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TO AUTHORIZE APPROPRIATIONS FOR THE DEPARTMENT OF STATE FOR FISCAL YEAR 2012, AND FOR OTHER PURPOSES

MARKUP

BEFORE THE

COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES

ONE HUNDRED TWELFTH CONGRESS

FIRST SESSION

ON

H.R. 2583

JULY 20 AND JULY 21, 2011

Serial No. 112–119

Printed for the use of the Committee on Foreign Affairs

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TO AUTHORIZE APPROPRIATIONS FOR THE DEPARTMENT OF STATE FOR FISCAL YEAR 2012, AND FOR OTHER PURPOSES

WEDNESDAY, JULY 20, 2011

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The committee met, pursuant to notice, at 10:06 a.m., in room 2172, Rayburn House Office Building, Hon. Ileana Ros-Lehtinen (chairman of the committee) presiding.

Chairman ROS-LEHTINEN. The committee will come to order.

I am pleased to welcome my colleagues to our markup this morning.

Pursuant to notice, I call up the bill, H.R. 2583, the Foreign Relations Authorization Act for Fiscal Year 2012, the text of which was provided previously to your offices. As members were notified yesterday, this bill is considered as read and open for amendments by title.

[H.R. 2583 follows:]

I

112TH CONGRESS
1ST SESSION

H. R. 2583

To authorize appropriations for the Department of State for fiscal year 2012, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 19, 2011

Ms. ROS-LEHTINEN introduced the following bill; which was referred to the Committee on Foreign Affairs

---

A BILL

To authorize appropriations for the Department of State for fiscal year 2012, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Foreign Relations Authorization Act, Fiscal Year 2012".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. Appropriate congressional committees defined.

TITLE I—AUTHORIZATION OF APPROPRIATIONS

Sec. 101. Administration of foreign affairs.

Sec. 102. Contributions to International Organizations.
Sec. 103. Contributions for International Peacekeeping Activities.
Sec. 104. International Commissions.
Sec. 105. Migration and Refugee Assistance.
Sec. 106. National Endowment for Democracy.

TITLE II—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

Subtitle A—Basic Authorities and Activities

Sec. 201. Transfer of inspections back to the Secretary of State.
Sec. 202. International Litigation Fund.
Sec. 203. Actuarial valuations.
Sec. 204. Special agents.
Sec. 205. Diplomatic security program contracting.
Sec. 206. Statement of policy on existing United States understandings with Israel.
Sec. 207. Recognition of Jerusalem as the capital of the State of Israel and relocation of the United States Embassy to Jerusalem.

Subtitle B—Consular Services and Related Matters

Sec. 211. Extension of authority to assess passport surcharge.
Sec. 212. Tibet.
Sec. 213. Maintenance cost sharing program.
Sec. 214. Border crossing card fee for minors.

TITLE III—ORGANIZATION AND PERSONNEL AUTHORITIES

Sec. 301. Suspension of Foreign Service members without pay.
Sec. 302. Repeal of recertification requirement for Senior Foreign Service.
Sec. 303. Limited appointments in the Foreign Service.
Sec. 304. Limitation of compensatory time off for travel.

TITLE IV—FOREIGN ASSISTANCE

Sec. 401. Goals of United States assistance.
Sec. 402. United States Agency for International Development.
Sec. 403. Bilateral Economic Assistance.
Sec. 404. Microfinance and microenterprise programs.
Sec. 405. Development credit authority.
Sec. 406. Millennium Challenge Corporation.
Sec. 407. Prohibition on assistance to countries that fail to meet the Millennium Challenge Corporation's Corruption Performance Indicator.
Sec. 408. Democracy Fund.
Sec. 409. Report on aid commitments and disbursements by other donors and international organizations.
Sec. 410. Transfer of liquidated assets of certain Enterprise Funds to the United States Treasury.
Sec. 411. Limitation on funds for United States Agency for International Development's Office of Budget and Resource Management.
Sec. 412. Preventing taxpayer funding for foreign organizations that promote or perform abortion.
Sec. 413. Sense of Congress relating to microenterprise development assistance to sub-Saharan Africa.

TITLE V—UNITED STATES INTERNATIONAL BROADCASTING

Sec. 501. Authorization of appropriations for international broadcasting.
Sec. 502. Personal services contracting program.
Sec. 503. Employment for international broadcasting.
Sec. 504. Technical amendment relating to civil immunity for Broadcasting Board of Governors members.

TITLE VI—REPORTING REQUIREMENTS

Sec. 601. Reporting reform.
Sec. 602. Diplomatic relations with Israel.

TITLE VII—PROLIFERATION SECURITY INITIATIVE

Sec. 701. Authority to interdict certain imports to and exports from Iran.
Sec. 702. Report.
Sec. 703. Definitions.

TITLE VIII—MISCELLANEOUS PROVISIONS

Sec. 801. Boundary, water, and fisheries commissions.
Sec. 802. Limitation on funds for U.S.-China Center of Excellence on Nuclear Security.
Sec. 803. Elimination of East-West Center.
Sec. 804. Inspector General of the Global Fund.
Sec. 805. Arab League boycott.
Sec. 806. Measures supporting the reunification of Cyprus.
Sec. 807. Limitation on assistance to the former Yugoslav Republic of Macedonia.
Sec. 808. Statement of policy regarding the Ecumenical Patriarchate.
Sec. 809. Sense of Congress on restrictions on religious freedom in Vietnam.
Sec. 810. State sponsorship of terrorism by Eritrea.
Sec. 811. Rights of religious minorities in Egypt.
Sec. 812. The Republic of the Sudan and the Republic of South Sudan.

TITLE IX—SECURITY ASSISTANCE

Sec. 901. Short title.

Subtitle A—Military Assistance and Related Matters

PART I—FUNDING AUTHORIZATIONS

Sec. 911. Foreign Military Financing program.
Sec. 912. International military education and training.

PART II—MILITARY ASSISTANCE AUTHORITIES AND RELATED PROVISIONS

Sec. 921. Authority to transfer excess defense articles.
Sec. 922. Annual military assistance report.
Sec. 923. Annual report on foreign military training.
Sec. 924. Global Security Contingency Fund.
Sec. 925. International military education and training.

PART III—ARMS EXPORT CONTROL ACT AMENDMENTS AND RELATED PROVISIONS

Sec. 931. Increased flexibility for use of defense trade control registration fees.

Sec. 932. Increase in congressional notification thresholds.
Sec. 933. Return of defense articles.
Sec. 934. Annual estimate and justification for sales program.
Sec. 935. Updating and conforming penalties for violations of sections 38 and 39 of the Arms Export Control Act.
Sec. 936. Clarification of prohibitions relating to state sponsors of terrorism and their nationals.
Sec. 937. Exemption for transactions with countries supporting acts of international terrorism.
Sec. 938. Report on Foreign Military Financing program.
Sec. 939. Congressional notification of regulations and amendments to regulations under section 38 of the Arms Export Control Act.

Subtitle B—Security Assistance and Related Matters

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PART VI—YEMEN

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PART VII—MISCELLANEOUS PROVISIONS

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Subtitle C—Peacekeeping Operations

Sec. 995. Peacekeeping operations.

Subtitle D—Reports and Briefings

Sec. 996. Report on transparency in NATO arms sales.
Sec. 996A. Report on Task Force for Business and Stability Operations in Afghanistan.
Sec. 996B. Briefings relating to Public Law 107–40.

TITLE X—PEACE CORPS VOLUNTEER SERVICE PROTECTION

Sec. 1001. Sexual assault complaints in the Peace Corps.
Sec. 1002. Peace Corps volunteer protection.
Sec. 1003. Conforming amendments.
Sec. 1004. Independence of the Inspector General of the Peace Corps.
Sec. 1005. Authorization of appropriations.

SEC. 3. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

Except as otherwise provided in this Act, the term "appropriate congressional committees" means the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

TITLE I—AUTHORIZATION OF APPROPRIATIONS

SEC. 101. ADMINISTRATION OF FOREIGN AFFAIRS.

The following amounts are authorized to be appropriated for the Department of State under "Administration of Foreign Affairs" to carry out the authorities, functions, duties, and responsibilities in the conduct of foreign affairs of the United States, and for other purposes authorized by law:

(1) DIPLOMATIC AND CONSULAR PROGRAMS.—For "Diplomatic and Consular Programs", $8,790,000,000 for fiscal year 2012.

(A) WORLDWIDE SECURITY PROTECTION.—Of the amounts authorized to be appropriated under paragraph (1), $1,500,000,000 is authorized to be appropriated for worldwide security protection.

(B) BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR.—Of the amounts authorized to be appropriated under paragraph (1), not less than $21,416,000 for fiscal year 2012 is authorized to be appropriated for the Bureau of Democracy, Human Rights, and Labor.

(2) CAPITAL INVESTMENT FUND.—For "Capital Investment Fund", $59,499,000 for fiscal year 2012.

(3) EMBASSY SECURITY, CONSTRUCTION AND MAINTENANCE.—For "Embassy Security, Construction and Maintenance", $1,620,000,000 for fiscal year 2012.

(4) EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.—For "Educational and Cultural Exchange Programs", $600,000,000 for fiscal year 2012.

(5) CONFLICT STABILIZATION OPERATIONS.—For "Conflict Stabilization Operations", $35,000,000 for fiscal year 2012.

(6) REPRESENTATION ALLOWANCES.—For "Representation Allowances", $7,499,000 for fiscal year 2012.

(7) PROTECTION OF FOREIGN MISSIONS AND OFFICIALS.—For "Protection of Foreign Missions and Officials", $27,744,000 for fiscal year 2012.

(8) EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE.—For "Emergencies in the Diplomatic and Consular Service", $9,499,000 for fiscal year 2012.

(9) REPATRIATION LOANS.—For "Repatriation Loans", $1,450,000 for fiscal year 2012.

(10) PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN.—For "Payment to the American Institute in Taiwan", $21,150,000 for fiscal year 2012.

(11) OFFICE OF THE INSPECTOR GENERAL.—For "Office of the Inspector General", $100,000,000 for fiscal year 2012, including for the Special Inspector General for Iraq Reconstruction and the Special Inspector General for Afghanistan Reconstruction.

SEC. 102. CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.

There are authorized to be appropriated for "Contributions to International Organizations", $1,581,815,000 for fiscal year 2012, for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international organizations and to carry out other authorities in law consistent with such purposes. Of the amounts authorized to be appropriated by this section, not more than $44,238,411 is authorized to be appropriated for assessed contributions to the Organization of American States.

SEC. 103. CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES.

(a) STATEMENT OF POLICY.—It remains the policy of the United States, pursuant to section 404(b)(2)(A) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236; 22 U.S.C. 287e note) that funds authorized to be appropriated for contributions for international peacekeeping activities shall not be available for the payment of the United States assessed contribution for a United Nations peacekeeping operation in an amount that is greater than 25 percent of the total of all assessed contributions for such operation.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for "Contributions for International Peacekeeping Activities", $1,735,382,277 for fiscal year 2012 for the Department of State to carry out the authorities, functions, duties, and responsibilities of the United States with respect to international peacekeeping activities and to carry out other authorities in law consistent with such purposes.

SEC. 104. INTERNATIONAL COMMISSIONS.

The following amounts are authorized to be appropriated under "International Commissions" for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States and for other purposes authorized by law:

(1) INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO.—For "International Boundary and Water Commission, United States and Mexico"—

(A) for "Salaries and Expenses", $43,300,000 for fiscal year 2012; and

(B) for "Construction", $26,500,000 for fiscal year 2012.

(2) INTERNATIONAL BOUNDARY COMMISSION, UNITED STATES AND CANADA.—For "International

1 Boundary Commission, United States and Canada",
2 $2,433,000 for fiscal year 2012.
3 (3) INTERNATIONAL JOINT COMMISSION.—For
4 "International Joint Commission", $7,237,000 for
5 fiscal year 2012.
6 (4) INTERNATIONAL FISHERIES COMMIS-
7 SIONS.—For "International Fisheries Commissions",
8 $31,291,000 for fiscal year 2012.

9 **SEC. 105. MIGRATION AND REFUGEE ASSISTANCE.**

10 (a) AUTHORIZATION OF APPROPRIATIONS.—There
11 are authorized to be appropriated for "Migration and Ref-
12 ugee Assistance" for authorized activities $1,690,000,000
13 for fiscal year 2012.
14 (b) REFUGEE RESETTLEMENT IN ISRAEL.—Of the
15 amounts authorized to be appropriated by subsection (a),
16 there are authorized to be appropriated $25,000,000 for
17 fiscal year 2012 for resettlement of refugees in Israel.

18 **SEC. 106. NATIONAL ENDOWMENT FOR DEMOCRACY.**

19 There are authorized to be appropriated for the "Na-
20 tional Endowment for Democracy" for authorized activi-
21 ties $118,000,000 for fiscal year 2012.

TITLE II—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

Subtitle A—Basic Authorities and Activities

SEC. 201. TRANSFER OF INSPECTIONS BACK TO THE SECRETARY OF STATE.

(a) LIMITATION OF INSPECTOR GENERAL DUTIES.—Paragraph (1) section 209(a) of the Foreign Service Act of 1980 (22 U.S.C. 3929(a)), is amended by striking the fourth sentence and inserting the following new sentence: "The Inspector General shall perform such functions as the Secretary of State may prescribe, except that the Secretary of State shall not assign to the Inspector general any general operating responsibilities.".

(b) INSPECTIONS BY THE SECRETARY OF STATE.—

(1) INSPECTIONS.—The Secretary of State shall periodically inspect the administration of activities and operations of each Foreign Service post and each bureau and other operating unit of the Department of State.

(2) REPORTS PROVIDED TO THE INSPECTOR GENERAL.—The Secretary of State shall provide to the Inspector General of the Department of State a

1 copy of the report of each inspection carried out in
2 accordance with paragraph (1).
3 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
4 tion shall be construed as limiting the authority of the In-
5 spector General of the Department of State to conduct
6 audits, investigations, or inspections under the Inspector
7 General Act of 1978 (5 U.S.C. App.).

8 **SEC. 202. INTERNATIONAL LITIGATION FUND.**

9 Paragraph (3) of section 38(d) of the State Depart-
10 ment Basic Authorities Act of 1956 (22 U.S.C. 2710(d))
11 is amended by striking "by the Department of State from
12 another agency of the United States Government or pur-
13 suant to" and inserting "by the Department of State as
14 a result of a decision of an international tribunal, from
15 another agency of the United States Government, or pur-
16 suant to".

17 **SEC. 203. ACTUARIAL VALUATIONS.**

18 The Foreign Service Act of 1980 is amended—
19 (1) in section 818 (22 U.S.C. 4058)—
20 (A) in the first sentence, by striking "Sec-
21 retary of the Treasury" and inserting instead
22 "Secretary of State"; and
23 (B) by amending the second sentence to
24 read as follows: "The Secretary of State is au-
25 thorized to expend from money to the credit of

the Fund such sums as may be necessary to administer the provisions of this subchapter, including actuarial advice, but only to the extent and in such amounts as are provided in advance in appropriations Acts.";

(2) in section 819 (22 U.S.C. 4059), in the first sentence, by striking "Secretary of the Treasury" the second place it appears and inserting "Secretary of State";

(3) in section 825(b) (22 U.S.C. 4065(b)), by striking "Secretary of the Treasury" and inserting instead "Secretary of State"; and

(4) section 859(c) (22 U.S.C. 4071h(c))—

(A) by striking "Secretary of the Treasury" and inserting instead "Secretary of State"; and

(B) by striking "and shall advise the Secretary of State of" and inserting instead "that will provide".

SEC. 204. SPECIAL AGENTS.

(a) IN GENERAL.—Paragraph (1) of section 37(a) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2709(a)) is amended to read as follows:

"(1) conduct investigations concerning—

"(A) illegal passport or visa issuance or use;

"(B) identity theft or document fraud affecting or relating to the programs, functions, and authorities of the Department of State; and

"(C) Federal offenses committed within the special maritime and territorial jurisdiction of the United States as defined in paragraph (9) of section 7 of title 18, United States Code, except as that jurisdiction relates to the premises of United States military missions and related residences;".

(b) RULE OF CONSTRUCTION.—Nothing in paragraph (1) of section 37(a) the State Department Basic Authorities Act of 1956 (as amended by subsection (a) of this section) shall be construed to limit the investigative authority of any other Federal department or agency.

SEC. 205. DIPLOMATIC SECURITY PROGRAM CONTRACTING.

Section 136 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (22 U.S.C. 4864) is amended—

(1) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking "With respect" and inserting "Ex-

1 cept as provided in subsection (d), with re-
2 spect"; and
3 (B) in paragraph (3), by striking "sub-
4 section (d)" and inserting "subsection (e)";
5 (2) by redesignating subsections (d), (e), (f),
6 and (g) as subsections (e), (f), (g), and (h), respec-
7 tively;
8 (3) by inserting after subsection (c) the fol-
9 lowing new subsection:
10 "(d) AWARD OF LOCAL GUARD AND PROTECTIVE
11 SERVICE CONTRACTS IN HIGH RISK AREAS.—With re-
12 spect to local guard contracts for Foreign Service build-
13 ings located in high risk areas which exceed $250,000, the
14 Secretary of State shall—
15 "(1) comply with paragraphs (1), (2), (4), (5),
16 and (6) of subsection (c) in the award of such con-
17 tracts;
18 "(2) in evaluating proposals for such contracts,
19 award contracts to the firm representing the best
20 value to the Government in accordance with the best
21 value tradeoff process described in subpart 15.1 of
22 the Federal Acquisition Regulation (48 C.F.R.
23 15.101–1); and

"(3) ensure that in all contracts awarded under this subsection, contractor personnel providing local guard or protective services are classified as—

"(A) employees of the offeror;

"(B) if the offeror is a joint venture, as the employees of one of the persons or parties constituting the joint venture; or

"(C) as employees of a subcontractor to the offeror, and not as independent contractors to the offeror or any other entity performing under such contracts."; and

(4) in subsection (e), as redesignated by paragraph (2) of this section—

(A) in paragraph (3), by striking "and" at the end;

(B) in paragraph (4), by striking the period at the end and inserting "; and"; and

(C) by adding after paragraph (4) the following new paragraph:

"(5) the term 'high risk areas' means—

"(A) an area designated as a contingency operation in accordance with section 101(a)(13) of title 10, United States Code; or

"(B) an area determined by the Assistant Secretary of Diplomatic Security to present an

increased threat of serious damage or harm to United States diplomatic facilities or personnel.".

SEC. 206. STATEMENT OF POLICY ON EXISTING UNITED STATES UNDERSTANDINGS WITH ISRAEL.

It is shall be the policy of the United States to uphold and act in accordance with all of the reassurances provided by the President in an April 14, 2004, letter to the Prime Minister of Israel.

SEC. 207. RECOGNITION OF JERUSALEM AS THE CAPITAL OF THE STATE OF ISRAEL AND RELOCATION OF THE UNITED STATES EMBASSY TO JERUSALEM.

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

(1) Jerusalem must remain an undivided city in which the rights of every ethnic and religious group are protected as they have been by Israel since 1967;

(2) the President and the Secretary of State should publicly affirm as a matter of United States policy that Jerusalem must remain the undivided capital of the State of Israel;

(3) the President should immediately implement the provisions of Jerusalem Embassy Act of 1995

1 (Public Law 104–45) and begin the process of relo-
2 cating the United States Embassy in Israel to Jeru-
3 salem; and
4 (4) United States officials should refrain from
5 any actions that contradict United States law on
6 this subject.
7 (b) AMENDING OF WAIVER AUTHORITY.—Subsection
8 (a) of section 7 of the Jerusalem Embassy Act of 1995
9 (Public Law 104–45) is amended by adding at the end
10 the following new paragraph:
11 "(4) The Presidential waiver authority granted
12 in this section shall expire on January 1, 2014.".
13 (c) IDENTIFICATION OF JERUSALEM ON GOVERN-
14 MENT DOCUMENTS.—Notwithstanding any other provi-
15 sion of law, any official document of the United States
16 Government that lists countries and their capital cities
17 shall identify Jerusalem as the capital of Israel.
18 (d) TIMETABLE.—It is the policy of the United
19 States that the United States Embassy in Israel should
20 be established in Jerusalem as soon as possible, and not
21 later than January 1, 2014.
22 (e) FISCAL YEAR 2012 FUNDING.—Of the funds au-
23 thorized to be appropriated for "Acquisition and Mainte-
24 nance of Buildings Abroad" for the Department of State
25 for fiscal year 2012, not less than $500,000 shall be made

1 available until expended only for construction and other
2 costs associated with the establishment of the United
3 States Embassy in Israel in the capital of Jerusalem.
4 (f) DEFINITION.—In this section, the term "United
5 States Embassy" means the offices of the United States
6 diplomatic mission and the residence of the United States
7 chief of mission.

