

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT FOR FISCAL YEAR 2004

The SPEAKER pro tempore. Pursuant to House Resolution 327 and rule XVIII, 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. 2800.

□ 2009

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. 2800) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2004, and for other purposes, with Mr. THORNBERRY in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, pending was the amendment by the gentlewoman from Michigan (Ms. KILPATRICK), and the bill was open for amendment from page 5, line 18 through page 12, line 10. Is there further debate on the Kilpatrick amendment?

If not, the question is on the amendment offered by the gentlewoman from Michigan (Ms. KILPATRICK).

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

RECORDED VOTE

Mr. MCGOVERN. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Michigan (Ms. KILPATRICK) will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. MCGOVERN

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. MCGOVERN:

In the item relating to "CHILD SURVIVAL AND HEALTH PROGRAMS FUND", after the first dollar amount insert "(increased by \$75,000,000)".

In the item relating to "ANDEAN COUNTERDRUG INITIATIVE", after the first dollar amount insert "(reduced by \$40,000,000)".

In the item relating to "FOREIGN MILITARY FINANCING PROGRAM", after the first dollar amount insert "(reduced by \$35,000,000)".

Mr. MCGOVERN. Mr. Chairman, the gentleman from Missouri (Mr. SKELTON) and I are offering an amendment to make modest reductions in military aid for Colombia, and to transfer those funds to the Child Survival and Health Programs Fund for programs that combat HIV/AIDS, tuberculosis, malaria, and other infectious diseases.

H.R. 2800 provides \$4.3 billion in foreign military financing, of which \$110 million is slated to go to the Colum-

bian military. Our amendment reduces that amount by \$35 million.

The Andean Counterdrug Initiative is fully funded at \$731 million, with at least \$159 million in military aid for the Colombian armed forces. Our amendment reduces that total by just \$40 million.

These are modest reductions but, if approved, they will send a powerful message that Congress believes respect for human rights is essential, that impunity for high-ranking military officers who commit human rights abuses must end, and that Congress requires a more defined U.S. plan and exit strategy in Colombia.

This amendment will also do a great deal of good.

I commend the chairman and ranking member of the subcommittee for increasing funding for HIV/AIDS, but the total is still about \$1 billion less than the \$3 billion authorized, the amount the President recently promised to African leaders. Mr. Chairman, \$75 million is a modest amount, but every dollar counts in the fight against HIV/AIDS, tuberculosis, malaria, and other diseases. \$75 million could ensure that 250,000 more people with HIV/AIDS could receive drug treatment for an entire year. Think of it. This amendment could literally save the lives of a quarter of a million people over the course of the next year.

Now, I know some of my colleagues are saying, but we cannot pull out of Colombia. Well, let me be perfectly clear. No one believes more strongly than I do that the United States must stay engaged in Colombia. I will never advocate that we walk away from Colombia. But I have serious questions about the direction of U.S. policy, the goals that have yet to be defined for our military involvement there, and how we define success or failure in Colombia.

The committee has stated that U.S. policy in Colombia stands at a crossroads, and I agree. In the past 4 years, we have sent over \$3.1 billion to Colombia, 80 percent in military and security assistance. On July 16, the Colombian government announced it will soon present "Plan Colombia-Phase II" and seek substantial U.S. aid increases for 2006 and beyond.

Meanwhile, coca production in the Andes has actually increased since Plan Colombia began, rising from 185,000 hectares in 2000 to 205,400 hectares in 2002, according to the State Department.

Colombia's small drop in coca production last year did not even bring its levels back down to where they were in 2000. And Colombia's decrease is offset by shifting production back to Bolivia and Peru. That does not seem to be progress to me.

Further, according to the Justice Department, the availability of cocaine in the United States actually increased in 2002. So let us not spin ourselves into thinking our policy is working.

Despite human rights conditions placed on U.S. military aid to Colum-

bia, our aid continues to flow uninterrupted. We keep writing huge checks, even though every reputable human rights organization in the world concludes that the Colombian armed forces directly collaborate with paramilitary forces. These are the same paramilitary forces responsible for the majority of human rights abuses against civilians. These are the same paramilitary forces on the State Department's list of terrorist organizations. These are the same paramilitary forces that President Uribe's own hand-picked commission determined control at least 40 percent of the drug trade in Colombia and receive 80 percent of their funding from drug profits.

Meanwhile, over the past year, human rights crimes by official Colombian military police have increased, according to the U.N. High Commissioner for Human Rights in Colombia.

Regions where the Colombia military is most present and active are precisely the areas where official human rights abuses and political violence have most sharply escalated, according to the Colombian government's own Inspector General.

Colombia's Attorney General has dismissed prosecutors who are in charge of investigating the most serious cases of human rights crimes committed by high-ranking military officers, closing those cases, and ignoring others.

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Instead, the Attorney General is opening new investigations against Catholic bishops, human rights defenders and community leaders. Impunity is not only alive and well in Colombia, it is better protected than ever.

Mr. Chairman, when the United States bankrolls a foreign military, then we have a special obligation not to be indifferent to its human rights record. We have a special responsibility because this is a reflection on us, but this Congress has been sending a very disturbing message to the Colombia military; namely, if you perform poorly, if you violate the human rights of your own people, do not worry, we will lower our standards on human rights.

We can do better. These modest reductions in military aid will not undercut Colombia's fight against the brutal FARC guerillas, but it could end up being the most significant message sent by this Congress in support of human rights and democracy. I urge my colleagues to support the McGovern-Skelton amendment.

Mr. KOLBE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I do rise in opposition to the gentleman's amendment. The administration has requested \$731 million for the Andean Counterdrug Initiative, or ACI as it is called, in this fiscal year 2004. We have provided full funding for that request, and I think it is absolutely critical to sustaining our success in Colombia and to protecting Colombia's neighbors from a spillover effect.

We have had this debate, Mr. Chairman, in past years and in past years we could not say with a great deal of confidence that we are having any real progress. But let me make one basic fact which I think is very, very clear, and that is that our efforts in Colombia are making a huge difference. As this chart shows here, by almost any measure, and this is from August to June of 2001 and 2002 to the year 2002 and 2003, by almost any measure the insurgents killed in action, up 28 percent. Insurgents captured, up 108 percent. Insurgents deserting, 106 percent. Terrorists attacks, down 47 percent. Tax on the economic infrastructure, down 54 percent. Murders, down 16 percent. This is all in the course of one year of time. So we have had a tremendous impact.

This administration that exists down there in Colombia today is one that is very committed to making a difference and making things happen. Poppy cultivation is spreading. As you can see, a very dramatic increase in the amount of thousands of hectares being sprayed and a resultant decline in the amount of cultivation of poppy. And similarly here, if we look at coca cultivation, even here, even a more dramatic increase over the last 3 years, and now we are beginning to see the results, for the first time ever a significant reduction in the amount of the actual coca production here and cultivation. These are the direct results, the direct results of the U.S. assisted eradication program.

We have also requested \$110 million, the President's request, for the foreign military financing for Colombia. This is not blanket military assistance for Colombia, but it is designed to improve the quality of very focused support for specialized units in the Colombian ministry.

Mr. Chairman, the former ambassador to Colombia has spoken very eloquently about this and very forcefully to us. She has told us that if we are ever going to be able to ratchet down, to change the mix of how aid in Colombia and eradication programs are working in Colombia, if we are ever going to get the United States out of there and allow the Colombians to do the job, the foreign military sales are absolutely important, critical, so that the Colombians can have not only the training but have the hardware that is required in order to do that.

The problems that face Colombia are very complex. They are economic. They are social. They are military, and they are very much linked, of course, to the social problem we have in this country of drug use and drug consumption.

There is not going to be any rapid or easy fix to this problem. We have discovered that over the years. But the nonexistent government presence and the law enforcement capability in lawless areas of the country are key to Colombia's social and economic problems, and we are making a big difference there. We have just been told by the

Columbian ambassador to the United States, in virtually every single case there is now presence in each of the provinces and each of the counties, as we would call them here, in this country of military and police presence, whereas scores had no presence just a couple of years ago. So we are making a huge difference there.

It is in our interests to support this request to Colombia. I cannot think of a worse time when we have a President in Colombia that is absolutely committed to making a difference and to protecting human rights. When we have an opportunity to make a real difference in this country, it would be the worst time for us to be cutting these funds.

Mr. Chairman, I would urge, strongly urge, even if the gentleman suggests that it is not a major cut in the amount of funding, it would be the wrong signal to be sending to the Colombian people who are very supportive of President Uribe in his efforts to destroy the FARC, his efforts to counterattack against the FARC and the paramilitary and to end the production of coca and opium in the area.

I urge defeat of this amendment.

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

Mr. Chairman, I do rise in opposition to the gentleman's amendment. The administration has requested \$731 million for the Andean Counterdrug Initiative, or ACI as it is called, in fiscal year 2004. We have provided full funding for that request, and I think it is absolutely critical to sustaining our success in Colombia and to protecting Colombia's neighbors from a spillover effect.

We have had this debate, Mr. Chairman, in past years. And in past years we could not say with a great deal of confidence that we were experiencing real progress. But let me state one basic fact which I think is very, very clear. Our efforts in Colombia are making a real difference. As this chart shows here, and this is from August to June of 2001 and 2002 to the year 2002 and 2003, by almost any measure the insurgents killed in action is up 28 percent. Insurgents captured, up 108 percent. Insurgents deserting, 106 percent. Terrorists attacks, down 47 percent. Tax on the economic infrastructure, down 54 percent. Murders, down 16 percent. This is all over the course of one year of time. We have seen a tremendous impact.

Colombian President Uribe's administration is one that is very committed to making a difference and making things happen. Poppy cultivation is spreading. As you can see, there have been a very dramatic increase in the number of hectares being eradicated and a resultant decline in the amount of cultivation of poppy. Similarly, if we look at coca cultivation, there is an even more dramatic increase over the last 3 years in eradication efforts. Now we are beginning to see the results. For the first time in 5 years, we see a significant reduction in the amount of the actual coca production and cultivation. These are the direct results, the direct results of the U.S. assisted eradication program.

The President also requested \$110 million, for foreign military financing assistance for Colombia. This is not blanket military assistance

for Colombia, but it is designed to improve the quality of very focused support for specialized units in the Colombian military.

Mr. Chairman, the former U.S. ambassador to Colombia has spoken very eloquently about this and very forcefully to us about the President's regret. She has told us that if we are ever going to be able to ratchet down our assistance to Colombia, and if we are ever going to turn over the program to the Colombians and allow the Colombians to do the job, then the foreign military sales are absolutely important. It is critical so that Colombians can have not only the training but have the hardware that is required in order to be successful.

The problems that face Colombia are very complex. They are economic. They are social. They are law enforcement and they are very much linked.

There is not going to be any rapid or easy fix to this problem. We have discovered that over the years, the nonexistent government presence and the lack of law enforcement capability in lawless areas of the country are key to Colombia's social and economic problems. The U.S. assistance is helping to make a big difference. We have just been told by the Colombian ambassador to the United States, in virtually every single province there is now a military and police presence, whereas scores had no presence just a couple of years ago. Let me repeat, U.S. assistance is making a huge difference in Colombia.

It is in our interests to support the President's request to Colombia. I cannot think of a worse time to cut our assistance when we have a President in Colombia that is absolutely committed to making a difference and to protecting human rights. We have an opportunity to make a real difference in this country, therefore it would be the worst time for the Congress to be voting to cut these funds.

Mr. Chairman, even if the gentleman suggests that this is not a major cut to the level of funding, it would be the wrong signal to be sending to the Colombian people who are very supportive of President Uribe in his efforts to destroy the FARC, his efforts to counterattack against the FARC and the paramilitary and to end the production of coca and opium in the area.

I strongly urge defeat of this amendment.

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

Mr. Chairman, this bill provides \$574 million for Colombia. The amendment would cut \$75 million from that total. And the reason I support it, although I have great respect for the chairman's position, is because I have fundamental questions about the direction in which our Colombia policy is headed.

As my colleagues may know, the United States' commitment to Colombia has shifted in the last year from being exclusively focused on drugs towards an open-ended, long-term commitment to aid the Colombian government in its war against guerillas and terrorists.

The response to that shift in the United States' policy has been more violence directed at U.S. personnel, including kidnappings, hostages being taken and planes being shot down.

Next year marks the end of the original 5-year Plan Colombia, and as we near that time we find that coca production in the region has increased

rather than decreased, violence continues unabated, more Colombians are internally displaced.

The human rights situation is worse. No viable alternative development scheme is in place, and drug dealing paramilitary organizations control much of the country. Meanwhile, the amount of United States assistance to Colombia has increased every year to over half a billion requested next year. Plans underway in the administration will lead to an even broader commitment to Colombia to assist in this civil war in the name of fighting terrorism.

According to the GAO, the administration has not developed estimates of future program costs, defined their future roles in Colombia, identified a proposed end state, or determined how they plan to achieve it.

During the original debate on Plan Colombia, critics said we were descending a slippery slope. Well, we are hurtling down that slope with no end in sight. Last year, in the context of agreeing to broaden the authority for U.S. programs beyond drugs, the new government of Colombia agreed to adopt major reforms within the military and to significantly increase security expenditures from its own budget. While it appears that the Colombians increase their security budget in 2002 and 2003, the United States has no firm commitment that the increased level will continue in 2004 and beyond. In the meantime, the costs of simply maintaining the aircraft and equipment we already have there now exceeds \$230 million per year. The best you can say about reforms within the military is that they are a work in progress.

I support Colombia. I want to help Colombia. But we do not help Colombia by continuing an unbalanced policy, looking the other way on human rights problems and continue collusion with paramilitary organizations and paying the maintenance bill for their helicopters while failing to insist on a viable development scheme for rural areas.

Passage of this amendment will not cut off aid to Colombia. It will send a strong signal to the administration that they need to make some policy changes, clarify the length and terms of our commitment and present Congress with an exit strategy.

Mr. Chairman, I urge support of the McGovern amendment.

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

Mr. Chairman, I think anybody that has any knowledge at all recognizes drug abuse is the most dangerous threat that we have in our country today. We spend nearly \$11 billion inside the country to fight this drug disaster. Aid to Colombia is the most effective weapon we have against drug production, not drug use.

The estimated economic cost of illegal drug use in the United States has been over \$160 billion in the year 2000. The \$731 million provided in the Ande-

an Drug Initiative in this appropriations bill is necessary and money well spent and these funds will save the U.S. money in the long term.

The previous speaker spoke of the number of people that were dying of AIDS and where the money could be of use to them. There is an estimated 4.7 million Americans age 12 and older in the year 2000 who needed treatment for illicit drug use and drug abuse problems. That accounts for 2.1 percent of the national population. If you could measure the cost per individual what drugs have cost us in this country, it is \$34,200 a year.

The Federal Bureau of Investigation estimates that 1.6 million people were arrested in the United States in 2001 for drug abuse violations. Nearly one in four persons were held in U.S. jails and prisons in 2000, 57 percent were imprisoned for drug offenses.

I think the statement that the war on drugs and Plan Colombia is not working is completely false. It was very slow in getting started and I blame this body right here for the first 2 years that we were ineffective because it was an argument about how the money should be spent, how it should be allotted as far as which helicopters and which aid. It is our fault here that it took so long to get going.

There was a statement made that the production of coca had increased. That is false. It has shrunk in the last year. In fact, it has been one of the most successful years that we have ever had in reducing the production of this coca in Colombia. Also, there were statements made about how horrible the paramilitary forces have been, and in the past they were terrible, but paramilitary forces within the last week have signed a peace agreement with the government.

If the ELN and FARC would do the same, the communist element that we are supposedly helping out by shrinking this budget would go away.

I would like to say that reducing drug production is what we need in this country most, and every penny that we spend on it is worth its effort, not only from North Carolina to Massachusetts but California to Missouri. Drugs are blind on who they affect, and the effort we are putting forth in Colombia is probably the most effective way that we have of reducing drug use in this country.

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

Mr. Chairman, I am extremely pleased to cosponsor this amendment with my friend and my colleague, the gentleman from Massachusetts (Mr. MCGOVERN). We have sponsored a number of amendments over the last several years to take dollars from the American military assistance to Colombia, and I do not do this action because I am unsympathetic to President Uribe and what he is trying to accomplish. I think he is sincerely working to break the stranglehold that drug

cartels and insurgency groups have on his nation. But the message sent by cutting this funding, those messages need to reach the Colombian people, this administration and his administration.

It is true, Mr. Chairman, that more is asked of the American soldier that is sent to Colombia than Colombia asks of its own soldiers. This bothers me to no end.

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The Colombian people need to take concerted and consistent steps to help provide for their long-term security. That means providing for a sustained financial base.

Our administration needs to come forward with a long-term strategy for American military involvement in Colombia. Many in this House are worried about the creeping nature of our expanding mission in Colombia, known as mission creep. We need to know what role the American troops will play and for what period of time.

Having this knowledge is even more critically important as we face a long-term commitment. Our troops have the possibility of continued work in North Korea, Liberia, not to mention Iraq. We do not have enough troops to go around the world wearing them out.

We need to increase our end strength, but we have needed to do that for a while. We also need to look carefully at all of our commitments and the decisions.

So I urge my colleagues to vote for this amendment. It does not eliminate all funding for Colombia, nor does it touch the critical programs like IMET, which is developing a more professional military in Colombia.

I said a moment ago that more is asked of the American soldier that is down there helping them fight the rebels than they ask of their own soldiers. Every soldier in the American Army has at least a high school education or its equivalent or they cannot join. If anyone has a high school education in Colombia, they are exempt from their military conscription. If they come from wealthy families, if they have a high school education, they do not have to serve; but Americans down there to train them and trying to help beat back the rebels are more highly educated and are putting themselves on the line, when they in Colombia do not ask the same as we ask of our soldiers who are there to help them.

Mr. Chairman, I resent this. I resent this very much. If they want our continued help, they should prove it by having a conscription law that cuts across all classes and all education. So I urge my colleagues to vote for this amendment. It will not injure the programs that are important whatsoever, and it will cause them in Colombia, as well as our administration, to take a good hard look at what is necessary to win in Colombia.

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

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

Mr. SOUDER. Mr. Chairman, one of the earlier speakers said this is just a signal. If it were so, it is a wrong signal, it is a wrong time; but it is not just a signal. It would actually deprive real dollars from people who are trying to fight narcoterrorists who are funded by our drug habits.

While 40 million and 35 million, a total of 75 million, may not seem like a lot here because we spend so much money, it is a significant percentage of this budget.

The previous speaker said that this has been mission creep. It has been exactly the reverse. It is mission reduction; and in fact, this request is substantially under the last request. In fact, there are fewer dollars being spent in this budget than the previous budget. In fact, more Colombians are repairing helicopters than in the past, more Colombians are spraying than in the past, more Colombians are on the ground. We now have specially trained antinarcotics units. The military have gone through human rights training and met those standards, in addition to the Colombian National Police.

We are achieving our goals on the ground, and this amendment would help devastate those goals at the very moment of their success.

We have had this debate for each of the last 3 years since President Clinton signed Plan Colombia into law. While there still may be two points of view this year, the facts clearly show that the debate should, in fact, be over. Thanks to the strong leadership of President Uribe, there can no longer be disagreement that the program is showing clear results. Just maintaining on the House floor that it is not working does not mean that it is not working. My colleagues can say things, but they cannot be true.

I have been to Colombia twice this year and have seen firsthand the signs of remarkable success in that nation. The Uribe government has taken control of areas previously held by narcoterrorist guerrillas. There are many towns in Colombia that are still under terrorist control, but the number is declining. There are now people moving back to their hometowns. There are mayors willing to run for office again because the ELN and the paramilitaries are in somewhat of a disarray, at least in somewhat retreat; and the FARC is somewhat divided. They still control a significant percentage of the country, but it is less than it was, and we are making progress.

You cannot plant alternative crops if you believe you are going to be killed by FARC and then killed by the paramilitaries. First you have some to order. We are providing people with the chance and getting some order. If we continue at that rate, we can establish one of the oldest democracies in the Americas back to a free people.

This is not a civil war. Four percent of the people, that is almost not much more than the percentage in prisons in the United States, support the FARC or any of this. The people are overwhelmingly on the side of this government. This is the most popular government in modern history in Colombia.

The facts are so clear my colleagues do not need to take my word for it. I will instead let the editorial board of *The Washington Post*, hardly the most conservative group of commentators, tell my colleagues why now is not the time to lessen our support for this critical program to keep stability in our hemisphere and control the flow of hard drugs onto every American street.

On July 13, *The Post* editorialized as follows: "Some members of Congress and human rights groups protested that the attempt to bolster the Colombian army with equipment and training while sponsoring the aerial spraying of coca fields would embroil the United States in a Vietnam-like quagmire. The critics were wrong. Colombian coca and poppy production has been reduced substantially; according to a United Nations study, the acreage has dropped by 38 percent in 3 years."

The *Washington Post* editorial continued: "With the traffickers and their guerrilla allies on the defensive, violence is down, too. Homicides have fallen by a quarter and kidnappings by a third this year compared with last year. Colombia's economy is growing, and its President, Alvaro Uribe, leads the strongest and most popular government the country has had in decades. Though Plan Colombia still hasn't achieved many of its goals, there can be little question that the \$2.7 billion invested by the United States so far has gotten results."

Again, those were not the gentleman from Indiana's (Mr. SOUDER) arguments, but the conclusion of *The Washington Post* editorial board. It is now beyond serious dispute that Plan Colombia is working, that it is beginning to have a serious impact, and that it is at a critical point. No program is perfect, but the choice now is a clear one. Do we continue to make progress towards finishing the job, or do we withdraw and quit? There are many hard decisions in this body, but continuing a program that is now obviously succeeding against long and hard odds should not be one of them.

We also continue to have a moral obligation to the people of Colombia to help them solve deep problems of political, legal, and social order that are caused in significant part by Americans. In Cartagena earlier this month, I visited with Colombian soldiers who had been viciously attacked by narcoterrorist guerrillas. They had lost limbs and yet stayed firm and resolute; some had lost lives, despite the fact that the groups who attacked them were funded in significant part by the drug habits of Americans.

From my hometown and the hometowns of the members of this country,

I also visited the Nelson Mandela Village for people who have been displaced and terrorized in these hometowns; and in talking to these people, they want to go back home. They do not want to be terrorized. We are near the point in about half of those areas of stabilizing, and they have moved and are at the point of moving back. How can we cut this program now when it is finally working? Even a small cut could be devastating to Colombia.

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

Mr. Chairman, I rise in strong support for the McGovern-Skelton amendment to transfer \$75 million in military aid for Colombia to programs that combat HIV/AIDS, tuberculosis, malaria, and other infectious diseases.

I have serious concerns with our policy in Colombia and, in particular, with the ongoing human rights abuses. The number of people who have disappeared or been killed has risen from 14 to 20 per day in the last 2 years. Those newly displaced by political violence increased by 412,000 in 2002, and Colombia has the second largest population of internally displaced people in the world, trailing only the Sudan. More than 1,000 people are forced to leave their homes every single day.

What are we doing to hold the Colombian government accountable for these abuses? There is no evidence to show that Colombia's military officers involved in human rights abuses are being suspended for their actions. According to Human Rights Watch, they continue to remain on active duty and in command of their troops, and Colombian Army collaboration with paramilitaries raises serious questions about whether our involvement is making any difference at all and perhaps even enabling these abuses to continue.

It deeply worries me to see our expanding involvement in Colombia. At a time when we have forces in Iraq and Afghanistan, can we really afford to become enmeshed in another large scale conflict? Of course not. Yet just recently, Deputy Secretary of Defense Paul Wolfowitz said that the United States was considering transferring some military capabilities from Iraq to Colombia.

We are moving in a dangerous direction. Congress changed the law last year to allow U.S. counterdrug aid to support a "unified campaign" against drugs and against Colombia's guerrilla and paramilitary groups. Our mission has actually expanded. The number of U.S. military personnel on the ground in Colombia has tripled in the last 3 years, and the Colombia Government announced only a week ago that within four months it will unveil "Plan Colombia Phase II," counterinsurgency aid that will help wipe out more than 35,000 insurgents.

Mr. Chairman, this is precisely the same mission the Reagan administration adopted in El Salvador 20 years ago. It did not work then; it will not

work now. And Colombia's over fifty times larger than El Salvador. We cannot fight Colombia's war and we should not.

Instead of funding a troubling conflict that we ought not to be so heavily involved with, we should focus those resources on fighting wars that we can win with the proper resources. The United Nations Joint Program on HIV/AIDS estimates that last year 2.4 million Africans died of AIDS-related illnesses, while nearly 30 million continue to live with the disease. Heavily affected countries in sub-Saharan Africa are struggling to provide care and treatment for over a third of their populations. In the Caribbean, an estimated 440,000 people are infected with HIV/AIDS, a number that is continuing to climb.

By focusing our resources in these areas, we can make a real difference in the fight to combat these diseases. That is where we should be redoubling our efforts, not in the murky forests of Colombia. This is a modest amendment in financial terms but not in what it could achieve.

I ask my colleagues to please support the McGovern-Skelton amendment.

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

I come in very strong opposition to the McGovern amendment. I could not be any more opposed to any amendment that has been proposed in the House in some time. Let me discuss for my colleagues, some of them have been here, some of them have not been here during what has happened with the increase of illegal narcotics coming in from Colombia.

In 1992 and 1993, these charts are almost unbelievable. There is almost no cocaine coming in from Colombia, and there was zero heroin coming in from Colombia. Then appeared on the scene the Clinton administration which said, oh, we cannot harm the hairs on any guerrillas, we must protect human rights in Colombia and we must not do anything about drug trafficking there; we must not interfere in the civil conflict. We did nothing and tens of thousands died. Members of the legislature, members of the judiciary, citizens by the thousands died in the civil war that had gone on there, and the atrocities increased.

The production of illegal narcotics increased, and the deadly narcotics came from Colombia. Here is the statistics: again, zero in 1993 and almost all of the deadly heroin coming into the United States, and this had some results. The results are absolutely incredible.

In the year 2000, 19,698, almost double from 1993, Americans died from drug-related deaths, more than homicides. We have a silent war going on in this country. So we sat down and we formed a plan, and it was opposed time and time again.

Former Congressman Gilman, who chaired the Committee on International Relations, brought forth a

Plan Colombia and plans to try to bring in helicopters to go after this, to assist in training the Colombians and attacking drugs and terrorism; and it was shot down time and time again.

Finally, through the leadership of the gentleman from New York (Mr. HASTERT), who was chair of the Subcommittee on Drug Oversight, and God, I think, had a hand in making him Speaker of the House, we were able to get Plan Colombia together.

The critics said we were wrong, The Washington Post said. The critics now say we are right. Plan Colombia and President Bush have put it into action to train the military down there, to stop the violence. The violence has stopped. The statistics we hear are old statistics. Twenty-five percent reduction in murders, 33 percent reduction in killing. We stopped some of the killing, and this amendment will again put us in the position of beginning the killing, beginning the destruction, not only in Colombia but on our streets and neighborhoods.

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So we have a chance now to move Plan Colombia forward and we cannot destroy that chance through this amendment.

Plan Colombia, the progress is unbelievable. It benefitted 22,829 families in Colombia, supported 24,549 hectares of legal crops, it completed 349 community projects, established 33 legal service centers, constructed 19 oral trial courtrooms, trained 3,400 judges, and aided 774,000 internally displaced people. Those are the statistics. That is the truth. That is what Plan Colombia has done, and we cannot take a step backward tonight.

It would be a disaster for those mothers and fathers that I have met with who have lost their children from the cocaine, the heroin that has come up from Colombia that we have not stopped. We have a chance tonight to move Plan Colombia forward or move it backward and allow the killing to continue in Colombia. Again, in the name of human rights, how many more people should die there? How many more people should die on the streets of my neighborhood in Florida or in the streets of New York? Rich, poor, all are affected by what is going on. What about the silent deaths by the tens of thousands in our country?

Tonight would be the worst step we could take in the history of this Congress relating to our work against illegal narcotics to pass this amendment, to take a step backward to where we were, and to do what did not work should not be allowed to again happen in the Congress of the United States. I oppose the amendment.

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

Mr. Chairman, I have been following events in Colombia since 1957, and I would like to think that the money that we are spending there is well spent and will reach a useful conclu-

sion. I wish I could say that, but after watching that government and that society, especially the economic elite of that society for a long time, I have reluctantly concluded that they simply do not have the will to do what is necessary to win their own battles. I think we have drifted little by little into a long-term sustained financial and political involvement with little expectation of real success.

Oh, I know, people say we have reduced this production here and reduced production there. Baloney. It is like a balloon. It just pops up somewhere else. I remember when one of the members of the Reagan administration's antidrug team came to me privately and told me in despairing terms what a tremendous waste he thought the money was that we were spending in our antidrug campaign in Latin America. And when he told me how little we actually intercepted at our borders, I was blown away, and that has not changed that much.

And so if I thought this money was going to accomplish any useful purpose, I would say, "Fine, provide it." But when I see the economic elite of that country still not making the sacrifices that are required in order to achieve the ends that we say we have, then I think we ought to look for a more useful place to put that money.

But I have a second question. My understanding is that the leadership of the Republican Party from the highest levels on down cares very deeply about our efforts in Colombia. So my question is, if that is the case, why are so many Members of the majority party watching "Seabiscuit" tonight? Why was this House shut down for a couple of hours to avoid votes on the House floor so that Members of the Republican leadership structure could enjoy a summer movie?

It seems to me if this issue is important enough for us to provide our money, then it is important enough for the people who believe in it the most and the people who brought about our investment in the program in the first place to be here on the floor defending it. And if they think it is more important to watch "Seabiscuit" than to deal with this program, then I think that says volumes about how useful even they think this money is.

So with all due respect to the cries of alarm, I have heard about our antidrug efforts around the world for years and years, those efforts cannot be successful unless they are coupled with a determination on the part of the recipient country to do whatever is necessary to win the battle against drugs. And when that will is absent or when it is weak, then Uncle Sam is simply being taken for Uncle Sucker.

So I would suggest my colleagues pay attention to this amendment. At least that money will be put someplace where it will do some good. And perhaps if this amendment passes tonight, in the future we will not have Members of the majority party running off to

watch "Seabiscuit" when something that is supposedly important to the national security is on the floor of this House.

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

I rise in strong support of the McGovern-Skelton amendment. This amendment transfers \$75 million from Colombian military assistance to global programs for HIV/AIDS prevention and treatment. Now, this amendment signals to Colombia and the world that this government is serious about the need to respect human rights, that it believes that we need to rethink our approach to the Colombian situation, and that we recognize that the HIV/AIDS pandemic is the greatest health and humanitarian crisis of our time.

Plan Colombia has failed. Coca production in the Andes has increased. Eradication programs are shifting production, not eliminating it, and they are exposing men, women, and children of the region to dangerous pesticides. At the same time, paramilitary organizations tied to the Colombian army we are supporting have engaged in gross human rights violations. Those same paramilitaries, according to the Washington Post and other sources, are major drug dealers themselves. The Post reports that paramilitaries control 40 percent, that is 40 percent of the Colombian drug trade. Human Rights Watch and other humanitarian organizations have reported that Colombian military officers alleged to have committed human rights abuses remain on duty.

We should be able to translate United States assistance into influence to promote the protection of human rights. That is not happening in Colombia, and civilians are paying the price. We are compelled to ask: What are we trying to do in Colombia and what is our exit strategy? How much will we spend on this program and what will it accomplish? The United States has a long and troubled history in Latin America, and we should end this chapter.

At the same time, this bill underfunds the President's \$3 billion HIV/AIDS initiative, so this amendment would help correct this imbalance that will cost lives. While the money that this amendment would transfer from the Colombian account is a modest sum by most standards, it can go a long way towards helping those individuals who are suffering and dying from HIV and AIDS and other opportunistic infections such as tuberculosis and malaria.

Now, with the cost of generic anti-retroviral drugs dropping to under \$300 a year, let me tell my colleagues what \$75 million would do. Seventy-five million dollars would allow another 250,000 HIV/AIDS infected individuals access to these lifesaving drugs. Seventy-five million dollars could also pay for approximately 7 million people to take the normal \$10 treatment course for tuberculosis, which is the leading killer of HIV and AIDS patients. And with

the cost of most malaria treatment courses ranging from \$2 to \$5, up to 15 million patients could be treated with just \$75 million.

Let me be clear, though, that as much good as this money can do, it can in no way overcome the nearly \$1 billion shortfall in spending for our global AIDS, TB, and malaria initiatives. Now, the President has promised \$3 billion, but it is obvious that this Congress must deliver on that. I would hope that the President would try very hard to find some way to make up the difference between the \$3 billion that we authorized back in May and the just over \$2 billion that we are now appropriating.

Thanks to the gentlewoman from California (Ms. KILPATRICK) and the gentleman from Massachusetts (Mr. MCGOVERN) and the gentleman from Missouri (Mr. SKELTON), with this amendment we have an opportunity to piece this money, and that is what we are doing, piecing this \$1 million together. But it is worth it.

It would be a travesty to underfund our first-year pledge of the 5 years, \$15 billion commitment we made so recently to fight global AIDS, particularly since the President spoke so much about it during his recent trip to Africa. Expectations have been raised, and we must deliver upon them or we risk further damage to our credibility.

This amendment improves our foreign policy in two directions. It helps correct a Colombian policy that has gone badly astray, and it transfers desperately needed funds to the most urgent humanitarian and health crisis of our time. It helps us, this House, deliver on the President's promise. So I urge my colleagues to support this amendment.

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

Mr. Chairman, I appreciate the leadership of the gentleman from Massachusetts (Mr. MCGOVERN) and the gentleman from Missouri (Mr. SKELTON) in bringing this amendment before us this evening. I also respect the commitment of the Speaker of this House to Colombia. Recently he talked of this initiative as saving the lives of American children. But, frankly, I get different information.

I identify with what the gentleman from North Carolina talked about a little while ago, where there are 4.7 million drug abusers in this country, where cocaine production is steady in the region. It may be shifted around a little bit, but in terms of the region itself the cocaine production has been steady for years. And, in fact, cocaine access in the year 2002, the most recent I have available, those statistics suggest that as far as our young people are concerned, cocaine access and use is up.

I am concerned that the program in Colombia is not the most humane program, that not enough money is being invested in alternative development,

manual eradication on the ground with aid to farmers. I am concerned that this package, over time, has not been balanced; that when you take all of the money into account, you are looking at approximately 80 percent that is going to be in police and military aid.

My choice, if we were dealing with this in an ideal world, would in fact be to transfer the money, as proposed under the amendment. That would result in tens of thousands of people being saved from infectious diseases. Not that we abandon Colombia, but that we are more focused in terms of what we do invest; investing in sadly underfunded programs for domestic treatment of drugs, increasing funding for the alternative development to help these small farmers switch crops, insisting, as my friend from Massachusetts has talked about, on the respect for human rights and the rule of law, and providing greater political and financial support for civilian democratic institutions.

But most of all, Mr. Chairman, if we are going to spend this money, for heaven sakes spend less of it on K Street. Do not spend so much on consultants, on contractors. I suspect that we can document that far more of this money ultimately is being spent in this country than is being spent on the ground in Colombia.

□ 2100

I think this amendment is a good first step. I welcome this debate this evening on the floor of the House, and I hope it takes us in a more productive direction.

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

Mr. Chairman, I rise in opposition to this amendment. I must admit, however, I do so with some ambivalence, for I share many of the concerns that have been articulated by the proponents. They are right about the balloon effect, because even as coca cultivation declines in Colombia, we are seeing an increase in Peru and Bolivia. I also share their concern about human rights abuses, about the relentless assault on labor leaders and human rights workers, and about military ties to the paramilitaries. It is reported in our own Department of State country reports. But it would be unfair not to acknowledge that there have been sincere efforts made by the Uribe administration to address these issues and some progress has been made.

Furthermore, I believe that the Colombian people, particularly the economic elite, as has been alluded to earlier, should be doing more. Unfortunately, the conflict is being currently fought by poor Colombians and paid for to a substantial degree by American taxpayers as indicated by the ranking member of the full committee. And while I applaud the initiative of President Uribe to levy a war tax, that was a one-time event. There has to be a permanent revenue stream of new

money generated by the Colombian people themselves. The percentage of GDP spent on the security forces is still much lower than in other Latin American countries which do not have to confront such a vicious internal conflict. I submit that a new permanent war tax paid by Colombians ought to be a condition of continued American assistance.

But I would suggest that it is not in our interest at this point in time to reduce aid to Colombia. It is important to note that President Uribe has made a firm commitment to fight illegal armed groups, all of them, not just the FARC and the ELN, but also the paramilitaries. And it cannot be denied that the Colombian military has been much more aggressive in dealing with these right-wing paramilitary groups since the Uribe administration has come to power. Many believe that this has resulted in a cease-fire and the beginning of a peace process with the largest faction, the so-called AUC. So now at least there is the possibility of a peace accord with this particular group. If there is a chance to remove one of the armed groups from this conflict, we must take it.

To cut aid just as this process is beginning would send a very bad signal, even if an unintentional one. In fact, we should be increasing aid substantially because it is in our national security interests to do so. Remember, the entire amount we spend on all of Latin America in a year is less than the amount we are spending in a single week in Iraq. Our aid should be more balanced, should be directed to help develop democratic institutions, support human rights and encourage social and economic development in our own hemisphere, especially in Colombia. For if we are ever going to do anything that will substantially and permanently reduce the flow of cocaine and heroin into the streets of the United States, stability and healthy democratic institutions are essential. And peace is a prerequisite for that stability.

That is why I urge my colleagues to oppose the amendment of my friend from Massachusetts.

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

I rise in strong support of the McGovern-Skelton amendment, and I thank my colleagues for their outstanding leadership on this critical issue. This amendment, let us be clear what it does, cuts a modest amount, \$75 million in aid to Colombia's military, a military that our own State Department has certified is implicated in atrocities against the Colombian people. It redirects that aid to the fight against HIV/AIDS, TB, and malaria. And after that \$75 million is diverted, still there is \$315.8 million in military aid and a total of \$574 million, over a half a billion dollars in overall aid that will still go to Colombia. So this is a very modest proposal.

To those who say we need to continue to fund Colombia's military at current levels because of the war on terror, I say you have not done your homework. A recent report prepared at the request of Colombia's President Uribe further documents the illicit ties between Colombia's military and the paramilitary forces in that country. This is a report prepared at the request of the President of Colombia. The paramilitaries and their organizations have been designated as terrorist organizations by the United States. They massacre civilians, and they ship drugs to the U.S. Instead of giving more money to a military known to collaborate with those the Bush administration calls terrorists, we should employ a different strategy, one that deprives a corrupt military and the terrorists with whom it collaborates of resources and American taxpayer dollars so that they cannot as easily continue their brutal abuse of the Colombian people. Why would any Member of this body want to make the mission of terrorists and criminals easier?

The McGovern-Skelton amendment would redirect \$75 million to the child survival and health account for programs that combat HIV/AIDS, tuberculosis, malaria, and other infectious diseases. These are programs that are proven to be effective in improving and saving lives. Instead of wasting American dollars on an initiative that has destroyed lives and increased the suffering of innocent civilians in Colombia, I think our dollars would be better spent funding programs we know can save lives.

Our dollars are better spent on programs that work, as opposed to Plan Colombia which has failed. After 3 years and over 3 billion U.S. taxpayer dollars, Plan Colombia has failed miserably. It has failed to strengthen Colombia's democratic institutions. Known human rights offenders continue to go unpunished and operate with impunity. It has failed to reduce drug production, use, and availability. Though it may have reduced by some the production in Colombia, as a region, the Andean region actually produces more coca. It has cost the lives of Americans, contractors, even missionaries. Plan Colombia has made a bad situation in Colombia even worse and has not provided any measurable benefit to the American people.

Our aerial fumigation program in Colombia has caused untold environmental damage, poisoning and destroying legal crops, water sources, and harming the health of children and families. Trade unionists continue to be murdered. Last year, according to the International Confederation of Free Trade Unions, 85 percent of all trade union murders took place in Colombia. Aid to Colombia's military puts the blood of innocent civilians in that country on our hands. The number of people killed or disappeared per day, according to Amnesty International, increased from an average of 14 in 2000

to 20 in 2002. This is not what we should be calling progress. The number of people newly displaced by political violence increased 30 percent, from 317,340 in 2000 to 412,000 displaced people in 2002 alone, and nearly 3 million altogether since the violence has started.

I have been to Colombia. I love Colombia and the Colombian people. And I know that the way to help them is not by putting money and resources in the hands of those who are implicated in their abuse and their murder. Escalating a civil war and providing aid to a military still rife with corruption is illegal, it is immoral, and it is inexcusable. But today we are not debating an end to the U.S. military aid to Colombia. As I said, still over half a billion dollars will go there even with the McGovern-Skelton amendment. I urge support of that modest and sensible amendment.

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

I rise in support of the McGovern-Skelton amendment to transfer a small amount of money for military funding for Colombia to increase funding for bilateral HIV/AIDS, TB, and other infectious diseases programs. This amendment says much about what we believe the priorities of our country should be in providing overseas assistance. Instead of providing more tax dollars to an ineffective drug eradication program and to the Colombian military, which is linked to human rights abuses, we should focus on alleviating the human rights tragedies that are the result of HIV/AIDS.

Aid to Colombia has failed to end the drug flow to America, and it has failed to protect human rights. Strong ties between the Colombian military and the paramilitary group AUC, which has been listed by the United States as a terrorist organization, are deeply disturbing, given the atrocious human rights abuses committed by the AUC. Most interestingly, The Washington Post recently published the findings of a report commissioned by President Uribe that showed the AUC, which frequently fights alongside the Colombian military, is a drug-trafficking organization. The report estimated that as much as 80 percent of the AUC's funding comes from drug trafficking. This means that the U.S. is funding a military that is working with a terrorist drug-trafficking organization in an effort to eradicate drugs. Does this not seem a little paradoxical?

The AUC's close relationship with the Colombian military is also disturbing because it implicates the United States in human rights abuses. How can the U.S. fund a military which has combined forces with a terrorist group responsible for torture, executions, and disappearances of innocent Colombian citizens? Until the Colombian government ceases its relationship with violent paramilitary groups that terrorize ordinary citizens, the United States must not directly fund it.

Furthermore, the process in which the drug eradication program is conducted through fumigation is conflict-ridden. Fumigation seems to chase coca cultivation from one area to another. The State Department's international narcotics control strategy reports for 2000 and 2002 show that coca production in Colombia's neighbors, Peru and Bolivia, and other areas of Colombia totaled 184,900 hectares in 2000 and rose to 205,400 hectares by the end of 2002. In the end, coca production persists because it is the most economically viable option for very poor peasant farmers in the area. Coca control initiatives must focus on alternative development assistance to small farmers so they are able to make the transition to legal crops. Effective development assistance coupled with manual eradication efforts is the only sustainable solution to the problem of coca cultivation.

Further, fumigation destroys the alternate development projects set up to sustain the lives of peasants. In the Putumayo village of La Isla, both a livestock and aquaculture project was destroyed, killing the chickens and the fish that represented economic opportunity for residents. Despite U.S. denials, fumigation affects health. It causes skin outbreaks and gastrointestinal disorders and respiratory ailments, particularly among young children, according to local physicians.

Ineffective and highly questionable funding of the Colombian military should not continue. U.S. taxpayer dollars should not be given to a military that is conducting human rights abuses against its own citizens. Instead, taxpayer dollars should be spent on worthy initiatives such as the HIV/AIDS programs that would genuinely benefit millions of suffering people.

The McGovern-Skelton amendment makes a modest step in that direction and it deserves a "yes" vote. I urge my colleagues join me in voting "yes" in support of the McGovern-Skelton amendment.

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

Mr. Chairman, I would like to be recorded as opposed to this amendment. I served on the Committee on Government Reform in my first term here and then have served on the Speaker's drug task force. I have been to Colombia, and I have met the new President of Colombia, who has been here several times. I think it would be a real mistake to cut down on our funds to Colombia when things are moving ahead and have progressed so much in the last 5 years.

I yield to the gentleman from Florida, whom I did travel to Colombia with.

