Jerusalem, Israel, the Rais of the Palestinian Authority, all members of Palestinian Legislative Council, and the office of the Palestine Liberation Organization in Washington, District of Columbia.

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

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

There was no objection.

☐ 1500

Mr. PAXON. Mr. Chairman, I come to the floor today to discuss a serious matter that threatens the continued progress toward peace in the Middle East. Early last month we became aware that Yassir Arafat demanded that action be taken to prevent the sale of land to Jews. The Palestinian Authority's Justice Minister later announced the death penalty, death penalty for any Palestinian who sold land to Jews.

Since this announcement, three Palestinians who sold land to Jews have been murdered. There is now a substantial body of evidence showing the involvement of the Palestinian Authority police officers in these murders. Two of the victims were interrogated just days prior to their murder, and in the case of the third victim, one of the suspects under arrest is an active duty Palestinian Authority police officer.

The Israeli Government now says that they have evidence that the chief of the Palestinian General Security Service in the West Bank was directly, directly involved in carrying out two of these killings.

Now, my colleagues, what has been the response of Yassir Arafat to these murders? On May 16, Arafat was quoted in an Arab newspaper as saying, and I am quoting him here,

> Recently a decision was passed to punish anyone who sells land, property or homes. We are keeping track of land dealers and we are punishing them.

Later in May the Palestinian Justice Minister expanded this death threat even to Arabs living in Israel outside of the control of the Palestinian Authority.

In brief, my amendment condemns the abhorrent policy of murdering Palestinians for the sale of land to Jews. It also calls upon the Palestinian Authority to condemn this practice and for the Palestinian Legislative Council to reject any legislation imposing the death penalty for the sale of land.

After reviewing and discussing this matter with my colleagues, I think it is clear that we must consider terminating direct U.S. assistance to the Palestinian Authority when we consider extension of the Middle East Peace Facilitation Act later this summer.

Mr. Chairman, the behavior of Yassir Arafat and other members of the Palestinian Authority is completely unacceptable, and we must demand that the Palestinian authorities publicly condemn these reprehensible actions and take necessary steps to ensure that there are no more killings.

I want to be clear: This amendment is not directed to the Palestinian people, but to the leadership of the Palestinian Authority, whose commitment to the Oslo Accords are certainly called into question by their recent actions.

This amendment is necessary today because Congress cannot stand by and

allow the peace process to be wrecked. I would hope that the Palestinian leadership will heed our warnings today and put an end to these murders so that this body will not be forced to terminate direct U.S. assistance.

I understand that the State Department is in the process of completing a report to determine if the Palestinian Authority is in full compliance with all of their peace commitments to Israel. I would hope that the State Department take notice of this amendment today and carefully weigh the statements of Yassir Arafat and the recent killings before they make their final certification.

Mr. Chairman, I am pleased to be joined in this effort by my distinguished colleague and friend from New York [Mr. ENGEL] and other Members of this body on both sides of the aisle.

Mr. ENGEL. Mr. Chairman, I rise in support of the gentleman's amendment.

Mr. Chairman, I join with my good friend and colleague, the gentleman from New York [Mr. PAXON] in sponsoring this amendment today. Certainly he said it all. It is an absolute outrage that we would even think about such a proclamation whereby anybody would be threatened with death for selling land to Jews.

I ask my colleagues to imagine if the shoe was on the other foot and if it was reserved, if the Government or Israel or any other government issued such a decree that if land was sold to another group, that person would be condemned to death? It is just outlandish and outrageous to even think that this could happen.

Mr. Chairman, we call on the Palestinian Authority to condemn this practice. Simple enough, it ought to be condemned. If you say you are for peace, if you are for the peace process, if you believe in coexistence, then this practice should be condemned.

We do not believe that it ought to be coddled, we do not believe that the Palestinian Authority, whether it is Mr. Yassir Arafat or anybody else, ought to again be allowed to speak out of 16 sides of his mouth.

Now, I am very, very disturbed because I would like to read into the RECORD some quotes. In recent weeks, some officials of the Palestinian Authority have announced that the death penalty will be imposed on anyone who sells land to a Jew, based on a now repealed Jordanian law, even in Israel.

Now, listen to this: Palestinian Authority Chairman Yassir Arafat stated on May 21 of this year, and I quote,

> Our law is Jordanian law that we inherited and sets the death penalty for those who sell land to Israelis. We are talking about a few traitors, and we shall implement against them what is written in the law books.

Another quote: Palestinian Authority Justice Minister Freih Abu Middein on May 5 said,

> I warned the land dealers several times through the media not to play with fire. For us, whoever sells land to Jews and settlers is more dangerous than collaborators. Therefore, they must be put on trial and sentenced to death. They are traitors.

The third quote: Palestinian Authority Justice Minister Freih Abu Middein stated on May 28,

> It is obligatory to forbid the sale of land in Ramle, Lod, the Negev, and everywhere else. There are many land dealers who have fled from Palestine, but anyone who has broken this serious law will remain a wanted fugitive by the Palestinian people wherever he may go.

I submit to my colleagues that this kind of language is unacceptable, absolutely unacceptable and reprehensible and ought to be condemned in the strongest possible words by this legislative body. Certainly, those of us in the Congress that believe in the peace process may have disagreements from time to time, but certainly to say that they will absolutely murder anybody who sells land to Jews is not something that any civilized nation should tolerate.

As my colleague from New York pointed out, there have already been three murders. There is no doubt about it that those people were murdered because they were looked upon as having sold land to Jews. We cannot tolerate this. We cannot put up with this. We must condemn it. It violates international law. It is a racist policy. It is something that every person in this world and every country that believes in freedom and democracy ought to condemn in the strongest possible terms. The United States should consider suspending aid that is in this bill. It does not mandate it, it says we should consider it, because I think there has to be some kind of accountability.

Mr. Chairman, at what point do we say enough is enough? At what point do we say that actions speak louder than words? We need to absolutely say that it is not enough to say you are for peace, but on the other hand, you make these kinds of proclamations and you sort of judge it and say I will play it both ways. We cannot agree to have the Palestinian Authority say one thing in English for American consumption, American television consumption, and quite another thing in their own language to their own people, certainly when we are talking about murdering people.

Let me say one final thing. These are Palestinians that were murdered by Palestinians. These are people that were condemned to death because they were perceived as selling lands to Jews. So this is nothing that is inherent in an Arab-Israeli conflict. These are Palestinians murdering Palestinians, and it ought to be condemned in the strongest possible terms.

Mr. Chairman, I commend my colleague from New York [Mr. PAXON] for putting forth this resolution with me and others who are going to speak, and I urge a very, very strong ''yes'' vote from my colleagues.

Mr. GINGRICH. Mr. Speaker, I move to strike the last word.

Mr. Chairman, I rise in strong support of the Paxon amendment, and I commend the gentleman for bringing forcefully to this Congress' attention the fact that there is a new campaign of brutality in the Middle East that threatens the lives of innocent people and the spirit of the peace process.

Imagine this: People whose only crime is selling privately owned land are being killed because they are selling to Israelis. This simply must stop. One might imagine that the Palestinian leadership, engaged as they are in a peace process with Israel, would have been the first to condemn these outrageous killings. But that has not been the case, far from it. Instead, the Palestinian leadership have been instigators in these killings.

On May 5, Palestinian Authority Justice Minister Freih Abu Middein announced that, ''The death penalty will be imposed on anyone who is convicted of selling one inch of land to Israel. Even middlemen involved in such deals will face the same penalty.''

On May 16, Palestinian Authority Chairman Yassir Arafat said, ''We are taking forceful steps against those who do this. Recently a decision was passed to punish anyone who sells land, property or homes. We are keeping track of land dealers and punishing them.''

Three Arab realtors have now been brutally murdered under Palestinian control. Israeli security forces have collected evidence implicating the Palestinian Authority security forces directly in the assassinations. Incredibly, the Palestinian Authority continues to strongly defend the acts. The justice Minister stated on June 1, ''I advise the land dealers to commit suicide instead of getting killed and having their bodies thrown here and there.''

In addition, the Palestinian Authority has marked 16 other Arab realtors for death and turned over their names to Palestinian Authority security organizations for execution, according to Israeli defense officials. Fortunately, Israel has been able to foil some of these attempted executions. On May 31, Israeli police arrested six heavily armed Palestinians, at least four of whom were Palestinian Authority policemen, during the attempted abduction of Assad Rajabi, a Palestinian resident of Jerusalem. Also on May 31, three Palestinian Authority policemen attempted to break into the Jerusalem home of Mohammed Abu-Meleh. When family members began screaming, Arab soldiers arrived and the Palestinian Authority policemen fled.

These extrajudicial murders and their endorsement by the Palestinian Authority leadership cast strong doubt on the leadership's commitment to peace. The Palestinians must be on notice that these senseless acts must stop. The vigilante murder of realtors by Palestinian security officials is an egregious violation of human rights and of international norms. The killings must be renounced by the Palestinian leadership and end immediately. If not, I, for one, will actively

oppose the continuation of any aid to the Palestinian Authority.

This is the kind of action we identify with Nazis. This is the kind of racist activity that the planet holds to be reprehensible and unacceptable.

Mr. Arafat, you owe it to the world to stop this kind of killing, to protect people engaged in decent commerce, and I think everybody in the United States should take notice. There can be no peace process with murders, torturing, and killings of innocent people only because they sold to somebody who might not be racially or religiously acceptable. That is the behavior of Nazis. That is not a behavior that this country will tolerate.

For every person who went to the Holocaust Museum, consider carefully how it begins. Look at what is happening in Palestine now. Mr. Arafat, I think it is time for you to publicly condemn it. It is time for your security forces to provide security to the innocent, and we serve notice that the United States, at least this House, is paying careful attention to deeds, not simply words.

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

Mr. Chairman, I rise in support of the amendment, and I want to commend the two gentlemen from New York, [Mr. PAXON] and [Mr. ENGEL], and the gentleman from Florida [Mr. DEUTSCH], and the gentleman from New Jersey [Mr. SAXTON], for introducing this amendment and pushing it forward.

I think no matter how any of us might feel about the death penalty, all of us would find it deeply troublesome that it might be applied to someone involved in a commercial transaction, the sale of land, and that it would be applied based on an ethnic, religious, or nationalist identity of the buyer or the seller.

□ 1515

It is simply outrageous, as the Speaker has said and others, that any member of the Palestinian leadership would make any statement that, implicitly or otherwise, endorses individuals taking the law into their own hands to carry out acts of vengeance against other Palestinians who may be involved in such land sales.

The Palestinian authority has made some positive steps toward establishing accountable institutions of governance. I believe they are trying to establish a system based on the rule of law. But as the instances that have been called to our attention show, they have a very long way to go. These statements that have been quoted by their leaders are a definite step backward.

I want to make clear that all of us should understand just how sensitive the transfer of land by Palestinians to Israelis and Israelis to Palestinians is. Who controls that land is one of the central issues with which the peace process must grapple. For many Israelis and Palestinians, the sale of land to the other party is perceived as an act of treason.

The Israeli press, for example, has given extended coverage to a protracted and very ugly legal battle in Israel where one Israeli Jew has filed suit against an Israeli Jewish neighbor for selling their family home to an Israeli Arab. The Israeli Jewish family who sold the home has been subject to extreme harassment, as well as to court action.

Mr. Chairman, I highlight this case only to underscore how sensitive an issue we are confronting here, and how extensive the sensitivities are on the part of all parties. I support this amendment because I do not support anyone being put to death for the sale of land. I am critical of the lack of adherence to the rule of law by the Palestinian authority. I understand; there are legitimate concerns about various activities involving land sales at this point. I want to underscore to the Palestinians and the Israelis the importance of resolving these disputes when they occur on an individual level through a credible legal process, and on the larger level of issues between the parties at the negotiating table. I urge the adoption of the amendment.

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

Mr. Chairman, I would like to first commend the gentleman from New York [Mr. PAXON], the gentleman from New York [Mr. ENGEL], and the gentleman from Florida [Mr. DEUTSCH] for bringing this matter to the floor.

Mr. Chairman, as everyone has heard here today, it is not pleasant but it is not difficult to describe the actions of the Palestinian Authority and their policy, which is simply stated as: Death to those who would sell land to Jews and other Israelis.

Unfortunately, there have been those of us who have stood in this well a year ago and 2 years ago and suggested that things were not as we all had hoped they would be with the peace process. This is perhaps the most dramatic action that has been taken that serves as an example, but only one of a number of examples, of the attitude of the leadership of the Palestinian Authority, of course, involving most directly Yasser Arafat.

Over the last 2 years in particular, we have time and again called upon the Palestinian Authority to recognize the right of Israel to exist. But instead, we heard nothing. We also called, time and again, for the fulfillment of the promise that Yasser Arafat made in the Oslo Accords and in subsequent statements when he promised to condemn terrorism but never did.

We also view a map of Palestine on Palestinian letterhead which includes the land of Israeli, and we have spoken out as forcefully as we could to suggest to the Palestinian Authority that it would be a good idea to remove that parcel of land that is known to the West and to the world as the State of Israeli from inclusion on their map, but it is still a part of their map.

We have heard speeches aplenty from Yasser Arafat, one set of words in English and yet another set of words, quite different, in his native tongue. So when we began to hear in the media and hear other reports that there was a new Palestinian policy or a reawakened Palestinian policy of threatening to kill, in the beginning, those who sold land to Israelis, and particularly to Jews, and then later when we heard that in fact, Palestinians who carried out that act that we consider in a free society an act of daily commerce, without discrimination, in this country, at least, and in most of the Western world, and, in fact, in most of the world, about who can sell land to whom; when we saw that policy carried out at least on three occasions when Palestinians were, in fact, killed, exhibiting or carrying out their rightful act of commerce, selling land to others, it reminded, I guess, the Western world that perhaps those of us who have been talking about the recognition of Israel as was promised, who have been talking about the condemnation by the Palestinian Authority of terrorism, who have been talking about the use of the territory or the country of Israel included in the map of Palestine, and who have listened carefully in Arabic and in English to Yasser Arafat's speeches; in short, I think it would be good to say that if Yasser Arafat does change his actions, we are all for peace. But in light of the fact that Yasser Arafat has established a clear track record, the most dramatic part of which is killing his own people who sell land to Jews, it seems to me that it is incumbent upon us to follow the leadership of those who say that we should not support this type of a regime.

The question to my fellow Members is simply this: What kind of regime are we supporting, with upward of $100 million a year in financial assistance? A regime that has this record, that has been spelled out clearly by other Members before me here today, including the Speaker. Is this regime going to uphold basic human rights or human law? Their record clearly, clearly suggests otherwise.

Mr. Chairman, therefore I join with those who say today that it is time for us to take stock, review our policy on aid to the Palestinian Authority, and I urge all Members to vote in the affirmative on this amendment.

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

Mr. Chairman, I think for most of us in the Congress and most Americans, if we have heard about the statements of the Justice Minister of the Palestinian Authority or, for that matter, if we have heard or read the statements of Yasser Arafat himself on this issue, it is almost impossible for us to believe that they have actually said what they have said. The statements, which, in fact, have led to deeds as well, are so

far from any concept that we as a society and we as a world society hold as values that we want to live by, it is just absolutely almost literally unbelievable.

There are particular parts of the statements, and the activities, I think are particularly offensive. It truly is a pleasure this afternoon to join the Speaker in his comments toward this point as well. Because the statements have not just been to prohibit commerce, but the statements absolutely, specifically have been directed against Jews.

It is a scary thing, it is a scary thing in 1997 that someone who is a leader by definition on the world stage, a leader by definition in the Middle East, Yasser Arafat, at the present time specifically says that if someone sells property to a Jew that the death penalty is an appropriate punishment, without mincing words, without hiding it; saying the same in English and Arabic in terms of his statements: that if someone sells property to a Jew, the appropriate penalty is death.

It is hard in some ways to conceive how the Israelis can stay in the peace process and negotiate with someone who has that frame of reference, who speaks that way, and, in fact, on many occasions has acted that way as well.

There is no alternative to a peace process, but I think that my colleagues and the American people unfortunately need to understand some of the challenges that the Israelis are literally living and occasionally dying with in terms of their partners in peace.

It is also, again, not just the statements but what appears, unfortunately, to be consistent evidence of state apparatus being used to kill people for that action up to the point that has been mentioned, but just absolutely incredulous that it occurred, and irrefutably this occurred; that members of the Palestinian police force actually entered Israel, kidnapped someone who was a land trader, and but for really luck and circumstance, were prevented from leaving Israel and the kidnapping was foiled by Israeli security forces, and using state apparatus to carry through this incredulous threat and action.

Mr. Chairman, I urge my colleagues to support this amendment. I think it is a clear statement that we are making that as partners in a peace process, and the Palestinian Authority is the United States's partner in the peace process, this is not just a peace process involving the Israelis and the Palestinians, the United States of America, this Congress, the American people are part of that process as well. We are a part of it in many ways. We are a part of it directly in terms of our aid, and we are part of it in terms of our support at every level. It is a well known fact that both Oslo I and Oslo II were signed in the city of Washington.

But I think what is clear and what we are saying is that there is a limit to our partnership. It is absolutely clear that the responsibility of Yasser Arafat is not to call for the death of Jews or the death of Arabs that sell property to Jews, but his responsibility is clearly to condemn that activity, to do everything within his power to prevent it from happening. That is the partner who will bring peace and that is the partner who we, the United States, need as our partner in this process if we are to achieve peace in that part of the world.

He must do it. If he does not, I believe very clearly that this Congress will take appropriate action as well.

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

Mr. Chairman, I want to take this opportunity to thank the gentleman from New York [Mr. PAXON] and the gentleman from New York [Mr. ENGEL] for taking the initiative and offering a sense-of-Congress amendment for our conversation relating to the congressional condemnation of the disclosure of the death penalty for land sales to Jews by Palestinians and its support by Chairman Yasser Arafat.

I also want to thank the Speaker, the gentleman from Georgia [Mr. GINGRICH], for his eloquent remarks in support of this amendment. In recent weeks senior officials of the Palestinian Authority announced that the death penalty would be imposed on anyone who sells land to Jews, and three Palestinian men have been murdered, most likely by Palestinian Authority security forces, despite the lack of any legislation implementing the death penalty by the Palestinian Legislative Council.

□ 1530

Approximately 1 month ago, I wrote to Palestinian Legislative Council Speaker Ahmed Kurei urging that the Palestinian Legislative Council not take up such a heinous proposal. The United States has provided substantial assistance to the Palestinians based on the assumption that the rule of law would prevail, that there would be no official sanctions to extrajudicial killings or any violations of human rights, and that basic principles of peaceful and normal relations would be adopted.

Regrettably, the situation in the Palestinian autonomous region has deteriorated considerably, and the respect for human rights has been sorely lacking. Accordingly, this amendment notes that Congress condemns in the strongest possible terms the abhorrent, the abominable policy and practice of murdering Palestinians for sales of land to Jews, and we demand that this practice not only be condemned and renounced by the Palestinian leadership but that it end immediately.

This amendment further notes the sense of Congress in withholding direct assistance to the Palestinian Authority, supporting correspondence that the Senate International Relations Chairman HELMS and I recently sent to Secretary of State Madeleine Albright. An additional $1.25 million has been on hold, funds that were intended to be spent on training for the finance ministry staff, until repudiation of this practice takes place.

The Paxon-Engel amendment, Mr. Chairman, also expresses strong doubt that the Palestinians are in compliance with their commitments to Israel because of this despicable practice, which is in violation of the spirit of the Oslo accords and of international law. This amendment also urges the President to take this practice fully into account in determining when the Palestinian Authority is in compliance with its commitments.

Accordingly, Mr. Chairman, this amendment is fully supported and accepted by our committee, with the hope that Chairman Arafat and the Palestinian Authority and this administration will closely heed our grave congressional concerns. I invite my colleagues to fully support this measure.

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

I rise in strong support of this amendment, and I would like to join my colleagues in congratulating the gentleman from New York [Mr. PAXON], the gentleman from New York [Mr. ENGEL], and the gentleman from Florida [Mr. DEUTSCH] for introducing it.

Mr. Chairman, this amendment would express the sense of Congress to condemn the Palestinian Authority for its policy and practice of executing Palestinians who sell land to Jews. This policy we have heard described today is an obnoxious policy and an illegal policy, a racist policy; obviously, it is all those.

We have also heard that Chairman Arafat on occasion, I spoke to one Member who told me that Chairman Arafat looked him in the eye and said, ''We do not condone this, we condemn this.'' Chairman Arafat has a long history of condoning things in one sphere, to one audience, and condemning them to another, or promoting them to one audience and denying them to another.

Mr. Chairman, Yasser Arafat said the following. He said: ''We are taking forceful steps against those who do this. Recently, a decision was passed to punish anyone who sells land, property or homes. We are keeping track of land dealers and punishing them.'' This was an interview with the Lebanese newspaper Al-Hawadath on May 16, 3 weeks ago.

''We are keeping track of land dealers and punishing them.'' Well, what does punish mean?

Mr. Arafat's appointee as justice minister, Freih Abu Middein said last week, on June 4: ''The land dealers must learn a lesson.'' This is the Palestinian Authority justice commissioner. ''We have a list of names. The people included on the list and others shall be put on trial. The list includes

more than 310 names.'' Interviewed with Al-Ayyam. They will be put on trial.

And then he says, a day later in the Washington Post, the same justice minister, ''Since we are talking about committing suicide, I advise the land dealers to commit suicide instead of getting killed and having their bodies thrown here and there.'' So that is what a trial means to the Palestinian Authority justice minister.

When Chairman Arafat says, ''We will punish them,'' obviously this is what they mean. Extrajudicial punishment, murder of people for ex post facto sins, the sins being committed before the announcement that it was a terrible thing to do, and this terrible thing being sale of land to Jews. We understand that sale of land to Jews by Arabs, or vice versa, for that matter, is a sensitive matter and a topic for discussion, but not a topic for a cause for murder.

Mr. Chairman, we have to understand, when we look at this, in what context this happens. We keep talking about the peace process, but rarely do we hear it mentioned, rarely are we reminded of how asymmetrical the peace process is. What is this basic peace process that we keep talking about?

The basic idea of the Oslo accord, the basic idea of the Oslo accord is that Israel is to surrender something tangible, control over land, in return for something intangible, promises of security; that the Arabs, the Palestinians, are to promise that they have given up their hope of destroying Israel and murdering its entire population and driving it into the sea, which of course has been the official position of the Palestinians, of the PLO, for decades. They are supposed to promise ''We have given that up.'' They have said they have.

They are supposed to repeal the charter which calls for abolishing Israel and eliminating all its population. They are supposed to show by deed that they are against terror, against armed attack against Israelis, and not only condemn it but do everything they can to capture terrorists, to prevent terrorism, to give information to the Israelis, to cooperate in stopping this, in return for which they are to be given control over land, for peace.

It is a lot to ask of someone to give something tangible, land, control, control from which they can exercise measures to enhance their own safety and security, in return for something intangible, promises, words and pieces of paper. But at least if that peace process is going to work, the whole idea, we should spend a few years before we got to the final status negotiations and give the Palestinians an opportunity to show that they meant it, that they would in fact repeal the charter eliminating, promising to eliminate Israel, that they would stop terrorism.

I regret to say they have not been showing this and this policy of murdering Palestinians who sell land to Jews is one further indication of basic untrustworthiness. If this is not reversed very quickly, we will have to conclude that the peace process may not be won, may not go in the direction it should go. And so, Mr. Chairman, I, therefore, support this amendment, and I hope it may be somewhat effective in causing the Palestinian Authority to rethink its course and to decide finally that if peace is to be achieved, a little honesty and sincerity on the part of the Palestinians is necessary.

