

EAST ASIA SECURITY ACT OF 2005; TORTURE VICTIMS RELIEF
REAUTHORIZATION ACT OF 2005; CONDEMNING THE DPRK
FOR THE ABDUCTIONS AND CAPTIVITY OF CITIZENS OF
THE ROK AND JAPAN; ACKNOWLEDGING AFRICAN DESCEND-
ANTS OF THE TRANSATLANTIC SLAVE TRADE; COMMEMO-
RATING THE 60TH ANNIVERSARY OF THE CONCLUSION OF
THE WAR IN THE PACIFIC AND HONORING VETERANS OF
WWII; RECOGNIZING THE 25TH ANNIVERSARY OF THE WORK-
ERS' STRIKES IN POLAND; SUPPORTING THE GOALS AND
IDEALS OF A NATIONAL WEEKEND OF PRAYER AND REFLEC-
TION FOR DARFUR, SUDAN; AND COMMENDING KUWAIT FOR
GRANTING WOMEN CERTAIN IMPORTANT POLITICAL RIGHTS

MARKUP

BEFORE THE

COMMITTEE ON INTERNATIONAL RELATIONS HOUSE OF REPRESENTATIVES

ONE HUNDRED NINTH CONGRESS

FIRST SESSION

ON

**H.R. 3100, H.R. 2017, H. Con. Res. 168,
H. Con. Res. 175, H. Con. Res. 191, H. Res. 328,
H. Res. 333 and H. Res. 343**

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EAST ASIA SECURITY ACT OF 2005; TORTURE VICTIMS RELIEF REAUTHORIZATION ACT OF 2005; CONDEMNING THE DPRK FOR THE ABDUCTIONS AND CAPTIVITY OF CITIZENS OF THE ROK AND JAPAN; ACKNOWLEDGING AFRICAN DESCENDANTS OF THE TRANSATLANTIC SLAVE TRADE; COMMEMORATING THE 60TH ANNIVERSARY OF THE CONCLUSION OF THE WAR IN THE PACIFIC AND HONORING VETERANS OF WWII; RECOGNIZING THE 25TH ANNIVERSARY OF THE WORKERS' STRIKES IN POLAND; SUPPORTING THE GOALS AND IDEALS OF A NATIONAL WEEKEND OF PRAYER AND REFLECTION FOR DARFUR, SUDAN; AND COMMENDING KUWAIT FOR GRANTING WOMEN CERTAIN IMPORTANT POLITICAL RIGHTS

THURSDAY, JUNE 30, 2005

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Committee met, pursuant to notice, at 10:40 a.m., in room 2172, Rayburn House Office Building, Hon. Henry J. Hyde (Chairman of the Committee) presiding.

Chairman HYDE. The Committee will come to order. The business meeting of the Committee will come to order pursuant to notice. I call up the bill, H.R. 3100, East Asia Security Act of 2005, for purposes of markup, and I ask unanimous consent that the bill be considered as read and ordered reported favorably to the House.

[The bill referred to follows:]

.....
(Original Signature of Member)

109TH CONGRESS
1ST SESSION

H. R. 3100

To authorize measures to deter arms transfers by foreign countries to the
People's Republic of China.

IN THE HOUSE OF REPRESENTATIVES

Mr. HYDE (for himself, Mr. LANTOS, Mr. HUNTER, Mr. FALCONE, Mr. ROSEN, Mr. ROSENBERG, Mr. MCCOTTER, Mrs. JO ANN DAVIS of Virginia, Mr. BURTON of Indiana, Mr. SMITH of New Jersey, Mr. McCAUL of Texas, Ms. HARRIS, Mr. WELLER, and Mr. BOOZMAN) introduced the following bill; which was referred to the Committee on

(and Mr. ISSA)

A BILL

To authorize measures to deter arms transfers by foreign
countries to the People's Republic of China.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "East Asia Security
5 Act of 2005".

1 **SEC. 2. STATEMENTS OF POLICY.**

2 Congress—

3 (1) previously expressed its strong concerns in
4 House Resolution 57 of February 2, 2005, and Sen-
5 ate Resolution 91 of March 17, 2005, with the
6 transfer of armaments and related technology to the
7 People's Republic of China by member states of the
8 European Union, which increased eightfold from
9 2001 to 2003, and with plans to terminate in the
10 near future the arms embargo they imposed in 1989
11 following the Tiananmen Square massacre;

12 (2) welcomes deferral of a decision by the Euro-
13 pean Council to terminate its arms embargo fol-
14 lowing adoption of those Resolutions, the President's
15 visit to Europe, and growing concern among coun-
16 tries in the regions and the general public on both
17 sides of the Atlantic;

18 (3) welcomes the decision by the European Par-
19 liament on April 14, 2005, by a vote of 421 to 85,
20 to oppose the lifting of the European Union's arms
21 embargo on the People's Republic of China, and res-
22 olutions issued by a number of elected parliamentary
23 bodies in Europe also opposing the lifting of the
24 arms embargo;

25 (4) also welcomes the onset of a strategic dia-
26 logue between the European Commission and the

1 Government of the United States on the security sit-
2 uation in East Asia, through which it is hoped a
3 greater understanding will emerge of the con-
4 sequences of European assistance to the military
5 buildup of the People's Republic of China for peace
6 and stability in that region, to the security interests
7 of the United States and its friends and allies in the
8 region, and, in particular, to the safety of United
9 States Armed Forces whose presence in the region
10 has been a decisive factor in ensuring peace and
11 prosperity since the end of World War II;

12 (5) hopes that a more intensive dialogue with
13 Europe on this matter will clarify for United States
14 friends and allies in Europe how their "non-lethal"
15 arms transfers improve the force projection of the
16 People's Republic of China, are far from benign, and
17 enhance the prospects for the threat or use of force
18 in resolving the status of Taiwan, a troubling pros-
19 pect made more ominous by recent adoption of a
20 new law by the Chinese National People's Congress
21 expressly authorizing the use of force;

22 (6) also hopes that this dialogue will result in
23 an important new consensus between the United
24 States and its European partners on the need for co-
25 ordinated policies which encourage the development

1 of democracy in the People's Republic of China and
2 which discourage, not assist, China's unjustified
3 military buildup and pursuit of weapons that threat-
4 en its neighbors;

5 (7) however, deeply regrets that none of the
6 European friends and allies of the United States
7 who have been transferring arms to the People's Re-
8 public of China has announced a cessation or even
9 a temporary halt to those transfers while this new
10 dialogue with the United States ensues, and notes
11 with concern that such European friends and allies
12 have provided little, if any, transparency to the
13 United States Government into the full range and
14 capabilities of all of the armaments and related tech-
15 nology that they have transferred to date and con-
16 tinue even now to do so;

17 (8) is further troubled by public reports describ-
18 ing well known European companies as suppliers to
19 weapons programs of the People's Republic of
20 China, who are also participants in numerous sen-
21 sitive United States Government weapons programs,
22 and the increased risks of diversion of United States
23 weapons technology to China inherent in such an
24 undesirable situation; and

1 (9) in view of the gravity of European arms
2 sales to the People's Republic of China, which have
3 not abated, believes it is necessary to make provision
4 for greater scrutiny and oversight with respect to
5 those areas of international armament cooperation
6 that present increased levels of risk to the security
7 interests of the United States and to authorize ap-
8 propriate measures which the President may drawn
9 on in deterring foreign support for China's military
10 buildup in order to safeguard the national security
11 interests of the United States and peace and secu-
12 rity in East Asia.

13 **SEC. 3. REPORT ON FOREIGN MILITARY EXPORTS TO**
14 **CHINA.**

15 (a) REPORT.—The President shall, at the times spec-
16 ified in subsection (b), transmit to the appropriate con-
17 gressional committees a report that identifies every person
18 of a member country of the European Union, and any
19 other foreign person the President may consider appro-
20 priate, with respect to whom there is credible information
21 indicating that the person, on or after January 1, 2005,
22 exported to—

23 (1) the People's Republic of China any item on
24 the Wassenaar Munitions List of July 12, 1996, and
25 subsequent revisions; or

1 (2) the military, intelligence, or other security
2 forces of the People's Republic of China—

3 (A) any item on the Wassenaar List of
4 Dual Use Goods and Technologies of July 12,
5 1996, and subsequent revisions; or

6 (B) any other dual use item if the item is
7 intended, entirely or in part, for use with an
8 item described in paragraph (1).

9 (b) TIMING OF REPORT.—The report required under
10 subsection (a) shall be transmitted not later than 180 days
11 after the date of the enactment of this Act and not later
12 than the end of each 12-month period thereafter.

13 (c) EXCEPTIONS.—A foreign person is not required
14 to be identified in a report required under subsection (a)
15 if the person—

16 (1) was identified in a previous report trans-
17 mitted under subsection (a) on account of a par-
18 ticular export, except to the extent that the export
19 may have continued, involved additional transfers, or
20 was larger, more significant, or different in nature
21 than described in the previous report;

22 (2) was engaged solely in an export on behalf
23 of, or in concert with, the Government of the United
24 States; or

1 (3) was engaged in an export which, as deter-
2 mined by the President, would be exempt from the
3 restrictions of section 902(a) of the Foreign Rela-
4 tions Authorization Act, Fiscal Years 1990 and
5 1991 (Public Law 101-246; 22 U.S.C. 2151 note),
6 if the export were subject to the jurisdiction of the
7 United States, by reason of the issuance of a report
8 under section 902(b) of such Act.

9 (d) FORM.—If the President considers it appropriate,
10 reports transmitted under subsection (a), or appropriate
11 parts thereof, may be transmitted in classified form.

12 **SEC. 4. REPORT ON CHINA ARMS TRANSFER POLICIES OF**
13 **COUNTRIES PARTICIPATING IN UNITED**
14 **STATES DEFENSE COOPERATIVE PROJECTS;**
15 **CERTAIN LICENSE REQUIREMENTS.**

16 (a) STATEMENT OF POLICY.—Congress is concerned
17 with the significant additional risk of unlawful use and
18 diversion of sensitive United States weapons system re-
19 search, design, and development arising from cooperative
20 research and development projects with foreign govern-
21 ments and foreign persons who may also transfer arms
22 and related technology to the People's Republic of China.

23 (b) REPORT.—The President shall, at the times spec-
24 ified in subsection (c), transmit to the appropriate con-
25 gressional committees a report that—

1 (1) identifies every foreign government with re-
2 spect to which the United States is carrying out a
3 cooperative project described in subsection (d) and
4 whose policies or practices, on or after the date of
5 the enactment of this Act, permit the export of any
6 item described in paragraph (1), or subparagraph
7 (A) or (B) of paragraph (2), of section 3(a); and

8 (2) describes the cooperative projects and poli-
9 cies or practices referred to in paragraph (1) of
10 every foreign government identified under such para-
11 graph.

12 (c) TIMING OF REPORT.—The report required under
13 subsection (b)—

14 (1) shall be transmitted not later than 180 days
15 after the date of the enactment of this Act and not
16 later than the end of each 12-month period there-
17 after; and

18 (2) may be included in the report required
19 under section 3, as the President determines appro-
20 priate.

21 (d) COOPERATIVE PROJECTS.—The cooperative
22 projects referred to in subsection (b) are projects carried
23 out under section 27 of the Arms Export Control Act (22
24 U.S.C. 2767) or section 2350a, 2358, or a memorandum

1 of understanding under section 2531 of title 10, United
2 States Code.

3 (e) LICENSE REQUIREMENTS.—

4 (1) REQUIREMENT.—Notwithstanding any
5 other provision of law, a license under section 38 of
6 the Arms Export Control Act (22 U.S.C. 2778) shall
7 be required for the export of defense articles or de-
8 fense services by any person who is not an officer or
9 employee of the Government of the United States in
10 furtherance of a cooperative project described in
11 subsection (d) with a country identified in a report
12 transmitted under subsection (b).

