CONGRESSIONAL RECORD—HOUSE

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Ohio (Mr. BROWN) and a Member opposed each will control 15 minutes.

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

Mr. BROWN of Ohio. Mr. Chairman, I yield ½ minutes to myself.

Mr. BROWN. Today, in developing countries, tuberculosis kills more than 2 million people a year, 1 person every 15 seconds. In India alone, 1,100 people die from tuberculosis every day.

Tuberculosis is the greatest infectious killer of adults worldwide. Forty percent of all HIV-positive people die due to tuberculosis-related complications.

These statistics are staggering not just because of the sheer number of people affected, but because most people think we have eradicated TB. I was a senior in high school when the tuberculosis sanatorium closed in my community.

Foreign travel has brought tuberculosis back to the U.S., often in its most lethal, drug-resistant form. We need to launch a smarter, better-funded effort to protect ourselves from tuberculosis. We have the means with medications and vaccines to stop TB. We need the means to adequately deploy these resources domestically and internationally to prevent the spread of tuberculosis.

Here in Congress, we have gone from zero to $60 million in 3 short years in terms of funding. Mr. Chairman, 4 years ago, the institution had no financial commitment to the battle against worldwide tuberculosis. Three years ago Congress gave $12 million to anti-tuberculosis efforts, 2 years $35 million; and last year, we reached a milestone when Congress appropriated $60 million to combat international tuberculosis.

Our commitment to international tuberculosis control has stimulated the involvement of other industrialized nations. Earlier this year, Canada made an important contribution to the World Health Organization’s new tuberculosis drug facility. This facility will help provide much-needed drugs to those developing nations implementing tuberculosis treatment programs.

The statistics on access to TB treatment worldwide are pretty grim. Fewer than one in five of those with tuberculosis are receiving directly observed treatment short course. Based on World Bank estimates, treatment is one of the most cost-effective interventions available costing just $20 to $100 to save a life, and producing cure rates of up to 95 percent even in the poorest country.

Mr. Chairman, we have a small window of opportunity during which stopping TB can be cost-effective. The failure to effectively treat tuberculosis, which comes from incorrect or interrupted treatment and inadequate drug supplies, creates stronger tuberculosis strains that are resistant to today’s drugs.

An epidemic of multi-drug resistant TB could cost billions to control with no guarantee of success. MDR tuberculosis has been identified everywhere.

It threatens to return tuberculosis control to the pre-antibiotic era in this country and abroad when no cure for tuberculosis was available.

In the U.S., treatment normally costing about $2,000 a patient soars to $250,000 with MDR tuberculosis, and oftentimes, half the time, at least, those infected with MDR TB do not survive.
To control tuberculosis more effectively, it is necessary to ensure the effectiveness of tuberculosis-control programs worldwide. That is why a commitment to a global strategy is necessary. WHO and U.S. tuberculosis experts have estimated that an additional $1 billion is needed annually to control tuberculosis.

This amendment, the Brown-Morella-Wilson-Andrews-Green amendment, will set the pace for other countries to continue the good work that this Congress has begun. The gentleman from Arizona (Mr. Kolbe) and others have been generous in their support of tuberculosis.

Mr. Chairman, we need to do more to save lives by supporting this amendment.

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

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

The CHAIRMAN. The gentleman from Arizona is recognized for 15 minutes.

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

Mr. Chairman, I just want to say I think the gentleman’s heart is definitely in the right place, and I appreciate what he is doing here. But let me say my opposition is based largely on the choice of the offsets here; cutting $10 million which is the entire appropriation for the World Bank’s Multilateral Investment Guarantee Agency, known as MIGA, and $10 million from the Asian Development Fund. I know it is not exactly popular on this floor to rise and talk about multilateral development banks and what they do, but I feel the need today to speak out for a moment about it.

I find the proposed transfer from the Asian Development Fund to increase funding levels for bilateral tuberculosis activities very strange and puzzling indeed. The Asian Development Fund is an organization that provides highly concessional financing for the poorest people in Asia. In 2002, Asian Development Fund activities will include child nutrition, immunization activities, education interventions and other basic needs. Also, the Asian Development Fund is a strong supporter of tuberculosis reduction projects and considers DOTS a highly effective program. This is actively supported throughout the Asian Development Bank’s health activities. Therefore, I think the amendment robs multilateral tuberculosis activities to pay for bilateral ones.

I want to point out to those that might support the gentleman’s amendment that a deduction in the U.S. contribution here will trigger a clause in the Asian Development Fund agreement that encourages other donors to default if the U.S. does not pay its agreed-upon contribution. So the overall impact of this on the poorest of the poor people of Asia is going to be exposure to tuberculosis. That is why I think the gentleman from Ohio realizes or I think thought of at the time he proposed this amendment.

Let me speak for a moment about the proposed reduction to the World Bank’s Multilateral Investment Guarantee Agency, or MIGA as it is known. As many of my colleagues realize, private investment flows to developing countries now drown out, they completely cut off all the official development assistance from the U.S. and the rest of the donor community. If we can help the poorest nations, who are often the very riskiest of the investments that we have, gain access to private capital, then they have a better opportunity to raise their own standard of living.

MIGA, through its provision of political risk insurance and coverage of foreign exchange risks, is one of the tools that facilitate private sector activity in the world, where it would otherwise not occur, in the poorest of nations with the least access to capital.

It is for these reasons, Mr. Chairman, that I urge my colleagues to oppose the Brown amendment and at the same time commend him for what he is attempting to do and for the cause that he works for.

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

Mr. BROWN of Ohio. Mr. Chairman, I yield 2½ minutes to the gentlewoman from New Mexico (Mrs. Wilson).

Mrs. WILSON. Mr. Chairman, I thank the gentleman from Ohio for yielding me this time and commend him for his leadership on this issue because I think it is very important to the public health future of this country and this region of the world.

When New Mexico became a State in 1912, the city of Albuquerque where I live had one-third of its population as active, active TB cases. A third of the population was sick with a disease which at that time had no cure. Anti-biotics changed that. But now major health institutions in this country have identified tuberculosis as one of the reemerging infectious diseases that pose a threat to U.S. health. It is not just regular tuberculosis, though. It is multidrug-resistant tuberculosis.

In Mexico, 6 percent of the tuberculosis cases are multidrug-resistant. That means that the regular antibiotics do not work and you have to have very expensive, high-end antibiotics to have any chance of curing the disease. We have had outbreaks in this country of multidrug-resistant tuberculosis. The only answer is the eradication of the disease. That will take a worldwide public health effort.

The good news is that it is cost effective to eradicate it when it is not cost effective to treat multidrug-resistant TB. The worldwide commitment will be about $1 billion a year. The U.S. contribution should grow towards about $200 million a year.

We have made tremendous progress since the late 1990s, going from really no commitment at all to a significant commitment. I want to commend the chairman for his efforts. We need a continued national commitment to the eradication of TB worldwide. That is why I stand in support of the gentleman’s amendment, to continue that focus and effort on eradication of this disease before it becomes too big for us to eradicate.

Mr. BROWN of Ohio. Mr. Chairman, I yield 2½ minutes to the gentlewoman from Maryland (Mrs. Morella).

Mrs. MORELLA. Mr. Chairman, I thank the gentleman for yielding me this time. I also want to thank him for his leadership in sponsorship of this amendment and I am pleased to add my name to it along with the gentlewoman from New Mexico (Mrs. Wilson), the gentleman from Texas (Mr. Green) and the gentleman from New Jersey (Mr. Andrews).

This amendment is going to provide $20 million in much-needed added resources for the fight against tuberculosis globally. We have all heard tuberculosis is one of the world’s deadliest diseases, killing over 2 million people worldwide each year. It is the leading cause of death among people with AIDS. Sub-Saharan Africa has the world’s highest TB incidence. In many sub-Saharan countries, the number of people with TB has quadrupled since 1990, mainly because of AIDS.

I want to point out a particular group of people that are disproportionately affected by this, and that is young girls and women. TB is the greatest killer of young women in the world. In fact, TB kills more women than all causes of maternal mortality and more women than AIDS. In the developing world, tuberculosis destroys girls’ and women’s futures. TB tends to attack its victims in their most productive years, often killing or sickening the primary breadwinner of a family. In order to pay for the medical costs and generate income, families frequently take their young girls out of school and put them to work. It also means the loss of educational opportunity for girls in poor families.

Besides the direct health effects, there is often a stigma that attaches to a woman with TB. This leads to increased isolation, abandonment and divorce. According to the World Health Organization, recent studies on India found that 100,000 women are rejected by their families because of TB every year. The litany goes on. I could cite a lot more as I have over many years.

I want to point out that the emergence of drug-resistant TB is a threat to all of us here in the United States. An outbreak of drug-resistant TB in
New York City in the 1990s cost almost a billion dollars to bring under control, and several hundred victims died. A full course of drugs costs as little as $10 per person in the developing world. The treatment method approved by the World Health Organization is 95 percent effective. Unfortunately, only one in four of those affected with TB have access to treatment, despite the fact that it is extremely cost effective and simple to administer. The global community must do more to adequately address this disease by investing in quality tuberculosis control programs, especially in countries with a high incidence of TB. The United States should lead the way with this seed money.

I urge my colleagues to join me in voting "yes" on this amendment. 

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

I would just very briefly in closing note, as the gentleman from Ohio said, we are moving in the right direction. In fact, I think we are moving very much in the right direction. Two years ago this program, the tuberculosis program, had $45 million allocated for it. This last year it was $60 million. This year it is $70 million. The supplemental appropriation bill that we have adds even more to it than that. In the regular appropriations, that is almost a fivefold increase in 2 years' time for this one single program.

Is it needed? Yes, it clearly is needed. We are certainly moving in the right direction. The gentleman's amendment, while I sympathize with it, I think is just wrong in where it takes the money from. I think to take it out of these particular programs that will mean no lending to the very poorest of the poor in that account, I think is wrong.

I would urge my colleagues for that reason to oppose this amendment. 

Mr. GREEN of Texas. Mr. Chairman, I rise today in support of the Brown-Morella-Green-Andrews amendment to increase funding to fight the international tuberculosis. Most Americans believe that the battle against tuberculosis is over. Treatment and prevention measures have resulted in a decline in tuberculosis cases in the United States. In fact, U.S. TB cases declined seven percent in 2000, reaching an all-time low.

Despite our success in the U.S., tuberculosis continues to be one of the most devastating infections killers in the world, accounting for more than 2 million deaths each year. The statistics are startling: More than one-third of the world's population is infected with tuberculosis; it is the leading killer of women, surpassing any cause of maternal mortality; it creates more orphaned children than any other infectious disease; tuberculosis is the leading cause of death among HIV-positive individuals, causing over 30 percent of AIDS deaths; and as the number of tuberculosis cases has increased, a multi-drug resistant strain has emerged that poses a major public health threat in the United States. With the increase in global travel and migration, we can no longer ignore the threat of tuberculosis in the United States. We must act now to prevent the spread of tuberculosis at home and abroad.

That is what this amendment does. By providing additional funding for tuberculosis control, we can bolster our worldwide prevention and control efforts.

The World Bank has determined that modern TB treatments are among the most cost-effective health interventions available today. Therefore, for every dollar we spend on TB prevention and control, we can save an estimated $3 to $10.

Mr. Chairman, this amendment makes a wise investment to address a very serious problem.

I urge my colleagues to support the Brown amendment, and I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. BROWN). The question was taken; and the Chairman announced that the noes prevailed.

Mr. BROWN of Ohio. Mr. Chairman, I move to strike the last word for the purpose of yielding to the gentleman from Oregon (Mr. BLUMENAUER) for a colloquy. Mr. BLUMENAUER. I thank the gentleman from Oregon (Mr. BLUMENAUER) for a colloquy.
emphases and to encourage AID to build on its past successes by increasing this program's funding levels.

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

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

Mr. KOLBE. Mr. Chairman, I would like to express my appreciation of the gentlewoman's comments, and I agree that the AID's Office of Environment and Urban Programs is a cost-effective investment.

In addition, I concur with his belief that a report of the nature he has described would be, I think, useful to us. I am happy to work with the gentleman from Oregon in extending the message to AID that we would like to see a greater investment in the Office of Program Funding, while at the same time maintaining or increasing the operating funds for the office.

Mr. BLUMENAUER. Mr. Chairman, if the gentlewoman will yield further, I appreciate the gentleman's words. I look forward to working with the gentleman and with the ranking member, the gentlewoman from New York (Ms. LOWEY). I include for the RECORD some additional information about this matter.

Congress plays a key role in the use of the development assistance budget in addressing issues of cities in the developing world. Cities around the world must accommodate 2.5 billion additional people in the next 25 years and 95 percent of these people will be in cities of the developing world.

In the large urban areas of developing countries, 30 percent do not have access to safe drinking water and 50 percent do not have adequate sanitation. A crisis is in the making and if left unattended, problems due to rapidly expanding cities will have serious repercussions for the operations as well as for us here at home in the U.S.

When cities work, the economic growth and potential for trade exists. When things go wrong in cities, it affects the entire nation. We need to support foreign assistance programs that help make cities in the developing world work. We need to help build the capacity to plan for and provide the basic services, promote economic growth, reduce environmental degradation, and improve health services—at the city level.

That is why in its Outlook 2015, the Central Intelligence Agency ranks rapid urbanization among its top seven security concerns. The CIA's report states, "The explosive growth of cities in the developing countries will test the capacity of governments to stimulate the investment required to generate jobs, and provide the services, infrastructure, and social supports necessary to sustain livable and stable environments. Cities will be sources of crime and instability as ethnic and religious differences exacerbate the competition for ever scarcer jobs and resources."

The U.S. Agency for International Development's Office of Environment and Urban Programs provides support for enabling cities to provide environmental services and infrastructure. This Office assists USAID missions and carries out regional activities worldwide through staff based in Regional Urban Development Offices overseas. This RUDO network strengthens and emphasizes the key role played by market towns and secondary cities. I urge support for it.

I also wish to insert the following document which was provided to me by the Coalition for Sustainable Cities. PADCO, Inc. (Planning and Development Collaborative International) in Washington, DC is the contact for this Coalition.

**URBAN PROGRAMS AT USAID**

Rapid urban growth is having a profound impact on sustainable development, and USAID can do more to address the urban challenge.

Very soon half of the world's population will be urban, and almost all the world's 2.5 billion increase in population over the next 25 years will take place in the cities of the developing world.

Poverty, malnutrition, and chronic disease are shifting their concentration from rural to urban areas. Slum conditions adversely affect natural resources, health, security, and economic progress.

Cities are also engines of economic growth in developing countries, and urban focused programs can increase efficiency in addressing the causes and symptoms of poverty.

**THE NEED FOR URBAN PROGRAMS: THE GROWING CONSENSUS**

There is a growing awareness that megacities, with populations of 10 to 20 million, in the developing world are becoming of great concern, as demonstrated by articles in the June 11th article in the Washington Post and in the April 2001 edition of the "Global Outlook" Journal.

**CONCERNS AT USAID**

USAID knows how to work with the private sector to address urban challenges and capitalize on urban opportunities, but reorganization in both its capital and its urban funding for urban programs and the number of USAID urban technical staff have been declining rapidly, and are not being replaced.

Although the new reorganization of USAID makes tremendous strides in several key areas, it does not mention the small, but critical international urban programs that focus on making urban areas work.

The Regional Urban Development Offices (RUDO) Network, which enables urban experts to function regionally and are so critical to international urban programs, are in danger of being eliminated, even though Mission directors overwhelmingly support the RUDO Network.

The valuable Housing Guaranty/Urban Environmental Credit program was terminated last year and may need to be created again. It represents the only opportunity to move capital resources into critical areas. Congress has traditionally viewed as necessary. Through private sector loans with a USAID/USG guaranty substantial amounts of resources have been leveraged into priority areas at minimal cost and risk.

**USAID CAN BE PART OF THE SOLUTION**

Urban Programs must play a part in the new thinking at USAID.

The agenda is to create more: public/private partnerships for urban service delivery; market-based financing for basic urban infrastructure including schools and primary health clinics; private credit and microfinance for housing and enterprise development; and community participation in planning and management down to the neighborhood level.

USAID Development Assistance, especially as related to Urban programs, has a significant afterlife. It is truly a beneficial investment for both here and abroad. The Regional Urban Development Offices network should be mandated.

Additional resources should be provided to USAID to enable it to address the growing urban challenge. The role of USAID and the RUDOs should be used as a catalyst to efforts by private organizations.

**AMENDMENT NO. 47 OFFERED BY MS. JACKSON-LEE OF TEXAS**

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 47 offered by Ms. JACKSON-LEE of Texas:

In title II of the bill in the item relating to "CHILD SURVIVAL AND HEALTH PROGRAMS FUND", after the first dollar amount, insert the following: "(increased by $100,000,000)".

In title II of the bill in the item relating to "CHILD SURVIVAL AND HEALTH PROGRAMS FUND", after the fourth dollar amount in the fourth proviso, insert the following: "(increased by $60,000,000)".

In title II of the bill in the item relating to "ANDERSEN COUNTERDRUG INITIATIVE", after the first dollar amount, insert the following: "(decreased by $100,000,000)".

The CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 10 minutes.

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

The CHAIRMAN. The gentleman from Arizona (Mr. KOLBE) will control the time in opposition.

The Chair recognizes the gentlewoman from Texas (Ms. JACKSON-LEE) for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I believe that the Members have engaged in this debate for an extensive amount of time. My amendment follows the McGovern, Hoeckstra, Pelosi, Morella, Jackson-Lee amendment, but it breaks the funding down differently. It provides $60 million additional funding for child and maternal health programs and $40 million additional funding for the USAID vaccine infectious disease program.

What I would like to do, Mr. Chairman, is simply read into the RECORD the emphasis and the issue dealing with maternal health, and hopefully we can find an opportunity to work through these issues as we move toward conference.

Let me cite for you a particular emphasis or citation as relates to the World Health Organization.
They have indicated that maternal health is the largest disparity between the developed and developing countries. While infant mortality and deaths to infants less than 1 year, for example, is almost seven times higher in the developing world than in the developed, maternal mortality is, on average, 18 times higher. Beyond the consequences for women, the health of their children is also put at risk. Children are more likely to die within 2 years of a maternal death. The chances of death are 10 times greater for the new born and three times greater for children 1 to 5.

We had a vigorous discussion on the floor of the House, with many Members citing developing nations. My funds, likewise, take dollars from the Andean Counterdrug Initiative. I only refer the chairman to the point that we would like to see these dollars to come out of military. I also refer the chairman to the point that we have seen the tragedy of a broken drug enforcement system with the loss of the missionary in the Peruvian drug war.

However, I am more interested in a solution, and I would like to address the ranking member on this issue and to express my interest, both I hope in the chairman, of making these additional funds available for this maternal health program in a way of working through this process and through conference.

I would like to yield to the gentlewoman from New York on this issue, if I might. I have discussed the basis of my amendment. I have indicated that we have discussed this fully in the previous amendment. I believe that the ultimate goal of all of us is to get more dollars to dying mothers and dying children around the world and more help for them as it relates to infectious diseases.

I would hope as we see this legislation going through, all of us must redouble our efforts to work with the chairman and work with the gentlewoman to look for opportunities to find funding for these very desperate needs.

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

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

Ms. LOWEY. Mr. Chairman, I thank my good friend from Texas for bringing these issues to our attention once again, and I know of the commitment of the gentleman from Arizona (Chairman KOLBE) and the gentleman from Florida (Chairman YOUNG) to these issues, and I can assure the gentlewoman that as we move through the process, we will continue to work together to provide as much resources as we can direct to this very important issue.

Again, I yield my colleague from Texas for her important detailed discussion of these priorities.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentlewoman for her commitment, and I thank the chairman of the full committee and the chairman of the subcommittee for the work that I know that they have done.

In order not to generate a negative vote on such an important issue and to make sure that language follows suit and we get some response on this issue of maternal health and child nutrition, I ask the gentleman to yield to the committee and withdraw the amendment that I have just proposed, looking forward to a solution as we move forward.

Mr. Chairman, I would like to offer an amendment to this bill that will permit the United States Agency for International Development to provide valuable support for global child and maternal health programs and to combat global infectious diseases.

This amendment will provide $60 million additional funding for Child and Maternal Health programs and $40 million additional funding for the USAID’s valuable infectious disease program. I am not asking for new funding, but merely funds from the Andean Counterdrug initiative. I introduce this amendment on the heels of the McGovern-Hoeckstra-Pelosi-Morella-Jackson amendment to emphasize the importance of funding these programs and to shift a bit more funding into Child Health and Maternal Health programs, because, as chair of the Congressional Children’s Caucus, I place a special emphasis on this program.

We know firsthand that the health and survival of a child is directly linked to the health of his or her mother. Infectious diseases continue to take a toll on the developing world.

Ten million children will die before their fifth birthday this year due to preventable diseases, such as diarrhea, pneumonia and measles. In addition, infectious diseases, such as tuberculosis, are taking the lives of millions of people living with HIV/AIDS. All of these deaths are preventable and by strengthening the basic health and nutrition services in developing countries, we can make a difference.

The bi-partisan non-profit Congressional Hunger Center grew out of this effort in 1993 and fights national and global hunger. It is important that we in Congress continue these efforts.

In September, we will mark the ten-year anniversary of the 1990 World Summit for Children. At that summit, the U.S. joined with over 70 other nations in committing to the reduction of child and maternal deaths. Substantial progress has been made since 1990, but many goals have not yet been met. We need to redouble our efforts to expand programs that can sharply reduce the millions of preventable deaths.

Despite the good work of many organizations and individuals worldwide, each year more than ten million children die before reaching their fifth birthday due to preventable infectious diseases, such as pneumonia, measles and diarrhea. This is equivalent to every child living in the eastern half of the United States. While diarrhea remains one of the leading causes of deaths in the developing world, at present one million childhood deaths are averted every year due to diarrhea prevention and appropriate treatment programs.

Clean water and sanitation prevent infectious, and oral rehydration therapy (a simple salt sugar mixture taken by mouth, which has been developed through U.S. research efforts overseas) has been proven to be among the most effective public health interventions ever developed.

Global immunization coverage has soared from less than 10 percent of the world’s children in the 1970s to almost 70 percent today. Annually, immunizations avert two million childhood deaths from measles, neonatal tetanus, and whooping cough. The success of these programs in the world’s poorest regions is even more striking when one considers that the vaccination rate in the United States only reached 78 percent in 1998.

Unfortunately, immunization rates are not improving everywhere. Coverage in sub-Saharan Africa has decreased. 30 percent of children still do not receive their routine vaccinations—30 million infants. Measles immunization rates have improved in the past ten years but there are still 50 million cases of measles every year.

If a child is not killed by measles, it may cause blindness, malnutrition, deafness or pneumonia. It is possible to save millions of children per year just by increasing immunization rates from 75 percent to 95 percent, and by assuring access of essential nutrients such as Vitamin A, which increases resistance to disease and infection. Vitamin A supplementation is protective and will protect a child from the most serious consequences of measles, such as blindness and death, and costs only four cents per year per child. Deficiencies of both iron and iodine are among the most harmful types of malnutrition with regard to cognition. Iodine deficiency disorder is the leading preventable cause of mental retardation in children and it renders children listless, inattentive and uninterested in learning.

We must reduce hunger and malnutrition, which contribute to over one-half of childhood deaths around the world. We can do so through these Child and Maternal Health programs. An estimated 150 million children are malnourished, which puts them at even greater risk for infections. Prevention from disease and malnutrition increases their ability to learn and thrive. The issue of hunger and nutrition was so important to my predecessor, Mickey Leland, that along with Congressmen TONY HALL and BEN GILMAN, he founded the House Select Committee on Hunger in 1983. The bi-partisan non-profit Congressional Hunger Center grew out of this effort in 1993 and fights national and global hunger. It is important that we in Congress continue these efforts.

According to the United Nations, approximately 838 million people are chronically undernourished in the world today. Approximately 300 million are children. UNICEF reports that 32 percent of the world’s children under five years of age, about 193 million, have stunted growth, which is the key indicator for undernutrition. While health and poor nutrition among school age children diminish their cognitive development either through physiological changes or by reducing their ability to participate in the learning experience, or both. The
extra demand on school age children to perform chores, for example, or walk long distances after school. Children are more energy that is much greater than that of younger children. Available data indicate high levels of protein energy malnutrition and short-term hunger among school age children, and deficiencies of critical nutrients are pervasive. Poor nutrition and health among school children contribute to the inefficiency of the educational system. Children with diminished cognitive abilities and sensory impairments perform less well and are more likely to repeated grades or drop out of school. The irregular school attendance of malnourished and unhealthy children is one of the key factors in poor performance. Even temporary hunger, common in children who are not being fed before going to school, can have an adverse effect on learning.

For those of you who worry that their home districts will not support such additional aid, I offer that polls consistently show that Americans support putting a high priority on addressing world hunger and poverty. In a recent survey by the Program on International Policy Attitudes at the University of Maryland, 87% polled support foreign food and medical assistance. Only 20% surveyed supports cuts in efforts to reduce hunger, 62% said that combating world hunger should be a very important goal for the United States. 76% positively rated giving child survival programs more money. Only about one fourth positively viewed giving military aid to countries friendly to the United States.

U.S. food aid alleviates poverty and promotes economic growth in recipient countries. As incomes in developing countries rise, consumption patterns change, and food and other imports of U.S. goods and services can increase. Hence, supporting child nutrition programs is an effort that we can and must all support.

This amendment will benefit families in many other important ways. Nearly 500,000 women die of pregnancy-related causes each year. Every minute, around the world, 380 women become pregnant, 110 women experience pregnancy-related complications, and one woman dies. Each year, an additional 15 million women suffer pregnancy-related health problems that can be permanently debilitating, and over 4 million newborns die from poorly managed pregnancies and deliveries.

Ninety-five percent of maternal deaths occur in the developing world. In some sub-Saharan African countries, the risk jumps still further: one in every 14 girls entering adolescence will die from maternal causes before completing her child-bearing years—compared to 1 in 1,800 girls in developing countries.

According to the World Health Organization, maternal health is the largest disparity between the developed and developing countries. While infant mortality (death to infants less than one year), for example, is almost 7 times higher in the developing world than in the developed, maternal mortality is on average 18 times higher. Beyond the consequences for women, the health of their children is also put at risk. Children are much more likely to die within two years of a maternal death. The chances of death are 10 times greater for the newborn and 3 times greater for children 1 to 5 years.

Reducing maternal deaths is an effective investment in healthy families—and therefore in sustainable development—around the world. These deaths can be diverted through services that include skilled attendants at birth with necessary equipment and supplies, community education on safe motherhood, improvement of rural and urban health care facilities. Most of these interventions are low-tech and low cost.

Maternal deaths affect women in their most productive years, and as a result the impact reverberates through their families, their communities, and the societies in which they live. The diminished potential productivity of the women who die is $7.5 billion annually and $8 billion for the newborns who do not survive.

Ninety-nine percent of maternal deaths can be prevented with improved pregnancy care, nutrition, immediate postnatal care as well as appropriate treatment for the complications of incontinence and HIV/AIDS. Project Childbirth, a program identified a package of health interventions that, for a cost of $1–3 per mother, can save the lives of countless women and will begin to do so immediately upon implementation.

U.S. funding for maternal health programs has remained level at $50 million for the past 3 years. While other global health and development programs have received increased attention, women continue to die needlessly of preventable causes.

Through this amendment, we also seek additional funding to prevent infectious diseases. Almost 2 million people die each year from tuberculosis (TB). It is estimated that one-third of the world’s population is infected with tuberculosis, although it lies dormant in most people. Deadlier and more resistant forms of TB have emerged and have spread to Europe and the U.S., re-introducing the possibility of TB becoming a global killer. Moreover, since HIV/AIDS reduces one’s resistance to infectious diseases, TB is easily transmitted to an infected individual. It is regarded as the most common HIV-related opportunistic infection in developing countries.

Many advances have been made to reduce the prevalence of these diseases by the USAID, in collaboration with other international agencies. For example, the World Health Organization’s Roll Back Malaria campaign had decreased the death rate from malaria by 97% in some countries. WHO has also started a “directly observed treatment strategy,” or DOTS, to fight tuberculosis. Under this strategy, patients are given second-line drugs when they become resistant to first-line drugs.

Similarly, tuberculosis (TB) has re-emerged on the world stage in deadlier and more resistant forms. With the appearance of multi-drug resistant TB, and its spread to Europe and the U.S., we face the possibility that this could again become a leading killer of the rich as well as the poor.

Infectious diseases account for 8% of all deaths in the richest 20 percent of the world and 56% in the poorest 20 percent. This poorest fifth of the world’s population is seven times more likely to die as a result of infectious diseases, accounting for 56% of deaths within this population segment. Children are particularly susceptible to infectious diseases, which tend to be exacerbated by malnutrition, an all-too common condition in developing countries.

While this amendment does not seek to cut any economic assistance for the Andean region, assistance for Peru or Bolivia, or funding for the Colombian National Police. It only seeks to cut some military aid to Colombia, aid that does not help the Colombian people, as well as these valuable health programs.

Mrs. Roemer. The human rights situation in Colombia has deteriorated since Congress approved last year’s aid package. The Colombian military continues to collaborate with right-wing paramilitaries that commit over 70% of human rights abuses, such as the paramilitary massacres of civilians that have nearly doubled in 2001 compared to last year.

The U.S. is engaged in a costly military endeavor with no clear exit strategy. The high level of military aid threatens to draw the U.S. further into Colombia’s civil war. The amendment to the Foreign Assistance Act of 1961, $1,098,000,000, to remain available until September 30, 2003, provided that none of the funds appropriated under this heading may be made available for any activity which is in contravention to the Convention on International Trade in Endangered Species of Flora and Fauna (CITES).