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

Mr. Chairman, I would like to thank the gentleman from New York [Mr. PAXON] and the gentleman from New York [Mr. ENGEL], but I would also let them know that the Members from California and I think every Republican and Democrat in this House and in the Senate will be supportive of this amendment.

Will we have peace in the Middle East? I do not believe so in my lifetime. I have been in Israel, like many of the Members. I flew there, flew fighters in Israel. I think that there will be a tempo of high activity and a tempo of low activity. But in our lifetime, I do not believe that there will be peace. I think from Ronald Reagan to George Bush to President Clinton, that that effort, that what we need to do is keep the pressure on to keep moving in that direction, just like we must in Bosnia as well.

But I think we do not have to go very far. There is part of a bigger problem that I would like to speak to my colleagues about. This is a symptom of a much larger problem. All you have to do is look inwardly to our own country.

This last month, all you had to do is be a cop in Washington, DC, and three of them were executed; or it was not too long ago and even today that you could end up buying a home in the wrong district, the wrong neighborhood, and you could end up with a burning cross on your front yard and, yes, you could be killed. This is a symptom of what we are seeing, I think, in the Middle East as well.

But there is a much larger, bigger problem of the terrorist activity. It was recently stated that in Iran there was a moderate cleric appointed and that possibly our negotiations with Iran might be easier. I think that is an oxymoron, a moderate cleric. Because if you look around the world between Iraq, Iran, and Libya, where most of the fundamentalist Islamic groups come out of are those three countries. Just like in France and England and Germany and, yes, even on our World Trade Center, these are all symptoms of the same despicable disease called bigotry and Islamic fundamentalism.

I think that if you look at Bosnia today, Izetbegovic, the Islamic leader in Bosnia, has over 10,000 Mujahedin and Hamas that have assembled in that country, which is a real threat to this country, with the same kind of bigotry toward the outside world, not only to Jews but to Christians as well. And it is an area in which this country must stand, as the Speaker said, and stand strong as a world leader.

With that, Mr. Chairman, I would say that we rise, I believe all of us, 100 percent, in support, and we would like to thank the gentleman from New York [Mr. ENGEL], the gentleman from New York [Mr. PAXON], and the gentleman from New Jersey [Mr. SAXTON].

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

Mr. Chairman, I rise today in strong support of this amendment which condemns the deplorable policy and practice of murdering Palestinians because they have sold land to Jews.

I want to thank my colleagues the gentleman from New York [Mr. ENGEL], the gentleman from New York [Mr. PAXON], and the gentleman from New Jersey [Mr. SAXTON] for introducing this amendment. There has been considerable evidence in recent weeks that Palestinian officials have endorsed, either directly or tacitly, the death penalty for Palestinians who sell land to Jews. As a result, at least three Palestinian businessmen have been ruthlessly murdered. This must not be allowed to happen again.

Whether Palestinian officials have explicitly supported this policy or approved of it with a wink or a nod is irrelevant. The facts are that Palestinians are being killed for selling land to Jews and the Palestinian authority has done nothing to stop it. This amendment calls on all Palestinian officials to unequivocally condemn this policy and bring the murderers to justice now.

Mr. Chairman, the United States has afforded the Palestinian authority several benefits that come with internationally recognized autonomy. We have entered into cooperative agreements with them on regional issues. We have engaged in direct diplomatic negotiations with them. We have provided them with economic assistance.

In return we must demand adherence to the rule of law. These recent killings, which have even been linked to Palestinian security officials, represent a total disregard for the rule of law. We must demand more. If the parties are going to work together in the Middle East to bring a real peace to that region, and I for one heartily endorse our active work as facilitators to work with the parties to move us closer to peace, then we must demand more from the parties.

I rise in strong support of this amendment, Mr. Chairman, and urge its adoption.

□ 1545

Mr. FOX of Pennsylvania. Mr. Chairman, I move to 8strike the requisite number of words.

There can be peace in the Middle East in our lifetime, as long as all parties live up to their end of the bargain. However, the Palestinian authority,

under the leadership of Yasser Arafat, who professes to be a partner for peace in the Middle East, does things that show the opposite is his real intention. He issues an edict that those Palestinians who sell land to Jews will be killed. In fact, three Palestinians have already been killed and a fourth kidnapped. Arafat's actions show he is not a partner for peace.

Moreover, Arafat does not remove from the Palestinian charter that clause which calls for the destruction of Israel. Again, Arafat's action shows he is not a partner for peace.

Yet in Israel, through the Prime Minister, Netanyahu, he has complied with the Oslo Accords and the peace process by having his government withdraw from Hebron, by restoring funds to the Palestinian authority that were promised, and by returning prisoners who had actually committed crimes against Israelis.

I stand to support the Paxon-Engel amendment because I believe it will help bring about peace, but we can only have that peace if we start having positive actions from Mr. Arafat to match his words when he calls for peace.

Mr. LINDER. Mr. Chairman, I rise today to denounce in the strongest possible terms the ghastly policy of the Palestinian Authority, which imposes the death penalty on Palestinians who would sell their land to a Jew. Clearly, this abhorrent practice is contrary to the Oslo agreements, international law, and common decency.

I would like to join my colleagues—the gentlemen from New York, Mr. PAXON and Mr. ENGEL, the gentleman from New Jersey, Mr. SAXTON, and the gentleman from Florida, Mr. DEUTSCH—in condemning the actions of the Palestinian Authority.

Time and time again, the United States has tried to work with the Palestinian Authority in good faith, but our efforts have not been reciprocated. We can not help this holy region toward peace of one of the parties abandons all sense of decency and order.

I urge my colleagues to support this condemnation, and I urge Mr. Arafat to renounce this practice of murder and racism.

The CHAIRMAN pro tempore (Mr. EWING). The question is on the amendment offered by the gentleman from New York [Mr. PAXON].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. PAYNE

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

The CHAIRMAN pro tempore. Is the amendment one of those specifically listed in the order of the House of June 5, 1997?

Mr. PAYNE. No, it is not.

The CHAIRMAN pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. PAYNE: At the end of the bill add the following (and conform the table of contents accordingly):

TITLE XVIII—MISCELLANEOUS PROVISIONS

SEC. 1801. ASSISTANCE TO THE DEMOCRATIC REPUBLIC OF CONGO.

Notwithstanding section 620(q) of the Foreign Assistance Act of 1961 or any other provision of law, assistance under chapter 1 of part I of the Foreign Assistance Act of 1961 (relating to development assistance) and under chapter 10 of part I of such Act (relating to the Development Fund for Africa) may be made available for the Democratic Republic of Congo.

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

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

There was no objection.

The CHAIRMAN pro tempore. Pursuant to the order of the House of June 5, 1997, the gentleman from New Jersey [Mr. PAYNE] and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey [Mr. PAYNE].

Mr. PAYNE. Mr. Chairman, I rise in support of lifting the ban on all humanitarian assistance previously blocked for Zaire, now the Democratic Republic of Congo.

My amendment also includes waiving section 620(q) as it pertains to the Brooke amendment, specifically in regard to the Democratic Republic of Congo. We used these waivers in the past for Egypt, Ethiopia, and Nicaragua when we wanted to assist our allies.

Mr. Chairman, the Brooke amendment was placed on Zaire in 1991 when the corrupt dictatorship of Mr. Mobutu was in full force. On April 17 of this year, the gentleman from California [Mr. ROYCE] and I, along with all the members of the Subcommittee on Africa, introduced H.R. 115, a bill that called on Mobutu to step down as President of Zaire. H.R. 115 was passed overwhelmingly by this House and in response Mobutu Sese Seko resigned last month and no longer can harm the people of the Congo.

This bill is symbolic in that it was the first step in getting rid of the cruel dictators in Africa, several of whom still exist, that prevent true democracy from flourishing.

Before I came to Congress and for many years after that, I have spoken out on the corrupt military regime of Mr. Mobutu. It is alleged that Mr. Mobutu has a wealth of several billion dollars in foreign bank accounts. I introduced in the 102d Congress, in 1993, a resolution calling for the administration to draw on its power to have Mr. Mobutu resign and leave Zaire.

We all know that the Mobutu regime started with Patrice Lumumba, who was captured and killed back in the early 1960's, and there were considerable activities during the cold war. Zaire suffered from 75 years of Belgium colonialism, then France's influence on the continent, first as a colonial ruler of most of the western and central parts of the continent, then as economic and political patron of the postindependent governments. Zaire followed with 7 years of chaos and 31 years of Mobutu's dictatorship, laying a foundation for its current crisis.

Laurent Kabila, leader of the Alliance of the Democratic Forces for the liberation of the Congo, has done what so many others have wanted to do for the people of Zaire for 32 years; to rid it of Mr. Mobutu.

Today 1.1 million refugees as well returned to Rwanda and Burundi. The alliance has the support of the neighboring countries of Burundi, Rwanda, Zambia, and Angola.

I am not a pro- or anti-Kabila person, but I feel that we must start to assist the Congo in getting over the tremendous harm done by the Mobutu regime.

I met with Mr. Kabila in Goma in January of this year and traveled to the Congo recently with Mr. CAMPBELL and met with Mr. Karaha, the foreign affairs minister, and Mr. Mawapanga, the finance minister. Both ministers were very qualified and seemed anxious to begin to move the country forward to improve the quality of life for the people in that distressed land.

Mr. Kabila stated at that time that he would hold elections within 2 years. It is my understanding that Mr. Kabila will bring about a transitional government.

It would behoove us to help bring calm and order and, if possible, use our influence to allow the people to learn how democracy works and to assist that country as it moves toward democracy.

There are no roads, no independent media, no functioning police, and there has not been a census taken in years. Some believe that there are between 40 and 50 million people in Zaire, but no one really knows.

When I began my statement, I referred to a former U.S. policy in Africa that was dictated by the cold war. Now that the cold war is over, I think we need to assist in areas where we can to move toward a new democratic society in these former dictatorial countries.

Mr. Chairman, I would ask that we continue to monitor and that we work toward planning and assisting this country move toward elections, and I would hope that we would have support for this resolution.

The CHAIRMAN pro tempore. Does any Member seek time in opposition to the amendment?

Mr. GILMAN. Mr. Chairman, I ask unanimous consent that I be allowed to claim the time in opposition.

The CHAIRMAN pro tempore. Without objection, the gentleman from New York [Mr. GILMAN] is recognized for 5 minutes.

There was no objection.

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

Mr. GILMAN. Mr. Chairman, there is a new beginning in the Democratic Republic of Congo. The old kleptocratic regime of Mobutu Sese Seko is now in the ash bin of history and, in many ways, the lives of the Congolese people can only improve.

Nevertheless, it is far too early to judge the merits of the new Kabila regime. A delegation led by a former colleague, and now Ambassador to the

United Nations, Bill Richardson, returned from Kinshasa only a few hours ago. Another delegation from the Agency for International Development is still in the Congo and will not return for 2 more weeks. And right now the administration has no plan for any assistance to the Congo.

The Committee on International Relations has not been asked by the administration to waive the Brooke amendment, and many questions remain about human rights and the treatment of the Rwandan Hutu refugee populations. On Sunday, an article in the Washington Post detailed numerous allegations of massacres of innocent civilians by Kabila's troops in eastern Congo.

Today, human rights organizations and humanitarian agencies still do not have access to large portions of eastern Congo, the location of many of the refugees.

While these questions may all be answered satisfactorily in due time, I do not intend to oppose the amendment at this time. I will note that this is only one stage in the legislative process. In the coming days, before we go to conference, we will be putting the Kabila government on notice to support democracy and human rights before aid can go forward.

Mr. Chairman, we are pleased at this time to accept the gentleman's amendment.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. KENNEDY OF RHODE ISLAND

Mr. KENNEDY of Rhode Island. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. Is the amendment one of those specifically listed in the order of the House of June 5, 1997?

Mr. KENNEDY of Rhode Island. Yes, it is, Mr. Chairman.

The CHAIRMAN pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. KENNEDY of Rhode Island: At the end of the bill add the following (and conform the table of contents accordingly):

DIVISION C—MISCELLANEOUS PROVISIONS

SEC. 2001. SENSE OF THE CONGRESS RELATING TO INDONESIA MILITARY ASSISTANCE.

(a) FINDINGS.—The Congress finds the following:

(1)(A) Despite a surface adherence to democratic forms, the Indonesian political system remains strongly authoritarian.

(B) The government is dominated by an elite comprising President Soeharto (now in his sixth 5-year term), his close associates, and the military.

(C) The government requires allegiance to a state ideology known as ''Pancasila'', which stresses consultation and consensus, but is also used to limit dissent, to enforce social and political cohesion, and to restrict the development of opposition elements.

(2) The Government of Indonesia recognizes only one official trade union, has refused to register independent trade unions such as the Indonesian Prosperity Trade Union (SBSI), has arrested Muchtar Pakpahan, the General Chairman of the SBSI, on charges of subversion, and other labor activists, and has closed the offices and confiscated materials of the SBSI.

(3) Civil society organizations in Indonesia, such as environmental organizations, election-monitoring organizations, legal aid organizations, student organizations, trade union organizations, and community organizations, have been harassed by the Government of Indonesia through such means as detentions, interrogations, denial of permission for meetings, banning of publications, repeated orders to report to security forces or judicial courts, and illegal seizure of documents.

(4)(A) The armed forces of Indonesia continue to carry out torture and other severe violations of human rights in East Timor, Irian Jaya, and other parts of Indonesia, to detain and imprison East Timorese and others for nonviolent expression of political views, and to maintain unjustifiably high troop levels in East Timor.

(B) Indonesian civil authorities must improve their human rights performance in East Timor, Irian Jaya, and elsewhere in Indonesia, and aggressively prosecute violations.

(5) The Nobel Prize Committee awarded the 1996 Nobel Peace Prize to Bishop Carlos Felipe Ximenes Belo and Jose Ramos Horta for their tireless efforts to find a just and peaceful solution to the conflict in East Timor.

(6) In 1992, the Congress suspended the international military and education training (IMET) program for Indonesia in response to a November 12, 1991, shooting incident in East Timor by Indonesian security forces against peaceful Timorese demonstrators in which no progress has been made in accounting for the missing persons either in that incident or others who disappeared in 1995–96.

(7) On August 1, 1996, then Secretary of State Warren Christopher stated in testimony before the Committee on Foreign Relations of the Senate, ''I think there's a strong interest in seeing an orderly transition of power there [in Indonesia] that will recognize the pluralism that should exist in a country of that magnitude and importance.''

(8) The United States has important economic, commercial, and security interests in Indonesia because of its growing economy and markets and its strategic location astride a number of key international straits which will only be strengthened by democratic development in Indonesia and a policy which promotes political pluralism and respect for universal human rights.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that the United States should not provide military assistance and arms transfers for a fiscal year to the Government of Indonesia unless the President determines and certifies to the Congress for that fiscal year that the Government of Indonesia meets the following requirements.

(1) DOMESTIC MONITORING OF ELECTIONS.—(A) The Government of Indonesia provides official accreditation to independent election-monitoring organizations, including the Independent Election Monitoring Committee (KIPP), to observe national elections without interference by personnel of the Government or of the armed forces.

(B) In addition, such organizations are allowed to assess such elections and to publicize or otherwise disseminate the assessments throughout Indonesia.

(2) PROTECTION OF NONGOVERNMENTAL ORGANIZATIONS.—The police or military of Indonesia do not confiscate materials from or otherwise engage in illegal raids on the offices or homes of members of both domestic or international nongovernmental organizations, including election-monitoring organizations, legal aid organizations, student organizations, trade union organizations, community organizations, environmental organizations, and religious organizations.

(3) ACCOUNTABILITY FOR ATTACK ON PDI HEADQUARTERS.—As recommended by the Government of Indonesia's National Human Rights Commission, the Government of Indonesia has investigated the attack on the headquarters of the Democratic Party of Indonesia (PDI) on July 27, 1996, prosecuted individuals who planned and carried out the attack, and made public the postmortem examination of the five individuals killed in the attack.

(4) RESOLUTION OF CONFLICT IN EAST TIMOR.—

(A) ESTABLISHMENT OF DIALOGUE.—The Government of Indonesia is doing everything possible to enter into a process of dialogue, under the auspices of the United Nations, with Portugal and East Timorese leaders of various viewpoints to discuss ideas toward a resolution of the conflict in East Timor and the political status of East Timor.

(B) REDUCTION OF TROOPS.—The Government of Indonesia has established and implemented a plan to reduce the number of Indonesian troops in East Timor.

(C) RELEASE OF POLITICAL PRISONERS.—Individuals detained or imprisoned for the nonviolent expression of political views in East Timor have been released from custody.

(5) IMPROVEMENT IN LABOR RIGHTS.—The Government of Indonesia has taken the following actions to improve labor rights in Indonesia:

(A) The Government has dropped charges of subversion, and previous charges against the General Chairman of the SBSI trade union, Muchtar Pakpahan, and released him from custody.

(B) The Government has substantially reduced the requirements for legal recognition of the SBSI or other legitimate worker organizations as a trade union.

(c) UNITED STATES MILITARY ASSISTANCE AND ARMS TRANSFERS DEFINED.—As used in this section, the term ''military assistance and arms transfers'' means—

(1) small arms, crowd control equipment, armored personnel carriers, and such other items that can commonly be used in the direct violation of human rights; and

(2) assistance under chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.; relating to international military education and training or ''IMET''), except such term shall not include Expanded IMET, pursuant to section 541 of such Act.

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

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. KENNEDY of Rhode Island. Mr. Chairman, the amendment I am offering today will attempt to confirm a commitment from Indonesia to cease its human rights violations throughout that country and, in particular, East Timor.

It will state the sense of this Congress that the United States should impose military sanctions on the country of Indonesia if its human rights record fails to improve.

It is very similar to provisions already included in the original version of the Foreign Policy Reform Act that were accepted in committee by voice vote.

Because the foreign aid portion of this bill is not before us today, I am offering this sense of Congress amendment in its place.

As many Members know, last week the Indonesian Government announced that they have dropped their participation in the expanded IMET military training program and have scrapped plans to buy nine F–16 fighter planes.

This action on the part of Indonesia is a major victory for all of us in this House who believe in the importance of human rights and for those of us who have worked hard to bring about change in the country of Indonesia.

It was clear they were feeling defensive, it was clear they were feeling vulnerable and, as such, they did not want to be beat to the punch and embarrassed by this Congress' action with respect to those planes. And this bill they wanted to get out of the way before this Congress expressed its strong opinion on the human rights abuses in Indonesia.

We cannot rest on this victory, however, and in fact Indonesia's official statement on this issue declared that the criticisms of this body were, and I quote, ''wholly unjustified.'' However, the death of one-third of the people of East Timor for the past 21 years, nearly one-third of the whole population, is evidence enough that these criticisms are indeed justified.

I believe that through the visit that I have made to East Timor myself, personally, my own visits not only with the Government officials representing the Indonesian Government but also with the human rights community who are stationed there in East Timor, that I have a good appreciation of this issue.

I have spoken to both the Nobel Peace Prize winner, Jose Ramos Horta, on several occasions, both here in Washington and in my own State of Rhode Island, and I have spoken to Carlos Belo, Bishop Belo, from the East Timor parish. He has given me many examples of the terrible injustices that occur on a daily basis in East Timor by the Government of Indonesia.

Mr. Chairman, these abuses are occurring in East Timor in large part due to the free hand that the military has given in suppressing the independence movement in East Timor. There is no question that the attacks and abuses are escalating throughout the country, and I am aware that there has been much violence preceding and surrounding the so-called democratic election that has just taken place there. But anybody watching that election knows that it is far from ever being considered a democratic election when the Indonesian Government outlaws campaigning on the part of the opposition.

□ 1600

Unfortunately, Indonesia repeatedly denies that there is a problem with the human rights abuses in their country, and yet the evidence is so crystal clear. In fact, there have been instances like the St. Cruz massacre when it was captured on tape and the tape tells the truth, the truth that the Indonesian Government wants to refuse to believe, and yet we have the evidence and the statistics and the weight of the human rights community and our own State Department report. I might add, the Department of State has considered Indonesia one of the top countries that this country finds is violating human rights.

So, in this legislation, the sense of Congress, we have called for various policy reforms including free and fair elections in East Timor, respect for labor rights, protection of nongovernmental organizations, rights for the East Timorese people, and, of course, for the fair adjudication and release of political prisoners.

Mr. Chairman, that is not the current situation in East Timor. Just wearing a yellow T-shirt, celebrating Bishop Belo's receipt of the Nobel Peace Prize is enough to get you arrested and thrown in jail. In East Timor, the free and fair election, there have not been any. Protections for nongovernmental organizations, that has a dismal report.

Mr. Chairman, I would like to conclude with this one point: I visited the ICRC, the International Committee on Red Cross, and they told me they have never been busier. Well, if any of my colleagues know what the ICRC does, they look out for human rights abuses. So if they have never been busier, we know what they are talking about. It means there have never been as many human rights abuses as are going on this day.

I want to thank the gentleman from New York [Mr. GILMAN] and the gentleman from California [Mr. BERMAN] particularly for their efforts to bring us this amendment to the floor.

Mr. BEREUTER. Mr. Chairman, I do rise in objection to the Kennedy amendment because it is unbalanced in its characteristics, and it is biased by referring only to one side of the violence that has occurred and continues to occur in Indonesia.

And in contrast to what the gentleman from Rhode Island has indicated, I feel that the recently announced self-denial of E–IMET by Indonesia and their expression of no interest in purchasing American-made F–16's is not a major victory for the United States, as the gentleman intends, it is an unfortunate blow to our relationship.

The E–IMET program, or Extended IMET, is designed specifically to encourage better human rights practices and proper civil action, methods of operating and living in a civil society, for military and civilian personnel that take advantage of this training program in the United States. The F–16 sale, of course, was not something that Indonesia itself sought, but the Clinton administration, trying to find some way to dispose of F–16's that it sold to Pakistan but which could not be delivered because of the Pressler amendment, was looking for other purchasers. They found Indonesia as a possible sales prospect.

So it is understandable that Indonesia now, faced with continued opposition and criticism in this Congress, some of it entirely justified, admittedly, but an unbalanced kind of objection and a denial even of something that is in our national interest, the E–IMET program, naturally does not want that fight. The E–IMET program is not that important to them, but it certainly is a loss to us in maintaining good relations with Indonesia and to our effort to improve human rights procedures in Indonesia.

Let us take a look at some of the reasons why Indonesian-American relations are important to this country. First of all, surprising to most people in this country, Indonesia is now the fourth most populous country on Earth. There have been harsh, one-sided amendments offered in this Congress and the committee and on the floor in the past which have reduced our credibility with the Indonesian Government and the military. Why? Because the amendments, this one in particular, will be seen in Indonesia as Indonesian bashing if it is not such criticism offered in some kind of equitable and valid manner. That is to say, if it is not balanced, or if we do not remove the one-sided bias to it.

Indonesia is not Burma or Iraq. It is an important country, a key member of ASEAN, APEC, the ARF, the OIC, and the United Nations. Indonesia has played a very important role in the settlement in Cambodia and peace between the Philippines and the Moros Liberation Front. Indonesia has contributed to efforts to resolve the dispute over the Spratly Islands and has contributed to the Korean Energy Development Organization. Indonesia supported the gulf war efforts against Iraq.