13 (2) CONGRESSIONAL NOTIFICATION.—The
14 issuance of a license pursuant to paragraph (1) shall
15 be subject to the same requirements as are applica-
16 ble to the export of items described in section 36(c)
17 of the Arms Export Control Act (22 U.S.C. 2776(c))
18 (without regard to the dollar amount requirements
19 relating to contracts contained in such section), in-
20 cluding the transmittal of information and the appli-
21 cation of congressional review procedures in accord-
22 ance with such section.

1 **SEC. 5. CERTAIN FOREIGN OWNERSHIP AND CONTROL OF**
2 **DEFENSE ARTICLES IN THE UNITED STATES.**

3 (a) STATEMENT OF POLICY.—Congress determines
4 that special care should be taken by the United States
5 with respect to foreign persons who sell arms and related
6 technology to the People’s Republic of China, while simul-
7 taneously seeking ownership of United States defense arti-
8 cles or defense services, including the results of United
9 States Government funded defense research and develop-
10 ment, through the acquisition or control of United States
11 defense firms, directly or through their subsidiaries and
12 affiliates based in the United States.

13 (b) LICENSE REQUIREMENTS.—

14 (1) REQUIREMENT.—The President shall re-
15 quire a license pursuant to regulations issued under
16 section 38(g)(6) of the Arms Export Control Act (22
17 U.S.C. 2778(g)(6)) for the transfer of ownership or
18 control of United States defense articles or defense
19 services arising from the acquisition or control of a
20 person required to be registered under section
21 38(b)(1) of such Act (22 U.S.C. 2778(b)(1)), or any
22 subsidiary, division, affiliate or other entity thereof,
23 whenever the person gaining acquisition or control
24 is—

25 (A) a foreign national of the People’s Re-
26 public of China or a foreign person otherwise

1 subject to the jurisdiction, ownership, or control
2 of the People's Republic of China;

3 (B) a foreign person identified in a report
4 transmitted under section 3 or having its prin-
5 cipal place of business in a country described in
6 a report transmitted under section 4; or

7 (C) a United States person owned or con-
8 trolled by a foreign person, including a sub-
9 sidiary or affiliate of a foreign person described
10 in subparagraph (B).

11 (2) ADDITIONAL REQUIREMENT.—A license
12 under section 38(g)(6) of the Arms Export Control
13 Act for a person described in paragraph (1)(A) shall
14 not be issued until 30 days after the date on which
15 the President transmits a report that contains a de-
16 termination of the President that—

17 (A) the Government of the People's Repub-
18 lic of China meets the requirements of section
19 902(b)(1) of the Foreign Relations Authoriza-
20 tion Act, Fiscal Years 1990 and 1991 (Public
21 Law 101–246; 22 U.S.C. 2151 note); or

22 (B) it is in the national interest of the
23 United States to issue the license.

24 (c) CONGRESSIONAL NOTIFICATION.—The issuance
25 of a license pursuant to subsection (b) shall be subject

1 to the same requirements as are applicable to the export
2 of items described in section 36(e) of the Arms Export
3 Control Act (22 U.S.C. 2776(c)) (without regard to the
4 dollar amount requirements relating to contracts con-
5 tained in such section), including the transmittal of infor-
6 mation and the application of congressional review proce-
7 dures in accordance with such section.

8 (d) EXCEPTION.—The issuance of a license pursuant
9 to subsection (b) shall not be required in the case of an
10 amendment to a munitions license or a change in registra-
11 tion arising from a sale or transfer of ownership or control
12 of United States defense articles or defense services to a
13 person described in subparagraph (A), (B), or (C) of sub-
14 section (b)(1) that was approved prior to the date of en-
15 actment of this Act unless the President determines that
16 it is in the national security interests of the United States
17 to require the issuance of a new license pursuant to sub-
18 section (b).

19 **SEC. 6. CHINESE MILITARY END USE OF DUAL USE EX-**
20 **PORTS.**

21 (a) STATEMENT OF POLICY.—Congress welcomes the
22 understanding reached at the Wassenaar Arrangement's
23 December 2003 plenary meeting to require governmental
24 authorization for the transfer of non-listed dual use items
25 intended for military end use in a destination subject to

1 any relevant regional arms embargo or to any United Na-
2 tions Security Council resolution.

3 (b) LICENSE REQUIREMENT.—

4 (1) REQUIREMENT.—The President shall re-
5 quire a license under the Export Administration
6 Regulations for the export of any item described in
7 paragraph (1), or subparagraph (A) or (B) of para-
8 graph (2), of section 3(a) that is not subject to a li-
9 cense under section 38 of the Arms Export Control
10 Act (22 U.S.C. 2778) if the item is intended for
11 military end use by the People's Republic of China.

12 (2) SENSE OF CONGRESS.—It is the sense of
13 Congress that the President should not approve a li-
14 cense pursuant to paragraph (1) unless the Presi-
15 dent determines that approval is important to
16 counterterrorism, nonproliferation, or other national
17 security interests of the United States.

18 (c) CONGRESSIONAL NOTIFICATION.—The issuance
19 of a license pursuant to subsection (b) shall be subject
20 to the same requirements as are applicable to the export
21 of items described in section 36(c) of the Arms Export
22 Control Act (22 U.S.C. 2776(c)) (without regard to the
23 dollar amount requirements relating to contracts con-
24 tained in such section), including the transmittal of infor-

1 mation and the application of congressional review proce-
2 dures in accordance with such section.

3 (d) DEFINITION.—In this section, the term “military
4 end use” means, with respect to an item, the item is or
5 may be intended, entirely or in part, for use in conjunction
6 with an item described on the Wassenaar Munitions List
7 of July 12, 1996, and subsequent revisions.

8 **SEC. 7. APPLICATION OF MEASURES TO CERTAIN FOREIGN**
9 **PERSONS.**

10 (a) APPLICATION OF MEASURES.—Subject to sec-
11 tions 8 and 9, the President may apply with respect to
12 any foreign person (including a foreign government) iden-
13 tified in a report transmitted under section 3, and shall
14 apply with respect to any foreign person (including a for-
15 eign government) identified in more than one report trans-
16 mitted under section 3, any or all of the following meas-
17 ures:

18 (1) RESEARCH AND DEVELOPMENT.—Denial of
19 participation in existing and new cooperative re-
20 search and development programs and projects
21 under section 27 of the Arms Export Control Act
22 (22 U.S.C. 2767) or sections 2350a, 2358, or a
23 memorandum of understanding under 2531 of title
24 10, United States Code.

1 (2) CONTROL OF UNITED STATES DEFENSE
2 FIRMS.—Prohibition of ownership and control of any
3 business organization required to be registered with
4 the United States Government as a manufacturer or
5 exporter of defense articles or defense services under
6 section 38(b)(1) of the Arms Export Control Act (22
7 U.S.C. 2778(b)(1)).

8 (3) SECURITY ASSISTANCE.—Prohibition on
9 participation in any foreign military sales under
10 chapter 2 of the Arms Export Control Act (22
11 U.S.C. 2761 et seq.) or any design and construction
12 sales under chapter 2A of such Act (22 U.S.C.
13 2769).

14 (4) MUNITIONS LIST APPROVALS.—Prohibition
15 on licenses and other forms of approval under sec-
16 tion 38 of the Arms Export Control Act (22 U.S.C.
17 2778) for the export of any item on the United
18 States Munitions List as in effect on August 8,
19 1995.

20 (5) DUAL USE APPROVALS.—Prohibition on li-
21 censes and other forms of approval for dual use
22 goods or technology, the export of which is con-
23 trolled under the Export Administration Act of 1979
24 (as continued in effect under the International

1 Emergency Economic Powers Act) or the Export
2 Administration Regulations.

3 (b) APPLICATION OF ADDITIONAL MEASURES.—Sub-
4 ject to sections 8 and 9, and notwithstanding any other
5 provision of law, the President may, with respect to any
6 foreign person (including a foreign government) identified
7 in a report transmitted under section 3, and shall, with
8 respect to any foreign person (including a foreign govern-
9 ment) identified in more than one report transmitted
10 under section 3—

11 (1) suspend the use of any license exemption
12 and expedited license procedure established in the
13 International Traffic in Arms Regulations or other
14 provisions of law for the export or temporary import
15 of defense articles and defense services;

16 (2) require the execution of a non-transfer and
17 end use certificate for the export of any defense arti-
18 cles and defense services; and

19 (3) require, as a condition of issuance of any li-
20 cense for the export of defense articles and defense
21 services, United States access to and verification of
22 the items after the export of the items or alternative
23 measures to ensure compliance with restrictions on
24 the transfer of the items to third-parties.

1 (c) EFFECTIVE DATE OF MEASURES.—Measures ap-
2 plied pursuant to subsection (a) or (b) shall be effective
3 with respect to a foreign person (including a foreign gov-
4 ernment) no later than—

5 (1) 30 days after the report identifying the for-
6 eign person is transmitted, if the report is trans-
7 mitted on or before the date required by section
8 3(b); or

9 (2) on the date that the report identifying the
10 foreign person is transmitted, if the report is trans-
11 mitted more than 30 days after the date required by
12 section 3(b).

13 (d) DURATION OF MEASURES.—Measures applied
14 pursuant to subsection (a) shall be for a period of 2 years
15 or longer, as the President determines appropriate. Meas-
16 ures applied pursuant to subsection (b) shall be, at a min-
17 imum, consistent with the duration of the license and the
18 normal requirements for record keeping established in the
19 International Traffic in Arms Regulations or longer, as
20 the President determines appropriate.

21 (e) PUBLICATION IN FEDERAL REGISTER.—The ap-
22 plication of measures to a foreign person pursuant to sub-
23 section (a) or (b) shall be announced by notice published
24 in the Federal Register, except if the President determines

1 that doing so would be inconsistent with the protection
2 of classified information.

3 **SEC. 8. PROCEDURES IF DISCRETIONARY MEASURES ARE**
4 **NOT APPLIED.**

5 (a) REQUIREMENT TO NOTIFY CONGRESS.—If the
6 President does not exercise the authority of subsection (a)
7 or (b) of section 7 to apply any or all of the discretionary
8 measures described in such subsection with respect to a
9 foreign person identified in a report transmitted under
10 section 3, the President shall so notify the appropriate
11 congressional committees not later than the effective date
12 under section 7(c) for measures with respect to that per-
13 son.

14 (b) WRITTEN JUSTIFICATION.—Any notification
15 transmitted by the President under subsection (a) shall
16 include a written justification describing in detail the facts
17 and circumstances relating specifically to the foreign per-
18 son identified in a report transmitted under section 3 that
19 support the President's decision not to exercise the au-
20 thority of subsection (a) or (b) of section 7 with respect
21 to that person.

22 (c) FORM.—If the President considers it appropriate,
23 the notification of the President under subsection (a), and
24 the written justification under subsection (b), or appro-
25 priate parts thereof, may be transmitted in classified form.

