

“(A) the identity of such individual;
“(B) the nature of the offense committed by such individual, including whether against property or persons;
“(C) whether such offense involved reckless driving or driving while intoxicated; and
“(D) the number and nature of all other criminal offenses committed in the United States by such individual.

“(2) The Secretary shall submit an annual report to the Congress on the incidents occurring during the preceding year. The report shall include the information maintained under paragraph (1) together with information under section 1706(a).

“(b) EDUCATION AND ENCOURAGEMENT OF LOCAL LAW ENFORCEMENT INDIVIDUALS.—The Secretary shall take such steps as may be necessary—

“(1) to educate local law enforcement officials on the extent of the immunity from criminal jurisdiction provided to members of a foreign mission, and family members of such members, under the Vienna Convention; and

“(2) to encourage local law enforcement officials to fully investigate, charge, and prosecute, to the extent consistent with immunity from criminal jurisdiction under the Vienna Convention, any member of a foreign mission, and any family member of such a member, who commits a serious criminal offense within the United States.

“(c) INTERFERENCE WITH LOCAL PROSECUTIONS.—No officer or employee of the Department of State may interfere with any investigation, charge, or prosecution by a State or local government of—

“(1) an alien who is a member of a foreign mission,

“(2) a family member of an alien described in subparagraph (A), or

“(3) any other alien, not covered by immunity from the criminal jurisdiction of the United States under the Vienna Convention.

“(d) NOTIFICATION OF DIPLOMATIC CORPS.—The Secretary shall notify the members of each foreign mission of United States policies relating to criminal offenses (particularly crimes of violence) committed by such members, and the family members of such members, including the policy of obtaining criminal indictments, requiring such members to leave the country, and declaring such members persona non grata.

“(e) VIENNA CONVENTION.—For the purposes of this section, the term ‘Vienna Convention’ means the Vienna Convention on Diplomatic Relations of April 18, 1961 (TIAS numbered 7502; 23 UST 3227), entered into force with respect to the United States on December 13, 1972.”.

The SPEAKER pro tempore, Mr. GOODLATTE, announced that the yeas had it.

Mr. SERRANO demanded a recorded vote on agreeing to said amendment, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

It was decided in the affirmative ..... { Yeas ..... 386
Nays ..... 42
Answered present 1

¶63.13

[Roll No. 184]

AYES—386

Abercrombie Baldacci Bereuter
Ackerman Ballenger Berry
Aderholt Barcia Bilbray
Allen Barr Bilirakis
Andrews Barrett (NE) Bishop
Archer Bartlett Blagojevich
Armey Barton Bliley
Bachus Bass Blumenauer
Baesler Bateman Blunt
Baker Bentsen Boehlert