Indonesia's sealanes and air routes are important to United States forces. We, of course, have major economic interest in Indonesia. Our annual bilateral trade is about $12.3 billion. But these are not reasons enough to justify or to be silent about abuses that exist there. I want to try to make this amendment of the gentleman from Rhode Island [Mr. KENNEDY] a balanced amendment.

Mr. Chairman, therefore, I will offer an amendment to the Kennedy amendment.

AMENDMENT OFFERED BY MR. BEREUTER TO THE AMENDMENT OFFERED BY MR. KENNEDY OF RHODE ISLAND

Mr. BEREUTER. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. BEREUTER to the amendment offered by Mr. KENNEDY of Rhode Island:

In the Findings Section (a), after (4)(A), insert the following new sections (B) and (C):

(B) From May 27 to May 31, the East Timorese resistance forces carried out deplorable human rights violations, including the reported killing of over two dozen persons in an apparent attempt to disrupt national elections. A resistance attack on a truck resulted in the deaths of 16 policemen and one soldier. Attacks on polling places also resulted in the deaths of two election officials.

(C) Violence on the part of either the Indonesian military or the East Timorese resistance forces is not conducive to the just and peaceful solution to the conflict in East Timor.

Change former section (B) to (D) and add the following new section (E);

(E) The Indonesian authorities and the resistance forces in East Timor must refrain from human rights violations, including attacks on civilians and non-combatants.

Insert after sense of the Congress section (b) a second sense of the Congress section to be labeled (c) to read as follows:

(c) Sense of the Congress.—It also is the sense of the Congress that the violent acts of the resistance in East Timor should be condemned, as they discredit the East Timorese cause, and could result in additional violent reprisals by the Indonesian armed forces.

Renumber current section (c), United States Military assistance and arms transfers denied. It will now be numbered (d).

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 pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. BEREUTER. Mr. Chairman, as we began to hear, we have had substantial violence which is directly attributable, in substantial part at least, to the guerrilla movement in East Timor. I will read now from a report from Human Rights Watch/Asia, dated June 4, 1997.

A series of attacks between May 27 and May 31 by resistance forces in East Timor, leading to the deaths of at least 9 civilians and more than 20 military and police, has led to widespread arrests of suspected resistance supporters throughout the territory. Human Rights Watch/Asia condemns any targeting of civilians or other noncombatants by East Timorese guerrillas as being in clear violation of international humanitarian law.

That statement on the part of Human Rights Watch lays out a variety of abuses which led to death attributed to the activities of the East Timorese guerrillas. They issued a report the following day which backed away from one of those specific reported incidents, saying, ''We do not have the kind of documentation we need.'' But basically, their assessment stands.

From the Washington Post News Service, I read to my colleagues an account from May 31, 1997. ''Separatist guerrillas bombed a police truck with grenades Saturday, killing 17 officers during one of the worst outbreaks of violence in years in the disputed Indonesian territory of East Timor. The deaths raised to 41 the number of people killed in rebel attacks in the past week in East Timor.''

I would like to see some of my colleagues who are concerned about violence in East Timor stand up and bring this guerrilla violence to the attention of the House under a 1-minute statement or a Special Order. That did not happen.

Let me mention to my colleagues a few more sections of the secondary amendment that I am offering here today. The following statement is a part of the amendment in addition to the section which the Clerk read: ''The Indonesian authorities and the resistance forces,'' and bear in mind I am talking about both there, ''Indonesian authorities and resistance forces in East Timor must refrain from human rights violations, including attacks on civilians and noncombatants.''

Finally, in addition to the sense of Congress elements that the gentleman from Rhode Island [Mr. KENNEDY] has added, I add this sense of the Congress section:

It is also the sense of the Congress that the violent acts of the resistance in East Timor should be condemned, as they discredit the East Timorese cause and could result in additional violent reprisals by Indonesian armed forces.

So, Mr. Chairman and my colleagues, in the amendment that I have offered, I am striking nothing that the gentleman from Rhode Island [Mr. KENNEDY] has in his amendment. I am striking not a single word of it. But I am adding, by the words of my secondary amendment, an indication that violence on the part of the Indonesian rebels in East Timor is itself a very counterproductive step and one that we should deplore. This violence is not the approach to efforts to gain additional degrees of autonomy or whatever their legitimate goals might be.

Finally, I want to say as a matter of personal privilege that, of course, while I respect the organization granting the Nobel Peace Prize, I do have to say that while I certainly have nothing but praise for what I understand to be the positions and actions of Bishop Belo, I do indeed wonder about José Ramos Horta and whether or not his efforts are totally directed toward finding, as the Kennedy amendment says, a just and peaceful solution to the conflict in East Timor. I say that in part because when he came to my office earlier this year, when I visited with him, he made false reports about the conclusions and my views after we had that meeting, which he sent to Chairman GILMAN by letter. That is not the kind of conduct that I think we would expect from a person who was the corecipient of the Nobel Peace Prize, nor do I think such a false statement by Mr. Horta serves us well or serves his cause well, either.

I understand that his intent probably is to pursue independence for East Timor. That objective is contrary to U.S. policy. It is a legitimate intent on his part, but I believe he ought to use proper means for arriving at those goals. So I hope for reasons of a balanced amendment on this matter related to Indonesia, that my colleagues will support the secondary amendment offered by the gentleman to the amendment offered by the gentleman from Rhode Island [Mr. KENNEDY].

Mr. Chairman, I am pleased to yield to the gentleman from New York [Mr. GILMAN].

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

Mr. GILMAN. Mr. Chairman, I want to thank the gentleman from Rhode Island [Mr. KENNEDY] for introducing this measure and the gentleman from Nebraska [Mr. BEREUTER] for his perfecting amendment. I think it is critically important that our Nation express its concern with regard to some of the problems in Indonesia.

Although Indonesia is a critically important nation in southeast Asia, the record of the Suharto government in terms of democratic freedoms, human rights, labor rights, and basic civil liberties has significant shortcomings, as defined in this amendment. I call on all parties in and outside of the government to renounce violence and embrace peace and democratic principles in resolving all of the issues of contention in that part of the world.

Regretfully, the administration has fallen woefully short in trying to influence Indonesia in the direction of democracy and human rights. Therefore, it is appropriate for the Congress to make the President accountable for the use of the taxpayers' dollars for security assistance until he can certify an amelioration in the conditions of Indonesia.

I urge my colleagues to support this sense of Congress amendment, including the perfecting amendment by the gentleman from Nebraska [Mr. BEREUTER].

Mr. KENNEDY of Rhode Island. Mr. Chairman, I move to strike the last word.

I would like to say that we accept the Bereuter amendment. We do not condone violence on any side. I would like to follow up with a few comments with respect to the points made by the gentleman from Nebraska [Mr. BEREUTER].

That is, having visited East Timor myself this last year, I had an opportunity to sit down with Nobel Peace Prize winner Bishop Belo and spoke with him for a considerable length of time and do have a sense of how these violent occurrences are precipitated. I might add that Bishop Belo himself has said to me that there is a situation where the government is hiring East Timorese to instigate and act as catalysts for violent uprisings, because what it does is give the excuse for the Indonesian military to then crack down on whomever they want to crack down on.

I just want to add that because I have spoken to our own Department of State and some of their officials there, and there is an acknowledgment that the Indonesian government is training such, I guess, double agents, although I do not think they are agents in the

cold war sense, but they are East Timorese that are on the payroll of the Indonesian Government that front for this terrorist group in East Timor and thereby justify the reprisals that the Indonesian Government then uses as an excuse to put down these uprisings in the first place. I want to point that out.

I also just want to point out that in the wake of those violent outbreaks that the gentleman from Nebraska [Mr. BEREUTER] pointed out, some of those reports are still yet to be confirmed, although I take nothing away from his effort to deplore any kind of violence.

□ 1615

I want to also add that in the aftermath of the election there were a series of roundups and manhunts by the military and widespread arrests in Dili, Baucau, Ermera and Los Palos under circumstances which torture is very likely. Of course, we have evidence of torture of those who have been detained in jails within East Timor. I can tell my colleagues that Constantio Pinto, for example, in my district in Rhode Island has given me graphic descriptions of his time in jail when he was tortured repeatedly.

We know that Indonesia is feeling discomfort because of the attention that we are bringing to these issues. It is unfortunate that it has to affect the relationship, but the best way for Indonesia to solve this problem is to clean up their human rights abuses instead of trying to get us to not recognize their human rights abuses.

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

Mr. KENNEDY of Rhode Island. I yield to the gentleman from Nebraska.

Mr. BEREUTER. Mr. Chairman, I would like to comment on two points the gentleman has raised. First, I would ask this question, it is rhetorical, but if the gentleman has a response to it I think the world would like to know it. What does the gentleman expect the Indonesian Government would do when up to 41, or perhaps more, people were killed by guerrillas when in fact some of them were poll watchers, and others were civilians. What does the gentleman think the response should legitimately be in that situation? Do they try to protect people and bring people to justice or not?

The second point I would raise about the allegations that the guerrillas may be or are totally on the payroll of the Indonesian Government, and I refer to those guerrillas that caused the deaths and the tragedy that took place there. I hope the gentleman does not believe that that is the case in all instances, if any. It certainly is not the view of our Government, our State Department, our intelligence agencies and those people that have spoken out on this issue. I just want to raise those two points if the gentleman cares to address them. I certainly do not believe that everybody, if anybody, if any, who killed those people at the polls is on the Indonesian Government payroll.

Mr. KENNEDY of Rhode Island. Mr. Chairman, reclaiming my time, I would like to respond to the gentleman's points.

On the first one, I clearly think that justice needs to be done, but of course there is no justice in East Timor because people can be summarily arrested and tortured without legal representation. I do acknowledge that the gentleman is correct that in the event there is any violence, there should be justice. But the justice system as it currently exists is a one-sided justice system.

On the second point in terms of the payroll, I would acknowledge that I do not think in every instance that those instigating these points of violence whereby the Indonesian Government uses as a pretext to crack down on the East Timorese, that in all those instances it is those that are on their payroll, but I would point out that it is something that is acknowledged on the ground there as being a fundamental truth of the situation.

Ms. PELOSI. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the Kennedy amendment and also further in support of the Bereuter amendment to the Kennedy amendment. Most certainly we should take every opportunity we can on the floor of the House to renounce violence, especially when there is collateral damage involved affecting the lives of civilians.

However, I do take issue with the characterization of what is happening in East Timor. I think our Members should understand that East Timor is a very small place and a large percentage of its population has been killed by the Indonesian Government. Some of that has happened with U.S. weapons. That is most unfortunate. That is why I support so strongly the Kennedy amendment as well as the gentleman's leadership for fighting this fight with such knowledge and such commitment.

The gentleman from Nebraska [Mr. BEREUTER] shared a story of his visit with Mr. Ramos Horta. I will convey mine. Last night in our community over 5,000 people turned out for a conference on nonviolence entitled the Power of Nonviolence. They all gave a standing ovation to Jose Ramos Horta for his appeal for nonviolence in East Timor and throughout the world.

Certainly there are those within a situation who may lose patience, and I think that is the biggest challenge to those who are involved in the nonviolent crusade for change, whether it is in Tibet, and His Holiness was there last night and spoke as well, whether it is in Tibet, Indonesia, or in any other country, that while the leadership of the issue, its initiatives may be based on a commitment to nonviolence, that there are those who have lost their family members, their community people to violence in Indonesia and they may take action. We reject it, we denounce it, but we do not paint every leader of the East Timor movement with the same brush.

Mr. BEREUTER. Mr. Chairman, will the gentlewoman yield?

Ms. PELOSI. I yield to the gentleman from Nebraska.

Mr. BEREUTER. Mr. Chairman, I thank the gentlewoman for yielding. I think the gentlewoman knows that current law forbids the kind of military sales to Indonesia that can be used in repressive measures against the civilian population. This amendment does not put that in place. That is a matter of law already.

I would say to the gentlewoman, I hope that she would be concerned when Mr. Horta comes into my office and after he leaves with a very clear understanding of what my point of view is, and which it happens to be the view of the official view of the U.S. Government, which I am supporting as the chairman of the Subcommittee on Asia and the Pacific, for him to go out and lie in writing about it to my chairman and mischaracterize 180 degrees is highly inappropriate. I would hope the gentlewoman would not condone that kind of activity and would be sympathetic as one Member of Congress to another on this matter. I would hope she agrees that Mr. Horta should not be using those tactics. It is unworthy of the Nobel Peace Prize.

Ms. PELOSI. Mr. Chairman, reclaiming my time, on the first point the gentleman brings up about what is the law regarding Indonesia, yes, sir, I am very well aware of it as ranking member of the Committee on Appropriations' Subcommittee on Foreign Operations, Export Financing and Related Programs. We spend a great deal of time, of our committee's time and indeed the floor time, on the issue of military weapons to Indonesia as well as on whether we should have expanded IMET or IMET to Indonesia. My problem with the expanded IMET to Indonesia is that it simply does not seem to be working or taken seriously by the Indonesian military. Certainly it would be appropriate, if properly employed, for us to train the Indonesian military in the importance of human rights in dealing with civilian populations. We just have not seen that happen. The case of East Timor I think is a tragedy for the world.

Around here, and the gentleman from Nebraska [Mr. BEREUTER] knows the respect, the esteem, in which I hold him, Roshomon lives, people go to meetings, they hear different things, they carry away a more optimistic or less optimistic view of a conversation. I respect the gentleman's view of that conversation as a Member of Congress on this floor. I would hope that the gentleman would give Mr. Ramos Horta the ability to respond back to the gentleman to say this is why I drew those conclusions, because I know him to be an honorable man, and I think that the Nobel committee chose well in honoring Jose Ramos Horta and Bishop Belo.

Mr. BEREUTER. Mr. Chairman, if the gentlewoman will yield further, I would say the gentlewoman has a very generous soul, which is one of the reasons I admire her greatly. Her putting the best characterization of the best construction on Mr. Horta's comments about my views are very generous on her part. In this case that generosity is mistaken. There is no doubt that he intentionally mischaracterized the position of this Member, but I thank the gentlewoman and say that her sentiments are a credit to her.

Ms. PELOSI. Mr. Chairman, I urge our colleagues to support the Kennedy amendment as amended by the gentleman from Nebraska [Mr. BEREUTER].

Mr. SMITH of New Jersey. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I urge a yes vote on the amendment that has been offered by the gentleman from Rhode Island [Mr. KENNEDY] which states in a very strong way that it is the sense of Congress that the United States should not give military assistance and arms transfers to the Government of Indonesia until that Government complies with a few basic human rights benchmarks. I would like to commend the gentleman from Nebraska [Mr. BEREUTER], the chairman of the Subcommittee on Asia and the Pacific, for his perfecting amendment to put us on record in roundly condemning all violence, no matter who commits it. Violence is not an acceptable means to any end. I want to commend my friend for offering that perfecting amendment.

Mr. Chairman, for over 20 years, international human rights advocates have been calling attention to abuses by the Indonesian Government and its occupation of East Timor. Over the years the United States has provided countless millions of dollars worth of military assistance and arms transfers to the Government of Indonesia. There have been no reliable safeguards to ensure that this assistance and these transfers did not facilitate the ongoing brutality. Indonesia's Armed Forces invaded East Timor in 1975 only weeks after East Timor had attained independence from Portugal. Since then the Indonesian Army has carried out a campaign of what amounts to ethnic cleansing against the Timorese through a program of forced migration.

Persecution has been particularly harsh against the Christian majority. More than 200,000 Timorese out of the total population of 700,000 have been killed directly or by starvation in forced migrations from their villages since the Indonesian invasion. There are recent reports of renewed campaigns of repression of Catholics in East Timor. These reports include atrocities such as the smashing of statues of the Blessed Mother. The campaign has also been directed personally against the Catholic Bishop Belo, along with the independence leader Jose Ramos Horta. Bishop Belo's phones are tapped, his fax machine is monitored, his visitors are watched, and his freedom of movement is restricted. But Bishop Belo persists in his courageous efforts to defend justice, peace, and the preservation of the dignity of his people. Recently, he set up a church commission to monitor human rights abuses there and a radio station to disseminate information and news.

There have also been reports of renewed military activity by pro-independence guerrillas in East Timor. I want to make it absolutely clear that violence is unacceptable no matter who commits it. In this respect, again the Bereuter perfecting amendment strengthens the Kennedy amendment and makes it a resolution worthy of support by this body.

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

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

Mr. WOLF. Mr. Chairman, I was in my office, I saw the debate that was taking place, and I wanted to make a comment in strong support of the Kennedy amendment. I had the opportunity, as the gentleman from Rhode Island [Mr. KENNEDY] did at Christmastime, I visited East Timor in January of this year. Members ought to know Bishop Belo, who got the Nobel Peace Prize because of the nomination of the gentleman from Ohio [Mr. HALL] and others in the Congress. We visited Bishop Belo. On the Island of East Timor, there have been over 200,000 people killed in the last 20 years. If Members were to extrapolate that to the United States, I do not know what that would mean, would it mean 60 million killed or something like that? It is an unbelievable amount.

We met with Bishop Belo. We also were followed by the military and their people, but we went out in the field and talked to a number of people. We went to the Santa Cruz Cemetery, where the massacre took place. For Members who did not follow that massacre, the Indonesian army opened up fire and in cold blood killed these people at the Santa Cruz Cemetery.

We also talked to young people. First, they were afraid to speak, then we got close to them. They started to talk and told us they were afraid. The very nights we were there at 2 o'clock in the morning the Indonesian military would come into their homes and take the young people away. They would not allow them to be visited by their moms and dads.

I personally believe, and this gets a little controversial, I believe that Web Hubbell was hired by the Indonesian Government and we now later found out that Web Hubbell, after he was hired by the Indonesian Government, went to East Timor. East Timor is not the garden spot that one goes to to sit on the beaches. I believe that maybe the administration's policy changed.

The Kennedy amendment is the right thing to do. When we pass this amendment, it will send a message back to the Indonesian Government, who we have a good relationship with and we want to continue to have a good relationship with, but that we care.

Bishop Belo will be in the United States next week. I think we should pass this amendment. I did not want the time to go by without urging strong support for the Kennedy amendment. Frankly, if it were defeated, the message that that would send to the people of East Timor, 500,000 left, 200,000 killed, military occupation, up to maybe 28,000 military people all over the island. Last, there were elections 1½ weeks ago. Up to 41 people were killed. I have been urging, as I know the gentleman from Rhode Island [Mr. KENNEDY] and others feel, that this administration should appoint a special envoy. We saw that they appointed a special envoy to Cyprus, which is very good. They should appoint a special envoy here and do something about it.

I want to commend the gentleman from Rhode Island [Mr. KENNEDY], I want to thank him for taking the time to go over there at Christmas, and I strongly support the amendment.

□ 1630

Mr. KENNEDY of Rhode Island. Mr. Chairman, will the gentleman yield?

Mr. WOLF. I yield to the gentleman from Rhode Island.

Mr. KENNEDY of Rhode Island. Mr. Chairman, I just would like to commend the gentleman for his own visit to East Timor. There is nothing like seeing it in person, to speak to Bishop Belo in East Timor, to visit with the people as the gentleman has, that gives one the strong feelings such as the gentleman has about it.

Like the gentleman from Virginia, I have read a lot about it. But it was not until I visited and saw it myself and heard from the people dramatically about the overwhelming military presence in East Timor and the fear that everyone has going to bed at night, that they are not going to be woken up in the middle of the night, have a gun to their head and dragged out in the middle of the street, go to jail, never to be seen again.

This is the constant state of fear and terror that the people of East Timor live under, given that occupation by the Indonesian Government; and I want to salute the gentleman from Virginia [Mr. WOLF] for his strong words on this amendment.

Mr. WOLF. Mr. Chairman, I thank the gentleman from Rhode Island. We spoke to one youngster who was there who had his ear cut off, that they cut off his ear; and now we spoke to a mom, a mother, who had three children, and they were all, all, missing. One had been killed in Santa Cruz, another had been taken away, and another had been taken away several nights just before we got there.

So the Kennedy amendment is a good amendment.

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

Mr. Chairman, I rise today in strong support of the Kennedy amendment to urge that military sanctions be imposed on Indonesia because of Indonesia's terrible human rights record. I certainly have no objection, and I support the amendment offered by the gentleman from Nebraska [Mr. BEREUTER] to the amendment because I think that we should be ready to condemn atrocities and brutality wherever they occur.

I have stood on this floor many times, Mr. Chairman, in recent years to criticize Indonesia because of that country's abysmal human rights record and their continued oppression of the people of East Timor. Despite the lack of improvement in Indonesia's human rights record and the opposition of myself and many of my colleagues, Indonesia continues to receive United States military assistance. According to the State Department's country report on Indonesia, quote, the government continues to commit serious human rights abuses.

The State Department report also said that in Indonesia reports of extrajudicial killings, disappearances, and torture of those in custody by security forces increased, not decreased; not stayed the same, increased. Should we really be sending Indonesia more military assistance now, when they have not addressed these critical human rights issues? I do not think so.

Indonesia's policy in East Timor is about the oppression of people who oppose Indonesia's right to torture, kill, repress the people of East Timor. It is about the 200,000 Timorese who have been slaughtered since the Indonesian occupation in 1975, 200,000 killed out of a total population of 700,000. It is about genocide.

I urge my colleagues to support this amendment and send a message to Indonesia that we will not tolerate continued human rights abuses, and I want to thank my colleague from Rhode Island, Mr. KENNEDY, for bringing these issues to our attention and speaking so eloquently on these issues. I do hope that this body will respond to the specific stories which my colleagues have shared, which my good friend, the gentleman from Virginia [Mr. WOLF], has shared. I have not been to East Timor, but I have met many times privately with people who have recounted these stories to us, and we cannot let this record stand. We must take action, and I want to just tell the gentleman, ''I support you.''

Mr. KENNEDY of Rhode Island. Mr. Chairman, will the gentlewoman yield?

Mrs. LOWEY. I yield to the gentleman from Rhode Island.

Mr. KENNEDY of Rhode Island. Mr. Chairman, I would just like to say there are countless stories. Unfortunately the ICRC cannot tell them to us because it would abrogate their mandate to be an impartial, as my colleagues know, observer and support to human rights in the countries that they are situated in. But they are only situated in those countries with gross human rights abuses, and they do not want to jeopardize that mission. But they did tell me that they are exceeding their ability to keep on top of all the cases that they have to stay on top of, and what that says to me is volumes about the current situation there.

Mr. Chairman, I would like to thank the gentlewoman from New York for her support.

Mrs. LOWEY. Mr. Chairman, I thank the gentleman from Rhode Island again for his leadership.

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

I rise in support of the Bereuter amendment. This perfecting amendment seeks to add a level of balance and accuracy to the Kennedy amendment which will improve upon its content. It places the House of Representatives on record of being against violence and abusive human rights by all parties to the conflict in East Timor, and for that reason I urge adoption of the amendment to the amendment.

Mr. KIM. Mr. Chairman, I rise in strong opposition to the Kennedy amendment which expresses the sense of Congress that the United States should stop military assistance and education to Indonesia. It appears to me that this amendment will only have a negative effect on United States-Indonesian relations. I believe that this amendment would actually hinder the kind of changes and increased respect for human rights that its proponents claim to seek.

An insult such as this will have a direct and negative impact on all facets of the United States-Indonesian relationship, including economic ties. In 1995 alone, the United States exported $3.3 billion in goods and services to Indonesia. Indonesia is also the host to over $6 billion in United States investment. The only people cheering for the misguided symbolism of this amendment are our foreign competitors who look to take advantage of a souring in United States-Indonesian relations.