1 **SEC. 9. DETERMINATIONS EXEMPTING FOREIGN PERSONS**
2 **FROM MANDATORY MEASURES.**

3 (a) **WAIVER.**—Any mandatory measure described in
4 section 7 shall not apply with respect to a foreign person
5 if the President transmits to the appropriate congressional
6 committees a report that contains a determination of the
7 President that—

8 (1) on the basis of information provided by that
9 person or the foreign government having primary ju-
10 risdiction over the person, the person did not, on or
11 after January 1, 2005, knowingly export to the Peo-
12 ple’s Republic of China the item the apparent export
13 of which caused the person to be identified in a re-
14 port transmitted under section 3; or

15 (2) the foreign government having primary ju-
16 risdiction over the person has entered into a written
17 agreement with the United States which—

18 (A) is binding under international law;

19 (B) prohibits further exports of any item
20 described in paragraph (1), or subparagraph
21 (A) or (B) of paragraph (2), of section 3(a) by
22 any person subject to its jurisdiction;

23 (C) is supported by the foreign govern-
24 ment’s adoption of policies and procedures pro-
25 viding for credible implementation of the re-
26 quirements in subparagraphs (A) and (B);

1 (D) does not constrain the President's au-
2 thority to impose measures under this act in
3 the event of a future export of concern by the
4 same or other persons subject to the jurisdic-
5 tion of the foreign government party to the
6 agreement; and

7 (E) is submitted to the appropriate con-
8 gressional committees 30 days prior to its entry
9 into force.

10 (b) ADDITIONAL WAIVER.—Any mandatory measure
11 described in section 7 shall not apply to a foreign person
12 if the President determines that it is important to the
13 counterterrorism, nonproliferation, or other national secu-
14 rity interests of the United States and transmits to the
15 appropriate congressional committees a report in writing
16 that contains such determination.

17 (c) SENSE OF CONGRESS.—It is the sense of Con-
18 gress that the President should—

19 (1) strengthen international coordination and
20 execution of arms export policy through the develop-
21 ment of bilateral and multilateral agreements under
22 subsection (a)(2), particularly with member states of
23 the North Atlantic Treaty Organization (NATO),
24 Japan, Australia and New Zealand, and exercise the

1 waivers provided under this section in all appro-
2 priate instances that further this objective; and

3 (2) whenever the President determines that the
4 measures described in section 7 should be applied,
5 that the measures be applied comprehensively with
6 respect to the affected foreign person's affiliates and
7 subsidiaries, wherever located, in order to deter to
8 the fullest extent possible a recurrence or continu-
9 ation of the export giving rise to the President's de-
10 termination.

11 (d) FORM.—If the President considers it appropriate,
12 the determination and report of the President under sub-
13 section (a), or appropriate parts thereof, may be trans-
14 mitted in classified form.

15 **SEC. 10. DEFINITIONS.**

16 In this Act:

17 (1) APPROPRIATE CONGRESSIONAL COMMIT-
18 TEES.—The term “appropriate congressional com-
19 mittees” means—

20 (A) the Committee on International Rela-
21 tions and the Committee on Armed Services of
22 the House of Representatives; and

23 (B) the Committee on Foreign Relations
24 and the Committee on Armed Services of the
25 Senate.

1 (2) DEFENSE ARTICLES AND DEFENSE SERV-
2 ICES.—The term “defense articles and defense serv-
3 ices” has the meaning given the term in section
4 47(7) of the Arms Export Control Act (22 U.S.C.
5 2794 note).

6 (3) DUAL USE.—The term “dual use” means,
7 with respect to goods or technology, those goods or
8 technology that are specifically designed or devel-
9 oped for civil purposes but which also may be used
10 or deployed in a military or proliferation mode. Such
11 term does not include purely commercial items.

12 (4) EXPORT.—The term “export” has the
13 meaning given that term in section 120.17 of the
14 International Traffic in Arms Regulations, and in-
15 cludes re-exports, transfers, and retransfers by any
16 means.

17 (5) EXPORT ADMINISTRATION REGULATIONS.—
18 The term “Export Administration Regulations”
19 means those regulations contained in sections 730
20 through 774 of title 15, Code of Federal Regulations
21 (or successor regulations).

22 (6) FOREIGN GOVERNMENT.—The term “for-
23 eign government” has the meaning given the term in
24 section 38(g)(9)(B) of the Arms Export Control Act
25 (22 U.S.C. 2778(g)(9)(B)).

1 (7) FOREIGN PERSON.—The term “foreign per-
2 son” has the meaning given the term in section
3 38(g)(9)(C) of the Arms Export Control Act (22
4 U.S.C. 2778(g)(9)(C)).

5 (8) GOOD.—The term “good” has the meaning
6 given the term in section 16(3) of the Export Ad-
7 ministration Act of 1979 (50 U.S.C. App. 2415(3)).

8 (9) INTERNATIONAL TRAFFIC IN ARMS REGULA-
9 TIONS.—The term “International Traffic in Arms
10 Regulations” means those regulations contained in
11 sections 120 through 130 of title 22, Code of Fed-
12 eral Regulations (or successor regulations).

13 (10) ITEM.—The term “item” means any good
14 or technology, defense article or defense service sub-
15 ject to the export jurisdiction of the United States
16 under law or regulation.

17 (11) LICENSE.—The term “license” means an
18 official written document of the United States Gov-
19 ernment issued pursuant to the Export Administra-
20 tion Regulations or the International Traffic in
21 Arms Regulations, as the case may be, authorizing
22 a specific export.

23 (12) OTHER FORMS OF APPROVAL.—The term
24 “other forms of approval” includes any authoriza-

1 tion, rule or exemption contained in any statute or
2 regulation that permits an export without a license.

3 (13) OWNERSHIP OR CONTROL.—The term
4 “ownership or control” has the meaning given the
5 term in section 122.2(e) of the International Traffic
6 in Arms Regulations.

7 (14) PERSON.—The term “person” has the
8 meaning given the term in section 38(g)(9)(E) of
9 the Arms Export Control Act (22 U.S.C.
10 2778(g)(9)(E)).

11 (15) TECHNOLOGY.—The term “technology”
12 has the meaning given the term in section 16(4) of
13 the Export Administration Act of 1979 (50 U.S.C.
14 App. 2415(4)).

15 (16) UNITED STATES MUNITIONS LIST.—The
16 term “United States Munitions List” means the list
17 referred to in section 38(a)(1) of the Arms Export
18 Control Act (22 U.S.C. 2778(a)(1)).

Chairman HYDE. H.R. 3100 would address the serious and continuing concerns with European transfers to China of arms and related technology.

Previously, the House agreed to Resolution 57 on February 2, 2005, by an overwhelming vote of 411 to 3. That resolution called upon the European Union to do two things, to maintain its arms embargo on China and to eliminate loopholes in the EU embargo and in the national policies of EU member states, which have permitted European arms sales to China to escalate to alarming levels in recent years.

The European Union has apparently decided, for now, not to terminate the arms embargo. This is a welcome development. But the EU Council of Ministers and its member states have remained silent on actually stopping the supply of weapons systems technology in China and to China. This implies that EU member states who have been aiding China's threatening military buildup may continue to do so, even while a strategic dialogue has begun with the United States on security and East Asia. This is disappointing and troubling.

The supply of European weapons technology to China has been increasing steadily in recent years, both in quantity and sophistication. In the 3-year period between 2001 and 2003, European sales increased eight-fold to \$540 million. This figure, more than half a billion dollars, exceeds the arms sales which the United States licenses on an annual basis to more than 85 percent of the member states of NATO.

It also covers the sale of a number of systems, which increased the range, reliability and lethality of China's attack aircraft and submarines. The implications of these sales are uniformly negative for the security of our armed forces in East Asia, for the defense of friends and allies in the region, and for regional stability more broadly.

China itself faces no threat from any of its neighbors that could justify the acquisition of threatening military capabilities.

While we continue to be hopeful that Europeans will approach this matter with an abundance of restraint and concern for United States security interests, Congress cannot turn a blind eye to these potentially dangerous developments.

H.R. 3100 would accomplish several important objectives. First, it would ensure Congress has the information it needs from the Executive Branch and on a timely basis to perform its constitutional duties. There is little transparency in the European arms-related transfers to China since 2003, and the available data for transfers before 2003 is mostly at a high level of generality. Henceforth, there would be annual reports required by the President on European companies who sell arms to China and on European governments whose policies condone these sales.

Second, for those European countries and governments who continue dangerous arms relationships with China, the bill would establish additional U.S. Government oversight requirements. Because such persons would be given access to sensitive U.S. weapons technology in the future, there would be mandatory export licenses and congressional notification procedures for certain types of transactions.

Thirdly, the President will be given new authority to help deter future European arms sales. The bill would provide a menu of measures or restrictions the President could draw on in limiting the access of culpable persons to United States weapons technology.

The measures would be discretionary to begin with, but would become mandatory for repeat offenders. Even then, however, the President would be given wide latitude to waive application of the measures if he determines it is important to U.S. national security to do so. If he does not, he would have not only the authority under United States law, but also the flexibility to select the combination of measures to be imposed and to establish their duration.

Finally, the bill would not have a retroactive character, it would not reach back to cover European arms sales prior to January 1, 2005, however egregious they may have been, because the main purpose of the bill is not punitive, but to deter future dangerous conduct and to improve future policy coordination between the U.S. and EU member governments.

In this sense, the optimal report Congress could receive under the bill's provisions is one under which no European company or government is named. However, if our European friends do not make it possible for this to happen, the President would then be in a position to take other necessary steps in consultation with the Congress to safeguard vital security interests in the United States.

Mr. LANTOS. Will the Chairman yield?

Chairman HYDE. Are there any other Members who would like to speak on this bill?

Mr. Lantos.

Mr. LANTOS. Thank you very much, Mr. Chairman. Let me first commend you for taking yet another leadership role in protecting United States national security interests. You and I successfully changed the policy of the European Union, which was all set to be put in concrete to lift sanctions against dangerous weapons sales to China. Europe made a 180-degree turn. So our initial effort was successful.

But, clearly, that resolution, which as you cited was passed overwhelmingly by our colleagues in the House, is not enough. You are now proposing a major piece of legislation, of which I am proud to be the Democratic lead co-sponsor, which will make this an established permanent policy of the United States.

Our European friends and our European non-friends must understand that Congress stands united in its opposition to an attempt by some European arms merchants to provide high-technology to China at a time when the peace in the region is far from being assured.

I want to commend you on this legislation, Mr. Chairman, and I want to assure you that we on our side will do our utmost to bring it to quick passage.

Thank you, Mr. Chairman.

Chairman HYDE. Thank you, Mr. Lantos.

Any other further comments?

Mr. ROHRABACHER. Mr. Chairman?

Chairman HYDE. Mr. Rohrabacher.

Mr. ROHRBACHER. Of course, I join Mr. Lantos in his accolades and praise on your leadership on this issue. I remember going to Hong Kong with you when you first raised the issue of the Communist Chinese proliferation of nuclear weapons, which was an issue which was ignored for so long, that the Chinese are probably the source of so much of our proliferation to Pakistan, et cetera, even North Korea.

I am totally in support of this resolution, but I would just like to note, I understand why our European allies are a bit confused as to our policy where we have a policy that seems to be approaching China as a potential enemy, at least as an adversary of what our fundamental beliefs are in terms of military sales that we are talking about here, but at the same time, we are pumping in billions of dollars of investment into that country every year, even though we are treating that government as a potential enemy.

This is a dichotomy that is hard for people to understand. We just refused to pass a—or what we actually—what we did was we passed a bill that prevented a subsidy by the Export-Import Bank to an English company, now Westinghouse, to build nuclear power plants just 2 days ago.

But the Export-Import Bank continues to subsidize the investment of big business manufacturing interests in China. So this dichotomy—no wonder our European allies and people in the world and even in China are a bit confused as to where we are going to draw the line.

But I commend you, Mr. Chairman, for at least stepping forward and saying, Well, at the very least, we are going to draw the line, but we are not going to give them sophisticated weapons. And we are going to try to prevent that from happening. Thank you very much, Mr. Chairman.

Chairman HYDE. Thank you. The bill has been considered as read and ordered reported favorably to the House by unanimous consent.