8 Subtitle B—Consular Services and 9 Related Matters

10 SEC. 211. EXTENSION OF AUTHORITY TO ASSESS PASSPORT 11 SURCHARGE.

12 Paragraph (2) of section 1(b) of the Passport Act of
13 June 4, 1920 (22 U.S.C. 214(b)), is amended by striking
14 "2010" and inserting "2015".

15 SEC. 212. TIBET.

16 (a) TIBET NEGOTIATIONS.—Section 613(a) of the
17 Tibetan Policy Act of 2002 (Public Law 107–228; 22
18 U.S.C. 6901 note) is amended—
19 (1) in paragraph (1), by inserting before the pe-
20 riod at the end the following: ", and should coordi-
21 nate with other governments in multilateral efforts
22 toward this goal";
23 (2) by redesignating paragraph (2) as para-
24 graph (3); and

1 (3) by inserting after paragraph (1) the fol-
2 lowing new paragraph:
3 "(2) POLICY COORDINATION.—The President
4 shall direct the National Security Council to ensure
5 that, in accordance with this Act, United States pol-
6 icy on Tibet is coordinated and communicated with
7 all executive branch agencies in contact with the
8 Government of the People's Republic of China.".
9 (b) DIPLOMATIC REPRESENTATION RELATING TO
10 TIBET.—
11 (1) UNITED STATES EMBASSY IN BEIJING.—
12 (A) IN GENERAL.—The Secretary of State
13 is authorized to establish a Tibet Section within
14 the United States Embassy in Beijing, China,
15 for the purposes of following political, economic,
16 and social developments inside Tibet, including
17 Tibetan areas of Qinghai, Sichuan, Gansu, and
18 Yunnan provinces, until such time as a United
19 States consulate in Tibet is established. Such
20 Tibet Section shall have the primary responsi-
21 bility for reporting on human rights issues in
22 Tibet and shall work in close cooperation with
23 the Office of the Special Coordinator for Ti-
24 betan Issues of the Department of State. The

1 chief of such Tibet Section should be of senior
2 rank.
3 (2) IN TIBET.—Section 618 of the Tibetan Pol-
4 icy Act of 2002 is amended to read as follows:

5 **"SEC. 618. ESTABLISHMENT OF A UNITED STATES CON-**
6 **SULATE IN LHASA, TIBET.**

7 "The Secretary shall seek to establish a United
8 States consulate in Lhasa, Tibet, to provide services to
9 United States citizens traveling in Tibet and to monitor
10 political, economic, and cultural developments in Tibet, in-
11 cluding Tibetan areas of Qinghai, Sichuan, Gansu, and
12 Yunnan provinces and, until such consulate is established,
13 shall not permit the establishment in the United States
14 of any additional consulate of the People's Republic of
15 China.".
16 (c) RELIGIOUS PERSECUTION IN TIBET.—Section
17 620(b) of the Tibetan Policy Act of 2002 is amended by
18 adding before the period at the end the following: ", in-
19 cluding in the reincarnation system of Tibetan Bud-
20 dhism".

21 **SEC. 213. MAINTENANCE COST SHARING PROGRAM.**

22 Section 604(e)(1) of the Secure Embassy Construc-
23 tion and Counterterrorism Act of 1999 (22 U.S.C. 4865
24 note) is amended, in the first sentence, by striking "pro-

1 viding new," and inserting "providing, maintaining, re-
2 pairing, and renovating".

3 **SEC. 214. BORDER CROSSING CARD FEE FOR MINORS.**

4 Section 410(a)(1)(A) of the Department of State and
5 Related Agencies Appropriations Act, 1999 (contained in
6 division A of Public Law 105–277) is amended by striking
7 "a fee of $13" and inserting "a fee equal to one-half the
8 fee that would otherwise apply for processing a machine
9 readable combined border crossing identification card and
10 nonimmigrant visa".

11 TITLE III—ORGANIZATION AND 12 PERSONNEL AUTHORITIES

13 **SEC. 301. SUSPENSION OF FOREIGN SERVICE MEMBERS**
14 **WITHOUT PAY.**

15 (a) SUSPENSION.—Section 610 of the Foreign Serv-
16 ice Act of 1980 (22 U.S.C. 4010) is amended by adding
17 at the end the following new subsection:

18 "(c)(1) In order to promote the efficiency of the Serv-
19 ice, the Secretary may suspend a member of the Foreign
20 Service without pay when the member's security clearance
21 is suspended or when there is reasonable cause to believe
22 that the member has committed a crime for which a sen-
23 tence of imprisonment may be imposed.

"(2) Any member of the Foreign Service for whom a suspension is proposed in accordance with paragraph (1) shall be entitled to—

"(A) written notice stating the specific reasons for the proposed suspension;

"(B) a reasonable time to respond orally and in writing to the proposed suspension;

"(C) representation by an attorney or other representative; and

"(D) a final written decision, including the specific reasons for such decision, as soon as practicable.

"(3) Any member suspended under this section may file a grievance in accordance with the procedures applicable to grievances under chapter 11.

"(4) In the case of a grievance filed under paragraph (3)—

"(A) the review by the Foreign Service Grievance Board shall be limited to a determination of whether the provisions of paragraphs (1) and (2) have been fulfilled; and

"(B) the Foreign Service Grievance Board may not exercise the authority provided under section 1106(8).

"(5) In this subsection:

"(A) The term 'reasonable time' means—

"(i) with respect to a member of the Foreign Service assigned to duty in the United States, 15 days after receiving notice of the proposed suspension; and

"(ii) with respect to a member of the Foreign Service assigned to duty outside the United States, 30 days after receiving notice of the proposed suspension.

"(B) The term 'suspend' or 'suspension' means the placing of a member of the Foreign Service in a temporary status without duties and pay.".

(b) CONFORMING AND CLERICAL AMENDMENTS.—

(1) AMENDMENT OF SECTION HEADING.—Section 610 of the Foreign Service Act of 1980, as amended by subsection (a) of this section, is further amended, in the section heading, by inserting "; SUSPENSION" before the period at the end.

(2) CLERICAL AMENDMENT.—The item relating to section 610 in the table of contents in section 2 of the Foreign Service Act of 1980 is amended to read as follows:

"Sec. 610. Separation for cause; suspension.".

SEC. 302. REPEAL OF RECERTIFICATION REQUIREMENT FOR SENIOR FOREIGN SERVICE.

Section 305(d) of the Foreign Service Act of 1980 (22 U.S.C. 3945(d)) is repealed.

SEC. 303. LIMITED APPOINTMENTS IN THE FOREIGN SERVICE.

Section 309 of the Foreign Service Act of 1980 (22 U.S.C. 3949) is amended—

(1) in subsection (a), by striking "subsection (b)" and inserting "subsections (b) or (c)";

(2) in subsection (b)—

(A) in paragraph (3)—

(i) by inserting "(A)," after "if"; and

(ii) by inserting before the semicolon at the end the following: ", or (B), the career candidate is serving in the uniformed services, as defined by the Uniformed Services Employment and Reemployment Rights Act of 1994 (38 U.S.C. 4301 et seq.), and the limited appointment expires in the course of such service";

(B) in paragraph (4), by striking "and" at the end;

(C) in paragraph (5), by striking the period at the end and inserting "; and"; and

(D) by adding after paragraph (5) the following new paragraph:

"(6) in exceptional circumstances where the Secretary determines the needs of the Service require the extension of a limited appointment (A), for a period of time not to exceed 12 months (if such period of time does not permit additional review by boards under section 306), or (B), for the minimum time needed to settle a grievance, claim, or complaint not otherwise provided for in this section."; and

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

"(c) Non-career Foreign Service employees who have served five consecutive years under a limited appointment may be reappointed to a subsequent limited appointment if there is a one year break in service between each such appointment. The Secretary may in cases of special need waive the requirement for a one year break in service.".

SEC. 304. LIMITATION OF COMPENSATORY TIME OFF FOR TRAVEL.

Section 5550b of title 5, United States Code, is amended by adding at the end the following new subsection:

"(c) The maximum amount of compensatory time off earned under this section may not exceed 104 hours during any leave year (as defined by regulations established by the Office of Personnel Management).".

TITLE IV—FOREIGN ASSISTANCE

SEC. 401. GOALS OF UNITED STATES ASSISTANCE.

(a) FINDINGS.—Congress makes the following findings:

(1) in December 2007, the United States Government's Commission on Helping to Enhance the Lives of Poor People Around the Globe, also known as the "HELP Commission," reported that sustained economic growth is vital and necessary for a country to feed, educate, house and provide for the health of its citizens over the long term and that "foreign assistance alone is not sufficient to help developing countries achieve long-term, sustainable economic growth";

(2) private sector-led trade and investment are fundamental components of economic development and growth; and

(3) the United States Agency for International Development's Global Development Alliance program characterizes the rising importance of private resources and private actors as development tools in

1 an expanding and more integrated globalized econ-
2 omy, aligning public resources with private capital
3 through the establishment of public-private partner-
4 ships for the economic advancement of impoverished
5 countries.

6 (b) STATEMENT OF POLICY.—It shall be the policy
7 of the United States to—

8 (1) emphasize the development of innovative
9 partnerships between governments and organizations
10 in the private sector (including corporations, founda-
11 tions, universities, faith-based organizations, and
12 other nongovernmental organizations) in the ap-
13 proach to and distribution of foreign assistance; and

14 (2) focus United States assistance programs on
15 achieving sustainable economic growth and grad-
16 uating United States aid recipients into a trade-
17 based relationship with the United States.

18 **SEC. 402. UNITED STATES AGENCY FOR INTERNATIONAL**
19 **DEVELOPMENT.**

20 Not more than $1,521,900,000 is authorized to be
21 appropriated to the President for "Operating Expenses",
22 "Capital Investment Fund", and "Office of Inspector
23 General" of the United States Agency for International
24 Development for fiscal year 2012.

SEC. 403. BILATERAL ECONOMIC ASSISTANCE.

Not more than $21,208,900,000 is authorized to be appropriated to the President for "Bilateral Economic Assistance" for fiscal year 2012.

SEC. 404. MICROFINANCE AND MICROENTERPRISE PROGRAMS.

It is the sense of Congress that—

(1) access to financial markets is essential to economic growth;

(2) microfinance and microenterprise programs have been successful in creating and expanding economic opportunities by providing access to financial markets and financial services, such credit, small loans and savings services, to poor and vulnerable populations, particularly women and the rural poor, in developing countries;

(3) microfinance helps improve economic welfare in poor households, and has been shown to raise borrower income, stimulate the growth of the borrower's business, and generate employment; and

(4) the United States should support and encourage, wherever possible and appropriate, microfinance and microenterprise development and programs in order to help generate stable economic growth in developing countries.

SEC. 405. DEVELOPMENT CREDIT AUTHORITY.

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

(1) access to financial services for underserved populations and sectors in developing countries is essential to expanding economic opportunities for poor households and small businesses to build assets and invest in enterprise development and growth; and

(2) the Development Credit Authority, through the issuance of partial loan guarantees, has proven to be a vital and effective tool in bolstering microenterprise development in impoverished countries by reducing the risk of private investors and financial institutions that invest in underserved sectors or creditworthy borrowers that otherwise would not qualify for such loans.

(b) LIMITATION ON AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated under section 403, not more than $8,300,000 is authorized to be appropriated to the President for administrative expenses to carry out credit programs administered by the United States Agency for International Development for fiscal year 2012.

SEC. 406. MILLENNIUM CHALLENGE CORPORATION.

(a) LIMITATION ON AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated

1 under section 403, not more than $900,000,000 is author-
2 ized to be appropriated to the President for necessary ex-
3 penses to carry out the provisions of the Millennium Chal-
4 lenge Act of 2003 for fiscal year 2012.

5 (b) MAINTAINING CANDIDATE STATUS FOR PUR-
6 POSES OF INCOME CATEGORY.—Section 606 of the Mil-
7 lennium Challenge Act of 2003 (22 U.S.C. 7705) is
8 amended—

9 (1) by redesignating subsection (c) as sub-
10 section (d); and

11 (2) by inserting after subsection (b) the fol-
12 lowing:

13 "(c) MAINTAINING CANDIDATE STATUS.—Any can-
14 didate country whose per capita income changes in a given
15 fiscal year such that the country's income-classification as
16 'low income' or 'lower middle income' changes, should re-
17 tain its candidacy at the former income category only for
18 the year of such transition.".

19 **SEC. 407. PROHIBITION ON ASSISTANCE TO COUNTRIES**
20 **THAT FAIL TO MEET THE MILLENNIUM CHAL-**
21 **LENGE CORPORATION'S CORRUPTION PER-**
22 **FORMANCE INDICATOR.**

23 (a) RESTRICTION.—Except as provided in paragraph
24 (2), no United States economic or development assistance
25 may be provided to the government of a country that does

1 not meet the corruption performance indicator of the Mil-
2 lennium Challenge Corporation used for purposes of deter-
3 mining eligibility for assistance under the Millennium
4 Challenge Act of 2003.

5 (b) WAIVER.—The President may waive the restric-
6 tion on assistance under paragraph (1) on a case-by-case
7 basis for a period of not more than 6 months if—

8 (1) the President determines that such a waiver
9 is important to the national security interests of
10 United States; and

11 (2) the President provides to the appropriate
12 congressional committees at least 15 days prior to
13 exercising the waiver a report on concrete steps that
14 the recipient country has undertaken to meet the
15 corruption benchmarks and on United States imple-
16 mentation and enforcement of end-use monitoring
17 mechanisms in the country to ensure United States
18 assistance provided is being used as intended.

19 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
20 FINED.—In this section, the term "appropriate congres-
21 sional committees" means—

22 (1) the Committee on Foreign Affairs and the
23 Committee on Appropriations of the House of Rep-
24 resentatives; and

1 (2) the Committee on Foreign Relations and
2 the Committee on Appropriations of the Senate.

3 **SEC. 408. DEMOCRACY FUND.**

4 Of the amounts authorized to be appropriated under
5 section 403, not more than $115,000,000 is authorized
6 to be appropriated to the President for necessary expenses
7 to carry out the provisions of the Foreign Assistance Act
8 of 1961 for the promotion of democracy globally for fiscal
9 year 2012.

10 **SEC. 409. REPORT ON AID COMMITMENTS AND DISBURSE-**
11 **MENTS BY OTHER DONORS AND INTER-**
12 **NATIONAL ORGANIZATIONS.**

13 Section 634 of the Foreign Assistance Act of 1961
14 (22 U.S.C. 2394) is amended—
15 (1) in subsection (a)—
16 (A) in the matter preceding paragraph (1),
17 by striking "Chairman of the Development Co-
18 ordination Committee" and insert "President";
19 (B) by striking paragraphs (6) and (7);
20 and
21 (C) by redesignating paragraphs (8)
22 through (12) as paragraphs (6) through (10),
23 respectively; and
24 (2) by adding at the end the following new sub-
25 section:

"(c) REPORT REQUIRED.—

"(1) IN GENERAL.—The President shall submit to the appropriate congressional committees, at such time that the President submits the annual budget request under section 1105 of title 31, United States Code, a report providing the most up-to-date and detailed information on aid commitments and disbursements by other donors and international organizations to countries and regions for which the President is seeking United States assistance funds.

"(2) USE OF READILY AVAILABLE RESOURCES AND STATISTICS.—In carrying out this subsection, the President shall utilize all readily available resources and statistics, including information provided by such organizations as the Development Assistance Committee (DAC) of the Organization for Economic Cooperation and Development (OECD).

"(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term 'appropriate congressional committees' means—

"(A) the Committee on Foreign Affairs of the House of Representatives; and

"(B) the Committee on Foreign Relations of the Senate.".

1 **SEC. 410. TRANSFER OF LIQUIDATED ASSETS OF CERTAIN**
2 **ENTERPRISE FUNDS TO THE UNITED STATES**
3 **TREASURY.**

4 (a) TRANSFER OF LIQUIDATED ASSETS.—The Presi-
5 dent, acting through the Administrator of the United
6 States Agency for International Development, should
7 transfer to the Treasury of the United States for purposes
8 of payment on the public debt not less than 50 percent
9 of all assets from the liquidation, dissolution, or winding
10 up of each Enterprise Fund described in subsection (b).

11 (b) ENTERPRISE FUNDS DESCRIBED.—The Enter-
12 prise Funds described in this subsection are the following:

13 (1) The U.S.-Russia Investment Fund and the
14 Western Newly Independent States Enterprise Fund
15 established pursuant to section 498b(c) of the For-
16 eign Assistance Act of 1961 (22 U.S.C. 2295b(c)).

17 (2) The Baltic-American Enterprise Fund es-
18 tablished pursuant to section 201 of the Support for
19 East European Democracy (SEED) Act of 1989 (22
20 U.S.C. 5421).

21 (3) The South African Enterprise Development
22 Fund established pursuant to sections 496 and
23 635(b) of the Foreign Assistance Act of 1961.

1 **SEC. 411. LIMITATION ON FUNDS FOR UNITED STATES**
2 **AGENCY FOR INTERNATIONAL DEVELOP-**
3 **MENT'S OFFICE OF BUDGET AND RESOURCE**
4 **MANAGEMENT.**

5 (a) STATEMENT OF POLICY.—In order to better align
6 budget resources with United States foreign assistance
7 strategic priorities and objectives, to establish clearer lines
8 of authority and enhance accountability between agencies,
9 to reduce replication of foreign assistance programs, and
10 to ensure better efficiency and effectiveness of United
11 States foreign assistance programs, it shall be the policy
12 of the United States to vest budget authorities and policy
13 planning for all United States foreign assistance within
14 one office at the Department of State that shall complete
15 the Federal budgets for both the Department of State and
16 the United States Agency for International Development.

17 (b) OFFICE OF BUDGET AND RESOURCE MANAGE-
18 MENT.—None of the funds authorized to be appropriated
19 by this Act or any amendment made by this Act may be
20 used to support the costs of maintaining the Office of
21 Budget and Resource Management of the United States
22 Agency for International Development.

23 (c) REPORT.—

24 (1) IN GENERAL.—Not later than 180 days
25 after the date of the enactment of this Act, the

President shall submit to Congress a report that contains a feasibility study and strategy—

(A) to eliminate duplicative bureaus, offices, and positions, including an assessment and recommendations for the elimination of special envoys and special representatives; and

(B) to consolidate such bureaus, offices, and positions, as necessary and appropriate, in a manner which maximizes efficiency and effectiveness of United States foreign policy and assistance.

(2) MATTERS TO BE INCLUDED.—The report shall include a cost estimate for the establishment of additional bureaus and offices of the Department of State and the United States Agency for International Development, as requested by the Secretary of State in the most recent Quadrennial Diplomacy and Development Review, with any cost offsets created by the elimination of existing bureaus, offices, and positions.

SEC. 412. PREVENTING TAXPAYER FUNDING FOR FOREIGN ORGANIZATIONS THAT PROMOTE OR PERFORM ABORTION.

None of the funds authorized to be appropriated by this Act or any amendment made by this Act may be made

1 available to any foreign nongovernmental organization
2 that promotes or performs abortion, except in cases of
3 rape or incest or when the life of the mother would be
4 endangered if the fetus were carried to term.

5 **SEC. 413. SENSE OF CONGRESS RELATING TO MICROEN-**
6 **TERPRISE DEVELOPMENT ASSISTANCE TO**
7 **SUB-SAHARAN AFRICA.**

8 (a) IN GENERAL.—It is the sense of Congress that—
9 (1) the United States Agency for International
10 Development should seek to increase the reach, im-
11 pact, and effectiveness of microenterprise develop-
12 ment assistance in sub-Saharan Africa;
13 (2) the United States Agency for International
14 Development should target half of all sustainable
15 poverty-focused programs under subsection (a) of
16 section 252 of the Foreign Assistance Act of 1961
17 (22 U.S.C. 2211a) to the very poor, as required by
18 subsection (c) of such section; and
19 (3) the United States Agency for International
20 Development should seek to improve poverty assess-
21 ment tools used to provide microenterprise develop-
22 ment assistance so that the tools can assist the man-
23 agement and outreach of partner organizations to
24 the very poor.

(b) DEFINITION.—In this section, the term "microenterprise development assistance" means assistance under title VI of chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2211 et seq.).