The action that this amendment advocates—including cutting off expanded international military education training [E–IMET]—will do nothing to improve human rights in Indonesia and East Timor. What better way to improve human rights in Indonesia than to properly train the military. That is what E–IMET does; it provides educational courses to teach respect for civil authority, human rights, and the rule of law.

While I recognize that improvement is needed in Indonesia, this amendment will have no positive impact on East Timor. The Kennedy amendment is simply pandering to special interests in East Timor at the expense of overall United States interests in the region.

Therefore, I urge my colleagues to oppose the Kennedy amendment.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Nebraska [Mr. BEREUTER] to the amendment offered by the gentleman from Rhode Island [Mr. KENNEDY].

The amendment to the amendment was agreed to.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Rhode Island [Mr. KENNEDY], as amended.

The amendment, as amended, was agreed to.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore. Pursuant to House Resolution 159, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order: The amendment offered by the gentleman from Ohio [Mr. NEY]; the amendment, as amended, offered by the gentleman from California [Mr. MILLER].

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. NEY

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio [Mr. NEY] on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 426, noes 0, not voting 8, as follows:

[Roll No. 174]

AYES—426

Abercrombie	Bunning	Delahunt
Ackerman	Burr	DeLauro
Aderholt	Burton	DeLay
Allen	Buyer	Dellums
Andrews	Callahan	Deutsch
Archer	Calvert	Diaz-Balart
Armey	Camp	Dickey
Bachus	Campbell	Dicks
Baesler	Canady	Dingell
Baker	Cannon	Dixon
Baldacci	Capps	Doggett
Ballenger	Cardin	Dooley
Barcia	Carson	Doolittle
Barr	Castle	Doyle
Barrett (NE)	Chabot	Dreier
Barrett (WI)	Chambliss	Duncan
Bartlett	Chenoweth	Dunn
Barton	Christensen	Edwards
Bass	Clay	Ehlers
Bateman	Clayton	Ehrlich
Becerra	Clement	Emerson
Bentsen	Clyburn	Engel
Bereuter	Coble	English
Berman	Coburn	Ensign
Berry	Collins	Eshoo
Bilbray	Combest	Etheridge
Bilirakis	Condit	Evans
Bishop	Conyers	Everett
Blagojevich	Cook	Ewing
Bliley	Cooksey	Fattah
Blumenauer	Costello	Fawell
Blunt	Cox	Fazio
Boehlert	Coyne	Filner
Boehner	Cramer	Foglietta
Bonilla	Crane	Foley
Bonior	Crapo	Forbes
Bono	Cubin	Ford
Borski	Cummings	Fowler
Boswell	Cunningham	Fox
Boucher	Danner	Frank (MA)
Boyd	Davis (FL)	Franks (NJ)
Brady	Davis (IL)	Frelinghuysen
Brown (CA)	Davis (VA)	Frost
Brown (FL)	Deal	Furse
Brown (OH)	DeFazio	Gallegly
Bryant	DeGette	Ganske

Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NOT VOTING—8

Farr
Flake
Hall (OH)
Molinari
Rothman
Schiff
Schumer
Wolf

□ 1656

So the amendment was agreed to.

The result of the vote was announced as above recorded

AMENDMENT OFFERED BY MR. MILLER OF CALIFORNIA, AS AMENDED

The CHAIRMAN pro tempore [Mr. EWING]. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from California [Mr. MILLER], as amended, on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment, as amended.

The Clerk designated the amendment, as amended.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 375, noes 49, not voting 10, as follows:

[Roll No. 175]

AYES—375

Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Chabot
Chambliss
Chenoweth
Christensen
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Fattah
Fawell
Fazio
Filner
Foley
Forbes
Ford
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hobson
Hoekstra
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, Sam
Jones
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Mollohan
Moran (KS)
Moran (VA)
Morella
Myrick
Neumann
Ney
Northup
Norwood
Nussle
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Roybal-Allard
Royce
Rush
Ryun
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Traficant
Turner
Upton
Vento
Visclosky
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NOES—49

Abercrombie
Becerra
Castle
Clay
Conyers
Coyne
DeFazio
DeGette
Dellums
Dooley
Ehlers
Foglietta
Frank (MA)
Furse
Hinchey
Hinojosa
Holden
Jackson (IL)
Johnson, E. B.
Kanjorski
Kleczka
Kucinich
Lewis (GA)
Lucas
Markey
McDermott
McGovern
McHale
Minge
Mink
Moakley
Murtha
Nadler
Nethercutt
Oberstar
Rangel
Sabo
Serrano
Skaggs
Smith (MI)
Snyder
Tierney
Torres
Towns
Velazquez
Waters
Watkins
Watt (NC)
Waxman

NOT VOTING—10

Farr
Flake
Hall (OH)
Molinari
Neal
Radanovich
Rothman
Schiff
Schumer
Wolf

□ 1706

Mr. WAXMAN, Ms. DeGETTE, and Mr. SMITH of Michigan changed their vote from ''aye'' to ''no.''

So the amendment, as amended, was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. ENGEL

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

The Clerk read as follows:

Amendment offered by Mr. ENGEL:

At the end of the bill add the following (and conform the table of contents accordingly):

SEC. 1818. INTERNATIONAL FUND FOR IRELAND.

(a) SHORT TITLE.—This section may be cited as the ''MacBride Principles of Economic Justice Act of 1997''.

(b) ADDITIONAL REQUIREMENTS.—

(1) PURPOSES.—Section 2(b) of the Anglo-Irish Agreement Support Act of 1986 (Public Law 99–415; 100 Stat. 947) is amended by adding at the end the following new sentence: ''United States contributions shall be used in a manner that effectively increases employment opportunities in communities with rates of unemployment significantly higher than the local or urban average of unemployment in Northern Ireland. In addition, such contributions shall be used to benefit individuals residing in such communities.''.

(2) CONDITIONS AND UNDERSTANDINGS.—Section 5(a) of such Act is amended—

(A) in the first sentence—

(i) by striking ''The United States'' and inserting the following:

''(1) IN GENERAL.—The United States'';

(ii) by striking ''in this Act may be used'' and inserting the following: ''in this Act—

''(A) may be used'';

(iii) by striking the period and inserting ''; and''; and

(iv) by adding at the end the following:

''(B) may be provided to an individual or entity in Northern Ireland only if such individual or entity is in compliance with the principles of economic justice.''; and

(B) in the second sentence, by striking ''The restrictions'' and inserting the following:

''(2) ADDITIONAL REQUIREMENTS.—The restrictions''.

(3) PRIOR CERTIFICATIONS.—Section 5(c)(2) of such Act is amended—

(A) in subparagraph (A), by striking ''principle of equality'' and all that follows and inserting ''principles of economic justice; and''; and

(B) in subparagraph (B), by inserting before the period at the end the following: ''and will create employment opportunities in regions and communities of Northern Ireland suffering the highest rates of unemployment''.

(4) ANNUAL REPORTS.—Section 6 of such Act is amended—

(A) in paragraph (2), by striking ''and'' at the end;

(B) in paragraph (3), by striking the period and inserting ''; and''; and

(C) by adding at the end the following new paragraph:

''(4) each individual or entity receiving assistance from United States contributions to the International Fund as agreed in writing to comply with the principles of economic justice.''.

(5) REQUIREMENTS RELATING TO FUNDS.—Section 7 of such Act is amended by adding at the end the following:

''(c) PROHIBITION.—Nothing herein shall require quotas or reverse discrimination or mandate their use.''.

(6) DEFINITIONS.—Section 8 of such Act is amended—

(A) in paragraph (1), by striking ''and'' at the end;

(B) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following new paragraphs:

''(3) the term 'Northern Ireland' includes the counties of Antrim, Armagh, Derry, Down, Tyrone, and Fermanagh; and

''(4) the term 'principles of economic justice' means the following principles:

''(A) Increasing the representation of individuals from underrepresented religious groups in the workforce, including managerial, supervisory, administrative, clerical, and technical jobs.

''(B) Providing adequate security for the protection of minority employees at the workplace

''(C) Banning provocative sectarian or political emblems from the workplace.

''(D) Providing that all job openings be advertised publicly and providing that special recruitment efforts be made to attract applicants from underrepresented religious groups.

''(E) Providing that layoff, recall, and termination procedures do not favor a particular religious group.

''(F) Abolishing job reservations, apprenticeship restrictions, and differential employment criteria which discriminate on the basis of religion.

''(G) Providing for the development of training programs that will prepare substantial numbers of minority employees for skilled jobs, including the expansion of existing programs and the creation of new programs to train, upgrade, and improve the skills of minority employees.

''(H) Establishing procedures to assess, identify, and actively recruit minority employees with the potential for further advancement.

''(I) Providing for the appointment of a senior management staff member to be responsible for the employment efforts of the entity and, within a reasonable period of time, the implementation of the principles described in subparagraphs (A) through (H).''.

(7) EFFECTIVE DATE.—The amendments made by this subsection shall take effect 180 days after the date of the enactment of this Act.

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

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

There was no objection.

The CHAIRMAN pro tempore. Pursuant to the order of the House of June 5, 1997, the gentleman from New York [Mr. ENGEL] and a Member opposed each will control 5 minutes.

Is there a Member seeking recognition in opposition?

Mr. HAMILTON. Yes, Mr. Chairman, I do.

The CHAIRMAN pro tempore. The gentleman from Indiana [Mr. HAMILTON] will be recognized for 5 minutes in opposition to the amendment.

The Chair recognizes the gentleman from New York [Mr. ENGEL].

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

Mr. Chairman, this is the Engel-Gilman amendment on the International Fund for Ireland principles. I want to at the outset thank the gentleman from New York [Mr. GILMAN] from the Committee on International Relations for all his help and hard work on this amendment.

This amendment is very simple. It simply says that the International Fund for Ireland, to which the United States contributes $20 million per year, that funding for the International Fund for Ireland should not go to any entity in the north of Ireland that discriminates.

We want to ensure that any entity which receives money from the International Fund for Ireland is committed to the principles of nondiscrimination. This is very similar to what was done in South Africa with the Sullivan principles, and this essentially embraces what is called the MacBride principles of nondiscrimination.

This is identical to a bill that I have carried for the past 8 years and under the current Congress, H.R. 150, which sets up nine guidelines to eliminate religious-based discrimination in employment and job training processes in the north of Ireland, while banning provocative sectarian and political emblems from the workplace. Again, we want to ensure that U.S. money is given to entities which promote equal opportunity employment for both Protestants and Catholics and to regions where targeted investment is needed.

Mr. Chairman, these are critical times for the peace process in Ireland. I commend the fact that right now the parties seem to be lined up in terms of really making progress for equality in the peace process. It is very, very important, I believe, that at this point Congress go on record as saying that moneys for the International Fund for Ireland cannot go to entities which discriminate against anybody, be they Catholic or Protestant. That is simply what this says.

Mr. Chairman, I yield 2 minutes to the distinguished gentleman from New York [Mr. GILMAN], chairman of the committee.

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

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

Mr. Chairman, today I rise to offer, along with the gentleman from New York [Mr. ENGEL], the Federal MacBride principles. This important bipartisan antidiscrimination measure dealing with employment practices in Northern Ireland is included in our amendment as a condition for receipt of any of the U.S. taxpayer contributions to the International Fund for Ireland.

This amendment, which we introduced today, incorporates all of the changes we have made in the MacBride principles; in other words, the principles of economic justice as defined and passed by the last Congress is part of the U.S. contribution to the IFI in the foreign aid bill.

We must treat equally those who would receive any United States foreign assistance the very same as we do for many United States employers doing business in Northern Ireland,

where today many of these firms voluntarily comply with the MacBride fair employment principles.

Much more still needs to be done to address the serious continuing problem of discrimination in Northern Ireland, where Catholics are still twice as likely to be unemployed as their Protestant counterparts. This is unfair. It must change if lasting peace and justice are ever to take hold in Northern Ireland.

As a candidate, Mr. Clinton pledged during the 1992 campaign that he would support the MacBride principles. They have been passed into law in all 16 States, including our own State of New York, and American cities and towns have also passed similar resolutions. We must do more to codify these principles in the law this year.

Accordingly, Mr. Chairman, I urge all of our colleagues concerned about lasting peace and justice in Northern Ireland to support the amendment we are introducing today.

Mr. Chairman, I include for the RECORD a letter from the Irish National Caucus in support of this initiative.

The letter referred to is as follows:

IRISH NATIONAL CAUCUS, INC.,
Washington, DC, May 12, 1997.

Hon. BEN GILMAN,
Chairman, House International Relations Committee, U.S. House of Representatives, Washington, DC.

DEAR CHAIRMAN GILMAN: We, the undersigned leaders of Irish-American organizations, support the linking of the MacBride Principles of economic justice to the International Fund for Ireland as contained in HR 1486.

Attaching the MacBride Principles to foreign aid to Northern Ireland will help to guarantee that hard earned tax-payer's money will not be used to subsidize sectarian discrimination in Northern Ireland.

The MacBride Principles have proven to be the most effective response to anti-Catholic discrimination in Northern Ireland, and the Principles enjoy massive support in the Irish-American community.

Proof that the MacBride Principles are still needed was provided by the recent example of anti-Catholic discrimination in the office of Baroness Denton, the British Minister formerly responsible for fair employment laws in Northern Ireland.

We thank you, Chairman Gilman, for your long and consistent leadership for justice and peace in Ireland.

Sincerely,

Edward J. Wallace, National President, AOH; Francis Hoare, Chairman, Brehon Law Society; Jean Forest, U.S. Voice for Human Rights in Northern Ireland; Edmund Lynch, Chairman, Lawyers National Alliance for Justice in Ireland; Andrew Somers, President, Irish-American Unity Conference; Kathleen Holmes, Chairwoman, American Irish Congress; James V. Mullin, Irish Famine Curriculum Committee; John McPhillips, President, Clan Na Gael; Paul Doris, Chairman, Irish Northern Aid Committee; Fr. Sean McManus, President, Irish National Caucus; Dennis E.A. Lynch, General Counsel, Hibernian Civil Rights Coalition; Frank Durkan, Americans for a new Irish Agenda.

□ 1715

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

I rise in opposition to this amendment. I, of course, realize the popularity of the amendment but I do think it is important to state the other view. I am not exactly alone in my opposition to this amendment.

The Irish Government has opposed this amendment. They have a new government today, of course, and they have not yet spoken so far as I know. The British Government has opposed this amendment. They, too, have a new government. I am not sure exactly how they feel about MacBride principles, but the British Government has opposed it in the past. And the U.S. Government opposes this amendment.

All of us in this Chamber support fair employment and nondiscrimination in the workplace in Northern Ireland and elsewhere, but I think we have to be very careful about putting layers of red tape into an assistance program. We need to be very careful about imposing conditions that will work at cross-purposes with our shared goals. The investment experts have said to us that mandating conditionality on U.S. assistance to the IFI will have the effect of hindering international investment in the region.

Listen to the words of John Hume; there is not anybody more respected in this Chamber on the Irish question than John Hume. What does he say? I quote him: ''If you really want to help us, then encourage investment in areas of high unemployment in Northern Ireland. That is a positive thing to do. The effect of the MacBride principles campaign, whether people like to admit it or not, is to stop investment coming in and that is bad for us.''

Now, I suspect most Members in this body do not support affirmative action programs in the United States with all kinds of mandatory requirements. I do not know why they would want to try to legislate affirmative action in another country, but that is precisely what this amendment tries to do. Moreover, I think the amendment is not needed. All enterprises in Northern Ireland must already conform to the United Kindom Fair Employment Act of 1989, which imposes one of the strongest and most comprehensive antidiscriminatory sets of regulations in Europe. Likewise, they must comply with the very elaborate regulations of the European Union.

The IFI board oversees the allocation of all IFI funds. They already rigorously promote fair employment practices and economic development in disadvantaged communities in Northern Ireland. They evaluate each project to ensure that it does not discriminate and funding is specifically targeted to minority and disadvantaged areas.

I believe a better way to proceed here is to preserve support for the IFI, to have confidence in them, to have confidence in the governments that are involved, including our own, and their goals of promoting fair employment practices in Northern Ireland.

We should not be legislating intrusive conditions which are opposed even by these governments and which others could criticize as going beyond U.S. law with respect to affirmative action.

I urge a vote against this amendment.

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

Mr. ENGEL. Mr. Chairman, may I ask how much time remains?

The CHAIRMAN pro tempore (Mr. EWING). The gentleman from New York [Mr. ENGEL] has 1½ minutes remaining.

Mr. ENGEL. Mr. Chairman, I yield 1 minute and 10 seconds to the gentleman from New York [Mr. MANTON].

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

Mr. MANTON. Mr. Chairman, I rise today to support the amendment offered by my good friend and colleague, the gentleman from New York [Mr. GILMAN], chairman of the Committee on International Relations. The chairman's commitment to the peace process in the north of Ireland has made him an integral part of the Congressional Ad Hoc Committee for Irish Affairs.

At the same time I also want to acknowledge the deep commitment to fair employment legislation and to the peaceful resolution of the conflict in the north of Ireland by another friend and colleague, the gentleman from New York [Mr. ENGEL].

Mr. Chairman, with the election of the new government in Ireland and the United Kingdom and the continued leadership of Senator Mitchell and the Clinton administration, the possibility for a genuine peace process is finally becoming a reality.

The International Fund for Ireland is designed to stimulate job creation and is an integral facet of the peace process. The support of the United States has a tangible effect of contributing to the search for lasting peace by giving the chronic unemployed, the underemployed, a stake in society, thereby drying up the pond that extremism can swim in.

Mr. Chairman, Catholic males are 2½ times more likely to be unemployed than their counterparts from the other tradition. My support of this amendment is driven by a desire to raise the standard of living of those who have experienced chronic generational unemployment from both communities. I urge the passage of this bill, which is akin to the Sullivan principles that took the moral high ground in South Africa.

Mr. ENGEL. Mr. Chairman, I yield the balance of my time to the gentleman from Massachusetts [Mr. KENNEDY].

Mr. WEXLER. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. KENNEDY].

The CHAIRMAN pro tempore. The gentleman from Massachusetts [Mr.

KENNEDY] is recognized for 1 minute and 20 seconds.

(Mr. KENNEDY of Massachusetts asked and was given permission to revise and extend his remarks.)

Mr. KENNEDY of Massachusetts. Mr. Chairman, I rise in strong support of the amendment by the gentleman from New York [Mr. GILMAN] to this legislation. I think that the gentlemen from New York, [Mr. GILMAN], [Mr. MANTON], and [Mr. ENGEL], and others ought to be congratulated for the leadership that others like the gentleman from New York, [Mr. KING] and the like have shown in trying to make certain that we eliminate the kind of terrible discrimination against Catholics that has existed in the north of Ireland.

I was interested to hear the ranking member describe the fact that there are provisions under the existing laws in Great Britain to protect against employment discrimination. Those protections are simply a sham. The truth of the matter is, all they do is allow people to understand that there is a job available. They do nothing about guaranteeing the fact that Catholics can get those jobs.

There has been traditionally a terrible unemployment rate, in some communities as high as 90 percent for generation after generation because of employment discrimination that has existed. All this legislation would call for is that when funds are available from this country to Northern Ireland and to the border communities, that they in fact cannot discriminate against the Catholic minority in the north of Ireland. It is sound legislation, it is the right legislation, and it is the moral and correct thing to do. I congratulate the gentleman from New York [Mr. GILMAN], for his foresight in pursuing this legislation.

Mr. WEXLER. Mr. Chairman, I yield the balance of my time to the gentleman from New York [Mr. ENGEL].

The CHAIRMAN pro tempore. The gentleman from New York [Mr. ENGEL] is recognized for 30 seconds.

Mr. ENGEL. Mr. Chairman, I yield to the gentleman from New York [Mr. KING].

Mr. KING. Mr. Chairman, I rise in support of the Engel-Gilman amendment. I commend them for their efforts.

Mr. Chairman, the Irish peace process is right now at a very defining moment. One of the main causes of violence over the years has been the systematic discrimination against the nationalist community. If American money is going to the north of Ireland for the Fund for Ireland, it is essential that discrimination not be allowed, that systematic discrimination be rooted out and uprooted. It is only then that we can have real peace in Ireland. It is essential that the United States stand by the absolute commitment to peace and justice, and also to ensure that no systematic state-sponsored discrimination be allowed in the north of Ireland.

Mr. SMITH of New Jersey. Mr. Chairman, I ask unanimous consent to proceed for an additional 30 seconds.

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

There was no objection.

The CHAIRMAN pro tempore. The gentleman from New Jersey [Mr. SMITH] is recognized for 30 seconds.

(Mr. SMITH of New Jersey asked and was given permission to revise and extend his remarks.)

Mr. SMITH of New Jersey. Mr. Chairman, I rise in very strong support of the Engel-Gilman amendment to link United States contributions to the international fund for Ireland to these very important MacBride principles, principles we passed as part of H.R. 1561 last year.

I want to remind Members that when the President vetoed H.R. 1651 last year he went out of his way in a letter to Brian Atwood, the administrator of AID, to say that he is committed to fair employment principles for Catholics in the north of Ireland. The President went on to say that he vetoed that bill for reasons unrelated to the section dealing with the MacBride principles. So while today, the administration may put out language suggesting they are against this provision, in his August 1996 letter to Brian Atwood, the President himself said he was for the MacBride principles.

This is a very important fair employment piece of legislation.

Astonishingly, job discrimination against Catholics in the north of Ireland is the status quo. Consider these facts. Out of the 87,000 children below the poverty line, 58,000, or 66 percent, are Catholic. In Northern Ireland, over 42 percent of Catholic men are unemployed compared to 25 percent of their Protestant colleagues. According to the most recent Labor Force Survey, 55 percent of the unemployed are Catholics, even though they comprise 38 percent of the population over the age of 16.

United States support to the IFI is intended to help mitigate the social and economic problems that contribute to the civil unrest in Northern Ireland. People cannot come to a lasting peace agreement if they are the subject of ongoing, systematic, disparaging discrimination. The MacBride principles, which would eliminate religious-based discrimination in employment and job training, are modest and will go a long way to foster peace and justice in Northern Ireland. At least 16 States—including my home State of New Jersey—and more than 30 U.S. cities have adopted the MacBride principles. Similarly, the Federal Government should adopt this code and ensure that U.S. taxpayer funds do not go to subsidize discrimination in the work force.

Human rights abuses are far-reaching in the north of Ireland. Juryless Diplock courts, ill-treatment of individuals in detention, lack of access to attorneys, search and seizure abuses, sectarian use of plastic bullets, and religious discrimination are common human rights abuses in Northern Ireland. Linking our financial contributions to the IFI to the MacBride principles is a small step in addressing just one of the many human rights abuses that need to be eliminated in order for a lasting and just peace to be achieved in that region.

I wholeheartedly support the amendment and urge its adoption.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from New York [Mr. ENGEL].

The amendment was agreed to.

The CHAIRMAN pro tempore. Are there further amendments?

AMENDMENT OFFERED BY MS. SLAUGHTER

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

The Clerk read as follows:

Amendment offered by Ms. SLAUGHTER:

At the end of title XVIII insert the following new section:

SEC. 1712. SENSE OF CONGRESS REGARDING ASSISTANCE TO LITHUANIA AND LATVIA.

It is the sense of the United States House of Representatives that—

(1) adequate assistance should be provided to Lithuania and Latvia in fiscal year 1998;

(2) assistance to Lithuania should be continued beyond fiscal year 1998 as it continues to build democratic and free market institutions; and

(3) the President should consider continuing assistance to Latvia beyond fiscal year 1998, as appropriate, to build democratic and free market institutions.