Mr. MICA. Mr. Chairman, I thank the gentlewoman from Illinois for yielding. I also thank her for her leadership and for her work on the Committee on Government Reform. I had the opportunity to chair the Subcommittee on Criminal

Justice, Drug Policy and Human Resources when some of the Plan Colombia was put together.

□ 2115

And in conclusion here, we know that in the past, not much was done to stem illegal narcotic production and trafficking or the violence in Colombia. We had a President in Colombia who tried to the Cumbayah and the peace in dealing with the terrorists and that did not work. We now have a President in Colombia who is committed to the tenets of Plan Colombia, which is a strong interdiction, which is demanding reforms in the military to cultivation of other alternative crops, to building the judiciary and the strength of the institutions of Colombia. We have a President of the United States who is committed to Plan Colombia. We have seen the results in the past where tens of thousands have died per year in Colombia and in the United States. And now we have an opportunity to move forward. Even the statistics of the Washington Post, which was a critic in the beginning of Plan Colombia, now says the critics were wrong. A 25 percent reduction in murders, a 33 percent reduction in killings. So we have a President here committed to the plan. We have a President in Colombia committed to the plan, and it is a working plan and people are not dying.

Finally, let me insert in the RECORD since 1993, the number of deaths provided to me today by ONDCP, Americans who died from drug-related deaths in this country, drug-induced deaths, 148,185 Americans, more than we have lost in any tragedy we can imagine of contemporary times, in the period from 1993 to 2000, not even a 10-year period. We have a chance to stop the death and the dying and the destruction of lives here. We have a chance to stop the death and destruction and lives being lost in our neighboring country Colombia; so it would be a step backward to pass this amendment proposed by the gentleman. I know he is well intended, but I strongly urge opposition to this.

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

I would like to speak in strong support of the McGovern-Skelton amendment.

Mr. Chairman, I yield to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Chairman, I thank the gentlewoman for yielding.

Let me just go over a few facts here.

Fact: If the McGovern-Skelton amendment passes, we still have \$195.3 million in hard military aid for the Colombian military in this bill.

Fact: That \$195.3 million joins the \$120.5 million in the military aid under the Defense appropriations bill that passed this House on July 8.

So fact: If the McGovern-Skelton amendment is approved, this House will still provide a minimum of \$315.8 million in military aid to the Colombian military.

I want to say to my colleagues the important fact is not how much acreage is sprayed, it is how much coca is grown. And the fact is despite this policy coca production in the Andean region has increased since Plan Colombia was enacted in 2000. Those are not my statistics. Those are the statistics by the United States State Department.

Fact: While coca cultivation in Colombia dropped 15 percent last year, coca levels in Colombia are still higher than they were in 2000.

Fact: The modest drop in coca production in Colombia is completely offset by shifting coca cultivation back to Bolivia and Peru. Is that progress? Is that success? All of us want to protect our constituents from these illegal drugs, but the bottom line is this is not doing it.

Fact: U.S. counterdrug efforts in Colombia and the Andes have had absolutely no apparent impact on the availability or use of cocaine here in the United States. This is according to the January, 2003 National Drug Threat Assessment.

Fact: If we want to stop drug production abroad, then invest in drug treatment and prevention right here at home.

The gentleman from Missouri (Mr. SKELTON), the cosponsor of this amendment, raised, I think, a very important issue about the fact that more is being expected of our military personnel in Colombia than of the Colombian military personnel themselves. President Uribe has said that he has introduced a law to change the recruitment criteria so that people who have high school degrees or are from wealthy families in Colombia are not automatically exempt from serving in the military, but such a law has been introduced every year since the 1990s. President Uribe has not made it a priority. His priorities are part of a national referendum this fall, and changing the recruitment law is not one of them. I mean we need to see a little action, not just talk.

The gentleman from Massachusetts (Mr. DELAHUNT) talked about how important it is that the government of Colombia is making progress in trying to work out a truce with the paramilitaries, but the fact of the matter is almost every human rights group in the world is concerned about what is happening because the Colombian government Peace Commissioner Luis Carlos Restrepo confirmed the fears of human rights advocates that paramilitaries involved in horrific crimes will get a free pass. I quote him: "For those who have committed crimes against humanity, we are looking for punishment that is not jail . . ."

Another concern with the paramilitaries is that the demobilized paramilitaries could go straight into the peasant soldier program, thus in effect legalizing paramilitaries without screening out the worst offenders or even significant retraining. There is no clear end in sight, no exit strategy as we get more and more involved in Colombia.



In November of 2001, there were 220 U.S. private contractors in Colombia carrying out military and counterdrug operations. Today there are 308. In November, 2001, we had 117 U.S. military presence in Colombia; today we have 358. The \$75 million that we seek to transfer, this modest amount, to the HIV/AIDS tuberculosis and malaria accounts I hope will be used in Colombia. I hope much of it will be used to help the people of Colombia who have suffered so much. Speakers on the other side have talked about all the important development initiatives that are going on there. I support those. I wish that more of our aid to Colombia was in the form of development assistance and not so much of it in the form of military aid.

Let me finally close by saying we talk a lot about human rights in this Chamber, and we talk about human rights in Iraq, we talk about human rights in Iran, we talk about human rights in China, every other place in the world. We need to talk about human rights in Colombia. And anybody who has been to Colombia who has been outside the U.S. embassy, who has been outside President Uribe's palace, who has been outside the U.S. military headquarters there will see firsthand that that country is experiencing a very difficult time right now, and it is not just because of the FARC guerillas which have one of the most brutal records, but it is also because of the impunity that continues to exist in that country and the fact that the Colombian military still has yet to sever its ties with the paramilitaries. Vote for the McGovern-Skelton amendment.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I rise in opposition to any attempts to cut funding for Andean Counterdrug Initiatives (ACI).

July 13 marked the third anniversary of Congressional approval of Plan Colombia. We need to reaffirm, not dismantle, our commitment to this program, to the people of Colombia, and to American citizens. I have led three congressional delegations to Colombia over the past five months. I can say firsthand that our significant investment is beginning to pay dividends. Together with the strong commitment of the Uribe Administration and historic levels of support from the Colombian people, U.S. involvement in Colombia is beginning to hit narco-terrorists where it hurts.

We are seeing tremendous results in illegal crop eradication, and Plan Colombia's efforts have produced record reductions in coca production and in the destruction of drug labs. Each week brings news of new seizures of cocaine and heroine—interdictions that are usually the result of U.S.-supplied intelligence. In fact, just three weeks ago during my most recent CODEL, Colombian officials seized over a ton of cocaine from a drug trafficking boat off the Caribbean coast.

The Colombian government is reestablishing state presence in areas of the country that for decades lacked it. Criminals who have remained at bay for years are being captured and extradited to the United States for prosecution. During the first 11 months of President Uribe's tenure, 68 individuals have been extradited from Colombia to the United States.

Mr. Chairman, Plan Colombia is working. I have seen firsthand the devastation that drug production and trafficking has on Colombia. To those who question our investment, I would ask them to visit, as I have, Colombian soldiers who have lost their limbs or eyesight or sustained permanent disabilities in their battle to return peace to their nation—and keep drugs off American streets.

I would also ask them to visit Barrio Nelson Mandela, a USAID-sponsored facility for internally displaced people who have been forced from their homes by drug traffickers and guerillas. This facility showed me how our work on behalf of Colombia's millions of internally displaced people is offering men, women, and children a second chance at a violence-free, productive life.

My travels to Colombia have shown me just how critical U.S. assistance is to their government. With such promising results over the last 3 years, we need to sustain the momentum.

Of course obstacles remain, and progress is slower than we would like it to be. But now is not the time to turn our backs on this battle that is so intrinsically tied to our war on terrorism and the scourge of illegal drug use.

The Uribe Administration is committed to this war. But it needs United States assistance to improve mobility, intelligence, and training. Make no mistake: Colombia today is doing its share. Spending on security forces has increased under President Uribe from \$2.7 billion to over \$4 billion.

We simply cannot afford for President Uribe to fail to rid his country of the narco-terror threat. Nor would Colombians understand such a step if this amendment prevails.

The Administration requested \$731,000,000 for the Andean Counterdrug Initiative (ACI) for fiscal year 2004. Full funding of this request is critical to sustaining our success in Colombia and to protecting Colombia's neighbors from a spillover effect.

It's simple, Mr. Chairman: Now is not the time to turn our backs on the progress we are making against narco-terrorism in Colombia. We cannot win this war on drugs and drug-supported terrorism without the proper tools and resources. Vote "no" on the McGovern amendments.

The CHAIRMAN. The question is on amendment offered by the gentleman from Massachusetts (Mr. MCGOVERN).

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

Mr. MCGOVERN. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts (Mr. MCGOVERN) will be postponed.

AMENDMENT OFFERED BY MR. KOLBE

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

The Clerk read as follows:

Amendment offered by Mr. KOLBE:

Strike beginning page 7, line 3, after "law", and ending line 17, after "expenses" but before the semicolon, and insert:

except the provisions of section 292(d)(4) of Public Law 108-25, for a United States contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria (the "Global Fund"), and shall be expended at the minimum rate necessary to make timely pay-

ment for projects and activities: *Provided further*, That of the funds appropriated and allocated for HIV/AIDS under this heading, not less than \$15,000,000 should be made available as a contribution to the International AIDS Vaccine Initiative; not more than \$6,326,000 may be available for administrative expenses of the Office of Coordinator of United States Government Activities to Combat HIV/AIDS Globally (the "Coordinator").

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

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

There was no objection.

Mr. KOLBE. Mr. Chairman, this perfecting amendment simply clarifies the responsibilities of the new AIDS coordinator that has been added by legislation adopted by the Congress and signed into law by the President. I believe it is acceptable to the minority.

I yield to the gentlewoman from New York (Mrs. LOWEY) for her comment.

Mrs. LOWEY. Mr. Chairman, I thank the Chair for yielding.

Mr. Chairman, I have no objection to the chairman's amendment; however, I do have a few comments. This amendment clarifies some of the authorities in the bill with respect to the HIV/AIDS coordinator, while preserving the underlying language in the bill setting up the framework for HIV/AIDS programs. While the President is intent on ensuring that all AIDS funding pass through the new coordinator's office, there are some in Congress who would question the wisdom of such a requirement. Both the Agency for International Development and the Centers for Disease Control have years of experience programming funds spent to combat HIV/AIDS. At the moment it is unclear what function the new coordinator will serve. If the office attempts to micromanage HIV programs as opposed to coordinate them among Federal agencies, there will potentially be serious delays in program implementation. This bill gives the coordinator adequate authority and also ensures that the appropriate agency controls program funds.

Everyone is anxious to make progress in this fight, but we have to be careful that we do not create a bureaucratic mess in the name of coordination. This amendment removes a limitation that would have focused the resources of the coordinator's operation, and it is my expectation, as we move forward to create this new bureaucracy, that Congress will exercise its oversight prerogatives on the use of such funds.

Again, I do not object to the chairman's amendment and I urge its adoption.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. KOLBE).

The amendment was agreed to.

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

Mr. Chairman, I had an amendment. It was very simple, and it would have provided \$200 million of the funds appropriated for the HIV/AIDS assistance, that it be directed for orphans and vulnerable children affected by HIV/AIDS.

With the support of the gentleman from Illinois (Chairman HYDE) and the gentleman from California (Mr. LANTOS), ranking member, I was able to add a similar amendment to the Global AIDS authorizing language earlier this year, and it required that 10 percent of all HIV/AIDS funding go toward assistance to orphans and vulnerable children. The amendment I was going to offer today would have made good on this promise. It would have made Congress show that it was going to be responsible in the way that it passed the Global AIDS legislation earlier this year. This amendment would have helped to protect the youngest victims of the AIDS pandemic, those who cannot advocate for themselves.

The AIDS emergency is quickly becoming the worst health care catastrophe in the country and is leaving millions of children suffering the loss of their parents in its wake. Already, 25 million people have died from AIDS worldwide. And as more and more parents die, millions of children around the world are left facing an increasingly bleak future. For example, in Uganda, Christopher, a 13-year-old boy, is now officially one of the 1.7 million children orphaned by the AIDS epidemic in his country. After losing his mother to AIDS this past December, Christopher runs his household. He cares for his 9-year-old brother. Their three sisters are in the care of relatives, as the siblings had to be separated because no one single family could take on all five children. Although Christopher appears to be healthy, his younger sister has been getting sicker, and more frequently she is unable to play and to function as any child would.

But yet none of these children have gone for HIV testing. Why? Because if an HIV test is confirmed as positive, a foster family would be less likely, less inclined to look after a sick child whose days are numbered. At an age when most boys are thinking about their next soccer game, like my nephew, Christopher's thoughts are only of daily survival. If he goes to school, who will work the land? Who will ensure that there will be food on the table for supertime, not to mention look after his younger brother?

In a society where resources are scarce and poverty is a common denominator, children like Christopher are more vulnerable as they have no one to protect them. If Christopher chooses to go to school, he will leave his home, the farm garden plot unattended, and that risk is just too great for him to take.

We have a responsibility today to ensure that this money goes to improve safe, healthy children, the survival of

children, children like Christopher and his siblings.

I knew that my amendment was going to be subject to a point of order as I had taken it to the Committee on Rules, and I was unable to provide this body with a waiver to allow the House to move forward and vote on this vital issue. However, I am very hopeful that the gentleman from Arizona (Chairman KOLBE) and the gentlewoman from New York (Mrs. LOWEY), ranking member, will continue to work to enhance the report language as the appropriation process moves forward to ensure that orphans and vulnerable children receive their appropriate share of the HIV funding that we promised them.

□ 2130

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

Mr. Chairman, I rise to engage in a brief colloquy with the gentleman from California.

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

Mr. KOLBE. I yield to the gentleman from California.

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

Mr. Chairman, I had intended to offer an amendment dealing with Afghanistan. Last year the overwhelming majority of the House voted to establish a single fund to carry out a wide variety of vitally needed programs in Afghanistan when it passed the Afghanistan Freedom Support Act of 2002. That act was eventually passed on a Senate vehicle, but was very close to what we passed here with a margin of 390 to 22.

The intention was to appoint a strong administrator who would carry out programs unencumbered by the need to draw funds from and conform to every particle of the complex legal and regulatory framework of the many parts of the foreign assistance acts that need to be brought to bear on the problem of rebuilding Afghanistan.

Over time, the situation has continued to be grave. Our achievements in Afghanistan are in danger of being overturned and our sacrifices in Afghanistan are in danger of having been made in vain. The bill before us, hopefully, requires that \$600 million from titles II and III be spent in Afghanistan, and those funds have been identified in broad terms by the administration. The committee has done an excellent job in this bill in general and in providing funds for Afghanistan in particular, and I salute the chairman and the committee for this achievement.

The problem is that funding under the mechanism contemplated in the bill does not take advantage of the new mechanisms provided by Congress last year. This funding cannot be as flexible and is subject to the guidance of a single administrator as it could be if it were provided in a single account.

The current coordinator, Ambassador Taylor, has experience in using this sort of account when he was Coordinator for Assistance for Eastern Eu-

rope and the Former Soviet Union. We did not know that Ambassador Taylor was going to be appointed to this position when last year's bill was drafted, but we certainly need to give him the flexibility and the overall responsibility he had for this new and very difficult job he has assumed.

The President did not sign the Afghanistan Freedom Support Act until December of 2002, and it is understandable that the administration did not establish the account in its 2003 budget and that the committee followed the administration's guidance in framing this bill.

But it is many months later and things are not going well in Afghanistan. Let us spend the \$600 million the right way, if we can.

At this time I submit for the RECORD the text of the amendment I was considering offering.

AMENDMENT TO H.R. 2800, AS REPORTED OFFERED BY M. \_\_\_\_\_

Page 122, after line 2, insert the following:

ASSISTANCE FOR AFGHANISTAN

SEC. \_\_\_\_\_. For necessary expenses to carry out the provisions of title I of the Afghanistan Freedom Support Act of 2002 (other than section 103(c) of such Act), and the amounts otherwise provided for in this Act for "CHILD SURVIVAL AND HEALTH PROGRAMS FUND", "DEVELOPMENT ASSISTANCE", "ECONOMIC SUPPORT FUND", "MIGRATION AND REFUGEE ASSISTANCE", "NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS", "PEACEKEEPING OPERATIONS", and assistance for Afghanistan under section 523 are reduced by, \$425,000,000, \$21,000,000, \$150,000,000, \$150,000,000, \$72,000,000, \$12,000,000, \$20,000,000, and \$425,000,000, respectively.

EXPLANATION OF THE ROYCE-HYDE AMENDMENT

The amendment "reaches back" and transfers into the Afghanistan Freedom Support Fund account precisely \$425 million from a variety of accounts previously identified by the Administration for Afghanistan:

\$150 million from Development Assistance;  
\$150 million from Economic support Fund;  
\$20 million from Peacekeeping Operations;  
\$21 million from the Child Survival Fund;  
\$72 million from Migration and Refugee Assistance; and

\$12 million from Nonproliferation, Anti-terrorism, Demining and Related Programs.

It maintains the \$600 million total spending by reducing the earmark in Section 523 by \$425 million. It leaves remaining earmark of \$175 million to be drawn from other Title II and III accounts. It does not reduce spending on Afghanistan by one dollar.

Mr. Chairman, I believe that the House took wise, considered action when it established the Afghanistan account. We filed a report and took the bill to the floor under an open rule. We then had discussions with the Senate, which passed its version, which the House accepted by voice vote. If there need to be changes to this measure, our committee has shown that it is capable of moving amendatory language through this Chamber.

Mr. KOLBE. Mr. Chairman, reclaiming my time, I appreciate the interest of the gentleman from California, who is an outstanding member of the Committee on International Relations.

We have provided separate accounts for Iraq, for the former Soviet Union

and to the nations formerly in the Warsaw Pact. As the gentleman correctly notes, we have not yet funded an account for Afghanistan. The amendment that the gentleman has put in the RECORD is difficult to follow, but I believe the gentleman has described its operation accurately. I will work with the gentleman and the committee to fund this account in conference this year at the authorized level or more, though I cannot commit to the precise accounts within the bill from which we will draw the funds required.

Mr. ROYCE. Mr. Chairman, if the gentleman will yield further, I am pleased to accept the gentleman's assurance that he will work to have this account funded, and I am sure that he will do so. I will do everything I can to help make that happen.

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

Mr. Chairman, I am deeply concerned as we face this legislation with the continued decline in USAID urban programming. Now, most in the assembly probably do not give it a great deal of attention, but it is a nagging part of the international turmoil that shows up daily in the headlines to be found in some of these mega-urban areas around the world with populations of 10 million or more. This is a dangerous trend that has not been unnoticed by our security activities.

In its Outlook 2015, the CIA ranked rapid urbanization as one of the top seven security concerns of this country. It stated that "cities will be the sources of crime and instability as ethnic and religious differences exacerbate the competition for ever scarcer jobs and resources."

The sheer scale of growth in these cities around the world is striking. In 1950 there was one city in the world with more than 10 million people, the City of New York. By 2015, it is expected there will be 23 mega-cities with populations exceeding 10 million.

Over half the world's population already lives in cities. In the next 25 years, we anticipate that there will be another 2.5 billion people added to this population, more in the next 25 years in these cities than we expect in the entire world's population in the next 50 years. They are going to settle in areas like Bombay, Sao Paulo, Jakarta and Karachi.

The problems that come along with this concentrated population growth, air pollution, water and sanitation problems, transportation gridlock, disastrous housing conditions, produce political, social, economic instability and unrest.

We have a tool in the U.S. Agency for International Development's Urban Programs Office. It works to help stabilize these massive urban areas as they attempt to fight these environmental, economic, social and political problems.

Unfortunately, the United States programs in this area have faced a decade of rapid decline and staff cutbacks.

In 1993, we had \$8 million. This year's presidential request is for \$2.5 million.

I have appreciated the effort of the gentleman from Arizona (Chairman KOLBE) and the ranking member, the gentlewoman from New York (Mrs. LOWEY) and their focusing of attention. There have been requests for more money. The Senate language last year strongly recommended additional funding, yet only \$3 million was funded for 2003, and the prospects are for continued decline this year. It is the cost of approximately two cruise missiles.

Mr. Chairman, I would ask if there is some possibility on behalf of this program, to the Chair or ranking member, if there might be some way to give some attention as this bill works its way through the legislative process to perhaps focus some additional attention on being able to make some additional investment to deal with these severely stressed areas?

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

Mr. BLUMENAUER. I yield to the gentleman from Arizona.

Mr. KOLBE. Mr. Chairman, I appreciate the gentleman's concern. He certainly has identified an area of great concern, and one that clearly does need to be dealt with.

The growing urbanization that exists in the world makes these issues of the cities a major problem. Certainly I would agree that clean water and the environment is something that we need to be focused on and that USAID needs to be focused on.

So I would agree completely with the gentleman's concerns here that this is an area that USAID needs to give greater attention to.

Mrs. LOWEY. Mr. Chairman, will the gentleman yield?

Mr. BLUMENAUER. I yield to the gentlewoman from New York.

Mrs. LOWEY. Mr. Chairman, again I want to thank the gentleman for his important work in this area. I know that we have talked quite a bit about the importance of focusing on urban areas and creating a sense of civility in the areas by working on transportation and health and orderliness in our communities. I look forward to working with the gentleman. I appreciate his assistance in helping us craft important language in the reports of this bill, and I know that working together and working with AID, we can increase the intensity of their commitment to this project.

I look forward to working with the Chair and the gentleman in the next year.

Mr. BLUMENAUER. Mr. Chairman, reclaiming my time, I deeply appreciate the expressions of concern and the hard work. There is probably no committee in Congress that has a more difficult assignment and stretched in more areas that really are a matter of life and death. But I think here even a few million dollars could greatly expand our efforts. I would look forward to working with Members, and I appreciate their concern.

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

Mr. Chairman, I first would like to thank the gentleman from Arizona (Chairman KOLBE) and the ranking member, the gentlewoman from New York (Mrs. LOWEY) for their hard work on this important bill.

I am extremely pleased that there is funding included in this bill in a number of important programs, including development assistance for the Child Survival and Disease Fund, the World Bank, funds for peace initiatives in the Middle East, the Fund for Ireland and many other important programs. I thank my colleagues and appreciate their work.

However, I would like to raise my concern about one issue that is of particular importance to the women of the world, UNFPA. This body debated the issue just last week, but I must repeat the facts: UNFPA provides reproductive health care, including family planning services, but not abortion, to the world's poorest women, and specializes in caring for refugees and prevention of HIV/AIDS.

The loss of funds is hurting millions of women in the world's poorest countries. UNFPA estimates that \$69 million, the amount Congress appropriated these last 2 years but the administration then canceled, could prevent 4 million unwanted pregnancies, 1.6 million abortions, 9,400 maternal deaths, 120,000 cases of serious maternal injury and illness and more than 150,000 infant deaths.

Even though this bill contains \$25 million for UNFPA, the money will never get to those in need because the President's cancellation of the funds remains in force. I urge my colleagues to remove the harmful language that continues the blockage on money going to UNFPA and to help save the lives of millions of women and children around the world.

Mr. Chairman, I also rise to engage the gentleman from Arizona (Chairman KOLBE) in a colloquy to clarify language contained in the foreign operations report on behalf of my dear friend and colleague, the gentleman from New York (Mr. TOWNS), who was called back to New York on important business.

Mr. Chairman, I am concerned about the language that appears on page 18 where the committee notes, "USAID does not currently fund any programs specifically aimed at obstetric fistula repair, and urges USAID to initiate programs in the most heavily affected areas."

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

Mrs. MALONEY. I yield to the gentleman from Arizona.

Mr. KOLBE. Mr. Chairman, the gentlewoman does correctly read the language as it appears in the report. This language that you seek to clarify was offered by the gentlewoman from New York.

Mrs. LOWEY. Mr. Chairman, will the gentlewoman yield?

Mrs. MALONEY. I yield to the gentlewoman from New York.

Mrs. LOWEY. Mr. Chairman, I thank the gentlewoman for bringing this issue to the floor. This condition is so devastating, I think it makes a lot of people uncomfortable. We need to get more comfortable with the fact that the problem exists, and we must play a role in solving it. I am glad we are discussing it on the floor today.

A recent report commissioned by UNFPA has recognized obstetric fistula as a condition that is both preventable and treatable. Obstetric fistulas are virtually unknown in places where early pregnancy is discouraged, young women are educated, family planning is accessible and medical care is provided at childbirth. Women with fistulas are living indicators of failed maternal health systems.

I am proud that the committee report accompanying this bill urges the Agency for International Development to initiate programs in the areas most heavily affected by fistula. We must work hard to encourage USAID to take on this issue.

The United States has consistently taken the lead on fighting HIV-AIDS, and I believe we should do the same for obstetric fistula. We know the difference that a trained physician can make through prevention and treatment. We need more trained doctors, organized education efforts for women and families and basic medical equipment in the countries affected by fistula to eradicate this terrible condition.

These are the types of assistance that USAID can and should be providing, and I thank the gentlewoman again for raising this issue.

Mrs. MALONEY. Mr. Chairman, the Engender Health/UNFPA report highlighted the problem of obstetric fistulas in sub-Saharan Africa. This report provided valuable information that led us to understand that this condition is far more serious and widespread than previously noted. I commend the gentlewoman for her work on this issue and am seeking clarification of the phrase "most heavily affected areas."

Mrs. LOWEY. Mr. Chairman, if the gentlewoman will yield further, I share her concern. What does the gentlewoman from New York recommend?

Mrs. MALONEY. Mr. Chairman, the Engender Health/UNFPA report details widespread fistula occurrence in nine countries in sub-Saharan Africa: Benin, Chad, Malawi, Mali, Mozambique, Niger, Nigeria, Uganda and Zambia.

The CHAIRMAN. The time of the gentlewoman from New York (Mrs. MALONEY) has expired.

(By unanimous consent, Mrs. MALONEY was allowed to proceed for 1 additional minute.)

□ 2145

Mrs. MALONEY. Mr. Chairman, there are currently 35 hospitals in the aforementioned countries that have

the capacity to conduct fistula repair surgery, but are without the financial resources. The Hamlin Fistula Hospital in Addis Ababa, Ethiopia, which has successfully performed fistula repairs since 1974, is the only known medical establishment focusing solely on fistula repair and has long been regarded as a model center for those involved in such care.

I would encourage USAID to follow the letter of the committee's language and initiate programs in the most heavily affected areas, which would include the aforementioned nine sub-Saharan countries and Ethiopia, in addition to Sierra Leone.

Mrs. LOWEY. Mr. Chairman, I agree with that formulation.

Mrs. MALONEY. Mr. Chairman, I hope the chairman of the subcommittee agrees also.

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

Mrs. MALONEY. I yield to the gentleman from Arizona.

Mr. KOLBE. Mr. Chairman, I do agree with the ranking member that the heavily affected areas that she describes should be considered on a priority basis.

The CHAIRMAN. Are there further amendments to this section of the bill?

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

Mr. Chairman, I would like to take this opportunity to engage in a colloquy with the chairman of the subcommittee regarding the Inter-American Foundation.

Mr. Chairman, I deeply appreciate the consideration the gentleman from Arizona has given to the Inter-American Foundation and his support of increased funding for IAF in the past. I know he understands the importance of this vital program in Latin America and the Caribbean.

For more than 3 decades, the Inter-American Foundation has provided grants to community organizations to implement their own creative ideas for development and poverty reduction. For example, a year ago I had the opportunity to visit a project in Esteli, Nicaragua, and I visited entrepreneurial women at the time who were receiving grants from the Inter-American Foundation to provide technical support and micro-credit assistance to help them launch a small business on their own and become self-sustainable. I am concerned though, Mr. Chairman, about a decrease in funding in the Inter-American Foundation in the bill before us.

As the gentleman knows, 40 of my colleagues join me in respectfully requesting a minimum level of funding of \$20 million for the Inter-American Foundation fiscal year 2004. We were encouraged by the gentleman's subcommittee's leadership in increasing the program from \$13.1 million in fiscal year 2002 to \$16.1 million in 2003. However, this year's bill reflects the President's budget request of only \$15.2 million for the Inter-American Foundation

in fiscal year 2004, a decrease from last year's level.

Unfortunately, I believe the President's budget request was low because it was prepared prior to the fiscal year 2003 foreign operations bill was passed. Therefore, the President perhaps did not use the actual \$16.1 million fiscal year 2003 funding level as a base.

Mr. Chairman, given the wide support of the Inter-American Foundation, would the gentleman from Arizona (Mr. KOLBE), the chairman of the subcommittee, be willing to work for increased funding, at a minimum, providing the same level it received in fiscal year 2003 for the program as the bill moves forward towards conference?

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

Ms. SOLIS. I yield to the gentleman from Arizona.

Mr. KOLBE. Mr. Chairman, I thank the gentlewoman for the concerns that she has expressed here about the Inter-American Foundation. I do support the valuable work of the foundation and the fact that it promotes entrepreneurship, self-reliance, democratic principles, as well as the economic progress for the poor in Latin America and the Caribbean region.

The committee funded the Inter-American Foundation at the President's requested level, as the gentlewoman noted. The funding level is not higher in this bill because of the low budget allocation that the subcommittee received, a level that is \$1 million lower than the Senate subcommittee has to work with, and it is certainly not intended to show anything but full support for the Inter-American Foundation.

I recognize that it is important that the Inter-American Foundation experiences steady funding to ensure the viability of the crucial program that the gentlewoman has discussed. If the subcommittee receives a higher budget allocation in conference, I will certainly work to support an increased funding level for this program.

Ms. SOLIS. Mr. Chairman, reclaiming my time, I would like to thank the gentleman for his leadership and support on this vital program, and I look forward to working with him on this issue.

The CHAIRMAN. If there are no further amendments to this section of the bill, the Clerk will read.

The Clerk read as follows:

DEVELOPMENT ASSISTANCE

For necessary expenses of the United States Agency for International Development to carry out the provisions of sections 103, 105, 106, and 131, and chapter 10 of part I of the Foreign Assistance Act of 1961, \$1,317,000,000, of which up to \$50,000,000 may remain available until September 30, 2005: *Provided*, That none of the funds appropriated under title II of this Act that are managed by or allocated to the United States Agency for International Development's Global Development Secretariat, may be made available except through the regular notification procedures of the Committees on Appropriations: *Provided further*,

That \$194,000,000 should be allocated for trade capacity building: *Provided further*, That \$250,000,000 should be allocated for basic education: *Provided further*, That of the funds appropriated under this heading and managed by the United States Agency for International Development Bureau of Democracy, Conflict, and Humanitarian Assistance, not less than \$11,000,000 shall be made available only for programs to improve women's leadership capacity in recipient countries: *Provided further*, That such funds may not be made available for construction: *Provided further*, That of the funds appropriated under this heading that are made available for assistance programs for displaced and orphaned children and victims of war, not to exceed \$32,500, in addition to funds otherwise available for such purposes, may be used to monitor and provide oversight of such programs.

INTERNATIONAL DISASTER AND FAMINE ASSISTANCE

For necessary expenses of the United States Agency for International Development to carry out the provisions of section 491 of the Foreign Assistance Act of 1961, as amended for international disaster relief, rehabilitation, and reconstruction assistance, \$235,500,000, to remain available until expended.

In addition, for necessary expenses of the United States Agency for International Development for assistance for famine prevention and relief, including for mitigation of the effects of famine, \$80,000,000, to remain available until expended: *Provided*, That such funds shall be made available utilizing the general authorities of section 491 of the Foreign Assistance Act of 1961, and shall be in addition to amounts otherwise available for such purposes: *Provided further*, That funds appropriated by this paragraph shall be available for obligation subject to prior consultation with the Committees on Appropriations.

TRANSITION INITIATIVES

For necessary expenses of the United States Agency for International Development for international disaster rehabilitation and reconstruction assistance pursuant to section 491 of the Foreign Assistance Act of 1961, \$55,000,000, to remain available until expended, to support transition to democracy and to long-term development of countries in crisis: *Provided*, That such support may include assistance to develop, strengthen, or preserve democratic institutions and processes, revitalize basic infrastructure, and foster the peaceful resolution of conflict: *Provided further*, That the United States Agency for International Development shall submit a report to the Committees on Appropriations at least 5 days prior to beginning a new program of assistance.

DEVELOPMENT CREDIT AUTHORITY (INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans and loan guarantees provided by the United States Agency for International Development, as authorized by sections 108 and 635 of the Foreign Assistance Act of 1961, funds may be derived by transfer from funds appropriated by this Act to carry out part I of such Act and under the heading "Assistance for Eastern Europe and the Baltic States": *Provided*, That such funds shall not exceed \$21,000,000, which shall be made available only for micro and small enterprise programs, urban programs, and other programs which further the purposes of part I of the Act: *Provided further*, That such costs shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That the provisions of section 107A(d) (relating to general provisions applicable to the Development Credit Authority)

of the Foreign Assistance Act of 1961, as contained in section 306 of H.R. 1486 as reported by the House Committee on International Relations on May 9, 1997, shall be applicable to direct loans and loan guarantees provided under this heading. In addition, for administrative expenses to carry out credit programs administered by the United States Agency for International Development, \$8,000,000, which may be transferred to and merged with the appropriation for Operating Expenses of the United States Agency for International Development: *Provided further*, That funds made available under this heading shall remain available until September 30, 2007.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For payment to the "Foreign Service Retirement and Disability Fund", as authorized by the Foreign Service Act of 1980, \$43,859,000.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT (INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, \$604,100,000, of which \$30,000,000 may remain available until September 30, 2005: *Provided*, That none of the funds appropriated under this heading and under the heading "Capital Investment Fund" may be made available to finance the construction (including architect and engineering services), purchase, or long term lease of offices for use by the United States Agency for International Development, unless the Administrator has identified such proposed construction (including architect and engineering services), purchase, or long term lease of offices in a report submitted to the Committees on Appropriations at least 15 days prior to the obligation of these funds for such purposes: *Provided further*, That the previous proviso shall not apply where the total cost of construction (including architect and engineering services), purchase, or long term lease of offices does not exceed \$1,000,000: *Provided further*, That in addition not to exceed \$15,000,000 may be derived by transfer from the "Iraq Relief and Reconstruction Fund" (Public Law 108-11) to support the United States Agency for International Development mission in Iraq: *Provided further*, That none of the funds in this Act may be used to open a new overseas mission of the United States Agency for International Development without the prior written notification of the Committees on Appropriations: *Provided further*, That the authority of sections 610 and 109 of the Foreign Assistance Act of 1961 may be exercised by the Secretary of State to transfer funds appropriated to carry out chapter 1 of such Act to "Operating Expenses of the United States Agency for International Development" in accordance with the provisions of those sections.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the last word.

Mr. Chairman, in the course of the reading of the legislation, I would like to raise a discussion about the famine in Ethiopia, particularly as it relates to the funding that is listed under International Development.

Let me just say that over the years, my office has worked with the Ethiopian community on the recurring famine in the Eritrea and Ethiopia region. The predecessor to this seat, Congressman Mickey Leland, lost his life in Ethiopia over a famine that occurred in 1989.

One of the concerns that I have with respect to this focus is the recurring aspect of the famine. I was intending to offer an amendment that is subject to a point of order that would increase the technical assistance regarding the need to enhance the skills that Ethiopia has to avoid the recurring, if you will, the recurring famine, and to be able to train the Ethiopian government to respond preemptively, if you will, in a preventive manner to the recurring famines that happen to occur.

So my concern, and the point of my amendment, which I will not offer and which I simply want to acknowledge on the record, is to ensure that the funds that we use are funds that can also not only work in accordance with the need of the present famine, but are we doing anything to invest in resources, in water needs, in wells, in order to be prepared for the recurring famine.

It is well known that in this region this drought occurs on a regular cycle. And the question remains as to whether or not, and I know the ranking member and the chairman are certainly well in tune with the idea of the recurring droughts, it concerns my constituents that it appears that we are without assistance in terms of training individuals to be preventive as opposed to being reactive.

So in order to not delay this point with respect to an amendment that has a point of order, to the ranking member, the discussion that I am having is that my concern with the funding is that Ethiopia has had a recurring drought over the last 3 decades, and that recurring drought has seen a major loss of life. My question is whether the assistance that we are giving helps provide preventive measures to be able to respond to the recurring drought as opposed to reactive measures. I wanted to raise that point on the record. I wanted to acknowledge what is obvious, that people are dying; and as well, I might inquire of the gentlewoman from New York as to whether or not in this section, whether there is technical assistance provided to those nations that are suffering from drought in this foreign development provision.

Mrs. LOWEY. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentlewoman from New York.

Mrs. LOWEY. Mr. Chairman, I appreciate the gentlewoman for bringing this issue to our attention. The chairman and I are very sensitive to the conditions which the gentlewoman describes. Yes, there is assistance that is being provided by AID. We would like to further discuss it with the gentlewoman and work with the gentlewoman to see if that assistance could be intensified.

I thank the gentlewoman for bringing this issue to our attention.

Ms. JACKSON-LEE of Texas. Mr. Chairman, reclaiming my time, I thank the gentlewoman. There are a number of companies here in the United States

that deal with water development, well development; and many of them I have had discussions with. I know that AID is engaged with them. But I would like to think that there could be a major, sort of Marshall Plan that really collaboratively deals with this ongoing problem of this continuing drought that causes such enormous loss of life, and I would hope that our monies could be used in that direction.

Mr. Chairman, I would have provided this amendment to H.R. 2800, the Foreign Operations Appropriations Bill for FY 2004, requesting that none of the funding allocated in this Appropriation Act shall inhibit any technical assistance to Ethiopia and other famine-stricken regions in Africa. I will discuss this amendment, however, I believe that further work with AID will be as necessary as I presented.

A comprehensive, multifaceted effort to address issues of hunger-relief in Ethiopia and other regions at risk of famine must be in place because it is estimated that between 11 and 14 million people could go hungry within the coming months.

Ethiopia's poverty-stricken economy is based on agriculture, which accounts for approximately half of its gross domestic product (GDP), 85 percent of its exports, and 80 percent of its total employment. The agricultural sector suffers from frequent drought and poor cultivation practices, and as many as 4.6 million people require annual food assistance. The present environmental conditions in Ethiopia are creating a scenario in which thousands are suffering daily from hunger and malnutrition. Approximately 15 percent of Ethiopia's October-November 2002 harvest was destroyed due to severe drought conditions. This agricultural disaster resulted in the failure of root and other green vegetables upon which many Ethiopians rely for sustenance. Due to this loss in crop yield, families that depend on subsistence farming not only lack food needed to survive, but also the seeds needed for replanting the following year.

As a result of the poor environmental conditions, livestock in addition to crops are suffering as well. With mortality rates steadily rising, livestock populations fortunate enough to survive are suffering from lowered body weight, thus causing reduced traction, power and milk production; this only further exacerbates the impending food shortage. With the combination of plummeting livestock prices and raging cereal prices, poorer households are facing an even worse predicament in obtaining food. In addition to food shortages, access to safe, clean drinking water continues to be an area of enormous concern. On any given day, less than 20 percent of Ethiopia's population has access to safe drinking water. These conditions are devastating the country and more needs to be done to address this plight of hunger in the region.

I cannot emphasize enough the impact that famine is having on the young people of Ethiopia. According to one estimate, six children die of drought-related conditions daily in Ethiopia. Many of them have collapsed from disease or dehydration after walking for days with their families in search of nourishment. Thousands are fleeing remote villages where wells have dried up and agencies have yet to establish secure food stations.

As horrific as the famine situation is in Ethiopia, there are a number of other countries

facing a similar plight. The United Nations warns that as many as 16 million people are at risk of starvation in 10 countries across East and Central Africa, from Burundi to Eritrea on the Red Sea. Countries like Ethiopia are forced to rely greatly on foreign aid and debt relief to push the economy forward.

Mr. Chairman, given the conditions which I have outlined I feel that it is imperative that we ensure that none of the funding allocated in this Appropriation Act shall limit the provision of any added technical assistance to Ethiopia and other countries suffering from conditions of famine. I urge my colleagues to support my amendment and support the unimpeded flow of funds to famine-stricken nations in Africa.

AMENDMENT TO H.R. 2800, AS REPORTED  
OFFERED BY MS. JACKSON-LEE OF TEXAS

At the end of the bill (before the short title), insert the following:

TECHNICAL ASSISTANCE FOR IMPROVED MEANS  
OF CROP PRODUCTION AND WATER PURIFI-  
CATION IN FAMINE STRICKEN AREAS OF AFRI-  
CA

SEC. \_\_\_\_\_. None of the funds made available in this Act may be used to limit any added technical assistance to Ethiopia and other famine stricken regions in Africa as to improved means of crop production and water purification.

The CHAIRMAN. The Clerk will read.  
The Clerk read as follows:

CAPITAL INVESTMENT FUND

For necessary expenses for overseas construction and related costs, and for the procurement and enhancement of information technology and related capital investments of the United States Agency for International Development, pursuant to section 667 of the Foreign Assistance Act of 1961, \$49,300,000, to remain available until expended: *Provided*, That this amount is in addition to funds otherwise available for such purposes: *Provided further*, That the Administrator of the United States Agency for International Development shall assess fair and reasonable rental payments for the use of space by employees of other United States Government agencies in buildings constructed using funds appropriated under this heading, and such rental payments shall be deposited into this account as an offsetting collection: *Provided further*, That the rental payments collected pursuant to the previous proviso and deposited as an offsetting collection shall be available for obligation only pursuant to the regular notification procedures of the Committees on Appropriations: *Provided further*, That the assignment of United States Government employees or contractors to space in buildings constructed using funds appropriated under this heading shall be subject to the concurrence of the Administrator of the United States Agency for International Development: *Provided further*, That funds appropriated under this heading shall be available for obligation only pursuant to the regular notification procedures of the Committees on Appropriations.  
OPERATING EXPENSES OF THE UNITED STATES  
AGENCY FOR INTERNATIONAL DEVELOPMENT  
OFFICE OF INSPECTOR GENERAL

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, \$35,000,000, to remain available until September 30, 2005, which sum shall be available for the Office of the Inspector General of the United States Agency for International Development.

OTHER BILATERAL ECONOMIC ASSISTANCE  
ECONOMIC SUPPORT FUND

For necessary expenses to carry out the provisions of chapter 4 of part II,

\$2,240,500,000 to remain available until September 30, 2005: *Provided*, That of the funds appropriated under this heading, not less than \$480,000,000 shall be available only for Israel, which sum shall be available on a grant basis as a cash transfer and shall be disbursed within 30 days of the enactment of this Act: *Provided further*, That not less than \$575,000,000 shall be available only for Egypt, which sum shall be provided on a grant basis, and of which sum cash transfer assistance shall be provided with the understanding that Egypt will undertake significant economic reforms which are additional to those which were undertaken in previous fiscal years: *Provided further*, That in exercising the authority to provide cash transfer assistance for Israel, the President shall ensure that the level of such assistance does not cause an adverse impact on the total level of nonmilitary exports from the United States to such country and that Israel enters into a side letter agreement in an amount proportional to the fiscal year 1999 agreement: *Provided further*, That of the funds appropriated under this heading, not less than \$250,000,000 should be made available only for assistance for Jordan: *Provided further*, That not less than \$12,000,000 of the funds appropriated under this heading should be made available for Cyprus to be used only for scholarships, administrative support of the scholarship program, bicomunal projects, and measures aimed at reunification of the island and designed to reduce tensions and promote peace and cooperation between the two communities on Cyprus: *Provided further*, That not less than \$35,000,000 of the funds appropriated under this heading should be made available for assistance for Lebanon of which not less than \$4,000,000 should be available only for American educational institutions for scholarships and other programs: *Provided further*, That notwithstanding section 534(a) of this Act, funds appropriated under this heading that are made available for assistance for the Central Government of Lebanon shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That not to exceed \$65,000,000 of the funds appropriated under this heading in this Act may be made available for the costs, as defined in section 502 of the Congressional Budget Act of 1974, of modifying direct loans and guarantees for Pakistan: *Provided further*, That not to exceed \$67,000,000 shall be available to the Department of State Office of Overseas Buildings Operation for construction of United States Agency for International Development facilities in Mali, Guinea, Cambodia, and Georgia: *Provided further*, That funds appropriated under this heading shall be made available for administrative costs of the United States Agency for International Development to provide adequate security, carry out programs in Afghanistan, and implement regional programs in Asia and the Near East, including the Middle East Partnership Initiative, in addition to amounts otherwise available for such purposes: *Provided further*, That with respect to funds appropriated under this heading in this Act or prior Acts making appropriations for foreign operations, export financing, and related programs, the responsibility for policy decisions and justifications for the use of such funds, including whether there will be a program for a country that uses those funds and the amount of each such program, shall be the responsibility of the Secretary of State and the Deputy Secretary of State and this responsibility shall not be delegated.