Boehner Gonzalez McDade Skelton Stupak Walsh
Bonilla Goode McGovern Slaughter Sununu Wamp
Bono Goodlatte McHale Smith (MI) Talent Watkins
Boswell Goodling McHugh Smith (NJ) Tanner Watts (OK)
Boucher Gordon McInnis Smith (OR) Tauscher Weldon (FL)
Boyd Goss McIntosh Smith (TX) Tauzin Weldon (PA)
Brady Graham McIntyre Smith, Adam Taylor (MS)
Brown (FL) Granger McKeon Smith, Linda Taylor (NC)
Brown (OH) Green McNulty Snowbarger Thomas Wexler
Bryant Greenwood Meehan Solomon Thompson White
Bunning Gutierrez Menendez Souder Thornberry Whitfield
Burr Gutmacht Metcalf Spence Thune Wicker
Burton Hall (OH) Mica Spratt Thurman Wise
Buyer Hall (TX) Miller (CA) Stabenow Tiahrt Wolf
Callahan Hansen Miller (FL) Stark Torres Wynn
Callehan Harman Minge Stearns Traficant Yates
Calvert Camp Hastert Moakley Stenholm Turner Young (AK)
Campbell Hastings (WA) Mollohan Strickland Upton Young (FL)
Canady Hayworth Moran (KS) Stump
Cannon Hefley Moran (VA)
Capps Hefner
Cardin Herger
Carson Hill
Castle Hillery Nadler
Chabot Hilliard Neal
Chambliss Hinchey Nethercutt
Chenoweth Hinojosa Neumann
Christensen Hobson Ney
Clement Hoekstra Northup
Clyburn Holden Norwood
Coble Hooley Nussle
Coburn Horn Oberstar
Collins Hostettler Olver
Combust Houghton Ortiz
Condit Hoyer Oxley
Conyers Hulshof Packard
Cook Hunter Pappas
Cooksey Hutchinson Parker
Costello Hyde Pascrell
Cox Inglis Pastor
Coyne Istook Paul
Cramer Jackson (IL) Paxon
Crane Jefferson Pease
Crapo Jenkins Pelosi
Cubin John Peterson (MN)
Cummings John Peterson (PA)
Cunningham Johnson (CT)
Danner Johnson (WI)
Davis (FL) Johnson, E.B.
Davis (IL) Johnson, Sam
Davis (VA) Jones
Deal Kanjorski
DeFazio Kaptur
DeGette Kasich
Delahunt Kelly
DeLauro Kennedy (MA)
DeLay Kennedy (RI)
Deutsch Kennelly
Diaz-Balart Kildee
Dickey Kilpatrick
Dicks Kim
Doggett Kind (WI)
Dooley King (NY)
Doolittle Kleczka
Doyle Klink
Dreier Klug
Duncan Knollenberg
Dunn Kolbe
Edwards Kucinich
Ehlers LaFalce
Ehrlich LaHood
Emerson Lampson
Engel Lantos
English Largent
Ensign Latham
Eshoo LaTourette
Etheridge Royce
Evans Lazio
Everett Leach
Ewing Levin
Fawell Lewis (CA)
Fazio Lewis (KY)
Foley Linder
Ford Lipinski
Fowler Livingston
Fox LoBiondo
Frank (MA) Lofgren
Franks (NJ) Lowey
Frelinghuysen Lucas
Frost Luther
Furse Maloney (CT)
Gallegly Maloney (NY)
Ganske Manton
Gedjenson Manzullo
Gekas Markey
Gephardt Mascara
Gibbons Matsui
Gilchrist McCarthy (MO)
Gillmor McCarthy (NY)
Gilman McCollum
McCrery Skaggs
Skeen

Barrett (WI) Jackson-Lee Roybal-Allard
Becerra (TX) Rush
Berman Lewis (GA) Sanders
Bonior Martinez Serrano
Borski McDermott Snyder
Brown (CA) McKinney Stokes
Clay Meek Tierney
Clayton Millender Towns
Dellums McDonald Velazquez
Dingell Mink Visclosky
Dixon Murtha Waters
Fattah Obey Watt (NC)
Foglietta Owens Waxman
Hamilton Payne Woolsey
Hastings (FL) Rahall

NOES—42

Barrett (WI) Jackson-Lee Roybal-Allard
Becerra (TX) Rush
Berman Lewis (GA) Sanders
Bonior Martinez Serrano
Borski McDermott Snyder
Brown (CA) McKinney Stokes
Clay Meek Tierney
Clayton Millender Towns
Dellums McDonald Velazquez
Dingell Mink Visclosky
Dixon Murtha Waters
Fattah Obey Watt (NC)
Foglietta Owens Waxman
Hamilton Payne Woolsey
Hastings (FL) Rahall

ANSWERED “PRESENT”—1

Filner

NOT VOTING—5

Farr Forbes Schiff
Flake Molinari

So the amendment was agreed to.

The question being put, viva voce,

Will the House agree to the following amendment [BACHUS amendment] on which a separate vote had been demanded?

At the end of chapter 1 of title XII (relating to Department of State authorities and activities) insert the following new section:

SEC. 1221. REPORT ON OVERSEAS SURPLUS PROPERTIES.

(a) REPORT TO CONGRESS.—Not later than March 1 of each year, the Secretary of State shall submit to the Congress a report listing overseas United States surplus properties for sale.

(b) USE OF FUNDS RECEIVED FROM SALE OF OVERSEAS SURPLUS PROPERTIES.—Notwithstanding any other provision of law, amounts received by the United States from the sale of any overseas United States surplus property shall be deposited in the Treasury of the United States to be used to reduce the deficit.

The SPEAKER pro tempore, Mr. GOODLATTE, announced that the yeas had it.