So without objection, it is so ordered. The staff is directed to make any technical and conforming changes. Any Member who wishes to insert their remarks in the record may do so.

We also have a series of noncontroversial bills on the agenda. It is the intention to consider these measures en bloc, and by unanimous consent authorize the Chair to seek consideration of the bills under suspension of the rules.

All Members are given leave to insert remarks on the measures into the record, should they choose to do so.

Accordingly, without objection, the Chairman—

Mr. LANTOS. Mr. Chairman?

Chairman HYDE. Mr. Lantos.

Mr. LANTOS. Reserving the right to object—I will not object. I wish to make some comments concerning H. Con. Res. 191.

Chairman HYDE. The gentleman is recognized.

Mr. LANTOS. Mr. Chairman, I strongly support this resolution, and I urge all of my colleagues to do so as well.

Some 60 years ago, a young naval officer was preparing for the most important battle of his life. On January 9, 1945, he was piloting a landing craft into the Lingayen Gulf as part of a massive landing force, hoping to establish a beachhead on the Philippine is-

land of Luzon. The mission was to help liberate the people of the Philippines from Japanese occupation. Though in hindsight, the liberation of the Philippines and the eventual victory of allied forces in the war in the Pacific seemed predetermined, it was anything but decided during this important moment in global history.

Fortunately for all of us, Mr. Chairman, this young naval officer survived the battle of Lingayen Gulf. For his exemplary service to his Nation, he was awarded the Asiatic Pacific Campaign Medal, the World War II Victory Medal, the American Campaign Medal, and the Philippines Liberation Medal.

Mr. Chairman, we all know that the service of this young officer to his Nation did not end with the battle of Lingayen Gulf. He was elected to the U.S. House of Representatives and you, Mr. Chairman, continue your extraordinary service to our Nation as Chairman of our Committee.

Mr. Chairman, one of our Nation's greatest American military leaders, General Douglas MacArthur, once said the soldier, above all other people, prays for peace, for he must suffer and bear the deepest wounds and scars of war.

As we gather for this meeting of the International Relations Committee today, I think I speak for everyone in this room in expressing our great admiration for the enormous sacrifices you made for our Nation in the Pacific theater and in the many years since.

I have the greatest respect and admiration for the sacrifices of American soldiers then and now, many of whom gave their lives in this epic battle against the evil forces of fascism.

As you know, Mr. Chairman, I owe my life to the American military and the military forces of other allied countries who liberated Europe at enormous cost, including the lives of millions.

There are millions of citizens of the Asia/Pacific region from the Philippines to South Korea who also hold their freedom to brave soldiers such as yourself. In many ways, Mr. Chairman, the victory over Japan was more of a beginning than an end.

In the aftermath of World War II, the United States developed strong alliances across the Asia/Pacific region which has stood for more than 50 years. The United States and Japan have developed the strong multifaceted relationship based on shared democratic values and mutual interest in Asian and global stability and economic development. The strength of our relationship in Japan today and the relative peace of the Asia/Pacific region for over 50 years, demonstrates that the sacrifices made by brave American soldiers in the Pacific theater were not in vain.

With the passage of this resolution, we commemorate these enormous contributions and commit ourselves to never forgetting those who made the ultimate sacrifice for their Nation then and now.

Mr. Chairman, I strongly support this resolution. I urge all of my colleagues to do so. I withdraw my reservation.

Mr. BURTON. A round of applause.

Chairman HYDE. Thank you. Well, ladies and gentlemen, an inkling of what was going to happen filtered over to our side. In anticipation, I have a little statement I would like to make about Mr. Lantos. This is against his wishes, but he can't have his way all the time.

Hitler's forces occupied Hungary on March 19, 1944. Along with Nazi invaders came the notorious Adolf Eichmann, whose orders were to exterminate the Jewish population of Hungary. A 16-year-old boy viewing these somber events decided he had to take a stand. He joined the Hungarian Underground, a loose-knit group which was made up of small clusters of individuals. Sent to a work camp to perform forced labor to maintain a railway bridge, this boy was the sole survivor of an allied bombing raid.

"I was convinced I wouldn't survive," the boy recalled.

But fate had far greater things in store for this young hero. Escaping from the camp, the young man made his way to Budapest where he joined Swedish Diplomat Raoul Wallenberg in his rescue operation to save much of the Jewish community of Hungary. The young man ran operations for the Underground, carrying food and medicine through Nazi lines to Jews hiding throughout the city.

After the war, the young man was reunited with his childhood friend, who was to become his wife, Annette. Together, they immigrated to America to start a new life. Fortunately for all of us here on the International Relations Committee, that brave lad from Budapest is here with us today. After a distinguished academic career in California, the same determination which kept him alive at the bombed-out railway bridge has now brought him to the Congress where he serves as the Ranking Member of this Committee.

For his courage in war and for his service in peace, especially here in the Congress, I would like to express my deep appreciation to my friend and colleague, Tom Lantos.

Let me just say one more thing. If ever there was a Committee that ought to be partisan, bitterly political, it is this one. If ever there was a Committee that is just the opposite, that looks ahead for what is best, it is this one. I congratulate all the Members of this Committee.

Now, onward and upward. We have a series of noncontroversial bills on the agenda. It is the intention of the Chair to consider these measures en bloc and by unanimous consent authorize the Chair to seek consideration of the bills under suspension of the rules.

All Members are given leave to insert remarks on the measures into the record, should they choose to do so. Accordingly, without objection, the Chairman is authorized to seek consideration of the following bills under suspension of the rules and the amendments to which measures, which the Members have before them, shall be deemed adopted: H.R. 2017, Torture Victims Relief Reauthorization Act of 2005; H. Con. Res. 168, Condemning the Democratic People's Republic of Korea for the abductions and continued captivity of citizens of the Republic of Korea and Japan as acts of terrorism and gross violations of human rights, as amended; H. Con. Res. 175, whereas during Black History Month, it is important we not forget that African-Americans are not the only survivors of the transatlantic slave trade; H. Con. Res. 191, Commemorating the 60th anniversary of the conclusion of the war in the Pacific and honoring veterans of both the Pacific and the Atlantic theaters of the Second World War, as amended; H. Res. 328, Recognizing the 25th anniversary of the workers' strikes in Poland in 1980 that led to the establishment of the Solidarity Trade Union, as amended; H.

Res. 333, Supporting the goals and ideals of a National Weekend of Prayer and Reflection for Darfur, Sudan; and H. Res. 343, Commending the State of Kuwait for granting women certain important political rights.

[The bills referred to follow:]

109TH CONGRESS
1ST SESSION

H. R. 2017

To amend the Torture Victims Relief Act of 1998 to authorize appropriations to provide assistance for domestic and foreign programs and centers for the treatment of victims of torture, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 28, 2005

Mr. SMITH of New Jersey (for himself, Mr. LANTOS, Mr. WOLF, Mr. CARDIN, Mr. BURTON of Indiana, Mr. BERMAN, Mr. PITTS, Ms. KAPTUR, Mr. RAMSTAD, Mr. OBERSTAR, Mr. SHAYS, Ms. SLAUGHTER, Mr. KIRK, Mr. ACKERMAN, Ms. MCCOLLUM of Minnesota, Mr. WAXMAN, Mr. PALLONE, Mr. LEVIN, Mr. ENGEL, Mr. TERRY, Mr. SABO, Mr. EVANS, Mr. OLVER, Mr. McDERMOTT, Mr. FRANK of Massachusetts, Mr. HINCHEY, Ms. ZOE LOFGREN of California, Mrs. MALONEY, Mr. ABERCROMBIE, Mr. FALCONE, Mr. JACKSON of Illinois, Mr. GEORGE MILLER of California, Mr. DAVIS of Florida, Mrs. DAVIS of California, Mr. ALLEN, Mr. McNULTY, Mr. GUTIERREZ, Mr. BECERRA, Mr. BROWN of Ohio, Mr. DEFazio, Mr. FILNER, Mr. VAN HOLLEN, Mr. SNYDER, Mr. McGOVERN, Mr. CUMMINGS, Ms. LEE, Mr. KUCINICH, Mr. MICHAUD, Mr. GRIJALVA, and Mr. KENNEDY of Minnesota) introduced the following bill; which was referred to the Committee on International Relations, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Torture Victims Relief Act of 1998 to authorize appropriations to provide assistance for domestic and foreign programs and centers for the treatment of victims of torture, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Torture Victims Relief
5 Reauthorization Act of 2005”.

6 **SEC. 2. STATEMENT OF POLICY.**

7 It is the policy of the United States—

8 (1) to ensure that, in its support abroad for
9 programs and centers for the treatment of victims of
10 torture, particular incentives and support should be
11 given to establishing and supporting such programs
12 and centers in emerging democracies, in post-conflict
13 environments, and, with a view to providing services
14 to refugees and internally displaced persons, in areas
15 as close to ongoing conflict as safely as possible; and

16 (2) to ensure that, in its support for domestic
17 programs and centers for the treatment of victims of
18 torture, particular attention should be given to re-
19 gions with significant immigrant or refugee popu-
20 lations.

21 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS FOR DOMES-**
22 **TIC TREATMENT CENTERS FOR VICTIMS OF**
23 **TORTURE.**

24 Section 5(b)(1) of the Torture Victims Relief Act of
25 1998 (22 U.S.C. 2152 note) is amended to read as follows:

1 “(1) AUTHORIZATION OF APPROPRIATIONS.—Of
2 the amounts authorized to be appropriated for the
3 Department of Health and Human Services for fis-
4 cal years 2006 and 2007, there are authorized to be
5 appropriated to carry out subsection (a)
6 \$25,000,000 for each of the fiscal years 2006 and
7 2007.”.

8 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS FOR FOR-**
9 **EIGN TREATMENT CENTERS FOR VICTIMS OF**
10 **TORTURE.**

11 Section 4(b)(1) of the Torture Victims Relief Act of
12 1998 (22 U.S.C. 2152 note) is amended to read as follows:

13 “(1) AUTHORIZATION OF APPROPRIATIONS.—Of
14 the amounts authorized to be appropriated for fiscal
15 years 2006 and 2007 pursuant to chapter 1 of part
16 I of the Foreign Assistance Act of 1961, there are
17 authorized to be appropriated to the President to
18 carry out section 130 of such Act \$12,000,000 for
19 fiscal year 2006 and \$13,000,000 for fiscal year
20 2007.”.

1 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS FOR THE**
2 **UNITED STATES CONTRIBUTION TO THE**
3 **UNITED NATIONS VOLUNTARY FUND FOR**
4 **VICTIMS OF TORTURE.**

5 Of the amounts authorized to be appropriated for fis-
6 cal years 2006 and 2007 pursuant to chapter 3 of part
7 I of the Foreign Assistance Act of 1961, there are author-
8 ized to be appropriated to the President for a voluntary
9 contribution to the United Nations Voluntary Fund for
10 Victims of Torture \$7,000,000 for fiscal year 2006 and
11 \$8,000,000 for fiscal year 2007.

○

[COMMITTEE PRINT]

JUNE 23, 2005

**[Showing the Amendment Adopted by the Subcommittee on
Africa, Global Human Rights and International Relations]**109TH CONGRESS
1ST SESSION**H. CON. RES. 168**

Condemning the Democratic People's Republic of Korea for the abductions and continued captivity of citizens of the Republic of Korea and Japan as acts of terrorism and gross violations of human rights.

IN THE HOUSE OF REPRESENTATIVES

MAY 26, 2005

Mr. HYDE (for himself, Mr. CHABOT, Mr. SHIMKUS, Mr. ROHRBACHER, Mr. PITTS, Mr. LYNCH, and Mr. FRANK of Massachusetts) submitted the following concurrent resolution; which was referred to the Committee on International Relations

CONCURRENT RESOLUTION

Condemning the Democratic People's Republic of Korea for the abductions and continued captivity of citizens of the Republic of Korea and Japan as acts of terrorism and gross violations of human rights.