Provided further, That of the funds appropriated under this heading that are made available for assistance programs for displaced and orphaned children and victims of war, not to exceed $25,000, in addition to funds otherwise available for such purposes, may be used to monitor and provide oversight of such programs: Provided further, That $35,000,000 should be allocated for children’s basic education.

AMENDMENT NO. 31 OFFERED BY MR. ROEMER

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:
Amendment No. 33 offered by Mr. ROEMER:
Page 10, line 20, after the dollar amount, insert the following: ‘‘(increased by $12,000,000)’’.

Page 13, line 13, after the dollar amount, insert the following: ‘‘(reduced by $1,100,000)’’.

Page 37, line 20, after the dollar amount, insert the following: ‘‘(reduced by $3,900,000)’’.

Page 38, line 6, after the dollar amount, insert the following: ‘‘(reduced by $7,000,000)’’.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Indiana (Mr. ROEMER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana (Mr. ROEMER) for 5 minutes.

Mr. ROEMER. Mr. Chairman, I yield myself such time as I may consumne.

Mr. Chairman, in government we do some things extremely well, and occasionally we make some mistakes. In the Microenterprise Loans for the Poor Program, this is an exemplary program that is innovative, that works off a revolving credit program that regenerates money, and helps the poorest of the poor people help themselves out of poverty. It is directed primarily at growing small businesses in the smallest and poorest countries, and it helps primarily women and their children.

What more could you ask for than an effective aid program for the United States to run and assist other people in other countries around the world?

This program works so well, Mr. Chairman, that it helps people like Sarah Doe, from Liberia, who fled the Ivory Coast and lost her husband tragically in war. She has four children.

This Microenterprise Loans for the Poor Program loaned her $16. Now, to us, $16 people spend that at lunch; $16 is what she might see in a year. This helped her grow a small business selling donuts. She continued to grow it and get some more loans. She now has a savings account, a successful business, and she is putting her four children through school.

This is a great program. It is an innovative program. We are talking about new things to use in the Microenterprise Loans for the Poor Program like the poverty assessment tools, trying to make sure that we continue to target loans at the poorest children.

Twelve million dollars is what this amendment would increase the $355 million in this appropriations bill by; $12 million to literally help millions of people, women and small businesses and their children.

I think this $155 million in the bill, it is not a ceiling on what we can spend, so I am hopeful that the gentleman from Arizona (Mr. Kolbe), who has been an advocate and proponent of this program, and certainly the gentlewoman from New York (Ms. LOWEY), who champions this program left and right, can hopefully fight for more money, more innovation, and more revolving loans that help the poorest of the poorest around the world.

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

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

The CHAIRMAN. The gentleman from Arizona is recognized for 5 minutes.

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

Mr. Chairman, I am not really in opposition to what the gentleman is certainly attempting to do. Let me just say that the gentleman has very eloquently laid out the case I think for microlending programs. I have had an opportunity, as I know the gentleman has, to see a number of these programs very recently, and before that found some very inspiring stories in Uganda when I was there a few years ago of some of our micro-credit programs we have in that country.

I think one of the arguments that is frequently lost in our debate about economic growth is that important economic growth is to addressing some of the health issues that we have been talking about here at great length today.

A country cannot have a health system, infrastructure, hospitals, nurses, midwives, or clean water if it does not have economic growth. Micro-credit is a jump-start. It is what we can use to get economic growth going. I think it is a very, very important part of our assistance program; and I am very, very much in support of that program.

I also think it is worth noting when we talk about health that micro-credit can be very important in communities that have been ravaged by HIV and AIDS, in those communities frequently the only thing that is available, not large investments, not large amounts of capital, the only thing available for those people to survive and sustain themselves are small projects, craft projects very often, and those can only be done with this kind of micro-credit.

So I think the gentleman from Indiana is absolutely correct. I think that what the gentleman is attempting to do here is the right thing to do. I have continued to urge and will continue to urge USAID to put as much emphasis as possible on this program, because I am very supportive of it.

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

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

Mr. Chairman, I want to congratulate my colleague for again speaking out so forcefully for microenterprise. We have been working on this issue a very long time, and I applaud the gentleman’s efforts in this area.

We know that microenterprise is not charity; it is an outstanding investment. It helps the poorest of the poor break the cycle of poverty and achieve self-sufficiency. With barely more money than any of us would spend on a new outfit or a weekend away, a woman receiving a microenterprise loan can literally change the course of her life. The loan may enable her to open a small restaurant, start a small business, buy some chickens, sell their eggs, make bread to sell to her neighbors.

The small amount of income and the small amount of savings that this loan makes possible will pay for a small uniform for her daughter, who may not have otherwise gone to school. It will pay for doctor visits for her family, for nourishing food to keep everyone healthy and active.

This small amount of money, which is paid back in full and on time more than 95 percent of the time, often less than $300 and many times less than $100, will give an entire family new hope for the future.

Mr. Chairman, microenterprise works. We should increase our investment in these important programs. I want to applaud my colleague again for his focus on microenterprise, and I want to assure the gentleman that I intend to work with our Chair, who is a very, very active supporter of microenterprise as well, that we will do all we can to get additional funds in this program.

Mr. Chairman, I am very pleased to yield to the gentlewoman from California (Ms. PELOSI), the ranking member of the Permanent Select Committee on Intelligence, who has worked with us on this very critical issue.

Ms. PELOSI. Mr. Chairman, I thank the ranking member for yielding me time, and I commend her and our distinguished chairman and the maker of this motion, the gentleman from Indiana (Mr. ROEMER), for their interest in this micro-lending.

The gentlewoman from New York (Mrs. LOWEY) and I have visited these micro-lending sites throughout the world. We visited in India, Guatemala, and just all over; and we have seen how these small businesses have changed not only the families, but the communities. So it is money well spent. It is a remarkable thing what a difference a few hundred dollars can make.

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Again, it is all part of the integrity of the bill when we talk about debt forgiveness, alleviation of poverty, raising the standard of living, raising the literacy rates, improving the health of children, child survival; it is all of one piece, because the economic opportunity that is there has a tremendous impact on families and the empowerment of women.

So I commend the gentleman from Indiana (Mr. ROEMER) for his leadership on this. It is a very, very important issue. I cannot think of another place.
where a small amount of money goes such a very long way.

Mrs. LOWEY. Mr. Chairman, reclaiming my time again, I want to thank the gentleman from Indiana for his leadership. I look forward to working with him on this very important issue, and I look forward to working with the chairman.

Mr. BOEMER. Mr. Chairman, I yield myself the remaining time to conclude by thanking the eloquent Members of the House of Representatives, the gentlewoman from California (Ms. PELOSI), the ranking member on the Committee on Intelligence, who has, in her previous job on the Subcommittee on Foreign Operations fought so hard and so successfully for these programs; the gentlewoman from New York (Mrs. LOWEY), who is a real champion of these programs, visiting them across the world; and the gentleman from Arizona (Mr. KOLBE), who is so articulate and champions this program, and I hope will continue to work with Senator LEAHY to see that more funds are included for this good effort and goodwill in conference.

I do not think if I pushed this to a vote, Mr. Chairman, and won unanimously that I could get the kind of eloquence and support from such important people making decisions in conference as I have from this colloquy. So with that, I would like to work with the chairman on some report language on poverty assessment tools.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

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

There was no objection.

The CHAIRMAN. The Clerk will read The following:

INTERNATIONAL DISASTER ASSISTANCE
For necessary expenses for international disaster relief, rehabilitation, and reconstruction assistance pursuant to section 491 of the Foreign Assistance Act of 1961, as amended, $200,000,000, to remain available until expended.

AMENDMENT NO. 32 OFFERED BY MS. PELOSI

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 32 offered by Ms. PELOSI:
Page 11, after line 12, insert the following:

The CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from California (Ms. PELOSI) has a point of order which I am now recognizing. I turn to the gentleman who is offering the amendment.

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

This amendment will provide $250 million in emergency funding for Hurricane Mitch. The United States has been a leader and a major contributor to international humanitarian disasters for years, and our assistance has been extensive in the past few weeks after Hurricane Mitch in Honduras and southern Africa, so there is precedent for doing this funding under the emergency funding in this bill. Two years ago, the committee provided approximately $625 million in emergency funding for Hurricane Mitch. The earthquakes in El Salvador this year in January and February, caused more damage in El Salvador than Hurricane Mitch did in the entire area of Central America. This is a terrible, terrible disaster.

During Hurricane Mitch, the United States provided approximately 40 percent of the overall international contribution. This amendment for $250 million would increase the overall U.S. contribution to about 40 percent of the overall international contribution.

USAID called the El Salvador earthquakes the worst disasters in the region in over 50 years. Estimated costs of rebuilding El Salvador ranged between $1.6 and $2.8 billion.

It is important to note that in terms of the disaster and the tragedy there, in terms of housing, 200,000 homes were destroyed by the earthquake, leaving about a half a million people homeless. Roads, bridges, health care and water facilities were either damaged or destroyed and hundreds of people died. On March 7, 2001, the gentleman from Massachusetts (Mr. MOAKLEY) led a bipartisan group of 75 Members of Congress in sending a letter to President Bush asking for a significant emergency package for El Salvador. On March 21, 2001, the House passed H. Con. Res. 41 by a vote of 405 to 1 supporting substantially increasing reconstruction and relief assistance for El Salvador in connection with the earthquakes.

For many years, Mr. Chairman, the United States took a leading role in the affairs of El Salvador, and it is only right that we remain involved today. This tragedy has left thousands of children, women, and men at risk, and the entire country’s future is in serious jeopardy. A compassionate and generous response from the United States is essential to those lives and to the region’s stability.

Mr. Chairman, I urge my colleagues to support this amendment for $250 million in emergency spending and generous relief in El Salvador.

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

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

Mr. Chairman, I will be very brief on this, as I reserve the point of order.

I would just say that the gentlewoman’s amendment again, like many others here, I think, is right from the heart; and there is no question that the one in good faith what has happened in El Salvador has been tremendous. I have been down there since the earthquake just a month after the second earthquake occurred down there. The devastation is tremendous. I was down there just a few days after Hurricane Mitch in Honduras and Nicaragua.

The gentlewoman is absolutely right; in the areas where this is concentrated, the damage is even worse and the number of deaths that occurred is greater than we experienced in Hurricane Mitch. So the devastation to this one tiny country of El Salvador, which was working so hard and making so much progress to get back on its feet economically, has been tremendous. However, let me just say that we believe that we have in our account for disaster assistance, we have sufficient funds to pay for what is going to be needed to help in the immediate future to help to do three things: one, the clearing after the disaster; and now, the housing, the temporary housing and converting that into more permanent housing; and then the beginnings of the rebuilding of the infrastructure. The amounts that we have available in our account for that this year, in my opinion, are sufficient. Since the gentlewoman is removing so much money from a particular account, I would have real objections to doing that. But again, I want to say to the gentlewoman that I certainly accept the position that she is trying to do and I believe that the problem down there is a very major one, and I hope that these words that she has said and that I am saying are being listened to by our people in the State Department and USAID, and that we are going to move as quickly as possible to give all assistance that we can to El Salvador.

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

Ms. PELOSI. Mr. Chairman, I yield myself the remainder of my time.

I would just like to respond to the distinguished chairman. I know that he is concerned about the people of El Salvador, and I accept as a compliment his
statement that my amendment comes from the heart, and maybe it does, but it indeed also comes from the head. A true disaster is there, and we can express all the compassion in the world that we want, but it is no substitute for real funding to meet the needs of the people of El Salvador.

My concern about what the distinguished chairman has said is that the funds that will be used under his plan are coming from other disaster assistance. It is coming out of funding for the Sudan, Afghanistan, the Congo, and even taking money from the child survival and development assistance account. I do not think the poorest children in the world should have to pay for the compassion of the American people to meet the needs of the El Salvadorans at this time of tragedy.

Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Massachusetts (Mr. OLVER), who has helped fight this fight in full committee, who has visited El Salvador and speaks with authority on the subject.

Mr. OLVER. Mr. Chairman, I thank the gentlewoman for yielding me this time.

Mr. Chairman, on January 13 of this year, a 7.6 Richter magnitude earthquake hit El Salvador. It was followed 1 month later on February 13 by a quake that measured 6.6 on the Richter scale. The combined devastation included 2,200 killed and more than $2 billion in damage. Approximately 175,000 homes lie anywhere between severe damage and utter rubble, leaving 15 percent of the population of the country without habitable homes; homeless.

Now, the gentlewoman's amendment will add $250 million in disaster relief to the promised $100 million in the bill. This is really a very modest sum. The $100 million in the bill is a small sum; even with the $250 million added, it would be a modest sum, particularly when we consider America's recent involvement in El Salvador.

During the 1980s, there was an 11-year period when more than 75,000 people lost their lives in El Salvador's civil war and at least 20 percent of the population went into exile. Nearly three-quarters of a million of those exiles are in the United States, many of them children, and others very close to citizenship. So we have a large Salvadoran population in the United States. The U.S. Congress helped to fuel this devastation by $1 billion over those years in military aid, mostly to the military government in El Salvador, which helped to lead to the devastation.

In addition, there was a good deal of other aid. Total U.S. aid was nearly $300 million per year other than the military assistance; $300 million per year for 11 years in that Nation. So indeed, the $100 million for this disaster is a very modest sum, and even with the $250 million added, it is still a modest sum. I had the opportunity to visit El Salvador with the distinguished chairman of the subcommittee, and there is some doubt making the argument on this, because I know how hard he works, and I know he views this as a serious matter. But we had an opportunity to see villages and towns that had the worst of the destruction near the epicenter, the capital city, the large capital city was not much affected. We saw communities of 10,000 and 20,000 where virtually every home was so severely damaged that it was not habitable. We visited a large town where the hospital was so severely damaged that the operating room was out in the front yard in the patio under a tent.

So there is no question about the need. The increased U.S. funding is needed to get that aid reaches the places of greatest need. The best disaster relief work is being done by local municipalities in combination with churches and grass-roots groups and NGOs. Our disaster aid agency, USAID, can help to address this by delivering assistance through the nongovernmental channels and using the aid process to support decentralization and the development of municipal governments.

Mr. Chairman, the disaster has ravaged our neighbor, El Salvador. It is critically important that we help the people of El Salvador rebuild their lives. The money promised in this bill is a step in the right direction, but the amendment that has been offered by the gentlewoman from California is needed. I urge my colleagues to support this amendment.

Mr. KOLBE. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Virginia (Mr. TOM DAVIS), who has worked so hard to better the lives of the Salvadoran people.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I rise to support the Pelosi amendment to provide some more emergency disaster assistance to El Salvador, but I want to take a moment to thank the gentleman from Arizona (Chairman KOLBE) for putting $100 million in the current legislation before us to send down there.

Two devastating and deadly earthquakes rocked the central American Nation of El Salvador on January 13 and again on February 13. The first quake measured 7.6 on the Richter scale and had a depth of 9.6 miles, and occurred off the El Salvadoran coastline 5.6 miles southwest of San Miguel.

The second quake measured 6.6 on the Richter scale, had a depth of about 20 miles, and occurred 48 miles east of the capital city. Puerto Barrios in Guatemala and Honduras also felt this quake. I visited El Salvador and personally saw the destruction these quakes left in El Salvador.

Recently, I visited this proud country and had the opportunity to see firsthand the devastation and effect these quakes have had. I met with many Salvadorans who shared with me their personal tragedies which resulted from the earthquakes. Crops have been ruined, homes destroyed, and families left destitute. I also met with the President of El Salvador, who shared his concerns about the fate of El Salvador and its people. This tragedy has directly affected hundreds of thousands of children, women, and men throughout the country. These devastating earthquakes were responsible for over 1,100 deaths and more than 8,500 injuries. In addition, the quakes damaged or destroyed over 330,000 homes. In total, over 1.5 million Salvadorans have been affected by these national catastrophes.

The humanitarian needs of our neighbors in El Salvador are substantial. El Salvadorans need clean water, health care, homes, schools, crop assistance, and paved roads. The people are surrounded by poverty, particularly in the rural areas, which affects 63 percent of El Salvador's rural population.

The damage assessments continue to rise. The United States Agency for International Development reports that the cost of rebuilding after the two earthquakes will be more than $2.8 billion.

Adding to the devastation are the aftershocks that continue to occur in El Salvador. The United States Geological Survey reports that hundreds of landslides have occurred, making the roads impassible in some places around lakes, while debris flowing around such lakes have altered drainage patterns, which can cause sediments to form during the rainy season.

In addition, many roads and bridges have been washed out or blocked by landslides and mudslides. Tens of thousands of people still lack adequate drinking water and must depend on clean water transported by trucks. Currently, UNICEF is organizing the distribution of water and working closely with the Pan American Health Organization and the World Health Organization.

Mr. Chairman, I believe the Pelosi amendment is critical to provide much-needed funding for emergency international disaster assistance to El Salvador. The U.S. has been a leader and major contributor to relief of humanitarian disasters.

For example, last year Congress provided $335 million in emergency funding for Mozambique and southern Africa. Two years ago, Congress provided $21 million in emergency funding for Hurricane Mitch. USAID has rated the El Salvador earthquakes as the worst disasters in the region in over 50 years, dwarving
damage done by Hurricane Mitch to all of Central America.

At this time, estimated costs of rebuilding El Salvador are substantial. Humanitarian needs are staggering. Efforts thus far to reprogram funds will not adequately address the needs of Salvadorans at this critical time.

I believe this emergency funding is a necessary first step to address the needs of the rural poor and the areas hit hardest by the earthquakes. The $250 million in the Pelosi amendment would help to restore community infrastructure in housing, schools, health facilities, potable water systems, and municipal facilities.

After years of brutal civil war and unrest, El Salvador has emerged as one of the most stable nations in Central America. Not only has El Salvador developed its own economy, but also it has instituted many significant democratic reforms.

I am deeply concerned that the damage and human suffering caused by these earthquakes threaten the future stability and the economic success of this great country. I cannot stand by and allow this tragedy to result in sociopolitical backsliding.

I thank the gentlewoman from California (Ms. PELOSI) for raising this issue, and encourage the Congress to reexamine the possibility of providing much-needed additional emergency assistance to the people of El Salvador.

Ms. PELOSI. Mr. Chairman, I am pleased to yield 4 minutes to the distinguished gentleman from Virginia (Mr. MORAN), who has been in this fight for a long time for this funding for disaster assistance to the people of El Salvador. On any number of occasions in the full committee under the supplemental and on this bill he has been a champion.

Mr. MORAN of Virginia. Mr. Chairman, I thank my friend, the very distinguished gentlewoman from California, for yielding time to me. She has introduced an amendment that we should support.

Mr. Chairman, our neighbor needs our help desperately. What is our excuse for not helping our neighbor? We have a $10 trillion economy, we have more surplus than we have ever had, we just gave ourselves a $2 trillion tax cut, and our neighbor needs our help desperately. They had an earthquake that they could not have done anything about.

Imagine, 1.6 million, one out of four people in El Salvador has been affected. In fact, about 10,000 were killed or seriously injured. Our neighbor needs our help.

Three hundred thirty-five thousand homes were destroyed, and El Salvador tells us that they do not possibly have the money to build even 30,000. So 90 percent of the people lost their homes and are not going to be able to rebuild a home. They are families. They all have kids. They are living in tents. Our neighbor needs our help.

We have done much capacity as we do today to help. We have no excuse not to help. When we think of the health care, the sanitation needs, the housing, they need it all.

We provided $6 billion during the 1980s in military aid, do we have priorities? Tens of thousands of Salvadorans are in this country because of the terror of the “death squads” that we contributed to. Where are our priorities? We need $100 million in this bill to help our neighbor. They need $2.1 billion, according to the United Nations development program; and we pledge $110 million, 5 percent.

Where is the other 95 percent going to come from? They have no other neighbors as close nor as capable as we are of helping. So we are going to turn our backs on our neighbors? That is what we are doing with 5 percent? It is an insult.

Mr. Chairman, this is defining of who we are as a nation. I know the gentleman’s heart is in the right place. Certainly his words were in the right place in the supplemental. This should have been in the emergency supplemental. We were told when we tried to get the money that there was going to be more money in the regular bill, but it is not here. The money is available; but the priorities are not in the right place.

This is wrong, not to do more for our neighbor. One out of four people were affected, killed, injured, homeless. They are desperate. We need to go to their assistance. We need to define what kind of a country, what kind of a nation are we. Salvadorans are in this country because they believed we were capable of doing more than we are doing now for their home country.

This should be a national priority. We should support the Pelosi amendment.

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

Mr. Chairman, I will be very brief. I just wanted to respond to the gentleman from Virginia, who I have great admiration for and who I have traveled with on many occasions, including to Latin America, not because of the very distinguished gentleman from California.

It is not a correct statement, though, to say that we have no money in our legislation. We have $100 million, and it is earmarked. It is a legal earmark. We have it set aside specifically for El Salvador.

One can argue and make a case that that is not sufficient. We tried to balance the various priorities that we have. I know Members have heard that before. But I do not want that to go unchallenged here. I do not want Members to go away thinking that we have not provided anything for El Salvador.

We have, indeed. We do have $100 million. He also made the statement that the money is there for the rest of it. I do not know where he is referring to, but I do not know if all of our allocation is used, if we want to put more money in, if we do not do it as an emergency, we cannot. If we do it as an emergency, it is there, from the American taxpayers, by borrowing or reducing the surplus. But it has to come from somewhere. It comes from the American taxpayers.

If we are talking about taking it out of our current bill, our current allocation, I would just note that it is entirely used, so we do have to take it from somewhere else. I would say that, as we have heard here earlier, whatever the issue is, there are a lot of competing interests here.

I just want to make it clear to my colleagues who might be listening to this debate in New Jersey (Mr. MENENDEZ), the Vice-Chair of the Democratic Caucus and a champion on this issue.

Mr. MENENDEZ. Mr. Chairman, let me first thank the gentlewoman, not only for yielding time to me but for her amendment and for her work in this regard. She has helped bring us to the forefront on this issue. I appreciate her work, working with me as the ranking Democrat on the Subcommittee on the Western Hemisphere.

Earlier this year, the Central American nation of El Salvador was devastated by two earthquakes. The U.S. Agency for International Development estimates that close to 1.2 million people died and over 65,000 were injured. There were 165,000 homes that were destroyed or damaged. Nearly 1.6 million Salvadorans have been affected, almost one in every four of the country’s population; and the estimated costs of rebuilding El Salvador ranges between $1.6 and 2.8 billion.

The January and February earthquakes caused more damage in El Salvador than Hurricane Mitch did throughout the whole of Central America. In fact, USAID called the El Salvador earthquakes the worst disaster in the region in over 50 years, dwarving the damage done by Hurricane Mitch.

Yet, in the aftermath of Hurricane Mitch, the United States provided approximately $621 million in emergency funding and close to $1 billion when DOD costs were included. That is about 40 percent of the overall relief contribution. In response to this calamity, we introduced, along with 26 of my colleagues, the recovery bill to authorize emergency appropriations of about $350 million in international disaster assistance for El Salvador. The House and Senate responded by passing resolutions in support of increased funding for El Salvador.
On March 7 of this year, our beloved late colleague, the gentleman from Massachusetts, Mr. Moakley, led a bipartisan group of 75 Members of Congress in sending a letter to President Bush asking for a significant emergency aid package for El Salvador.

On March 21, the House passed House Concurrent Resolution 41 by a vote of 405 to 1 supporting “substantially increasing reconstruction and relief assistance for El Salvador in connection with the earthquakes.”

But the House Subcommittee on Foreign Operations, Export Financing and Related Programs has included a parl—try $100 million from existing programs for El Salvador in this bill. That is certainly better than the $58 million requested by the administration, and I appreciate the chairman doing that, but it remains woefully inadequate and certainly does not substantially increase, as the resolution calls for, the funding. In fact, it provides just about 5 to 6 percent of what the country actually needs.

The Salvadoran people have set an example for the entire world with their impressive transition from authoritarian rule and horrific civil war, in which 75,000 Salvadorans died, to democracy and peace. Our nations are closer than ever. The U.S. is El Salvador’s largest trading partner and is an important ally on many fronts, including drug trafficking.

We invested billions of dollars in Central America during the 1980s in terms of promoting peace and democracy, but we did it through a military context. Now, since those peace accords were signed in 1992, El Salvador has developed a thriving economy and instituted significant democratic reforms, making it one of the most stable nations in the region.

How could we let that investment go to rot? Why? Because what is happening in that country, with such enormous displacement, is to put at risk the very stability, the very democratic institutions, the very underpinnings of democracy that we spent billions in Central America trying to create.

That is not in the national interest of the United States; and it is not in the national security interests of the United States when we allow the consequences of what is happening in El Salvador in immigration, in a variety of health consequences, in a variety of subjects that we are concerned about, as our neighbors to the south have those problems, affect us as well.

It is in the national interest of the United States to support the Pelosi amendment. I do hope that the other side will allow it to be made in order so this House can have a vote on this most important issue.

Ms. Pelosi. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from California (Mr. BECERRA), and thank him for his leadership in this fight, as well.

Mr. BECERRA. Mr. Chairman, let me thank the gentlewoman for yielding time to me but, more importantly, for her longstanding, abiding concern and help in areas of Latin America, and for understanding the issues so well. I would also like to make sure I recognize the chairman of this subcommittee from the Committee on Appropriations, and the long-standing work in the area as well.

Mr. Chairman, this is not just help, but it is an investment. This is a chance to help Salvadorans get on their feet and back to work. It is a chance to help them rebuild their homes and businesses in El Salvador and not have them think about going to other places to have those opportunities to feed the family and have an opportunity to grow.

Let us help them in their home country.

Remember, El Salvador is a nascent democracy. It is a fragile democracy that 15, 20 years ago did not exist. Rather than forget it and let it go back to the old days when they did not have a chance to let people make decisions for that country, let us help them get back on their feet.

Salvadorans are doing their best to get back on their feet, and Americans of Salvadoran descent are doing their fair share. More than $1.7 billion on an annual basis goes from Americans of Salvadoran descent to family members still in El Salvador to try to help them in their home country of El Salvador. We should be there to help as well.

We can do more; we should do more. This assistance is not a handout; it is an investment with a partner to say to someone we will help you roll up your sleeves and with your own hands rebuild your country. It is the right thing to do.

I join my colleague and friend, the gentleman from Virginia (Mr. Tom Davis), in supporting this request. I know we have limited dollars, but I believe that the good work of the gentleman from Arizona, who has been so demonstrative in his efforts to try to help so many people around the world, and with the good efforts of the gentlewoman from California we can get this thing done and show the people of El Salvador we are ready to help them, not with a handout but to let them, with their own hands, rebuild their country with the good assistance of a partner like the United States of America.

Ms. Pelosi. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. FARR), a member of the Committee on Appropriations, and thank him for his leadership on this issue.

Mr. FARR of California. Mr. Chairman, I thank the gentlewoman for yielding me this time. I want to also thank the chairman of the committee for inviting me to go to El Salvador right after the earthquake. As a former Peace Corps volunteer from South America, I was able to bring some insight into it.

What I learned is more than what I took, and that is that Congress needs to step up to the plate and do more. And not only Congress needs to do more. The churches that have done a wonderful job need to do more; the people-to-people programs need to do more; and the adaptive city programs that have been so effective in El Salvador need to do more. We all need to do more because we cannot afford not to make El Salvador’s modernization work. It is a country that has gone through all the struggles we have watched.

Real need, nation building is going to work, peacekeeping is going to work, microloan programs are going to work, trade policy is going to work, if indeed the credibility of the United States is going to work, then we have to step up to that plate and continue to be there in this incredible disaster.

I was able to visit after Hurricane Mitch in Honduras and in Venezuela. El Salvador even needs more help than those countries.

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

I want to thank the chairman for allowing us to have the debate, because he could have insisted on his point of order at a much earlier time. I am grateful for that so that our colleagues and those who follow Congress can know about this important issue.

I do regret, however, that at the end of the day we are not going to have a respectable package of assistance to El Salvador. When the supplemental bill came before our committee, which would have been the vehicle for all of this emergency spending, the representation that was made to us was that we will revisit this in our bill for the fiscal year 2002, and that we did less in the supplemental than we would have liked to have done.

Well, we have come down this road from supplemental to subcommittee to full committee to the floor, and what we have is a nice contribution but not a real sign of seriousness of how we take the disaster in El Salvador. I am very sad because the $100 million that the gentleman from Arizona (Mr. Kolbe) has in the package comes from other disaster assistance, from the child survival account, from economic support funds. Why do those important programs, why do the poorest children in the world have to pay for U.S. assistance to El Salvador?

I visited El Salvador in the 1980s. I saw the military assistance, $6 billion worth, going down there because it was said it was in our national interest. Well, if El Salvador is an area of concern to the United States to the tune
of $6 billion in the middle 1980s, why can we not be generous to the tune of $250 million to do our share in helping the people of El Salvador in this time of need?

Again, I wish the chairman would not insist on his point of order, and I thank my colleagues for this very serious debate.

Mr. KOLBE. Mr. Chairman, I yield myself the balance of my time, before I make a point of order, and say to the gentlewoman that I appreciate her comments and again would say that I am very sympathetic.
The Salvadoran people are wonderful people. I have known many of them in my own community and had one of them who came as a refugee from Salvador as an intern working for me and is today one of my very close friends. They are wonderful people, and they deserve all the help we can give them; and I hope we will be able to give them support and even more support than perhaps is in this bill.

But I would note that we do have the $100 million, and while $25 million may come from current assistance accounts, the rest is money that would be added.

So I do think that we are making a good start in helping El Salvador.

POINT OF ORDER

Mr. KOLBE. Mr. Chairman, I yield back the balance of my time, and I make a point of order against the amendment.

I would make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and, therefore, violates clause 2 of rule XXI. The rule states in pertinent part: “An amendment to a general appropriation bill shall not be in order if changing existing law.”