TITLE V—UNITED STATES INTERNATIONAL BROADCASTING

SEC. 501. AUTHORIZATION OF APPROPRIATIONS FOR INTERNATIONAL BROADCASTING.

The following amounts are authorized to be appropriated to carry out United States international broadcasting activities under the United States Information and Educational Exchange Act of 1948, the Radio Broadcasting to Cuba Act, the Television Broadcasting to Cuba Act, the United States International Broadcasting Act of 1994, and the Foreign Affairs Reform and Restructuring Act of 1998, and to carry out other authorities in law consistent with such purposes:

(1) For "International Broadcasting Operations", $741,500,000 for fiscal year 2012.

(2) For "Broadcasting Capital Improvements", $6,875,000 for fiscal year 2012.

SEC. 502. PERSONAL SERVICES CONTRACTING PROGRAM.

Section 504(c) of the Foreign Relations Authorization Act, Fiscal Year 2003, (Public Law 107–228; 22

U.S.C. 6206 note), is amended by striking "2009" and inserting "2014".

SEC. 503. EMPLOYMENT FOR INTERNATIONAL BROADCASTING.

Section 804(1) of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1474(1)) is amended—

(1) by inserting after "suitably qualified United States citizens" the following: "(for purposes of this paragraph, the term 'suitably qualified United States citizens' means those United States citizen applicants who are equally or better qualified than alien applicants)"; and

(2) by striking "Attorney General" and inserting "Secretary of Homeland Security".

SEC. 504. TECHNICAL AMENDMENT RELATING TO CIVIL IMMUNITY FOR BROADCASTING BOARD OF GOVERNORS MEMBERS.

Section 304 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6203(g)) is amended by striking "Incorporated and Radio Free Asia" and inserting "Incorporated, Radio Free Asia, and Middle East Broadcasting Networks".

TITLE VI—REPORTING REQUIREMENTS

SEC. 601. REPORTING REFORM.

The following provisions of law are repealed:

(1) Section 560(g) of Public Law 103–87.

(2) Section 605(c) of App. G, Public Law 106–113.

(3) Section 104 of Public Law 102–511.

(4) Section 704(c) of Public Law 101–179.

(5) Section 1012(c) of Public Law 103–337.

(6) Subsections (c)(4) and (c)(5) of section 604 of Public Law 96–465.

(7) Section 585 in the matter under section 101(c) of Division A of Public Law 104–208.

(8) Sections 694(a), 694(b), 704, and 1321 of Public Law 107–228.

(9) Sections 133(d) of Public Law 87–195.

(10) Sections 11(b) of Public Law 107–245.

(11) Section 514(a) of Public Law 103–236.

(12) Section 807 of Public Law 98–164.

SEC. 602. DIPLOMATIC RELATIONS WITH ISRAEL.

(a) STATEMENT OF POLICY.—It is the policy of the United States to assist Israel in its efforts to establish and enhance its diplomatic relations with other responsible

1 countries and to promote Israel's full participation in ap-
2 propriate multilateral forums.
3 (b) REPORT.—Not later than 90 days after the date
4 of the enactment of this Act and annually for each of the
5 following three years, the Secretary of State shall submit
6 to the appropriate congressional committees a report that
7 includes the following information:
8 (1) Actions taken by representatives of the
9 United States to encourage other responsible coun-
10 tries to establish full diplomatic relations with Israel.
11 (2) Specific responses solicited and received by
12 the Secretary from countries that do not maintain
13 full diplomatic relations with Israel with respect to
14 their attitudes toward and plans for entering into
15 diplomatic relations with Israel.
16 (3) Actions taken by representatives of the
17 United States to encourage Israel's entry into appro-
18 priate regional and other groupings, encourage
19 Israel's election to governing bodies of appropriate
20 multilateral forums, and support Israel's member-
21 ship in appropriate multilateral forums.
22 (4) Other measures being undertaken, and
23 measures that will be undertaken, by the United
24 States to ensure and promote Israel's full participa-
25 tion in the world diplomatic community.

(c) FORM OF SUBMISSION.—Each report required under subsection (b) shall be submitted in unclassified form but may include a classified annex, if the Secretary of State determines such is appropriate.

TITLE VII—PROLIFERATION SECURITY INITIATIVE

SEC. 701. AUTHORITY TO INTERDICT CERTAIN IMPORTS TO AND EXPORTS FROM IRAN.

The President is authorized to—

(1) utilize the Proliferation Security Initiative and other measures necessary to enforce United States laws and Executive Orders, and multilateral and bilateral agreements, including the 2005 Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, for the purpose of interdicting the import into or export from Iran by the Government of Iran or any other country, entity, or person of any items, materials, equipment, goods, or technology useful for any nuclear, biological, chemical, missile, or conventional arms program; and

(2) utilize ship boarding and other interdiction agreements with countries determined to be necessary to accomplish the purpose specified in paragraph (1).

SEC. 702. REPORT.

(a) IN GENERAL.—Section 2 of the Iran, North Korea, and Syria Nonproliferation Act (Public Law 106–178; 50 U.S.C. 1701 note) is amended—

(1) in subsection (b), by striking "6-month period" and inserting "120-day period"; and

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

"(f) ADDITIONAL CONTENTS OF REPORTS.—Each report under subsection (a) shall contain a description, with respect the transfer or acquisition of the goods, services, or technology described in such subsection, of the actions taken by foreign governments to assist in interdicting such transfer or acquisition.".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) take effect on the date of the enactment of this Act and apply with respect to the first report required to be submitted under section 2 of the Iran, North Korea, and Syria Nonproliferation Act after such date.

SEC. 703. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the Committee of Foreign Affairs and the Committee on Appropriations of the House of Representatives; and

(B) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

(2) GOVERNMENT OF IRAN.—The term "Government of Iran" means—

(A) any official of the Government of Iran;

(B) any agency or instrumentality of the Government of Iran;

(C) any entity that is owned or controlled, directly or indirectly, by the Government of Iran;

(D) any member or instrumentality of the Iranian Revolutionary Guard Corps (IRGC); or

(E) any entity that is owned or controlled, directly or indirectly by a member or instrumentality of the IRGC.

TITLE VIII—MISCELLANEOUS PROVISIONS

SEC. 801. BOUNDARY, WATER, AND FISHERIES COMMISSIONS.

(a) FINDINGS.—Congress finds the following:

1 (1) The boundary, water, and fisheries commis-
2 sions funded using the funds authorized to be appro-
3 priated under section 104 are longstanding treaty-
4 and agreement-based organizations formed to ad-
5 dress important border, water, and fisheries resource
6 issues, and receive substantial financial support from
7 United States taxpayers.
8 (2) Although paragraph (g) of Article 24 of the
9 1944 Water Treaty between Mexico and the United
10 States (59 Stat. 1219) requires the International
11 Boundary and Water Commission (United States
12 and Mexico) to annually submit a joint report to the
13 United States and Mexican Governments, the last
14 English-language Annual Report was filed for 2006,
15 and contained no detail regarding the cost of the
16 Commission's particular activities or the specific al-
17 location of Commission resources.
18 (3) The International Joint Commission last
19 filed an Annual Report for 2008 which, although it
20 described past Commission projects and activities in
21 general terms, contained no detail regarding the cost
22 of its particular activities or the specific allocation of
23 Commission resources.

1 (4) The International Boundary Commission
2 (United States and Canada) last filed an Annual Re-
3 port for 2007.
4 (5) The Great Lakes Fishery Commission, the
5 largest recipient of United States assistance to inter-
6 national fisheries commissions, last filed an Annual
7 Report for 2006, which was six pages long and con-
8 tained three lines of financial data.
9 (6) In contrast, the most recent Annual Report
10 by the Pacific Salmon Commission (filed in Sep-
11 tember 2010 for the 2007/2008 period) was 189
12 pages long, and contained an independently audited
13 financial statement.
14 (b) SENSE OF CONGRESS.—It is the sense of Con-
15 gress that timely reporting by the boundary, water, and
16 fisheries commissions that sufficiently explains each such
17 commission's activities and the disposition of each such
18 commission's resources is necessary to maintain public
19 support for their continued funding.

20 **SEC. 802. LIMITATION ON FUNDS FOR U.S.-CHINA CENTER**
21 **OF EXCELLENCE ON NUCLEAR SECURITY.**

22 No funds are authorized to be appropriated for the
23 establishment or operation of the U.S.-China Center of
24 Excellence on Nuclear Security resulting from the agree-
25 ment signed in January 2011 between the National Nu-

1 clear Security Administration and the China Atomic En-
2 ergy Authority.

3 **SEC. 803. ELIMINATION OF EAST-WEST CENTER.**

4 (a) PROHIBITION.—The Secretary of State may not
5 use any amounts authorized to be appropriated by this Act
6 to fund, make a grant to, provide assistance to, or other-
7 wise support the Center for Cultural and Technical Inter-
8 change Between East and West (commonly referred to as
9 the "East-West Center").

10 (b) REPEAL.—The Center for Cultural and Technical
11 Interchange Between East and West Act of 1960 (chapter
12 VII of the Mutual Security Act of 1960; Public Law 86–
13 472) is repealed.

14 **SEC. 804. INSPECTOR GENERAL OF THE GLOBAL FUND.**

15 Section 202(d)(5) of the United States Leadership
16 Against HIV/AIDS, Tuberculosis, and Malaria Act of
17 2003 (22 U.S.C. 7622(d)(5)) is amended—

18 (1) in subparagraph (C)—

19 (A) by amending clause (ii) to read as fol-
20 lows:

21 "(ii) all reports of the Inspector Gen-
22 eral of the Global Fund, without editing,
23 restriction, or limitation, and in a manner
24 that is consistent with the Policy for Dis-
25 closure of Reports of the Inspector Gen-

1 eral, approved at the 16th Meeting of the
2 Board of the Global Fund, including a cer-
3 tification that no changes have been made
4 to the Policy that would restrict the In-
5 spector General's ability to disclose the re-
6 sults of his or her work and the discretion
7 and authority of the Inspector General in
8 executing the functions of the Office has
9 not been limited, reduced, or minimized;";
10 and
11 (B) in clause (iv), strike "to the Board"
12 and insert "to the Board, including Office of
13 the Inspector General Progress Reports"; and
14 (2) by amending subparagraph (D) to read as
15 follows:
16 "(D) is maintaining a fully independent,
17 well-staffed, and sufficiently resourced Office of
18 the Inspector General that—
19 "(i) reports directly to the Chair of
20 the Board of the Global Fund;
21 "(ii) compiles regular, publicly pub-
22 lished audits and investigations of finan-
23 cial, programmatic, and reporting aspects
24 of the Global Fund, its grantees, recipi-

1 ents, sub-recipients, contractors, suppliers,
2 and LFAs;
3 "(iii) documents incidents of harass-
4 ment, undue pressure, and interference in
5 its work and evidence of reprisal or retalia-
6 tion, so that appropriate corrective action
7 may be taken; and
8 "(iv) maintains a robust mandate to
9 conduct in-depth investigations and pro-
10 grammatic audits, free from undue restric-
11 tion, interference, harassment, and efforts
12 to undermine its authority;".
13 **SEC. 805. ARAB LEAGUE BOYCOTT.**
14 It is the sense of Congress that—
15 (1) the Arab League boycott of Israel, and the
16 secondary boycott of United States firms that have
17 commercial ties with Israel, is an impediment to
18 peace in the region and to United States investment
19 and trade in the Middle East and North Africa;
20 (2) the Arab League boycott, which was regret-
21 tably reinstated in 1997, should be immediately and
22 publicly terminated, and the Central Office for the
23 Boycott of Israel immediately disbanded;
24 (3) all Arab League states should normalize re-
25 lations with their neighbor Israel;

(4) the President and the Secretary of State should continue to vigorously oppose the Arab League boycott of Israel and find concrete steps to demonstrate that opposition by, for example, taking into consideration the participation of any recipient country in the boycott when determining to sell weapons to such country; and

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

SEC. 806. MEASURES SUPPORTING THE REUNIFICATION OF CYPRUS.

(a) POLICY.—It shall be the policy of the United States to continue to support measures aimed at the reunification of Cyprus and to provide assistance to Cyprus only for programs and activities that are consistent with the goal of reunification of Cyprus and the achievement of a bi-communal, bi-zonal federation.

1 (b) CONSULTATION.—The President shall, to the
2 maximum extent practicable, consult with the Government
3 of the Republic of Cyprus with respect to the provision
4 of United States assistance in Cyprus in order to ensure
5 the transparency of such assistance.

6 (c) REPORT MODIFICATION.—Section 620C(c) of the
7 Foreign Assistance Act of 1961 (22 U.S.C. 2373(c)) is
8 amended in the second sentence—

9 (1) by striking "60-day" the second place it ap-
10 pears and inserting "90-day"; and

11 (2) by inserting before the period at the end the
12 following: ", including a detailed description of pro-
13 grams and activities funded by the United States to
14 help achieve the reunification of Cyprus".

15 **SEC. 807. LIMITATION ON ASSISTANCE TO THE FORMER**
16 **YUGOSLAV REPUBLIC OF MACEDONIA.**

17 (a) FINDINGS.—Congress finds the following:

18 (1) Greece has demonstrated an enormous good
19 will gesture in agreeing that "Macedonia" may be
20 included in the future name of the Former Yugoslav
21 Republic of Macedonia (FYROM) as long as that
22 term is combined with a geographic qualifier that
23 makes it clear that there are no territorial ambitions
24 on the part of the FYROM with regard to the his-

1 torical boundaries of the Greek province of Mac-
2 edonia.
3 (2) The FYROM continues to utilize materials
4 that violate provisions of the United Nations-bro-
5 kered Interim Agreement between the FYROM and
6 Greece regarding incendiary rallies, rhetoric, or
7 propaganda, and United Nations-led negotiations be-
8 tween the FYROM and Greece have so far failed to
9 achieve the longstanding goals of the United States
10 and the United Nations to find a mutually accept-
11 able, new official name for the FYROM.
12 (b) SENSE OF CONGRESS.—It is the sense of Con-
13 gress that all United States assistance to the FYROM
14 should be conditioned on the FYROM's willingness to en-
15 gage in meaningful discussions with Greece in accordance
16 with United Nations Security Council Resolution 817.
17 (c) LIMITATION.—The Secretary of State may not
18 use funds authorized to be appropriated under this Act
19 for programs and activities that directly or indirectly pro-
20 mote incendiary rallies, rhetoric, or propaganda by state-
21 controlled agencies of the FYROM or encourage acts by
22 private entities likely to incite violence, hatred, or hostility,
23 including support for printing and publishing of textbooks,
24 maps, and teaching aids that may include inaccurate in-

formation on the histories and geographies of Greece and FYROM.

SEC. 808. STATEMENT OF POLICY REGARDING THE ECUMENICAL PATRIARCHATE.

The United States calls on the Republic of Turkey to—

(1) based on the goals specified in the draft of the European Union Constitution, eliminate all forms of discrimination, particularly those forms based on race or religion, and immediately—

(A) grant the Ecumenical Patriarchate appropriate international recognition and ecclesiastic succession;

(B) grant the Ecumenical Patriarchate the right to train clergy of all nationalities, not just Turkish nationals; and

(C) respect the human rights and property rights of the Ecumenical Patriarchate;

(2) pledge to uphold and safeguard religious and human rights without compromise; and

(3) continue the achievement of processes and programs to modernize and democratize its society.

SEC. 809. SENSE OF CONGRESS ON RESTRICTIONS ON RELIGIOUS FREEDOM IN VIETNAM.

(a) FINDINGS.—Congress finds the following:

1 (1) The Secretary of State, under the Inter-
2 national Religious Freedom Act of 1998 (22 U.S.C.
3 6401 et seq.) and authority delegated by the Presi-
4 dent, designates nations found guilty of "particularly
5 severe violations of religious freedom" as "Countries
6 of Particular Concern" ("CPC").
7 (2) In November 2006, the Secretary of State
8 announced that the Socialist Republic of Vietnam
9 was no longer designated as a "Country of Par-
10 ticular Concern".
11 (3) The Unified Buddhist Church of Vietnam
12 (UBCV), the Hoa Hao Buddhists, and the Cao Dai
13 groups continue to face unwarranted abuses because
14 of their attempts to organize independently of the
15 Government of Vietnam, including the detention and
16 imprisonment of individual members of these reli-
17 gious communities.
18 (4) In September 2009, Vietnamese police
19 cordoned off a Lang Mai Buddhist monastery, and
20 monks were beaten, degraded, and sexually assaulted
21 by undercover policemen and civilians.
22 (5) Protestants continue to face beatings and
23 other ill-treatment, harassment, fines, threats, and
24 forced renunciations of faith.

1 (6) According to Human Rights Watch, 355
2 Montagnard Protestants remain in prison, arrested
3 after 2001 and 2004 demonstrations for land rights
4 and religious freedom in the Central Highlands.
5 (7) According to the United States Commission
6 on International Religious Freedom, there are re-
7 ports that some Montagnard Protestants were im-
8 prisoned because of their religious affiliation or ac-
9 tivities or because religious leaders failed to inform
10 on members of their religious community who alleg-
11 edly participated in demonstrations.
12 (8) Ksor Tino, a Degar Christian, died on Sep-
13 tember 6, 2009, after being detained in a Plei Ku
14 city prison and being tortured repeatedly with elec-
15 tric prods and severe physical punishment for refus-
16 ing to join a government sanctioned religion.
17 (9) On November 11, 2010, hundreds of Viet-
18 namese police violently attacked a Catholic prayer
19 service in the Gia Lai Provence, leaving 9 of the
20 beaten unconscious from strokes to the head.
21 (10) According to the United States Commis-
22 sion on International Religious Freedom 2010 An-
23 nual Report, religious freedom advocates and human
24 rights defenders Nguyen Van Dai, Le Thi Cong
25 Nhan, and Fr. Thaddeus Nguyen Van Ly are in

prison under Article 88 of the Criminal Code and Fr. Phan Van Loi is being held without official detention orders under house arrest.

(11) At least 15 individuals are being detained in long term house arrest for reasons related to their faith, including the most venerable Thich Quang Do and most of the leadership of the UBCV.

(12) UBCV monks and youth groups leaders are harassed and detained and charitable activities are denied, Vietnamese officials discriminate against ethnic minority Protestants by denying medical, housing, and educational benefits to children and families, an ethnic minority Protestant was beaten to death for refusing to recant his faith, over 600 Hmong Protestant churches are refused legal recognition or affiliation, leading to harassment, detentions, and home destructions, and a government handbook on religion instructs government officials to control existing religious practice, halt "enemy forces" from "abusing religion" to undermine the Vietnamese Government, and "overcome the extraordinary growth of Protestantism."

(13) Since August 2008, the Vietnamese Government has arrested and sentenced at least eight individuals and beaten, tear-gassed, harassed, pub-

1 licly slandered, and threatened Catholics engaged in
2 peaceful activities seeking the return of Catholic
3 Church properties confiscated by the Vietnamese
4 Government after 1954 in Hanoi, including in the
5 Thai Ha parish.
6 (14) Local police and mobile "anti-riot" police
7 attacked a funeral procession in the Con Dau parish
8 on May 4, 2010, shooting tear gas and rubber bul-
9 lets, beating residents with batons and electric rods,
10 injuring 100, and killing at least one.
11 (15) The United States Commission on Inter-
12 national Religious Freedom, prominent nongovern-
13 mental organizations, and representative associations
14 of Vietnamese-American, Montagnard-American, and
15 Khmer-American organizations have called for the
16 redesignation of Vietnam as a CPC.
17 (b) SENSE OF CONGRESS.—It is the sense of Con-
18 gress that—
19 (1) the Secretary of State should place Vietnam
20 on the list of "Countries of Particular Concern" for
21 particularly severe violations of religious freedom;
22 and
23 (2) the Government of Vietnam should lift re-
24 strictions on religious freedom and implement nec-

essary legal and political reforms to protect religious freedom.

SEC. 810. STATE SPONSORSHIP OF TERRORISM BY ERITREA.

It is the sense of Congress that—

(1) given the growing security threat from al Shabaab, a United States-designated foreign terrorist organization, every effort should be made to tackle its outside sources of support;

(2) Eritrea's ongoing and well-documented support for armed insurgents in Somalia, including al Shabaab, poses a significant threat to the national security interests of the United States and East African countries; and

(3) the Secretary of State should designate Eritrea as a state sponsor of terrorism pursuant to section 6(j) of the Export Administration Act of 1979, section 40 of the Arms Export Control Act, and section 620A of the Foreign Assistance Act of 1961.

