

immigrant of both Italian and Greek descent.

I explained that we live in a Nation of immigrants, that Brumidi is one of the greatest that we ever welcomed. He left Rome under unfortunate circumstances, having been imprisoned in the great fight in Italy for independence with both the Vatican and the state. Rome's loss was America's gain. When the French occupied Rome in 1849, Brumidi was accused by the Church of being a revolutionary. The work he had been doing in the Vatican came to an end. He set out for America where he hoped our free way of life would allow his talent to flourish. He arrived in New York City. Think of that day in 1852. He was a proud citizen 5 years later. Hear me, 5 years later. In fact, he was known to sign some of his work "C. Brumidi Artist Citizen of the United States." How fitting.

After traveling the country for work, in 1855 Brumidi's unique style found its way to the empty walls of the United States Capitol. He was commissioned by the Congress. Brumidi soon provided a unique ability to apply a classical style to create American themes. Though paid handsomely at the start of his career, Brumidi was not inspired by financial gain. After 2 years of work, he never got a raise. But his work continued.

It continued in the Frieze of American History, in the Brumidi Corridor, in the Senate Appropriations Committee, in the reception room and in the President's Room, just to name a few. And on February 19, 1880, exactly 25 years to the day after Brumidi began work at the Capitol, he died of a kidney failure. He died in poverty. And following his death, Brumidi's name and work slipped into obscurity. Much of his artwork was painted over, in fact. He was looked at as irrelevant. It was immaterial. It was not until 1952 that his grave site was recognized by the Congress, the Congress that he dedicated his life to physically enhance. It was not until 10 years ago that his work has truly begun to be restored.

Brumidi was driven by enormous talent. He was driven by enormous patriotism. His passion allowed him to adorn the Capitol of his adopted country with the grand symbolism of a democratic Greco-Roman legacy.

The event that this resolution will authorize takes a step to ensure that Americans will never forget one of our greatest historical figures. It will work to ensure that every American, Italian, Greek, or whatever, will recognize the name of Constantino Brumidi, one of the greatest immigrants to ever grace America.

This is the 200th anniversary of his birth. This is the 150th anniversary of the beginning of his artistic career. And this is the 125th anniversary of his death. It is only fitting that Congress honor Constantino Brumidi in this showplace, in the Capitol Rotunda, on the bicentennial of his birth.

Mr. MICA. Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

Ms. MILLENDER-McDONALD. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. ISRAEL).

Mr. ISRAEL. Mr. Speaker, I thank the gentlewoman for yielding me this time and thank her for her leadership on this issue.

I also want to thank the gentleman from Florida (Mr. MICA) for his leadership, his passion for history, his leadership on behalf of the legacy of Constantino Brumidi in joining with me in urging the Stamp Advisory Commission to issue a United States postage stamp honoring Constantino Brumidi.

Mr. Speaker, all Americans of all faiths, of all backgrounds, of all experiences who come to this citadel of democracy are inspired by the legacy of Constantino Brumidi. All of us are influenced by him. I was just walking through the corridors of the Capitol, and this is a very busy, very crowded place. And everyone who comes to the Capitol today and during these weeks has no choice but to look at the work of Constantino Brumidi, to be affected and influenced by it.

Constantino Brumidi epitomizes the greatest democratic values that our country offers to the world: a sense of strength, a sense of pride, a sense of hope, the sense that one can come here with nothing and create an enduring and permanent legacy of their values.

Constantino Brumidi captures not just the history that we view in his works in the Capitol, but he also sends us a critical message about our future, our collective future. What he tells us in his work is that this is a special place in the world, that one can come to America and work hard, they can reach the literal zenith of their profession, and in that workforce all the rest of us can look up at what they have done. That is something that should not be taken for granted.

I would suggest that only in America could Constantino Brumidi's works be as cherished as they are. Only in America could his work force all the rest of us to look up at what he has done, and only in America could people from all faiths and backgrounds be so influenced and inspired by what he has done. That is the true lesson of Constantino Brumidi. He does not capture the past. He tells us that the best is yet to come.

So I support this resolution. I thank the gentlewoman and gentleman from Florida, and I urge my colleagues to adopt it.

Ms. MILLENDER-McDONALD. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MICA. Mr. Speaker, I yield myself the balance of my time.

In closing, I do thank both sides of the aisle for participating in this, the gentleman from New Jersey (Mr. PASCRELL) and the gentlewoman from

California (Ms. MILLENDER-McDONALD) for their leadership, and others.

Rarely do we get to use the very center of the Capitol building, the Rotunda, in any ceremony. The Congress requires a joint resolution and that that resolution be considered by the other body for the purpose of honoring one of our citizens. So it is very rare. We paid tribute to Ronald Reagan. We have paid tribute to great Americans, Rosa Parks, in awarding the Congressional Gold Medal, leaders, political and social leaders.

□ 1115

How fitting it is that we take time as a Congress to recognize one of the artistic and cultural contributors to this great Capitol building on the 200th anniversary of Brumidi's birth. So we not only honor next week in this special ceremony Constantino Brumidi, but also all the sons and daughters of this great Nation, immigrants, who made not only this Capitol an incredible symbol of democracy and a beautiful place to work and visit and to have as our United States Capitol, but also to honor all those who have made this a great country.

Mr. Speaker, I urge the adoption of the resolution.

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

The SPEAKER pro tempore (Mr. FOLEY). The question is on the motion offered by the gentleman from Florida (Mr. MICA) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 202.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MICA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Con. Res. 202.

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

There was no objection.

GENERAL LEAVE

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2601.

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

There was no objection.

FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 2006 AND 2007

The SPEAKER pro tempore (Mr. MICA). Pursuant to House Resolution

365 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. 2601.

□ 1117

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. 2601) to authorize appropriations for the Department of State for fiscal years 2006 and 2007, and for other purposes, with Mr. FOLEY (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose on Tuesday, July 19, 2005, amendment No. 19 printed in part B of House Report 109-175 by the gentleman from New Jersey (Mr. SMITH) had been disposed of.

It is now in order to consider amendment No. 20 printed in part B of House Report 109-175.

AMENDMENT NO. 20 OFFERED BY MR. ISSA

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 20 offered by Mr. ISSA:

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

SEC. 217. PASSPORT SECURITY ENHANCEMENT.

(a) REPORT ON DOCUMENTS RELATED TO PASSPORT ISSUANCE.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report that describes existing security weaknesses of identification documents, including birth certificates, required for the issuance of a passport, and that includes, in accordance with paragraph (3), recommended criteria for birth certificates that will be acceptable to establish valid proof of identity and national origin of individuals for the issuance of passports to such individuals.

(2) CONSULTATION.—The Secretary shall consult with appropriate officials of States and cities identified as vital registration jurisdictions in the preparation of such criteria.

(3) ACCEPTANCE CRITERIA.—The criteria referred to in paragraph (1) shall include the establishment of minimum acceptance criteria for identification documents issued by such jurisdictions, including criteria related to—

- (A) vital records security and procedures;
- (B) security paper and printing for birth certificates;
- (C) customer identification requirements;
- (D) issuance of birth certificates, including duplicates;
- (E) controlling access to birth certificate records to prevent identity fraud;
- (F) data element definitions to facilitate electronic exchange of birth and death registration information with the Department of State for purposes of issuing passports; and
- (G) routine matching of all birth and death records.

(b) BACKGROUND INVESTIGATION AND ESTABLISHMENT OF TRAINING PROGRAM FOR PASSPORT ACCEPTANCE AGENTS.—

(1) BACKGROUND INVESTIGATION.—Not later than 180 days after the date of the enactment

of this Act, the Secretary of State shall establish a mandatory requirement for background investigations of passport acceptance agents.

(2) ESTABLISHMENT OF TRAINING PROGRAM.—Not later than one year after the date of the enactment of this Act, the Under Secretary for Management of the Department of State, acting through the Bureau of Consular Affairs of the Department, shall—

(A) establish a comprehensive training program for passport acceptance agents that includes instruction and training relating to identification document fraud detection, customer identification authentication, and the penalties for passport fraud by employees, agents, and passport applicants;

(B) establish a database that records when passport acceptance agents complete such training;

(C) require all newly appointed passport acceptance agents to complete such training before initial processing of passport applications; and

(D) establish a training schedule so that all existing passport acceptance agents have completed such training no later than three years after the date of the establishment of the training program under this paragraph.

(c) EXPANDED AUTHORITY OF SPECIAL AGENTS.—Section 203 of the Omnibus Diplomatic and Antiterrorism Act of 1986 (Public Law 99-399; 22 U.S.C. 4823) is amended—

(1) in the first sentence, by striking “Special agent positions” and inserting “(a) Special agent positions”; and

(2) by adding at the end the following new subsection:

“(b) In connection with investigations of corruption, waste, fraud, and abuse by officers and employees of the United States Government, including the illegal sale of United States passports and visas and other United States criminal offenses, the Federal District Court for the District of Columbia shall have authority to issue warrants with respect to properties within the special maritime and territorial jurisdiction of the United States, as defined under section 7(9) of title 18, United States Code. Special agents under the direction of the Director of the Diplomatic Security Service shall have authority to execute such warrants.”

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary, or to reprogram funds otherwise obtained through receipts from the issuance of passports and visas, to carry out this section.

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentleman from California (Mr. ISSA) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from California (Mr. ISSA).

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

Mr. Chairman, before we take up amendment 20, I would like to step back to amendment 6 of yesterday. I had submitted an amendment made in order under the rule to strike proposed changes to U.S. economic and military aid to Egypt yesterday. I decided not to offer this amendment.

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

Mr. ISSA. I yield to the gentleman from Illinois.

Mr. HYDE. Mr. Chairman, we are prepared to continue to work with the gentleman from California and the administration in order to protect the na-

tional interests broadly considered and help Egypt achieve the economic and political reform it needs.

Mr. ISSA. Mr. Chairman, reclaiming my time, I thank the gentleman.

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

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

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

Mr. Chairman, the chairman and I are prepared to deal with all members of the committee on their ideas. We have explored the issue of the appropriate level of economic and military aid to Egypt; and the committee, as well as the House, has acted on this matter. But as with all matters, we have an open mind to discuss additional and new ideas.

Mr. ISSA. Mr. Chairman, reclaiming my time, I thank the gentleman from California. I appreciate the offer by the chairman and ranking Democrat to look at this, and I look forward to working with them and the administration on this matter.

On that, Mr. Chairman, I would like to move to amendment No. 20.

Amendment 20 was made in order because it is dealing with an important matter. This amendment takes the necessary and commonsense steps to enhance the security of American passports. It will help to eliminate three major loopholes currently present in the passport acquisition process that have been exploited by criminals, especially over the last 5 years.

First, it requires the Secretary of State to submit a report that describes the weaknesses of identification documents, including birth certificates, required for the issuance of passports. This report will lay out the minimum acceptable criteria for birth certificates issued by State and county governments in order for the certificates to be accepted by the State Department for the purpose of obtaining a passport.

Second, the amendment establishes a requirement that all passport agents undergo background investigations and comprehensive training programs to improve fraudulent document detection and thereby reduce fraud. This will make it harder for insiders to sell passports to criminals and terrorists and easier for government authorities to discover those who do. The Secretary of State would be authorized to determine requirements for both background checks and oversight of these agents.

Finally, Mr. Chairman, and without a doubt most importantly, this amendment expands the authority of the United States Government to investigate cases of illegal sales of passports and visas by U.S. Government personnel. It authorizes the Federal District Court of the District of Columbia to issue warrants in such cases and authorizes special agents under the direction of the director of the Diplomatic Security Service to execute such warrants.

It will also require foreign service officers and other personnel serving abroad in diplomatic positions, including ambassadors, to waive any challenge to the Federal court jurisdiction over matters involving the illegal sale of a passport or a visa or any other matter involving official corruption. The waiver would include any legal challenges to the diplomatic security conducting investigations for the same.

This will resolve the current impasse that happens in a significant number of foreign countries when local magistrates and police officials are barred under respective local laws from allowing investigations by anybody into the homes of diplomats.

Mr. Chairman, the requirements laid out in this amendment will raise the State Department's ability to detect and eliminate passport fraud. It is critical for our Nation's security that we implement the measures I have laid out.

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

Mr. LANTOS. Mr. Chairman, I am not opposed to the amendment, but I ask unanimous consent to claim the time in opposition.

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

There was no objection.

The Acting CHAIRMAN. The gentleman from California (Mr. LANTOS) is recognized for 15 minutes.

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

Mr. Chairman, passport security is a critical issue, and we need to be sure that the administration is doing everything it can to ensure that only U.S. citizens receive U.S. passports. However, while we are prepared to accept this amendment, we hope we can make some modifications as the legislative process moves forward.

Birth certificates are used by the State Department to help establish the nationality of an applicant, not their identity, and the Intelligence Reform and Terrorism Prevention Act of 2004 establishes a Federal process to standardize U.S. birth certificates. The State Department is a full participant in that process, along with other Federal agencies, the States and the association that represents the registrars of vital statistics. That process should be allowed to run its course, and it would be counterproductive for the Department of State to establish its own criteria for evaluating birth certificates.

In addition, it is unclear whether the training mandated by this provision should be the responsibility of the State Department or the U.S. Postal Service, which employs most of the passport acceptance agents.

We hope to address these issues as this amendment moves forward.

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

Mr. ISSA. Mr. Chairman, I yield 3 minutes to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Mr. Chairman, I thank the sponsor of this amendment. It is important. I think that we need to do all we can to make sure the feeder documents, the primary documents upon which passports are issued, are safer than they are today. I think it is important that the Secretary of State and those in responsibility have a more thorough reporting process to us as to how these can be made safe.

So I want to commend the gentleman for bringing this forward. It is a good amendment, and we ought to support it.

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

Mr. Chairman, in closing, I would like to offer my assurances to the ranking member that it was never the intention of this amendment to eclipse the postal service's good efforts; and the portion of the amendment that deals with State Department developing in no way, shape, or form is intended to stop the training from being conducted by the appropriate agency in the appropriate place. I look forward to working with the ranking member to clarify that in any language necessary.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. ISSA).

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 21A made in order under the rule.

AMENDMENT NO. 21A OFFERED BY MR. SMITH OF NEW JERSEY

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

The Acting Chairman. Is the gentleman from New Jersey acting as the designee of the gentleman from Iowa (Mr. KING)?

Mr. SMITH of New Jersey. Mr. Chairman, I am.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 21A offered by Mr. SMITH of New Jersey:

Page 300, after line 20, insert the following new section:

SEC. 1027. FUNDING FOR NONGOVERNMENTAL ORGANIZATIONS UNDER THE PRESIDENT'S EMERGENCY PLAN FOR AIDS RELIEF.

Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report that—

(1) identifies by name each nongovernmental organization that has received funding under the President's Emergency Plan for AIDS Relief on or after the date of the enactment of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (Public Law 108-25), the date on which the funding was provided to the organization, and the date on which the organization filed a statement with the Government of the United States certifying that the organization has in effect a policy explicitly opposing prostitution and sex trafficking; and

(2) contains a description of the plan of the Department of State to audit compliance by

each nongovernmental organization that receives funding under the President's Emergency Plan for AIDS Relief to have and adhere to a policy explicitly opposing prostitution and sex trafficking and to submit to the appropriate congressional committees the results of such audit.

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentleman from New Jersey (Mr. SMITH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment simply requires that the State Department submit a report to Congress that one, identifies by name all NGOs receiving funding under the President's emergency plan for AIDS relief, the date that the funding was provided, and the date on which the NGO filed the statement certifying its policy explicitly opposing prostitution and sex trafficking.

Number two, it describes the Department of State's plans to audit the compliance by nongovernmental organizations receiving U.S. funding under the President's Emergency Plan for AIDS relief to have and adhere to an explicit policy opposing prostitution and sex trafficking and a description of the plan of the Department of State to transmit the results to the appropriate congressional committees.

□ 1130

Mr. Chairman, I would just note for my colleagues, this is a very simple amendment. When the Hyde historic legislation on HIV/AIDS was considered by the committee, I offered the amendment that was included in that bill to ensure that the NGOs, to which we provide considerable amounts of money and, in many cases, we are talking tens of millions of dollars, are not in any way complicit in sex trafficking nor in the promotion of prostitution and its legality.

I would point out to my colleagues that by way of historical background, I am the prime sponsor of the Trafficking Victims Protection Act of 2000 and the Trafficking Victims Protection Act Reauthorization and Expansion Act of 2003. We take very seriously our obligation to ensure that we as a government, we as a provider of significant Federal funding, in no way are enabling this modern-day slavery called sex trafficking or prostitution, which is its very close cousin.

I would hope that Members would realize that this is a very simple amendment. It just requires that we get basic information, which I think in our oversight capacity we have an obligation to do as a Congress and as certain committees of the Congress.

So I hope that Members will support this.

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

Mr. LANTOS. Mr. Chairman, I am not opposed to the amendment; I ask

unanimous consent to claim the time in opposition.

The Acting CHAIRMAN (Mr. SHAW). Is there objection to the request of the gentleman from California?

There was no objection.

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

Before I comment substantively on the gentleman's amendment, let me pay tribute to the gentleman from New Jersey (Chairman SMITH) for his leadership in this House in our joined fight against trafficking.

Mr. Chairman, there is no disagreement among Members of this body as to whether overseas recipients of U.S. HIV/AIDS funds should be promoting prostitution or trafficking. They obviously should not. To this end, in the original HIV/AIDS legislation Congress required that any grantee or subgrantee legally certify that they have a written policy against prostitution and trafficking.

This amendment, if approved, will place an onerous burden on the thinly staffed administrators of the global HIV/AIDS program to prepare within 90 days a report listing hundreds of grants and subgrants and retrieving policy statements from each one to satisfy the amendment. If Congress wants to set forth specific and reasonable guidelines for NGOs to follow, that is a different matter and should be addressed appropriately.

Mr. Chairman, because I support the intent of this amendment, I will not oppose it, but I believe that there are less burdensome ways to achieve this end, particularly by allowing for a greater period of time to prepare this information. I hope we will have a chance to work out appropriate language in conference.

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

Mr. SMITH of New Jersey. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Iowa (Mr. KING), who is actually the prime sponsor of this amendment.

Mr. KING of Iowa. Mr. Chairman, I thank the gentleman from New Jersey (Mr. SMITH) for picking up this amendment and introducing it on my behalf. I introduced this amendment on behalf of the gentleman from Indiana (Mr. SOUDER), and we have all been working on this same cause; it has to do with sex trafficking and the dehumanization that comes from sex trafficking, Mr. Chairman.

I will just add to this debate that we know that it is dehumanizing and it is against the policy of the United States.

There was legislation that was introduced last year that went into the Federal code that would prohibit any funds from going to organizations that do not have a policy specifically opposing sex trafficking and prostitution. But we have not gotten a report back from the Secretary of State's office, in spite of the fact that there have been a number of letters written, by the gentleman from Indiana (Mr. SOUDER) in particular, requesting that report.

This amendment requires a report from the Secretary of State be delivered to the appropriate committees and allows this Congress to oversee the funding that we appropriated. Mr. Chairman, I will insert for the RECORD the letters that have been sent by the gentleman from Indiana (Mr. SOUDER). I would conclude my remarks with a request for support for this amendment.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT REFORM,
Washington, DC, February 11, 2005.

Hon. CONDOLEEZZA RICE,
Secretary of State, Department of State, Harry S
Truman Building, Washington, DC.

DEAR MS. SECRETARY: Attached you will find a letter dated October 22, 2004, in which the State Department was asked to provide the Subcommittee with a listing of any grants that have been awarded under the authority of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 or the Trafficking Victims Protection Reauthorization Act of 2003 that did not fully comply with anti-prostitution and sex trafficking provisions therein.

The deadline for the provision of this information, November 1, 2004, has long passed. Please update the Subcommittee regarding the status of this request by Wednesday, February 16, 2005.

Sincerely,

MARK E. SOUDER,
Chairman, Subcommittee on Criminal
Justice, Drug Policy and Human Resources.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT REFORM,
Washington, DC, October 22, 2004.

Hon. COLIN POWELL,
Secretary of State, Department of State, Harry S
Truman Building, Washington, DC.

DEAR MR. SECRETARY: According to the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (Public Law 108-25), funds must not be used "to promote or advocate the legalization or practice of prostitution or sex trafficking" and organizations must have a policy "explicitly opposing prostitution and sex trafficking." (citations are provided in the attached copy of the Office of Legal Counsel (OLC) guidance on the enforcement of this law).

On July 8th of this year, an amendment to the FY05 Committee, Justice, State Appropriations specifically reiterating this policy passed in the House by an overwhelming 306 to 115 vote.

Proper implementation of this provision of law is critical because it guarantees that our surrogates in foreign countries are not giving mixed messages to the victims of prostitution and sex-trafficking. Although the guidance attached to this letter is addressed to the Department of Health and Human Services, the Department of Justice has informed us that copies of this letter were provided to your agency and is binding upon it.

No later than November 1, please provide the Subcommittee a listing of any grants that have been awarded under the authority of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 or the Trafficking Victims Protection Reauthorization Act of 2003 that did not fully comply with the above-cited provisions or the OLC guidance of September 20, 2004.

As the next round of AIDS grant proposals are submitted, I remain confident that you will see to it that the grants are imple-

mented and awarded in accordance with the law.

Sincerely,

MARK E. SOUDER,
Chairman, Subcommittee on Criminal
Justice, Drug Policy, and Human Resources.

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF LEGAL COUNSEL,
September 20, 2004.

Hon. Alex M. Azar II,
General Counsel, Department of Health and
Human Services, Washington, DC.

DEAR ALEX: I understand that earlier this year the Department of Health and Human Services (HHS) asked the Department of Justice (DOJ) whether HHS could implement certain provisions of the TVPRA and of the AIDS Act. At this time, I understand that DOJ gave its tentative advice that the so-called "organization restrictions" set forth in 23 U.S.C.A. §7110(2) and 22 U.S.C.A. §7631(f) could, under the Constitution, be applied only to foreign organizations acting overseas.

We have reviewed the matter further and are withdrawing that tentative advice. The statutes are clear on their face that the organization restrictions were intended by Congress to apply without the limitations identified in our earlier advice. We have consulted with the Civil Division and, in these circumstances, given that the provisions do not raise separation of powers concerns and that there are reasonable arguments to support their constitutionality, we believe that HHS may implement these provisions. If the provisions are challenged in court, the Department stands ready to defend their constitutionality in accordance with its longstanding practice of defending congressional enactments under such circumstances.

Please do not hesitate to contract me if you have any further questions. I apologize for any confusion or inconvenience cause by our earlier tentative advice.

Sincerely,

DANIEL LEVIN,
Acting Assistant Attorney General.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT REFORM,
Washington, DC, July 15, 2005.

Hon. CONDOLEEZZA RICE,
Secretary of State, Department of State, Wash-
ington, DC.

DEAR MADAM SECRETARY: On October 22, 2004, and again on February 11, 2005, the State Department was asked to provide the Subcommittee with information relating to grants awarded under the authority of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 [Public Law 108-25].

Now, nine months later, I find it necessary to file amendments on the State Department authorization bill with the House Rules Committee to provide your Department some additional incentives for its full cooperation with the oversight requests made by this subcommittee.

By August 22, 2005 (ten months to the day of my original request) I ask that the following information be provided to the Subcommittee (both paper and electronic copies): an Excel spreadsheet containing, in separate cells, the names and addresses, and points of contact of all Non-Governmental Organizations which, after the date of enactment of Public Law 108-25, received funding under authority of the President's Emergency Plan for AIDS Relief or the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003. The spreadsheet must include the dates on which funding was awarded, the date the identified Non-Governmental Organizations filed statements with the Federal government asserting the Non-Governmental Organization has

a policy “explicitly opposing prostitution and sex trafficking,” and paper and electronic copies of the statements of the Non-Governmental Organizations arraigned alphabetically.

If there are any questions, please contact Malia Holst, clerk of the subcommittee.

Sincerely,

MARK E. SOUDER,

Chairman, Subcommittee on Criminal Justice, Drug Policy and Human Resources.

July 15, 2005.

Hon. ANDREW NATSIOS,
Administrator, United States Agency for International Development, Ronald Reagan Building, Pennsylvania Avenue, NW., Washington DC.

DEAR MR. ADMINISTRATOR: As Members of Congress who advocate for the faith community, we write to express our deep concern about the way in which the United States Agency for International Development (USAID) is implementing the Communities Responding to the HIV/AIDS Epidemic (CORE). As a pillar of the Administration's faith-based outreach abroad, CORE is an innovative initiative that partners USAID with faith communities to address the HIV/AIDS epidemic.

CORE's operating consortium is composed of five groups including CARE USA, the World Council of Churches (WCC), the International Center for Research on Women (ICRW), the International HIV/AIDS Alliance (the Alliance), and the Johns Hopkins Bloomberg School of Public Health/Center for Communication Programs. We draw your attention to the first four organizations because their policies often run contrary to U.S. HIV/AIDS policy and frequently promote policies that are offensive to people of faith.

Most disconcerting is the consortium's primary contractor, CARE USA. The President of CARE, Peter Bell, has signed public attacks on the Administration's pro-life policies, calling them “undemocratic” and “unethical”—and this is only the beginning of CARE's opposition to American policy.

CARE's programs in India, most notably the Sonagachi Project in Calcutta, have promoted a pro-prostitution agenda. Samarjit Jana, CARE's Assistant Country Director in India, is one of the world's leading crusaders for the legalization of prostitution for the right of HIV-infected prostitutes to have sex without a condom.

In Lesotho, CARE and USAID funding to campaign for a so-called “rights-based” approach to prostitution—in other words, for legalization of prostitution and its cultural acceptance as a legitimate form of employment. Despite the Administration's policy directive that all grantees of taxpayer monies for work overseas must pledge to oppose the legalization of prostitution, CARE continues to lead the CORE consortium.

We are also concerned about the policies of ICRW, another CORE member. In 2001, ICRW held a conference to plan strategy for an agenda that included the legalization of prostitution. Its pro-prostitution stance is radical that ICRW even objected to the late Senator Paul Wellstone's Trafficking Victims Protection Act (S. 1842, 106th Congress) because “the legislation does not currently distinguish between forced prostitution and voluntary prostitution. Thus [ICRW argued] it may be used as a punitive measure against voluntary sex workers.

ICRW also holds other policy views that most faith-based groups would find offensive. ICRW president Geeta Rao Gupta is a strong critic of abstinence programs, arguing that “the traditional norm of virginity for unmarried girls that exists in many societies, paradoxically, increase young women's risk

of infection because it restricts their ability to ask for information about sex out of fear that they will be thought to be sexually active.” Gupta also objects to the “stigmatizing [of] sex workers” because it “increase[s] their vulnerability to infection and violence.

The Alliance is the third CORE consortium organization of concern. The Administration's own policy may prohibit this group from receiving government grants because of its veiled support for the legalization of prostitution. The Alliance appears to be the vanguard of prostitution legalization efforts through its many activities. In one instance, it employs two highly placed associates of the Network of Sex Work Projects, an outspoken pro-prostitution advocacy group. In another instance, the Alliance purposefully organizes with pro-prostitution groups. Nonetheless, USAID is working with the Alliance to implement the Administration's HIV/AIDS policy among faith-based groups.

The fourth disturbing CORE consortium member is the WCC. With a reputation for more than half a century of unrelenting criticism of the United States, WCC consistently seeks to undermine American foreign policy.

A study published in 2004 by the well-regarded Institute on Religion and Democracy surveyed WCC's public statements on human rights over the past several years. The report discovered that 21% of all WCC complaints about human rights were directed against the United States and 43% were directed against Israel, though WCC cited no human rights violations in China. Apparently, WCC believes that China is not culpable for any violation of human rights, while the United States and Israel account for two-thirds of the world's violations. This is a distortion of the meaning of “human rights.”

Astonishingly, such propagandistic condemnation is not an isolated incident. WCC issued a statement which linked the tsunami in the Indian Ocean to the U.S. refusal to sign the Kyoto Protocol on Global Warming. After September 11, WCC General Secretary Konrad Raiser attacked the U.S. war against terrorism as “outside the rule of law,” and claimed that our anti-terrorism efforts have led to the “harsh suppression” of the “people's struggles for social justice” because they appear as “potential manifestations of terrorism.” Raiser also dismissed the tragedy of September 11, stating that it would “create a sense of solidarity in pain with those who had been exposed to the structural violence of a global economic system which serves the interests of a minority of rich people and countries.

Last year, three of USAID's CORE consortium members (CARE, the International HIV/AIDS Alliance and the World Council of Churches) joined with eight other organizations to produce a so-called “Code of Good Practice for NGOs Responding to HIV/AIDS,” which includes statements antithetical to American policy. The document states that, “In the context of individual behavior change, abstinence, fidelity and use of condoms all have a role to play in reducing HIV transmission. However, it is critical that abstinence and fidelity are not promoted as the preferred approach, with condoms as a last resort, thereby stigmatizing [sic] condom use.”

The code also calls for “the full range of prevention options” to be available to injecting drug users “in a manner that is free of judgment,” including “utilizing [sic] non-injecting methods of drug use and effective use of sterile injecting equipment.” The code states that “the illegality and stigma associated with injecting drug use invariably lead to discrimination against people who use drugs and create barriers to accessing services” and protests the “failure to protect the

human rights of people who inject drugs,” linking it to the “undermining [of] HIV prevention efforts.” If the sponsors of this code seriously believe that legalizing drug use and making drugs and equipment available—protecting the “human rights” of drug users—will prevent the spread of HIV, then we cannot understand why USAID would contract with these organizations.

Furthermore, the code advances the legalization of prostitution, stating that “the stigma associated with sex work in many countries around the world creates significant barriers to sexual health and HIV prevention efforts among sex workers and their clients. . . . Supporting sex workers, including through collective action, empowers them to negotiate transactions, and address the health and social contexts that increase their vulnerability to HIV infection.” Apparently, the code considers the legalization of prostitution to be a way to improve HIV prevention efforts.

Such policy statements are clearly contrary to American foreign policy and offensive to a vast majority of religious adherents the world over—though they are made by contractors for the Administration's central faith-based response to the HIV/AIDS policy.

Any reasonable pre-award evaluation by USAID of its contractors should have confronted the records of CARE, ICRW, the Alliance and WCC. If such an evaluation failed to uncover the concerns we have enumerated above, we must question USAID's procedures for selecting its contractors. We would be most concerned, however, to learn that USAID had initiated its collaboration with these CORE consortium members with full knowledge of their policy positions.

U.S. government outreach to the range of faith-based communities delivered by anti-American, anti-abstinence, pro-prostitution and pro-drug use groups should not be allowed to undermine the work of the Administration. Organizations entrusted with taxpayers' money and charged with a mission to represent our nation to people abroad must themselves represent the values inherent in American foreign policy.

Thank you for considering these views, and for your work to ensure that people of faith may participate fully in the public square.

Mr. SOUDER. Mr. Chairman, I rise in support of the amendment offered by my friend and colleague, Representative STEVE KING. This amendment seeks to obtain information necessary for Congressional oversight of State Department activities, to ensure that the Congressional policy against prostitution and human trafficking for the sex trade is reflected by those activities.

The King amendment will assist the Congress in ensuring compliance with current law. Specifically, this amendment would require a report (within 90 days) describing by name all non-governmental organizations (NGOs) which received funding for AIDS relief after the enactment of the President's Emergency Plan for AIDS Relief or the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (Public Law 108–25). That law required that any recipient of funding under the act have taken an official, public stand opposing the legalization of prostitution.

Regrettably, many NGOs involved in AIDS-related work have promoted legalizing prostitution, in the misguided belief that this will somehow reduce the spread of AIDS. In fact, promoting prostitution not only threatens to increase risky sexual behavior and thereby worsen the AIDS epidemic, it also legitimizes this degrading “business” that has enslaved so many women and children in the Third World and elsewhere.

Despite the enactment of Public Law 108–25, we have learned that the State Department in fact awarded grants to NGOs that support legalizing prostitution. The Department has refused, however, to provide a complete accounting of this funding. Hence, this amendment would require the State Department to inform Congress about the dates on which funding was awarded, the date each identified NGO filed a statement with the Federal Government asserting the NGO has a policy “explicitly opposing prostitution and sex trafficking,” and a copy of the statement.

Mr. Chairman, I thank Congressman KING for his efforts on this important issue, and I urge my colleagues to support this amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. SMITH).

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 22 printed in part B of House Report 109–175.

AMENDMENT NO. 22 OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 22 offered by Mr. KING of Iowa:

Page 312, after line 8, insert the following new section:

SEC. 1110A. STATEMENT OF POLICY REGARDING THE ATTACKS ON UNITED STATES CITIZENS BY PALESTINIAN TERRORISTS.

(a) FINDINGS.—Congress finds the following:

(1) Since the late Yasser Arafat renounced violence in the Oslo Peace Accords on September 13, 1993, at least 53 United States citizens, including one unborn child, have been murdered by Palestinian terrorists.

(2) On December 1, 1993, in a drive-by shooting north of Jerusalem, Hamas killed United States citizen Yitzhak Weinstock, 19, whose family came from Los Angeles.

(3) On October 9, 1994, Hamas kidnapped and murdered United States citizen Nachshon Wachsmann, 19, whose family came from New York City.

(4) On April 9, 1995, an Islamic Jihad bomb attack on a bus near Kfar Darom killed United States citizen Alisa Flatow, 20, from West Orange, New Jersey.

(5) On August 21, 1995, in a Hamas bus bombing in Jerusalem, United States citizen Joan Davenny, from New Haven, Connecticut, was killed.

(6) On September 9, 1995, Mara Frey of Chicago was stabbed in Ma'ale Michmash resulting in her unborn child's death.

(7) On February 25, 1996, three United States citizens, Sara Duker of Teaneck, New Jersey, Matthew Eisenfeld of West Hartford, Connecticut, and Ira Weinstein of New York City, were killed in a Hamas bus bombing in Jerusalem.

(8) On May 13, 1996, United States citizen David Boim, 17, of New York City, was killed in a drive-by shooting near Beit El, north of Jerusalem.

(9) On June 9, 1996, United States citizen Yaron Ungar was killed in a drive-by shooting near Beit Shemesh.

(10) On July 30, 1997, United States citizen Leah Stern of Passaic, New Jersey, was killed in a Hamas bombing in Jerusalem's Mahane Yehuda market.

(11) On September 4, 1997, a Hamas bombing on Ben-Yehuda Street, Jerusalem, killed Yael Botwin, 14, of Los Angeles.

(12) On April 19, 1998, an attack near the Israeli town of Maon killed United States citizen Dov Dribben, 28.

(13) On October 8, 2000, Rabbi Hillel Lieberman, 36, of New York City, was stabbed and killed near Nablus.

(14) On October 30, 2000, United States citizen Esh-Kodesh Gilmore, 25, was shot in Jerusalem.

(15) On December 31, 2000, Rabbi Binyamin Kahane, 34, and his wife, Talia Hertzlich Kahane, both formerly of New York City, were killed in a drive-by shooting near Ofra.

(16) On May 9, 2001, Jacob “Koby” Mandell, 13, of Silver Spring, Maryland, was killed in an attack near Tekoah.

(17) On May 29, 2001, Sarah Blaustein, 53, of Lawrence, New York, was killed in a drive-by shooting near Efrat.

(18) On August 9, 2001, two United States citizens, Judith L. Greenbaum, 31, and Malka Roth, 15, were killed in the Jerusalem Sbarro pizzeria bombing.

(19) On November 4, 2001, Shoshana Ben-Yishai, 16, of New York City, was shot and killed during an attack on a Jerusalem bus.

(20) On January 15, 2002, Avraham Boaz, 72, of New York City, was killed in a shooting near Bethlehem.

(21) On January 18, 2002, United States citizen Aaron Elis, 32, was killed in a shooting in Hadera.

(22) On February 8, 2002, United States citizen Moranne Amit, 25, was killed in a stabbing in Abu Tor Peace Forest, Jerusalem.

(23) On February 15, 2002, United States citizen Lee Akunis, was shot and killed near Ramallah.

(24) On February 16, 2002, Keren Shatsky, 14, of New York City and Maine, and Rachel Thaler, 16, of Baltimore, Maryland, were killed in a bombing in Karnei Shomron.

(25) On March 24, 2002, Esther Kleinman, 23, formerly of Chicago, was shot and killed near Ofra.

(26) On March 27, 2002, United States citizen Hannah Rogen, 90, was killed in a bombing at a hotel Passover seder in Netanya.

(27) On June 18, 2002, Moshe Gottlieb, 70, of Los Angeles, was killed in a bus bombing in Jerusalem.

(28) On June 19, 2002, United States citizen Gila Sara Kessler, 19, was killed in a bombing at a Jerusalem bus stop.

(29) On July 31, 2002, five United States citizens were killed in a bombing of a Hebrew University cafeteria: Marla Bennett, 24, of San Diego, Benjamin Blutstein, 25, of Susquehanna Township, Pennsylvania, Janis Ruth Coulter, 36, of Massachusetts, David Gritz, 24, of Peru, Massachusetts (and of dual French-United States citizenship), and Dina Carter, 37, of North Carolina.

(30) On March 5, 2003, Abigail Leitel, 14, who was born in Lebanon, New Hampshire, died in a bus bombing in Haifa.

(31) On March 7, 2003, a shooting occurred in the home of United States citizens Rabbi Eli Horowitz, 52, who grew up in Chicago, and Dina Horowitz, 50, who grew up in Florida, and both were killed.

(32) On June 11, 2003, Alan Beer, 47, who grew up in Cleveland, was killed in a bus bombing in Jerusalem.

(33) On June 20, 2003, a shooting attack on a car driving through the West Bank killed United States citizen Tzvi Goldstein, 47, who grew up in the State of New York.

(34) On August 19, 2003, Mordechai Reinitz, 49, Yitzhak Reinitz, 9, Tehilla Nathanson, 3, of Monsey, New York, Goldie Taubenfeld, 43,

of New Square, New York, and Shmuel Taubenfeld, 3 months, of New Square, New York, were killed in a homicide bombing on a bus in Jerusalem.

(35) On September 9, 2003, a homicide bomber killed United States citizens David Applebaum, 51, originally of Cleveland, and Nava Applebaum, 20, originally of Cleveland, in a cafe in Jerusalem.

(36) On October 15, 2003, United States citizens John Branchizio, 36, of San Antonio, Texas, John Martin Linde, Jr., 30, of Washington, Missouri, and Mark T. Parson, 31, of the State of New York were killed in a car bombing in Gaza.

(37) On September 24, 2004, a mortar strike on a housing community killed Tiferet Tratner, 24, a dual United States-Israeli citizen.

(38) At least another 83 United States citizens have been injured in Palestinian terrorist attacks.

(39) Palestinian terrorism continues to happen as demonstrated by the bombing in Tel Aviv on February 25, 2005, despite the recent elections and a new sense of optimism in the region.

(40) The United States is willing to continue to work with Palestinian leaders under the condition that the newly elected Palestinian leadership reject and take verifiable steps to prevent terrorism.

(b) STATEMENT OF POLICY.—Congress—

(1) condemns the attacks on United States citizens by Palestinian terrorists and demands that the Palestinian Authority work with Israel to protect all innocent individuals, regardless of citizenship, from terrorist atrocities; and

(2) offers its condolences to the families and loved ones of United States citizens who were killed by Palestinian terrorist attacks.

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentleman from Iowa (Mr. KING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise to urge support of this amendment which condemns the attacks made by radical Muslims since the Oslo Peace Accords in September of 1993. These attacks claimed the lives of 53, at least 53 innocent American victims and at least one unborn child in Israel.

My amendment is simple in procedure, but it is sincere in its substance. It honors those innocent Americans that have fallen victim to the terror of radical Islam by listing each victim's name, age, place of residence, location of his or her death, and the cause of their death. My amendment also demands that the Palestinian Authority work with Israel to protect all innocent individuals, regardless of citizenship, from terrorist atrocities.

We should honor the victims killed by terrorists in Israel and all over the world with the same spirit that we have honored our victims of September 11. The September 11 victims and those killed in Israel are all victims of radical Islam and, sadly, the death toll continues to rise as evidenced by the recent London bombings of July 7.

The terrorists who attacked us on 9/11 are the same kind of terrorists who blow themselves up on buses or in

crowded shopping areas in Israel and kill our soldiers on the streets of Baghdad. Terrorism does not discriminate between women and men or between children and adults. This is because terrorists hate freedom and worship death. It is with heavy hearts that we as freedom-loving people are bound together across language barriers and religious beliefs. Together, we fight radical Islam which preaches a culture of death.

My amendment is a small, heartfelt measure to honor those Americans killed in Israel by radical Islamists. I am hopeful that it will send a message to their loved ones that we are all in this together. Our fight to defend our God-given rights to freedom will honor those who have died at the hands of the culture of death and properly preserve our freedom for future generations.

I urge a "yes" vote on this amendment, Mr. Chairman.

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

Mr. LANTOS. Mr. Chairman, I do not oppose this amendment, and I ask unanimous consent to claim the time in opposition.

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

There was no objection.

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

I want to commend my friend from Iowa for offering this amendment. As the amendment soberly points out, 52 American citizens have been murdered by Palestinian terrorists since the PLO forswore the use of violence in the 1993 Oslo Accords.

This amendment acts, in effect, as a memorial, recording the name of each victim and offering condolences to their families.

It also demands that the Palestinian Authority work with Israel to protect all innocent individuals, of whatever citizenship, from terrorist atrocities. This is an important message at any time, but particularly now as Israel prepares to undertake a historic disengagement from the Gaza Strip. The Palestinian Authority must do its best, and it certainly has not done so lately, to ensure that this disengagement takes place in an orderly fashion and not under a hail of grenades and Kassam rockets that would only cast doubt on the viability of a Palestinian controlled Gaza as a neighbor for Israel.

Mr. Chairman, I hope the Palestinian Authority takes the antiterrorist message of this resolution to heart.

Let me also say, Mr. Chairman, that as our distinguished Secretary of State, Dr. Condoleezza Rice, leaves for the region she could not be going at a more appropriate and urgent time, and she fully understands that her prime responsibility is to make it clear to the Palestinian Authority that it must guarantee order and peace by using its military forces in Gaza to break the back of militant terrorist groups.

I urge all of my colleagues to join in supporting this resolution.

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

Mr. KING of Iowa. Mr. Chairman, I yield myself such time as I may consume.

I thank the gentleman from California (Mr. LANTOS) for his remarks and his support and his defense for the freedom and the safety of people across this globe for decades. I say to the gentleman, as to the small part that I add to the effort that he has brought, I feel it a privilege to be standing on this floor together with the gentleman speaking for freedom and safety of freedom-loving people everywhere. We so often and so easily forget that there are people dying in the Middle East that do not show up on the front page of our papers, and we stand with the people in Israel, we stand with all freedom-loving people.

I urge a "yes" vote on this amendment that honors them.

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

Mr. LANTOS. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. KING).

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

Mr. LANTOS. Mr. Speaker, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XXVIII, further proceedings on the amendment offered by the gentleman from Iowa (Mr. KING) will be postponed.

It is now in order to consider amendment No. 23 printed in part B of House Report 109-175.

AMENDMENT NO. 23 OFFERED BY MR. KUCINICH

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 23 offered by Mr. KUCINICH: Page 312, after line 8, insert the following new section:

SEC. 1110A. INTERNATIONAL TREATY BANNING SPACE-BASED WEAPONS AND THE USE OF WEAPONS AGAINST OBJECTS IN SPACE IN ORBIT.

The President shall direct the United States representatives to the United Nations and other international organizations to immediately work toward negotiating, adopting, and implementing an international treaty banning space-based weapons and the use of weapons to destroy or damage objects in space that are in orbit.

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentleman from Ohio (Mr. KUCINICH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio (Mr. KUCINICH).

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

The Kucinich amendment would require the President to direct the U.S.

representatives to the United Nations and other international organizations to commence negotiations on an international treaty banning space-based weapons. Though the U.S. and the former Soviet Union long dominated the use of space, currently many states are investing in space assets and have developed or are developing the ability to use space peacefully.

Serious multilateral discussions about rules of the road for space are needed. This is especially important for the United States, as we own and operate the vast majority of satellites orbiting today, and space has become critical to U.S. economic, scientific, and military interests. Continuing the peaceful use of space will require refined international laws for space-faring States. The legal framework addressing the weaponization of space is far from comprehensive.

The international community, including Russia, China, Canada, and the EU, support creating a ban on weapons through a treaty to ban weapons from outer space. The United Nations has called for peace in space.

For nearly a half century, the cooperative and peaceful uses of space have yielded immense benefits to humans worldwide. Despite Cold War tensions and the technical capability to do so, no nation has deployed destructive weapons in space or destroyed the satellites of another nation.

The policy of preserving peace in space has not only been an international policy, Mr. Chairman, it has also been a national policy. The National Aeronautic and Space Act passed in 1958 stated that it "is the policy of the United States that activities in space should be devoted to peaceful purposes for the benefit of all mankind."

Yet despite any amendment to law or consideration by Congress, the policy of preserving peace in space changed significantly, behind closed doors.

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Why this policy has changed is a mystery. No other country has taken any steps to develop space-based weapons. Space assets of the United States have received no national security threats. Our national security threats are far from outer space. They are on the ground. Yet, with little public debate, the Pentagon has already spent billions of dollars developing space weapons and preparing plans to deploy them.

The Air Force has recently sought President Bush's approval of a national security directive that could move the U.S. closer to fielding space weapons. This new policy would alienate our friends and mobilize our potential enemies.

Moving forward with plans to weaponize space would create an arms race in space. It would be counterproductive to U.S. national security to give potential adversaries reasons to accelerate development of space weapons technology. Pursuing space weapons would also bankrupt our Nation

with a hefty price tag of up to \$1 trillion according to published studies by leading weapons scientists, physicists, and engineers. The financial repercussions of a space-based weapons system would trickle down to every sector of our society: our national security, economy, health care, education, social services, and foreign policy.

It would be very easy to prevent the inevitable catastrophe that would result from an armed race in space. The United States, the only country moving forward with plans to put weapons in space, despite any national security threat, would need to stop in its tracks and work with other nations to negotiate an international legal framework for the peaceful use of space.

Support the Kucinich amendment to commence negotiations for an international treaty banning space-based weapons. This country should not make of the planet Earth a death star. We need to support international cooperation for the peaceful use of technology in space. Support the Kucinich amendment.

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

Mr. EVERETT. Mr. Chairman, I claim the time in opposition.

The Acting CHAIRMAN (Mr. SHAW). The gentleman from Alabama (Mr. EVERETT) is recognized for 5 minutes.

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

I rise today in opposition to this amendment. This amendment attempts to commit the United States to a policy that would be detrimental to our national security. U.S. space assets underpin the economic livelihood of our Nation and provide critical capabilities for our warfighters around the world. It would be irresponsible not to ensure that we have the means to protect these assets and our troops. We should not be forced to enter into an agreement that would prematurely tie our hands from the ability to freely and peacefully operate in space.

This Congress and the administration are seriously concerned with the potential problems we have with our existing space satellites, both economically and militarily. As a Member of the House Armed Services Committee and chairman of the Subcommittee on Strategic Forces, we have had several sessions in order to fully understand how to best protect these assets. We are currently engaged in constructive discussions on how to best proceed on this very complex issue. The American people deserve and the Congress must engage in the first ever national discussion on space control before we can even begin to think of approaching the rest of the world, as this amendment would have us do.

This amendment forces a course that would greatly hamper our economy and our national security. I strongly oppose this amendment and urge my colleagues to do the same.

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

Mr. KUCINICH. Mr. Chairman, I have the right to close. I will continue to reserve the balance of my time.