The amendment includes an emergency designation under section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985 and, as such, constitutes legislation in violation of clause 2 of rule XXI.

I ask for a ruling from the Chair.
The CHAIRMAN. Does any Member wish to be heard on the point of order?

If no Member wishes to be heard on the point of order, the Chair is prepared to rule.
The Chair finds this amendment includes an emergency designation under section 251(b)(2)(a) of the Balanced Budget and Emergency Deficit Control Act of 1985. The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained and the amendment is not in order.

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

Mr. Chairman, I rise for some additional points on the Pelosi amendment. The recent earthquakes in El Salvador devastated the country, destroying 175,000 homes, leaving over 1 million people homeless, leveling schools, community buildings, and demolishing key components of the country’s infrastructure. Although we did include $100 million before, our chairman has stated, in this bill, the low level of assistance, especially to a country where we invested billions of dollars to end conflict and achieve stability, is simply tragic.

What we have found is that the United States was able to react to the devastation quickly. Our relief supplies reached those who needed them most in a timely manner and earthquake victims appreciate our help. It is time, my colleagues, to make a larger commitment to helping the people of El Salvador recover from this natural disaster. We should not be satisfied with shifting funds around to piece together an assistance package. We must, in my judgment, make a serious investment in building infrastructure, constructing permanent housing, reconstructing schools and clinics and creating jobs.

The United States needs to show leadership in helping El Salvador. The international community will follow our lead. Our lack of generosity in this instance has affected and will continue to affect the willingness of the international community to devote funds to relief and construction efforts.

The United States has had a strong national security interest in achieving stability in El Salvador and has demonstrated this interest in past years with serious investment. It would be unconscionable, in my judgment, to turn our backs on El Salvador at this critical point when the future of the country is hanging by a thread.

If we invest in the short- and long-term health of El Salvador now, we will avoid costly problems later on. If we continue to withhold a serious commitment of resources, there is no telling what the price will be in terms of instability and unrest later on. And that is why I strongly support the Pelosi amendment.

Mr. KOLBE. Mr. Chairman, I ask unanimous consent that the reminder of the bill through page 20, line 7 be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.
The text of the bill from page 11, line 13, through page 20, line 7, is as follows: TRANSITION INITIATIVES

For necessary expenses for international disaster rehabilitation and reconstruction assistance pursuant to section 91 of the Foreign Assistance Act of 1961, $40,000,000, to remain available until expended, to support transition to democracy and to long-term development of countries in crisis: Provided, That such support may include assistance to develop, strengthen, or preserve democratic institutions and processes, revitalize basic infrastructure, and foster the peaceful resolution of conflict: Provided further, That the United States Agency for International Development shall submit to the Committees on Appropriations at least 5 days prior to beginning a new program of assistance.

DEVELOPMENT CREDIT AUTHORITY
INCLUDING TRANSFER OF FUNDS

For the cost of loan guarantees, up to $12,500,000, as authorized by sections 108 and 635 of the Foreign Assistance Act of 1961: Provided, That such funds shall be derived by transfer from funds appropriated by this Act to carry out part I of the Foreign Assistance Act of 1961, and under the heading “Assistance for Eastern European States”:

Provided further, That such funds shall be made available only for micro and small enterprise programs and other programs which further the purposes of part I of the Act: Provided further, That during fiscal year 2002, commitments to guarantee loans shall not exceed $177,500,000: Provided further, That such costs shall be a credit in section 502 of the Congressional Budget Act of 1974: Provided further, That the provisions of section 107(a) of the Act shall not apply to the organizational costs which further the purposes of part I of the Act: Provided further, That the provisions of section 107(a) of the Act shall be interpreted as relating to the Development Appropriations Act: Provided further, That funds appropriated under this heading shall remain available until September 30, 2003.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For payment to the “Foreign Service Retirement and Disability Fund”, as authorized by the Foreign Service Act of 1960, $40,880,000.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

For necessary expenses to carry out the provisions of section 617, $489,000,000, to remain available until expended, to finance the construction (including architect and engineering services), purchase, or long term lease of offices for use by the United States Agency for International Development, unless the Administrator has identified such proposed construction (including architect and engineering services), purchase, or long term lease of offices in a report submitted to the Committees on Appropriations at least 15 days prior to the obligation of these funds for such purposes: Provided further, That none of the funds appropriated under this heading may be made available to finance the construction (including architect and engineering services), purchase, or long term lease of offices in a report submitted to the Committees on Appropriations at least 15 days prior to the obligations of these funds for such purposes: Provided further, That the previous proviso shall not apply where the total cost of construction (including architect and engineering services), purchase, or long term lease of offices does not exceed $1,000,000.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT OFFICE OF INSPECTOR GENERAL

For necessary expenses to carry out the provisions of section 601(d) of the Foreign Assistance Act of 1961, to remain available until September 30, 2003, which sum shall be available for the Office of the Inspector General of the United States Agency for International Development.

OTHER BILATERAL ECONOMIC ASSISTANCE ECONOMIC SUPPORT FUND

For necessary expenses to carry out the provisions of chapter 4 of part II,
and the Baltic States: Provided, That funds appropriated under this heading, not less than $720,000,000 shall be available for assistance for Kosovo, from funds appropriated under this heading for assistance for Kosovo as of March 31, 2002: Provided further, That the provisions of such chap-
ters shall apply to funds appropriated under this paragraph: Provided further, That of the funds made available for assistance for Kosovo as of March 31, 2002: Provided further, That of
the funds appropriated under this heading, not less than $1,500,000,000 should be available only to meet the health and other assistance needs of victims of trafficking in persons.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

amendment No. 50 offered by MS. KAPTUR

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

The CHAIRMAN. The Clerk will des-
ignate the amendment.

The text of the amendment is as fol-

ows:

Amendment No. 50 offered by Ms. KAPTUR

Page 20, beginning on line 8, strike ‘‘not to exceed $125,000,000 may’’ and insert ‘‘not less than $125,000,000 should’’.

The CHAIRMAN. Pursuant to the
order of the House of today, the gentle-
woman from Ohio (Ms. KAPTUR) and a
Member opposed each will control 10
minutes.

Mr. KOLBE. Mr. Chairman, I rise to
claim the time in opposition and to re-
serve a point of order against the

amendment.

The CHAIRMAN. A point of order is
reserved on the amendment, and the
gentleman from Arizona (Mr. KOLBE)
will control the time in opposition.

The Chair recognizes the gentle-
woman from Ohio (Ms. KAPTUR) for 10
minutes.

Ms. KAPTUR. Mr. Chairman, I yield
myself such time as I may consume, and
I rise and wish to present to the
committee an amendment that con-
cerns Ukraine.

The real issue for us here in the
House today is whether the United
States should begin walking away from
the most strategic country in Central
Europe: Ukraine. My amendment says
stay the course with the democratic
forces for reform. It says do not single
out Ukraine as the only nation in the
world that will receive a one-third cut
from last year’s allocation. My amend-
ment will allow the committee and will
allow this Congress more flexibility as
we move towards floor passage and
conference in order to restore the funds
that rightfully should go to democracy
building in that new republic.

Let me just say that proposing to re-
duce assistance for Ukraine comes at

the absolutely wrong time. The third
set of parliamentary elections are about to occur. During the last week of August, Ukraine will celebrate its 10th year of independence. This is the chance to take advised action by this Congress is going to give the forces that are against reform a greater share of authority inside that country. I do not really think that the gentleman, the chairman of the committee, and other Members that proposed this initially really want that to happen.

Put it in the context of our own country. It took us 11 years from the time of the Declaration of Independence to adopt our own Constitution, 89 years to end slavery at the end of the Civil War, 141 years to give women the right to vote, and 188 years for the adoption of the civil rights acts of our country. Now, I am not suggesting Ukraine should take that long. All I am saying is that after 10 years certain Members may be expecting too much.

Let me also say that other nations, like Russia, are making very favorable overtures to Ukraine, particularly with the recent appointment of former Russian Prime Minister Viktor Chernomyrdin as the new Russian Ambassador to Ukraine. America should be no less interested in Ukraine. Further, the House bill does not even meet the administration’s request of $170 million for Ukraine, and President Bush and Secretary Powell have both stressed the importance of this strategic partnership.

Even the wife of the slain journalist Heorhi Gongadze wrote a letter to all of us in which she says, “Do not do this. It would be a terrible mistake to adopt the House committee version.’’ She says, “The demands and inactions of the Ukrainian executive power when appropriate, demand open and honest investigations, seek the truth about my husband’s murder, and cut off funding or restrict it, if you deem it necessary.” Let me say to the gentleman thatplease do not put us into the company of the free nations of the world.

Do I think everything is rosy in Ukraine? I would be the first to say no. Much more remains to be done on nuclear safety.

I wish to insert in the RECORD two letters. One from our U.S. Department of Energy and one from the Ukrainian Ambassador to the United States talking about the serious nuclear safety issues that remain and need to be addressed in Ukraine.

We need full investigations into the suspicious deaths of independent journalists. We need an independent and free press and media and allow them to develop and help them to develop in the country. This is essential for Ukraine to create a judicial system and rule of law that yields justice. We need to ensure human rights and free speech to help advance that country toward a more open free market economy with reliable and transparent credit institutions, and we need to help them complete land title reform and agricultural transition to a privatized system of production.

The report that accompanies the bill is also inadequate. I am going to also insert into the RECORD tonight more complete language that should be in the report that urges Ukraine toward these types of reforms.

But let me remind our colleagues, Ukraine development, accomplishments over the last decade. It has, at our request, completely dismantled its nuclear weapons. It has worked to become and wishes to be part of the full union of European and western states. The country has not sold turbines to Iran giving up an economic sale in excess of over $100 million.

The current President of the Ukraine personally invited Pope John Paul II for an historic visit with Ukraine. I might say to the chairman of the full subcommittee, with all due respect, last week you spoke eloquently of not isolating China and you voted on behalf of opening China up. I can tell you China arrests Catholic bishops. She would not invite the Pope into that country. In fact, she ordains phony bishops. So I would say do not treat Ukraine in a manner any worse than you would treat China.

If you look at Ukraine, she has a growing middle class. This has grown at over 6 percent this last year. Industrial production is up by a fifth. Land privatization is occurring. Small businesses are up by 40 percent. Small bank accounts have started. In fact, and this is really important for our colleagues to understand, almost all of the U.S. assistance to Ukraine does not go to the government. In fact, it goes to help the development of the very organizations that are working for all the good causes I have just talked about: small business development programs, support for independent media, municipal development, nuclear clean up; all these very, very worthy causes.

So in offering this amendment today it was my hope to put some of this on the RECORD. It is my hope that as this bill moves toward full passage and over to the Senate that we might get some perfecting language that would not single out Ukraine for this type of harsh treatment by the people of the United States.

In fact, our hope is that this discussion today and the chairman’s willingness to allow us to talk about this in giving us some time on the floor will help to give us a meeting of minds so that we can, in fact, perfect the House language and help Ukraine move herself into the company of the free nations of the world.

DEPARTMENT OF ENERGY,
NATIONAL NUCLEAR SECURITY ADMINISTRATION,

Ambassador William B. Taylor, Jr., Coordinator of U.S. Assistance to the NIS, U.S. Department of State, Washington, DC

DEAR AMBASSADOR TAYLOR: We understand that the House Committee on Appropriations report on foreign operations limits Ukraine assistance in 2002 to $125 million, based partly on the completion of major nuclear safety projects. The International Nuclear Safety Program has completed the safety parameter display system project, the simulator project, and the Chernobyl Replacement Heat Plant project. However, additional nuclear safety work is needed in Ukraine.

Projects that are not yet complete include: simulator and operator training; completion of in-depth safety assessments; physical security upgrades; nondestructive examination improvements; operational safety improvements; emergency cooling reliability upgrades; plant computer upgrades; and nuclear fuel qualification.

I recently returned from a visit to Ukraine for commissioning of the Chernobyl replacement heat plant and for reviewing StateAID supported projects at the Khmelnytskyy nuclear power plant. I saw impressive progress due to StateAID assistance at both locations. The Ukraine safety program is at a pivotal stage. On the one hand, clear improvements to safety and operations are evident and documented. However, an enduring safety culture has not taken hold and important projects remain to be completed which Ukraine is currently unable to provide for itself. Until that safety culture is firmly established, cutbacks may endanger the progress made to date, e.g., they may drive Ukraine to seek help from Russia in some areas.

We plan to complete nuclear safety improvements at reactors in the countries of the former Soviet Union by 2006. A reduction in funding would prevent current projects from being completed, and reduce the sustainability of the already completed projects. We hope you will support this important work at the same level as last year. We look forward to continuing to work with you.

Sincerely,

Embassy of Ukraine,

Re Foreign Operations Appropriations Bill—Assistance for Ukraine.

Hon. Jim Kolbe,
Chairman, Subcommittee on Foreign Operations Appropriations, House of Representatives, Washington, DC

DEAR MR. KOLBE: This letter is written to express my alarm about the level of funds provided for assistance to Ukraine in the December Appropriations Bill. I am the widow of Georgiy Gongadze, the Ukrainian journalist whose brutal, unsolved murder has received so much international attention

HON. MARCY KAPTUR, 
The House of Representatives, 
Washington, DC.

DEAR CONGRESSWOMAN KAPTUR, I wish to address you on a matter of urgency for the country and people I represent as Ambassador here in Washington.

I was informed that a few days ago the Appropriations Subcommittee on Foreign Operations approved a draft Foreign Operations Bill that contained a cap of $125 million of technical assistance to be made available for Ukraine next fiscal year, thus reducing by $44 million the amount requested for my country by the US Administration.

The draft Committee’s Report advances three reasons for this reduction: “the completion of a long term projects in nuclear safety, the continuing setback to needed reform, and the unresolved deaths of prominent dissidents and journalists in Ukraine”.

I believe that both Subcommittee’s recommendation and substantiation would be quite different if all the relevant facts were taken into consideration.

Of particular concern to all Ukrainians would be the message that “projects in nuclear safety have been completed”. Ukraine just a few months ago marked that 15th anniversary of the Chernobyl meltdown and mourned. The long term consequences of that tragedy are still having tremendous negative impact on everyday life of millions in Ukraine—diverting close to 10% of the GDP for programs to alleviate the damage and its horrific calamity. The message that the United States considers its involvement in upgrading nuclear safety of the existing reactors “completed” would only exacerbate deeply felt sense of so many Ukrainians that we have been abandoned by the international community to deal with the problem of a global magnitude.

As to “continuing setbacks to needed reform”, it is clear that we could have done better in the past. On the other hand, the country has demonstrated spectacular sustained economic growth over the last 18 months while being fully dependent on imports of gas and oil and getting no assistance from the international financial institutions. It is rather difficult to imagine how this could have been achieved without reforms finally starting to produce the positive effects on the economy.

As for the last reasoning of the Subcommittee recommendation, let me unequivocally describe the disappearance of journalist Heorhiy Gongadze in Ukraine not only as a terrible human tragedy but also as a case that needs to be fully investigated in a manner that would leave no doubt as to its circumstances and culprits. We value assistance provided by the FBI to the Ukrainian law enforcement agencies in the investigation and hope that this cooperation will help resolve the case in the near future.

This August Ukraine marks 10th Anniversary of our independence. After hundreds of years of oppression, unimaginable sufferings and millions of deaths the Ukrainian people will be celebrating our first decade of freedom. This will be the time for festivities but also for deep reflections on our past, present and future. This will also be the time when Ukrainians will remember the crucial role of the United States in helping us achieve this long sought and hard earned freedom. When Ukraine was under Soviet dominance the United States helped to strengthen a bond between the Ukrainian and American peoples by adopting each year resolutions demanding freedom for captive nations. Ten years after this freedom had become a reality this bond could and should be reinforced by continuous assistance provided by the Congress directly to the Ukrainian people.

I rely on your deep knowledge and understanding of the crushing problems a newly independent state has to overcome and your vision of Ukraine’s future as a democratic and prosperous member of Western community of nations, that you have shared with me, in helping to provide next fiscal year adequate funds for effective and meaningful technical assistance to the People of Ukraine.

Sincerely,

KOSTYANTYN GRYSHCHENKO,
Ambassador.
providing for assistance to Ukraine, as has been pointed out, $125 million, is not insignificant. However, it does represent a precipitous reduction from last year, the 2001 level of $189 million.

I share the concerns about some of the recent developments in the Ukraine which are raised in the report language, including the unresolved deaths of Ukrainian journalists. In fact, I was the first Member to express concerns about murdered journalist Georgiy Gongadze following his disappearance last September.

In May, the Helsinki Commission, which I co-chair, held a hearing devoted exclusively to the situation in Ukraine. Clearly the downturn trends and negative developments in Ukraine were enumerated, and the leadership of Ukraine's democratic movement were willing to demonstrate in word, and as the chairman pointed out, in deed as well, greater respect for human rights and the rule of law.

Mr. Chairman, 2 weeks ago I co-chaired the U.S. delegation to the OSCE Parliamentary Assembly in Paris. One of the most moving and most powerful moments of that entire meeting was Mrs. Gongadze's acceptance of the OSCE Prize for Journalism and Democracy on behalf of her murdered husband. And as the gentlewoman pointed out, she has called on this body not to cut this funding.

While we were troubled by the developments in the Ukraine, including the situation of the media and the April ouster of Ukraine's reformist Prime Minister, we cannot deny the positive developments either. These include for the first time in over a decade strong economic growth, continued good relations with her neighbors, and a cooperative relationship with the West, especially the United States.

Now is not the time to cut assistance. Ukraine still has tremendous needs. For example, the Chernobyl power plant was shut down last December, but the consequences of that nuclear disaster still leaves an indelible mark on the Ukrainian nation.

They need continued assistance in overcoming this devastating legacy, especially its toll in cancer and other serious illnesses. Ukraine's weak medical infrastructure still faces considerable challenges, such as the growing AIDS problem. As the gentlewoman from Ohio (Ms. KAPTUR) pointed out, very little of our assistance benefits directly the Ukrainian government. Instead, it goes to programs that help NGOs and the independent media or municipal and small business development.

With the parliamentary elections approaching next March, NGOs, political parties and reform-oriented local governments working to strengthen democracy in Ukraine need our support, as does the independent media.

Finally, Mr. Chairman, in his address at Warsaw University during his visit to Poland last month, President Bush stated: 'We are building must include Ukraine, a nation struggling with the trauma of transition. Some in Kiev speak of their country's European destiny, if this is their aspiration, we should reward it.'

Mr. Chairman, I hope the gentleman's amendment is adopted as this work-in-progress makes its way through the House and conference.

Ms. KAPTUR. Mr. Chairman, I yield 1 minute to the gentleman from Colorado (Mr. SCHAFFER).

Mr. KOLBE. Mr. Chairman, I yield 1 minute to the gentleman from Colorado (Mr. SCHAFFER).

Mr. SCHAFFER. Mr. Chairman, Ukraine has demonstrated a consistent and persistent nonproliferation policy ever since. I might add that in some cases this has been done at considerable fiscal and economic detriments to Ukraine. The refusal of aid to Iran in their nuclear program is one such program that warrants our praise.

Ukraine has successfully and peacefully negotiated border treaties with all of its neighboring countries and has maintained a distinctive partnership with NATO. Ukraine has made significant contributions to regional and international peace and stability through its participation in NATO-led peacekeeping missions.

The economic growth of Ukraine is integral to its development as a democracy and the success of Ukraine's stable government and infrastructure, the hope of further Democratic reforms will fade because a government preoccupied with its own survival cannot guarantee even basic rights for its citizens.

There are members of government in Ukraine, hard-line Communists, who would like to see Ukraine return to the days before Ukraine's independence. It has been a consistent struggle for Ukraine to come so far, and I think, frankly, the timing of the cut proposed here could not be worse. In my estimation, it will unwittingly empower the antireformists and stall the progress for years which have been made.

Ukraine, on August 24, will celebrate its 10th anniversary of independence. The Ukrainian people will mark their first anniversary of freedom after hundreds of years of oppression. This is a monumental achievement and should be welcomed and praised. While I understand the concerns that were raised by the committee and do not wish to minimize them, there are very, very many positive achievements in Ukraine that have been achieved with the support and assistance of this Congress.

Mr. Chairman, I hope that we can stand behind those positive reforms and see them sustained. I would ask the gentleman's assistance as this process moves forward in achieving that.

The CHAIRMAN. The gentlewoman from Ohio (Ms. KAPTUR) has 4 minutes remaining. The gentleman from Arizona (Mr. KOLBE) has 4 minutes remaining.

Ms. KAPTUR. Mr. Chairman, I yield 1 minute to myself.

Mr. Chairman, I urge my colleagues to support the Kaptur-Schaffer amendment and to maintain levels of funding for Ukraine. Help Ukraine move toward reform, especially in memory of the slain journalists. Many of those independent journalists do not share their position, do not help their cause inside Ukraine. Do not walk away from her now.

Mr. Chairman, I want to also express my great appreciation to the gentlewoman from Arizona (Ms. KOLBE), the chairman of the subcommittee, for allowing this discussion to ensue this afternoon, for the serious manner with which he has dealt with those who do not share his position, and the gentlewoman from New York (Mrs. LOWEY) for her graciousness as we move this amendment forward.

Mrs. LOWEY. Mr. Chairman, I move to strike the last word. I wanted to extend my congratulations to the gentlewoman for her strong support of the people of Ukraine. I know of her work as the ranking member of the Subcommittee on Agriculture in providing technology and assistance to the good people, understanding that by giving them the tools and giving them the skills they can help themselves to a strong democracy.

I just want to assure the gentlewoman that I support maintaining a robust assistance program in Ukraine. Our aid helps build democracy, strengthens local government, encourages a free press and builds a stable and prosperous society. The current situation in Ukraine dictates that we maintain support for those in Ukrainian society who seek democracy, freedom and stability.

Again, I want to thank her for her important work. I know that we will continue to work together.

Mr. KOLBE. Mr. Chairman, before I yield back my time, continuing to reserve my point of order, I would just like to say I also thank the gentlewoman from Ohio and the gentleman from Colorado for their contributions not only to this debate but to the ongoing work that both of them and other Members of the House of Representatives have done to help support the people of the Ukraine.
I think there is no doubt, Mr. Chairman, that we have a common objective. We all want to make sure that the Ukrainian people have the opportunity to have a democracy, to have their voices heard in their country. They want to have freedom. They want to have the same rights that Americans have and that other peoples around the world have. We have no disagreement with that. We have no disagreement among ourselves about the objectives. There are sometimes differences over how we achieve that objective. Sometimes it is carrot, and sometimes it is a stick. Sometimes we do not always agree on which is the right time to administer either the carrot or the stick, and we may have that disagreement here, but we do not have any disagreement over the objectives that we are trying to achieve for the Ukraine.

I will certainly pledge to continue to work with the gentleman from Ohio on making sure that everything that we do in our subcommittee is designed to help promote democracy and a civil society in the Ukraine.

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

POINT OF ORDER

Mr. KOLBE. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

That rule states, in pertinent part, "an amendment to a general appropriation bill shall not be in order if changing existing law." The amendment gives affirmative direction, in effect.

Mr. Chairman, this amendment does do that and therefore, I believe, is not in order.

I ask for a ruling from the Chair.

The CHAIRMAN. Does any Member wish to be heard on the point of order? If not, the Chair is prepared to rule.

The Chair finds that this amendment includes language imparting direction. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

Mr. KOLBE. Mr. Chairman, I move to strike the last word for the purpose of entering into a colloquy with the gentleman from Florida (Mr. MILLER).

I yield to the gentleman from Florida.

Mr. MILLER of Florida. Mr. Chairman, today I had planned to offer an amendment to the Foreign Operations bill that would allow aid to only be given to countries who have extradition treaties with the United States.

Mr. Chairman, I will not be offering that amendment. I want to take this opportunity to discuss the importance of placing international extradition treaties higher on our foreign policy priority list. Will the committee agree that this is a pressing issue that needs to be addressed?

Mr. KOLBE. Yes. I would say that the current process of extradition certainly is a very troubled one and needs to be reformed.

Mr. MILLER of Florida. This past week Ira Einhorn was finally extradited from France. While this is a notable victory, the extradition process only after several years of legal maneuvering and political posturing by Einhorn and the government of France. The Pennsylvania legislature actually had to pass a new law in order for the French to agree to the extradition. Four long years after the first request and 24 years after the murder of Holly Maddux, justice has finally been served. I know that Holly's family is more than relieved to have their sister's killer behind bars, but had they not had the financial resources to continue their pursuit of justice for 24 years, he may never have been returned.

Whether or not a country approves of the U.S. system of justice should not be a factor in the decision to return a convicted killer to the United States. For those countries receiving foreign aid, that point could not be more valid. I cross-referenced the list of nations who would receive aid in this year's Foreign Operations bill with the list of countries who do not have extradition treaties. The result was a distressing 65 countries. That means that the United States taxpayer dollar goes to 65 countries who have not taken the time to negotiate a treaty with the United States on extraditing violent criminals. That is unacceptable. The problem needs to be addressed.

An extradition treaty is not a matter of rocket science. It is a document typically no more than a few pages that establishes an agreement of cooperation in returning criminals.

The blame cannot be placed entirely on these countries. Our own Department of State needs to make negotiating extradition treaties a higher priority. Some of these nations are willing to come to the table and work with us, but the United States must also be willing to put forth the effort needed to get the job done. It is a mutually shared responsibility that we have put off for far too long.

For every Ira Einhorn there are another 3,000 cases that remain open. Families of these victims need closure. It is not right for the U.S. to willingly support countries who spit in the face of our system of justice.

Last Thursday, I introduced legislation that would reform international extradition. H.R. 2574 would put cooperative nations on notice. This bill would allow the Department of State and Justice in requesting that a criminal be extradited. Right now, all we can say is "please," and most of the time that is insufficient.

H.R. 2574 would require the Department of State to submit a country by country report outlining extradition treaties. The President would then, based on that report, submit to Congress a list of uncooperative countries. Those nations would then face the threat of sanctions, including a loss of U.S. foreign aid, refusal of visas to government officials visiting the U.S., and U.S. votes against the country in any international financial institution.

Mr. Chairman, I hope the gentleman can help with this in the future.

Mr. KOLBE. Reclaiming my time, the gentleman from Florida has certainly been a leader on this issue. I appreciate his calling this matter to our attention and highlighting it today. I look forward to working with him on ways that we can improve our extradition laws and will be sure to discuss this topic with any of the countries that come before our committee or approach me on receiving aid.

Mr. MILLER of Florida. I thank the gentleman. I hope the Department of State will put this at a higher priority and we can continue to push this issue.

Mr. KOLBE. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 23, line 2, be considered as read, printed in the Record, and open to amendment at any point.

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

There was no objection.

The text of the bill from page 20, line 11, through page 25, line 2, is as follows:

(c) Of the funds appropriated under this title, not less than $62,500,000 should be made available for assistance for Georgia.

(d) Of the funds appropriated under this title, not less than $22,500,000 should be made available for assistance for Armenia.

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

(1) activities to support democracy or assistance under title V of the FREEDOM Support Act and section 1424 of Public Law 104–201;

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

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

(4) any insurance, reinsurance, guarantee, or other assistance provided by the Overseas Private Investment Corporation under title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.); foreign commercial services;

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

(6) any assistance provided by the Department of State or the Agency for International Development under title V (nonproliferation and disarmament programs and activities) of the FREEDOM Support Act shall not be counted against the 30 percent limitation.

(g)(1) Of the funds appropriated under this heading that are allocated for assistance for the purpose of negotiating, entering into, or implementing treaties with the United States on nonproliferation and disarmament programs and activities (as defined in section 661 of the Export-Import Bank Act of 1945 (22 U.S.C. 2151)); and
the Government of the Russian Federation, provided the Russian Federation has terminated implementation from its territory of the nuclear nonproliferation regime to which it is a signatory.

(3) With respect to a project:

(A) the funds appropriated under this heading shall not be used to finance: (i) the establishment of a nuclear reactor, directly or indirectly, for research purposes or for producing fissile material necessary to develop a nuclear reactor, (ii) activities related to nuclear explosive devices, and (iii) activities related to nuclear research facilities or programs, or ballistic missile capability; and

(B) the President certifies to the Committees on Appropriations that the uses of the funds appropriated under this heading will be consistent with section 482(b) of the Foreign Assistance Act of 1961, as amended.

(4) Of the funds appropriated under this heading, not more than $45,000,000 should be made available, in addition to funds otherwise available for such purposes, for assistance for child survival, environmental and reproductive health, and to combat infectious diseases, and for related activities.

Provided further, That the funds appropriated under this heading, not more than $18,660,000 may be available for administrative expenses.

Provided further, That of the funds appropriated under this heading, in addition to funds otherwise available, not more than $16,660,000 may be available for administrative expenses.

In order of the House of today, the gentleman from Michigan (Mr. CONYERS). Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will read the amendment.

The Clerk read as follows:

AMENDMENT OFFERED BY MR. CONYERS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. CONYERS:

Page 25, line 8, strike these and all that follows through line 16, and insert:

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

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

For necessary expenses to carry out the functions of the Inter-American Foundation in accordance with section 401 of the Foreign Assistance Act of 1961, and to make commitments without regard to fiscal year limitations, as provided by 31 U.S.C. 9014(b)(3), $1,000,000.