The CHAIRMAN pro tempore. Pursuant to the order of the House of June 5, 1997, the gentlewoman from New York [Ms. SLAUGHTER] and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York [Ms. SLAUGHTER].

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

My amendment is very straightforward. It just expresses the sense of Congress that foreign aid to the Baltic states of Latvia and Lithuania should be provided in the fiscal year 1998 and beyond for Lithuania. It also states that Latvia should continue to receive aid as the President determines it necessary. This amendment supports these nations as they continue to evolve toward a free market economy and develop democratic institutions.

On behalf of all the Latvian and Lithuanian Americans who have made this country their home, I am pleased to offer this amendment. Since gaining their independence from the former Soviet Union earlier this decade, Latvia and Lithuania have both made important strides towards democracy and the removal of the shackles of oppressive communism. Lithuania and Latvia have a long, proud history and have struggled valiantly against forces on all sides of their borders, forces that would suppress their freedom in demanding the Soviet troops be removed from their soil and that the Baltic states be granted independence.

In 1990, pro-independence forces were able to win a majority in parliamentary elections in Lithuania. Despite an attempted coup by Soviet soldiers, Lithuania and the other Baltic states were able to gain their independence.

Last fall, Mr. Chairman, national elections brought reform forces back into the Parliament following a collapse of the private banking sector and the ensuing Government crisis.

Despite this renewed democratic reform, the State Department made a curious decision to end the aid program to the Lithuania through the Support for the Eastern European Democracies or the SEED Program as reflected in the President's budget request, this in spite of the fact that USAID's in-country mission, the U.S. Embassy and nongovernment at organizations such as the Lithuanian-American community all support continued aid to Lithuania at this time.

The reasons for aid are clear. Continued threats to safety and stability by organized crime in Lithuania are a serious concern. The previous government failed to place walls between the Government and private interests, resulting in corruption and one of the reasons for its fall from power.

The people of Lithuania responded democratically to these problems by voting in a new reform Government. The new reform Government is trying to adopt anticorruption legislation and is in critical need of technical experts to assist them. Without our aid, this will not be possible. In addition, there is a continued need for technical experts to assist with the reorganization and privatization of the energy sector. Again, our aid is critical.

Mr. Chairman, Lithuania and Latvia have proven to be our allies and our friends. They have requested an invitation to join NATO at the earliest possible date, a request which Congress may soon grant them.

□ 1730

Should we not continue assisting Lithuania and Latvia at this important moment in their history?

Mr. Chairman, I urge the House to support this amendment of continued support to Lithuania and Latvia in fiscal year 1998, and Lithuania beyond, as they continue to build democratic free market institutions.

Mr. GILMAN. Mr. Chairman, will the gentlewoman yield?

Ms. SLAUGHTER. I yield to the gentleman from New York.

Mr. GILMAN. Mr. Chairman, I thank the gentlewoman for yielding, and I rise in support of the amendment offered by our good colleague from New York.

The amendment is not an earmark, it is simply an encouragement to the President to make certain that our aid to Lithuania and Latvia is going to be adequate enough to support necessary political and economic reforms in those two Baltic States. Accordingly, Mr. Chairman, I urge the adoption of the amendment.

Ms. SLAUGHTER. Mr. Chairman, reclaiming my time, I thank the gentleman very much.

Mr. WEXLER. Mr. Chairman, will the gentlewoman yield?

Ms. SLAUGHTER. I yield to the gentleman from Florida.

Mr. WEXLER. Mr. Chairman, I rise in support of the amendment. It is an appropriate expression of congressional support for United States assistance programs in support of democratic and free market reform in Latvia and Lithuania. I simply just urge very strong support for the Slaughter amendment.

The CHAIRMAN pro tempore (Mr. EWING). The question is on the amendment offered by the gentlewoman from New York [Ms. SLAUGHTER].

The amendment was agreed to.

AMENDMENT OFFERED BY MS. MCKINNEY

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

The CHAIRMAN pro tempore. Is the amendment one of those specifically listed in the order of the House of June 5, 1997?

Ms. MCKINNEY. Yes, Mr. Chairman, it is.

The CHAIRMAN pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Ms. MCKINNEY:

At the end of the bill add the following (and conform the table of contents accordingly):

DIVISION C—ARMS TRANSFERS CODE OF CONDUCT

TITLE XX—ARMS TRANSFERS CODE OF CONDUCT

SEC. 2001. SHORT TITLE.

This title may be cited as the ''Code of Conduct on Arms Transfers Act of 1997''.

SEC. 2002. 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 30 major armed conflicts in progress during 1995.

(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 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 $840,000,000,000 that all countries spend on armed forces every year, $191,000,000,000 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 United States supplies more conventional weapons to developing countries than all other countries combined, averaging $11,889,000,000 a year in agreements to supply such weapons to developing countries for the six years since the end of the cold war, 58 percent higher than the $7,515,000,000 a year in such agreements for the six years prior to the dissolution of the Soviet Union.

(8) Since the end of the cold war, 84 percent of United States arms transfers have been 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 and 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. 2003. PURPOSE.

The purpose of this title 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. 2004. 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, 1998, 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 law 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 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.—

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

(A) subject to paragraph (2), 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 transfers to such government; or

(B) 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 transfers to such government.

(2) DISAPPROVAL.—A request for an exemption to provide military assistance and arms transfers to a foreign government shall not take effect, or shall cease to be effective, if a law is enacted disapproving such request.

(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)(A) 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, when, in his determination, it is not contrary to the national interest to do so, shall submit to the Congress at the earliest possible date reports containing determinations with respect to emergencies under subsection (c)(1)(B). 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. 2005. 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 2004(a);

(2) all requests for exemptions submitted under section 2004(c)(1)(A); and

(3) all determinations with respect to emergencies under section 2004(c)(1)(B).

SEC. 2006. UNITED STATES MILITARY ASSISTANCE AND ARMS TRANSFERS DEFINED.

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

(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 pro tempore. Is there objection to the request of the gentlewoman from Georgia?

There was no objection.

Ms. MCKINNEY. Mr. Chairman, I ask unanimous consent that I be recognized for 8 minutes.

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

There was no objection.

Ms. MCKINNEY. Mr. Chairman, I am very proud to offer the McKinney-Rohrabacher amendment, which I believe is a significant enhancement to the legislation we are now considering, the State Department authorization bill.

This is no longer a controversial amendment. Significant compromise and change have been incorporated into this new version of the Arms Trade Code of Conduct that I am introducing today. In the first version of the bill, the President would certify countries at the beginning of each fiscal year that comply with the code of conduct. If the President wanted to sell weapons to a noncomplying government, then the President would have to come to Congress requesting an exemption and have that exemption approved by a vote in Congress.

The administration and some Members of Congress felt this gave too much authority to Congress and deprived the President of his ability to make foreign policy. In the spirit of compromise, we have stripped the original bill of this language and now all that remains are the underlying values that motivated this bill in the first place, and that is that the United States ought not be in the business of supplying weapons to dictators.

Gone is the automatic trigger that some objected to. And so now the piece of legislation before us asks us to make the fundamental assertion of what we stand for in the world and whose side we are on. Is it that the United States of America that speaks eloquently on the subject of respect for human rights and democracy and democratic traditions is only paying lip service to these ideals when confronted with a hungry client wanting our advanced technology only to enhance their ability to torture and abuse their own population? Or do we stand with those people around the world who are victims of the world's tyrants, who have no voice in the international arena and who only have the conscience of the world to help them?

This legislation helps to give the United States a conscience for the leaders around the world who do not have one. This legislation helps to give a voice to those people around the world who cannot speak out in their own countries. And finally, this legislation puts the international behavior of the United States in sync with our words, our beliefs, and our fundamental values.

The initial opponents of this bill did us a favor, really, by asking us to remove and cut certain sections of the bill, because what is left is the fundamental answer to the question, ''Will we sell weapons to dictators?''

This bill is no longer about Presidential prerogatives being impinged on. This bill is no longer about too much congressional authority in the area of foreign policy-making. This bill is simply about whether we will apply the standards to our guns and tanks and missiles and bombs that we apply to computers and chemicals.

In this country, even a car is considered a lethal weapon, and we apply certain standards on who can operate a car. So getting a driver's license and keeping that license subjects us all to certain competency requirements, certain standards. If we lose our license, then we fail to meet the requirements for operating the car. Do we not consider it important who purchases our rifles, tanks, guns, and bullets? We even have laws that govern and restrict the flow of certain information and knowledge. Should we not at least be concerned about who gets our weapons that kill people?

At home, after much struggle, we have come up with standards on who can buy a gun. Convicted felons and the mentally ill cannot buy guns legally in this country. Thank goodness we were able to pass the Brady bill so that we could stop certain purchases of guns. Passing the Brady bill was done, though, only after the unreasonableness and extremism of the NRA was demonstrated to the American public.

Unfortunately, the code of conduct has its own equivalent to the NRA which, I believe, is not only extreme but also reckless in its disregard of what happens when these weapons are delivered to our dictator clients.

In 1964, the United States made a decision to support Mobutu Sese Seko, who became a tyrant and a dictator to the people of Zaire. Over the course of the decades of our support for his dictatorship, we shipped almost $170 million of weapons to him. We provided $18 million of training to the military; 1,356 officers, virtually the entire Zairian officer corps, received officer training. A total of $187 million of U.S. military aid went to Zaire.

What was that aid? 2,500 riot control kits; 2,000 military vehicles for crowd control; 2,000 rifles; $2 million worth of ammunition, and 24 military aircraft.

What we gave Mobutu was not military assistance to defend his country from outside intervention. What we gave to Mobutu was the means to control dissent and demonstrations. What we gave Mobutu was the means to control his own population and hence, to keep himself in power. As a result, we are complicit in how he used his military, trained and supplied by us.

This is the kind of end use that concerns us. This is the kind of end use that compelled Dr. Arias and four other Nobel Peace Prize winners to come together 2 weeks ago in New York to declare their support for the code of conduct. Dr. Oscar Arias brought together Jorge Ramos-Horta of East Timor, Betty Williams of Northern Ireland, His Excellency the Dalai Lama of Tibet, and our own Elie Wiesel. Organizations that have won the Noble Peace Prize were also represented at this press conference: Amnesty International, the American Friends Service Committee, and the International Physicians for the Prevention of Nuclear War. Dr. Arias also had letters of support from Archbishop Desmond Tutu, Lech Walesa, and several others who were not able to attend. The gentleman from New York [Mr. GILMAN] attended the press conference and was moved to a standing ovation after the remarks of Elie Wiesel.

So, people who have been recognized in the international community for their dedication to peace have come together to say that this legislation is necessary. How will history record those who do not support this legislation?

Member states of the European Union have already agreed to eight common criteria governing their own arms transfers. There is growing support for European Union-wide code of conduct among all of Europe's governments. Germany, Sweden, The Netherlands, Belgium, and Ireland are all leading this fight. But the boldest steps have been taken by Tony Blair's Britain. The New Labour Government has declared that centrality of human rights in its weapons sales is central to its decisions.

So we are not alone, those of us who want the United States to stand on the opposite side of whatever dictator is there with ready cash for our guns and bullets. History teaches us that those weapons do not end up in a remote depot, they end up either intimidating or ''in'' people who want a better way of life and who dare to say so; who want freedom of expression and who dare to act; who want to live in a democracy as we do in this country and who dare to confront tyranny.

We are not alone at home either, even in this administration. The recently-confirmed CIA director, George Tenet, on May 6, 1997, at a session of the Senate Select Committee on Intelligence, said the following:

''But the proliferation issue—and particularly the proliferation of ballistic missiles—and conventional weapons—we often ignore what the proliferation of conventional weapons means for U.S. forces—this issue is probably the greatest threat to U.S. forces and our men and women who deploy overseas than any other'' issue.

The CHAIRMAN. The time of the gentlewoman from Georgia [Ms. MCKINNEY] has expired.

(By unanimous consent, Ms. MCKINNEY was allowed to proceed for 30 additional seconds.)

Ms. MCKINNEY. Mr. Chairman, I cannot say it any better than our CIA director. The issue before the Congress today is a national security issue and a moral issue. Seldom are we given such a stark opportunity to be on the right side of both issues. The Arms Trade Code of Conduct is just such an opportunity.

I ask my colleagues to vote for this amendment and let us be known by the values we espouse and not the weapons of oppression that we supply.

Mr. Chairman, U.S. weapons are currently being used in 39 of the world's current 42 ethnic and territorial conflicts.

In the past 4 years, 85 percent of U.S. arms sales to the Third World have gone to undemocratic governments. The United States is responsible for 44 percent of all weapons deliveries in the world. The United States is unqualifiedly the arms dealer to the world, and the merchant for death to the world's dictators.

Language requiring Congress to approve an arms sale to a dictator before it's been made has been modified to give the President an automatic waiver for national security purposes which Congress could block after extensive debate.

A total of 453 American soldiers have been killed by armies strengthened by our own weapons and military training: Iraq, Saddam Hussein; Panama, Manuel Noriega; Somalia, Siad Barre, and Haiti, the Duvalier family.

In fiscal year 1994 $7 billion of taxpayer money went to subsidize U.S. arms exports. In fiscal year 1995, that figure jumped to $7.6 billion. After agricultural price supports, this represents the largest subsidy program for business in the entire Federal budget—Welfare for Weapons dealers.

Our Government employs nearly 6,500 full time personnel to promote and service foreign arms sales by U.S. companies.

U.S. subsidies for arms transfers are scheduled to increase. The international market for U.S. arms is estimated to be around $12 to $16 billion per year. Therefore, our foreign customers aren't even paying for the weapons that they get. And more than half of U.S. weapons sales will be paid for by the U.S. taxpayers.

In 1995, subsidies for arms exports accounted for over 50 percent of U.S. bilateral aid and more than 39 percent of total U.S. foreign aid. the emphasis on promoting weapons exports has come at the expense of programs designed to promote economic development and social welfare in these recipient nations. I'd much rather see us exporting tractors and seeds to dictators than guns and bullets.

The American arms trade policy is killing our citizens, destroying worldwide democracy, and sending us spiraling down a path of economic ruin.

President Dwight D. Eisenhower said, ''There can be no peace without law. And there can be no law if we were to invoke one code of international conduct for those who oppose us and another for our friends.'' We must help to stop the arms trade boomerang. Over 300 organizations support the No Arms to Dictators Code of Conduct. Among these organizations are: Vietnam Veterans Of America Foundation, Young Women's Christian Association—the YMCA—of America, and Bread of the World, and organizations of the Presbyterian, Lutheran, and Roman Catholic churches.

I would like to thank the hundreds of volunteers who have put thousands of hours into making the U.S. Code of Conduct our law.

Each of us must be concerned about what happens when we sell weapons to dictators.

I urge my colleagues to support the Arms Trade Code of Conduct.

Mr. SMITH of New Jersey. Mr. Chairman, I rise in support of the amendment, the Arms Transfer Code of Conduct, and it 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 brutalize their own people.

The code of conduct would make it clear that in the 21st century the United States of America intends not just to be a military and economic superpower but a moral superpower as well. It signals an end to business as usual for human rights violators.

Mr. Chairman, two-thirds of all of our foreign military sales go to countries described by the State Department Country Reports on Human

Rights Practices as human rights violators with undemocratic governments.

Mr. Chairman, a few years ago I made a trip to Croatia when it was under siege. The gentleman from Virginia, [Mr. WOLF], and I visited a city that was literally surrounded by tanks and by military, a place called Vukovar. Vukovar was finally leveled, but while we were there we saw the bomb casings and we saw the 500-pound bombs that were dropped. And I will never forget taking pictures of these bomb casings that had U.S. markings all over them.

I will never forget also talking to President Milosevic and trying to ask him to stop that carnage that was going on in Croatia. Later on it was rolled out to Bosnia. Much of their military capability came from the United States and then was used in a slaughterhouse fashion against people who were unarmed, women and children and men who were civilians.

Mr. Chairman, the code of conduct is not a threat to U.S. national security. It contains a provision for an emergency waiver that would allow the President to transfer arms to a country that does not meet the code's criteria if U.S. national security really did require such a transfer, and it provides for an orderly process for Congress to consider other exceptions of nonemergency nature.

Mr. Chairman, year after year in human rights hearings in the Subcommittee on International Operations and Human Rights, which I now chair, we hear there is a disconnect in U.S. foreign policy between human rights and other considerations. Amnesty International put it best when it said about this administration's human rights policy, that ''Human rights is an island off the mainland of U.S. foreign policy.'' This amendment is a step toward closing the circle, connecting things that ought to be connected.

We must tell the world that freedom and democracy do matter. A good way to begin is by telling the world that the United States will not put deadly weapons into the hands of the enemies of freedom and democracy.

Mr. Chairman, I want to congratulate the gentlewoman from Georgia, [Ms. MCKINNEY], and the gentleman from California, [Mr. ROHRABACHER], for their good work in crafting this amendment, and again I rise in very strong support of it.

□ 1745

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

First of all, I would like to congratulate the gentlewoman from Georgia [Ms. MCKINNEY] on fighting the leadership on this issue. This is not a left-wing issue. This is not a right-wing issue. I am very proud to be here today to stand with CYNTHIA MCKINNEY and all the rest of my colleagues who support this moral code of conduct for the United States of America.

In the post-cold war, the code of conduct is totally consistent with America's traditions and America's principles. In the long-term, it will not only serve the interest of human freedom, but it will also serve our national security and international stability requirements as well.

During the cold war, compromises were necessary. These were compromises that we had to make with nondemocratic regimes because we were defending against even larger gangsters and thugs who wanted to destroy the United States of America and the free world. Today, we should stand for freedom and democracy and we should insist that this be a basis for any relation that we have with other countries and other governments.

I served Ronald Reagan in the White House, who altered a fundamental tactic that was being used during the cold war. Before Ronald Reagan, the U.S. Government was always anti-Communist. But during Ronald Reagan's term of office, he changed our position to being profreedom. Today we should continue Ronald Reagan's successful profreedom policy by pulling back from shipping arms to dictatorships and making sure that we are on the side of the people rather than on the side of the oppressors in those countries where dictatorships exist. This will be in the long-term interest of the United States.

This was, in this policy that Ronald Reagan articulated during the 1980's, is what ended the cold war. It was not the fact that we had more missiles and more guns, although we did increase our weapons. It was the fact that America began to realistically and seriously talk about the promotion of democracy in the world. And in the end, the people who lived under tyranny hammered away at their walls and pulled those walls down and united themselves with the good and decent and democratic countries of the world.

This amendment will in fact strengthen American foreign policy by empowering our diplomats to tell the military dictators that they should liberalize their policies, respect human rights, and join the family of democratic nations, or we will not be their friend and we will not provide them weapons to repress their own people.

What does selling weapons to dictatorships really mean? It means that we will give weapons to people who thwart democratic elections, oppress their people, and then we will expect their people to pay us back. Well, is that not something to be proud of. That is something we can no longer accept in the United States of America. The cold war is over. It is time for us to have a new code of conduct that puts democracy and human rights ahead of a fast buck in selling weapons to the dictators around the world who repress people and violate the very principles which this country is supposed to be all about.

What will the people of the world think about us if we adopt this kind of type of code of conduct? Well, they will know that we are on their side and not the side of the thugs and gangsters who hold power in too much of the world today.

Our Founding Fathers believed that America would be and should be the beacon of liberty, of hope and justice to the whole world. That was our strength. That is what the Founding Fathers believed in. That is what America is supposed to be all about. It is not that we are the toughest guy in the world and have the most weapons, but we can count on the friendship of good and decent people all over the world. That is where America's strength is. That is the type of world we are trying to build. America's strength was not in that we were allied with dictatorships.

Let me note that on this floor we have two pictures. We have George Washington over here and we have the Marquis D'Lafayette here. Why do we have a picture of a foreigner on the floor of Congress? This was a man who came to the United States before there was a United States. He stood for the principles of freedom and democracy and helped us win our battle against the most oppressive, imperialistic power of the day, Great Britain.

We do not want to betray our Founding Fathers today and side with the oppressors of the world, the people who would use weapons to oppress their own people and stifle democratic institutions. If we do, if this is our policy now that the cold war is over, I can assure my colleagues that if we look at George Washington, the father of our country, and if we look very closely into the eyes of Lafayette, that we will see a tear because they will know that we are no longer the American people that they thought we would be.

So I stand here today with people who only years ago were my adversaries on many issues.

The CHAIRMAN pro tempore [Mr. EWING]. The time of the gentleman from California [Mr. ROHRABACHER] has expired.

(By unanimous consent, Mr. ROHRABACHER was allowed to proceed for 30 additional seconds.)

Mr. ROHRABACHER. Mr. Chairman, I would just say that I am very proud to stand with the gentlewoman from Georgia [Ms. MCKINNEY], the gentleman from California [Mr. DELLUMS], very proud to stand with the gentleman from New Jersey [Mr. SMITH], and people on both sides of the aisle, who are saying that through this code of conduct, this is the way America will be strong, this is the way we will live up to what our Founding Fathers wanted us to be, and it is a bipartisan issue, and together we are standing for the true and democratic principles that our Founding Fathers believed in.

I thank the gentlewoman from Georgia.

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

I yield to the gentlewoman from California [Ms. PELOSI].

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

Ms. PELOSI. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in support of the new code of conduct for weapons sales, and I commend the gentlewoman from Georgia [Ms. MCKINNEY] for exceptional leadership on this, as well as the gentleman from California [Mr. ROHRABACHER] for his, as well.

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

Mr. DELLUMS. I yield to the gentleman from Massachusetts.

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

Mr. MCGOVERN. Mr. Chairman, I thank the gentleman for yielding. I rise in support of the McKinney amendment.

Mr. Chairman I rise today in support of the amendment offered by the gentlelady from Georgia [Ms. MCKINNEY]. I want to thank her for the leadership she has taken on this very important issue to establish a code of conduct on U.S. arms transfers.

Mr. Chairman, the United States is the *world's undisputed political leader.* We are *also the undisputed* leader in *arms exports*, shipping more arms abroad than all other countries combined. If we are to set a standard that establishes a pro-democracy, pro-human rights criteria for arms transfers, U.S. leadership is crucial. If the United States sets *a* standard, then our Government can challenge others to adhere to similar standards. When the United States has led the way in the past—such as in the control of ballistic missiles—other nations soon followed.

Simply put, Mr. Chairman, this code of conduct would declare, clearly and unambiguously, that the United States will no longer play the dangerous game of putting dangerous weapons in the hands of dangerous governments. The United States will no longer fuel regional arms races. And the United States will no longer be associated with repression and international weapons proliferation.

The code of conduct that would be established by approving this amendment is very simple. For a country to be eligible to receive U.S. weapons, they must meet four criteria. They must: First, be a democratic form of government; second, respect the basic human rights of their citizens; third, refrain from aggression against other nations; and fourth, fully participate in the U.N. Register of Conventional Arms. These criteria are all primary tenets of U.S. past and present foreign policy. The President may exempt a country from this criteria and the Congress would need to affirm that decision. Over 100 national organizations in the United States support this code of conduct.

A Commission of Nobel Peace Laureates, made up of 16 Nobel Peace Prize winners, have called for an international code of conduct on arms transfers. This commission includes such individuals as Oscar Arias, the former President of Costa Rica; the Dalai Lama; Jose Ramos-Horta from East Timor; Lech Walesa of Poland; Archbishop Desmond Tutu from South Africa; Holocaust survivor and author Elie Wiesel; Mairead Maguire, the champion of peace in Northern Ireland; Rigoberta Menchu, Mayan Indian and human rights advocate from Guatemala; human rights and development champion, Adolofo Perez Esquivel of Argentina; Amnesty International; the American Friends Service Committee; the International Physicians for the Prevention of Nuclear War; and several others.