SEC. 811. RIGHTS OF RELIGIOUS MINORITIES IN EGYPT.

(a) STATEMENT OF CONGRESS.—Congress is concerned about the state of religious freedom in Egypt and the plight of religious minorities in the country, including Coptic Christians.

1 (b) SENSE OF CONGRESS.—The Office of Inter-
2 national Religious Freedom and the Bureau of Democ-
3 racy, Human Rights and Labor at the Department of
4 State should dedicate all appropriate resources to pro-
5 moting the rights of religious minorities in Egypt.

6 **SEC. 812. THE REPUBLIC OF THE SUDAN AND THE REPUB-**
7 **LIC OF SOUTH SUDAN.**

8 (a) FINDINGS.—Congress finds the following:
9 (1) The United States was a witness to the
10 2005 Comprehensive Peace Agreement (CPA), which
11 marked the end of more than two decades of civil
12 war between North and South Sudan that resulted
13 in the deaths of more than 2,000,000 people.
14 (2) The CPA provided the framework for a his-
15 toric referendum to determine the future status of
16 South Sudan held between January 9, 2011, and
17 January 15, 2011.
18 (3) On February 7, 2011, the Southern Sudan
19 Referendum Commission announced that the people
20 of South Sudan voted in favor of succession from
21 the Republic of the Sudan by a margin of 98.8 per-
22 cent in a credible and transparent vote.
23 (4) The mandate for the United Nations Mis-
24 sion in Sudan (UNMIS), which was established by
25 United Nations Security Council Resolution 1590 on

March 24, 2005, and was instrumental in supporting the implementation of the CPA, expired on July 9, 2011, with the completion of the CPA Interim Period.

(5) The mandate for the United Nations Mission in South Sudan (UNMISS), as established by United Nations Security Council Resolution 1996 (2011), commenced on July 9, 2011.

(6) Several outstanding issues relating to CPA implementation and potential points of conflict remain unresolved between North and South Sudan, including the final status of the contested area of Abyei, ongoing violence in Southern Kordofan and Blue Nile, disputed border areas, citizenship rights and nationality, division of oil resources and profits, currency, international debt and assets, the liberation of slaves from South Sudan still held in Sudan, and other matters.

(7) Lasting peace and stability for the region cannot be realized until all outstanding elements of the CPA are dealt with in a fair and peaceful manner and a comprehensive peace is secured in Darfur.

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

1 (1) the independence of the Republic of South
2 Sudan represents an historic opportunity for peace
3 in the region and the people of South Sudan should
4 be commended for freely and peacefully expressing
5 their desire for independence through a credible and
6 transparent referendum;
7 (2) the people and leaders of South Sudan
8 should be commended for their efforts to reach this
9 historic milestone;
10 (3) all parties should continue to work to re-
11 solve outstanding matters relating to implementation
12 of the Comprehensive Peace Agreement for Sudan,
13 including the final status of Abyei, disputed border
14 areas, the completion of popular consultations and
15 security arrangements in Southern Kordofan and
16 Blue Nile, citizenship and nationality, division of oil
17 resources and profits, currency, international debt
18 and assets, the liberation of slaves from South
19 Sudan still held in Sudan, and other matters in
20 order to ensure a smooth transition to two states
21 and to mitigate points of conflict;
22 (4) all parties should fully implement their
23 June 20, 2011, agreement on temporary arrange-
24 ments for the contested Abyei area and swiftly es-

1 tablish a cessation of hostilities in Southern
2 Kordofan;
3 (5) the deployment of up to 4,200 Ethiopian
4 peacekeepers to Abyei and the new United Nations
5 Mission in South Sudan (UNMISS) are expected to
6 help provide security and stability in the region;
7 (6) peace, rule of law, security, and good gov-
8 ernance should be promoted throughout Sudan and
9 South Sudan, particularly efforts to—
10 (A) advance security and stability in both
11 countries, especially in critical areas such as
12 Darfur, Blue Nile, and Southern Kordofan and
13 in Abyei;
14 (B) promote respect for the human and
15 civil rights of all, including southerners living in
16 Sudan and northerners living in South Sudan;
17 (C) encourage the development of multi-
18 party democracy, vibrant democratic institu-
19 tions, and freedom of speech and association;
20 (D) prevent extremists groups from ex-
21 ploiting the territories of Sudan and South
22 Sudan and encourage full cooperation with the
23 United States on counterterrorism priorities;
24 and

(E) encourage a productive relationship between Sudan and South Sudan that recognizes the mutual need for cooperation and an open flow of people and goods across borders and to refrain from the use of proxy forces to foment conflict; and

(7) the Darfur peace process should remain a priority in United States relations with Sudan, particularly with regard to efforts to secure a just and lasting peace in Darfur, humanitarian access to vulnerable populations, and freedom of movement for the African Union-United Nations Mission in Darfur (UNAMID).

TITLE IX—SECURITY ASSISTANCE

SEC. 901. SHORT TITLE.

This title may be cited as the "Security Assistance Act of 2011".

Subtitle A—Military Assistance and Related Matters

PART I—FUNDING AUTHORIZATIONS

SEC. 911. FOREIGN MILITARY FINANCING PROGRAM.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the President for grant assistance under section 23 of the Arms Export

1 Control Act (22 U.S.C. 2763), $6,374,000,000 for fiscal
2 year 2012.
3 (b) ASSISTANCE FOR ISRAEL.—
4 (1) SENSE OF CONGRESS.—It is the sense of
5 Congress that the United States should continue to
6 support the August 2007 announcement that it
7 would increase United States military assistance to
8 Israel by $6 billion through incremental $150 mil-
9 lion annual increases in Foreign Military Financing
10 program assistance to Israel, starting at $2.55 bil-
11 lion in fiscal year 2009 and reaching $3.15 billion
12 in each of the fiscal years 2013 through 2018.
13 (2) AMENDMENTS.—Section 513(c) of the Se-
14 curity Assistance Act of 2000 (Public Law 106–280;
15 114 Stat. 856), as amended by section 1221(a) of
16 the Security Assistance Act of 2002 (division B of
17 Public Law 107–228; 116 Stat. 1430), is further
18 amended—
19 (A) in paragraph (1)—
20 (i) by striking "each of the fiscal
21 years 2002 and 2003" and inserting "fis-
22 cal year 2012"; and
23 (ii) by striking "each such fiscal year"
24 and inserting "such fiscal year";

(B) in paragraph (3), by striking "Funds authorized" and all that follows through "later." and inserting "Funds authorized to be available for Israel under subsection (b)(1) and paragraph (1) of this subsection for fiscal year 2012 shall be disbursed not later than 30 days after the date of the enactment of an Act making appropriations for foreign operations, export financing, and related programs for fiscal year 2012, or October 31, 2011, whichever is later"; and

(C) in paragraph (4)—

(i) by striking "fiscal years 2002 and 2003" and inserting "fiscal year 2012"; and

(ii) by striking "$535,000,000 for fiscal year 2002 and not less than $550,000,000 for fiscal year 2003" and inserting "not less than $3,075,000,000 for fiscal year 2012".

(c) ASSISTANCE FOR IRAQ.—

(1) FINDINGS.—Congress finds the following:

(A) United States support for the security of the Government of Iraq remains critical for

1 the long-term success of United States efforts
2 in that country.
3 (B) United States security assistance from
4 the Iraq Security Forces Fund (ISFF) account
5 administered by the Department of Defense has
6 been discontinued in H.R. 2219, the Depart-
7 ment of Defense Appropriations Act, 2012, as
8 passed the House of Representatives, with the
9 intent of transitioning responsibility for such
10 activities to the Foreign Military Financing pro-
11 gram administered by the Department of State.
12 (C) The ISFF account was funded at $1.5
13 billion for fiscal year 2011 under the Depart-
14 ment of Defense and Full-Year Continuing Ap-
15 propriations Act, 2011.
16 (D) The request for Foreign Military Fi-
17 nancing program assistance for the Government
18 of Iraq for fiscal year 2012 is $1 billion mark-
19 ing a $500 million reduction from previous lev-
20 els of security assistance for Iraq.
21 (2) AUTHORIZATION OF APPROPRIATIONS.—Of
22 the amounts authorized to be appropriated under
23 subsection (a), $1,000,000,000 is authorized to be
24 appropriated to the President for grant assistance
25 under section 23 of the Arms Export Control Act

(22 U.S.C. 2763) for the Government of Iraq for fiscal year 2012.

(3) REPORT.—Not later than 90 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report that—

(A) reviews and comments on the grant assistance provided under section 23 of the Arms Export Control Act (22 U.S.C. 2763) for the Government of Iraq for fiscal year 2012;

(B) includes the amount of such grant assistance that is unobligated or unexpended as of such date; and

(C) provides recommendations regarding additional actions to ensure greater accountability and transparency with respect to the provision of United States assistance to Iraq.

SEC. 912. INTERNATIONAL MILITARY EDUCATION AND TRAINING.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 542 of the Foreign Assistance Act of 1961 (22 U.S.C. 2347a) is amended by striking "There are authorized" and all that follows through "fiscal year 1987" and inserting "There are authorized to be appropriated to the Presi-

1 dent to carry out the purposes of this chapter
2 $105,800,000 for fiscal year 2012".
3 (b) AUTHORITY TO PROVIDE TO INTERNATIONAL
4 ORGANIZATIONS.—Section 541 of the Foreign Assistance
5 Act of 1961 (22 U.S.C. 2347) is amended in the first sen-
6 tence by adding at the end before the period the following:
7 "and comparable personnel of regional and sub-regional
8 organizations for the purposes of contributing to peace-
9 keeping operations".

10 **PART II—MILITARY ASSISTANCE AUTHORITIES**
11 **AND RELATED PROVISIONS**

12 **SEC. 921. AUTHORITY TO TRANSFER EXCESS DEFENSE AR-**
13 **TICLES.**

14 Section 516(g)(1) of the Foreign Assistance Act of
15 1961 (22 U.S.C. 2321j(g)(1)) is amended—
16 (1) by inserting "authorized to be" before
17 "transferred"; and
18 (2) by striking "425,000,000" and inserting
19 "450,000,000".

20 **SEC. 922. ANNUAL MILITARY ASSISTANCE REPORT.**

21 (a) INFORMATION RELATING TO MILITARY ASSIST-
22 ANCE AND MILITARY EXPORTS.—Section 655(b) of the
23 Foreign Assistance Act of 1961 (22 U.S.C. 2415(b)) is
24 amended—

(1) in the matter preceding paragraph (1), by striking "whether such defense articles—" and inserting "the following:"

(2) in paragraph (1)—

(A) by inserting "Whether such defense articles" before "were"; and

(B) by striking the semicolon at the end and inserting a period;

(3) in paragraph (2)—

(A) by inserting "Whether such defense articles" before "were"; and

(B) by striking "; or" at the end and inserting a period; and

(4) by striking paragraph (3) and inserting the following:

"(3) Whether such defense articles were exported without a license under section 38 of the Arms Export Control Act pursuant to an exemption established under the International Traffic in Arms Regulations, other than defense articles exported in furtherance of a letter of offer and acceptance under the Foreign Military Sales program or a technical assistance or manufacturing license agreement, including the specific exemption in the regulation under which the export was made.

"(4) A detailed listing, by United States Munitions List category and sub-category, as well as by country and by international organization, of the actual total dollar value of major defense equipment and defense articles delivered pursuant to licenses authorized under section 38 of the Arms Export Control Act for the previous fiscal year.

"(5) In the case of defense articles that are firearms controlled under category I of the United States Munitions List, a statement of the aggregate dollar value and quantity of semiautomatic assault weapons, or spare parts for such weapons, the manufacture, transfer, or possession of which is unlawful under section 922 of title 18, United States Code, that were licensed for export during the period covered by the report.".

(b) INFORMATION NOT REQUIRED.—Section 655 of the Foreign Assistance Act of 1961 (22 U.S.C. 2415) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

"(c) INFORMATION NOT REQUIRED.—Each such report may exclude information relating to—

"(1) exports of defense articles (including excess defense articles), defense services, and international military education and training activities authorized by the United States on a temporary basis;

"(2) exports of such articles, services, and activities to United States Government end users located in foreign countries; and

"(3) and the value of manufacturing license agreements or technical assistance agreements licensed under section 38 of the Arms Export Control Act.".

SEC. 923. ANNUAL REPORT ON FOREIGN MILITARY TRAINING.

Section 656(a)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2416(a)(1)) is amended—

(1) by striking "January 31" and inserting "March 1"; and

(2) by striking "and all such training proposed for the current fiscal year".

SEC. 924. GLOBAL SECURITY CONTINGENCY FUND.

(a) AUTHORITY.—

(1) IN GENERAL.—The Secretary of State, with the concurrence of the Secretary of Defense, is authorized to establish a fund, to be known as the

1 Global Security Contingency Fund, which shall con-
2 sist of such amounts as may be contributed under
3 paragraph (2) to the fund, to provide assistance to
4 a foreign country described in subsection (b) for the
5 purposes described in subsection (c). The program
6 authorized under this subsection shall be jointly fi-
7 nanced and carried out by the Department of State
8 and the Department of Defense in accordance with
9 the requirements of this section.

10 (2) CONTRIBUTIONS TO FUND.—

11 (A) IN GENERAL.—For each of fiscal years
12 2012 through 2015, the Secretary of State and
13 the Secretary of Defense may contribute not
14 more than $300,000,000 of amounts made
15 available to carry out the provisions of law de-
16 scribed in subsection (d).

17 (B) AVAILABILITY.—Notwithstanding any
18 other provision of law, amounts contributed
19 under this paragraph to the fund shall be
20 merged with amounts in the fund and shall be
21 available for purposes of carrying out the pro-
22 gram authorized under this subsection.

23 (3) LIMITATION.—The authority of this sub-
24 section may not be exercised with respect to a fiscal
25 year until—

(A) the Secretary of State contributes to the fund not less than one-third of the total amount contributed to the fund for the fiscal year; and

(B) the Secretary of Defense contributes to the fund not more than two-thirds of the total amount contributed to the fund for the fiscal year.

(4) RULE OF CONSTRUCTION.—The ratios of contributions described in paragraph (3) shall be determined at the beginning of a fiscal year and may not be determined on a project-by-project basis.

(b) ELIGIBLE FOREIGN COUNTRIES.—A foreign country described in this subsection is a country that is designated by the Secretary of State, with the concurrence of the Secretary of Defense, and is eligible to receive assistance under one or more of the provisions of law described in subsection (d).

(c) PURPOSE OF PROGRAM.—The program authorized under subsection (a) may provide assistance to enhance the capabilities of military forces, and other security forces that conduct border and maritime security, and counterterrorism operations, as well as the government agencies responsible for such forces, in order to strengthen

1 a foreign country's national and regional security interests
2 consistent with United States foreign policy interests.
3 (d) PROVISIONS OF LAW DESCRIBED.—The provi-
4 sions of law described in this subsection are the following:
5 (1) Section 1206 of the National Defense Au-
6 thorization Act for Fiscal Year 2006 (Public Law
7 109–163; 119 Stat. 3456; relating to program to
8 build the capacity of foreign military forces).
9 (2) Section 1033 of the National Defense Au-
10 thorization Act for Fiscal Year 1998 (Public Law
11 105–85; 111 Stat. 1881; relating to authority to
12 provide additional support for counter-drug activities
13 of other countries).
14 (3) Amounts authorized to be appropriated by
15 section 301 for operation and maintenance, Defense-
16 wide activities, and available for the Defense Secu-
17 rity Cooperation Agency for the Warsaw Initiative
18 Funds (WIF) for the participation of the North At-
19 lantic Treaty Organization (NATO) members in the
20 exercises and programs of the Partnership for Peace
21 program of the North Atlantic Treaty Organization.
22 (4) Section 23 of the Arms Export Control Act
23 (22 U.S.C. 2763; relating to foreign military financ-
24 ing program).

1 (5) Section 481 of the Foreign Assistance Act
2 of 1961 (22 U.S.C. 2291; relating to international
3 narcotics control and law enforcement).
4 (6) Chapter 5 of part II of the Foreign Assist-
5 ance Act of 1961 (22 U.S.C. 2347 et seq.; relating
6 to international military education and training pro-
7 gram).
8 (7) Chapter 8 of part II of the Foreign Assist-
9 ance Act of 1961 (22 U.S.C. 2349aa et seq.; relating
10 to antiterrorism assistance).
11 (e) FORMULATION AND EXECUTION OF PROGRAM.—
12 (1) IN GENERAL.—The program authorized
13 under subsection (a)—
14 (A) shall be jointly formulated by the Sec-
15 retary of State and the Secretary of Defense;
16 and
17 (B) shall, prior to its implementation, be
18 approved by the Secretary of State, with the
19 concurrence of the Secretary of Defense.
20 (2) REQUIRED ELEMENTS.—The program au-
21 thorized under subsection (a) shall include elements
22 that promote—
23 (A) observance of and respect for human
24 rights and fundamental freedoms; and

1 (B) respect for legitimate civilian author-
2 ity.
3 (f) RELATED AUTHORITIES.—
4 (1) IN GENERAL.—The program authorized
5 under subsection (a) shall be—
6 (A) jointly financed by the Secretary of
7 State and the Secretary of Defense through
8 amounts contributed to the fund under sub-
9 section (a)(2) from one or more provisions of
10 law described in subsection (d) under which the
11 foreign country is eligible to receive assistance;
12 and
13 (B) carried out under the authorities of
14 such provisions of law and the authorities of
15 this section.
16 (2) ADMINISTRATIVE AUTHORITIES.—Funds
17 made available under a program authorized under
18 subsection (a) shall be subject to the same adminis-
19 trative authorities as apply to funds made available
20 to carry out the Foreign Assistance Act of 1961 (22
21 U.S.C. 2151 et seq.).
22 (3) LIMITATION ON ELIGIBLE COUNTRIES.—
23 The program authorized under subsection (a) may
24 not include the provision of assistance to—

(A) any foreign country that is otherwise prohibited from receiving such assistance under any other provision of law; or

(B) Iraq, Afghanistan, or Pakistan.

(g) CONGRESSIONAL NOTIFICATION.—

(1) IN GENERAL.—Not less than 15 days before implementing an activity under the program authorized under subsection (a), the Secretary of State, with the concurrence of the Secretary of Defense, shall submit to the congressional committees specified in paragraph (2) a notification of—

(A) the name of the country with respect to which the activity will be implemented; and

(B) the budget, implementation timeline with milestones, and completion date for the activity.

(2) SPECIFIED CONGRESSIONAL COMMITTEES.—The congressional committees specified in this paragraph are—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Com-

1 mittee on Appropriations of the House of Rep-
2 resentatives.
3 (h) RULE OF CONSTRUCTION.—Nothing in this sec-
4 tion shall be construed to constitute an authorization or
5 extension of any of the provisions of law described in sub-
6 section (d).
7 (i) TERMINATION OF PROGRAM.—The authority to
8 carry out the program authorized under subsection (a) ter-
9 minates at the close of September 30, 2015. An activity
10 under the program directed before that date may be com-
11 pleted after that date, but only using funds made available
12 for fiscal years 2012 through 2015.

13 **SEC. 925. INTERNATIONAL MILITARY EDUCATION AND**
14 **TRAINING.**

15 (a) LIMITATIONS.—
16 (1) CHAD.—The President may not use funds
17 made available to carry out chapter 5 of part II of
18 the Foreign Assistance Act of 1961 (22 U.S.C. 2347
19 et seq.) for fiscal year 2012 for assistance to Chad
20 until the President certifies to the appropriate con-
21 gressional committees that the Government of Chad
22 has taken credible and verifiable steps to implement
23 a plan of action to end the recruitment and use of
24 child soldiers, including the demobilization of child
25 soldiers.