AFRICAN DEVELOPMENT FOUNDATION

For necessary expenses necessary to carry out title V of the International Security and Development Cooperation Act of 1989, Public Law 96–533, and to make commitments without regard to fiscal year limitations, as provided by 31 U.S.C. 9014(b)(3), $16,042,000: Provided, That funds made available to grantees may be invested pending expenditure for project purposes when authorized by the President of the Foundation: Provided further, That interest earned shall be used only for the purposes that it was made:

Provided further, That this authority applies to interest earned both prior to and following enactment of this provision: Provided further, That the President certifies to the appropriate committees of the Congress that the aggregate ceiling of 800 United States personnel contained in section 401(b) of Public Law 106–246 is amended by adding a new subsection (b)(3) as follows:

(3) Further exception—Notwithstanding paragraph (2), the limitation contained in paragraph (1)(B) may be waived if (i) the President certifies to the appropriate committees of the Congress that the aggregate ceiling of 800 United States personnel contained in paragraph (1) will not be exceeded by such waiver, and (ii) Congress is informed of the extent to which the limitation under paragraph (1)(B) is exceeded by such certification.

ANDEAN COUNTERDRUG INITIATIVE

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961 to support counterdrug activities in the Andean region of South America: $767,000,000, to remain available until expended:

Provided, That these funds are in addition to amounts otherwise available for such purposes without regard to its restrictions, to receive excess property from an agency of the United States Government for the purpose of providing it to a third country under part I of that Act subject to the regular notification procedures of the Committees on Appropriations:

Provided further, That of the funds appropriated under this heading, not more than $41,240,000 may be available for administrative expenses.

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

The Chair recognizes the gentleman from Michigan (Mr. CONYERS) and a Member opposed each will comment.

Mr. SCHAKOWSKY. Mr. Chairman, I yield such time as I may consume to the gentlewoman from Illinois (Ms. SCHAKOWSKY). We have reached an agreement. This amendment that we now have before us is an amendment in place of amendments 9 and 10 which creates safeguards against an unlimited increase in civilian contractors without congressional notification. The agreement reached would maintain an aggregate ceiling of 800 United States personnel in Colombia which comprised of a 500-person U.S. military personnel and 300 on U.S. civilian contractors.

Mr. Chairman, let me just give my colleagues the operative problem that we are working under. Ninety percent of the cocaine and 60 percent of the heroin that reaches the United States is produced in Colombia, and so this is very critical. We have several forces working down there. Besides the U.S. military, we have the Colombian military, working close with the United States military, and we have a reactionary paramilitary in Colombia which, once we get the Colombian army to lighten up, then we have the paramilitary coming in doing even more damage than the Colombian army was doing. And then we have our own private civilian contractors doing the same thing. God knows what under the loose arrangements that we have.

Mr. Chairman, I yield such time as she may consume to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Chairman, let me thank my colleague from Michigan for his leadership on this issue and actually my other colleague from

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Michigan for his great leadership on this issue as well. I want to make sure that every Member understands the importance of this amendment.

The current law now limits the use of military personnel in Colombia to 500 people and civilian personnel to 300. In order to increase that number of civilian contract personnel, the President must first report to Congress and Congress would have to approve by passing a joint resolution. That is the current law right now.

The bill that then was before us without explanation would have revoked Congress’ oversight authority entirely on this subject. But fortunately now we have the Conyers-Hoekstra-Schakowsky amendment that has been agreed to, a unanimous-consent amendment, that would restore the aggregate limit of 800 personnel in Colombia, that would maintain the 500 personnel cap for U.S. military and that would allow an increase of the 300 U.S. civilian contractors but only to the extent that the 500-person military cap has not been reached.

Fortunately, this amendment still requires that a report be made, that Congress be informed if we are going to go beyond the 300.

My concern with the increase in contract personnel has beenexpressed many times. We all learned with dismay that two American civilians, Veronica Bowers and her infant daughter, Charity, were killed when the missionary plane they were in was shot down over Peru. What was even more shocking was that it became clear that the plane was first identified as suspicious by U.S. civilians working under contract for the CIA.

With all the shock and sadness came a lot of questions...but unfortunately, the CIA, the Department of State, and the private firms involved have not come forward to provide any answers. We also know that employees of these firms have been involved in gun battles in Colombia, some contract employees have died. I have recently found out that we are still employing one of the private firms implicated in the Iran Contra scandal. To me, it is clear we should not be employing private companies to carry out military activities in Colombia at all on behalf of the United States.

But this is not a debate about the use of contractors. Whether or not Members agree on the need for private military contractors or contractors to carry out other duties, Congress must maintain oversight responsibility and a limit for this very important aspect of U.S. policy.

I thank the sponsor of this amendment for maintaining those aspects of oversight.

The CHAIRMAN. Does the gentleman from Arizona (Mr. Kolbe) seek to control the time in opposition?

Mr. KOLBE. Mr. Chairman, I seek to control the time in opposition. I will take a page out of the book of the gentleman from Wisconsin (Mr. Obey) and say at the moment I am opposed to the amendment, and will claim the time in opposition to it.

The CHAIRMAN. The gentleman from Arizona (Mr. Kolbe) is recognized for 20 minutes.

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

Mr. Chairman, I do not expect to be in opposition to this amendment at the close of the time. I think it is important to take time to talk about this, because I think, frankly, there has been a lot of misinformation about this issue. I want to thank the gentleman from Michigan and the gentlewoman from Illinois for their efforts to work with us to find what I think is a reasonable compromise, which I will come back to very shortly here in talking about it.

There are two issues that are involved in this amendment. One is the cap on civilian contractors. That is section 3204(b)(1)(B) of public law 106–246. It refers to the cap on the number of civilian contractors that is a part of Plan Colombia funding that was enacted in the Emergency Supplemental Appropriations Bill in fiscal year 2000.

As part of the Plan Colombia supplemental, we put a cap both on military personnel and on civilian personnel. We did not want to get into another Vietnam. We wanted to try to avoid that, so this cap was placed specifically on the 300 on the civilian side.

The military personnel cap has not and is not an issue at all with this committee. We voted to the contrary, and there are no indications that we would ever reach that amount. The gentleman’s amendment would combine the two caps, so the total number of personnel, military and civilian, cannot exceed 800.

Now, why is that important, that we give this greater flexibility by combining those two and making the total number of contractors in Colombia 800? The civilian contractors include those that are associated, of course, with the Department of Defense, but it also includes those that are in the State Department, the Agency for International Development, and the Departments of Justice, Commerce, Treasury and Customs.

The cap applies to all, and I want to repeat that, all U.S. contractors in Colombia. It also includes the search-and-rescue teams for U.S. spray planes. It includes the NGOs helping to improve civil society, including guaranteeing human rights and assisting internally displaced persons.

Let me also point out I have been very disappointed in the pace of implementation of the alternative development plans in Colombia. I have been vocal about my concerns, and in our report we address this very specifically I am concerned about the language about the economic development and economic assistance side of the Plan Colombia and moving that forward. Less than 5 percent of the funds for judicial reform have been obligated. I think the one percent of the funds at USAID have been spent.

While I am extremely disappointed with the pace they have had, it is relevant to note those figures here now, because we do expect that to pick up very dramatically in the months ahead. We believe those funds are going to begin to flow here in the remainder of this fiscal year, and certainly in the beginning of the next fiscal year. These funds will be contracted out to the agencies that are limited in number by the cap.

Now, the civilian cap of 300 has not been approached to date. As of May 15, the number of civilian contractors in Colombia totalled 171. The number of civilian contractors has also remained steady for about the last 6 months. But with the delivery of the Blackhawk helicopters, and the first of them arrived this month, and the alternative development that is finally beginning to get going as we have been prodding USAID to get moving with that, the number of contractors in Colombia could very easily come close to or exceed the number of 300 in fiscal year 2002.

For example, deliveries late this year and early next year of 12 new spray planes will require the use of civilian contractors for training and logistical assistance. Contractor support is also required in connection with the delivery of the Blackhawk and the Huey II helicopters in the next year. These are very complicated machinery; and they require a great deal of material and assistance, support, and personnel support, to maintain.

So I think that it is very likely that we could find ourselves bumping up against this cap just when we are talking about the maintenance personnel on the aircraft programs we have down there, not including anything we are trying to do in the civil society, in the justice programs and the other AID programs. So I think that it is very important that we give greater flexibility.

I am interested in seeing this work. I know there is disagreement about the Andean Initiative; but I think all of us, if we are going to spend the money, want to see it have some success. We cannot do that if we do not have the personnel there.

I again thank the gentleman for bringing up this amendment to give this flexibility. I think the gentleman’s amendment does give the flexibility that we need to give to the administration.
If I might, Mr. Chairman, let me take another minute to talk about the other issue, and that is the one where the gentleman from Michigan references section 482(b) of the Foreign Assistance Act. This is the one that prohibits the use of funds to buy arms except for arming of anti-narcotics aircraft. U.S. personnel or U.S. contractors.

Let me state this very clearly: our inclusion in the bill of a waiver of this provision, is not, repeat, not, a change in U.S. policy. There are no secrets that are being kept here. This same provision was in the legislation that was requested by the Clinton administration; it was in the law, the bill, that we passed in 2000, the supplemental appropriation legislation; it was requested again by the Bush administration this year; and it is included again by the committees, and the committee this year when we did our report.

So the provision is needed again by the administration in order to train Colombian army counternarcotics battalions that train and protect the eradication efforts. The exceptions provided in this section do not allow for this, and thus a waiver is needed again this year.

When Plan Colombia was introduced last year, a key to the Clinton administration proposal was the training and equipping of three Colombian counternarcotics battalions. The section 482(b) waiver was needed by the administration to complete these goals.

Of the $1.3 billion appropriated for Plan Colombia, $6 million was used to equip the battalions with guns and ammunition, less than 1/2 of 1 percent of the total funds provided for Plan Colombia.

So let me say one more time, the inclusion of this provision is not a change in policy. We have seen the waiver as a part of the law for over a year, and we have heard of no abuses of the authority in it. The success of the counternarcotics battalions is key to the success of Plan Colombia, what we now call the Andean initiative.

These battalions are a basic pillar of our policy to strengthen Colombia’s ability to counter the drug traffickers, provide a safer environment for eradication efforts, and to protect the development and the human rights for the non-governmental organizations that operate down there. We should not tie the hands of this administration just as Plan Colombia is getting started. Not only is this an eradication and interdiction effort, but it is also a chance to offer alternatives to the small farmers and the communities in southern Colombia, to strengthen their judicial system and provide human rights for all.

The gentleman’s amendment does allow for that waiver, with notification; and I have no problem with the notification provision in there. Therefore, I would say that I will vote to accept the Conyers amendment.

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

Mr. OB�. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to congratulate the gentleman from Michigan for offering this amendment and to explain why I think it is necessary. I have great misgivings about this entire Andean initiative. I think it is a dubious enterprise put together by someone who qualifies more to be permanent president of an Optimist Club than president of anything else. But nonetheless, I think we have to work with what limited opportunities we have.

My misgivings about this program were expanded even more and magnified even more by one of the provisions in this bill which this amendment corrects. Last year, as part of an effort to ease the passage of this $1.3 billion initiative in the appropriations supplemental, the administration, then the Clinton administration, accepted the Andean amendment, which limits for all personnel in the region to 800. This bill originally sought to eliminate that cap, and the amendment being offered by the gentleman from Michigan today restores that cap. I want to tell you why I think that is important.

When the Gulf of Tonkin Resolution came up back in the sixties, Senator Gaylord Nelson from my home State was determined to offer an amendment to the Gulf of Tonkin Resolution, which specified that that resolution would not be used in any way to inject troops into Vietnam. He was told by then Senator Bill Fulbright, chairman of the Foreign Affairs Committee, that Fulbright was convinced that there was no intention to offer that amendment, because President Johnson had assured Mr. Fulbright that he would never use the resolution for that purpose. So Nelson reluctantly agreed not to offer that amendment, preventing the use of that resolution as an excuse to inject American troops above the advisories that were then present. Everyone lived to regret it, except for about 50,000 Americans, who did not when they went to Vietnam.

That is why I think it is important to retain this cap. Better to be safe than sorry.

While I appreciate the gentleman from Arizona’s indication that he did not believe this amendment was necessary in order to restrain the administration, I think it is always better for the Congress in instances like this to be safe, rather than sorry. It seems to me that I have only been around here 32 years, and in that time I have had plenty of occasions where I have seen misadministrations of both parties lie to me.

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it is their intelligence organizations; and that this money is really going nowhere and meeting none of the objectives to which it was directed on it. In addition, it ends up frequently contributing to the violation of human rights. This cannot go on.

I have a lot of respect, growing respect for the people of Colombia who have to carry the burden of what their government is doing, what their army is doing, what the paramilitary is doing, what the rebel countries are doing, and it seems to me that we need to take a close look at this study to which I have referred.

The other study to which I refer is with much less enthusiasm, but I think it gives a telling message. Here we have the Rand Corporation, a wonderfully dedicated public sector organization, sponsored by the United States Air Force to study this whole question of how we deal with the narcotics issue in Colombia. What was their recommendation? They said well, look, why do you not just cut out the pretense of this counter-narcotics approach? Why do you not just get in the war and settle this thing and come to the direct assistance of the Colombian government?

For 37 years there has been a fierce civil war going on; 37 years, and their recommendation, because they were paid by the U.S. Government to study this, and their recommendation is, get in the war, help the Colombian Government put down the rebel organizations, of which there are three or more by this time, who hold and have held parts of this country under their command.

So we have to tiptoe through this set of tulips with great care. This is not a simple matter of sending over some "private contractors" to join in with our military. What we have here is the private contractors do a part of our military operation. They are armed. They are mostly veterans. They know what war is about. They are not there to practice peace. So it is very, very important that we recognize that we are being torn and tested by these very different reports, one which was done by a nonprofit group, not at government expense, and the other was done, paid for by the U.S. Air Force that said, let us get in the war and really help our Colombian Government out.

Mr. Chairman, I yield 1 minute to the gentleman from Michigan (Mr. HOEKSTRA).

Mr. HOEKSTRA. Mr. Chairman, I thank the gentleman from Michigan for yielding me this time. I applaud the gentleman for bringing forward this amendment, and the gentleman from Illinois (Ms. SCHAKOWSKY) and the gentleman from Arizona (Mr. KOLBE) for agreeing to this revised amendment.

I think, as the gentleman from Michigan has stated very effectively, it is important that Congress maintain its oversight and that it preserves our ability to review and monitor what the administration is doing in Plan Colombia, one of those measurements that Congress should keep its fingers on, are the number of contractors and the number of U.S. military personnel involved in this process. As the gentleman stated, when this plan was approved in the fiscal year 2001 supplemental appropriations bill, there were many of us that were concerned about "mission creep." These gaps were put in place to ensure that there would be no "mission creep" without congressional review and oversight. This amendment preserves that.

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

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

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

The amendment was agreed to.

AMENDMENT NO. 44 OFFERED BY MR. HOEKSTRA

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Provided further. That, of the funds appropriated under this heading, $65,000,000 shall not be available for obligation until (1) the Secretary of State submits to the Congress a full report on the incident of April 20, 2001, in which Veronica "Roni!" Bowers and her 7-month-old daughter, Charity, were needlessly killed when a Peruvian Air Force jet opened fire on their plane after the crew of another plane, owned by the Department of Defense and chartered by the Central Intelligence Agency, mistakenly believed the plane to be potentially smuggling drugs in the Andean region; and (2) the Secretary of State, Secretary of Defense, and Director of the Central Intelligence Agency certify to Congress 30 days before any resumption of United States involvement in counter-narcotics flights and a force-down program that continues to permit the ability of the Peruvian Air Force to shoot down aircraft, that the force-down program will include enhanced safeguards and procedures to prevent the occurrence of any incident similar to the April 20, 2001, incident.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Michigan (Mr. HOEKSTRA) and a Member opposed each will control 5 minutes.

Mr. KOLBE. Mr. Chairman, while I expect to change my position by the end of the debate, for the moment, I wish to claim the time on this opposition.

The CHAIRMAN. The gentleman from Arizona (Mr. KOLBE) will control the time in opposition.

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

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

Let me explain the amendment, but before I do that, I would like to thank my colleagues on the other side of the aisle for agreeing to work with me on this amendment. I also want to thank the gentleman from Arizona (Mr. KOLBE), the chairman of the subcommittee, for working out an agreement that enables us to move forward and reach a compromise that I think we all feel very good about.

Let me explain my amendment. My amendment withholds $65 million from the $676 million in H.R. 2506 for the Andean counter-drug initiative for the Peruvian military and police forces until two things happen. First, the Secretary of State submits to Congress a full report on the incident of April 20, 2001; and secondly, that the Secretary of State, the Secretary of Defense, and the Director of the Central Intelligence Agency certify to Congress 30 days before any resumption of the United States' involvement in counter-narcotics flights in a force-down policy that permits the shooting down of an aircraft by the Peruvian Air Force until enhanced safeguards and procedures are in place to prevent any similar incidents from the April 20, 2001, event, that any incidents in the future would be prevented from occurring.

Let me explain what happened on April 20. On April 20, 2001, two American families engaged in missionary work in South America became innocent victims of our Nation's war on drugs. A young mother and her 7-year-old daughter were needlessly killed when a Peruvian Air Force jet opened fire on their plane which was returning her, her husband, and their two children to their missionary home after flying from Iquitos, Peru to obtain adoption papers for their daughter.

"Ronia," who was seriously wounded in the shoot-down, amazingly was able to safely land the plane on the Amazon River, saving the lives of his other passengers and himself.

How did this tragedy happen? While we know a lot of details; unfortunately, at this point in time, Congress and the public have not yet been able to review the investigative report which is still being developed.

Basically, the Peruvian Air Force jet opened fire after another plane owned by the United States Department of Defense, chartered by the CIA, and staffed with U.S. Government "contractors" mistakenly targeted the missionary plane to be potentially smuggling drugs in the Andean region.

For several years now, the U.S. has been participating in a joint drug interdiction effort with Peru that has a force-down intercept program that permitted the Peruvians to shoot down aircraft that our government identifies and targets. I have learned that there have been other concerns about certain actions of the Peruvian Air Force in...
the past. The kinds of concerns that could have and should have raised a red flag warning that tragedies such as this occur were:

With so many questions and concerns over obvious procedural, legal, and moral flaws with this type of policy, we have an obligation to review the information. We should review the findings before making a decision whether or not to continue funding our country's direct involvement in a counter-narcotics effort that permits the killing of innocent people and treats it as an acceptable loss. We should be having a serious debate on the merits of our country's participation in this type of force-down policy which, according to the State Department, is only permitted in two Andean countries.

I ask that my colleagues please remember that this never happened again. The event has been: a young woman, a daughter, a wife, a mother, a friend, and a woman dedicated to sharing her faith with the people of Peru, along with her young adopted daughter, was killed.

There was no reason for this, there was no purpose, and there was no gain. This is only devastation laid on the doorstep of a family whose life was devoted to sharing the message of God.

As we consider the lives lost and forever altered by this event, we must consider the policy that led to the involvement of the United States. As a Congress, we must weigh our desire to stop the flow of drugs into this country against the need to keep innocent people, no matter what their country of origin, safe. We must carefully consider whether we should continue to embrace a policy that can and has resulted in unnecessary and unwarranted and unacceptable loss of life. As we reflect on accidental events, the policy that led to those events, and the reasons the policy contributed to these events, please do not forget we are talking about real people.

In a July 17, CNN article, a senior Bush administration official was quoted as follows: “We better ensure that the real cost of this event has been: a young woman, a daughter, a wife, a mother, a friend, and a woman dedicated to sharing her faith with the people of Peru, along with her young adopted daughter, was killed.”

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

Mr. KOLBE. Mr. Chairman, I yield myself such time as I may consume to say that I do not intend to oppose the gentleman's amendment. I understand that the intention of the amendment is to limit the funds, to withhold them until there are two conditions, which the gentleman has described, two conditions met by the administration.

The second reason why the administration should not be willing to or able to meet these conditions. The gentleman is entitled to have a report, and the Members of Congress are entitled to have a report so that we know fully what happened in the tragic incident that the gentleman has described.

Let me take a moment of my time to discuss the merits of the United States program, assistance program in Peru, because I believe that cutting funds to Peru would be counterproductive in our drug eradication efforts and development assistance to our South American ally.

I know that the administration is going to meet the conditions of the gentleman as soon as possible, but let me point out just last year this very bill included a provision limiting assistance to Peru until free and fair democratic elections took place. And they did, so I do not think it would be unreasonable as reflection of any Member of this body to respond now, after this important event has taken place in Peru, by responding and cutting off aid because of another incident that we are unhappy about.

They met the conditions that we asked them to do, and I do not think that we would want to cut off the aid to Peru, which is now emerging so strongly as a democracy.

Peru is the world's second largest producer of coca leaf and cocaine base. Peruvian traffickers transport the cocaine base to Colombia and Bolivia, where it is converted to cocaine. The alarming recent evidence of a surge in opium and poppy cultivation being established under the direction of Colombian traffickers should be a matter of concern to all of us.

Peru is a prime candidate for spill-over effects from Colombia as our eradication efforts in Colombia are successful. But still, for a fifth year in a row, Peruvian coca cultivation declined, an estimated decline of 70 percent since 1995. So the U.S.-Peruvian interdiction program and the manual coca eradication program that is continuing has been a major factor in this reduction.

Our support of law enforcement efforts is complemented by an aggressive effort to establish an alternative development program for coca farmers in key coca growing areas to voluntarily reduce and eliminate coca cultivation. We are now seeing the private sector beginning to cooperate with the effort to create markets for new goods, primarily for coffee and for cacao.

Commitments to coca reduction have increased significantly, with communities confirming forward demand to participate in the program. Over 500 communities in Peru have agreed to a reduction in coca production and coca cultivation, and for the first time leaders of one entire geographic region, the 77 municipalities in San Martin, have agreed to eliminate coca production.

There are good reasons I described. This is progress that we are making; and, for that reason, I would think it would be a terrible mistake for us to cut off our program, our assistance to Peru altogether.

But because I believe that the conditions the gentleman from Michigan has suggested need to be met before we resume this program, I am certainly willing to withhold that aid until they can meet those conditions, as I understand that they are prepared to do. For that reason, I would vote to accept this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. HOEKSTRA). The amendment was agreed to.

Mr. KOLBE. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 75, line 16, be considered as read, printed in the Record, and open to amendment at any point.

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

There was no objection.

The text of the bill from page 25, line 17, through page 75, line 16, is as follows:

MIGRATION AND REFUGEE ASSISTANCE

For expenses, not otherwise provided for, necessary to enable the Secretary of State to provide, as authorized by law, contributions to the International Committee of the Red Cross, assistance to refugees, including contributions to the International Organization for Migration and the United Nations High Commissioner for Refugees, and other activities to meet refugee needs; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1961; allowances as authorized by the Foreign Service Act of 1980; purchase and hire of passenger motor vehicles; and services as authorized by section 3109 of title 5, United States Code; purchase and hire of passenger motor vehicles; and services as authorized by section 3109 of title 5, United States Code, $75,000,000, to remain available until expended: Provided, That of the funds appropriated under this heading, not more than $15,000,000 may be available for administrative expenses: Provided further, That funds appropriated under this heading may be made available for a headquarters contribution to the International Committee of the Red Cross only if the Secretary of State determines (and so reports to the appropriate committees of the Congress) that the Magen David Adom Society of Israel is not being denied participation in the activities of the International Red Cross and Red Crescent Movement.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE

For necessary expenses to carry out the provisions of section 2(c) of the Migration and Refugee Assistance Act of 1962, as amended (22 U.S.C. 2661(c)), $15,000,000, to remain available until expended: Provided, That the funds made available under this heading are appropriated notwithstanding the provisions contained in section 2(c)(2) of the Act which would restrict the amount of funds which could be appropriated for this purpose.
NONPROLIFERATION, ANTI-TELEVISION, AND DEBT RESTRUCTURING

For necessary expenses for nonproliferation, anti-terrorism, and related programs and activities, $311,000,000, to carry out the provisions of chapter 8 of part II of the Foreign Assistance Act of 1961, as amended, and provisions of laws, and for defense reduction, commonly referred to as “IDA-only” countries.

DEPARTMENT OF THE TREASURY

For necessary expenses to carry out the provisions of the International Trade and Development Act of 1961 for the benefit of any country the Secretary of State has determined for which purpose a grant would otherwise be nonrepayable notwithstanding any other provision of law, including activities implemented through nongovernmental and international organizations, not to exceed $14,000,000, to remain available until expended:

(1) the Inter-American Development Bank;
(2) the African Development Fund;
(3) the African Development Bank; and
(4) the International Bank for Reconstruction and Development.

None of the funds made available under this heading for the HIPC Trust Fund may be used only to fund debt reduction under the enhanced HIPC initiative by:

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

None of the funds made available under the provisions of section 541 of the Foreign Assistance Act of 1961 for debt reduction, except as provided in this paragraph, may be used to finance projects that funds be used for such purposes, as determined by the President, and without respect to the size of the bank's capital stock or any other provision of law: Provided further, That of unobligated balances of funds available under this heading in this Act may be used by the Secretary of the Treasury to pay to any country a sum not to exceed $150,000,000 of the amount made available under this heading in this Act, for which purpose a grant would otherwise be nonrepayable notwithstanding any other provision of law.

FOREIGN MILITARY FINANCING PROGRAM

For expenses necessary for grants to enable the President to carry out the provisions of section 23 of the Arms Export Control Act, $3,627,000,000: Provided, That the amounts paid into the HIPC Trust Fund for the benefit of any country the Secretary of State has determined for which purpose a grant would otherwise be nonrepayable notwithstanding any other provision of law, shall be transferred to an interest bearing account for the United States to make payments to the HIPC Trust Fund of amounts for such countries and institutions: Provided further, That the Secretary of the Treasury may disburse funds designated for debt reduction through the HIPC Trust Fund only for the benefit of countries that:

(a) have committed, for a period of 24 months, not to accept new market-rate loans from the international financial institutions necessary to service the debt, as a result of such disbursement, other than loans made by such institution to export-oriented commercial projects that generate foreign exchange which are generally referred to as “enclave” loans; and
(b) have demonstrated their commitment to redirect their budgetary resources toward debt re-payments to programs to alleviate poverty and promote economic growth that are additional to or expand upon those previously available for such purposes:

None of the funds made available under this heading shall be available to finance the
provision of defense articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act unless the foreign country proposing to make such procurements has first signed an agreement with the United States Government specifying the conditions under which such procurements may be financed with such funds: Provided, That all country and funding level increases in allocations shall be submitted through the regular notification procedures of section 515 of this Act: Provided further, That none of the funds appropriated under this heading shall be available for assistance for Sudan and Liberia: Provided further, That funds made available under this heading may be used, notwithstanding any other provision of law, for demining, the clearance of unexploded ordnance, and related activities, and may include activities implemented through non-governmental and international organizations: Provided further, That none of the funds appropriated under this heading shall be available for assistance for Government of the People’s Republic of China: Provided further, That none of the funds made available under this heading shall be expended at the minimum rate necessary to make timely payment for defense articles and services: Provided further, That none of the funds appropriated under this heading may be obligated for necessary expenses, including the purchase of passenger motor vehicles for replacement only for use outside of the United States, for the general costs of administering military assistance and sales: Provided further, That not more than $174,800,000 of the funds made available to the Arms Export Control Act may be obligated for expenses incurred by the Department of Defense during fiscal year 2002 pursuant to section 216 of the Arms Export Control Act: Provided further, That this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations.

PROFESSIONAL SERVICES FOR THE EXECUTIVE OFFICE OF THE PRESIDENT

For necessary expenses for the pay of the United States Environmental Protection Agency, $19,000,000: Provided, That none of the funds made available to the Executive Office of the President shall be obligated until approved by the Committees on Appropriations, unless specifically authorized by this Act, and none of the funds shall be obligated until approved by the Committees on Appropriations: Provided further, That none of the funds made available under this heading for the purchase of passenger motor vehicles for replacement only for use outside of the United States shall be used without prior approval of the Committees on Appropriations: Provided further, That none of the funds made available under this heading shall be expended at the minimum rate necessary to make timely payment for defense articles and services: Provided further, That none of the funds made available under this heading shall be available for assistance for Sudan and Liberia: Provided further, That funds made available under this heading may be used, notwithstanding any other provision of law, for demining, the clearance of unexploded ordnance, and related activities, and may include activities implemented through non-governmental and international organizations: Provided further, That none of the funds appropriated under this heading shall be available for assistance for Government of the People’s Republic of China: Provided further, That none of the funds made available under this heading shall be expended at the minimum rate necessary to make timely payment for defense articles and services: Provided further, That none of the funds made available under this heading may be obligated for necessary expenses, including the purchase of passenger motor vehicles for replacement only for use outside of the United States, for the general costs of administering military assistance and sales: Provided further, That not more than $174,800,000 of the funds made available to the Arms Export Control Act may be obligated for expenses incurred by the Department of Defense during fiscal year 2002 pursuant to section 216 of the Arms Export Control Act: Provided further, That this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations.

TITLE IV—MULTILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

For the United States contribution for the Global Environment Facility, $82,500,000: Provided, That none of the funds appropriated under this heading shall be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.
exceed $30,000 shall be available for represen-
tation allowances or other direct assistance to any
country whose duly elected head of government is
deposed by force of arms, military coup, or
equivalent political change, unless the assistance
will cause substantial injury to United States producers of the
same, similar, or competing commodity.

PROHIBITION AGAINST DIRECT FUNDING FOR MILITARY COUPS

SEC. 509. None of the funds made available by this
Act may be obligated or expended for any
aid to, or assistance or cooperation in, any
military coup or military government
equivalent to a military coup
in which troops of the
country have seized
control of the government
directly or by force of arms.

TRANSFER BETWEEN ACCOUNTS

SEC. 509. None of the funds made available by
this Act may be obligated or expended for any
aid to, or assistance or cooperation in, any
military coup or military government
in which troops of the
country have seized
control of the government
directly or by force of arms.

DEOBIGATION/REOBLIGATION AUTHORITY

SEC. 510. Obligated balances of funds ap-
propriated to carry out section 23 of the
Arms Export Control Act as of the end of the
fiscal year immediately preceding the current
fiscal year are, if obligated, hereby
continued available during the current fiscal
year for the same purpose and with any author-
ity applicable under any other provision of
this Act: Provided, That the availability of such
section may not be used in fiscal year
2002.