INTERNATIONAL FUND FOR IRELAND

For necessary expenses to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, \$19,600,000, which

shall be available for the United States contribution to the International Fund for Ireland and shall be made available in accordance with the provisions of the Anglo-Irish Agreement Support Act of 1986 (Public Law 99-415): *Provided*, That such amount shall be expended at the minimum rate necessary to make timely payment for projects and activities: *Provided further*, That funds made available under this heading shall remain available until September 30, 2005.

ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC STATES

(a) For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 and the Support for East European Democracy (SEED) Act of 1989, \$452,000,000, to remain available until September 30, 2005, which shall be available, notwithstanding any other provision of law, for assistance and for related programs for Eastern Europe and the Baltic States: *Provided*, That funds appropriated under this heading shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act for the use of economic assistance: *Provided further*, That funds made available for assistance for Kosovo from funds appropriated under this heading and under the headings "Economic Support Fund" and "International Narcotics Control and Law Enforcement" should not exceed 15 percent of the total resources pledged by all donors for calendar year 2004 for assistance for Kosovo as of March 31, 2004.

(b) Funds appropriated under this heading or in prior appropriations Acts that are or have been made available for an Enterprise Fund may be deposited by such Fund in interest-bearing accounts prior to the Fund's disbursement of such funds for program purposes. The Fund may retain for such program purposes any interest earned on such deposits without returning such interest to the Treasury of the United States and without further appropriation by the Congress. Funds made available for Enterprise Funds shall be expended at the minimum rate necessary to make timely payment for projects and activities.

(c) With regard to funds appropriated under this heading for the economic revitalization program in Bosnia and Herzegovina, and local currencies generated by such funds (including the conversion of funds appropriated under this heading into currency used by Bosnia and Herzegovina as local currency and local currency returned or repaid under such program) the Administrator of the United States Agency for International Development shall provide written approval for grants and loans prior to the obligation and expenditure of funds for such purposes, and prior to the use of funds that have been returned or repaid to any lending facility or grantee.

(d) The provisions of section 529 of this Act shall apply to funds made available under subsection (c) and to funds appropriated under this heading: *Provided*, That notwithstanding any provision of this or any other Act, including provisions in this subsection regarding the application of section 529 of this Act, local currencies generated by, or converted from, funds appropriated by this Act and by previous appropriations Acts and made available for the economic revitalization program in Bosnia may be used in Eastern Europe and the Baltic States to carry out the provisions of the Foreign Assistance Act of 1961 and the Support for East European Democracy (SEED) Act of 1989.

(e) The President is authorized to withhold funds appropriated under this heading made available for economic revitalization programs in Bosnia and Herzegovina, if he de-

termines and certifies to the Committees on Appropriations that the Federation of Bosnia and Herzegovina has not complied with article III of annex 1-A of the General Framework Agreement for Peace in Bosnia and Herzegovina concerning the withdrawal of foreign forces, and that intelligence cooperation on training, investigations, and related activities between state sponsors of terrorism and terrorist organizations and Bosnian officials has not been terminated.

ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION

(a) For necessary expenses to carry out the provisions of chapters 11 and 12 of part I of the Foreign Assistance Act of 1961 and the FREEDOM Support Act, for assistance for the Independent States of the former Soviet Union and for related programs, \$576,000,000, to remain available until September 30, 2005: *Provided*, That the provisions of such chapters shall apply to funds appropriated by this paragraph: *Provided further*, That of the funds made available for the Southern Caucasus region, notwithstanding any other provision of law, funds may be used for confidence-building measures and other activities in furtherance of the peaceful resolution of the regional conflicts, especially those in the vicinity of Abkhazia and Nagorno-Karabagh: *Provided further*, That of the funds appropriated under this heading, \$1,500,000 should be available only to meet the health and other assistance needs of victims of trafficking in persons: *Provided further*, That, notwithstanding any other provision of law, funds appropriated under this heading in this Act or prior Acts making appropriations for foreign operations, export financing, and related programs, that are made available pursuant to the provisions of section 807 of the FREEDOM Support Act (Public Law 102-511) shall be subject to a 6 percent ceiling on administrative expenses.

(b) Of the funds appropriated under this heading, not less than \$70,000,000 should be made available for assistance for Armenia and not less than \$90,000,000 should be available for assistance for Russia.

(c)(1) Of the funds appropriated under this heading that are allocated for assistance for the Government of the Russian Federation, 60 percent shall be withheld from obligation until the President determines and certifies in writing to the Committees on Appropriations that the Government of the Russian Federation:

(A) has terminated implementation of arrangements to provide Iran with technical expertise, training, technology, or equipment necessary to develop a nuclear reactor, related nuclear research facilities or programs, or ballistic missile capability; and

(B) is providing full access to international non-government organizations providing humanitarian relief to refugees and internally displaced persons in Chechnya.

(2) Paragraph (1) shall not apply to—

(A) assistance to combat infectious diseases, child survival activities, or assistance for victims of trafficking in persons; and

(B) activities authorized under title V (Nonproliferation and Disarmament Programs and Activities) of the FREEDOM Support Act.

(d) Of the funds appropriated under this heading, not less than \$63,000,000 should be made available, in addition to funds otherwise available for such purposes, for assistance for child survival, environmental and reproductive health, and to combat HIV/AIDS, tuberculosis and other infectious diseases, and for related activities.

(e) Section 907 of the FREEDOM Support Act shall not apply to—

(1) activities to support democracy or assistance under title V of the FREEDOM Sup-

port Act and section 1424 of Public Law 104-201 or non-proliferation assistance;

(2) any assistance provided by the Trade and Development Agency under section 661 of the Foreign Assistance Act of 1961 (22 U.S.C. 2421);

(3) any activity carried out by a member of the United States and Foreign Commercial Service while acting within his or her official capacity;

(4) any insurance, reinsurance, guarantee or other assistance provided by the Overseas Private Investment Corporation under title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2191 et seq.);

(5) any financing provided under the Export-Import Bank Act of 1945; or

(6) humanitarian assistance.

□ 2200

AMENDMENT OFFERED BY MS. KAPTUR

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

The Clerk read as follows:

Amendment offered by Ms. KAPTUR:

In the item relating to "ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION", add at the end the following:

( ) Of the funds appropriated under this heading, not less than \$94,000,000 should be made available for assistance for Ukraine.

Mr. KOLBE. Mr. Chairman, I reserve a point of order against this amendment.

Ms. KAPTUR. Mr. Chairman, I say to the chairman of the subcommittee, I hope at some point the reservation can be withdrawn.

I offer this amendment today on behalf of the gentleman from Pennsylvania (Mr. WELDON) and myself in order that both Russia and Ukraine be treated evenhandedly in terms of U.S. foreign policy. Indeed, the underlying bill seriously alters priorities relative to the former Soviet Union and the Newly Independent States. It singles out Russia for special treatment while completely eliminating, indeed, zeroing out Ukraine in the account assistance for the Independent States of the Former Soviet Union.

I ask my colleagues to think about this very important region of the world. It is a little over a decade since independence became possible for all the states of the former Soviet Union. Many challenges lie before us in persevering with the peoples of these nations to complete their transition to open societies. And thus, the underlying bill is flawed and surprising in that it shows a deep preference, indeed, a prejudice towards Russia over Ukraine; and I would argue that this does not serve U.S. interests geopolitically for the long term. Indeed, it creates the impression that the United States is picking favorites, and that really we should be adopting a policy that has equanimity, balance, impartiality and even-handedness.

As this chart clearly demonstrates, since the 1990s we have tried to be balanced in the assistance that we have given to U.S. organizations working in both nations. For example, in the year of 2002 we provided to U.S. organizations helping the transition about \$154 million in Ukraine and approximately

\$159 million in Russia. We have tried in both nations to give about a hundred to \$200 million to U.S. groups aiding that transition.

This year, however, the administration has asked us for \$94 million for Ukraine and \$73 million for Russia. But this bill, the underlying bill provides \$90 million for Russia, more than the administration requested by almost \$20 million, and zeros out Ukraine.

I would have to say that we know that there are problems in both countries. We know that they are not part of Europe, yet they are both trying to accede to Europe and the United States, especially in this region, has to be very careful about signaling that it has preference of one country over another.

Let me remind my colleagues also that Ukraine has supported the United States in the war on Iraq and also Afghanistan. It permitted us to use air space and it has already deployed a nuclear, biological and chemical battalion to Kuwait and it has started relocating 1,800 troops to Iraq, thus contributing one of the four largest stabilization forces to the coalition. These deployments will cost Ukraine about \$2.5 million per month.

In addition, let me remind my colleagues Ukraine also stopped its intended sale of turbines to Iran several years ago, causing severe unemployment in one of its largest cities in the eastern half of the country in Kharkiv.

Now, though Ukraine has miles to go in democratic transition as does Russia, to argue that Russia is more deserving or further ahead somehow in the transition has severe underlying problems. And both nations are still dealing with corruption, with election fraud, with problems of rule of law, but to say that one is better than the other and therefore deserves so much more support I believe to be foolish. Both nations have severe internal difficulties, but for this bill to favor one over the other creates further imbalance in a region that can only be made healthy by the transition of all those countries to full democratic status.

So I would just plead with my colleagues in the majority as well as on my side of the aisle to support the Kaptur-Weldon amendment and provide \$94 million in assistance as the administration has requested to Ukraine while still maintaining the bill's level of support to Russia at the level of \$90 million. Please treat them even-handedly. It really is in America's strategic interest.

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

Mr. Chairman, I would be quite brief here and if there are no other speakers on this, I would make my point of order at the end.

I would make the point to the gentlewoman from Ohio (Ms. KAPTUR), first of all, for whom I have a great deal of respect for and particularly admire the commitment she has made to the democracy in the Ukraine and the sup-

port for freedom and democracy in that struggling country, I would make the following point to her, that although there is a specific earmark in our bill for programs in Russia, that is because we believe very strongly in the struggling democracy programs there that need to have very specific support. There is not, and I will just say that the gentlewoman's chart is in error, there is not a zero amount for Ukraine. There is an amount for the former Soviet Republics, for Eastern Europe. We just do not earmark a specific amount for the Ukraine as we do not earmark for other countries.

Ms. KAPTUR. Mr. Chairman, will the gentleman yield?

Mr. KOLBE. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, could I, with all due respect, ask the gentleman, is there not in the bill a \$90 million earmark for Russia?

Mr. KOLBE. Reclaiming my time, as I said a moment ago, there is an earmark for Russia. There is not earmarks for other countries, but there is a sum of money which is available to be spent in these countries, and it is certainly anticipated that programs in the Ukraine that do support democracy would be supported by that account.

We just simply do not earmark the specific amount for any of the countries in the bill, whether we are talking about Armenia, Azerbaijan, Georgia, the other countries. There is no specific amount.

Ms. KAPTUR. If the gentleman would yield, I thank the gentleman very much for his courtesy. I just wish to also mention that there are designations in the bill also for Armenia.

Mr. KOLBE. Mr. Chairman, I correct myself. The gentlewoman is correct. Armenia and Russia do have earmarks.

#### POINT OF ORDER

Mr. KOLBE. Mr. Chairman, I would make a point of order against the amendment because it does propose to change existing law and constitutes legislation in an appropriations bill, and therefore finds itself in violation of clause 2 of rule XXI.

That rule states in pertinent part: "An amendment to a general appropriation bill shall not be in order if it changes existing law."

It gives affirmative direction, in effect. In this legislation this proposed amount does that.

Mr. Chairman, I would ask for a ruling from the Chair.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

Mrs. LOWEY. Mr. Chairman, I would like to join my Chair in thanking the member of our committee, the gentlewoman from Ohio (Ms. KAPTUR), for her commitment to Ukraine. I know of her important work in developing agriculture initiatives there and understanding how important agriculture is to Ukraine. I thank the gentlewoman for bringing this issue to our attention. I can assure the gentlewoman that the

Ukraine, as always, will get a significant amount of money to continue the important work that the gentlewoman and others have been doing in Ukraine.

The CHAIRMAN. The Chair is prepared to rule on the point of order.

The Chair finds that this amendment proposes a legislative floor on spending not authorized by law. The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained and the amendment is not in order.

Are there further amendments to this paragraph of the bill?

If not, the Clerk will continue to read.

The Clerk read as follows:

#### INDEPENDENT AGENCIES

##### INTER-AMERICAN FOUNDATION

For necessary expenses to carry out the functions of the Inter-American Foundation in accordance with the provisions of section 401 of the Foreign Assistance Act of 1969, \$15,185,000, to remain available until September 30, 2005.

##### AFRICAN DEVELOPMENT FOUNDATION

For necessary expenses to carry out title V of the International Security and Development Cooperation Act of 1980, Public Law 96-533, \$17,689,000, to remain available until September 30, 2005: *Provided*, That funds made available to grantees may be invested pending expenditure for project purposes when authorized by the board of directors of the Foundation: *Provided further*, That interest earned shall be used only for the purposes for which the grant was made: *Provided further*, That notwithstanding section 505(a)(2) of the African Development Foundation Act, in exceptional circumstances the board of directors of the Foundation may waive the \$250,000 limitation contained in that section with respect to a project: *Provided further*, That the Foundation shall provide a report to the Committees on Appropriations after each time such waiver authority is exercised.

#### PEACE CORPS

For necessary expenses to carry out the provisions of the Peace Corps Act (75 Stat. 612), \$314,000,000, including the purchase of not to exceed five passenger motor vehicles for administrative purposes for use outside of the United States: *Provided*, That none of the funds appropriated under this heading shall be used to pay for abortions: *Provided further*, That funds appropriated under this heading shall remain available until September 30, 2005: *Provided further*, That the Director of the Peace Corps may make appointments or assignments, or extend current appointments or assignments, to permit United States citizens to serve for periods in excess of five years in the case of individuals whose appointment or assignment, such as regional safety security officers and employees within the Office of the Inspector General, involves the safety of Peace Corps volunteers: *Provided further*, That the Director of the Peace Corps may make such appointments or assignments notwithstanding the provisions of section 7 of the Peace Corps Act limiting the length of an appointment or assignment, the circumstances under which such an appointment or assignment may exceed 5 years, and the percentage of appointments or assignments that can be made in excess of 5 years.

#### MILLENNIUM CHALLENGE ACCOUNT

For necessary expenses for the "Millennium Challenge Account", \$800,000,000, to remain available until expended: *Provided*, That the availability of such amount is contingent upon enactment of authorization.



## DEPARTMENT OF STATE

## INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961, \$241,700,000: *Provided*, That funds appropriated under this heading shall remain available until September 30, 2005: *Provided further*, That during fiscal year 2004, the Department of State may also use the authority of section 608 of the Foreign Assistance Act of 1961, without regard to its restrictions, to receive excess property from an agency of the United States Government for the purpose of providing it to a foreign country under chapter 8 of part I of that Act subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That the Secretary of State shall provide to the Committees on Appropriations not later than 45 days after the date of the enactment of this Act and prior to the initial obligation of funds appropriated under this heading, a report on the proposed uses of all funds under this heading on a country-by-country basis for each proposed program, project, or activity: *Provided further*, That of the funds appropriated under this heading, not more than \$24,180,000 may be available for administrative expenses.

## ANDEAN COUNTERDRUG INITIATIVE

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961 to support counterdrug activities in the Andean region of South America, \$731,000,000, to remain available until September 30, 2005: *Provided*, That in fiscal year 2004, funds available to the Department of State for assistance to the Government of Colombia shall be available to support a unified campaign against narcotics trafficking, against activities by organizations designated as terrorist organizations such as the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN), and the United Self-Defense Forces of Colombia (AUC), and to take actions to protect human health and welfare in emergency circumstances, including undertaking rescue operations: *Provided further*, That this authority shall cease to be effective if the Secretary of State has credible evidence that the Colombian Armed Forces are not conducting vigorous operations to restore government authority and respect for human rights in areas under the effective control of paramilitary and guerrilla organizations: *Provided further*, That the President shall ensure that if any helicopter procured with funds under this heading is used to aid or abet the operations of any illegal self-defense group or illegal security cooperative, such helicopter shall be immediately returned to the United States: *Provided further*, That none of the funds appropriated by this Act may be made available to support a Peruvian air interdiction program until the Secretary of State and Director of Central Intelligence certify to the Congress, 30 days before any resumption of United States involvement in a Peruvian air interdiction program, that an air interdiction program that permits the ability of the Peruvian Air Force to shoot down aircraft will include enhanced safeguards and procedures to prevent the occurrence of any incident similar to the April 20, 2001 incident: *Provided further*, That the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall provide to the Committees on Appropriations not later than 45 days after the date of the enactment of this Act and prior to the initial obligation of funds appropriated under this heading, a report on the proposed uses of all funds under this heading on a country-by-country basis for each proposed

program, project, or activity: *Provided further*, That section 482(b) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated under this heading: *Provided further*, That assistance provided with funds appropriated under this heading that is made available notwithstanding section 482(b) of the Foreign Assistance Act of 1961, as amended, shall be made available subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That the provisions of section 3204(b) through (d) of Public Law 106-246, as amended by Public Law 107-115, shall be applicable to funds appropriated for fiscal year 2004: *Provided further*, That the reports required by sections 3204(e) and (f) of Division B, title III, chapter 2 of Public Law 106-246, shall be submitted also to the Committees on Appropriations on the dates specified in those sections: *Provided further*, That of the funds appropriated under this heading, not more than \$15,680,000 may be available for administrative expenses of the Department of State, and not more than \$4,500,000 may be available, in addition to amounts otherwise available for such purposes, for administrative expenses of the United States Agency for International Development.

## MIGRATION AND REFUGEE ASSISTANCE

For expenses, not otherwise provided for, necessary to enable the Secretary of State to provide, as authorized by law, a contribution to the International Committee of the Red Cross, assistance to refugees, including contributions to the International Organization for Migration and the United Nations High Commissioner for Refugees, and other activities to meet refugee and migration needs; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1980; allowances as authorized by sections 5921 through 5925 of title 5, United States Code; purchase and hire of passenger motor vehicles; and services as authorized by section 3109 of title 5, United States Code, \$760,197,000, which shall remain available until expended: *Provided*, That not more than \$18,500,000 may be available for administrative expenses: *Provided further*, That funds appropriated under this heading may be made available for a headquarters contribution to the International Committee of the Red Cross only if the Secretary of State determines (and so reports to the appropriate committees of Congress) that the Magen David Adom Society of Israel is not being denied participation in the activities of the International Red Cross and Red Crescent Movement: *Provided further*, That none of the funds made available pursuant to this Act after March 31, 2004, by the Department of State under the headings "Migration and Refugee Assistance" and "United States Emergency Refugee and Migration Assistance Fund" for the purposes of provision of assistance to refugees or internally displaced persons may be provided to an organization that has failed to adopt a code of conduct consistent with the Inter-Agency Standing Committee Task Force on Protection From Sexual Exploitation and Abuse in Humanitarian Crises six core principles for the protection of beneficiaries of humanitarian assistance.

## UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

For necessary expenses to carry out the provisions of section 2(c) of the Migration and Refugee Assistance Act of 1962, as amended (22 U.S.C. 2601(c)), \$15,831,000, to remain available until expended.

## NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For necessary expenses for nonproliferation, anti-terrorism, demining and related

programs and activities, \$335,200,000, to carry out the provisions of chapter 8 of part II of the Foreign Assistance Act of 1961 for anti-terrorism assistance, chapter 9 of part II of the Foreign Assistance Act of 1961, section 504 of the FREEDOM Support Act, section 23 of the Arms Export Control Act or the Foreign Assistance Act of 1961 for demining activities, the clearance of unexploded ordnance, the destruction of small arms, and related activities, notwithstanding any other provision of law, including activities implemented through nongovernmental and international organizations, and section 301 of the Foreign Assistance Act of 1961 for a voluntary contribution to the International Atomic Energy Agency (IAEA) and for a United States contribution to the Comprehensive Nuclear Test Ban Treaty Preparatory Commission: *Provided further*, That of this amount not to exceed \$20,000,000, to remain available until expended, may be made available for the Nonproliferation and Disarmament Fund, notwithstanding any other provision of law, to promote bilateral and multilateral activities relating to nonproliferation and disarmament: *Provided further*, That such funds may also be used for such countries other than the Independent States of the former Soviet Union and international organizations when it is in the national security interest of the United States to do so following consultation with the appropriate committees of Congress: *Provided further*, That funds appropriated under this heading may be made available for the International Atomic Energy Agency only if the Secretary of State determines (and so reports to the Congress) that Israel is not being denied its right to participate in the activities of that Agency: *Provided further*, That of the funds made available for demining and related activities, not to exceed \$690,000, in addition to funds otherwise available for such purposes, may be used for administrative expenses related to the operation and management of the demining program.

## AMENDMENT NO. 11 OFFERED BY MR. SCHIFF

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

## Amendment No. 11 offered by Mr. SCHIFF:

In the item relating to "NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS"—

(1) after the first dollar amount insert the following: "(increased by \$15,000,000)"; and

(2) after the second dollar amount insert the following: "(increased by \$15,000,000)".

In the item relating to "FOREIGN MILITARY FINANCING PROGRAM", after the first dollar amount insert the following: "(reduced by \$90,000,000)".

Mr. SCHIFF. Mr. Chairman, my amendment increases the nonproliferation and disarmament funds by \$15 million, from \$20 million to \$35 million. The effect of this amendment, therefore, is to restore the full amount of the President's request for the nonproliferation and disarmament fund. Why should we do that? Why should we meet the President's request for funding of this account?

Perhaps the single greatest threat we face as a Nation is from terrorists armed with weapons of mass destruction. It is why we went to war in Iraq. It is why we established the Department of Homeland Security, to address

this significant threat to American lives. And within the threat of terrorist possession of weapons of mass destruction, the greatest danger within that threat is the potential access of terrorists to nuclear material and the ability to create a nuclear weapon.

We will survive another biological attack like the anthrax attacks. We will survive chemical attacks. But a nuclear attack in this country, on our soil or against our troops around the world would fundamentally change this Nation. And around the world there are literally hundreds of facilities that have some kilos, others that have tons of plutonium or highly enriched uranium in an unsecured condition.

The technology of the atomic bomb is a half century old. It is not difficult to replicate. Obtaining the nuclear material is the terrorists' main obstacle and that challenge may be far too easily overcome.

Removing the weapons usable material from the most vulnerable facilities around the world is a national security imperative for this country. What are we waiting for? It is far easier to prevent the theft of nuclear material than to track down the thieves after the material is gone. Fifty million dollars for a global cleanout of this material would be sufficient for several years if we were maximally efficient; \$35 million, the President's request, is barely adequate; \$20, what we do today, is simply irresponsible.

The State Department has identified 24 top targeted sites of vulnerable stockpiles. If we look at our pace over the last decade, in August of 2002 in Project Vinca operation we removed 48 kilos of highly enriched uranium, enough to make one to three nuclear bombs from a vulnerable site in Yugoslavia.

To succeed we had to go hat in hand to a private organization, the Nuclear Threat Initiative, for \$5 million. Project Sapphire some years before that airlifted 600 kilos of highly enriched uranium away from a vulnerable location in Kazakhstan.

We have had a total of three efforts like this in the last 10 years. At that pace our work will never be done. Our risks will be unacceptably high.

Meeting our national security needs in the post Cold War period means addressing the most immediate threats first and with adequate resources. Restoring the funds to the nonproliferation and disarmament account in an amount requested by the President is what this amendment would do. I ask for Members' support.

Mr. KOLBE. Mr. Chairman, I rise in opposition to the amendment.

I thought it was the intention of the gentleman from California (Mr. SCHIFF) to withdraw the amendment at the end, but as I understand it he intends to go ahead with this.

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

Mr. KOLBE. I yield to the gentleman from California.

Mr. SCHIFF. Mr. Chairman, my understanding is that the chairman was prepared to offer this evening that he would work with me in conference.

Mr. KOLBE. That was what I intended to say. Is it the gentleman's intention then to withdraw it at that point?

Mr. SCHIFF. Mr. Chairman, it is my intention.

Mr. KOLBE. Mr. Chairman, reclaiming my time, I appreciate the gentleman's comments about this account. I would just like to note that we have recommended \$335 million. That is an increase of \$31 million in what is called the NADR, the Nonproliferation, Antiterrorism, Demining and Related Programs.

□ 2215

The gentleman's asked for a specific sub-account within there of the nonproliferation and disarmament fund. He has asked for money to be additionally placed in there, and I would just note that we have provided an increase of \$5.1 million. That is a 34 percent increase in that account there.

So I think we have done very well, and I would also note that this particular State Department discretionary fund has not had the best record of expeditiously obligating funds. I would just say the problem we have had is one that the gentleman has correctly identified, or maybe not has correctly identified, but is certainly one of the allocations that we have available to us.

As I mentioned on the previous amendment, we have an allocation of a full billion dollars less than what is available to the Senate, and I would hope that when we are in conference if we have additional funds available to us to be able to work with the gentleman to increase the funding for this; and with that, Mr. Chairman, if that is satisfactory, if the gentleman would like to respond to that, I would yield to him for the purpose of commenting on that.

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

I appreciate the chairman's willingness to work with me to try to improve the funding of this account in conference committee. The Senate, my understanding, has gone even beyond the President's request of \$45 million. We are currently at \$20 million, and I would hope that we would work together to meet the President's request of \$5; and based on the Chairman's willingness to work together, I will move to withdraw my amendment.

The CHAIRMAN. Without objection, the amendment offered by the gentleman from California (Mr. SCHIFF) is withdrawn.

There was no objection.

The CHAIRMAN. Are there other amendments to this section of the bill?

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

Mr. Chairman, I would ask if I could engage the chairman of the subcommittee on the firearm issue.

I want to begin by thanking the gentleman from Florida (Mr. BILIRAKIS) and the gentlewoman from New York (Mrs. MALONEY) who are co-chairs of the Hellenic Caucus, for their leadership and interest in this issue and thank the gentlewoman from New York (Mrs. LOWEY), the ranking member, and the gentleman from Arizona (Mr. KOLBE) for their interest.

Mr. Chairman, I strongly urge that the House conferees on the foreign operations appropriations work to include language in the conference report regarding the recent article 98 agreement between the United States and the Former Yugoslav Republic of Macedonia.

As my colleagues may be aware, the Former Yugoslav Republic was allowed to sign this agreement as Macedonia, which directly violates United States policy regarding use of that nomenclature. Currently, FYROM and Greece are involved in negotiations under the auspices of the United Nations regarding usage of the name "Macedonia," and the United States has said it will recognize FYROM only as the Former Yugoslav Republic of Macedonia while these negotiations are ongoing.

Despite this, the State Department allowed FYROM to sign the article 98 agreement as Macedonia, thus showing utter disregard for our Greek allies. While I certainly understand that this important agreement which ensures that Americans will not be brought before the International Criminal Court by FYROM is designed to protect American citizens and members of the U.S. Armed Forces, I find it inexcusable that we obtained the signature of FYROM at the expense of our friends in Greece.

It is my view that the name "Macedonia" properly belongs to Greek culture and, therefore, should not be used by any other country. Greek Macedonia is one of the oldest civilizations known to man, and the history of this name should be recognized and respected.

Mr. Chairman, I ask that language be included in the conference report on foreign operations which states that the State Department should not have allowed the Former Yugoslav Republic of Macedonia to sign the article 98 agreement as Macedonia. Further, this language should affirm that it is the United States policy for the Former Yugoslav Republic of Macedonia to be referred to only as the Former Yugoslav Republic of Macedonia, and this policy should be observed in all future relations between the United States and FYROM. In this manner, we can ensure that the culture of our Greek allies is never disrespected in this way again.

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

Mr. ANDREWS. I yield to the gentleman from Arizona.

Mr. KOLBE. Mr. Chairman, I thank the gentleman for yielding and I would be pleased to respond.

I appreciate the effort that my friend from New Jersey has made to bring this issue to our attention. Clearly, it has been United States policy to recognize this nation as the Former Yugoslav Republic of Macedonia, and I know that our State Department did not intend to change this policy through this article 98 agreement, which was intended to deal with another set of issues regarding the protection of American service personnel overseas, an issue which is important to many of us in this body.

Clearly, this issue of the nation's name is an issue of contention in that the northern region of Greece also goes by Macedonia. I can tell the gentleman that we will raise this issue with the Department of State, and we will see if our colleagues in the Senate would agree to a restatement of current policy in the Statement of Managers that accompanies the fiscal year 2004 conference agreement.

Mr. ANDREWS. Mr. Chairman, reclaiming my time, I thank the chairman very much for his leadership and his work on this issue; and I know how good his word is, and I appreciate that. I also thank the ranking member for her leadership.

The CHAIRMAN. If there are no further amendments to this section of the bill, the Clerk will continue to read.

The Clerk read as follows:

DEPARTMENT OF THE TREASURY  
INTERNATIONAL AFFAIRS TECHNICAL  
ASSISTANCE

For necessary expenses to carry out the provisions of section 129 of the Foreign Assistance Act of 1961, \$19,000,000, to remain available until September 30, 2006, which shall be available notwithstanding any other provision of law.

DEBT RESTRUCTURING

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of modifying loans and loan guarantees, as the President may determine, for which funds have been appropriated or otherwise made available for programs within the International Affairs Budget Function 150, including the cost of selling, reducing, or canceling amounts owed to the United States as a result of concessional loans made to eligible countries, pursuant to parts IV and V of the Foreign Assistance Act of 1961, and of modifying concessional credit agreements with least developed countries, as authorized under section 411 of the Agricultural Trade Development and Assistance Act of 1954, as amended, and concessional loans, guarantees and credit agreements, as authorized under section 572 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989 (Public Law 100-461), and of canceling amounts owed, as a result of loans or guarantees made pursuant to the Export-Import Bank Act of 1945, by countries that are eligible for debt reduction pursuant to title V of H.R. 3425 as enacted into law by section 1000(a)(5) of Public Law 106-113, \$95,000,000, to remain available until September 30, 2005: *Provided*, That \$20,000,000 of the funds appropriated under this heading may be made available to carry out the provisions of part V of the Foreign Assistance Act of 1961: *Provided further*, That \$75,000,000 of the funds appropriated under this heading may be used by the Secretary of the Treasury to pay to the Heavily Indebted Poor

Countries (HIPC) Trust Fund administered by the International Bank for Reconstruction and Development amounts for the benefit of countries that are eligible for debt reduction pursuant to title V of H.R. 3425 as enacted into law by section 1000(a)(5) of Public Law 106-113: *Provided further*, That amounts paid to the HIPC Trust Fund may be used only to fund debt reduction under the enhanced HIPC initiative by—

- (1) the Inter-American Development Bank;
- (2) the African Development Fund;
- (3) the African Development Bank; and
- (4) the Central American Bank for Economic Integration:

*Provided further*, That funds may not be paid to the HIPC Trust Fund for the benefit of any country if the Secretary of State has credible evidence that the government of such country is engaged in a consistent pattern of gross violations of internationally recognized human rights or in military or civil conflict that undermines its ability to develop and implement measures to alleviate poverty and to devote adequate human and financial resources to that end: *Provided further*, That on the basis of final appropriations, the Secretary of the Treasury shall consult with the Committees on Appropriations concerning which countries and international financial institutions are expected to benefit from a United States contribution to the HIPC Trust Fund during the fiscal year: *Provided further*, That the Secretary of the Treasury shall inform the Committees on Appropriations not less than 15 days in advance of the signature of an agreement by the United States to make payments to the HIPC Trust Fund of amounts for such countries and institutions: *Provided further*, That the Secretary of the Treasury may disburse funds designated for debt reduction through the HIPC Trust Fund only for the benefit of countries that—

(1) have committed, for a period of 24 months, not to accept new market rate loans from the international financial institution receiving debt repayment as a result of such disbursement, other than loans made by such institution to export-oriented commercial projects that generate foreign exchange which are generally referred to as "enclave" loans; and

(2) have documented and demonstrated their commitment to redirect their budgetary resources from international debt repayments to programs to alleviate poverty and promote economic growth that are additional to or expand upon those previously available for such purposes: *Provided further*, That any limitation of subsection (e) of section 411 of the Agricultural Trade Development and Assistance Act of 1954 shall not apply to funds appropriated under this heading: *Provided further*, That none of the funds made available under this heading in this or any other appropriations Acts shall be made available for Sudan or Burma unless the Secretary of Treasury determines and notifies the Committees on Appropriations that a democratically elected government has taken office.

TITLE III—MILITARY ASSISTANCE  
FUNDS APPROPRIATED TO THE PRESIDENT  
INTERNATIONAL MILITARY EDUCATION AND  
TRAINING

For necessary expenses to carry out the provisions of section 541 of the Foreign Assistance Act of 1961, \$91,700,000, of which up to \$3,000,000 may remain available until expended: *Provided*, That the civilian personnel for whom military education and training may be provided under this heading may include civilians who are not members of a government whose participation would contribute to improved civil-military relations, civilian control of the military, or respect

for human rights: *Provided further*, That funds appropriated under this heading for military education and training for Guatemala may only be available for expanded international military education and training and funds made available for Nigeria and Guatemala may only be provided through the regular notification procedures of the Committees on Appropriations.

AMENDMENT OFFERED BY MR. HEFLEY

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

The Clerk read as follows:

Amendment offered by Mr. HEFLEY:

Page 40, line 24, after the first dollar amount insert the following: "(reduced by \$600,000)".

Mr. HEFLEY. Mr. Chairman, my amendment is intended to cut \$600,000 out of the IMET account to prevent Indonesia from receiving IMET funding in fiscal year 2004.

As many of my colleagues may remember, last week I offered an amendment to the Foreign Service Reauthorization Act of 2004 and 2005 that would limit Indonesia's participation in the IMET program. It passed overwhelmingly here. In fact, it passed overwhelmingly in the other body and everywhere it has been offered. My amendment would limit Indonesia from receiving International Military Education and Training funds until the President certifies to Congress, and not do away with it entirely, it just says until the President certifies to Congress that the Government of Indonesia and the Indonesian armed forces are taking effective measures, including cooperating with the director of the FBI, in conducting a full investigation of the attack and to criminally prosecute the individuals responsible for the attack.

What attack am I talking about? My colleagues may or may not remember, for those Members who are not aware, on August 31, 2002, the staff of the International School of West Papua, Indonesia, decided to go on a picnic, a Sunday afternoon picnic. The teachers lived and worked in Tembagapura, a company town located high in the mountains near the Grasberg gold and copper mine. The group of 11 people, including a 6-year-old child, drove in two vehicles to a picnic site about 10 miles away on the road to Timika. Because it began to rain, they decided to return to town for lunch.

The road they were traveling on now is not an ordinary road. The road is surrounded by the gold and copper mine and is heavily guarded by the Indonesian military; and in fact, at both ends of this mountain road are military checkpoints which seal the road and control access to Tembagapura.

As they returned home, the group was brutally attacked by a band of terrorists. Two Americans and an Indonesian were killed in the ambush. The attack, which occurred less than a half mile away from an Indonesian military checkpoint, went on, and listen to me with this because it is astounding to me. This attack was a half mile from a military checkpoint, and it went on for

45 minutes, with no one doing anything to stop it. Hundreds of rounds were fired at the teachers and at their vehicles. Most of the survivors, including the 6-year-old child, were shot. Several of the teachers were shot multiple times and suffered horrible injuries; and Mr. Chairman, I could go on and on about this, but in the interests of time and in deference to the chairman, let me just say that every indication in our investigation so far by the CIA, the FBI, and even the Indonesian police forces indicate that the military was responsible for this attack.

But after all these months, we are getting little or no cooperation in the investigation. That is what we want to get to the bottom of. We want to find out who did this and bring these killers to justice.

Mr. Chairman, I would encourage support of this amendment. I would hope that my colleagues would accept this amendment.

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

I applaud the gentleman for offering this amendment and for giving us the opportunity to have an open discussion about recent events in Indonesia. Last August, two U.S. citizens and one Indonesian were killed in an ambush in Papua, Indonesia, and eight other Americans were wounded. This incident took place in an area under the nominal control of an American company and the victims were their employees.

While the Indonesian military has sought to blame indigenous rebel movements for this act of terror, all signs point to the direct involvement of the Indonesian military. The FBI has been dispatched several times to assist in the investigation. The cooperation of the Indonesian military authorities has been sporadic at times and at times nonexistent.

The debate on whether to allow military training for Indonesia has gone on for over 10 years now. Last year, over my objections, Congress allowed for the resumption of full IMET training for the first time since 1992. Let us examine the Indonesians' response to this action:

One, continued lack of cooperation with the FBI investigation into the killings in Papua;

Two, an active media campaign to discredit the FBI's initial conclusions that the Indonesian military was most likely involved in this incident;

Three, a horrific military crack down in Aceh which has resulted in hundreds of civilians killed, executions, rape, numerous schools burned, and thousands forced into military camps;

The shutting out of foreign journalists and human rights organizations from Aceh;

A similar campaign in Papua, targeting mostly Christian and Melanesian populations;

A continuing mockery of justice in cases involving the abuses in East Timor in 1999;

And efforts by the Indonesian Army to slow or hinder U.S. anti-terrorism assistance for the Indonesian police.

In short, Indonesia has not shown any inclination to work more closely with us and to change policies which they know are objectionable. If anything, their behavior indicates that they have chosen to use this as an opportunity to defy the United States.

This amendment cuts \$600,000 requested for Indonesian IMET and will send a strong signal to the Indonesians. Allowing unrestricted IMET demonstrates to the Indonesians that they cannot afford to ignore State Department and congressional calls for military reform, real cooperation in the war on terrorism and an end to violence and corruption.

I urge support of the Hefley amendment.

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

Mr. Speaker, I rise in support of the gentleman from Arizona's (Mr. KOLBE) and the gentleman from New Jersey's (Mr. ANDREWS) initiative to include language stating that the State Department should not have allowed the Former Yugoslav Republic of Macedonia to sign the article 98 agreement as Macedonia. FYROM is the country's name, not Macedonia.

All historical and archaeological evidence demonstrates that the ancient Macedonians were Greek. Macedonia is a Greek name that has designated the northern area of Greece for over 2,000 years.

In 1944, the name of the Skopje region was changed to Macedonia as part of Tito's imperialist campaign to gain control of the Greek province of Macedonia. The United States opposed Tito's use of the name Macedonia at that time and has now stated that it will recognize FYROM only as the Former Yugoslav Republic of Macedonia while negotiations between Greece and FYROM continue.

□ 2230

Since 1995, bilateral relations between Greece and FYROM have improved significantly, especially in investment and trade. Currently, Greece is the largest foreign investor in FYROM. As a result, FYROM amended its constitution and removed the clauses about taking over and invading Greece, and they removed the emblem of Greece, the ancient symbol of Verjina, from its flag, and they removed the ancient tower, the white tower in the geographical area of Greece, from their money.

However, the dispute over the official name of FYROM still continues today between Athens and Skopje under the negotiations with the United Nations. I am concerned that any implied recognition of FYROM as Macedonia, however seemingly insignificant, may very well prove destabilizing for the region and possibly derail the United States effort at finding a solution between FYROM and Greece.

Those who may think that Macedonia is Greek and this is merely a semantics issue should consider what it would have been like if at the height of the Cold War the former Soviet Union had drawn in Alaska as part of its territory and put the Washington monument on its flag.

So I strongly support the commitment by the gentleman from Arizona (Mr. KOLBE) and my colleague, the gentleman from New Jersey (Mr. ANDREWS) and their efforts, and hope that their language clarifying U.S. policy on FYROM will be included and that the State Department will be urged not to allow FYROM or any other nation to use Macedonia as a designation for FYROM.

Macedonia is geographically in Greece, historically and presently. I applaud the chairman on this bill and the ranking member, and I ask for their support with this.

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

Mr. Chairman, I rise in strong support of the Hefley amendment, which would cut all international military and education and training IMET funding for Indonesia. We in Congress ended IMET funding for Indonesia due to horrendous human rights abuses committed by Indonesia's military. Mr. Chairman, nothing has changed. Indonesia's military has continued to engage in horrific human rights violations against its own people, especially in Aceh and Papua, has obstructed the investigation of the death of two U.S. and one Indonesian citizen, and deliberately evaded accountability for crimes against humanity in East Timor.

Of great concern to me is Indonesia's failure to resolve and provide meaningful justice for the murder of two U.S. citizens and an Indonesian on the Freeport McMoRan mining road in Papua in August 2002. The TNI, which has been labeled as culpable for the crime by independent monitors, has threatened parties investigating the crime and has resisted cooperation with the FBI.

The Indonesian military has launched a major military offensive in Aceh, the largest since its 1975 invasion of East Timor, which within a few years resulted in the deaths of tens of thousands. In early December 2002, the Indonesian government and the Free Aceh Movement, GAM, signed a peace accord in Geneva called the Cessations of Hostilities Agreement. This agreement has since collapsed, and on May 19, 2003, the Indonesian government declared martial law in Aceh.

The TNI has since committed extrajudicial executions, it has committed torture, rape, and mass displacement of civilians. International humanitarian and human rights organizations, as well as foreign journalists, have been denied access to Aceh.

Access for Indonesian journalists is severely restricted. Human rights monitors and defenders have been particularly targeted. TNI-sponsored militia thugs have attacked their offices. U.S. journalist William Nessen has been detained and faces a possible 5-year sentence for so-called visa violations. When Nessen originally tried to surrender to military forces they apparently shot at him.

Finally, the trial process of the Indonesian ad hoc Human Rights Court in East Timor has been a grave distortion of truth and an internationally recognized travesty of justice. As of now, the court has acquitted 12 and convicted 5, delivering light sentences. Four of the five are less than the legal minimum under Indonesian law, and those convicted remain free pending appeal.

To date, the Indonesian government has not provided the documentation, executed arrest warrants, or facilitated witness interviews as requested by the joint U.N.-East Timor Serious Crimes Unit. Senior level government official in Indonesia responded to an SCU indictment of high-level Indonesian security forces personnel for crimes against humanity for murder, deportation and persecution by publicly snubbing the indictments and openly threatening East Timor.

Congress has already provided significant carrots outside of the provision of IMET millions in counter-terrorism training for the TNI and the police, multilateral military exercises, and senior-level contacts despite these and other inexcusable actions by the Indonesian armed forces and government.

Resuming IMET funding this year will send the wrong signal and it will reward bad behavior. This Congress should vote "yes" on the Hefley amendment, and I urge my colleagues to strongly support the Hefley amendment, which would cut all international military and education training funding for Indonesia.

Mr. WALDEN of Oregon. Mr. Chairman, I move to strike the requisite number of words, and I rise today to express my strong support for the amendment offered by the gentleman from Colorado, which is designed to force the government of Indonesia to do what until now it has utterly failed to do, bring to justice the murderers who killed two American citizens and wounded eight others in Papua, Indonesia, in August of 2002.

Among the victims of that tragic attack were Ted Burgon of Sun River, Oregon, in my district, and Rick Spier of Colorado, both of whom lost their lives. Ted's wife Nancy was wounded in the ambush, as were Ken Balk and Sandra Hopkins, also of Sun River, Oregon, and their young daughter. A number of other members of their party suffered injuries at the hands of the terrorists who perpetrated this cowardly attack.

Mr. Chairman, despite the time that has elapsed since the tragedy in Indonesia, the murderers of Burgon and

Spier have not been brought to justice. Perhaps most disturbingly there seems to have been little effort on the part of the Indonesian government, which receives substantial aid from the people of the United States, to ensure that these killers are made to pay for their crimes. Indeed, strong evidence suggests that government officials have actively thwarted American investigations into the attack. This amendment is intended to correct this inequity.