Whereas since the end of the Korean War, the Government of the Democratic People's Republic of Korea has kidnapped thousands of South Korean citizens and as many

as a hundred Japanese citizens, including Rumiko Masumoto, Megumi Yokota, and Reverend Kim Dong-shik;

Whereas the forced detention and frequent murder of those individuals abducted by North Korea have caused untold grief and suffering to their families;

Whereas on September 17, 2002, after considerable pressure from the Government of Japan, North Korean leader Kim Jong-il admitted that agents of his government had abducted thirteen Japanese citizens in the 1970s and 1980s and assured Japanese Prime Minister Junichiro Koizumi that this would never happen again;

Whereas despite assurances to the contrary, North Korea continues to order and carry out abductions, and, as recently as August 8, 2004, North Korean agents operating along the Chinese border kidnapped Ms. Jin Kyung-sook, a former North Korean refugee and South Korean passport-holder;

Whereas the abduction policy of North Korea has been integral to its espionage and terrorist activities, and abductees have been kidnapped to work as spies, to train North Korean agents in language, accents, and culture, and to steal identities, as in the case of Mr. Tadaaki Hara;

Whereas the Pyongyang regime used abductee Ms. Yaeko Taguchi as the Japanese language instructor for North Korean terrorist Kim Hyon-hee, who was caught carrying a Japanese passport after planting a bomb on Korean Air Lines flight 858 that killed 115 people in 1987;

Whereas many victims of North Korean abduction have been seized during terrorist attacks, as in the hijacking of

South Korean planes in 1958 and 1969, and, decades later, Pyongyang continues to hold twelve passengers of a hijacked Korean Air flight, including passenger Mr. Chang Ji-young and flight attendant Ms. Song Kyong-hi, who has since been allowed a brief visit by her South Korean family;

Whereas North Korean agents have hijacked numerous South Korean ships and kidnapped the seamen and fishermen aboard the vessels, such as Choi Jong-suk, Kim Soon-keun, and ten other crewmen of the Dongjin 27, a ship that was seized in 1987, and Seoul estimates that hundreds of these abductees are still alive in North Korea;

Whereas boat hijackings and the kidnapping of fishermen have devastated South Korean fishing communities, such as Nongso village on the southern island of Geoje, a community of 210 people that lost 14 sons, husbands, and fathers when North Korea seized three ships in 1971 and 1972;

Whereas the North Korean authorities conspired with members of the Japanese Red Army, a group designated as a terrorist organization by the United States Department of State, to kidnap Keiko Arimoto, a young Japanese woman studying abroad;

Whereas the Unification Ministry of the Republic of Korea has confirmed that 486 abduction cases involving South Korean citizens remain unresolved, and that these cases include fishermen, seamen, airline passengers, teachers, students, and pastors, many of whom are still alive and being held in North Korea;

Whereas North Korean agents have abducted children, causing unimaginable anguish to parents who live decades

with the uncertainty of what has happened to their child, as in the cases of Takeshi Terakoshi, a thirteen-year-old boy kidnapped from a fishing boat with his two uncles, and Lee Min-gyo and Choi Seung-min, two seventeen-year-old friends abducted off a beach in South Korea;

Whereas North Korean agents kidnapped thirteen-year-old Megumi Yokota, as she was walking home from school, and subsequently reported that she married and had a daughter in North Korea before committing suicide in 1993, and that Megumi's daughter remains there separated from her family in Japan;

Whereas on April 5, 1971, North Korean agents abducted Yu Song-gun, a South Korean diplomat stationed at the Embassy of the Republic of Korea in West Germany, his wife, and two young daughters, ages 7 and 1, while the family was believed to be in Berlin;

Whereas the Pyongyang regime has abducted a number of South Korean ministers who were bravely working to rescue North Koreans escaping on the underground railroad through China, including Reverend Ahn Seung-woon and Reverend Kim Dong-shik, the latter of whose welfare is of particular importance to representatives of the State of Illinois;

Whereas on April 21, 2005, the Seoul Central District Court convicted Chinese citizen Ryu Young-hwa of assisting North Korean agents in the abduction of Reverend Kim and, further, that a Chinese court convicted a North Korean citizen of masterminding the abduction of Reverend Ahn, and deported the agent to North Korea in July 1997 following a two-year prison term;

Whereas some of the abductees have risked their lives in trying to escape North Korea, as in the case of South Korean fisherman Im Kuk-jae, who has twice attempted to escape since his kidnapping in 1987, and is now believed to be imprisoned in one of North Korea's notorious labor camps;

Whereas the North Korean regime continues to deceive the international community regarding its ongoing abductions and has furnished false information concerning eight Japanese abductees, including suspicious accounts of their supposed premature deaths;

Whereas the Government of North Korea has never convincingly accounted for Ms. Rumiko Masumoto and Mr. Shuichi Ichikawa, kidnapped by Pyongyang agents from a beach in Japan on August 12, 1978, and claims that Mr. Ichikawa drowned in the sea, despite his dislike of swimming, and that the formerly healthy Ms. Masumoto died of a heart attack at the age of 27;

Whereas North Korea claims abductees Mr. Toru Ishioka and Ms. Keiko Arimoto, who were kidnapped separately in Europe and later married, supposedly died together with their small daughter of gas poisoning in 1988, two months after they were successful in getting a letter out of North Korea to family members in Japan;

Whereas although the Pyongyang regime claimed to return the alleged cremated remains of Mr. Kaoru Matsuki and Ms. Megumi Yokota to Japanese officials, both remains appear not to be authentic, and, according to Pyongyang, the bodies of the six remaining Japanese abductees have conveniently been washed away during flooding and cannot be recovered to verify the causes of their untimely deaths;

Whereas despite the efforts of the Japanese Government, the Pyongyang regime continues to deny any knowledge of the abductions of Mr. Yutaka Kume, Mr. Minoru Tanaka, and Ms. Miyoshi Soga, the mother of another acknowledged abductee, despite overwhelming evidence of North Korean collusion in their disappearances;

Whereas North Korean abductions have not been limited to northeast Asia and many documented abductees have been kidnapped while abroad, such as Mr. Lee Chae-hwan, a young MIT graduate student traveling in Austria, and Mr. Ko Sang-moon, a South Korean teacher kidnapped in Norway, making the issue of serious concern to the international community;

Whereas there have been credible reports that North Korea may have abducted citizens from many other countries in addition to South Korea and Japan, including persons from China, Europe, and the Middle East;

Whereas North Korea routinely engaged in the kidnapping of South Korean citizens during the Korean War from 1950 to 1953, and, according to a 1956 survey conducted by the Korean National Red Cross, 7,034 South Korean civilians were abducted during the conflict;

Whereas Pyongyang has refused to allow the release of a single wartime abductee despite a provision allowing civilian abductees to return home in Article III of the Korean War Armistice Agreement, a document signed by representatives from the United States, North Korea, and China;

Whereas for more than fifty years, North Korea has held South Korean prisoners-of-war captured during the Korean War, in clear violation of Article III of the Korean

War Armistice Agreement signed on July 27, 1953, and the South Korean Ministry of National Defense estimates that 542 captives are still alive in North Korea, according to testimony given before the National Assembly in February 2005;

Whereas according to the testimony of prisoners-of-war who have successfully escaped from North Korea, South Korean prisoners-of-war have been forced to perform hard labor for decades, often in mines, and are harshly treated by the Pyongyang regime;

Whereas after being forcibly held in North Korea for fifty-one years, South Korean prisoner-of-war Han Man-taek, age 72, escaped to China, was detained by Chinese police and forcibly repatriated to North Korea earlier this year, where he inevitably faced punitive measures and possible execution; and

Whereas these South Korean prisoners-of-war served under the United Nations Command, fighting alongside their American and Allied fellow soldiers, and therefore are the direct concern of the Allied nations who contributed forces during the Korean War: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring), That Congress—*

3 (1) condemns the Government of the Demo-
4 cratic People's Republic of Korea for the abduction
5 and continued captivity of citizens of the Republic of
6 Korea and Japan as acts of terrorism and gross vio-
7 lations of human rights;

1 (2) calls upon the North Korean Government to
2 immediately cease and desist from carrying out ab-
3 ductions, release all victims of kidnapping and pris-
4 oners-of-war still alive in North Korea, and provide
5 a full and verifiable accounting of all other cases;

6 (3) recognizes that resolution of the nuclear
7 issue with North Korea is of critical importance,
8 however, this should not preclude United States
9 Government officials from raising abduction cases
10 and other critical human rights concerns in any fu-
11 ture negotiations with the North Korean regime;

12 (4) calls upon the United States Government
13 not to remove the Democratic People's Republic of
14 Korea from the Department of State's list of State
15 Sponsors of Terrorism until such time that North
16 Korea renounces state-sponsored kidnapping and
17 provides a full accounting of all abduction cases; and

18 (5) admonishes the Government of the People's
19 Republic of China for the forced repatriation to
20 North Korea of Han Man-taek, a South Korean
21 prisoner-of-war and comrade-in-arms of the United
22 States, and for its failure to exercise sovereign con-
23 trol over teams of North Korean agents operating
24 freely within its borders.

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109TH CONGRESS
1ST SESSION

H. CON. RES. 168

Condemning the Democratic People's Republic of Korea for the abductions and continued captivity of citizens of the Republic of Korea and Japan as acts of terrorism and gross violations of human rights.

IN THE HOUSE OF REPRESENTATIVES

MAY 26, 2005

Mr. HYDE (for himself, Mr. CHABOT, Mr. SHIMKUS, Mr. ROHRBACHER, Mr. PITTS, Mr. LYNCH, and Mr. FRANK of Massachusetts) submitted the following concurrent resolution; which was referred to the Committee on International Relations

CONCURRENT RESOLUTION

Condemning the Democratic People's Republic of Korea for the abductions and continued captivity of citizens of the Republic of Korea and Japan as acts of terrorism and gross violations of human rights.