AVAILABILITY OF FUNDS

SEC. 511. No appropriation contained in this
Act shall remain available for obligation after the expiration of the cur-
cent fiscal year unless expressly so provided in this Act: funds ap-
propriated for the purposes of chapters 1, 8, 11,
and 12 of part I, section 667, chapter 4 of part
II of the Foreign Assistance Act of 1961, as
amended, are not obligated or expended for the
years the assistance is available.

LIMINATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

SEC. 512. No part of any appropriation
contained in this Act shall be used to furnish
assistance to any country which is in default on
a loan, credit, or guarantee, unless the
United States is notified 15 days in advance:

COMMERCE AND TRADE

SEC. 513. No funds appropriated or
otherwise made available pursuant to this
Act shall be obligated or spent to finance or
otherwise aid any country whose
duly elected head of government is deposed
by decree or military coup: Provided, That
assistance may be resumed if the President
determines and reports to the Committees
on Appropriations that subsequent to the
termination of a democratically elected government has taken office or
substantial progress has been made towards the
holding of democratic elections.

TRANSACTIONS IN ACCOUNTS

SEC. 509. None of the funds made available by
this Act may be obligated or expended for any
aid to, or assistance or cooperation in, any
military coup or military government
in which troops of the
country have seized
control of the government
directly or by force of arms.

DEOBIGATION/REOBLIGATION AUTHORITY

SEC. 510. Obligated balances of funds ap-
propriated to carry out section 23 of the
Arms Export Control Act as of the end of the
fiscal year immediately preceding the current
fiscal year are, if obligated, hereby
continued available during the current fiscal
year for the same purpose and with any author-
ity applicable under any other provision of
this Act: Provided, That the availability of such
section may not be used in fiscal year
2002.
commitment: Provided further, That this section shall not apply to any program or project for an activity, program, or project under chapter 1 of part I of the Foreign Assistance Act of 1961 of less than 10 percent of the amount previously justified to the Congress for obligation for an activity, program, or project for the current fiscal year: Provided further, That the requirements of this section or provision of law may be waived if the President determines that to do so would pose a substantial risk to human health or welfare: Provided further, That in case of any such waiver, notification to the Congress, or the appropriate congressional committees, shall be provided as early as practicable, but in no event later than 3 days after taking the action to which such notification requirement was applicable, in the context of the circumstances necessitating such waiver: Provided further, That any notification provided pursuant to such a waiver shall contain an explanation of the emergency circumstances.

LIMITATION ON AVAILABILITY OF FUNDS FOR INTERNATIONAL ORGANIZATIONS AND PROGRAMS

SEC. 516. Subject to the regular notification procedures of the Committees on Appropriations, funds appropriated under this Act or any prior Act making appropriations for foreign operations, export financing, and related programs, which are returned or not made available for organizations and programs because of the implementation of section 809(a) of the Foreign Assistance Act of 1961, shall remain available for obligation until September 30, 2003.

INDEPENDENT STATES OF THE FORMER SOVIET UNION

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

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

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

(b) None of the funds appropriated under the heading “Assistance for the Independent States of the Former Soviet Union” shall be made available for assistance for a government of an Independent State of the former Soviet Union—

(1) whose government directly or indirectly using action in violation of the territorial integrity or national sovereignty of any other Independent State of the former Soviet Union, United Nations resolutions including the Helsinki Final Act: Provided, That such funds may be made available without regard to the restriction in this subsection if the President determines that to do so is in the national security interest of the United States; and

(2) None of the funds appropriated under the heading “Assistance for the Independent States of the Former Soviet Union” shall be made available for any state to enhance its military capability: Provided, That this restriction shall not apply to any program or project for an activity, program, or project under chapter 1 of part I of the Foreign Assistance Act of 1961 for the provision of defensive, nonlethal equipment, training, demining or nonproliferation programs.

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

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

(f) Funds allocated in this or prior appropriations Acts that are or have been made available for an Enterprise Fund in the Independent States of the Former Soviet Union may be deposited by such Fund in interest-bearing accounts prior to the disbursement of such funds by the Fund for program purposes, and such funds may be used to pay for the performance of abortions as a method of family planning or to motivate or coerce any person to practice abortions, provided that no such abortions are performed except to save the life of the mother, to prevent grave and irreversible impairment of the physical health of the mother, or to prevent the threatened serious birth defect of the child.

(g) (i) None of the funds made available in this Act or prior appropriations Acts under the heading “Assistance for the Independent States of the Former Soviet Union” and under comparable headings in prior appropriations Acts, for projects or activities that have as one of their primary purposes the fostering of private sector development, the Coordinator for United States Assistance to the New Independent States and the implementing agency shall encourage the participation of and give significant weight to contractors and grantees who propose investing a significant amount of their own resources (including volunteer services and in-kind contributions) in such projects and activities.

(h) Provided further, That none of the funds made available in this Act for assistance to any country or region for the purpose of carrying out activities for which the funds in such account are available to be considered to include country, regional, and central program level funding within each such account; for the development assistance accounts of the Agency for International Development “program, project, and activity” shall also be considered to include medium and country program level funding, either as: (1) justified to the Congress; or (2) allocated by the Chief Executive Officer in accordance with a report, to be provided to the Committees on Appropriations, within 30 days of the enactment of this Act, required by section 653(a) of the Foreign Assistance Act of 1961.

CHILD SURVIVAL AND DISEASE PREVENTION ACTIVITIES

SEC. 518. None of the funds made available by this Act for assistance under the heading “Child Survival and Disease Prevention” shall be reimbursed United States Government agencies, agencies of State governments, institutions of higher learning, and private and voluntary financial intermediaries (including for the personal services of such individuals) detailed or assigned to, or contracted by, as the case may be, the United States Agency for International Development for the purpose of carrying out activities under that heading: Provided, That up to $1,500,000 of the funds made available by this Act for assistance under the heading “Development Assistance” may be used to reimburse such agencies, institutions, and organizations for such costs of such individuals carrying out other development assistance activities: Provided further, That funds appropriated under this Act are available for the purpose of carrying out child survival and disease prevention programs including activities relating to research and development, and the prevention, treatment and control of, Acquired Immune Deficiency Syndrome, tuberculosis, and other related aid programs, notwithstanding any provision of law that restricts assistance to foreign countries: Provided further, That funds appropriated under title II of this Act may be made available pursuant to section 301 of the Foreign Assistance Act of 1961 if a primary purpose of the assistance is for child survival and related programs.

SEC. 519. Not to exceed 5 percent of any appropriation other than for administrative expenses made available for fiscal year 2001, shall be used for the development of new multilateral, regional, or bilateral programs that may be transferred between such appropriations for use for any of the purposes, programs, and activities for which the funds in such receipt were made available, except as otherwise specifically provided, and which have as their primary purpose the support of assisted countries for the purposes of promoting economic growth and reducing poverty and underdevelopment, and the stabilization of threatened democracies.

SEC. 520. None of the funds appropriated under this Act for assistance under the heading “Child Survival and Disease Prevention” program purposes any interest earned on such deposits or in interest-bearing accounts prior to the disbursement of such funds by the Fund for program purposes any interest earned on such deposits or in interest-bearing accounts prior to the disbursement of such funds.
Act shall be obligated to finance indirectly any assistance or reparations to Cuba, Iraq, Libya, Iran, Syria, North Korea, or Sudan, unless the President of the United States certifies that the withholding of these funds is contrary to the national interest of the United States.

NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

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

AUTHORIZED REQUIREMENT

SEC. 525. Funds appropriated by this Act, except funds appropriated under the headings "Peace Corps", "International Military Education and Training", and "Foreign Military Financing Program", may be obligated and expended notwithstanding section 10 of Public Law 91-672 and section 15 of the State Department Basic Authorities Act of 1956.

DEMOCRACY PROGRAMS

SEC. 526. Funds appropriated by this Act that are provided to the National Endowment for Democracy may be provided notwithstanding any other provision of law or regulation: Provided, That notwithstanding any other provision of law, of funds appropriated by this Act to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, not to exceed $10,000,000 may be made available to non-governmental organizations located outside the People’s Republic of China to support activities which preserve cultural traditions and promote sustainable development and environmental conservation in Tibetan communities in that country: Provided further, That funds made available pursuant to the authority of this section for programs, projects, and activities for the People’s Republic of China shall be subject to the regular notification procedures of the Committees on Appropriations.

PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST COUNTRIES

SEC. 527. (a) Funds appropriated for bilateral assistance under any heading of this Act and funds appropriated under any such heading in any subsequently enacted Acts are subject to the enactment of this Act, shall not be made available to any country which the President determines (1) grants sanctuary from prosecution to any individual or group which has committed an act of international terrorism; or (2) otherwise supports international terrorism;

(b) The President may waive the application of subsection (a) to a country if the President determines that national security or humanitarian interest so requires.

The President shall publish each waiver in the Federal Register and, at least 15 days before the waiver takes effect, shall notify the Committee on Appropriations of the waiver (including the name of the waiver) in accordance with the regular notification procedures of the Committees on Appropriations.

DEBT-FOR-DEVELOPMENT

SEC. 528. In order to enhance the continued participation of nongovernmental organizations in economic assistance activities under the Foreign Assistance Act of 1961, inclusion of economic assistance provided to that organization as a result of economic assistance provided under title II of this Act and any interest earned on such investment shall be used for the purpose for which the assistance was provided to that organization.

SEPARATE ACCOUNTS

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

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

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

(i) the amount of the local currencies to be generated; and
(ii) the terms and conditions under which the currencies so deposited may be utilized, consistent with the terms of this Act;

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

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

(A) to carry out chapter 1 or 10 of part I or chapter 4 of part II of the United States Agency for International Development; or

(B) to carry out chapter 1 or 10 of part I or chapter 4 of part II of the United States Agency for International Development.

(3) PROGRAMMING ACCOUNTABILITY.—The Administrator of the United States Agency for International Development shall ensure that the equivalent of the local currencies disbursed pursuant to subsection (a)(2) used for purposes agreed upon pursuant to subsection (a)(2).

(4) TERMINATION OF ASSISTANCE PROGRAMS.—Upon termination of assistance to a country under chapter 1 of part I or chapter 4 of part II, the United States Agency for International Development shall report to the Committees on Appropriations the amount of local currency (and United States dollar equivalent) used and/or to be used for such purpose in each applicable year.

(b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—(1) If assistance is made available to the government of a foreign country, under chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961, as cash transfer assistance or as nonproject sector assistance, the President shall submit notification of the separate account to the Committees on Appropriations.

(2) APPLICABILITY OF OTHER PROVISIONS OF LAW.—Such funds may be obligated and expended notwithstanding provisions of law which are inconsistent with the assistance including provisions which are referenced in the Joint Explanatory Statement of the Committee of Conference accompanying House Joint Resolution 648 (House Report No. 98-117).

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

(4) EXEMPTION.—Non-project sector assistance funds may be exempt from the requirements of subsection (a) through the regular notification procedures of the Committees on Appropriations.

COMPENSATION FOR UNITED STATES EXECUTIVE DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 530. (a) No funds appropriated by this Act may be made as payment to any international financial institution while the United States Executive Director to such institution is compensated by the institution at a rate which, together with whatever compensation such Director receives from the United States, is in excess of the rate provided for an individual occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code.

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

COMPLIANCE WITH UNITED NATIONS SANCTIONS AGAINST IRAQ

SEC. 531. None of the funds appropriated or otherwise made available pursuant to this Act to the Foreign Assistance Act of 1961 (including title IV of chapter 2 of part I, relating to the Overseas Private Investment Corporation) or the Arms Export Control Act may be provided assistance to any country that is not in compliance with the United Nations Security Council sanctions against Iraq unless the President determines that such assistance is consistent with the national security interests of the United States.

(1) such assistance is in the national interest of the United States;

(2) such assistance will directly benefit the needy people in that country; or

(3) the assistance to be provided will be humanitarian assistance for foreign nationals who have fled Iraq and Kuwait.

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

SEC. 532. Unless expressly provided to the contrary, provisions of this or any other Act, including provisions contained in prior Acts authorizing or making appropriations for foreign operations, export financing, and related programs, shall not be construed to prohibit activities, projects, or programs conducted under the Peace Corps Act, the Inter-American Foundation Act or the African Development Foundation Act, the agency shall promptly report to the Committees on Appropriations whenever it is conducting activities or is proposing to conduct activities in a country for which assistance is prohibited.

IMPACT ON JOBS IN THE UNITED STATES

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

(a) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States;

(b) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States.

Economic Support Fund.

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(2) the decision by the Arab League in 1967, that all Arab countries resolved to boycott and penalizing businesses that do not provide—

(a) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States;

(b) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States.

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

(1) the Arab League countries should immediately and publicly renounce the primary boycott of Israel and the secondary and tertiary boycotts of American firms that have commercial relations with Israel and to normalize their relations with Israel.

(2) that the decision by the Arab League in 1967, that all Arab countries resolved to boycott and penalizing businesses that do not provide—

(a) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States;

(b) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States.

(2) the decision by the Arab League in 1967, that all Arab countries resolved to boycott and penalizing businesses that do not provide—

(a) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States;

(b) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States.

(2) the decision by the Arab League in 1967, that all Arab countries resolved to boycott and penalizing businesses that do not provide—

(a) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States;

(b) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States.

(2) the decision by the Arab League in 1967, that all Arab countries resolved to boycott and penalizing businesses that do not provide—

(a) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States;

(b) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States.

(2) the decision by the Arab League in 1967, that all Arab countries resolved to boycott and penalizing businesses that do not provide—

(a) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States;

(b) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States.

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

(1) the Arab League countries should immediately and publicly renounce the primary boycott of Israel and the secondary and tertiary boycotts of American firms that have commercial ties with Israel and should normalize their relations with Israel;
reasons for furnishing such assistance: Provided further, that this subsection shall be construed to alter any existing statutory prohibitions against abortion or involuntary sterilizations contained in this or any other Act.

(b) PUBLIC LAW 480.—During fiscal year 2002, restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance under the Agricultural Trade Development and Assistance Act of 1954: Provided, That none of the funds appropriated to carry out title I of such Act and made available pursuant to this subsection may be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

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

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

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

EARMARKS

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

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

The CHAIRMAN. Are there amendments to that portion of the bill?

POINT OF ORDER

Mr. SMITH of New Jersey. Mr. Chairman, I would like to make a point of order. On page 107, lines 21 through 23, is not in order because it violates clause 21 of the House rules which prohibits legislation in an appropriation bill.

The CHAIRMAN. Does any Member wish to be heard on the point of order? Mr. KOLBE. Mr. Chairman, I wish to be heard.

Mr. KOLBE. Mr. Chairman, the Committee on International Relations is objecting to language in the bill that forever withdraws from earmarking previously appropriated funds.

The gentleman from New Jersey (Mr. SMITH) on behalf of the committee is objecting to language that has been carried in this bill for 3 years. I believe that the authorization committee should set policy and funding ceilings, but they should not be allowed to earmark appropriated funds or mandate minimum funding levels, either before or after we have enacted appropriate bills.

However, as a technical matter, it is correct that this language is legislative in nature, and I concede the point of order.

The CHAIRMAN. The point of order is conceded and sustained, and section 539 is stricken from the bill.

Mr. KOLBE. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 107, line 10, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The text of the bill from page 75, line 17, through page 107, line 10, is as follows:

CEILINGS AND EARMARKS

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

PROHIBITION ON PUBLICITY OR PROPAGANDA

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

PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS

SEC. 541. To the maximum extent possible assistance provided under this Act should make full use of American resources, including commodities, products, and services.

PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS

SEC. 542. None of the funds appropriated or made available pursuant to this Act for carrying out the Foreign Assistance Act of 1961, may be used to pay in whole or in part any assessments, arrearages, or dues of any member of the United Nations or, from funds appropriated by this Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961, the costs of participation of an American country’s delegation at international conferences held under the auspices of multilateral or international organizations.

NONGOVERNMENTAL ORGANIZATIONS—DOCUMENTATION

SEC. 543. None of the funds appropriated or made available pursuant to this Act shall be available to a nongovernmental organization if the organization to provide the request of any document, file, or record necessary to the auditing requirements of the United States Agency for International Development.

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

SEC. 544. None of the funds appropriated or otherwise made available by this Act may be available to any foreign government which provides lethal military equipment to a country the government of which the Secretary of State has determined is a terrorist government for purposes of section 6(j) of the Export Administration Act. The prohibition under this section with respect to a foreign government shall terminate 12 months after that government ceases to provide such military equipment. This section applies with respect to lethal military equipment provided under a contract entered into after October 1, 1997.

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

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

WITHHOLDING OF ASSISTANCE FOR PARKING FINES OWED BY FOREIGN COUNTRIES

SEC. 545. (a) In general.—Of the funds made available for a foreign country under part I of the Foreign Assistance Act of 1961, an amount equivalent to 110 percent of the total unpaid fully adjudicated parking fines and penalties owed to the District of Columbia by such country as of the date of the enactment of this Act shall be withheld from obligation for such country until the Secretary of State certifies and reports in writing to the appropriate congressional committees that such fines and penalties are fully paid to the government of the District of Columbia.

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

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

SEC. 546. None of the funds appropriated by this Act may be available for assistance for the Palestine Liberation Organization for the West Bank and Gaza if the President has exercised the authority under section 609(a) of the Middle East Peace Facilitation Act of 1995 (title VI of Public Law 104-107) or any other legislation to suspend or impose any inapplicable section 307 of the Foreign Assistance Act of 1961 and that suspension is still in effect.

Provided, That if the President fails to exercise the certification 609(b)(2) of the Middle East Peace Facilitation Act of 1995 or to suspend the prohibition under other legislation, funds appropriated by this Act may not be available for assistance for the Palestine Liberation Organization for the West Bank and Gaza.
WAR CRIMES TRIBUNALS DRAWDOWN

SEC. 547. If the President determines that doing so will contribute to a just resolution of charges regarding genocide or other violations of international humanitarian law, the President may direct a drawdown pursuant to subsection (c) of the Foreign Assistance Act of 1961, as amended, of up to $30,000,000 of commodities and services for the United Nations War Crimes Tribunal established with regard to the former Yugoslavia by the United Nations Security Council or such other tribunals or commissions as the Council may establish, to deal with such violations, without regard to the ceiling limitation contained in paragraph (2) thereof: Provided, That the determination required under this section shall be in lieu of any determinations otherwise required under section 532(c): Provided further, That the drawdown made under this section for any tribunal shall be made available for official United States Government business conducted in connection with such authority should continue to take place in locations other than Jerusalem. As provided in the Israel-PLO Declaration of Principles:

LANDMINES

SEC. 548. Notwithstanding any other provision of law, denouncing equipment available to the United States Agency for International Development and the Department of State and used in support of the clearance of landmines and unexploded ordnance for humanitarian purposes may be disposed of on a grant basis in foreign countries, subject to such terms and conditions as the President may prescribe.

RESTRICTIONS CONCERNING THE PALESTINIAN AUTHORITY

SEC. 549. None of the funds appropriated by this Act may be obligated or expended to create in any part of Jerusalem a new office of any department or agency of the United States Government for the purpose of conducting official United States Government business with the Palestine Liberation Organization, Authority, Gaza and Jericho or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles: Provided further, That meetings between officers and employees of the United States and officials of the Palestinian Authority, or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles, for the purpose of conducting official United States Government business with such authority should continue to take place in locations other than Jerusalem. As has been true in the past, officers and employees of the United States Government may continue to meet in Jerusalem on other subjects (including those who now occupy positions in the Palestinian Authority), have social contacts, and have incidental discussions.

PROHIBITION OF PAYMENT OF CERTAIN LOANS

SEC. 550. None of the funds appropriated or otherwise made available by this Act under the heading “International Military Education and Training” or “Foreign Military Financing Program” for Informational Program activities or under the headings “Child Survival and Health Programs Fund”, “Development Assistance,” and “Economics Support Fund” may be obligated or expended to pay for—

SPECIAL DEBT RELIEF FOR THE POOREST

SEC. 551. (a) Authority To Reduce Debt.—The President may reduce, or cancel certain loans. Notwithstanding any other provision of law, the President may, in accordance with this section, sell to any eligible purchaser any debt for which a write-down of such portion thereof made before January 1, 1995, pursuant to the Foreign Assistance Act of 1961, to the government of any eligible country as a result of—

(b) A debt buyback by an eligible country of its own qualified debt, only if the eligible country has been true in the past, officers and employees of the United States Government account or accounts established for the repayment of such loans, reduction of debt pursuant to subsection (a) or section 520 of the Agricultural Trade Act of 1975.

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None of the funds appropriated by this Act may be available for any military training of foreign personnel (excluding sales, and excluding training provided to the military personnel of countries belonging to the Non-Proliferation Treaty) for programs administered by the Department of Defense and the Department of State during fiscal years 2001 and 2002, including those under the Foreign Military Financing Program.

SEC. 507. None of the funds appropriated under this Act may be made available for the Government of the Russian Federation, after 180 days from the date of the enactment of this Act, unless the President determines and certifies in writing to the Committees on Appropriations and the Committee on Foreign Relations of the Senate that the Government of the Russian Federation has implemented no statute, executive order, regulation or similar government action that would allow, permit, or order as its principal effect discrimination against religious groups or religious communities in the Russian Federation in violation of accepted international law and religious freedoms to which the Russian Federation is a party.

ASSISTANCE FOR THE MIDDLE EAST

SEC. 558. Of the funds appropriated in titles II and III of the heading "Economic Support Fund", "Foreign Military Financing Program", "International Military Education and Training", "Peacekeeping Operations", and all other foreign assistance programs, joint contributions to the United Nations, and assistance from the United States that is used to support the United Nations or any State (including a non-self-governing territory or possession of the United States), for the purpose of raising revenue for the United Nations or any such additional funds shall only be provided if the United Nations is not engaged in any effort to implement or impose any tax on United States persons in order to raise revenue for the United Nations or any of its specialized agencies.

LIMITATION ON ASSISTANCE TO THE PALESTINIAN AUTHORITY

SEC. 555. (a) Prohibition of Funds.—None of the funds appropriated by this Act to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961 may be obligated or expended with respect to providing funds to the Palestinian Authority.

(b) Waiver.—The prohibition in subsection (a) shall not apply if the President certifies in writing to the Speaker of the House of Representatives and the President pro tempore of the Senate that waiving the prohibition provided by this section is necessary to support the security interests of the United States.

LIMITATION ON ASSISTANCE TO SECURITY FORCES

SEC. 556. None of the funds made available by this Act may be provided to any unit of the security forces of a foreign country if the Secretary of State has credible evidence that such unit has committed gross violations of human rights, unless the Secretary determines and reports to the Committees on Appropriations that the government of such country is taking effective measures to bring the responsible members of the security forces to justice.

DISCRIMINATION AGAINST MINORITY RELIGIOUS GROUPS IN THE RUSSIAN FEDERATION

SEC. 557. None of the funds appropriated under this Act may be made available for the Government of the Russian Federation, after 180 days from the date of the enactment of this Act, unless the President determines, and certifies in writing to the Committees on Appropriations and the Committee on Foreign Relations of the Senate that the Government of the Russian Federation has implemented no statute, executive order, regulation or similar government action that would allow, permit, or order as its principal effect discrimination against religious groups or religious communities in the Russian Federation in violation of accepted international law and religious freedoms to which the Russian Federation is a party.

KOREAN PENINSULA ENERGY DEVELOPMENT ORGANIZATION

SEC. 559. Prior to the distribution of any assets resulting from any liquidation, dissolution, or winding up of an Enterprise Fund, in whole or in part, the President shall submit to the Committees on Appropriations, in accordance with the regular notification procedures of the Committees on Appropriations, a plan for the distribution of the assets of the Enterprise Fund.

CAMBODIA

SEC. 560. (a) The Secretary of the Treasury should instruct the United States executive director of the international financial institutions to use the voice and vote of the United States to oppose loans to the Central Government of Cambodia, except loans to support basic education for the Central Government of Cambodia.

FOREIGN MILITARY TRAINING REPORT

SEC. 561. (a) The Secretary of Defense and the Secretary of State shall jointly provide to the Congress by March 1, 2002, a report on all military training and education provided to foreign military personnel (excluding sales, and excluding training provided to the military personnel of countries belonging to the Non-Proliferation Treaty) for programs administered by the Department of Defense and the Department of State during fiscal years 2001 and 2002, including those under the Foreign Military Financing Program.

(b) None of the funds appropriated by this Act may be made available for assistance (except for assistance for basic education) for the Central Government of Cambodia.

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WAIVER IS IN THE NATIONAL SECURITY INTERESTS

The President shall, for a period of time of not less than six months, impose one or more of the following sanctions:

(1) Notwithstanding any other provision of law, the President may waive any or all of the sanctions imposed under subsection (a) if the President determines and reports to the appropriate committees of Congress that the Government of the Republic of Sierra Leone has substantially complied with such commitments. If the President determines based on the assessment that such compliance has not occurred, then the President shall, at the end of the six-month period commencing June 13, 2001:

(a) prohibiting the establishment of any Additional Sanctions (including Fatah and Tanzim) or groups operating for the government of any country that supports terrorism and violence. The President shall determine, based on such an assessment, whether the PLO or the Palestinian Authority, as appropriate, has substantially complied with such commitments. If the President determines based on the assessment that such compliance has not occurred, the President shall, for a period of time of not less than six months, impose one or more of the following sanctions:

(1) the Secretary of State determines there is credible evidence that such government has provided military support or equipment, directly or through intermediaries, within the previous 6 months, to the Sierra Leone Revolutionary United Front or the Revolutionary United Front President on account of destabilizing the democratically elected government of the Republic of Sierra Leone.

(2) the Secretary of State determines there is credible evidence that such government has provided military support or equipment, directly or through intermediaries, within the previous 6 months, to any other group, organization, or individual in the People's Republic of China, as appropriate, that is not listed as a terrorist organization under United States law.

(3) the UNFPA does not fund abortions.

(4) the UNFPA does not commingle or otherwise make available any funds made available under the United Nations Population Fund Appropriations Act, 2000 (Public Law 106-113), as amended, for the United Nations Population Fund (hereafter in this subsection referred to as the “UNFPA”).

(5) None of the funds made available under “International Organizations and Programs” for fiscal year 2002 for the UNFPA may not be made available to UNFPA unless:

(a) for fiscal year 2002, 30 days prior to the submission of the report required by section 579(c)(2)(D) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000, as enacted by section 1004 of the Consolidated Appropriations Act, 2000 (Public Law 106-113), as amended, is further amended by striking “December 31, 2001” and inserting in lieu thereof “December 31, 2002”.

(b) None of the funds appropriated by this Act may be made available for assistance to the government of any country that the Secretary of State determines there is credible evidence that such government has provided military support or equipment, directly or through intermediaries, within the previous 6 months, to any other group, organization, or individual in the People's Republic of China, as appropriate, that is not listed as a terrorist organization under United States law.

(c) None of the funds made available under “International Organizations and Programs” for fiscal year 2002 for the UNFPA may not be made available to UNFPA unless:

(1) the UNFPA maintains amounts made available under “International Organizations and Programs” for fiscal year 2002 for the UNFPA under this section in an account separate from other accounts of the UNFPA;

(2) the UNFPA does not commingle amounts made available under “International Organizations and Programs” for fiscal year 2002 for the UNFPA under this section with other sums; and

(3) the UNFPA does not fund abortions.

(6) None of the funds made available under “International Organizations and Programs” for fiscal year 2002 for the UNFPA may not be made available to UNFPA unless:

(a) for fiscal year 2002, 30 days prior to the submission of the report required by section 579(c)(2)(D) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000, as enacted by section 1004 of the Consolidated Appropriations Act, 2000 (Public Law 106-113), as amended, is further amended by striking “December 31, 2001” and inserting in lieu thereof “December 31, 2002”.

(b) None of the funds appropriated by this Act may be made available for assistance to the government of any country that the Secretary of State determines there is credible evidence that such government has provided military support or equipment, directly or through intermediaries, within the previous 6 months, to any other group, organization, or individual in the People's Republic of China, as appropriate, that is not listed as a terrorist organization under United States law.

(c) None of the funds made available under “International Organizations and Programs” for fiscal year 2002 for the UNFPA may not be made available to UNFPA unless:

(1) the UNFPA maintains amounts made available under “International Organizations and Programs” for fiscal year 2002 for the UNFPA under this section in an account separate from other accounts of the UNFPA;

(2) the UNFPA does not commingle amounts made available under “International Organizations and Programs” for fiscal year 2002 for the UNFPA under this section with other sums; and

(3) the UNFPA does not fund abortions.
declassify and release to the victims’ families relevant information as expeditiously as possible.

(d) In making determinations concerning the classification and release of relevant information, the Federal agencies and participating organizations shall presume in favor of releasing, rather than of withholding, such information.

PROCUREMENT AND FINANCIAL MANAGEMENT

SEC. 575. (a) FUNDING CONDITIONS.—Of the funds made available under the heading “International Financial Institutions” in this Act, 10 percent of the United States portion of payment to such International Financial Institution shall be withheld by the Secretary of the Treasury, until the Secretary certifies to the Committees on Appropriations that, to the extent pertinent to its lending programs, the institution is—

(1) Implementing procedures for conducting annual audits by qualified independent auditors for all new investment lending; and

(2) Implementing procedures for annual independent external audits of central bank financial statements for countries making use of International Monetary Fund resources under new arrangements or agreements with the Fund;

(b) REPORT.—The Secretary of the Treasury shall report on March 1, 2002 to the Committees on Appropriations on progress made by each International Financial Institution, and, to the extent pertinent to its lending programs, the International Monetary Fund, to fulfill the requirements identified in subsection (a) and on progress of the International Monetary Fund to implement procedures for annual independent external audits of central bank financial statements for countries making use of International Monetary Fund resources under new arrangements with the Fund.