Mr. Chairman, since the attack occurred, evidence has been brought to light suggesting that members of the Indonesian military, and not a rogue band of criminals, bears responsibility for the ambush. Following the attack, the Indonesian police conducted an inquiry and ultimately issued a report asserting that, and I quote, "There is a strong possibility that the attack was perpetrated by members of the Indonesian National Army Force." Indeed, the attack occurred less than a half a mile away from the Indonesian military checkpoints. Moreover, various news services have reported that U.S. intelligence agencies have intercepted messages between Indonesian military officials implicating army personnel in the attack.

Mr. Chairman, from the beginning, Indonesian authorities have been less than cooperative in assisting the FBI investigations into the murders. Investigative agents were denied the opportunity to interview witnesses without Indonesian authorities present and were not permitted to bring forensic evidence back to the United States for analysis.

It is my firm belief that if prosecuting the murderers of American citizens on Indonesian soil is not a priority for the government of Indonesia, they should not expect to receive assistance from the people of the United States. My colleague's amendment would prevent Indonesia from receiving international military education and training funds until the President certifies to the Congress that the Indonesian government and the Indonesian military are cooperating with American authorities in their investigation into the attack.

Given the strong possibility that members of the Indonesian military were involved in the ambush, it would be an affront to the memory of Ted Burgon and Rick Spier, as well as the grieving families they left behind, to continue providing funding to the Indonesian armed forces. So I urge my colleagues to support this amendment.

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

Mr. Chairman, many statements have been made on the floor about this amendment. Unfortunately, very little of them have been accurate. Let me read the amendment, since it is less than two full lines. "Page 40, line 24. After the first dollar amount insert the following (reduce by \$600,000)."

Mr. Chairman, this does not reduce the funding for Indonesia. It would

take only \$600,000 out of the international military education and training account. It is a cut to the general appropriations account. And it is correctly drafted this way, because to put other kinds of restrictions in it would not have been in order.

So I want to make it very clear to my colleagues that this is not an amendment which in any way directly affects Indonesia at all. The language that has been stated here on the floor might, but the amendment itself has no impact itself on Indonesia.

As to the issue of the tragic killing of U.S. citizens in Indonesia, our report in fact does deal with this on page 46 where we outline in some considerable detail the problems and make note with this sentence, Mr. Chairman: "Most disturbing, the committee understands that the Federal Bureau of Investigation has not found Indonesian officials to be particularly cooperative." So we have made note of this. We are very concerned about it.

But certainly attacking IMET as the way to get at this would be the absolute contrary way to do so. IMET is about exposing foreign military officers and enlisted personnel to civilian control, to respect for human rights, to the rule of law. It is, as its very title suggests, about education and training. And as we know from the programs that exist, human rights and civil rights, respect for human rights and respect for civil rights is a very major component of this training. If you want to reform the Indonesian military, then cutting off IMET is exactly the opposite of what one ought to do. At some point we ought to be increasing IMET for Indonesia, and perhaps indeed that is what may happen.

But I would also note, before I close, that our legislation does not permit or does not provide for any foreign military sales to Indonesia, and so that is specifically prohibited. But I am happy that this amendment does not in any way affect the IMET funding specifically for Indonesia. It represents what is less than a six-tenths of 1 percent cut in the total amount. And while I am a strong supporter of IMET, because I believe that it does exactly what we want to do, and we have adequate proof of this around the world, that it exposes military officers in other countries to human rights, to civil rights, to the values that we believe are important in this country, and because of that I strongly support it, but I am not prepared at this hour of the evening to quibble about what is less than a six-tenths of 1 percent cut in this funding.

And so, Mr. Chairman, I am prepared to accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. HEFLEY).

The amendment was agreed to.

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

Mr. Chairman, I take this time to point out a provision that is in the bill

that provides \$100 million of aid to Serbia. That aid is conditioned upon certain standards being met that the Yugoslav government is cooperating with the International Criminal Tribunal, including access for investigators in the surrender and transfer of indictees or the assistance in their apprehension.

□ 2245

I want to thank the chairman and the ranking member of the subcommittee for their help in including this language again in this year's appropriation bill.

Mr. Chairman, I want to point out that the Committee on Appropriations has worked with our Helsinki Commission to make sure this language is included again this year in the appropriation process. It reinforces our commitment to the International Criminal Tribunal for the former Yugoslavia. This body has played a very important role in moving forward the work of the International Criminal Tribunal for the former Yugoslavia. I want to point out to my colleagues that the conditional language that has been included in this appropriation bill yearly has been very helpful to the prosecutor in getting cooperation from the Government of Serbia. We have seen reform within their government, and we are all very pleased to see the reforms that are taking place. But there is still a lot of work that needs to be done.

Let me just point out that there are still 18 indictees that are at large, including Bosnian Serb leader Karadzic and Army Commander General Mladic. So we still have work to be done with the International Criminal Tribunal. This language is very important. I want to thank the Committee on Appropriations and its leadership for continuing to include this conditionality. It speaks to the priority of this body. I am very pleased it is included in the bill. I certainly support it.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

#### FOREIGN MILITARY FINANCING PROGRAM

For expenses necessary for grants to enable the President to carry out the provisions of section 23 of the Arms Export Control Act, \$4,314,000,000: *Provided*, That of the funds appropriated under this heading, not less than \$2,160,000,000 shall be available for grants only for Israel, and not less than \$1,300,000,000 shall be made available for grants only for Egypt: *Provided further*, That the funds appropriated by this paragraph for Israel shall be disbursed within 30 days of the enactment of this Act: *Provided further*, That to the extent that the Government of Israel requests that funds be used for such purposes, grants made available for Israel by this paragraph shall, as agreed by Israel and the United States, be available for advanced weapons systems, of which not less than \$568,000,000 shall be available for the procurement in Israel of defense articles and defense services, including research and development: *Provided further*, That funds appropriated by this paragraph shall be nonrepayable notwithstanding any requirement in section 23 of the Arms Export Control Act: *Provided further*, That funds made available under this paragraph shall be obligated upon

apportionment in accordance with paragraph (5)(C) of title 31, United States Code, section 1501(a).

None of the funds made available under this heading shall be available to finance the procurement of defense articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act unless the foreign country proposing to make such procurements has first signed an agreement with the United States Government specifying the conditions under which such procurements may be financed with such funds: *Provided*, That all country and funding level increases in allocations shall be submitted through the regular notification procedures of section 515 of this Act: *Provided further*, That none of the funds appropriated under this heading shall be available for assistance for Indonesia, Guatemala, Sudan, and Liberia: *Provided further*, That funds made available under this heading may be used, notwithstanding any other provision of law, for demining, the clearance of unexploded ordnance, and related activities, and may include activities implemented through nongovernmental and international organizations: *Provided further*, That only those countries for which assistance was justified for the "Foreign Military Sales Financing Program" in the fiscal year 1989 congressional presentation for security assistance programs may utilize funds made available under this heading for procurement of defense articles, defense services or design and construction services that are not sold by the United States Government under the Arms Export Control Act: *Provided further*, That funds appropriated under this heading shall be expended at the minimum rate necessary to make timely payment for defense articles and services: *Provided further*, That not more than \$40,500,000 of the funds appropriated under this heading may be obligated for necessary expenses, including the purchase of passenger motor vehicles for replacement only for use outside of the United States, for the general costs of administering military assistance and sales: *Provided further*, That not more than \$361,000,000 of funds realized pursuant to section 21(e)(1)(A) of the Arms Export Control Act may be obligated for expenses incurred by the Department of Defense during fiscal year 2004 pursuant to section 43(b) of the Arms Export Control Act, except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations: *Provided further*, That foreign military financing program funds estimated to be outlayed for Egypt during fiscal year 2004 shall be transferred to an interest bearing account for Egypt in the Federal Reserve Bank of New York within 30 days of enactment of this Act.

#### PEACEKEEPING OPERATIONS

For necessary expenses to carry out the provisions of section 551 of the Foreign Assistance Act of 1961, \$85,000,000: *Provided*, That none of the funds appropriated under this heading shall be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

#### TITLE IV—MULTILATERAL ECONOMIC ASSISTANCE

##### FUNDS APPROPRIATED TO THE PRESIDENT INTERNATIONAL FINANCIAL INSTITUTIONS GLOBAL ENVIRONMENT FACILITY

For the United States contribution for the Global Environment Facility, \$107,500,000, to the International Bank for Reconstruction and Development as trustee for the Global Environment Facility, by the Secretary of the Treasury, to remain available until expended.

##### CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

For payment to the International Development Association by the Secretary of the Treasury, \$850,000,000, to remain available until expended.

##### CONTRIBUTION TO THE MULTILATERAL INVESTMENT GUARANTEE AGENCY

For payment to the Multilateral Investment Guarantee Agency by the Secretary of the Treasury, \$4,001,672, for the United States paid-in share of the increase in capital stock, to remain available until expended.

##### LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the Multilateral Investment Guarantee Agency may subscribe without fiscal year limitation for the callable capital portion of the United States share of such capital stock in an amount not to exceed \$16,339,982.

##### CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS MULTILATERAL INVESTMENT FUND

For payment to the Enterprise for the Americas Multilateral Investment Fund by the Secretary of the Treasury, for the United States contribution to the fund, \$25,000,000, to remain available until expended.

##### CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

For the United States contribution by the Secretary of the Treasury to the increase in resources of the Asian Development Fund, as authorized by the Asian Development Bank Act, as amended, \$151,921,405, to remain available until expended.

##### CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

For payment to the African Development Bank by the Secretary of the Treasury, \$5,104,930, for the United States paid-in share of the increase in capital stock, to remain available until expended.

##### LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the African Development Bank may subscribe without fiscal year limitation for the callable capital portion of the United States share of such capital stock in an amount not to exceed \$79,609,817.

##### CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

For the United States contribution by the Secretary of the Treasury to the increase in resources of the African Development Fund, \$107,370,856, to remain available until expended.

##### CONTRIBUTION TO THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT

For payment to the European Bank for Reconstruction and Development by the Secretary of the Treasury, \$35,431,111 for the United States share of the paid-in portion of the increase in capital stock, to remain available until expended.

##### LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the European Bank for Reconstruction and Development may subscribe without fiscal year limitation for the callable capital portion of the United States share of such capital stock in an amount not to exceed \$122,085,497.

##### CONTRIBUTION TO THE INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT

For the United States contribution by the Secretary of the Treasury to increase the resources of the International Fund for Agricultural Development, \$15,004,042, to remain available until expended.

## INTERNATIONAL ORGANIZATIONS AND PROGRAMS

For necessary expenses to carry out the provisions of section 301 of the Foreign Assistance Act of 1961, and of section 2 of the United Nations Environment Program Participation Act of 1973, \$194,550,000: *Provided*, That none of the funds appropriated under this heading may be made available to the Korean Peninsula Energy Development Organization (KEDO) or the International Atomic Energy Agency (IAEA).

## TITLE V—GENERAL PROVISIONS

## COMPENSATION FOR UNITED STATES EXECUTIVE DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 501. (a) No funds appropriated by this Act may be made as payment to any international financial institution while the United States Executive Director to such institution is compensated by the institution at a rate which, together with whatever compensation such Director receives from the United States, is in excess of the rate provided for an individual occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, or while any alternate United States Director to such institution is compensated by the institution at a rate in excess of the rate provided for an individual occupying a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(b) For purposes of this section, "international financial institutions" are: the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, the Asian Development Fund, the African Development Bank, the African Development Fund, the International Monetary Fund, the North American Development Bank, and the European Bank for Reconstruction and Development.

## PRIVATE AND VOLUNTARY ORGANIZATIONS

SEC. 502. None of the funds appropriated or otherwise made available by this Act for development assistance may be made available to any United States private and voluntary organization, except any cooperative development organization, which obtains less than 20 percent of its total annual funding for international activities from sources other than the United States Government: *Provided*, That the Administrator of the United States Agency for International Development, after informing the Committees on Appropriations, may, on a case-by-case basis, waive the restriction contained in this subsection, after taking into account the effectiveness of the overseas development activities of the organization, its level of volunteer support, its financial viability and stability, and the degree of its dependence for its financial support on the agency.

## LIMITATION ON RESIDENCE EXPENSES

SEC. 503. Of the funds appropriated or made available pursuant to this Act, not to exceed \$100,500 shall be for official residence expenses of the United States Agency for International Development during the current fiscal year: *Provided*, That appropriate steps shall be taken to assure that, to the maximum extent possible, United States-owned foreign currencies are utilized in lieu of dollars.

## LIMITATION ON EXPENSES

SEC. 504. Of the funds appropriated or made available pursuant to this Act, not to exceed \$5,000 shall be for entertainment expenses of the United States Agency for International Development during the current fiscal year.

## LIMITATION ON REPRESENTATIONAL ALLOWANCES

SEC. 505. Of the funds appropriated or made available pursuant to this Act, not to exceed

\$125,000 shall be available for representation allowances for the United States Agency for International Development during the current fiscal year: *Provided*, That appropriate steps shall be taken to assure that, to the maximum extent possible, United States-owned foreign currencies are utilized in lieu of dollars: *Provided further*, That of the funds made available by this Act for general costs of administering military assistance and sales under the heading "Foreign Military Financing Program", not to exceed \$2,000 shall be available for entertainment expenses and not to exceed \$125,000 shall be available for representation allowances: *Provided further*, That of the funds made available by this Act under the heading "International Military Education and Training", not to exceed \$50,000 shall be available for entertainment allowances: *Provided further*, That of the funds made available by this Act for the Inter-American Foundation, not to exceed \$2,000 shall be available for entertainment and representation allowances: *Provided further*, That of the funds made available by this Act for the Peace Corps, not to exceed a total of \$4,000 shall be available for entertainment expenses: *Provided further*, That of the funds made available by this Act under the heading "Trade and Development Agency", not to exceed \$2,000 shall be available for representation and entertainment allowances.

## PROHIBITION ON TAXATION OF UNITED STATES ASSISTANCE

SEC. 506. (a) PROHIBITION ON TAXATION.—None of the funds appropriated by this Act may be made available to provide assistance for a foreign country under a new bilateral agreement governing the terms and conditions under which such assistance is to be provided unless such agreement includes a provision stating that assistance provided by the United States shall be exempt from taxation, or reimbursed, by the foreign government, and the Secretary of State shall expeditiously seek to negotiate amendments to existing bilateral agreements, as necessary, to conform with this requirement.

(b) REIMBURSEMENT OF FOREIGN TAXES.—An amount equivalent to 200 percent of the total taxes assessed during fiscal year 2004 by a foreign government or entity against commodities financed under United States assistance programs for which funds are appropriated by this Act, either directly or through grantees, contractors and subcontractors shall be withheld from obligation from funds appropriated for assistance for fiscal year 2005 and allocated for the central government of such country and for the West Bank and Gaza Program to the extent that the Secretary of State certifies and reports in writing to the Committees on Appropriations that such taxes have not been reimbursed to the Government of the United States.

(c) DE MINIMIS EXCEPTION.—Foreign taxes of a de minimis nature shall not be subject to the provisions of subsection (b).

(d) REFUND TO THE TREASURY AND REPROGRAMMING OF FUNDS.—Of the funds withheld from obligation for each country or entity pursuant to subsection (b), one-half may become available for reprogramming for other purposes (pursuant to section 515 of this Act and consistent with the purposes for which such funds were originally appropriated) and one-half shall be deposited in the General Fund of the Treasury on, or within 5 days after, September 1, 2005, pursuant to the certification required under subsection (b).

(e) IMPLEMENTATION.—The Secretary of State shall issue rules, regulations, or policy guidance, as appropriate, to implement the prohibition against the taxation of assistance contained in this section.

(f) DEFINITIONS.—As used in this section—

(1) the terms "taxes" and "taxation" refer to value added taxes and customs duties imposed on commodities financed with United States assistance for programs for which funds are appropriated by this Act; and

(2) the term "bilateral agreement" refers to a framework bilateral agreement between the Government of the United States and the government of the country receiving assistance that describes the privileges and immunities applicable to United States foreign assistance for such country generally, or an individual agreement between the Government of the United States and such government that describes, among other things, the treatment for tax purposes that will be accorded the United States assistance provided under that agreement.

Mr. KOLBE (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 53, line 19, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

## PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN COUNTRIES

SEC. 507. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance directly any assistance or reparations to Cuba, Libya, North Korea, Iran, or Syria: *Provided*, That for purposes of this section, the prohibition on obligations or expenditures shall include direct loans, credits, insurance and guarantees of the Export-Import Bank or its agents.

## AMENDMENT OFFERED BY MR. WEINER

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

The Clerk read as follows:

Amendment offered by Mr. WEINER:

In section 507 (relating to prohibition against direct funding), after "Iran," insert "Saudi Arabia,".

Mr. KOLBE. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman reserves a point of order on the amendment.

Mr. WEINER. Mr. Chairman, I thank the chairman and the ranking member for the fine work they have done on this bill under difficult circumstances with many challenges.

After September 11, President Bush, I think, articulated our national policy very well by saying that nations are either for us in the war on terrorism or against us. I supported the President then, and I believe we must be tireless in pursuit of terrorists and those who sponsor terrorism overseas.

I rise today because I believe we need to make a change in this bill to fully live up to that promise. I suspect that most of my colleagues know the record of Saudi Arabia; but today I will be offering an amendment that strikes what is arguably, and agreed, a very small amount of money in this bill for Saudi Arabia and says that under this bill there shall be none for that country.

For many of my colleagues and for many Americans, it is intuitive why we

would take this action. They would probably be surprised to learn that even a small amount of funding is going to that nation. We know, for example, as a matter of fact, that Saudi Arabia, far from being a force for peace in the Middle East, has been systematically exporting terrorism. Testimony heard in this Congress said that more than 50 percent of Hamas funding comes from Saudi Arabia despite increasing calls from President Bush to the kingdom to halt that funding. The Saudi Arabian government reportedly pays \$5,333 to each family of what they call martyrs killed trying to murder Israelis. And in the spring of 2002, U.S. troops in Sarajevo found in the office of the Saudi High Commission for Relief of Bosnia documents that proved Saudi funding of the Hamas terrorist group to enable it to produce a short-range missile called the Qassam. We also know that increasingly it has become clear that there are Saudi connections to 9/11. Far from being a force to help us crack down on those that committed this crime, we all know, frankly, that it took the Saudis more than a month to even freeze Osama bin Laden's assets to fund his terrorist network.

A known Saudi intelligence agent, Omar al-Bayoumi, hosted two of the 9/11 hijackers, Khalid Almihdhar and Nawaf Alhazmi, during the summer of 2000. Al-Bayoumi met the two men in Los Angeles and directed them to a Muslim community in San Diego and even wrote a check for their apartment deposits. The wife of the Saudi ambassador to the United States transferred \$15,000 in 1998 and then \$2,000 a month to a Saudi resident, Osama Bassnan. During the same period, Mr. Bassnan and another man apparently were receiving Saudi financial support providing financial support for two of the hijackers on September 11.

I would also say that it is very clear that on many occasions when the Saudi Arabian government had a chance to offer true help to the United States of America, they have not done it. We know their record in the investigation after the 1996 Khobar bombing attack. Assistant FBI Director Robert Bryant said at the time that the Saudi government had prevented the FBI investigators from interviewing any civilians who witnessed or may have been involved in the Khobar Towers bombing.

In 1995, the Saudi government prevented us, the United States, from apprehending a Hezbollah leader by preventing us from intercepting a plane that he was on.

Some will argue here today, and I have heard it frankly continuously over the course of the last decade, that now the Saudi Arabia that we see is a different one, they have changed, they have come around. Now they really, really want to help us. In fact, the Department of State, Assistant Secretary Burns, writes a letter today to the gentlewoman from New York (Mrs. LOWEY)

talking about how Saudi Arabia was among the first countries to condemn the September 11 attack. Is that not just terrific given how closely tied they were to that attack itself?

I do not need to remind anyone here that 15 of the 19 bombers of my city, attackers that killed over 2,800 people, were Saudis. I do not need to tell you how they have been exporting terrorism to the Middle East again and again and are doing it today. But yet we still hear from the State Department, maybe if we give them one more chance. Well, I agree. Let us give them one more chance. Let us give them more than that. But there should not be one dime of U.S. aid going for any reason to Saudi Arabia.

So what is in this bill? I believe it is a very small amount, perhaps the chairman could tell me, I think it is \$25,000. That is all. What does that money do? It defrays the cost for Saudi intelligence officers to come here and work with our officers in our academies and in our intelligence-gathering community. That is terrific. Let us keep doing that. Let us try to bring them around. But let us not be fooled. Let them pay their own freight for that until they start to act like a nation that truly is going to work to end terrorism rather than to spread it.

It is a shame that we should be providing any funding here. I defy any of my colleagues to come to this floor and articulate a record, even William Burns, the Assistant Secretary of State, arguing so fervently against this amendment, I do not know what the French for chutzpah is, has it that Saudi Arabia has been helpful on issues, including the pursuit of Palestinian-Israeli peace. I would ask the chairman and just inform the House that if he insists on the point of order, I plan to offer the exact same language that the full section has at the appropriate place in the bill, or we can make this the sum and substance of my presentation.

#### POINT OF ORDER

Mr. KOLBE. Mr. Chairman, I make a point of order against the amendment. The amendment does add a limitation to a general appropriation bill. Under clause 2 of rule XXI, such amendments are not in order during the reading of a general appropriations bill.

Mr. Chairman, the rule states in part:

"Except as provided in paragraph (d), an amendment proposing a limitation not specifically contained or authorized in existing law for the period of the limitation shall not be in order during consideration of a general appropriation bill."

Mr. Chairman, the amendment adds a limitation and is not specifically contained or authorized in existing law, has been offered during the reading and therefore is in violation of clause 2(c) of rule XXI.

I ask for a ruling from the Chair.

The CHAIRMAN. Does the gentleman from New York wish to be heard on the point of order?

Mr. WEINER. I do, Mr. Chairman.

The CHAIRMAN. The gentleman is recognized.

Mr. WEINER. I would argue, Mr. Chairman, that this is not in fact a limiting amendment. The language that limits is already in the bill. It says none of the funds appropriated or otherwise made available pursuant to this act shall be obligated or expended, that is limiting language I have read so far, to finance directly any assistance or reparations to Cuba, Libya, North Korea, Iran or Syria, and then it goes on to say "provided." I am not adding any more limitations than the committee has already added. All I am doing is adding another nation that comes under that limitation. The limiting language, I would argue, is already in the base bill.

Mr. KOLBE. Mr. Chairman, I would insist on my point of order.

The CHAIRMAN. The Chair is prepared to rule.

The amendment amends a limitation in the bill and thus is in the form of a further limitation. Under clause 2(c) of rule XXI, an amendment in that form is not in order until the entire bill has been read.

The point of order is, therefore, sustained and the amendment is not in order at this time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

#### MILITARY COUPS

SEC. 508. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance directly any assistance to the government of any country whose duly elected head of government is deposed by decree or military coup: *Provided*, That assistance may be resumed to such government if the President determines and certifies to the Committees on Appropriations that subsequent to the termination of assistance a democratically elected government has taken office: *Provided further*, That the provisions of this section shall not apply to assistance to promote democratic elections or public participation in democratic processes: *Provided further*, That funds made available pursuant to the previous provisos shall be subject to the regular notification procedures of the Committees on Appropriations.

#### TRANSFERS

SEC. 509. (a)(1) LIMITATION ON TRANSFERS BETWEEN AGENCIES.—None of the funds made available by this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

(2) Notwithstanding paragraph (1), in addition to transfers made by, or authorized elsewhere in, this Act, funds appropriated by this Act to carry out the purposes of the Foreign Assistance Act of 1961 may be allocated or transferred to agencies of the United States Government pursuant to the provisions of sections 109, 610, and 632 of the Foreign Assistance Act of 1961.

(b) None of the funds made available by this Act may be obligated under an appropriation account to which they were not appropriated, except for transfers specifically provided for in this Act, unless the President, not less than five days prior to the exercise of any authority contained in the Foreign Assistance Act of 1961 to transfer funds,



consults with and provides a written policy justification to the Committees on Appropriations of the House of Representatives and the Senate.

(c) Any agreement for the transfer or allocation of funds appropriated by this Act, or prior Acts, entered into between the United States Agency for International Development and another agency of the United States Government under the authority of section 632(a) of the Foreign Assistance Act of 1961 or any comparable provision of law, shall expressly provide that the Office of the Inspector General for the agency receiving the transfer or allocation of such funds shall perform periodic program and financial audits of the use of such funds: *Provided*, That funds transferred under such authority may be made available for the cost of such audits.

#### COMMERCIAL LEASING OF DEFENSE ARTICLES

SEC. 510. Notwithstanding any other provision of law, and subject to the regular notification procedures of the Committees on Appropriations, the authority of section 23(a) of the Arms Export Control Act may be used to provide financing to Israel, Egypt and NATO and major non-NATO allies for the procurement by leasing (including leasing with an option to purchase) of defense articles from United States commercial suppliers, not including Major Defense Equipment (other than helicopters and other types of aircraft having possible civilian application), if the President determines that there are compelling foreign policy or national security reasons for those defense articles being provided by commercial lease rather than by government-to-government sale under such Act.

#### AVAILABILITY OF FUNDS

SEC. 511. No part of any appropriation contained in this Act shall remain available for obligation after the expiration of the current fiscal year unless expressly so provided in this Act: *Provided*, That funds appropriated for the purposes of chapters 1, 8, 11, and 12 of part I, section 667, chapter 4 of part II of the Foreign Assistance Act of 1961, as amended, section 23 of the Arms Export Control Act, and funds provided under the heading "Assistance for Eastern Europe and the Baltic States", shall remain available for an additional four years from the date on which the availability of such funds would otherwise have expired, if such funds are initially obligated before the expiration of their respective periods of availability contained in this Act: *Provided further*, That, notwithstanding any other provision of this Act, any funds made available for the purposes of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 which are allocated or obligated for cash disbursements in order to address balance of payments or economic policy reform objectives, shall remain available until expended.

#### LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

SEC. 512. No part of any appropriation contained in this Act shall be used to furnish assistance to the government of any country which is in default during a period in excess of one calendar year in payment to the United States of principal or interest on any loan made to the government of such country by the United States pursuant to a program for which funds are appropriated under this Act unless the President determines, following consultations with the Committees on Appropriations, that assistance to such country is in the national interest of the United States.

#### COMMERCE AND TRADE

SEC. 513. (a) None of the funds appropriated or made available pursuant to this Act for direct assistance and none of the funds otherwise made available pursuant to this Act

to the Export-Import Bank and the Overseas Private Investment Corporation shall be obligated or expended to finance any loan, any assistance or any other financial commitments for establishing or expanding production of any commodity for export by any country other than the United States, if the commodity is likely to be in surplus on world markets at the time the resulting productive capacity is expected to become operative and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity: *Provided*, That such prohibition shall not apply to the Export-Import Bank if in the judgment of its Board of Directors the benefits to industry and employment in the United States are likely to outweigh the injury to United States producers of the same, similar, or competing commodity, and the Chairman of the Board so notifies the Committees on Appropriations.

(b) None of the funds appropriated by this or any other Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 shall be available for any testing or breeding feasibility study, variety improvement or introduction, consultancy, publication, conference, or training in connection with the growth or production in a foreign country of an agricultural commodity for export which would compete with a similar commodity grown or produced in the United States: *Provided*, That this subsection shall not prohibit—

(1) activities designed to increase food security in developing countries where such activities will not have a significant impact on the export of agricultural commodities of the United States; or

(2) research activities intended primarily to benefit American producers.

#### SURPLUS COMMODITIES

SEC. 514. The Secretary of the Treasury shall instruct the United States Executive Directors of the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the International Monetary Fund, the Asian Development Bank, the Inter-American Investment Corporation, the North American Development Bank, the European Bank for Reconstruction and Development, the African Development Bank, and the African Development Fund to use the voice and vote of the United States to oppose any assistance by these institutions, using funds appropriated or made available pursuant to this Act, for the production or extraction of any commodity or mineral for export, if it is in surplus on world markets and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity.

#### NOTIFICATION REQUIREMENTS

SEC. 515. For the purposes of providing the executive branch with the necessary administrative flexibility, none of the funds made available under this Act for "Child Survival and Health Programs Fund", "Development Assistance", "International Organizations and Programs", "Trade and Development Agency", "International Narcotics Control and Law Enforcement", "Andean Counterdrug Initiative", "Assistance for Eastern Europe and the Baltic States", "Assistance for the Independent States of the Former Soviet Union", "Economic Support Fund", "Peacekeeping Operations", "Capital Investment Fund", "Operating Expenses of the United States Agency for International Development", "Operating Expenses of the United States Agency for International Development Office of Inspector General", "Nonproliferation, Anti-terrorism, Demining

and Related Programs", "Millennium Challenge Account" (by country only), "Foreign Military Financing Program", "International Military Education and Training", "Peace Corps", and "Migration and Refugee Assistance", shall be available for obligation for activities, programs, projects, type of materiel assistance, countries, or other operations not justified or in excess of the amount justified to the Committees on Appropriations for obligation under any of these specific headings unless the Committees on Appropriations of both Houses of Congress are previously notified 15 days in advance: *Provided*, That the President shall not enter into any commitment of funds appropriated for the purposes of section 23 of the Arms Export Control Act for the provision of major defense equipment, other than conventional ammunition, or other major defense items defined to be aircraft, ships, missiles, or combat vehicles, not previously justified to Congress or 20 percent in excess of the quantities justified to Congress unless the Committees on Appropriations are notified 15 days in advance of such commitment: *Provided further*, That this section shall not apply to any reprogramming for an activity, program, or project for which funds are appropriated under Title II of this Act of less than 10 percent of the amount previously justified to the Congress for obligation for such activity, program, or project for the current fiscal year: *Provided further*, That the requirements of this section or any similar provision of this Act or any other Act, including any prior Act requiring notification in accordance with the regular notification procedures of the Committees on Appropriations, may be waived if failure to do so would pose a substantial risk to human health or welfare: *Provided further*, That in case of any such waiver, notification to the Congress, or the appropriate congressional committees, shall be provided as early as practicable, but in no event later than 3 days after taking the action to which such notification requirement was applicable, in the context of the circumstances necessitating such waiver: *Provided further*, That any notification provided pursuant to such a waiver shall contain an explanation of the emergency circumstances.

#### LIMITATION ON AVAILABILITY OF FUNDS FOR INTERNATIONAL ORGANIZATIONS AND PROGRAMS

SEC. 516. Subject to the regular notification procedures of the Committees on Appropriations, funds appropriated under this Act or any previously enacted Act making appropriations for foreign operations, export financing, and related programs, which are returned or not made available for organizations and programs because of the implementation of section 307(a) of the Foreign Assistance Act of 1961, shall remain available for obligation until September 30, 2005.

#### INDEPENDENT STATES OF THE FORMER SOVIET UNION

SEC. 517. (a) None of the funds appropriated under the heading "Assistance for the Independent States of the Former Soviet Union" shall be made available for assistance for a government of an Independent State of the former Soviet Union—

(1) unless that government is making progress in implementing comprehensive economic reforms based on market principles, private ownership, respect for commercial contracts, and equitable treatment of foreign private investment; and

(2) if that government applies or transfers United States assistance to any entity for the purpose of expropriating or seizing ownership or control of assets, investments, or ventures.

Assistance may be furnished without regard to this subsection if the President determines that to do so is in the national interest.

(b) None of the funds appropriated under the heading "Assistance for the Independent States of the Former Soviet Union" shall be made available for assistance for a government of an Independent State of the former Soviet Union if that government directs any action in violation of the territorial integrity or national sovereignty of any other Independent State of the former Soviet Union, such as those violations included in the Helsinki Final Act: *Provided*, That such funds may be made available without regard to the restriction in this subsection if the President determines that to do so is in the national security interest of the United States.

(c) None of the funds appropriated under the heading "Assistance for the Independent States of the Former Soviet Union" shall be made available for any state to enhance its military capability: *Provided*, That this restriction does not apply to demilitarization, demining or nonproliferation programs.

(d) Funds appropriated under the heading "Assistance for the Independent States of the Former Soviet Union" for the Russian Federation, Armenia, Georgia, and Ukraine shall be subject to the regular notification procedures of the Committees on Appropriations.

(e) Funds made available in this Act for assistance for the Independent States of the former Soviet Union shall be subject to the provisions of section 117 (relating to environment and natural resources) of the Foreign Assistance Act of 1961.

(f) Funds made available for Enterprise Funds shall be expended at the minimum rate necessary to make timely payment for projects and activities.

(g) In issuing new task orders, entering into contracts, or making grants, with funds appropriated in this Act or prior appropriations Acts under the heading "Assistance for the Independent States of the Former Soviet Union" and under comparable headings in prior appropriations Acts, for projects or activities that have as one of their primary purposes the fostering of private sector development, the Coordinator for United States Assistance to the New Independent States and the implementing agency shall encourage the participation of and give significant weight to contractors and grantees who propose investing a significant amount of their own resources (including volunteer services and in-kind contributions) in such projects and activities.

#### PROHIBITION ON FUNDING FOR ABORTIONS AND INVOLUNTARY STERILIZATION

SEC. 518. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of abortions as a method of family planning or to motivate or coerce any person to practice abortions. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of involuntary sterilization as a method of family planning or to coerce or provide any financial incentive to any person to undergo sterilizations. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for any biomedical research which relates in whole or in part, to methods of, or the performance of, abortions or involuntary sterilization as a means of family planning. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be obligated or expended for any country or or-

ganization if the President certifies that the use of these funds by any such country or organization would violate any of the above provisions related to abortions and involuntary sterilizations.

#### EXPORT FINANCING TRANSFER AUTHORITIES

SEC. 519. Not to exceed 5 percent of any appropriation other than for administrative expenses made available for fiscal year 2004, for programs under title I of this Act may be transferred between such appropriations for use for any of the purposes, programs, and activities for which the funds in such receiving account may be used, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 25 percent by any such transfer: *Provided*, That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

#### SPECIAL NOTIFICATION REQUIREMENTS

SEC. 520. None of the funds appropriated by this Act shall be obligated or expended for Liberia, Sudan, Zimbabwe, the Democratic Republic of the Congo, or Cambodia except as provided through the regular notification procedures of the Committees on Appropriations.

#### DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

SEC. 521. For the purpose of this Act, "program, project, and activity" shall be defined at the appropriations Act account level and shall include all appropriations and authorizations Acts earmarks, ceilings, and limitations with the exception that for the following accounts: Economic Support Fund and Foreign Military Financing Program, "program, project, and activity" shall also be considered to include country, regional, and central program level funding within each such account; for the development assistance accounts of the United States Agency for International Development "program, project, and activity" shall also be considered to include central, country, regional, and program level funding, either as: (1) justified to the Congress; or (2) allocated by the executive branch in accordance with a report, to be provided to the Committees on Appropriations within 30 days of the enactment of this Act, as required by section 653(a) of the Foreign Assistance Act of 1961.

#### CHILD SURVIVAL AND HEALTH ACTIVITIES

SEC. 522. Up to \$13,500,000 of the funds made available by this Act for assistance under the heading "Child Survival and Health Programs Fund", may be used to reimburse United States Government agencies, agencies of State governments, institutions of higher learning, and private and voluntary organizations for the full cost of individuals (including for the personal services of such individuals) detailed or assigned to, or contracted by, as the case may be, the United States Agency for International Development for the purpose of carrying out activities under that heading: *Provided*, That up to \$3,500,000 of the funds made available by this Act for assistance under the heading "Development Assistance" may be used to reimburse such agencies, institutions, and organizations for such costs of such individuals carrying out other development assistance activities: *Provided further*, That funds appropriated by this Act that are made available for child survival activities or disease programs including activities relating to research on, and the prevention, treatment and control of, HIV/AIDS may be made available notwithstanding any other provision of law except for the provisions under the heading "Child Survival and Health Programs Fund", section 515 of this Act, and sections 104(c), 104A, 104B, and 104C of the Foreign Assistance Act of 1961: *Provided further*, That funds

appropriated under titles II and III of this Act may be made available pursuant to section 301 of the Foreign Assistance Act of 1961 if a primary purpose of the assistance is for child survival and related programs.

#### AFGHANISTAN

SEC. 523. Of the funds appropriated by titles II and III of this Act, not less than \$600,000,000 shall be made available for humanitarian, reconstruction, and related assistance for Afghanistan: *Provided*, That of the funds made available pursuant to this section, not less than \$150,000,000 should be from funds appropriated under the heading "Economic Support Fund".

#### NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

SEC. 524. Prior to providing excess Department of Defense articles in accordance with section 516(a) of the Foreign Assistance Act of 1961, the Department of Defense shall notify the Committees on Appropriations to the same extent and under the same conditions as are other committees pursuant to subsection (f) of that section: *Provided*, That before issuing a letter of offer to sell excess defense articles under the Arms Export Control Act, the Department of Defense shall notify the Committees on Appropriations in accordance with the regular notification procedures of such Committees if such defense articles are significant military equipment (as defined in section 47(9) of the Arms Export Control Act) or are valued (in terms of original acquisition cost) at \$7,000,000 or more, or if notification is required elsewhere in this Act for the use of appropriated funds for specific countries that would receive such excess defense articles: *Provided further*, That such Committees shall also be informed of the original acquisition cost of such defense articles.

#### USAID OVERSEAS PROGRAM

SEC. 525. Funds appropriated by this and subsequent appropriations Acts to carry out the provisions of Part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading "Assistance for Eastern Europe and the Baltic States", may be made available to employ individuals overseas on a limited appointment basis pursuant to the authority of sections 308 and 309 of the Foreign Service Act of 1980: *Provided*, That in fiscal year 2004 the authority of this section may be used to employ not more than 85 individuals.

#### TIBET

SEC. 526. Notwithstanding any other provision of law not to exceed \$3,000,000 of the funds appropriated by this Act to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961 may be made available to United States nongovernmental organizations located outside the People's Republic of China to support activities which preserve cultural traditions and promote sustainable development and environmental conservation in Tibetan communities in Tibet: *Provided*, That funds made available for programs, projects, and activities for the People's Republic of China shall be subject to the regular notification procedures of the Committees on Appropriations.

#### PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST COUNTRIES

SEC. 527. (a) Funds appropriated for bilateral assistance under any heading of this Act and funds appropriated under any such heading in a provision of law enacted prior to the enactment of this Act, shall not be made available to any country which the President determines—

- (1) grants sanctuary from prosecution to any individual or group which has committed an act of international terrorism; or
- (2) otherwise supports international terrorism.

(b) The President may waive the application of subsection (a) to a country if the President determines that national security or humanitarian reasons justify such waiver. The President shall publish each waiver in the Federal Register and, at least 15 days before the waiver takes effect, shall notify the Committees on Appropriations of the waiver (including the justification for the waiver) in accordance with the regular notification procedures of the Committees on Appropriations.

#### DEBT-FOR-DEVELOPMENT

SEC. 528. In order to enhance the continued participation of nongovernmental organizations in debt-for-development and debt-for-nature exchanges, a nongovernmental organization which is a grantee or contractor of the United States Agency for International Development may place in interest bearing accounts local currencies which accrue to that organization as a result of economic assistance provided under title II of this Act and any interest earned on such investment shall be used for the purpose for which the assistance was provided to that organization.

#### SEPARATE ACCOUNTS

SEC. 529. (a) SEPARATE ACCOUNTS FOR LOCAL CURRENCIES.—(1) If assistance is furnished to the government of a foreign country under chapters 1 and 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 under agreements which result in the generation of local currencies of that country, the Administrator of the United States Agency for International Development shall—

(A) require that local currencies be deposited in a separate account established by that government;

(B) enter into an agreement with that government which sets forth—

(i) the amount of the local currencies to be generated; and

(ii) the terms and conditions under which the currencies so deposited may be utilized, consistent with this section; and

(C) establish by agreement with that government the responsibilities of the United States Agency for International Development and that government to monitor and account for deposits into and disbursements from the separate account.

(2) USES OF LOCAL CURRENCIES.—As may be agreed upon with the foreign government, local currencies deposited in a separate account pursuant to subsection (a), or an equivalent amount of local currencies, shall be used only—

(A) to carry out chapter 1 or 10 of part I or chapter 4 of part II (as the case may be), for such purposes as—

(i) project and sector assistance activities; or

(ii) debt and deficit financing; or

(B) for the administrative requirements of the United States Government.

(3) PROGRAMMING ACCOUNTABILITY.—The United States Agency for International Development shall take all necessary steps to ensure that the equivalent of the local currencies disbursed pursuant to subsection (a)(2)(A) from the separate account established pursuant to subsection (a)(1) are used for the purposes agreed upon pursuant to subsection (a)(2).

(4) TERMINATION OF ASSISTANCE PROGRAMS.—Upon termination of assistance to a country under chapter 1 or 10 of part I or chapter 4 of part II (as the case may be), any unencumbered balances of funds which remain in a separate account established pursuant to subsection (a) shall be disposed of for such purposes as may be agreed to by the government of that country and the United States Government.

(5) REPORTING REQUIREMENT.—The Administrator of the United States Agency for

International Development shall report on an annual basis as part of the justification documents submitted to the Committees on Appropriations on the use of local currencies for the administrative requirements of the United States Government as authorized in subsection (a)(2)(B), and such report shall include the amount of local currency (and United States dollar equivalent) used and/or to be used for such purpose in each applicable country.

(b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—(1) If assistance is made available to the government of a foreign country, under chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961, as cash transfer assistance or as nonproject sector assistance, that country shall be required to maintain such funds in a separate account and not commingle them with any other funds.

(2) APPLICABILITY OF OTHER PROVISIONS OF LAW.—Such funds may be obligated and expended notwithstanding provisions of law which are inconsistent with the nature of this assistance including provisions which are referenced in the Joint Explanatory Statement of the Committee of Conference accompanying House Joint Resolution 648 (House Report No. 98-1159).

(3) NOTIFICATION.—At least 15 days prior to obligating any such cash transfer or nonproject sector assistance, the President shall submit a notification through the regular notification procedures of the Committees on Appropriations, which shall include a detailed description of how the funds proposed to be made available will be used, with a discussion of the United States interests that will be served by the assistance (including, as appropriate, a description of the economic policy reforms that will be promoted by such assistance).

(4) EXEMPTION.—Nonproject sector assistance funds may be exempt from the requirements of subsection (b)(1) only through the notification procedures of the Committees on Appropriations.

#### ENTERPRISE FUND RESTRICTIONS

SEC. 530. Prior to the distribution of any assets resulting from any liquidation, dissolution, or winding up of an Enterprise Fund, in whole or in part, the President shall submit to the Committees on Appropriations, in accordance with the regular notification procedures of the Committees on Appropriations, a plan for the distribution of the assets of the Enterprise Fund.

#### BURMA

SEC. 531. Of the funds appropriated under the heading "Economic Support Fund", not less than \$6,000,000 should be made available to support democracy activities along the Burma-Thailand border, for activities of Burmese student groups and other organizations located outside Burma, and for the purpose of supporting the provision of humanitarian assistance to displaced Burmese along Burma's borders: *Provided*, That of this amount \$500,000 should be made available to support newspapers, publications, and other media activities promoting democracy inside Burma: *Provided further*, That funds made available under this heading may be made available notwithstanding any other provision of law: *Provided further*, That funds made available by this section shall be subject to the regular notification procedures of the Committees on Appropriations.

#### AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN FOUNDATION AND AFRICAN DEVELOPMENT FOUNDATION

SEC. 532. Unless expressly provided to the contrary, provisions of this or any other Act, including provisions contained in prior Acts authorizing or making appropriations for

foreign operations, export financing, and related programs, shall not be construed to prohibit activities authorized by or conducted under the Peace Corps Act, the Inter-American Foundation Act or the African Development Foundation Act. The agency shall promptly report to the Committees on Appropriations whenever it is conducting activities or is proposing to conduct activities in a country for which assistance is prohibited.

#### IMPACT ON JOBS IN THE UNITED STATES

SEC. 533. None of the funds appropriated by this Act may be obligated or expended to provide—

(a) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States if such incentive or inducement is likely to reduce the number of employees of such business enterprise in the United States because United States production is being replaced by such enterprise outside the United States; or

(b) assistance for any program, project, or activity that contributes to the violation of internationally recognized workers rights, as defined in section 507(4) of the Trade Act of 1974, of workers in the recipient country, including any designated zone or area in that country: *Provided*, That the application of section 507(4)(D) and (E) of such Act should be commensurate with the level of development of the recipient country and sector, and shall not preclude assistance for the informal sector in such country, micro and small-scale enterprise, and smallholder agriculture.