Whereas since the end of the Korean War, the Government of the Democratic People's Republic of Korea has kidnapped thousands of South Korean citizens and as many as a hundred Japanese citizens, including Rumiko Masumoto, Megumi Yokota, and Reverend Kim Dongshik;

Whereas the forced detention and frequent murder of those individuals abducted by North Korea have caused untold grief and suffering to their families;

Whereas on September 17, 2002, after considerable pressure from the Government of Japan, North Korean leader Kim Jong-il admitted that agents of his government had abducted thirteen Japanese citizens in the 1970s and 1980s and assured Japanese Prime Minister Junichiro Koizumi that this would never happen again;

Whereas despite assurances to the contrary, North Korea continues to order and carry out abductions, and, as recently as August 8, 2004, North Korean agents operating along the Chinese border kidnapped Ms. Jin Kyung-sook, a former North Korean refugee and South Korean passport-holder;

Whereas the abduction policy of North Korea has been integral to its espionage and terrorist activities, and abductees have been kidnapped to work as spies, to train North Korean agents in language, accents, and culture, and to steal identities, as in the case of Mr. Tadaaki Hara;

Whereas the Pyongyang regime used abductee Ms. Yaeko Taguchi as the Japanese language instructor for North Korean terrorist Kim Hyon-hee, who was caught carrying a Japanese passport after planting a bomb on Korean Air Lines flight 858 that killed 115 people in 1987;

Whereas many victims of North Korean abduction have been seized during terrorist attacks, as in the hijacking of South Korean planes in 1958 and 1969, and, decades later, Pyongyang continues to hold twelve passengers of a hijacked Korean Air flight, including passenger Mr. Chang Ji-young and flight attendant Ms. Song Kyong-hi, who has since been allowed a brief visit by her South Korean family;

Whereas North Korean agents have hijacked numerous South Korean ships and kidnapped the seamen and fishermen aboard the vessels, such as Choi Jong-suk, Kim Soon-keun, and ten other crewmen of the Dongjin 27, a ship that was seized in 1987, and Seoul estimates that hundreds of these abductees are still alive in North Korea;

Whereas boat hijackings and the kidnapping of fishermen have devastated South Korean fishing communities, such as Nongso village on the southern island of Geoje, a community of 210 people that lost 14 sons, husbands, and fathers when North Korea seized three ships in 1971 and 1972;

Whereas the North Korean authorities conspired with members of the Japanese Red Army, a group designated as a terrorist organization by the United States Department of State, to kidnap Keiko Arimoto, a young Japanese woman studying abroad;

Whereas according to the records of the Unification Ministry of the Republic of Korea, 486 South Korean abductees are still alive and being held in North Korea, and among these individuals are fishermen, seamen, airline passengers, teachers, students, and pastors;

Whereas North Korean agents have abducted children, causing unimaginable anguish to parents who live decades with the uncertainty of what has happened to their child, as in the cases of Takeshi Terakoshi, a thirteen-year-old boy kidnapped from a fishing boat with his two uncles, and Lee Min-gyo and Choi Seung-min, two seventeen-year-old friends abducted off a beach in South Korea;

Whereas North Korean agents kidnapped thirteen-year-old Megumi Yokota, as she was walking home from school,

and subsequently reported that she married and had a daughter in North Korea before committing suicide in 1993, and that Megumi's daughter remains there separated from her family in Japan;

Whereas the Pyongyang regime has abducted a number of South Korean ministers who were bravely working to rescue North Koreans escaping on the underground railroad through China, including Reverend Ahn Seung-woon and Reverend Kim Dong-shik, the latter of whose welfare is of particular importance to representatives of the State of Illinois;

Whereas on April 21, 2005, the Seoul Central District Court convicted Chinese citizen Ryu Young-hwa of assisting North Korean agents in the abduction of Reverend Kim and, further, that a Chinese court convicted a North Korean citizen of masterminding the abduction of Reverend Ahn, and deported the agent to North Korea in July 1997 following a two-year prison term;

Whereas some of the abductees have risked their lives in trying to escape North Korea, as in the case of South Korean fisherman Im Kuk-jae, who has twice attempted to escape since his kidnapping in 1987, and is now believed to be imprisoned in one of North Korea's notorious labor camps;

Whereas the North Korean regime continues to deceive the international community regarding its ongoing abductions and has furnished false information concerning eight Japanese abductees, including suspicious accounts of their supposed premature deaths;

Whereas the Government of North Korea has never convincingly accounted for Ms. Rumiko Masumoto and Mr.

Shuichi Ichikawa, kidnapped by Pyongyang agents from a beach in Japan on August 12, 1978, and claims that Mr. Ichikawa drowned in the sea, despite his dislike of swimming, and that the formerly healthy Ms. Masumoto died of a heart attack at the age of 27;

Whereas North Korea claims abductees Mr. Toru Ishioka and Ms. Keiko Arimoto, who were kidnapped separately in Europe and later married, supposedly died together with their small daughter of gas poisoning in 1988, two months after they were successful in getting a letter out of North Korea to family members in Japan;

Whereas although the Pyongyang regime claimed to return the alleged cremated remains of Mr. Kaoru Matsuki and Ms. Megumi Yokota to Japanese officials, both remains appear not to be authentic, and, according to Pyongyang, the bodies of the six remaining Japanese abductees have conveniently been washed away during flooding and cannot be recovered to verify the causes of their untimely deaths;

Whereas despite the efforts of the Japanese Government, the Pyongyang regime continues to deny any knowledge of the abductions of Mr. Yutaka Kume, Mr. Minoru Tanaka, and Ms. Miyoshi Soga, the mother of another acknowledged abductee, despite overwhelming evidence of North Korean collusion in their disappearances;

Whereas North Korean abductions have not been limited to northeast Asia and many documented abductees have been kidnapped while abroad, such as Mr. Lee Chae-hwan, a young MIT graduate student traveling in Austria, and Mr. Ko Sang-moon, a South Korean teacher kidnapped in Norway, making the issue of serious concern to the international community;

Whereas there have been credible reports that North Korea may have abducted citizens from many other countries in addition to South Korea and Japan, including persons from China, Europe, and the Middle East;

Whereas for more than fifty years, North Korea has held South Korean prisoners-of-war captured during the Korean War, in clear violation of Article III of the Korean War Armistice Agreement signed on July 27, 1953, and the South Korean Ministry of National Defense estimates that 542 captives are still alive in North Korea, according to testimony given before the National Assembly in February 2005;

Whereas according to the testimony of prisoners-of-war who have successfully escaped from North Korea, South Korean prisoners-of-war have been forced to perform hard labor for decades, often in mines, and are harshly treated by the Pyongyang regime;

Whereas after being forcibly held in North Korea for fifty-one years, South Korean prisoner-of-war Han Man-taek, age 72, escaped to China, was detained by Chinese police and forcibly repatriated to North Korea earlier this year, where he inevitably faced punitive measures and possible execution; and

Whereas these South Korean prisoners-of-war served under the United Nations Command, fighting alongside their American and Allied fellow soldiers, and therefore are the direct concern of the Allied nations who contributed forces during the Korean War: Now, therefore, be it

- 1 *Resolved by the House of Representatives (the Senate*
- 2 *concurring), That Congress—*

1 (1) condemns the Government of the Demo-
2 cratic People's Republic of Korea for the abduction
3 and continued captivity of citizens of the Republic of
4 Korea and Japan as acts of terrorism and gross vio-
5 lations of human rights;

6 (2) calls upon the North Korean Government to
7 immediately cease and desist from carrying out ab-
8 ductions, release all victims of kidnapping and pris-
9 oners-of-war still alive in North Korea, and provide
10 a full and verifiable accounting of all other cases;

11 (3) recognizes that resolution of the nuclear
12 issue with North Korea is of critical importance,
13 however, this should not preclude United States
14 Government officials from raising abduction cases
15 and other critical human rights concerns in any fu-
16 ture negotiations with the North Korean regime;

17 (4) calls upon the United States Government
18 not to remove the Democratic People's Republic of
19 Korea from the Department of State's list of State
20 Sponsors of Terrorism until such time that North
21 Korea renounces state-sponsored kidnapping and
22 provides a full accounting of all abduction cases; and

23 (5) admonishes the Government of the People's
24 Republic of China for the forced repatriation to
25 North Korea of Han Man-taek, a South Korean

1 prisoner-of-war and comrade-in-arms of the United
2 States, and for its failure to exercise sovereign con-
3 trol over teams of North Korean agents operating
4 freely within its borders.

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109TH CONGRESS
1ST SESSION

H. CON. RES. 175

Acknowledging African descendants of the transatlantic slave trade in all of the Americas with an emphasis on descendants in Latin America and the Caribbean, recognizing the injustices suffered by these African descendants, and recommending that the United States and the international community work to improve the situation of Afro-descendant communities in Latin America and the Caribbean.

IN THE HOUSE OF REPRESENTATIVES

JUNE 8, 2005

Mr. RANGEL (for himself, Mr. PAYNE, Ms. LEE, Mr. MEEKS of New York, and Mr. JEFFERSON) submitted the following concurrent resolution; which was referred to the Committee on International Relations

CONCURRENT RESOLUTION

Acknowledging African descendants of the transatlantic slave trade in all of the Americas with an emphasis on descendants in Latin America and the Caribbean, recognizing the injustices suffered by these African descendants, and recommending that the United States and the international community work to improve the situation of Afro-descendant communities in Latin America and the Caribbean.

Whereas during Black History Month it is important that we not forget that African-Americans are not the only survivors of the transatlantic slave trade;

Whereas like the United States, many European nations benefited greatly from the colonization of Latin America and the Caribbean and their participation in the slave trade;

Whereas the story of African descendants in all of the Americas remains untold, leading them to be forgotten, made invisible, and allowed to suffer unjustly;

Whereas it is important to acknowledge that as a result of the slave trade and immigration, approximately 80,000,000 to 150,000,000 persons of African descent live in Latin America and the Caribbean, making them the largest population of persons of African descent outside of Africa;

Whereas Afro-descendants are present in most all Latin American countries, including Argentina, Bolivia, Chile, Ecuador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay, and Venezuela;

Whereas the size of Afro-descendant populations vary in range from less than 1 percent in some countries to as much as 30 percent in Colombia and 46 percent in Brazil and make up the majority in some Spanish speaking Caribbean nations, such as Cuba and the Dominican Republic;

Whereas Afro-descendant populations have made significant economic, social, and cultural contributions to their countries and the Western Hemisphere from their unfortunate involvement in the transatlantic slave trade to their recent contributions to trade, tourism, and other industries;

Whereas although persons of African descent have made significant achievements in education, employment, economic, political, and social spheres in some countries, the vast majority are marginalized—living in impoverished

communities where they are excluded from centers of education, government, and basic human rights based upon the color of their skin and ancestry;

Whereas Afro-descendants have shorter life expectancies, higher rates of infant mortality, higher incidences of HIV/AIDS, higher rates of illiteracy, and lower incomes than do other populations;

Whereas Afro-descendants encounter problems of access to healthcare, basic education, potable water, housing, land titles, credit, equal justice and representation under the law, political representation, and other economic, political, health, and basic human rights; and

Whereas skin color and ancestry have led African-Americans in the United States and African descendants in Latin America and the Caribbean to share similar injustices, leading to economic, social, health, and political inequalities: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring)*, That Congress—

3 (1) recognizes and honors African descendants
4 in the Americas for their contributions to the eco-
5 nomic, social, and cultural fabric of the countries in
6 the Americas, particularly in Latin American and
7 Caribbean societies;

8 (2) recognizes that as a result of their skin
9 color and ancestry, African descendants in the
10 Americas have wrongfully experienced economic, so-
11 cial, and political injustices;

1 (3) urges the President to take appropriate
2 measures to encourage the celebration and remem-
3 brance of the achievements of African descendants
4 in the Americas and a resolution of injustices suf-
5 fered by African descendants in the Americas;

6 (4) encourages the United States and the inter-
7 national community to work to ensure that extreme
8 poverty is eradicated, universal education is
9 achieved, quality healthcare is made available, sus-
10 tainable environmental resources, including land
11 where applicable, is provided, and equal access to
12 justice and representation under the law is granted
13 in Afro-descendant communities in Latin America
14 and the Caribbean; and

15 (5) encourages the United States and the inter-
16 national community to achieve these goals in Latin
17 America and the Caribbean by—

18 (A) promoting research that focuses on
19 identifying and eradicating racial disparities in
20 economic, political, and social spheres;

21 (B) promoting, funding, and creating de-
22 velopment programs that focus on Afro-de-
23 scendant communities;

24 (C) providing technical support and train-
25 ing to Afro-descendant advocacy groups that

1 work to uphold basic human rights in the re-
2 gion;

3 (D) promoting the creation of an inter-
4 national working group that focuses on prob-
5 lems of communities of Afro-descendants in the
6 Americas; and

7 (E) promoting trade and other bilateral
8 and multilateral agreements that take into ac-
9 count the needs of Afro-descendant commu-
10 nities.

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109TH CONGRESS
1ST SESSION

H. CON. RES. 191

Commemorating the 60th anniversary of the conclusion of the war in the Pacific and honoring veterans of both the Pacific and Atlantic theaters of the Second World War.