(c) DEFINITIONS.—The term “International Financial Institutions” means the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the Asian Development Bank, the African Development Bank, the Asian Development Fund, the African Development Fund, the African Development Bank, the European Bank for Reconstruction and Development, and the European Investment Bank.

COMMERCIAL LEASING OF DEFENSE ARTICLES

SEC. 576. Notwithstanding any other provision of law, and subject to the regular notification procedures of the Committees on Appropriations, the authority of section 28(a) of the Arms Export Control Act may be used to provide financing to Israel, Egypt and NATO and major non-NATO allies for the procurement by leasing (including leasing with an option to purchase) of defense articles from United States commercial suppliers, not including Major Defense Equipment (other than helicopters and other types of aircraft having possible civilian application), if the President determines that there are compelling foreign policy or national security reasons for those defense articles being provided by commercial lease rather than by government-to-government sale under such Act.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

ABOLITION OF THE INTER-AMERICAN DEVELOPMENT BANK


POINT OF ORDER

Mr. SMITH of New Jersey. Mr. Chairman, I make a point of order that the language on page 107, lines 11 through 17, is not in order because it violates clause 2 of rule XXI of the House rules which prohibits legislation on an appropriations bill.

The CHAIRMAN. Does the gentleman from Arizona (Mr. KOLBE) wish to be heard on the point of order?

Mr. KOLBE. No, Mr. Chairman.

The CHAIRMAN. The Chair finds the language on page 107, lines 11 through 17, is not in order because it violates clause 2 of rule XXI of the House rules.

The Clerk read as follows:

WAR CRIMINALS

SEC. 578. (a) None of the funds appropriated or otherwise made available pursuant to this Act may be made available for assistance, with the exception of humanitarian assistance and assistance for democratization, to any country, entity or municipality whose competent authorities have failed, as determined by the Secretary of State, to take necessary and significant steps to implement its international legal obligations to apprehend, prosecute and, where necessary, transfer for trial the following:

(A) the immediate arrest, surrender, and unreservedly with the Tribunal, including at the request of the International Criminal Tribunal for the Former Yugoslavia (the “Tribunal”) all persons in their territory who have been publicly indicted by the Tribunal;

(b) The provisions of subsection (a) shall apply unless the Secretary of State determines and reports to the appropriate committees of the Congress that the competent authorities of such country, entity, or municipality are—

(1) cooperating with the Tribunal, including access for investigators, the provision of documents, and the surrender and transfer of publicly indicted indictees or assistance in their apprehension; and

(2) taking steps that are consistent with the Dayton Accords.

The CHAIRMAN. The Secretary of State may waive the application of subsection (a) with respect to a country, entity, or municipality upon a written determination to the Committees on Appropriations, Representatives, and the Senate that provision of assistance that would otherwise be prohibited by that subsection is in the national interest of the United States.

AMENDMENT NO. 8 OFFERED BY MR. SMITH OF NEW JERSEY

Mr. SMITH of New Jersey. Mr. Chairman, I offer an amendment on behalf of the gentleman from Maryland (Mr. CARDIN) and myself.

The CHAIRMAN. The Clerk will design the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. SMITH of New Jersey:

Page 108, after line 20, insert the following:

SENSE OF THE CONGRESS RELATING TO CO-OPERATION WITH THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA

SEC. 579. (a) FINDINGS.—The Congress finds as follows:

(1) All member states of the United Nations have the legal obligation to cooperate fully with the International Criminal Tribunal for the Former Yugoslavia.

(2) All parties to the General Framework Agreement for Peace in Bosnia and Herzegovina have the legal obligation to cooperate fully with the Tribunal in pending cases and investigations.

(3) The United States Congress continues to insist, as a condition for the receipt of foreign assistance, that all governments in the region cooperate fully with the Tribunal in pending cases and investigations.

(4) The United States Congress strongly supports the efforts of the Tribunal to bring those responsible for war crimes, crimes against humanity, and genocide to justice.

(5) Those authorities in Serbia and the Federal Republic of Yugoslavia responsible for the transfer of Slobodan Milosevic to the Tribunal at The Hague are congratulated.

(6) The governments of Croatia and Bosnia are congratulated for their cooperation with the Tribunal, particularly regarding the transfer of indictees to the Tribunal.

(7) At least 30 persons who have been indicted by the Tribunal remain at large, especially in the Republika Srpska entity of Bosnia Herzegovina, including but not limited to Radovan Karadzic and Ratko Mladic.

(8) The Parliamentary Assembly of the Organization for Security and Cooperation in Europe recently adopted a resolution that emphasizes the importance of cooperation by member states with the Tribunal.

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

(1) All governments, entities, and municipalities in the region, including but not limited to the Federal Republic of Yugoslavia, Serbia, and the Republika Srpska entity of Bosnia and Herzegovina, are strongly encouraged to cooperate fully and unreservedly with the International Criminal Tribunal for the Former Yugoslavia in pending cases and investigations.

(2) All governments, entities, and municipalities in the region should cooperate fully and unreservedly with the Tribunal, including (but not limited to) through—

(A) the immediate arrest, surrender, and transfer of all persons who have been indicted by the Tribunal but remain at large in the territory which they control; and

(B) full and direct access to Tribunal investigators; request for and access to witnesses, mass grave sites, and any officials where necessary for the investigation and prosecution of crimes under the Tribunal’s jurisdiction.

The CHAIRMAN. Pursuant to the order of the House today, the gentleman from New Jersey (Mr. SMITH) and a Member opposed each will control 10 minutes.
Mr. KOLBE. Mr. Chairman, I claim the time in opposition, and I reserve a point of order on this amendment.

The CHAIRMAN. The gentleman from Arizona (Mr. KOLBE) reserves a point of order, and will be recognized on the amendment.

The Chair recognizes the gentleman from New Jersey (Mr. SMITH) for 10 minutes.

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

This amendment, Mr. Chairman, underscores our resolve to bring to justice those responsible for war crimes, crimes against humanity, and genocide.

Sometimes some people wonder if it is really worth introducing this complex and complicating factor called justice into U.S. policy toward the region. Justice may be nice, they argue, but regional stability is what is really needed in the Balkans. Insisting on the prosecution of war crimes, they continue, certainly does not help in this regard, and if our European allies are not pushing this, why should we?

Mr. Chairman, in response, I ask that my colleagues make sure that time has not faded the horrific images of the Yugoslav conflict, images of prisoners interned in camps like Omarska, the mass graves of Vukovar, Srebrenica, and in recent weeks those uncovered in Serbia itself.

I would just say parenthetically on a trip the gentleman from Virginia (Mr. WOLF) and I made in the early months of the war against Croatia, we went to Osijek and Vukovar. We were there when it was surrounded by Serbian military snipers. There were MiGs flying overhead. We met with people inside the camps who wrote letters that came out because every day snipers were just picking off innocent civilians, killing these people as they walked down the street, as they leveled one block after another.

The people who were in Vukovar Hospital, I am told, just months after we left, that when city under siege was overtaken, were literally taken out and killed in a terrible, a horrible way, just shot and put into a mass grave.

So I would respectfully submit that we must remember those frightened, innocent peasants who we all saw the images of day in and day out on CNN fleeing over mountain passes with whatever they could carry. There were stories of snipers in Vukovar, in Sarajevo, in Mostar, in other cities, shooting anybody that crossed the street; or the militants lobbing shells at schools or kids who wrongfully hoped it would be safe enough to do a little sleigh riding in their hilly neighborhoods.

It is virtually impossible for us, I would submit, to comprehend what it is like for these people who did nothing wrong, who posed no threat to anyone, to have encountered such hostility and such hatred. We must never forget nor should we ever stop seeking justice for those who fled for their lives were tortured, for those who were raped repeatedly.

We had hearings, Mr. Chairman. The gentleman might recall in the Helsinki Commission we brought in some victim stories who, as a matter of state policy, the Serbian government and the Bosnian Serbs were trying to make an example of these women to break the back of those people in Serbia, in Bosnia. It was brutal to see the blank faces and the vacant look in their eyes, the look of pain, as they came forward to tell of their stories.

We must put ourselves in their shoes as we consider this amendment. We must stand there on the edge of that ditch and try to ponder the notion that these drunken people had their rifles pointed at their backs, and those sons and daughters and fathers and everyone else were killed. There needs to be an accounting.

We must remember that these culprits of these horrific crimes are today living their lives at large, mostly in the Republic of Srpska, and in Serbia as well.

As a matter of fact, a history of ancient hatreds is really a myth. They like to throw that out, that somehow this was just all of these animosities, generation after generation. Nothing was inevitable. This did not have to happen. Those responsible for this carnage need to be held to account, people like Karadzic, Mladic, and some 30 others who have already been indicted by the tribunal who are walking the streets free today. They need to be held to account.

Mr. Chairman, I offer this amendment. I know the chairman may raise a point of order. It does express our collective consciousness, Republicans, and Independents in favor of going forward and being as aggressive and attentive as we can be.

As I said at the outset, time should not fade these memories. As we learned from the Holocaust and the atrocities of Nazis, we hunt down until we bring to justice those who have committed these horrible acts.

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

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

As the gentleman knows, we worked together to craft appropriate language regarding aid to Yugoslavia and its cooperation with the War Crimes Tribunal. The bill carries similar language to the fiscal year 2001 bill. It allows assistance to Serbia until March 30, 2002, at which time the Secretary of State must certify that Serbia is cooperating with the Tribunal, taking steps consistent with the Dayton Accords to limit financial cooperation with the Republic of Srpska, and is respecting minority rights.

The bill also carries separate language requiring that all countries cooperate with the international criminal tribunal or face penalties. We arrived at this language through negotiations with the chairman, and it enjoys the support of most members of the committee.

I understand and agree with the concerns addressed in the gentleman’s amendment, and I am happy that the language included reflects many of those concerns. I am pleased to note that soon after this subcommittee marked up this bill former President Milosevic was turned over to the Tribunal.

Despite this historic event, I strongly support retaining this language. It recognizes the simple fact that many war criminals remain at large and that our assistance should continue to be conditioned to a great degree on continued cooperation with the Tribunal.

I thank the gentleman for his leadership on this issue.

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

Mr. KOLBE. Mr. Chairman, I continue to reserve a point of order on this amendment, and I yield myself such time as I may consume.

Mr. Chairman, let me just say about this issue, I understand the concerns that people have, and that I share. We want to make sure that war criminals are brought to justice. We want to make sure that we move in Serbia to help develop democracy in that region. These are not mutually exclusive, by any means. But sometimes the orbits may come into conflict.

We have two provisions in our bill relating to war criminals. Section 582 is a variation of last year’s provision affecting Serbia. Section 578 is a streamlined replacement for the so-called Lautenburg amendment that applies to all countries in the Balkans.

That language, and I was just reading it the other day, it is pages and pages and pages in the bill that complicated it was just routinely waived. The committee recommendation this year I think is much more straightforward.

Regarding Serbia, last year’s language prohibited most assistance to Serbia after March 31 of 2001 unless the President can certify, among other things, that Yugoslavia was cooperating with the War Crimes Tribunal in The Hague. Such a certification was made last year. We have received requests to continue and even to strengthen the language this year.

Our recommendation continues the language largely unchanged from last year. I am not enthusiastic about doing that. We need to help the people of Serbia and the reformers in that country, and the long struggle they have been facing to reform their society. Punishing them for not fulfilling every aspect of The Hague Tribunal’s directives
may not, and I think is not, positive in the long run. We want to help the democratic governments in the Balkans. We are not trying to hurt them. We are not trying to stunt their democratic growth.

The Hague Tribunal is part of an effort to promote democratic governments. We cannot sacrifice the future of democratic governments to the procedural niceties, however, of the tribunal. They need to work together. They need to go hand in hand. The tribunal needs to do its stuff, but the countries are not always going to find it possible to comply with every single thing that the tribunal might ask them.

But if we want to exit and pull out NATO troops, U.S. troops, we need to have on the ground the kind of stability and transparency that a properly trained police academy with an emphasis on human rights can bring. It is a sense to me that Bosnia and the Republic of Srpska and, of course, the Republic of Yugoslavia could benefit greatly from it. So I ask the amendment be supported by my colleagues.

Mr. KOLBE. Mr. Chairman, I yield back the balance of my time, and I make a point of order on the amendment.

The CHAIRMAN. The gentleman will state his point of order.

Mr. KOLBE. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation on an appropriation bill and, therefore, violates clause 2 of rule XXI. That rule states in part: ‘An amendment to a general appropriation bill shall not be in order if changing existing law.’

The amendment proposes to state a legislative position. This is a sense of Congress, clearly states a legislative position, and therefore violates that part of the rule. And I would ask for a ruling of the Chair.

The CHAIRMAN. Does any Member wish to be heard on the point of order? If not, the Chair is prepared to rule.

The amendment offered by the gentleman from New Jersey proposes to state a legislative position of the House. As such, the amendment constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained and the amendment is not in order.

The Clerk will read.

The Clerk reads as follows:

SEC. 579. The Secretary of the Treasury shall instruct the United States Executive Director at each international financial institution (as defined in section 1701(c)(2) of the International Financial Institutions Act) and the International Monetary Fund to oppose any loan of these institutions that would require user fees or service charges on people who have committed atrocities, putting themselves at considerable risk. So it seems to me that the more we encourage those democratic forces, and this is sense of the Congress language granted, the quicker they will get to a free and hopefully a robust democracy.

Let me just finally say, and I say to this my good friend the chairman, our hope is that we look very seriously at a police academy for the Republic of Yugoslavia. We met with General Ralston, our delegation, and he made it very clear that the Kosovo Academy, which has now graduated some 4,000 police, really is the model for the region. It is the way we ought to be going.

If we want to exit and pull out NATO troops, U.S. troops, we need to have on the ground the kind of stability and transparency that a properly trained police academy with an emphasis on human rights can bring. It is a sense to me that Bosnia and the Republic of Srpska and, of course, the Republic of Yugoslavia could benefit greatly from it. So I ask the amendment be supported by my colleagues.

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Mr. KOLBE. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Chairman, I thank the gentleman for yielding me this time, and I believe the gentleman from Michigan has raised a very important point for us to ponder. Unfortunately, we kind of find ourselves as a body in a “darned if you do and darned if you don’t situation.” Because there are those areas that have been reported to us that the best way to get to them is through aerial fumigation, and I think the gentleman knows that.

But it is certainly not the intent of our Congress to hurt children, hurt livestock, hurt crops and do inadvertent harm to the population of these countries. I am not sure what the solution is, but I do want to say there is a reason that we are doing this aerial fumigation, as the learned gentleman knows. And I want to say that as a member of the committee, and I am with the chairman on this, we want to work with the gentleman on this in any way we can, and I appreciate the gentleman bringing it up.

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

Mr. KINGSTON. Reclaiming my time, yes. Unfortunately, some of the reports say in a high, mountainous remote area, the best way to get to them is from the air because of the resistance.

I do agree that manual destruction is superior. One thing the gentleman has not mentioned is the pollution to the water that comes downstream when chemicals are applied. We do need to continue to work this thing through, and figure out the best way to destroy the crops.

Mr. CONYERS. Mr. Chairman, I yield as much time as she may consume to the gentlewoman from Illinois (Ms. Schakowsky).

Ms. SCHAKOWSKY. Mr. Chairman, in February I had an opportunity to go
to Colombia along with the gentleman from Massachusetts (Mr. McGovern), and we met with all 12 mayors from Putumayo, and we have one message, please stop the fumigation.

The next day we went along with Ambassador Anne Patterson to Putumayo, and we met with impoverished farmers whose legal crops had been destroyed by U.S. fumigation planes. We heard from Colombians whose children suffered from severe rashes after being sprayed.

Mr. Chairman, after the birth of my granddaughter yesterday, I am particularly sensitive to the picture of the baby shown by the gentleman from Michigan (Mr. Conyers), and the problems caused to children. I saw some of those children.

It was reported to us that local drinking water sources were contaminated from fumigation, as were fish farms. This testimony was news to Ambassador Patterson, who agreed that more research on the human health effects of the fumigation is needed.

So many of those suffering under our policy are the poor, working families not involved in the coca trade. Those who admitted to us that they grew coca had compelling arguments for a different strategy to eradicate the crop. They informed us that their plots were sprayed, and they would simply move into the jungle, damaging more fragile habitat, and still producing the product. Others said they would continue to grow coca because Colombian and U.S. government promises to provide alternative development and support and food aid yielded no results.

All of the democratically elected mayors from the southern region came to Washington, and they said, Let us use medical action, as we have done in Peru in order to successfully get rid of coca. They want to get rid of coca, too, but they want support for economic development and alternatives without the coca.

The gentleman from Michigan (Mr. Conyers) mentioned Monsanto’s Roundup. On the label it says when used in the United States, it is a violation of Federal law to use this product in any manner inconsistent with its labeling. Do not apply the product in a way, that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application.

Entire communities have been sprayed in Colombia. We see livestock, we see crops, we see water, we see children being sprayed. It is time for us to end this policy.

Mr. Chairman, even one of the companies that benefits from Roundup, ICI, a British chemical company, announced it would stop production of Roundup. It would stop production of one of the ingredients to the chemical herbicide because, “it did not wish to be responsible for damage to humans, animals or the ecology of southern Colombia.” If it is good enough for this company that wants to profit, it ought to be good enough for this Congress to say no more fumigation.

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

Mr. Kolbe. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. Gilman), the distinguished former chairman of the Committee on International Relations.

Mr. Gilman. Mr. Chairman, the use of eradication aerial spraying in Colombia, while controversial, when put into overall perspective is not as alarming as many would have us believe. While I admire the objective of the gentleman who presented the amendment, the gentleman from Michigan (Mr. Conyers), all of the coca eradication, of our U.S. policy in Colombia combined used less than 10 percent of the Roundup herbicide used overall each year in that same nation for their legitimate farm- and other usual eradication uses. That same herbicide, Roundup, licensed since 1993 by our own EPA for use here in our own nation, is used safely as well in many other areas of legitimate agricultural production in Colombia. In fact, the drug producers themselves often use this same herbicide to keep weeds down around the illicit coca bush to be eradicated by our spray planes.

The real environmental damage is done by the drug producers who slash and burn the Amazon jungle to plant coca and opium, and then pour tons of chemicals into the rivers from their illicit laboratories.

Mr. Chairman, there is no other alternative but to help Colombia. We must work with them to improve their military’s capability, which is not a distinguishing concern of all of us. And as to the manual eradication idea in Colombia, the narcoterrorists will not let that happen. Just last year, for example, when record levels of both opium and coca were aerially eradicated by the anti-drug police, there was not one allegation of human rights abuse against the anti-drug unit, as I pointed out earlier today. It is a record we and they can be justly very proud of, especially in the middle of a raging civil war, a war that is often financed by the illicit drug monies.

Mr. Chairman, I urge the defeat of this amendment. It is a misguided proposal to end aerial eradication of coca growth.

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

Mr. Gilman. I yield to the gentleman from Michigan.

Mr. Conyers. Mr. Chairman, has the use of Agent Orange in Vietnam and the aftereffects?

Mr. Gilman. Yes, I am familiar with that, but Agent Orange is not the kind of spraying that they are using here. They are using Roundup that the farmers themselves use for their weeds. The farmers in Colombia use this Roundup themselves. We use it.

Mr. Conyers. The gentleman from New York will endorse this brand, Roundup?

Mr. Gilman. Well, apparently it is being used in our own country as well. The EPA has approved it.

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

We have already stood and debated the record of implementation of Plan Colombia. One thing which is crystal clear is that programs designed to provide benefits of alternative development simply have not materialized. Assistance is currently being delivered in only two of the 29 communities that have signed pacts to voluntarily eradicate coca. There are wide-ranging views about the effectiveness of aerial spraying, but no one disputes the fact that you cannot expect farmers to stop growing coca if there is no capacity to help them grow something else.

We have heard a lot of promises for improvement from the administration, but the fact is that we have been promising acceleration of the program since March, and we have seen very little progress in terms of additional communities actually receiving assistance.

Another basic concern is that there are no plans to set up alternative development programs in other regions of Colombia where they are spraying crops. In western portions of Colombia, for example, where many Afro-Colombians reside, spraying has occurred, and there are no alternative development programs and no plans to set them up.

This amendment simply says, let us take a time out to rethink our policy. Getting poor farmers to voluntarily and manually eradicate coca is the ultimate goal of the program. Should not we have programs in place that demonstrate the rewards of such courageous actions before we spray on such a wide scale?

In the rush to provide military assets and push into southern Colombia, we left out a critical part of the plan. The only thing we succeeded in was generating overwhelming public opposition and distrust in the regions being sprayed. Is that the path to a long-term solution? Will that muster the support of the local populations and governments?

This amendment would halt spraying in Colombia and would give planned alternative development programs time to mature and demonstrate success. If this were allowed to occur, it would speed eradication of coca and bring us closer to the ultimate goals of Plan Colombia which we all share.

Mr. Chairman, I urge my colleagues to support this amendment.

Mr. Chairman, I yield back the balance of my time.
Mr. CONYERS. Mr. Chairman, I yield myself as much time as I may consume to insert into the Record a letter from a senior officer of the Colombian legislature, Rafael Orduz, who makes the case to the Congress to consider this problem that is being discussed and hopes that we can learn as much about it and the harm that is done from it as we can so that we may be able to work together to make the Andean Initiative as successful as it possibly can be made.

Mr. Chairman, I think this is a good time for me to indicate that under consultation with the ranking members of both sides, I am going to soon ask unanimous consent to withdraw this amendment. I think the discussion has been important and I hope it will be useful for all parties.


Congress of the United States of America.

Dear Congressman. You are attacking the budget that would finance anti-narcotics strategy in the framework of Plan Colombia for fiscal year 2001–2002. As a Colombian Senator, I wish to express the concern of millions of Colombians regarding the continuation of chemical fumigations (using Round-Up) to eradicate illegal crops in Colombia. Three arguments for suspending fumigation should be considered: 1. The strategy is not productive. Since 1992, the year in which the use of Round-Up for fumigations in Colombia was adopted, the total area has expanded by 400 percent (40,000 hectares in 1992, 160,000 hectares in 2001). You should consider the cost-benefit relationship on behalf of your electorate. American taxpayers are financing an inefficient strategy.

2. Evidence exists of environmental damage from the application of the aerial fumigations. Legal crops meant to feed families are frequently fumigated and water sources are contaminated. The physical impossibility of acting with precision has led to the fumigation of agricultural projects financed with international technical cooperation. There are serious doubts regarding the effects of additives that are being used along with Round-Up (Cordofluor). I believe that given the uncertainty regarding environmental effects, a society like that of the United States is great caution would be exercised in deciding to fumigate without having in hand studies of environmental impact.

3. The fumigations have generated the forced displacement of thousands of families toward the large cities, on the one hand, and toward areas of the Amazon where they cultivate illegal crops is expanding due to the absence of alternative agricultural development policies. In a context of armed conflict and forced displacement in which the State must seek a monopoly on the use of force (by) combating groups outside the law, the fumigations are an attack on the civilian populations, especially indigenous, Afro-Colombian and humbles peasant communities.

These are sections of the Congress [of Colombia], for the reasons noted, the objective of reforming the anti-narcotics legislation. On the one hand, to de-criminalize the small producer with the objective of involving him in plans for alternative development and manual eradication of illegal crops, and on the other, to suspend the fumigations.

The Governors of the South of Colombia, elected by popular vote, have serious problems for regional alternative development and reject the fumigations.

With other senators we have encouraged a public debate in Bogota for next July 31 on the inappropriateness of the fumigations.

Your collaborative effort. The tragic business of narco-trafficking involves demand and supply. You must examine the hypothesis that each dollar invested in prevention and treatment of addictions is more cost-effective. It is very important to attack the financial aspects of the business on the supply side, while manual eradication accompanied by alternative development will be more efficient for combating narco-trafficking.

Cordially, Rafael Orduz, Senator.

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

Mr. KOLBE. Mr. Chairman, I yield 4 minutes to the gentleman from Indiana (Mr. SOUDER).

Mr. SOUDER. Mr. Chairman, first I would like to thank the distinguished gentleman from Michigan (Mr. CONYERS) for his willingness to work together.

This is a tough issue. Nobody wants to have children or families damaged by any type of chemical eradication or any other sort of method of destroying drugs. It is important that we understand that this is not Agent Orange. This herbicide, the only one that is used in aerial eradication, actually our government uses less than 10 percent of what is used in Colombia. The remaining 90 percent is predominantly used to spray coffee and also for other agricultural products such as soybeans. It is used for weed control in plantations of fruit trees and bananas. It is also used in areas for sugar cane.

We do not drink Colombian coffee, not use the fruit nor the soybeans nor the sugar cane from Colombia be-cause it has been sprayed with these items, nor do the people in Colombia. Furthermore, the narco-people themselves use the same chemical to get rid of the weeds inside the poppy and the coca.

We need to look at the best way possible to use this, but it is not that the herbicide is dangerous. Yes, lawsuits can back off companies from offering it, and say that there are potential problems in any chemical. But 90 percent of this is used in Colombia for food products and it is also used by the heroin coca growers themselves.

There were also some comments made about alternative developments not being in many parts of Colombia. Alternative development is a very difficult issue. For example, in Bolivia where they do the hand eradication, Mr. Chairman, I have been down in Colombia at least five or six times and in Peru multiple times and in Bolivia about four or five times. What we see in government and in their eradication, they were able to do the hand eradication which is very expensive, but they were not getting shot at like in Colombia.

If you had agricultural extension agents in America who had to carry an Uzi, we probably would not have as many people who first we have to be an agricultural extension agent. We have to get some semblance of law and order.

It would be better if we can do hand eradication. It would be more expensive for us, more expensive for the Colombians, but if we have to have some sense of order on the ground or the people trying to do that manual eradication will be killed. They will be massacred.

We have to look for ways to do this. Furthermore, I have met with different people representing all the regions of Colombia and in Peru and have seen projects, particularly in Bolivia and Peru, where alternative development is starting to work. This year's bill has $382 million for social, legal and alternative development projects. We have some in Plan Colombia. That's something anybody's bill it is takes a while to build a helicopter. The helicopters are just getting there. The aid is just getting there to Colombia. If we can get the order, hopefully the alternative development and the social development can continue, and then we can look at other ways to deal with eradication if we can get a little bit of order.

One last story that I want to share, because it was a very unusual moment for me and several other Members. While we were waiting for Speaker HASTERT to come together with the rest of our delegation, we met a young man who had been with the FARC, and he had been collecting the dues from the agricultural growers. We asked him just offhand, if he had ever killed anybody.

He said, "Yes." We said, "Why?"

He said, "Because the man was late in his payment."

We said, "How did you kill him?"

He said, "I warned him twice. The man was late on his bill."

We said, "But how would you do something like that?"

He said, "Well, I tried to collect it twice. Then he and his son were eating in town, and I went up behind him with a gun and shot him in the back of the head. But he deserved to die. He hadn't paid his money to us."

That is the type of battle that we are in Colombia because of our drug habits in America. We need to work on drug treatment, prevention, but we also need to help these people whose country is being overrun. We need to do it in a way that is safe for children and families. Hopefully, we can work together to do this.

Mr. KOLBE. Mr. Chairman, I move to strike the last word, and I yield to the gentleman from Wisconsin (Mr. OBEY), hoping that he will reserve a little
time for me so I can respond to the gentleman from Michigan.

Mr. OBEY. Mr. Chairman, I appreciate it very much. I will only take 1 minute.

I want to illustrate something. What is this? That is the sound of one hand clapping. The only point the gentleman from Michigan is trying to make is that eradicating coca without giving farmers something else to do is not very effective. It produces the same results as one hand clapping.

All he is trying to suggest, I believe, is that if you want to continue the spraying, at least deliver the aid that we said would be delivered in a simultaneous fashion. Because if you do not you guarantee the failure of the program.

I thank the gentleman for yielding.

Mr. KOLBE. Reclaiming my time, Mr. Chairman, I think most of the points that need to be made about the eradication, the fumigation, the spraying program in Colombia have been made. There is only one that I would like to make before responding directly to the question or the comments that were made by the gentleman from Michigan, and that is that we have seen over and over again that unless we have this, I do not like to use the word hammer, but unless we have this leverage of this fumigation program, we have found that farmers do not sign up for the alternative development programs.

I was down there. Time and again we found this to be the case. Once you were serious and showed that you were ready, prepared to fumigate, then the farmers were ready to sign up for the alternative economic development. Without that, you really do not have this money into the region and that they use that money, they contract with the contractors they have available down there, they get this money into the region and that we do the alternative economic assistance. It is absolutely imperative that we do that. Without that, our credibility is nil. We may have sprayed the area, but we have not given the people any basis on which they can rebuild an economic life for themselves. I quite agree with the gentleman.

Mr. CARDIN. Mr. Chairman, I rise today to offer a bipartisan amendment, on behalf of three members of the Helsinki Commission, which expresses the sense of Congress that all governments should cooperate fully and unreservedly with the International Criminal Tribunal for the Former Yugoslavia.

My amendment congratulates the governments of Serbia, the Federal Republic of Yugoslavia, Croatia and Bosnia and Herzegovina for their cooperation to date with the Tribunal. I particularly want to commend those authorities in Serbia and the Federal Republic of Yugoslavia that were responsible for the transfer of Slobodan Milosevic to the Hague.

My amendment also states that much work remains to be done in cooperation with the Tribunal. At least 30 persons who have been indicted by the Tribunal remain at large, especially in the Republika Srpska entity of Bosnia-Herzegovina, including but not limited to Radovan Karadzic and Ratko Mladic.