1 (2) EQUATORIAL GUINEA AND SOMALIA.—The
2 President may not use funds made available to carry
3 out chapter 5 of part II of the Foreign Assistance
4 Act of 1961 (22 U.S.C. 2347 et seq.) for fiscal year
5 2012 for assistance to Equatorial Guinea or Soma-
6 lia.
7 (3) TRAINING.—The President may use funds
8 made available to carry out chapter 5 of part II of
9 the Foreign Assistance Act of 1961 (22 U.S.C. 2347
10 et seq.) for fiscal year 2012 for assistance to Angola,
11 Cameroon, the Central African Republic, Chad, Cote
12 d'Ivoire, Guinea, or Zimbabwe only for training re-
13 lated to international peacekeeping operations or ex-
14 panded international military education and train-
15 ing.
16 (4) NOTIFICATION.—
17 (A) IN GENERAL.—The President shall no-
18 tify the appropriate congressional committees at
19 least 15 days in advance of making funds de-
20 scribed in subparagraph (B) available for as-
21 sistance to Angola, Bangladesh, Cameroon, the
22 Central African Republic, Chad, Cote d'Ivoire,
23 Democratic Republic of the Congo, Ethiopia,
24 Guatemala, Guinea, Haiti, Kenya, Libya,
25 Nepal, Nigeria, or Sri Lanka. A notification

1 under this subparagraph shall include a detailed
2 description of activities that are proposed to be
3 carried out using such assistance.
4 (B) FUNDS DESCRIBED.—Funds referred
5 to in subparagraph (A) are funds made avail-
6 able to carry out chapter 5 of part II of the
7 Foreign Assistance Act of 1961 (22 U.S.C.
8 2347 et seq.) for fiscal year 2012.
9 (5) ENTERTAINMENT ALLOWANCES.—The
10 President may use not more than $55,000 of funds
11 made available to carry out chapter 5 of part II of
12 the Foreign Assistance Act of 1961 (22 U.S.C. 2347
13 et seq.) for fiscal year 2012 for entertainment allow-
14 ances.
15 (b) REPORTING REQUIREMENT.—Not later than
16 April 1, 2012, and each fiscal quarter thereafter for the
17 following two years, the President shall submit to the ap-
18 propriate congressional committees a report on the use of
19 funds made available to carry out chapter 5 of part II
20 of the Foreign Assistance Act of 1961 (22 U.S.C. 2347
21 et seq.), including a description of the obligation and ex-
22 penditure of such funds, and the specific countries in re-
23 ceipt of, and the use or purpose of the assistance provided
24 by, such funds.

1 **PART III—ARMS EXPORT CONTROL ACT**
2 **AMENDMENTS AND RELATED PROVISIONS**
3 **SEC. 931. INCREASED FLEXIBILITY FOR USE OF DEFENSE**
4 **TRADE CONTROL REGISTRATION FEES.**
5 (a) IN GENERAL.—Section 45 of the State Depart-
6 ment Basic Authorities Act of 1956 (22 U.S.C. 2717) is
7 amended—
8 (1) in the first sentence—
9 (A) by striking "For" and inserting "(a)
10 IN GENERAL.—For"; and
11 (B) by striking "Office" and inserting "Di-
12 rectorate"; and
13 (2) by amending the second sentence to read as
14 follows:
15 "(b) AVAILABILITY OF FEES.—Fees credited to the
16 account referred to in subsection (a) shall be available only
17 for payment of expenses incurred for—
18 "(1) management;
19 "(2) licensing;
20 "(3) compliance;
21 "(4) policy activities; and
22 "(5) public outreach.".
23 (b) CONFORMING AMENDMENT.—Section
24 38(b)(3)(A) of the Arms Export Control Act (22 U.S.C.
25 2778(b)(3)(A)) is amended to read as follows:

"(3)(A) For each fiscal year, 100 percent of registration fees collected pursuant to paragraph (1) shall be credited to a Department of State account, to be available without fiscal year limitation. Fees credited to that account shall be available only for the payment of expenses incurred for—

"(i) management;

"(ii) licensing;

"(iii) compliance;

"(iv) policy activities; and

"(v) public outreach.".

SEC. 932. INCREASE IN CONGRESSIONAL NOTIFICATION THRESHOLDS.

(a) FOREIGN MILITARY SALES.—

(1) IN GENERAL.—Section 36(b) of the Arms Export Control Act (22 U.S.C. 2776(b)) is amended—

(A) in paragraph (1)—

(i) by striking "$50,000,000" and inserting "$100,000,000";

(ii) by striking "$200,000,000" and inserting "$300,000,000"; and

(iii) by striking "$14,000,000" and inserting "$25,000,000";

(B) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), respectively; and

(C) by striking "The letter of offer shall not be issued" and all that follows through "enacts a joint resolution" and inserting the following:

"(2) The letter of offer shall not be issued—

"(A) with respect to a proposed sale of any defense articles or defense services under this Act for $200,000,000 or more, any design and construction services for $300,000,000 or more, or any major defense equipment for $75,000,000 or more, to the North Atlantic Treaty Organization (NATO), any member country of NATO, Japan, Australia, the Republic of Korea, Israel, or New Zealand, if Congress, within 15 calendar days after receiving such certification, or

"(B) with respect to a proposed sale of any defense articles or services under this Act for $100,000,000 or more, any design and construction services for $200,000,000 or more, or any major defense equipment for $50,000,000 or more, to any other country or organization,

1 if Congress, within 30 calendar days after re-
2 ceiving such certification,
3 enacts a joint resolution".
4 (2) TECHNICAL AND CONFORMING AMEND-
5 MENTS.—Section 36 of the Arms Export Control
6 Act (22 U.S.C. 2776) is amended—
7 (A) in subsection (b)—
8 (i) in paragraph (6)(C) (as redesig-
9 nated), by striking "Subject to paragraph
10 (6), if" and inserting "If"; and
11 (ii) by striking paragraph (7) (as re-
12 designated); and
13 (B) in subsection (c)(4), by striking "sub-
14 section (b)(5)" each place it appears and insert-
15 ing "subsection (b)(6)".
16 (b) COMMERCIAL SALES.—Section 36(c) of the Arms
17 Export Control Act (22 U.S.C. 2776(c)) is amended—
18 (1) in paragraph (1)—
19 (A) by striking "Subject to paragraph (5),
20 in" and inserting "In";
21 (B) by striking "$14,000,000" and insert-
22 ing "$25,000,000"; and
23 (C) by striking "$50,000,000" and insert-
24 ing "$100,000,000";
25 (2) in paragraph (2)—

(A) in subparagraph (A)—

(i) by inserting after "for an export" the following: "of any major defense equipment sold under a contract in the amount of $75,000,000 or more or of defense articles or defense services sold under a contract in the amount of $200,000,000 or more, (or, in the case of a defense article that is a firearm controlled under category I of the United States Munitions List, $1,000,000 or more)"; and

(ii) by striking "Organization," and inserting "Organization (NATO)," and by further striking "that Organization" and inserting "NATO"; and

(B) in subparagraph (C), by inserting after "license" the following: "for an export of any major defense equipment sold under a contract in the amount of $50,000,000 or more or of defense articles or defense services sold under a contract in the amount of $100,000,000 or more, (or, in the case of a defense article that is a firearm controlled under category I of the United States Munitions List, $1,000,000 or more)";

(3) by striking paragraph (5); and

(4) by redesignating paragraph (6) as paragraph (5).

SEC. 933. RETURN OF DEFENSE ARTICLES.

Section 21(m)(1)(B) of the Arms Export Control Act (22 U.S.C. 2761(m)(1)(B)) is amended by adding at the end before the semicolon the following: ", unless the Secretary of State has provided prior approval of such retransfer".

SEC. 934. ANNUAL ESTIMATE AND JUSTIFICATION FOR SALES PROGRAM.

Section 25(a)(3) of the Arms Export Control Act (22 U.S.C. 2765(a)(3)) is amended by striking by adding at the end before the semicolon the following: ", as well as any plan for regional security cooperation developed in consultation with Embassy Country Teams and the Department of State".

SEC. 935. UPDATING AND CONFORMING PENALTIES FOR VIOLATIONS OF SECTIONS 38 AND 39 OF THE ARMS EXPORT CONTROL ACT.

(a) IN GENERAL.—Section 38(c) of the Arms Export Control Act (22 U.S.C. 2778(c)) is amended to read as follows:

"(c) VIOLATIONS OF THIS SECTION AND SECTION 39.—

"(1) UNLAWFUL ACTS.—It shall be unlawful for any person to violate, attempt to violate, conspire to violate, or cause a violation of any provision of this section or section 39, or any rule or regulation issued under either section, or a treaty referred to in subsection (j)(1)(c)(i), including any rule or regulation issued to implement or enforce a treaty referred to in subsection (j)(1)(c)(i) or an implementing arrangement pursuant to such a treaty, or who, in a registration or license application or required report, makes any untrue statement of a material fact or omits to state a material fact required to be stated therein or necessary to make the statements therein not misleading.

"(2) CRIMINAL PENALTIES.—A person who willfully commits an unlawful act described in paragraph (1) shall upon conviction—

"(A) be fined for each violation in an amount not to exceed $1,000,000, or

"(B) in the case of a natural person, imprisoned for not more than 20 years or both.".

(b) MECHANISMS TO IDENTIFY VIOLATORS.—Section 38(g) of the Arms Export Control Act (22 U.S.C. 2778(g)) is amended—

(1) in paragraph (1)—

1 (A) in subparagraph (A)—

2 (i) in the matter preceding clause (i),
3 by inserting "or otherwise charged" after
4 "indictment";

5 (ii) in clause (xi), by striking "or" at
6 the end; and

7 (iii) by adding at the end the fol-
8 lowing:

9 "(xiii) section 542 of title 18, United
10 States Code, relating to entry of goods by
11 means of false statements;

12 "(xiv) section 554 of title 18, United
13 States Code, relating to smuggling goods
14 from the United States;

15 "(xv) section 1831 of title 18, United
16 States Code, relating to economic espio-
17 nage;

18 "(xvi) section 545 of title 18, United
19 States Code, relating to smuggling goods
20 into the United States;

21 "(xvii) section 78dd3 of title 15,
22 United States Code, relating to prohibited
23 foreign trade practices by persons other
24 than issuers or domestic concerns;

"(xviii) section 2339B of title 18, United States Code, relating to providing material support or resources to dedicated foreign terrorist organizations; or

"(xix) section 2339C and D of title 18, United States Code, relating to financing terrorism and receiving terrorism training;"; and

(B) in subparagraph (B), by inserting "or otherwise charged" after "indictment"; and

(2) in paragraph (3)(A), by inserting "or otherwise charged" after "indictment".

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply with respect to violations of sections 38 and 39 of the Arms Export Control Act committed on or after that date.

SEC. 936. CLARIFICATION OF PROHIBITIONS RELATING TO STATE SPONSORS OF TERRORISM AND THEIR NATIONALS.

Section 40(d) of the Arms Export Control Act (22. U.S.C. 2780(d)) is amended—

(1) by inserting "or to the nationals of that country whose substantive contacts with that country give reasonable grounds for raising risk of diver-

sion, regardless of whether such persons maintain such nationality or the nationality of another country not covered by this section" after "with respect to a country."; and

(2) by adding at the end the following: "For purposes of this subsection, the term 'national' means an individual who acquired citizenship by birth from a country that is subject to section 126.1 of title 22, Code of Federal Regulations (or any successor regulations).".

SEC. 937. EXEMPTION FOR TRANSACTIONS WITH COUNTRIES SUPPORTING ACTS OF INTERNATIONAL TERRORISM.

Section 40(h) of the Arms Export Control Act (22 U.S.C. 2780(h)) is amended—

(1) in the heading—

(A) by striking "EXEMPTION" and inserting "EXEMPTIONS"; and

(B) by adding "AND CERTAIN FEDERAL LAW ENFORCEMENT ACTIVITIES" after "REPORTING REQUIREMENTS"; and

(2) by adding at the end before the period the following: "or with respect to Federal law enforcement activities undertaken to further the investigation of violations of this Act".

1 **SEC. 938. REPORT ON FOREIGN MILITARY FINANCING PRO-**
2 **GRAM.**

3 Section 23 of the Arms Export Control Act (22
4 U.S.C. 2763) is amended by adding at the end the fol-
5 lowing:

6 "(i) REPORT.—

7 "(1) IN GENERAL.—The President shall trans-
8 mit to the appropriate congressional committees as
9 part of the supporting materials of the annual con-
10 gressional budget justification a report on the imple-
11 mentation of this section for the prior fiscal year.

12 "(2) MATTERS TO BE INCLUDED.—The report
13 required under paragraph (1) shall include a de-
14 scription of the following:

15 "(A) The extent to which the use of the
16 authority of this section is based on a well-for-
17 mulated and realistic assessments of the capa-
18 bility requirements of foreign countries and
19 international organizations.

20 "(B) The extent to which the provision of
21 grants under the authority of this section are
22 consistent with United States conventional arms
23 transfer policy.

24 "(C) The extent to which the Department
25 of State has developed and implemented specific
26 plans to monitor and evaluate outcomes under

the authority of this section, including at least one country or international organization assessment each fiscal year.

"(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this subsection, the term 'appropriate congressional committees' means—

"(A) the Committee on Appropriations and the Committee on Foreign Affairs of the House of Representatives; and

"(B) the Committee on Appropriations and the Committee on Foreign Relations of the Senate.".

SEC. 939. CONGRESSIONAL NOTIFICATION OF REGULATIONS AND AMENDMENTS TO REGULATIONS UNDER SECTION 38 OF THE ARMS EXPORT CONTROL ACT.

(a) IN GENERAL.—Section 38 of the Arms Export Control Act (22 U.S.C. 2778) is amended by adding at the end the following:

"(k) CONGRESSIONAL NOTIFICATION.—The President shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a copy of regulations or amendments to regulations issued to carry out this section at least 30 days before publication of the regulations or

1 amendments in the Federal Register unless, after con-
2 sulting with such Committees, the President determines
3 that there is an emergency that requires a shorter period
4 of time.".

5 (b) EFFECTIVE DATE.—The amendment made by
6 subsection (a) takes effect on the date of the enactment
7 of this Act and applies with respect the issuance of regula-
8 tions or amendments to regulations made on or after the
9 date of the enactment of this Act.

10 Subtitle B—Security Assistance 11 and Related Matters

12 PART I—ISRAEL

13 SEC. 941. REPORT ON UNITED STATES COMMITMENTS TO 14 THE SECURITY OF ISRAEL.

15 (a) INITIAL REPORT.—Not later than 30 days after
16 the date of enactment of this Act, the President shall
17 transmit to the appropriate congressional committees a re-
18 port that contains—

19 (1) a complete, unedited, and unredacted copy
20 of each assurance made by United States Govern-
21 ment officials to officials of the Government of Israel
22 regarding Israel's security and maintenance of
23 Israel's qualitative military edge provided in con-
24 junction with exports under the Arms Export Con-
25 trol Act (22 U.S.C. 2751 et seq.) for the period be-

1 ginning on January 1, 1975, and ending on the date
2 of the enactment of this Act; and
3 (2) an analysis of the extent to which, and by
4 what means, each assurance has been and is con-
5 tinuing to be fulfilled.
6 (b) SUBSEQUENT REPORTS.—
7 (1) NEW ASSURANCES AND REVISIONS.—The
8 President shall transmit to the appropriate congres-
9 sional committees a report that contains the infor-
10 mation required under subsection (a) with respect
11 to—
12 (A) each assurance described in subsection
13 (a) made on or after the date of enactment of
14 this Act; or
15 (B) revisions to any assurance described in
16 subsection (a) or subparagraph (A) of this
17 paragraph, within 15 days of the new assurance
18 or revision being conveyed.
19 (2) FIVE-YEAR REPORTS.—Not later than 5
20 years after the date of the enactment of this Act,
21 and every 5 years thereafter, the President shall
22 transmit to the appropriate congressional commit-
23 tees a report that contains the information required
24 under subsection (a) with respect to each assurance
25 described in subsection (a) or paragraph (1)(A) of

this subsection and revisions to any assurance described in subsection (a) or paragraph (1)(A) of this subsection during the preceding 5-year period.

(c) FORM.—Each report required by this section shall be transmitted in unclassified form, but may contain a classified annex, if necessary.

SEC. 942. CLARIFICATION OF CERTIFICATION REQUIREMENTS RELATING TO ISRAEL'S QUALITATIVE MILITARY EDGE.

Section 36(h)(1) of the Arms Export Control Act (22 U.S.C. 2776(h)(1)) is amended by striking "a determination" and inserting "an unclassified determination".

SEC. 943. SUPPORT TO ISRAEL FOR MISSILE DEFENSE.

(a) STATEMENT OF POLICY.—It shall be the policy of the United States to—

(1) promote deployment as soon as is possible of effective missile defense systems capable of defending against ballistic missile attack from Iran, Syria, and other potential missile threats to Israel;

(2) fully utilize, so far as possible, the missile defense capabilities and resources of the United States to fully assist, support, and improve the defenses of Israel to provide robust, layered protection against ballistic missile, and medium and short range projectile attack;

(3) provide assistance to complete accelerated co-production of Arrow missiles and continued integration with the appropriate ballistic missile defense systems of the United States;

(4) provide assistance to aid the system development of the Missile Defense Agency and Israel Missile Defense Organization joint program to develop a short-range ballistic missile defense capability, David's Sling weapon system, and integrate the weapon system with the ballistic missile defense system and force protection efforts of the United States; and

(5) provide assistance for research, development, and test and evaluation, and fielding of the Iron Dome Air Defense Missile System.

(b) AUTHORIZATION OF ASSISTANCE.—Of the amounts authorized to be appropriated under section 513(c) of the Security Assistance Act of 2000 (Public Law 106–280; 114 Stat. 856), as amended by section 1221(a) of the Security Assistance Act of 2002 (division B of Public Law 107–228; 116 Stat. 1430) and further amended by section 101(b)(2) of this Act, the Secretary of State, in coordination with the Secretary of Defense, is authorized to provide assistance to the Government of Israel for the procurement, maintenance, and sustainment of the

1 Iron Dome Air Defense Missile System for purposes of
2 intercepting short-range rockets, missiles, and mortars
3 launched against Israel, and other activities.

4 (c) REPORT.—

5 (1) IN GENERAL.—Not later than 180 days
6 after the date of the enactment of this Act, and an-
7 nually thereafter in connection with the submission
8 of congressional presentation materials for the for-
9 eign operations appropriations and defense appro-
10 priations budget request, the Secretary of State, in
11 consultation with the Secretary of Defense, shall
12 submit to the appropriate congressional committees
13 a report regarding the activities authorized under
14 subsection (b).

15 (2) FORM.—The report required under para-
16 graph (1) shall be submitted in unclassified form to
17 the maximum extent practicable, but may include a
18 classified annex, if necessary.

19 (3) APPROPRIATE CONGRESSIONAL COMMIT-
20 TEES DEFINED.—In this subsection, the term "ap-
21 propriate congressional committees" means—

22 (A) the Committee on Foreign Affairs and
23 the Committee on Armed Services of the House
24 of Representatives; and

1 (B) the Committee on Foreign Relations
2 and the Committee on Armed Services in the
3 Senate.

4 **PART II—EGYPT**

5 **SEC. 951. LIMITATION ON SECURITY ASSISTANCE TO THE**
6 **GOVERNMENT OF EGYPT.**

7 (a) LIMITATION.—None of the funds made available
8 to carry out this title may be used to provide United
9 States security assistance to the Government of Egypt un-
10 less a certification described in subsection (b) is in effect.
11 (b) CERTIFICATION.—A certification described in this
12 subsection is a certification transmitted by the President
13 to the appropriate congressional committees that contains
14 a determination of the President that—
15 (1) the Government of Egypt is not directly or
16 indirectly controlled by a foreign terrorist organiza-
17 tion, its affiliates or supporters;
18 (2) the Government of Egypt is fully imple-
19 menting the Israel-Egypt Peace Treaty; and
20 (3) the Government of Egypt is detecting and
21 destroying the smuggling network and tunnels be-
22 tween Egypt and the Gaza strip.
23 (c) RECERTIFICATIONS.—Not later than 90 days
24 after the date on which the President transmits to the ap-

1 propriate congressional committees an initial certification
2 under subsection (b), and every six months thereafter—
3 (1) the President shall transmit to the appro-
4 priate congressional committees a recertification that
5 the requirements contained in subsection (b) are
6 continuing to be met; or
7 (2) if the President is unable to make such a
8 recertification, the President shall transmit to the
9 appropriate congressional committees a report that
10 contains the reasons therefor.
11 (d) WAIVER.—The President may waive the limita-
12 tion in subsection (a) if the President determines and cer-
13 tifies to the appropriate congressional committees 15 days
14 prior to the exercise of waiver authority that—
15 (1) it is in the vital national security interests
16 of the United States to do so;
17 (2) the United States is fully implementing and
18 enforcing existing end-use monitoring mechanisms;
19 and
20 (3) the United States has established and im-
21 plemented comprehensive procedures to vet all re-
22 cipients of United States security assistance to en-
23 sure that no recipients are members of, or affiliated
24 with, a foreign terrorist organization or any affili-
25 ates or supporters thereof.