#### SPECIAL AUTHORITIES

SEC. 534. (a) AFGHANISTAN, PAKISTAN, LEBANON, MONTENEGRO, VICTIMS OF WAR, DISPLACED CHILDREN, AND DISPLACED BURMESE.—Funds appropriated by this Act that are made available for assistance for Afghanistan may be made available notwithstanding section 512 of this Act and any similar provision of law and section 660 of the Foreign Assistance Act of 1961, and funds appropriated in titles I and II of this Act that are made available for Lebanon, Montenegro, Pakistan, and for victims of war, displaced children, and displaced Burmese, and to assist victims of trafficking in persons and, subject to the regular notification procedures of the Committees on Appropriations, to combat such trafficking, may be made available notwithstanding any other provision of law.

(b) TROPICAL FORESTRY AND BIODIVERSITY CONSERVATION ACTIVITIES.—Funds appropriated by this Act to carry out the provisions of sections 103 through 106, and chapter 4 of part II, of the Foreign Assistance Act of 1961 may be used, notwithstanding any other provision of law, for the purpose of supporting tropical forestry and biodiversity conservation activities and energy programs aimed at reducing greenhouse gas emissions: *Provided*, That such assistance shall be subject to sections 116, 502B, and 620A of the Foreign Assistance Act of 1961.

(c) PERSONAL SERVICES CONTRACTORS.—Funds appropriated by this Act to carry out chapter 1 of part I, chapter 4 of part II, and section 667 of the Foreign Assistance Act of 1961, and title II of the Agricultural Trade Development and Assistance Act of 1954, may be used by the United States Agency for International Development to employ up to 20 personal services contractors in the United States, notwithstanding any other provision of law, for the purpose of providing direct, interim support for new or expanded overseas programs and activities managed by the agency until permanent direct hire personnel are hired and trained: *Provided*, That

not more than 7 of such contractors shall be assigned to any bureau or office: *Provided further*, That such funds appropriated to carry out the Foreign Assistance Act of 1961 may be made available for personal services contractors assigned only to the Office of Procurement; the Bureau for Africa; and the Bureau for Asia and the Near East: *Provided further*, That such funds appropriated to carry out title II of the Agricultural Trade Development and Assistance Act of 1954, may be made available only for personal services contractors assigned to the Office of Food for Peace.

(d)(1) WAIVER.—The President may waive the provisions of section 1003 of Public Law 100-204 if the President determines and certifies in writing to the Speaker of the House of Representatives and the President pro tempore of the Senate that it is important to the national security interests of the United States.

(2) PERIOD OF APPLICATION OF WAIVER.—Any waiver pursuant to paragraph (1) shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

(e) SMALL BUSINESS.—In entering into multiple award indefinite-quantity contracts with funds appropriated by this Act, the United States Agency for International Development may provide an exception to the fair opportunity process for placing task orders under such contracts when the order is placed with any category of small or small disadvantaged business.

(f) SHIPMENT OF HUMANITARIAN ASSISTANCE.—During fiscal year 2004 and each fiscal year thereafter, of the amounts made available by the United States Agency for International Development to carry out the provisions of section 123(b) of the Foreign Assistance Act of 1961, funds may be made available to nongovernmental organizations for administrative costs necessary to implement a program to obtain available donated space on commercial ships for the shipment of humanitarian assistance overseas.

(g) RECONSTITUTING CIVILIAN POLICE AUTHORITY.—In providing assistance with funds appropriated by this Act under section 660(b)(6) of the Foreign Assistance Act of 1961, support for a nation emerging from instability may be deemed to mean support for regional, district, municipal, or other sub-national entity emerging from instability, as well as a nation emerging from instability.

(h) NATIONAL ENDOWMENT FOR DEMOCRACY.—Funds appropriated by this Act that are provided to the National Endowment for Democracy may be provided notwithstanding any other provision of law or regulation.

#### ARAB LEAGUE BOYCOTT OF ISRAEL

SEC. 535. It is the sense of the Congress that—

(1) the Arab League boycott of Israel, and the secondary boycott of American firms that have commercial ties with Israel, is an impediment to peace in the region and to United States investment and trade in the Middle East and North Africa;

(2) the Arab League boycott, which was regrettably reinstated in 1997, should be immediately and publicly terminated, and the Central Office for the Boycott of Israel immediately disbanded;

(3) the three Arab League countries with diplomatic and trade relations with Israel should return their ambassadors to Israel, should refrain from downgrading their relations with Israel, and should play a constructive role in securing a peaceful resolution of the Israeli-Arab conflict;

(4) the remaining Arab League states should normalize relations with their neighbor Israel;

(5) the President and the Secretary of State should continue to vigorously oppose

the Arab League boycott of Israel and find concrete steps to demonstrate that opposition by, for example, taking into consideration the participation of any recipient country in the boycott when determining to sell weapons to said country; and

(6) the President should report to Congress annually on specific steps being taken by the United States to encourage Arab League states to normalize their relations with Israel to bring about the termination of the Arab League boycott of Israel, including those to encourage allies and trading partners of the United States to enact laws prohibiting businesses from complying with the boycott and penalizing businesses that do comply.

#### ADMINISTRATION OF JUSTICE ACTIVITIES

SEC. 536. Of the funds appropriated or otherwise made available by this Act or any subsequent Act for "Economic Support Fund", assistance may be provided to strengthen the administration of justice in countries in Latin America and the Caribbean and in other regions consistent with the provisions of section 534(b) of the Foreign Assistance Act of 1961, except that programs to enhance protection of participants in judicial cases may be conducted notwithstanding section 660 of that Act. Funds made available pursuant to this section may be made available notwithstanding section 534(c) and the second and third sentences of section 534(e) of the Foreign Assistance Act of 1961.

#### ELIGIBILITY FOR ASSISTANCE

SEC. 537. (a) ASSISTANCE THROUGH NON-GOVERNMENTAL ORGANIZATIONS.—Restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance in support of programs of nongovernmental organizations from funds appropriated by this Act to carry out the provisions of chapters 1, 10, 11, and 12 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961, and from funds appropriated under the heading "Assistance for Eastern Europe and the Baltic States": *Provided*, That before using the authority of this subsection to furnish assistance in support of programs of nongovernmental organizations, the President shall notify the Committees on Appropriations under the regular notification procedures of those committees, including a description of the program to be assisted, the assistance to be provided, and the reasons for furnishing such assistance: *Provided further*, That nothing in this subsection shall be construed to alter any existing statutory prohibitions against abortion or involuntary sterilizations contained in this or any other Act.

(b) PUBLIC LAW 480.—During fiscal year 2004, restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance under the Agricultural Trade Development and Assistance Act of 1954: *Provided*, That none of the funds appropriated to carry out title I of such Act and made available pursuant to this subsection may be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

(c) EXCEPTION.—This section shall not apply—

(1) with respect to section 620A of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to countries that support international terrorism; or

(2) with respect to section 116 of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to the government of a country that violates internationally recognized human rights.

#### RESERVATIONS OF FUNDS

SEC. 538. (a) Funds appropriated by this Act which are earmarked may be reprogrammed for other programs within the same account notwithstanding the earmark if compliance with the earmark is made impossible by operation of any provision of this or any other Act: *Provided*, That any such reprogramming shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That assistance that is reprogrammed pursuant to this subsection shall be made available under the same terms and conditions as originally provided.

(b) In addition to the authority contained in subsection (a), the original period of availability of funds appropriated by this Act and administered by the United States Agency for International Development that are earmarked for particular programs or activities by this or any other Act shall be extended for an additional fiscal year if the Administrator of such agency determines and reports promptly to the Committees on Appropriations that the termination of assistance to a country or a significant change in circumstances makes it unlikely that such earmarked funds can be obligated during the original period of availability: *Provided*, That such earmarked funds that are continued available for an additional fiscal year shall be obligated only for the purpose of such earmark.

#### CEILINGS AND EARMARKS

SEC. 539. Ceilings and earmarks contained in this Act shall not be applicable to funds or authorities appropriated or otherwise made available by any subsequent Act unless such Act specifically so directs. Earmarks or minimum funding requirements contained in any other Act shall not be applicable to funds appropriated by this Act.

#### PROHIBITION ON PUBLICITY OR PROPAGANDA

SEC. 540. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not authorized before the date of the enactment of this Act by the Congress: *Provided*, That not to exceed \$750,000 may be made available to carry out the provisions of section 316 of Public Law 96-533.

#### PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS

SEC. 541. None of the funds appropriated or made available pursuant to this Act for carrying out the Foreign Assistance Act of 1961, may be used to pay in whole or in part any assessments, arrearages, or dues of any member of the United Nations or, from funds appropriated by this Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961, the costs for participation of another country's delegation at international conferences held under the auspices of multilateral or international organizations.

#### NONGOVERNMENTAL ORGANIZATIONS—DOCUMENTATION

SEC. 542. None of the funds appropriated or made available pursuant to this Act shall be available to a nongovernmental organization which fails to provide upon timely request any document, file, or record necessary to the auditing requirements of the United States Agency for International Development.

#### PROHIBITION ON ASSISTANCE TO FOREIGN GOVERNMENTS THAT EXPORT LETHAL MILITARY EQUIPMENT TO COUNTRIES SUPPORTING INTERNATIONAL TERRORISM

SEC. 543. (a) None of the funds appropriated or otherwise made available by this Act may be available to any foreign government which provides lethal military equipment to a country the government of which the Secretary of State has determined is a terrorist

government for purposes of section 6(j) of the Export Administration Act. The prohibition under this section with respect to a foreign government shall terminate 12 months after that government ceases to provide such military equipment. This section applies with respect to lethal military equipment provided under a contract entered into after October 1, 1997.

(b) Assistance restricted by subsection (a) or any other similar provision of law, may be furnished if the President determines that furnishing such assistance is important to the national interests of the United States.

(c) Whenever the waiver authority of subsection (b) is exercised, the President shall submit to the appropriate congressional committees a report with respect to the furnishing of such assistance. Any such report shall include a detailed explanation of the assistance to be provided, including the estimated dollar amount of such assistance, and an explanation of how the assistance furthers United States national interests.

#### WITHHOLDING OF ASSISTANCE FOR PARKING FINES OWED BY FOREIGN COUNTRIES

SEC. 544. (a) IN GENERAL.—Of the funds appropriated under this Act that are made available for a foreign country under part I of the Foreign Assistance Act of 1961, an amount equivalent to 110 percent of the total unpaid fines determined to be owed under the parking programs in the District of Columbia and New York City, New York by such country as of September 30, 2003 that were incurred after the first day of the fiscal year preceding the current fiscal year shall be withheld from obligation for such country until the Secretary of State certifies and reports in writing to the appropriate congressional committees that such fines and penalties are fully paid to the governments of the District of Columbia and New York City, New York.

(b) DEFINITION.—For purposes of this section, the term “appropriate congressional committees” means the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on International Relations and the Committee on Appropriations of the House of Representatives.

#### LIMITATION ON ASSISTANCE FOR THE PLO FOR THE WEST BANK AND GAZA

SEC. 545. None of the funds appropriated by this Act may be obligated for assistance for the Palestine Liberation Organization for the West Bank and Gaza unless the President has exercised the authority under section 604(a) of the Middle East Peace Facilitation Act of 1995 (title VI of Public Law 104-107) or any other legislation to suspend or make inapplicable section 307 of the Foreign Assistance Act of 1961 and that suspension is still in effect: *Provided*, That if the President fails to make the certification under section 604(b)(2) of the Middle East Peace Facilitation Act of 1995 or to suspend the prohibition under other legislation, funds appropriated by this Act may not be obligated for assistance for the Palestine Liberation Organization for the West Bank and Gaza.

#### WAR CRIMES TRIBUNALS DRAWDOWN

SEC. 546. If the President determines that doing so will contribute to a just resolution of charges regarding genocide or other violations of international humanitarian law, the President may direct a drawdown pursuant to section 552(c) of the Foreign Assistance Act of 1961, as amended, of up to \$30,000,000 of commodities and services for the United Nations War Crimes Tribunal established with regard to the former Yugoslavia by the United Nations Security Council or such other tribunals or commissions as the Council may establish or authorize to deal with

such violations, without regard to the ceiling limitation contained in paragraph (2) thereof: *Provided*, That the determination required under this section shall be in lieu of any determinations otherwise required under section 552(c): *Provided further*, That the drawdown made under this section for any tribunal shall not be construed as an endorsement or precedent for the establishment of any standing or permanent international criminal tribunal or court: *Provided further*, That funds made available for tribunals other than Yugoslavia or Rwanda shall be made available subject to the regular notification procedures of the Committees on Appropriations.

#### LANDMINES

SEC. 547. Notwithstanding any other provision of law, demining equipment available to the United States Agency for International Development and the Department of State and used in support of the clearance of landmines and unexploded ordnance for humanitarian purposes may be disposed of on a grant basis in foreign countries, subject to such terms and conditions as the President may prescribe.

#### RESTRICTIONS CONCERNING THE PALESTINIAN AUTHORITY

SEC. 548. None of the funds appropriated by this Act may be obligated or expended to create in any part of Jerusalem a new office of any department or agency of the United States Government for the purpose of conducting official United States Government business with the Palestinian Authority over Gaza and Jericho or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles: *Provided*, That this restriction shall not apply to the acquisition of additional space for the existing Consulate General in Jerusalem: *Provided further*, That meetings between officers and employees of the United States and officials of the Palestinian Authority, or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles, for the purpose of conducting official United States Government business with such authority should continue to take place in locations other than Jerusalem. As has been true in the past, officers and employees of the United States Government may continue to meet in Jerusalem on other subjects with Palestinians (including those who now occupy positions in the Palestinian Authority), have social contacts, and have incidental discussions.

#### PROHIBITION OF PAYMENT OF CERTAIN EXPENSES

SEC. 549. None of the funds appropriated or otherwise made available by this Act under the heading “International Military Education and Training” or “Foreign Military Financing Program” for Informational Program activities or under the headings “Child Survival and Health Programs Fund”, “Development Assistance”, and “Economic Support Fund” may be obligated or expended to pay for—

- (1) alcoholic beverages; or
- (2) entertainment expenses for activities that are substantially of a recreational character, including but not limited to entrance fees at sporting events, theatrical and musical productions, and amusement parks.

#### RESTRICTIONS ON VOLUNTARY CONTRIBUTIONS TO UNITED NATIONS AGENCIES

SEC. 550. None of the funds appropriated by this Act may be made available to pay any voluntary contribution of the United States to the United Nations (including the United Nations Development Program) if the United Nations implements or imposes any taxation on any United States persons.

#### HAITI

SEC. 551. The Government of Haiti shall be eligible to purchase defense articles and services under the Arms Export Control Act (22 U.S.C. 2751 et seq.), for the Coast Guard.

#### LIMITATION ON ASSISTANCE TO THE PALESTINIAN AUTHORITY

SEC. 552. (a) PROHIBITION OF FUNDS.—None of the funds appropriated by this Act to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961 may be obligated or expended with respect to providing funds to the Palestinian Authority.

(b) WAIVER.—The prohibition included in subsection (a) shall not apply if the President certifies in writing to the Speaker of the House of Representatives and the President pro tempore of the Senate that waiving such prohibition is important to the national security interests of the United States.

(c) PERIOD OF APPLICATION OF WAIVER.—Any waiver pursuant to subsection (b) shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

#### LIMITATION ON ASSISTANCE TO SECURITY FORCES

SEC. 553. None of the funds made available by this Act may be provided to any unit of the security forces of a foreign country if the Secretary of State has credible evidence that such unit has committed gross violations of human rights, unless the Secretary determines and reports to the Committees on Appropriations that the government of such country is taking effective measures to bring the responsible members of the security forces unit to justice: *Provided*, That nothing in this section shall be construed to withhold funds made available by this Act from any unit of the security forces of a foreign country not credibly alleged to be involved in gross violations of human rights: *Provided further*, That in the event that funds are withheld from any unit pursuant to this section, the Secretary of State shall promptly inform the foreign government of the basis for such action and shall, to the maximum extent practicable, assist the foreign government in taking effective measures to bring the responsible members of the security forces to justice.

#### FOREIGN MILITARY TRAINING REPORT

SEC. 554. The annual foreign military training report required by section 656 of the Foreign Assistance Act of 1961 shall be submitted by the Secretary of Defense and the Secretary of State to the Committees on Appropriations of the House of Representatives and the Senate by the date specified in that section.

#### KOREAN PENINSULA ENERGY DEVELOPMENT ORGANIZATION

SEC. 555. None of the funds appropriated by this Act may be made available for assistance to the Korean Peninsula Energy Organization (KEDO).

#### PALESTINIAN STATEHOOD

SEC. 556. (a) LIMITATION ON ASSISTANCE.—None of the funds appropriated by this Act may be provided to support a Palestinian state unless the Secretary of State determines and certifies to the appropriate congressional committees that—

(1) a new leadership of a Palestinian governing entity has been democratically elected through credible and competitive elections;

(2) the elected governing entity of a new Palestinian state—

(A) has demonstrated a firm commitment to peaceful co-existence with the State of Israel;

(B) is taking appropriate measures to counter terrorism and terrorist financing in

the West Bank and Gaza, including the dismantling of terrorist infrastructures;

(C) is establishing a new Palestinian security entity that is fully cooperative with appropriate Israeli and other appropriate security organizations; and

(3) the Palestinian Authority (or the governing body of a new Palestinian state) is working with other countries in the region to vigorously pursue efforts to establish a just, lasting, and comprehensive peace in the Middle East that will enable Israel and an independent Palestinian state to exist within the context of full and normal relationships, which should include—

(A) termination of all claims or states of belligerency;

(B) respect for and acknowledgement of the sovereignty, territorial integrity, and political independence of every state in the area through measures including the establishment of demilitarized zones;

(C) their right to live in peace within secure and recognized boundaries free from threats or acts of force;

(D) freedom of navigation through international waterways in the area; and

(E) a framework for achieving a just settlement of the refugee problem.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the newly elected governing entity should enact a constitution assuring the rule of law, an independent judiciary, and respect for human rights for its citizens, and should enact other laws and regulations assuring transparent and accountable governance.

(c) WAIVER.—The President may waive subsection (a) if he determines that it is vital to the national security interests of the United States to do so.

(d) EXEMPTION.—The restriction in subsection (a) shall not apply to assistance intended to help reform the Palestinian Authority and affiliated institutions, or a newly elected governing entity, in order to help meet the requirements of subsection (a), consistent with the provisions of section 552 of this Act ("Limitation on Assistance to the Palestinian Authority").

#### COLOMBIA

SEC. 557. (a) DETERMINATION AND CERTIFICATION REQUIRED.—Notwithstanding any other provision of law, funds appropriated by this Act that are available for assistance for the Colombian Armed Forces, may be made available as follows:

(1) Up to 75 percent of such funds may be obligated prior to a determination and certification by the Secretary of State pursuant to paragraph (2).

(2) The balance of such funds may be obligated only after the Secretary of State certifies and reports to the appropriate congressional committees that:

(A) The Commander General of the Colombian Armed Forces is suspending from the Armed Forces those members, of whatever rank, who have been credibly alleged to have committed gross violations of human rights, including extra-judicial killings, or to have aided or abetted paramilitary organizations.

(B) The Colombian Government is prosecuting those members of the Colombian Armed Forces, of whatever rank, who have been credibly alleged to have committed gross violations of human rights, including extra-judicial killings, or to have aided or abetted paramilitary organizations, and is punishing those members of the Colombian Armed Forces found to have committed such violations of human rights or to have aided or abetted paramilitary organizations.

(C) The Colombian Armed Forces are cooperating with civilian prosecutors and judicial authorities in such cases (including providing requested information, such as the

identity of persons suspended from the Armed Forces and the nature and cause of the suspension, and access to witnesses, relevant military documents, and other requested information).

(D) The Colombian Armed Forces are severing links (including denying access to military intelligence, vehicles, and other equipment or supplies, and ceasing other forms of active or tacit cooperation) at the command, battalion, and brigade levels, with paramilitary organizations.

(E) The Colombian Armed Forces are executing orders for capture of leaders of paramilitary organizations that continue armed conflict.

(b) CONSULTATIVE PROCESS.—At least 10 days prior to making the certification required by subsection (a), the Secretary of State shall consult with internationally recognized human rights organizations regarding progress in meeting the conditions contained in that subsection.

(c) DEFINITIONS.—In this section:

(1) AIDED OR ABETTED.—The term "aided or abetted" means to provide any support to paramilitary groups, including taking actions which allow, facilitate, or otherwise foster the activities of such groups.

(2) PARAMILITARY GROUPS.—The term "paramilitary groups" means illegal self-defense groups and illegal security cooperatives.

#### ILLEGAL ARMED GROUPS

SEC. 558. (a) DENIAL OF VISAS TO SUPPORTERS OF COLOMBIAN ILLEGAL ARMED GROUPS.—Subject to subsection (b), the Secretary of State shall not issue a visa to any alien who the Secretary determines, based on credible evidence—

(1) has willfully provided any support to the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN), or the United Self-Defense Forces of Colombia (AUC), including taking actions or failing to take actions which allow, facilitate, or otherwise foster the activities of such groups; or

(2) has committed, ordered, incited, assisted, or otherwise participated in the commission of gross violations of human rights, including extra-judicial killings, in Colombia.

(b) WAIVER.—Subsection (a) shall not apply if the Secretary of State determines and certifies to the appropriate congressional committees, on a case-by-case basis, that the issuance of a visa to the alien is necessary to support the peace process in Colombia or for urgent humanitarian reasons.

#### PROHIBITION ON ASSISTANCE TO THE PALESTINIAN BROADCASTING CORPORATION

SEC. 559. None of the funds appropriated or otherwise made available by this Act may be used to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.

#### WEST BANK AND GAZA PROGRAM

SEC. 560. (a) OVERSIGHT.—For fiscal year 2004, 30 days prior to the initial obligation of funds for the bilateral West Bank and Gaza Program, the Secretary of State shall certify to the appropriate committees of Congress that procedures have been established to assure the Comptroller General of the United States will have access to appropriate United States financial information in order to review the uses of United States assistance for the Program funded under the heading "Economic Support Fund" for the West Bank and Gaza.

(b) VETTING.—Prior to the obligation of funds appropriated by this Act under the heading "Economic Support Fund" for assistance for the West Bank and Gaza, the

Secretary of State shall take all appropriate steps to ensure that such assistance is not provided to or through any individual or entity that the Secretary knows or has reason to believe advocates, plans, sponsors, engages in, or has engaged in, terrorist activity. The Secretary of State shall, as appropriate, establish procedures specifying the steps to be taken in carrying out this subsection.

(c) AUDITS.—(1) The Administrator of the United States Agency for International Development shall ensure that Federal or non-Federal audits of all contractors and grantees, and significant subcontractors and subgrantees, under the West Bank and Gaza Program, are conducted at least on an annual basis to ensure, among other things, compliance with this section.

(2) Of the funds appropriated by this Act under the heading "Economic Support Fund" that are made available for assistance for the West Bank and Gaza, up to \$1,000,000 may be used by the Office of the Inspector General of the United States Agency for International Development for audits, inspections, and other activities in furtherance of the requirements of this subsection. Such funds are in addition to funds otherwise available for such purposes.

#### CONTRIBUTIONS TO UNITED NATIONS POPULATION FUND

SEC. 561. (a) LIMITATIONS ON AMOUNT OF CONTRIBUTION.—Of the amounts made available under "International Organizations and Programs", \$25,000,000 for fiscal year 2004 shall be available for the United Nations Population Fund (hereafter in this section referred to as the "UNFPA") subject to subsection (c).

(b) PROHIBITION ON USE OF FUNDS IN CHINA.—None of the funds made available under "International Organizations and Programs" may be made available for the UNFPA for a country program in the People's Republic of China.

(c) CONDITIONS ON AVAILABILITY OF FUNDS.—Amounts made available under "International Organizations and Programs" for fiscal year 2004 for the UNFPA may not be made available to the UNFPA unless—

(1) the UNFPA maintains amounts made available to the UNFPA under this section in an account separate from other accounts of the UNFPA;

(2) the UNFPA does not commingle amounts made available to the UNFPA under this section with other sums;

(3) the UNFPA does not fund abortions; and

(4) the UNFPA does not provide any funding for the State Planned-Birth Commission (Jihua Shengyu Weiyuanhui) or its regional affiliates in the People's Republic of China.

(d) REPORT TO THE CONGRESS AND WITHHOLDING OF FUNDS.—

(1) Not later than February 15, 2004, the Secretary of State shall submit a report to the appropriate congressional committees indicating the amount of funds that the UNFPA is budgeting for the year in which the report is submitted for a country program in the People's Republic of China.

(2) If a report under paragraph (1) indicates that the UNFPA plans to spend funds for a country program in the People's Republic of China in the year covered by the report, then the amount of such funds that the UNFPA plans to spend in the People's Republic of China shall be deducted from the funds made available to the UNFPA after March 1 for obligation for the remainder of the fiscal year in which the report is submitted.

#### PROCUREMENT AND FINANCIAL MANAGEMENT REFORM

SEC. 562. (a) FUNDING CONDITIONS.—Of the funds made available under the heading

"International Financial Institutions" in this Act, 10 percent of the United States portion or payment to such International Financial Institution shall be withheld by the Secretary of the Treasury, until the Secretary certifies to the Committees on Appropriations that, to the extent pertinent to its lending programs, the institution is—

(1) implementing procedures for conducting annual audits by qualified independent auditors for all new investment lending;

(2) implementing procedures for annual independent external audits of central bank financial statements for countries making use of International Monetary Fund resources under new arrangements or agreements with the Fund;

(3) taking steps to establish an independent fraud and corruption investigative organization or office;

(4) implementing a process to assess a recipient country's procurement and financial management capabilities including an analysis of the risks of corruption prior to initiating new investment lending; and

(5) taking steps to fund and implement programs and policies to improve transparency and anti-corruption programs and procurement and financial management controls in recipient countries.

(b) DEFINITIONS.—The term "International Financial Institutions" means the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the Inter-American Investment Corporation, the Enterprise for the Americas Multilateral Investment Fund, the Asian Development Bank, the Asian Development Fund, the African Development Bank, the African Development Fund, the European Bank for Reconstruction and Development, and the International Monetary Fund.

#### WAR CRIMINALS

SEC. 563. (a)(1) None of the funds appropriated or otherwise made available pursuant to this Act may be made available for assistance, and the Secretary of the Treasury shall instruct the United States executive directors to the international financial institutions to vote against any new project involving the extension by such institutions of any financial or technical assistance, to any country, entity, or municipality whose competent authorities have failed, as determined by the Secretary of State, to take necessary and significant steps to implement its international legal obligations to apprehend and transfer to the International Criminal Tribunal for the former Yugoslavia (the "Tribunal") all persons in their territory who have been indicted by the Tribunal and to otherwise cooperate with the Tribunal.

(2) The provisions of this subsection shall not apply to humanitarian assistance or assistance for democratization.

(b) The provisions of subsection (a) shall apply unless the Secretary of State determines and reports to the appropriate congressional committees that the competent authorities of such country, entity, or municipality are—

(1) cooperating with the Tribunal, including access for investigators to archives and witnesses, the provision of documents, and the surrender and transfer of indictees or assistance in their apprehension; and

(2) are acting consistently with the Dayton Accords.

(c) Not less than 10 days before any vote in an international financial institution regarding the extension of any new project involving financial or technical assistance or grants to any country or entity described in subsection (a), the Secretary of the Treas-

ury, in consultation with the Secretary of State, shall provide to the Committees on Appropriations a written justification for the proposed assistance, including an explanation of the United States position regarding any such vote, as well as a description of the location of the proposed assistance by municipality, its purpose, and its intended beneficiaries.

(d) In carrying out this section, the Secretary of State, the Administrator of the United States Agency for International Development, and the Secretary of the Treasury shall consult with representatives of human rights organizations and all government agencies with relevant information to help prevent indicted war criminals from benefiting from any financial or technical assistance or grants provided to any country or entity described in subsection (a).

(e) The Secretary of State may waive the application of subsection (a) with respect to projects within a country, entity, or municipality upon a written determination to the Committees on Appropriations that such assistance directly supports the implementation of the Dayton Accords.

(f) DEFINITIONS.—As used in this section—

(1) COUNTRY.—The term "country" means Bosnia and Herzegovina, Croatia and Serbia.

(2) ENTITY.—The term "entity" refers to the Federation of Bosnia and Herzegovina, Kosovo, Montenegro and the Republika Srpska.

(3) MUNICIPALITY.—The term "municipality" means a city, town or other subdivision within a country or entity as defined herein.

(4) DAYTON ACCORDS.—The term "Dayton Accords" means the General Framework Agreement for Peace in Bosnia and Herzegovina, together with annexes relating thereto, done at Dayton, November 10 through 16, 1995.

#### USER FEES

SEC. 564. The Secretary of the Treasury shall instruct the United States Executive Director at each international financial institution (as defined in section 1701(c)(2) of the International Financial Institutions Act) and the International Monetary Fund to oppose any loan, grant, strategy or policy of these institutions that would require user fees or service charges on poor people for primary education or primary healthcare, including prevention and treatment efforts for HIV/AIDS, malaria, tuberculosis, and infant, child, and maternal well-being, in connection with the institutions' financing programs.

#### FUNDING FOR SERBIA

SEC. 565. (a) Funds appropriated by this Act may be made available for assistance for Serbia after March 1, 2004, if the President has made the determination and certification contained in subsection (c).

(b) After March 1, 2004, the Secretary of the Treasury should instruct the United States executive directors to the international financial institutions to support loans and assistance to the Government of the Federal Republic of Yugoslavia (or a government of a successor state) subject to the conditions in subsection (c): *Provided*, That section 576 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997, as amended, shall not apply to the provision of loans and assistance to the Federal Republic of Yugoslavia (or a successor state) through international financial institutions.

(c) The determination and certification referred to in subsection (a) is a determination by the President and a certification to the Committees on Appropriations that the Government of the Federal Republic of Yugoslavia (or a government of a successor state) is—

(1) cooperating with the International Criminal Tribunal for the former Yugoslavia including access for investigators, the provision of documents, and the surrender and transfer of indictees or assistance in their apprehension;

(2) taking steps that are consistent with the Dayton Accords to end Serbian financial, political, security and other support which has served to maintain separate Republika Srpska institutions; and

(3) taking steps to implement policies which reflect a respect for minority rights and the rule of law, including the release of political prisoners from Serbian jails and prisons.

(d) This section shall not apply to Montenegro, Kosovo, humanitarian assistance or assistance to promote democracy in municipalities.

#### COMMUNITY-BASED POLICE ASSISTANCE

SEC. 566. (a) AUTHORITY.—Funds made available by this Act to carry out the provisions of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961, may be used, notwithstanding section 660 of that Act, to enhance the effectiveness and accountability of civilian police authority in Jamaica and El Salvador through training and technical assistance in human rights, the rule of law, strategic planning, and through assistance to foster civilian police roles that support democratic governance including assistance for programs to prevent conflict and foster improved police relations with the communities they serve.

(b) NOTIFICATION.—Assistance provided under subsection (a) shall be subject to the regular notification procedures of the Committees on Appropriations.

#### TRADE CAPACITY BUILDING

SEC. 567. Of the funds appropriated by this Act, under the headings "Trade and Development Agency", "Development Assistance", "Transition Initiatives", "Economic Support Fund", "International Affairs Technical Assistance", and "International Organizations and Programs", not less than \$517,000,000 should be made available for trade capacity building assistance.

#### SPECIAL DEBT RELIEF FOR THE POOREST

SEC. 568. (a) AUTHORITY TO REDUCE DEBT.—The President may reduce amounts owed to the United States (or any agency of the United States) by an eligible country as a result of—

(1) guarantees issued under sections 221 and 222 of the Foreign Assistance Act of 1961;

(2) credits extended or guarantees issued under the Arms Export Control Act; or

(3) any obligation or portion of such obligation, to pay for purchases of United States agricultural commodities guaranteed by the Commodity Credit Corporation under export credit guarantee programs authorized pursuant to section 5(f) of the Commodity Credit Corporation Charter Act of June 29, 1948, as amended, section 4(b) of the Food for Peace Act of 1966, as amended (Public Law 89-808), or section 202 of the Agricultural Trade Act of 1978, as amended (Public Law 95-501).

(b) LIMITATIONS.—

(1) The authority provided by subsection (a) may be exercised only to implement multilateral official debt relief and referendum agreements, commonly referred to as "Paris Club Agreed Minutes".

(2) The authority provided by subsection (a) may be exercised only in such amounts or to such extent as is provided in advance by appropriations Acts.

(3) The authority provided by subsection (a) may be exercised only with respect to countries with heavy debt burdens that are eligible to borrow from the International Development Association, but not from the

International Bank for Reconstruction and Development, commonly referred to as "IDA-only" countries.

(c) CONDITIONS.—The authority provided by subsection (a) may be exercised only with respect to a country whose government—

(1) does not have an excessive level of military expenditures;

(2) has not repeatedly provided support for acts of international terrorism;

(3) is not failing to cooperate on international narcotics control matters;

(4) (including its military or other security forces) does not engage in a consistent pattern of gross violations of internationally recognized human rights; and

(5) is not ineligible for assistance because of the application of section 527 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995.

(d) AVAILABILITY OF FUNDS.—The authority provided by subsection (a) may be used only with regard to funds appropriated by this Act under the heading "Debt Restructuring".

(e) CERTAIN PROHIBITIONS INAPPLICABLE.—The authority provided by subsection (a) may be exercised notwithstanding section 620(r) of the Foreign Assistance Act of 1961 or section 321 of the International Development and Food Assistance Act of 1975.

#### AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR SALES

SEC. 569. (a) LOANS ELIGIBLE FOR SALE, REDUCTION, OR CANCELLATION.—

(1) AUTHORITY TO SELL, REDUCE, OR CANCEL CERTAIN LOANS.—Notwithstanding any other provision of law, the President may, in accordance with this section, sell to any eligible purchaser any concessional loan or portion thereof made before January 1, 1995, pursuant to the Foreign Assistance Act of 1961, to the government of any eligible country as defined in section 702(6) of that Act or on receipt of payment from an eligible purchaser, reduce or cancel such loan or portion thereof, only for the purpose of facilitating—

(A) debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps; or

(B) a debt buyback by an eligible country of its own qualified debt, only if the eligible country uses an additional amount of the local currency of the eligible country, equal to not less than 40 percent of the price paid for such debt by such eligible country, or the difference between the price paid for such debt and the face value of such debt, to support activities that link conservation and sustainable use of natural resources with local community development, and child survival and other child development, in a manner consistent with sections 707 through 710 of the Foreign Assistance Act of 1961, if the sale, reduction, or cancellation would not contravene any term or condition of any prior agreement relating to such loan.

(2) TERMS AND CONDITIONS.—Notwithstanding any other provision of law, the President shall, in accordance with this section, establish the terms and conditions under which loans may be sold, reduced, or canceled pursuant to this section.

(3) ADMINISTRATION.—The Facility, as defined in section 702(8) of the Foreign Assistance Act of 1961, shall notify the administrator of the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961 of purchasers that the President has determined to be eligible, and shall direct such agency to carry out the sale, reduction, or cancellation of a loan pursuant to this section. Such agency shall make an adjustment in its accounts to reflect the sale, reduction, or cancellation.

(4) LIMITATION.—The authorities of this subsection shall be available only to the extent that appropriations for the cost of the

modification, as defined in section 502 of the Congressional Budget Act of 1974, are made in advance.

(b) DEPOSIT OF PROCEEDS.—The proceeds from the sale, reduction, or cancellation of any loan sold, reduced, or canceled pursuant to this section shall be deposited in the United States Government account or accounts established for the repayment of such loan.

(c) ELIGIBLE PURCHASERS.—A loan may be sold pursuant to subsection (a)(1)(A) only to a purchaser who presents plans satisfactory to the President for using the loan for the purpose of engaging in debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps.

(d) DEBTOR CONSULTATIONS.—Before the sale to any eligible purchaser, or any reduction or cancellation pursuant to this section, of any loan made to an eligible country, the President should consult with the country concerning the amount of loans to be sold, reduced, or canceled and their uses for debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps.

(e) AVAILABILITY OF FUNDS.—The authority provided by subsection (a) may be used only with regard to funds appropriated by this Act under the heading "Debt Restructuring".

#### CAMBODIA

SEC. 570. The Secretary of the Treasury should instruct the United States executive directors of the international financial institutions to use the voice and vote of the United States to oppose loans to the Central Government of Cambodia, except loans to support basic human needs.

#### CUBA

SEC. 571. None of the funds appropriated by this Act under the heading "International Narcotics Control and Law Enforcement" may be made available for assistance to the Government of Cuba.

#### COMPETITION IN CONTRACTING

SEC. 572. Notwithstanding any other provision of law, none of the funds appropriated by this Act to carry out sections 103 through 106 and chapter 4 of part II of the Foreign Assistance Act of 1961 that are made available for assistance for Iraq, and none of the funds appropriated in Public Law 108-11 under the heading "Iraq Relief and Reconstruction Fund", may be made available to enter into any Federal contract or follow-on contract through the use of other than full and open competitive procedures: *Provided*, That this section shall be applicable to contracts and follow-on contracts entered into after the date of enactment of this Act.

#### DISASTER SURGE CAPACITY

SEC. 573. Funds appropriated by this Act to carry out part I of the Foreign Assistance Act of 1961 may be used, in addition to funds otherwise available for such purposes, for the cost (including the support costs) of individuals detailed to or employed by the United States Agency for International Development whose primary responsibility is to carry out programs to address natural or manmade disasters or programs under the heading "Transition Initiatives".

#### AUTHORIZATION

SEC. 574. The Secretary of the Treasury may, to fulfill commitments of the United States, contribute on behalf of the United States to the sixth replenishment of the resources of the International Fund for Agricultural Development. The following amount is authorized to be appropriated without fiscal year limitation for payment by the Secretary of the Treasury: \$45,000,000 for the International Fund for Agricultural Development.

#### CLARIFICATION OF ROLE OF USAID

SEC. 575. (a) STATUS OF USAID.—The Administrator of the United States Agency for International Development shall report to the President through, and operate under the foreign policy authority and direction of, the Secretary of State. The United States Agency for International Development shall be administered under the supervision and operational direction of the Administrator of the Agency.

(b) FUNCTIONS OF USAID.—The United States Agency for International Development is authorized—

(1) to receive appropriated funds;

(2) to be the United States Government agency primarily responsible for administering sections 103 through 108 (other than section 104A), 214, and 491 of the Foreign Assistance Act of 1961, the "Child Survival and Health Programs Fund", and other United States economic assistance as directed in writing by the President or the Secretary of State, or as otherwise provided by law;

(3) to provide assistance to a country currently ineligible for assistance from the Millennium Challenge Corporation in order that it may become eligible for such assistance; and

(4) upon the request of the Chief Executive Officer of the Millennium Challenge Corporation and with the concurrence of the Administrator, to assist in the evaluation, execution or oversight of a Millennium Challenge Contract.

(c) Section 491 of the Foreign Assistance Act of 1961 (22 U.S.C. 2292) is amended—

(1) in subsection (a), by striking "assistance for the relief and rehabilitation of" and inserting "relief, rehabilitation, and reconstruction assistance for";

(2) in subsection (b), by striking "relief and rehabilitation" and inserting "relief, rehabilitation, and reconstruction"; and

(3) in subsection (c), by striking "relief and rehabilitation" and inserting "relief, rehabilitation, and reconstruction assistance".

#### PHILIPPINE EDUCATION AND HEALTH INFRASTRUCTURE

SEC. 576. Of the funds appropriated under "Economic Support Fund" for the Philippines in Public Law 108-11, the Emergency Wartime Supplemental Appropriations Act, 2003, \$600,000 shall be available only for upgrading education and health infrastructure in the Sulu Archipelago.

#### BASIC EDUCATION

SEC. 577. Of the funds appropriated by title II of this Act, not less than \$350,000,000 shall be made available for basic education: *Provided*, That of the funds made available pursuant to this section, not less than \$91,500,000 should be from funds appropriated under the heading "Economic Support Fund": *Provided further*, That the Secretary of State, in consultation with the Administrator of the United States Agency for International Development (USAID), shall submit a report not later than 120 days after enactment of this Act articulating a strategy for the use of basic education funds in Africa, East Asia and the Pacific, the Near East, South Asia, and the Western Hemisphere (excluding the United States) to include:

(1) country strategies and brief project descriptions of the uses and proposed uses of all U.S. Government resources for basic education overseas;

(2) a detailed description of the administrative structure currently in place to manage strategic coordination undertaken among the State Department, USAID and other agencies involved in international basic education activities; and

(3) a description of actions being taken to expand the administrative capacity of both



USAID and the State Department to deliver effective expanded basic education programs.

Mr. KOLBE (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 122, line 2, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. Are there any points of order to this section of the bill?

POINTS OF ORDER

Mr. PUTNAM. Mr. Chairman, I rise to make a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. PUTNAM. Mr. Chairman, it is with no small amount of regret that I rise to make a point of order against the distinguished chairman of this subcommittee who has worked very hard and is so capable in this area, but on behalf of Chairman GOODLATTE of the Committee on Agriculture, I must rise to make a point of order against section 568(a)(3) in that it violates House rule XXI, clause 2, by changing existing law and inserting legislative language in an appropriation bill.

The CHAIRMAN. Does the gentleman from Arizona wish to be heard on the point of order?

Mr. KOLBE. Mr. Chairman, while I regret very much that this is being done because at least in one instance these objections here are for something that is very vital, I concede the point of order.

The CHAIRMAN. Does the gentleman from New York wish to be heard on the point of order?

Mrs. LOWEY. I rise to be heard on the point of order.

The CHAIRMAN. The gentlewoman is recognized.

Mrs. LOWEY. Mr. Chairman, I am wondering if the gentleman has any idea what the effect of this point of order is. This authority to allow for the rescheduling of bilateral agriculture debt has been carried in the foreign operations bill for at least 5 years. If it is removed, the administration will be unable to pursue bilateral debt rescheduling. This authority is a crucial tool in helping poor countries. It has been used recently to help critical allies in the war on terrorism, such as Pakistan and Indonesia.

We also just used the authority to help the Democratic Republic of Congo with the horrible mess they are in. We did not fund the \$300 million request to forgive their debt. The least we can do is reschedule their debt. So I am mystified as to why the gentleman would raise this point of order.

I might ask whether he knows of any plans in the Committee on Agriculture to enact a bill containing this authority. I would like to yield to the gentleman.

The CHAIRMAN. The gentlewoman may not yield to another member

while under recognition on a point of order and is constrained to limit her remarks to the point of order made by the gentleman from Florida. If the gentlewoman is finished with her remarks, then the Chair is prepared to rule on the point of order.

The Chair finds that this provision includes language conferring authority. The provision, therefore, constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained and the provision is stricken from the bill.

Are there further points of order?

Mr. PUTNAM. Mr. Chairman, I regret that I must rise again and raise yet another point of order against section 572 entitled, "Competition in Contracting," on the grounds that this session changes existing law in violation of clause 2(b) of House rule XXI and is therefore legislation included in a general appropriations bill.

□ 2300

The CHAIRMAN. Does the gentleman from Arizona (Mr. KOLBE) wish to be heard on the point of order?

Mr. KOLBE. Mr. Chairman, I would like to be heard to state, while I will concede the point of order, that I find this really astonishing. One of the more difficult things we have had in Iraq has been the issue of competitiveness of contracts, and I hope the gentleman is aware that what he is doing is he is saying he is against competition of contracts in Iraq, and that is exactly what this language has done. We have had a lot of controversy about that. I am glad to see that the chairman of the committee has arrived here to defend his position, but I concede the point of order.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

The gentlewoman from New York (Mrs. LOWEY) is recognized.

Mrs. LOWEY. Mr. Chairman, I would just like to ask the gentleman again if he is against competition in awarding contracts in Iraq. I am trying to figure out what he is trying to do with the point of order.

Mr. PUTNAM. If the gentlewoman would yield.

Mrs. LOWEY. I yield to the gentleman from Florida.