Certainly the United States should be the leader on such an important international policy.

Yet for some reason, the United States has abrogated its responsibility to be the world leader on this issue. Instead, of the countries that comprise 80 percent of the world's arms exports, only France and the United States remain uncommitted to a policy of denying arms to dictators and human rights abusers. When the Labour Party won the recent elections in Great Britain, they immediately declared that the ''Labour Government will not issue export licences for the sale of arms to regimes that might use them for internal repression or international aggression, nor permit the sale of weapons in circumstances where this might intensify or prolong existing armed conflicts or where these weapons might be used to abuse human rights.'' They also pledged that the British Government will now work for the introduction of a European code of conduct to govern arms exports from all the European Union member states.

Mr. Chairman, the time has come for the United States to establish a code of conduct. I urge my colleagues to vote in support of the McKinney amendment.

Mr. Chairman, I enter into the RECORD the Labour Government's policy on a responsible arms trade along with information on the positions of other European leaders on this issue.

LABOUR'S POLICY PLEDGES FOR A RESPONSIBLE ARMS TRADE

EIGHT STEPS TO STOP THE ARMS-TO-IRAQ SCANDAL HAPPENING AGAIN

1. A Labour Government will not issue export licences for the sale of arms to regimes that might use them for internal repression or international aggression, nor will we permit the sale of weapons in circumstances where this might intensify or prolong existing armed conflicts or where these weapons might be used to abuse human rights.

2. Labour will increase transparency and introduce more stringent controls over the export of defence equipment in line with recommendations of the Scott Report. We will therefore publish an annual report on UK strategic exports. The report will set out the state of export controls and report on their application. It will set out the total value of defence exports to each country, list by country of destination the number of items delivered in each equipment category and give details of all export licences granted and refused. It will be expected that the Foreign, Defence and Trade and Industry Select Committees will wish to examine the annual report which in turn may pave the way for a parliamentary debate.

3. Labour will press for a European Register of Arms Exports which will provide at a European level the information that Britain will make available in the annual report.

4. Labour will work to strengthen the UN Conventional Arms Register encouraging greater disclosure of information on arms exports and arms transfers by all countries and extending it to include other categories of weapons such as small arms.

5. Labour will work for the introduction of a European Code of Conduct setting high common standards to govern arms exports from all European Union member states.

6. Labour will prevent British companies from manufacturing, selling or procuring equipment, such as electric shock batons, designed primarily for torture and we will press for a global ban.

7. Labour will ban the import, export, transfer and manufacture of all forms of anti-personnel land mines and their component parts and we will introduce an immediate moratorium on their use. We will also press internationally for more rapid progress in demining operations.

8. The Scott Inquiry Report demonstrated the extent of ''diversionary routes'' used by Iraq to acquire defence equipment through third countries using false end-user certificates. Labour will strengthen monitoring of the end-use of defence exports to prevent diversion to third countries and to ensure that exported equipment is used only on the conditions under which the export licence has been granted. We will also seek cooperation to build a common approach on effective monitoring of end-use within the European Union and under the Wassenar Arrangement.

EUROPEAN PARLIAMENT,
MEMBER OF THE EUROPEAN PARLIAMENT,
May 9, 1997.

DEAR REPRESENTATIVE: We understand that the House of Representatives will be voting on the US Code of Conduct on Arms Transfers which will be offered as an amendment to the Fiscal Year 1998–99 Foreign Aid and State Department Authorisation Bill (HR 1486). We look forward to Congress taking a lead on this vitally important issue.

There are important opportunities this year for the European Union and the United States to coordinate the establishment of similar controls on the arms trade. Previously no country has been willing to take significant unilateral steps towards control, fearing the loss of export markets to competitors. It is, therefore, vital that the US and the EU, as the world's leading suppliers, act together to implement restraint.

Within the European Union (EU), the new British government is committed to establishing an EU Code of Conduct on the arms trade setting high common standards of restraint for all EU Member States. The German, Swedish, Dutch, Irish and Belgian governments have also indicated their support for a restrictive common EU arms export policy as advocated by an EU Code. At European level the European Parliament has passed three resolutions calling on Member States of the European Union to develop a Code of Conduct on arms transfers.

Lack of restraint in the past has led to so-called boomerang effect situations. During the Gulf War allied troops faced an Iraqi army supplied with weapons from both the United States and Europe. Similarly, US troops in Panama, Haiti, Somalia, and the former Yugoslavia have faced hostile forces armed with weapons and weapons technology supplied by the United States.

The establishment of parallel Codes of Conduct on both sides of the Atlantic would counter the familiar argument ''if we don't sell arms, someone else will''. The debate over US policy on sales of high tech. weaponry to South America highlights the urgent need for a co-ordinated approach. In the past, concerns over the dangers posed by the introduction of new levels of technology dictated US policy in the region. Yet now, the Clinton Administration finds itself under pressure to change its policy, for fear of ''losing'' sales to Europe and other competitors. The establishment of similar Codes in the US and EU removes this risk by creating responsible common controls.

A European Code of Conduct, similar to that which the House of Representatives is

soon to consider, would seek to expand, clarify and implement criteria already agreed by EU Member States. These criteria stress that weapons exports should take into account such factors as the internal and regional stability of recipient states, the human rights record of the recipient state, and the status of democracy in the recipient state.

The adoption of responsible Codes of Conduct in the EU and US would also encourage progress towards the establishment of an International Code of Conduct within the United Nations. With this in mind a Commission of Nobel Laureates led by Dr Oscar Arias, including Mikhail Gorbachev, Jose Ramos Horta, The Most Reverend Desmond Tutu and The Dalai Lama is currently encouraging the development of a such a Code.

We write to encourage you to support the Code of Conduct on Arms Transfers amendment. Due to its undisputed position as the world's leading weapons exporter, success in the United States will add significant weight to the move towards efforts to establish a European wide Code of Conduct. We look forward to Congress taking a leading role, and to a positive outcome.

Yours sincerely,

Glenys Kinnock MEP (UK), First Vice-President, ACP/EU Joint Assembly; Michel Rocard MEP (France), President, Committee for Development Cooperation; Jan Willem Bertens MEP (Netherlands), President, Sub-Committee on Security and Disarmament; Wilfred Martens MEP (Belgium), President of the European People's Party; Bernie Malone MEP (Ireland), Vice President, Employment and Social Affairs Committee; Pauline Green MEP (UK), Leader of the Socialist Group; Dr Christoph Konrad MEP (Germany), Member, Sub-Committee on Security and Disarmament.

CODES OF CONDUCT ON ARMS TRANSFERS: AN OPPORTUNITY FOR THE UNITED STATES AND ITS EUROPEAN ALLIES TO WORK TOGETHER

The European Union (EU) and the United States together account for 80 percent of the global arms trade. There is clearly a need for a more responsible, principled approach to arms exports on the part of the major suppliers. More specifically, increased coordination on arms export policy between the United States and the European Union would better allow the allies to work in concert in their efforts to promote democracy and international stability. A coordinated export policy should emphasize regional and international security considerations, as well as human rights and development, and not allow such critical foreign policy concerns to be overshadowed by short-sighted commercial interests.

The EU has already agreed to eight common criteria governing arms exports, and there is significant progress on expanding the criteria. Specifically, there is growing support among European governments, including the UK and Germany, for an EU-wide Code of Conduct on the arms trade setting high common standards for weapons exports for all EU countries. In addition:

The new UK Government has pledged that it will ''work for the introduction of an EU Code of Conduct setting high common standards to govern arms exports from all European Union Member States.''

The German government ''favours the most binding application possible of the fundamentals contained in the EU Code of Conduct on the arms trade.''[1]

THE NEED FOR MULTILATERAL ACTION

Focusing narrowly on maintaining market share, to date, 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. Building on common guidelines already agreed by the EU and by the Organization on Security and Cooperation in Europe (OSCE), the U.S. and EU should institute parallel Codes of Conduct on arms transfers. Together, these Codes would:

Protect European and American military personnel. Lack of restraint and common policy on arms exports places our armed forces at risk in overseas operations. This weapons ''boomerang'' endangered European and American troops who faced weapons supplied by their own governments during peacekeeping operations in Somalia, Bosnia and Rwanda. Allied troops also faced an Iraqi army heavily armed as a result of arms exports from the UK and France during the 1980s.

Prevent undercutting. In response to concerns over controversial weapons sales, weapons manufacturers often take the focus away from the policy implications of these transfers by arguing that ''if we don't sell, someone else will.'' As a result, threats of lost market share have overshadowed the real consequences of these transfers—even in the most controversial weapons sales. Cooperation on export policy will prevent either U.S. or European companies from undercutting one another in pursuit of sales, and as a result will allow governments to take a more measured look at the foreign policy and human rights implications of proposed transfers.

Reduce discrepancies on human rights and regional stability. The ''if we don't sell, someone else will'' argument used by the defense industry also misses the point that weapons sales are not just like any other commodity sold on the international market. Governments deal with weapons transfers differently precisely because the impact that weapons transfers can have is so vast. As major suppliers, the U.S. and EU have a special responsibility to ensure that the perceived economic gain of a weapons transfers does not take precedence over key foreign policy concerns, and that weapons transfers do not contribute to instability and global violence. While human rights and regional stability considerations already play a role in decision-making on arms sales on both sides of the Atlantic, there is considerable divergence in how these standards are translated into policy by different governments. For example, in response to human rights violations, the US has a ban on the export of armored personnel vehicles to Indonesia, whereas the UK recently signed a deal for 100 such vehicles. Parallel US and EU Codes would encourage a convergence of arms export control policies at the higher levels of restraint, thus helping to iron out such discrepancies.

PROGRESS ON THE EU CODE OF CONDUCT

In the aftermath of the Gulf War, EU countries agreed eight common criteria to govern arms exports. These were designed to restrain arms sales to regions of tension, to countries with poor human rights records and to military aggressors. Currently, however, these criteria are vague and non-binding. Despite the adoption of common guidelines, EU countries continue to maintain divergent national arms export policies. Export policies vis-à-vis Indonesia provide a particularly striking example. The UK and Germany will export weapons to Indonesia, though Germany has a presumption of denial on light weapons transfers. Other EU countries' policies are more restrictive. For example: Portugal has a self-imposed arms embargo on Indonesia; Sweden will not approve any new weapons contracts; and Italy temporarily suspended arms exports to Indonesia in 1993 following UN criticism of the Suharto regime's human rights record.

This failure to implement common arms export controls has enabled the EU Member States to defend arms exports to countries in regions of tension or with poor human rights records by arguing that ''if we don't sell arms, someone else will.'' Subsequently, several European governments including the UK and Germany support the adoption of an EU Code of Conduct on the arms trade which would provide a common, restrictive interpretation of the eight criteria. Several other governments, including Sweden, Netherlands, Italy, Belgium and Ireland have also given their qualified support for the EU Code. Specifically, the Code initiative seeks to:

Strengthen the eight criteria already agreed by providing a restrictive interpretation of them and making them legally binding on all EU countries.

Increase accountability and transparency in the arms trade by providing a tool by which parliamentarians can monitor government practice against objective standards.

CODES OF CONDUCT GAINING SUPPORT ACROSS EUROPE AND BEYOND

Support for an EU Code is growing, with the United Kingdom, Germany, Sweden, the Netherlands, Italy, Belgium and Ireland all lending their support to the initiative. Given the new British government's declarations in support for an EU Code, the initiative is likely to gain significant momentum, when the UK holds the EU Presidency in the first half of 1998.

A cross-party network of over 300 parliamentarians across Europe have pledged their individual support for efforts underway to establish Codes of Conduct in the EU and US. Supporters include: Robin Cook, UK Foreign Secretary; Margaret Beckett, UK Minister for Trade and Industry; Reginald Moreels, Belgian Development Minister; Michel Rocard, Member of the European Parliament and former French Prime Minister; and Jan Willem Bertens, Member of the European Parliament from the Netherlands and Chair of the Committee on Security and Disarmament.

An array of over 100 eminent figures have declared their support for national, regional, and international codes of conduct. Supporters include: Dr. Oscar Arias; Dr. Joseph Rotblat; Rev. Desmond Tutu; Mikhail Gorbachev; the Dalai Lama; Patricia Derian, former US Assistant Secretary of State for Human Rights and Humanitarian Affairs; David Lange, former Prime Minister of New Zealand; Barber Conable, former President of the World Bank; and Nobel Peace Prize laureate Mairead Maguire.

Former President of Costa Rica Dr. Oscar Arias has convened a commission of his fellow Nobel Peace laureates to serve as a high-profile ''moral voice'' in support of Codes of Conduct. The Commission of Nobel Laureates currently includes: Dr. Oscar Arias, Mikhail Gorbachev, Archbishop Desmond Tutu, the Dalai Lama, Lech Walesa, Joseph Rotblat, Mairead Maguire, Betty Williams, Ellie Weisel, José Ramos Horta, Adolpho Perez Esquivel, and Norman Borlaug, as well as Amnesty International, and the American Friends Service Committee. Dr. Arias and the Laureates Commission are now actively promoting a model international code to governments, UN officials, and the general public around the world.

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

[1] The proposed EU Code of Conduct text drafted by the British American Security Information Council, Saferworld, and the World Development Movement.

Mr. DELLUMS. I yield to the gentleman from Minnesota.

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

Mr. LUTHER. Mr. Chairman, I rise also in support of the McKinney amendment. I commend the gentlewoman for her outstanding leadership on the code of conduct.

Mr. Chairman, I rise in support of the McKinney amendment that aims to curb the proliferation of conventional weapons around the world. The push to sell arms overseas began in the early 1990's after the end of the cold war when Pentagon procurement of conventional weapons significantly decreased, and today in some instances, the U.S Government is actually encouraging foreign government to purchase arms from U.S. defense contractors. This policy is unacceptable, and I call on the administration to join us in curbing these sales.

This Code of Conduct simply requires congressional approval for arms transfers to foreign governments that are undemocratic, do not protect human rights, or are engaged in acts of armed aggression. This common sense amendment does not restrict arms sales to our strongest allies and makes exceptions in cases where national security is an issue.

The United States is by far and away the world's premier arms dealer, and a high percent of U.S. arms sales to the developing world are to non-democratic countries where citizens have no right to choose their own government. These sales strengthen repressive and corrupt militaries and often these countries purchase weapons at the expense of much needed investments in education, health care and basic infrastructure needs. Sometimes these weapons are used against our country's own armed forces.

The European Union, as the second largest arms dealer in the world, has already agreed to eight common criteria governing arms exports and is making significant progress in expanding the criteria. Therefore, the argument that ''if we don't sell arms, someone else will,'' cannot be used in opposition to this amendment. There should be a coordinated policy between the United States and Europe relating to arms sales, and the European Union is to be commended for taking the lead in addressing this critical issue.

With the end of the cold war, the proliferation of conventional weapons around the globe has become an issue of international concern. I urge my fellow House Members to support this responsible amendment. I also commend Ms. MCKINNEY from Georgia for her hard work on this issue.

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

Mr. DELLUMS. I yield to the gentleman from New York.

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

Mr. ENGEL. Mr. Chairman, I rise in strong support of the McKinney amendment. We ought not to transfer American weapons to foreign governments that are undemocratic.

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

Mr. DELLUMS. I yield to the gentleman from Vermont.

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

Mr. SANDERS. Mr. Chairman, I rise in strong support of the McKinney amendment and congratulate the gentleman from California [Mr. ROHRABACHER] on his efforts. This is an important step forward.

Mr. DELLUMS. Mr. Chairman, I sense that we are in the closing moments of this debate and I sense that there is clearly an emerging very strong bipartisan consensus in support of this amendment. So I would simply, in brief, congratulate and thank both my distinguished colleague, the gentlewoman from Georgia [Ms. MCKINNEY], and my distinguished colleague, the gentleman from California [Mr. ROHRABACHER] for their persisting in this effort to establish a code of conduct for this Nation on the transfer and the sale of military arms.

In brief, if we continue, Mr. Chairman, to look upon weapons sales as one of our major exports, I believe that it is imperative that, as a great nation, we establish some basic ground rules on such sales. The beauty, the brilliance, and the eloquence of the amendment that is before us lies in the fact that it is both basic and simple. It simply asks that any country receiving U.S. arms meet four very straightforward conditions. I repeat them and underscore them for the purposes of emphasis:

One, have a democratic form of government. Two, respect human rights. Three, be nonaggressive. And four, participate in the U.N. register of conventional arms. What could be more fundamental? What could be more basic? What could be more simple? Therein lies the eloquence, the brilliance, and the genius of this amendment.

As a longtime supporter and one who has given all of my adult life to the cause of peace, I am pleased, proud, and honored to associate myself with the remarks of all of my colleagues who have spoken prior to me at this point. I would urge my colleagues to support the amendment.

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

Mr. Chairman, I rise in strong support of the amendment by my colleague from Georgia [Ms. MCKINNEY], and I wish to recount to my colleagues that during the committee deliberation she was gracious enough to accept an amendment of mine to her amendment, which enabled me to support it. It may be of importance to other colleagues who had the same reservation that I did to notice what this amendment does.

The concern that I had is that occasionally American foreign policy requires the transfer of arms to nations that are not exactly exemplars of human rights, but oftentimes we nevertheless find it in our interest to transfer arms to such countries so that they might transfer arms to others.

One can imagine, for example, if it is in the United States interests, and it might be, to support one side or other in a war, let us say an Iran-Iraq situation, but we nevertheless may not wish that to be known as a matter of public knowledge. We might transfer arms to Saudi Arabia and Saudi Arabia would then transfer them.

In any event, whether that hypothetical is accurate or not, the thought occurred to me that we must be careful to leave the President sufficient freedom when a special circumstance arises that he could carry out the policy of the United States without having it spread across the front pages of the newspapers.

And so the gentlewoman from Georgia [Ms. MCKINNEY] was kind enough to accept in the committee, and we all approved in the committee, the amendment which is now found in the committee print of the bill in clause (d)(2): ''The President, when in his determination it is not contrary to the national interest to do so, shall submit to the Congress at the earliest possible date reports containing determinations with respect to emergencies under subsection (c)(1)(b).''

That sentence was added at my request. As a result, if I might just take a moment and parse this, when the President realizes that it is in the national interest not to do so, when it is in the national interest not to make this transfer public, he may, under the emergency circumstances presented in the bill, refrain from doing so.

Certainly, it is in the interest of all of us in the normal case, and consistent with the sense of the amendment of the gentlewoman from Georgia [Ms. MCKINNEY] that we do make public departures from our policy regarding States that fail to meet the standards that were outlined in the amendment. But, occasionally, this will not be the case.

I note to all of my colleagues who might have had concerns about the amendment that as it has now been amended, as it now reads, they should not have such a concern. If it is in the national interest to do so, the President need not make an arms transfer a matter of public record.

Accordingly, I was able to support the McKinney amendment. In the previous Congresses I was not able to do so. But I thought in this case my colleague was gracious, and, I believe, served the national interest, in accepting this amendment. So today, Mr. Chairman, I am able to support it and I urge my colleagues to support it and particularly those of my colleagues who might have expressed some concern about the amendment heretofore.

Last, in one point of lightness to my good friend and colleague from California, Mr. DELLUMS, I believe the provision is that countries must be democratic and not Democrat. I could be in error about that, but I think that is how it should be.

Mr. DELLUMS. Mr. Chairman, if the gentleman would yield, democratic is

what the gentleman attempted to say. We tend to get into this Democrat business and I do not like that. I would like to think we are talking substantively here, we are talking about democracy.

Mr. CAMPBELL. Mr. Chairman, might I reclaim my time by saying that the gentleman portrays the very best of that spirit and I was offering the correction only in the sense of humor.

Mr. KENNEDY of Massachusetts. I rise in strong support of my colleagues' amendment. I am pleased to have worked with them for many years now on the issue of demilitarization around the world. By promoting demilitarization we are able to help insure our own Nation's security interest.

In 1995, I joined with Dr. Oscar Arias, the Nobel Peace Prize winner, to launch the Year 2000 Campaign. This campaign seeks to have industrialized nations condition their aid to promote demilitarization. I believe that we should condition U.S. foreign assistance on the size of a country's military budget.

Last Thursday, Dr. Arias joined Betty Williams of Northern Ireland, Elie Wiessel the Holocaust survivor, the Dalai Lama, Desmond Tutu of South Africa, and ten other winners of the Nobel Peace Prize to announce their support for the International Code of Conduct, which is based on the McKinney-Rohrabacher bill.

I do not believe that the U.S. tax dollars should be used to help subsidize a country's military expenditures when that country does not have a democratically elected government or it spends more on weapons than on health care or nutrition or education.

Non-democratic governments received 84 percent—nearly $50 billion—of the $59.1 of American weapons that were transferred to developing countries through foreign aid or Pentagon administered corporate sales during the past 5 years.

Developing countries received 67 percent of the $88.5 billion total of U.S. arms transfers during the past 5 years.

Perhaps Indonesia provides the best example of what we ought not to be doing. The Indonesian Armed Forces have become a military mafia, receiving $1.6 billion every year in United States backed loans from the World Bank—equal to that country's entire reported military budget. Yet it is no secret that the Indonesian military under-reports its military expenditures by somewhere between 25 and 50 percent.

In Indonesia we see a military economy, dictatorship, human-rights abuses, and the illegal occupation of East Timor. The army controls massive private and state-run corporations. They systematically shake-down the wealthy ethnic Chinese business community. The military maintains a shadow government controlling life from the national level to the smallest village.

This amendment would end United States military support for Indonesia. And, after last month's fraudulent elections in which only one party was allowed to campaign and opposition leaders were harassed and jailed, it is about time that the United States end support for Indonesia.

The code of conduct required foreign governments to promote democracy through a free, open, and fair elections. It requires them to promote the rule of law. It requires them to respect human rights. It requires them not to be engaged in armed aggression that violates international law. And it requires them to fully participate in the U.N. Register of Conventional Arms.

These are all ideals which all Americans share. Shouldn't our foreign aid policy reflect these ideals?

Mr. Chairman, the United States has a great deal of power. We also have a great deal of responsibility. We should help foster democracy and freedom in the world. I urge all my colleagues to vote yes on this amendment.

Mr. NADLER. Mr. Chairman, I rise to support the McKinney-Rohrabacher amendment to establish an arms sales code of conduct.

After more than 30 years of the cold war with record high peacetime defense budgets and a tremendous amount of global arms exports, the United States has left the world armed to the teeth with millions of tons of bombs, jets, submarines, and artillery. The world is awash in weapons.

These excessive exports have fueled armed conflicts throughout the world, destabilized regions, and have forced governments of developing nations to spend more money on arms and less money on the vital needs of their people.

In 1994 alone the United States sold or gave $13 billion of weapons to almost 100 countries, many of which, according to the State Department's Country Reports on Human Rights, are run by abusive or non-democratic regimes. In Panama, Iraq, Somalia, and Haiti, United States Forces were threatened by troops assisted by United States training, weapons, or military technology.

We must put an end to this deadly cycle, and this amendment would do just that by giving Congress a real role in shaping U.S. arms export policy. The bill does not impose an inflexible ban, but instead provides for a responsible review policy, whereby Congress must carefully consider arms sales to abusive regimes. If congress agrees with the President that it is in our national interest to continue to sell weapons to a particular country, then sales would be permitted. This is not a ban on all arms exports; it is a reasonable step that we can take now to begin to curb weapons sales to dangerous regimes.