Mr. EVERETT. Mr. Chairman, I yield 1 minute to the gentleman from Alabama (Mr. CRAMER).

Mr. CRAMER. Mr. Chairman, I appreciate the gentleman from Alabama, my colleague and friend, yielding to me. I join with the gentleman in opposition to this amendment.

As my colleague knows, just this morning we were at a Space Power Caucus breakfast. My colleague has emphasized that we have a tremendous amount invested in our space assets. It would be a shame and actually worse than that to have those assets jeopardized.

I think this amendment harms our ability to protect our assets in space. We have assets out there that are protecting us, giving us intelligence information, protecting us, giving us weather information. And I think this amendment charts a dangerous course that would not allow us to continue to invest money in research and development and protect those assets. I think we should oppose this amendment.

Mr. EVERETT. Mr. Chairman, how much time is remaining?

The Acting CHAIRMAN. The gentleman from Alabama has 2 minutes left. The gentleman from Ohio has 1 minute left.

Mr. EVERETT. Mr. Chairman, I yield 30 seconds to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, I rise in very strong opposition to the Kucinich amendment. A key element in a robust defense against ballistic missiles is the deployment of space-based weapons to intercept them in flight. We are talking about in all cases nonnuclear interceptors to stop an incoming nuclear device.

I think the amendment, while well intentioned, and I respect the gentleman from Ohio, is very counterproductive and puts our cities and our population at risk. I strongly oppose this amendment and urge my colleagues to defeat it.

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

The gentleman from Texas (Mr. REYES), who is the ranking member of my committee, unfortunately or fortunately we have moved the discussion this morning on this bill forward kind of rapidly. And I am at liberty to say that he was going to also oppose this amendment. As I said, the gentleman from Texas (Mr. REYES) is the ranking member of the strategic subcommittee. And I might point out that the gentleman from Alabama (Mr. CRAMER) is the ranking member of the Intelligence oversight committee.

We do not even know what a weapon in space is. We are having the first-ever hearings in the history of this country to try to define the course of action that we should take in the future regarding our space assets. Our space assets underpin the economy of our Na-

tion, in addition to being so helpful, as a matter of fact, very necessary to our military. It is a multibillion dollar economy. If we were to go blind in space, if for some reason someone should shut down our assets in space, you would not be able to use a cell phone. You would not be able to use any communications, television or any other kind of communications. You would not be able to use your ATM machine. It would literally cause this entire country to go blind.

This is not a well-conceived amendment. I do not know the purpose of the amendment. I know the gentleman is not on the House Armed Services Committee. I know he is also not on the Intelligence Committee. And I just would have to say I am not real certain of the gentleman's knowledge of this subject.

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

If the gentleman had the opportunity to read the amendment, he would see that it has to do with commencing negotiations on an international treaty banning space-based weapons. The U.S. Space Command has a program called Vision 2020 which really is about U.S. domination of space.

Now, the American people ought to know whether their Members of Congress are prepared to spend up to a trillion dollars so we start the next arms race in outer space. This is apart from the issue of protecting our Nation with antiballistic missiles. It is a whole different debate. This is about taking the arms race into outer space. And what I am asking for is for an international treaty where all nations would agree we should not do that.

But some in this Congress want to take weapons to go to outer space so the United States can control the world from outer space. Mr. Chairman, that is simply nuts. And what I am suggesting is that we ought to be talking to other nations about eliminating an arms race in outer space to protect future generations. You know, a long, long time ago in a galaxy far, far away people were not talking about killing each other. We should be talking about a treaty to ban weapons in space.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. KUCINICH).

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

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

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

It is now in order to consider amendment No. 24 printed in part B of House Report 109-175.

AMENDMENT NO. 24 OFFERED BY MR. LANTOS

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 24 offered by Mr. LANTOS: Redesignate title XI as title XII and redesignate sections 1101 through 1126 as sections 1201 through 1226, respectively.

Insert after title X the following new title:

TITLE XI—OPENING DOORS FOR FOREIGN STUDENTS

SEC. 1101. SHORT TITLE.

This title may be cited as the “Opening Doors for Foreign Students Act of 2005”.

SEC. 1102. FINDINGS.

Congress finds the following:

(1) Opening doors to well-intentioned foreign students and exchange visitors has wide-ranging benefits to the United States.

(2) Upon their return to their countries of origin, foreign students and exchange visitors disseminate the core values of the United States as they relate their positive experiences with the democratic form of governance, the dynamic multicultural society, and the entrepreneurial spirit of the United States.

(3) The United States earns approximately \$13,000,000,000 a year in tuition and living expenses paid by foreign students, making higher education the United States’ fifth largest service export.

(4) Since the terrorist attacks on America on September 11, 2001, the United States institutions of higher education and nongovernmental exchange sponsors have faced great challenges in retaining their competitive position in the market for foreign students.

(A) During the 2002–2003 academic year, the first year after the 9/11 attacks, the growth of overall international student enrollment in the United States slowed to 0.6 percent after having increased by 6.4 percent in the two previous academic years. During the 2003–2004 academic year, according to the Institute of International Education, the number of international students studying in the United States declined 2.4 percent to 572,509. This was the first overall decline in international students studying in the United States since the 1971–72 school year.

(B) Community Colleges have been particularly hard-hit by overall declines in enrollments of foreign students. During the 2003–2004 academic year, the number of foreign students enrolled at public two-year schools fell by 10 percent, according to the Institute of International Education.

(5) Some foreign students have expressed anxiety and alarm about the new visa processes. A survey conducted in 2004 at the University of California of 1,700 foreign students found that 60 percent reported that they had to endure “unreasonable delays” to obtain student visas.

(6) Competitors in the marketplace for higher education, including Canada, Australia, New Zealand, Germany and the United Kingdom, are aggressively recruiting students to take advantage of changed perceptions of the United States.

(7) If the United States is to regain its competitive advantage in attracting foreign students and exchange visitors, it will be essential for the Department of State to work to ensure that new visa procedures are administered in the most efficient and user-friendly possible manner. Furthermore the Department must continue to engage in public outreach designed to dispel negative perceptions about study in the United States.

SEC. 1103. DEVELOPMENT OF A COMPREHENSIVE STRATEGY TO ATTRACT FOREIGN STUDENTS TO STUDY IN THE UNITED STATES.

(a) DEVELOPMENT OF STRATEGY.—Not later than one year after the date of the enact-

ment of this Act, the Secretary of State, in consultation with the Secretary of Homeland Security, the Secretary of Education, and the Secretary of Commerce, shall develop a comprehensive strategy to counter widespread perceptions among foreign students that the United States no longer welcomes them to study in the United States or to participate in exchange programs, and to increase applications by foreign students to come to the United States for study and exchange. Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a written account of this strategy.

(b) CONSULTATIONS WITH STAKEHOLDERS.—Beginning not later than 180 days after date of the enactment of this Act, the Secretary of State shall undertake annual consultations with individuals and organizations involved in international education, including consultations with nongovernmental institutions concerned with the recruitment of foreign students to the United States; officials from United States educational institutions concerned with the recruitment of foreign students, foreign student representatives, nongovernmental organizations designated by the Department of State as sponsors in the Exchange Visitor Program, and other concerned parties for the purpose of discussing and seeking input on the development of the comprehensive strategy described in subsection (a).

SEC. 1104. IDENTIFICATION OF PRIORITY MISSIONS AND MISSIONS EMPLOYING BEST PRACTICES FOR ATTRACTING STUDENT VISA APPLICANTS.

(a) REVIEW OF STUDENT VISA APPLICATIONS.—The Secretary of State shall review the application and issuance rates for F-1 and J-1 nonimmigrant visas (issued under subparagraphs (F) and (J) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) at every diplomatic or consular mission of the United States providing consular services. Such review shall encompass the five-year period immediately preceding the date of the enactment of this Act and shall be used to identify missions that have experienced significant declines in such visa applications, the issuance of such visas, or both, and shall also identify diplomatic or consular missions that have experienced recovery in the rate of such applications or such issuances after experiencing significant declines in such applications, such issuances, or both.

(b) OBTAINING INFORMATION ON BEST PRACTICES FOR GAINING INCREASES.—Upon identifying diplomatic or consular missions that have experienced recoveries in the rates of such visa applications, issuances, or both, the Secretary shall direct the chiefs of mission of such missions to submit to the Secretary a report concerning consular, public diplomacy, public outreach, or other practices that may have contributed to such recoveries.

(c) CORRECTIVE MEASURES.—Upon identifying diplomatic or consular missions in key foreign policy countries that have suffered significant declines in the rates of such applications, issuances, or both without experiencing recovery in either or both of such rates in accordance with the review required under subsection (a), the Secretary shall direct the chiefs of mission of such missions to develop a plan appropriate to each such mission to attract additional F-1 and J-1 visa applicants and to address any inefficiencies in processing visa applications specific to each such mission.

(d) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and one year thereafter, the Secretary shall

submit to the appropriate congressional committees a report concerning trends in the application and issuance rates for F-1 and J-1 visas at all diplomatic and consular missions of the United States providing consular services.

(2) REPORT ELEMENTS.—

(A) STATISTICAL INFORMATION.—The first report submitted pursuant to this section shall contain data from the five-year period immediately preceding the date of the enactment of this Act. The second report shall contain updated data covering the calendar year preceding the issuance of the report and comparisons with previous data.

(B) BEST PRACTICES.—Each report shall contain a “Best Practices” section identifying diplomatic or consular missions that have experienced a recovery in the rates of such applications, such issuances, or both after experiencing declines in the rates for such applications, such issuances, or both. For each diplomatic or consular mission so identified, the report shall include post activities that may have contributed to such recovery.

(C) PRIORITY POSTS.—Each report shall also contain a section entitled “Priority Posts” that identifies critical diplomatic and consular missions from key foreign policy countries that have experienced declines in the rates of such applications, such issuances, or both without experiencing a significant recovery in any of such rates. For each diplomatic or consular mission so identified, the report shall contain an action plan that describes new initiatives, such as consular services, public diplomacy, and public outreach, that are designed to improve the rates of such applications and such issuances.

SEC. 1105. ENHANCED TRAINING IN PROCESSING AND FACILITATING STUDENT VISAS.

(a) TRAINING PROGRAMS.—Chapter 7 of the Foreign Service Act of 1980 (22 U.S.C. 3901 et seq.) (relating to career development, training, and orientation) is amended by adding at the end the following new section:

“SEC. 708. TRAINING IN PROCESSING AND FACILITATING VISA APPLICATIONS FOR STUDENTS AND EXCHANGE VISITORS FOR STUDY IN THE UNITED STATES.

“The Secretary shall establish a training program for members of the Service who have responsibilities related to the issuance of visas to prepare such members for the unique challenges that visa applicants face in completing the F-1 and J-1 nonimmigrant visa application process and to provide such members with proven tools, including in the area of consular services, public diplomacy, outreach to non-governmental institutions and educational institutions, and public outreach to combat perceptions that the United States is no longer a welcoming place for foreign citizens to study or to participate in exchange programs.”

SEC. 1106. ENHANCED DIPLOMATIC EFFORTS TO NEGOTIATE FAVORABLE RECIPROCAL AGREEMENTS WITH FOREIGN GOVERNMENTS CONCERNING STUDENT VISA TERM LIMITS.

The Secretary of State should undertake a sustained diplomatic dialogue with key foreign governments, including the Government of the People’s Republic of China and the Government of the Russian Federation, aimed at renegotiating the terms of existing reciprocal agreements to provide for extended validity of student and exchange visas in order to reduce the need for frequent renewals of F-1 and J-1 nonimmigrant visas by foreign students.

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentleman from California (Mr. LANTOS) and a Member opposed will each control 5 minutes.

The Chair recognizes the gentleman from California (Mr. LANTOS).

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

I want to offer my sincere thanks to the chairman of the International Relations Committee (Mr. HYDE), my dear friend, for working closely with me in a joint effort to tackle the critical problem of declining rates of foreign students seeking to study in the United States.

I also want to thank the gentleman from Minnesota (Ms. MCCOLLUM), who has worked with us on this problem for years.

Mr. Chairman, opening doors to well-intentioned foreign students is as critical to the security of the United States as is the task of identifying those who are engaged in terrorism and other hostile acts against us.

Foreign students who come to the United States to study and disseminate the core values of the American people as they relate their positive firsthand experience when they return to their countries of origin.

The education of foreign students is a critical part of the United States economy as well, and it is a key American export. Not many people know, Mr. Chairman, the United States earns \$13 billion a year in tuition and expenses paid to us by foreign students.

Since 9/11, U.S. colleges and universities have faced great challenges in retaining their competitive position in the market for foreign students. These challenges have begun to erode our dominance as the world's leading and most desired destination for foreign students. During the 2003-2004 academic year, according to the Institute for International Education, the number of international students studying in the United States declined by almost 2½ percent. This was the first overall year-to-year decline in the number of international students since the 1971-1972 school year.

It appears, Mr. Chairman, that much of the problem stems from negative misperceptions by potential foreign students about new U.S. visa processes and fears that the United States has become a less friendly place for them to study.

Mr. Chairman, my amendment seeks to address this problem by encouraging the Department of State to work with the U.S. educational and academic community and with other Federal agencies to develop effective practices aimed at reversing these negative perceptions so that we may once again reestablish our competitive position as the choice destination for the world's best and brightest international students. I urge all of my colleagues to support this amendment.

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

Mr. HYDE. Mr. Chairman, I ask unanimous consent to take the time in opposition, although I do not oppose this amendment.

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

There was no objection.

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

Mr. Chairman, I just want to say that we are delighted to accept this amendment. It is a far-reaching visionary help to public diplomacy, an area where we can use all the help in the world possible.

I want to congratulate the gentleman from California (Mr. LANTOS) on producing this very useful, important amendment. And we are delighted to accept it.

Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, I thank the distinguished gentleman for yielding.

I want to associate myself with the remarks of the gentleman from Illinois (Chairman HYDE). This is a very creative amendment; 9/11 should not mean that the welcome mat has been pulled. As the gentleman from California (Mr. LANTOS) points out in the amendment's findings, \$13 billion every year is earned from foreign students coming in. But it is not the money, per se, although that helps our colleges and universities. It is the fact that these students have the opportunity to learn what democracy is all about, to learn what a capitalist system can produce for their people when they return. They can also learn skills that will save lives in the area of medicine as well as in law and so many other areas.

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It is a very, very creative amendment, I think, and will lead to best practices that will result in more students taking the good infection back to their respective countries. I again want to congratulate the gentleman on this excellent amendment.

Mr. HYDE. Mr. Chairman, I yield back the balance of my time.

Mr. LANTOS. Mr. Chairman, I want to thank my good friends, Chairman HYDE and Chairman SMITH, for their words and their comments. I hope we can all support this amendment.

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

The Acting CHAIRMAN (Mr. SHAW). The question is on the amendment offered by the gentleman from California (Mr. LANTOS).

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

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

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

It is now in order to consider amendment No. 25 printed in part B of House Report 109-175.

AMENDMENT NO. 25 OFFERED BY MR. MACK

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 25 offered by Mr. MACK:
Page 24, beginning line 4, add the following new paragraph:

(5) BROADCASTING TO VENEZUELA.—For broadcasting to Venezuela, such sums as may be necessary for fiscal year 2006 and such sums as may be necessary for fiscal year 2007, to remain available until expended, to allow the Broadcasting Board of Governors to carry out broadcasting to Venezuela for at least 30 minutes per day of balanced, objective, and comprehensive television news programming, radio news programming, or both.

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentleman from Florida (Mr. MACK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida (Mr. MACK).

Mr. MACK. Mr. Chairman, I yield myself such time as I may consume. I want to thank Chairman HYDE and Ranking Member LANTOS for their strong leadership in moving this important legislation forward. As a member of the International Relations Committee, it has been an honor in my short career here to serve with both of them and all of the members of the committee on this fine piece of legislation.

As a new member of the committee, I have closely followed the events in Latin America and particularly in Venezuela. In fact, this weekend during his weekly radio and television program, President Hugo Chavez urged Venezuelans to embrace, and I quote, his 21st century socialism. This is not surprising considering that since he has taken office in 1999, Chavez has forged strong relations with his Communist friend Fidel Castro. As part of his fiery nationalist rhetoric, Chavez makes almost daily verbal attacks against the United States Government and against freedom, calling it an imperialist menace to world peace and accusing it of trying to topple his regime and kill him.

Most of us are concerned by Chavez's anti-American, anti-freedom speech. However, this rhetoric, coupled with his ever-growing crackdown on freedom and his rapidly increasing domination of the Venezuelan airwaves, has caused many of us to become increasingly alarmed.

Chavez, who already dominates the Venezuelan airwaves, is financing a new state-run TV network patterned after Al-Jazeera. What is more, new laws, including the Law of Social Responsibility in Radio and Television, are being used to snuff out anyone who uses the airwaves to oppose Chavez and his government. Many Venezuelan journalists believe that Chavez is trying to squelch criticism before it starts.

My amendment would focus the resources of the United States Government to counter Chavez's anti-American, anti-freedom messages. It would provide an outlet to the Venezuelan people to hear about the positive ideals of freedom, security and prosperity.

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

Mr. LANTOS. Mr. Chairman, I am not opposed to the amendment. I ask unanimous consent to claim the time in opposition.

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

There was no objection.

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

I commend my good friend from Florida for offering this important amendment to increase the flow of objective information about the United States and world events into Venezuela. Recently, Reuters reported that Chavez had launched a new television station, Telesur, to counter what he considers to be pro-globalization bias in European and American news networks, like CNN. Chavez has also reportedly entered into a \$200 million deal with China's National Space Administration to launch a satellite into orbit from which he could beam his anticipated hateful media content into homes across Latin America, the Caribbean and beyond.

As Chavez ramps up his information campaign, we should be prepared to present balanced news to the people of Venezuela so that they can be better able to make informed decisions about the activities of their government. I encourage all of my colleagues to support the amendment of my friend from Florida.

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

Mr. MACK. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. MCCAUL).

Mr. MCCAUL of Texas. Mr. Chairman, I rise today in support of the amendment offered by the gentleman from Florida (Mr. MACK). I want to commend the gentleman from Florida for his leadership on this very important issue.

We are currently engaged in a war on terror halfway around the world, a war to bring freedom and democracy to a part of the world that has never seen it. That is a noble and just fight. However, we must also ensure the viability of freedom and democracy in our own neighborhood. Twenty years ago, we fought against Communist forces attempting to gain footholds in the Western hemisphere, and now we face threats from an agent of Castro, China and Iran.

On several occasions, President Chavez has attempted to intimidate the United States and has launched unfounded attacks on our President. He has threatened to shift all oil sales away from the United States and towards China. He has aligned himself with the only remaining Communist dictator in the Western hemisphere. And he has allegedly approached Iran in search of nuclear technology.

Since his election, Chavez has worked to break down the most basic principles of freedom, including the

right to free speech and unbiased information. He has restricted the media that has been critical to his government and he has opened a state-run media outlet. This amendment would create parity of information and allow the people of Venezuela the opportunity to hear more than just the propaganda of Hugo Chavez. It will allow the people of Venezuela to hear the truth.

I urge my colleagues to support this pro-democracy amendment. I thank the gentleman from Florida for bringing this to the floor.

Mr. LANTOS. Mr. Chairman, I yield back the balance of my time.

Mr. MACK. Mr. Chairman, I yield myself the balance of my time.

Simply put, this amendment would authorize the Broadcasting Board of Governors to initiate radio and television broadcasts to Venezuela much like we currently do with Radio and TV Marti in Cuba. Since Chavez came to power, he has moved sharply away from democracy and closer to socialism and maybe even beyond. The United States must take action to ensure that the message of freedom reaches the people of Venezuela. I urge my colleagues to support and vote for this important amendment.

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

The Acting CHAIRMAN (Mr. LATHAM). The question is on the amendment offered by the gentleman from Florida (Mr. MACK).

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 26 printed in part B of House Report 109-175.

AMENDMENT NO. 26 OFFERED BY MR. ROGERS OF MICHIGAN

Mr. ROGERS of Michigan. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 26 offered by Mr. ROGERS of Michigan:

Page 312, after line 8, insert the following new section:

SEC. 1110A. STATEMENT OF POLICY REGARDING MANAGEMENT AUTHORITY OVER THE GREAT LAKES.

(a) FINDINGS.—Congress finds the following:

(1) The water resources of the Great Lakes Basin are precious public natural resources, shared and held in trust by the Great Lakes States of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin, and by the Canadian Provinces of Ontario and Quebec.

(2) Authority over the Great Lakes is vested in the Governors of the Great Lakes States by the Water Resources Development Act of 1986 (Public Law 99-662).

(3) Section 1109(b)(2) of the Water Resources Development Act of 1986 (42 U.S.C. 1962d-20(b)(2)) encourages the Great Lakes States, in consultation with the Canadian Provinces of Ontario and Quebec, to develop and implement a mechanism that provides a common conservation standard embodying the principles of water conservation and resource improvement for making decisions

concerning the withdrawal and use of water from the Great Lakes Basin.

(4) Section 1109(d) of such Act (42 U.S.C. 1962d-20(d)) requires the approval of the Governor of each of the Great Lakes States prior to the diversion or export of Great Lakes water.

(5) The Great Lakes Charter of 1985 is a voluntary international agreement that provides the procedural framework for prior notice and consultation by the Great Lakes States and the Canadian Provinces of Ontario and Quebec concerning the withdrawal of water from the Great Lakes Basin.

(6) Whereas the Council of Great Lakes Governors and Premiers has drafted amendments to the Great Lakes Charter of 1985, known as "Annex 2001".

(7) One of the primary purposes of Annex 2001 is to strengthen the authority of Great Lakes Governors and Premiers to make decisions concerning proposals to divert or export Great Lakes water by establishing a common conservation standard by which such decisions will be made.

(8) The final commitments proposed in Annex 2001 to affirm in-basin authority by way of enacting a basin-States compact and a cross-border accord with the Provinces of Ontario and Quebec will be presented to Congress for final approval.

(b) STATEMENT OF POLICY.—Congress—

(1) recognizes and affirms the efforts of the Great Lakes Governors and Premiers in developing a common standard for decisions relating to the withdrawal of water from the Great Lakes that lead to improvement of this binational resource; and

(2) urges that the management authority over the waters of the Great Lakes should remain vested with the Governors and Premiers of the eight Great Lakes States and two Great Lakes Provinces that share stewardship over this vast and valuable natural resource.

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentleman from Michigan (Mr. ROGERS) and the gentleman from Michigan (Mr. STUPAK) each will control 5 minutes.

The Chair recognizes the gentleman from Michigan (Mr. ROGERS).

Mr. ROGERS of Michigan. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I think this is an important day for the Great Lakes and an important amendment to tell the rest of the country how really important they are—about 94,000 square miles of fresh water, beautiful lakes, beautiful not only in the summer but beautiful in the winter. What we have done over time in the Great Lakes is come to the realization that the people best suited to make the decisions about the Great Lakes are not bureaucrats from Washington, DC, whose only experience with Lake Superior might have been an article in the National Geographic, or our friends from Texas or Arizona or California that certainly have an interest in diverting some of our water but do not understand the environmental impact that that may make to the States that count so dearly on our water. And we have made progress.

After the 1986 annex bill that allowed the States to work together to solve issues of common interest, issues that Wisconsinites and Michiganders and folks from Ohio and Indiana understand are so important, this really reaffirms that. It says we believe that

these folks, including Canada, the provinces that touch the Great Lakes, should have the ability to control water diversion. It is working. We have gotten progress. We have come together. It was really the first piece of legislation that brought Canada to the table to talk about the issues important to all of the Great Lakes States.

Mr. Chairman, there are 18 Great Lakes Members that support this language. The chairman supports this language. Why? Because we understand that 20 percent of the world's fresh water is worth fighting for. It is worth protecting. But it is worth protecting in the sense that we give the authority to Great Lakes Governors and Great Lakes legislators for the purpose of protecting what they know. If you want our water, you really should have to live there in February. It is a beautiful place. Beautiful lakes. Beautiful fresh water. And it is worth protecting. Let us not diffuse the issue. Let us not stop the progress of the Great Lakes Governors and the Great Lakes legislators and the provincial leaders in Canada. We have made huge progress. The lakes are starting to turn around. We have identified mutual areas of interest where we can make even more progress to keep those Great Lakes alive.

This is the amendment, Mr. Chairman, that says we will and we do understand the importance of the Great Lakes Governors and the Great Lakes legislators making the determinations in accordance with law that has passed these bodies several times before.

Mr. Chairman, I yield to the gentleman from Illinois (Mr. HYDE).

Mr. HYDE. I thank the gentleman for yielding. I rise only to say we are very pleased to accept this excellent amendment. We hope it passes.

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

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

Mr. Chairman, as someone who has worked more than 12 years to protect the Great Lakes, I have serious concerns about this amendment and I would urge my colleagues to oppose it. To be clear, I strongly support the amendment's stated intent. Congress should encourage the Great Lakes Governors to work together to develop a common standard for Great Lakes water withdrawal. But there is little similarity between the gentleman from Michigan's stated intent and the real effect of his amendment.

The Rogers amendment would, for the first time ever, put Congress on record as granting all management authority over the Great Lakes to the eight State Governors and two provincial governments of Canada. In doing so, it would undermine our efforts to protect the lakes from oil and gas drilling, wastewater blending, invasive species, and water diversions. In short, the Rogers amendment would be a recipe for disaster for the Great Lakes.

This amendment is absurd. Would Congress cede control of coastal por-

tions of the Atlantic Ocean to a foreign government? Would we allow Mexico the power to decide whether or not to drill for oil and gas in the Gulf off the coast of Florida, Louisiana or Mississippi? The answer is absolutely not. So why would Congress cede management control over the Great Lakes, the source of drinking water for over 33 million Americans, to Canada or any other foreign power? If you vote for the Rogers amendment, that is exactly what you would be doing, giving away our national sovereignty.

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Current law already allows the States a great deal of input into Great Lakes management. It strikes the appropriate balance between the State and the Federal Government. It is the right way to protect the Great Lakes. It ensures that we have one smart policy to protect the Great Lakes, not eight. That is why Annex 2001 requires congressional approval.

Specifically, this amendment uses the phrase "remain vested" when referring to the Great Lakes States' management authority. Congress has never provided full management authorities of the Great Lakes to the States. How can the States "remain vested" with authority that Congress has never granted?

This language is not a minor detail. In reality, it would mean the Federal Government would be ceding its lead role in protecting the Great Lakes to several States and to Canada. This is not a recipe for a smart, coordinated effort to protect our Great Lakes.

As Members decide how they will vote on the Rogers amendment, I ask them to consider the following: The Federal Government does have a role in the policies regarding the Great Lakes, just as we have a role in policies governing coastal issues along our ocean borders.

If Members support the environment and want to protect our country's largest source of fresh water, vote no on the Rogers amendment. We cannot risk having eight different policies from eight different Great Lakes States.

If Members support the Constitution, vote no on the Rogers amendment. We should never cede control of our natural resources to two Canadian premiers.

This amendment is inconsistent with constitutional interpretation, and could provide States more leverage to negotiate directly with other countries on interests of national concerns regarding the Great Lakes. A simple reading of the Rogers amendment, especially the last paragraph, could only lead to two conclusions: Either the amendment fails to understand law or it is purposely attempting to undermine existing Great Lakes protections. In either case, the amendment should be defeated.

Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. EMANUEL).

Mr. EMANUEL. Mr. Chairman, I join my colleague from Michigan and echo a couple of points that he made in opposition to the Rogers amendment.

This is nothing but a backdoor attempt to permit oil drilling in the Great Lakes. We have all cited the statistic that 20 percent of the world's fresh water comes from the Great Lakes, that in fact 30 million Americans get their daily drinking water from the Great Lakes. If we were to have eight separate policies, the impact just to Lake Michigan, if Michigan decided to start drilling in the Great Lakes and have an accident, it would affect Indiana, Wisconsin, Illinois and all of the individuals of the States who get their fresh drinking water from that area.

This is a backdoor attempt to do what has been tried before. We tried in past legislation to deal with banning an official because the moratorium is up on oil drilling in the Great Lakes. This is a backdoor attempt to allow oil drilling in the Great Lakes and endanger what has been a bipartisan consensus when it came to the Great Lakes. We should not concede Federal responsibility and role in maintaining a standard for the Great Lakes and for the 20 million Americans who get their daily drinking water from the Great Lakes.

I commend the gentleman from Michigan (Mr. STUPAK) for his opposition to this amendment.

Mr. ROGERS of Michigan. Mr. Chairman, I yield myself such time as I may consume.

It is horribly unfortunate to see partisanship creep into this amendment. Nowhere in this amendment does it talk about oil drilling. This is about the stewardship of the Great Lakes. This recognizes current law that we passed in 2000 by over 300 votes and in 1986 by over 300 votes.

This is about stewardship of the Great Lakes and recognizing the successes of those Governors and those legislatures and the progress that we have made. It is disappointing that we have reached this point. I urge support of this amendment. The Great Lakes Governors and the Great Lakes legislatures deserve our praise.

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

Mr. STUPAK. Mr. Chairman, I yield the balance of my time to the gentleman from Minnesota (Ms. MCCOLLUM), who has been a champion on this issue.

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

Ms. MCCOLLUM of Minnesota. Mr. Chairman, it is unfortunate that we were unable to have a full hearing on this. It is most unfortunate that it is on the floor without a hearing.

There is nowhere in current law the word "vested" is used with the Governors. This is a radical change. This amendment is a radical change to current law. Thirty-five million people

whose water source is not only for drinking but for working and their way of life is dependent upon a quality that has jointly been maintained in the Great Lakes.

Mr. Chairman, I rise in strong opposition to this amendment. As a fellow Member of a Great Lakes state, I appreciate what a valuable resource the Great Lakes are to my state, our region, our country and the world.

I regret that this amendment does not share those sentiments. This amendment gives broad and unconditional authority over the management of the Great Lakes to the governors and premiers of the Great Lakes states and provinces. While I support the role these governors and premiers play in developing a common standard for water withdrawal, the authority granted by this resolution is too vast and the responsibility too great to cede to ten individuals.

I believe there is a better model for honoring the diverse interests of the 35 million people whose water, work, and way of life depend on the Great Lakes. Two weeks ago, in my home state of Minnesota, local, state, federal, tribal, and other diverse stakeholders came together to develop a Great Lakes Regional Collaborative Strategy. This is the kind of approach I believe is needed for the issues facing this large and complex ecosystem.

Instead, this amendment, on which no public hearings have been held, calls for a simplistic and unilateral approach. I have serious concerns with the implications of this amendment and urge my colleagues to join me in opposing this amendment.

Mr. DINGELL. Mr. Chairman, I rise today in strong opposition to the amendment before us for consideration. Although the Gentleman from Michigan, Mr. ROGERS, is a capable Member whom I am pleased to call my friend, I believe that this approach to the very serious issue of Great Lakes water diversion is misguided.

Mr. Chairman, the language in this amendment is overly broad, governing more than just water diversion. In fact, it urges that "management authority" over the Great Lakes should "remain vested" with the eight Great Lakes States and Canada. This put Congress, for the very first time, on record as providing full and broad management to the states.

Now, I have the deepest respect and admiration for the Governor of Michigan, Jennifer Granholm. I have the utmost confidence in her ability to protect Michigan's greatest natural resources, the Great Lakes. However, there is so much more at issue here.

For example, this amendment gives our neighbors to the north, Canada, broad authority over all of the Great Lakes, including Lake Michigan, which lies completely within the United States. Second, this language puts at risk any national protection and restoration strategy that many of us from the Great Lakes states have been working on for several years now. One of the biggest issues facing the Great Lakes right now is invasion species. How can we deal with this issue if eight states and another Nation all have different policies, Mr. Chairman? Unfortunately, these pesky little critter do not now to stop at the border between Illinois and Michigan. What about sewage blending or oil and gas drilling? Should we have eight different standards for those also?

This also brings into questions who would be responsible for negotiating treaties and

international agreements regarding the Great Lakes if not the federal government. Are we now designating that authority to individuals states? Mr. Chairman, this hardly seems wise or reasonable.

Mr. Chairman, we are in Michigan are blessed with the Great Lakes. We owe our tourism industry largely to the Great Lakes, where people come from around the country to recreate, hunt, fish and relax. This Lakes as a transportation system provided Michigan with the means to turn our great State into a manufacturing powerhouse.

We owe it to our children and grandchildren to ensure that we do our utmost to protect this national treasure. The best way we can do this is by defeating this unwise amendment.

Mr. ROGERS of Michigan. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN (Mr. LATHAM). The question is on the amendment offered by the gentleman from Michigan (Mr. ROGERS).

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

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

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

It is now in order to consider amendment No. 27 printed in part B of House Report 109-175.

AMENDMENT NO. 27 OFFERED BY MR. TANCREDO

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 27 offered by Mr. TANCREDO:

In subtitle B of title XI, add at the end the following new section:

SEC. 1127. UNITED STATES-CHINA RELATIONS.

It is the sense of Congress that—

(1) the comments by Chinese General Zhu Chenghu advocating the use of nuclear weapons against the United States are both damaging to United States-China relations and a violation of China's commitment to resolve its differences with Taiwan peacefully; and

(2) the Government of China should renounce the use of force against Taiwan, disavow General Zhu's statements, and relieve General Zhu from his command.

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentleman from Colorado (Mr. TANCREDO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado (Mr. TANCREDO).

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

Mr. Chairman, earlier this week Chinese Major General Zhu Chenghu told a group of reporters that China should consider nuclear first strikes against the United States. Zhu made these comments in the course of threatening a Chinese invasion of the democratic nation of Taiwan. General Zhu Chenghu's comments are one of many

examples that reveal China's hostile intentions toward both Taiwan and the United States.

In 1995, another Chinese general, who is now the Deputy Chief of the General Staff of the People's Liberation Army, told a former Pentagon official that China would consider using nuclear weapons in a Taiwan conflict, then warned that Americans should worry more about Los Angeles than Taipei.

Mr. Chairman, the U.S. decision to recognize Communist China in 1979 was predicated on China's commitment to resolve its differences with Taiwan peacefully. But General Zhu Chenghu's statements, coupled with the "anti-secession law" passed by China's rubber stamp congress a short time ago, made it increasingly clear that China has no interest in adhering to this commitment.

These developments have caused damage to an already tense U.S.-China relationship. My amendment would call on the Chinese government to deal with General Zhu Chenghu the same way President Truman dealt with General MacArthur when he made similar statements during the Korean War that did not reflect official U.S. policy.

The amendment expresses the sense of Congress that the Communist government in Beijing disavow General Zhu Chenghu's statements and remove him from his position. It also asks the Chinese authorities to reiterate their commitment to resolving differences with Taiwan peacefully, and to unequivocally renounce the use of force against the island nation. I ask for an aye vote on the amendment.

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

Mr. LANTOS. Mr. Chairman, I ask unanimous consent to claim the time in opposition to the amendment, although I do not object to the amendment.

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

There was no objection.

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

Mr. Chairman, I strongly support this amendment and urge all of my colleagues to do so as well. The bilateral relationship between the United States and China has become increasingly complex and nuanced over the past decade. A new generation of Chinese diplomats has come into power, fluent in the language of diplomacy and international negotiations.

Unfortunately, the comments made by Chinese General Zhu demonstrate that key elements of the Chinese military continue to live in the long forgotten past when the United States and China were bitter enemies. General Zhu's comment that China might launch a preemptive nuclear strike against the United States in the event of a conflict over Taiwan are the height of lunacy, recklessness and irresponsibility. A nuclear strike by China against the United States would trigger a nuclear exchange which would

leave hundreds of millions of casualties.

China's political leadership fully understands that fact of life, and it is my hope that they will quickly repudiate General Zhu's comments and ease him into a long overdue retirement. I urge all of my colleagues to support this amendment.

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

Mr. TANCREDO. Mr. Chairman, I yield the balance of my time to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Chairman, I rise in support of the Tancredo amendment. I think it is high time that we brought this to the floor of the Congress. I also associate myself with the remarks of the gentleman from California (Mr. LANTOS).

We have a lot of broad international issues, and we are here debating them on this floor. I have an issue that I think has not been properly heard, and I appreciate the time to address it. It is the issue of AIDS in Africa.

Mr. Chairman, I have traveled to Africa. First, I sat on this floor, and I believe the date was January 28, 2003, when about 10 feet behind me the President of the United States in his State of the Union address spoke to the issue of committing our resources to AIDS in Africa. I watched as we had a standing ovation that was led from this side of the aisle and with great enthusiasm I applauded the President's initiative because I had been reading the information on Uganda and the ABC policy that had come from Uganda on AIDS prevention, which they had done without resources from the United States: Abstinence, Be faithful, and if those fail, then Condoms.

I went to Africa less than a year ago, particularly Southern Africa, and I went to the AIDS orphanages and to the hospitals and to the clinics. I met with the people distributing the anti-retroviral drugs and the condoms. I looked for the A, the abstinence, and the B, Be faithful, and I had a lot of trouble finding its existence in Southern Africa.

So when I raised the issue before a large meeting in one of those countries in Southern Africa, and in that meeting I recall there were 24 people, among them USAID people, Peace Corps people, Centers for Disease Control people, people from the U.S. Council and others, the team that is administering the resources that are going to AIDS in Africa. And I asked them, What are you doing about promiscuity?

Their answer was we cannot change the culture, so we are distributing drugs and condoms.

But if they have a sexual life expectancy of another 25 to 30 years, how many more people are infected? Can we treat our way out of this problem, or must we find another way to solve it in conjunction with our anti-retroviral drugs?

Their answer was you cannot change the culture. But what they are doing is

seeking to change the culture by promoting condoms, not by promoting a lifestyle that will protect them from this disease. So we are not addressing promiscuity.

I will agree with the USAID, the Peace Corps, the CDC, and a number of others that are out there, sometimes you cannot change the culture. Our difficulty is changing their culture, not the difficulty in supporting the people in Africa who have a culture that can be supported that can help eradicate this disease.

So I call for that. I appreciate the work done by the gentleman from New Jersey (Mr. SMITH) as well. We have had good discussions on this. We have some insight into this, and they are working with the gentleman from Illinois (Mr. HYDE), but I am asking sincerely that we can have some hearings to have some insight into the actual results of the U.S. resources that are committed into Africa. I want to protect them and get them cured of this disease, but we need to do it in the appropriate way so we save the maximum number of lives.

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

Mr. Chairman, I wish to briefly respond to the comments by the gentleman from Iowa (Mr. KING) on efforts to promote abstinence in Africa.

America's efforts to stop the transmission of HIV/AIDS overseas are firmly based on the ABC model: Abstinence, Being faithful, and Condoms. As we have seen in Uganda, the successful reduction in HIV/AIDS infection rates is dependent upon using all three elements of the ABC approach, not simply one.

Our committee has conducted extensive investigations into U.S. HIV/AIDS efforts abroad, and we have seen no evidence whatsoever that abstinence efforts are being denigrated by NGOs receiving U.S. funds. Groups across Africa receiving HIV/AIDS funds from our country are effectively implementing abstinence programs as part of the ABC model, exactly as Congress intended.

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

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

The amendment was agreed to.

□ 1230

The Acting CHAIRMAN (Mr. LATHAM). It is now in order to consider amendment No. 28 printed in part B of House Report 109-175.

AMENDMENT NO. 28 OFFERED BY MS. WATSON

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 28 offered by Ms. WATSON: Page 312, after line 8, insert the following:

SEC. 1110A. STATEMENT OF POLICY REGARDING TRANSFER OF CHARLES TAYLOR FOR TRIAL FOR WAR CRIMES.

It shall be the policy of the United States Government to seek the expeditious transfer of Charles Ghankay Taylor, former President of the Republic of Liberia, to the jurisdiction of the Special Court for Sierra Leone to undergo a fair and open trial for war crimes, crimes against humanity, and other serious violations of international humanitarian law.

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentlewoman from California (Ms. WATSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California (Ms. WATSON).

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

This amendment, which I am offering with the gentleman from California (Mr. ROYCE), would confirm that it is the policy of the United States to bring Charles Taylor to justice.

Charles Taylor is one of the most notorious criminal thugs loose in the world today. He bears great personal responsibility for the series of wars that have wracked West Africa over the last 2 decades.

The Liberian civil war was noted for its barbarism, and Taylor was the most barbaric of the bunch. He was celebrated for his widespread use of child soldiers, which he organized into the so-called "Small Boys Units."

Taylor's efforts extended beyond the borders of Liberia. The Special Court for Sierra Leone has indicted Taylor on 17 counts of war crimes. According to the court, Taylor provided "guidance and direction" to a "joint criminal enterprise which was to take any actions necessary to gain and exercise political power and control over the territory of Sierra Leone . . ."

The court's indictment says Taylor and his cronies were responsible for "unlawful killings, abductions, forced labor, physical and sexual violence, use of child soldiers, looting and burning of civilian structures." Taylor "participated in this joint criminal enterprise as part of his continuing efforts to gain access to the mineral wealth of Sierra Leone and to destabilize the government of Sierra Leone."

Mr. Chairman, I include the full text of the court's indictment of Taylor in the RECORD:

THE SPECIAL COURT FOR SIERRA LEONE, CASE NO. SCSL-03-I, THE PROSECUTOR AGAINST CHARLES GHANKAY TAYLOR ALSO KNOWN AS CHARLES GHANKAY MACARTHUR DAPKPANA TAYLOR

INDICTMENT

The Prosecutor, Special Court for Sierra Leone, under Article 15 of the Statute of the Special Court for Sierra Leone (the Statute) charges: CHARLES GHANKAY TAYLOR also known as (aka) CHARLES GHANKAY MACARTHUR DAPKPANA TAYLOR with CRIMES AGAINST HUMANITY, VIOLATIONS OF ARTICLE 3 COMMON TO THE GENEVA CONVENTIONS AND OF ADDITIONAL PROTOCOL II and OTHER SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW, in violation of Articles 2, 3 and 4 of the Statute as set forth below:

THE ACCUSED

1. CHARLES GHANKAY TAYLOR aka CHARLES GHANKAY MACARTHUR DAPKANA TAYLOR (the ACCUSED) was born on or about 28 January 1948 at Arthington in the Republic of Liberia.

GENERAL ALLEGATIONS

2. At all times relevant to this Indictment, a state of armed conflict existed within Sierra Leone. For the purposes of this Indictment, organized armed factions involved in this conflict included the Revolutionary United Front (RUF), the Civil Defence Forces (CDF) and the Armed Forces Revolutionary Council (AFRC).

3. A nexus existed between the armed conflict and all acts or omissions charged herein as Violations of Article 3 common to the Geneva Conventions and of Additional Protocol II and as Other Serious Violations of International Humanitarian Law.

4. The organized armed group that became known as the RUF, led by FODAY SAYBANA SANKOH aka POPAY aka PAPA aka PA, was founded about 1988 or 1989 in Libya. The RUF, under the leadership of FODAY SAYBANA SANKOH, began organized armed operations in Sierra Leone in March 1991. During the ensuing armed conflict, the RUF forces were also referred to as "RUF", "rebels" and "People's Army".

5. The CDF was comprised of Sierra Leonean traditional hunters, including the Kamajors, Gbethis, Kapras, Tamaboros and Donsos. The CDF fought against the RUF and AFRC.

6. On 30 November 1996, in Abidjan, Ivory Coast, FODAY SAYBANA SANKOH and Ahmed Tejan Kabbah, President of the Republic of Sierra Leone, signed a peace agreement which brought a temporary cessation to active hostilities. Thereafter, the active hostilities recommenced.

7. The AFRC was founded by members of the Armed Forces of Sierra Leone who seized power from the elected government of the Republic of Sierra Leone via a coup d'état on 25 May 1997. Soldiers of the Sierra Leone Army (SLA) comprised the majority of the AFRC membership. On that date JOHNNY PAUL KOROMA aka JPK became the leader and Chairman of the AFRC. The AFRC forces were also referred to as "Junta", "soldiers", "SLA", and "ex-SLA".

8. Shortly after the AFRC seized power, at the invitation of JOHNNY PAUL KOROMA, and upon the order of FODAY SAYBANA SANKOH, leader of the RUF, the RUF joined with the AFRC. The AFRC and RUF acted jointly thereafter. The AFRC/RUF Junta forces (Junta) were also referred to as "Junta", "rebels", "soldiers", "SLA", "ex-SLA" and "People's Army".

9. After the 25 May 1997 coup d'état, a governing body, the Supreme Council, was created within the Junta. The governing body included leaders of both the AFRC and RUF.

10. The Junta was forced from power by forces acting on behalf of the ousted government of President Kabbah about 14 February 1998. President Kabbah's government returned in March 1998. After the Junta was removed from power the AFRC/RUF alliance continued.

11. On 7 July 1999, in Lomé, Togo, FODAY SAYBANA SANKOH and Ahmed Tejan Kabbah, President of the Republic of Sierra Leone, signed a peace agreement. However, active hostilities continued.

12. The ACCUSED and all members of the organized armed factions engaged in fighting within Sierra Leone were required to abide by International Humanitarian Law and the laws and customs governing the conduct of armed conflicts, including the Geneva Conventions of 12 August 1949, and Additional Protocol II to the Geneva Conventions, to

which the Republic of Sierra Leone acceded on 21 October 1986.

13. All offences alleged herein were committed within the territory of Sierra Leone after 30 November 1996.

14. All acts and omissions charged herein as Crimes Against Humanity were committed as part of a widespread or systematic attack directed against the civilian population of Sierra Leone.

15. The words civilian or civilian population used in this Indictment refer to persons who took no active part in the hostilities, or who were no longer taking an active part in the hostilities.

INDIVIDUAL CRIMINAL RESPONSIBILITY

16. Paragraphs 1 through 15 are incorporated by reference.

17. In the late 1980's CHARLES GHANKAY TAYLOR received military training in Libya from representatives of the Government of MU'AMMAR AL-QADHAFI. While in Libya the ACCUSED met and made common cause with FODAY SAYBANA SANKOH.

18. While in Libya, the ACCUSED formed or joined the National Patriotic Front of Liberia (NPFL). At all times relevant to this Indictment the ACCUSED was the leader of the NPFL and/or the President of the Republic of Liberia.

19. In December 1989 the NPFL, led by the ACCUSED, began conducting organized armed attacks in Liberia. The ACCUSED and the NPFL were assisted in these attacks by FODAY SAYBANA SANKOH and his followers.

20. To obtain access to the mineral wealth of the Republic of Sierra Leone, in particular the diamond wealth of Sierra Leone, and to destabilize the State, the ACCUSED provided financial support, military training, personnel, arms, ammunition and other support and encouragement to the RUF, led by FODAY SAYBANA SANKOH, in preparation for RUF armed action in the Republic of Sierra Leone, and during the subsequent armed conflict in Sierra Leone.

21. Throughout the course of the armed conflict in Sierra Leone, the RUF and the AFRC/RUF alliance, under the authority, command and control of FODAY SAYBANA SANKOH, JOHNNY PAUL KOROMA and other leaders of the RUF, AFRC and AFRC/RUF alliance, engaged in notorious, widespread or systematic attacks against the civilian population of Sierra Leone.

22. At all times relevant to this Indictment, CHARLES GHANKAY TAYLOR supported and encouraged all actions of the RUF and AFRC/RUF alliance, and acted in concert with FODAY SAYBANA SANKOH and other leaders of the RUF and AFRC/RUF alliance. FODAY SAYBANA SANKOH was incarcerated in Nigeria and Sierra Leone and subjected to restricted movement in Sierra Leone from about March 1997 until about April 1999. During this time the ACCUSED, in concert with FODAY SAYBANA SANKOH, provided guidance and direction to the RUF, including SAM BOCKARIE aka MOSQUITO aka MASKITA.