The CHAIRMAN. The gentlewoman may not yield when arguing a point of order to the Chair.

Does the gentlewoman wish to be heard any further?

Mrs. LOWEY. No, Mr. Chairman.

The CHAIRMAN. Does the gentleman from Virginia (Mr. TOM DAVIS) wish to be heard on the point of order?

Mr. TOM DAVIS of Virginia. Yes, Mr. Chairman.

The CHAIRMAN. The gentleman is recognized.

Mr. TOM DAVIS of Virginia. First of all, they concede the point of order. What they are doing is legislating on an appropriation bill without any consultation with the committee of juris-

diction. We offered to work out language on this, and we were rebuffed and therefore we are going to keep our point of order. We hope that in the future if you have concerns, you will speak with the authorizing committee.

The CHAIRMAN. The Chair is prepared to rule.

The chairman of the subcommittee has conceded the point of order. This provision explicitly supersedes existing law. It constitutes legislation in violation of clause 2 of rule XXI.

The point of order is conceded and sustained, and the provision is stricken from the bill.

Are there further points of order?

POINT OF ORDER

Mr. PUTNAM. Mr. Chairman, again rising to raise a point of order and certainly not reflecting on the policy contained therein but rather the process and asserting the jurisdiction of the authorizing committees, I must rise a third time to make a point of order against section 575 on the grounds that it is changing existing law in violation of clause 2 of House rule XXI. By its very terms, this section changes current law and specifically says "The United States Agency for International Development is authorized." This is a clear violation of the rule.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

The gentleman from Arizona (Mr. KOLBE) is recognized.

Mr. KOLBE. Mr. Chairman, I again concede the point of order. This is a piece of legislation that was added to clarify and improve the language and we have worked it out previously, but now apparently it is not acceptable. I concede the point of order.

The CHAIRMAN. The point of order is conceded and sustained, and the provision is stricken from the bill.

Are there any amendments to this section of the bill?

AMENDMENT NO. 15 OFFERED BY MR. NADLER

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 15 offered by Mr. NADLER: At the end of the bill (before the short title), insert the following:

LIMITATION ON CONTRIBUTIONS TO UNRWA

SEC. \_\_\_\_\_. Of the amount made available in this Act for contributions to the United Nations Relief and Works Agency (UNRWA), one-third of such amount shall be withheld from obligation and expenditure unless and until the President determines and certifies to Congress that the UNRWA has established a program (including a timetable for implementation of the program) for the resettlement of refugees under their authority in the host countries or territories of such refugees and replaces textbooks and educational materials used in the UNRWA educational system that promote anti-Semitism, denial of the existence and the right to exist of the state of Israel, and exacerbate stereotypes and tensions between the Palestinians and Israelis.

Mr. KOLBE. Mr. Chairman, I reserve a point of order.

Mr. NADLER. Mr. Chairman, I am not asking in this amendment to shift priorities within this bill. I am asking to set priorities for an agency that has failed miserably in its 53-year history. The United Nations Relief and Works Agency, otherwise known as UNRWA, is spending over \$300 million a year to house, educate and provide social services to 3.9 million Palestinian refugees, 1.2 million of whom still live in refugee camps.

The amendment is very simple. It would withhold a third of the United States contribution to UNRWA until such time as the President certifies that UNRWA has established a program for the resettlement of the refugees under its authority. It also would require UNRWA to replace textbooks and educational materials that promote anti-Semitism, deny the existence of Israel and exacerbate stereotypes and tensions between the Palestinians and Israelis.

What is shocking is that the United Nations through UNRWA has allowed and indeed compelled these camps to exist for more than 50 years. No other refugees in the modern era have had to sustain such a long existence in refugee camps before being resettled and absorbed. The United Nations High Commissioner for Refugees, charged with dealing with all refugees in the world other than the Palestinians, has overseen the resettlement and absorption of more than 200 million refugees since World War II. Only the 600,000 Palestinian refugees and their descendants have languished in refugee camps for three generations, refused resettlement and normal lives for the specific purpose of being used as political pawns and recruitment assets for terrorists groups opposed to the existence of Israel.

In March of 1976, 27 years ago, Mahmoud Abbas, who is now the new Palestinian Prime Minister, wrote: "The Arab armies entered Palestine to protect Palestinians from the Zionist Tyranny, but instead they abandoned them, forced them to emigrate and to leave their homeland, imposed upon them a political and ideological blockade and threw them into prisons similar to the ghettos in which Jews used to live in Eastern Europe."

This statement underscores the fact that UNRWA has been used and abused for over 50 years to further the political goals of a radical political Palestinian leadership with the goal of eliminating a sovereign state. With a new leadership and renewed hope for peace in the Middle East today, these abuses must end.

The United Nations has not only failed to resettle the refugees, it has fostered and promoted anti-Semitic and anti-Western propaganda in the schools. The education system run by UNRWA with United States money does not recognize Israel, indoctrinates children into Jihad, contributing to

the fact that the refugee camps have become notorious breeding grounds for suicide bombers and other terrorists.

At roughly the same time, Mr. Speaker, that 600,000 Palestinians became refugees, more than 900,000 Jews were forced out of Arab countries in the Middle East and North Africa where they had lived for hundreds or even thousands of years. These refugees were not herded into refugee camps and American taxpayers have not supported them for 50 years. Israel absorbed 600,000 of these refugees from the surrounding Arab countries, building them homes and providing education and social services so that they could sustain themselves and become productive citizens, as they have. Another 300,000 fled to the United States and Canada. None became burdens on international refugee agencies and on American taxpayers.

By contrast, UNRWA and Israel's Arab neighbors have refused to allow the absorption or resettlement of the Palestinian refugees. Instead they have compelled them to suffer for more than 50 years in camps that provide no future and no hope and breed only hatred and violence.

It is time for the United Nations and UNRWA to stand up and take responsibility for the 1.2 million people under its charge. Most of these Palestinian refugees were born in these camps and will die there as well unless UNRWA is forced to reform. The United States will contribute an estimated \$91 million to UNRWA this year, almost a third of its budget. I believe that it as the main financial supporter of an agency that has kept millions of people in squalid camps for generations and that has allowed and even encouraged the camps to become breeding grounds for anti-Semitic and anti-American feelings and training grounds for terrorists, it is our responsibility to force change on that agency through withholding funds until they start to change and to give hope and life to these refugees to establish a plan and a mechanism for their resettlement and their absorption.

I would urge my colleagues to support this amendment so that we may start on that goal.

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

Mr. Chairman, I will not take 5 minutes given the hour of the evening here, and I will not debate the merits of this except to say that at this moment with what we are doing in the Middle East with the peace process and the roadmap, this would be a very inappropriate amendment at this time.

POINT OF ORDER

Mr. KOLBE. Mr. Chairman, I will just make my point of order against the amendment because it does propose to change existing law, constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI. That rule states in part: "An amendment to a general appropriation bill shall not be in order if changing exist-

ing law . . ." It imposes additional duties. This does impose additional duties, and I would ask for a ruling from the Chair.

The CHAIRMAN. Does the gentleman from New York wish to be heard on point of order?

Mrs. LOWEY. Mr. Chairman, I rise to thank the gentleman for bringing this important issue to the floor today. During this time of great hope in the Middle East peace process, it is critical that we take a step back to recognize that the roots of tolerance and coexistence must be planted in our young people early in order for peace to truly take hold.

I have long shared the gentleman's concern about the danger of anti-Semitic, anti-Israel and anti-Western propaganda in the Arab world. Nowhere is this propaganda more insidious than in school textbooks, where it has the capacity to poison the minds of the children who should be the region's best hope for peace.

One of the greatest obstacles to peace in the Middle East has been the consistent refusal of Arab regimes to prepare their people for coexistence with Israel. Instead, they have used the Palestinian-Israeli conflict as a pressure valve for their citizens to vent frustrations that otherwise might be directed at the ruling regimes themselves. It has been in many of these leaders' best interests to perpetuate the stereotypes and canards that make peaceful coexistence impossible. If we are ever to realize our goal of a peaceful Middle East this practice must end. The amendment the gentleman raises today raises this point, and I think it is one that needs to be made by Congress and heeded by Israel's Arab neighbors.

The CHAIRMAN. Does the gentleman from New York (Mr. NADLER) wish to be heard on the point of order?

Mr. NADLER. Yes, Mr. Chairman, I do.

The CHAIRMAN. The gentleman is recognized.

Mr. NADLER. Mr. Chairman, first of all, I thank the gentlewoman for her kind remarks about this amendment. But secondly, I think in commenting on the distinguished chairman's point of order and on the remarks he made in making that point of order, I think that now with the peace talks about to begin hopefully in the Middle East, it is precisely the time when this is not inappropriate but is very appropriate because we know, we know from the Camp David experience, that at the end of the day when everything else is agreed upon someone is going to raise the issue of the so-called right of return of these refugees to Israel and that we had better have dealt with that and have started to solve that problem if we expect a successful conclusion later. I think the biggest mistake we have all made in the last probably 20 years of seeking peace in the Middle East is trying to put off this problem to the end hoping it will go away. We

must deal with it before the last moment, and that is the purpose of this amendment.

I understand the gentleman's point of order, a limitation amendment, and as a technical point I think that it is a limitation amendment, and I think that the point of it now and the point of raising this now is to put people on notice. We will be back with this amendment when the point of order will not stand against it and hopefully, though, it will not be necessary because UNRWA and the State Department will start taking notice and start dealing with these problems and dismantling these camps and enabling these people, 1.2 million people to start being resettled and absorbed and have decent lives instead of being kept in these squalid camps at a cost to the American taxpayer so far for 53 years.

The CHAIRMAN. The Chair is prepared to rule. The Chair finds that this amendment includes language imposing a legislative condition. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

AMENDMENT OFFERED BY MRS. BIGGERT

Mrs. BIGGERT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. BIGGERT: At the end of the bill (before the short title), insert the following:

PARTICIPATION IN THE THIRTEENTH REPLENISHMENT OF THE RESOURCES OF THE INTERNATIONAL DEVELOPMENT ASSOCIATION

SEC. \_\_\_\_\_. The International Development Association Act (22 U.S.C. 284-284s) is amended by adding at the end the following:

“SEC. 22. THIRTEENTH REPLENISHMENT.

“(a) CONTRIBUTION AUTHORITY.—

“(1) IN GENERAL.—The United States Governor of the Association may contribute on behalf of the United States an amount equal to the amount appropriated under subsection (b), pursuant to the resolution of the Association entitled ‘Additions to IDA Resources: Thirteenth Replenishment’.

“(2) SUBJECT TO APPROPRIATIONS.—Any commitment to make the contribution authorized by paragraph (1) shall be effective only to such extent or in such amounts as are provided in advance in appropriations Acts.

“(b) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.—For the contribution authorized by subsection (a), there are authorized to be appropriated such sums as may be necessary for payment by the Secretary of the Treasury, without fiscal year limitation.”.

ADMINISTRATIVE PROVISIONS RELATED TO MULTILATERAL DEVELOPMENT INSTITUTIONS

SEC. \_\_\_\_\_. Title XV of the International Financial Institutions Act (22 U.S.C. 2620-2620-2) is amended by adding at the end the following:

“SEC. 1504. ADMINISTRATIVE PROVISIONS.

“(a) ACHIEVEMENT OF CERTAIN POLICY GOALS.—The Secretary of Treasury should instruct the United States Executive Director at each multilateral development institution to inform the institution of the following United States policy goals, and to work toward achieving the goals at the institution before June 30, 2005:

“(1) No later than 60 calendar days after the Board of Directors of the institution ap-

proves the minutes of a Board meeting, the institution shall post on its website an electronic version of the minutes, with material deemed too sensitive for public distribution redacted.

“(2) The institution shall keep a written transcript or electronic recording of each meeting of its Board of Directors and preserve the transcript or recording for at least 10 years after the meeting.

“(3) All public sector loan documents, country assistance strategies, sector strategies, and sector policies prepared by the institution and presented for endorsement or approval by its Board of Directors, with materials deemed too sensitive for public distribution redacted or withheld, shall be made available to the public 15 calendar days before consideration by the Board or, if not then available, when the documents are distributed to the Board.

“(4) The institution shall post on its website an annual report containing statistical summaries and case studies of the fraud and corruption cases pursued by its investigations unit.

“(5) The institution shall require that any health, education, or poverty-focused loan, credit, grant, document, policy, or strategy prepared by the institution includes specific outcome and output indicators to measure results, and that the indicators and results be published periodically during the execution, and at the completion, of the project or program.

“(b) PUBLICATION OF WRITTEN STATEMENTS REGARDING INSPECTION MECHANISM CASES.—No later than 60 calendar days after a meeting of the Board of Directors of a multilateral development institution, the Secretary of the Treasury should provide for publication on the website of the Department of the Treasury of any written statement presented at the meeting by the United States Executive Director at the institution concerning—

“(1) a project on which a claim has been made to the inspection mechanism of the institution; or

“(2) a pending inspection mechanism case.

“(c) CONGRESSIONAL BRIEFINGS.—At the request of the Committee on Financial Services of the House of Representatives or the Committee on Foreign Relations of the Senate, the Secretary of the Treasury or the designee of the Secretary should brief the requesting committee on the steps that have been taken by the United States Executive Director at any multilateral development institution, and by any such institution, to implement the measures described in this section.

“(d) PUBLICATION OF ‘NO’ VOTES AND ABSTENTIONS BY THE UNITED STATES.—Each month, the Secretary of the Treasury should provide for posting on the website of the Department of the Treasury of a record of all ‘no’ votes and abstentions made by the United States Executive Director at any multilateral development institution on any matter before the Board of Directors of the institution.

“(e) MULTILATERAL DEVELOPMENT INSTITUTION DEFINED.—In this section, the term ‘multilateral development institution’ shall have the meaning given in section 1701(c)(3).”.

PARTICIPATION IN THE SEVENTH REPLENISHMENT OF THE RESOURCES OF THE ASIAN DEVELOPMENT FUND

SEC. \_\_\_\_\_. The Asian Development Bank Act (22 U.S.C. 285-285aa) is amended by adding at the end the following:

“SEC. 31. ADDITIONAL CONTRIBUTION TO SPECIAL FUNDS.

“(a) CONTRIBUTION AUTHORITY.—

“(1) IN GENERAL.—The United States Governor of the Bank may contribute on behalf

of the United States an amount equal to the amount appropriated under subsection (b), pursuant to the resolution of the Bank entitled ‘Seventh Replenishment of the Asian Development Fund’.

“(2) SUBJECT TO APPROPRIATIONS.—Any commitment to make the contribution authorized by paragraph (1) shall be effective only to such extent or in such amounts as are provided in advance in appropriations Acts.

“(b) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.—For the contribution authorized by subsection (a), there are authorized to be appropriated such sums as may be necessary for payment by the Secretary of the Treasury, without fiscal year limitation.”.

PARTICIPATION IN THE NINTH REPLENISHMENT OF THE RESOURCES OF THE AFRICAN DEVELOPMENT FUND

SEC. \_\_\_\_\_. The African Development Fund Act (22 U.S.C. 290g-290g-15) is amended by adding at the end the following:

“SEC. 217. NINTH REPLENISHMENT.

“(a) CONTRIBUTION AUTHORITY.—

“(1) IN GENERAL.—The United States Governor of the Fund may contribute on behalf of the United States an amount equal to the amount appropriated under subsection (b), pursuant to the resolution of the Fund entitled ‘The Ninth General Replenishment of Resources of the African Development Fund’.

“(2) SUBJECT TO APPROPRIATIONS.—Any commitment to make the contribution authorized by paragraph (1) shall be effective only to such extent or in such amounts as are provided in advance in appropriations Acts.

“(b) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.—For the contribution authorized by subsection (a), there are authorized to be appropriated such sums as may be necessary for payment by the Secretary of the Treasury, without fiscal year limitation.”.

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

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

There was no objection.

Mrs. BIGGERT. Mr. Chairman, my amendment would allow the continued U.S. participation in and contributions to the World Bank's International Development Association, the Asian Development Fund and the African Development Fund, three key institutions for which funding has been adequately provided in the underlying bill.

Requested by the Treasury Department, my amendment would enable the U.S. to deliver on its international commitments and continue the flow of crucial resources to the world's poorest countries. It enjoys the bipartisan support of the gentleman from Ohio (Chairman OXLEY) and the gentleman from Massachusetts (Mr. FRANK), ranking member, of the Committee on Financial Services. And I thank the gentleman from Arizona (Chairman KOLBE) and the gentlewoman from New York (Mrs. LOWEY), ranking member, of this subcommittee for working with us on this amendment.

I urge my colleagues to support the amendment.

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

As noted, this is accepted. This is proposed by both the chairman of the

authorizing committee and the ranking member, and I accept it and I strongly support it.

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

I want to express my appreciation to the gentleman from Arizona and the gentlewoman from Illinois. I just want to reaffirm what has been said. This comes from the authorizing committee. It is a very important piece of legislation that very appropriately accompanies this bill, and it allows us to meet our commitments to multilateral institutions in a very progressive way, and I thank all concerned for the fact that I hope we are about to adopt it.

□ 2315

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Illinois (Mrs. BIGGERT).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HASTINGS OF FLORIDA

Mr. HASTINGS of Florida. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HASTINGS of Florida:

At the end of the bill (before the short title), insert the following:

EFFORTS BY NORTH KOREA RELATING TO THE PROLIFERATION OF NUCLEAR WEAPONS

SEC. \_\_\_\_ . It is the sense of Congress that the President should utilize all diplomatic options to ensure that the Government of the Democratic People's Republic of Korea does not engage in efforts relating to the proliferation of nuclear weapons.

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

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

There was no objection.

Mr. HASTINGS of Florida. Mr. Chairman, I rise today to discuss a very serious issue, but I may not need to continue my discussion if I could get the attention of the chairman. I might place my remarks in the RECORD if the Chair would speak with reference to the matter.

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

Mr. HASTINGS of Florida. I yield to the gentleman from Arizona.

Mr. KOLBE. Mr. Chairman, although a point of order could be made against this amendment, I think it certainly does no harm to restate what is clearly the position of the United States, so I am prepared to accept this amendment.

Mr. HASTINGS of Florida. Mr. Chairman, I rise today to discuss a very serious issue—the failure of North Korea to comply with a number of non-proliferation treaties and agreements, and the failure of the President to effectively resolve the escalating tension between the United States and North Korea. So far, little has been achieved and Pyongyang continues its race to manufacture nuclear weapons.

The existence of a North Korean nuclear weapons program poses a real and imminent threat to the populations of South Korea, Japan, and North Korea, and to the U.S. Armed Forces stationed in that region. But most importantly, it poses a threat to global security interests.

Given the escalating tensions with North Korea, I have introduced an amendment to the Foreign Operations Bill that urges the President to work towards a peaceful resolution to this impasse before the situation escalates any further.

My amendment simply says, "It is the sense of Congress that the President of the United States is called upon to utilize all diplomatic options to redirect North Korean efforts away from nuclear weapons proliferation."

I know that most Members of Congress deeply believe that engagement, be it bilateral or multilateral, with North Korea is needed to defuse the tension between the two countries, and prevent the proliferation of nuclear weapons. It will take a concerted effort to transform the conflict, engaging many different parts of the system simultaneously, over a period of time.

A diplomatic track could pave the way to North Korea ending its nuclear program. Engaging rhetoric, alliance building, diplomatic efforts aimed at halting North Korea's nuclear program are all options to successfully redirect North Korean efforts away from nuclear weapons proliferation.

My amendment calls on the President to use coalitions, arms-control accords, and weapons inspections because these are methods of conflict resolution he has often ignored. If we don't incorporate all available non-proliferation tools to redirect North Korean efforts away from nuclear weapons, then military intervention will again be the only national security policy at our disposal.

Unless we do develop a plan, this standoff will continue until tensions soar even further. Now is the time for resolute diplomacy that sends a clear message against nuclear proliferation; now is the time for the President to actively engage in renewed dialogue.

I urge my colleagues to support this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. HASTINGS).

The amendment was agreed to.

AMENDMENT NO. 10 OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Ms. JACKSON-LEE of Texas:

At the end of the bill (before the short title), insert the following:

PARTICIPATION OF WOMEN IN INTERNATIONAL PEACE EFFORTS

SEC. \_\_\_\_ . None of the funds made available in this Act may be used to prohibit projects in which agencies promote the participation of women in international peace efforts, specifically peace efforts in Africa and the Middle East.

Mr. KOLBE. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from Arizona reserves a point of order against the amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I say thank you to the ranking member and the chairman of this committee and will try to give a very brief scenario on why I am recommending and presenting this amendment. I would hope that the chairman would see the necessity or the value of a waiver of the point of order because I think that there is value in this amendment, and that is the utilization of more women in the peace negotiating process, both in the Middle East and in Africa.

It is clear that there are many incidents of conflict around the world. In a recent visit that I made to Oslo, Norway, participating in the Global Peace Initiative of Women, Religious and Spiritual Leaders, there was a gathering of women from Palestine and from Israel. At the beginning of the meeting, there seemed to be no opportunity for a meeting of the minds; and yet as we proceeded, we found that because women understood the loss of life, disruptiveness to families and the overall horror of war, that more often than not they were able to come together around the preservation of family and the raising of children.

Women leaders are frequently, however, left out of international peace efforts. In fact, I am told there is a United Nations Peace Commission that has not yet had women members appointed to it.

My amendment will simply prohibit any funding being utilized to prohibit any agencies that may be interested in encouraging the international participation of women in international peace efforts. This will ensure that the input and wisdom of women are utilized in our efforts to achieve a world peace.

As we watch the horror of many conflicts around the world, as we watch the crisis in Liberia, knowing the value of the work and the understanding of African women on issues dealing with Rwanda, the Congo and other places, I would hope that as we proceed in foreign policy that we will utilize our good advocacies to encourage the United Nations to appoint members to the United Nations Peace Commission for Women and that we too would encourage the utilization of women in the international peace process.

Mr. Chairman, I propose this amendment to the Foreign Operations Appropriations Bill for Fiscal Year 2004, and I ask the Rules Committee to make my amendment in order.

This amendment says, "None of the funds made available in this Act may be used to prohibit projects in which agencies promote the participation of women in international peace efforts, specifically peace efforts in Africa, and the Middle East."

I recently visited Oslo, Norway and participated in The Global Peace Initiative of Women Religious & Spiritual Leaders. This uplifting initiative gathered leading women from across the globe to discuss the peace efforts across the globe and in particular in the Middle East. At this initiative Israeli and Palestinian women sat at the same table and discussed the mutual horror of seeing their children killed in

armed conflicts and senseless acts of violence. There were often differences between these women, but invariably all women wanted the violence to end and for peace and harmony to stand in its place.

Women leaders are frequently left out of international peace efforts. My amendment will simply prohibit funding for any project that seeks to include women from international peace efforts. This will ensure that the input and the wisdom of women are utilized in our efforts to achieve world peace.

Mr. Chairman, as we all watch in horror as American soldiers are killed in Iraq and civil unrest erupts in Liberia, it is clear that we need new methods to promote world peace. It is important to include women in those efforts. I urge my colleagues to support this amendment.

## POINT OF ORDER

Mr. KOLBE. Mr. Chairman, I make a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. KOLBE. Mr. Chairman, I make a point of order under clause 2 of rule XXI against the amendment offered by the gentlewoman from Texas.

Mr. Chairman, this amendment is creative, but the amendment offered by the gentlewoman invokes a textual "double-negative." As a result, it constitutes an affirmative direction or statement of affirmative intent in violation of clause 2 of rule XXI.

I ask for a ruling of the Chair.

The CHAIRMAN. Does any Member wish to be heard on the point of order?

Ms. JACKSON-LEE of Texas. Mr. Chairman, the chairman makes a very valid point on the double negative, and we worked very hard to try to structure this as a limitation.

Mr. Chairman, let me just simply say this: I would hope that the distinguished chairman would waive the point of order. But, in any event, I would hope the distinguished chairman might offer in some way a comment on the value of women being utilized in the peace process. We did work very hard to try to structure this without a point of order, but clearly wanted to ensure that no funds in the appropriations bill would be used to prevent any of our agencies who would be so encouraged to use women in the peace process.

The CHAIRMAN. The Chair is prepared to rule on the point of order, unless the gentleman from Arizona wishes to be heard further on the point of order.

Mr. KOLBE. Mr. Chairman, just to simply respond to the gentlewoman. I would simply say, obviously, nothing in our bill does prohibit this. I would say this is out of the scope of our bill, but the gentlewoman is correct that we do not attempt to do that. But I do insist on the point of order.

The CHAIRMAN. The Chair is prepared to rule on the point of order.

The gentleman from Arizona makes a point of order that the amendment offered by the gentlewoman from Texas changes existing law in violation of clause 2 of rule XXI.

The amendment is in the form of a limitation and proposes to restrict funding to prohibit or limit certain actions.

As stated in section 1044 of the House Rules and Manual, the burden is on the proponent of an amendment to prove that language offered as a limitation does not change existing law.

The Chair finds that limitation amendments that involve textual "double-negatives" are suspect and may result in an affirmative prescription or affirmative statement of intent that constitutes legislation in violation of clause 2 of rule XXI. This is consistent with the Chair's ruling of September 23, 1993, and the Parliamentarian's note found in Deschler's Precedents, volume 8, chapter 26, section 51.15.

In the opinion of the Chair, in order to carry the burden of proof on an amendment proposing a double-negative, a Member must be able to show that the object of the double-negative is specifically contemplated by existing law.

On the basis of argument heard by the Chair, the gentlewoman from Texas has failed to carry her burden to show that the amendment does not change existing law.

The point of order is sustained.

Are there further amendments?

## AMENDMENT NO. 12 OFFERED BY MR. RYUN OF KANSAS

Mr. RYUN of Kansas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 12 offered by Mr. RYUN of Kansas:

Page 122, after line 2, insert the following:  
LIMITATION ON ASSISTANCE FOR COUNTRIES THAT MATERIALLY HINDERED THE UNITED STATES-LED COALITION'S EFFORTS TO LIBERATE THE IRAQI PEOPLE

SEC. \_\_\_\_\_. (a) None of the funds made available in this Act under title II or III may be used to provide assistance for any country which the Secretary of State determines materially hindered the United States-led coalition's efforts to liberate the Iraqi people.

(b) The President may waive the application of subsection (a) with respect to a country if the President determines that national security or humanitarian reasons justify such waiver. The President shall notify in writing the Speaker of the House of Representatives and the President pro tempore of the Senate with respect to the exercise of each waiver under the preceding sentence.

Mr. KOLBE. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman reserves a point of order against the amendment.

Mr. RYUN of Kansas. Mr. Chairman, I understand this amendment will not be considered in order under the rules of the House. Therefore, I intend to withdraw my amendment at the end of my remarks.

I want to thank the chairman of the subcommittee for allowing me to speak on this important issue. Additionally, I want to thank the gentleman from Ari-

zona (Chairman KOLBE) for his fine leadership on international development issues. His dedication and compassion on issues of poverty, famine, and the HIV/AIDS epidemic, among other things, is greatly appreciated throughout this House and the developing world.

This amendment is quite simple. It would deny bilateral economic assistance and military assistance to any country which the Secretary of State deemed to have materially hindered the U.S.-led efforts in Iraq.

The purpose of this amendment is to encourage the realignment of America's overarching foreign policy with our international development agenda. It deeply concerns me that American taxpayers have spent billions of dollars on foreign aid to various countries, but during one of our Nation's difficult moments, several of these same countries actively hindered our efforts.

Obviously, foreign aid recipients do not exchange their sovereignty for food or medical aid. At the same time, I cannot accept that these countries would actively strive to hinder the United States from taking action it deemed necessary and justified in defense of this Nation's interests. And, therefore, I cannot in good conscience support providing aid to such countries.

Like the rest of the budget, our international developing budget is limited. We must make wise and prudent choices, choices that work to promote our foreign policy agenda and not hinder it.

Therefore, although this amendment cannot be part of the bill, I hope Secretary Powell and Administrator Natsios will use the utmost of discretion and institute the policy objectives found in this amendment. The American people should not be forced to support those countries that will not support us.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

The CHAIRMAN. Are there further amendments?

## AMENDMENT NO. 8 OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Ms. JACKSON-LEE of Texas:

At the end of the bill (before the short title), insert the following:

## INDEPENDENT COMMISSION ON WEAPONS OF MASS DESTRUCTION IN IRAQ

SEC. \_\_\_\_\_. None of the funds made available in this Act may be used to prohibit the establishment of an independent commission to study the basis of the determination of the existence of weapons of mass destruction in Iraq, including any written or oral statements as to the recent purchase by Iraq of uranium in Africa.

Mr. KOLBE. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from Arizona reserves a point of order against the amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I do wish to pose a question before I address my amendment, if I could, to the ranking member of the committee.

Previously, I had mentioned the importance of involving women in the international peace process. I would like to yield to the gentlewoman from New York on the question of women in the international peace process. I had mentioned that the United Nations had a peace commission established for the purpose of appointing women to that commission. It has not been implemented, to my knowledge. But my general question is the value of encouraging and utilizing women in international peace negotiations around the world.

Mrs. LOWEY. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentlewoman from New York.

Mrs. LOWEY. Mr. Chairman, I would like to respond to the gentlewoman, because I think this is an absolutely critical point to be made. In countries where women are more involved, where there are more women in government, there clearly is a greater effort towards peace, towards collaboration to avoiding the horrors of war. So I want to applaud the gentlewoman for her initiative and for her focus on women and peace, and I do hope that we can work together to ensure that these kinds of efforts around the world are supported. I thank the gentlewoman.

Ms. JACKSON-LEE of Texas. Mr. Chairman, reclaiming my time, I am gratified by the response I have gotten from the ranking member of the Subcommittee on Foreign Operations, Export Financing and Related Programs of the Committee on Appropriations; and I am very pleased that we might be able to work on that.

The amendment that I wish to discuss very briefly is in the backdrop or on the eve of the announcement of the 9/11 commission's report dealing with the horrific tragedy of 9/11.

It seems somewhat questioning that this body would not want to support the creation of a commission to deal with the weapons of mass destruction, simply finding out the truth. I do realize that, as we speak, there is an ongoing investigation by the intelligence committees. I believe both in the House and the other body; but it is true that soldiers now are still dying, even after the war was declared over in Iraq. It is also true that the American people deserve the truth, and that the question dealing with the purchase of uranium from Africa in the State of the Union address by the President is not the only question on the issue of intelligence gathering.

All of the world's eyes were on Secretary of State Powell's presentation

before the United Nations utilized to encourage the United Nations Security Council to vote for, if you will, a preemptive attack against Iraq on the basis of the existence of weapons of mass destruction. I believe this is not a question of "gotcha," it is not a question of one-upmanship, it is not a question of partisanship. It is simply a question of telling the truth to the American people.

There were commissions and investigatory bodies that investigated the assassination of President John F. Kennedy, the assassination of Martin Luther King, the incident into the China satellite question, Watergate, Whitewater, if you will. All of these warranted investigations by this government.

It seems to me less than disingenuous to be able to deny the right of the American people to find out the entire truth about the decision to use a preemptive strike against Iraq on the basis that the United States of America was about to be under imminent attack.

This debate on a commission has nothing to do with the wrongness of Saddam Hussein and the collective opinion that Saddam Hussein was a despotic and horrific leader.

□ 2330

This is nothing to do with the idea of whether or not our brave young men and women are willing to put themselves on the front line to defend this Nation. All it has to do with is for this body to recognize the importance of an independent commission.

I would say that this commission should not be implemented until the completion of the work of the intelligence committees of both bodies and then, ultimately, when a final report should be rendered. But I do believe that it is extremely important that we have a submission on the weapons of mass destruction and their existence and the paper trail, if you will, and who said what, and what oversight there was with respect to the whole question of the attack on Iraq. There was no declaration of war under the United States Constitution article I, section 8; and because of that, I believe the American people are owed a thorough and full investigation on this question.

Mr. Chairman, I propose this amendment to the Foreign Operations Appropriations bill for fiscal year 2004, and I urge my colleagues in the House of Representatives to support this amendment.

This amendment says, "None of the funds made available in this Act may be used to prohibit the establishment of an independent commission to study the basis of the determination of the existence of weapons of mass destruction in Iraq, including any written or oral statements as to the recent purchase by Iraq of uranium in Africa."

This is a simple limiting amendment that will ensure that no funds are utilized to prevent the Members of this Congress and the American people from learning the truth about

weapons of mass destruction in Iraq. This amendment prevents the use of funds to prohibit or impede congressional efforts to learn the truth about weapons of mass destruction in Iraq, and the accuracy of United States intelligence sources on the issue of weapons of mass destruction in Iraq.

The events that give rise to this amendment have been well documented. On January 28, 2003, President Bush delivered his State of the Union Address. In that address President Bush said that Saddam Hussein attempted to buy uranium in Africa. The intelligence report that President Bush relied on to make that allegation was proven to be fraudulent. There were also credible indications that the Bush administration had reason to know the intelligence report was fraudulent before the State of the Union Address was delivered.

All of these allegations raise questions, and show the need for an investigation into U.S. intelligence methods and the use of that intelligence report by the Bush administration. This amendment ensures that no funds will be spent to create unnecessary obstacles that prevent such an investigation from taking place. Specifically, this amendment ensures that no funds will be used to prevent the establishment of an independent commission to study the allegations of weapons of mass destruction in Iraq, the credibility of U.S. intelligence reports, and the Bush administration's use of those intelligence reports. These issues affect every American citizen and it is important to every Member of Congress's constituents that the truth be known.

Mr. Chairman, this amendment is important for learning the truth about the justifications for which the United States went to war. As of yesterday at 5 p.m., over 150 brave young American men and women have lost their lives fighting in Operation Iraqi Freedom. These courageous soldiers made the ultimate sacrifice to bring peace to the people of Iraq and the world. It is important that we learn before another soldier loses his or her life if our justifications for war were accurate. My amendment will prevent funds from being used to prevent a full inquiry. I urge all of my colleagues to support this important amendment.

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

Mr. Chairman, I will not take 5 minutes. I just want to say before I make my point of order that, once again, I appreciate the amendment of the gentlewoman. The one she was talking about, I had it in front of me before. Our bill has nothing in any way, shape, or form, or touches, impinges, deals with in any way, shape, or form on an independent commission to study the existence of weapons of mass destruction in Iraq. Ours is a foreign assistance bill; it has nothing to do with a commission here in the United States. So it would be absolutely impossible that we would have anything in here that would prohibit this.

POINT OF ORDER

Mr. KOLBE. Mr. Chairman, I make a point of order under clause 2 of rule XXI against the amendment which the gentlewoman from Texas has offered.

The amendment offered, once again, invokes a textual "double-negative."

As a result, it constitutes an affirmative direction or statement of affirmative intent which would be in violation of clause 2 of rule XXI, and I ask for a ruling of the Chair.

The CHAIRMAN. Does the gentleman from Texas wish to be heard on the point of order?

Ms. JACKSON-LEE of Texas. Mr. Chairman, yes, I would. I had hoped the esteemed gentleman from Arizona (Chairman KOLBE) would waive the point of order in his discussion. However, let me say that the clarification on the record was very helpful, that nothing in this bill would prohibit the establishment of a commission investigating the weapons of mass destruction. I would argue on the basis only of hoping or wishing or asking that the chairman waive the point of order so that this amendment could go forward to be sure that there is no such language to prohibit the establishment of a weapons of mass destruction investigatory commission.

But I will only say that if that is not the case, then I will yield back to the distinguished Chairman, saying that the clarification has been made.

The CHAIRMAN. The Chair is prepared to rule.

For the reasons stated by the Chair earlier today, the amendment offered by the gentleman from Texas employs a double-negative that effectively proposes to change law in violation of clause 2 of rule XXI. The point of order is, therefore, sustained; and the amendment is not in order.

AMENDMENT OFFERED BY MR. KOLBE

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

The Clerk read as follows:

Amendment offered by Mr. KOLBE:

At the end of the bill (before the short title) insert the following:

SEC. . None of the funds appropriated in this Act to support the programs of the United States Agency for International Development in Iraq and none of the funds appropriated in Public Law 108-11 under the heading "Iraq Relief and Reconstruction Fund" may be made available to enter into any contract or follow-on contract that uses other than full and open competitive contracting procedures as defined in 41 U.S.C. 403(6).

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

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

There was no objection.

Mr. KOLBE. Mr. Chairman, this is an amendment which deals with the operating procedures for USAID and simply clarifies some of those procedures. I believe it is acceptable to the minority for this amendment to be agreed to, and I yield to the gentleman from New York.

Mrs. LOWEY. Mr. Chairman, I accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. KOLBE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SANDERS

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

The Clerk read as follows:

Amendment offered by Mr. SANDERS:

At the end of the bill (before the short title), insert the following:

SEC. . None of the funds made available in this Act may be used to make an application under section 501 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861) for an order requiring the production of library circulation records, library patron lists, library Internet records, bookseller sales records, or bookseller customer lists.

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. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. SANDERS. Mr. Chairman, I rise tonight to offer an amendment on a very important issue, namely, the government's authority under section 215 of the USA PATRIOT Act to access library circulation records, library patron lists, library Internet records, book seller sales records, or book seller customer lists. Specifically, this amendment bars the State Department from providing support for an application under section 215 to get library and book seller records.

Mr. Chairman, this is a version of the amendment that I attempted to offer yesterday and am offering it tonight.

Mr. Chairman, in the United States today, there is a great concern about terrorism. All of us are concerned about terrorism. Our country suffered a dastardly and horribly destructive attack on September 11, 2001; and every Member of this body is determined to do all that we can to fight terrorism and to apprehend those people who are at war against our country.

But many of us believe that that fight against terrorism must be waged in a way that does not undermine the basic constitutional rights and protections that have made us a great and free country. The very good news that I bring to my colleagues tonight is that all across the United States, more and more citizens, including thousands of librarians and book sellers, are speaking out against the extremely anti-democratic elements of the USA PATRIOT Act legislation that was hastily passed in the wake of the September 11 attack. And just yesterday, in an amendment offered by the gentleman from Idaho (Mr. OTTER), this House overwhelmingly said that we will deal with that issue piece by piece. I am proud of the effort that the gentleman from Idaho (Mr. OTTER) and many of us made to say, yes, we will fight terrorism; but we will do it in a way that protects our Constitution.

Mr. Chairman, specifically, under section 215 of the USA PATRIOT Act, the government can get a search warrant for any tangible thing. They can go into a library and say, we are doing

an investigation on international terrorism. And having said that, a judge in a secret FISA court is obliged to give them a warrant to go into a library, to go into the bookstore, so that they can secure the reading habits, the books taken out, the books being purchased by any American. All of us want to support law enforcement going after terrorism, but we do not want to give the FBI the opportunity to go into a fishing expedition.

Mr. Chairman, all across this country, people are saying "no" to this aspect, section 215 of the USA PATRIOT Act. The underlying legislation that I have introduced has 129 bipartisan cosponsors, some of the most conservative Members of the House, some of the most progressive Members of the House: Democrats, Republicans, Independent. This concept has been supported by 20 newspapers, major newspapers: the Los Angeles Times, the Detroit Free Press, the Christian Science Monitor, the Honolulu Advertiser, and on and on. This legislation, this concept has the support of librarians all across the country, including the American Library Association. It has the support of book sellers all across this country, including the American Book Sellers Association.

The bottom line here, Mr. Chairman, is that 129 Members of this House have said, yes, we will fight terrorism; but, no, we will not undermine the basic constitutional rights that make us a free country. Over 125 communities, large cities, small towns, have come on board this issue. Libraries in California and elsewhere have been forced to put up signs saying: library patron, we cannot protect your privacy.

So, Mr. Chairman, I believe that I speak for the majority of the Members of this House who say, yes, let us fight terrorism; but let us do it in a way that keeps our country free, that does not have the United States Government and the FBI looking over our shoulders as we take our books from the library or purchase books in a bookstore.

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

Mr. Chairman, I am prepared to accept this amendment. I have been scratching my head trying to look at this thing. I noticed as it was purporting or given to the desk there, it refers to the bill that we had yesterday. So this is another bill that it was dealing with.

Our bill has nothing to do with the Foreign Intelligence Surveillance Act, whatever; so I do not know what the application of this is at all to our bill. But, Mr. Chairman, I am prepared to accept this, and we will consider to try and digest it and understand it and deal with it appropriately in the conference.

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

Mr. KOLBE. I yield to the gentleman from Vermont.

Mr. SANDERS. Mr. Chairman, I thank the gentleman. I do understand,

the gentleman is quite right. This is not the cleanest way to address the issue. I would have preferred to do it yesterday; but as the gentleman knows, because of an agreement that was reached, a number of Republicans and those of us on this side were unable to offer the amendments that we wanted to offer.

I think there may be a few other speakers who would like to speak to this issue, and I thank the chairman very much for his support.

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

Mr. Chairman, I will not take the 5 minutes, but I do want to correct something that was just said by the gentleman from Vermont. The reason that amendment was not in order yesterday was not because there was some agreement between the two sides that prevented the amendment from being offered. The reason the amendment was not in order yesterday was that the amendment was drafted wrongly. That is why it was not in order. And I think it is important to understand that distinction if we are going to work with each other around here.

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

Mr. OBEY. I yield to the gentleman from Vermont.

Mr. SANDERS. Mr. Chairman, if I understand it, my friend, the gentleman from Arizona (Mr. KOLBE) has agreed to accept this amendment. I thank the gentleman very much for doing that and I appreciate it.

Mr. OBEY. Mr. Chairman, reclaiming my time, I do not have any objection to this amendment being accepted, but I do want it understood that yesterday was not because of some arrangement between the two political parties that this amendment was not in order. It was simply drafted wrongly, and that is not the responsibility of either the Republicans or the Democrats in this House.

Mr. PAUL. Mr. Chairman, I rise in support of the Sanders amendment. This amendment eliminates one of the serious threats to individual liberty contained in the misnamed "Patriot Act"—the section allowing Federal officials to conduct broad searches of bookstores and libraries without demonstrating probable cause. This law erodes the First Amendment rights of those who patronize libraries and bookstores. It even forbids librarians and bookstore owners from telling their patrons that their records have been searched. Librarians and booksellers across the country have expressed vehement opposition to this measure, as have defenders of individual liberty across the political spectrum.

This amendment could degrade informed political debate and discussion among the American people. Knowing that the Federal Government could snoop into their reading material choices could cause people to refrain from investigating views on political, social, or historical topics considered "out of the mainstream." People may even be reluctant to seek out material critical of the government's policies. Considering the history of administrations of both parties using the IRS and FBI to

harass political opponents, it is clear that Americans should be concerned about the Federal Government's new powers.

One does not need to revive the phantoms of Richard Nixon and J. Edgar Hoover to justify concerns over these new powers. Americans are right now being investigated for the "crime" of reading material that questions government policies. For example, I ask my colleagues to consider the case of Mark Schultz of Atlanta. As detailed in the independent newspaper *Creative Loafing*, Mr. Schultz was questioned by two agents of the Federal Bureau of Investigation (FBI) for reading "suspicious material." The "suspicious material" in question was an article critical of the major media's coverage of the Iraqi war; apparently critics of Rupert Murdoch are now considered potential terrorists!

This provision not only threatens the liberties of Americans, its effectiveness as a terrorism fighting measure is highly dubious, to say the least. After all, how likely is it that a terrorist will go to the local public library and check out "how to" books on hijacking and bioterrorism? Instead of investigating Americans whose reading list do not meet the approval of the FBI, the Federal Government should effectively fight terrorism by reforming our Nation's immigration policies to restrict immigration from terrorist sponsoring countries. I have introduced legislation, the Terrorist Immigration Elimination Act (H.R. 488), to do just that.

In conclusion, Mr. Chairman, I urge my colleagues to protect the First Amendment rights of innocent Americans to use public libraries and bookstores without fear of government harassment by voting for the Sanders amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont (Mr. SANDERS).

The amendment was agreed to.

AMENDMENT NO. 1 OFFERED BY MR. HEFLEY

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. HEFLEY:

At the end of the bill (before the short title), insert the following:

SEC. \_\_\_\_ Total appropriations made in this Act (other than appropriations required to be made by a provision of law) are hereby reduced by \$171,000,000.