Mr. SERRANO demanded a recorded vote on agreeing to said amendment, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 283
Nays ..... 146

¶63.14

[Roll No. 185]

AYES—283

Abercrombie Ballenger Bateman
Aderholt Barcia Berry
Andrews Barr Bilbray
Archer Barrett (NE) Bilirakis
Bachus Barrett (WI) Bishop
Baesler Bartlett Bliley
Baker Barton Blunt
Baldacci Bass Boehlert

Bonilla	Hefley	Pickering
Bono	Hefner	Pickett
Boswell	Herger	Pitts
Brady	Hill	Pombo
Bryant	Hilleary	Portman
Bunning	Hobson	Poshard
Burr	Hoekstra	Price (NC)
Burton	Holden	Pryce (OH)
Buyer	Hooley	Quinn
Callahan	Hostettler	Radanovich
Calvert	Hulshof	Ramstad
Camp	Hunter	Redmond
Campbell	Hutchinson	Riggs
Canady	Hyde	Riley
Cannon	Inglis	Rivers
Carson	Istook	Roemer
Chabot	Jenkins	Rogan
Chambliss	John	Rohrabacher
Chenoweth	Johnson (WI)	Ros-Lehtinen
Christensen	Jones	Rothman
Coble	Kanjorski	Royce
Coburn	Kaptur	Ryun
Collins	Kasich	Salmon
Combest	Kelly	Sanchez
Condit	Kennedy (RI)	Sandlin
Cook	Kildee	Sanford
Cooksey	Kim	Saxton
Costello	Kind (WI)	Scarborough
Cox	Kingston	Schaefer, Dan
Cramer	Kleczka	Schaffer, Bob
Crane	Klink	Schumer
Crapo	Klug	Scott
Cubin	Knollenberg	Sensenbrenner
Cummings	Lampson	Sessions
Cunningham	Largent	Shadegg
Danner	Latham	Shaw
Davis (VA)	LaTourette	Shays
Deal	Lewis (CA)	Shimkus
DeLay	Lewis (KY)	Shuster
Diaz-Balart	Linder	Sisisky
Dickey	Lipinski	Skeel
Doggett	Livingston	Skelton
Doolittle	LoBiondo	Smith (OR)
Doyle	Lucas	Smith (TX)
Dreier	Luther	Smith, Linda
Duncan	Maloney (CT)	Snowbarger
Dunn	Maloney (NY)	Solomon
Edwards	Manzullo	Souder
Ehlers	Mascara	Spence
Ehrlich	McCarthy (MO)	Stabenow
Emerson	McCarthy (NY)	Stearns
English	McCollum	Stenholm
Ensign	McCrery	Strickland
Eshoo	McDade	Stump
Etheridge	McHale	Sununu
Evans	McHugh	Talent
Everett	McInnis	Tanner
Ewing	McIntosh	Tauscher
Fawell	McIntyre	Tauzin
Foley	McKeon	Taylor (MS)
Fowler	Metcalf	Taylor (NC)
Fox	Mica	Thomas
Frank (MA)	Miller (FL)	Thornberry
Franks (NJ)	Minge	Thune
Frelinghuysen	Moran (KS)	Thurman
Galleghy	Myrick	Tiahrt
Ganske	Neal	Tierney
Gekas	Nethercutt	Trafigant
Gibbons	Neumann	Turner
Gilchrist	Ney	Upton
Gillmor	Northup	Vento
Goode	Norwood	Walsh
Goodlatte	Nussle	Wamp
Goodling	Obey	Watkins
Gordon	Ortiz	Watts (OK)
Goss	Oxley	Weldon (FL)
Graham	Packard	Weldon (PA)
Granger	Pappas	Weller
Green	Parker	Weygand
Greenwood	Pascrell	White
Gutknecht	Pastor	Whitfield
Hall (TX)	Paul	Wicker
Hansen	Paxon	Wolf
Harman	Pease	Young (AK)
Hastert	Peterson (MN)	Young (FL)
Hastings (WA)	Peterson (PA)	
Hayworth	Petri	

## NOES—146

Ackerman	Borski	Clement
Allen	Boucher	Clyburn
Armedy	Boyd	Coyers
Becerra	Brown (CA)	Coyne
Bentsen	Brown (FL)	Davis (FL)
Bereuter	Brown (OH)	Davis (IL)
Berman	Capps	DeFazio
Blagojevich	Cardin	DeGette
Blumenauer	Castle	Delahunt
Boehlert	Clay	DeLauro
Bonior	Clayton	Dellums