IN THE HOUSE OF REPRESENTATIVES

JUNE 24, 2005

Mr. HYDE (for himself and Mr. LANTOS) submitted the following concurrent resolution; which was referred to the Committee on International Relations

CONCURRENT RESOLUTION

Commemorating the 60th anniversary of the conclusion of the war in the Pacific and honoring veterans of both the Pacific and Atlantic theaters of the Second World War.

Whereas on December 7, 1941, a date which will live in infamy, the United States was suddenly and deliberately attacked at Pearl Harbor, Oahu, Hawaii, resulting in the loss of over 2,400 American lives, the greatest such loss of life in a single attack before September 11, 2001;

Whereas the United States joined with allies from 32 countries to fight the common foe of fascist militarism in a war in which over 16,000,000 Americans served in the military;

Whereas the United States suffered over 670,000 casualties, with more than 400,000 deaths, while over 105,000 Americans were held as prisoners of war, many of whom were forced to participate in the infamous Bataan Death March or were forced to work on the construction of the Siam-Burma Railway;

Whereas two former Presidents, John F. Kennedy and George H. W. Bush, served with particular distinction and valor in the Pacific theater during the Second World War;

Whereas the sea battles of the Coral Sea, Midway, Leyte Gulf—the greatest naval battle in history—and Lingayen Gulf turned the tide of the war in the Pacific and led to ultimate victory;

Whereas the Sullivan family of Waterloo, Iowa, who lost five sons in a single morning when the USS Juneau was sunk in the Battle of Guadalcanal, came to symbolize for the United States the grief felt by American families over the loss of loved ones during the Second World War;

Whereas on May 14, 1943, the Australian hospital ship Centaur, in transit to New Guinea to pick up the wounded, was sunk fifty miles East-Northeast of Brisbane, Australia, resulting in 268 dead, representing the highest number of casualties of any merchant vessel sunk by a submarine in the Pacific theater;

Whereas General Douglas MacArthur fulfilled his promise of “I shall return” to the Philippine people by leading the successful campaign for the liberation of the Philippines, part of a wider campaign which freed much of Asia from militarist occupation;

Whereas more than 20,000 Japanese and 7,000 Americans died in the battle of Iwo Jima, which raged on the small island of Iwo Jima for over one month between February and March 1945, the fierceness of which was captured in the historic photo of five Marines and one Navy corpsman raising the American flag on Mount Suribachi;

Whereas the Battle of Okinawa, waged between April and June 1945, was the largest sea-land-air battle in history, with more than 38,000 Americans wounded and 12,000 killed or missing, more than 107,000 Japanese and Okinawan conscripts killed, and perhaps 100,000 Okinawan civilians who perished in the battle;

Whereas millions of people died in Hawaii, Guam, the Coral Sea, Midway, the Marshall Islands, the Solomon Islands, Wake Island, Guadalcanal, Nanjing, Harbin, Beijing, Shanghai, Chongqing, Hong Kong, Singapore, Malaya, Indonesia, Burma, Bataan, Corregidor, Manila, Luzon, Leyte Gulf, Lingayen Gulf, New Guinea, Korea, Saipan, Iwo Jima, Okinawa, Tokyo, Hiroshima, and Nagasaki;

Whereas the Second World War led to dramatic social changes in the United States as more than 19,500,000 women joined the American workforce at defense plants and 350,000 women joined the Armed Forces;

Whereas the roles of minorities in both the Armed Forces and industry were changed forever as greater opportunities for employment and service in the defense of the United States presented themselves;

Whereas Japanese-Americans, including Senator Daniel Inouye, served with courage and valor in the 442nd Regimental Combat Team, the most decorated regiment in United States military history;

Whereas the people of the United States and Japan worked together after the Second World War to reconstruct Japan and to ensure the post war emergence of Japan as a beacon of democracy and economic liberalization in the Asia-Pacific region, and the United States and Japan further solidified the post war security relationship by signing the Security Treaty of 1951 and the Treaty of Mutual Cooperation and Security in 1960;

Whereas the sacrifices in the Pacific of United States veterans and veterans of United States allies during the Second World War led to the emergence of an Asian region where democratic institutions and free market economies have taken hold, contributing greatly to the peace and prosperity of the region; and

Whereas, on May 29, 2004, the United States gratefully dedicated the World War II Memorial, honoring both the Pacific and Atlantic theaters, on the National Mall in Washington, D.C., with decorated World War II hero Senator Robert Dole giving the dedication speech: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring), That Congress—*

3 (1) honors all veterans, living and deceased, of
4 the Second World War in both the Pacific and At-
5 lantic theaters on the 60th anniversary year of the
6 war's conclusion and expresses the deep appreciation
7 and gratitude of the United States for their valor
8 and selfless service to their country;

1 (2) calls upon the people of the United States
 2 to commemorate September 2, 2005, the 60th anni-
 3 versary of the final surrender of the Second World
 4 War aboard the USS Missouri, as a day of remem-
 5 brance and appreciation for the members of the
 6 greatest generation who, through their sacrifices
 7 both in the Armed Forces and on the homefront,
 8 preserved liberty for future generations and rescued
 9 the world from the scourge of fascist militarism;

10 (3) reaffirms the judgment in Tokyo rendered
 11 by the International Military Tribunal for the Far
 12 East of 1946–1948 and the conviction of certain in-
 13 dividuals as war criminals for their crimes against
 14 humanity; and

15 (4) recognizes that the alliances formed in the
 16 Asia-Pacific region following the Second World War,
 17 including those with Australia, Japan, the Phil-
 18 ippines, the Republic of Korea, and Thailand, have
 19 contributed immeasurably to the continued peace
 20 and prosperity enjoyed throughout the region.

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AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H. CON. RES. _____
OFFERED BY MR. HYDE OF ILLINOIS

Strike the preamble and insert the following:

Whereas on December 7, 1941, a date which will live in infamy, the United States was suddenly and deliberately attacked at Pearl Harbor, Oahu, Hawaii, resulting in the loss of over 2,400 American lives, the greatest such loss of life in a single attack before September 11, 2001;

Whereas the United States joined with allies from 32 countries to fight the common foe of fascist militarism in a war in which over 16,000,000 Americans served in the military;

Whereas the United States suffered over 670,000 casualties, with more than 400,000 deaths, while over 105,000 Americans were held as prisoners of war, many of whom were forced to participate in the infamous Bataan Death March or were forced to work on the construction of the Siam-Burma Railway;

Whereas two former Presidents, John F. Kennedy and George H. W. Bush, served with particular distinction and valor in the Pacific theater during the Second World War;

Whereas the sea battles of the Coral Sea, Midway, Leyte Gulf—the greatest naval battle in history—and Lingayen Gulf turned the tide of the war in the Pacific and led to ultimate victory;

Whereas the Sullivan family of Waterloo, Iowa, who lost five sons in a single morning when the USS Juneau was sunk in the Battle of Guadalcanal, came to symbolize for the United States the grief felt by American families over the loss of loved ones during the Second World War;

Whereas on May 14, 1943, the Australian hospital ship Centaur, in transit to New Guinea to pick up the wounded, was sunk fifty miles East-Northeast of Brisbane, Australia, resulting in 268 dead, representing the highest number of casualties of any merchant vessel sunk by a submarine in the Pacific theater;

Whereas General Douglas MacArthur fulfilled his promise of “I shall return” to the Philippine people by leading the successful campaign for the liberation of the Philippines, part of a wider campaign which freed much of Asia from militarist occupation;

Whereas more than 20,000 Japanese and 7,000 Americans died in the battle of Iwo Jima, which raged on the small island of Iwo Jima for over one month between February and March 1945, the fierceness of which was captured in the historic photo of five Marines and one Navy corpsman raising the American flag on Mount Suribachi;

Whereas the Battle of Okinawa, waged between April and June 1945, was the largest sea-land-air battle in history, with more than 38,000 Americans wounded and 12,000 killed or missing, more than 107,000 Japanese and Okinawan conscripts killed, and perhaps 100,000 Okinawan civilians who perished in the battle;

Whereas millions of people died in Hawaii, Guam, the Coral Sea, Midway, the Marshall Islands, the Solomon Islands, Wake Island, Guadalcanal, Nanjing, Harbin, Beijing,

Shanghai, Chongqing, Hong Kong, Singapore, Malaya, Indonesia, Burma, Bataan, Corregidor, Manila, Luzon, Leyte Gulf, Lingayen Gulf, New Guinea, Korea, Saipan, Iwo Jima, Okinawa, Tokyo, Hiroshima, and Nagasaki;

Whereas the Second World War led to dramatic social changes in the United States as more than 19,500,000 women joined the American workforce at defense plants and 350,000 women joined the Armed Forces;

Whereas the roles of minorities in both the Armed Forces and industry were changed forever as greater opportunities for employment and service in the defense of the United States presented themselves;

Whereas Japanese-Americans, including Senator Daniel Inouye, served with courage and valor in the 442nd Regimental Combat Team, the most decorated regiment in United States military history;

Whereas the people of the United States and Japan worked together after the Second World War to reconstruct Japan and to ensure the post war emergence of Japan as a beacon of democracy and economic liberalization in the Asia-Pacific region, and the United States and Japan further solidified the post war security relationship by signing the Security Treaty of 1951 and the Treaty of Mutual Cooperation and Security in 1960;

Whereas the sacrifices in the Pacific of United States veterans and veterans of United States allies during the Second World War led to the emergence of an Asian region where democratic institutions and free market economies have taken hold, contributing greatly to the peace and prosperity of the region; and

Whereas, on May 29, 2004, the United States gratefully dedicated the World War II Memorial, honoring both the Pacific and Atlantic theaters, on the National Mall in Washington, D.C., with decorated World War II hero Senator Robert Dole giving the dedication speech: Now, therefore, be it

Strike all after the resolving clause and insert the following:

1 That Congress—

2 (1) honors all veterans, living and deceased, of
3 the Second World War in both the Pacific and At-
4 lantic theaters on the 60th anniversary year of the
5 war's conclusion and expresses the deep appreciation
6 and gratitude of the United States for their valor
7 and selfless service to their country;

8 (2) calls upon the people of the United States
9 to commemorate the 60th anniversary of the final
10 surrender of the Second World War aboard the USS
11 Missouri as a day of remembrance and appreciation
12 for the members of the greatest generation who,
13 through their sacrifices both in the Armed Forces
14 and on the homefront, preserved liberty for future
15 generations and rescued the world from the scourge
16 of fascist militarism;

17 (3) reaffirms the judgment in Tokyo rendered
18 by the International Military Tribunal for the Far

1 East of 1946–1948 and the conviction of certain in-
2 dividuals as war criminals for their crimes against
3 humanity; and

4 (4) recognizes that the alliances formed in the
5 Asia-Pacific region following the Second World War,
6 including those with Australia, Japan, the Phil-
7ippines, the Republic of Korea, and Thailand, have
8 contributed immeasurably to the continued peace
9 and prosperity enjoyed throughout the region.

Amend the title so as to read: “Concurrent resolution commemorating the 60th anniversary of the conclusion of the war in the Pacific and honoring veterans of both the Pacific and Atlantic theaters of the Second World War.”.

[COMMITTEE PRINT]

JUNE 21, 2005

**[Showing the Amendment Adopted by the Subcommittee on
Europe and Emerging Threats]**109TH CONGRESS
1ST SESSION**H. RES. 328**

Recognizing the 25th anniversary of the workers' strikes in Poland in 1980
that led to the establishment of the Solidarity Trade Union.