Mr. HEFLEY. Mr. Chairman, I rise again today to offer an amendment to cut the level of funding in this appropriations bill by 1 percent. The amount equals \$171 million.

This is the fourth time that I have offered such an amendment in recent times. I understand the appropriators have a difficult time narrowing down the requests from Members and the administration for money. However, we have to draw a line somewhere. And I feel strongly that the projected deficit for next year, \$475 billion, that the bills we are currently working on are simply too large.

We can do something about the deficit. We can do it right now. By voting for my amendment, Members are stat- ing for the record that the budget def-

icit is too large and that the American taxpayers should not be burdened in the future because we cannot control our spending today. It is important to offer amendments of this type, I think, and have votes for the record stating clearly who in this body believes in fiscal discipline.

I have no doubt that there are good programs. In fact, there are good programs, many good programs in this bill. In many respects, Mr. Chairman, these committees have done a good job on this bill. But some of these good programs will take a cut. While this is unfortunate, our budget should be no different from the taxpayers' budgets at home. When we have less money, we simply spend less money. It is really that simple.

What we are talking about, again, Mr. Chairman, is we are talking about saving one cent on the dollar. I urge support of the Hefley amendment.

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

Mr. Chairman, I rise in strong opposition to the amendment which would cut funding below the already inadequate allocation we have for this bill. Foreign assistance is a critical component of our national security strategy, and it would be a mistake to cut it further.

I would like to take a moment to mention just a few of the vital parts of this bill that will suffer if the gentleman's amendment is adopted.

The Middle East is at a critical juncture right now, and as we work towards peace and stability in that region, our support is absolutely essential to the process. I believe it would be a grave error to cut this funding.

We are all well aware of the devastation HIV/AIDS has caused, is causing, and will cause for years to come. Our only answer is to fight, and we cannot possibly do that with reduced funds.

The funding we are providing now is not enough, and the gentleman's amendment will cut it further.

□ 2345

I am especially proud of the funding this bill provides for basic education. Education is the basis of economic growth in developing societies. This amendment would curtail our ability to provide more of the world's poorest children with the opportunity for a better life. There are many other issues which I could raise, but I think the point is clear. Right now we need more resources in this bill, not less, and I would like to remind the gentleman that the President requested \$18.8 billion for foreign aid. This House provided \$17.1 billion, so we are already below the President's request.

So I strongly urge my colleagues to vote no on this amendments.

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

Mr. Chairman, I will be brief. I do rise in opposition to the gentleman's amendment and I appreciate very much his fiscal responsibility. He has been a



watchdog of fiscal prudence in this House and we need Members like that. But I really do believe that this appropriations bill is a fiscally responsible bill. Not only have we stayed with the allocation but we are at a level that is \$1.8 billion less than the President's request. That is 10 percent less than the President's requested in this area in this account. So we have made some choices in order to fund some, but not all of the President's priorities.

I would note that we have provided less in our bill than the President requested in 24 accounts. We have only provided more funds than the President requested in four accounts in the bill. We have had some significant discussion about those tonight like the HIV/AIDS account. But in 24 of the accounts we have under what the President actually requested.

I know that \$171 million seems like a lot of money to most folks in America. When we around here deal with the kind of dollars we deal with and some of the size of the appropriations bills we deal with, \$171 million may not seem like a lot, but it is when you come to the context of foreign assistance. In fact, it is more than the entire sum of assistance programs for all but a very small number of countries that are included in our bill.

Mr. Chairman, I would say while I appreciate what the gentleman is attempting to do I think it is the wrong approach and I would oppose the gentleman's amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I rise in favor of the Hefley Amendment to reduce IMET funding for Indonesia. Mr. HEFLEY has recounted the tragic story of brutal ambush last August, that resulted in the brutal murders of Edwin Burgon and Ricky Lynn Spier, two American school teachers in Indonesia. Eight other Americans were injured in this attack, including a six-year-old child.

The Indonesian Police, human rights NGOs, and independent journalists have all concluded that it is very likely Indonesian military personnel were involved in this brutal ambush. With this case still unresolved after almost a year, now is not the time to reward Indonesia with IMET funding. The perpetrators of these brutal crimes still have not been brought to justice.

We know that possible involvement in killing of Americans is not the only instance of involvement by the TNI, Indonesia's military, in the killing of innocent civilians. This is a corrupt and troubled military with a very poor human rights record that we should not legitimize through IMET funding.

On May 19, the Indonesian government launched its largest military offensive since the 1975 invasion of East Timor with a declaration of martial law in Aceh. The ongoing brutal TNI military operation in Aceh, has been marked by reports of extrajudicial executions, torture, rape, and mass displacement of civilians. Thousands of civilians have been forced by the military into camps, where they face threats, inadequate rations and poor health care. Civilians reportedly "disappear" in the camps on a nightly basis.

International humanitarian and human rights organizations, as well as foreign journalists,

have been denied access to Aceh. U.S. journalist William Nessen has been detained and faces a possible five-year sentence for "visa violations." When Nessen originally tried to surrender to military forces, they reportedly shot at him. Human rights monitors and defenders have also been targeted by TNI-sponsored militia thugs.

The people of Papua have also suffered greatly at the hands of the Indonesian military. Sweeps by the TNI and their feared militias have forced thousands of villagers in Papua to flee to the forests. The TNI has reportedly prevented Christian pastors from bringing food and medicine to these villagers.

The attacks in Papua and Aceh are very much reminiscent of the brutal violence carried out against the people of East Timor in 1999. The TNI has thus far successfully evaded accountability for crimes against humanity committed in East Timor. The Indonesian Ad Hoc Human Rights Court for East Timor has been characterized by poorly drawn indictments, inadequate witness protection, an intimidating courtroom atmosphere and distortions of events that took place in 1999. The alleged masterminds of the 1999 scorched earth campaign have not been prosecuted by Indonesia. As of now, the court has acquitted 12 and convicted five, delivering light sentences. Four of the five sentences are actually less than the legal minimum under Indonesian law and those convicted remain free pending appeal.

We know that human rights concerns are brushed aside by this regime. In a recent article, Indonesia's Defense Minister Matori was quoted as saying, "Of course, it's all right to think about human rights but the more important thing is to think about the territorial integrity of the Unitary State of the Republic of Indonesia."

It is also important to note that we know that less than a third of the TNI's budget is provided by the government in Jakarta. Additional income comes from legal and illegal ventures, including the extortion of U.S.-based corporations operating in Indonesia. TNI business activities also include illegal and environmentally devastating logging, drug production and trafficking, and prostitution.

The questions my colleagues must ask themselves are: do we really want to finance a military with such a horrendous human rights record? Do we really want to finance a military that may have been involved in the killing of Americans when such a serious case is still unresolved?

I strongly urge my colleagues to support the Hefley amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. HEFLEY).

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

Mr. HEFLEY. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado (Mr. HEFLEY) will be postponed.

AMENDMENT OFFERED BY MR. OTTER

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

The Clerk read as follows:

Amendment offered by Mr. OTTER:

At the end of the bill (before the short title), add the following:

LIMITATION ON ASSISTANCE FOR THE PALESTINIAN AUTHORITY OR THE PALESTINIAN PEOPLE

SEC. \_\_\_\_ (a) GENERAL PROHIBITION ON FUNDS.—None of the funds appropriated by this Act may be obligated and expended for assistance for the Palestinian Authority (or any other Palestinian entity) or for the Palestinian people during a quarter of fiscal year 2004 if the Secretary of State determines that the Palestinian Authority has provided support for acts of international terrorism during the prior 3-month period.

(b) LIMITATION ON RATE OF OBLIGATION AND EXPENDITURE.—Of the total amount of funds appropriated by this Act that are available for assistance for the Palestinian Authority (or any other Palestinian entity) or for the Palestinian people, not more than 25 percent of such amount may be obligated and expended during each quarter of fiscal year 2004.

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

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

There was no objection.

Mr. KOLBE. Mr. Chairman, I reserve a point of order.

Mr. OTTER. Mr. Chairman, I thank the gentleman for his indulgence.

Mr. Chairman, this Congress has a dual fiduciary area responsibility when we spend taxpayers' money. One is to get the absolute best deal that we can for our money and the other one is to spend the least amount that we can in order to get that deal. The United States is not obligated to offer foreign aid to any nation, especially those that are antagonistic to the principles of democracy and American values. And yet we continue to dole out indiscriminately, as if it were required, to those who use it against us, other nations, and our allies, and who teach their children and their citizens to hate Americans and her allies.

Foreign aid is a privileged gift and it should be based upon demonstrated willingness to support U.S. ideas and aspirations for the regions to which that money goes. When we offer aid to a country we should be able to see a marked change in behavior. Our tax dollars are worse than wasted if benefiting nations from the generosity of the United States continue to work against our friends and with our enemies.

All of the efforts we put into promoting peace and cooperation is meaningless without requiring accountability from the recipients of our assistance. Infusing foreign aid with common sense and accountability requires an attitude shift on our part here in Congress. This amendment is the first step towards reforming that attitude.

President Bush has recommended giving foreign aid to the Palestinian Authority for the first time in almost a decade as part of his Roadmap to Peace. If this aid is to advance the realistic goals that the President has set forth in the Middle East, it must be subjected to high expectations and provide a powerful incentive to discourage

terrorism and encourage good faith participation in the peace process.

The amendment states simply that no more than 25 percent of the appropriated funds would be available to the Palestinians during any fiscal quarter. That means that the United States would retain authority to withhold those funds should the State Department determine that the Palestinians had participated in or supported acts of international terrorism during the previous 3 months. Everything goes well for 3 months, no acts of terrorism, they get one-fourth of the allocated funds. Such a common sense approach to accountability would provide a powerful incentive to the Palestinians to discourage violence. It would also enable the United States to put hard earned dollars of American taxpayers to work for peace in this generation and peace in this world.

I applaud the President's efforts to achieve lasting peace in the region. Discord and violence have plagued the world for almost a century now, resulting in countless deaths and endless disruption of lives. The President has addressed the issue realistically and in good faith, but our approach to foreign aid must change, and what better time to implement a responsibility-based attitude than now? It is a golden opportunity to assist in the peace process by making sure that our assistance has weight.

Mr. Chairman, I have engrossed in a letter these very ideas to the subcommittee chairman, had the opportunity to meet with the committee many times on this, and before the underlying legislation that we are now considering was ever drafted. I had hoped that those ideas of wrapping our foreign aid assistance around demands for behavioral change would have been included in the final draft of the legislation that we now have before us; however, that is not the case. So it is my hope that such a responsible concept as I have suggested will become part of the appropriate title of the legislation which we will be considering a year from now.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

AMENDMENT OFFERED BY MR. WEINER

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

The Clerk read as follows:

Amendment offered by Mr. WEINER:

At the end of the bill (before the short title), insert the following:

PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN COUNTRIES

SEC. \_\_\_\_ . None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance directly any assistance or reparations to Cuba, Libya, North Korea, Iran, Saudi Arabia, or Syria.

Mr. WEINER. Mr. Chairman, I believe this is the last of the amend-

ments. Let me conclude by offering my thanks to the chairman and ranking member of the subcommittee for some very fine work.

For those Members who heard the recitation of the amendment and heard that none of the funds shall be appropriated or otherwise made available for Cuba, Libya, North Korea, Iran, Saudi Arabia or Syria, you might say, how could there possibly be any controversy in that?

Frankly, the question is should Saudi Arabia be included in that list? And I think, frankly, like the previous two speakers, the argument is not why should money be struck, the argument should always be made why should we be providing funding?

You are going to hear from opponents of this amendment that, well, the Secretary of State and the Department of State feel sure, certain, that after years and years of Saudi Arabia exporting terrorism, after clear links to September 11, after connections with them exploiting Wahabism, after efforts continually stymied by the United States to get the Saudis to stop this behavior, we still should provide them some funding because maybe, just maybe they will get better later on.

We have this desire, and it is a fervent one, to find a player in the Middle East that will turn out to be a true ally. We have it in Israel and perhaps some at the State Department believe they have it in Saudi Arabia. But the record is simply different. The record shows that over 50 percent of the funding for Hamas comes from Saudi Arabia. The record shows that the Saudi Arabian government provides cash awards of over \$5,000 for terrorists in Israel.

The record shows that terrorists who recently massacred 38 civilians on a Tel Aviv highway were found to be armed with rifles bearing Saudi army markings and serial numbers.

We know, of course, in recent months, thanks to some of the fine work of our Intelligence Community that there are strong connections between the Saudi government and what happened on September 11. We all know that 15 of the 19 bombers came from Saudi Arabia. But we have now also learned that the wife of the Saudi ambassador was providing cash grants to two of the suicide bombers in the months leading up. We now know that a Saudi intelligence agent had been hosting 2 of the 9/11 hijackers. We also know as a matter of fact, absolute fact, for more than a month after September 11, the Saudi government refused to freeze Osama bin Laden's accounts where so many of his assets were kept.

Yet the Department of State sent a letter today saying that Saudi Arabia is one of the first countries to condemn the September 11 attacks.

We have to learn the lesson about Saudi Arabia. We cannot watch what they say. They do a brilliant job saying things to us, millions of dollars in lob-

byists each year. We will go home tonight and there will be ads on our TV here in Washington what a great country Saudi Arabia is, all while they fund terrorism. No one needs to be told that in our districts back home. It is something that we all understand.

The audacity of Mr. Burns, the Assistant Secretary of State, to say that my amendment might undermine Saudi Arabia's cooperation in dealing with Israeli-Palestinian peace. They are the foremost, number one funder of terrorist bombings in Israel.

I have one final point. Why are we giving money to one of the richest nations on Earth for anything? It is simply insane. So this is actually a very easy vote and I would encourage my colleague, the chairman, to accept this amendment. All it does is does what is intuitive to all of us. Let us judge nations by how they act.

If the Saudis do turn over a new leaf, if they stop saying the right thing when they come visit Crawford and then going and do fund-raisers for suicide bombers on television, then maybe we can come back later and decide whether we want to give some of our taxpayer dollars to the perhaps richest nation on God's Earth.

To do it today is simply wrong. We have to begin to learn the lessons of some of these nations in the Middle East. They are simply duplicitous. This is our opportunity, and I would point out to my colleagues, this is our opportunity to tell the Saudi Arabian government we expect a change in behavior.

□ 0000

This is our only opportunity to tell our colleagues at the State Department, stop looking for the unicorn, start looking at reality; and the reality is that the Government of Saudi Arabia, the Kingdom of Saudi Arabia that we all know oppresses its people, we all know that is among the exporters of the worst types of Muslim teaching that encourages the death of Christians and Jews, let us tell them with this small message that we are not going to have it anymore.

For those of my colleagues who think there are hundreds and billions and millions of dollars in the bill, it is \$105,000 in two programs. The two programs are to permit the Saudi government to purchase military training in the United States, something I am sure they can afford, and to provide IMET to Saudi Arabia to ensure continued high level of Saudi attendance at those military things.

I urge a "yes" vote.

Mr. KOLBE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, let us be very clear about this. The gentleman has said himself that it is not a great deal of money that is involved. This is not at all about the money. This is about a statement that the gentleman is proposing making, and that statement is that we would add our ally, Saudi Arabia, to a list of outlaw nations: North

Korea, Libya, Iran, Syria, and Cuba. Those are the nations that are now on the terrorist list. That would add Saudi Arabia to that list. It would prohibit any assistance to Saudi Arabia, antiterrorism assistance, which is all that we really give, military assistance, virtually anything. So I strongly oppose this amendment.

We have serious differences with Saudi Arabia. We have serious concerns about how good Saudi Arabia has been in pursuing terrorists since 9/11, but let us not make any mistake about it. Overall, Saudi Arabia has been a good friend to the United States. It was certainly above all other countries in the Gulf War a decade and more ago. It was the strongest supporter of the United States and made assistance available, its soil, its air bases available to us. It has supported U.S. policy vis-a-vis Iran. They are a major partner in the current peace efforts in the Middle East, and they were there with President Bush, with King Abdullah, with Prime Minister Sharon, with Prime Minister Abbas, and President Mubarak in the Sinai.

Our law enforcement and intelligence agencies have benefited significantly from the cooperation that we have had with Saudi Arabia in providing information, intelligence on different individuals and organizations that we know to be terrorist organizations in the Middle East; and I would note that since September 11 of 2001, the Saudis have arrested over 400 terrorist suspects.

Saudi Arabia, Mr. Chairman, has been itself a victim of terrorism, as we are. It has been a victim of terrorism as it has been an ally in the war on terrorism. They suffered very destructive bombing attacks on May 12. They have uncovered a plot to detonate a bomb in Mecca, the holiest of cities in Islam. The Saudis recently killed three chief al Qaeda operatives.

Saudi Arabia, as we know, has been a pillar of stability in the international oil and financial markets. It is a customer of U.S. goods and services. We exported \$4.8 billion in goods and services in 2002, including \$267 million in agriculture and food exports and \$2.8 billion in machinery and transportation equipment.

Mr. Chairman, as I said earlier, this is not about money. This is a matter of Saudi military officials who are trained in the United States military and operate U.S.-made weapons systems. The relationship between our militaries are very close. This amendment would prohibit, absolutely prohibit antiterrorism assistance which the U.S. is now providing to Saudi Arabia and is absolutely essential as we struggle to try and defeat this terrorist threat in the Middle East.

The amendment, I would reiterate again, proposes to treat Saudi Arabia instead as a state like those five that I mentioned earlier that we have designated as outlaw states, as terrorist states: North Korea, Libya, Iran, Syria,

Cuba. To do so, Mr. Chairman, is simply wrong.

Adoption of this amendment would be bad policy. It would do irreparable harm to U.S. relations in the Arab world and the Middle East.

We just received a letter from Assistant Secretary of State Burns who, of course, has responsibility for the Middle East; and I would like to quote just one paragraph from this letter which was sent this evening to the gentleman from Florida (Mr. YOUNG) and myself and to the gentleman from Wisconsin (Mr. OBEY) and the gentlewoman from New York (Mrs. LOWEY).

This third paragraph says the following: "The administration strongly opposes efforts to add the Kingdom of Saudi Arabia to this list of state sponsors of terrorism and urges that the House reject the amendment offered by Representative WEINER, which would severely undermine our counter-terrorism cooperation with Saudi Arabia at precisely the moment when it is moving to a new level of effectiveness. This amendment would also undermine our important interests in cooperating with Saudi Arabia on other critical issues in the region, including the pursuit of Palestinian-Israeli peace."

Mr. Chairman, we know how delicate the road map for peace is in the Middle East. This is not just a peripheral issue. It is very much involved with that, and I would urge my colleagues to think with their heads and not with their hearts and reject this amendment.

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

Mr. Chairman, I agree with the gentleman that for far too long the Saudi Government looked the other way as the roots of global terrorism drew stronger and stronger within its borders. Most of the 9/11 terrorists were from Saudi Arabia. U.S. troops and nationals have repeatedly been attacked by terrorists on Saudi soil. Saudi Arabia has been identified time and time again as a major source and transit point for terrorist financing. Enough is enough.

We simply cannot stand by silently as Saudi Arabia continues to poison the minds of its children with anti-Israel and anti-Western canards; as it continues to legitimize Yasser Arafat even as Abu Mazen tries to lead his people on the path toward peace; as it allows telethons on its airwaves raising funds for families of suicide bombers. This amendment will not solve all of these problems, but it will send the message that Congress has had enough.

It is time for Saudi Arabia to show some leadership, to take the first step to reform its education system, to reflect the realities of the peace process it professes to support. It is time for Saudi Arabia to strengthen the transparency and accountability of its financial systems to close the loopholes that let terrorist financing slip through and to stop passing off as char-

ity payments to terrorists and their organizations.

It is time for Saudi Arabia to live up to its commitments to bolster the newly elected Palestinian leadership instead of continuing to strengthen the old guard that remains fixated on using terror as a negotiating tactic.

However, I do have some serious concerns about the effects this amendment could have on U.S.-Saudi cooperation to apprehend terrorist suspects and stop the flow of financing to terrorist organizations. It could also slow or stop the flow of Saudi intelligence to our own law enforcement agencies and may stymie State Department plans to help the Saudis professionalize their counterterrorism efforts by opening a training facility in that country.

I agree that we must be clear about our dissatisfaction with Saudi Arabia, but I am very concerned that this amendment may hurt our efforts to fight terrorism more than it will hurt the Saudis.

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

Mr. Chairman, the Saudis drive me nuts. They drive me to absolute distraction. I think they have a spectacular record of being disingenuous. I think they have played both sides of so many issues that I run out fingers counting them through the years, and I think that they have been incredibly gutless and obsequious in dealing with the terrorist threat, and they have allowed these right wing fundamentalist schools to poison the minds of thousands and thousands of children against the West, in general, and certainly against Israel.

I have very little confidence in virtually anything that the Saudi Government says. I want to be very clear about that. I visited their country a number of times, but the issue tonight is not whether or not we like the Saudis. The issue is whether or not this amendment at this time will assist or hinder the administration in its efforts to seek peace in the Middle East and to pursue a tough war against terrorists.

I talked to Assistant Secretary Burns tonight, and I told him flatly, I said, look, if this is a minor inconvenience, I do not want you bugging us because this is a tough vote to explain, but if this is a real problem for you, then I want to know it and I want you to let us know it; and they sent a letter which says that it is a real problem.

I take them at their word, and I note that since May 12, when al Qaeda bombed Riyadh, that the Saudis have sort of gotten religion, so to speak, on the issue of al Qaeda, and they have been, the administration tells me, much tougher in arresting terrorists and even killing some of them. I welcome that.

I am perfectly willing to do my duty tonight and support the administration on this, provided that I am not going to be taken for a sucker in the process.

As I said, well, I did not say this yet, but I want to. I have told every President going back to President Nixon

that when it comes to the Middle East, I would back whatever play they made and I would do whatever was necessary to prevent their hands from being tied as they pursued peace in that very difficult region, and there are many times when I have done that to considerable consternation of some of my friends on the floor.

And as I say, I am willing to do my duty as a member of the loyal opposition; and as a member of the loyal opposition I think I am required to oppose the President when I think he is wrong and support him when I think he is right, and so since I have no reason to think that he is wrong on this issue, I intend to support him, but I cannot in good conscience ask other Members of my party to do the same unless both parties are in this tonight together, because I have seen in the past on foreign policy issues, where we have supported a Republican administration, only to turn around and have the Republican Party's own campaign organization run ads against us for doing so. And you know the old saying: fool me once, shame on you; fool me twice, shame on me.

I have no reason to believe that we are not going to be played straight with tonight by our Republican friends, and I am going to vote against this amendment because I do think all this amendment really does is cut off \$105,000. That to the Saudis is nothing; but if it does, as Assistant Secretary Burns says, if it does severely undermine the administration's counterterrorism cooperation with Saudi Arabia, at precisely the moment when it is moving to a new level of effectiveness, and I am quoting from the letter, if it does that, then it is not worth it. I mean, \$100,000 or so is not worth it if it puts the administration efforts at risk.

The CHAIRMAN. The time of the gentleman from Wisconsin (Mr. OBEY) has expired.

(By unanimous consent, Mr. OBEY was allowed to proceed for 2 additional minutes.)

Mr. OBEY. Mr. Chairman, so I intend to vote with the administration, but I intend to ask other members of my party to watch the board. If we have Republican votes go up there along with ours, then fine, I think we have an obligation to do our duty and support the administration in this request; but if we see a significant number of the President's own party running in the other direction, then my message to people on this side of the aisle is you do not owe the President of the United States any more support than people of his own party.

So tonight, let us find out if we are real. Let us deal with each other on a real basis. I have no reason to think that that will not be the case, and I do think we have an obligation, on both sides of the aisle, to listen to what the administration says when it says this will get in the way of the peace process.

But I have one message to the Saudi embassy: get your act together because there are very few people on this House floor who believe your words because of the weakness and the duplicity of your past actions. So this is a case, in my view, where we have to vote with our minds and not our spleens; and with that, I thank the House for the courtesy of the extra 2 minutes.

□ 0015

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

Mr. Chairman, I rise in support of the amendment. I have a great deal of respect for the thoughtful consideration that the gentleman from Wisconsin gives to a wide range of issues. I have a couple of differences with him here.

One, I think he will understand if at this point I am less inclined to be credulous when the State Department tells me things than I have been from time to time in the past. Their record on accuracy with regard to the Middle East has not been so great lately, and I expect the State Department to say that I am unpersuaded.

Beyond that, I think, and I acknowledge what has been said, that this is not about the money. This is, I hope, a chance to express to the government of Saudi Arabia the profound unhappiness that this House has with virtually everything they do.

Now, I understand that they are cooperating with regard to terrorism, and it was said particularly since May 12. Yes, once they got bombed themselves they were prepared to cooperate with us. Whether it is selling us oil or fighting terrorism, let us understand they are doing us no favors. The Saudi Arabians need the United States a lot more than we need them. Think about confronting hostile forces in the world. If you are America, Saudi Arabia might be helpful. If you are Saudi Arabia, America is essential.

I do not want them to stop cooperating, but I do not think we are buying their cooperation with \$100,000. I think they are cooperating now out of self-interest, and I think they will continue to do so. To the extent there is cooperation, that is fine, but I do think we should tell them how unhappy we are.

I agree with one point my friend from Arizona made. They do not belong on the same list with those other countries, and I would make a recommendation to him. If this amendment passes, as I hope it does, when you get to conference, reconfigure this. Give the Saudis a paragraph unto themselves. You will have the ability to do that. We should not be giving them money. I agree they should not be in there with Libya or Cuba. You have the compositional right to give them a separate place.

On the other hand, when you look at Saudi Arabia and that list, some things are not that different. I do not believe there is a more consistent violator of

human rights in the world than the government of Saudi Arabia. This is a government that not only violates the human rights of their own people, but when American military personnel go over there, they have been subjected to sexual and religious discrimination of a sort that we would tolerate nowhere else.

The Saudis have not been terribly constructive with the Middle East peace process. I support what the President is doing with regards to the Middle East peace process. I was a supporter of the roadmap, and I will continue to be. I do not think the Saudis have been a very relevant piece of that.

And, yes, I think it is very worthwhile for us to say to the Saudis, we recognize you have an interest and you want to cooperate with us, and to the extent that we can cooperate together in finding these terrorists we will do that. But cutting off this money is a way to express to them, as I said, the profound revulsion that people here feel about the practices of that government.

And so I think the gentleman's amendment is a very thoughtful one. I do not think it will for a minute, let us think about it now, if this amendment passes, the Saudis are now going to say, okay, no more cooperation on terrorism? I do not think they are doing that as a favor to us. They are doing it out of self-interest. They need to sell the oil more than we need to buy it.

So we have one way now, I think we have apparently have agreement here in the House about how badly the Saudis have behaved in virtually every way, and the question is do we need them enough so that we have to worry about their feelings? I think the answer is that it is important for us to send them precisely this kind of very angry message, not about the money but about the message. And I believe the cooperation will not only survive but it may, if there is any rationality there, improve. Because I think it is important for them to understand how unhappy people are.

And I must say, with respect to all my friends who have, and nearly everybody here has condemned the Saudis, but I think simply condemning them while continuing the status quo will not have any impact. I think the amendment of the gentleman from New York is an essential piece of trying to change things.

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

Mr. Chairman, I rise in support of this amendment also, and let me begin by saying that this letter from the Assistant Secretary of State reveals a profound misunderstanding of the amendment. In the very language that the distinguished chairman read, which says, "The administration strongly opposes efforts to add the Kingdom of Saudi Arabia to this list of state sponsors of terrorism," then he says that "doing so would severely undermine

our counter-terrorism cooperation with Saudi Arabia," that is not what the amendment does.

The amendment says, and I will read it in its entirety because it is one sentence. It says: None of the funds appropriated or otherwise made available pursuant to this act shall be obligated or expended to finance directly any assistance or reparations to a list of countries, including Saudi Arabia.

Now, those countries may be some of the same countries on the State Department terrorism list, but this does not affect the terrorism list. Only the Secretary of State can add or subtract a country from a terrorism list. So this letter from the Assistant Secretary of State simply means he did not read the amendment or did not understand it if he did and we should disregard it.

The fact is my colleague from New York who offered this amendment, for which we ought to be grateful, recited a whole list of actions by Saudi Arabia in supporting terrorism. Now, someone said that they have looked the other way at terrorism for a long time. They have not looked the other way. They have supported it, they have funded it, they have trained people for it, they have paid for it, and they have been the source of most of the terrorism in the world.

Mr. Chairman, some of us supported the decision to go into Iraq, some did not. I did not at the time in the way that it was done. But the fact is if Iraq is an enemy, Saudi Arabia is a more dangerous enemy. The major danger this country faces today in the world is the war launched against us by the Islamic terrorists, by Osama bin Laden, al-Qaeda, Islamic Jihad, and a dozen different organizations. They want us all dead. They have killed 3,000 of our people. They would kill 3 million if they could.

The biggest danger we face is that they may get nuclear weapons. The second biggest danger we face is that they recruit more and more people. There is a civil war going on within one of the world's great religions, Islam. And that civil war pits, hopefully, the majority of the adherents of that religion in the world today, I will call moderates, versus the Wahabi extremists, who believe that they have a religious obligation to essentially kill all the Christians and all the Jews.

And where is that Wahabi missionary work coming from? Who is supporting and funding sending out missionaries and tape cassettes to Indonesia, Nigeria, and every country in the Muslim world? Saudi Arabia. That is where the money has been coming from for the last 30 years. It started in the 1960s, to send out these missionaries to say your Imams here in Nigeria, your Imams in Iraq, your Imams in Indonesia and Malaysia, they are sellouts. They do not preach the true religion. The true religion means we have to kill all the Christians and the Jews, and certainly the United States.

That is what is emanating from Saudi Arabia. That is why 15 of the 19

hijackers were from Saudi Arabia. If we look at the funding for any of the madrasas in Afghanistan that gave rise to the Taliban in Pakistan and all these other countries that were poisoning the minds of generations of poor students because they pay for the education, where is the money coming from? Saudi Arabia. They thought for a while they would buy off these people. Now they understand it is going to boomerang on them too, maybe.

This money is not the object, the \$105,000. The object is to send them a strong message, that we are on to them. It is not a question of their looking the other way and not actively participating with us. It is a question of their funding the enemy, supporting the enemy, and generating from Saudi Arabia. And if I have a major criticism of the administration it is that it is not really fighting the source of the enemy. The enemy is emanating from Saudi Arabia, from this Wahabi sect that is spreading all over the Muslim world and saying if you want to go to heaven you have to kill Christians and Jews and especially Americans.

That is what is fundamentally emanating from this, and we ought to rise to the nature of what is going on. There is a civil war in Islam today. We ought to be having Radio Free Islam, we ought to be supporting the moderates and opposing this poisonous doctrine which is at the root of the terrorism aimed against us and at our friends, which comes essentially from Saudi Arabia.

So I support this amendment as a first statement of maybe waking up the American people and seeing where the problem really comes from.

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

Mr. Chairman, the gentleman from New York who just spoke mentioned that he voted against the use of force resolution. I voted for it. It was the right decision then, it is the right decision still. I have been supportive of what the President has tried to do. I think he had led this country down an incredibly significant path in terms of fighting terrorism, which is really truly the challenge of our decade, the challenge for this generation.

But I think this debate on the floor, even though it is after midnight, in many ways is the most important debate this Congress might be having this session, because this is really a debate about what path this country will take. It is not about \$105,000, but it is about speaking truth to power. Speaking truth to power. Because, unfortunately, as supportive as I have been in terms of the efforts of the President in the greatest challenge of this generation, the approach of this administration and, with all due respect, the State Department and Mr. Burns, they are just absolutely dead wrong about their attitude towards Saudi Arabia.

What this institution has the ability to do, and what we as individual Mem-

bers have the ability to do, and hopefully we are going to do this tonight, and hopefully very shortly, is speak truth to power. It is as simple as that.

The truth is that the Saudis are not what the administration wants them to be, that they have been involved in terrorism. Absolutely. Those are the facts, and we know they are the facts. We know that those are the facts. We wish it were not the case because of all sorts of issues, related to the fact that they control the largest reserve of oil in the world. Absolutely, they do. But that does not change the facts that they are involved in terrorist activities, that they are in fact the world's leading funder of terrorism. Terrorism.

As has been pointed out, they are the world's leading funder, over 50 percent of the funds, that go to different terrorist organizations, different groups. And, again, we can go back and forth in terms of that, but they are funding them.

So we have an opportunity tonight on a bipartisan basis to make that statement, to hopefully help shift an ill-fated approach that has predated even this administration, that has occurred under Democratic administrations, unfortunately. Had this Congress done this prior to 9/11, maybe that would not have happened. Had we spoken truth to power before that date, maybe that would not have happened.

If we are able to do this tonight, my hope is that in fact we will stop some of the funding of terrorism and terrorist organizations that support that infrastructure and actually prevent the types of horrible and unthinkable things that we know are the challenges. I urge my colleagues to support the amendment.

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

Mr. Chairman, the Saudis have been bad, bad, bad, but this amendment makes everything worse, worse, worse, and I urge my colleagues to oppose it.

There seems to be a lot of confusion because there is an array of speakers we have seen who are usually on the same side on these issues. And I have to tell you what the real problem is. The real problem is that there are two Saudi Arabias. One is the Wahabi fanatics, who are prone to terrorism, and the other is the government and the royal family that is holding on by their very rich, and sometimes greedy, claws to the tenets of power and making money.

□ 0030

It is in their interest to control the terrorists and to eliminate the terrorists. If you had to put your money down on one of these players, which one would you pick? The answer is, and my bet for a lousy \$100,000 goes with the government. This list that we would put the Saudis on, every other nation on that list is a government sponsor of terrorism. The Saudis have terrorism, but it is not sponsored by

the government. Osama bin Laden's number one enemy is not the United States, it is not Israel, it is their own government of Saudi Arabia. This wicked genius that did such damage to our country and to my city picked 14 Saudis to be on those planes for a specific reason, because he knew what it would do to the reputation of the country that has outlawed him, that has banned him, that has taken away his citizenship. They do not need our bucks. What they need is a little bit of encouragement, a little bit of encouragement when they do do the right thing, which is not very often. But they are trying, too, to rid themselves and the rest of the world of this terrorist threat that promises to topple their government and then some others.

This money that we are talking about is to bring some people in the military from Saudi Arabia here to join with our military people to teach them how to deal with these terrorists, how to cooperate with us. Anybody who knows anything about the intelligence on this issue, anybody who has studied it in depth knows that the names and addresses of so many of the terrorists that have been picked up in the Middle East and other places in the world have been provided to us by the Saudi Government. They cannot proudly stand up and say that because it would threaten them more than it does right now.

This amendment is the amendment to bite your nose to spite your face. Sure, we want to kick the Saudis around; sure, they have done some terrible things. But if we want to help those in Saudi Arabia who want to correct it, the right vote on this is "no" on this amendment. Let us not pander, let us not trip over each other to show our reasonableness on antiterrorism. Let us think this issue through and do the right thing, the right thing for America, the right thing for the world, the right thing for the international community, and the right thing for all those people who want to end terrorism. Let our military and our intelligence people have the benefit of meeting with those people from Saudi Arabia that want to help in this situation.

Vote "no" on this amendment.

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

Mr. Chairman, I rise in opposition to the amendment and in agreement with the gentleman from New York who has just spoken. I also want to compliment the chairman of the subcommittee for his very factual and very precise statement in opposition to this amendment. The Saudis have helped the United States in the first Gulf War, and while they may not have been out in front in the latest attempt to dislodge Saddam Hussein, they certainly did not get in America's way. So I hope those that were supportive of the war in this body will recall that the Saudis did not in

any way put themselves out to hurt America's efforts in the latest Iraq war.

I also support President Bush's road map to peace. I think he will show the same courage in enacting this road map to peace that he showed in dislodging Saddam Hussein. The actions of this body often send messages across the world. The gentleman from Arizona is perfectly right and several of my other colleagues. It is not about money. This amendment is not about money. It is about the message that this body sends. I have been one like many of my colleagues that have traveled the Middle East rather extensively, but I perhaps have spoken out on this floor more often than not for a more balanced policy in the Middle East, for what is in America's best interest in that region, which sometimes gets overlooked, in my opinion, when it comes to votes of this nature.

This amendment would send the wrong message today. It would send a wrong message for those that support a peace in the Middle East, a just and comprehensive peace. The Saudis have been targeted for all the debate thus far; but as I heard the amendment explained by the gentleman from New York, there are other countries on this list as well. I think I heard Syria mentioned.

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

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

Mr. WEINER. The only state that is being added is Saudi Arabia. The other ones were already in the bill.

Mr. RAHALL. I stand corrected. Anyway, the effort to fight the true terrorists, al Qaeda, would be harmed by the passage of this amendment. The Saudis have helped us, as have the Syrians; and that is the reason I brought up the other countries I thought were targeted as well, have helped us especially, since 9/11, in the fight against the true terrorists, al Qaeda. These countries get the message. They do not need the Congress to pass amendments of this nature or resolutions that go out that are nothing more than chest-thumping measures. These countries are getting the message already. They have gotten it since 9/11. For us to go out and to humiliate them publicly, as this amendment would do to the Saudis, is only going to cause them to become more stubborn. That is human nature. Any of us in this body if we are attacked publicly, are we likely to succumb the next moment, the next day and agree to that public trashing? I think not. We rather become more stubborn. That is part of human nature. That is what we are dealing with here.

I believe this administration and their opposition to this amendment is on the right track. I also happen to agree with the gentleman from Wisconsin: let us make sure that the majority party has their votes on the board in opposition to this amendment,

in support of their President, in support of the fight against terrorism, the true terrorists, al Qaeda. Let us make sure that we are in this together, in opposition to this amendment, because we are in the fight against terrorism together, wherever, by whomever it occurs. And if we want to see a comprehensive peace truly stand a chance in the Middle East, let us give this administration, let us give this President the tools with which to fight, the tools with which to show the participants in the area, to show all the players, friends and foes alike, that America means business about a comprehensive peace and that we are not going to take actions in this body that would undermine those efforts of this administration.

I urge opposition to the gentleman from New York's amendment.

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

Mr. Chairman, it is late, I understand that; and I will not take the full 5 minutes. I simply want to say this. We have heard it stated repeatedly that this is not about \$105,000, and it is not about \$105,000. It is about the line that President Bush drew in the sand when he came to this Chamber after 9/11/2001. He said that this struggle was between democracy and dictatorship, between liberty and tyranny, between education and indoctrination, between schools that teach people how to put things together and schools that teach people how to blow things apart. For that reason, the gentleman's amendment ought to be passed in this Chamber.

Mr. Chairman, I was reading tonight an important book called "Hatred's Kingdom: How Saudi Arabia Supports the New Global Terrorism." It is by a former ambassador to the United Nations, Dore Gold. I want to share very briefly, in a minute or less, some important excerpts from that book. Ambassador Gold points out that a third of the prisoners that the United States held from the war against bin Laden's al Qaeda organization were Saudi nationals. He talks about a Rand Corporation analysis who told the Defense Policy Board in July 2002 that the Saudis were active, quote, "at every level of the terror chain."

And if you do not want to listen to Members of Congress on this floor and if you do not want to accept the words of others, let me suggest that we understand the words of activists and leaders in the Middle East. Let me share the words of Mohamed Charfi, a former Minister of Education in Tunisia who wrote in the New York Times:

"Osama bin Laden, like the 15 Saudis who participated in the criminal operations of Sept. 11, seems to have been the pure product of his schooling. While Saudi Arabia is officially a moderate state allied with America, it has also been one of the main supporters of Islamic fundamentalism because of its financing of schools following the intransigent Wahhabi doctrine. Saudi-

backed madrasas in Pakistan and Afghanistan have played significant roles in the strengthening of radical Islam in those countries."

Or the words in December 2001 of Sahr Muhammad Hatem, a doctor in Riyadh, who bravely wrote a letter to a London-based Arabic newspaper in which she said:

"The mentality of each of us in Saudi Arabia was programmed upon entering school as a child. Anyone who is not a Muslim in Saudi schools is our enemy and that the West means enfeeblement, lack of values. We all focus on bin Laden and his ilk, but we have yet to focus on the more dangerous people, and I mean those who fill our heads with this rhetoric in the schools, the mosques and the media, who disseminate words without hesitation, without considering the consequences or even understanding that in this era the entire world hears what is said."

Mr. Chairman, it makes little sense to fund the people who are funding terrorism. It makes no sense whatsoever. Until the Saudi Government stops funding terrorism, stops supporting violence against Israel, stops teaching hatred in its schools, starts teaching tolerance and starts digging up the roots of ideological hatred against the West, any amount of money, even \$105,000, is just too much.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. WEINER).

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

Mr. WEINER. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York (Mr. WEINER) will be postponed.

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

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

Mr. PORTMAN. Mr. Chairman, I rise to congratulate the chairman on the substance of H.R. 2800 but also on the way he has conducted the debate this evening. We have seen it in the latest example here with this amendment. We have also seen it in the example, I believe, Mr. Chairman, of his inclusion in the legislation of adequate funding for the Tropical Forest Conservation Act, a very important conservation bill which uses market forces. It is working. It has the strong support of the Bush administration and bipartisan support here in Congress.

I urge my colleagues on both sides of the aisle to support the underlying bill, H.R. 2800. Again, the chairman has done a good job in putting together a balanced bill. He deserves our support.

Mr. Chairman, I rise to express my support for H.R. 2800, and I want to thank Chairman KOLBE and Ranking Member LOWEY for including \$20 million in the bill for the Tropical Forest Conservation Act.

The United States has a significant national interest in protecting tropical forests in developing countries. Tropical forests provide a wide range of benefits. They harbor 50–90 percent of the Earth's terrestrial biodiversity. They act as "carbon sinks," absorbing massive quantities of carbon dioxide from the atmosphere, which help reduce greenhouse gases. They help regulate rainfall on which agriculture and coastal resources depend, and they are important to regional and global climate. Furthermore, tropical forests are breeding grounds for new medicines. Fully one quarter of prescription drugs come from tropical forests. Of the more than 3,000 plants the United States National Cancer Institute has identified, plants that are active against cancer, seventy percent of them can be found in tropical forests.

Regrettably, these tropical forests are rapidly disappearing at an alarming rate of 38 million acres a year. The heavy debt burden of many countries with these forests is a contributing factor because often they must resort to exploitation of their natural resources (particularly the extraction of timber, oil, and precious metals) to generate revenue to service their external debt. At the same time, poor governments tend to have few resources available to set aside and protect tropical forests.

In 1998, I introduced the Tropical Forest Conservation Act, TFCA, to address these economic pressures. This bipartisan legislation authorizes the President to allow eligible countries to engage in debt swaps, buybacks or restructuring in exchange for protecting threatened tropical forests on a sustained basis.

Under this innovative debt treatment program, we have entered into agreements with Bangladesh, Belize, El Salvador, Panama, Peru, and the Philippines, which will generate over \$60 million for tropical forest conservation in these countries.

Three of the six agreements have included contributions from U.S. based non-government organizations, which augment debt reduction funds. The Nature Conservancy (TNC) contributed \$1 million to the Belize agreement and, together with the World Wildlife Fund and Conservation International, \$1.1 million to the Peru deal. TNC also contributed \$1.2 million to the Panama agreement.

Other agreements are in the pipeline with Colombia and Jamaica and negotiations will soon begin with Sri Lanka. And, I am delighted to report that many other countries, including Guatemala, Ecuador, Costa Rica and Paraguay have expressed interest in participating in the program.

TFCA is a worthy program that is working well. The Bush Administration is a strong proponent of the Tropical Forest Conservation Act, and it has bipartisan support in the Congress. I again thank the leadership for providing the funding in this bill that will allow TFCA to continue to protect some of the world's most threatened natural resources.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order: an amendment offered by the gentlewoman from Michigan (Ms. KILPATRICK), amendment No. 5 offered by the gentleman from Massachusetts (Mr. MCGOVERN), amendment

No. 1 offered by the gentleman from Colorado (Mr. HEFLEY), and an amendment offered by the gentleman from New York (Mr. WEINER).

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

AMENDMENT OFFERED BY MS. KILPATRICK

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Michigan (Ms. KILPATRICK) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, the remainder of this series will be conducted as 5-minute votes.