Deutsch	Kucinich	Rahall
Dicks	LaFalce	Rangel
Dingell	LaHood	Regula
Dixon	Lantos	Reyes
Dooley	Lazio	Rodriguez
Engel	Leach	Rogers
Fattah	Levin	Roukema
Fazio	Lewis (GA)	Roybal-Allard
Filner	Lofgren	Rush
Foglietta	Lowey	Sabo
Ford	Manton	Sanders
Frost	Markey	Sawyer
Furse	Martinez	Serrano
Gejdenson	Matsui	Sherman
Gephardt	McDermott	Skaggs
Gilman	McGovern	Slaughter
Gonzalez	McKinney	Smith (MI)
Gutierrez	McNulty	Smith (NJ)
Hall (OH)	Meehan	Smith, Adam
Hamilton	Meek	Snyder
Hastings (FL)	Menendez	Spratt
Hilliard	Millender	Stark
Hinchey	McDonald	Stokes
Hinojosa	Miller (CA)	Stupak
Horn	Mink	Thompson
Houghton	Moakley	Torres
Hoyer	Mollohan	Towns
Jackson (IL)	Moran (VA)	Velazquez
Jackson-Lee	Morella	Visclosky
(TX)	Murtha	Waters
Jefferson	Nadler	Watt (NC)
Johnson (CT)	Oberstar	Waxman
Johnson, E. B.	Olver	Wexler
Johnson, Sam	Owens	Wise
Kennedy (MA)	Pallone	Woolsey
Kennelly	Payne	Wynn
Kilpatrick	Pelosi	Yates
King (NY)	Pomeroy	
Kolbe	Porter	

## NOT VOTING—5

Farr	Forbes	Schiff
Flake	Molinari	

So the amendment was agreed to.

The question being put, *viva voce*,

Will the House agree to the following amendments [GILMAN amendments en bloc] on which a separate vote had been demanded?

Page 120, strike line 11 and all that follows through line 18, and insert the following:

(a) PERSONS AUTHORIZED TO ISSUE REPORTS OF BIRTHS ABROAD.—Section 33 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2705) is amended in paragraph (2) by adding at the end the following: "For purposes of this paragraph, a consular officer shall include any United States citizen employee of the Department of State designated by the Secretary of State to adjudicate nationality abroad pursuant to such regulations as he may prescribe."

Page 121, after line 17, insert the following:

(e) DEFINITION OF CONSULAR OFFICER.—Section 101(a)(9) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(9)) is amended by—

(1) inserting "or employee" after "officer"; and

(2) inserting before the period at the end of the sentence "or, when used in title III, for the purpose of adjudicating nationality".

(f) TRAINING FOR EMPLOYEES PERFORMING CONSULAR FUNCTIONS.—Section 704 of the Foreign Service Act of 1980 (22 U.S.C. 4024) is amended by adding at the end the following new subsection:

"(d) Prior to designation by the Secretary of State pursuant to regulation to perform a consular function abroad, a United States citizen employee (other than a diplomatic or consular officer of the United States) shall be required to complete successfully a program of training essentially equivalent to the training that a consular officer who is a member of the Foreign Service would receive for purposes of performing such function and shall be certified by an appropriate official of the Department of State to be qualified by knowledge and experience to perform such function. As used in this subsection, the term 'consular function' includes the issuance of visas, the performance of notar-

ial and other legalization functions, the adjudication of passport applications, the adjudication of nationality, and the issuance of citizenship documentation."

SECTION 1304—ESTABLISHMENT OF ASSISTANT SECRETARY OF STATE FOR DIPLOMATIC SECURITY

On page 127 line 20 insert after security "and management".

SECTION 1321—AUTHORIZED STRENGTH OF THE FOREIGN SERVICE

On page 130 line 5 delete 1070 and insert in its place 1,210.

On page 130 line 6 delete 140 and insert in its place 150.

On page 130 line 17 delete 1065 and insert in its place 1,182.

On page 130 line 18 delete 135 and insert in its place 147.

Strike section 1702 of division B, page 163, line 3 to page 164, line 3, and insert the following new section (and renumber the subsequent sections accordingly and conform the table of contents accordingly).

**SEC. 1702. UNITED STATES POLICY WITH RESPECT TO THE INVOLUNTARY RETURN OF PERSONS IN DANGER OF SUBJECTION TO TORTURE.**

(a) POLICY.—It shall be the policy of the United States that the United States shall not expel, extradite, or otherwise effect the involuntary return of any person to a country in which there are substantial grounds for believing that the person would be in danger of being subjected to torture, regardless of whether the person is physically present in the United States.