IN THE HOUSE OF REPRESENTATIVES

JUNE 17, 2005

Mr. GALLEGLY (for himself, Mr. DINGELL, Mr. WEXLER, Mr. LIPINSKI, Mr.
KANJORSKI, Mr. ROYCE, Mr. ENGEL, and Mr. FALEOMAVAEGA) sub-
mitted the following resolution; which was referred to the Committee on
International Relations

RESOLUTION

Recognizing the 25th anniversary of the workers' strikes
in Poland in 1980 that led to the establishment of the
Solidarity Trade Union.

Whereas, although Victory in Europe on May 8, 1945, re-
sulted in liberty and democracy in many nations, Poland
and other countries of Central and Eastern Europe fell
behind the repressive Iron Curtain of the Soviet Union;

Whereas for more than four decades Poland and the nations of the Soviet Bloc struggled under authoritarian rule;

Whereas in June 1979, Pope John Paul II, the former Cardinal Karol Wojtyła, returned to his homeland for the first time and exhorted his countrymen to “be not afraid” of the Communist regime;

Whereas in July and August of 1980, Polish workers in the shipyards of Gdansk and Szczecin went on strike to demand greater political freedom;

Whereas workers’ committees, led by electrician Lech Walesa, coordinated these strikes and ensured that the strikes were peaceful and orderly;

Whereas in August 1980, the Communist government of Poland yielded to the 21 demands of the striking workers, including the release of all political prisoners, the broadcasting of religious services on television and radio, and the right to establish independent trade unions;

Whereas the Communist government of Poland introduced martial law in December 1981 in an attempt to block the growing influence of the Solidarity movement;

Whereas the Solidarity Trade Union and its 10,000,000 members became a great social movement committed to promoting fundamental human rights, democracy, and Polish independence from the Soviet Union;

Whereas in February 1989, the Communist government of Poland agreed to conduct talks with the Solidarity Trade Union that led to elections to the National Assembly in June of that year, in which nearly all open seats were won by candidates supported by the Solidarity Trade Union, and led soon after to the election of Poland’s first

non-Communist Prime Minister in the post-war era, Mr. Tadeusz Mazowiecki;

Whereas the Solidarity movement ended communism in Poland without bloodshed, inspiring other nations under Soviet control to do the same and playing an important role in the fall of communism in Central and Eastern Europe;

Whereas on November 15, 1989, Lech Walesa gave an historic speech before a joint meeting of the United States Congress with the opening remarks “We the People. . .”, which stirred a standing ovation from the Members of Congress;

Whereas on December 9, 1990, Lech Walesa was elected President of Poland;

Whereas the support of the United States and the Polish-American community was essential to the survival and success of the Solidarity movement; and

Whereas a bond of friendship exists between the United States and Poland, which is among the strongest allies of the United States, a contributing partner in the North Atlantic Treaty Organization (NATO), a reliable partner in the Global War on Terrorism, and a key contributor in Iraq and Afghanistan: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) recognizes the 25th anniversary of the
3 workers’ strikes in Poland that led to establishment
4 of the Solidarity Trade Union;

5 (2) honors the struggle and sacrifice of the citi-
6 zens of Poland who risked their lives to restore de-

- 1 mocracy to their country and to return Poland to
2 the democratic community of nations; and
3 (3) offers Poland as a model for other nations
4 struggling to emerge from authoritarian rule and es-
5 tablish a flourishing representative government.



109TH CONGRESS
1ST SESSION

H. RES. 328

Recognizing the 25th anniversary of the workers' strikes in Poland in 1980 that led to the establishment of the Solidarity Trade Union.

IN THE HOUSE OF REPRESENTATIVES

JUNE 17, 2005

Mr. GALLEGLY (for himself, Mr. DINGELL, Mr. WEXLER, Mr. LIPINSKI, Mr. KANJORSKI, Mr. ROYCE, Mr. ENGEL, and Mr. FALEOMAVAEGA) submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Recognizing the 25th anniversary of the workers' strikes in Poland in 1980 that led to the establishment of the Solidarity Trade Union.

Whereas, although Victory in Europe on May 8, 1945, resulted in liberty and democracy in many nations, Poland and other countries of Central and Eastern Europe fell behind the repressive Iron Curtain of the Soviet Union;

Whereas for more than four decades Poland and the nations of the Soviet Bloc struggled under authoritarian rule;

Whereas in June 1979, Pope John Paul II, the former Cardinal Karol Wojtyła, returned to his homeland for the first time and exhorted his countrymen to “be not afraid” of the Communist regime;

Whereas in July and August of 1980, Polish workers in the shipyards of Gdansk and Szczecin went on strike to demand greater political freedom;

Whereas workers' committees, led by electrician Lech Walesa, coordinated these strikes and ensured that the strikes were peaceful and orderly;

Whereas in August 1980, the Communist government of Poland yielded to the 21 demands of the striking workers, including the release of all political prisoners, the broadcasting of religious services on television and radio, and the right to establish independent trade unions;

Whereas the Communist government of Poland introduced martial law in December 1981 in an attempt to block the growing influence of the Solidarity movement;

Whereas the Solidarity Trade Union and its 10,000,000 members became a great social movement committed to promoting fundamental human rights, democracy, and Polish independence from the Soviet Union;

Whereas in February 1989, the Communist government of Poland agreed to conduct talks with the Solidarity Trade Union that led to elections to the National Assembly in June of that year, in which nearly all open seats were won by candidates supported by the Solidarity Trade Union, and led soon after to the election of Poland's first non-Communist Prime Minister in the post-war era, Mr. Tadeusz Mazowiecki;

Whereas the Solidarity movement ended communism in Poland without bloodshed, inspiring other nations under Soviet control to do the same and leading to the fall of the Berlin Wall on November 9, 1989;

Whereas on November 15, 1989, Lech Walesa gave a historic speech before a joint meeting of the United States Congress with the opening remarks “We the People . . .”, which stirred a standing ovation from the Members of Congress;

Whereas on December 9, 1990, Lech Walesa was elected President of Poland;

Whereas the support of the United States and the Polish-American community was essential to the survival and success of the Solidarity movement; and

Whereas a bond of friendship exists between the United States and Poland, which is among the strongest allies of the United States, a contributing partner in the North Atlantic Treaty Organization (NATO), a reliable partner in the Global War on Terrorism, and a key contributor in Iraq and Afghanistan: Now, therefore, be it

1 *Resolved*, That, the House of Representatives—

2 (1) recognizes the 25th anniversary of the
3 workers’ strikes in Poland that led to establishment
4 of the Solidarity Trade Union;

5 (2) honors the struggle and sacrifice of the citi-
6 zens of Poland who risked their lives to restore de-
7 mocracy to their country and to return Poland to
8 the democratic community of nations; and

9 (3) offers Poland as a model for other nations
10 struggling to emerge from authoritarian rule and es-
11 tablish a flourishing representative government.

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109TH CONGRESS
1ST SESSION

H. RES. 333

Supporting the goals and ideals of a National Weekend of Prayer and
Reflection for Darfur, Sudan.

IN THE HOUSE OF REPRESENTATIVES

JUNE 20, 2005

Mr. PAYNE (for himself, Mr. TANCREDI, Mr. WEXLER, Mr. WOLF, Mr. LANTOS, Mr. SMITH of New Jersey, Mr. RANGEL, Mr. CONYERS, and Ms. LEE) submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Supporting the goals and ideals of a National Weekend of
Prayer and Reflection for Darfur, Sudan.

Whereas, on July 22, 2004, Congress declared that genocide was taking place in Darfur, Sudan;

Whereas, on September 9, 2004, Secretary of State Colin L. Powell testified to the Senate Committee on Foreign Relations that “genocide has been committed in Darfur”;

Whereas, on September 21, 2004, President George W. Bush stated to the United Nations General Assembly that “the world is witnessing terrible suffering and horrible crimes in the Darfur region of Sudan, crimes my government has concluded are genocide”;

Whereas Article 1 of the Convention on the Prevention and Punishment of the Crime of Genocide, done at Paris December 9, 1948, and entered into force January 12, 1951, states that “[t]he Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish”;

Whereas fundamental human rights, including the right to freedom of thought, conscience, and religion, are protected in numerous international agreements and declarations;

Whereas the United Nations Security Council, in Security Council Resolution 1591, condemned the “continued violations of the N’djamená Ceasefire Agreement of 8 April 2004 and the Abuja Protocols of 9 November 2004 by all sides in Darfur and the deterioration of the security situation and negative impact this has had on humanitarian assistance efforts”;

Whereas scholars estimate that as many as 400,000 have died from violence, hunger, and disease since the outbreak of conflict in Darfur began in 2003, and that as many as 10,000 may be dying each month;

Whereas it is estimated that more than 2,000,000 people have been displaced from their homes and remain in camps in Darfur and Chad;

Whereas religious leaders, genocide survivors, and world leaders have expressed grave concern over the continuing atrocities taking place in Darfur; and

Whereas it is appropriate that the people of the United States, leaders and citizens alike, unite in prayer for the

people of Darfur and reflect upon the situation in Darfur: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) supports the goals and ideals of a National
3 Weekend of Prayer and Reflection for Darfur,
4 Sudan;

5 (2) encourages the people of the United States
6 to observe that weekend by praying for an end to the
7 genocide and crimes against humanity and for last-
8 ing peace in Darfur, Sudan; and

9 (3) urges all churches, synagogues, mosques,
10 and religious institutions in the United States to
11 consider the issue of Darfur in their activities and
12 to observe the National Weekend of Prayer and Re-
13 flection with appropriate activities and services.

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109TH CONGRESS
1ST SESSION

H. RES. 343

Commending the State of Kuwait for granting women certain important political rights.

IN THE HOUSE OF REPRESENTATIVES

JUNE 27, 2005

Mr. CROWLEY (for himself, Mr. BROWN of Ohio, Mrs. DAVIS of California, Mr. ENGEL, Mr. HIGGINS, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. KELLY, Ms. LEE, Mrs. MALONEY, Mrs. MCCARTHY, Ms. MCCOLLUM of Minnesota, Mr. PITTS, Mr. RANGEL, Ms. ROS-LEHTINEN, Mr. SANDERS, Ms. SOLIS, Mr. WEXLER, Mr. WILSON of South Carolina, Mr. LANTOS, Mr. ACKERMAN, Ms. MOORE of Wisconsin, Ms. LINDA T. SÁNCHEZ of California, Mr. SERRANO, Mr. PALLONE, Ms. WASSERMAN SCHULTZ, Mr. MEEK of Florida, Ms. WATSON, Mr. ISSA, and Ms. WATERS) submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Commending the State of Kuwait for granting women certain important political rights.

Whereas on May 16, 2005, the Parliament of the State of Kuwait amended Article 1 of the Election Law 35 of 1962, providing female citizens of Kuwait the right to vote and run in the 2007 elections;

Whereas the rights of women are of paramount importance in international human rights, to be respected and promoted regardless of historical, cultural, or religious heritage;

Whereas the active advancement of women's rights throughout the world is and remains an important policy priority of the United States; and

Whereas the Department of State recognizes that the Kuwaiti parliamentary vote of May 16, 2005, was an important step forward for the women of Kuwait and the nation as a whole, and the United States views this step as a positive development on the road to political reform, serving as a positive example for other governments and societies in the region that are on the path to political freedom, inclusion of women, and full democratization: Now, therefore, be it

1 *Resolved*, That House of Representatives—

2 (1) commends the Government and Parliament
3 of the State of Kuwait for providing female citizens
4 of Kuwait the right to vote and hold public office;

5 (2) urges the full participation of Kuwaiti
6 women in the political life of their country; and

7 (3) encourages the Government of Kuwait to
8 continue taking positive steps to achieve full modernization of its political system and lasting democratic reform.
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Chairman HYDE. If there is no further discussion, the Committee stands adjourned.

[Whereupon, at 11:05 a.m., the Committee was adjourned.]