23. The RUF and the AFRC shared a common plan, purpose or design (joint criminal enterprise) which was to take any actions necessary to gain and exercise political power and control over the territory of Sierra Leone, in particular the diamond mining areas. The natural resources of Sierra Leone, in particular the diamonds, were to be provided to persons outside Sierra Leone in return for assistance in carrying out the joint criminal enterprise.

24. The joint criminal enterprise included gaining and exercising control over the population of Sierra Leone in order to prevent or minimize resistance to their geographic control, and to use members of the population

to provide support to the members of the joint criminal enterprise. The crimes alleged in this Indictment, including unlawful killings, abductions, forced labour, physical and sexual violence, use of child soldiers, looting and burning of civilian structures, were either actions within the joint criminal enterprise or were a reasonably foreseeable consequence of the joint criminal enterprise.

25. The ACCUSED participated in this joint criminal enterprise as part of his continuing efforts to gain access to the mineral wealth of Sierra Leone and to destabilize the Government of Sierra Leone.

26. CHARLES GHANKAY TAYLOR, by his acts or omissions, is individually criminally responsible pursuant to Article 6.1. of the Statute for the crimes referred to in Articles 2, 3 and 4 of the Statute as alleged in this Indictment, which crimes the ACCUSED planned, instigated, ordered, committed or in whose planning, preparation or execution the ACCUSED otherwise aided and abetted, or which crimes were within a joint criminal enterprise in which the ACCUSED participated or were a reasonably foreseeable consequence of the joint criminal enterprise in which the ACCUSED participated.

27. In addition, or alternatively, pursuant to Article 6.3. of the Statute, CHARLES GHANKAY TAYLOR, while holding positions of superior responsibility and exercising command and control over his subordinates, is individually criminally responsible for the crimes referred to in Articles 2, 3 and 4 of the Statute. The ACCUSED is responsible for the criminal acts of his subordinates in that he knew or had reason to know that the subordinate was about to commit such acts or had done so and the ACCUSED failed to take the necessary and reasonable measures to prevent such acts or to punish the perpetrators thereof.

CHARGES

28. Paragraphs 16 through 27 are incorporated by reference.

29. At all times relevant to this Indictment, members of the RUF, AFRC, Junta and/or AFRC/RUF forces (AFRC/RUF), supported and encouraged by, acting in concert with and/or subordinate to CHARLES GHANKAY TAYLOR, conducted armed attacks throughout the territory of the Republic of Sierra Leone, including, but not limited, to, Bo, Kono, Kenema, Bombali and Kailahun Districts and Freetown. Targets of the armed attacks included civilians and humanitarian assistance personnel and peacekeepers assigned to the United Nations Mission in Sierra Leone (UNAMSIL), which had been created by United Nations Security Council Resolution 1270 (1999).

30. These attacks were carried out primarily to terrorize the civilian population, but also were used to punish the population for failing to provide sufficient support to the AFRC/RUF, or for allegedly providing support to the Kabbah government or to pro-government forces. The attacks included unlawful killings, physical and sexual violence against civilian men, women and children, abductions and looting and destruction of civilian property. Many civilians saw these crimes committed; others—returned to their homes or places of refuge to find the results of these crimes—dead bodies, mutilated victims and looted and burnt property.

31. As part of the campaign of terror and punishment the AFRC/RUF routinely captured and abducted members of the civilian population. Captured women and girls were raped; many of them were abducted and used as sex slaves and as forced labour. Some of these women and girls were held captive for years. Men and boys who were abducted were also used as forced labour; some of them were also held captive for years. Many abducted boys and girls were given combat

training and used in active fighting. AFRC/RUF also physically mutilated men, women and children, including amputating their hands or feet and carving "AFRC" and "RUF" on their bodies.

Counts 1-2: Terrorizing the Civilian Population and Collective Punishments

32. Members of the AFRC/RUF supported and encouraged by, acting in concert with and/or subordinate to CHARLES GHANKAY TAYLOR committed the crimes set forth below in paragraphs 33 through 58 and charged in Counts 3 through 13, as part of a campaign to terrorize the civilian population of the Republic of Sierra Leone, and did terrorize that population. The AFRC/RUF also committed the crimes to punish the civilian population for allegedly supporting the elected government of President Ahmed Tejan Kabbah and factions aligned with that government, or for failing to provide sufficient support to the AFRC/RUF.

By his acts or omissions in relation, but not limited to these events, CHARLES GHANKAY TAYLOR, pursuant to Article 6.1. and, or alternatively, Article 6.3. of the Statute, is individually criminally responsible for the crimes alleged below:

Count 1: Acts of Terrorism, a VIOLATION OF ARTICLE 3 COMMON TO THE GENEVA CONVENTIONS AND OF ADDITIONAL PROTOCOL II, punishable under Article 3.d. of the Statute;

And:

Count 2: Collective Punishments, a VIOLATION OF ARTICLE 3 COMMON TO THE GENEVA CONVENTIONS AND OF ADDITIONAL PROTOCOL II, punishable under Article 3.b. of the Statute.

Counts 3-5: Unlawful killings

33. Victims were routinely shot, hacked to death and burned to death. Unlawful killings included, but were not limited to, the following:

Bo District

34. Between 1 June 1997 and 30 June 1997, AFRC/RUF attacked Tikonko, Telu, Sembehun, Gerihun and Mamboma, unlawfully killing an unknown number of civilians;

Kenema District

35. Between about 25 May 1997 and about 19 February 1998, in locations including Kenema town, members of AFRC/RUF unlawfully killed an unknown number of civilians;

Kono District

36. About mid February 1998, AFRC/RUF fleeing from Freetown arrived in Kono District. Between about 14 February 1998 and 30 June 1998, members of AFRC/RUF unlawfully killed several hundred civilians in various locations in Kono District, including Koidu, Tombodu, Foindu, Willifeh, Mortema and Biaya;

Bombali District

37. Between about 1 May 1998 and 31 July 1998, in locations including Karina, members of AFRC/RUF unlawfully killed an unknown number of civilians;

Freetown

38. Between 6 January 1999 and 31 January 1999, AFRC/RUF conducted armed attacks throughout the city of Freetown. These attacks included large scale unlawful killings of civilian men, women and children at locations throughout the city, including the State House, Parliament building, Connaught Hospital, and the Kissy, Fourah Bay, Ugun, Calaba Town and Tower Hill areas of the city.

By his acts or omissions in relation, but not limited to these events, CHARLES GHANKAY TAYLOR, pursuant to Article 6.1.

and, or alternatively, Article 6.3. of the Statute, is individually criminally responsible for the crimes alleged below:

Count 3: Extermination, a CRIME AGAINST HUMANITY, punishable under Article 2.b. of the Statute;

In addition, or in the alternative:

Count 4: Murder, a CRIME AGAINST HUMANITY, punishable under Article 2.a. of the Statute;

In addition, or in the alternative:

Count 5: Violence to life, health and physical or mental well-being of persons, in particular murder, a VIOLATION OF ARTICLE 3 COMMON TO THE GENEVA CONVENTIONS AND OF ADDITIONAL PROTOCOL II, punishable under Article 3.a. of the Statute.

Counts 6-8: Sexual violence

39. Widespread sexual violence committed against civilian women and girls included brutal rapes, often by multiple rapists. Acts of sexual violence included, but were not limited to, the following:

Kono District

40. Between about 14 February 1998 and 30 June 1998, members of AFRC/RUF raped hundreds of women and girls at various locations throughout the District, including Koidu, Tombodu, Kissi-town (or Kissi Town), Foendor (or Foendu), Tomendeh, Fokoiya, Wonedu and AFRC/RUF camps such as "Superman camp" and Kissi-town (or Kissi Town) camp. An unknown number of women and girls were abducted from various locations within the District and used as sex slaves;

Bombali District

41. Between about 1 May 1998 and 31 July 1998, members of AFRC/RUF raped an unknown number of women and girls in locations such as Mandaha. In addition, an unknown number of abducted women and girls were used as sex slaves;

Kailahun District

42. At all times relevant to this Indictment, an unknown number of women and girls in various locations in the District were subjected to sexual violence. Many of these victims were captured in other areas of the Republic of Sierra Leone, brought to AFRC/RUF camps in the District, and used as sex slaves;

Freetown

43. Between 6 January 1999 and 31 January 1999, members of AFRC/RUF raped hundreds of women and girls throughout the Freetown area, and abducted hundreds of women and girls and used them as sex slaves.

By his acts or omissions in relation, but not limited to these events, CHARLES GHANKAY TAYLOR, pursuant to Article 6.1. and, or alternatively, Article 6.3. of the Statute, is individually criminally responsible for the crimes alleged below:

Count 6: Rape, a CRIME AGAINST HUMANITY, punishable under Article 2.g. of the Statute;

And:

Count 7: Sexual slavery and any other form of sexual violence, a CRIME AGAINST HUMANITY, punishable under Article 2.g. of the Statute;

In addition, or in the alternative:

Count 8: Outrages upon personal dignity, a VIOLATION OF ARTICLE 3 COMMON TO THE GENEVA CONVENTIONS AND OF ADDITIONAL PROTOCOL II, punishable under Article 3.e. of the Statute.

Counts 9-0: Physical violence

44. Widespread physical violence, including mutilations, was committed against civilians. Victims were often brought to a central location where mutilations were carried out. These acts of physical violence included, but were not limited to, the following:

Kono District

45. Between about 14 February 1998 and 30 June 1998, AFRC/RUF mutilated an unknown number of civilians in various locations in the District, including Tombodu, Kaima (or Kayima) and Wonedu. The mutilations included cutting off limbs and carving "AFRC" and "RUF" on the bodies of the civilians;

Freetown

46. Between 6 January 1999 and 31 January 1999, AFRC/RUF mutilated an unknown number of civilian men, women and children in various areas of Freetown, including the northern and eastern areas of the city, and the Kissy area, including the Kissy mental hospital. The mutilations included cutting off limbs.

By his acts or omissions in relation, but not limited to these events, CHARLES GHANKAY TAYLOR, pursuant to Article 6.1. and, or alternatively, Article 6.3. of the Statute, is individually criminally responsible for the crimes alleged below:

Count 9: Violence to life, health and physical or mental well-being of persons, in particular cruel treatment, a VIOLATION OF ARTICLE 3 COMMON TO THE GENEVA CONVENTIONS AND OF ADDITIONAL PROTOCOL II, punishable under Article 3.a. of the Statute;

In addition, or in the alternative:

Count 10: Other inhumane acts, a CRIME AGAINST HUMANITY, punishable under Article 2.i. of the Statute.

Count 11: Use of child soldiers

47. At all times relevant to this Indictment, throughout the Republic of Sierra Leone, AFRC/RUF routinely conscripted, enlisted and/or used boys and girls under the age of 15 to participate in active hostilities. Many of these children were first abducted, then trained in AFRC/RUF camps in various locations throughout the country, and thereafter used as fighters.

By his acts or omissions in relation, but not limited to these events, CHARLES GHANKAY TAYLOR, pursuant to Article 6.1. and, or alternatively, Article 6.3. of the Statute, is individually criminally responsible for the crimes alleged below:

Count 11: Conscripting or enlisting children under the age of 15 years into armed forces or groups, or using them to participate actively in hostilities, an OTHER SERIOUS VIOLATION OF INTERNATIONAL HUMANITARIAN LAW, punishable under Article 4.c. of the Statute.

Count 12: Abductions and forced labour

48. At all times relevant to this Indictment, AFRC/RUF engaged in widespread and large scale abductions of civilians and use of civilians as forced labour. Forced labour included domestic labour and use as diamond miners. The abductions and forced labour included, but were not limited to, the following:

Kenema District

49. Between about 1 August 1997 and about 31 January 1998, AFRC/RUF forced an unknown number of civilians living in the District to mine for diamonds at Cybord Pit in Tongo Field;

Kono District

50. Between about 14 February 1998 and 30 June 1998, AFRC/RUF forces abducted hundreds of civilian men, women and children, and took them to various locations outside the District, or to locations within the District such as AFRC/RUF camps, Tombodu, Koidu, Wonedu, Tomendeh. At these locations the civilians were used as forced labour, including domestic labour and as diamond miners in the Tombodu area;

Bombali District

51. Between about 1 May 1998 and 31 July 1998, in Bombali District, AFRC/RUF abducted an unknown number of civilians and used them as forced labour;

Kailahun District

52. At all times relevant to this Indictment, captured civilian men, women and children were brought to various locations within the District and used as forced labour;

Freetown

53. Between 6 January 1999 and 31 January 1999, in particular as the AFRC/RUF were being driven out of Freetown, the AFRC/RUF abducted hundreds of civilians, including a large number of children, from various areas within Freetown, including Peacock Farm and Calaba Town. These abducted civilians were used as forced labour.

By his acts or omissions in relation, but not limited to these events, CHARLES GHANKAY TAYLOR, pursuant to Article 6.1. and, or alternatively, Article 6.3. of the Statute, is individually criminally responsible for the crimes alleged below:

Count 12: Enslavement, a CRIME AGAINST HUMANITY, punishable under Article 2.c. of the Statute.

Count 13: Looting and burning

54. At all times relevant to this Indictment, AFRC/RUF engaged in widespread unlawful taking and destruction by burning of civilian property. This looting and burning included, but was not limited to, the following:

Bo District

55. Between 1 June 1997 and 30 June 1997, AFRC/RUF forces looted and burned an unknown number of civilian houses in Telu, Sembehun, Mamboma and Tikonko;

Kono District

56. Between about 14 February 1998 and 30 June 1998, AFRC/RUF engaged in widespread looting and burning in various locations in the District, including Tombody, Foindu and Yardu Sando, where virtually every home in the village was looted and burned;

Bombali District

57. Between 1 March 1998 and 30 June 1998, AFRC/RUF forces burned an unknown number of civilian buildings in locations such as Karina;

Freetown

58. Between 6 January 1999 and 31 January 1999, AFRC/RUF forces engaged in widespread looting and burning throughout Freetown. The majority of houses that were destroyed were in the areas of Kissy and eastern Freetown; other locations included the Fourah Bay, Ugun, State House and Pademba Road areas of the city.

By his acts or omissions in relation, but not limited to these events, CHARLES GHANKAY TAYLOR, pursuant to Article 6.1. and, or alternatively, Article 6.3. of the Statute, is individually criminally responsible for the crimes alleged below:

Count 13: Pillage, a VIOLATION OF ARTICLE 3 COMMON TO THE GENEVA CONVENTIONS AND OF ADDITIONAL PROTOCOL II, punishable under Article 3.f. of the Statute.

Counts 14–17: Attacks on UNAMSIL personnel

59. Between about 15 April 2000 and about 15 September 2000, AFRC/RUF engaged in widespread attacks against UNAMSIL peacekeepers and humanitarian assistance workers within the Republic of Sierra Leone, including, but not limited to locations within Bombali, Kailahun, Kambia, Port Loko, and Kono Districts. These attacks included unlawful killing of UNAMSIL peacekeepers, and abducting hundreds of peacekeepers and humanitarian assistance workers who were then held hostage.

By his acts or omissions in relation, but not limited to these events, CHARLES GHANKAY TAYLOR, pursuant to Article 6.1. and, or alternatively, Article 6.3. of the Statute, is individually criminally responsible for the crimes alleged below:

Count 14: Intentionally directing attacks against personnel involved in a humanitarian assistance or peacekeeping mission, an OTHER SERIOUS VIOLATION OF INTERNATIONAL HUMANITARIAN LAW, punishable under Article 4.b. of the Statute; In addition, or in the alternative:

Count 15: For the unlawful killings, Murder, a CRIME AGAINST HUMANITY, punishable under Article 2.a. of the Statute;

In addition, or in the alternative: Count 16: Violence to life, health and physical or mental well-being of persons, in particular murder, a VIOLATION OF ARTICLE 3 COMMON TO THE GENEVA CONVENTIONS AND OF ADDITIONAL PROTOCOL II, punishable under Article 3.a. of the Statute; In addition, or in the alternative:

Count 17: For the abductions and holding as hostage, Taking of hostages, a VIOLATION OF ARTICLE 3 COMMON TO THE GENEVA CONVENTIONS AND OF ADDITIONAL PROTOCOL II, punishable under Article 3.c. of the Statute.

Dated this 3rd day of March 2003, Freetown, Sierra Leone.

DAVID M. CRANE,

The Prosecutor.

Mr. Chairman, today war criminals such as Milosevic and Saddam Hussein are behind bars; yet Charles Taylor lives on a Nigerian estate. The message we risk sending is that European and Middle Eastern despots will be brought to justice and African despots will be given oceanside villas.

But it is more than a principle at stake. Charles Taylor remains a major source of instability for West Africa. Taylor has recently been accused of seeking to assassinate the President of Guinea. It is also alleged that Taylor worked hand in hand with al Qaeda operatives, helping them to move their financial resources around using diamonds. A recent "Dateline NBC" report details the al Qaeda allegations. I include this report in the RECORD:

LIBERIA'S FORMER PRESIDENT, A FRIEND TO TERROR?

(By Chris Hansen)

[From Dateline NBC, July 17, 2005]

Even before the recent bombings in London, it was the question many Americans were asking: Is our government doing everything it should to stop terrorism?

A "Dateline" investigation reveals that some of the world's most dangerous terrorists may have found a new safe haven, a new source of money, and are thriving unchecked.

Have U.S. officials missed—or dismissed—a vital link in the terror network?

A GLOBAL WAR ON TERROR?

On September 11, 2001, President Bush put America's enemies on notice: "We will make no distinction between the terrorists who committed these acts and those who harbor them," he said.

And in the days that followed, he defined who our enemies are in the war on terror. "Every nation in every region now has a decision to make: Either you are with us or you are with the terrorists," the president said.

He sent American forces to Afghanistan to destroy al-Qaida's sanctuary. When he deemed Saddam Hussein a threat, he sent troops to Iraq. He enlisted nations around the globe to help target al-Qaida terrorists.

But some investigators fear al-Qaida may have moved into another hot spot, one they say is fast becoming a terrorist outpost: West Africa.

West Africa is a place most Americans and their government haven't paid much attention to—war-torn, remote and desperately poor. But that might be about to change. War crimes investigators have uncovered evidence that al-Qaida terrorists—before and after 9/11—were using West Africa as a hide-out and a place to launder money. And they say U.S. inaction has allowed al-Qaida to move into West Africa.

"Right now, it's a safe haven for terrorist activity," says Al White, who for 16 years served as a senior investigator at the Pentagon, handling sensitive intelligence and law enforcement matters. "They are actively setting up shop. They're training in various countries over there. They're recruiting."

White says West Africa could become the next Afghanistan. "If we fail to act, and act soon—mark my words, that's exactly what's going to happen," he says.

White says, those terrorists may be planning new attacks on America.

"MAD MAX THUNDERDOME" IN WEST AFRICA

For the last three years, White was on loan from the Pentagon to the special court for Sierra Leone, set up by the U.N. to prosecute war crimes that took place when Charles Taylor was president of Liberia.

Taylor allegedly sent a rebel force into neighboring Sierra Leone to seize that country's diamond mines, in a conflict that resulted in the murder, rape and mutilation of 1.2 million people.

And in 1998, White says, Charles Taylor went into business with al-Qaida.

"This man is a terrorist," White says of the former Liberian president. "He's also aided and abetted al-Qaida operatives. Now he's actively working with these people again. If we don't bring him to justice immediately, there will be some significant consequences in the future."

But why would al-Qaida flock to West Africa in the late 1990s? According to investigators, it's simple.

"There was no accountability, there was no rule of law. And so, it was literally Mad Max Thunderdome here in West Africa for 10 years," says David Crane, who served as a high-level Pentagon and defense intelligence official and was that U.N. court's chief prosecutor.

He says al-Qaida found a friend in Charles Taylor who was looking to sell the diamonds he'd seized in Sierra Leone. The group turned to diamonds, he says, because they're virtually untraceable—the perfect currency for terror financing.

Hansen: Do you believe that Taylor himself was personally involved in these dealings with the al-Qaida operatives?

Crane: Yes.

Hansen: In what way?

Crane: Physically handing over diamonds for cash.

Hansen: And you have witnesses who have seen this?

Crane: Yes. We don't make this stuff up. This is stuff that is told to us by our informants who have been living and breathing in this area for decades.

Both Crane and White say they have developed information that proves al-Qaida has been, and still is operating in West Africa.

"We've been able to positively identify ten of the 21 FBI's most wanted terrorists, operating actively and freely in West Africa, from 1997 up to modern day," says White.

And they say they have the witnesses to prove it. Witnesses that include Charles Taylor's own brother-in-law—Cindor Reeves.

AL-QAIDA PRESENCE

Reeves, who "Dateline" interviewed in disguise, is currently in witness protection. He told investigators that as a trusted insider, he escorted Taylor's special guests around Liberia, including a man who went by the name "Mustafah."

Although Reeves didn't know it at the time, he now believes that "Mustafah" was, in fact, Abdullah Ahmed Abdullah, the alleged mastermind of the 1998 al-Qaida bombings of U.S. embassies in Kenya and Tanzania.

Cindor Reeves: I know the man. I didn't just see him one day in '98. He came back the second time, he came back the third time, and we stayed together for more than two, three months.

Hansen: You're positive that this man was actually Abdullah Ahmed Abdullah?

Reeves: Exactly. A 100 percent positive.

He says other al-Qaida operatives were there as well—all with cash in hand to buy diamonds from Liberia's president, Charles Taylor. Reeves told us the men first stayed at a hotel in the capital, Monrovia, before moving to the safe house. On the wall of the safe house is a photo of a familiar face.

Hansen: And who did this picture turn out to be?

Reeves: Osama Bin Laden.

Hansen: Osama Bin Laden?

Reeves: Yeah.

Shortly after September 11, Reeves told his story to Doug Farah, who at the time was a reporter for the Washington Post.

Doug Farah: I said, you know, "You gotta be kidding right?" He said, "No, I knew—I know these people." And I sold diamonds with them. And my first thought was, "Well then, how would you ever verify this, right?" And I said, "You know, I only have my reputation. You only have your reputation. If you're lying to me on this, we're both hamburger meat."

Farah's article piqued the interest of officials in Washington D.C. But the CIA and FBI said they found his source, Cindor Reeves, unreliable. Still, the FBI, under pressure from Congress, continued to investigate.

"We couldn't establish that al-Qaida had in fact been involved in conflict diamonds," says Dennis Lormel, who headed the FBI's terror financing section.

What about all this information that Charles Taylor had provided safe haven for some al-Qaida operatives?

"We investigated that," says Lormel. "The people around Taylor and other people denied that that ever happened."

But as "Dateline" discovered, one of the people the FBI relied on to discredit the story was Ibrahim Bah, who Middle Eastern intelligence sources tell "Dateline" has longstanding terrorist ties of his own in Afghanistan, Lebanon and Libya.

THE 9/11 COMMISSION INVESTIGATION

The 9/11 Commission, which conducted its own investigation, agreed with the FBI.

Vice Chairman Lee Hamilton: Our conclusion, the conclusion of the commission was that there was simply no persuasive evidence of a link between al-Qaida and diamonds.

Hansen: We have talked to the chief prosecutor and the chief investigator for the Special Court of Sierra Leone. They remain adamant that not only were al-Qaida operatives in Liberia but they were—

Hamilton: We don't deny that.

Hansen: That they were—

Hamilton: Yeah.

Hansen:—trying to do diamond deals with Charles Taylor and others.

Hamilton: We don't even deny that. Trying to do is one thing, doing it is another. We were not charged with the responsibility of

finding out what people were trying to do, we were charged with the responsibility of finding out what they did.

The commission's mandate was narrowly focused on the events and failures directly leading to 9/11.

But Al White, who was the war crimes tribunal's chief investigator says, when it comes to al-Qaida in West Africa, the 9/11 Commission didn't look hard enough.

"The 9/11 Commission missed the boat. I'll just be very candid," says White.

White says the 9/11 Commission failed to interview credible witnesses offered by the court.

"How can you assess the credibility of someone you've never talked to?" questions White. "That's what I find suspicious. And that's what I find quite frankly unprofessional."

The 9/11 Commission says while it may not have interviewed the court's witnesses, the FBI did, and that both the FBI and the 9/11 Commission concluded they were not credible.

But could it be that the 9/11 Commission—along with the CIA and FBI—just got it wrong?

"DATELINE" IN LIBERIA

Mike Shanklin is a U.S. intelligence veteran. Now retired, Shanklin headed the CIA's operations in Liberia in the 1990s, at a time when Taylor was coming to power.

"Dateline" asked Shanklin, who had previously been consulted by the special court, to come on our behalf to Sierra Leone and Liberia to help sort out allegations of al-Qaida's presence and diamond-dealing in the region. Together, we uncovered evidence that U.S. officials appear to have missed.

"Al Qaida, Bah, Taylor, they were there," says Shanklin. "There is no question in my mind these people were there. They were there during the period in question. And clearly they were involved in some sort of a diamond business. That's a fact."

Ironically, Shanklin says, a few years ago, a top Liberian security official—unaware that his boss, Charles Taylor might have been doing business with al-Qaida—naïvely launched an investigation into the terrorist group's activities in Liberia.

But the investigation ended before it could begin.

"Charles Taylor quashed it, said, 'You don't need to worry about this.' And that was the end of it," says Shanklin.

Several witnesses at the hotel (where al-Qaida operatives are said to have met) confirmed to "Dateline" that al-Qaida fugitives had stayed there as guests about six years ago.

What's more, a senior Liberian official told "Dateline" that around the same time, a couple of unwitting Liberian investigators apparently went to the hotel and tried to have the men arrested—again, not realizing they were guests of their president, Charles Taylor.

"Taylor had the government investigators arrested . . . and freed the al-Qaida operatives," says Shanklin.

Hansen: What does that say about the relationship between al-Qaida operatives and Charles Taylor?

Shanklin: Well, it certainly says that Charles Taylor didn't want these people under arrest.

What's most ominous is that the special court's former chief investigator believes al-Qaida is still active in the region. And he's desperately trying to convince the U.S. government to do something about it.

"They're here. They're absolutely here," says White. "I can't tell you the number. But, what I can tell you is that there's a significant presence in West Africa. I don't

know exactly what the al-Qaida operatives are doing. That's what concerns me. And, again, the problem is that's not my mission. It's the FBI's mission to come over and find that out."

IS THE U.S. GOVERNMENT DOING ENOUGH?

There is one man who could settle the disagreement over al-Qaida's presence and diamond-dealing in West Africa: former Liberian president Charles Taylor.

Two years ago, after the special court charged Taylor with 17 counts of war crimes committed in Sierra Leone, the U.S. helped broker a deal in which Taylor left office in Liberia and went into exile at his estate in Nigeria.

Despite repeated requests from the international community, Nigeria's president has so far refused to turn Taylor over to the special court for prosecution.

And the United States—which considers Nigeria a vital ally and oil supplier—has seemed reluctant to really press the issue.

But Al White, who's just finished a three-year stint in West Africa, says Charles Taylor is still conspiring with terror suspects, and that bringing him to justice may be the only way to prevent further bloodshed.

Al White: We've lost three years. Three years of time in actively pursuing these terrorists. Can we afford to waste another three years by denying that their presence is over there?

Hansen: And what has al-Qaida gained in those three years?

White: [In the three years] they've gained momentum. They have absolutely no problem pursuing their agenda and training in West Africa because they're off limits.

Shanklin agrees: "We're fighting a war and we're talking about going after al-Qaida. We had an opportunity to go after al-Qaida here. Maybe we didn't do it as aggressively as we should have. Charles Taylor was dealing with these people. And we should be doing something about Charles Taylor. This isn't tough. This doesn't even fall in the category of tough. This is pretty easy. Let's do it."

There is new evidence that Charles Taylor may be meddling in his former nation's coming election, and thus violating the terms of his exile agreement. With that in mind, the United States has joined the chorus of nations requesting that Taylor be turned over to the U.N. War Crimes Tribunal. Taylor's host, the Nigerian president, still refuses to cooperate.

Mr. Chairman, these allegations are controversial, but what should be clear is that instability in West Africa creates a national security challenge for the United States. Charles Taylor is a source of that instability. Both the national security imperatives of the United States and the cause of justice compel us to make sure that the policy of our government remains seeking Taylor's expeditious transfer to the jurisdiction of the Special Court for Sierra Leone.

I ask the Members to please vote for the Watson-Royce amendment.

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

Mr. ROYCE. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I do not oppose the amendment.

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

There was no objection.

The Acting CHAIRMAN. The gentleman from California (Mr. ROYCE) is recognized for 5 minutes.

Mr. ROYCE. Mr. Chairman, I yield myself 3½ minutes.

I am pleased to join the gentlewoman from California (Ms. WATSON), a colleague on the Committee on International Relations, in offering this important amendment. As the gentlewoman has explained, this amendment states that it shall be the policy of the United States to seek the expeditious transfer of Charles Taylor to the Special Court for Sierra Leone so that he can be tried for war crimes.

Mr. Chairman, Charles Taylor has been indicted on 17 counts of war crimes and crimes against humanity by the Special Court for the role that he played in Sierra Leone's brutal war. This hybrid court, which has been supported by this body, has been given jurisdiction over those who bear the greatest responsibility for the atrocities and the human rights violations.

And those atrocities were, indeed, widespread. Human rights violations there were grave. During the 1990s, then-President Taylor of Liberia supported what was called the Revolutionary United Front. That was designated by the State Department as a terrorist organization. He supported them in Sierra Leone, and they were notorious for hacking off the limbs and the arms and the legs even of young children. When I chaired the Africa Subcommittee, we hosted some of those victims on Capitol Hill, child victims; and we held numerous hearings examining the chaos in West Africa caused by this one man, Charles Taylor.

In May, the House overwhelmingly passed Resolution 127, and the Senate concurred, calling on the Nigerian Government to transfer Taylor to the Special Court. I still have hope; yet today, Charles Taylor continues to safely reside in exile in Nigeria. In August of 2003, some believed that removing Taylor from Liberia and giving him exile would prevent Liberia and West Africa from destabilization.

Instead of facing justice at the Special Court in Freetown, though, Taylor was given a seaside villa in Calabar, Nigeria; and in exchange, Taylor was supposed to refrain from political activity, but Taylor broke that deal. So 2 years after the exile deal, Taylor is still very much involved in undermining Liberian politics as the nation prepares for elections. He is working to undermine a peace process that has been supported by the United States and Congress with hundreds of millions of dollars, and he said he will return to Liberia.

I believe, and I think my colleagues believe, that he is going to try to return because we remember his words. He said, when he got on that plane, "God willing, I'll be back."

Mr. Chairman, Charles Taylor remains a serious and continuing threat to West African peace and security, which is counter to U.S. interests. I am convinced that there will be no chance for peace in West Africa until Taylor is

removed. We underestimate him at our peril, and it must be the policy of the United States to seek the transfer of Charles Taylor to the Special Court. This has to be a pillar in our policy towards West Africa. We need to press harder than we have been. Bringing Charles Taylor to justice will help further U.S.-Nigeria relations, help bring peace to Liberia, and strengthen the rule of law on the continent.

It is time for Charles Taylor to face up to his crimes. This amendment deserves the strong support of this House of Representatives.

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

Ms. WATSON. Mr. Chairman, I yield the balance of my time to the gentleman from California (Mr. LANTOS).

Mr. LANTOS. Mr. Chairman, I thank my colleague for yielding me this time, and I strongly support this most important amendment by the distinguished gentlewoman from California (Ms. WATSON). I encourage all of my colleagues on both sides of the aisle to do the same.

Mr. Chairman, there is no doubt in my mind that our friend and ally, the country of Nigeria, should transfer Charles Taylor to the Special Court for Sierra Leone without any delay.

Taylor has been charged personally with 17 counts of war crimes and crimes against humanity. These charges include mutilations, rape, sexual slavery, forced recruitment of child soldiers, child abduction, and multiple killings. Many Members of this Congress witnessed the testimony of some of Charles Taylor's child victims, all of whom had amputated arms and legs, their bodies disfigured, and their lives transformed forever.

Mr. Chairman, there will be no justice for the people of Sierra Leone until Charles Taylor stands in the dock. I urge my colleagues to support this amendment.

Mr. ROYCE. Mr. Chairman, I yield the balance of my time to the gentleman from New Jersey (Mr. SMITH), chairman of the Africa, Global Human Rights and International Operations Subcommittee.

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

I thank the gentleman from California (Mr. ROYCE) for his outstanding work on this issue, and I rise in strong support of the gentlewoman from California's (Ms. WATSON) very important amendment.

Mr. Chairman, in August of 2003, the Government of Nigeria, at the urging of the governments of the United States and Great Britain, gave asylum to then-Liberian President Charles Taylor. The purpose was to prevent further bloodshed and to allow for a transition back to a democratically elected government in Liberia. The deal was struck in spite of the indictment of Taylor by the Special Court for Sierra Leone in June of that year on 17 counts of war crimes, including

mass murder, sexual slavery, rape, hostage-taking, amputations, forced conscriptions of children and adults, arson, looting, and many other abuses of human rights.

Nevertheless, the action by the Nigerian Government likely saved thousands of lives and is providing at least a chance for free elections in Liberia in October. However, the deal was not without conditions, and there is ample evidence that Charles Taylor has violated this asylum agreement.

For example, Taylor is alleged to be cooperating with international terrorist organizations. He is engaged in illicit trade in blood diamonds in violation of U.N. sanctions and is linked to the proliferation of small arms throughout the region. He has also destabilized the entire subregion of West Africa, leaving thousands dead and millions displaced in its wake.

Nigerian President Obasanjo refuses to end the asylum agreement, however, unless there is irrefutable evidence of violations by Taylor. I would point out to my colleagues that on March 17, Kofi Annan reported to the Security Council that Taylor's former military commanders, party leaders, and business associates maintain regular contact with him and are planning to undermine Liberia's return to democracy.

I urge strong support for this amendment. It is an outstanding one.

A few days later, Jacques Klein, the UN Special Representative to the Secretary-General on Liberia confirmed that Taylor is "still very, much involved" in Liberian politics.

Outgoing Chief Prosecutor for the Sierra Leone Court, David Crane continues to accuse Taylor of "ruling the country from his house arrest in Calabar" in southern Nigeria.

So, yes President Obasanjo, there is plenty of evidence that Charles Taylor has violated the terms of his asylum. Has he continued to destabilize not only Liberia, but also Cote d'Ivoire and Guinea? That has yet to be proven in court, but there is enough evidence for him to be sent to the court in Sierra Leone to find out.

President Bush raised this issue with President Obasanjo at a meeting in May, but U.S. policy must consist of more than a brief discussion. Whatever evidence we have must be shared with the Nigerian government, and then they must make up their mind if they want to continue in the direction of helping West Africa to heal or if they want to close their eyes to continued interference and further upheaval.

Surely, the time has come for Charles Taylor's reign of terror in the region to reach its final, conclusive end.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. WATSON).

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

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

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

The Acting CHAIRMAN. It is now in order to consider amendment No. 29 printed in part B of House Report 109-175.

AMENDMENT NO. 29 OFFERED BY MS. WATSON

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 29 offered by Ms. WATSON:
Page 24, after line 3, insert the following:

SEC. 107. ENHANCING PROTECTION OF INTELLECTUAL PROPERTY RIGHTS.

In addition to such amounts as may otherwise be authorized to be appropriated for such purpose, there are authorized to be appropriated for the Department of State, \$5,000,000 to carry out the following activities to enhance intellectual property laws and enforcement in countries that are not members of the Organization for Economic Cooperation and Development (OECD):

(1) Provision of equipment and training for foreign law enforcement, including in the interpretation of intellectual property laws.

(2) Training for judges and prosecutors, including in the interpretation of intellectual property laws.

(3) Assistance in complying with obligations under appropriate international copyright and intellectual property treaties and agreements.

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentlewoman from California (Ms. WATSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California (Ms. WATSON).

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

This amendment, which I am offering with the gentleman from California (Mr. ISSA), would authorize \$5 million for the State Department to work to improve intellectual property law and enforcement in developing countries. Specifically, the Watson-Issa amendment would direct the funding to activities in countries that are not members of the Organization for Economic Cooperation and Development under the auspices of the State Department's Economic Bureau. These funds could be used for a wide range of activities, including posting IP experts abroad to help train foreign officials and improve enforcement of intellectual property laws.

According to the recent figures from the International Intellectual Property Association, worldwide motion picture piracy losses for 2003 are estimated to be between \$3 billion and \$4 billion. More than 52 million illegal optical discs of MPAA member companies were seized worldwide during the same year, a result of 31,000 raids and more than 65,000 investigations. These numbers do not include the illegal file-sharing on the Internet.

Our government continues to work to secure legal protections for American-produced intellectual property.

□ 1245

We work with numerous countries to improve their legal codes and law en-

forcement training, to enforce intellectual property protections, but we also found that if the political will in foreign capitals to enforce these protections is lacking, all the training in the world will fail to reduce piracy and counterfeiting. For that reason, we must make sure that our State Department has adequate funding and tools to engage foreign governments and convince them of the need to enforce these laws.

I want to note that this sensible, bipartisan amendment has been adopted twice in the full House within the past 2 years. Unfortunately, the Senate never passed this authorization. So I look forward to having this amendment adopted once again as part of the foreign relations authorization bill.

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

Mr. ISSA. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I do not oppose the amendment.

The Acting CHAIRMAN (Mr. LATHAM). Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

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

Mr. Chairman, I rise today in support and to help offer this amendment along with my colleague the gentlewoman from California (Ms. WATSON). We have worked together in the past to address these issues of intellectual property theft, and I look forward to continuing to work with her to address these issues in the future.

Intellectual property theft continues to be one of the biggest threats to American companies doing business abroad. While we have begun to focus on the biggest offenders, China and Russia, where intellectual property theft costs American companies billions of dollars each year, we cannot afford to ignore the copyright piracy taking place in other regions of the world.

This amendment would direct the funding to activities in countries that are not members of the Organization for Economic Cooperation and Development, OECD, under the auspices of the State Department's Economic Bureau. These funds will be used for a wide range of activities, including assistance in procuring equipment to combat piracy, posting intellectual property experts abroad to help train foreign officers and to improve local enforcement of intellectual property laws.

This amendment will help ensure that the State Department has the adequate tools to engage with foreign governments and to assist them in developing an infrastructure to enforce their laws. I urge my colleagues to support the Watson-Issa amendment.

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

Ms. WATSON. Mr. Chairman, I yield the balance of my time to the gentleman from California (Mr. LANTOS).

The Acting CHAIRMAN. The gentleman from California is recognized for 2½ minutes.

Mr. LANTOS. Mr. Chairman, I want to thank my friend for yielding me time.

Mr. Chairman, I want to commend the gentlewoman from California (Ms. WATSON) for her continued leadership on behalf of the protection of intellectual property. The gentlewoman's amendment will provide a modest authorization of \$5 million to assist less developed countries in their efforts to draft and to enforce laws aimed at protecting intellectual property in compliance with international treaties and agreements. This authorization would also be available to train judges and prosecutors in these countries in the proper application of new and existing statutes related to the protection of intellectual property.

Mr. Chairman, this is a very worthwhile amendment. The potential benefits to the American economy in terms of the protection of intellectual property of our artists and of our inventors that could result from this amendment passing are enormous, far outweighing its modest costs.

Mr. Chairman, I urge all of my colleagues to support this thoughtful measure.

Mr. ISSA. Mr. Chairman, I yield the balance of my time to the gentleman from New Jersey (Mr. SMITH).

The Acting CHAIRMAN. The gentleman from New Jersey is recognized for 3½ minutes.

Mr. SMITH of New Jersey. Mr. Chairman, on behalf of the majority of the committee, I want to express our strong support for this amendment.

This amendment, the Watson-Issa amendment, will continue to support programs similar to those that were begun in fiscal year 2004. The State Department has designed programs to target areas of the world that have significant rates of intellectual property rights piracy with unique law enforcement assistance. This assistance has been tailored to particular activities in various regions of the world. It is critical to support the intellectual property rights community, Mr. Chairman, as the United States is the world's single largest creator, producer and exporter of copyrighted materials.

Rampant piracy of creative works poses a significant risk to U.S. creative work products, including music, movies, video games and other software. As the U.S. copyright industry alone accounts for nearly 6 percent of this Nation's GDP, it is an economic security issue as well for the United States.

Mr. Chairman, I commend my two colleagues for offering this very important amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. WATSON).

The amendment was agreed to.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will

now resume on those amendments printed in part B of House Report 109-175 on which further proceedings were postponed in the following order: amendment No. 22 offered by the gentleman from Iowa (Mr. KING); amendment No. 23 offered by the gentleman from Ohio (Mr. KUCINICH); amendment No. 24 offered by the gentleman from California (Mr. LANTOS); amendment No. 26 offered by the gentleman from Michigan (Mr. ROGERS); amendment No. 28 offered by the gentlewoman from California (Ms. WATSON).

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

AMENDMENT NO. 22 OFFERED BY MR. KING OF IOWA

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Iowa (Mr. KING) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 423, noes 0, not voting 10, as follows:

[Roll No. 390]
AYES—423

Abercrombie	Brown-Waite,	Davis, Jo Ann
Ackerman	Ginny	Davis, Tom
Aderholt	Burgess	Deal (GA)
Akin	Burton (IN)	DeFazio
Alexander	Butterfield	DeGette
Allen	Buyer	Delahunt
Andrews	Calvert	DeLauro
Baca	Camp	DeLay
Bachus	Cannon	Dent
Baird	Cantor	Diaz-Balart, L.
Baker	Capito	Diaz-Balart, M.
Baldwin	Capps	Dicks
Barrett (SC)	Capuano	Dingell
Barrow	Cardin	Doggett
Bartlett (MD)	Cardoza	Doolittle
Barton (TX)	Carmahan	Doyle
Bass	Carson	Drake
Bean	Carter	Dreier
Beauprez	Case	Duncan
Becerra	Castle	Edwards
Berkley	Chabot	Ehlers
Berman	Chandler	Emanuel
Berry	Chocola	Emerson
Biggert	Clay	Engel
Billirakis	Cleaver	English (PA)
Bishop (GA)	Clyburn	Eshoo
Bishop (NY)	Coble	Etheridge
Bishop (UT)	Cole (OK)	Evans
Blackburn	Conaway	Everett
Blumenauer	Conyers	Farr
Blunt	Cooper	Fattah
Boehmert	Costa	Ferguson
Boehner	Costello	Finer
Bonilla	Cox	Fitzpatrick (PA)
Bonner	Cramer	Flake
Bono	Crenshaw	Foley
Boozman	Crowley	Forbes
Boren	Cubin	Ford
Boswell	Cuellar	Fortenberry
Boucher	Culberson	Fossella
Boustany	Cummings	Foxx
Boyd	Cunningham	Frank (MA)
Bradley (NH)	Davis (AL)	Frank (AZ)
Brady (PA)	Davis (CA)	Frelinghuysen
Brown (OH)	Davis (FL)	Galleghy
Brown, Corrine	Davis (IL)	Garrett (NJ)
	Davis (TN)	Gerlach

Gibbons	Lynch	Rohrabacher
Gilchrest	Mack	Ros-Lehtinen
Gillmor	Maloney	Ross
Gingrey	Manzullo	Rothman
Gohmert	Marchant	Roybal-Allard
Gonzalez	Markey	Royce
Goode	Marshall	Ruppersberger
Goodlatte	Matheson	Rush
Gordon	Matsui	Ryan (OH)
Granger	McCarthy	Ryan (WI)
Graves	McCaul (TX)	Ryun (KS)
Green (WI)	McCollum (MN)	Sabo
Green, Al	McCotter	Salazar
Green, Gene	McCrery	Sanchez, Linda
Grijalva	McDermott	T.
Gutierrez	McGovern	Sanchez, Loretta
Gutknecht	McHenry	Sanders
Hall	McHugh	Saxton
Harman	McIntyre	Schakowsky
Harris	McKeon	Schiff
Hart	McKinney	Schwartz (PA)
Hastings (FL)	McNulty	Schwartz (MI)
Hastings (WA)	Meehan	Scott (GA)
Hayes	Meek (FL)	Scott (VA)
Hayworth	Meeks (NY)	Sensenbrenner
Hefley	Melancon	Serrano
Hensarling	Menendez	Sessions
Hergert	Mica	Shadegg
Herseth	Michaud	Shaw
Higgins	Millender-	Shays
Hinchey	McDonald	Sherman
Hobson	Miller (FL)	Sherwood
Hoekstra	Miller (MI)	Shimkus
Holden	Miller (NC)	Shuster
Holt	Miller, Gary	Simpson
Honda	Miller, George	Skelton
Hooley	Mollohan	Smith (NJ)
Hostettler	Moore (KS)	Smith (TX)
Hoyer	Moore (WI)	Smith (WA)
Hulshof	Moran (KS)	Snyder
Hunter	Moran (VA)	Sodrel
Hyde	Murphy	Solis
Inglis (SC)	Murtha	Souder
Inslee	Musgrave	Spratt
Israel	Myrick	Stark
Issa	Nadler	Stearns
Istook	Napolitano	Strickland
Jackson (IL)	Neal (MA)	Stupak
Jackson-Lee	Neugebauer	Ney
(TX)		Northup
Jefferson		Norwood
Jenkins		Nunes
Johnson (CT)		Nussle
Johnson (IL)		Oberstar
Johnson, E. B.		Obey
Johnson, Sam		Oliver
Jones (NC)		Ortiz
Jones (OH)		Osborne
Kanjorski		Otter
Kaptur		Owens
Keller		Oxley
Kelly		Pallone
Kennedy (MN)		Pascrell
Kennedy (RI)		Pastor
Kildee		Paul
Kilpatrick (MI)		Payne
Kind		Pearce
King (IA)		Pelosi
King (NY)		Pence
Kingston		Peterson (MN)
Kirk		Peterson (PA)
Kline		Petri
Knollenberg		Pickering
Kolbe		Pitts
Kucinich		Platts
Kuhl (NY)		Poe
LaHood		Pombo
Langevin		Pomeroy
Lantos		Porter
Larsen (WA)		Price (GA)
Larson (CT)		Price (NC)
Latham		Pryce (OH)
LaTourette		Putnam
Leach		Radanovich
Lee		Rahall
Levin		Rahall
Lewis (CA)		Ramstad
Lewis (GA)		Rangel
Lewis (KY)		Regula
Linder		Rehberg
Lipinski		Reichert
LoBiondo		Renzi
Lofgren, Zoe		Reyes
Lowe		Reynolds
Lucas		Rogers (AL)
Lungren, Daniel		Rogers (KY)
E.		Rogers (MI)

NOT VOTING—10

Brady (TX)	Hinojosa	Slaughter
Brown (SC)	Jindal	Sullivan
Davis (KY)	McMorris	
Feeney	Simmons	

ANNOUNCEMENT BY THE ACTING CHAIRMAN
The Acting CHAIRMAN (Mr. LATHAM) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1314

Mr. DOYLE changed his vote from “no” to “aye.”

The amendment was agreed to.
The result of the vote was announced as above recorded.

Stated for:
Mr. DAVIS of Kentucky. Mr. Chairman, on rollcall No. 390, the King amendment No. 22, I was unavoidably detained and am not recorded. Had I been present, I would have voted “aye.”

Ms. SLAUGHTER. Mr. Chairman, on rollcall No. 390, had I been present, I would have voted “aye.”

Miss MCMORRIS. Mr. Chairman, on rollcall No. 390, I was detained due to a meeting. Had I been present, I would have voted “aye.”