(b) DEFINITIONS.—Except as otherwise provided, terms used in this section have the meanings assigned under the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, subject to any reservations, understandings, declarations and provisos contained in the United States resolution of advice and consent to ratification of such Convention.

(c) PROCEDURES.—Procedures shall be established to ensure compliance with subsection (a) in the cases of aliens who are arriving in the United States or who are physically present in the United States and who are subject to removal.

(d) REVIEW AND CONSTRUCTION.—Notwithstanding any other provision of law, no court shall have jurisdiction to review the procedures adopted to implement this section, and nothing in this section shall be construed as providing any court jurisdiction to review claims raised under the Convention or this section, or any other determination made with respect to the application of the policy set forth in subsection (a), except as part of the review of a final order of removal pursuant to section 242 of the Immigration and Nationality Act, as amended.

Strike section 1712 and insert the following:

**SEC. 1712. SENSE OF CONGRESS RELATING TO RECOGNITION OF THE ECUMENICAL PATRIARCHATE BY THE GOVERNMENT OF TURKEY.**

It is the sense of Congress that the United States should use its influence with the Turkish Government and as a permanent member of the United Nations Security Council to suggest that the Turkish Government—

(1) recognize the Ecumenical Patriarchate and its nonpolitical, religious mission;

(2) ensure the continued maintenance of the institution's physical security needs, as provided for under Turkish and international law, including but not limited to, the Treaty of Lausanne, the 1968 Protocol, the Helsinki Final Act (1975), and the Charter of Paris;

(3) provide for the proper protection and safety of the Ecumenical Patriarch and Patriarchate personnel; and

(4) reopen the Ecumenical Patriarchate's Halki Patriarchal School of Theology.

Page 183, line 1, strike "cases and the" and insert "cases through the provision of records and the unilateral and joint".

The SPEAKER pro tempore, Mr. GOODLATTE, announced that the yeas had it.

Mr. SERRANO demanded a recorded vote on agreeing to said amendments, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas ..... 428 affirmative ..... } { Nays ..... 0

63.15 [Roll No. 186] AYES—428

- Abercrombie Ackerman Aderholt Allen Andrews Archer Arme... [List of names and states]

- Levin Lewis (CA) Lewis (GA) Lewis (KY) Linder Lipinski Livingston LoBiondo Lofgren Lowey Lucas Luther Maloney (CT) Maloney (NY) Manton Manzullo Markey Martinez Mascara Matsui McCarthy (MO) McCarthy (NY) McCollum McCrery McDade McDermott McGovern McHale McHugh McInnis McIntosh McIntyre McKeon McKinney McNulty Meehan Meek Menendez Metcalf Mica Millender McDonald Miller (CA) Miller (FL) Minge Mink Moakley Mollohan Moran (KS) Moran (VA) Morella Murtha Myrick Nadler Neal Nethercutt Neumann Ney Northup Norwood Nussle Oberstar Obey Olver Ortiz Owens Oxley Packard Pallone [List of names and states]

NOT VOTING—6 Cox Farr Flake Forbes Molinari Schiff

So the amendments en bloc were agreed to.

The question being put, viva voce, Will the House agree to the following amendment [GOSS amendment] on which a separate vote had been demanded?

Page 139, strike line 19 and all that follows through line 10 on page 141 (and conform the table of contents accordingly).

The SPEAKER pro tempore, Mr. GOODLATTE, announced that the yeas had it.

Mr. SERRANO demanded a recorded vote on agreeing to said amendment, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas ..... 226 affirmative ..... } { Nays ..... 201

63.16 [Roll No. 187] AYES—226

- Aderholt Archer Arme... [List of names and states]

NOES—201

- Abercrombie Ackerman Allen Andrews Baesler Baldacci Barrett (WI) Becerra Bentsen Berman Berry Bishop Blagojevich Blumenauer Bonior Borski Boswell Boucher Boyd Brown (CA) Brown (FL) Brown (OH) Capps Cardin Carson Clayton Clement Clyburn Condit Conyers Costello Coyne Cramer Cummings Danner Davis (FL) Davis (IL) DeFazio DeGette Delahunt DeLauro Dellums Deutsch Dingell Dixon Doggett Dooley [List of names and states]