The amendment also calls on all governments, entities, and municipalities in the region to cooperate fully and unreservedly with the Tribunal, including, but not limited to:

(1) the immediate arrest, surrender, and transfer of all persons who have been indicted by the Tribunal but remain at large in the territory which they control; and

(2) full and direct access to Tribunal investigators to requested documents, archives, witnesses, mass grave sites, and any officials where necessary for the investigation and prosecution of crimes under the Tribunal's jurisdiction.

In our deliberation over the years, including here in the House of Representatives, we have repeatedly focused on war crimes, crimes against humanity and genocide in the former Yugoslavia, as well as the need to bring those responsible for these crimes to justice.

The presence of Slobodan Milosevic in The Hague is the most significant development in this ongoing effort. I want to congratulate the Prime Minister of Yugoslavia and local Serbian officials for their courageous leadership in making this possible. We have also recently seen steps taken by the governments of Croatia and Bosnia to turn over military indictees. These are all very positive developments. It is, however, the adoption by the Security Council of this resolution which calls on all member states to cooperate fully with the Tribunal. Recently I met with ICTY Chief Prosecutor Carla Del Ponte, and I am convinced that the U.S. Congress can play a vital role in ensuring the implementation of this resolution.

Debates in this House and in other capitals around the world too often focus on the prosecution of these crimes as a foreign policy tool while the criminal acts themselves become distant memories if not forgotten events. Let me give you just two examples.

In Croatia during the second half of November 1991—almost ten years ago—about 260 men were removed from the Vukovar hospital after the city’s surrender, driven to the nearby Ovcara farm, beaten, executed and buried in a mass grave. These were real people, and this was an abomination. Six years ago this July, the UN safe haven of Srebrenica in Bosnia was over-run. Thousands were captured or tracked down, again real people who were executed in groups and buried in mass graves.

Anybody who argues for greater flexibility on cooperation with the Tribunal or that enough has been done to sideline the likes of Radovan Karadzic and Ratko Mladic and other indicated persons need to read the specifics of cases like these, and many others, and put themselves in the place of the victims before doing so.

Second, the truth will facilitate democracy. I am convinced that those in Serbia who have advocated cooperation with the Tribunal, like their counterparts in Croatia and Bosnia, are not only doing a right and courageous thing for the victims of crimes being prosecuted by The Hague; they are also doing the right and patriotic thing for their own societies. These atrocities were the product not of history but primarily of a cruel and highly nationalistic leader named Milosevic and his murderous minions.

When collective guilt is wrongly assumed, therefore, it can be countered by cooperation with the Tribunal.

Third, these crimes could happen again. I believe we all need to keep in mind that what has happened in the Balkans in the 1990s—in our time—is not unique to the Balkans or Africa, and it is wrong and chauvinistic to think otherwise. Sixty years ago, other societies found themselves wrapped up in hatred against others, leading to the Holocaust.

Can we not finally say, as we begin this new century, “Never Again”? None of us know with certainty the answer to that question. But we do know that by supporting the work of the International Criminal Tribunal for the former Yugoslavia the United States Congress has played an important role in protecting the national minorities around the world from such atrocity. Our voice was not silent—it was heard—and we have the right to demand “never again.”

Let me also add that I am very pleased that earlier this month the Parliamentary Assembly of the Organization for Security and Cooperation in Europe adopted a resolution which calls on all member states to cooperate fully with the Tribunal. Recently I met with ICTY Chief Prosecutor Carla Del Ponte, and I am convinced that the U.S. Congress can play a vital role in ensuring the implementation of this resolution.

Mr. CARDIN. Mr. Chairman, I rise today to offer a bipartisan amendment, on behalf of three members of the Helsinki Commission, which expresses the sense of Congress that all governments should cooperate fully and unreservedly with the International Criminal Tribunal for the Former Yugoslavia.
role in encouraging governments in the region to cooperate with the Tribunal. Indeed, U.S. leadership is seen by European governments.

In the Balkans, October 5, 2000 brought the overthrow of Slobodan Milosevic’s illegitimate regime, and a new chance for Serbia and Yugoslavia to turn away from war and nationalism and embrace reforms that would lead them into a European future.

The victorious Democratic Opposition of Serbia (DOS) coalition further consolidated its gains by decisively defeating Milosevic loyalists in December’s parliamentary elections. But the struggle for Serbia’s reformers continued within the broad DOS coalition, as sizable and powerful elements of the coalition remained reluctant to abandon nationalism and expansive territorial aspirations.

Tensions between reformers and nationalists within the new FRY and Serbian governments forced any and all indecencies on its territory of compliance with the International Criminal Tribunal for the former Yugoslavia (ICTY). FRY President Vojislav Kostunica and other nationalists have argued vehemently against complying with this international obligation, claiming the ICTY has aided Serbian while reformers within DOS have claimed that compliance is important if Serbia is to break with its dark past, establish the rule of law, and lay the groundwork for economic recovery.

U.S. aid conditionality forced a confrontation on this issue through a threatened March 31, 2001 cutoff of American support tied to compliance with the ICTY, a severing of FRY military assistance to Bosnia’s Republika Srpska entity, and improvements in human rights. This conditionality emboldened reformers and sparked a serious debate within Serbia over the difficult decisions that could determine the country’s fate. Aid conditionality assisted those within the government who supported the freeing of many, but not all, of the remaining illegally held Kosovar Albanian prisoners, the issuance of a pledge to cut off support to the Bosnian Serb army by May 31, and the transferring of two indictees to The Hague, and finally, the arrest of Slobodan Milosevic. Milosevic was only transferred to the Hague on the eve of a decision by the U.S. Government to participate in a regional Donor’s Conference.

I strongly support the Administration’s commitment to continuing to condition U.S. aid. In our view, cooperation means a comprehensive and predictable process with regard to requests from the Tribunal, whether that be by transferring any and all indictees on its territory or by consistently honoring requests for access to witnesses (official and non), documents, archives, and mass grave sites. For any judicial institution, “cooperation” must be a comprehensive and predictable process, whereby good faith is consistently demonstrated.

In closing, I urge members to do the right thing on behalf of the victims, and on behalf of future generations of individuals who are subject to persecution based on ethnicity and religion, and vote “yes” on this amendment.

Mr. SCHAKOWSKY. Mr. Chairman, I strongly support an amendment offered by the Gentleman from New Jersey that would provide $30 million to protect and assist victims of trafficking and to help countries meet minimum standards for the elimination of such trafficking. This amendment and this money will demonstrate that this Committee is committed to ending one of the worst human rights abuses.

It is estimated that 1,000,000 to 2,000,000 women are trafficked annually; half are between the ages of 5 and 15, and 50,000 of those women are transported into the United States. According to the United Nations, trafficking in women and girls is expected to surpass trafficking in drugs and guns as the world’s leading illegal industry. Yet we spend billions to fight the illegal importation of drugs and almost nothing on these people who are regularly bought and sold for prostitution, illegal labor, bonded labor, servile marriage, sex tourism, pornography, and use in criminal activities. We take for granted that slavery is a terrible relic of the past, but for these millions of women, they live it every day.

Today, we have the opportunity to do something about this absolutely unacceptable practice. I urge my colleagues to join me in supporting funding to protect and assist victims of trafficking, and to help countries meet minimum standard for the elimination of such trafficking.

Mr. CONyers. Mr. Chairman, I ask unanimous consent to withdraw this amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT NO. 34 OFFERED BY MR. SMITH OF NEW JERSEY

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 34 offered by Mr. Smith of New Jersey:

Page 112, after line 22, insert the following:

FUNDING FOR TRAFFICKING VICTIMS

Section 106 of the Victims of Trafficking and Violence Protection Act, including $10 million for grants to reduce violent crimes against women on campus; $40 million for legal assistance for victims of violence; $7.5 million for education and training to end violence and abuse of women with disabilities; and $15 million for the Safe Havens for Children pilot program.

Mr. Chairman, as most Members already know, the Victims of Trafficking and Violence Protection Act represents a comprehensive effort to address the growing problem of trafficking in human beings, particularly and assisting abused women and children, into forced prostitution and other forms of slavery. This brutal form of transnational crime is a growing problem around the world. The United States is regrettably a significant receiving country. Indeed, the Central Intelligence Agency estimates that nearly 50,000 people are trafficked into the United States each and every year. Victims who have escaped tell us about the horrible conditions that they were subjected to.

Just parenthetically, we have had hearings in our subcommittee. We have heard from the victims themselves and heard their terrible stories and heard their plea to do something. They tell us about the unspeakable acts that they often were subjected to.

Our amendment, Mr. Chairman, will help to fulfill the promise of the Victims of Trafficking and Violence Protection Act by appropriating the following amounts.

First, section 106 of Public Law 106-386 called for $10 million for prevention, and that is what this amendment does, prevention of trafficking through
support for education and training programs so that potential victims will have the moral and material resources to resist the traffickers. This $10 million could include projects such as microcredit, which the United States already funds, so long as they are targeted at potential trafficking victims.

This amendment also provides $10 million for protection of trafficking victims who have been freed from their terrible bondage, fulfilling section 107 of Public Law 106–386. This money will help to pay for shelter care, rehabilitation and similar projects.

And section 108 of the law would be fully funded at $10 million for assistance to foreign governments who wish to reform their laws and practices to meet with the minimum standards established in section 108 for the elimination of trafficking set forth in the Act, again to help these countries punish the perpetrators and protect the victims of these awful crimes.

I encourage Members, if they have not, to look at the Victims of Trafficking and Violence Protection Act of 2000, the report that has just been issued by the State Department, with its tierage, tier 1, tier 2, and tier 3, where countries are named. Then there is a narrative about countries that are problems. Many of the countries are mentioned, but especially the tier 3 countries, those that really need to get their act together about what they might do in order to reform themselves.

Mr. Chairman, I want to make some observations about where this money will come from. This amendment does not mandate reductions in any particular program. It simply identifies six accounts out of which the State Department and the Department of Health and Human Services currently fund antitrafficking initiatives. I am told that the Department’s unofficial estimate is that they currently spend between $13 and $15 million. It mandates that the total be increased to the levels authorized by the Trafficking Victims Protection Act. All told, these accounts include billions of dollars; and the Department and AID would need to find an additional $15 million to fully fulfill this legislation. This is not only doable, Mr. Chairman, it is a moral imperative.

Finally, Mr. Chairman, I would like to be very clear about the reasons for inclusion of the Migration and Refugee Account in this amendment. The refugee account is woefully underfunded. In real dollars we spend substantially less on refugee protection than we did 6 or 7 years ago. It also exists for a particular purpose, protection and assistance to refugees and other persons of similar concern.

The sponsors of this amendment have absolutely no intention that the State Department or AID should begin funding law enforcement assistance or development assistance projects out of the refugee account. However, certain antitrafficking initiatives such as grants to the International Organization for Migration for the purposes of reintegrating returned trafficking victims who have voluntarily returned to their home countries may legitimately be funded out of the Migration and Refugee Account.

My understanding is that the current amount of such funds is about $1.5 million, and the intention of this amendment is that antitrafficking expenditures from the account should remain in that range until new money is found in the Migration and Refugee Account, so as not to force further reductions in other urgent refugee protection projects.

Mr. Chairman, this bill, again which is a work in progress, currently provides $375 million for refugee protection. I would hope that we could up that amount of money. Of course, that is something that needs to be done in conference.

Let me just say, Mr. Chairman, that this amendment is bipartisan. I think it is needed. When we worked through the Victims of Trafficking and Violence Protection Act last year, we had many, many meetings with Members on both sides of the aisle and with our Senate counterparts working out these amounts. It is doable. It has good support from all of the NGOs that will provide these services. I ask for its support.

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

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

I rise in strong support of this amendment which would increase our capacity to address one of the most egregious violations of human rights in our modern world. The State Department’s recent report on trafficking has confirmed the bleakness of the situation. Each year at least 700,000 people are trafficked across international borders. The vast majority of these are women and children, and most victims are forced into what can reasonably be labeled as modern day slavery.

They work in sweatshops and brothels. They live in squalid quarters, and they are stripped of their most basic human rights.

Trafficing is not someone else’s problem, and it is not a problem affecting only the developing world or only countries with political and social instability. Between 45,000 and 50,000 people are trafficked to our own country each year, and some of our closest friends in the international community have the most severe problems with trafficking in the world.

We can attack this problem in many ways. One is through direct investment in ending the practice of trafficking, apprehending those responsible, providing support for trafficking victims and assisting our allies with tackling the problem within their own borders. It is a problem that we must work on, but we must recognize that the problem runs deeper than this. Trafficing is a symptom of poverty and instability, it is a symptom of the devaluation of girls and women in society, and it is the symptom of hopelessness. We must treat the symptom, but we must not neglect the disease.

I urge my colleagues to support not only increased funding to fight trafficking, but also increased funding for all of our development priorities.

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

Mr. Chairman, as has been indicated by the gentleman from New Jersey and by the gentlewoman from New York, this amendment is very serious concerns that this body has and that those of us in the United States have, the issues of trafficking in persons.

It is a problem that is generally dealt with through programs in the Department of Justice and in the State Department, and some of these programs are funded in this bill. But others, however, are not funded. They are funded through the Commerce, Justice, State and the Judiciary appropriations bill.

This amendment seeks to fully fund several authorization categories that are established in the Victims of Trafficking and Violence Protection Act of 2000. The problem is that those categories, which would become earmarks in our bill, do not coincide with any categories currently in use by the agencies. They are not used, as far as I can tell, by any Department or agency.

I am unable to obtain from the State Department any comprehensive listing of projects involving trafficking, either those now under way or those proposed for fiscal year 2002. The Agency for International Development cannot tell us what accounts it is using for what projects involving trafficking.

So, Mr. Chairman, I oppose this amendment in its present form on principle, as well as I think very practical grounds. I would point out that I think the amendment creates a bureaucratic headache for us. The $30 million is divided into three categories that are taken from six appropriation accounts. It will take a year or more to match projects with categories. To the extent that the fiscal year 2002 budget includes less than $30 million, someone has to designate the funding source for whatever additional proposals that can be mobilized.

I think this amendment is seriously flawed, while the intent I would concur with 100 percent. For that reason, I have serious problems with the amendment in its present form.

Mr. Chairman, I reserve the balance of my time.
Mr. SMITH of New Jersey. Mr. Chairman, I yield myself 1 minute, just to make the point to my good friend and colleague, the distinguished gentleman from New Jersey, that the victims of Trafficking and Violence Protection Act of 2000 is a new law. It was signed in late October by the President. It was the result of almost 2 years of work and working with our Senate colleagues, and it lays out criteria for the establishment of these programs, for example, prevention of trafficking, some of those programs to keep children, especially girls, in elementary and secondary schools, and to educate those persons who have been victims of trafficking.

We just got, even though it was due on June 1, as prescribed, the Department was late, but it was late because I think they wanted to do an adequate job because this is a very, very important piece of information about trafficking, so they were about a month late, but it lays out all of the different countries, tier one, tier two and tier three.

This is a work in progress in terms of what will the programs look like. We lay out criteria, and we want and we will demand that AID and the State Department faithfully fulfill this. Programs are in the process of being created. This is not like something that came off the shelf. So the money, I believe, will be well spent. We could spend much more in order to try to mitigate this trafficking problem, but this is at least a good start.

Mr. Chairman, I yield 3 minutes to the distinguished gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Mr. Chairman, I rise in support of the Smith-Morella-Slaug amendment, to streamline the Nation’s efforts to combat the practice of human trafficking, and I associate myself with the comments that were just made by the gentleman from New Jersey (Mr. SMITH) in response to the comments of the great chairperson, the gentleman from Arizona (Mr. KOLBE). I also want to thank him for his leadership, too.

Between 1 and 4 million individuals are trafficked against their will every year in, and are forced to work in, a form of servitude. The International Organization for Migration estimates that trafficking in human beings is a $5 billion to $7 billion a year industry worldwide. In some countries, such as those in Southeast Asia, between 2 and 14 percent of the gross domestic product is attributed to the trafficking of women.

Traffickers use deception, coercion, or debt bondage to extract worker services from these women, which include forced prostitution, domestic work, servile marriage, begging, or criminal activities. Trafficking in women and girls, principally for prostitution or other sexual exploitation, but also for forced labor, is the largest sector of human trafficking, and it appears to be growing. The states of the former Soviet Union and Southeast Asia are principal sources of trafficked women, but women are taken from many developing countries where their vulnerability is rooted in poverty and in many cases their low social status. Shockingly, approximately 50,000 women and girls are trafficked into the United States annually, and, in response, Congress passed the Trafficking Victim Protection Act last year, with the help of the gentleman from New Jersey (Mr. SMITH), and it was signed into law. This legislation authorized more than $30 million to prevent trafficking by educating at-risk people and giving them alternatives, aiding victims of trafficking and helping law enforcement address this problem effectively.

I believe that this amount, coordinated by the Trafficking Task Force, which the bill also established, is an approach to minimize the practice of trafficking. My concern, however, is because this funding is spread out in so many different parts of the budget, that it will not be effectively coordinated and will not have the greatest possible impact on the problem. This amendment, which effectively earmarks $30 million for prevention, protection, and assistance to foreign countries, passed the House last year with 371 votes.

The huge increase in human trafficking is a product of globalization and the growing ease with which many things move across borders, ranging from information to capital to goods. The question over whether to adopt this amendment is really one of priorities. The law is called to end trafficking in humans is a very high priority for the United States, and I urge the Members to support this amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Chairman, from 1861 to 1865, 500,000 American soldiers died in a war to end slavery. When the war ended, the 13th amendment was added to the Constitution to ban slavery forever from American soil. And yet it continues today.

Today’s slaves are women and children, brought to America to work in brothels. They are here against their will, they are beaten into submission, they are trapped in a country they do not know and whose language they cannot speak. The Central Intelligence Agency tells us that 50,000 sex slaves are brought to America every year. Globally, the number is in the millions trafficked into prostitution.

Last year, Congress passed the Trafficking Victims Protection Act to do something about this continuation of slavery on American soil, and this law is being implemented as we speak. Now we need to make sure that the money is appropriated so we can combat this law.

Mr. Chairman, I want to thank the gentleman from New Jersey (Mr. SMITH) for his leadership on this issue, and I call on my colleagues to pass this amendment so we can begin the process of eradicating slavery from American soil once and for all.

Mr. LANTOS. Mr. Chairman, this is a good amendment, and I hope the entire House adopts it. Trafficking is a huge problem, with some 3 million women and children being trafficked into sexual slavery and forced labor each year, with as many as 50,000 being trafficked into the United States each year. Last year, Congress addressed this problem by passing the landmark Trafficking Victims Protection Act of 2000, but that act only authorized funding through fiscal year 2002.

Now, we need to carry through with the commitments made in this Act. We need to fully fund the international programs related to these critical programs. I understand that in FY2000, more than $14 million dollars may have been spent to combat trafficking, and that there was some increase in these programs for FY2001. Fully funding last year’s authorization of $30 million is a modest increase over last year in dollar terms, to reach out to tens of millions of potential victims, to help millions of actual victims, and to help prevent trafficking by increasing the capacity of foreign governments to address this growing crisis.

The U.S. must do its share on trafficking. But so do foreign governments. Last year, the Trafficking Victims Protection Act of 2001 provided that if countries did not meet certain minimum standards regarding trafficking in persons, U.S. non-humanitarian, non-trade foreign assistance would be cut off. In the Administration’s first annual report on trafficking in persons, the State Department reported that 23 countries did not meet these standards, including many of our friends around the world. We have a duty to help those countries reach their minimum standards, as well as helping the million of victims around the world.

Some may call this amendment an earmark and argue against it. However, this amendment gives flexibility to the Administration by allowing the funding for trafficking to be drawn from a number of accounts. We do not intend, however, that funds be used for purposes other than those that were appropriated. For example, funds from the Migration and Refugee Account are to be used for reintegration and resettlement of trafficked victims into their home countries, as is being done today. In this connection, I note that I hope the Chairman and Ranking Member will make efforts to make further increases to the MRA account as the legislation moves forward.

Mr. Chairman, $30 million is not much money when you look at the magnitude of this problem, and we have given sufficient flexibility to allow the Administration to properly administer this provision. I ask that all members support the amendment.
Mr. SMITH of New Jersey. Mr. Chairman, I join with my colleague from New Jersey in support of women and children around the world and rise in strong support of the Smith Amendment.

This amendment fulfills the promise for the Trafficking Victims Protection Act. The exploitation of our world’s women and children in trafficking is a tragic human rights offense.

Without the funds that this amendment provides, it is the victims of trafficking that will once again suffer. Forced to work in slave labor conditions in factories, farms, and even brothels. Once these victims are freed from their prisons they are in desperate need of rehabilitation, health care, and shelter.

This amendment provides 10 million dollars in funds to pay for these services so that these women and children can return to having normal lives.

Traffickers often lure their victims with the promise of better jobs, increased opportunities, better lives. Instead of making this dream a reality, the victims are forced into a life of terror, violence, and fear.

This amendment provides 10 million dollars for education and training programs so that potential victims have the resources to resist the lies and schemes of traffickers. Prevention is a key component to combating this international human rights issue.

Mr. Speaker, this amendment is important to the fight against trafficking because not only does it provide funds to protect the victims, it also provides 10 million dollars in assistance to foreign governments who wish to change their laws and practices to meet with the minimum standards for the elimination of trafficking outlined in the Trafficking Victims Protection Act. We must work with our allies and friends to stop these predators from profiting from the victimization of women and children around the world.

Yes, there is much more we should do to prevent trafficking and punish the predators that profit from the exploitation of women and children.

This amendment is important because it provides continued support to trafficked victims. Making a significant difference in the lives of millions of women and children around the world.

Once again I commend my colleague for introducing this amendment. Let us continue to support the victims of trafficking, I urge a YES vote on the Smith Amendment.

Mr. BROWN of Ohio. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

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

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

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

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

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

AMENDMENT NO. 7 OFFERED BY MR. BROWN OF OHIO

Mr. BROWN of Ohio. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. Brown of Ohio:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. 2. None of the funds made available in this Act may be used by the Export-Import Bank of the United States to guarantee, insure, extend credit, or participate in an extension of credit in connection with the export of any good or service by a company that is under investigation for trade dumping by the International Trade Commission or is subject to an anti-dumping duty order issued by the Department of Commerce.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Ohio (Mr. Brown) and a Member opposed each will control 5 minutes.

For what purpose does the gentleman from Arizona (Mr. Kolbe) arise?

Mr. KOLBE. Mr. Chairman, I seek the time in opposition to the amendment, and I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from Arizona (Mr. Kolbe) reserves a point of order against the amendment.

The Chair recognizes the gentleman from Ohio (Mr. Brown) for 5 minutes.

Mr. BROWN of Ohio. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, on December 19, 2000, the Export-Import Bank approved an $18 million loan guarantee to modernize and improve production at Benxi Iron and Steel, China.

The Department of Commerce has found Benxi’s dumping margin on hot rolled carbon steel products to be 67 percent. So if it costs $100 to make and sell steel in China, they are selling it in the U.S. for $59. The Ex-Im Bank was urged against making this loan by former Secretary of Commerce Minetta and a bipartisan congressional coalition, but the Export-Import Bank still offered the loan guarantee to the Chinese company. The bank’s action will increase the production of more steel in a world market which already has an excess raw steel production capacity of 270 million metric tons excess.

The last few years have been disastrous for the steel industry. Bankruptcy at, for instance, Ohio CSC, Republic Technologies and LTV were not caused by a crisis in the economy, but in fact demand for steel has been at record levels in recent years.

These problems were caused primarily by unfairly traded imports that have led the Department of Commerce to approve a number of anti-dumping orders on a variety of steel products. The issue of dumping has also been acknowledged by the administration’s actions regarding the 201 investigation on steel.

Yet while we enforce laws against dumping, the Ex-Im Bank actually offers assistance to foreign manufacturers that threaten our companies. The ITC is also investigating cases concerning a wide range of industries from crude oil to textiles to agriculture.

The U.S. Government should prevent foreign producers from sending their dumping, illegal products into this market. Organizations such as the Ex-Im Bank should refrain from providing financial support to foreign companies that break the rules.

The Ex-Im Bank should not rush to offer U.S. funds to a foreign company that is cheating the U.S. economy. These companies that achieve assistance from the Nation’s programs should not undermine the livelihood and future of our workers.

Today I have the privilege to be joined by the chairman of the Committee on Financial Services Subcommittee on International Monetary Policy and Trade, the gentleman from Nevada (Mr. BEREUTER).

I would ask the gentleman from Nebraska (Mr. BEREUTER), his bill, if I could engage in a colloquy, H.R. 2517, reauthorizes the Ex-Im Bank. Does this legislation identify the concerns of the steel industry and address the issue of trade dumping?

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

Mr. BROWN of Ohio. I yield to the gentleman from Nebraska.

Mr. BEREUTER. Yes, it does. Mr. Chairman, Section 16 of H.R. 2507 requires the Export-Import Bank to reexamine its adverse economic impact test as a result of the $18 million Ex-Im Bank loan guarantee to the Benxi Iron & Steel Company and specifically references this bank transaction.

Currently the Ex-Im Bank has economic impact procedures which consider the potential negative impact on the U.S. economy of goods manufactured by the purchasers of the U.S. exports. However, it does not adequately consider indirect impacts.

Mr. BROWN of Ohio. Mr. Chairman, reclaiming my time, to whom will the Export-Import Bank be responsible in offering its findings?

Mr. BEREUTER. Again, if the gentleman will yield further, within 1 year after the date of enactment, the Export-Import Bank will have to submit a report on this reauthorization to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing and Urban Affairs of the Senate.

Mr. BROWN of Ohio. Mr. Chairman, reclaiming my time, to whom will the Export-Import Bank be responsible in offering its findings?
Export-Import Bank’s authorization expires on September 30 of this year. The Subcommittee on International Monetary Policy and Trade and the Committee on Financial Services expect to mark up the bill and consider it on the floor before then.

Mr. BROWN of Ohio, Mr. Chairman, reclaiming my time, I would like to thank my colleague from Nebraska for offering his time. I join him in recognizing the importance that the U.S. cannot afford to promote the interests of companies that choose to break the rules on trade.

I especially appreciate the gentleman from Arizona (Chairman KOLBE) for giving us this time.

Mr. BEREUTER. Mr. Chairman, if the gentleman will yield further, if I may say, I commend the gentleman. It was a brave decision that needs to be reassessed. I appreciate his effort.

Mr. BROWN of Ohio. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

AMENDMENT NO. 23 OFFERED BY MR. KUCINICH

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 23 offered by Mr. KUCINICH:
Page 112, after line 22, insert the following:

SEC. 2. None of the funds made available in this Act may be used for the provision by the Export-Import Bank of the United States of any guarantee for a limited recourse project or a long-term program involving oil and gas field development, a thermal powerplant, or a petrochemical plant or refinery. The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Ohio (Mr. KUCINICH) and a Member opposed each will control 15 minutes.

Does the gentleman from Arizona (Mr. BEREUTER) seek to control the time in opposition?

Mr. KOLBE. Mr. Chairman, I rise to seek the time in opposition.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio (Mr. KUCINICH) for 15 minutes.

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

Mr. Chairman, throughout the world, people are celebrating the leadership of many nations in coming to an understanding yesterday that global climate change is something that indeed must be dealt with and that the protocols which were worked out years ago in Kyoto are something that many nations want to move ahead with in order to meet the challenge of global warming. And, like many of my colleagues, I believe that the United States should take a leading role in fighting global warming.

Our country, with only 4 percent of the world’s population, contributes one-quarter of the world’s carbon dioxide emissions. The administration has acknowledged that global warming is indeed occurring and that carbon dioxide emissions are a culprit. However, the administration refuses to support the Kyoto Treaty. It reasons that since the protocol does not apply to developing countries, then it should not apply to the U.S.

I do not agree with that logic. It is not logical, because the administration is subsidizing projects in developing countries that actually contribute to complicating and worsening global warming. Not only does the administration oppose the global warming agreement because it does not require developing countries make the same reductions as industrialized nations, but the administration is funding global warming and pollution projects in those same developing countries.

Through the Export-Import Bank, the United States provides subsidies to U.S. companies to create coal-fired power plants, oil refineries, oil pipelines, diesel generators, and a host of other projects that pour millions of tons of carbon dioxide into the atmosphere. In the last few years, these projects were created in developing countries like Angola, Algeria, India, Tunisia, Turkmenistan, China, Venezuela, and Chad. Some of these projects include an $86 million oil pipeline in Angola, $134 million in oil pipeline in Algeria; an $81 million coal-fired power plant in India; and several diesel generator sets for $19 million in Bahrain.

Last year, the Export-Import Bank spent $2 billion on fossil fuel projects. This amount represents 28 percent of the bank’s entire budget. This is not an appropriate use for a significant chunk of the budget and, historically, the Export-Import Bank has not devoted such sizable resources to fossil fuel projects. The bank’s spending on global warming projects skyrocketed last year from only 3 percent in 1999.

Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. Mr. Chairman, I really appreciate the gentleman’s leadership in bringing this to the House’s attention.

I just want to share with my colleagues that global warming is something I think this is so important. Two weeks ago I was on the shores of the Arctic Ocean, the Arctic Wildlife Refuge where I was told that the ice under the Arctic has lost 50 percent of its depth due to global climate change; global warming, in the last several decades, 10 percent of the extent of the Arctic was told by the Denali rangers that the tree line on the tundra in the Denali National Park has moved north several miles just while they have been working there in the last decade and a half. The fact of the matter is, we are seeing significant changes in the global climate system.

What have we received from the current administration in our ability to deal with this? Nothing. The leader of the Free World, the most technologically advanced society on Earth, the contributor of 25 percent of all of the carbon dioxide in the world, even though we have 4 percent of the population, and our administration, do we know what they offer us as leadership? Nothing in Bonn. As a result of that, we need, in Congress, to start showing some leadership on this subject. The gentleman from Ohio has brought an amendment that will, for one of the first times, ask us to consider one of our policy directives on how it contributes to global climate change.