AMENDMENT NO. 23 OFFERED BY MR. KUCINICH
The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. KUCINICH) 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 Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.
The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 124, noes 302, not voting 7, as follows:

[Roll No. 391]
AYES—124

Abercrombie	Frank (MA)	McGovern
Ackerman	Green, Al	McKinney
Allen	Green, Gene	McNulty
Andrews	Grijalva	Meehan
Baird	Gutierrez	Meeks (NY)
Baldwin	Hastings (FL)	Michaud
Becerra	Higgins	Miller, George
Berkley	Hinchey	Moore (WI)
Bishop (NY)	Holt	Nadler
Blumenauer	Honda	Napolitano
Boswell	Hooley	Neal (MA)
Brady (PA)	Inslee	Oberstar
Brown (OH)	Jackson (IL)	Obey
Capps	Jackson-Lee	Oliver
Capuano	(TX)	Owens
Carson	Johnson, E. B.	Pallone
Clay	Jones (OH)	Pascrell
Cleaver	Kaptur	Pastor
Conyers	Kilpatrick (MI)	Payne
Crowley	Kucinich	Pelosi
Cummings	Larsen (WA)	Price (NC)
Davis (IL)	Larson (CT)	Rahall
DeFazio	Leach	Rangel
Delahunt	Lee	Rothman
Dingell	Lewis (GA)	Roybal-Allard
Doggett	Lofgren, Zoe	Ruppersberger
Doyle	Lowey	Ryan (OH)
Engel	Maloney	Sabo
Evans	Markey	Sanchez, Linda
Farr	Matsui	T.
Fattah	McCollum (MN)	Sanchez, Loretta
Filner	McDermott	Sanders

Schakowsky
Schwartz (PA)
Scott (VA)
Serrano
Shays
Sherman
Slaughter
Smith (WA)
Solis
Stark
Strickland

NOES—302

Aderholt
Akin
Alexander
Baca
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Berman
Berry
Biggart
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boucher
Boustany
Boyd
Bradley (NH)
Brown, Corrine
Brown-Waite,
Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Cardin
Cardoza
Carnahan
Carter
Case
Castle
Chabot
Chandler
Chocola
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costa
Costello
Cox
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeGette
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doanille
Drake
Dreier
Duncan
Edwards

Stupak
Tauscher
Thompson (CA)
Tierney
Townes
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Viscosky

Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Woolsey
Wu
Wynn

Schwarz (MI)
Scott (GA)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Snyder
Sodrel

Brady (TX)
Brown (SC)
Davis (KY)

Souder
Spratt
Stearns
Sweeney
Tancredo
Tanner
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Turner
Upton

NOT VOTING—7

Hinojosa
Jindal
Rush

ANNOUNCEMENT BY THE ACTING CHAIRMAN
The Acting CHAIRMAN (Mr. LATHAM) (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1322

So the amendment was rejected.
The result of the vote was announced as above recorded.

Stated against:
Mr. DAVIS of Kentucky. Mr. Chairman, on rollcall No. 391, the Kucinich amendment, I was unavoidably detained and am not recorded. Had I been present, I would have voted "no."

AMENDMENT NO. 24 OFFERED BY MR. LANTOS
The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. LANTOS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.
The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 373, noes 56, not voting 4, as follows:

[Roll No. 392]

AYES—373

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Brady
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggart
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Blunt

Boehlert
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Barrow
Brown (OH)
Brown, Corrine
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza

Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

Sullivan

Davis (FL)
Davis (IL)
Davis (TN)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Ford
Fortenberry
Fossella
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Gillchrest
Gillmor
Gingrey
Gonzalez
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hensarling
Herseth
Higgins
Hinchee
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Cox
Cramer
Crenshaw
Crowley
Cuellar
Cunningham
Cunningham
Davis (AL)
Davis (CA)

Kind
King (IA)
King (NY)
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel
E.
Lynch
Mack
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-
McDonald
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northrup
Nunes
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Oxley
Pallone
Pascarell
Pastor
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe

Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Rahall
Kolbe
Ramstad
Rangel
Regula
Rehberg
Reichert
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sanchez, Linda
T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shadegg
Shays
Sherman
Sherwood
Shimkus
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tanner
Tauscher
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Townes
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Viscosky
Walsh
Wamp
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)

Wilson (SC) Woolsey Wynn Hyde Moran (KS) Royce Ramstad Shays Towns
 Wolf Wu Young (AK) Issa Murphy Rangel Sherman Udall (CO)

NOES—56

Akin Franks (AZ) Myrick
 Barrett (SC) Garrett (NJ) Norwood
 Bartlett (MD) Gibbons Nussle
 Billirakis Gohmert Otter
 Blackburn Goode Paul
 Bonilla Gutknecht Pombo
 Brown-Waite, Hayworth Radanovich
 Ginny Hefley Renzi
 Burgess Herger Rohrabacher
 Coble Hostettler Royce
 Cubin Jenkins Sessions
 Culberson Johnson, Sam Shaw
 Davis (KY) Jones (NC) Shuster
 Davis, Jo Ann Kingston Smith (TX)
 Deal (GA) Manzullo Tancredo
 Doolittle Marchant Taylor (NC)
 Duncan McHenry Walden (OR)
 Forbes Miller (FL) Westmoreland
 Foxx Miller, Gary Young (FL)

NOT VOTING—4

Brady (TX) Hinojosa
 Brown (SC) Jindal

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1332

Messrs. ROHRBACHER, SHAW and ROYCE changed their vote from “aye” to “no.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 26 OFFERED BY MR. ROGERS OF MICHIGAN

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. ROGERS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 156, noes 273, not voting 4, as follows:

[Roll No. 393]
 AYES—156

Aderholt Cantor Fortenberry
 Akin Carter Fossella
 Alexander Chabot Franks (AZ)
 Bachus Chocola Frelinghuysen
 Baker Coble Gallegly
 Barrett (SC) Cole (OK) Garrett (NJ)
 Bartlett (MD) Conaway Gerlach
 Beauprez Cox Gibbons
 Biggert Culberson Gohmert
 Billirakis Davis (KY) Goode
 Bishop (UT) Davis, Jo Ann Granger
 Blackburn DeLay Graves
 Blunt Dent Green, Gene
 Boehlert Diaz-Balart, L. Hall
 Boehner Diaz-Balart, M. Harris
 Bonilla Drake Hastings (WA)
 Bonner Dreier Hayes
 Bono Duncan Hefley
 Boozman Emerson Hensarling
 Boustany Everett Herger
 Burgess Feeney Hobson
 Burton (IN) Flake Hostettler
 Buyer Foley Hulshof
 Calvert Forbes Hunter

Jenkins
 Johnson, Sam
 Jones (NC)
 Keller
 King (IA)
 King (NY)
 Kingston
 Knollenberg
 Kolbe
 Kuhl (NY)
 Latham
 Lewis (CA)
 Lewis (KY)
 LoBiondo
 Mack
 Manzullo
 Marchant
 McCaul (TX)
 McCotter
 McCrery
 McHenry
 McHugh
 McKeon
 McMorris
 Meeks (NY)
 Mica

NOES—273

Abercrombie Doolittle
 Ackerman Doyle
 Allen Edwards
 Andrews Ehlers
 Baca Emanuel
 Baird Engel
 Baldwin English (PA)
 Barrow Eshoo
 Barton (TX) Etheridge
 Bass Evans
 Bean Farr
 Becerra Fattah
 Berkley Ferguson
 Berman Filner
 Berry Fitzpatrick (PA)
 Bishop (GA) Ford
 Bishop (NY) Foxx
 Blumenauer Frank (MA)
 Boren Gilchrist
 Boswell Gillmor
 Boucher Gingrey
 Boyd Gonzalez
 Bradley (NH) Goodlatte
 Brady (PA) Gordon
 Brown (OH) Green (WI)
 Brown, Corrine Green, Al
 Brown-Waite, Grijalva
 Ginny Gutierrez
 Butterfield Gutknecht
 Camp Harman
 Cannon Hart
 Capito Hastings (FL)
 Capps Hayworth
 Capuano Hersted
 Cardin Higgins
 Cardoza Hinchey
 Carnahan Hoekstra
 Carson Holden
 Case Holt
 Castle Honda
 Chandler Hooley
 Clay Hoyer
 Cleaver Inglis (SC)
 Clyburn Inslee
 Conyers Israel
 Cooper Istook
 Costa Jackson (IL)
 Costello Jackson-Lee
 Cramer (TX)
 Crenshaw Jefferson
 Crowley Johnson (CT)
 Cubin Johnson (IL)
 Cuellar Johnson, E. B.
 Cummings Jones (OH)
 Cunningham Kanjorski
 Davis (AL) Kaptur
 Davis (CA) Kelly
 Davis (FL) Kennedy (MN)
 Davis (IL) Kennedy (RI)
 Davis (TN) Kildee
 Davis, Tom Kilpatrick (MI)
 Deal (GA) Kind
 DeFazio Kirk
 DeGette Kline
 DeLahunt Kucinich
 DeLauro LaHood
 Flicks Langevin
 Dingell Lantos
 Doggett Larsen (WA)

Ryan (KS) Royce
 Saxton
 Schwarz (MI)
 Sensenbrenner
 Sessions
 Shadegg
 Sherwood
 Simpson
 Smith (TX)
 Sodrel
 Souder
 Sullivan
 Sweeney
 Tancredo
 Terry
 Thornberry
 Tiahrt
 Tiberi
 Turner
 Walden (OR)
 Walsh
 Westmoreland
 Whitfield
 Wicker
 Wilson (NM)
 Wilson (SC)
 Young (FL)

Sanchez, Linda T.
 Sanchez, Loretta
 Sanders
 Schakowsky
 Schiff
 Schwartz (PA)
 Scott (GA)
 Scott (VA)
 Serrano
 Shaw

NOT VOTING—4

Brady (TX) Hinojosa
 Brown (SC) Jindal

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (Mr. LATHAM) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1340

Mr. MEEK of Florida changed his vote from “aye” to “no”.

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 28 OFFERED BY MS. WATSON

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. WATSON) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 422, noes 2, not voting 9, as follows:

[Roll No. 394]
 AYES—422

Abercrombie Bilirakis Burgess
 Ackerman Bishop (GA) Burton (IN)
 Aderholt Bishop (NY) Butterfield
 Akin Bishop (UT) Buyer
 Alexander Blackburn Calvert
 Allen Blumenauer Camp
 Andrews Blunt Cannon
 Baca Boehlert Capito
 Bachus Boehner Capps
 Baird Bonilla Capuano
 Baker Bonner Cardin
 Baldwin Bono Cardoza
 Barrett (SC) Boozman Carnahan
 Barrow Boren Carson
 Bartlett (MD) Boswell Carter
 Barton (TX) Boucher Case
 Bass Boustany Castle
 Bean Boyd Chabot
 Beauprez Bradley (NH) Chandler
 Becerra Brady (PA) Chocola
 Berkley Brown (OH) Clay
 Berman Brown, Corrine Cleaver
 Berry Brown-Waite, Clyburn
 Biggert Ginny Coble

Cole (OK) Hoekstra
 Conaway Holden
 Conyers Holt
 Cooper Honda
 Costa Hootley
 Costello Hostettler
 Cox Hoyer
 Cramer Hulshof
 Crenshaw Hunter
 Crowley Hyde
 Cubin Inglis (SC)
 Cuellar Insee
 Culberson Israel
 Cummings Issa
 Cunningham Istook
 Davis (AL) Jackson (IL)
 Davis (CA) Jackson-Lee
 Davis (FL) (TX)
 Davis (IL) Jefferson
 Davis (KY) Jenkins
 Davis (TN) Johnson (CT)
 Davis, Jo Ann Johnson (IL)
 Davis, Tom Johnson, E. B.
 Deal (GA) Johnson, Sam
 DeFazio Jones (NC)
 DeGette Jones (OH)
 Delahunt Kanjorski
 DeLauro Kaptur
 DeLay Keller
 Dent Kelly
 Diaz-Balart, L. Kennedy (MN)
 Dicks Kennedy (RI)
 Dingell Kildee
 Doggett Kilpatrick (MI)
 Doolittle Kind
 Doyle King (IA)
 Drake King (NY)
 Duncan Kingston
 Edwards Kirk
 Ehlers Kline
 Emanuel Knollenberg
 Emerson Kolbe
 Engel Kucinich
 English (PA) Kuhl (NY)
 Eshoo LaHood
 Etheridge Langevin
 Evans Lantos
 Everett Larsen (WA)
 Farr Larson (CT)
 Fattah Latham
 Feeney LaTourette
 Ferguson Leach
 Filner Lee
 Fitzpatrick (PA) Levin
 Flake Lewis (CA)
 Foley Lewis (GA)
 Forbes Lewis (KY)
 Ford Linder
 Fortenberry Lipinski
 Fossella LoBiondo
 Foxx Lofgren, Zoe
 Frank (MA) Lowey
 Franks (AZ) Lucas
 Frelinghuysen Lungren, Daniel
 Gallegly E.
 Garrett (NJ) Lynch
 Gerlach Mack
 Gibbons Maloney
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 Graves McCotter
 Green (WI) McCrery
 Green, Al McDermott
 Green, Gene McGovern
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 Gutierrez McHugh
 Gutknecht McIntyre
 Hall McKeon
 Harman McMorris
 Harris McNulty
 Hart Meehan
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 Hayworth Menendez
 Hefley Mica
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 Herger Millender
 Herseth McDonald
 Higgins Miller (FL)
 Hinchey Miller (MI)
 Hobson Miller (NC)

Miller, Gary
 Miller, George
 Mollohan
 Moore (KS)
 Moore (WI)
 Moran (KS)
 Moran (VA)
 Murphy
 Murtha
 Musgrave
 Myrick
 Nadler
 Napolitano
 Neal (MA)
 Neugebauer
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 Pastor
 Payne
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 Pelosi
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 Peterson (MN)
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 Price (GA)
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 Putnam
 Radanovich
 Rahall
 Ramstad
 Rangel
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 Lewis (GA)
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 Reynolds
 Rogers (AL)
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 Rogers (MI)
 Rohrabacher
 Ros-Lehtinen
 Ross
 Rothman
 Roybal-Allard
 Royce
 Ruppberger
 Rush
 Ryan (OH)
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 Sabo
 Salazar
 Sánchez, Linda
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 Sanchez, Loretta
 Sanders
 Saxton
 Schakowsky
 Schiff
 Schwartz (PA)
 Schwarz (MI)
 Scott (GA)
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 Sensenbrenner
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 Taylor (MS)
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 Udall (CO)
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 Van Hollen
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 Wilson (NM)
 Wilson (SC)
 Wolf
 Woolsey
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 Wynn
 Young (AK)
 Young (FL)

NOES—2

NOT VOTING—9

Dreier Paul
 Brady (TX) Diaz-Balart, M.
 Brown (SC) Hinojosa
 Cantor Jindal
 McKinney
 Simmons
 Waters

□ 1347

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The Acting CHAIRMAN (Mr. LATHAM). It is now in order to consider amendment No. 30 printed in part B of House Report 109-175.

AMENDMENT NO. 30 OFFERED BY MS. BERKLEY
 Ms. BERKLEY. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 30 offered by Ms. BERKLEY:
 Page 220, after line 15, insert the following:
 (a) DECLARATION OF POLICY.—It shall be the policy of the United States to promote the emergence of a democratic Palestinian government that—

- (1) denounces and combats terrorism;
- (2) has agreed to disarm and dismantle any terrorist agency, network, or facility;
- (3) has agreed to work to eliminate incitement and the commemoration of terrorists in Palestinian society;
- (4) has agreed to respect the boundaries and sovereignty of its neighbors; and
- (5) acknowledges, respects, and upholds the human rights of all people.

Page 220, line 16, strike “(a)” and insert “(b)”.

Page 221, line 3, strike “LIMITATION” and insert “LIMITATIONS”.

Page 221, line 3, strike “Assistance” and insert the following:

“(1) CERTIFICATION REQUIREMENT.—Assistance”.

Page 221, after line 6, insert the following new paragraph:

“(2) AMOUNT OF ASSISTANCE REQUIREMENT.—Of the total amount of funds that are available for assistance under this Act or any other provision of law to the Palestinian Authority during a period for which a certification described in subsection (b) is in effect, not more than 25 percent of such amount may be obligated and expended during any calendar quarter.”.

Page 223, line 13, strike the closing quotation marks and the second period.

Page 223, after line 13, insert the following new subsection:

“(e) DEFINITION OF CALENDAR QUARTER.—In this section, the term ‘calendar quarter’ means any three-month period beginning on January 1, April 1, July 1, or October 1 of a calendar year.”.

Page 223, line 14, strike “(b)” and insert “(c)”.

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentlewoman from Nevada (Ms. BERKLEY) and the gentleman from Massachusetts (Mr. FRANK) each will control 5 minutes.

The Chair recognizes the gentlewoman from Nevada (Ms. BERKLEY).

Ms. BERKLEY. Mr. Chairman, I yield myself such time as I may consume, and I want to begin by thanking the chairman, the gentleman from Illinois (Mr. HYDE), and my dear friend, the ranking member, the gentleman from California (Mr. LANTOS), for helping with this amendment.

Since the 1993 Oslo Accord, the United States has given more than \$1.8 billion to the Palestinians. In that same time we have given over \$130 million directly to the Palestinian Authority. We have given this assistance despite no accountability, no modern financial controls, no transparency, and no actual knowledge of where our taxpayers' dollars are going.

The amendment I have introduced, along with the gentleman from New York (Mr. CROWLEY), would force the Palestinian Authority to be accountable, finally, for the money given by the United States. It would also provide Congress with the ability to end the aid if the certification requirements of this bill are not met.

My amendment mandates only 25 percent of direct aid to the Palestinian Authority can be spent in any one calendar quarter, instead of all the money being obligated at the beginning of the year. Each quarter the Palestinian Authority can spend another 25 percent of the total aid package as long as they meet the certification requirements. The overall aid package remains unchanged.

The amendment contains a declaration of policy that the United States should promote the emergence of a democratic Palestinian government that denounces and combats terrorism; that works to eliminate terrorist incitement; that has agreed to respect the boundaries and sovereignty of all of its neighbors; and that respects the human rights of all people.

If at some point during the year Congress is unsatisfied with how the money is being spent or if the Palestinian Authority fails to meet their certification requirements; if the PA has not taken concrete steps to end terrorism; if the Palestinian Authority has not made demonstrable progress towards democracy; if the PA has not dismantled the terrorist infrastructure and ended incitement, Congress can stop the flow of money.

If the Palestinian Authority lives up to its responsibility and honors its commitment, then our aid to the Palestinians will flow unfettered, and in the exact same amount. However, if the Palestinian Authority fails to live up to its responsibility and violence consumes the region, if another intifada begins, if it turns out that our aid is used to fund Hamas, Islamic jihad, or other terrorist organizations,

then Congress should discontinue the aid. This amendment gives us that option.

To be clear, the amendment would not end humanitarian aid and assistance within the territories controlled by the Palestinian Authority. It would not affect the overall amount of aid provided to the Palestinian Authority. It requires the accountability that should be a necessary component of foreign aid and that Congress should expect from all of those entities that accept foreign aid from the United States and our taxpayers. I urge the adoption of the amendment.

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

Mr. FRANK of Massachusetts. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this is a two-page amendment. If it were a one-page amendment, I would be an enthusiastic supporter. The declaration of policy urging our government to promote the emergence of a democratic Palestinian government is greatly to be desired.

I must say the fifth item, insisting that it acknowledges, respects, and upholds the human rights of all people, if they would do everything else here, respect the right of Israel to exist, repudiate terrorism, that would be sufficient for me. We have some people we work with who do not uphold the human rights of all people. But in general I like the declaration. I do not think, however, that we should impose these restrictions on the funding.

This is an issue on which I trust President Bush and Prime Minister Sharon. Those are not people with whom I am always allied. I believe that Prime Minister Sharon, a political figure with whom I have not always found myself in agreement, I have said if I lived in Israel, I would not vote for Ariel Sharon. If he lived in Brookline, he would not vote for me. We can get along. Although I think he probably occupies more of my thinking than I do of his. But I admire his willingness to go forward with a policy that I think is very much in the interest of Israel.

I, as an American Jew, and I will be in Israel in August and I will be there again in January, I share the goal of a secure Israel as a Jewish democratic nation, and I admire the insight of Prime Minister Sharon and Deputy Prime Minister Olmert, that an Israel which governs millions of hostile Palestinians will have a hard time being Jewish and democratic, and, therefore, I support Israel's effort to reach peace. There is no guarantee that it is possible. It is a difficult situation. But I do not think we in Congress should make it more difficult.

There are people within Israel who do not agree with what Prime Minister Sharon is doing, but they have not been able to get a majority in the Israeli parliament, the Knesset. I do not want to see them win a partial victory in the U.S. House of Representatives that they cannot win in the Knesset.

While I agree with the declaration of policy, I believe that restrictions on funding to the Palestinian Authority ought to be left to the decision of the executive branch. I trust George Bush on this, and I trust this administration. I believe they are as committed to the declaration of policy as any of us. And I think in this case it is important for them to have some flexibility.

I do not find the Palestinian Authority any model of democratic governance, but it is clearly in everybody's interest, and the Israeli government agrees to this, to have the Palestinian Authority strengthened vis-a-vis the terrorists of Hamas. Maybe the right way to do it will be to cut back; maybe it will not be. I do not think that is a judgment we can make here.

Again, when we have in power an Israel and a United States with democratically elected governments that are committed to this process, having these congressional restrictions, I believe, is a hindrance; and this notion no more than 25 percent can be spent in a quarter does not, to me, have any substantive policy reason. Maybe there will be a joint decision by Prime Minister Sharon and President Bush that the Palestinian Authority is in fact doing what it should do and they want to be able to give them more money in a period of time. I do not think it is appropriate for this Congress to restrict that.

So I agree with the declaration of policy. If we were in the whole House, I would ask unanimous consent that the amendment be modified for that purpose, but I cannot do it in the Committee of the Whole, and I would vote for that. But I do not think we should impose these restrictions on the funding for the Palestinian Authority as a sign we do not trust President Bush and the Government of Israel jointly to make those decisions.

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

Ms. BERKLEY. Mr. Chairman, I yield myself such time as I may consume, and I am delighted the gentleman from Massachusetts agrees with the declaration, but I would like to point out to those of us who are voting here that these are American taxpayer dollars and Congress has a responsibility to have some accountability and ensure some transparency before we give money away.

The United States Congress has no apology to make to the Palestinian Authority. Since 1993, we have given over \$1.8 billion to the Palestinian Authority. We have yet to get an accounting for a single one of those dollars. And also included in this amendment is a waiver, a Presidential waiver. If he is unsatisfied or wants to waive our restriction, he has the ability to do so. This gives the President an additional tool.

Mr. Chairman, may I inquire as to how much time I have remaining?

The Acting CHAIRMAN (Mr. KOLBE). The gentlewoman from Nevada has 2 minutes remaining.

Ms. BERKLEY. Mr. Chairman, I yield the balance of my time to the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. Mr. Chairman, I thank the gentlewoman from Nevada for yielding me this time, and I rise in support of the amendment offered by my good friend and myself.

The Prime Minister of Israel and the Israeli people have taken the first bold steps through the disengagement plan. Now it is time for the Palestinian Authority to match its words with its actions and live up to its commitment to be a true partner for success and stability in the Middle East.

Our amendment will tighten up language dealing with aid to the Palestinian Authority. Both the gentlewoman from Nevada and I believe that we should be doing all we can to help the Palestinian Authority, but that benchmarks need to be set in place. Over the past 10 years, Congress has had little to no accountability over the aid we have given to the Palestinian Authority. As aid from the United States begins to flow into the Palestinian Authority, we must use this aid to promote a true democratic government for the Palestinian people.

Mr. Chairman, our amendment would force accountability over this money and provide Congress with the ability to end the flow of funding, or quite frankly would allow the President to end the flowing and the funding of this money if the certification requirements in the bill are not met.

□ 1400

This amendment will make sure our aid to the Palestinian Authority is tied to the emergence of a democratic Palestinian government that is working to overcome four important issues.

The first is that they denounce and combat terrorism and work to disarm terrorists; secondly, agree to work to eliminate terrorist incitement, including their textbooks and what the children are taught; thirdly, agree to respect boundary and sovereignty of its neighbors; and finally, respect human rights for all people.

I believe we must have full accountability over the aid we give to make sure that the emergence of a democratic Palestinian government can take place.

As was pointed out, these are U.S. Federal taxpayer dollars being expended. We want accountability as to how those moneys are expended, and there is a Presidential waiver. This is, quite simply, a tool that the President can use to coax and to move the Palestinians toward a peaceful settlement.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself the balance of my time.

I am always puzzled when in defense of an amendment we are told that it is really not going to mean anything. We are told the President can waive it. Well, frankly, I think the purpose of an amendment is not to waive it, W-A-I-V-E, but for some of us to wave it, W-A-V-E, as a sign of what we think.

I am all in favor of this declaration, but I think the amendment's operative part restricting funding might get in the way. The single most important issue, it seems to me, is that the Palestinian Authority should agree to disarm and dismantle any terrorist agency network or facility. I agree that is essential. They have to be willing to confront Hamas, but they cannot do it without money. What are they going to do it with, rhetoric?

We are taking a gamble, there is no question. If the Palestinian Authority is in the end unwilling or unable to meet these responsibilities, then there will not be peace. That will be a tragedy for all concerned, but mostly for the Palestinians. No one should ask Israel to go forward if that is not the case.

That makes it all the more important to do everything we can to enable the Palestinian Authority and pressure them to do this. The problem is playing yo-yo with the funding does not work.

The President has the authority now to stop. We cannot force him to spend foreign aid. The President will do this in consultation with the Israeli government, with Vice Premier Paris, who works on this.

I believe this is an unwise intrusion of Congress. We do not have a disagreement here. We say we agree with Sharon's government of trying to see if peace can be made. We agree with the administration. I do not think that this kind of intervention by Congress is going to be helpful with a difficult and delicate peace process.

Ms. BERKLEY. Mr. Chairman, I yield myself the balance of my time.

The problem the Palestinian Authority has has nothing to do with money. They have had millions. As a matter of fact, Arafat has stolen millions and millions of American taxpayer dollars over the last several years.

This amendment denounces and combats terrorism, works to eliminate terrorist incitement, and states that the Palestinians agree to respect the boundaries and sovereignty of all of its neighbors and respect human rights. That is not asking a lot. This Congress has a responsibility to ensure that is something the Palestinians can do for this money.

Mrs. CAPPS. Mr. Chairman, I rise in strong opposition to this amendment. I want to associate myself with the gentleman from Massachusetts (Mr. FRANK) who spoke so eloquently in opposition on the Floor.

At this particular moment, it is clearly in our national interests to strengthen the democratically elected Abbas government. This is especially true in the face of the imminent Israeli withdrawal from Gaza and because the Palestinian Authority is up against a strong challenge from Hamas in the upcoming parliamentary elections.

The amendment states that the United States should promote the emergence of a Palestinian government that combats terrorism. We all agree with that. But at the same time, we must continue to urge the Israeli government to stop settlement activity and ease

the conditions of occupation. Both sides have obligations under the Road Map.

And more than anything, the U.S. government must use this opportunity to work with both parties to ensure that the turnover of Gaza from Israel to the Palestinians is carefully coordinated and that the myriad of security, economic, and infrastructure issues are dealt with fairly and quickly.

Mr. Chairman, not only must the Berkley amendment be defeated, but I wish the underlying bill would not have included such onerous conditions and limitations on Palestinian aid.

I support the efforts of President Bush who has twice used his waiver authority to grant funding directly to the Palestinian Authority and who opposes the inflexible language in this bill.

Instead of passing one-sided and punitive amendments like this one, it is incumbent upon the United States Congress to try to help both Prime Minister Sharon and President Abbas confront the extremists on each side who seek to derail the peace process.

Fragile as it may be, a flicker of hope and optimism has been kindled in the Middle East.

But it may truly be our last hope. And what a great tragedy it would be—for Israel, for the Palestinians, and for America—if we didn't do everything in our power to bring an end to this terrible conflict.

Defeat the Berkley amendment.

Mr. BLUMENAUER. Mr. Chairman, I voted against the Berkley/Crowley amendment to cap assistance to the Palestinian Authority. Under the new leadership of President Mahmoud Abbas, progress is being made—slowly—on the path to democracy and peace. It is ironic that these additional restrictions are proposed on Abbas, yet were never applied to Yasser Arafat. In light of Israel's impending withdrawal from Gaza, I believe that we need to maintain President Bush's flexibility to use United States assistance to promote American interests in the region. Already, aid to the Palestinian Authority is the most heavily restricted, audited, and projectized assistance in the world with aid going directly to the Palestinian Authority only when the President signs a specific waiver. This amendment is one more unnecessary restriction that ties the President's hands to support any movement towards peace and security.

The Acting CHAIRMAN (Mr. KOLBE). The question is on the amendment offered by the gentlewoman from Nevada (Ms. BERKLEY).

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

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

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

It is now in order to consider amendment No. 31 printed in part B of House Report 109-175.

It is now in order to consider amendment No. 32 printed in part B of House Report 109-175.

AMENDMENT NO. 32 OFFERED BY MS. ESHOO
Ms. ESHOO. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 32 offered by Ms. ESHOO:
Page 246, after line 7, insert the following new section:

SEC. 956. SENSE OF CONGRESS REGARDING ASSISTANCE FOR CHALDOASSYRIANS AND OTHER INDIGENOUS CHRISTIANS IN IRAQ.

(a) FINDINGS.—Congress finds the following:

(1) ChaldoAssyrians and other indigenous Christians in Iraq welcome the opportunity following Iraq's liberation to move beyond the days of repression and persecution and toward greater prosperity by cooperating in the development of a democratic, pluralistic state.

(2) Religious and ethnic discrimination has driven half of Iraq's indigenous Christians into diaspora since the 1960s and now threatens to create a mass exodus, thereby depriving Iraq of one of its oldest and most distinctive ethnic communities.

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

(1) all relevant departments and agencies of the Government of the United States should pay special attention to the welfare of ChaldoAssyrians and other indigenous Christians in Iraq in order to prevent a mass exodus that would detrimentally affect the preservation of diversity in the Middle East and the promotion of general tolerance for others; and

(2) the President, acting through the Administrator of the United States Agency for International Development, should allocate funds specifically for the promotion of the welfare, education, and resettlement of ChaldoAssyrians and other indigenous Christians in Iraq where they may be currently prevented from returning to their homes.

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentlewoman from California (Ms. ESHOO) and a Member opposed will each control 5 minutes.

The Chair recognizes the gentlewoman from California (Ms. ESHOO).

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

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

Ms. ESHOO. Mr. Chairman, I rise today to offer this amendment expressing the sense of Congress that our government should recognize the unique challenges facing Iraq's indigenous Christian communities, including the Chaldeans, Jacobites, Armenians, Assyrians and Greek Orthodox Christians.

I am a first generation American of Assyrian and Armenian descent. My grandparents fled their ancestral homeland in the early part of the 20th century. In fact, my mother received her First Communion in Baghdad in 1919. I am the only Assyrian American serving in Congress today, and one other did many years ago, the distinguished Adam Benjamin of Indiana.

There are approximately 250,000 Assyrian Americans in the United States, representing the largest population of Chaldo-Assyrians outside Iraq. All Chaldo-Assyrians are Christian. Because they are, they have been subjected to persecution in their homeland.

Today, there are between 1 to 1.5 million Christians remaining in Iraq,

mainly in the Nineveh plain in the north around Mosul. They live in villages that can trace their history back over 2,000 years. And a large number, because of their geography, have now come under the authority of the Kurdistan Regional Government.

Among indigenous Iraqi Christians, the Chaldeans represent the oldest rite under Rome. Along with the Assyrians who worship with the Holy Apostolic Catholic Assyrian Church of the East, they represent the oldest surviving Christian population in the world and one, without help during this critical transition period, that could be on the brink of extinction.

These communities have welcomed the opportunity before them since the fall of Saddam Hussein's regime to move toward greater prosperity and stability by cooperating in the development of a democratic, pluralistic state. Unfortunately, religious and ethnic tensions as well as discrimination continue to plague these Christian communities. I continue to receive troubling reports from religious leaders indicating that Iraq's Christian population is not receiving their fair share of development assistance. Because they are such a small minority, the indigenous Iraqi Christian population has one independently elected Chaldo-Assyrian in the entire Iraqi National Assembly, Younadam Kanna, whom I have met with and hold in high regard. Within the Kurdistan Regional Government in northern Iraq, representatives from Iraqi Christian communities hold five out of 100 seats. Because the Assyrian community is so very small, such a minority in Iraq with one representative in national politics, funding for reconstruction, housing and education are parceled out to those who control the villages and the regions where they reside without sufficient transparency to ensure the proper parity.

The visible result of these misallocations has been the emigration of as many as 80,000 Iraqi Christians since the fall of Saddam Hussein's regime. The majority of these individuals, approximately 50,000, have fled to Syria, while others have spread out to Jordan, the Gulf Emirates and Turkey, all living in desperate circumstances as refugees from their homes.

This needs to be dealt with. If a fully functioning and sustainable democracy is to emerge in Iraq, the basic rights and needs of all minority groups must be safeguarded. My amendment seeks to affirm that commitment by ensuring that all relevant U.S. Government agencies and departments pay special attention to the needs of this minority and ensure that they will continue to reside and thrive in their ancestral homeland.

I urge my colleagues to support this amendment. I want to particularly thank Tim Carey of my staff for the very hard, diligent and closely held sincere belief in this issue. Without him, I do not think I would be on the floor today with this amendment.

IRAQI CHRISTIANS FIND SAFETY IN SYRIA—RELIGIOUS VIOLENCE PROMPTED MANY TO FLEE HOMELAND

(By Joshua E.S. Phillips)

DAMASCUS, SYRIA.—Seated in his parish office, Father Sarmad Yousef reflected on his hard choices: to disobey his archbishop by remaining in Syria or to return to Iraq, where his name has appeared on a death list. "After the Americans came, I was one of the people telling the Iraqi Christians not to leave," he said. "After the violence started, I stopped telling them that."

Christians all over Iraq face a similar dilemma as relentless violence engulfs the country, some directly targeting them. Staying in the midst of the threats is dangerous, yet leaving means abandoning communities, church property and a heritage with centuries-old roots.

Before the U.S.-led war, roughly 750,000 Christians lived in Iraq, out of a population of 25 million. Most were Chaldean and Assyrian, but there also were Armenian, Jacobite and Greek Orthodox Christians and a small number of Protestants. Most of them lived either in Baghdad or in northern Iraq around Mosul.

Since then, 15,000 to 20,000 Christians have fled to Syria, according to Christian groups, out of "about 700,000" Iraqis, most of them in flight from the war, according to the U.N. high commissioner for refugees.

Yousef, a 30-year-old Chaldean Catholic who came here in August 2004, was the parish priest of Baghdad's St. Pathion Church, with 800 families under his stewardship. Today, he occupies a simple office in Damascus, decorated with small portraits of St. Therese, the patron saint of his new church, cradling a bouquet of pink roses.

He says he actively supported the United States when coalition troops first entered Baghdad in April 2003 and helped organize community meetings on their behalf. Such support came with grave risks, and he narrowly missed two drive-by shooting attacks. But when the Abu Ghraib prison scandal came to light, Yousef says, his view changed. Nor was he alone. "Before that, Iraqis loved Americans," said Yousef, his eyes lowered. "Directly after that—those photos, that scandal directly destroyed the dignity of Iraqis."

Muneeb, an Iraqi Christian parishioner of St. Therese who didn't reveal his last name because he said he did not want to attract local attention, said general resentment toward the Americans was transferred to Iraqi Christians. "Americans are Christians," he said, "so we're automatically considered to be part of them."

Christian-owned liquor stores and beauty salons were attacked. While kidnapping has soared—both for terrorism and financial gain—Christians felt particularly targeted since they are often associated with successful businesses and financial support of families living abroad.

With the rise of Islamic militancy, Muneeb said, his sister, a doctor, was ordered to wear a veil outside her home—a requirement that didn't exist, he said, when Saddam Hussein was in power. "I never thought of leaving Iraq," Muneeb said. "But as a minority, we have no support."

Emmanuale Khoshaba, a member of the Assyrian Democratic Movement, who regularly commutes back and forth to Iraq, is more optimistic. Through his job as the movement's Syrian representative, he promoted Iraq's Jan. 30 elections among absentee voters in Syria.

"Don't see the glass half-empty," said Khoshaba, who is the organization's Syrian representative. "Now, we have rights: We have our names, we have members of the Na-

tional Assembly, and we have 35 schools that teach Syriac." Under Hussein, teaching Syriac—the language used by Assyrians and other Iraqi Christians, and one of the Middle East's oldest languages—was strictly forbidden.

"We have coexisted for thousands of years," Khoshaba said. "The problem was the repressive regime, and today we are in a transitional stage. But one has to stay and sacrifice something for it."

There have been many examples of such sacrifice.

One Sunday last August, a spate of bombings that struck five churches in Baghdad and one in Mosul left 11 dead and scores wounded. Yousef's church was spared, but he said Iraqi Christians increasingly had started to leave soon after.

When Yousef took a previously planned trip to Damascus, he learned his was one of 18 names on a death list. Thirteen of those people had been killed the previous month. "I decided not to go back—I felt that I was too young to die," said Yousef. He left behind friends, family and his parish. The archbishop of Baghdad instructed him return to his post, but he stayed in Damascus to fill an opening at St. Therese.

Yousef's new church, wedged within Danlascus' Old City of cobblestone streets and crumbling houses, overflows with worshippers during Sunday Mass. Of the 2,000 families now connected to St. Therese, 90 percent are recent Iraqi refugees. Just outside the church doors, a group of parishioners from Yousef's old Baghdad parish discussed how their lives have changed.

"Life was better—we didn't have any problems," said Jamila Tama, referring to the relative peace between religious sects under Hussein. "There's killing, bombing and kidnapping. We have nothing now—even our house is sold."

Her son, Bassam Bahnam, was grateful for the haven in Syria. "But I have three boys who worked in Baghdad, and they're all unemployed now," he said.

Bahnam and his family want to return to Iraq—when the violence ebbs. "Of course there's no place like home," said his younger brother, Hisham Bahnam. But he criticized Christian leaders' calls to stay in Iraq. "They're asking us to stay, but they're not giving us any solution," he said. "Even Christian leaders need an army to protect them whenever they go outside."

George Abona, a former priest who attended a seminary with Yousef, agrees. "When my Christian leaders say, 'Don't leave your heritage,' what are they going offer me?" he said. "What will heritage do for me and my son?"

In Iraq, Abona worked for the United Nations for seven years, before and during the war, and was in its Baghdad compound when it was bombed in August 2003. He survived, but the blast killed his brother, along with the top U.N. envoy in Iraq, Sergio Vieira de Mello, and 20 other U.N. staffers.

Then last October, he was kidnapped for 19 days. He was released after another brother paid a \$20,000 ransom. Despite all that, he said, "The security issue is not a big issue—it's that I'm not ready to raise my son in an extremist Islamic society."

Syria has relaxed immigration rules for its Arab neighbors. But aside from Palestinians, refugees are not allowed to hold jobs in Syria, forcing most Iraqi newcomers to live off their savings. Government assistance—especially health care—is limited, and the refugees must return home periodically to get their temporary visas renewed.

Yousef tries to provide his new community in Syria with food and money for medical needs. The main reason he and other Christians have fled Iraq, he said, is "because we don't feel it is our country any more."

"I have bad memories now," he said of events since the invasion. "Most of my friends were killed there, and we only saw cruelty and blood. I don't think I'll ever be able to go back."

Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. CARDOZA), who represents a very large community of Assyrian Americans in his congressional district.

Mr. CARDOZA. Mr. Chairman, I rise in support of the amendment offered by the gentlewoman from California (Ms. ESHOO) on the situation facing Assyrians and other Christians in Iraq. I strongly support her amendment which calls for the Bush administration to use its diplomatic leverage to ensure that the new Iraqi government respects the rights of all Iraqis, regardless of sex or religious affiliation.

Additionally, it calls on the administration to allocate USAID funds for the welfare and resettlement of Assyrians and other Christian groups in Iraq. The Eshoo amendment is consistent with my recent work on this issue, including a letter I sent on July 6 to the Bush administration asking that the rights of Assyrians and Christians in Iraq be protected in the new Iraqi Constitution.

Like my colleague, I represent a large Assyrian community in central California, one of the largest concentrations of Assyrian Americans anywhere in the United States.

Since the January 2005 elections, many in the community have expressed their deep concerns over the direction of Iraq's constitutional process. Namely, they are concerned that the new Iraqi Constitution will subject Iraqis of all religious and cultural backgrounds to strict Islamic law.

The Acting CHAIRMAN. The time of the gentleman has expired.

Mr. SMITH of New Jersey. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I support the amendment.

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

There was no objection.

Mr. SMITH of New Jersey. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. CARDOZA).

Mr. CARDOZA. Mr. Chairman, I thank the gentleman from New Jersey (Mr. SMITH) for yielding me this additional time.

As I was saying, the Iraqi Constitution, unless we intercede, will subject Iraqis of all religious and cultural backgrounds to strict Islamic law.

Additionally, I recently met with His Beatitude Mar Emmanuel III Delly, the Chaldean Assyrian Catholic Patriarch, one of the most widely respected religious and political leaders in the world, who expressed similar concerns. He and I met for over an hour on this topic.

I believe the United States has an obligation to guarantee the rights of all Iraqis, particularly women and Christians, so they are not overlooked in the

constitutional process. Throughout history, the Assyrian people have suffered greatly in their attempts to obtain greater freedom and recognition. Despite this oppression, the Assyrians were central partners in the Iraqi opposition movement and paid dearly with the assassination of many of their political leaders under Saddam Hussein's regime.

We must make certain that ethnic and religious groups who suffered and sacrificed under Saddam Hussein's regime are afforded human rights guarantees in the permanent constitution. We must ensure that the political and religious persecution seen under Saddam Hussein's brutal regime are never repeated in that country.

I urge my colleagues to support the Eshoo amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, we appreciate the concern of the gentlewoman from California (Ms. ESHOO) and the gentleman from California (Mr. CARDOZA), and for their strong statements here. The problem of the Chaldo-Assyrians has been brought to the attention of the committee. The committee has brought these concerns to the attention of the administration.

I have met with people myself who have expressed concerns about this, and believe that they should not get short shrift when it comes to U.S. foreign aid and efforts being made in Iraq. The administration has prepared materials attempting to show it has been fair and inclusive in its distribution of assistance, but this amendment puts every one of us on guard that we need to watch this very carefully to make sure that they are not shown the door or in any way denied the kind of assistance that we are capable of offering and I think we are obligated to provide to them. I appreciate the gentlewoman's amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. ESHOO).

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 33 printed in part B of House Report 109-175.

AMENDMENT NO. 33 OFFERED BY MR. FOSSELLA

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 33 offered by Mr. FOSSELLA:

Page 12, after line 9, insert the following new subparagraph:

(I) DISSEMINATION OF NAMES OF FUGITIVES RESIDING IN CUBA.—Of the amounts authorized to be appropriated under subparagraph (A), an appropriate amount of such funds for each of the fiscal years 2006 and 2007 are authorized to be appropriated for the U.S. Interests Section, Havana, to disseminate the names of fugitives, such as Joanne

Chesimard and William Morales, who are residing in Cuba, and any rewards for their capture.

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentleman from New York (Mr. FOSSELLA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York (Mr. FOSSELLA).

□ 1415

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

Mr. Chairman, I offer this amendment, along with the gentleman from New York (Mr. KING) as well as the gentleman from New Jersey (Mr. MENENDEZ). Very simply, it deals with disseminating the truth in Havana, Cuba. Many have different opinions as to how this country should deal with Cuba; and for the record this, in my opinion, has nothing to do with travel or trade or some of the more contentious issues that surround our relationship with Cuba. In my opinion, this is very clear and unequivocal.

In Cuba right now, there are fugitives from justice. The reality is, for those who do not know, Cuba is a haven or sanctuary for cold-blooded killers like Joanne Chesimard, who murdered a police officer in cold blood in New Jersey. She now goes by the name of Assata Shakur, so I am told. She is living peacefully in Cuba. The FBI is offering a \$1 million reward for information leading to the capture of Ms. Chesimard.

William Morales is a bomb maker who was affiliated with the FALN terrorist organization that wreaked havoc not just in New York but throughout the country. Victims of the FALN included three New York City police officers, Detective Anthony Senft, Detective Richard Pastorella, as well as Officer Rocco Pascarella. New York City is offering \$50,000 for information leading to the capture of Mr. Morales.

And those two are not alone. The fact as we know it, while so many are oppressed under the communist regime, there are scores of people on the FBI terrorist watch list who live peacefully in Cuba.

What this amendment does, very simply, is it empowers and encourages the Havana section, the United States Interests Section, Havana to announce the names of those fugitives believed to be living in Cuba and any rewards for their capture. Plain and simple, the Cuban people should know that these fugitives live among them and they should know there may be rewards upwards of \$1 million of a bounty for the return of these fugitives to be tried in this country for cold-blooded murders, for bombings, for hijacking, for air piracy, and scores of other crimes. The people of Cuba should know that.

I would hope that everybody would support a very simple message of dissemination of truth to the Cuban people and the swift return of those fugitives who wreaked havoc on individuals and this Nation.

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

Mr. MENENDEZ. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIRMAN (Mr. KOLBE). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Acting CHAIRMAN. The gentleman from New Jersey (Mr. MENENDEZ) is recognized for 5 minutes.

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

I rise in strong support of this amendment. I want to thank the gentleman from New York (Mr. FOSSELLA) for his leadership on it and the cosponsorship of the gentleman from New York (Mr. KING).

I have, as the ranking Democrat on the Western Hemisphere Subcommittee, been for some time pursuing fugitives from the American justice system back from Cuba for several years. The case of Joanne Chesimard is, of course, of particular importance to New Jerseyans, but I would venture to say to all Americans who believe in justice.

Thirty-two years ago, Joanne Chesimard shot New Jersey State Trooper Werner Foerster in cold blood. Castro's subsequent refusal to return her to the United States has left the Foerster family not only without a husband and a father but with an open wound that can only be completely healed when Joanne Chesimard is brought back to justice.

Castro has turned Cuba into a safe haven for American fugitives. There are many. There is a whole list from the FBI whose crimes have ranged from air piracy to possession of explosives to murder. These are not benign criminals, and they should not be allowed to evade justice any longer.

Ironically, Castro provides these criminals greater liberty than he provides to his own people. These individuals, convicted in the United States of horrendous crimes, are allowed to live freely in Cuba while Castro imprisons Cuban opposition leaders for nothing more than having a different point of view.

Mr. Chairman, this amendment is simple. These fugitives will continue to enjoy the lives of freedom and liberty as long as Cubans are unaware of their presence or the rewards for their capture. This amendment simply requires the United States Interests Section in Havana to publicize the names of these fugitives and make sure Cubans are aware that there is a reward for helping them to bring these criminals to justice. The FBI is currently offering \$1 million for Joanne Chesimard's capture. Mr. Chairman, \$1 million is a very powerful incentive, but the incentive only works if people know about it.

I urge my colleagues to support this amendment to help bring some measure of justice to the Foerster family

and the countless other families whose quest for justice has been obstructed by Castro's regime. I urge my colleagues to support these families in New Jersey and around the country.

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

Mr. FOSSELLA. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, I thank the gentleman for yielding me this time and for crafting this very important amendment. It is creative as an amendment, and it also will get the job done.