1 **SEC. 952. REPORT ON SECURITY ASSISTANCE TO THE GOV-**
2 **ERNMENT OF EGYPT.**

3 (a) IN GENERAL.—Not later than 180 days after the
4 date of the enactment of this Act, the Secretary of State,
5 in coordination with the Secretary of Defense, shall submit
6 to the appropriate congressional committees a report that
7 includes the following:

8 (1) A description of the strategic objectives of
9 the United States regarding the provision of United
10 States security assistance to the Government of
11 Egypt.

12 (2) A description of biennial outlays of United
13 States security assistance to the Government of
14 Egypt for the purposes of strategic planning, train-
15 ing, provision of equipment, and construction of fa-
16 cilities, including funding streams.

17 (3) A description of vetting and end-user moni-
18 toring systems in place by both Egypt and the
19 United States for defense articles and training pro-
20 vided by the United States, to include human rights
21 vetting.

22 (4) A description of actions that the Govern-
23 ment of Egypt is taking to—

24 (A) fully implement the Egypt-Israel peace
25 treaty;

1 (B) detect and destroy the smuggling net-
2 work and tunnels between Egypt and the Gaza
3 strip;
4 (C) repudiate, combat, and stop incitement
5 to violence against the United States and
6 United States citizens and prohibit the trans-
7 mission within its domains of satellite television
8 or radio channels that broadcast such incite-
9 ment; and
10 (D) adopt and implement legal reforms
11 that protect the religious and democratic free-
12 doms of all citizens and residents of Egypt.
13 (5) Recommendations, including with respect to
14 required resources and actions, to maximize the ef-
15 fectiveness of United States security assistance pro-
16 vided to Egypt.
17 (b) GAO REPORT.—Not later than 120 days after
18 the date of the submission of the report required under
19 subsection (a), the Comptroller General of the United
20 States shall submit to the appropriate congressional com-
21 mittees a report that—
22 (1) reviews and comments on the report re-
23 quired under subsection (a); and

1 (2) provides recommendations regarding addi-
2 tional actions with respect to the provision of United
3 States security assistance to Egypt, if necessary.
4 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
5 FINED.—In this section, the term "appropriate congres-
6 sional committees" means—
7 (1) the Committee on Foreign Affairs and the
8 Committee on Armed Services of the House of Rep-
9 resentatives; and
10 (2) the Committee on Foreign Relations and
11 the Committee on Armed Services in the Senate.
12 **SEC. 953. GOVERNMENT OF EGYPT DEFINED.**
13 In this part, the term "Government of Egypt" means
14 any person, agent, instrumentality, or official of, is affili-
15 ated with, or is serving as a representative of the Govern-
16 ment of Egypt.
17 **PART III—LEBANON**
18 **SEC. 961. STATEMENT OF POLICY.**
19 It shall be the policy of the United States—
20 (1) to declare the association of political parties
21 with terrorist organizations, militias, and other ele-
22 ments retaining armed operational capabilities out-
23 side of the official military and security institutions
24 of the Government of Lebanon hinders the emer-
25 gence of a fully-democratic Lebanon;

1 (2) to support the Government of Lebanon in
2 asserting its sovereignty by extending its authority
3 throughout its territory, particularly in the southern
4 regions;
5 (3) to support the emergence of a democratic
6 Lebanon, with both domestic and foreign terrorist
7 organizations and militias permanently disarmed;
8 and
9 (4) to continue to provide financial and mate-
10 rial assistance to support the sovereignty, territorial
11 integrity, unity, and political independence of Leb-
12 anon under the sole and exclusive authority of the
13 Government of Lebanon.

14 **SEC. 962. LIMITATION ON SECURITY ASSISTANCE TO THE**
15 **GOVERNMENT OF LEBANON.**

16 (a) LIMITATION.—None of the funds made available
17 to carry out this title may be used to provide security as-
18 sistance to the Government of Lebanon unless a certifi-
19 cation described in subsection (b) is in effect.
20 (b) CERTIFICATION.—A certification described in this
21 subsection is a certification transmitted by the President
22 to the appropriate congressional committees that contains
23 a determination of the President that—
24 (1) no member of Hezbollah or any other a for-
25 eign terrorist organization serves in any policy posi-

1 tion in a ministry, agency, or instrumentality of the
2 Government of Lebanon;
3 (2) there exists within the Government of Leb-
4 anon comprehensive anti-terrorism vetting and
5 tracking procedures for all Lebanese security forces
6 personnel benefitting from United States security as-
7 sistance programs;
8 (3) all ministries of the Government of Lebanon
9 and operations that directly or indirectly benefit
10 from United States security assistance programs are
11 financially transparent and accountable;
12 (4) the Government of Lebanon—
13 (A) is dismantling the infrastructure of all
14 foreign terrorist organizations and related mili-
15 tias and is confiscating unauthorized weapons;
16 (B) has taken other actions in full compli-
17 ance with United Nations Security Council Res-
18 olutions 1559, 1585, 1701, 1757, and other
19 international obligations; and
20 (C) is fully cooperating with the Special
21 Tribunal for Lebanon;
22 (5) United States security assistance and secu-
23 rity cooperation programs for Lebanon are not uti-
24 lized against the State of Israel and will not ad-
25 versely impact Israel's qualitative military edge; and

1 (6) the Government of Lebanon has taken ef-
2 fective steps and made demonstrable progress to-
3 ward assuming full control of its territory.
4 (c) RECERTIFICATIONS.—Not later than 90 days
5 after the date on which the President transmits to the ap-
6 propriate congressional committees an initial certification
7 under subsection (b), and every six months thereafter—
8 (1) the President shall transmit to the appro-
9 priate congressional committees a recertification that
10 the requirements contained in subsection (b) are
11 continuing to be met; or
12 (2) if the President is unable to make such a
13 recertification, the President shall transmit to the
14 appropriate congressional committees a report that
15 contains the reasons therefor.
16 (d) WAIVER.—The President may waive the limita-
17 tion in subsection (a) if the President determines and cer-
18 tifies to the appropriate congressional committees 15 days
19 prior to the exercise of waiver authority that—
20 (1) it is in the vital national security interests
21 of the United States to do so;
22 (2) the United States is fully implementing and
23 enforcing existing end-use monitoring mechanisms;
24 and

1 (3) the United States has established and im-
2 plemented comprehensive procedures to vet all re-
3 cipients of United States security assistance to en-
4 sure that no recipients are members of, or affiliated
5 with, a foreign terrorist organization.

6 **SEC. 963. REPORT ON SECURITY ASSISTANCE TO THE GOV-**
7 **ERNMENT OF LEBANON.**

8 (a) IN GENERAL.—Not later than 180 days after the
9 date of the enactment of this Act, the Secretary of State,
10 in coordination with the Secretary of Defense, shall submit
11 to the appropriate committees of Congress a report that
12 includes the following:

13 (1) A description of the strategic objectives of
14 the United States regarding the provision of United
15 States security assistance to the Government of Leb-
16 anon, including arms sales to the Government of
17 Lebanon, and a strategy for achieving those objec-
18 tives.

19 (2) A description of biennial outlays for United
20 States security assistance, including arms sales, to
21 the Government of Lebanon for the purposes of stra-
22 tegic planning, training, provision of equipment, and
23 construction of facilities, including funding streams.

24 (3) A breakdown of contributions and assist-
25 ance provided by the United States, international or-

1 ganizations, and other nations and entities to the
2 Government of Lebanon, including the Ministry of
3 Defense, the Ministry of Interior, the armed forces
4 of Lebanon, the Internal Security Forces, the Gen-
5 eral Security Directorate, the General Directorate of
6 State Security, Lebanese Military Intelligence, and
7 other organizations or agencies.

8 (4) A description of vetting and end-user moni-
9 toring systems in place by the Government of Leb-
10 anon, the United States, international organizations,
11 and other nations and entities providing security as-
12 sistance to the Government of Lebanon.

13 (5) A description of metrics utilized by the
14 United States Government for measuring whether
15 United States security assistance has improved the
16 capacity of the Government of Lebanon security
17 forces to operate.

18 (b) FORM.—The report required under subsection (a)
19 shall be submitted in unclassified form to the greatest ex-
20 tent possible, but may include a classified annex if nec-
21 essary.

22 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
23 FINED.—In this section, the term "appropriate congres-
24 sional committees" means—

1 (1) the Committee on Foreign Affairs and the
2 Committee on Armed Services of the House of Rep-
3 resentatives; and
4 (2) the Committee on Foreign Relations and
5 the Committee on Armed Services in the Senate.

6 **SEC. 964. GOVERNMENT OF LEBANON DEFINED.**

7 In this part, the term "Government of Lebanon"
8 means any person, agent, instrumentality, or official of,
9 is affiliated with, or is serving as a representative of the
10 Government of Lebanon.

11 **PART IV—PALESTINIAN AUTHORITY**

12 **SEC. 971. LIMITATION ON SECURITY ASSISTANCE TO THE**
13 **PALESTINIAN AUTHORITY.**

14 (a) LIMITATION.—None of the funds made available
15 to carry out this title may be used to provide United
16 States security assistance to the Palestinian Authority un-
17 less a certification described in subsection (b) is in effect.
18 (b) CERTIFICATION.—A certification described in this
19 subsection is a certification transmitted by the President
20 to the appropriate congressional committees that contains
21 a determination of the President that—
22 (1) no member of Hamas or any other foreign
23 terrorist organization serves in any policy position in
24 a ministry, agency, or instrumentality of the Pales-
25 tinian Authority;

1 (2) the Palestinian Authority is taking all nec-
2 essary steps and action to implement the 2005 secu-
3 rity reorganization program, and implement an in-
4 clusive, standards-based approach to recruitment;
5 (3) all Palestinian Authority ministries and op-
6 erations that directly or indirectly benefit from secu-
7 rity assistance are financially transparent and ac-
8 countable;
9 (4) the Palestinian Authority is dismantling all
10 foreign terrorist organizations infrastructure, confis-
11 cating unauthorized weapons, thwarting and pre-
12 empting terrorist attacks, and fully cooperating with
13 Israel's security services;
14 (5) the Palestinian Authority is fully imple-
15 menting necessary institutional reforms within the
16 Ministry of Interior and within the judicial sector;
17 (6) the Palestinian Authority has halted all
18 anti-Israel incitement in Palestinian Authority-con-
19 trolled electronic and print media and in schools,
20 mosques, and other institutions it controls, and is
21 replacing these materials, including textbooks, with
22 materials that promote tolerance, peace, and coexist-
23 ence with Israel;
24 (7) there exists within the Palestinian Authority
25 comprehensive anti-terrorism vetting and tracking

1 procedures for all Palestinian Security Forces per-
2 sonnel benefitting from United States security as-
3 sistance; and
4 (8) the Palestinian Authority has and continues
5 to publicly acknowledge Israel's right to exist as a
6 Jewish state.
7 (c) RECERTIFICATIONS.—Not later than 90 days
8 after the date on which the President transmits to the ap-
9 propriate congressional committees an initial certification
10 under subsection (b), and every six months thereafter—
11 (1) the President shall transmit to the appro-
12 priate congressional committees a recertification that
13 the requirements contained in subsection (b) are
14 continuing to be met; or
15 (2) if the President is unable to make such a
16 recertification, the President shall transmit to the
17 appropriate congressional committees a report that
18 contains the reasons therefor.
19 (d) WAIVER.—The President may waive the limita-
20 tion in subsection (a) if the President determines and cer-
21 tifies to the appropriate congressional committees 15 days
22 prior to the exercise of waiver authority that—
23 (1) it is in the vital national security interests
24 of the United States to do so;

1 (2) the United States is fully implementing and
2 enforcing existing end-use monitoring mechanisms;
3 and
4 (3) the United States has established and im-
5 plemented comprehensive procedures to vet all re-
6 cipients of United States security assistance to en-
7 sure that no recipients are members of, or affiliated
8 with, a foreign terrorist organization.

9 **SEC. 972. REPORT ON SECURITY ASSISTANCE TO THE PAL-**
10 **ESTINIAN AUTHORITY.**

11 (a) IN GENERAL.—Not later than 180 days after the
12 date of the enactment of this Act, the Secretary of State
13 shall submit to the appropriate congressional committees
14 a report that includes the following:
15 (1) A description of the strategic objectives of
16 the United States regarding the provision of United
17 States security assistance to the Palestinian Author-
18 ity, and a strategy for achieving those objectives.
19 (2) A description of biennial outlays for United
20 States security assistance to the Palestinian Security
21 Forces for the purposes of strategic planning, train-
22 ing, provision of equipment, and construction of fa-
23 cilities, including funding streams.
24 (3) A breakdown of contributions and assist-
25 ance provided by the United States, international or-

1 ganizations, and other nations and entities to the
2 Palestinian Authority Ministry of Interior, Civil Po-
3 lice, National Security Force, the Preventative Secu-
4 rity, the General Intelligence Service, Military Intel-
5 ligence, the Presidential Security Service/Presi-
6 dential Guard, and other units.
7 (4) A description of vetting and end-user moni-
8 toring systems in place by the Palestinian Authority,
9 the United States, international organizations, and
10 other nations and entities providing security assist-
11 ance to the Palestinian Authority.
12 (5) A description of contingency options for re-
13 structuring security assistance and reconfiguring the
14 mission of the United States Security Coordinator.
15 (6) A description of metrics utilized by the
16 United States Government for measuring whether
17 security assistance and security cooperation pro-
18 grams have improved the capacity of the Palestinian
19 Authority security forces to operate.
20 (b) FORM.—The report required under subsection (a)
21 shall be submitted in unclassified form to the greatest ex-
22 tent possible, but may include a classified annex if nec-
23 essary.

1 **SEC. 973. PALESTINIAN AUTHORITY DEFINED.**

2 In this part, the term "Palestinian Authority" in-
3 cludes any agency or instrumentality of the Palestinian
4 Authority, including any entity that is controlled by the
5 Palestinian Authority, or any successor Palestinian gov-
6 erning entity, including the Palestinian Legislative Coun-
7 cil.

8 **PART V—PAKISTAN**

9 **SEC. 981. AUTHORIZATION OF APPROPRIATIONS.**

10 (a) AUTHORIZATION OF APPROPRIATIONS.—

11 (1) IN GENERAL.—Section 102(a) of the En-
12 hanced Partnership with Pakistan Act of 2009 (22
13 U.S.C. 8412(a)) is amended by striking "2010" and
14 inserting "2012".

15 (2) AVAILABILITY OF FUNDS.—Section 102(b)
16 of the Enhanced Partnership with Pakistan Act of
17 2009 (22 U.S.C. 8412(b)) is amended—

18 (A) by striking "AVAILABILITY OF
19 FUNDS" and all that follows through "Of the
20 amounts" and inserting "AVAILABILITY OF
21 FUNDS.—Of the amounts";

22 (B) by striking "subsection (a)" and all
23 that follows and inserting the following: "sub-
24 section (a), none of the amounts appropriated
25 for assistance to Pakistan may be made avail-
26 able for assistance to Pakistan unless the Sec-

1 retary of State submits to the appropriate con-
2 gressional committees during such fiscal year—
3 "(1) a certification that assistance provided to
4 Pakistan under this title or the Foreign Assistance
5 Act of 1961 to date has made or is making measur-
6 able progress toward achieving the principal objec-
7 tives of United States assistance to Pakistan con-
8 tained in the Pakistan Assistance Strategy Report
9 and a memorandum explaining the reasons justifying
10 the certification; and
11 "(2) the certification required under section
12 203(c)."; and
13 (C) by striking the second paragraph (2).
14 (3) WAIVER; SENSE OF CONGRESS ON FOREIGN
15 ASSISTANCE FUNDS.—Section 102 of the Enhanced
16 Partnership with Pakistan Act of 2009 (22 U.S.C.
17 8412) is amended by striking subsections (c) and
18 (d).
19 (b) EFFECTIVE DATE.—The amendments made by
20 subsection (a) take effect on the date of the enactment
21 of this Act and apply with respect to amounts appro-
22 priated for the purposes of providing assistance to Paki-
23 stan under title I of the Enhanced Partnership with Paki-
24 stan Act of 2009 and providing assistance to Pakistan

1 under the Foreign Assistance Act of 1961 for each of the
2 fiscal years 2012, 2013, and 2014.

3 **SEC. 982. LIMITATIONS ON CERTAIN ASSISTANCE.**

4 (a) IN GENERAL.—Section 203 of the Enhanced
5 Partnership with Pakistan Act of 2009 (22 U.S.C. 8423)
6 is amended—

7 (1) by striking ", under the direction of the
8 President," each place it appears and inserting ", in
9 consultation with the Secretary of Defense and the
10 Director of National Intelligence,";

11 (2) in subsection (e)(2)—

12 (A) in the matter preceding subparagraph
13 (A)—

14 (i) by striking "significant efforts to-
15 wards" and inserting "demonstrable
16 progress in";

17 (ii) by striking "taking into account";
18 and

19 (iii) by striking "has made progress
20 on matters such as";

21 (B) by redesignating subparagraphs (A),
22 (B), and (C), as subparagraphs (C), (D), and
23 (E), respectively;

24 (C) by inserting before subparagraph (C)
25 (as redesignated) the following:

1 "(A) is fully assisting the United States
2 with investigating the existence of an official or
3 unofficial support network in Pakistan for
4 Osama Bin Laden, including by providing the
5 United States with direct access to Osama Bin
6 Laden's relatives in Pakistan and to Osama Bin
7 Laden's former compound in Abottabad and
8 any materials therein; and
9 "(B) is facilitating the issuance of entry
10 and exit visas for official United States visitors
11 engaged in counterterrorism efforts and train-
12 ing or other cooperative programs and projects
13 in Pakistan;";
14 (D) in subparagraph (C) (as redesignated),
15 by inserting "is" before "ceasing";
16 (E) in subparagraph (D) (as redesig-
17 nated)—
18 (i) by inserting "is" before "pre-
19 venting";
20 (ii) by inserting "the Haqqani Net-
21 work," after "such as";
22 (iii) by adding at the end before the
23 semicolon the following: "and eliminating
24 improvised explosive device (IED) net-
25 works"; and

(iv) by striking "and" at the end;

(F) in subparagraph (E) (as redesignated)—

(i) by inserting "is" before "strengthening"; and

(ii) by inserting "and fully implementing" before "counterterrorism"; and

(G) by adding after subparagraph (E) (as redesignated) the following:

"(F) is using defense articles and defense services provided by the United States under the Foreign Military Sales program according to the end-use purposes, security requirements, and other terms and conditions agreed to by the United States at the time of transfer or by subsequent agreement; and";

(3) by striking subsection (e);

(4) by redesignating subsection (f) as subsection (e); and

(5) in subsection (e) (as redesignated), in paragraph (1), by striking "the Committee on Oversight and Government Reform,".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) take effect on the date of the enactment of this Act and apply with respect to the provision of secu-

1 rity-related assistance to Pakistan in each of the fiscal
2 years 2012, 2013, and 2014.

3 **SEC. 983. STRATEGY REPORTS.**

4 Section 301(a) of the Enhanced Partnership with
5 Pakistan Act of 2009 (22 U.S.C. 8441(a)) is amended—

6 (1) in the matter preceding paragraph (1), by
7 striking "Not later than 45 days after the date of
8 enactment of this Act" and inserting "For each of
9 the fiscal years 2012, 2013, and 2014,";

10 (2) in paragraph (1), by inserting "United
11 States strategic objectives in Pakistan and" after "A
12 description of";

13 (3) in paragraph (2), by striking "general";

14 (4) in paragraph (3), by striking "A plan for"
15 and inserting "A description of implementation of";

16 (5) by amending paragraph (7) to read as fol-
17 lows:

18 "(7) Progress toward creating a searchable
19 Internet database and other public communications
20 strategies that will provide the people of the United
21 States and the people of Pakistan with updated and
22 accurate information on proposed spending plans,
23 disbursements of assistance, and results achieved
24 using funds authorized under title I of this Act.";
25 and

1 (6) by adding at the end the following:

2 "(8) Progress toward meeting the recommenda-
3 tions of audits, reviews, and investigations completed
4 by the General Accountability Office and by the Of-
5 fice of Inspector General of the United States Agen-
6 cy for International Development, the Department of
7 State, and the Department of Defense.

8 "(9) A description of how the Administration is
9 incorporating support for private sector development
10 and enhanced trade opportunities as part of the for-
11 eign assistance approach to Pakistan.".

12 **PART VI—YEMEN**

13 **SEC. 991. LIMITATION ON SECURITY ASSISTANCE TO THE**
14 **GOVERNMENT OF YEMEN.**

15 (a) LIMITATION.—None of the funds made available
16 to carry out this title may be used to provide United
17 States security assistance to the Government of Yemen
18 unless a certification described in subsection (b) is in ef-
19 fect.