Now, given the fact that global climate change is on us already, does it make sense to have a better mix of funding, of financing of other energy programs, to have an increase in our research budget and financing for renewable energies for solar, for wind, for geothermal and less for fossil-based fuels? That is the nature of this amendment.

I would suggest to my colleagues that in the next several years in this Chamber, because we are not getting leadership from the White House, it is up to us to do our job to scrub these budgets, to scrub our policy statements, and find a way to encourage the United States to be a leader in climate change.

Mr. Chairman, I appreciate the gentleman’s efforts.

Mr. KOLBE. Mr. Chairman, I yield 4 minutes to the gentleman from Nebraska (Mr. BEREUTER).

Mr. BEREUTER. Mr. Chairman, I rise in opposition to the amendment, and I think the record probably should be set straight on what the Export-Import Bank does with respect to fossil fuel plants. They are the only export credit agency in the world that calculates and records the carbon dioxide emissions for fossil fuel power plants. Of the major export credit agencies, Ex-Im Bank is the only one that has World Bank-equivalent environmental standards which either indemnify or cover all of the emissions out of a power plant.

Beginning in 1997, the Ex-Im Bank assumed a leadership role among international export credit agencies on environmental issues. Ex-Im Bank stands as the only major export credit agency of the G-7 willing to decline support for a foreign project whose environmental effects cannot be adequately mitigated.
Ex-Im Bank is recognized internationally for its progressive environmental policy. Ex-Im Bank spearheaded U.S. Government efforts at recent G-8 summits to encourage leaders of other nations to require that their export credit agencies adopt effective environmental guidelines. The Ex-Im Bank offers enhanced financial support with its environmental export credit insurance and under its loan guarantee and medium-term insurance programs. Since 1995, the Export-Import Bank has supported $3 billion for environmentally beneficial U.S. exports and environmentally beneficial projects.

In addition to proactively encouraging U.S. companies to export environmentally friendly goods, Export-Import Bank has environmental review procedures to ensure that the projects that it supports are environmentally friendly. The Export-Import Bank provides environmental guidelines for industries ranging from logging to mining to hydropower to oil and gas development. If a project does not meet all Ex-Im environmental measures, the bank will work with the exporter to implement mitigation efforts.

Projects proposed are evaluated on the basis of air quality, water use and quality, waste management, natural hazards, ecology, socioeconomic and sociocultural framework, and noise. In short, the Export-Import Bank’s environmental guidelines add significant value to the projects it finances. Emissions of project pollutants and effluents have been reduced, and ecological effects of the Bank-supported projects have been mitigated extensively.

Mr. Chairman, this agency is doing its job; it is setting the standard for the world. Therefore, I think this amendment is not needed. I urge its opposition.

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

The Export-Import Bank does have the authority to fund clean, efficient, renewable energy technology in order to make such projects affordable to developing countries. The amendment, I would like to point out, does not reduce funding to the Export-Import Bank, nor does it prohibit certain companies from being supported by Bank’s support. The purpose of this amendment is merely to ensure that if the United States is going to underwrite energy projects, we are not aggravating the global warming problem.

Now, I would like to ask, for the purposes of a colloquy, the gentleman from Nebraska (Mr. BEREUTER) to kindly engage here a moment.

I think what we have been able to do on our side is to try to identify what is, unfortunately, a credit climate change, not that that is the intention of the Export-Import Bank. I would agree with the gentleman that the Export-Import Bank does try to make contributions to these developing countries that would improve the quality of life. But is there anything that this gentleman would suggest as we move towards another year of relationship with the Export-Import Bank in the House of Representatives, would the gentleman suggest anything that we might be able to do that might serve to implement in a more finer way the guidelines which the Export-Import Bank does have which could encourage it to fund clean, efficient, and renewable energy technology?

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

Mr. KUCINICH. I yield to the gentleman from Nebraska.

Mr. BEREUTER. Mr. Chairman, I appreciate the gentleman’s question, and I would make this commitment as the subcommittee chairman during this Congress.

If we find that what the Export-Import Bank is doing is not giving proper assessment to fossil fuel power plants, then we could seek a legislative alternative, and we would examine the record on this in this respect. I would say as a way of trying to do that, this gentleman would certainly entertain as I think about it the possibility of a GAO study to see if, in fact, as an outside source, if the Export-Import Bank is exercising proper environmental procedures and review of fossil fuel plants.

Mr. KUCINICH. Mr. Chairman, reclaiming my time, I thank the gentleman, and I would appreciate the gentleman’s assistance in making this kind of an inquiry, because I think it would be helpful in terms of a policy direction that would, in fact, go towards sustainability and clean and renewable energy, and, in some ways, be able to help to the United States in our dilemma to be able to meet the requirements of Kyoto.

Ms. LEE. Mr. Chairman, I rise to strike the last word.

I stand today in strong support of the Kucinich-Lee amendment that seeks to limit the Export-Import Bank’s support of fossil fuel projects.

Global warming is happening. In response to the President’s request, the National Academy of Science has completed its latest study on the subject. They concluded: “Greenhouse gases are accumulating in earth’s atmosphere as a result of human activities . . . . Temperatures are, in fact, rising.” Their report goes on to say that “national policy decisions made now and in the longer-term future will influence the extent of any damage suffered by vulnerable human populations and ecosystems later in this century.” The impact of these rising temperatures will be felt first and hardest in the developing world.

The Sahara is expanding. Pacific islands are disappearing beneath rising waters. One of the criticisms of the Kyoto Protocol raised by President Bush and others is that the developing world is left out of the effort to reduce emissions.

At the same time, the Export-Import Bank is the largest public financier of fossil fuel projects, the leading culprit behind global warming.

We are bankrupting global climate change. Instead, we should be investing at home and abroad in cleaner energy technologies. Wind energy, for example, is a proven commercial success and a great candidate for further investment.

This last week the leading industrial nations of the world—except the United States—met at Bonn and agreed to take up the challenge of global climate change. Because the U.S. has abandoned the Kyoto process, we did not have a seat at that table. We must be leaders on climate change and we must begin by passing this amendment.

I urge you to support this amendment and to vote in favor of cleaner technologies and more consistent policies.

Mr. KNOLLENBERG. Mr. Chairman, I rise in strong opposition to this amendment.

What this amendment attempts to do is equate the valuable work of the Export-Import Bank with a fatally flawed provision of the Kyoto Protocol. This attempt is misleading at best, and at worst damaging to the developing world.

The production of energy is a fundamental element of economic development. The countries of the developing world need energy in order to raise the standard of living for their people and make progress in essential areas such as education and healthcare. Without energy, this progress is not possible. Unfortunately, this amendment would prohibit the Export-Import Bank from helping developing countries to address these important needs.

Mr. Chairman, fossil fuels remain essential to the production of energy and no amendment is going to change that reality. The fact of the matter is fossil fuels are the dominant source of energy in the world—and particularly in developing countries. According to the Energy Information Administration, in 1999, 85 percent of the world’s energy production came from fossil fuels. If you exclude OECD countries, those which essentially exclude the industrialized world, that number increases to 92 percent. In essence, 92 percent of the energy produced in the developing world comes from fossil fuels.

Without fossil fuels, the majority of the world, and particularly the developing world, simply would not have energy. Without energy, mortality rates remain high, education remains low, and economic growth doesn’t exist. Developing countries need energy and Ex-Im has an important role to play in meeting that need.

Unfortunately the sponsors of this amendment are misinformed. The Kyoto Protocol is fatally flawed because, among other reasons, it does not include rapidly industrializing nations like Mexico, Brazil, China, and India. These countries account for over 40 percent of the world’s population. This has nothing to do with the Export-Import Bank.

Mr. Chairman, the Kyoto Protocol is not based on sound science. The recently released National Academy of Sciences report on climate change has wrongly been characterized as proving the earth will continue to
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warm and that human-induced greenhouse gases are a significant culprit. The reality is, it does no such thing. In fact it uses the words “uncertainty” and “uncertainty” 43 times in a 28-page report. On the very first page it states “current estimates of the magnitude of future warming should be regarded as tentative and subject to future adjustments, either upward or downward.”

When it comes to climate change, the only thing we know for sure is that there are too many gaps in our knowledge of global warming to commit to the Kyoto Protocol.

Mr. Chairman, this amendment is ill-advised and misleading. It would do nothing more than prevent the Export-Import Bank from helping to make progress in the developing world.

I urge all members of the House to oppose this amendment.

Mr. KUCINICH. Mr. Chairman, given the gentleman’s gracious willingness to assist in this, I yield back the balance of my time, and I ask unanimous consent to withdraw the amendment.

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

There was no objection.

The CHAIRMAN. The amendment of the gentleman from Ohio (Mr. KUCINICH) is withdrawn.

AMENDMENT NO. 55 OFFERED BY MR. OSE

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 55 offered by Mr. OSE:

Page 112, after line 22, insert the following:

PROHIBITION ON UNITED STATES CONTRIBUTION TO THE UNITED NATIONS INTERNATIONAL NARCOTICS CONTROL BOARD

SEC. ___. None of the funds appropriated by this Act may be used for a United States contribution to the United Nations International Narcotics Control Board.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from California (Mr. OSE) and a Member opposed each will control 10 minutes.

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

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

I rise today to draw attention to an action taken by the United Nations this past May. While most of us are aware that the United States was not reelected to the United Nations Human Rights Commission, little attention has been paid to the fact that we were also removed from the International Narcotics Control Board. In fact, despite assurances from our allies that they would support the reelection of our ambassador to the board, he received just 2153 votes. This was a direct slap in the face from our so-called allies and friends at the U.N., especially considering our long history on the board and in support of the U.N.’s drug interdiction efforts.

The United States has been a founding member of the International Narcotics Control Board and now no longer serves there. The ambassador, our ambassador, was serving as vice-chair of the board and was considered a likely candidate to serve as its next chairman.

In addition to our long history, the U.S. is the single largest contributor to the U.N. drug control program, contributing $20 million in year 2000, which is more than the next three largest contributors combined.

The United States also contributes another $20 million to international organizations for drug programs. This does not even count our efforts in Colombia, the Andean region, or Mexico. When we add all of our international drug program spending, the United States spends over $1.2 billion on international drug efforts, on top of the $19.2 billion we spend on domestic drug control efforts.

In another slap, just as we were replaced on the Human Rights Commission by nations with horrendous human rights records such as the Sudan, Syria and Cuba, the U.S. was removed from the International Narcotics Board and replaced by the Netherlands and Peru.

Let us look at this decision a little closer. On the actual website of the Embassy of the Netherlands, which is WWW.Netherlands-embassy.org, they have a statement regarding their commitment to keeping drug laws. Keep in mind this is a government web page clearly states they are not going to enforce their own drug laws.

The other country that was elected to replace us was Peru, which is more than the next three largest contributors combined.

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

Mr. Chairman, this amendment is ill-advised and misleading. It would do nothing more than prohibit voluntary contributions to United Nations organizations. My amendment would prohibit such voluntary contributions from being made to the International Narcotics Control Board.

This is not a unique request. There are limitations throughout this bill of a similar nature. On page 7, line 19; page 17, line 8; page 25, line 14; page 30, line 19; page 31, line 2; page 32, line 5. I could go on.

Section 40, line 1, places limitations on discretionary or voluntary contributions to international organizations similar in nature to the International Narcotics Control Board.

Frankly, it is my hope that our allies will hear our message, see the light, and again elect an American representative to the International Narcotics Control Board. In the meantime, if they do not want our participation, they surely would not want our money.

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

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

Mr. Chairman, I rise a little bit in bewilderment about this amendment, and certainly not because I am against the spirit of it. The amendment, as the gentleman from California, my good friend, has pointed out, would prohibit the U.S. contribution to the United Nations International Narcotics Control Board.

Given what has happened to us there, I certainly do not think any of us would be opposed to that. After what happened last May when the United Nations Economic and Social Commission voted the United States off the U.N. International Narcotics Control Board, I think we would see good reason to make any further contributions to it.

It is a deplorable event and one that I think has disappointed me, certainly as a representative of a border State
where we have significant drug problems. We suffer along the border from the drug war and the trafficking that comes through our area. That is why it is personal to me. I support the amendment of the Commerce-State appropriation bill and saying, but it is not funded here, and saying, well, that is okay, but if it were funded, we just want to make the point.

If that is what the gentleman is trying to do, if only it were funded here, we just want to make the point that we do not like it, all right. But let me make it very clear that this amendment will not resist for the very simple reason that it does not have any impact whatever on the bill, but I just think that all the Members need to know this is not going to in any way impact the contributions we make to the International Narcotics Control Board.

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

Mr. OSE. Mr. Chairman, I yield 4% minutes to the gentleman from New Jersey (Mr. PASCAREL).

Mr. PASCAREL. Mr. Chairman, I thank the gentleman for yielding time to me. I support the amendment of the gentleman from California. I think it is a great amendment. I am astonished and disgusted by the way our country has been treated by the other member countries of the United Nations. In 1964, the United States played a key role in establishing the U.N. International Narcotics Board. This board plays a crucial role in monitoring compliance with U.N. drug conventions on substance abuse and illegal trafficking. This way we lost our seat. We were voted off the very board we helped to establish. We were voted off by the 54-member U.N. Economic and Social Council. Only 29 of these member countries thought the United States should maintain its rightful place on this important board. Instead, our former seat will be held by the Netherlands.

I have been told by those in the international community that this is just international politics as usual. I disagree, that is because anyone who reads the newspapers knows that Holland is to the drug Ecstasy what Colombia is to cocaine. Let us put our cards on the table. Eighty percent of

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

Mr. PASCAREL. Mr. Chairman, I yield 4% minutes to the very distinguished gentleman from Georgia (Mr. KINGSTON), a member of the subcommittee.

Mr. KINGSTON. Mr. Chairman, I thank my beloved chairman for yielding this time to me in support of this amendment.

Mr. Chairman, I think that the gentleman from New Jersey has raised some very valid points about Ecstasy. I think that the gentleman from California has raised some very valid points about the U.N. But if we go back to last week we can see that on the Commerce-State-Justice bill the gentleman from Texas (Mr. PAUL), when he offered an amendment that said we do not wish to participate in the U.N. funding anymore, he got a lot of votes. I would love to say that at the U.N. people would have been watching the Paul amendment last week as many Members of Congress, and I think it was 50 to 60, voted to get out of the U.N. by not funding it.

I say that I love the U.N., but the fact is that there is no adult supervision at the U.N. these days. They go off on their own tear, and bureaucrat A from country A talks to bureaucrat B from country B, and then they go to a committee and then they go to a subcommittee, and then they pass a resolution. Then they do an amendment, and then they add to their agenda. Then they go to lunch.

That is why the U.N. is not as effective as it should be. It is not as respected as it should be, because of silly and foolish actions. Can Members imagine in a room full of mature, responsible adults sitting at the United States of America off an antidrug commission? Here we are, global leaders. Here we are, and we have been debating for 6 hours on our drug initiative in South America. We are all over the globe. It is our children that are at risk.

But to folks at the U..N., it is their children at risk, as well. The drug problem is all over the globe. That is why the United States is leading the international efforts. We are going to continue to do so with or without the U.N. It is just that it is the desire of this Member that there was somebody down there paying attention, somebody who says, “Okay, guys, you have made your point. You hate America. But this issue is too important to play silly games on.”

That is why I support the Ose amendment.

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

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

The amendment was agreed to.

AMENDMENT NO. 38 OFFERED BY MR. TRAFICANT

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 38 offered by Mr. TRAFICANT.

Page 112, after line 22, insert the following:

SEC. 2. None of the funds made available in this Act may be used to provide assistance to the Russian Federation.
The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Ohio (Mr. TRAFICANT) and a Member opposed each will control 5 minutes.

Does the gentleman from Arizona (Mr. KOLBE) seek to control time in opposition?

Mr. KOLBE. I do, Mr. Chairman.

The CHAIRMAN. The gentleman from Arizona (Mr. KOLBE) will be recognized.

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

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

Mr. Chairman, this amendment would stop all money from going to Russia, who spies on us every day, had Robert Hansen and who knows how many more FBI agents on the payroll.

In my opinion, they are stabbing us in the back. I know that this amendment will not pass, but I just wanted to get my little 2 cents worth and warn the Congress that they had better take a good look at the nation that Ronald Reagan dismantled, because their intentions are anything but honorable.

Giving them money in my opinion is very stupid, and I think Congress should hire a proctologist to analyze the behavior of this.

Mr. LANTOS. Mr. Chairman, I rise in strong opposition to the amendment offered by Mr. TRAFICANT.

I believe that this ill-conceived amendment will cause irreparable damage to U.S.-Russian relations at time when we must intensify our engagement with Russian civil society. Cutting all aid to Russia, as the Traficant amendment requires, would undercut our efforts to strengthen the forces of democracy in Russia and would therefore undermine U.S. national security interests.

I am just as concerned as my colleagues about the Russian government's proliferation of weapons of mass destruction to Iran, its cozy relations with Iraq, and its mistreatment of American citizens who have been falsely accused of spying.

And I am equally concerned about the Russian leadership's recent crackdown on independent media outlets, its human rights violations in Chechnya, its failure to curb rampant corruption, and its lack of a transparent judicial system.

However, I strongly believe that the only way the United States can effectively address these issues is to stay engaged with Russian civil society. Make no mistake—promoting a democratic Russia is in our national security interests.

I believe that the appropriators did a commendable job in addressing the authoritarian actions of the Russian government without damaging the core programs which benefit the Russian people and advance our national security interests.

This bill already withholds U.S. assistance to the Russian government if its proliferation to Iran continues. I strongly support this provision. Rightfully, the bill does not put the same restriction on U.S. assistance to Russia grass-roots civil society, including non-governmental organizations and independent media. The bill also specifically exempts assistance to combat infectious diseases; to promote child survival; to strengthen non-proliferation activities; to support progressive regional and municipal governments; to expand exchanges and partnerships; and to provide judicial training. These initiatives—critical to the development of Russian civil society—deserve our continued support.

Without a viable civil society, Russia cannot achieve true economic prosperity—nor will it cease to be a potential security threat to the United States. This is why earlier this year I introduced the Russia Democracy Act to enhance our democracy, good governance and anti-corruption efforts. Enhancing our effort with non-governmental organizations is the right path, not this misguided amendment. The bill under consideration is consistent with the Russia Democracy Act; the Traficant amendment clearly is not.

Millions of Russian citizens desire to become part of the West culturally, politically, and in many other senses. These forces need to be strengthened. At the final analysis, a democratic Russia, respecting human rights and observing international norms of peaceful behavior, is squarely in U.S. national security interests. Ceasing all aid to Russia, as the Traficant amendment requires, would delay the realization of this vision for Russia. I strongly urge my colleagues to defeat the amendment.

Mr. TRAFICANT. Having given my 2 cents, Mr. Chairman, I ask unanimous consent that that amendment, which earlier was not in order, be withdrawn.

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

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

AMENDMENT NO. 59 OFFERED BY MR. TRAFICANT

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 59 offered by Mr. TRAFICANT:

At the appropriate place, insert:

Sec. 1. None of the funds made available by this Act may be used to award a contract or grant to any person or entity whose bid or proposal reflects that the person or entity has violated the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the “Buy American Act”).

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Ohio (Mr. TRAFICANT) and a Member opposed each will control 5 minutes.

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

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

We have just gone through a period in our history where America's procurement by bureaucrats has become so convoluted that even the Pentagon bought black berets made in China. The excuse was they could not have made them in a timely fashion in America.

Our constituents that go to Quantico to visit the Marines are given commemorative gifts that are pocket calculators made in China. The Marines stamp on one side, made in China on the other.

This body is stupid, and as a Member of this body I can attest to that. Having said that, this amendment says that anyone who has a conviction of having violated the Buy American law is not entitled to any money under the bill.

I would hope it would be accepted without controversy.

Mr. Chairman, I yield to the gentleman from Arizona (Mr. KOLBE), the distinguished chairman, if he is in the affirmative.

Mr. KOLBE. Mr. Chairman, I thank the gentleman for yielding me this time, and I would simply say that the amendment the gentleman described earlier was not in order. This amendment that he has refiled is simply a Buy America provision and does not refer to anything about people who are convicted.

So with that understanding, that the refiled amendment is the one that we are considering here, I have no intention of objecting to it.

Mr. TRAFICANT. Mr. Chairman, I yield back the balance of my time and ask for an “aye” vote.

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

The amendment was agreed to.

The CHAIRMAN. Are there further amendments?

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: Amendment No. 5 offered by the gentleman from Ohio (Mr. BROWN) and Amendment No. 34 offered by the gentleman from New Jersey (Mr. SMITH).

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

AMENDMENT NO. 5 OFFERED BY MR. BROWN OF OHIO

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 5 offered by the gentleman from Ohio (Mr. BROWN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.
Mr. GILMAN changed his vote from "aye" to "no."

The result of the vote was announced as above recorded.

AMENDMENT NO OFFERED BY MR. SMITH OF NEW JERSEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. Smith) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.
This amendment demonstrates our support for our friends in India and proves that we are here to help in their time of need. This amendment reinforces us, that we respect our relations as they have been in years.

We have seen a dramatic increase in economic and family ties.

As the largest democracy in the world, India has shown great commitment to improving its economic ties to the United States and the U.S. and India have formally committed to work together to build peace and security in South Asia, increase bilateral trade and investment, meet global environmental challenges, fight disease, and eradicate poverty.

This is an important time in U.S.-India relations and this is an important amendment that deserves our support.

Mr. CROWLEY. Mr. Chairman, I rise today in support of this bill. I want to commend chairman KOLBE and ranking member LOWEY for their hard work. Congress is working on crafting a fair and comprehensive bill that addresses the needs of many nations throughout the world.

As conflict continues around the globe, from Northern Ireland to the Middle East, this bill has taken the appropriate steps to provide the tools for future prosperity and the potential for reconciliation.

As the cycle of violence continues in the Middle East, it is essential that we take the appropriate steps to facilitate an atmosphere of peace. The Middle East package in this appropriation bill takes important steps toward that end by including balanced funding for Israel and Egypt, as well as essential funding for Jordan and Lebanon.

Specifically, this bill provides economic funding in the amount of $720 million for Israel and $555 million for Egypt. Additionally, it provides $2.04 billion in military financing for Israel and $1.3 billion for Egypt. I would like to make a special note to commend Israel for voluntarily requesting a reduction in its economic assistance. It is in the sincere hope that this funding will foster an atmosphere for reconciliation. I would also like to thank the committee for recognizing the work of the Galilee Society. The Galilee Society works with Israeli-Arabs and Israeli-Jews on projects that are in the mutual interest of both communities. From water purification to child immunizations, Galilee has looked beyond the religious and cultural differences that are often divisive in this part of the world for the betterment of the society as a whole.

Furthermore, the funding provided for the International Fund for Ireland in the amount of $25 million is a crucial element in facilitating an environment in Northern Ireland in which all sides can live together and prosper for the common good. With the peace process on tenuous ground, programs such as the International Fund for Ireland are essential for Irish youth from the North and from the Republic to work together to improve the future of their respective homelands. It gives me great pleasure to report that the committee has also recognized the International Women's Democracy Center for its contribution to the Northern Ireland Peace process and other quests for peace throughout the world. I had the honor of hosting several women from Northern Ireland during their visit to Washington. I was impressed by the manner in which these women worked together irrespective of faith to achieve a common objective. It is my hope that the experience that these women had in Washington strengthened their relationship with the Northern Ireland. The prospects for peace depend on it.

While it is not nearly enough to successfully battle the HIV/AIDS pandemic in African countries, Asia and elsewhere, I am pleased that this bill includes $434,000,000 for HIV/AIDS as part of the $1,378,000,000 for Child Survival and Health Programs Fund. It is $396,000,000 above the request for FY2001. I hope we can continue to do more to help this dire situation in so many developing countries.

I am also pleased that there is some sorely needed help for Heavily Indebted Poor Countries (HIPC). By directing that half of the $6 million being provided to the Treasury Department’s Office of Technical Assistance, and the Treasury International Affairs Technical Assistance program, be provided to eight or more of the HIPC countries, Congress is helping these countries get out of their financial morasses. While debt relief is a key to recovery for many of these countries, with these funds, Treasury could provide fiscal and monetary advisors to HIPC countries to help them develop strong indigenous capabilities to manage financial matters more effectively.

Continued assistance to Armenia is critical to regional stability in the Caucasus. Armenia has been a participant in good standing to the Minsk Group process and is working constructively to help create an equitable solution to the conflict over Nagorno Karabakh. Until that occurs, and thereafter, Armenia needs our help. Its economy is struggling to survive embargoes on two of its borders and the government is taking key steps to combat corruption and move towards a democratic society and prosperous economy. The $82 million in funding will continue to help move Armenia towards those ultimate goals.

Though I am pleased overall with the funding levels included in this bill, I have many concerns regarding the Andean Initiative. Despite the fact that this funding is a vast improvement over Plan Colombia, I believe that it fails to address the needs of countries, such as Ecuador, to effectively combat the spillover effect from the drug war in Colombia. Furthermore, this initiative continues to provide financial and military assistance to the Colombian military. With an abysmal human rights record, the Colombian military should receive no support from the United States.

It is my hope that these funding deficiencies will be addressed and rectified in conference. I congratulate Mr. KOLBE and Mrs. LOWEY for their diligent work on this bill, and I urge my colleagues to support it's passage.

Mrs. MALONEY of New York. Mr. Chairman, I rise in support of this bill. I thank Chairman KOLBE and Ranking Member LOWEY for succeeding in developing such a bipartisan bill.

I think that it addresses many of our global concerns and adequately funds many important programs.

But, there is one glaring omission that I think must be addressed.

The bill does nothing to remove the anti-democratic, anti-woman global gag rule from imposing its harsh standards on our poorest, and most vulnerable women and children around the world.
You've heard it so many times before—the gag rule isn't about abortion. It's about women dying, to the tune of 600,000 a year.

That is one or two jumbo jets crashing every single day.

And, it's about saving women's lives.

The fact remains that since 1973, no U.S. federal funds have been or are used around the world for abortions.

During the time we are debating this bill, 65 women will die from pregnancy related complications.

They are dying because they don't have access to the most basic health care. Let me be clear, the global gag rule restricts foreign NGO's from using their own funds. In America, this language is unconstitutional. Around the world, it's unconscionable.

The gag rule is enough to make you gag.

It cripples foreign NGO's ability to practice democracy in their own countries. The United States has always been dedicated to exporting our freedoms, and I believe the greatest freedom there is.

The gag rule is enough to make you gag. We can't afford to stifle the international debate on family planning by tying the hands of NGO's with an anti-woman gag rule.

The gag rule forces NGO's to choose between their democratic rights to organize and determine what is best in their own countries and the need for abortions. We know that family planning reduces the need for abortions. We know that it saves lives. The gag rule reduces the effectiveness of family planning organizations and should be eliminated.

This is a good bill, but we can't forget that it does nothing to remove a very dangerous policy, the anti-women, anti-democratic global gag rule. I hope that in conference that this harmful language is removed once and for all.

The CHAIRMAN. No further amendments being in order, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ISAAXON) having assumed the chair, Mr. THORNBERRY, Chairman of the Committee of the House on the State of the Union, reported that that Committee has always had under consideration the bill (H.R. 2506) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes, pursuant to House Resolution 190, he reported the bill, as amended pursuant to that rule, back to the House with sundry further amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The amendments were agreed to.

The vote was taken by electronic devices, and there were—yeas 381, nays 46, not voting 6, as follows:

([Roll No. 266]

YEAS—381

Abercrombie
Ackerman
Ackerman
Adams
Akin
Allen
Andrews
Armey
Baca
Bachus
Baker
Baldacci
Baldwin
Ballinger
Barcia
Barrett
Barrett
Bartlett
Bartow
Bass
Bates
Bentsen
Bereuccia
Beggan
Begoyefich
Bilirakis
Blauert
Blunt
Boehner
Boehm
Bonior
Bono
Bono
Boskis
Boswell
Boswell
Boyce
Broyd
Brown (PA)
Brown (OH)
Brown (NC)
Bryant
Burke
Burton
Buyer
Calahan
Camp
Canfield
Capitol
Capito
Caps
Carlin
Carson (NC)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Commerce
Conyers
Costello
Cox
Cramer
Cramer

Fitch
Esser
Kilgore
Lee
Kilpatrick
Lipinski

Pitts
Platts
Pomeroy
Portman
Price (NC)
Price (OH)
Putnam
Quinn
Radanovich
Ramstad
Rangel
Regular
Reed
Reyes
Reynolds
Riley
Richter
Riley
Rivers
Rodriguez
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Rothman
Roy
Roukema
Roybal-Allard
Rush
Ryan (WI)
Sarlo
Sanchez
Sandel
Sawyer
Saxton
Schakowsky
Schiff
Schroedler
Scott
Serrano
Sessions
Shadegg
Shalala
Shays
Sherman
Sherwood
Shriver
Showman
Shuster
Shows
Shimkus
Shine
Shingets
Shirkey
Shriek
Shriver
Shuck
Shuler
Shuster
Shumlin
Show
Shuster
Shuster
Tauscher
Thatcher
Tibbetts
Tienney
Towns
Traficant
Turner
Udall (CA)
Udall (NM)
Upton
Velasquez
Velasquez
Vitter
Walden
Wamp
Watson (CA)
Watson (MI)
Watson (OR)
Waxman
Weininger
Weininger
Wendel
Wexler
Whitfield
Wilson
Winkler
Wilson
Wolver
Wolfe
Woolsey
Worley
Wyden
Young (FL)

THE SPEAKER. The result of the vote was announced as above recorded. A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2506, TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2002

Mr. LINDER, from the Committee on Rules, submitted a privileged report

July 24, 2001