The U.S. Interests Section, if this amendment were to be enacted, will get the information out that there is a bounty on the heads of these people who have committed serious crimes in the U.S. According to the FBI, 74 U.S. citizens convicted of felonious crimes in the U.S. are currently living in Cuba under the protection of the Castro regime.

Joanne Chesimard was convicted, and one of those who is living in Cuba. She was convicted and sentenced to life in prison in 1977 for the 1973 execution-style slaying of New Jersey State Trooper Werner Foerster on the New Jersey Turnpike. Witnesses said she fired two bullets into his head as he lay on the ground. This is a very common-sense approach to try to get the message out, and hopefully it will empower everyday, ordinary Cubans to take action to bring these people to justice.

I thank the gentleman for his amendment.

Mr. MENENDEZ. Mr. Chairman, I yield back the balance of my time.

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

Let me just say I thank the gentleman from New Jersey (Mr. MENENDEZ), the gentleman from New Jersey (Mr. SMITH), and all those who encouraged support of this amendment. And if there is one thing this body can agree upon, very simply, it is justice. And that is all this would ultimately bring about, justice for those who lost loved ones and the belief that the Cuban people should be given the truth as it relates to those murderers and fugitives that live among them.

Mr. FOSSELLA. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. FOSSELLA).

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 34 printed in part B of House Report 109-175.

AMENDMENT NO. 34 OFFERED BY MR. FRANKS OF ARIZONA

Mr. FRANKS of Arizona. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 34 offered by Mr. FRANKS of Arizona:

Page 286, strike line 20 and all that follows through line 19 on page 287 (section 1019; relating to provision of consular and visa services in Pristina, Kosova).

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentleman from Arizona (Mr. FRANKS) and the gentleman from California (Mr. LANTOS) each will control 5 minutes.

The Chair recognizes the gentleman from Arizona (Mr. FRANKS).

Mr. FRANKS of Arizona. Mr. Chairman, I yield myself such time as I may consume.

In a controversial and sensitive environment, section 1019 requesting a report on consular and visa services is not a diplomatic or prudent congressional action at this time.

In the hour of future negotiations between Belgrade, Pristina, and the international community on the status of Kosovo, congressional action of this nature will be perceived as one-sided and prejudicial. Further, moving towards giving authority to the Secretary of State to empower the U.S. Mission in Pristina to render U.S. visas would be a dangerous precedent to set because the United States cannot render visas within the territory of a country without that country's consent in accordance with the Vienna Convention.

Therefore, conducting such a "report" is to ignore Serbia's role entirely and sends the wrong message. Kosovo remains within the territory of Serbia and Montenegro, and, therefore, citizens of Kosovo should go to the appropriate place to obtain visa and consular services, which is not prohibitive and, since it is only a 2-hour bus ride, is certainly in keeping with most of the applications that need to be made by those seeking visas across the world.

The text of section 1019 is itself prejudicial, Mr. Chairman. The name of the province, in international use and the official U.S. use, is "Kosovo," not "Kosova." The term "Kosova" is a one-ethnicity-based pronunciation of the name of the province. It would be highly prejudicial for the U.S. Congress to refer to Kosovo as "Kosova," which by it would recognize and imply that the province is only Albanian and would ignore the minority populations living there. Albanians would have the same objections to the U.S. Congress referring to Kosovo as "Kosovo-Metohija."

Mr. Chairman, Congress should not send the wrong message at the wrong time, and I urge support for this amendment.

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

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

Mr. Chairman, I rise in strong opposition to the Franks amendment. This amendment strikes an important provision of our legislation that requires the Department of State to report to Congress on the possibility of offering consular and visa services at the U.S.

office in Pristina, Kosovo. Although the United States maintains a robustly staffed mission in Pristina, those Kosovars wishing to visit the United States must travel out of Kosovo to receive consular and visa services.

Mr. Chairman, this is both inconvenient and expensive for the average Kosovar, who is not very wealthy, because many visa applications require multiple visits to a consulate outside of Kosovo to places as far off as Skopje, Tirana, and Podgorica: three different countries and three different capitals.

The State Department says the current layout of the U.S. office in Pristina makes it difficult to provide adequate security to handle consular and visa matters there. The authorization bill, as written and passed by a vote of 44 to nothing by the Committee on International Relations, demonstrates the importance Congress places on providing consular and visa services in Pristina and having the State Department detail its plans for the future. It mandates no changes, but merely requires the Department of State to report to Congress on the matter as part of our oversight responsibilities.

Nor does it threaten to change the status of Kosovo, as some proponents of this amendment may believe. In fact, the State Department affirms that there are no political or legal obstacles to opening a consulate in Kosovo.

I urge all of my colleagues to defeat this needless amendment.

Mr. Chairman, I yield the balance of my time to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Mr. Chairman, I strongly oppose the Franks amendment. The language that was adopted was adopted unanimously by the Committee on International Relations in a bipartisan way; and with all due respect to my colleague from Arizona, his amendment addresses a problem which does not exist.

The gentleman from Arizona (Mr. FRANKS) is trying to strike a reporting requirement. This has nothing to do with the financial status of Kosovo, Serbia, Montenegro, or anywhere else. As the gentleman from California (Mr. LANTOS) said right now, consular and visa services are not offered at the United States office in Pristina. The section the Committee on International Relations bipartisanly and unanimously adopted merely asked the State Department to submit a report describing the possibility of providing consular and visa services at the United States offices in Pristina, Kosovo to the residents of Kosovo. That is all it does. It is very hard for people who live in Pristina and in Kosovo to go to other countries, particularly old people, to get a visa. And as far as Kosovo or Kosovo, there are 12 other provisions, and I have them here, in United States law that mention Kosovo with an "a." So for the gentleman from Arizona to say that this

somehow changes existing law is just not true. This body has passed 12 and has now signed into law parts of the law where it says "Kosova."

So I think we should not upset the apple cart and change the unanimous wishes of the Committee on International Relations.

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

Mr. ENGEL. I yield to the gentleman from North Dakota.

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

Some things should not be so hard. This is about asking for a report about consular services in Pristina. An example of why this is needed: some refugees from the war in Kosovo have settled in Bismarck. They are very close personal friends of mine. They wanted to have family come and visit. To get those visas, they could not go to Pristina. They sure did not want to go to Belgrade. They ended up going to Macedonia and dealing with the embassy in Skopje, tremendously difficult, cumbersome, and burdensome; and what is more, it took a couple, three trips. We do not need to do this to the people in this region.

I have got an idea: let us have a report on whether we could provide these services in Pristina.

□ 1430

That is all that the Committee on International Relations voted on this question. It just makes simple sense. I, for the life of me, cannot understand the amendment that would strike this language. Let us move this forward and look at how we can improve the services, consular services, we are providing to the people in this region.

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

Mr. Chairman, I would just add again this language was unanimously passed by the Committee on International Relations with bipartisan support and no dissension. It was part of an en bloc amendment, and it is not controversial. With all due respect to the gentleman from Arizona, this is not something that should be overturned.

The Acting CHAIRMAN (Mr. KOLBE). The time of the gentleman from California has expired.

Mr. FRANKS of Arizona. Mr. Chairman, I yield 1 minute to my good friend, the gentleman from New Jersey (Mr. SMITH), although he is in opposition to this amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I thank the gentleman for his courtesy.

Mr. Chairman, I do oppose the amendment. It is merely an amendment authorizing a study to determine whether or not the U.S. Office in Pristina ought to provide consular services. There are about 15,000 people that make that trip to Skopje every year. It is a burdensome situation for them.

But let me also point out there is some value to this debate in the

amendment offered by the gentleman from Arizona (Mr. FRANKS), because it underscores the clear and nonambiguous intent here that we do not want to prejudge or predetermine the final status with regard to Kosovo. That is to be left to the negotiations.

Even if the State Department makes a recommendation that it is going to be left to a status negotiation, I think the gentleman's amendment and the fact we have had this debate helps to bring some light to that. This amendment would merely facilitate and expedite those individuals that would like to get their visas and to come here.

I thank the gentleman for yielding, I oppose the amendment, and I respect the gentleman.

Mr. FRANKS of Arizona. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the gentleman from New Jersey (Mr. SMITH) really was able to get to the heart of the purpose of my amendment, and that is very simply that the Balkan region is one that is fraught with great historical tragedies, with enough heartache and hurt to go around for every ethnic group that is in that area. It certainly is obvious to the world that the ethnic and cultural tensions there are responsible for some incredible tragedies.

It is my contention that the process that takes place there now or is in the imminent process of occurring is important to allow it to go forward in a way that the people on the ground have the greatest control over. My concern is that if the Congress should try to impose from the top down prejudicial language, that it could only exacerbate some of the problems that have caused such tensions there that have led to such death and suffering already.

Mr. Chairman, I would suggest that even though it is true that Kosovo has appeared in our bills a number of times in the past, it is in conflict with U.S. policy and with the U.S. official position on Kosovo; and consequently, I do not think that the mistakes of the past would be a foundation for repeating them here today.

Mr. FRANKS of Arizona. Mr. Chairman, I yield back the balance of my time.

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

The amendment was rejected.

The Acting CHAIRMAN. It is now in order to consider amendment No. 35 printed in part B of House Report 109-175.

It is now in order to consider amendment No. 36 printed in Part B of House Report 109-175.

AMENDMENT NO. 36 OFFERED BY MR. LANTOS

Mr. LANTOS. Mr. Chairman, I offer an amendment on behalf of the gentleman from Texas (Mr. REYES).

The Acting CHAIRMAN. Is the gentleman from California the designee of the gentleman from Texas?

Mr. LANTOS. Yes.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 36 offered by Mr. LANTOS:
Page 241, after line 21, add the following new section:

SEC. 947. TRAINING AND ASSISTANCE TO IDENTIFY UNKNOWN VICTIMS WHO WERE ABDUCTED AND MURDERED IN CIUDAD JUAREZ, MEXICO.

(a) STATEMENT OF CONGRESS.—Congress urges the President and Secretary of State to incorporate the investigative and preventative efforts of the Government of Mexico in the bilateral agenda between the Government of Mexico and the Government of the United States and to continue to express concern to the Government of Mexico over the abductions and murders of young women since 1993 in the Mexican city of Ciudad Juarez.

(b) TRAINING AND ASSISTANCE.—The Secretary of State is authorized to provide training and assistance to identify unknown victims who were murdered in the Mexican city of Ciudad Juarez through forensic analysis, including DNA testing, conducted by independent, impartial experts who are sensitive to the special needs and concerns of the victims' families, as well as efforts to make these services available to any families who have doubts about the results of prior forensic testing.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of State \$500,000 for fiscal year 2006 to carry out subsection (b).

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentleman from California (Mr. LANTOS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California (Mr. LANTOS).

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

Mr. Chairman, I rise in strong support of the amendment offered by my distinguished colleague, the gentleman from Texas (Mr. REYES).

The Rio Grande, which separates El Paso in Texas from Ciudad Juarez in Mexico and is often dry, has been filled with the tears of countless families who grieve for a lost daughter, sister or mother who have fallen prey to a mastermind of murder and the reckless indifference of local Mexican law enforcement.

Since 1993, over 400 women have been murdered in the border region around El Paso and Ciudad Juarez. In the last year alone, over 30 women have been killed. According to Amnesty International, Mr. Chairman, at least 137 of the victims, more than half of whom were between the ages of 13 and 22, were sexually assaulted prior to being murdered.

Realizing the deliberate ineptitude of local law enforcement under whose jurisdiction these cases would normally fall, the Mexican Federal Government has begun to implement measures to prevent these abductions and murders in Ciudad Juarez, including by establishing a commission to coordinate Federal and State efforts, crafting a 40-point plan of action and appointing a special federal prosecutor.

Unfortunately, these efforts have not been enough to close the killing fields around this border town. Our own ambassador to Mexico has declared the area to be a public security concern and advised United States citizens against traveling there.

The amendment of my friend and colleague, the gentleman from Texas (Mr. REYES), the Chair of the Congressional Hispanic Caucus Task Force on International Relations, is a constructive provision that aims to raise the profile of these tragic cases and provide forensic assistance to our Mexican neighbors. I strongly encourage my colleagues to support this amendment.

Mr. Chairman, I yield such time as he may consume to my good friend, the gentleman from Texas (Mr. REYES), the author of the amendment.

Mr. REYES. Mr. Chairman, I thank my good friend for yielding me time, and I want to thank both my friend, the gentleman from California (Mr. LANTOS), and the gentleman from California (Chairman DREIER) for making my amendment in order.

My amendment, as has been very aptly described by our ranking member, seeks to provide support to the Mexican Government. This is an area that is adjoining my district and has, unfortunately, taken way too many lives. Women have been abducted, raped and killed; and this is an effort to get help in several different areas.

There have been opportunities. Since being in office as a Member of Congress, I have asked the El Paso Police Department, the Sheriff's Department, and the FBI to provide help in forensic analysis, crime scene search and identification, as well as training and investigative techniques, all of which have been well received. But we need that additional pressure from the Department of State to provide additional help and additional focus on the issue through the Mexican Government.

This is something that is very important to my constituents as a great concern, because it is happening right across the border from my district. It is also of great concern to other Members of Congress. In fact, I have hosted several congressional delegations that have gone there and talked to the victims and talked to law enforcement officials and those that have been right at the heart of the investigation in the area where it has been most impacted. So I hope that my colleagues support me on this issue.

Again, I want to thank the gentleman from California (Chairman DREIER) for making this in order and the chairman and ranking member for their support.

Mr. SMITH of New Jersey. Mr. Chairman, I ask unanimous consent to take the time in opposition, even though I support the amendment.

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

There was no objection.

The Acting CHAIRMAN. The gentleman from New Jersey is recognized for 5 minutes.

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, first of all, I want to thank the gentleman from Texas (Mr. REYES) for his very compassionate and important amendment. It should be supported, and the majority on this side of the aisle supports it.

Since 1993, almost 400 women and girls have been murdered and more than 70 remain missing in Ciudad Juarez in Mexico. This commonsense amendment simply seeks to provide congressional authority and funding to the Secretary of State to make independent technical and forensic expertise available to the families of these young women and girls.

The gentleman from Texas (Mr. REYES) represents, as we know, the El Paso area across the border from this area. His amendment extends a helping hand to these grieving families. I want to commend the gentleman for his compassion in offering this amendment.

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

Mr. LANTOS. Mr. Chairman, I yield 30 seconds to the gentleman from Texas (Mr. REYES).

Mr. REYES. Mr. Chairman, I want to thank my colleague for speaking on behalf of the amendment.

I would just simply say in closing, Mr. Chairman, that I appreciate the opportunity to once again bring this issue to this House. I think it is the right thing to do, to support an area that has been beleaguered by criminals. With that, I hope that my colleagues will support this amendment.

Mr. LANTOS. I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. LANTOS).

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 37A printed in part B of House Report 109-175.

AMENDMENT NO. 37A OFFERED BY MR. ROHRBACHER

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 37A offered by Mr. ROHRBACHER:

At the end of subtitle B of title XI, add the following new section:

SEC. 1127. CAPTURE, DETENTION, AND INTERROGATION OF TERRORISTS AT GUANTANAMO BAY, CUBA.

(a) FINDINGS.—Congress finds the following:

(1) Usama bin Laden declared war on the United States in 1996.

(2) International terrorists, including al Qaida and its affiliated terrorists, have repeatedly attacked the United States and its coalition partners throughout the world and have killed and wounded thousands of innocent United States citizens and citizens from these coalition partners.

(3) The United States is exercising its rights to self-defense and to protect United States citizens both at home and abroad by waging war alongside its coalition partners against al Qaeda and affiliated terrorists.

(4) International terrorists continue to pose an extraordinary threat to the national security and foreign policy of the United States and its coalition partners.

(5) International terrorists continue to commit and plan terrorist attacks around the world against the United States and its coalition partners.

(6) In order to protect the United States and its citizens, the United States must identify terrorists and those individuals who support them, disrupt their activities, and eliminate their ability to conduct or support attacks against the United States, its citizens, and its coalition partners.

(7) Identifying, disrupting, and eliminating terrorist threats against the United States requires effective gathering, dissemination, and analysis of timely intelligence.

(8) The collection of information from detainees at Guantanamo Bay, Cuba, by the United States has improved the security of the United States and its coalition partners and is essential in fighting the Global War on Terrorism.

(9) The loss of interrogation-derived information would have a disastrous effect on the United States' intelligence collection and counterterrorism efforts and would constitute a damaging reversal in the Global War on Terrorism.

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

(1) the capture, detention, and interrogation of international terrorists are essential to the successful prosecution of the Global War on Terrorism and to the defense of the United States, its citizens, and its coalition partners from future terrorist attacks;

(2) the detention and lawful, humane interrogation by the United States of detainees at Guantanamo Bay, Cuba, is essential to the defense of the United States and its coalition partners and to the successful prosecution of the Global War on Terrorism;

(3) the detention facilities and interrogations at Guantanamo Bay, Cuba, plays an essential role in the security of the United States and should not be closed or ended while the United States is waging the Global War of Terrorism.

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentleman from California (Mr. ROHRABACHER) and a Member opposed each will control 30 minutes.

The Chair recognizes the gentleman from California (Mr. ROHRABACHER).

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

Mr. Chairman, there is hardly a topic more misunderstood, mischaracterized, and exploited by America's enemies than the detention facility administered by the United States military at Guantanamo Bay, Cuba.

Mr. Chairman, we should be clear that the Guantanamo prison is reserved for some of the world's worst terrorists. Those there pose a great threat to our national security. Those there were primarily captured on the battlefield in Afghanistan.

Here are some specifics that the Department of Defense has stated publicly regarding Guantanamo. Since September 11, 2001, more than 70,000 detainees have been captured in Afghani-

stan and Iraq. The vast majority have been released. The U.S. is working with Iraq and Afghanistan and other governments to have them take control of detainees from their own countries.

Some 800 suspected al Qaeda or Taliban have been sent to Guantanamo; approximately 520 of them remain. Approximately 235 have been released, transferred or are presently in other countries; 61 are awaiting release or transfer.

So, who is in Guantanamo? Well, certainly no one under 18 years of age. That is important. The people who were there are terrorists, terrorist trainers, bomb makers, recruiters and facilitators, terrorist financiers, Osama bin Laden's bodyguard, and would-be suicide bombers.

And what are we learning from these people that are being held in Guantanamo? The organizational structure of al Qaeda and other terrorist groups; the extent of terrorist presence in Europe, in the United States and the Middle East; al Qaeda's pursuit of weapons of mass destruction; methods of recruitment and location centers for recruitment; terrorist skills and how they use them; both general and specialized operative training; and how legitimate financial activities are being used to hide terrorist operations.

Mr. Chairman, Lieutenant General Randall Schmidt recently headed a Department of Defense investigation of Guantanamo. General Schmidt's report described how military interrogators at Guantanamo broke down Saudi Arabian-born Mohammed al Kahtani, who was to be, I might add, the 20th hijacker on September 11.

□ 1445

By the fall, Mr. Kahtani had resisted all conventional interrogation techniques, so Secretary Rumsfeld approved a more aggressive action plan, although a plan that still did not violate the Geneva Convention.

Ultimately, this prisoner started talking, and we learned how al Qaeda, led by bin Laden, planned September 11 and the murder and the slaughter of almost 3,000 Americans. We learned how they recruited the terrorists and financed their operations, and how they entered the United States of America.

Mr. Chairman, unfortunately, common sense prevents a greater discussion of the intelligence windfall that was reaped by the questioning of this particular prisoner. This case also shows that persistence and skill of our soldiers pays off. In short, intelligence gained at Guantanamo has prevented terrorist attacks and saved the lives of countless Americans and America's allies.

Mr. Chairman, no system is perfect, no group of people is perfect, our country is certainly not perfect, our defenders are not perfect. But of some 24,000 interrogations, of those 24,000 interrogations, again, it is not a perfect system, but only 9 of the 24,000 have been basically found to have any type of

abuse or purported to be examples of abuse. Most significantly, Guantanamo is not shrouded in secrecy, as we are told over and over again. There has been enormous transparency, especially as compared to any other country in the world which is holding terrorist detainees.

The International Committee of the Red Cross has been there. They have 24/7 access to the facility, and it is at their discretion. The International Committee of the Red Cross had had a permanent presence, recently changed at its choosing, and basically that is what the report said.

We have also had media people go to Guantanamo, including more than 400 visits by 1,000 national and international journalists. We have had lawyers for the detainees there, especially in connection with habeas corpus cases. We have had congressional Members, including 17 Senators, 103 Representatives, and 129 congressional staffers. Now, if there was ever a case of openness and transparency in a place for holding prisoners, this is it.

Additionally, Congress has held at least a dozen hearings into this matter.

Mr. Chairman, our distinguished colleague, the chairman of the Committee on Armed Services, the gentleman from California (Mr. HUNTER), stated after touring Gitmo last month that he noted that the detainees have gained an average of five pounds each over the last year. They have received first class medical services, averaging four hospital visits per month, and that 100 percent of the detainees have been given a written notice of their rights, a written notice of their right to contest their detention in a U.S. court of law, as well as instructions on how to obtain a free lawyer, and about 100 of the detainees have lawyers at this time.

What other country in the world would be so generous at a time of war, after seeing our people slaughtered in New York?

One military analyst, Jed Babbin, recently toured Gitmo and concluded the following: "The common belief among the terrorists, fed by reports apparently conveyed to some by their lawyers, is that political pressure will soon result in our having to close Gitmo and to let them go. Critics are making the interrogators' job much harder than it already is. Because they, the terrorists, are beginning to believe we will close Gitmo, and many of the detainees resist interrogation" because of this belief.

To the critics of Guantanamo, I would ask them, where do they suggest that we put these people? What do they suggest we do if we end up closing Gitmo? Where are we going to put those people we need to interrogate? Where are we going to put, in this war on terror, where are we going to put those we capture? At Gitmo, the people there have done a good job, a fantastic job, not a perfect job, and we should keep it open. It should not be closed, and we should actually congratulate

our people who work there for the fine job they have done.

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

Mr. LANTOS. Mr. Chairman, I do not oppose the amendment, but I ask unanimous consent to claim the time in opposition.

The Acting CHAIRMAN (Mr. KOLBE). Is there objection to the request of the gentleman from California?

There was no objection.

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

In any war, the belligerents have the right to detain enemy combatants until the conflict has ended. Otherwise, there would be no way to prevent enemies from returning to the battlefield.

There is, of course, an exactly parallel concern in the war on terrorism. We already know, Mr. Chairman, that a number of individuals released from detention have returned to the battlefield against us. That is a fact.

It is also a fact, however, that the war on terrorism is unlike other wars that this Nation has faced. It is a struggle against deadly forces of extremism and nihilism which cannot be found in a bounded geographical space or located at one particular base. And, as our experiences over the last few years have demonstrated, our enemy is resourceful, able to adapt to new conditions, and the end of the conflict may be decades away.

In this context, the war on terrorism brings us to new ground. The first question we have to ask as we deal with individuals who participate in this global terrorist conspiracy is, should we treat them with the propriety to which every human being is entitled? The answer to that question is an unequivocal yes. There should be no torture, no cruel, inhuman, or degrading treatment, and no humiliation.

In this context, Mr. Chairman, I believe that the U.S. military is dealing with a very difficult situation not of their own making and doing a great job. I am not aware of a single detainee who has lost his life at Guantanamo. I am not aware of a single detainee who has lost his life at Guantanamo. Prisoners have been accorded nourishing and adequate food, quality medical care, access to the Koran, and visits from the International Committee of the Red Cross. And I believe that the U.S. military has investigated abuses whenever they have come up. We need to keep aggressive oversight, including trips by Members of this House, to ensure that this continues.

Indeed, closing Guantanamo could well have unintended consequences. We should recognize that Guantanamo is a safer and more humane facility than the facilities in Afghanistan and in many places around the world where others are being held against their will. If we closed Guantanamo, where will the detainees go? We have already seen tragic incidences where their home country has tortured those who have been returned.

A second and critical question, Mr. Chairman, is what type of process should detainees get and how long can they be held without some sort of trial. So far, all these questions have been addressed by both the executive and judicial branches, with very little involvement from the Congress.

For my part, I support the amendment, but I believe we need to have serious and thoughtful debate on how to deal with all of these facilities.

This amendment relates to one aspect of this issue. Both here and in the other body, we must begin to make our own judgments regarding these issues, and consider legislation as appropriate to address these complicated matters.

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

Mr. ROHRABACHER. Mr. Chairman, how much time is still available?

The Acting CHAIRMAN. The gentleman has 22½ minutes remaining.

Mr. LANTOS. Mr. Chairman, I ask unanimous consent that the gentleman from Oregon (Mr. BLUMENAUER) control the balance of my time.

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

There was no objection.

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

Mr. Chairman, 12 of those detainees that were in Guantanamo who were released ended up going back to the battlefield in an attempt to kill Americans. Let us keep that in mind when people start complaining about holding people in Guantanamo in the middle of this conflict.

Let us know that those people that are being held are professional terrorists for the most part and were trained to claim that they had been tortured, and they were trained to make outlandish charges against the people who had captured them and against the United States of America. That is part of their tactic. Let us not fall for that.

Mr. Chairman, I yield 3 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN), who recently returned from a visit to Guantanamo.

Mrs. BLACKBURN. Mr. Chairman, I want to thank the gentleman from California (Mr. ROHRABACHER) for his excellent work on this amendment and to join him in saying to the body, yes, indeed, Guantanamo Bay serves a very valuable purpose, a strategic purpose when we talk about the war on terror, and the importance, the absolute necessity that we have to win this war on terror.

This is one of those situations where losing is not an option. As the gentleman was just saying, the detainees, all 520 individuals that are there, all 520 detainees have been found to be a terrorist. They have been through not zero, not one, not two, not three, but four different hearings, and they have been found to be terrorists. These are people that do not wish us well. They wish evil, and they carry out evil. We need to keep them locked up.

We found that Guantanamo was a safe, secure facility. It is there for the protection of the individuals as well as for intelligence gathering. And our intelligence community is doing a tremendous job gathering information that has continued to keep this Nation safe and will continue to keep this Nation safe.

They have gathered intelligence that helped lead to the capture of Saddam Hussein. They have gathered intelligence that has helped break up terrorist cells all around this globe. That is important. Why have we not seen an attack on American soil since September 11? Because of intelligence that is being gathered.

I will tell my colleagues, for far too long we treated terrorism as a law enforcement issue. I would recommend to the body that in my opinion it is not just a law enforcement issue. Law enforcement is necessary, intelligence is necessary, defense is necessary if we are going to win.

Mr. Chairman, while I am here for a moment, I would like to say thank you to the men and women in uniform and to the families that are deployed and serving there. We have had about 10,000 Americans serve at Guantanamo Bay. They are doing a stellar job. We thank them for their work under very difficult, very difficult situations, and we are grateful for their commitment to the war on terror, and we are grateful for their commitment to freedom, preserving freedom in this Nation and around the globe.

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

It is an interesting proposition that we have before us today. Unfortunately, what is framed in the context of this amendment is more a conclusion rather than something that is dealt with in terms of well-reasoned fact.

Nobody disputes the fact that we need intelligence. Nobody disputes the fact that we are struggling in a global war against terror. The question is the way in which the facility at Guantanamo has been managed, what it represents now, and what it represents in the future.

We have been engaged in this struggle against terrorism longer than the United States fought World War II.

□ 1500

And there is no end in sight. In 2003 we had 205 acts of terror, an all-time record. In 2004 the number more than tripled to 651. I think there is a real question whether the assumption that the facility at Guantanamo has actually enhanced American security more than it has harmed it needs to be examined. I intend to offer a little more discussion.

Mr. Chairman, I yield 5 minutes to my colleague from California (Mr. SCHIFF).

Mr. SCHIFF. I thank the gentleman for yielding and for his courtesy today.

Mr. Chairman, I want to commend my colleague, the gentleman from California (Mr. ROHRBACHER), for raising the important issue of detention and interrogation of terror suspects here on the House floor. I firmly agree that the executive must have the authority to capture, detain, and interrogate international terrorists to prevent future attacks and to process and punish those who have been captured.

Over a year ago, I traveled to Guantanamo Bay with the gentleman from North Carolina (Chairman COBLE) and other Judiciary Committee members. We toured the facility and recognized the critical work that our soldiers are performing. It was also clear that important intelligence is being derived from detainee interviews, and our servicemembers have done difficult and courageous work guarding some of the most dangerous people in the world.

Nonetheless, Mr. Chairman, there is still a significant issue arising out of our Nation's policy of detentions at Guantanamo, namely, the lack of any congressional authorization or imprimatur upon the policies underlining those detentions.

Last month I introduced Guantanamo Detainees Procedures Act of 2005, legislation that would provide for the swift and deliberate processing and prosecution of detainees in that matter that meets all the country's national security needs and establishes due process standards.

Over 500 detainees are currently held at Guantanamo Bay, most of them captured in Afghanistan after the U.S.-led invasion in 2001. Some detainees have been there for more than 3 years without being charged.

My legislation would do the following: first, it would affirm that the executive has the power to detain foreign nationals as unlawful combatants. Second, it would provide for a timely hearing before an independent military judicial officer to review the designation of enemy combatant. Third, it would require the government to bring formal charges against detainees or to repatriate them to their country of origin unless there was substantial likelihood of torture, unless the Secretary of Defense certifies that additional time is needed to continue with the interrogation, that the person still remains a threat to the United States, and that by the bringing of formal charges it would curtail the intelligence gathering process.

Finally, it requires the Department of Defense to put the cases before tribunals that operate under clear standards and procedures. Finally, it would require annual reports to Congress on the status of all detainees.

Recently, I have been heartened by the bipartisan calls from Members of the Senate upon the Congress to forge legislation which specifically addresses the standards and procedures to be followed for military detainees. Frankly, I am surprised there are not more voices in Congress raising this issue

that are not demanding that Congress act to set limits, not only in the detention of foreign nationals, but as in the case with Jose Padilla and Hamdi, on Americans or those that are lawfully residing in this country.

But I have found a new and powerful ally in the United States Supreme Court. As many know, the district and appellate courts have reached conflicting results about whether the executive's power to detain enemy combatants and under what conditions those powers can be used. Justice Scalia, in one of his dissenting opinions, commented, "I frankly do not know whether the tools are sufficient to meet the government's security needs, including the need to obtain intelligence through interrogation. It is far beyond my competence or the Court's competence to determine that, but it is not beyond Congress's."

We could not have, I think, a stronger admonition that we need to act in Congress. And I would ask my colleagues to consider legislation rather than the piecemeal decision-making by the courts. Article I, section 8 of the Constitution provides that the Congress, and not the President, has the power to make rules concerning captures on land and water, to make all laws necessary and proper for carrying into execution the foregoing powers and all other powers vested in the Constitution in the Government of the United States, define and punish offenses against the law of nations and to constitute tribunals.

Mr. Chairman, a sense of Congress is good, but not enough. I urge my colleagues to examine my proposed legislation, a proposal that would affirm the executive's authority to detain foreign national terror suspects, but provide for the swift and deliberate processing and prosecution of detainees in a manner that protects our Nation and expresses our commitment to the rule of law. The Guantanamo Detainees Procedures Act of 2005 will ensure that the hallmark of our democracy is not compromised.

Mr. ROHRBACHER. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I think it is important for the American people to hold their heads up high, not only about the goals of the war on terror but the way we have conducted it, and especially the way we have handled the prisoners at Guantanamo.

Let us put it this way: the prisoners in Guantanamo, our prisoners, are better off for being our prisoners. They have gained weight. They have medical attention. They have regular meals, none of which they would have had if they would not have been captured. And life in their cell is probably a lot better than the cave in which they used to live. And perhaps as well, we need to say that the leaders, the people who hold power over them at Guantanamo are at least directed and guided by moral restrictions that are far different than those restrictions placed on

them by their former leaders who followed radical Islam.

The people who used to be their boss and hold authority over them, the radical Islamist leaders, would cut people's heads off, participate in torture, not to mention of course send them out and send their families out on suicide missions. No, those people that we have captured that are in Guantanamo are better off because they are under our authority rather than those people they used to work for.

Mr. Chairman, I yield 4 minutes to the gentleman from New Jersey (Mr. SMITH), the chairman of the Human Rights Subcommittee of the International Relations Committee, as well as the co-chairman of the International Relations Committee.

Mr. SMITH of New Jersey. I thank the gentleman for yielding.

Mr. Chairman, let me just say to my colleagues, the July 7 attacks in London, I believe, served as a chilling reminder of what is at stake in the global war against terrorism. We must fight this war, a war that we never sought, but which has been declared against our country and against our citizens; and we must fight in a way so as to win.

The amendment offered by the gentleman from California (Mr. ROHRBACHER) underscores the resolve to do just that. Since the first prisoners were brought to the Naval base at Guantanamo Bay, Cuba in January of 2002, this base has provided a secure location for holding terrorists captured on the battlefield in Afghanistan and from the many other places around the globe where we have obtained custody of suspected terrorists. It has provided a place where these people could be kept from returning to combat.

The gentleman from California (Mr. ROHRBACHER) a moment ago talked about the 12 detainees who were released and then returned to combat; two, I understand, in Afghanistan; and at least one that was killed in a firefight. We are talking about terrorists who went right back to attempts to kill Americans.

Mark Jacobson, a former special assistant for detainee policy at the Department of Defense, estimated that as many as 25 of the 202 released had taken up arms again.

For example, Mullah Shahzada, a former Taliban field commander who apparently convinced officials at Guantanamo that he had sworn off violence, was freed in 2003, and immediately rejoined the Taliban. He was subsequently killed in battle in the summer of 2004 in Afghanistan. Maulvi Ghafar, a Taliban commander captured in 2001, was released in February 2004. He was subsequently killed in a shootout with Afghan government forces in September 2004. Abdullah Mesud, a Pakistani who was captured fighting alongside the Taliban in Afghanistan, bragged that he was able to hide his true identity for two years at Guantanamo before being released in March 2004. He was considered a low-risk security threat because of his artificial leg. After returning to Pakistan, Mesud led a group of Islamic militants—part of a campaign against

the Pakistani government—that kidnapped two Chinese engineers working on a dam. One of the engineers and several militants were subsequently killed in a government raid. Mesud is still at large.

Mr. Chairman, Guantanamo is a place where crucial intelligence could be gathered that could help the United States understand the operating methods, patterns, financing, tactical skills and training of these terrorists. This information is critical to preventing future terrorist attacks and, in the long run, critical to developing a strategic vision for combating this new enemy.

At the same time, Mr. Chairman, those who are held in Guantanamo must be treated, without exception, humanely. There must be zero tolerance for torture or degrading or inhumane or cruel treatment, and Congress does have a moral responsibility to ensure that that is the case. And I, like many of my colleagues, have gone down to Guantanamo to see for myself, to provide oversight, to ask the tough questions and to try to get answers to those questions.

I would point out to my colleagues as well that in last year's defense authorization bill, Public Law 108-375, this body unambiguously stated that it is the sense of Congress that, and I quote it, "no detainee shall be subject to torture or cruel, inhumane or degrading treatment or punishment that is prohibited by the Constitution, laws or treaties of the United States."

Moreover, that law requires the Secretary of Defense to take steps to ensure that policies are adopted to ensure the humane treatment of detainees and that all DOD commanders have adequate training regarding the law of war and Geneva Convention obligations, and that standard operating procedures regarding detainees be established.

Mr. Chairman, finally, just let me say that the U.S. must continue to fight this war on terrorism on every front. We must not let complacency lead us to lower our guard. We must fight this war in a way that is consistent, however, with fundamental principles.

And I think the gentleman from California (Mr. ROHRBACHER) has offered us a resolution that tries to make that clear.

Mr. BLUMENAUER. Mr. Chairman, I yield myself 5½ minutes.

I appreciate what was just presented by my colleague from California (Mr. SCHIFF), who has offered up a legislative approach to deal with the framework for Guantanamo, providing protections and procedures and moving forward with dealing with the problems of enemy combatants. I find somewhat ironic the continued portrayal on the part of some that what we have in Guantanamo now is sort of a Motel 6 with enhanced security and better food than our kids get when they go off to school.

I wish that the resolution that was before us today were based on some ag-

gressive work on our oversight committee in the Committee on International Affairs, which my colleague, the gentleman from California, chairs, because I think it is appropriate for us to understand not just the treatment at Guantanamo, but what impact that has had around the world in terms of perceptions of United States behavior towards enemy combatants.

I mentioned that I am deeply, deeply concerned about the language that is here that asserts that somehow we are better off and more secure as a result of Guantanamo. There is nothing, nothing that is unique to that location and the lawful exercise of interrogation techniques that is unique to Guantanamo. Where do we put them? We can put them in Leavenworth. We have lots of facilities that could be used to secure the enemy and protect the public.

But I am deeply, deeply concerned that there is lots of evidence that we have fallen short of the mark, and it is not just that when you torture and abuse people you get information that is suspect. The reason we reject that behavior as a country is twofold: besides being morally wrong, it puts Americans at risk. If we are going to abuse people, and recall that famous hearing in the other body when questions were put to uniform command, "would you like American soldiers subjected to these techniques?" Well, of course he would not. That is why we set standards to protect American soldiers and Americans overseas.

Second, when there are activities where we fail to meet our high standards, whether at Guantanamo or Abu Ghraib, they have an incendiary effect. Remember, it was not just a Newsweek story that sparked the riots in Pakistan. We were told, in fact, by people there that the story about the Koran being flushed down the toilet was not why the riots occurred. But the point is that there was a perception of American behavior that made people susceptible to thinking the worst. That is why there are a wide number of Republicans, including Senator MARTINEZ, Senator GRAHAM, Senator HAGEL, that have raised questions about whether or not Guantanamo has outlived its usefulness for us.

I would suggest, Mr. Chairman, that when the history of this period of time is written, we are going to find out in the last 4 years that the information that came from the press, whether it is about prison abuses, about the basis for rushing to war in Iraq, or the consequences of that act, that the press accounts were more accurate than what we were given from the administration as information and justification. And, frankly, Congress has been, in the main, missing in action when it comes to getting on top of those stories, rooting out the truth, holding people accountable, not low-level guards ill trained and ill suited, and looking at patterns of abuse that started in Guantanamo, ended up in Iraq.

□ 1515

These are items that lend itself to the legislative process. With all due respect to my colleague, the gentleman from California (Mr. ROHRBACHER), it is not at all clear that what happened in Guantanamo makes us safer given the fact that we have seen an explosion, that was a poor choice of words, of terrorist acts around the world, including our closest ally, Great Britain, just this last week.

This is precisely what we should be doing as a Congress rather than rushing to approve a feel-good amendment that has not been carefully examined by our oversight committee where there is evidence to the contrary that we may not be safer rather than doing something that would look to all the world as sort of a whitewash of what has happened in Guantanamo. And, most important, where we are going from here?

I would strongly urge the rejection of the amendment by my colleague.

Mr. ROHRBACHER. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, as our chairman of the Committee on International Relations just noted, it is always of benefit to get criminals off of the street and it is always to our benefit to take people who are involved, actively involved in terrorist organizations who have been engaged in suicide bombings, engaged in murdering other people, it is always good to get them off the street. And if it is in Guantanamo or anywhere else, that makes Guantanamo a very positive factor in keeping us safe.

Twelve of the people who we let go out of the 56 already returned to do battle to kill Americans. So it might have been better even to keep them in custody rather than put the Americans who they were aiming their guns at at more risk. Guantanamo is doing a good job. Those people down there, the Americans, are doing a good job for us. They are not perfect but no one is perfect, but they are making us safer and that is what this is about. I think we have no hesitancy whatsoever than to proclaim that.

Mr. Chairman, I yield 4 minutes to the gentlewoman from Texas (Ms. GRANGER).

Ms. GRANGER. Mr. Chairman, I thank the chairman for his good work and I thank the gentleman from California (Mr. ROHRBACHER) for giving us the opportunity to vote on this resolution.

Approximately 800 suspected members of al Qaeda or the Taliban have been sent to Guantanamo Bay, Cuba. Approximately 520 remain and 61 are awaiting release or transfer. Who are these people?

Well, they are terrorist trainers. They are bomb makers. They are recruiters and facilitators. They are terrorist financiers, and they are would-be suicide bombers.

What have we learned from the interrogations of the detainees? This is what we have learned. We have learned

the organizational structure of al Qaeda and other terrorist groups. We have learned the extent of terrorist presence in Europe, the United States, the Middle East. We have learned about al Qaeda's pursuit of weapons of mass destruction. We have learned the methods of recruitment and locations of recruitment centers. We have learned about their general and their specialized operational training. And we have learned how legitimate financial activities are used to hide terrorist operations.

The question is, is this facility still needed? Yes, it is still needed because we are still receiving information from the detainees at Guantanamo, information that is shared with our coalition partners and with countries around the world who are in this fight with us.

Make no mistake, we are saving lives because of the information we are obtaining at Guantanamo and that is the most important thing.

If anyone doubts the importance of this, well, if anyone doubts the war against terrorists, go to the Internet and look at the pictures of September 11 and the bombing of Madrid and the bombing of London or look at the faces of the families whose innocent children were blown up just days ago as they were accepting candy from our troops in Iraq.

These are pictures coming from a deep place of hatred and loathing and that hatred is aimed at us. The Guantanamo Bay facility has been visited by over a thousand national and international journalists. It has been visited by over a hundred Senators and Members of Congress and over a hundred congressional staffers. Bipartisan congressional delegations have been to Guantanamo and seen for themselves that the treatment is humane and it meets acceptable standards.

I absolutely support the Rohrabacher amendment and I urge my colleagues to do the same. The capture, the detention, and the interrogation of international terrorists is essential to winning this war, a war without borders and a war that has no safe haven.

Mr. BLUMENAUER. Mr. Chairman, I yield myself 30 seconds. I just say it is a false choice to suggest that the only alternative is to keep Guantanamo open and operating as it is now. We could easily prosecute detainees who are at risk or a threat or a problem under courts martial. We could close the prison at Guantanamo and shift AT operations someplace else like Leavenworth. We could abandon the failed interrogation policies and conduct them according to the Army Field Manual and get rid of the people who are not at risk. There are other alternatives.

Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Chairman, I want to express my appreciation to the gentleman from California (Mr. ROHRABACHER) for offering this amendment. I know that he is a man of great sin-

cerity and he offers this from his point of view in the right way.

But the interesting thing about it from my perspective is it gives us an opportunity to talk about some of these issues and this opportunity is a rare opportunity indeed.

It is unfortunate that it is so rare that we have an opportunity on this floor in the context of legislation to talk about the tragedy in Iraq and the so-called global war on terrorism. In this regard and the context of this amendment which focuses attention on the activities in Guantanamo Bay and pretends that all of those activities are upstanding and lawful, and in the language of the amendment "lawful, humane interrogation," we find in experience that this interrogation that has been carried out as a result of this so-called war on terrorism has often not been lawful and not been humane. It has not been lawful in the sense that it has violated the third Geneva Convention.

It has not been lawful in the sense that it has violated other aspects of international law, including the United Nations, and it has violated our own domestic law frequently.

In Guantanamo, and even more so in other places such as Abu Ghraib and Camp Cropper and Bagram Air Base where the interrogation carried out has been unlawful, has been inhumane and has brought us terrible, deep disgrace in the face of the rest of the world and placed a terrible burden on our country and our military people around the world.

How did this all happen? We know that a significant number of military personnel, both enlisted and officers, have been prosecuted and convicted as a result of the inhumane treatment that has been carried on in these camps.

How did it occur? We are led to believe, we are being asked to believe that just a handful of inexperienced, rough hewn Americans invented these activities indiscriminately in several different places by themselves, that this was not done in any concerted way. But the circumstantial evidence that we have is quite different. And I say circumstantial evidence because this Congress has abandoned its responsibility to investigate this matter.

There have been inadequate hearings by this House of Representatives to look into this issue to see exactly what has been going on. But the circumstantial evidence that we have indicates that these orders for this kind of ill-treatment came out of the Secretary of Defense, transmitted to the Under Secretary for Intelligence, Stephen Cambone. He was then sent down to Guantanamo and gave the information to Geoffrey Miller. And he then carried it out in Guantanamo and then in Camp Cropper and in other places throughout the system that has been developed as a result of this illegal, unjust and unnecessary war in Iraq which has corrupted the focus of our legiti-

mate attention, which is the attack of the al Qaeda terrorists on this country on September 11, 2001.

We have abandoned all of that for the sake of this illegal, unjust, unnecessary war in Iraq which has now placed such a terrible burden, psychologically, emotionally and financially, on this country. So this resolution that we have here gives us an opportunity to examine these issues, and to examine them carefully, but to examine them in the way that they need to be examined. We need the leadership here in the House of Representatives, the chairmen of the appropriate committees, to begin hearings as to what exactly happened and why it happened, who gave the orders, under what circumstances were those orders given, to whom were they given, why was this activity of persecution and torture which has been criticized by the International Committee on the Red Cross, internally by an independent Army investigation and also on numerous occasions by the Federal Bureau of Investigation.

We need to get to the bottom of this. Let us begin to do it.

Mr. ROHRABACHER. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I think we should note that there have been at least a dozen congressional hearings into Guantanamo itself and there has not been a lack of attention on the possibilities that some of our people were not meeting the high standards that we set as a Nation. That is number one.

Number two, and I think my colleague, and he is my dear friend and colleague, should understand that Guantanamo is not a result, as he suggested, of an unjust and illegal war in Iraq. Almost all the prisoners in Guantanamo, unless I am mistaken, are from the Afghan conflict and the conflict in Afghanistan was thrust upon us. The war in Iraq had nothing to do with Guantanamo whatsoever. The prisoners in Guantanamo are people who have been taken prisoner after serving as part of al Qaeda or the Taliban army in Afghanistan. We did not choose to declare war on the Taliban and al Qaeda. They attacked us. We were attacked on September 11.

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

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

Mr. HINCHEY. I appreciate the gentleman's statements and I understand what he is saying very well. But the fact of the matter is that our attention has been drawn away from the real circumstances here.

We were attacked, yes. The Taliban was harboring the al Qaeda network and we went after them in Afghanistan and rightly so. And all but one Member of this House supported that activity on both sides of the aisle.

But then for illegitimate reasons, we were forced into this unnecessary and illegal and unjust war in Iraq which has taken our attention and our resources away from the terrorists who

conducted those attacks. We need to get back on that, and we need to investigate why this is happening.

Mr. ROHRBACHER. Reclaiming my time, I think it is very clear that what is happening in Guantanamo, which is the discussion today, has come under attack by people who generally are opposed to a very tough and aggressive and engaged American foreign policy overseas.

We can no longer rely on our oceans and our noninvolvement in places like Afghanistan where we let the Taliban have their way and expect that we are going to be safe. We are not safe. 9/11 proved that.

When we engage in a war against people like these terrorists who have murdered our people and we capture people, we have to put them some place. Guantanamo has served that purpose, and Americans down there have uncovered information that have saved American lives. That is how we have gotten to know what al Qaeda is all about.

I am sorry there are times that people feel compelled to criticize American policy overseas and certainly that should not include Guantanamo, and that is what this debate is about today.

Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. CONAWAY).

□ 1530

Mr. CONAWAY. Mr. Chairman, I appreciate my good colleague yielding me this time.

I have just come back from Guantanamo Bay about 3 weeks ago. In part of my former life, I served with the 256 MP Company at Fort Hood, Texas. That company had, in addition to traffic responsibilities at Fort Hood, responsibility for the stockade.

We have asked our military, through the civilian leadership, to do two things at Guantanamo Bay: one, keep those detainees in a safe and humane manner. And we are clearly doing that. And, two, to conduct interrogations against standards set by the civilian leadership of this country to glean from these detainees whatever information they have left to help us with conducting this war on terror. Both those missions are being accomplished well.