20 (b) CERTIFICATION.—A certification described in this
21 subsection is a certification transmitted by the President
22 to the appropriate congressional committees that contains
23 a determination of the President that—

24 (1) no ministry, agency, or instrumentality of
25 the Government of Yemen is controlled by a foreign

1 terrorist organization or is directly or indirectly af-
2 filiated with a foreign terrorist organization;
3 (2) no member of a foreign terrorist organiza-
4 tion serves in any policy position in a ministry, agen-
5 cy, or instrumentality of the Government of Yemen;
6 (3) there exists within the Government of
7 Yemen comprehensive anti-terrorism vetting and
8 tracking procedures for all Yemeni security forces
9 personnel benefitting from United States security as-
10 sistance;
11 (4) all ministries and operations of the Govern-
12 ment of Yemen that directly or indirectly benefit
13 from United States security assistance are finan-
14 cially transparent and accountable; and
15 (5) the Government of Yemen is not complicit
16 in human rights abuses.
17 (c) RECERTIFICATIONS.—Not later than 90 days
18 after the date on which the President transmits to the ap-
19 propriate congressional committees an initial certification
20 under subsection (b), and every six months thereafter—
21 (1) the President shall transmit to the appro-
22 priate congressional committees a recertification that
23 the requirements contained in subsection (b) are
24 continuing to be met; or

1 (2) if the President is unable to make such a
2 recertification, the President shall transmit to the
3 appropriate congressional committees a report that
4 contains the reasons therefor.
5 (d) WAIVER.—The President may waive the limita-
6 tion in subsection (a) if the President determines and cer-
7 tifies to the appropriate congressional committees 15 days
8 prior to the exercise of waiver authority that—
9 (1) it is in the vital national security interests
10 of the United States to do so;
11 (2) the United States is fully implementing and
12 enforcing existing end-use monitoring mechanisms;
13 and
14 (3) the United States has established and im-
15 plemented comprehensive procedures to vet all re-
16 cipients of United States security assistance to en-
17 sure that no recipients are members of, or affiliated
18 with, a foreign terrorist organization or any affili-
19 ates or supporters thereof.
20 **SEC. 992. REPORT ON SECURITY ASSISTANCE TO THE GOV-**
21 **ERNMENT OF YEMEN.**
22 (a) IN GENERAL.—Not later than 180 days after the
23 date of the enactment of this Act, the Secretary of State,
24 in coordination with the Secretary of Defense, shall submit

1 to the appropriate congressional committees a report that
2 includes the following:
3 (1) A description of the strategic objectives of
4 the United States regarding the provision of United
5 States security assistance to the Government of
6 Yemen.
7 (2) A threat assessment for the Yemen.
8 (3) A description of biennial outlays of United
9 States security assistance to the Government of
10 Yemen for the purposes of strategic planning, train-
11 ing, provision of equipment, and construction of fa-
12 cilities, including funding streams.
13 (4) A description of vetting and end-user moni-
14 toring systems in place by both Yemen and the
15 United States for defense articles and training pro-
16 vided by the United States, to include human rights
17 vetting.
18 (5) A description of actions that the Govern-
19 ment of Yemen is taking to combat foreign terrorist
20 organizations.
21 (6) Recommendations, including with respect to
22 required resources and actions, to maximize the ef-
23 fectiveness of United States security assistance to
24 the Government of Yemen.

1 (b) GAO REPORT.—Not later than 120 days after
2 the date of the submission of the report required under
3 subsection (a), the Comptroller General of the United
4 States shall submit to the appropriate congressional com-
5 mittees a report that—
6 (1) reviews and comments on the report re-
7 quired under subsection (a); and
8 (2) provides recommendations regarding addi-
9 tional actions with respect to the provision of United
10 States security assistance to Yemen, if necessary.
11 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
12 FINED.—In this section, the term "appropriate congres-
13 sional committees" means—
14 (1) the Committee on Foreign Affairs and the
15 Committee on Armed Services of the House of Rep-
16 resentatives; and
17 (2) the Committee on Foreign Relations and
18 the Committee on Armed Services in the Senate.
19 **SEC. 993. GOVERNMENT OF YEMEN DEFINED.**
20 In this part, the term "Government of Yemen" means
21 any person, agent, instrumentality, or official of, is affili-
22 ated with, or is serving as a representative of the Govern-
23 ment of Yemen.

1 **PART VII—MISCELLANEOUS PROVISIONS**

2 **SEC. 994. DEFINITIONS.**

3 Except as otherwise provided, in this subtitle:

4 (1) APPROPRIATE CONGRESSIONAL COMMIT-
5 TEES.—The term "appropriate congressional com-
6 mittees" means—

7 (A) the Committee on Foreign Affairs and
8 the Committee on Appropriations of the House
9 of Representatives; and

10 (B) the Committee on Foreign Relations
11 and the Committee on Appropriations of the
12 Senate.

13 (2) FOREIGN TERRORIST ORGANIZATION.—The
14 term "foreign terrorist organization" means an or-
15 ganization designated as a foreign terrorist organiza-
16 tion by the Secretary of State in accordance with
17 section 219(a) of the Immigration and Nationality
18 Act (8 U.S.C. 1189(a)).

19 (3) QUALITATIVE MILITARY EDGE.—The term
20 "qualitative military edge" has the meaning given
21 the term in section 36(h)(2) of the Arms Export
22 Control Act (22 U.S.C. 2776(h)(2)).

23 (4) UNITED STATES SECURITY ASSISTANCE.—
24 The term "United States security assistance" means
25 assistance authorized under part II of the Foreign
26 Assistance Act of 1961, the Arms Export Control

1 Act, or any other Act under which the United States
2 provides defense articles, military training, or other
3 defense-related services by grant, loan, credit, or
4 cash sales in furtherance of national policies and ob-
5 jectives.

6 **SEC. 994A. REPORT ON POLICE TRAINING.**

7 (a) IN GENERAL.—Not later than 180 days after the
8 date of the enactment of this Act, the President shall, in
9 coordination with the heads of relevant Federal depart-
10 ments and agencies, submit to the Committee on Foreign
11 Affairs of the House of Representative and the Committee
12 on Foreign Relations of the Senate a report on current
13 overseas civilian police training in countries or regions
14 that are at risk of, in, or are in transition from, conflict
15 or civil strife.

16 (b) MATTERS TO BE INCLUDED.—The report re-
17 quired under subsection (a) shall contain information on
18 the following:

19 (1) The coordination, communication, program
20 management, and policy implementation among the
21 United States civilian police training programs in
22 countries or regions that are at risk of, in, or are
23 in transition from, conflict or civil strife.

1 (2) The number of private contractors con-
2 ducting such training, and the quality and cost of
3 such private contractors.
4 (3) An assessment of pre-training procedures
5 for verification of police candidates to adequately as-
6 sess their aptitude, professional skills, integrity, and
7 other qualifications that are essential to law enforce-
8 ment work.
9 (4) An analysis of the practice of using existing
10 Federal police entities to provide civilian police
11 training in countries or regions that are at risk of,
12 in, or are in transition from, conflict or civil strife,
13 along with the subject matter expertise that each
14 such entity may provide to meet local needs in lieu
15 of the use of private contractors.
16 (5) Recommendations, including recommenda-
17 tions relating to required resources and actions, to
18 maximize the effectiveness and interagency coordina-
19 tion and the adequate provision of civilian police
20 training programs in countries or regions that are at
21 risk of, in, or are in transition from, conflict or civil
22 strife.
23 **SEC. 994B. AUDITS OF UNITED STATES ASSISTANCE TO**
24 **IRAQ.**
25 (a) FINDINGS.—Congress finds the following:

1 (1) The Office of the Special Inspector General
2 for Iraq Reconstruction (SIGIR) has conducted au-
3 dits of the activities of the Department of State and
4 the Department of Defense and the United States
5 Agency for International Development in Iraq which
6 have proved invaluable to Congress, senior Adminis-
7 tration officials, and the American people.
8 (2) SIGIR has authority under existing law to
9 audit all United States-funded reconstruction assist-
10 ance in Iraq regardless of funding source.
11 (3) United States assistance to Iraq, under the
12 conditions now in existence or which may be antici-
13 pated to be in existence through December 2012
14 should be considered to be "reconstruction assist-
15 ance".
16 (4) SIGIR's audits of the police training pro-
17 gram, and of military assistance through the Iraq
18 Security Forces Fund, have been of particular value.
19 (5) SIGIR should audit military, security, and
20 economic assistance to Iraq during the term of
21 SIGIR's existence, including assistance which may
22 be provided under the Foreign Military Financing
23 program or the Police Development Program.
24 (6) SIGIR's audits should cover such aspects of
25 assistance programs as may be in the opinion of the

1 Inspector General necessary or desirable under sec-
2 tion 6(a) of the Inspector General Act of 1978 or
3 section 3001 of Public Law 108–106, including any
4 programs, activities, or facilities funded in whole or
5 part by amounts made available for assistance to
6 Iraq or which relate to such programs, activities, or
7 facilities.
8 (7) SIGIR coordinates its audits with other In-
9 spectors General and the Government Accountability
10 Office to avoid duplication of effort.
11 (8) SIGIR should continue to report on United
12 States assistance to Iraq in its Quarterly Reports to
13 Congress.
14 (b) COOPERATION WITH SIGIR.—The Secretary of
15 State shall fully and unreservedly cooperate with audits
16 conducted by the SIGIR and with any information re-
17 quests which in the opinion of the SIGIR are required to
18 comply with requirements imposed on the SIGIR by law.
19 **SEC. 994C. SENSE OF CONGRESS.**
20 It is the sense of Congress that—
21 (1) the European Union should continue its ban
22 on all arms exports to the People's Republic of
23 China;
24 (2) the President should raise United States ob-
25 jections to the potential lifting of the European

1 Union arms embargo against the People's Republic
2 of China;
3 (3) the United States Government should make
4 clear in discussions with the governments of coun-
5 tries in the European Union that a lifting of the Eu-
6 ropean Arms Embargo on arms sales to the People's
7 Republic of China would potentially adversely affect
8 transatlantic defense cooperation, including future
9 transfers of United States military technology, serv-
10 ices, and equipment to European Union countries;
11 (4) the European Union should make legally
12 binding and enforceable its Code of Conduct for
13 Arms Exports;
14 (5) human rights abuses in the People's Repub-
15 lic of China remain a matter of concern for United
16 States foreign policy;
17 (6) the continuing military build-up of the Gov-
18 ernment of the People's Republic of China aimed at
19 Taiwan and the ongoing weapon of mass
20 destruction- and missile-related proliferation of
21 state-sponsored companies in China are matters of
22 grave concern to United States foreign and national
23 security policy; and
24 (7) the United States Government and the Eu-
25 ropean Union should work cooperatively to develop a

common strategy to limit sensitive technologies exported to the People's Republic of China, seek improvement in the human rights conditions in and the export control practices of the People's Republic of China, as well as an end to the ongoing proliferation of weapons of mass destruction and ballistic missile related technology from China to state sponsors of terrorism.

Subtitle C—Peacekeeping Operations

SEC. 995. PEACEKEEPING OPERATIONS.

(a) AUTHORITY.—

(1) IN GENERAL.—Section 551 of the Foreign Assistance Act of 1961 (22 U.S.C. 2348) is amended—

(A) in the first sentence, by striking "The President" and inserting "(A) The President"; and

(B) by inserting the following new subsection:

"(b) Assistance authorized to be appropriated under this chapter may also be used, notwithstanding section 660, to provide assistance to enhance the capacity of foreign civilian security forces, including gendarmes, to participate in peacekeeping operations.".

(2) DISARMAMENT AND REINTEGRATION.—

(A) IN GENERAL.—Notwithstanding any other provision of law, regulation, or Executive order, funds authorized to be appropriated by this Act and any similar provision of law for peacekeeping operations may be made available to support programs to disarm, demobilize, and reintegrate into civilian society former members of foreign terrorist organizations.

(B) CONSULTATION.—The Secretary of State shall consult with the appropriate congressional committees prior to obligating or expending funds pursuant to this subsection.

(C) DEFINITION.—In this paragraph, the term "foreign terrorist organization" means an organization designated as a terrorist organization under section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)).

(b) LIMITATION.—Section 404(a) of the Child Soldier Prevention Act of 2008 (Public Law 110–457; 22 U.S.C. 2370c-1(a)) is amended by striking "section 516 or 541 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j or 2347)" and inserting "sections 516, 541, or 551 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j, 2347, or 2348)".

1 (c) NOTIFICATION AND REPORTING REQUIRE-
2 MENTS.—
3 (1) NOTIFICATION.—The Secretary of State
4 shall notify the Committee on Foreign Affairs of the
5 House of Representatives and the Committee on
6 Foreign Relations of the Senate at least 15 days be-
7 fore any funds authorized under this section are
8 made available.
9 (2) REPORTS.—Not later than March 30, 2012,
10 and the end of each fiscal quarter, the Secretary of
11 State shall submit to the Committee on Foreign Af-
12 fairs of the House of Representatives and the Com-
13 mittee on Foreign Relations of the Senate a report
14 on the uses of funds made available under the this
15 section, including a description of the obligation and
16 expenditure of funds, the specific country in receipt
17 of such funds, and the use or purpose of the assist-
18 ance provided by such funds.
19 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
20 authorized to be appropriated $304,390,000 for fiscal year
21 2012 for necessary expenses to carry out the provisions
22 of section 551 of the Foreign Assistance Act of 1961, in-
23 cluding to pay assessed expenses for international peace-
24 keeping activities in Somalia and for a United States con-

1 tribution to the Multinational Force Observers Mission in
2 the Sinai.

3 Subtitle D—Reports and Briefings

4 SEC. 996. REPORT ON TRANSPARENCY IN NATO ARMS 5 SALES.

6 (a) REPORT.—Not later than 180 days after the date
7 of the enactment of this Act and annually thereafter for
8 each of the following three years, the Secretary of State,
9 in coordination with the Secretary of Defense, shall submit
10 to the appropriate congressional committees an annual re-
11 port on sales and financing of defense articles and defense
12 services in excess of $50,000,000 by North Atlantic Trea-
13 ty Organization (NATO) member countries (other than
14 the United States) to non-NATO member countries, which
15 includes the following:

16 (1) A detailed political-strategic analysis of po-
17 tential dangers such sales and financing might pose
18 to the integrity of the NATO alliance.

19 (2) A list of any abuses or incidents involving
20 such sales and financing to countries potentially hos-
21 tile to the NATO alliance.

22 (3) An analysis of the potential for such sales
23 and financing made during the past five years to the
24 Russian Federation to adversely affect the long-term
25 solidarity of the NATO alliance.

1 (b) NATO COOPERATION.—The Secretary of State
2 shall seek the cooperation and input of NATO's Economic
3 Secretariat in preparing the report required under sub-
4 section (b).

5 (c) FORM.—The report required under subsection (a)
6 shall be submitted in unclassified form (including as much
7 detail as possible), but may contain a classified annex.

8 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
9 DEFINED.—In this section, the term "appropriate con-
10 gressional committees" means—

11 (1) the Committee on Foreign Affairs of the
12 House of Representative and the Committee on For-
13 eign Relations of the Senate; and

14 (2) the congressional defense committees (as
15 defined in section 101(a)(16) of title 10, United
16 States Code).

17 **SEC. 996A. REPORT ON TASK FORCE FOR BUSINESS AND**
18 **STABILITY OPERATIONS IN AFGHANISTAN.**

19 (a) REPORT.—The Secretary of State, with the con-
20 currence of the Secretary of Defense, and in coordination
21 with the Administrator for the United States Agency for
22 International Development, shall submit to the appro-
23 priate congressional committees a report that contains a
24 detailed plan to provide for the transition of the activities
25 of the Task Force for Business and Stability Operations

in Afghanistan from the Department of Defense to the Department of State and the United States Agency for International Development.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means—

(1) the Committee on Foreign Affairs of the House of Representative and the Committee on Foreign Relations of the Senate; and

(2) the congressional defense committees (as defined in section 101(a)(16) of title 10, United States Code).

SEC. 996B. BRIEFINGS RELATING TO PUBLIC LAW 107–40.

(a) BRIEFINGS ON ACTIVITIES.—Not later than 120 days after the date of the enactment of this Act, and quarterly thereafter, the Secretary of Defense shall provide a briefing to the appropriate congressional committees on military activities, including cyber activities, carried out pursuant to the Authorization for Use of Military Force (50 U.S.C. 1541 note; Public Law 107–40).

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means—

(1) the Committee on Appropriations, the Committee on Armed Services, and the Committee on

1 Foreign Affairs of the House of Representatives;
2 and
3 (2) the Committee on Appropriations, the Com-
4 mittee on Armed Services, and the Committee on
5 Foreign Relations of the Senate.

6 TITLE X—PEACE CORPS VOLUN-
7 TEER SERVICE PROTECTION

8 **SEC. 1001. SEXUAL ASSAULT COMPLAINTS IN THE PEACE**
9 **CORPS.**

10 (a) SENSE OF CONGRESS.—It is the sense of Con-
11 gress that the Peace Corps has begun responding to con-
12 cerns related to its handling of sexual assault complaints
13 from its volunteers that have been the subject of media
14 reports and oversight hearings, including by the hiring of
15 a Victim's Advocate.

16 (b) STATEMENT OF CONGRESS.—Congress looks for-
17 ward to working cooperatively with the Peace Corps on
18 additional, necessary steps to protect volunteers, including
19 the enactment and implementation of this title.

20 **SEC. 1002. PEACE CORPS VOLUNTEER PROTECTION.**

21 The Peace Corps Act is amended by inserting after
22 section 8 (22 U.S.C. 2507) the following new sections:

23 "SAFETY AND SECURITY AGREEMENT REGARDING PEACE
24 CORPS VOLUNTEERS SERVING IN FOREIGN COUNTRIES

25 "SEC. 8A. (a) IN GENERAL.—Not later than six
26 months after the date of the enactment of this section,

1 the Director of the Peace Corps shall consult with the As-
2 sistant Secretary of State for Diplomatic Security and
3 enter into a memorandum of understanding that specifies
4 the duties and obligations of the Peace Corps and the Bu-
5 reau of Diplomatic Security of the Department of State
6 with respect to the protection of Peace Corps volunteers
7 and staff members serving in foreign countries, including
8 with respect to investigations of safety and security inci-
9 dents and crimes committed against such volunteers and
10 staff members.

11 "(b) INSPECTOR GENERAL REVIEW.—

12 "(1) REVIEW.—The Inspector General of the
13 Peace Corps shall review the memorandum of under-
14 standing described in subsection (a) and be afforded
15 the opportunity to recommend changes that advance
16 the safety and security of Peace Corps volunteers be-
17 fore its entry into force.

18 "(2) REPORT.—The Director of the Peace
19 Corps shall consider all recommendations of the In-
20 spector General of the Peace Corps regarding the
21 memorandum of understanding described in sub-
22 section (a). If the Director enters into such memo-
23 randum without addressing a recommendation of the
24 Inspector General, the Director shall submit to the
25 Inspector General an explanation relating thereto.

1 "(3) FAILURE TO MEET DEADLINE.—

2 "(A) REQUIREMENT TO SUBMIT RE-
3 PORT.—If, by the date that is 6 months after
4 the date of the enactment of this section, the
5 Director of the Peace Corps is unable to obtain
6 agreement with the Assistant Secretary of State
7 for Diplomatic Security and certification by the
8 Inspector General of the Peace Corps, the Di-
9 rector shall submit to the committees of Con-
10 gress specified in subparagraph (C) a report ex-
11 plaining the reasons for such failure.

12 "(B) LIMITATION ON FUNDS.—If, by the
13 date that is 9 months after the date of the en-
14 actment of this section, the memorandum of
15 understanding described in subsection (a) has
16 not entered into force, no funds available to the
17 Peace Corps may be obligated or expended to
18 extend to Peace Corps volunteers invitations for
19 service or to deploy Peace Corps trainees over-
20 seas unless the Director of the Peace Corps cer-
21 tifies to the committees of Congress specified in
22 subparagraph (C) that—

23 "(i) significant progress is being made
24 toward finalizing such memorandum; and

"(ii) the Peace Corps is using best efforts to provide volunteers with the training, support, and information they need to stay safe and secure.

"(C) COMMITTEES OF CONGRESS SPECIFIED.—The committees of Congress specified in this subparagraph are the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

"(c) INCLUSION OF TRAINEES.—In this section and sections 8B through 8I, the term 'volunteers' includes trainees.