As the leading arms exporter, the United States has the opportunity and the responsibility to accept certain limitations on the sale of American arms. If we act boldly on this issue, I am confident the world will follow. When the United States led the way by refusing to export anti-personnel landmines, the rest of the world followed and enacted bans of their own. Efforts are already underway to create an international code of conduct on conventional arms transfers, and voting for this amendment will further strengthen those efforts.

I want to commend Representatives MCKINNEY and ROHRABACHER for offering this amendment and I urge my colleagues to vote for it.

Ms. HOOLEY of Oregon. Mr. Chairman, I rise in support of this amendment. I support the measure because we cannot, in good conscience, continue to turn a blind eye to the undemocratic and often deplorable practices of a few rogue nations.

The code of conduct legislation does more than just recognize the atrocities being committed by these countries. It directs the President to certify countries interested in purchasing weapons from the United States based on their ability to institute democratic practices. The code would prohibit sales of arms to nations partaking in human rights violations and acts of aggression.

Former Senator Hatfield, one of the original sponsors of code of conduct legislation in Congress, stated that last year that ''it is time for Congress to assume a greater responsibility for our arms export policies.'' Those words still ring true. This week, we have voted on amendments to condemn various countries from involvement in terrorism, for brutal acts of religious or ethnic persecution, and to punish countries for acts of armed aggression. Yet, some Members would vote to allow continued sales of arms to these same countries which have raised our ire. It's time to stop talking about the horrific acts of these rogue nations and start doing something to curb the ability of those nations to acquire the tools to conduct their atrocities.

Furthermore, how can we continue to sell arms to nations that may use those weapons against American soldiers? This practice puts our sons and daughters in further danger whenever our troops are deployed. Our soldiers have already faced forces armed with United States produced weapons in recent troop deployments in Iraq, Somalia, Haiti, and Panama. This is unacceptable.

Let's finally bring some accountability to the process of selling arms on the international market. I urge my colleagues to support this amendment.

Mr. FARR of California. Mr. Chairman, I rise today in support of implementing a code of conduct for U.S. arms transfers.

The spread of weapons is one of the most serious threats to our Nation's security today. Unfortunately, our own country has contributed to this proliferation. Tens of billions of dollars of weapons are sold by U.S. arms manufacturers to countries around the world, and today the United States is a leading supplier of military equipment to foreign nations.

Many of these weapons sales are made to governments that are hostile to the United States or to their own people. There is nothing to prevent many of these countries from using American weaponry to suppress democracy or violate human rights within their borders. And let us not forget United States military engagements in Iraq, Panama, and elsewhere where our own troops have been threatened by opposing armies armed with American-made weapons. We should not stand for a policy that sacrifices the lives of our own soldiers for the sake of making a buck.

Congresswoman CYNTHIA MCKINNEY has been a tireless advocate for creating a code of conduct for arms manufacturers which would end this senseless and dangerous practice. The code of conduct would not outlaw arms sales, but require that arms exports be made only to those nations that are democratic and respect the human rights of their own people. Weapons sales to any other countries would require approval by the President and Congress.

Let us stop putting the lives of innocent people at risk. I urge my colleagues to support creating a code of conduct for U.S. arms sales.

Mr. ENGEL. Mr. Chairman, I rise to express support for the amendment offered by my

good friend from Georgia, Ms. MCKINNEY. This fine amendment prohibits arms transfers to foreign governments that are undemocratic, do not protect human rights, or are engaged in acts of aggression.

We must all recognize that as the leader of the free world, our country must set the standard in the effort to prevent the sale of arms to dictators. Unfortunately, our Government still provides its materiel to some of the world's most autocratic governments. In fact, in several recent conflicts where large numbers of American troops have served, including Somalia and Panama, we have opposed soldiers armed with weapons supplied by the United States. It's time we learned from these mistakes.

Mr. Chairman, I commend the gentlewoman from Georgia for her leadership on this issue and urge my colleagues to vote in favor of the code of conduct amendment.

Ms. HARMAN. Mr. Chairman, I rise today in opposition to the Rohrabacher amendment to H.R. 1757, the Foreign Relations Authorization Act, which would deny United States foreign assistance to Russia to prevent the transfer of missile technology to China and Iran.

While I am a strong supporter of nonproliferation measures, and measures to increase stability in the Asia-Pacific region, I firmly believe this amendment would have exactly the opposite effect of what it intends: it would, in fact, encourage the illegal transfer of technology by Russia.

The primary reason for the transfer of such technology in cash-strapped Russia is to obtain hard currency. To deny United States aid would make Russia's dire economic circumstances worse. The inevitable response by desperate business interests will be to seek even more illicit trade.

We are all aware of allegations that have recently surfaced regarding Russian technological assistance to rogue nations that would enable them to build advanced missiles capable of targeting our friends and allies.

These allegations must be taken seriously, by the administration and Congress. I have written to and called our National Security Adviser, Sandy Berger, on several occasions and he has arranged several excellent briefings for Members. He has also assured me that President Clinton took up these issues with President Yeltsin at the May 27 Paris summit, follow-up continues, and further efforts will be made at the highest levels later this summer.

Mr. Chairman, this amendment is well intended but misses the mark. We must provide appropriate aid to Russia to help it monitor proliferation, and to rebuild its economy so the impulse for illicit proliferation is reduced.

In this case, less is less. Less aid means less control and less security. I urge my colleagues to vote ''no.''

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Georgia [Ms. MCKINNEY].

The amendment was agreed to.

The CHAIRMAN pro tempore. Are there other amendments?

AMENDMENT OFFERED BY MR. ROHRABACHER

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

The CHAIRMAN pro tempore. Is the amendment one of those specifically listed in the order of the House of June 5, 1997?

Mr. ROHRABACHER. No, it is not, Mr. Chairman.

The CHAIRMAN pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. ROHRABACHER:

At the end of the bill add the following (and conform the table of contents accordingly):

DIVISION C—MISCELLANEOUS PROVISIONS

SEC. 2001. ASSISTANCE FOR THE RUSSIAN FEDERATION.

None of the funds made available to carry out chapter 11 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2295 et seq.) for fiscal years, 1998 and 1999 may be made available for the Russian Federation if the Russian Federation, on or after the date of the enactment of this Act, transfers an SS–N–22 missile system to the People's Republic of China.

□ 1800

The CHAIRMAN pro tempore (Mr. EWING). Pursuant to the order of House of June 5, 1997, the gentleman from California [Mr. ROHRABACHER] and a Member opposed, the gentleman from Florida [Mr. WEXLER] each will control 5 minutes.

The Chair recognizes the gentleman from California [Mr. ROHRABACHER].

Mr. ROHRABACHER. Mr. Chairman, I yield myself such time as I may consume. Again I would like to offer my congratulations to the gentlewoman from Georgia [Ms. MCKINNEY] for the great job that she did in providing this code of conduct legislation. Again, I was very proud to stand by her and work with her in that effort.

On this particular amendment, it has something to do with a different part of the world in terms of setting standards just for the United States. This particular amendment that I am offering would deny all $95 million in U.S. foreign assistance funding to Russia during fiscal years 1998 and 1999 if the Russian Federation transfers supersonic SSN–22 missiles to China.

This advanced cruise missile system endangers the lives of countless American service men and women and could alter the balance of power in key strategic areas such as the Straits of Taiwan and the Persian Gulf. This sunburn missile was created by the Russians to attack American ships, especially American ships that are equipped with advanced Aegis sea and air radar battle management systems. The SSN–22, a supersonic sea skimmer missile, can be fired by a ship or from land and it is extremely difficult to defend against. A long-range version of that missile can damage an aircraft carrier.

In December 1996 a secret weapon sale agreement was completed in Moscow during the state visit of the Chinese premier. The Chinese began seeking to acquire this missile in direct response to the deployment of U.S. warships in the Straits of Taiwan during China's attempt to militarily intimidate Taiwan during its national elections.

The immediate impact of the transfer of SSN–22 missiles will give the Chinese significant offensive advantages over regional navies and further their ambitions in the South China Sea and other areas of the Pacific. A serious long-term effect is the Chinese ability to reverse engineer the SSN–22 technology, thus to develop lethal parity with the United States Navy.

Another immediate grave threat is the potential transfer of SSN–22's from China to Iran. China has become the primary arms source for the Iranians, to include the shipments of ballistic missiles and chemical weapons technologies. An SSN–22 mounted on a mobile land platform would be extremely difficult to defend against and would threaten any of the ships in the Straits of Hormuz.

The Government of Russia has gone beyond the threshold of acceptability in its conduct by offering to sell this deadly missile to China. My amendment will send a strong message that in return for the generosity shown by American taxpayers to assist Russia during this time of need, the Russian Government must respect the national security of the United States and the lives of our young men and women in uniform.

Let me be very clear on this, Mr. Chairman. This missile was designed by Russia during the cold war to kill American sailors and American airmen. This missile, if it is transferred to the Chinese, will lead at least to the situation where our people are being put in jeopardy. If we are giving $95 million in aid to Russia while they are sending that type of weapons system to a potential enemy, we are making a mistake. Shame on us. Not shame on them.

My amendment simply says, unless they cease and desist from the transfer of this deadly weapons system to the Chinese, they have gone over the threshold of acceptability and we will be cutting off all of our aid to the former Soviet Union, to Russia.

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

Mr. WEXLER. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from New York [Mr. GILMAN], chairman of the Committee on International Relations.

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

Mr. GILMAN. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise to reluctantly oppose the Rohrabacher amendment. The gentleman is someone I admire on the committee and has done much good. I will note that when we considered this amendment in committee, the gentleman from Illinois [Mr. HYDE] offered a perfecting amendment allowing the President to waive this restriction if he found it to be in the national security interest of our Nation.

U.S. assistance programs in Russia are key to United States security. We won the cold war and now it is time to lock in our win to make certain Russia

never is such a major threat to the United States.

If the gentleman from California [Mr. ROHRABACHER] would include a Hyde national security waiver, I would not oppose this amendment. However, without a Hyde security waiver, I reluctantly have to oppose the amendment. I am concerned about weapons to China, but this hurts our key interests in Russia without ensuring the end of missile transfers.

Mr. WEXLER. Mr. Chairman, I yield myself such time as I may consume, and I rise in opposition to this amendment.

Mr. Chairman, the purpose of this amendment is certainly meritorious. Nobody wants Russia to transfer antiship cruise missiles to China. That is for certain. But this amendment would also cut off all assistance to Russia if those arms transfers in fact take place. There is always a question of balance. We provide assistance to Russia because it is in the national security interest of the United States to promote economic reform, promote democracy and help prevent future Chernobyls.

The gentleman from Illinois [Mr. HYDE], as the gentleman from New York [Mr. GILMAN] stated earlier, made these points eloquently during our committee markup of the bill. The gentleman from Illinois [Mr. HYDE] offered a waiver to the Rohrabacher amendment to allow the President to make a judgment whether continuing assistance to Russia was in the national security interest of the United States. The Hyde position prevailed. The committee bill included an amendment with the waiver.

There is no such waiver in this amendment before us now. The amendment gives the President absolutely no flexibility and raises one issue above every other priority in United States.-Russian relationships. The amendment distorts United States policy toward Russia, and in fact what it is saying is there would be absolutely no circumstance in which there would be a valid security interest of the United States to provide aid for Russia once the transfer of such an antiship cruise missile was made. I do not believe that that is a plausible policy for the United States. This is a veto item for the President, and I strongly urge defeat of the amendment.

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

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

Mr. Chairman, I am afraid I am going to have to reject the idea of putting a waiver into this bill. The bottom line is when we put waivers into these bills, what we do is we are really making them into a sense-of-the-Congress resolution and not changing a darned thing. If we are here to do anything, let us change some things. Let us get down to some real policy decisions and assert the fact that the Congress of the United States should be here protecting the interests of the people of the United States. The McKinney amendment had some real teeth in it and meant something about human rights and democracy. This amendment has something to do really with the security interest of the United States. What we are saying is that there is a threshold over which the Russians have passed, over that threshold that we can no longer tolerate and continue to give them millions upon millions, $95 million in aid to the Russians. It is unacceptable if we are going to give them that kind of aid for them to transfer weapons that are aimed at murdering, at killing American soldiers and American sailors.

This amendment would basically prevent us from subsidizing people who are then turning around and giving this horrible weapons system to potential enemies of the United States and perhaps costing the lives of American sailors.

Please vote for the Rohrabacher amendment for the long-term interests of peace and of the interests of the Russians as well.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from California [Mr. ROHRABACHER].

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

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

The CHAIRMAN pro tempore. Pursuant to House Resolution 159, further proceedings on the amendment offered by the gentleman from California [Mr. ROHRABACHER] will be postponed.

AMENDMENT OFFERED BY MR. HALL OF OHIO

Mr. HALL of Ohio. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. Is the amendment one of those specifically listed in the order of the House of June 5, 1997?

Mr. HALL of Ohio. No, it is not, Mr. Chairman.

The CHAIRMAN pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. HALL of Ohio:

At the appropriate place add the following (and conform the table of contents accordingly);

SEC. . STATEMENT CONCERNING CONFLICT IN EAST TIMOR.

(a) FINDINGS.—The Congress finds the following:

(1) Indonesia invaded East Timor in 1975 and has since systematically oppressed the people of East Timor.

(2) Since 1975 one-third of the population of East Timor is estimated to have perished of starvation, war, and terror.

(3) Indomesia's invasion was condemned by the United Nations, as was its subsequent occupation of East Timor.

(4) On November 12, 1991, Indonesian troops opened fire on thousands of peaceful mourners and demonstrators at the Santa Cruz cemetery in Dili, the capital of East Timor, killing hundreds and wounding hundreds.

(5) Bishop Carlos Felipe Ximenes Bolo has been the preeminent representative of the people of East Timor, and has at great risk to his own life fought for the human and civil rights of the people of East Timor, while also being a steadfast advocate for nonviolence and dialogue between the people of East Timor and the Indonesian authorities.

(b) DECLARATION OF POLICY.—The Congress affirms its support for a just and peaceful solution to the conflict in East Timor.

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

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN pro tempore. Pursuant to the order of the House of June 5, 1997, the gentleman from Ohio [Mr. HALL] and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio [Mr. HALL].

Mr. HALL of Ohio. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is a sense of Congress. It is relative to making a statement concerning the conflict in East Timor. Basically what I am saying is the Congress affirms its support for a just and peaceful solution to the conflict in East Timor.

What happened in 1975 when the country of Portugal pulled out of East Timor, the Indonesian Government came into this small island country and systematically oppressed the people of East Timor to the point where they used to have 700,000 people in their population and a third of them, as estimated, have perished as a result of starvation, war and terror.

Indonesia's invasion was condemned by the United Nations, as was its subsequent occupation of East Timor. On November 12, 1991, Indonesian troops opened fire on thousands of peaceful mourners and demonstrators at Santa Cruz Cemetery in Dili, the capital of East Timor, killing and wounding hundreds.

Bishop Carlos Belo has been the preeminent representative of the people of East Timor and has at great risk to his own life fought for the human and civil rights of the people of East Timor while also being a steadfast advocate for nonviolence and dialog between the people of East Timor and the Indonesian authorities.

The gentleman from Virginia [Mr. WOLF] and I were fortunate enough to nominate Bishop Belo for the Nobel Peace Prize. We were both in Norway this past November, and we were overjoyed and excited that East Timor got the notoriety that they deserve and the reputation that they deserve. The oppression that has gone on in that country has just been unbelievable over the years.

The language that I have in my resolution pretty much parallels what was said about Bishop Belo as he received the Nobel Peace Prize. This is a sense of Congress. It is my understanding that it has support of both sides. I would urge Members to support it.

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

Mr. KENNEDY of Rhode Island. Mr. Chairman, I rise in support of the amendment, and I ask unanimous consent to claim the 5 minutes in opposition.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. KENNEDY of Rhode Island. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to commend my good friend, the gentleman from Ohio [Mr. HALL] for this amendment. I think once again it underscores this body's concern about the actions of the Indonesian Government with respect to the people of East Timor, the horrendous brutality that has taken place there ever since Indonesia invaded and occupied the small island of East Timor.

I think once again the gentleman is communicating the sentiment of this Congress with respect to that troubled part of the world and the fact that we are in solidarity with the Nobel Peace Prize winners, Bishop Belo from East Timor and Jose Ramos Horta, both of whom have received the Nobel Peace Prize for their advocacy on behalf of those troubled people in East Timor who have been struggling for human rights, and those human rights have been systematically neglected and abused by the Indonesian Government. I think the gentleman from Ohio [Mr. HALL] should be commended for his longstanding commitment to this.

□ 1815

I just came to this Congress 3 years ago, Mr. Chairman, and I am joining the gentleman from Ohio [Mr. HALL] in his longstanding advocacy for the people of East Timor. Having visited there myself this past December, I was able to see firsthand what was going on on the ground, speak to the people there, and learn about the atrocities that have been contained within this amendment. Mr. Hall points out that on November 12, 1991, Indonesian troops opened fire on thousands of peaceful mourners and demonstrators at the Santa Cruz cemetery. I think the world watched in horror as film footage was smuggled out of Indonesia that depicted this horrible massacre at Santa Cruz where the Indonesian soldiers opened fire on the crowd there that was assembled, and this told the truth of what was happening in East Timor.

I salute Mr. HALL for once again reminding this Congress and Indonesia that we are not going to sit idly by and watch these human rights abuses continue, and that is why I rise in support of Mr. HALL'S amendment to this bill.

Mr. HALL of Ohio. Mr. Chairman, I want to thank the gentleman from Rhode Island [Mr. KENNEDY] for his very important not only speech, but what he has done relative to this whole issue of East Timor. He is one of the few people, along with the gentleman from Virginia [Mr. WOLF], who has actually been to East Timor and seen with his own eyes the suffering and the oppression that is going on. He has been a real leader, a tremendous partner in this issue, and he has really made a difference.

Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mr. WEXLER].

Mr. WEXLER. Mr. Chairman, I strongly support this amendment, and I commend the gentleman from Ohio [Mr. HALL] for his leadership in bringing it to our attention.

The situation in East Timor has been a festering sore for Indonesia, for United States-Indonesian relations and, most importantly, for the people of East Timor for more than two decades. This amendment puts the House of Representatives on record as supporting a just and peaceful solution to the conflict in East Timor. It deserves our support, and I urge my colleagues to vote for this amendment.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Ohio [Mr. HALL].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SANDERS

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

The CHAIRMAN pro tempore. Is the amendment one of those specifically listed in the order of the House of June 5, 1997?

Mr. SANDERS. No, I do not think it is, Mr. Chairman.

The CHAIRMAN pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SANDERS: After title XVII insert the following new title:

TITLE XVIII—SENSE OF CONGRESS REGARDING THE IMPRISONMENT OF NGAWANG CHOEPHEL IN CHINA

SEC. 1801. SENSE OF CONGRESS REGARDING THE IMPRISONMENT OF NGAWANG CHOEPHEL IN CHINA

(a) FINDINGS.—The Congress makes the following findings:

(1) The Chinese Government sentenced Ngawang Choephel to an 18-year prison term plus 4 years subsequent deprivation of his political rights on December 26, 1996, following a secret trial.

(2) Mr. Choephel is a Tibetan national whose family fled Chinese oppression to live in exile in India in 1968.

(3) Mr. Choephel studied ethnomusicology at Middlebury College in Vermont as a Fulbright Scholar, and at the Tibetan Institute of Performing Arts in Dharamsala, India.

(4) Mr. Choephel returned to Tibet in July 1995 to prepare a documentary film about traditional Tibetan performing arts.

(5) Mr. Choephel was detained in August 1995 by the Chinese authorities and held incommunicado for over a year before the Government of the People's Republic of China admitted to holding him, and finally charged him with espionage in October 1996.

(6) There is no evidence that Mr. Choephel's activities in Tibet involved anything other than purely academic research.

(7) The Government of the People's Republic of China denies Tibetans their fundamental human rights, as reported in the State Department's Country Reports on Human Rights Practices, and by human rights organizations, including Amnesty International and Human Rights Watch, Asia.

(8) The Government of the People's Republic of China is responsible for the destruction of much of Tibetan civilization since its invasion of Tibet in 1949.

(9) The arrest of a Tibetan scholar such as Mr. Choephel, who worked to preserve Tibetan culture, reflects the systematic attempt by the Government of the People's Republic of China to repress cultural expression in Tibet.

(10) The Government of the People's Republic of China, through direct and indirect incentives, has established discriminatory development programs which have resulted in an overwhelming flow of Chinese immigrants into Tibet, including those areas incorporated into the Chinese provinces of Sichuan, Yunnan, Gansu, and Quinghai, and have excluded Tibetans from participation in important policy decisions, which further threatens traditional Tibetan life.

(11) The Government of the People's Republic of China withholds meaningful participation in the governance of Tibet from Tibetans and has failed to abide by its own constitutional guarantee of autonomy for Tibetans.

(12) The Dalai Lama of Tibet has stated his willingness to enter into negotiations with the Chinese and has repeatedly accepted the framework Deng Xiaoping proposed for such negotiations in 1979.

(13) The Chinese have displayed provocative disregard for the concerns of the United States by arresting and sentencing prominent dissidents in close proximity to visits to China by senior United States Government officials.

(14) The United States Government policy seeks to foster negotiations between the Government of the People's Republic of China and the Dalai Lama, and presses China to respect Tibet's unique religious, linguistic, and cultural traditions.

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

(1) Ngawang Choephel and other prisoners of conscience in Tibet, as well as in China, should be released immediately and unconditionally;

(2) to underscore the gravity of this matter, in all appropriate official meetings with representatives of the Government of the People's Republic of China, United States officials should request Mr. Choephel's immediate and unconditional release;

(3) the United States Government should sponsor and promote a resolution at future meetings of the United Nations Commission on Human Rights and other appropriate international fora regarding China and Tibet which specifically addresses political prisoners and negotiations with the Dalai Lama, until those situations in China and Tibet improve substantially;

(4) the United States Department of State should advise American citizens that Tibet is not currently a safe destination for American travelers;

(5) an exchange program should be established in honor of Ngawang Choephel, involving students of the Tibetan Institute of Performing Arts and appropriate educational institutions in the United States; and

(6) the United States Government should seek access for internationally recognized human rights groups to monitor human rights in Tibet.

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

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Vermont?

There was no objection.

The CHAIRMAN pro tempore. Pursuant to the order of the House of June 5, 1997, the gentleman from Vermont [Mr. SANDERS] and a Member opposed will each control 5 minutes.

The Chair recognizes the gentleman from Vermont [Mr. SANDERS].

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

Mr. Chairman, let me just speak very briefly about Ngawang Choephel.

Mr. Choephel is a Tibetan man who studied ethnomusicology at Middlebury College at Middlebury, VT, on a Fulbright scholarship in 1993, and I should tell my colleagues that when he was at Middlebury College he made a whole lot of friends, and a lot of folks in Middlebury and throughout the State of Vermont are very concerned about his fate. In the summer of 1995 he returned to Tibet to make a nonpolitical documentary film about traditional Tibetan music and dance because he was concerned that his cultural heritage was being forgotten. In the fall of 1995 he was arrested and held incommunicado in a Chinese prison for 1 year until he was accused of espionage last October and sentenced last December.

Mr. Chairman, Ngawang Choephel's only crime was to film dancers in Tibet, but the Chinese Government as part of its long-term campaign to stomp out all remnants of Tibetan cultural identity has accused Mr. Choephel of espionage and sentenced him to 18 years in prison for filming dance in Tibet, and followed by 7 years deprivation of political rights. This is the most severe sentence given a Tibetan in over 7 years.