We have great leadership there, and the men and women who are serving there. Some 10,000 of our soldiers, sailors, and Marines who have circulated through, have undergone extensive training, sensitivity training, which is a phrase I hate, but training to allow them to be more sensitive to the Arab culture. Not to the Islam religion, which we ought to respect, have respect for the Koran and the religious practices, but the customs of the Arabs are respected in a way that does us honor, because we are going to such great extent to accommodate these detainees.

We cannot out-nice the meanness and the hatred of our enemies. We just cannot be so nice to the rest of the world

that they will say, in that case, I will not hurt you. They are going to kill us loudly or they are going to kill us softly, but they are going to kill us.

As an example, one of the detainees that we let go presented to us with half his leg blown off. We nursed that person back to health, as we should. We ought to set the gold standard for prisoner treatment. We nursed this person back to health; we fitted him with a prosthesis; and then, after evaluations, we let him go. We put him back in the fight. He has been implicated in the death of a Chinese engineer, kidnapping of another. He has been indicted in the blowing up of a bus with journalists on it, and he has also been indicted in a hotel bombing.

We cannot out-nice our enemies. We have to treat them with respect, but we have to kill them where we have to. The mission going on at Guantanamo Bay is done right, and it is in the right spot. We put those prisoners anywhere else in America, and that spot then becomes a terrorist target. I would rather have that terrorist target and those attentions aimed at Guantanamo Bay, where our Marines man that wire, where the Army conducts this detaining function and does it well. That is the best spot for it.

There is absolutely no reason in my mind we should think about closing Guantanamo Bay. The whole idea of closing it is a red herring. It is meant to distract us from the work we should otherwise be doing. The folks we have there are doing it well. They are well led, well trained, and I support my good colleague's amendment.

Mr. BLUMENAUER. Mr. Chairman, I yield 4 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the distinguished gentleman very much for yielding me this time and for his leadership and passion on this issue.

I thank my friend, the gentleman from California (Mr. ROHRBACHER), for really giving us the opportunity to have a full flush, if you will, a full discussion on this matter. It would be certainly somewhat untoward to suggest that one would rise to not applaud some of the good works that we find at Guantanamo Bay, but I think it is important that we try to turn on the lights and get out of the dark tunnel on this whole issue of why many of us want to bring to the attention of the American people the element of Guantanamo Bay that needs to be reformed and that we need to be concerned about.

Let me again add my applause to the chairman, the gentleman from California (Mr. HUNTER), and the gentlewoman from California (Mrs. TAUSCHER) for the delegation they led to Guantanamo Bay just a few weeks ago, and which I was part of. I was able to see over the time the improvements, the physical improvements, Mr. Chairman, that in fact resources from the United States through the leadership

of our then-chairman, the gentleman from Ohio (Mr. HOBSON), were able to provide for those detainees and for those particular soldiers.

It does not go to the question of why we are on the floor today to the fact that the accommodations have been rebuilt, the training of those soldiers has been improved, the dining apparently has improved to the extent that the detainees like American food. That is not the issue. The accommodations, whether they are four star or five star is not really the issue that we are debating. I also acknowledge the work of General Hood and his commitment to the professionalizing of that staff.

I always am reminded of a phrase my grandmother shared with me, somewhat biblical: for those who are failing to remember the past, they are doomed to repeat it. I stand here today to suggest we must not close our eyes on the concerns many of us have about Guantanamo Bay, whether or not we happen to be opponents of the Iraq war.

And for once I am going to say, for the millions of Americans who are questioning the rightness of the Iraq war, the rightness of the premise of the Iraq war, we are not going to allow you to demonize our patriotism. We are not going to stand here and accept the fact that because we raise constitutional questions there is something wrong with our patriotism. There is something in the fifth amendment that says that you are due liberty and due process on the right of life and liberty. There is something to that.

My good friend stood here and said that an amputee that we nursed back to health was sent back to do harm. None of us who understand the law would in any way concede that we should have let him out. But the problem is that we have no system of justice that allows us to indict, to try and to convict and to detain. That is what the American people need to understand. We have individuals there that have had no process, no opportunity for the intervention of the courts, no opportunity for appeal, and no opportunity for us to convict and try and hold. And when I say convict, I mean indict, try, and hold.

So the report that just came out and was just issued that we need to understand, written in the article on July 14, unfortunately, we have not gotten to the source. We are holding young recruits or young Reservists as, if you will, responsible for Abu Ghraib, when we know one of the chief designers of that was Secretary Rumsfeld, who signed the document that allowed them to do that kind of interrogating of one of the 9/11 bombers, if you will.

It is important for the American people to know that all of these people here are not related to 9/11 per se. They may be Taliban members. They may have been gathered up in a big sweep in Afghanistan, young kids who came in at 17 and now are 21. So there needs to be a process by which we deal with this.

I finish on this: the Geneva Convention, which we ignore, says: "Outrages upon personal dignity, in particular humiliating and degrading treatment, is outlawed." We need to understand that we can detain people properly, we can have due process, and we can have indictments and we can have convictions; but we cannot have what is going on in Guantanamo Bay that leads to an Abu Ghraib. We must understand that we are better than that.

Mr. ROHRABACHER. Mr. Chairman, how much time do we have remaining?

The Acting CHAIRMAN (Mr. KOLBE). The gentleman from California (Mr. ROHRABACHER) has 6 minutes remaining, and the gentleman from Oregon (Mr. BLUMENAUER) has 4 minutes remaining.

Mr. ROHRABACHER. Mr. Chairman, I yield 2 minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN), chairman of the Subcommittee on Middle East and Central Asia of the Committee on International Relations.

Ms. ROS-LEHTINEN. Mr. Chairman, I thank the gentleman for yielding me this time, and I would like to rise in strong support of the Rohrabacher amendment arguing that our facility in Guantanamo is essential to the defense of the U.S. and our coalition partners.

Mr. Chairman, the Guantanamo Bay facility currently houses some of the elite of our enemy's crop in the war against terror, including enemy combatants ranging from terrorist trainers and recruiters to bombmakers to would-be suicide bombers and terrorist financiers.

Guantanamo provides a strategic interrogation center where these enemy combatants can be questioned and where the results of the interrogations have produced information that has saved the lives of U.S. and coalition forces in the field, as well as has thwarted threats posed to innocent civilians in this country and indeed throughout the world.

Through the detainees held at this facility, we have learned about the detonation systems used in roadside bombs in Iraq, bombs that have been used by the insurgency to kill our troops and innocent Iraqi citizens. Detainees include some of Osama bin Laden's personal bodyguards and one of the suspected 20 hijackers in the 9/11 attacks.

Closing Guantanamo Bay, as some of our colleagues have suggested, will not relieve the United States of needing a facility to house and interrogate suspected terrorists. Should Guantanamo close, the government would have to relocate those functions. Furthermore, given the history of al Qaeda and the jihadists, the closure of Guantanamo would provide an enormous boost in morale to the terrorists and their supporters.

Finally, detainees held at Guantanamo pose a significant threat to Americans, to U.S. allies and civilians in their home countries. There are reports of detainees released from Guan-

tanamo, returned to their home countries, only to resume terrorist activities and attacks against the U.S., our allies, and innocent civilians.

Mr. Chairman, I urge my colleagues strongly to support the Rohrabacher amendment.

Mr. ROHRABACHER. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina (Mr. HAYES), a member of the Committee on Armed Services, who has also returned from a visit to Guantanamo Bay.

Mr. HAYES. Mr. Chairman, I rise today in strong support of this resolution, having recently traveled to Guantanamo Bay with 16 of our Republican and Democrat colleagues.

If people around the world knew how well people at Guantanamo Bay are treating prisoners, they would not fall prey to the accusations that some in our Chamber are making. They are all receiving judicial review.

If anyone has it rough at Guantanamo, it is the guards. They are constantly harassed and threatened by some of these terrorists. Prisoners tell guards, we know where your families are. We know where your wife is, your children, and we are going to kill them.

We were shown an array of handmade weapons used to injure and to kill the guards, if given the chance. They have tried gouging guards' eyes out, sticking their hands in their mouths and ripping them open. One prisoner tried to braid a rope with which he could strangle a guard. There should be no doubt these prisoners will inflict harm or death on Americans, given the chance.

Mr. Chairman, our best defense against terrorism is to continue intelligence-gathering. The good news is we are treating them too well. The better news is that because we are treating them like American men and women in uniform, they are giving us the information we need. Support the Rohrabacher amendment.

Mr. BLUMENAUER. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, the operative elements here before us in the resolution are twofold: one, on the second page of this amendment, there is paragraph 8 that says that we have improved the security of the United States and that what is going on at Guantanamo is essential to fighting the global war on terrorism. The second operative phrase is on the very last paragraph, it is essential to the security of the United States that we continue operating this facility until we are through waging the war on terrorism, which I have already pointed out we have been fighting now longer than World War II.

It is not at all clear that the symbol that Guantanamo has become has actually made us more secure. We have people like Republican Senator MEL MARTINEZ and Republican Senator CHUCK HAGEL who recognize both in terms of the symbol of Guantanamo that has inflamed people around the world, and that we have a situation now where

people are dealt with in an indefinite situation, rather than moving forward, prosecuting people under a courts-martial, if they in fact need to be prosecuted. We are not opposed to that.

There are opportunities for providing a framework, which my colleague, the gentleman from California (Mr. SCHIFF), outlined in terms of legislation that he has developed that we could use to move forward, deal with what needs to be dealt with, but do it in a way that is consistent with American values and American principles. And, in fact, if people detained thought that there was some end in sight rather than indefinite detainment, some experts argue we may actually get more cooperation.

There are alternatives. We can put people, for example, in Leavenworth. We ought to make clear that we are playing by our standards, that we are going to play fair, and we are going to move forward.

I think it would be a very appropriate use of our Subcommittee on Oversight and Investigations, which the gentleman from California (Mr. ROHRABACHER) chairs, to try to find out what the facts of the situation are; whether we are more or less at risk, and what lessons we learn from this sorry chapter in the past.

Our Republican friends have devoted 140 hours to investigating whether or not the Clintons misused their Christmas card list, and there were inquiries from committees trying to find out how they are dealing with letters that were sent to the Clintons' cat Socks. I would suggest that we ought to be able to find the time and the energy to be able to give the appropriate attention to these issues that Guantanamo represents, but I think the resolution in question is not warranted.

□ 1545

Mr. Chairman, I yield the balance of my time to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Chairman, with all due respect to the gentleman from California (Mr. ROHRABACHER), the author of the amendment, what protects American citizens in this country and around the world is this country's adherence to the rule of law and this country's abiding by international law.

Wherever we have seen violations of international law if they are endorsed by the United States, it jeopardizes the security of American citizens everywhere. I think that is the point of those who are challenging this amendment which would unfortunately seem to gloss over the torture that has occurred at various places of detention.

We certainly have a right to secure this country and to make sure that American citizens are safe. But the only way we can do that effectively is to make sure that we show respect for the law and to make sure that we show condemnation, not just of terrorists, but condemnation of torture.

I think this amendment, while I certainly respect the dedication of the

gentleman from California (Mr. ROHR-ABACHER) to the American people, I think that we need to challenge the underlying assumption, and that is that torture should not be tolerated.

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

There has never been any proof of torture at all at Guantanamo, period, zippo. Also, let us not hear the complaint that we have not had enough investigation of Guantanamo.

Mr. Chairman, 187 Members of Congress and congressional staff have visited Guantanamo just in the last few months, 11 Senators, 77 Representatives, 99 congressional staff members, and there have been 400 media visits, including 1,000 national and international journalists have visited there. There has been a lot of attention paid to Guantanamo. We have been transparent. We can be proud of the job our people are doing. That is what this is all about today.

Mr. Chairman, I yield the balance of my time to the gentleman from California (Mr. HUNTER), chairman of the Committee on Armed Services.

Mr. HUNTER. Mr. Chairman, I have heard a number of Members who oppose this amendment talk about the importance of sending the right message to the world. We should send the right message. We should send the truth. Here is the truth, which dozens of Members know because they have attended the open and classified briefings we have had on Guantanamo. We have spent as much time in the Committee on Armed Services over the last 3 or 4 weeks working on the security of people in Guantanamo as we have working on our own troops in the warfighting theaters in Afghanistan and Iraq.

Number one, there has not been a single death in Guantanamo. There is not a Member who has argued against this amendment who can say at the same time there has not been a single death in their own prison system in the State they come from.

Everybody in Guantanamo is allowed five prayer calls a day. That means we use our loudspeaker system to bring them to prayer call. We give them 20 minutes of quiet time. We give them great meals. We give them a medical system we have looked over very carefully, Democrats and Republicans, which is considered to be as good as any HMO system in this country, in which every detainee gets four check-ups, on average, per month.

We have had over 24,000 interrogations in Guantanamo, and here are the facts: People have talked about the use of dogs, the fact that dogs have been present at Guantanamo at various times, especially with the 20th hijacker, Mr. al Kahtani, who was subject to the most stressful type of interrogation. There is not one recorded instance in any investigation of a dog biting a prisoner.

There are only a couple of recorded instances of a prisoner being struck by a guard, and the one time when a guard

struck a prisoner that happened on General Hood's watch. That guard was struck by the prisoner, I believe he knocked a tooth out. The guard hit him with a handheld radio. The guard, the American, was busted.

The watch word in Guantanamo is honor bound. The troops who guard those people in Guantanamo, who are hijackers, who do include Osama bin Laden's bodyguards, who do include the 20th hijacker, the guy who was destined to be on that plane that went into the ground in Pennsylvania, the guy who was forced to listen to rock music, that is the torture that the gentleman from New York was alleging to. The people who guard those individuals who are dangerous are outstanding American soldiers who are in fact honor bound.

I would put Guantanamo up against the prison system of any of the gentlemen who have spoken against this amendment from their own States. Guantanamo has a better record with fewer injuries, better record with no deaths, better medical treatment, and they have a better record for methods of interrogation, which, incidentally, Republican and Democrat Members have been allowed to watch over and over.

So the gentleman who could not understand why any hearings are being held, I suggest you turn on C-SPAN and watch them.

I urge all Members to vote for this amendment. It makes no sense to close down this important prison where we put terrorists.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (Mr. KOLBE). The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings is in violation of the rules of the House.

The question is on the amendment offered by the gentleman from California (Mr. ROHRABACHER).

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

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

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

It is now in order to consider amendment No. 38 printed in Part B of House Report 109-175.

AMENDMENT NO. 38 OFFERED BY MS. ROS-LEHTINEN

Ms. ROS-LEHTINEN. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 38 offered by Ms. ROS-LEHTINEN:

In subtitle B of title XI, redesignate sections 1111 through 1126 as sections 1121 through 1136, respectively.

In subtitle A of title XI, add at the end the following new section:

SEC. 1111. UNITED STATES COMMITMENT TO IRAQ.

(a) FINDINGS.—Congress finds the following:

(1) The men and women of the United States Armed Forces fighting in Iraq are serving with bravery, distinction, and high morale.

(2) The men and women of the United States Armed Forces fighting in Iraq need and deserve the full support of the American people.

(3) The men and women of the United States Armed Forces fighting in Iraq are part of a large, multinational coalition, and are serving side-by-side with Iraqi national forces who have been trained by that coalition.

(4) Coalition and Iraqi forces, Iraqi civilians, foreign diplomats, and individuals from around the world who have come to the aid of the Iraqi people are under attack from terrorists who deliberately attack children, worshippers, and law enforcement figures, attack civilians at random, sabotage essential services, and otherwise attempt to terrorize the Iraqi people, the American people, and the citizens of other coalition countries.

(5) The terrorists will be emboldened to "wait out" the United States if a target date for withdrawal is established and announced, especially if the terrorists perceive such withdrawal date has been established and announced as a result of their terrorist campaign against the coalition and the Iraqi people.

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

(1) given the nature of the adversary the United States and its coalition partners face in Iraq and the difficult conditions under which the United States Armed Forces, coalition forces, and Iraqi forces find themselves, calls for an early withdrawal of United States and coalition forces are counterproductive to security aims of the United States and the hopes of the Iraqi people; and

(2) such calls for an early withdrawal embolden the terrorists and undermine the morale of the United States Armed Forces, coalition forces, and Iraqi forces, and put their security at risk.

(c) POLICY.—It shall be the policy of the United States—

(1) to pursue a transfer of responsibility for Iraqi security to Iraqi forces; and

(2) not to withdraw prematurely the United States Armed Forces from Iraq, but to do so only when it is clear that United States national security and foreign policy goals relating to a free and stable Iraq have been or are about to be achieved.

The Acting CHAIRMAN. Pursuant to House Resolution 365, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and a Member opposed each will control 30 minutes.

The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I did not arrive at the decision to offer this amendment lightly. I discussed it with former staffers and current interns who have served recently in both civilian and military capacities in Iraq. I discussed the situation with my husband, Dexter, a decorated Vietnam veteran who was wounded in combat and awarded a Purple Heart. But it was my talks with my

stepson Dougie, a first lieutenant in the U.S. Marine Corps, who is being deployed to Iraq in just 1 week, that had the most profound effect. He helped me to fully comprehend the importance of our mission in Iraq and the impact of what we say here and do here with the impact it has at home and on our Armed Forces serving abroad.

Mr. Chairman, our mission is just. It has far-reaching strategic and political ramifications. It is helping to further U.S. security and foreign policy goals throughout the region. For these reasons, and most importantly for my stepson, Dougie Lehtinen, his fiancée, Lindsay Nelson, who is also a Marine officer who will ship out to Iraq also in a week, and to all of the members in our proud U.S. Armed Forces serving in Iraq, I am offering this amendment and I ask my colleagues to render their full support for it.

Iraq is one of the epicenters of the U.S. comprehensive strategy to fight terrorism worldwide. Our ability to project major armed forces to the very heart of the Middle East provides the United States and our allies in the war against terrorism the wherewithal to directly address the tactical and the ideological challenges of Islamic extremism.

Our presence in Iraq further strengthens our leverage against current and emerging threats and it increases the deterrent value of U.S. power.

Finally, through the promotion of incipient Iraqi democracy, we can continue our concerted efforts to counter root causes of Islamist extremist and terrorism in the region. The terrorists are fighting for their survival because freedom threatens them. Democratic governments deny terrorists the weapons, the funds and sanctuary they need in order to survive. Democracy denies them new recruits.

Terrorism mastermind al-Zarqawi acknowledged that coalition forces were having success and that Iraqi sovereignty and democratic governance would thwart their plans. In a February 17, 2004 letter to an al Qaeda operative, al-Zarqawi said, "Our enemy is growing stronger day by day. By God, this is suffocation. We will be on the roads again."

One of Osama bin Laden's closest associates wrote in a book published in December 2003 that "democracy is a far more dangerous threat," adding that it makes Muslims refuse to take part in jihad.

The continuing presence of U.S. and coalition forces must be determined by the achievements of concrete objectives, not by arbitrary dates on the calendar. Some may argue that my amendment sets the threshold too high by stating that "calls for an early withdrawal are counterproductive to security aims of the United States and to the hopes of the Iraqi people."

However, as we have repeatedly argued in this Chamber, words matter. What we say here to condemn human

rights violations, incitement and anti-semitism or expressing support for pro-democracy advocates throughout the world has a tremendous positive impact. In stark contrast, incessant calls for an established date for withdrawal from Iraq has a negative effect. They diminish the morale of the troops and serve to embolden the enemy.

Do we want to send a message to the terrorists that their war of attrition is succeeding, that their commitment to violence, to hatred, and to terror is greater than our commitment to a democratic Iraq, to spreading freedom and fighting tyranny?

The amendment before us seeks to restate our commitment to the successful completion of our mission in Iraq. It establishes as U.S. policy the pursuit of transfer of responsibility for security to Iraqi forces, but cautions against withdrawing prematurely, calling for withdrawal to take place when U.S. national security and foreign policy goals relating to Iraq have been or are about to be achieved. Is this asking too much?

Let us not waver on our commitment to our mission in Iraq. The Iraqi people have not wavered. Our men and women in uniform are not wavering. In fact, this weekend we saw newspaper stories reporting that soldiers are reenlisting at rates ahead of the Army's targets. Army officials say this is due in part to a renewed sense of purpose in fighting terrorism.

Let us demonstrate to our forces that just as our Nation stood behind the greatest generation during World War II as they fought against tyranny, so too do we stand behind our forces in Iraq, a new great generation of heroes whose actions will not only help to make the world safer, but will alter the political landscape towards the irreversible path of freedom and democracy.

I ask my colleagues to support our troops. I ask my colleagues to support the Iraqi people. I ask my colleagues to fight the good fight for freedom and for democracy. I ask my colleagues to support this amendment.

Mr. Chairman, I did not arrive at the decision to offer this amendment lightly.

I arrived at this decision after listening to a former staffer of mine, who recently returned from Iraq, and one of my current interns who served with the United States Army in Iraq.

I arrived at this decision after discussing the situation in Iraq with my husband, Dexter, a decorated Vietnam veteran who was wounded in combat and awarded a Purple Heart.

But it was my talks with my stepson Dougie, a first lieutenant in the U.S. Marine Corps, that had the most profound effect on me and helped me fully comprehend the importance of the mission that our men and women in the armed forces are embarked on in Iraq.

My stepson, Dougie, is on his way to perform his duty in Iraq.

To him, it is not an obligation. It is an honor and a privilege to have the opportunity to serve his Nation, to contribute to the freedom of the Iraqi people, to confront the terrorists, and, perhaps, most importantly, to fight tyr-

anny as the "Greatest Generation" did during World War II.

Our mission is just. It has far-reaching, long-term, strategic and political ramifications. It is helping to further U.S. security and foreign policy goals throughout the region.

For these reasons and, most importantly, for my stepson Dougie Lehtinen, his fiancée Lindsay Nelson, who is also a Marine officer who will ship out to Iraq in a week, and all the members of the U.S. Armed Forces serving in Iraq, I am offering this amendment and I ask my colleagues to render their full support for it.

Simply stated, we cannot afford to yield a victory to the terrorists in Iraq and throughout the region.

Iraq is one of the epicenters of the U.S. comprehensive strategy to combat terrorism worldwide—a strategy that includes: killing and disrupting terrorists abroad, confronting theocratic and autocratic regimes that harbor terrorists and facilitate terrorist attacks, and promote economic reform and democracy as a means to address the grievances of people throughout the region that have been manipulated and turned against us by the dictatorial regimes that permeate the region.

Our ability to project major armed forces to the very heart of the Middle East provides the United States and our allies in the war against terrorism, the wherewithal to directly address the tactical and ideological challenge of Islamist extremism.

Our presence in Iraq further strengthens our leverage against current and emerging threats and increases the deterrent value of U.S. power.

Finally, through the promotion of an incipient Iraqi democracy, we can continue our concerted effort to counter root causes of Islamist extremism and terrorism in the region.

The objective is for the U.S. to proactively engage and support reformers and assist in developing within the Middle East a bastion of stable, free-market democratic societies.

We are engaged in a struggle between moderation and extremism.

The terrorists are fighting for their survival. Freedom threatens the terrorists.

Terrorist mastermind al Zarqawi acknowledged that coalition forces were having success and that Iraqi sovereignty and democratic governance would thwart their plans.

In this February 17, 2004 letter to al-Qaeda operatives, al Zarqawi said: "Our enemy is growing stronger day after day . . . By God, this is suffocation! We will be on the roads again."

He further said: "we are racing time . . . If the government is successful and takes control of the country, we just have to pack up and go somewhere else again, where we can raise the flag again or die . . ."

Democratic governments deny terrorists the funds, weapons, and sanctuary that they need to survive. Democracy and freedom deny recruits.

One of Osama bin Laden's closest associates wrote in a book published in September 2003 that "a far more dangerous threat" is "secularist democracy."

He cautions against democracy's "seduction" as it drives Muslims to "refuse to take part in Jihad."

This is a clear illustration of how our efforts in Iraq are serving our long-term goals of spreading democracy as an antidote to extremism and terrorism.

Success does not come without challenges. Creating new and effective political and security institutions in Iraq takes time.

The task before us is not insurmountable, but, if rushed, we do risk failure for lack of persistence.

The continuing presence of U.S. and coalition forces must be determined by the achievement of concrete objectives, not by arbitrary dates on the calendar.

The process of, and criteria governing, the withdrawal of U.S. and Coalition forces from Iraq must be performance-based, not chronologically-based.

Some may argue that my amendment sets the threshold too high by stating that "calls for early withdrawal of United States and coalition forces are counterproductive to security aims of the United States and the hopes of the Iraqi people."

I respectfully disagree. As we have repeatedly argued in this Chamber and in the International Relations Committee—words matter.

What we say in this Chamber through resolutions condemning human rights violations, for example, or condemning incitement and anti-Semitism, or expressing support for pro-democracy advocates throughout the world, have a tremendous positive impact.

These statements and measures serve to empower those who toil for freedom throughout the world.

In stark contrast, incessant calls for an established date for withdrawal from Iraq have a negative effect. They serve to embolden the enemy and the terrorists.

Do we want to send a message to the terrorists that their war of attrition is succeeding? That we are weakening in our resolve?

That the terrorists' commitment to violence, hatred, and terror is greater than our commitment to a democratic Iraq, to spreading freedom, and to combating the forces of evil and tyranny?

Many of our coalition allies in Iraq understand the importance of completing our mission there—allies such as Poland, the Czech Republic, Romania, Albania, Bulgaria, Estonia, Georgia, Latvia, Lithuania, Slovakia, and the Ukraine who understand the lessons of history and want to take steps to prevent any people from having to experience the suffering that they endured under German occupation and Soviet communist rule.

My colleagues, this amendment does not question anyone's patriotism.

In fact, the amendment before you is a modified text which includes recommendations from my colleagues on the other side of the aisle.

This amendment seeks to re-state our commitment to successful completion of our mission in Iraq.

It establishes as U.S. policy the pursuit of a transfer of responsibility for Iraqi security to Iraqi forces, and cautions against withdrawing prematurely, calling for withdrawal to take place when U.S. national security and foreign policy goals relating to Iraq have been or are about to be achieved.

Is this asking too much—considering our goals are to combat those seeking to export their extremist, terrorist ideologies; those who seek to deny the Iraqi people their freedom; those who threaten global peace and security?

Let us not waiver on our commitment to our mission in Iraq.

The Iraqi people have not wavered.

Our men and women in uniform are not wavering.

In fact, this weekend saw newspaper stories reporting that "soldiers are re-enlisting at rates ahead of the Army's targets."

Army officials say that this is due, in part, to a "renewed sense of purpose in fighting terrorism."

Let us demonstrate to our forces that, just as our nation stood behind the "Greatest Generation" during World War II as they fought the evil pursuits of a tyrannical ruler, so too do we stand behind our forces in Iraq—a new great generation of heroes—whose actions in Iraq will not only help make the world safer in the long-term, but will alter the political landscape toward the irreversible path of freedom and democracy.

I ask my colleagues to support our troops. I ask my colleagues to support the Iraqi people.

I ask my colleagues to fight the good fight for freedom and democracy.

I ask my colleagues to support this amendment.

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

Mr. LANTOS. Mr. Chairman, I claim the time in opposition, although I do not oppose the basic thrust of the amendment.

The Acting CHAIRMAN. The gentleman from California (Mr. LANTOS) is recognized for 30 minutes.

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

Mr. Chairman, as we engage in debate over this amendment, let us be clear about the terms. We in this Congress are all motivated by sincere convictions about what best serves the interest of our great nation, whether we oppose or advocate setting a date for early withdrawal from Iraq.

Regardless of where we stand on that issue, there is no justification for impugning the patriotism of any Member of this body.

Mr. Chairman, let me raise one additional preliminary matter which is a source of profound disappointment to me. There is no issue more important for this body to debate than Iraq. Nevertheless, the majority has ruled out of order several appropriate Democratic amendments that are germane to this debate.

□ 1600

In fact, the measure we are about to consider is the only one the majority has ruled in order regarding Iraq.

Let me say this to all of my colleagues across the political spectrum, and I say it as a strong supporter of freedom for the Iraqi people: by muzzling the minority, this body is setting an abysmal example of democratic procedure, and I deeply regret it.

Mr. Chairman, I am among those who oppose setting an arbitrary timetable for leaving Iraq. Announcing an early date of withdrawal before Iraqi forces are prepared to assume full responsibility for their country's security would allow the enemies of democracy and stability in Iraq simply to wait us out and to reverse all that our troops

have struggled and sacrificed for in Iraq.

We have committed ourselves to Iraq's freedom from the type of barbarity that was inflicted upon it by Saddam Hussein and that would surely be inflicted upon it again were the terrorists to win this war. Our mission in Iraq will be complete when Iraq is moderately stable and when its troops are capable of securing their own country. Our word and our credibility as a leader in this world are on the line. Success in securing stability should determine the course of our future actions in Iraq. That is why I support this measure, and I call on all of my colleagues to join me in that support.

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

Ms. ROS-LEHTINEN. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from California (Mr. HUNTER), the chairman of the Committee on Armed Services.

Mr. HUNTER. Mr. Chairman, I thank the gentlewoman for yielding me this time to give my two cents' worth in this debate.

First, let me just say that I understand and I think we should all appreciate that everyone, folks on both sides of this argument, come at it from the perspective of what they think is good for the country. But I think it is absolutely wrong for the country to set a timetable for an exit from Iraq. The timetable and our exit strategy should be the standing up of the Iraqi forces so that they can protect this government that they are putting in place through a representative system in which people are allowed to go to the polls, vote for their elected leaders, and have those leaders represent them until they decide to vote again.

This idea of freedom, of democracy, which was embraced, I think, with unexpected exuberance by the Iraqi people, is something that we should be very respectful of, and we should also be respectful of our great men and women who right now have turned a major portion of their purpose, our uniformed personnel in Iraq, to the training up of the Iraqi forces. There is purpose, and the gentlewoman said it well, there is purpose in our forces, whether one is talking to general officers or talking to the troops on the line who are working those difficult areas of operation like Fallujah and Mosul and Tikrit and other places.

We have David Petraeus, one of the finest officers who ever served this country, former head of the 101st Airborne, who is in charge of training up the Iraqi forces. He is doing a good job. But this timetable is not something we can predict because there are lots of variables. The variables include the threat. They include the time that it takes to bring the various pieces of this Iraqi defense apparatus into place, to put those leaders who have to answer to this civil government in place. All these things mean that we must proceed at pace, but we must proceed

at our own pace and the pace of the Iraqi people. Not an arbitrary timetable.

Please support this amendment.

Mr. LANTOS. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from California (Ms. LEE), a member of the Committee on International Relations.

Ms. LEE. Mr. Chairman, I thank the gentleman for yielding me this time and for his leadership.

Let me just say I rise today of course in opposition to this amendment. This amendment, quite frankly, would have Congress stick its head in the sand and deny the reality that things need to change in Iraq.

First, Mr. Chairman, the Republican leadership is continuing to stifle debate on the war in Iraq. Even worse, it is an effort to marginalize and silence any critics of this administration's policies in Iraq. This is unacceptable and undemocratic. It is outrageous that the Republican leadership has made in order only one amendment on Iraq. Two of the four amendments dealt with Iraq, which I submitted to the Committee on Rules. One amendment asked for the administration to present just basically a plan for withdrawal and the other making it a policy that the United States should not have permanent military bases in Iraq. Not surprisingly, the Republican leadership chose not to allow debate on either of them. What in the world are they afraid of?

Secondly, Mr. Chairman, many of the fundamental assumptions in this amendment are just plain wrong. This amendment would have us stay the course by ignoring the realities about the war in Iraq: realities like the fact that we were misled into this war; realities like the fact that there were no weapons of mass destruction in Iraq; realities like the fact that the administration has no plans on how to end the war; realities like the fact that our brave troops have become the rallying point for the insurgency; realities like the fact that our occupation has become a recruiting tool for foreign terrorists; and realities like the fact that our Nation, our Nation, is less safe as a result of this war.

An article in Sunday's Boston Globe reported on two studies of foreign fighters streaming into Iraq. The studies separately concluded that a majority of the foreign fighters are not foreign terrorists, but have become radicalized by the war itself.

And if this is not disturbing enough, yesterday's L.A. Times featured a column that outlined potentially new partnerships starting up between the leaders of Iraq and Iran. This emerging relationship has the potential to destabilize the Middle East and even to have our worst fears realized.

Mr. Chairman, reports like these are critical as to why this Congress should have a free, fair, and honest debate on Iraq and we should have it now.

Ms. ROS-LEHTINEN. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. GREEN).

Mr. GREEN of Wisconsin. Mr. Chairman, I thank the gentlewoman for yielding me this time, and I thank her for this important amendment.

Today, one way or another, we will be sending a very important message with this amendment. There are some here who will demand that the U.S. set a deadline for withdrawal. In my view, that would be a dangerously bad idea.

For one thing, it would send a terrible message to our enemy. It would tell our enemy that if they simply wait so long to a certain date, the troops will wind down and they can take over once again. For another, it sets an embittering message to our families who have lost loved ones. I am guessing that almost every Member here has attended the funeral of a soldier lost in Iraq. I have. And I will never forget the one that I went to when I met with the family before the service and I said, Is there anything I can do? and they said, Yes, do not back down and tell the President not to back down because if you back down, our son will have died in vain.

But perhaps most importantly, forcing a withdrawal deadline sends a dangerous message to the Iraqi people. The enemy tells them day after day after day that Americans are going to cut and run. At the same time we are telling them to come forward, to join us, to become trained, to become better educated, to get ready to help democracy stand up. But when we set a deadline for withdrawal, we play right into the hands of the message of our enemy: Why should Iraqis come forward if they think that we are going to pull out once again and pull out early? Those who support setting a deadline are pulling the rug out from democracy and pulling a rug out from the Iraqis who might come forward.

Please, for the sake of our soldiers, their families, and the Iraqis who are courageously battling bombs and bullets to rebuild their land, do not set a deadline.

A previous speaker has said that this administration and this country has no plan for getting out of Iraq. We do. It is called victory. And this is the victory-in-Iraq amendment. It is important.

I thank the gentlewoman for it and urge support.

Mr. LANTOS. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Chairman, I thank the gentleman from California, my good friend and colleague, for his leadership and wisdom on these subjects.

The circumstances surrounding the invasion and occupation of Iraq are deeply tragic, and that begins with the very first instance, the corruption and falsification of intelligence by this administration to attempt to justify that attack and now occupation. The results

of that are seen clearly in the fact that we have now lost more than 1,760 American servicemen and -women killed, more than 35,000 seriously wounded. Recent estimates indicate 25,000 Iraqi civilians killed in Iraq. And the circumstances there become more deeply dangerous and tragic with the passing of every minute.

After the attack on the British transportation system just a short while ago, the British Royal Institute of International Affairs published this report on Security, Terrorism and the United Kingdom, and I want the Members to hear what it says in part:

"There is no doubt that the situation over Iraq has imposed particular difficulties for the United Kingdom and for the wider coalition against terrorism. It gave a boost to the al Qaeda network's propaganda, recruitment, and fundraising; caused a major split in the coalition; provided an ideal targeting and training area for al Qaeda-linked terrorists; and deflected resources and assistance that could have been deployed to assist the Karzai government and to bring bin Laden to justice. Riding pillion with a powerful ally has proved costly in terms of British and United States military lives, Iraqi lives, military expenditure, and the damage caused to the counter-terrorism campaign."

That outlines the situation that we confront in Iraq. This Congress has a responsibility to carry out its obligations to see this matter and understand what is going on. It has not been done.

Mr. LANTOS. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Chairman, at a time when we should have an exit strategy for our troops, this amendment provides Members of Congress with an exit strategy for themselves, from responsibility for Iraq.

This amendment states that we should withdraw our troops from Iraq only when the Iraqi forces are able to combat the insurgency and only when the government of Iraq is stable, at peace, and is not a threat to its neighbors.

We all know that we are light years away from both of these requirements. This amendment will keep us in Iraq forever.

Furthermore, this amendment is essentially flawed because it fails to address the correlation between the U.S. presence in Iraq and utter chaos and civil war-like state that country is in. The U.S. presence in Iraq is fueling the insurgency and has turned Iraq into a training ground for the insurgents. The insurgency is growing stronger by the day, and attack tactics are becoming more advanced. An article published in New York Times on June 22 described how Iraqi rebels are refining bomb skills and pushing the GI toll even higher. Improvised explosive devices are now sufficiently sophisticated enough to destroy armored Humvees.

This means our soldiers are more vulnerable and casualty rates will go higher than ever.

In May there were 700 attacks against American forces using improvised explosive devices, the highest number since the invasion in 2003. Furthermore, not only is the insurgency in Iraq becoming stronger, but according to a CIA assessment, the insurgency will also spread to other countries in the region.

□ 1615

Another article in the New York Times has described a new classified CIA assessment that the Iraqi war is likely to produce a dangerous legacy by dispersing to other countries this conflict. According to the assessment, Iraq may even prove to be an even more effective training ground for Islamic extremists than Afghanistan was in al Qaeda's early days.

Mr. Chairman, it is time for us to face the facts about Iraq. It has been a disaster. We are there for all the wrong reasons. We are there based on lies. It is time for us to get out. This legislation will keep us there. Vote against it.

Ms. ROS-LEHTINEN. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. MCCAUL).

Mr. MCCAUL of Texas. Mr. Chairman, I rise today in support of the amendment offered by the gentleman from Florida (Ms. ROS-LEHTINEN), and I would like to thank her for having the courage under fire to bring forth what should be a non-controversial amendment.

In recent months, certain Members of Congress have called upon the President to discuss his exit strategy, to give the date when the last American soldier will leave Iraq. There will come a day when we will leave Iraq, but, as the President stated, "Our strategy can be summed up this way. As the Iraqis stand up, we will stand down."

Demanding that we simply put a date on the calendar is not only naive, but it poses a danger to our troops, a grave threat to our interests in the Middle East and a victory for the terrorists. By signaling to them when we intend to leave, the terrorists can simply wait it out and then strike the Iraqi people.

We have had great progress in the training of Iraqi forces. With the passing of every day, Iraq is becoming a more secure and free nation. We must remain steadfast in our determination to defeat the terrorists and only leave Iraq when we have accomplished the job we promised to do. To demand otherwise is a desecration to the memory of those who have died for the cause of freedom.

Tomorrow I will be participating in a signing ceremony at the White House with Bill and Janet Norwood, who were recognized by the President of the United States at the State of the Union. They lost their son, Byron, in Fallujah as he saved seven Marines' lives. Like all the Bill and Janet Norwoods I meet out there, they all say the same thing to me, "finish the job."

Mr. Speaker, we will finish the job. I urge my colleagues to support this amendment.

Mr. LANTOS. Mr. Chairman, I am delighted to yield 2 minutes to the distinguished gentleman from Washington (Mr. MCDERMOTT).

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

Mr. MCDERMOTT. Mr. Chairman, the Ros-Lehtinen amendment is a Republican PR stunt that if approved will make Iraq more dangerous for U.S. soldiers than it already is, and that is very, very dangerous. The President's credibility is a well that is fast running dry.

We have the best soldiers and the best military commanders in the world. They do not need an inflammatory amendment by a Republican Party behaving like armchair generals while the fighting and dying and chaos goes on in Iraq.

What we need to today is total commitment to our soldiers, not empty promises, underfunded programs and outright deception by the Republican Party. The best way to support U.S. soldiers in Iraq is to fully fund and provide health care for veterans when they come home. The best way to support them is to stop pretending that everything is going fine.

Hundreds have died since the Vice President categorically denied reality by claiming we were witnessing the "last throes of the insurgency." Reality, like body armor, is in short supply in this administration.

As of today, 126 Members of the democratically elected Iraqi parliament, that is nearly half of 275, have signed a statement calling on the U.S. to leave now. Now. That is what the reality is. That is the environment faced by our brave soldiers.

Our soldiers know that this country believes in them and supports them. Our soldiers do not need the tin sound of another hollow amendment. They need the sound of silence to mark the day when the bombs stop exploding and the guns stop firing.

The best way to support U.S. soldiers in Iraq is to get the United Nations or NATO in, so that we can begin getting our soldiers out now. Vote no on this amendment that does nothing to save or bring them home. They are counting on us to correct the mistake we made by supporting the President in starting this war in the first place.

Ms. ROS-LEHTINEN. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from California (Mr. ROHRABACHER), the chairman of the Subcommittee on Investigation and Oversight of the Committee on International Relations.

Mr. ROHRABACHER. Mr. Chairman, I rise in strong support of this amendment.

We take so many things for granted in this country, and people, when you look at the life of the gentleman from California (Mr. LANTOS) and some of

the people who have gone through so much hardship and turmoil in their life, they cherish America because they understand things and they see things that we do not see.

Sometimes we do not see the freedom around us because it is invisible. It is the lack of a guy with his boot in your face. It is the absence of that that is freedom. It is the absence of the censor or the bully or the gangster that runs your local community. That is what freedom is, and it takes people some time who have gone through that turmoil to understand that, and I appreciate the support of the gentleman from California (Mr. LANTOS) since we have had that tragedy on 9/11 and been forced into this war on radical Islam.

But we have to remember this: Whatever freedom we have, whatever we cherish here in the United States of America, we have because people sacrifice for it; we have because there were people who shed blood, who had courage and made right decisions years ago, whether it was during the Cold War, whether it was during World War II when we fought the Nazis and the Japanese militarists, or the Cold War when we fought the Communists. The fact is the people had courage and saw the fight through till the end. Had we backed off in those battles, this world would have been a different place. This would have been a far different place to raise our children.

Now is not the time for us to back down. Now is the time for us to reaffirm to our friend and our foe alike that we have the courage to stick it out, we have the courage to build a better world for tomorrow with our courage and sacrifice today. We are going to raise our children in a better world because we are not going to live in a world where radical Islam blows up buildings anymore or beheads people.

America, hold firm. Be courageous. Let us build a better world together for these things that we cherish.

Mr. LANTOS. Mr. Chairman, I am pleased to yield 2 minutes to my good friend the gentleman from Hawaii (Mr. ABERCROMBIE).

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

Mr. ABERCROMBIE. Mr. Chairman, I oppose this amendment, because voting for the amendment means that you favor the indefinite presence of U.S. troops in Iraq. It is that simple.

The goals outlined in this amendment are so vague that they endorse the permanent U.S. occupation of Iraq, which is something the American people do not support. This amendment says that U.S. troops can only withdraw "when it is clear that the United States national security and foreign policy goals relating to a free and stable Iraq have been achieved."

What is "security at risk?" Endlessly sending U.S. troops out on patrols where they become a mobile shooting gallery for terrorists mocks the word "security."

Because the administration's goals for Iraq include creation of an idyllic Western style democracy that is stable, saying U.S. troops are stuck there until that happens is the same as saying U.S. troops will have to stay for 50 years or more.

Once the Iraqis have their constitution and an election, it will mean our troops have done everything that they can do and that it will be time to bring them home. U.S. troops cannot impose a democracy in Iraq. That is not their mission, it is not their job. Only the Iraqis can develop a democracy.

Finally, this amendment is pointless because it does not address the real questions facing the United States in Iraq. When can the United States begin to reduce the size of our forces in Iraq? We have already said we are leaving, so our departure is going to have to begin at some point.

We have 140,000 troops in Iraq today. Do we need to keep that many there until Iraq has been magically transformed into the peaceful, idyllic Western democracy that the authors of the resolution envision? I think not.

This amendment speaks of commitment to Iraq. I would humbly suggest that 1,768 dead U.S. troops, 12,700 wounded U.S. troops, and \$250 billion represents plenty of commitment. How much more commitment is this war worth?

As our military leaders in Iraq and senior administration officials have said, the ultimate defeat of the insurgents in Iraq will not come about through U.S. military action.

Instead, the mission we have given those commanders is to train the Iraqis so they can assume the lead in the fight to defeat the insurgents.

Why bring out American troops? Because by keeping our troops in Iraq indefinitely, we're asking them to resolve political and social issues that need to be resolved by the Iraqis themselves. That's unfair to our troops, their families, and the country. It is also unfair to the Iraqi people who will never be able to assume control of their destiny while U.S. Armed Forces occupy Iraq.

If you are going to join me in voting against this resolution, I urge you to become a cosponsor of House Joint Resolution 55, which calls for bringing an end to U.S. military involvement in Iraq in a responsible manner.

H.J. RES. 55

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This joint resolution may be cited as the "Withdrawal of United States Armed Forces From Iraq Resolution of 2005—Homeward Bound".

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107-243; 50 U.S.C. 1541 note) was passed by Congress on October 11, 2002.

(2) Public Law 107-243 cited Iraq's possession of weapons of mass destruction as a primary reason for the use of United States Armed Forces against Iraq.

(3) On January 12, 2005, the President officially declared an end to the search for weapons of mass destruction in Iraq.

(4) The United States initiated combat operations in Iraq on March 19, 2003.

(5) Hundreds of thousands of members of the United States Armed Forces have served with honor and distinction in Iraq.

(6) More than \$200 billion has been appropriated by Congress to fund military operations and reconstruction in Iraq.

(7) More than 1,700 members of the United States Armed Forces have been killed and more than 12,000 members of the Armed Forces have been wounded in substantially accomplishing the stated purpose of the United States of giving the people of Iraq a reasonable opportunity to decide their own future.

(8) The United States military occupation of Iraq has placed significant strains on the capacity of the United States Armed Forces, both active duty and reserve.

(9) The armed forces of Iraq number more than 76,000 troops as of June 8, 2005, and are growing in number and capability daily.

(10) The forces of the Iraqi Interior Ministry number more than 92,000 personnel as of June 8, 2005, and are growing in number and capability daily.

(11) The United States has in place a timetable for training, equipping, and employing Iraqi security forces to take over the counterinsurgency mission from coalition forces.

(12) The joint explanatory statement accompanying the conference report for the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Public Law 109-13) requires the Secretary of Defense to report not later than July 10, 2005, and every 90 days thereafter, on measures of security, political, and economic progress in Iraq.

(13) Congress, under article I, section 8 of the Constitution of the United States, must accept its full share of responsibility in matters involving the deployment of United States Armed Forces in foreign wars.

SEC. 3. STATEMENT OF POLICY.

Congress declares that it is the policy of the United States—

(1) to announce, not later than December 31, 2005, a plan for the withdrawal of all United States Armed Forces from Iraq;

(2) at the earliest possible date, to turn over all military operations in Iraq to the elected Government of Iraq and provide for the prompt and orderly withdrawal of all United States Armed Forces from Iraq; and

(3) to initiate such a withdrawal as soon as possible but not later than October 1, 2006.

SEC. 4. REQUIREMENTS TO IMPLEMENT POLICY.

The President shall implement the policy expressed in section 3 by—

(1) taking all necessary steps to ensure the completion of Iraq's political transition to a constitutionally elected government by December 31, 2005, as called for in United Nations Security Council Resolution 1546 (2004), which was supported by the United States;

(2) establishing a plan for the withdrawal of all United States Armed Forces from Iraq limited only by steps to ensure the safety of such Armed Forces;

(3) establishing a plan for a transition of responsibility for internal security activities to the military forces of the Iraqi Government and a transition of United States military personnel to an advisory and support role;

(4) accelerating the training and equipping of the military and security forces of the Iraqi Government; and

(5) taking all appropriate measures to account for any missing members of the United States Armed Forces or United States citizens in Iraq prior to completion of the withdrawal of United States Armed Forces from Iraq.

Ms. ROS-LEHTINEN. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Texas (Mr. CONAWAY), a member of the Committee on Armed Services.