The vote was taken by electronic device, and there were—ayes 192, noes 228, not voting 15, as follows:

[Roll No. 425]

AYES—192

Abercrombie	Fattah	Matheson
Ackerman	Filner	McCarthy (MO)
Alexander	Frank (MA)	McCarthy (NY)
Allen	Frost	McCollum
Andrews	Gephardt	McDermott
Baca	Gonzalez	McGovern
Baird	Gordon	McIntyre
Baldwin	Green (TX)	McNulty
Ballance	Grijalva	Meehan
Becerra	Gutierrez	Meek (FL)
Bell	Harman	Menendez
Berman	Hastings (FL)	Michaud
Berry	Hill	Millender-
Bishop (GA)	Hinchesy	McDonald
Bishop (NY)	Hinojosa	Miller (GE)
Blumenauer	Hoefel	Miller, (NC)
Boswell	Holden	Mollohan
Boyd	Holt	Moore
Brady (PA)	Honda	Moran (VA)
Brown (OH)	Hoolley (OR)	Murtha
Brown, Corrine	Hoyer	Nadler
Capps	Inslee	Napolitano
Capuano	Israel	Neal (MA)
Cardin	Jackson (IL)	Oberstar
Carson (IN)	Jackson-Lee	Obey
Carson (OK)	(TX)	Olver
Case	Jefferson	Ortiz
Clyburn	John	Owens
Conyers	Johnson, E. B.	Pallone
Cooper	Jones (OH)	Pascrell
Crowley	Kanjorski	Paul
Cummings	Kaptur	Payne
Davis (AL)	Kennedy (RI)	Pelosi
Davis (CA)	Kildee	Pomeroy
Davis (FL)	Kilpatrick	Price (NC)
Davis (IL)	Kleccka	Rahall
Davis (TN)	Kucinich	Rangel
DeFazio	Lampson	Reyes
DeGette	Langevin	Rodriguez
Delahunt	Lantos	Ross
DeLauro	Larsen (WA)	Rothman
Deutsch	Larson (CT)	Royal-Allard
Dicks	Leach	Ruppersberger
Dingell	Lee	Rush
Doggett	Levin	Ryan (OH)
Doyle	Lewis (GA)	Sabo
Edwards	Lofgren	Sanchez, Linda
Emanuel	Lowey	T.
Emerson	Lucas (KY)	Sanchez, Loretta
Engel	Lynch	Sanders
Eshoo	Majette	Sandlin
Etheridge	Maloney	Schakowsky
Evans	Markey	Schiff
Farr	Marshall	Scott (GA)

Scott (VA) Stupak  
Serrano Tanner  
Sherman Tauscher  
Skelton Thompson (CA)  
Slaughter Thompson (MS)  
Smith (WA) Tierney  
Snyder Towns  
Solis Turner (TX)  
Spratt Udall (CO)  
Stark Udall (NM)  
Strickland Van Hollen

Velazquez  
Visclosky  
Waters  
Watson  
Watt  
Waxman  
Weiner  
Wexler  
Woolsey  
Wu  
Wynn

NOES—228

Akin Gibbons  
Bachus Gilchrest  
Baker Gillmor  
Ballenger Gingrey  
Barrett (SC) Goode  
Bartlett (MD) Goodlatte  
Barton (TX) Goss  
Bass Granger  
Beauprez Graves  
Bereuter Green (WI)  
Biggart Greenwood  
Bilirakis Gutknecht  
Blackburn Hall  
Blunt Harris  
Boehlert Hart  
Boehner Hastert  
Bonilla Hastings (WA)  
Bonner Hayes  
Bono Hayworth  
Boozman Hefley  
Boucher Hensarling  
Bradley (NH) Herger  
Brady (TX) Hobson  
Brown (SC) Hoekstra  
Brown-Waite, Hostettler  
Ginny Houghton  
Burgess Hulshof  
Burns Hunter  
Burr Isakson  
Burton (IN) Issa  
Buyer Istook  
Calvert Janklow  
Camp Johnson (CT)  
Cannon Johnson (IL)  
Cantor Johnson, Sam  
Capito Jones (NC)  
Cardoza Keller  
Carter Kelly  
Castle Kennedy (MN)  
Chabot King (IA)  
Chocola King (NY)  
Coble Kingston  
Cole Kirk  
Collins Kline  
Costello Knollenberg  
Cox Kolbe  
Cramer LaHood  
Crane Latham  
Crenshaw LaTourette  
Cubin Lewis (CA)  
Culberson Lewis (KY)  
Cunningham Linder  
Davis, Jo Ann Lipinski  
Davis, Tom LoBiondo  
Deal (GA) Lucas (OK)  
DeLay Manzullo  
DeMint McCotter  
Diaz-Balart, L. McCrery  
Diaz-Balart, M. McHugh  
Doolittle McNinnis  
Dreier McKeon  
Duncan Mica  
Dunn Miller (FL)  
Ehlers Miller (MI)  
English Miller, Gary  
Everett Moran (KS)  
Feeney Murphy  
Flake Musgrave  
Fletcher Myrick  
Foley Nethercutt  
Forbes Neugebauer  
Fossella Ney  
Franks (AZ) Northup  
Frelinghuysen Norwood  
Gallegly Nunes  
Garrett (NJ) Nussle  
Gerlach Osborne

NOT VOTING—15

Aderholt Ferguson  
Berkley Ford  
Bishop (UT) Hyde  
Clay Jenkins  
Dooley (CA) Kind

Ose  
Otter  
Oxley  
Pearce  
Pence  
Peterson (MN)  
Peterson (PA)  
Petri  
Pickering  
Pitts  
Platts  
Pombo  
Porter  
Portman  
Pryce (OH)  
Putnam  
Quinn  
Radanovich  
Ramstad  
Regula  
Rehberg  
Renzi  
Reynolds  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Royce  
Ryan (WI)  
Ryun (KS)  
Saxton  
Schrock  
Sensenbrenner  
Sessions  
Shadegg  
Shaw  
Shays  
Sherwood  
Shimkus  
Shuster  
Simmons  
Simpson  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Souder  
Stearns  
Stenholm  
Sweeney  
Tancredo  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Terry  
Thomas  
Thornberry  
Tiahrt  
Tiberi  
Toomey  
Turner (OH)  
Upton  
Vitter  
Walden (OR)  
Walsh  
Wamp  
Weldon (FL)  
Weldon (PA)  
Weller  
Whitfield  
Wicker  
Wilson (NM)  
Wilson (SC)  
Wolf  
Young (FL)

Matsui  
Meeks (NY)  
Pastor  
Sullivan  
Young (AK)

ANNOUNCEMENT BY THE CHAIRMAN  
The CHAIRMAN (during the vote).  
The Chair reminds Members there are 2 minutes remaining to vote.

□ 0101

Mr. SHAYS changed his vote from "aye" to "no."  
Mr. SPRATT and Mr. BLUMENAUER changed their vote from "no" to "aye."  
So the amendment was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, the remainder of this series will be conducted as 5-minute votes.

AMENDMENT NO. 5 OFFERED BY MR. MCGOVERN

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. MCGOVERN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 195, noes 226, not voting 14, as follows:

[Roll No. 426]

AYES—195

Abercrombie Ehlers Kleczka  
Ackerman Emanuel Kucinich  
Alexander Engel Lampson  
Allen Eshoo Langevin  
Andrews Etheridge Lantos  
Baca Evans Larsen (WA)  
Baird Farr Larson (CT)  
Baldwin Fattah Leach  
Ballance Filner Lee  
Becerra Flake Levin  
Bell Frost Lewis (GA)  
Berman Gephardt Lofgren  
Bishop (GA) Gonzalez Lowey  
Bishop (NY) Gordon Lucas (KY)  
Blumenauer Green (TX) Lynch  
Boswell Grijalva Majette  
Boucher Gutierrez Maloney  
Boyd Hall Markey  
Brady (PA) Harman Matheson  
Brown (OH) Hastings (FL) McCarthy (MO)  
Brown, Corrine Hill McCarthy (NY)  
Capps Hinchey McCollum  
Capuano Hinojosa McDermott  
Cardin Hoeffel McGovern  
Carson (IN) Hoekstra McIntyre  
Carson (OK) Holt McNulty  
Case Honda Meehan  
Clyburn Hooley (OR) Meek (FL)  
Conyers Hoyer Meeks (NY)  
Cooper Hulshof Michaud  
Costello Insole Millender  
Crowley Israel McDonald  
Cummings Jackson (IL) Miller (NC)  
Davis (AL) Jackson-Lee Miller, George  
Davis (CA) (TX) Mollohan  
Davis (IL) Jefferson Moore  
Davis (TN) John Moran (VA)  
DeFazio Johnson, E. B. Murtha  
DeGette Jones (OH) Nadler  
DeLauro Kanjorski Napolitano  
Deutsch Kaptur Neapolitano  
Dicks Kelly Oberstar  
Dingell Kennedy (RI) Obey  
Doggett Kildee Olver  
Doyle Kilpatrick Ortiz

Owens  
Pallone  
Pascrell  
Paul  
Payne  
Pelosi  
Petri  
Pomeroy  
Price (NC)  
Rahall  
Ramstad  
Rangel  
Reyes  
Rodriguez  
Rohrabacher  
Ross  
Roybal-Allard  
Ruppersberger  
Rush  
Ryan (OH)  
Sabao

Sanchez, Linda  
Tanner  
Thompson (CA)  
Thompson (MS)  
Tierney  
Toomey  
Towns  
Turner (TX)  
Udall (CO)  
Udall (NM)  
Van Hollen  
Velazquez  
Visclosky  
Waters  
Watson  
Watt  
Waxman  
Weiner  
Wexler  
Stark  
Strickland  
Stupak

NOES—226

Aderholt  
Akin  
Bachus  
Baker  
Ballenger  
Barrett (SC)  
Bartlett (MD)  
Barton (TX)  
Bass  
Beauprez  
Bereuter  
Berry  
Biggart  
Bilirakis  
Blackburn  
Blunt  
Boehlert  
Boehner  
Bonilla  
Bonner  
Bono  
Boozman  
Bradley (NH)  
Brady (TX)  
Brown (SC)  
Brown-Waite,  
Ginny  
Burgess  
Burns  
Burr  
Burton (IN)  
Buyer  
Calvert  
Camp  
Cannon  
Cantor  
Capito  
Cardoza  
Carter  
Castle  
Chabot  
Chocola  
Coble  
Cole  
Collins  
Cox  
Cramer  
Crane  
Crenshaw  
Cubin  
Culberson  
Cunningham  
Davis (FL)  
Davis, Jo Ann  
Davis, Tom  
Deal (GA)  
DeLay  
Delahunt  
DeMint  
Diaz-Balart, L.  
Diaz-Balart, M.  
Doolittle  
Dreier  
Duncan  
Dunn  
Edwards  
Emerson  
English  
Everett  
Feeney  
Fletcher  
Foley  
Forbes  
Fossella  
Frank (MA)

Franks (AZ)  
Frelinghuysen  
Gallegly  
Garrett (NJ)  
Gerlach  
Gibbons  
Gilchrest  
Gillmor  
Gingrey  
Goode  
Goodlatte  
Goss  
Granger  
Green (WI)  
Greenwood  
Gutknecht  
Harris  
Hart  
Hastert  
Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Hensarling  
Herger  
Hobson  
Holden  
Hostettler  
Houghton  
Hunter  
Isakson  
Issa  
Istook  
Janklow  
Johnson (CT)  
Johnson (IL)  
Johnson, Sam  
Jones (NC)  
Keller  
Kennedy (MN)  
King (IA)  
King (NY)  
Kingston  
Kirk  
Kline  
Knollenberg  
Kolbe  
LaHood  
Latham  
LaTourette  
Lewis (CA)  
Lewis (KY)  
Linder  
Lipinski  
LoBiondo  
Lucas (OK)  
Manzullo  
Marshall  
McCotter  
McCrery  
McHugh  
McInnis  
McKeon  
Menendez  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Moran (KS)  
Murphy  
Musgrave  
Myrick  
Nethercutt  
Neugebauer  
Ney  
Northup

Norwood  
Nunes  
Nussle  
Osborne  
Ose  
Otter  
Oxley  
Pearce  
Pence  
Peterson (MN)  
Peterson (PA)  
Pickering  
Pitts  
Platts  
Pombo  
Porter  
Portman  
Pryce (OH)  
Putnam  
Quinn  
Radanovich  
Regula  
Rehberg  
Renzi  
Reynolds  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Ros-Lehtinen  
Rothman  
Royce  
Ryan (WI)  
Ryun (KS)  
Schrock  
Sessions  
Shadegg  
Shaw  
Shays  
Sherwood  
Shimkus  
Shuster  
Simmons  
Simpson  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Souder  
Stearns  
Stenholm  
Sweeney  
Tancredo  
Tauscher  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Terry  
Thomas  
Thornberry  
Tiahrt  
Tiberi  
Turner (OH)  
Upton  
Vitter  
Walden (OR)  
Walsh  
Wamp  
Weldon (FL)  
Weldon (PA)  
Weller  
Whitfield  
Wicker  
Wilson (NM)  
Wilson (SC)  
Wolf  
Young (FL)



NOT VOTING—14

Berkley Graves Pastor  
 Bishop (UT) Hyde Saxton  
 Clay Jenkins Sullivan  
 Ferguson Kind Young (AK)  
 Ford Matsui

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised 2 minutes are remaining in this vote.

□ 0108

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. GRAVES. Mr. Chairman, on rollcall No. 426 I was inadvertently detained. Had I been present, I would have voted "no."

AMENDMENT NO. 1 OFFERED BY MR. HEFLEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. HEFLEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 110, noes 309, not voting 15, as follows:

[Roll No. 427]

AYES—110

Akin Forbes Neugebauer  
 Baker Fossella Norwood  
 Barrett (SC) Franks (AZ) Otter  
 Bartlett (MD) Garrett (NJ) Paul  
 Barton (TX) Gibbons Pence  
 Bass Gingrey Petri  
 Beauprez Goode Pitts  
 Bilirakis Goodlatte Radanovich  
 Blackburn Graves  
 Brady (TX) Green (TX) Ramstad  
 Brown-Waite, Green (WI) Rogers (MI)  
     Ginny Gutknecht  
 Burgess Hall Royce  
 Burr Hayes Etheridge  
 Burton (IN) Hayworth Ryan (WI)  
 Buyer Hefley Ryun (KS)  
 Cannon Schrock  
 Capuano Herger Sensenbrenner  
 Chabot Hoekstra Sessions  
 Chocola Hostettler Shadegg  
 Coble Hulshof Shimkus  
 Collins Isakson Shuster  
 Costello Jones (NC) Smith (MI)  
 Cox Keller Smith (WA)  
 Crane Kennedy (MN) Stearns  
 Cunningham King (IA) Tancredo  
 Davis (TN) Lewis (KY) Tanner  
 Davis, Jo Ann Linder Taylor (MS)  
 Deal (GA) Manzullo Taylor (NC)  
 DeFazio McCotter Terry  
 DeMint McClinnis Thornberry  
 Diaz-Balart, M. Mica Toomey  
 Duncan Miller (FL) Turner (TX)  
 Emerson Miller, Gary Walden (OR)  
 Everett Moran (KS) Wamp  
 Feeney Musgrave Whitfield  
 Flake Myrick Wilson (SC)

NOES—309

Abercrombie Baca Becerra  
 Ackerman Bachus Bell  
 Aderholt Baird Bereuter  
 Alexander Baldwin Berman  
 Allen Ballance Berry  
 Andrews Ballenger Biggert

Bishop (GA) Holt  
 Bishop (NY) Honda  
 Blumenauer Hooley (OR)  
 Blunt Houghton  
 Boehlert Hoyer  
 Boehner Hunter  
 Bonilla Inslee  
 Bonner Israel  
 Bono Issa  
 Boozman Jackson (IL)  
 Boswell Jackson-Lee  
 Boucher (TX)  
 Boyd Janklow  
 Bradley (NH) Jefferson  
 Brady (PA) John  
 Brown (OH) Johnson (CT)  
 Brown (SC) Johnson (IL)  
 Brown, Corrine Johnson, E. B.  
 Burns Johnson, Sam  
 Calvert Jones (OH)  
 Camp Kanjorski  
 Cantor Kaptur  
 Capito Kelly  
 Capps Kennedy (RI)  
 Cardin Kildee  
 Cardoza Kilpatrick  
 Carson (IN) King (NY)  
 Carson (OK) Kingston  
 Carter Kirk  
 Case Kleczka  
 Castle Kline  
 Clyburn Knollenberg  
 Cole Kolbe  
 Conyers Kucinich  
 Cooper LaHood  
 Cramer Lampson  
 Crenshaw Langevin  
 Crowley Lantos  
 Cubin Larsen (WA)  
 Culberson Larson (CT)  
 Cummings Latham  
 Davis (AL) Leach  
 Davis (CA) Lee  
 Davis (FL) Levin  
 Davis (IL) Lewis (CA)  
 Davis, Tom Lewis (GA)  
 DeGette Lipinski  
 Delahunt LoBiondo  
 DeLauro Lofgren  
 DeLay Lowey  
 Deutsch Lucas (KY)  
 Diaz-Balart, L. Lucas (OK)  
 Dicks Lynch  
 Dingell Majette  
 Doggett Maloney  
 Dooley (CA) Markey  
 Doolittle Marshall  
 Doyle Matheson  
 Dreier McCarthy (MO)  
 Dunn McCarthy (NY)  
 Edwards McCollum  
 Ehlers McCrery  
 Emanuel McDermott  
 Engel McGovern  
 English McHugh  
 Eshoer McIntyre  
 Etheridge McKeon  
 Evans McNulty  
 Farr Meehan  
 Fattah Meek (FL)  
 Filner Meeks (NY)  
 Fletcher Menendez  
 Foley Michaud  
 Frank (MA) Millender-  
 Frelinghuysen McDonald  
 Frost Miller (MI)  
 Gallely Miller (NC)  
 Gerlach Miller, George  
 Gilchrest Mollohan  
 Gillmor Moore  
 Gonzalez Moran (VA)  
 Gordon Murphy  
 Goss Murtha  
 Granger Nadler  
 Greenwood Napolitano  
 Grijalva Neal (MA)  
 Gutierrez Nethercutt  
 Harman Ney  
 Harris Northup  
 Hart Nunes  
 Hastings (FL) Nussle  
 Hastings (WA) Oberstar  
 Hill Obey  
 Hinchey Olver  
 Hinojosa Ortiz  
 Hobson Wu  
 Hoeffel Osborne  
 Ose  
 Holden Owens

Oxley  
 Pallone  
 Pascrell  
 Payne  
 Pearce  
 Pelosi  
 Peterson (MN)  
 Peterson (PA)  
 Pickering  
 Platts  
 Pombo  
 Pomeroy  
 Porter  
 Portman  
 Price (NC)  
 Pryce (OH)  
 Putnam  
 Quinn  
 Rangel  
 Regula  
 Rehberg  
 Renzi  
 Reyes  
 Reynolds  
 Rodriguez  
 Rogers (AL)  
 Rogers (KY)  
 Ros-Lehtinen  
 Ross  
 Rothman  
 Roybal-Allard  
 Ruppertsberger  
 Ryan (OH)  
 Sabo  
 Sanchez, Linda  
     T.  
 Sanchez, Loretta  
 Sanders  
 Sandlin  
 Saxton  
 Schakowsky  
 Schiff  
 Scott (GA)  
 Scott (VA)  
 Serrano  
 Shaw  
 Shays  
 Sherman  
 Sherwood  
 Simmons  
 Simpson  
 Skelton  
 Slaughter  
 Smith (NJ)  
 Smith (TX)  
 Snyder  
 Solis  
 Souder  
 Spratt  
 Stark  
 Stenholm  
 Strickland  
 Stupak  
 Sweeney  
 Tauscher  
 Tauzin  
 Thomas  
 Thompson (CA)  
 Thompson (MS)  
 Tiahrt  
 Tiberi  
 Tierney  
 Towns  
 Turner (OH)  
 Udall (CO)  
 Udall (NM)  
 Upton  
 Van Hollen  
 Velazquez  
 Visclosky  
 Vitter  
 Walsh  
 Waters  
 Watson  
 Watt  
 Waxman  
 Weiner  
 Weldon (FL)  
 Weldon (PA)  
 Weller  
 Wexler  
 Wicker  
 Wilson (NM)  
 Wolf  
 Woolsey  
 Wu  
 Wynn  
 Young (FL)

NOT VOTING—15

Berkley Gephardt LaTourette  
 Bishop (UT) Hyde Matsui  
 Clay Istook Pastor  
 Ferguson Jenkins Sullivan  
 Ford Kind Young (AK)

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are reminded there are 2 minutes remaining in this vote.

□ 0115

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. WEINER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. WEINER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 191, noes 231, not voting 13, as follows:

[Roll No. 428]

AYES—191

Aderholt DeMint Langevin  
 Alexander Deutsch Larsen (WA)  
 Allen Dicks LaTourette  
 Andrews Doggett Levin  
 Baca Duncan Lewis (GA)  
 Baird Edwards Lewis (KY)  
 Baker Emanuel Linder  
 Baldwin Emerson Lofgren  
 Ballance Engel Lynch  
 Barrett (SC) Eshoer Majette  
 Bartlett (MD) Etheridge Markey  
 Berman Everett Matheson  
 Berry Farr McCotter  
 Bilirakis Feeney McDermott  
 Bishop (GA) Filner McClinnis  
 Bishop (NY) Forbes McIntyre  
 Boozman Frank (MA) McNulty  
 Boswell Garrett (NJ) Meehan  
 Brown (OH) Goode Meek (FL)  
 Brown, Corrine Goodlatte Meeks (NY)  
 Brown-Waite, Graves Menendez  
     Ginny Green (TX) Michaud  
 Burton (IN) Gutknecht Millender-  
 Camp Hall McDonald  
 Cantor Harman Miller (FL)  
 Capuano Hastings (FL) Miller (MI)  
 Cardin Hayworth Miller, George  
 Cardoza Hinchey Moore  
 Carson (IN) Hoeffel Moran (KS)  
 Carson (OK) Hoekstra Musgrave  
 Chabot Holden Nadler  
 Chocola Honda Napolitano  
 Clyburn Hostettler Neal (MA)  
 Coble Hoyer Norwood  
 Collins Israel  
 Conyers Janklow Ortiz  
 Costello Johnson (IL) Ose  
 Crowley Jones (NC) Otter  
 Cubin Jones (OH) Owens  
 Culberson Kaptur Pallone  
 Cummings Keller Paul  
 Davis (AL) Kennedy (RI) Pence  
 Davis (CA) King (IA) Peterson (MN)  
 Davis (TN) Kingston Petri  
 DeFazio Kirk Pitts  
 DeLauro Lampson Platts  
     Ramstad

Rangel  
Renzi  
Reyes  
Rodriguez  
Rogers (AL)  
Rogers (MI)  
Rohrabacher  
Ross  
Rothman  
Royce  
Rush  
Ryan (OH)  
Ryan (WI)  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sanders  
Schakowsky

Schrock  
Sensenbrenner  
Sherman  
Shimkus  
Shuster  
Simmons  
Skelton  
Slaughter  
Smith (NJ)  
Smith (WA)  
Souder  
Stark  
Stearns  
Strickland  
Stupak  
Sweeney  
Tancredo  
Tanner

Tauscher  
Taylor (NC)  
Thompson (CA)  
Berkley  
Bishop (UT)  
Clay  
Ferguson  
Ford

NOT VOTING—13  
Gephardt  
Hyde  
Jenkins  
Kind  
Matsui

Pastor  
Sullivan  
Young (AK)

Burton (IN)  
Buyer  
Calvert  
Camp  
Cannon  
Cantor  
Capito  
Capps  
Capuano  
Cardin  
Cardoza  
Carson (IN)  
Carson (OK)  
Carter  
Case  
Castle  
Chocola  
Clyburn  
Cole  
Conyers  
Cooper  
Costello  
Cox  
Cramer  
Crane  
Crenshaw  
Crowley  
Culberson  
Cummings  
Cunningham  
Davis (AL)  
Davis (CA)  
Davis (FL)  
Davis (IL)  
Davis (TN)  
Davis, Tom  
DeFazio  
DeGette  
Delahunt  
DeLauro  
DeLay  
DeMint  
Deutsch  
Diaz-Balart, L.  
Diaz-Balart, M.  
Dicks  
Dingell  
Doggett  
Dooley (CA)  
Doolittle  
Doyle  
Dreier  
Dunn  
Edwards  
Ehlers  
Emanuel  
Emerson  
Engel  
English  
Eshoo  
Etheridge  
Evans  
Farr  
Fattah  
Filner  
Fletcher  
Foley  
Fossella  
Frank (MA)  
Frelinghuysen  
Frost  
Gallegly  
Gerlach  
Gibbons  
Gilchrest  
Gillmor  
Gingrey  
Gonzalez  
Gordon  
Goss  
Granger  
Green (TX)  
Green (WI)  
Greenwood  
Grijalva  
Gutierrez  
Harman  
Harris  
Hart  
Hastings (FL)  
Hastings (WA)  
Hayworth  
Hensarling  
Hill  
Hinchey  
Hinojosa  
Hobson  
Hoefel  
Hoekstra

Holden  
Holt  
Honda  
Hoolley (OR)  
Houghton  
Hoyer  
Hunter  
Inslee  
Isakson  
Israel  
Issa  
Istook  
Jackson (IL)  
Jackson-Lee  
(TX)  
Janklow  
Jefferson  
John  
Johnson (CT)  
Johnson (IL)  
Johnson, E. B.  
Johnson, Sam  
Jones (OH)  
Kanjorski  
Kaptur  
Keller  
Kelly  
Kennedy (MN)  
Kennedy (RI)  
Kildee  
Kilpatrick  
King (NY)  
Kingston  
Kirk  
Klecza  
Kline  
Knollenberg  
Kolbe  
Kucinich  
LaHood  
Lampson  
Langevin  
Lantos  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Leach  
Lee  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Linder  
Lipinski  
LoBiondo  
Lofgren  
Lowey  
Lucas (KY)  
Lynch  
Majette  
Maloney  
Markey  
Marshall  
Matheson  
McCarthy (MO)  
McCarthy (NY)  
McCollum  
McCotter  
McCrary  
McDermott  
McGovern  
McHugh  
McIntyre  
McKeon  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Menendez  
Mica  
Michaud  
Millender-  
McDonald  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Miller, George  
Mollohan  
Moran (KS)  
Moran (VA)  
Murphy  
Murtha  
Myrick  
Nadler  
Napolitano  
Neal (MA)  
Nethercutt

Neugebauer  
Ney  
Northup  
Nunes  
Nussle  
Oberstar  
Obey  
Olver  
Ortiz  
Osborne  
Ose  
Owens  
Oxley  
Pallone  
Pascrell  
Payne  
Pearce  
Pelosi  
Pence  
Peterson (MN)  
Peterson (PA)  
Pickering  
Platts  
Pomeroy  
Porter  
Portman  
Price (NC)  
Pryce (OH)  
Putnam  
Quinn  
Radanovich  
Ramstad  
Rangel  
Regula  
Rehberg  
Renzi  
Reyes  
Reynolds  
Rodriguez  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Ros-Lehtinen  
Ross  
Rothman  
Roybal-Allard  
Royce  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Sabo  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sanders  
Sandlin  
Saxton  
Schakowsky  
Schiff  
Schrock  
Scott (GA)  
Scott (VA)  
Serrano  
Sessions  
Shadegg  
Shaw  
Shays  
Sherman  
Sherwood  
Shimkus  
Shuster  
Simmons  
Simpson  
Skelton  
Slaughter  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Solis  
Souder  
Spratt  
Stark  
Stenholm  
Strickland  
Stupak  
Sweeney  
Tauscher  
Tauzin  
Terry  
Thomas  
Thompson (CA)  
Thompson (MS)  
Thornberry  
Tiahrt  
Tiberi  
Turner (OH)  
Turner (TX)  
Udall (CO)  
Udall (NM)  
Van Hollen  
Velazquez  
Visclosky  
Vitter  
Walden (OR)  
Walsh  
Watson  
Watt  
Weldon (PA)  
Weller  
Wicker  
Wilson (NM)  
Wilson (SC)  
Woolsey  
Young (FL)

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote).  
There are 2 minutes remaining in this vote.

□ 0123

Ms. HARMAN, Mr. GRAVES, Mr. ROYCE, and Mr. MORAN of Kansas changed their vote from “no” to “aye.” So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. If there are no further amendments, the Clerk will read the last lines of the bill.

The Clerk read as follows:

This Act may be cited as the “Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2004”.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GILLMOR) having assumed the chair, Mr. THORNBERRY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2800) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2004, and for other purposes, pursuant to House Resolution 327, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill. The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 370, nays 50, not voting 14, as follows:

[Roll No. 429]

YEAS—370

NOES—231

Abercrombie  
Ackerman  
Akin  
Bachus  
Ballenger  
Barton (TX)  
Bass  
Beauprez  
Becerra  
Bell  
Bereuter  
Biggart  
Blackburn  
Blumenauer  
Blunt  
Boehlert  
Boehner  
Bonilla  
Bonner  
Bono  
Boucher  
Boyd  
Bradley (NH)  
Brady (PA)  
Brady (TX)  
Brown (SC)  
Burgess  
Burns  
Burr  
Buyer  
Calvert  
Cannon  
Capito  
Capps  
Carter  
Case  
Castle  
Cole  
Cooper  
Cox  
Cramer  
Crane  
Crenshaw  
Cunningham  
Davis (FL)  
Davis (IL)  
Davis, Tom  
Deal (GA)  
DeGette  
Delahunt  
DeLay  
Diaz-Balart, L.  
Diaz-Balart, M.  
Dingell  
Dooley (CA)  
Doolittle  
Doyle  
Dreier  
Dunn  
Ehlers  
English  
Evans  
Fattah  
Flake  
Fletcher  
Foley  
Fossella  
Franks (AZ)  
Frelinghuysen  
Frost  
Gallegly  
Gerlach  
Gibbons  
Gilchrest  
Gillmor  
Gingrey  
Gonzalez  
Gordon

Goss  
Granger  
Green (WI)  
Greenwood  
Grijalva  
Gutierrez  
Harris  
Hart  
Hastert  
Hastings (WA)  
Hayes  
Hefley  
Hensarling  
Herger  
Hill  
Hinojosa  
Hobson  
Holt  
Hoolley (OR)  
Houghton  
Hulshof  
Hunter  
Inslee  
Isakson  
Issa  
Istook  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
John  
Johnson (CT)  
Johnson, E. B.  
Johnson, Sam  
Kanjorski  
Kaptur  
Keller  
Kelly  
Kennedy (MN)  
Kildee  
Kilpatrick  
King (NY)  
Klecza  
Kline  
Knollenberg  
Kolbe  
LaHood  
Lampson  
Langevin  
Lantos  
Larsen (WA)  
Larson (CT)  
Latham  
Leach  
Lee  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Linder  
Lipinski  
LoBiondo  
Lofgren  
Lowey  
Lucas (KY)  
Lucas (OK)  
Maloney  
Manzullo  
Marshall  
Markey  
Marshall  
Matheson  
McCarthy (MO)  
McCarthy (NY)  
McCollum  
McCotter  
McCrary  
McDermott  
McGovern  
McHugh  
McIntyre  
McKeon  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Menendez  
Mica  
Michaud  
Millender-  
McDonald  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Miller, George  
Mollohan  
Moran (KS)  
Moran (VA)  
Murphy  
Murtha  
Myrick  
Nadler  
Napolitano  
Neal (MA)  
Nethercutt  
Ney  
Northup

Abercrombie  
Ackerman  
Aderholt  
Alexander  
Allen  
Andrews  
Baca  
Bachus  
Baird  
Baker  
Baldwin  
Ballance  
Ballenger  
Barrett (SC)  
Barton (TX)  
Bass

Beauprez  
Becerra  
Bell  
Bereuter  
Berman  
Biggart  
Bilirakis  
Bishop (GA)  
Bishop (NY)  
Blackburn  
Blumauer  
Blunt  
Boehlert  
Boehner  
Bonilla  
Bonner

Bono  
Boozman  
Boswell  
Boucher  
Boyd  
Bradley (NH)  
Brady (PA)  
Brady (TX)  
Brown (OH)  
Brown (SC)  
Brown, Corrine  
Brown-Waite,  
Ginny  
Burgess  
Burns  
Burr

Burton (IN)  
Buyer  
Calvert  
Camp  
Cannon  
Cantor  
Capito  
Capps  
Capuano  
Cardin  
Cardoza  
Carson (IN)  
Carson (OK)  
Carter  
Case  
Castle  
Chocola  
Clyburn  
Cole  
Conyers  
Cooper  
Costello  
Cox  
Cramer  
Crane  
Crenshaw  
Crowley  
Culberson  
Cummings  
Cunningham  
Davis (AL)  
Davis (CA)  
Davis (FL)  
Davis (IL)  
Davis (TN)  
Davis, Tom  
DeFazio  
DeGette  
Delahunt  
DeLauro  
DeLay  
DeMint  
Deutsch  
Diaz-Balart, L.  
Diaz-Balart, M.  
Dicks  
Dingell  
Doggett  
Dooley (CA)  
Doolittle  
Doyle  
Dreier  
Dunn  
Edwards  
Ehlers  
Emanuel  
Emerson  
Engel  
English  
Eshoo  
Etheridge  
Evans  
Farr  
Fattah  
Filner  
Fletcher  
Foley  
Fossella  
Frank (MA)  
Frelinghuysen  
Frost  
Gallegly  
Gerlach  
Gibbons  
Gilchrest  
Gillmor  
Gingrey  
Gonzalez  
Gordon  
Goss  
Granger  
Green (TX)  
Green (WI)  
Greenwood  
Grijalva  
Gutierrez  
Harman  
Harris  
Hart  
Hastings (FL)  
Hastings (WA)  
Hayworth  
Hensarling  
Hill  
Hinchey  
Hinojosa  
Hobson  
Hoefel  
Hoekstra

Holden  
Holt  
Honda  
Hoolley (OR)  
Houghton  
Hoyer  
Hunter  
Inslee  
Isakson  
Israel  
Issa  
Istook  
Jackson (IL)  
Jackson-Lee  
(TX)  
Janklow  
Jefferson  
John  
Johnson (CT)  
Johnson (IL)  
Johnson, E. B.  
Johnson, Sam  
Jones (OH)  
Kanjorski  
Kaptur  
Keller  
Kelly  
Kennedy (MN)  
Kennedy (RI)  
Kildee  
Kilpatrick  
King (NY)  
Kingston  
Kirk  
Klecza  
Kline  
Knollenberg  
Kolbe  
Kucinich  
LaHood  
Lampson  
Langevin  
Lantos  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Leach  
Lee  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Linder  
Lipinski  
LoBiondo  
Lofgren  
Lowey  
Lucas (KY)  
Lynch  
Majette  
Maloney  
Markey  
Marshall  
Matheson  
McCarthy (MO)  
McCarthy (NY)  
McCollum  
McCotter  
McCrary  
McDermott  
McGovern  
McHugh  
McIntyre  
McKeon  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Menendez  
Mica  
Michaud  
Millender-  
McDonald  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Miller, George  
Mollohan  
Moran (KS)  
Moran (VA)  
Murphy  
Murtha  
Myrick  
Nadler  
Napolitano  
Neal (MA)  
Nethercutt

Neugebauer  
Ney  
Northup  
Nunes  
Nussle  
Oberstar  
Obey  
Olver  
Ortiz  
Osborne  
Ose  
Owens  
Oxley  
Pallone  
Pascrell  
Payne  
Pearce  
Pelosi  
Pence  
Peterson (MN)  
Peterson (PA)  
Pickering  
Platts  
Pomeroy  
Porter  
Portman  
Price (NC)  
Pryce (OH)  
Putnam  
Quinn  
Radanovich  
Ramstad  
Rangel  
Regula  
Rehberg  
Renzi  
Reyes  
Reynolds  
Rodriguez  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Ros-Lehtinen  
Ross  
Rothman  
Roybal-Allard  
Royce  
Ruppersberger  
Rush  
Ryan (OH)  
Ryan (WI)  
Sabo  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sanders  
Sandlin  
Saxton  
Schakowsky  
Schiff  
Schrock  
Scott (GA)  
Scott (VA)  
Serrano  
Sessions  
Shadegg  
Shaw  
Shays  
Sherman  
Sherwood  
Shimkus  
Shuster  
Simmons  
Simpson  
Skelton  
Slaughter  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Solis  
Souder  
Spratt  
Stark  
Stenholm  
Strickland  
Stupak  
Sweeney  
Tauscher  
Tauzin  
Terry  
Thomas  
Thompson (CA)  
Thompson (MS)  
Thornberry  
Tiahrt  
Tiberi  
Turner (OH)  
Turner (TX)  
Udall (CO)  
Udall (NM)  
Van Hollen  
Velazquez  
Visclosky  
Vitter  
Walden (OR)  
Walsh  
Watson  
Watt  
Weldon (PA)  
Weller  
Wicker  
Wilson (NM)  
Wilson (SC)  
Woolsey  
Young (FL)

Turner (OH)	Walsh	Whitfield
Turner (TX)	Wamp	Wicker
Udall (CO)	Watson	Wilson (NM)
Udall (NM)	Watt	Wilson (SC)
Upton	Waxman	Wolf
Van Hollen	Weiner	Woolsey
Velazquez	Weldon (FL)	Wu
Visclosky	Weldon (PA)	Wynn
Vitter	Weller	Young (FL)
Walden (OR)	Wexler	

## NAYS—50

Akin	Goodlatte	Otter
Bartlett (MD)	Graves	Paul
Berry	Gutknecht	Petri
Chabot	Hall	Pitts
Coble	Hayes	Pombo
Collins	Hefley	Rahall
Cubin	Herger	Rohrabacher
Davis, Jo Ann	Hostettler	Ryun (KS)
Deal (GA)	Hulshof	Sensenbrenner
Duncan	Jones (NC)	Smith (MI)
Everett	King (IA)	Stearns
Feeney	Lucas (OK)	Tancredo
Flake	Manzullo	Tanner
Forbes	McInnis	Taylor (MS)
Franks (AZ)	Miller (FL)	Taylor (NC)
Garrett (NJ)	Musgrave	Toomey
Goode	Norwood	

## NOT VOTING—14

Berkley	Gephardt	Pastor
Bishop (UT)	Hyde	Sullivan
Clay	Jenkins	Waters
Ferguson	Kind	Young (AK)
Ford	Matsui	

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GILLMOR) (during the vote). Members are advised that 2 minutes remain in the vote.

□ 0141

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 1308, TAX RELIEF, SIMPLIFICATION, AND EQUITY ACT OF 2003

Ms. SOLIS. Mr. Speaker, subject to rule XXII, clause 7(c), I hereby announce my intention to offer a motion to instruct on H.R. 1308, the Child Tax Credit Bill. The form of the motion is as follows:

Mr. Speaker, I move that the managers on the part of the House in the conference on the disagreeing votes of the two Houses on the House amendment to the Senate amendment to H.R. 1308 be instructed as follows:

1. The House conferees shall be instructed to include in the conference report the provision of the Senate amendment (not included in the House amendment) that provides immediate payments to taxpayers receiving an additional credit by reason of the bill in the same manner as other taxpayers were entitled to immediate payments under the Jobs and Growth Tax Relief Reconciliation Act of 2003.

2. The House conferees shall be instructed to include in the conference report the provision of the Senate amendment (not included in the House amendment) that provides families of military personnel serving in Iraq, Afghanistan, and other combat zones a child credit based on the earnings of the individuals serving in the combat zone.

3. The House conferees shall be instructed to include in the conference report all of the other provisions of the Senate amendment and shall not report back a conference report

that includes additional tax benefits not offset by other provisions.

4. To the maximum extent possible within the scope of conference, the House conferees shall be instructed to include in the conference report other tax benefits for military personnel and the families of the astronauts who died in the Columbia disaster.

5. The House conferees shall, as soon as practicable after the adoption of this motion, meet in open session with the Senate conferees and the House conferees shall file a conference report consistent with the preceding provisions of this instruction, not later than the second legislative day after adoption of this motion.

The SPEAKER pro tempore. The gentleman's notice will appear in the RECORD.

#### MOTION TO INSTRUCT CONFEREES ON H.R. 1308, TAX RELIEF, SIMPLIFICATION, AND EQUITY ACT OF 2003

Mr. BISHOP of New York. Mr. Speaker, I offer a privileged motion.

The SPEAKER pro tempore (Mr. HAYES). The Clerk will report the motion.

The Clerk read as follows:

Mr. Speaker, I move that the managers on the part of the House in the conference on the disagreeing votes of the two Houses on the House amendment to the Senate amendment to H.R. 1308 be instructed as follows:

1. The House conferees shall be instructed to include in the conference report the provision of the Senate amendment (not included in the House amendment) that provides immediate payments to taxpayers receiving an additional credit by reason of the bill in the same manner as other taxpayers were entitled to immediate payments under the Jobs and Growth Tax Relief Reconciliation Act of 2003.

2. The House conferees shall be instructed to include in the conference report the provision of the Senate amendment (not included in the House amendment) that provides families of military personnel serving in Iraq, Afghanistan, and other combat zones a child credit based on the earnings of the individuals serving in the combat zone.

3. The House conferees shall be instructed to include in the conference report all of the other provision of the Senate amendment and shall not report back a conference report that includes additional tax benefits not offset by other provisions.

4. To the maximum extent possible within the scope of conference, the House conferees shall be instructed to include in the conference report other tax benefits for military personnel and the families of the astronauts who died in the Columbia disaster.

5. The House conferees shall, as soon as practicable after the adoption of this motion, meet in open session with the Senate conferees and the House conferees, shall file a conference report consistent with the preceding provisions of this instruction, not later than the second legislative day after adoption of this motion.

□ 0145

The SPEAKER pro tempore (Mr. HAYES). Pursuant to the rule, the gentleman from New York (Mr. BISHOP) and a Member of the majority party each will control 30 minutes.

The Chair recognizes the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. Mr. Speaker, I yield myself such time as I may consume.

I rise today to urge conferees on H.R. 1308, the child tax credit legislation, to do the right thing and act now to give lower-income families the tax refunds they deserve. This Friday, Uncle Sam will drop checks in the mail to millions of families who will benefit from the child tax credit. However, if the House would simply put an end to stalling tactics over the Senate bill and act to extend the child tax credit, 4 million additional families would receive a much-needed check in the mail, and 2.5 million families would enjoy a larger check than they are currently scheduled to receive.

Earlier this year, this Congress passed a \$350 billion tax cut bill that failed to provide families of low-income children with a child tax credit. The Senate acted in early June to extend the child tax credit to include low-income families. The Senate bill was deficit neutral, as its costs were offset by other revenues. The House responded to this \$9.5 billion deficit-neutral Senate bill with a bloated \$82 billion plan, every dime of which adds to a deficit that is already of staggering proportions. Why?

It is difficult to resist the conclusion that the House leadership chose this response to the Senate bill precisely because they knew it would be completely unacceptable to the Senate. This is perfect, right? Give the illusion of responding to a real problem when in fact the response makes the solution even more elusive.

Now, the House continues to stall, unwilling to give an inch so that low-income families can receive the same \$1,000 child tax credit other families are expecting. We have an opportunity to call off the stonewalling and follow the Senate's lead in passing meaningful relief for low-income families and we should do it.

Refusing to take the time before Congress goes on vacation to provide low- and middle-income families with a child tax credit is nothing short of an assault on the working poor. At the present time, when our economy has taken a nose dive and families are forced to cut their budgets left and right, it defies logic to engage in such a blatant form of class warfare.

Any Member who thinks it is acceptable to leave town to go on vacation and to push off the urgent business of 6.5 million hardworking families is sending an unmistakable message about misplaced priorities. This kind of attitude may be acceptable in Washington, but it is not okay in my district. I am ashamed to return home to Long Island as the representative of a Federal Government that has turned a blind eye to the needs of the 20,000 families in my district estimated to lose out if we deny them their benefits without a fight.

If this House sees wisdom in giving millionaires alone a \$90 billion tax break, certainly we can give families making between \$10,500 and \$26,000 a small break. That is \$10,500 to \$26,000.