Mr. Chairman, the State Department agrees that there is no known evidence Mr. Choephel committed any crime. This is simply one more example of an outrageous human rights abuse in China. According to the State Department's human rights country report on China and Tibet, the repression there is so severe that there are currently no active dissidents in all of China; they are all in prison.

Mr. Chairman, my amendment represents the response of the Congress to the situation. It is based on language which passed the Senate without dissent and which I introduced as House Concurrent Resolution 44 earlier this spring with the distinguished gentleman from New York [Mr. GILMAN] and the distinguished gentlewoman from California [Ms. PELOSI].

This resolution simply states that Ngawang Choephel and other prisoners of conscience in Tibet and China should be released immediately, but the United States should seek his release; that we should promote access to Tibet for international human rights groups; that the State Department should advise Americans that Tibet is not a safe destination for American travelers; and that we should continue to promote a resolution at future meetings of the UN Commission on Human Rights addressing human rights in China and Tibet until the situation improves substantially.

This is a nonpartisan noncontroversial amendment, and I urge my colleagues to support it.

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

Mr. SANDERS. I yield to the gentleman from New York.

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

Mr. GILMAN. Mr. Chairman, I rise in strong support for the amendment offered by the gentleman from Vermont. All the world has come to expect and is not surprised when the rulers of China mercilessly persecute their own citizens. But the case of Mr. Choephel is different and could set a dangerous new trend if left unchecked by civilized nations.

Mr. Choephel is a refugee, was carried across the Tibetan Himalayas by his parents when he was only 2 years old, when they fled the Communist Chinese invasion of their country. He has been living in India since then, gone to study in the United States under a Fulbright Exchange Program established by the Congress to assist Tibetans and His Holiness, the Dalai Lama, to help protect Tibet's unique cultural heritage. He had gone back to Tibet to make a documentary film, to make a film about traditional Tibetan music and dance.

Mr. Choephel's arrest and imprisonment is a refugee nightmare. To return to his own country and to be arbitrarily imprisoned and cut off from the outside world is cruel and an abomination. His imprisonment sends democracies around the world the same type of message that the Chinese Government seeks when it charges parents for the price of a bullet used to execute their own son or daughter or when it appoints a religious leader that he knows the faithful would never follow. The rulers of Beijing apparently want the world to know that we ought to think twice when we assist those who struggle under their oppression.

I do not believe we should, and accordingly I support the gentleman's amendment, and I urge our colleagues to vote for the amendment.

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

Mr. SANDERS. I yield to the gentleman from Nebraska.

Mr. BEREUTER. Mr. Chairman, I want to commend the gentleman from Vermont on his amendment. I have spoken on this issue myself. There is no reason for this gentleman to be detained in any fashion that I can see, and I want to express my appreciation to the gentleman from Vermont [Mr. SANDERS] for his initiative, and I urge my colleagues to support it unanimously.

The CHAIRMAN pro tempore. The time of the gentleman from Vermont [Mr. SANDERS] has expired.

Mr. BEREUTER. Mr. Chairman, I ask unanimous consent to take 5 minutes, even though I am not in opposition to the amendment offered by the gentleman from Vermont [Mr. SANDERS].

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

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

Mr. BEREUTER. I yield to the gentleman from Florida.

Mr. WEXLER. Mr. Chairman, I commend the gentleman from Vermont [Mr. SANDERS] for drawing attention to this human rights case. Mr. Choephel should be released immediately. That is the bottom line. I and others, I hope, will support the amendment.

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

Mr. BEREUTER. Mr. Chairman, I would ask the gentleman from Vermont if he has any more speakers?

Mr. SANDERS. I believe we do not, Mr. Chairman.

Mr. BEREUTER. Mr. Chairman, I yield to the gentleman from California [Mr. ROHRABACHER].

Mr. ROHRABACHER. Mr. Chairman, I would just like to congratulate my colleague from Vermont for offering this amendment.

As my colleagues know, it is how we react not only to statistics of tens of thousands and hundreds of thousands of people and even millions of people in China who are suffering the brutality of tyranny and oppression in that country but also how we treat the case of one individual, as we are today, that makes us different as Americans than other countries. We care about the individual, we care about people, and this message is going to be delivered by this amendment.

I am very proud to stand with my colleague on this, and I hope that the people at home who are listening to this debate on the foreign policy and foreign aid amendments and such will understand we have got some decisions to make about China. We have got to talk as a country about how we are going to confront this growing threat, the clouds that are massing just over the horizon.

The fact is that China and the United States could be at war within 10 years unless we do what is right, and what is right is not to cower. What will lead to a more peaceful world is not to gloss over human rights abuses, but instead to stand forward and step forward with a solid policy of freedom and human rights and let the people of China know that we are on their side and that way encourage the development of democratic institutions, rather than continually backing down, making loud noises about human rights and then backing down.

I believe some of our businessmen, if the entire country of Tibet was incinerated by the Chinese, if the Muslims in the western provinces were all slaughtered, if all the Christians were

tortured in China, they would still be saying we must maintain the same policy with China because we have to have some influence on them.

We need to discuss this as a people, as a free people. We need to talk about the moral implications and decisions we are making, and in my opinion morality and practicality go together, and in the long run if we gloss over these moral issues and forget the individuals that are being tyrannized and going through this oppression, it will not work to the best interests of the United States of America.

So I am very grateful today to my colleague from Vermont [Mr. SANDERS] talking about an individual who deserves our attention, and let us pray that he is freed and the people of China, all of the people of China, are freed from their oppression.

Mr. BEREUTER. Mr. Chairman, I thank the gentleman for his statement. I urge support for this amendment.

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

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Vermont [Mr. SANDERS].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. FOX OF PENNSYLVANIA

Mr. FOX of Pennsylvania. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FOX of Pennsylvania:

At the end of the bill, add the following:

SEC. . DESIGNATION OF ROMANIA AS ELIGIBLE FOR ASSISTANCE UNDER NATO PARTICIPATION ACT OF 1994.—

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

(A) Romania has made tremendous progress toward meeting the criteria for accession into the North Atlantic Treaty Organization (NATO) by establishing a mature and functioning democracy, a free market economy, civilian control of the armed forces, respect for the rule of law, respect for human rights and civil liberties, and by implementing a strong economic reform;

(B) Romania has further exhibited its strong commitment to contribute to the stability, reconciliation, and cooperation among the nations of the region by the very significant signing of the basic political bilateral Treaty with Hungary and recent initialing of a similar document with Ukraine;

(C) Romania has already demonstrated its willingness and ability to contribute as a future NATO ally to strengthening the military capabilities and strategic cohesiveness of the Alliance by joining, first among Central and Eastern European countries, the Partnership for Peace Program and by actively participating alongside NATO allies in Bosnia, Angola, Somalia, and Albania;

(D) due to its size, geo-strategic location, economic and military potential, and huge popular support for NATO integration, Romania is of immense and key strategic importance to European stability; and

(E) Romania qualifies under section 203 of the NATO Participation Act of 1994 to receive assistance in making the transition to a full NATO membership and should be invited to start accession negotiations at the earliest stage.

(2) DESIGNATION.—Not later than 180 days after the date of the enactment of this Act, the President shall, pursuant to section 203(d)(2) of the NATO Participation Act of 1994, designate Romania as eligible to receive assistance under the program established under section 203(a) of such Act.

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

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN pro tempore. Pursuant to the order of the House of June 5, 1997, the gentleman from Pennsylvania [Mr. FOX] and a Member opposed each will control 5 minutes.

Mr. FOX of Pennsylvania. Mr. Chairman, I yield myself such time as I may consume, and I will be exceedingly brief.

Mr. Chairman, I rise to speak in support of this amendment.

Romania is a functioning democracy, and just back in November 1996 we saw where they had the free and fair Presidential elections held for the third time. We also note with great distinction that Romania has had a free market economy, that its foreign investment is protected by Romanian legislation, that Romania has good relations with its neighbors; further, that Romania has effective control over its military under civilian control. Romania further has a high level of cooperation with NATO, and more important than that point, it has a capacity to deal with security threats in fighting against organized crime, terrorism and drug traffic.

It is for these reasons that I ask the body to support this amendment.

Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. Chairman, I thank my friend, the gentleman from Pennsylvania, for yielding this time to me, and I rise in very strong support of the Fox amendment.

Romania's quest for NATO membership was given a significant boost when the democratic opposition, led by Emil Constantinescu, was elected to office last November.

□ 1830

The peaceful transfer of power following those internationally sanctioned elections was a genuine turning point for that country, a political development unimaginable not very long ago.

At home, the Romanian Government recently announced a bold package of economic reforms designed to check inflation, reduce the budget deficit, and accelerate privatization. If implemented, these important changes could attract much-needed foreign investment.

An anti-corruption campaign has also been initiated. A series of military reforms were adopted in December to ensure civilian democratic control and modernization of Romania's armed forces. While each of these initiatives will require months to realize, the new Romanian leadership has begun to show its courage in taking these important steps.

The first Central European country to join the Partnership for Peace and one of the most active participants, Romania has taken concrete steps to advance its candidacy for possible NATO membership. Of a particularly important note is the historic Treaty of Understanding, Cooperation and Good Neighborliness concluded with Hungary last September. Romanian troops played an active role in the NATO-led Operation Joint Endeavor, part of IFOR in Bosnia, and has continued to contribute to peacekeeping efforts through its participation in Operation Joint Guard.

These developments underscore the positive role Romania can play in fostering stability in NATO's southern flank. Romania's desire to join NATO was clear through its active participation with its Partnership for Peace as well as the ongoing intensified dialogue with the Alliance since April of 1996.

Mr. Chairman, again I want to thank my good friend for offering this amendment. It puts us squarely in line.

Let me just say finally as a footnote, the gentleman from Virginia [Mr. WOLF] and I and others, going back to the 1980's, led the effort to remove the MFN during the Ceausescu regime, they have absolutely turned the corner, and I think with confidence we can say they will be a good partner as part of NATO.

Mr. Chairman, I submit the following letter for inclusion in the RECORD.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

Washington, DC, May 21, 1997.

Hon. WILLIAM J. CLINTON,
The White House, Washington, DC.

DEAR MR. PRESIDENT: We urge that the United States actively support the inclusion of Romania among the countries which will be invited by the North Atlantic Treaty Organization (NATO) to begin negotiations for accession to the Alliance. The NATO summit meeting scheduled to be held in Madrid, Spain, on July 8 and 9, 1997, will formally invite some candidate states to commence such negotiations. We believe that Romania deserves to be invited to accede to the Washington Treaty because of both its recent progress in meeting the criteria for membership and its strategic location along NATO's future southeastern edge.

While NATO accession should not be extended to states that do not meet the criteria set forth in the NATO Enlargement Facilitation Act of 1996 (P.L. 104–208), we believe that Romania has demonstrated great progress in all areas and should be favorably considered for inclusion in the first round of enlargement. At a hearing of the Commission on Tuesday, May 13, 1997, we heard testimony from Romania's Ambassador to the United States, His Excellency Mircea Dan Geoana, on the wide range of concerns the Commission and the Congress have had with Romania in recent years. We believe that the evidence supports Romania's claim to meet the criteria for membership, especially in the areas of human rights, national minorities, and freedom of expression and media issues that have been troublesome in the past

and were particular subjects of Commission interest.

In light of the rapid approach of the Madrid summit, and the intensive schedule of high-level NATO meetings leading up to that summit, we believe the United States should promptly and publicly clarify its position regarding the NATO process for accession by all states which meet the criteria. An announcement of U.S. support for such a process would lessen diplomatic and media speculation about a possible delay in the invitation for negotiation, supposedly to make more credible a subsequent round of enlargement. We believe all currently qualified states should be invited now to negotiate for accession, and as other states meet the criteria, the process whereby they, too, may be invited to join the alliance should be clearly formulated. This is the only fair way to manage Alliance enlargement and protect important reform efforts underway in those candidate states not included in the first group to be announced at Madrid.

We appreciate your kind attention to our views on this most important matter.

Sincerely,

CHRISTOPHER H. SMITH, M.C., Co-Chairman.

ALFONSE D'AMATO, U.S.S., Chairman.

Mr. FOX of Pennsylvania. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. SOLOMON].

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

Mr. SOLOMON. Mr. Chairman, I rise in favor of the gentleman's amendment, and admission of Romania into NATO. It is a great country.

I rise in strong support of the amendment that would support the entry of the country of Romania into the NATO alliance in the first move.

Romania has, without question moved towards irresistible democracy, a free market economy, respect for human rights and the rule of law, and are making great strides in their ability to communicate and interoperate militarily with our NATO forces.

Without question they are qualified and should be admitted to NATO at the earliest convenience.

Mr. FOX of Pennsylvania. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. GILMAN], the chairman of the committee.

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

Mr. GILMAN. Mr. Chairman, I rise in support of the amendment. The key message of this amendment, the European Security Act we will be considering, is that the door to membership at NATO should remain open and include Romania.

Mr. BEREUTER. Mr. Chairman, I ask unanimous consent, notwithstanding my failure to oppose, that I may claim the 5 minutes in opposition.

The CHAIRMAN pro tempore (Mr. EWING). Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. BEREUTER. Mr. Chairman, I yield myself such time as I may consume. Mr. Chairman, notwithstanding the fact that I do not oppose, I would say to the gentleman, the gentleman from New York and I, along with nine of our colleagues, recently led a delegation before we went to the North Atlantic Assembly, to Slovenia, and all of us came back I think very much impressed with the tremendous progress they have made in democratization and in their economic reforms and in their ability to pay for modernization to meet the NATO requirements.

We felt, in fact, they were well-qualified to be taken in as a member of NATO in the first round, and we made that recommendation to the Secretary of State, and I know I personally made it to the Secretary of Defense, and I think some of my colleagues have as well.

This matter of Romania is certainly not one that I oppose. I thank the gentleman for his initiative. I just want to make sure that nothing being said here suggests that we have any less respect or support for Slovenia as a first-round entry.

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

Mr. BEREUTER. I yield to the gentleman from New York.

Mr. SOLOMON. Mr. Chairman, I appreciate the gentleman yielding.

As the gentleman knows, we were in Slovenia and they have also made great progress toward the irreversible democracy, toward a free-market economy, as has Romania. I just wanted to call to the attention of the Members that Romania in particular is one country that has appreciated the support of the United States of America. In doing so, I want my colleagues to know, on both sides of the aisle, they are buying American. In other words, if they and other countries become a part of NATO, member of NATO, they have to be able to communicate and interoperate militarily with the NATO defense organization, and in doing so, they are buying American military equipment that is terribly important if the taxpayers are going to support the expansion of NATO, that these countries, these prospective countries, turn around and then buy American.

Mr. BEREUTER. Mr. Chairman, reclaiming my time, I am proud to mention that my colleague from New York has emphasized this point, the importance of buying American equipment, because it is interoperable in NATO forces and because it is important to our economy.

So taking nothing away from Romania's case, because military-to-military cooperation with Romania and the United States could not be better, and certainly no country has pressed harder for first-round membership than Romania, I did want to make sure that by our action today we say nothing negative about Slovenia's case, and I thank the gentleman for his initiative.

Mr. FOX of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. BEREUTER. I yield to the gentleman from Pennsylvania.

Mr. FOX of Pennsylvania. Mr. Chairman, I would agree with the gentleman from Nebraska [Mr. BEREUTER] that this in no way diminishes our support for Slovenia, and we appreciate the gentleman's support as well for Romania, and the support of the gentleman from New York [Mr. GILMAN], our chairman.

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

Mr. LEVIN. Mr. Chairman, I rise in strong support of the Fox amendment regarding to Ukraine and adopted by the House.

Since its independence in 1991, Ukraine has made some significant progress in advancing both democracy and stability in the region. It has held free and fair elections without violence for both Parliament and the President, adopted a new democratic constitution, and made significant strides toward reorganizing its economy from command-and-control to market-driven.

Under the reform plan and the leadership of President Kuchma, Ukraine has tackled its runaway inflation, which has dropped from an overwhelming level of 10,000 percent in 1993 to 181 percent in 1995 to 3.5 percent for the first quarter of this year. In addition, privatization efforts have begun to move at an accelerated rate.

Ukraine has also made significant contributions to the future peace and stability of Eastern and Central Europe. First and foremost, Ukraine lived up to its agreement to completely dismantle its entire nuclear arsenal which it inherited from the former Soviet Union and has signed the Nuclear Non-Proliferation Treaty. Ukraine is also in full compliance with the Conventional Forces in Europe Agreement, is an active participant in NATO's Partnership for Peace Program, and has given its full support for the soon to be announced expansion of the NATO alliance. Ukraine has also agreed not to participate in any program to help build a nuclear powerplant in Iran.

These achievements deserve acknowledgment and appreciation from this body. Instead of facing a potentially hostile and nuclear armed country situated on the edge of Europe, the United States benefits from cooperative arrangement with an emerging democracy.

There remain, of course, serious challenges and problems. I am disturbed by press reports in recent months of widespread government corruption and informal barriers to U.S. investment. These are allegations that warrant careful and deliberate consideration.

The answer to these concerns is not to sever relations and threaten to cut off aid as some have proposed. Such proposals run counter to our national and strategic interests in this region and would leave us without leverage to encourage change with Ukraine.

Ukraine is beginning to take some steps to solve these problems. We must encourage this process. President Kuchma has formed an international advisory committee on investment made up of Ukrainians of unquestioned reputation and corporate leaders from around the world. He has established a commission that will work directly out of his office to investigate and prosecute reported corruption. In addition, President Kuchma has removed several Ministers for questionable actions while putting others on notice that he will not accept this behavior.

President Clinton and the administration have indicated their concern over the issue of corruption and clearly communicated that progress needs to be swift. These concerns are clearly laid out in a joint statement from the United States-Ukraine Binational Commission.

Mr. Chairman, with the facts in mind, I urge my colleagues to vote ''yes'' on the Fox amendment and commend Ukraine for its contributions to Europe. As President Clinton said at the close of the first session of the United States-Ukraine Binational Commission.

The United States values its partnership with Ukraine and believes that we cannot have a successful, undivided, democratic Europe, without a successful, democratic, progressive Ukraine.

The CHAIRMAN pro tempore. All time has expired.

The question is on the amendment offered by the gentleman from Pennsylvania [Mr. FOX].

The amendment was agreed to.

Mr. BERMAN. Mr. Chairman, my amendment authorizes U.S. citizen employees to adjudicate nationality abroad and to adjudicate immigrant and nonimmigrant visas. The amendment requires that these U.S. citizen employees: First, successfully complete a program of training essentially equivalent to the training that a consular officer who is a member of the Foreign Service would receive; and second, be certified by an appropriate State Department official to be qualified to perform consular functions.

I am concerned that the amendment may be interpreted to allow students, interns, part-time employees, or short-term contract employees to handle the important function of adjudicating nationality and immigrant and nonimmigrant visas. Because of the steady increase in visa and document fraud, the security of these functions requires that they be performed by a specialized corps of professional, full-time, experienced U.S. citizen employees.

Due to security and fraud issues, the amendment should not be interpreted to mean that students, interns, part-time employees, or short-term employees—with the exception of retired Foreign Service Officers returning to perform consular services or the spouses of Foreign Service Officers being hired to perform consular services—may adjudicate nationality, immigrant, and nonimmigrant visa, and other consular functions. It is my understanding that Mr. SMITH of Texas agrees with this statement.

Mr. LEVIN. Mr. Chairman, I rise in support of the Engel amendment on Albania. Albania suffered greatly under the misguided rule of its previous Government and needs international support to get back on the path to democracy.

Albania endured many harsh years of totalitarian rule and isolation. It was the last country in Eastern Europe to throw off the yoke of communism and open its borders to the world. It still struggles today.

Albania is the poorest nation in Europe. Matters worsened when high-risk pyramid investment schemes collapsed, robbing tens of thousands of Albanians of their life savings. The result has been mass chaos and anarchy. The Government fell and demonstrations and unrest turned to open rebellion.

Today, the rebellion has been quieted by an international peacekeeping force deployed by the United Nations. A coalition government that includes elements from both the former government and its opposition has been formed to get the country back on track. This new government has promised to hold elections for President and Parliament at the end of this month.

The international community, spearheaded by the Red Cross, has committed humanitarian aid to help Albanians get back on their feet and get on with their lives.

The Engel amendment directs the United States to encourage and support the new unity government and urge it to guarantee human rights and free and fair elections. In addition, the amendment commends the U.S. military and diplomatic personnel who evacuated U.S. citizens from the country during violent uproar. Finally, the amendment commends our negotiators.

Mr. Speaker, I support the Engel amendment because restoring stability to Albania is vital to our national interests in this region. We cannot allow chaos and unrest to overtake Albania again because it would have a devastating effect on the already delicate situation in this turbulent corner of the world.

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. PEASE), having assumed the chair, Mr. EWING, Chairman pro tempore 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. 1757), to consolidate international affairs agencies, to authorize appropriations for the Department of State and related agencies for fiscal years 1998 and 1999, and for other purposes, had come to no resolution thereon.

LIMITATION ON FURTHER AMENDMENTS TO H.R. 1757, FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 1998 AND 1999

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 1757 in the Committee of the Whole, pursuant to House Resolution 159, no further amendments to the bill shall be in order except:

First, amendments en bloc offered by the Chairman of the Committee on International Relations pursuant to the order of the House of June 5, 1997; and, second, the following amendment which shall be debatable under the 5-minute rule: Amendment by the gentleman from South Carolina [Mr. SANFORD] regarding authorization levels.

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

Mr. HAMILTON. Mr. Speaker, reserving the right to object, I do not intend to object, but let me just ask a question or two for clarification.

There will be under this unanimous consent request only two amendments permitted?

Mr. GILMAN. Mr. Speaker, will the gentleman yield?

Mr. HAMILTON. I yield to the gentleman from New York.

Mr. GILMAN. Mr. Speaker, that is correct.

Mr. HAMILTON. Mr. Speaker, one of those amendments would be the en bloc offered by the gentleman as the chairman of the committee, and that is pursuant to the order of the House of June 5, 1997. That means that would be done with the concurrence of the ranking minority member?

Mr. GILMAN. Mr. Speaker, that is correct.

Mr. HAMILTON. And then the second amendment that would be permitted under the 5-minute rule without restriction on time would be the amendment of the gentleman from South Carolina [Mr. SANFORD] with respect to authorization levels?

Mr. GILMAN. Mr. Speaker, that is correct.

Mr. HAMILTON. And no other amendments will be offered?

Mr. GILMAN. And no other amendments, and we hope to be finished early tomorrow morning.

Mr. HAMILTON. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 5, rule I, the Chair will now put the question on the motion to suspend the rules on which further proceedings were postponed earlier today.

RELATING TO THE 30TH ANNIVERSARY OF THE REUNIFICATION OF THE CITY OF JERUSALEM

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 60.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York [Mr. GILMAN] that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 60, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 406, nays 17, answered ''present'' 1, not 10, as follows:

[Roll No. 176]

YEAS—406

Abercrombie	Barrett (NE)	Bliley
Ackerman	Barrett (WI)	Blunt
Aderholt	Bartlett	Boehlert
Allen	Barton	Boehner
Andrews	Bass	Bonilla
Archer	Becerra	Bono
Armey	Bentsen	Borski
Bachus	Bereuter	Boswell
Baesler	Berman	Boucher
Baker	Berry	Boyd
Baldacci	Bilbray	Brady
Ballenger	Bilirakis	Brown (CA)
Barcia	Bishop	Brown (FL)
Barr	Blagojevich	Brown (OH)