Mr. CONAWAY. Mr. Chairman, I thank the gentlewoman for yielding me time.

Mr. Chairman, I am 12 days back from a trip to Baghdad. Twelve days ago I sat during a briefing with the State Department to assess what was going on in that country. We were assured by the State Department representatives that the drafting of the constitution, an integral part of setting up an Iraqi style government, an Iraqi style democracy, was ongoing. At that time they had 15 Sunnis who had joined the negotiations. Two of those Sunnis had since stepped down because of threats to themselves and their families, but the Sunnis were having input, which is important that they be in the deal.

The State Department folks are relatively confident, as confident as they can be in this arena, that the August 15 date will be met, or shortly thereafter; that 60 days later a referendum vote will be held on that constitution, and that the Iraqis for themselves will go to the polls one more time, as they did so courageously in January, to vote, something we take very much for granted many times.

Sixty days after that, in December, national elections will be held, and then the Iraqis will have a chance once again to exercise the freedoms that we in America enjoy.

The violence between now and then will increase. In all expectations, the insurgents see this as a last-gasp opportunity to derail the democratization of Iraq. It is unfortunate that that is going to happen, but it is going to. The high profile, the high publicity events, the murder of the Egyptian ambassador which occurred while we were there, the callous, heartless murder of 24 young Iraqi children in an attempt to kill one American soldier, as regrettable as that soldier's death was, those 24 lives were just as precious.

This violence will continue. We have to stand strong. We have to understand what their end game is. I support the amendment. It sets out a good plan for how we are going to get out of this.

All of this criticism that we do not have a plan to get out, here is a plan. It is one that makes sense. To set a fixed date obviously flies in the face of common sense. I stand in support of this amendment.

Mr. LANTOS. Mr. Chairman, I am pleased to yield 2 minutes to the distinguished gentleman from Massachusetts (Mr. MEEHAN).

Mr. MEEHAN. Mr. Chairman, I thank the gentleman, and rise today in opposition to the Ros-Lehtinen amendment because it essentially supports prolonging the deployment of the United States military personnel in Iraq.

Our troops deserve clear, concrete measures and milestones for defeating the insurgency, for building up Iraqi

security forces. General Petraeus is doing a great job. Why can we not have a timetable for how long it is going to take to get the 130,000 Iraqi security forces trained and hand it over to the Iraqi people? I have called repeatedly for the Department of Defense to do just that.

As a matter of fact, this Congress passed a supplemental appropriations bill that required the Department of Defense to report by July 11 the status of training the Iraqi forces. The Pentagon has refused, or has not yet provided that information.

When is this Congress going to exercise its responsibility? Our troops have done everything that we have asked of them in Iraq. They have acted heroically. They have done their job. Now is the time for Washington to do its job and develop a strategy for successful completion of this mission.

I do not know where it came, that coming up with an exit strategy somehow is something that is not in the United States' interest. I know when George Bush was Governor and we were in Kosovo, George Bush said, "Victory means exit strategy, and it is important for the President to explain to us what that exit strategy is."

Having an exit strategy and a strategy for success is just as important if not more important today in Iraq than it was in Kosovo. We have made mistakes in Iraq. The Pentagon did not listen to General Shinseki. We know that in Iraq the occupation is fueling the insurgency.

We have a timetable in effect that was just articulated from the gentleman from Texas. We are going to have elections, and in January we are going to have a new government.

How long should the United States stay? This Congress ought to exercise its responsibility, its constitutional responsibility of oversight, and demand the administration present their strategy.

Ms. ROS-LEHTINEN. Mr. Chairman, I am pleased to yield 2½ minutes to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Chairman, I thank the gentlewoman for yielding me time.

I have made eight trips to Iraq since April 2003, and will be going again this weekend. I have traveled with the military and I have also traveled with non-government organizations outside the umbrella of the military. I have literally talked with hundreds of Iraqi citizens, and I know their greatest fear.

□ 1630

Their greatest fear is, that we will leave. That is what they have told me. They think we will leave them.

It is vitally important to the future of peace and prosperity in the Middle East and, in fact, to the entire world that the United States maintain its commitment, meet history's challenge, and assist that nation to stay on the course towards stability, democracy and economic vitality.

The United States has set many important benchmarks. We sought to transfer power to an Iraqi government on June 28, 2004, and we did. We wanted to support the Iraqis in organizing a free and fair election and, on January 31, along with U.S. and international assistance, the Iraqis held their landmark election, their first in 50 years. It was thrilling to witness. Women forced the men to come out and vote.

As we speak, all elements of Iraqi society, Shiites, Sunnis, and Kurds are, working to draft a constitution and will hold a national referendum on the document on October 15. And, in spite of the threats against them, they are persevering.

During our visits to Iraq, we observed our troops training the Iraqi security forces, their police, their border patrol, their army. And as President Bush has said, as the Iraqis step up, Americans can step down. That is the plan. Like the other goals we have committed to in Iraq, we will stay our course.

Our withdrawal from Iraq will be made consistent with, as the amendment states, our foreign policy and national security goals relating to a free and stable Iraq and, thus, a free and stable world.

Mr. Chairman, Iraqis are making significant progress. I would like to read a short passage from an e-mail my niece just received from a soldier who just returned after 15 months risking his life for Iraqis and for the national security of the United States. This is what he said: "Despite what you might hear elsewhere," like in this chamber I might add, "the tide has turned in the Middle East and democracy is taking hold. There is much work yet to be done," he continues, "but we should all be excited by the progress made so far. Just think about it! Government 'of the people, by the people, for the people' has found a foothold in, of all places, the Middle East!" And, he continues, "Words are hard to come by to express my exuberant hope for the future of the Iraqi people and the rest of the Middle East."

Mr. Chairman, I could not agree more with this soldier's sentiments.

As I witnessed Iraq's election, it is clear the only real losers are the terrorists and insurgents trying to stop the march of democracy.

In defiance of the terrorists and insurgents, Iraqi men, women and children came out in droves.

There was a tangible sense of pride when the Iraqis dipped their index finger in a well of ink and cast their vote.

One voter expressed gratitude to me when he said, "Like you in the United States, I'm getting to choose my own leaders."

We need to continue the process of supporting this nascent democracy and providing the new Iraqi government and its people with the physical, financial and moral support to secure their nation and ensure liberty thrives.

I support the hard work of the International Relations Committee on the underlying legislation and the gentlewoman's amendment and urge my colleagues to support its adoption.

Mr. LANTOS. Mr. Chairman, I am pleased to yield 2 minutes to the dis-

tinguished gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, I rise in strong opposition to the Ros-Lehtinen amendment. This amendment declares that Congress must not "withdraw prematurely the U.S. Armed Forces from Iraq."

Prematurely? How many more Americans have to die or be wounded before we recognize that bringing home our troops is not premature, but is actually long overdue?

Although I opposed this war from the very beginning, I also thought that because of the chaos that we had caused that once we were there, we needed to stay until Iraq was secure and the Iraqis' lives were back together. But I have come to realize that there can be no stability in Iraq while our troops are still there. It is our very presence appearing as occupiers and the resentment it is breeding that is responsible for the chaos and emboldened insurgency.

The Ros-Lehtinen amendment only serves to advance the Bush administration's current failed policies by keeping the United States military in Iraq indefinitely. This amendment would continue the unsuccessful military occupation. It would lay the groundwork for a constant and unending war.

Only by ending the occupation can we hope to quell the violence and give Iraq back to the Iraqis. We can secure Iraq by helping the Iraqi people, not through our military, but through international humanitarian efforts to rebuild their war torn economic and physical infrastructure.

It is time for a new direction and fresh thinking on this subject, not a continuation of the failed policies of the past 2 years. Instead of the same stagnant ideas repackaged, we need to end the military occupation of Iraq. We need to support our troops by bringing them home.

I will oppose this amendment, and I urge my colleagues to do the same.

Ms. ROS-LEHTINEN. Mr. Chairman, I yield 2 minutes to the gentleman from South Carolina (Mr. BARRETT).

Mr. BARRETT of South Carolina. Mr. Chairman, I thank the gentlewoman for yielding me this time.

Mr. Chairman, in recent days and weeks, some have suggested we need a specific timeline or a date that indicates when our troops will begin to withdraw from Iraq.

I would like to read an e-mail that one of my staffers received a few weeks ago from a friend currently serving in Iraq. The major says, "I know there are growing doubts, questions, and concerns by many regarding our presence here and how long we are going to stay. For what it is worth, the attachment hopefully tells you why we are trying to make a positive difference for the future of this country."

This is the attachment right here. Mr. Chairman, a picture truly does speak a thousand words.

He went on to end his e-mail by saying, "I hope to head home in 80 days

with the feeling that I contributed something and made this world" not Iraq, but "made this world a better place for these guys."

Look at this. This is what it is all about. To quote Prime Minister Singh who was on this very floor yesterday, he said, "We must fight terrorism wherever it exists because terrorism anywhere threatens democracy everywhere."

Mr. Chairman, any date for withdrawal would be arbitrary. We must allow our plan to go forward and not abandon it halfway through. It is not about their future; it is about our future.

Let us not talk about an exit strategy, let us talk about winning, let us talk about freedom, let us talk about victory. I urge my colleagues to vote for the Ros-Lehtinen amendment.

Mr. LANTOS. Mr. Chairman, I am delighted to yield 2 minutes to the gentlewoman from California (Ms. WATERS), my good friend and distinguished colleague.

Ms. WATERS. Mr. Chairman, I rise in opposition to this amendment.

Americans are getting tired of this war. Mr. Chairman, we have been misled and we have been lied to. We trusted the President, and when the President came to us after 9/11 and asked for the authority to find those who had committed the attack on our country, we all voted for him.

But since that time, the President did not go after the perpetrators; the President did not go after Osama bin Laden. Instead, he went to Iraq. They went to Iraq because they told us there were weapons of mass destruction, and now we have discovered there were no weapons of mass destruction. Osama bin Laden and al Qaeda is still out there operating, and we are still in Iraq.

Why are we there? The President came and told us, "mission accomplished." And then we find that our soldiers are being attacked every day. They are dying, over 1,760; over 15,000 maimed. They have lost their arms and legs and eyes.

Another lie. We were told that the soldiers had everything that they needed, and then we find just yesterday in talking with one of the soldiers returned from Iraq, he has been drinking filthy, dirty water; did not even have clean water, did not even have bullet-proof vests, and we found that the Humvees did not have the armor.

They also told us they were going to get the proceeds from the oil that they were going to pump and they were going to pay for rebuilding of the infrastructure. No, that is not happening. We are spending over \$1 billion per week, and it goes on and on and on.

But, better yet, in this amendment they talk about not getting out until we train the Iraqi soldiers. How long and when? We were told they had trained over 40,000. Guess what? I say to my colleagues, only 5,000 have been trained and they do not have a plan for

how to get it done. We do not even have enough people that speak the language to be able to train the Iraqi soldiers. How long is this going to go on?

When people get up here and say they know that there is going to be more violence, more people are going to be killed, whose children are we talking about? Whose father are we talking about? Whose mother, whose daughter are we talking about? It is all right for us to say, there will be more deaths, there will be more violence, but I say to my colleagues, Americans are getting tired of it. It is their children, and we should not take that lightly.

Ms. ROS-LEHTINEN. Mr. Chairman, I am pleased to yield 1½ minutes to the gentleman from New Jersey (Mr. SMITH), one of our subcommittee chairmen of the Committee on International Relations.

Mr. SMITH of New Jersey. Mr. Chairman, every American wants our soldiers, especially those who have loved ones deployed in Iraq, home as quickly as humanly possible. But I would submit to my colleagues that that must be at a time that ensures that the baton of security is passed to a militarily capable, free, and democratic Iraq.

Let me point out to my colleagues that progress is being made in that regard. There are currently more than 171,000 trained and equipped Iraqi security forces, including 76,000 soldiers, 63,400 police and highway patrolmen, and 33,787 Ministry of Interior forces. So the previous speaker, I do not know where she is getting her numbers, but they certainly are not correct.

Iraqi security forces are now capable of planning and executing operations at the battalion level and higher, and there are a number of instances where they have performed superbly.

One of the previous speakers, the gentlewoman from California (Ms. WOOLSEY), mentioned that we need to be providing money for rehab. We have provided \$19.1 billion to the Iraq Relief and Reconstruction Fund. That is a significant commitment. You cannot do reconstruction without security.

Finally, I respectfully submit that any public announcement concerning specific timetables or a date certain for withdrawal of our Armed Forces is likely to result in significantly advantaging the terrorists in a way that will put more lives, more American lives, more Iraqi lives, at risk, and the mission itself will be put at risk.

I would also point out to my colleagues that the gentlewoman from California (Ms. LEE) did offer an amendment on the withdrawal issue; it failed 33 to 12 in the committee. So we did have some consideration of that during markup.

The Iraqi Prime Minister, when he met with us just a few weeks ago, was passionate: no timetables; it will lead to the loss of life.

Mr. Chairman, let me finish today's debate on H.R. 2601 with a boatload of thank yous to our staff who have worked long and hard to produce this piece of legislation.

And let me particularly thank Eleanor Nagy, director of policy for my committee for the Africa, Global Human Rights and International Operations, for her extraordinary skill, wisdom, insight and professionalism in crafting this comprehensive bill.

Mr. LANTOS. Mr. Chairman, I am very pleased to yield 3 minutes to my good friend, the distinguished gentleman from Missouri (Mr. SKELTON), the ranking member of the Committee on Armed Services.

Mr. SKELTON. Mr. Chairman, I thank my friend from California for yielding me this time.

Mr. Chairman, I would like to speak about the gentlewoman's amendment before us. In doing so, I would like to speak some common sense about where we are. Oh, I will vote for it, but if I were drafting it, I would draft what I think is the correct issue before our country and before our military forces. I have a difficult time in understanding some phraseology in the amendment that is before us which calls for an "early withdrawal," whatever that may be.

The issue is, when will we have the Iraqi security forces fully trained to take over the important mission of security for their own Nation? That is the issue before us.

On June 13, I sent a letter to the Secretary of Defense, Secretary Rumsfeld, setting forward the fact that we need to speed up this process. We need to make sure that we do all we can and to get our allies, whether they be in the Arab nations adjoining Iraq, or whether they be NATO nations, involved more and more in helping to train the Iraqi security forces. General David Petraeus, one of America's outstanding military leaders of our day, has the mission of training those Iraqi security forces and he is working very, very hard with the training forces that he has. He is a fine officer. He is a great leader. It is a mammoth task. But only this year, he has produced slightly over 5,000 fully trained Iraqi soldiers who can handle missions on their own. This is totally inadequate.

We must do a better job speeding up this process, because one of two things is going to happen if we do not speed it up. This is the issue before us. Number one, we are going to lose the American people. That, of course, would be disastrous for our effort in Iraq. Number two, we are going to put such a strain on the United States Army that some will term it as broken.

Mr. Chairman, we are in a race against time. We are either going to lose the American people's support, or we are going to break the Army. This month, the Army's recruiting numbers are far below its goal. It is an unmistakable trend. Although retention is holding, it is shaking the very foundation of the American social structure. Army marriages have broken up under the strain of unsustainable operations tempo, and the divorce rate is increasing, signs of sure trouble ahead.

So we ought to be discussing how we speed up the process, how we urge our

NATO partners to get involved in training. We understand that some 300 of those NATO partners will be coming in to help train, but we need more than that.

That is the issue we should be debating at this moment, not using the phrase "withdrawal," though I will support this amendment.

Ms. ROS-LEHTINEN. Mr. Chairman, I am pleased to yield 1½ minutes to the gentleman from Indiana (Mr. BURTON), the distinguished chairman of the Subcommittee on the Western Hemisphere.

□ 1645

Mr. BURTON of Indiana. Let me just say that my colleagues should never lose sight of the fact that we are in a world war against terrorism. It is not unlike the world war that we faced when my good friend was involved in World War II. It is a different kind of war from the standpoint that it is a hidden, insidious war; but, nevertheless, it is a world war and we have to defeat the terrorists.

Right now the center of the battle is in Iraq. Al Qaeda, the Taliban, all of their fellow travelers are trying to destroy our will in Iraq. And if we back down, you may rest assured that we will rue that day because there will be more attacks and more concentrated effort on the United States of America.

George M. Cohan wrote the song "Over There." Over there, over there, tell them that the Yanks are coming over there. And that was because we were going over there to defeat the enemy in World War I.

In World War II, we took the battle to the enemy, Hitler, in Europe. We did not fight them here at home. And I want to tell my colleague, if we do not defeat the enemy over there, we are going to have more attacks and more concentrated effort by the al Qaeda operatives and other terrorist organizations here in the United States of America.

We backed down in Somalia. We left in Somalia, and it was a green light to al Qaeda, because they said the United States is a paper tiger; we do not have the will to win a fight against the terrorist organizations and against the people who want to destroy our way of life.

This is a life and death struggle. It is a world war. We must not back down. We must take the battle to the enemy, and we must have the resolve that is necessary to win at all costs.

Mr. LANTOS. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Chairman, I oppose the gentlewoman from Florida's amendment. This war in Iraq was based on false or falsified information. This war was a mistake. It has been mismanaged with incredible incompetence by the Bush administration. Everything we have been told about this war has been wrong. It has created even more terrorists in the region. It has

not made us more secure. It has made us less secure. It has diminished our standing in the world. It has even compromised our credibility as a defender of human rights.

Mr. Chairman, I believe we must begin an orderly withdrawal of our troops now. It takes no particular amount of patriotism or courage for anyone in this Congress to stand up and wrap themselves in the American flag and say, stay the course; nor is it patriotic or courageous to be silent or indifferent when we believe and when we know what is happening is wrong.

It is not our lives on the line. We owe our troops who are serving with great courage much better than we are giving them. And to suggest, as this resolution does, that those of us who oppose this war are somehow "emboldening terrorists," is, to say the least, grotesque.

Let me state clearly, Mr. Chairman, and for the record, I believe it is time for George Bush to end this war. I urge my colleagues to oppose this amendment.

Mr. LANTOS. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. MEEKS), distinguished member of the International Relations Committee.

Mr. MEEKS of New York. Mr. Chairman, let me state outright that I am opposed to this amendment simply because we cannot allow our soldiers to remain under siege for an indefinite period of time while Congress has no serious answers from the administration about the core challenges we face in Iraq, the progress we have made and/or a strategy for success.

When we invaded Iraq, the administration claimed that we would be received as great liberators and that we would start withdrawing troops in just a few short months. But instead we face a strong insurgency, rising death toll with over 1,700 soldiers dead and at least 13,400 wounded in action. The disastrous miscalculations and misleading estimates that surround this war have exacted a very high toll on the American purse and our families. I cannot agree to any legislation that calls for us to continue this course while Congress is denied critical information needed to evaluate our progress in Iraq.

The amendment before us calls for the transfer of responsibility to Iraqi forces only when they are ready to assume such responsibility. However, it fails to address a plan for improving the training of Iraqi soldiers that will enable them to take on that responsibility.

How will Iraqi forces ever assume responsibility if we fail to adequately train them?

Sadly, we have no real answers and no real strategy for shifting responsibility and reducing U.S. involvement financially and militarily.

Congress has in good faith provided this administration with billions of dollars for military efforts in Iraq. This body has lived up to its end of the bar-

gain and provided funding for our troops. But our questions and concerns about our progress go unanswered. Our Constitution was carefully crafted to allow a balance of power in our government. I oppose this amendment because I refuse to abandon that balance and surrender the responsibility of this body to hold the administration accountable for its actions.

Ms. ROS-LEHTINEN. Mr. Chairman, it is my real pleasure to yield 5 minutes to the gentleman from Illinois (Mr. HYDE), the distinguished chairman of the House International Relations Committee.

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

Mr. HYDE. Mr. Chairman, you know, in all contentious discussions, there are a set of imaginary barricades, and people get on one side or on the other. On one side of the barricades, the hypothetical barricades, are people's main concern of prison welfare. They introduce amendments, they focus their time and attention on the welfare of the prisoners.

On the other side of the barricade are people who focus on winning the war, who focus on the beheadings that have happened to decent and good people from the enemy. They focus on the assassinations, on the car bombings, that indiscriminately kill elderly people and children. And so you have to decide what side of the barricade you are on.

Now, you can say that is a criticism of your patriotism. Not at all. Not at all. But you just have to listen to this debate to know the overriding concern of some is the welfare of the prisoners. Other people want to win the war. Count me among the latter.

Another issue that I think is worthy of comment, we have heard a couple of speakers from the other side, more than a couple, say this information is corrupt, falsification of intelligence, outright deception by the administration.

I have, in my hand, "Famous Last Words," a compendium of quotations from famous Democrats and famous people about the war that I think would be worth recalling. The gentleman from California (Mr. BERMAN), my good friend, said on October 10, 2002, "Saddam, with a nuclear weapon, is too horrifying to contemplate, too terrifying to tolerate."

The gentlewoman from California (Ms. HARMAN) of the Intelligence Committee said this, October 9, 2002: "The threat from Iraq is very real, increasingly dangerous. Saddam's belligerent intentions and his possession and ongoing development of weapons of mass destruction to fulfill those intentions make him a clear present danger to the United States and the world."

Oh, you should read some of these.

Here is one from the gentleman from Massachusetts (Mr. MARKEY): "The threat that we confront is Saddam Hussein. Saddam is in a category of his own. No other head of state has been

the subject of an 11-year campaign to disarm and sanction him. He has invaded two of his neighbors, assassinated 16 of his own family, tried to assassinate former President Bush, lied about his weapons buildup, fired missiles at Israel, and gassed his own people. The prospect that such a despot has biological and chemical weapons, anthrax, sarin gas, smallpox and is nearing nuclear capability is a looming threat to millions. We, as a Nation, have the responsibility to stop him." October 10, 2002 CONGRESSIONAL RECORD.

I have got quotes here from Madeleine Albright, Sandy Berger, President Clinton, all warning of nuclear weaponry, weapons of mass destruction. Were they corrupt? Were they misleading? No, they were basing their judgment on the best intelligence available, and they relied on it and it turned out to be flawed. But do not accuse people of deception and corruption when it was widespread and well before the World Trade Center.

Mr. LANTOS. Mr. Chairman, I am very pleased to yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I would say to the gentleman from California (Mr. LANTOS) that I am very grateful that we have been able to resurrect this debate and utilize it in the tone that I think is appropriate for the American people and as well the people in Iraq who are simply seeking peace and opportunity.

As I stand here today, I mourn the loss of almost 2,000 of our loved ones who bravely took the oath and the willingness to sacrifice their life for this country. To the veterans who have come home from world wars and other wars and conflicts, we thank you. But it is appropriate today that we debate this question; and my good friend, the gentlewoman from Florida (Ms. ROS-LEHTINEN), I know has a good intention of establishing a policy dealing with Iraq. I wish we had done that as the time came for that war to be launched.

I believe it is appropriate to reinforce the fact that we are standing here all as patriots who love this Nation and would defend her. But the Iraqi people deserve our debate today, and they deserve it because we need to know we can do better.

A limitation on transferring power, in fact, is something that we should be concerned about. If we have a goal, a time certain, which many of us believe is the appropriate way to go, you then can move the Iraqi nationals and the Iraqi Armed Forces toward a goal. We will not have the consternation of wondering whether the presence of the United States military, even though we know terrorists exist, continue to agitate because of their presence, even though they are there to help.

It is important to realize that Members who want a time certain are no

less patriotic, but they want to guide this process of a policy that seems to have gone awry. We want to save lives. We want to train Iraqi forces, but the tragedy of the explosion of a gas tank that killed almost a hundred is something that is continuing that we want to see stopped.

And the American people want answers from the United States Congress. And so I think this debate is too short. I wish other amendments could have been made in order so we can find an orderly manner to handle this.

I offered a suggestion to put our troops on the border back in 2002, 50,000 of them. Saddam was so weak that I know he could have toppled. But we did not go that route.

□ 1700

So we have to find an exit strategy now for success and to be able to, if you will, provide an opportunity for our troops to come home as heroes and for the Iraqi people to live in freedom.

Mr. LANTOS. Mr. Chairman, how much time remains?

The Acting CHAIRMAN (Mr. GINGREY). The gentleman from California (Mr. LANTOS) has 2 minutes remaining. The gentlewoman from Florida (Ms. ROS-LEHTINEN) has 1½ minutes.

Mr. LANTOS. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I would like to commend the outstanding Republican and Democratic staffs that have done such an incredibly good job on a very difficult and complicated piece of legislation.

I want to commend all of my colleagues who have spoken. This debate has been civilized, passionate, articulate and enlightening. And I particularly want to thank my dear friend, the distinguished chairman of the Committee on International Relations, for guiding the work of the committee and for guiding this debate with his statesmanship and wisdom.

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

Ms. ROS-LEHTINEN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I echo the sentiments of my good friend from California (Mr. LANTOS) in praising the strong bipartisan show of support for our Armed Forces in this debate, and I thank the chairman for his great leadership and guidance throughout the years.

Mr. Chairman, I yield the balance of my time to the gentleman from Texas (Mr. DELAY), the distinguished majority leader and a staunch defender of human rights and a supporter of our fighting men and women who wear the proud uniform of the United States and our coalition partners.

Mr. DELAY. Mr. Chairman, I thank the gentlewoman for yielding me time. I really appreciate her bringing this very, very important amendment to the floor.

As has been said earlier, this is a very important debate that we are hav-

ing in the United States House of Representatives. Mr. Chairman, the establishment of a firm deadline for withdrawal of American troops from Iraq simply will put them in greater danger. It will embolden our terrorist enemies and all but assure the failure of that nation's fledgling democracy.

Under such a deadline, the best we could hope for is that our enemies would simply go into hiding, wait for us to leave, then unleash bloody terror on their countrymen until Iraq's government fell, Iraq's people were subdued, and Iraq's hope was destroyed.

In short, such a deadline would do nothing less than help our enemies win the war. After so many have fought, and fought and sacrificed and died, ending decades of Saddam Hussein's murderous tyranny, now with freedom secured and stability in sight, with hope abounding in Iraq and across the Middle East, to establish such a deadline, all but ensuring disaster, would be morally and strategically indefensible. It would be an insult, an insult to every soldier who wears on their uniform the flag of the United States, a body blow to the cause of freedom and justice around the world, and a signal to evil men everywhere in the world that America's spine had gone brittle.

A deadline for withdrawal would not amount to mere appeasement, but it would amount to surrender, betrayal, and it would amount to an invitation for more bloodshed on our own soil. It cannot, cannot, cannot be done.

Failure in Iraq, which a premature withdrawal date would assure, would be a crucial and possibly a decisive defeat in the global war on terror.

Rhetorical attempts to divorce Operation Iraqi Freedom from the broader war on terror have failed in no small part because our enemies make no small distinction.

Bin Laden, al-Sadr, Zarqawi, Fedayeen foot-soldiers, Hamas, Hezbollah, Syrian imports, al Qaeda exports, Taliban holdovers, Ba'athist henchmen, shoe bombers, dirty bombers, hijackers in Boston, roadside bombers in Baghdad, homicide bombers in Madrid, suicide bombers in London, and, yes, inmates in Guantanamo.

They are all the same. Mr. Chairman. They are one enemy, terrorism, serving one cause, tyranny, against one target, freedom.

Mr. Chairman, our soldiers in Iraq, Afghanistan and around the world are not fighting for a grotesque mistake. They are fighting for a noble cause. They are not Nazis or Soviets. They are heroes. The war in Iraq is not over. It is just not being fought on television. And our decision to join the war on terror, which waged for years before 9/11, has not made the war more dangerous but more hopeful for future peace.

Our enemies brook no confusion about their goal, it is to kill every last one of us. The only thing standing between us and that fate is the courage and determination and commitment of

our soldiers, sailors, airmen and Marines.

Members and political leaders from both parties would do well to remember that in times like these words have consequences. Consider the soldiers now under enemy threat in Iraq. Consider the victims of 9/11 and their families. Consider the Iraqi people on January 30 raising their ink-dyed fingers, voting after holding their polling lines against the threat of terrorist attack. Consider the Iraqi women who no longer fear the rape rooms, the Afghan men who can speak their minds freely, and the children who can learn math and literature and history outside the control of their Orwellian regimes.

We are at war whether we like it or not, whether we fight it or not. Our enemies will keep coming. We cannot defeat them solely with our weapons, Mr. Chairman. We must defeat them with our will. Words and deeds here at home and in particular here in Washington that embolden any of our enemies embolden all of them, and by doing so undermine our cause, weaken our resolve and threaten our troops.

Iraq is the war on terror. Victory in Iraq is a victory for hope. Defeat in Iraq is a victory for chaos and violence and evil. The terrorists know it, the Iraqis know it, and deep down even the most partisan critics of our Commander in Chief know it, too.

That is why we must stand and we must fight as we have for almost 4 years here at home, in Afghanistan, Iraq and everywhere terrorism threatens the survival and success of liberty until the fight is won.

We know not the day nor the hour, Mr. Chairman, when the scourge of terrorism will be repelled once and for all from Iraq, from the Middle East, from our world, when citizens of all nations will breathe air cleared of the cries of wounded heroes and the report of hostile gunfire, when men will be free, when women will be honored, and when children will be safe.

As long as war is our policy and victory is our aim, Mr. Chairman, neither can our enemies.

I urge all of our colleagues to bring that day a bit closer by truly supporting our troops in word as well as in deed by supporting the Ros-Lehtinen amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN).

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

Ms. ROS-LEHTINEN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The Acting 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: amendment No. 30 offered by the gentlewoman from Nevada (Ms. BERKLEY); amendment No. 37A offered by the gentleman from California (Mr. ROHR-ABACHER); amendment No. 38 offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN).

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

AMENDMENT NO. 30 OFFERED BY MS. BERKLEY

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Nevada (Ms. BERKLEY) 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 Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 330, noes 100, not voting 3, as follows:

[Roll No. 395]

AYES—330

Aderholt	Carter	Fitzpatrick (PA)
Akin	Case	Flake
Alexander	Castle	Foley
Allen	Chabot	Forbes
Andrews	Chandler	Ford
Baca	Chocola	Fortenberry
Bachus	Clyburn	Fossella
Baker	Coble	Fox
Barrow	Cole (OK)	Franks (AZ)
Bartlett (MD)	Conaway	Frelinghuysen
Barton (TX)	Cooper	Gallely
Bass	Costa	Garrett (NJ)
Bean	Costello	Gerlach
Beauprez	Cox	Gibbons
Berkley	Cramer	Gillmor
Berry	Crenshaw	Gingrey
Biggert	Crowley	Gohmert
Bilirakis	Cubin	Gonzalez
Bishop (GA)	Cuellar	Goode
Bishop (NY)	Culberson	Goodlatte
Bishop (UT)	Cunningham	Gordon
Blackburn	Davis (AL)	Granger
Blunt	Davis (CA)	Graves
Boehlert	Davis (FL)	Green (WI)
Boehner	Davis (KY)	Green, Al
Bonilla	Davis (TN)	Green, Gene
Bonner	Davis, Jo Ann	Gutknecht
Bono	Davis, Tom	Hall
Boozman	Deal (GA)	Harman
Boren	DeFazio	Harris
Boswell	DeGette	Hart
Boustany	DeLay	Hastings (FL)
Boyd	Dent	Hastings (WA)
Bradley (NH)	Diaz-Balart, L.	Hayworth
Brady (PA)	Diaz-Balart, M.	Hefley
Brady (TX)	Dicks	Hensarling
Brown (OH)	Doolittle	Henger
Brown, Corrine	Drake	Herseth
Brown-Waite,	Dreier	Higgins
Ginny	Duncan	Hinche
Burgess	Edwards	Hoekstra
Burton (IN)	Ehlers	Holden
Butterfield	Emanuel	Holt
Buyer	Emerson	Hooley
Calvert	Engel	Hostettler
Camp	English (PA)	Hoyer
Cannon	Etheridge	Hulshof
Cantor	Evans	Hunter
Capito	Everett	Inglis (SC)
Cardin	Fattah	Israel
Cardoza	Feeney	Istook
Carnahan	Ferguson	Jackson-Lee
Carson	Filner	(TX)

Jenkins	Miller (NC)	Schwarz (MI)
Jindal	Miller, Gary	Scott (GA)
Johnson (CT)	Moore (KS)	Scott (VA)
Johnson (IL)	Moran (KS)	Sensenbrenner
Johnson, Sam	Murphy	Sessions
Jones (OH)	Musgrave	Shadegg
Keller	Myrick	Shaw
Kelly	Nadler	Shays
Kennedy (MN)	Napolitano	Sherman
Kennedy (RI)	Neal (MA)	Shimkus
Kind	Neugebauer	Shuster
King (NY)	Ney	Simmons
Kingston	Northup	Simpson
Kirk	Norwood	Skelton
Kline	Nunes	Smith (NJ)
Kuhl (NY)	Nussle	Smith (TX)
Langevin	Ortiz	Sodrel
Lantos	Osborne	Souder
Larsen (WA)	Otter	Spratt
Larson (CT)	Owens	Stearns
Latham	Oxley	Strickland
LaTourette	Pallone	Stupak
Leach	Pearce	Sullivan
Levin	Pence	Sweeney
Lewis (CA)	Peterson (MN)	Tancredo
Lewis (GA)	Peterson (PA)	Tanner
Lewis (KY)	Petri	Taylor (MS)
Linder	Pickering	Taylor (NC)
Lipinski	Pitts	Terry
LoBiondo	Platts	Thomas
Lucas	Poe	Thompson (CA)
Lungren, Daniel	Pombo	Thornberry
E.	Pomeroy	Tiberi
Mack	Porter	Towns
Maloney	Price (GA)	Udall (CO)
Manzullo	Pryce (OH)	Udall (NM)
Marchant	Putnam	Upton
Markey	Radanovich	Van Hollen
Marshall	Ramstad	Velázquez
Matheson	Rangel	Walden (OR)
McCarthy	Regula	Walsh
McCaul (TX)	Rehberg	Wamp
McCotter	Reichert	Wasserman
McHenry	Renzi	Schultz
McHugh	Reyes	Watson
McIntyre	Reynolds	Waxman
McKeon	Rogers (AL)	Weiner
McMorris	Rogers (KY)	Weldon (FL)
McNulty	Rogers (MI)	Weldon (PA)
Meehan	Ros-Lehtinen	Weller
Meek (FL)	Ross	Westmoreland
Melancon	Royce	Whitfield
Menendez	Ruppersberger	Wilson (NM)
Mica	Ryan (WI)	Wilson (SC)
Michaud	Ryun (KS)	Wolf
Millender-	Salazar	Wu
McDonald	Saxton	Young (AK)
Miller (FL)	Schiff	Young (FL)
Miller (MI)	Schwartz (PA)	

NOES—100

Abercrombie	Johnson, E. B.	Pelosi
Ackerman	Jones (NC)	Price (NC)
Baird	Kanjorski	Rahall
Baldwin	Kaptur	Rohrabacher
Barrett (SC)	Kildee	Rothman
Becerra	Kilpatrick (MI)	Roybal-Allard
Berman	King (IA)	Rush
Blumenauer	Knollenberg	Ryan (OH)
Boucher	Kolbe	Sabo
Capps	Kucinich	Sánchez, Linda
Capuano	LaHood	T.
Clay	Lee	Sanchez, Loretta
Cleaver	Lofgren, Zoe	Sanders
Conyers	Lowey	Schakowsky
Davis (IL)	Lynch	Serrano
Delahunt	Matsui	Sherwood
DeLauro	McCollum (MN)	Slaughter
Dingell	McCrery	Smith (WA)
Doggett	McDermott	Snyder
Doyle	McGovern	Solis
Eshoo	McKinney	Stark
Farr	Meeke (NY)	Tauscher
Frank (MA)	Miller, George	Thompson (MS)
Gilchrest	Mollohan	Tiahrt
Grijalva	Moore (WI)	Tierney
Gutierrez	Moran (VA)	Turner
Hayes	Murtha	Visclosky
Hobson	Oberstar	Waters
Honda	Obey	Watt
Hyde	Oliver	Wexler
Inslee	Pascrell	Wicker
Issa	Pastor	Woolsey
Jackson (IL)	Paul	Wynn
Jefferson	Payne	

NOT VOTING—3

Brown (SC)	Cummings	Hinojosa
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□ 1737

Ms. BALDWIN, Ms. SCHAKOWSKY, Ms. LINDA T. SANCHEZ of California, Ms. SOLIS, Messrs. RUSH, ROHR-ABACHER, DOGGETT, SERRANO, Ms. DELAURO, Ms. WOOLSEY, Messrs. BAIRD, HYDE, HAYES, SMITH of Washington, Ms. LORETTA SANCHEZ of California, Mrs. TAUSCHER, Ms. MCCOLLUM of Minnesota, Ms. SLAUGHTER, Messrs. SNYDER, HOBSON, KING of Iowa, and TURNER changed their vote from “aye” to “no.”

Messrs. RYAN of Wisconsin, SALAZAR, WAXMAN, BOUSTANY, MEEHAN, and MACK, and Mrs. JONES of Ohio changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 37A OFFERED BY MR. ROHRABACHER

The Acting CHAIRMAN (Mr. GINGREY). The pending business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. ROHRABACHER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 304, noes 124, answered “present” 2, not voting 3, as follows:

[Roll No. 396]

AYES—304

Aderholt	Burton (IN)	Davis, Jo Ann
Akin	Butterfield	Davis, Tom
Alexander	Buyer	Deal (GA)
Andrews	Calvert	DeFazio
Bachus	Camp	DeLay
Baird	Cannon	Dent
Baker	Cantor	Diaz-Balart, L.
Barrett (SC)	Capito	Diaz-Balart, M.
Barrow	Cardin	Dicks
Barton (TX)	Cardoza	Doolittle
Bass	Carnahan	Drake
Bean	Carson	Dreier
Beauprez	Carter	Duncan
Berkley	Case	Edwards
Berry	Castle	Emerson
Biggart	Chabot	Engel
Bilirakis	Chandler	English (PA)
Bishop (GA)	Chocola	Eshoo
Bishop (NY)	Clyburn	Etheridge
Bishop (UT)	Coble	Everett
Blackburn	Cole (OK)	Feeney
Blunt	Conaway	Ferguson
Boehlert	Cooper	Fitzpatrick (PA)
Boehner	Costa	Flake
Bonilla	Costello	Foley
Bonner	Cox	Forbes
Bono	Cramer	Ford
Boozman	Crenshaw	Fortenberry
Boren	Cubin	Fossella
Boswell	Cuellar	Fox
Boustany	Culberson	Franks (AZ)
Boyd	Cunningham	Frelinghuysen
Bradley (NH)	Davis (AL)	Gallegly
Brady (TX)	Davis (CA)	Garrett (NJ)
Brown-Waite,	Davis (FL)	Gerlach
Ginny	Davis (KY)	Gibbons
Burgess	Davis (TN)	Gilchrist

Gillmor	Lucas	Rogers (MI)
Gingrey	Lungren, Daniel	Rohrabacher
Gohmert	E.	Ros-Lehtinen
Goode	Lynch	Ross
Goodlatte	Mack	Royce
Gordon	Manullo	Ruppersberger
Granger	Marchant	Ryan (OH)
Graves	Marshall	Ryan (WI)
Green (WI)	Matheson	Ryun (KS)
Green, Gene	McCarthy	Salazar
Gutknecht	McCaul (TX)	Sanchez, Loretta
Hall	McCotter	Saxton
Harman	McCrery	Schiff
Harris	McHenry	Schwartz (PA)
Hart	McHugh	Schwarz (MI)
Hastings (WA)	McIntyre	Scott (GA)
Hayes	McKeon	Sensenbrenner
Hayworth	McMorris	Sessions
Hefley	Meek (FL)	Shadegg
Hensarling	Melancon	Shaw
Hergert	Menendez	Sherwood
Herseth	Mica	Shimkus
Higgins	Miller (FL)	Shuster
Hobson	Miller (MI)	Simmons
Hoekstra	Miller (NC)	Simpson
Hooley	Miller, Gary	Skelton
Hostettler	Moore (KS)	Smith (NJ)
Hoyer	Moran (KS)	Smith (TX)
Hulshof	Murphy	Smith (WA)
Hunter	Musgrave	Sodrel
Hyde	Myrick	Souder
Inglis (SC)	Neugebauer	Spratt
Israel	Ney	Stearns
Issa	Northup	Sullivan
Istook	Norwood	Sweeney
Jenkins	Nunes	Tancred
Jindal	Nussle	Tanner
Johnson (CT)	Ortiz	Tauscher
Johnson (IL)	Osborne	Taylor (MS)
Johnson, Sam	Otter	Taylor (NC)
Jones (NC)	Oxley	Terry
Keller	Pearce	Thomas
Kelly	Pence	Thornberry
Kennedy (MN)	Peterson (MN)	Tiahrt
Kildee	Peterson (PA)	Tiberi
Kind	Pickering	Towns
King (IA)	Pitts	Turner
King (NY)	Platts	Udall (CO)
Kingston	Poe	Upton
Kirk	Pombo	Walden (OR)
Kline	Pomeroy	Walsh
Knollenberg	Porter	Wamp
Kolbe	Price (GA)	Weldon (FL)
Kuhl (NY)	Pryce (OH)	Weldon (PA)
LaHood	Putnam	Weller
Langevin	Radanovich	Westmoreland
Lantos	Ramstad	Whitfield
Larsen (WA)	Regula	Wicker
Latham	Rehberg	Wilson (NM)
LaTourette	Reichert	Wilson (SC)
Lewis (CA)	Renzi	Wolf
Lewis (KY)	Reyes	Wu
Linder	Reynolds	Wynn
Lipinski	Rogers (AL)	Young (AK)
LoBiondo	Rogers (KY)	Young (FL)

NOES—124

Abercrombie	Green, Al	McGovern
Ackerman	Grijalva	McKinney
Allen	Gutierrez	McNulty
Baca	Hastings (FL)	Meehan
Baldwin	Hinchee	Meeks (NY)
Becerra	Holden	Michaud
Berman	Holt	Millender-
Blumenauer	Honda	McDonald
Boucher	Insee	Miller, George
Brady (PA)	Jackson (IL)	Mollohan
Brown (OH)	Jackson-Lee	Moore (WI)
Brown, Corrine	(TX)	Moran (VA)
Capps	Jefferson	Murtha
Capuano	Johnson, E. B.	Nadler
Clay	Jones (OH)	Napolitano
Cleaver	Kanjorski	Neal (MA)
Conyers	Kaptur	Oberstar
Crowley	Kennedy (RI)	Obey
Davis (IL)	Kilpatrick (MI)	Olver
DeGette	Kucinich	Owens
Delahunt	Larson (CT)	Pallone
DeLauro	Leach	Pascrell
Dingell	Lee	Pastor
Doggett	Levin	Paul
Doyle	Lewis (GA)	Payne
Emanuel	Lofgren, Zoe	Pelosi
Evans	Lowey	Petri
Farr	Maloney	Price (NC)
Fattah	Markey	Rahall
Finler	Matsumi	Rangel
Frank (MA)	McCollum (MN)	Rothman
Gonzalez	McDermott	Roybal-Allard

Rush	Snyder	Visclosky
Sabo	Solis	Wasserman
Sanchez, Linda	Stark	Schultz
T.	Strickland	Waters
Tandors	Stupak	Watson
Schakowsky	Thompson (CA)	Watt
Scott (VA)	Thompson (MS)	Waxman
Serrano	Tierney	Weiner
Shays	Udall (NM)	Wexler
Sherman	Van Hollen	Woolsey
Slaughter	Velazquez	

ANSWERED “PRESENT”—2

Bartlett (MD) Ehlers

NOT VOTING—3

Brown (SC) Cummings Hinojosa

□ 1747

Mr. WEXLER and Mr. RAHALL changed their vote from “aye” to “no.” So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 38 OFFERED BY MS. ROS-LEHTINEN

The Acting CHAIRMAN (Mr. GINGREY). The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Ms. ROS-LEHTINEN) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 291, noes 137, answered “present” 2, not voting 3, as follows:

[Roll No. 397]

AYES—291

Aderholt	Burton (IN)	Diaz-Balart, L.
Akin	Butterfield	Diaz-Balart, M.
Alexander	Buyer	Dicks
Andrews	Calvert	Doolittle
Bachus	Camp	Drake
Baird	Cannon	Dreier
Baker	Cantor	Edwards
Barrett (SC)	Capito	Ehlers
Barrow	Cardin	Emanuel
Barton (TX)	Cardoza	Emerson
Bass	Carnahan	Engel
Bean	Carter	English (PA)
Beauprez	Case	Etheridge
Berkley	Castle	Everett
Berman	Chabot	Feeney
Berry	Chandler	Ferguson
Biggart	Chocola	Fitzpatrick (PA)
Bilirakis	Clyburn	Flake
Bishop (GA)	Coble	Foley
Bishop (NY)	Cole (OK)	Forbes
Bishop (UT)	Conaway	Ford
Blackburn	Cooper	Fortenberry
Blunt	Costa	Fossella
Boehlert	Cox	Fox
Boehner	Cramer	Franks (AZ)
Bonilla	Crenshaw	Frelinghuysen
Bonner	Cubin	Gallegly
Bono	Cuellar	Garrett (NJ)
Boozman	Culberson	Gerlach
Boren	Cunningham	Gibbons
Boswell	Davis (AL)	Gilchrist
Boucher	Davis (FL)	Gillmor
Boustany	Davis (KY)	Gingrey
Boyd	Davis (TN)	Gohmert
Bradley (NH)	Davis, Jo Ann	Gonzalez
Brady (TX)	Davis, Tom	Goode
Brown-Waite,	Deal (GA)	Goodlatte
Ginny	DeLay	Gordon
Burgess	Dent	Granger

Graves
Green (WI)
Green, Gene
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseeth
Higgins
Hobson
Hoekstra
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Israel
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Lantos
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas
Lungren, Daniel
E.
Mack

Manzullo
Marchant
Marshall
Matheson
McCarthy
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Meek (FL)
Melancon
Menendez
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moore (KS)
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northeast
Norwood
Nunes
Nussle
Ortiz
Osborne
Otter
Oxley
Pearce
Pence
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)

Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Ruppersberger
Ryan (WI)
Ryun (KS)
Salazar
Saxton
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Sodrel
Souder
Spratt
Stearns
Sullivan
Sweeney
Tancredo
Tanner
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Udall (CO)
Upton
Walden (OR)
Walsh
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wynn
Young (AK)

Slaughter
Smith (WA)
Snyder
Solis
Stark
Strickland
Stupak
Tauscher
Thompson (CA)
Thompson (MS)

Tierney
Towns
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wamp
Wasserman
Schultz
Waters

Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Young (FL)

ANSWERED "PRESENT"—2

Bartlett (MD) Jones (NC)

NOT VOTING—3

Brown (SC) Cummings Hinojosa

□ 1756

Mr. MEEK of Florida changed his vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Mr. FARR. Mr. Chairman, I would like to commend the Chairman and Ranking Member of the House Committee on International Relations for their work in drafting the Foreign Relations Authorization Act for FY 06 and 07. Though I was supportive of the underlying bill that was passed out of Committee, I regret that I will not be able to vote in favor of final passage due to the inclusion of a variety of amendments that were added to the bill during floor consideration.

Additionally, I would have liked H.R. 2601 to address and correct the failed U.S. policy towards Colombia. Current U.S. assistance to Colombia is heavily weighted towards military and drug interdiction assistance, with only 20 percent of U.S. aid going to social and economic programs like alternative development programs. I strongly believe that only through addressing the root causes of conflict in Colombia, that of poverty and despair, will we be able to have lasting peace in Colombia.

I am very thankful though that the Chairman and Ranking Member for the inclusion of a Sense of Congress that states that the U.S. foreign assistance should be used to support local capacity-building in developing countries. I served as a Peace Corps volunteer in Colombia during the 1960s, and the goal of our service was to "work ourselves out of a job." By the end of our two year service as Peace Corps volunteers, our goals were to have educated host country nationals in different skills who could then take ownership of development projects and finish the job of developing their own country, in a culturally appropriate way.

As Peace Corps volunteers, I worked on micro development issues, and U.S. foreign policy, if it is to succeed in creating long-term development and foster stability in developing countries, should take this mantra to heart, and focus on building local capacity. I am therefore very thankful for the Chairman and Ranking Members recognition of the importance of local capacity building by including this important Sense of Congress in H.R. 2601.

Mr. UDALL of Colorado. Mr. Chairman, I rise in reluctant support of this bill.

It is an important bill. The Foreign Relations Authorization Act authorizes funding for 2 fiscal years for State Department programs, international broadcasting activities, international assistance programs, and related agencies. The bill authorizes a 12 percent increase in funding over fiscal year 2005, including funding increases for peacekeeping missions, embassy security and relief for Africa.

H.R. 2601 also includes a number of amendments that were passed during the bill's consideration on the floor. I voted against an amendment offered by Representative HYDE regarding reform of the United Nations. The amendment was based on the U.N. Reform Act, which I opposed—along with many of my colleagues—when it was considered as a stand-alone bill a month ago.

The U.N. is a critically important body that has taken on many of the world's problems and solved them—problems such as poverty, disease, and international disputes. And the U.S. has benefited from U.N. actions. Just recently, the U.N. helped with elections in Afghanistan and Iraq and helped negotiate the withdrawal of Syrian forces from Lebanon.

But I share the view that the United Nations needs to be improved so it can better carry out its indispensable role. It has serious problems, as exemplified by the oil-for-food scandal and offenses committed by U.N. peace-keeping forces.

So, I support U.N. reform—but I could not support the approach the amendment takes toward achieving that objective. It would require the Secretary of State to push for reforms at the U.N. in the areas of budgeting, oversight and accountability, peacekeeping, and human rights. That is something that needs to be done. But if the Secretary of State cannot certify that the reforms have been achieved, starting in 2007, the Secretary would be required to withhold 50 percent of the U.S. assessed contributions to the U.N.'s regular budget. The assessed U.S. contributions are estimated at \$362 million for 2005, and \$439 million for 2006.

I think such a punitive and unilateral approach to reform will not work. I think its primary result would be to further isolate the United States while at the same time actually undermining ongoing efforts at reform and potentially jeopardizing the U.N.'s ability to focus on global threats and work toward greater global stability.

I also voted in reluctant support of an amendment offered by Representative ROHR-ABACHER regarding detainees at Guantanamo.

I supported it because I believe it is important to support an amendment that highlights the continuing threat of terrorism and the continuing necessity of disrupting terrorist activities and protecting the security of the United States. But my support was reluctant because the amendment inaccurately and incompletely characterizes the debate on the detention facility at Guantanamo Bay and what goes on there.

It calls the capture, detention, and interrogation of international terrorists essential to the successful prosecution of the war on terrorism and the defense of the United States. Certainly no one can disagree with this.

The amendment also states that the detention and lawful, humane interrogation by the U.S. of detainees at Guantanamo is essential to the defense of the United States and to the prosecution of the war on terrorism. It is similarly hard to disagree with this statement. But the point is that detentions at Guantanamo haven't been consistently lawful or humane.

The amendment finally states that Guantanamo is so essential to the defense of the United States that it should not be closed while the U.S. is waging the war on terrorism. That is an overstatement, in my opinion.

NOES—137

Abercrombie
Ackerman
Allen
Baca
Baldwin
Becerra
Blumenauer
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Carson
Clay
Cleaver
Conyers
Costello
Crowley
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dingell
Doggett
Doyle
Duncan
Eshoo
Evans
Farr
Fattah
Filner
Frank (MA)
Green, Al
Grijalva
Gutierrez
Hastings (FL)

Hinchey
Holden
Holt
Honda
Hookey
Hostettler
Inslie
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kucinich
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lofgren, Zoe
Lowe
Lynch
Maloney
Markey
Matsui
McCollum (MN)
McDermott
McGovern
McKinney
McNulty
Meehan
Meeks (NY)
Michaud

Millender-
McDonald
Miller (NC)
Miller, George
Mollohan
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Owens
Pallone
Pascarell
Pastor
Paul
Payne
Pelosi
Petri
Price (NC)
Rahall
Rangel
Rothman
Roybal-Allard
Rush
Ryan (OH)
Sabo
Sánchez, Linda
T.
Sanchez, Loretta
Sanders
Schakowsky
Scott (VA)
Serrano
Sherman

"Gitmo" is now infamous around the world as a place where detainees have been mistreated and the Koran mishandled. There are over 500 detainees remaining at Guantanamo—some who have been there for 3 years without being charged with a crime. We still don't know the extent of the abuses since there hasn't been any independent commission appointed to look into all the allegations. But whether prisoner abuse is limited or widespread, there is a perception that bad things have happened at Guantanamo, and this perception only makes it easier for terrorists to find willing recruits.

An independent commission could offer recommendations about what to do with the remaining prisoners at Guantanamo as well as about the situation at detention facilities all over the world. Closing Guantanamo may well be the best option, but it is an option we cannot consider without also considering accompanying changes to the whole detention system.

The Rohrabacher amendment didn't allow consideration of these finer points, and my support for it should not be seen as endorsement of its language.

I also reluctantly voted for an amendment offered by Representative ROS-LEHTINEN regarding our military activities in Iraq. The amendment states that U.S. policy is to transfer responsibility for Iraqi security to Iraqi forces and that the U.S. should only withdraw "when it is clear that United States national security and foreign policy goals relating to a free and stable Iraq have been or are about to be achieved." I agree.

In fact, most people agree on a policy of transferring responsibility for security to Iraqi forces. But saying we will only withdraw when our goals are met is problematic. That's because the administration's goals in Iraq are far from clear—the Defense Department shifts its focus on a daily basis, and it has resisted requests to establish metrics or measurements to help us determine when these goals have been or "are about to be achieved." So given that we aren't sure of our goals, this part of the amendment is largely without meaning. It would have been better to include the language proposed in the motion to recommit, which I supported.

Recent calls for withdrawal have come about because there is rising opposition in this country to the administration's policy in Iraq. But I believe that just as rushing into Iraq was a mistake, rushing to get out would also be a mistake. We do need to send a signal to the Muslim world that America has no desire to stay in Iraq, but we must also make clear the importance we place on transferring responsibility for security to the Iraqis and on supporting efforts to assist the new Iraqi Government draft a constitution.

This must not be our last word on Iraq. Though not unexpected, it is disappointing that the Republicans continue to politicize our policy in Iraq through cleverly drafted amendments and resolutions intended solely to pigeonhole Members into black and white positions.

In conclusion, except for the parts related to the United Nations, the bill is basically sound and deserves approval so that the legislative process can go forward.

Mr. STARK. Mr. Chairman, I rise in opposition to H.R. 2601, the Foreign Relations Authorization Act. This bill endorses more of the

same disastrous foreign policy that the Bush Administration has recklessly carried out since entering office.

Due to the addition of a misguided amendment on the floor today, this bill endorses the United States' continued involvement in the Iraq War. This war has caused the death of almost 1,800 Americans and wounded or killed more than 60,000 Iraqis, wasted billions of dollars, and created a fertile breeding ground for anti-American terror. Instead of endorsing our prolonged involvement in a misguided war, this bill misses a significant opportunity to focus on a plan to leave Iraq.

Further, it is disappointing that this Congress—for the second time this year—has endorsed provisions that threaten punitive actions against the United Nations if they fail to implement the Republican Congress' idea of reform. It is this type of unilateral bullying that has diminished the reputation and standing of the United States around the world. Such uncompromising actions guarantee that the United States government will alienate its friends and encourage its enemies. We belong to a community of nations. We must begin to act like a good neighbor, or risk being further internationally isolated.

I also oppose this bill's claim that the Bush Administration policies at Guantanamo Bay, Cuba are humane and legal. After the revelation of insurmountable evidence and court decisions, it is clear that the Bush Administration fully supported the U.S. military's policy of torturing prisoners at Guantanamo Bay and has illegally held prisoners indefinitely without proper due process. To support any legislation that contradicts these facts would simply be lying. I will not join the Majority in an attempt to blatantly deceive the American people and the world.

This bill also continues to endorse providing military aid to Egypt and Israel. Only a fool would be surprised that lighting dynamite would cause it to explode. The same is true for providing more weapons to a volatile and dangerous situation that exists in the Middle East. Our military assistance has been employed to carry out violence against the Palestinian people and, in the case of Egypt, against their own citizens. It is time that the Bush Administration got America out of the arms dealing business and into the peace business. Only when the United States stops supplying the area with weapons will parties on both sides view us as an honest broker. Only then will peace be possible.

Today, Congress had a real chance to advance an agenda that would support American international interests and provide humanitarian help to many countries in need. This bill fails to grasp that chance. A Foreign Relations Act from the so-called greatest country on earth should do more than promote an illegitimate war, supply arms to embattled nations and lie bold-faced to the world about activities so many have witnessed. This bill is an embarrassment to this Nation and I call on my colleagues to vote against it.

Mr. FALÉOMAVAÉGA. Mr. Chairman, I rise in support of H.R. 2601, the Foreign Relations Authorization Act for Fiscal Years 2006 and 2007. I want to thank Chairman HENRY HYDE and Ranking Member TOM LANTOS of the International Relations Committee for their leadership in crafting this legislation and moving it to the House floor for consideration and vote.

I also want to thank them for supporting my efforts to include a number of provisions in the base text of H.R. 2601 including the authorization of funding for South Pacific scholarships, a review of the marginalization of Pacific Island students in the awarding of Fulbright Scholarships, a requirement for the State Department to report on developments in West Papua—including a review of human rights violations committed by Indonesia's brutal military, Indonesia's Special Autonomy Law for West Papua and the 1969 Act of No Choice in which 1,025 Papuans were selected to vote on behalf of 800,000 West Papuans to join Indonesia in circumstances that were subject to both overt and covert forms of manipulation.

I also thank Congressman DONALD PAYNE for working with me to make sure authorization to fund the Charles B. Rangel International Affairs Program at Howard University was included in the base text of H.R. 2601 and, again, I thank the Chairman and Ranking Member for being fully supportive of our efforts.

I am also appreciative that Chairman HYDE and Mr. LANTOS agreed to include my request for authorization to fund an HIV/AIDS program at \$1 million per year for fiscal year 2006 and \$1 million for fiscal year 2007 which is intended to be directed toward India. As we agreed, language was included in the Committee report which states, "The Committee understands that India reports as many as 1,000 new AIDS cases per month, with some estimating that almost two-thirds of all HIV-positive Asians live in India. Many experts are particularly concerned that infections are moving from high-risk groups to the general population. The Committee believes that a significant program using these funds should be directed toward India and strongly encourages the establishment of a summer exchange program for postgraduate students from India to attend conferences and engage in research activities at leading universities in the United States."

I especially commend Mr. Sanjay Puri, who is a leading voice on India and India Americans, for his efforts and diligent work on this issue. I also thank him for the work he has done to promote peace in the Asia Pacific region. Included in the base text is language which requires the State Department to report to Congress on the extent to which the Government of Pakistan has restored a fully functional democracy in which free, fair, and transparent elections are held. The Committee remains concerned that Pakistan's democratization process is moving too slowly and needs to accelerate considerably. Restoring democracy in Pakistan is key to stabilizing the region and I thank the Committee for supporting this important initiative.

At this time, I also wish to more extensively highlight the plight of the West Papuans. First, I extend a warm welcome to the new Indonesian leader, President Yudhoyono, and I look forward to his fostering of democratic principles. I commend Australia for supporting the spread of democracy to Iraq and call upon the Australian Prime Minister, Mr. Howard, to seriously rethink the gravity of the situation and the immediate and continuing threats to the people of West Papua. I urge the Prime Minister to take the lead on engaging with the Indonesian government on this issue. I also appeal to all countries which have thrown off the yoke of colonization and all Pacific nations to rise in support of the West Papuan cause.

There are three areas of serious deficiencies in Indonesia's treatment of indigenous West Papuans which make an investigation absolutely crucial. One is the Indonesian government's series of hostile actions in taking over West Papua. The Indonesian government enacted a takeover of West Papua by military force of arms in 1963 clearly violating the terms of an agreement mediated by the United States and the Dutch in 1962 which gave sovereignty over West Papua to a United Nations Temporary Executive Authority. In 1969 the Indonesian government then orchestrated an election that many regarded as a brutal military operation. Known as the "Act of Free Choice," 1,022 Papuan elders were "selected" under heavy military surveillance and to no one's surprise, every elder voted in favor of Indonesian rule.

Two, the Special Autonomy Law passed by the Indonesian Parliament in 2001 supposedly enabled the people of West Papua to govern their own affairs. However, today key measures under the Law remain unimplemented or actively violated. West Papuans have not received their promised representative body, funds vital for meeting their basic human needs are either unallocated, or are allocated late, transmigration of Indonesian migrants continues to overwhelm culturally distinct indigenous West Papuans, and the division of West Papua into two provinces violates key governance provisions.

Finally, human rights abuses committed by the military over decades, including those related to environment degradation, continue. Under the repressive regimes of Presidents Sukrano and Schuarto, military brutality resulted in the merciless killing or disappearance of an estimated 100,000 West Papuans while unofficial counts are set at the extraordinary level of 300,000 to 400,000. The Indonesian military and Special Forces have, in the past three years alone, murdered 81 indigenous civilians; tortured, beaten and jailed 34 West Papuans; displaced 6393 from their homes; and brunt down 23 churches and 370 traditional houses. This violence threatens to escalate. The Indonesian central government is responding swiftly to a West Papuan announcement that decisively rejects the Special Autonomy arrangements. It is currently transferring over 15,000 troops to West Papua, a region which is already occupied by six Army Battalions, one Air Force Battalion and one Battalion of Mobile Brigade of Police, by far the heaviest military presence in all Indonesia.

These are human issues that transcend national borders. The investigation called for under this Bill will send a strong message that Congress will no longer ignore the human rights abuses, the increasing threat of military violence and the denial of a voice under which the people of West Papua have suffered for so many years. I thank the Committee for including this historic initiative in the Foreign Relations Act. For too long, the cries of West Papuans have fallen on deaf ears and I pray that with the concerted attention of the U.S. Congress, Australia, and the international community, justice and freedom will finally come to the people of West Papua.

Mr. HONDA. Mr. Chairman, I rise today in support of H.R. 2601, legislation to authorize appropriations for the Department of State for fiscal years 2006 and 2007. This bill appropriately recognizes the need for the U.S. investment in international democracy and rule

of law programs, and it devotes needed resources to raising the standard of living in the developing world.

As chair of the Congressional Ethiopia Caucus, I recently traveled to Ethiopia to learn first-hand the economic, social and political challenges that this developing nation faces. My visit to Ethiopia and my analysis of the country's recent democratic elections reinforce my belief that the State Department has an important and powerful role to play in fostering democratic reforms and respect for human rights. I, therefore, am pleased that H.R. 2601 increases funding for the State Department's Human Rights and Democracy Fund and the National Endowment for Democracy. These two proven programs deserve our support, and if funded at authorized levels, they will contribute to world peace. This foreign relations bill also authorizes funds for U.S. dues to international organizations and UN peacekeeping, including \$1.3 billion to bolster peacekeeping over the next two fiscal years.

While I support H.R. 2601, I want to make clear my belief that it does not go as far as it should. H. Con. Res. 172, a resolution authored by my colleague Congresswoman MCCOLLUM, provides a blueprint for U.S. foreign assistance to developing nations. This resolution calls on the President, the Secretary of State, and other executive branch officials to provide the necessary resources to reduce poverty by advancing the promotion of democracy. As the world's remaining super power, we can afford to allocate 1 percent of the Federal budget to developing nations, and we must do so. More funding must be appropriated to help alleviate the suffering of 1.3 billion people mired in extreme poverty and disease.

I am also disappointed by passage of the Hyde amendment, which will withhold U.S. dues unless the international body adopts a specified list of reforms. Based on the United Nations Reform Act, the Hyde Amendment also requires the U.S. to veto new or expanded peacekeeping missions if the reforms are not implemented. I do believe reforms are necessary, and base text of H.R. 2601 provides for the necessary reforms. The Hyde Amendment, however, requires unreasonable reforms and sets punitive action that is counterproductive. I join the Ranking Member LANTOS in opposing this amendment, and I will work in conference to eliminate its provisions from the conference report.

Mr. Chairman, the funding authorized under this bill is only one, small step in the global effort to end the hunger and malnutrition faced by over 800 million children around the world on a daily basis. As the world's wealthiest nation, we have a moral obligation to be the leading advocate for and contributor to developing nations. I urge my colleagues to pass this bill.

Mr. PAUL. Mr. Chairman, I rise in strong opposition to this foreign relations authorization bill. Something has gone terribly wrong with our foreign policy when we feel we must take almost 21 billion dollars out of the pockets of the American taxpayer and ship it overseas. Imagine what the Founders of this country would say if they were among us to see this blatant disregard for the Constitution and for the founding principles of this country. This bill proceeds from the view that with enough money we can buy friends and influence foreign governments. But as history shows us we

cannot. The trillions of dollars we have shipped over seas as aid, and to influence and manipulate political affairs in sovereign countries, has not made life better for American citizens. It has made them much poorer without much to show for it, however.

Now we have a Republican-controlled Congress and White House, and foreign spending soars. It was not that long ago when conservatives looked at such cavalier handling of U.S. tax dollars with consternation. Now it seems that they are in a race with the Left to see who can spend more.

What is wrong with this bill? Let me just mention a few of the most egregious items. In the name of promoting "religious liberty" and "fighting anti-Semitism" this bill will funnel millions of dollars to the corrupt Organization for Security and Cooperation in Europe (OSCE) and its Office of Democratic Institutions and Human Rights (ODIHR). This unaccountable international organization is at the forefront of the manipulation and meddling in the internal affairs of other sovereign states, and has repeatedly dishonored itself through politically-biased monitoring of foreign elections. The OSCE does not deserve a penny from the American taxpayer, but this bill will make sure that the lavishly paid bureaucrats that staff the organization will be able to maintain their standard of living—at our expense. With regard to religious liberty, privately funded voluntary organizations have been shown to be much more effective in promoting tolerance. This is mainly true because these are true grassroots organizations with a stake in their countries and communities, rather than unelected international bureaucrats imposing politically-correct edicts from above.

This bill spends a total of four and a half billion dollars on various United Nations activities, UN peacekeeping, and U.S. "dues" to various international organizations. Forcing the taxpayer to continue to underwrite these organizations, which do not operate in our best interests, is unconscionable.

This bill continues to fund organizations such as the National Endowment for Democracy, which as I have written before has very little to do with democracy. It is an organization that uses U.S. tax money to actually subvert democracy, by showering funding on favored political parties or movements overseas. It underwrites color-coded "people's revolutions" overseas that look more like pages out of Lenin's writings on stealing power than genuine indigenous democratic movements. The NED used American taxpayer dollars to attempt to guarantee that certain candidates overseas are winners and others are losers in the electoral processes overseas. What kind of message do we think this sends to foreign states? The National Endowment or Democracy should receive no funding at all, but this bill continues to funnel tens of millions of dollars to that unaccountable organization.

I am also very concerned about several of the amendments to this legislation. First, the extremely misleading UN "reform" act was slipped into this bill even though it was already passed on the Floor as a separate bill. As I have written about this terrible legislation, "it will give the United Nations unprecedented new authority to intervene in sovereign states."

Another amendment will create a chilling "Active Response Corps," to be made up of U.S. government bureaucrats and members of

“non-governmental organizations.” Its purpose will be to “stabilize” countries undergoing “democratic transition.” This means that as soon as the NED-funded “people’s revolutionaries” are able to seize power in the streets, U.S. funded teams will be deployed to make sure they retain power. All in the name of democracy, of course.

Mr. Chairman, this is a shameful day for the U.S. Congress. We are taking billions out of the pockets of Americans and sending the money overseas in violation of the Constitution. These are billions that will not be available for investment inside the United States: investment in infrastructure, roads, new businesses, education. These are billions that will not be available to American families, to take care of their children or senior relatives, or to give to their churches or favorite charities. We must not continue to spend money like there is no tomorrow. We are going broke, and bills like this are like a lead foot on the accelerator toward bankruptcy.

Mr. ROYCE. Mr. Chairman, I rise in support of H.R. 2601. The chairman, Ranking Member, and Committee members have worked well to give our State Department the tools necessary to carry out our Nations’ foreign policy in a very challenging world.

As Chairman of the Subcommittee on International Terrorism and Nonproliferation, I’d like to bring attention to two important provisions in this bill.

Importantly, this bill offers support to the Trans-Sahara Counter Terrorism Initiative, a comprehensive counter-terrorism program in north Africa. Its predecessor, the Pan-Sahel Initiative, has worked to boost the anti-terrorist capabilities of Mauritania, Mali, Niger and Chad—producing promising results with modest resources. The effort to expand the PSI into the TSCTI, so that countries across the Sahara are able to bolster their ability to deny terrorist sanctuaries, is a much-needed development. Transnational terrorists, linked to al-Qaeda, have been found operating in this vast, and largely ungoverned portion of the world. The United States must respond to Africa’s growing strategic importance. This program, when fully implemented, will be an important step in that direction.

Additionally, the bill updates the existing legislation requiring that the State Department annually report to Congress on Patterns of Global Terrorism. For the past 2 years, this key report has been mired in controversy. The 2003 edition erred in underreporting attacks. The 2004 report was issued minus its traditional annex statistically reporting on the number of terrorist attacks worldwide.

This legislation, which builds upon a hearing held by the Subcommittee on International Terrorism and Nonproliferation, seeks to address those controversies and improve Patterns by requiring a single authoritative report and updating the criteria to be used in cataloging terrorist attacks. For instance, in 2004—under the old criteria—a Russian airliner downed by Chechen terrorists was not recorded, as it was deemed to not involve citizens of more than one country. Yet, a second Russian airliner, which was taken out of the sky simultaneously by Chechen terrorists, was counted—as one passenger was a foreign national. With this legislation, such parsing should be eliminated—and terrorism will be counted as terrorism—so that we can get full grasp of the challenges facing us. The legisla-

tion also requires the Secretary of State to appear before Congress to present the annual Patterns of Global Terrorism report. The threat to the United States, our allies and interests from transnational terrorism will require every element of national power to combat it. Congress has a key role to play in this regard.

I urge my colleagues to support this legislation.

The Acting CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as modified, as amended.

The committee amendment in the nature of a substitute, as modified, as amended, was agreed to.

The Acting CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) having assumed the chair, Mr. GINGREY, Acting 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. 2601) to authorize appropriations for the Department of State for the fiscal years 2006 and 2007, and for other purposes, pursuant to House Resolution 365, he reported the bill back to the House with an amendment 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 to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was 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.

MOTION TO RECOMMIT OFFERED BY MR. MENENDEZ

Mr. MENENDEZ. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. MENENDEZ. In its present form, I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Menendez moves to recommit the bill H.R. 2601 to the Committee on International Relations with instructions to report the same back to the House forthwith with the following amendment:

Page 312, after line 8, insert the following new section:

SEC. 1110A. UNITED STATES COMMITMENT TO IRAQ.

(a) FINDINGS.—Congress finds the following:

(1) The men and women of the United States Armed Forces fighting in Iraq are serving with bravery, distinction, and high morale.

(2) The men and women of the United States Armed Forces fighting in Iraq need and deserve the full support of the American people.

(3) The men and women of the United States Armed Forces fighting in Iraq are part of a multinational coalition, and are serving side-by-side with Iraqi national forces who have been trained in part by coalition members.

(4) Coalition and Iraqi forces, Iraqi civilians, foreign diplomats, and individuals from around the world who have come to the aid of the Iraqi people are under attack from terrorists who deliberately attack children, worshippers, and law enforcement figures, attack civilians at random, sabotage essential services, and otherwise attempt to terrorize the Iraqi people.

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

(1) given the nature of the adversary that the United States and its coalition partners face in Iraq and the difficult conditions under which the United States Armed Forces, coalition forces, and Iraqi forces find themselves, President George W. Bush should advise Congress immediately of the benchmarks for success, to include adopting a constitution, holding free and fair elections, and establishing a plan for economic development, that the United States will employ in determining when Iraqi forces may assume responsibility for the security of Iraq so that United States Armed Forces may return home; and

(2) lack of a clearly articulated strategy for success in Iraq may cause miscalculations by factions in Iraq and undermine the morale of the United States Armed Forces, coalition forces, and Iraqi forces, and put their security at risk.

(c) POLICY.—It shall be the policy of the United States—

(1) to devise and implement an effective plan to bring stability to Iraq so that the responsibility for Iraq’s security may be transferred to the Iraqi people as soon as possible;

(2) to provide United States Armed Forces in Iraq, in a timely manner, with the equipment and other resources needed to do their jobs effectively and safely; and

(3) to assist members of the United States Armed Forces when they return home from Iraq to meet their health care and other needs in a manner that reflects the extraordinary sacrifices they have made for the Nation.

□ 1800

The SPEAKER pro tempore (Mr. SIMPSON). The gentleman from New Jersey is recognized for 5 minutes.

Mr. MENENDEZ. Mr. Speaker, let me be clear from the very beginning. Democrats are strong supporters of our Nation’s Armed Forces, of the men and women, the sons and daughters, who defend our freedom and protect our interests while in harm’s way. Therefore, as Members of Congress, it is our duty, our moral obligation and our responsibility to the American people and to those very troops to ensure that our country has a success strategy for Iraq so that we can eventually bring our troops home. However, I am not referring to a hard and fast timetable or date certain that our troops have to be withdrawn by.

But, unfortunately, the bill we have before us today, as amended, fails the American people because it does not clearly define the benchmarks for that success strategy. Unless we adopt this motion to recommit, we have no defined goals, no defined measurable standards, and no strategy for success in Iraq.

Without a clearly defined strategy for success in Iraq, this administration has no accountability to the Congress, our troops in Iraq, their families here at home, or the American people. Right now, this bill does not define what the American and Iraqi people should expect from our engagement in Iraq. If you do not know where you are going, how can you possibly know when you will get there?

This administration possesses the information, the means and the wherewithal to produce a defined plan for success in Iraq, and has failed to do so. They should come not only to Congress, but also to the American people and lay out their benchmarks so we know exactly what we need to do to achieve success in Iraq.

Up to this point, Congress has abdicated its responsibility on Iraq. The Republican leadership has provided the administration with a blank check when it comes to Iraq. And with over 1,760 American soldiers dead, more than 13,500 others wounded, many of them severely, and over \$200 billion appropriated, that simply cannot continue.

It is also important that the Iraqis understand our goals and what benchmarks we will use to determine the fulfillment of those goals. By establishing easily understandable benchmarks, which include creating a functioning Iraqi security force, the writing of a constitution, holding free and fair elections, we let the Iraqi people know that we are not occupiers. By establishing such standards, we show the Iraqi people that we have no plans to permanently remain in Iraq and, in doing so, possibly diminish support for the insurgency. Without these benchmarks, many will question what our purpose is in Iraq and how long we will be there.

Clearly, our current policy could hardly be called a success. Iraq has become not only ground zero for terrorism, but also the breeding and training ground for those that can and very well may seek to carry out future terrorist attacks throughout the world.

That is why we must have clearly defined benchmarks that are detailed and specific. These benchmarks must be in distinct areas such as security and troop levels and Iraqi governance and democracy, because right now we are unsure of how this administration would define success.

Republicans advocate for established standards and tests to measure success in education. They expect this of our children. Well, why should we not expect the same type of measurable standards from the administration when it comes to Iraq?

The administration refuses to define success. Tell us what it looks like, because there is no way in that form in which we will know when we have achieved it.

Are we talking about the quantity of Iraqi troops? Do we know the true number of Iraqi troops and security forces that will be needed to provide se-

curity for the entire nation of Iraq? Is it 160,000? Is it 300,000? Are we talking about the quality of Iraqi troops? Do we know how many battalions of Iraqi troops are currently able to fight without the direct support of American forces? It has been reported that only three Iraqi battalions are fully operational, meaning that over 100 battalions cannot handle the job of providing security for Iraq.

Does democracy simply mean holding elections, or does democracy mean holding free and fair elections based on a fully functioning constitution? We are not quibbling over details here. These critical questions go to the core issues that will determine success in Iraq.

I urge my colleagues to support the motion to recommit so that we can have a clear and well-defined strategy for success in Iraq. Without a plan for success, we are doomed to failure. The administration is keeping us in an open-ended engagement with no clear end in sight.

As we ask the sons and daughters of America to stand in harm's way, we must ensure that they are doing so no longer than it is necessary to ensure success. Vote for the motion to recommit.

Mr. HYDE. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Illinois is recognized for 5 minutes.

Mr. HYDE. Mr. Speaker, I might note parenthetically that in the motion to recommit, it says "to provide U.S. Armed Forces in Iraq in a timely manner with the equipment and other resources needed to do their job."

I also take note that the supplemental 2 months ago had 54 Democrats voting "no." That is what you use to pay for the war. So to demand resources and to refuse to pay for them is curious.

The motion to recommit proceeds from mistaken premises. The erroneous premise is the administration has not presented a strategy for victory and has not provided the military with the tools to do the job.

The fact is the administration has been crystal clear in presenting its plan for victory, and to those who keep saying there is not such a plan, I ask you to take pen and pencil out and write this down: one, defeat the enemy, working with the coalition and Iraqi forces; two, train the Iraqi security forces so they can take on the burden of protecting themselves; and, three, set the conditions for political and economic growth in Iraq.

If the other side has not heard of this plan, which has been articulated again and again, it is because they were not listening, or maybe they prefer having an issue to hearing what is being said.

Now, a date certain. The gentleman from New Jersey (Mr. MENENDEZ) said he was not looking for a precise date. But many on his side are.

I ask you to use your imagination and imagine it is June 4, 1940, and you

are in the House of Commons rather than Congress. Winston Churchill is talking, and he says this:

"Even though large tracts of Europe and many old and famous States have fallen into the grip of the Gestapo and all the odious apparatus of Nazi rule, we shall not flag or fail. We shall go on to the end, we shall fight in France, we shall fight on the seas and oceans, we shall fight with growing confidence and growing strength in the air, we shall defend our Island, whatever the cost may be, we shall fight on the beaches, we shall fight on the landing grounds, we shall fight in the fields and in the streets, we shall fight in the hills; we shall never surrender," until July 22, which is the cut-off date in the resolution.

Vote for this resolution.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. MENENDEZ. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage, if ordered, and on the motion to suspend the rules and agree to H. Res. 326, as amended.

The vote was taken by electronic device, and there were—ayes 203, noes 227, not voting 3, as follows:

[Roll No. 398]

AYES—203

Abercrombie	Cramer	Holt
Ackerman	Crowley	Honda
Allen	Cuellar	Hooley
Andrews	Davis (AL)	Hoyer
Baca	Davis (CA)	Inslie
Baird	Davis (FL)	Israel
Baldwin	Davis (IL)	Jackson (IL)
Barrow	Davis (TN)	Jackson-Lee
Bean	DeFazio	(TX)
Becerra	DeGette	Jefferson
Berkley	Delahunt	Johnson, E. B.
Berman	DeLauro	Jones (NC)
Berry	Dicks	Jones (OH)
Bishop (GA)	Dingell	Kanjorski
Bishop (NY)	Doggett	Kaptur
Blumenauer	Doyle	Kennedy (RI)
Boren	Edwards	Kildee
Boswell	Emanuel	Kilpatrick (MI)
Boucher	Engel	Kind
Boyd	Eshoo	Kucinich
Brady (PA)	Etheridge	Langevin
Brown (OH)	Evans	Lantos
Brown, Corrine	Farr	Larsen (WA)
Butterfield	Fattah	Larson (CT)
Capps	Filner	Lee
Capuano	Ford	Levin
Cardin	Frank (MA)	Lewis (GA)
Cardoza	Gonzalez	Lipinski
Carnahan	Gordon	Lofgren, Zoe
Carson	Green, Al	Lowe
Case	Green, Gene	Lynch
Chandler	Grijalva	Maloney
Clay	Gutierrez	Markey
Cleaver	Harman	Marshall
Clyburn	Hastings (FL)	Matheson
Conyers	Herseth	Matsui
Cooper	Higgins	McCarthy
Costa	Hinchey	McCollum (MN)
Costello	Holden	McDermott

McGovern Paul
 McIntyre Payne
 McKinney Pelosi
 McNulty Peterson (MN)
 Meehan Pomeroy
 Meek (FL) Price (NC)
 Meeks (NY) Rahall
 Melancon Rangel
 Menendez Reyes
 Michaud Ross
 Millender- Rothman
 McDonald Roybal-Allard
 Miller (NC) Ruppertsberger
 Miller, George Rush
 Mollohan Ryan (OH)
 Moore (KS) Sabo
 Moore (WI) Salazar
 Moran (VA) Sánchez, Linda
 Murtha T.
 Nadler Sanchez, Loretta
 Napolitano Sanders
 Neal (MA) Schakowsky
 Oberstar Schiff
 Obey Schwartz (PA)
 Olver Scott (GA)
 Ortiz Scott (VA)
 Owens Serrano
 Pallone Sherman
 Pascrell Skelton
 Pastor Slaughter

NOES—227

Aderholt Forbes
 Akin Fortenberry
 Alexander Fossella
 Bachus Foxx
 Baker Franks (AZ)
 Barrett (SC) Frelinghuysen
 Bartlett (MD) Gallegly
 Barton (TX) Garrett (NJ)
 Bass Gerlach
 Beauprez Gibbons
 Biggert Gilchrest
 Bilirakis Gillmor
 Bishop (UT) Gingrey
 Blackburn Gohmert
 Blunt Goode
 Boehlert Goodlatte
 Boehner Granger
 Bonilla Graves
 Bonner Green (WI)
 Bono Gutknecht
 Boozman Hall
 Boustany Harris
 Bradley (NH) Hart
 Brady (TX) Hastings (WA)
 Brown-Waite, Hayes
 Ginny Hayworth
 Burgess Hefley
 Burton (IN) Hensarling
 Buyer Herger
 Calvert Hobson
 Camp Hoekstra
 Cannon Hostettler
 Cantor Hulshof
 Capito Hunter
 Carter Hyde
 Castle Inglis (SC)
 Chabot Issa
 Chocola Istook
 Coble Jenkins
 Cole (OK) Jindal
 Conaway Johnson (CT)
 Cox Johnson (IL)
 Crenshaw Johnson, Sam
 Cubin Keller
 Culberson Kelly
 Cunningham Kennedy (MN)
 Davis (KY) King (IA)
 Davis, Jo Ann King (NY)
 Davis, Tom Kingston
 Deal (GA) Kirk
 DeLay Kline
 Dent Knollenberg
 Diaz-Balart, L. Kolbe
 Diaz-Balart, M. Kuhl (NY)
 Doolittle LaHood
 Drake Latham
 Dreier LaTourette
 Duncan Leach
 Ehlers Lewis (CA)
 Emerson Lewis (KY)
 English (PA) Linder
 Everett LoBiondo
 Feeney Lucas
 Ferguson Lungren, Daniel
 Fitzpatrick (PA) E.
 Flake Mack
 Foley Manzullo

Smith (WA) Sodrel
 Snyder Souder
 Solis Stearns
 Spratt Sullivan
 Stark Sweeney
 Strickland Tancredo
 Stupak Taylor (NC)
 Tanner Terry
 Tauscher Taylor (MS)
 Thompson (CA) Thompson (MS)
 Tierney
 Towns
 Udall (CO)
 Udall (NM)
 Van Hollen
 Velázquez
 Vislosky
 Wasserman
 Schultz
 Waters
 Watson
 Watt
 Waxman
 Weiner
 Wexler
 Woolsey
 Wu
 Wynn

NOT VOTING—3
 Brown (SC) Cummings Hinojosa

ANNOUNCEMENT BY THE SPEAKER PRO TEMORE
 The SPEAKER pro tempore (Mr. SIMPSON) (during the vote). Members are advised 2 minutes remain in this vote.

□ 1830

Mr. WALDEN of Oregon changed his vote from “aye” to “no.”
 So the motion to recommit was rejected.
 The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. LEACH. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 351, noes 78, not voting 4, as follows:

[Roll No. 399]

AYES—351

Aderholt Butterfield
 Akin Buyer
 Alexander Calvert
 Allen Camp
 Andrews Cannon
 Baca Cantor
 Bachus Capito
 Baird Capps
 Baker Cardin
 Barrett (SC) Cardoza
 Barrow Carnahan
 Barton (TX) Carson
 Bass Carter
 Bean Case
 Beauprez Castle
 Becerra Chabot
 Berkeley Chandler
 Berman Chocola
 Biggert Cleaver
 Bilirakis Clyburn
 Bishop (GA) Coble
 Bishop (NY) Cole (OK)
 Bishop (UT) Conaway
 Blackburn Cooper
 Blumenauer Costa
 Blunt Costello
 Boehlert Cox
 Boehner Cramer
 Bonilla Crenshaw
 Bonner Crowley
 Bono Cubin
 Boozman Cuellar
 Boren Culberson
 Boswell Cunningham
 Boucher Davis (AL)
 Boustany Davis (CA)
 Boyd Davis (FL)
 Bradley (NH) Davis (KY)
 Brady (PA) Davis (TN)
 Brady (TX) Davis, Jo Ann
 Brown (OH) Davis, Tom
 Brown, Corrine Deal (GA)
 Brown-Waite, DeGette
 Ginny DeLauro
 Burgess DeLay
 Burton (IN) Dent

Westmoreland Harman
 Whitfield Harris
 Wicker Hart
 Wilson (NM) Hastings (WA)
 Wilson (SC) Hayes
 Wolf Hayworth
 Young (AK) Hensarling
 Young (FL) Herger
 Herseht
 Higgins
 Hobson
 Hoekstra
 Holden
 Holt
 Hooley
 Hostettler
 Hoyer
 Hulshof
 Hunter
 Hyde
 Inglis (SC)
 Israel
 Issa
 Istook
 Jackson-Lee (TX)
 Jefferson
 Jenkins
 Jindal
 Johnson (CT)
 Johnson (IL)
 Johnson, E. B.
 Johnson, Sam
 Jones (OH)
 Kanjorski
 Kaptur
 Keller
 Kelly
 Kennedy (MN)
 Kennedy (RI)
 Kildee
 King (IA)
 King (NY)
 Kingston
 Kirk
 Kline
 Knollenberg
 Kolbe
 Kuhl (NY)
 LaHood
 Langevin
 Lantos
 Larsen (WA)
 Larson (CT)
 Latham
 LaTourette
 Leach
 Lewis (CA)
 Lewis (KY)
 Linder
 Lipinski
 LoBiondo
 Lowey
 Lucas
 Lungren, Daniel E.
 Lynch
 Mack
 Manzullo
 Marchant
 Marshall
 Matheson
 Matsui

NOES—78

Abercrombie Honda
 Ackerman Inslee
 Baldwin Jackson (IL)
 Bartlett (MD) Jones (NC)
 Berry Kilpatrick (MI)
 Capuano Kind
 Clay Kucinich
 Conyers Lee
 Davis (IL) Levin
 DeFazio Lewis (GA)
 Delahunt Lofgren, Zoe
 Doggett Maloney
 Duncan Markey
 Farr McCollum (MN)
 Filner McDermott
 Flake McGovern
 Frank (MA) McKinney
 Franks (AZ) McNulty
 Goode Meehan
 Grijalva Miller (FL)
 Gutierrez Miller, George
 Hastings (FL) Moran (VA)
 Hefley Nadler
 Hinchey Neal (MA)

Roybal-Allard
 Royce
 Ruppertsberger
 Rush
 Ryan (OH)
 Ryan (WI)
 Ryan (KS)
 Salazar
 Sánchez, Linda T.
 Sanchez, Loretta
 Saxton
 Schiff
 Schwartz (PA)
 Schwarz (MI)
 Scott (GA)
 Sessions
 Shadegg
 Shaw
 Shays
 Sherman
 Sherwood
 Shimkus
 Shuster
 Simmons
 Simpson
 Skelton
 Myrick
 Smith (NJ)
 Smith (TX)
 Smith (WA)
 Snyder
 Sodrel
 Souder
 Spratt
 Strickland
 Stupak
 Sullivan
 Sweeney
 Tanner
 Tauscher
 Taylor (NC)
 Terry
 Thomas
 Thompson (CA)
 Thompson (MS)
 Thornberry
 Tiahrt
 Tiberi
 Towns
 Turner
 Udall (CO)
 Udall (NM)
 Upton
 Van Hollen
 Walden (OR)
 Walsh
 Wamp
 Wasserman
 Schultz
 Rangel
 Weiner
 Weldon (FL)
 Weldon (PA)
 Weller
 Westmoreland
 Whitfield
 Wicker
 Wilson (NM)
 Wilson (SC)
 Wolf
 Wynn
 Young (AK)
 Young (FL)

Waters Watt Woolsey
Watson Wexler Wu

NOT VOTING—4

Brown (SC) Dicks
Cummings Hinojosa

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1837

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CALLING FOR FREE AND FAIR PARLIAMENTARY ELECTIONS IN THE REPUBLIC OF AZERBAIJAN

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and agreeing to the resolution, H. Res. 326, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, H. Res. 326, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 416, nays 1, not voting 16, as follows:

[Roll No. 400]

YEAS—416

Abercrombie Butterfield DeLauro
Aderholt Buyer DeLay
Akin Calvert Dent
Alexander Diaz-Balart, L.
Allen Cannon Diaz-Balart, M.
Andrews Cantor Dingell
Baca Capito Doggett
Bachus Capps Doolittle
Baird Capuano Doyle
Baker Cardin Drake
Baldwin Carдоза Dreier
Barrett (SC) Carnahan Duncan
Barrow Carson Edwards
Bartlett (MD) Carter Ehlers
Barton (TX) Case Emanuel
Bean Castle Emerson
Beauprez Chabot Engel
Becerra Chandler English (PA)
Berkley Chocola Eshoo
Berry Clay Etheridge
Biggart Cleaver Evans
Bilirakis Clyburn Everett
Bishop (GA) Cole (OK)
Bishop (NY) Conaway Fattah
Bishop (UT) Conyers Feeney
Blackburn Cooper Ferguson
Blumenauer Costa Piñer
Blunt Costello Fitzpatrick (PA)
Boehlert Cox Flake
Boehner Cramer Foley
Bonilla Crenshaw Forbes
Bonner Crowley Ford
Bono Cubin Fortenberry
Boren Cuellar Fossella
Boswell Culberson Foxx
Boucher Cunningham Frank (MA)
Boustany Davis (AL) Franks (AZ)
Boyd Davis (CA) Frelinghuysen
Bradley (NH) Davis (IL) Gallegly
Brady (PA) Davis (KY) Garrett (NJ)
Brady (TX) Davis (TN) Gerlach
Brown (OH) Davis, Jo Ann Gibbons
Brown, Corrine Davis, Tom Gilchrest
Brown-Waite, Deal (GA) Gillmor
Ginny DeFazio Gingrey
Burgess DeGette Gohmert
Burton (IN) Delahunt Gonzalez

Goode Goodlatte
Gordon Matsui
Graves Graves
Green (WI) McCaul (TX)
Green, Al McCollum (MN)
Green, Gene McCotter
Grijalva McCreary
Gutierrez McDermott
Hall McGovern
Harman McHenry
Harris McHugh
Hart McIntyre
Hastings (FL) McKeon
Hastings (WA) McKinney
Hayes McMorris
Hayworth McNulty
Hefley Meehan
Hensarling Meek (FL)
Herger Meeks (NY)
Herseth Melancon
Hinchev Menendez
Hobson Mica
Hoekstra Michaud
Holden Millender-
Holt McDonald
Honda Miller (FL)
Hookey Miller (MI)
Hostettler Miller (NC)
Hoyer Miller, Gary
Hulshof Miller, George
Hunter Mollohan
Hyde Moore (KS)
Inglis (SC) Moore (WI)
Inslee Moran (KS)
Israel Moran (VA)
Issa Murphy
Istook Murtha
Jackson (IL) Musgrave
Jackson-Lee Myrick
(TX) Nadler
Jefferson Napolitano
Jenkins Neal (MA)
Jindal Neugebauer
Johnson (CT) Ney
Johnson (IL) Northup
Johnson, E. B. Norwood
Johnson, Sam Nunes
Jones (NC) Nussle
Jones (OH) Oberstar
Kanjorski Obey
Kaptur Oliver
Keller Ortiz
Kelly Osborne
Kennedy (MN) Otter
Kennedy (RI) Owens
Kildee Oxley
Kilpatrick (MI) Pallone
Kind Pascrell
King (IA) Pastor
King (NY) Payne
Kingston Pearce
Kirk Pelosi
Kline Pence
Kolbe Peterson (MN)
Kucinich Peterson (PA)
Kuhl (NY) Petri
LaHood Pickering
Langevin Pitts
Lantos Platts
Larsen (WA) Poe
Larson (CT) Pomo
Latham Pomeroy
LaTourette Porter
Leach Price (GA)
Lee Price (NC)
Levin Pryce (OH)
Lewis (CA) Putnam
Lewis (GA) Radanovich
Lewis (KY) Rahall
Lipinski Ramstad
LoBiondo Rangel
Lofgren, Zoe Regula
Lowey Rehberg
Lucas Reichert
Lungren, Daniel Renzi
E. Reyes
Lynch Reynolds
Mack Rogers (AL)
Maloney Rogers (KY)
Manzullo Rogers (MI)
Marchant Rohrabacher
Markey Ros-Lehtinen
Ross

NAYS—1

Paul

NOT VOTING—16

Ackerman Cummings Knollenberg
Bass Davis (FL) Linder
Berman Dicks Sánchez, Linda
Boozman Granger T.
Brown (SC) Higgins Smith (WA)
Coble Hinojosa

□ 1845

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3003

Mr. WAXMAN. Mr. Speaker, I ask unanimous consent to have the name of the gentleman from Kansas (Mr. MORAN) removed as a cosponsor of H.R. 3003.

The SPEAKER pro tempore (Mr. SIMPSON). Is there objection to the request of the gentleman from California?

There was no objection.

DR-CAFTA WILL BENEFIT BUSINESSES AND WORKERS

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

Mr. SHAW. Mr. Speaker, this evening I rise in support of the United States-Dominican Republic-Central American Free Trade Agreement. This important agreement will benefit the businesses and workers not only in my district but also throughout the rest of Florida and, yes, indeed, the rest of this Nation.

The high tech companies located in and around my district will immediately benefit from the elimination of duties and other barriers to trade. In addition, DR-CAFTA will protect the copyrights and intellectual property of those companies, thereby helping to spur innovation.

The liberalization of services under DR-CAFTA will make it easier for telecommunication, transportation, and computer service companies located in my district to explore new business opportunities in Central America and Dominican Republic. Further, increased trade between Florida and DR-CAFTA countries will lead to increased business for shippers and carriers moving goods in and out of the Ports of Palm Beach, the Everglades and Ft. Lauderdale and, yes, Port of Miami.

If we vote to approve DR-CAFTA we ensure future American competitiveness in Central America, the Dominican Republic and the continued growth of our economy. This will benefit my constituents and all Americans. I urge my colleagues on both sides of the aisle to support this most important agreement.