"SEXUAL ASSAULT RISK-REDUCTION AND RESPONSE TRAINING

"SEC. 8B. (a) IN GENERAL.—As part of the training provided to all volunteers under section 8(a), the Director of the Peace Corps shall develop and implement comprehensive sexual assault risk-reduction and response training that conforms to best practices in the sexual assault field as appropriate for first responders and other staff.

"(b) DEVELOPMENT AND CONSULTATION WITH EXPERTS.—In developing the sexual assault risk-reduction and response training under subsection (a), the Director of the Peace Corps shall consult with and incorporate, as

1 appropriate, the recommendations and views of experts in
2 the sexual assault field.

3 "(c) SUBSEQUENT TRAINING.—Once a trainee has
4 arrived in such trainee's country of service, the Director
5 of the Peace Corps shall provide such trainee with training
6 tailored to such country, including cultural training relat-
7 ing to gender relations, risk-reduction strategies, a safety
8 plan in the event of an assault, treatment available in such
9 country (such as forensic rape exams, PEP for HIV expo-
10 sure, STD screening, and pregnancy testing), MedEvac
11 procedures, and information regarding the legal process
12 for pressing charges against an attacker.

13 "(d) HISTORICAL ANALYSIS.—The Director of the
14 Peace Corps shall provide each applicant for enrollment
15 with a historical analysis of crimes and risks against vol-
16 unteers in the country in which the applicant has been
17 invited to serve.

18 "(e) CONTACT INFORMATION.—The Director of the
19 Peace Corps shall provide each trainee, before each such
20 trainee enrolls as a volunteer, with—

21 "(1) the contact information of the Inspector
22 General of the Peace Corps for purposes of reporting
23 violations of the sexual assault protocol under sec-
24 tion 8C or any other criminal or administrative
25 wrongdoing by volunteers, personnel (including ex-

1 perts and consultants), or other individuals (includ-
2 ing contractors) who do business with the Peace
3 Corps; and
4 "(2) clear, written guidelines regarding whom
5 to contact, including the direct telephone number for
6 a victim advocate and what steps to take in the
7 event of a sexual assault.
8 "(f) DEFINITIONS.—In this section and sections 8C
9 through 8I:
10 "(1) ASSAULT.—
11 "(A) IN GENERAL.—The term 'assault'
12 means an act that—
13 "(i) creates an apprehension in an in-
14 dividual of an imminent, harmful, or offen-
15 sive contact; or
16 "(ii) is a harmful or offensive touch-
17 ing.
18 "(B) INCLUSION.—The term 'assault' in-
19 cludes stalking and sexual assault.
20 "(2) SEXUAL ASSAULT.—The term 'sexual as-
21 sault' means any conduct described in chapter 109A
22 of title 18, United States Code, relating to aggra-
23 vated sexual abuse, sexual abuse, and sexual contact,
24 whether or not the conduct occurs in the special
25 maritime and territorial jurisdiction of the United

1 States, and includes both assaults committed by of-
2 fenders who are strangers to the victim and assaults
3 committed by offenders who are known or related by
4 blood or marriage to the victim.
5 "(3) STALKING.—The term 'stalking' means
6 engaging in a course of conduct directed at a spe-
7 cific person that would cause a reasonable person
8 to—
9 "(A) fear for his or her safety or the safety
10 of others; or
11 "(B) suffer substantial emotional distress.
12 "SEXUAL ASSAULT PROTOCOL AND GUIDELINES
13 "SEC. 8C. (a) IN GENERAL.—The Director of the
14 Peace Corps shall develop and implement comprehensive
15 sexual assault protocol and guidelines that—
16 "(1) conform to best practices in the sexual as-
17 sault field; and
18 "(2) are applicable to all posts at which volun-
19 teers serve.
20 "(b) DEVELOPMENT AND CONSULTATION WITH EX-
21 PERTS.—In developing the sexual assault policy under
22 subsection (a), the Director of the Peace Corps shall con-
23 sult with and incorporate, as appropriate, the rec-
24 ommendations and views of experts in the sexual assault
25 field.

1 "(c) ELEMENTS.—The sexual assault protocol and
2 guidelines developed under subsection (a) shall include, at
3 a minimum, the following services with respect to a volun-
4 teer who has been a victim of sexual assault:
5 "(1) Protection of such volunteer's confiden-
6 tiality.
7 "(2) Provision of a victim's advocate to such
8 volunteer.
9 "(3) Provision of a sexual assault forensic evi-
10 dence kit to such volunteer upon request.
11 "(4) Provision of emergency health care to such
12 volunteer, including, to the greatest extent prac-
13 ticable, a choice of medical providers and a mecha-
14 nism for such volunteer to evaluate such provider.
15 "(5) Provision of counseling and psychiatric
16 medication.
17 "(6) Completion of a safety and treatment plan
18 with such volunteer.
19 "(7) Evacuation of such volunteer, accompanied
20 by a Peace Corps staffer at the request of such vol-
21 unteer.
22 "(8) An explanation to such volunteer of avail-
23 able law enforcement, prosecutorial options, and
24 legal representation.

"(d) DISTRIBUTION AND TRAINING.—The Director of the Peace Corps shall distribute to and train all in-country staff regarding the sexual assault protocol and guidelines developed under subsection (a).

"(e) REMOVAL AND ASSESSMENT AND EVALUATION.—

"(1) IN GENERAL.—If a volunteer feels at risk of imminent bodily harm and requests removal from the site in which such volunteer is serving, the Director of the Peace Corps shall, as expeditiously as practical after receiving such request, remove such volunteer from such site. If the Director of the Peace Corps receives such a request, the Director of the Peace Corps shall assess and evaluate the safety of such site and may not assign another volunteer to such site until such time as such assessment and evaluation is complete and such site has been determined to be safe.

"(2) DETERMINATION OF SITE AS UNSAFE.—Volunteers may remain at a site during an assessment and evaluation under paragraph (1). If the Director the Peace Corps determines that a site is unsafe, the Director of the Peace Corps shall, as expeditiously as practical, remove all volunteers from such site.

1 "(f) SEXUAL ASSAULT RESPONSE TEAMS.—The Di-
2 rector of the Peace Corps shall establish sexual assault
3 response teams, including Safety and Security Officers,
4 medical staff, and a victim advocate, that can respond to
5 reports of sexual assault against a volunteer.

6 "(g) CASE REVIEW.—The Director of the Peace
7 Corps shall conduct case reviews of a statistically signifi-
8 cant number of cases on a quarterly basis to determine
9 if proper procedures were followed in accordance with the
10 sexual assault protocols and guidelines developed under
11 subsection (a) and including the elements specified in sub-
12 section (c).

13 "(h) TRACKING AND RECORDING.—The Director of
14 the Peace Corps shall establish a global tracking and re-
15 cording system to track and record incidents of assault
16 against volunteers.

17 "(i) PROHIBITION ON COMBINING INCIDENTS.—The
18 Director of the Peace Corps may not combine into one
19 incident for purposes of tracking and recording under sub-
20 section (h) reports by different volunteers of assault
21 against such volunteers even if such assaults were com-
22 mitted by one individual against such volunteers at any
23 one time.

24 "(j) ALTERNATIVE SYSTEMS.—The Director of the
25 Peace Corps shall establish an alternative reporting sys-

1 tem and hotline access system through which volunteers
2 who are victims of assault can report and receive support
3 on an anonymous basis. Such alternative systems shall be
4 published in the Volunteer Handbook.

5 "VICTIMS ADVOCATES

6 "SEC. 8D. (a) VICTIMS ADVOCATES.—

7 "(1) IN GENERAL.—The Director of the Peace Corps
8 shall assign a certified victims advocate in Peace Corps
9 headquarters who shall report directly to the Director. The
10 Director of the Peace Corps shall assign such additional
11 certified victims advocates to assist such victims advocate
12 as the Director determines necessary. Such additional vic-
13 tims advocates shall have regional expertise and may be
14 posted abroad if such victims advocate determines that
15 such is necessary.

16 "(2) SENSE OF CONGRESS.—It is the sense of Con-
17 gress that the Director of the Peace Corps should assign
18 three additional certified victims advocates to assist the
19 certified victims advocate under paragraph (1).

20 "(3) PROHIBITION.—Peace Corps Medical Officers,
21 Safety and Security Officers, and program staff may not
22 serve as victims advocates. The victims advocate and addi-
23 tional victims advocates may not have any other duties
24 in the Peace Corps.

1 "(4) EXEMPTION.—The victims advocate and addi-
2 tional victims advocates shall be exempt from the five year
3 rule on appointments and assignments under section 7.
4 "(b) RESPONSIBILITIES.—The victims advocate and
5 additional victims advocates shall help develop and imple-
6 ment the sexual assault risk-reduction and response train-
7 ing described in section 8B and the sexual assault protocol
8 and guidelines described in section 8C and ensure such
9 training and such protocol and guidelines are being prop-
10 erly updated and followed. The victims advocate and addi-
11 tional victims advocates shall assist volunteers who are vic-
12 tims of assault by making such victims aware of the serv-
13 ices specified in section 8C(c) available to them and facili-
14 tating their access to such services.
15 "(c) STATUS UPDATES.—The victims advocate and
16 additional victims advocates shall provide to volunteers
17 who are victims of assault regular updates on the status
18 of their cases if such volunteers have opted to pursue pros-
19 ecution.
20 "(d) TRANSITION.—A victims advocate who is work-
21 ing with a volunteer who is a victim of assault and who
22 relocates back to the United States shall assist such volun-
23 teer to receive the services specified in section 8C(c) re-
24 quired by such volunteer, including through the duration

1 of the claim with the Department of Labor, even after
2 such volunteer is medically separated.

3 "ESTABLISHMENT OF SEXUAL ASSAULT ADVISORY
4 COUNCIL

5 "SEC. 8E. (a) ESTABLISHMENT.—There is estab-
6 lished in the Peace Corps a Sexual Assault Advisory Coun-
7 cil (in this section referred to as the 'Council').

8 "(b) MEMBERSHIP.—The Council shall be composed
9 of individuals selected by the Director of the Peace Corps
10 who are returned volunteers (including volunteers who
11 were victims of sexual assault and volunteers who were
12 not victims of sexual assault) and governmental and non-
13 governmental experts and professionals in the sexual as-
14 sault field.

15 "(c) FUNCTIONS; MEETINGS.—The Council shall
16 meet not less often than annually to review the sexual as-
17 sault risk-reduction and response training developed under
18 section 8B, sexual assault policy developed under section
19 8C, and the confidentiality policy developed under section
20 8G to ensure that such training and policies conform to
21 best practices in the sexual assault field.

22 "(d) REPORTS.—The Council shall annually submit
23 to the Director of the Peace Corps and the Committee
24 on Foreign Affairs and the Committee on Appropriations
25 of the House of Representatives and Committee on For-
26 eign Relations and the Committee on Appropriations of

1 the Senate a report on its findings based on the reviews
2 conducted pursuant to subsection (c).
3 "(e) FEDERAL EMPLOYEES.—Members of the Coun-
4 cil shall not be considered Federal employees for any pur-
5 pose and shall not receive compensation other than reim-
6 bursement of travel expenses and per diem allowance.
7 "(f) NONAPPLICABILITY OF FACA.—The Federal
8 Advisory Committee Act (5 U.S.C. App.) shall not apply
9 to the Council.
10 "VOLUNTEER FEEDBACK AND PEACE CORPS REVIEW
11 "SEC. 8F. (a) MONITORING AND EVALUATION.—Not
12 later than one year after the date of the enactment of this
13 section, the Director of the Peace Corps shall establish
14 goals, metrics, and monitoring and evaluation plans for
15 all Peace Corps programs and Country Directors. Moni-
16 toring and evaluation plans shall incorporate best prac-
17 tices from monitoring and evaluation studies and analyses.
18 "(b) ANNUAL VOLUNTEER SURVEYS.—The Director
19 of the Peace Corps shall annually conduct a confidential
20 survey of volunteers regarding the effectiveness of Peace
21 Corps programs and staff and the safety of volunteers.
22 "(c) PEACE CORPS INSPECTOR GENERAL.—The In-
23 spector General of the Peace Corps shall submit to the
24 Committee on Foreign Affairs and the Committee on Ap-
25 propriations of the House of Representatives and Com-

1 mittee on Foreign Relations and the Committee on Appro-
2 priations of the Senate the following:
3 "(1) A biennial report on reports received from
4 volunteers relating to misconduct, mismanagement,
5 or policy violations of Peace Corps staff, any
6 breaches of the confidentiality of volunteers, and any
7 actions taken to assure the safety of volunteers who
8 provide such reports.
9 "(2) A report, not later than two years after
10 the date of the enactment of this section and every
11 five years thereafter, evaluating the effectiveness and
12 implementation of the assault risk-reduction and re-
13 sponse training developed under section 8B and the
14 sexual assault protocol and guidelines developed
15 under section 8C.
16 "(3) A trend analysis every three years of the
17 annual volunteer surveys, including actions taken in
18 response to such surveys.
19 "(4) A report, not later than two years after
20 the date of the enactment of this section, describing
21 how Country Directors are hired, how Country Di-
22 rectors are terminated, and how Country Directors
23 hire staff.
24 "(d) EVALUATION DEFINED.—For purposes of this
25 section, the term 'evaluation' means the systematic collec-

1 tion and analysis of information about the characteristics
2 and outcomes of programs and projects as a basis for
3 judgments, to improve effectiveness, or inform decisions
4 about current and future programming.

5 "NONDISCLOSURE OF CONFIDENTIAL OR PRIVATE
6 INFORMATION

7 "SEC. 8G. (a) IN GENERAL.—The Director of the
8 Peace Corps shall establish and maintain a process to
9 allow volunteers to report incidents of assault, incidents
10 of misconduct or mismanagement, or violations of any pol-
11 icy, of the Peace Corps in order to protect the confiden-
12 tiality as described in subsection (c) and safety of such
13 volunteers and of the information reported, and to ensure
14 that such information is acted on appropriately. The Di-
15 rector of the Peace Corps shall train all volunteers and
16 staff about this process.

17 "(b) GUIDANCE.—The Director of the Peace Corps
18 shall provide guidance to officers and employees of the
19 Peace Corps who have access to the information reported
20 by volunteers under subsection (a) in order to protect
21 against the inappropriate disclosure of such information
22 and ensure the safety of such volunteers.

23 "(c) NONDISCLOSURE.—

24 "(1) IN GENERAL.—Except as provided in para-
25 graphs (1) and (2), the Director of the Peace Corps
26 may not—

1 "(A) disclose any personally identifying in-
2 formation or personal information of a volun-
3 teer who is a victim of assault collected in con-
4 nection with services requested, utilized, or de-
5 nied through Peace Corps programs; or
6 "(B) reveal such information without the
7 informed, purpose-limited, and reasonably time-
8 limited consent of such volunteer about whom
9 such information is sought.
10 "(2) RELEASE.—If the release of information
11 described in paragraph (1) is authorized by statute
12 or compelled by court order, the Director of the
13 Peace Corps shall—
14 "(A) make reasonable attempts to provide
15 notice to the volunteer with respect to whom
16 such information is being released; and
17 "(B) take such action as is necessary to
18 protect the privacy and safety of such volunteer.
19 "(3) INFORMATION SHARING.—The Director of
20 the Peace Corps may share—
21 "(A) nonpersonally identifying information
22 in the aggregate regarding services to volun-
23 teers and nonpersonally identifying demo-
24 graphic information in order to comply with re-

1 porting, evaluation, or data collection require-
2 ments;
3 "(B) nonpersonally identifying information
4 that would protect the safety of volunteers;
5 "(C) court-generated information and law-
6 enforcement generated information contained in
7 secure, governmental registries for protection
8 order enforcement purposes; and
9 "(D) law enforcement- and prosecution-
10 generated information necessary for law en-
11 forcement and prosecution purposes.
12 "(d) DEFINITION.—In this section, the terms 'per-
13 sonally identifying information' and 'personal information'
14 mean information for or about a volunteer who is a victim
15 of assault, including information likely to disclose the loca-
16 tion of such victim, including the following:
17 "(1) A first and last name.
18 "(2) A home or other physical address.
19 "(3) Contact information (including a postal,
20 email, or Internet protocol address, or telephone or
21 facsimile number).
22 "(4) A social security number.
23 "(5) Any other information, including date of
24 birth, racial or ethnic background, or religious affili-

1 ation, that, in combination with paragraphs (1)
2 through (4), would serve to identify such victim.
3 "REPORTING REQUIREMENTS
4 "SEC. 8H. (a) ASSAULT AND SEXUAL ASSAULT.—
5 The Director of the Peace Corps shall annually submit to
6 the Committee on Foreign Affairs and the Committee on
7 Appropriations of the House of Representatives and the
8 Committee on Foreign Relations and the Committee on
9 Appropriations of the Senate a report summarizing infor-
10 mation on—
11 "(1) sexual assault against volunteers;
12 "(2) assault against volunteers; and
13 "(3) the annual rate of early termination of vol-
14 unteers, including, to the maximum extent prac-
15 ticable, demographic data associated with such early
16 termination.
17 "(b) GAO.—Not later than one year after the date
18 of the enactment of this section, the Comptroller General
19 of the United States shall submit to the Committee on
20 Foreign Affairs and the Committee on Appropriations of
21 the House of Representatives and the Committee on For-
22 eign Relations and the Committee on Appropriations of
23 the Senate a report evaluating the quality and accessibility
24 of health care provided through the Department of Labor
25 to returned volunteers upon their separation from the
26 Peace Corps.

1 "(c) SAFETY AND SECURITY.—

2 "(1) IN GENERAL.—The Director of the Peace
3 Corps shall annually submit to the Committee on
4 Foreign Affairs of the House of Representatives and
5 the Committee on Foreign Relations of the Senate
6 a report on the safety of Peace Corps volunteers.
7 Each such report shall at a minimum include the
8 following information:

9 "(A) The incidence of crimes, together
10 with the number of arrests, prosecutions, and
11 incarcerations for every country in which volun-
12 teers serve for the preceding year.

13 "(B) A three year trend analysis of the
14 types and frequency of crimes committed
15 against volunteers for every country in which
16 the Peace Corps has operated for at least the
17 three preceding years.

18 "(2) INSPECTOR GENERAL AUDIT.—Not later
19 than two years after the date of the enactment of
20 this section and at least once every five years there-
21 after (or more frequently as appropriate), the In-
22 spector General of the Peace Corps shall perform an
23 audit of Peace Corps implementation of safety and
24 security protocols, including the status of any In-
25 spector General findings and recommendations from

1 previous audits that have not been adequately reme-
2 diated or implemented.
3 "(d) ACCESS TO COMMUNICATIONS.—
4 "(1) IN GENERAL.—The Director of the Peace
5 Corps, in coordination with all Country Directors,
6 shall determine the level of access to communication,
7 including cellular and Internet access, of each volun-
8 teer.
9 "(2) REPORT.—Not later than six months after
10 the date of the enactment of this section, the Direc-
11 tor of the Peace Corps shall submit to the Com-
12 mittee on Foreign Affairs and the Committee on Ap-
13 propriations of the House of Representatives and the
14 Committee on Foreign Relations and the Committee
15 on Appropriations of the Senate a report on the
16 costs of providing all volunteers with access to ade-
17 quate communication, including cellular service and
18 Internet access.
19 "(e) MONITORING AND EVALUATION.—Not later
20 than one year after the date of the enactment of this sec-
21 tion and annually thereafter, the Director of the Peace
22 Corps shall submit to the Committee on Foreign Affairs
23 and the Committee on Appropriations of the House of
24 Representatives and the Committee on Foreign Relations
25 and the Committee on Appropriations of the Senate a re-

1 port on the monitoring and evaluation of Peace Corps pro-
2 grams and Country Directors, including information on
3 the following:
4 "(1) A description of the monitoring and eval-
5 uation activities conducted in the preceding year.
6 "(2) A forecast of the monitoring and evalua-
7 tion activities planned for the subsequent year.
8 "(3) A description of the ways in which the re-
9 sults of the monitoring and evaluation activities have
10 informed the design and operation of development
11 policies and programs during the preceding year.
12 "PORTFOLIO REVIEWS
13 "SEC. 8I. (a) IN GENERAL.—The Director of the
14 Peace Corps shall, at least once every three years (or more
15 frequently as appropriate), perform a review to evaluate
16 the allocation and delivery of resources across the coun-
17 tries the Peace Corps serves or is considering for service.
18 Such portfolio reviews shall at a minimum include the fol-
19 lowing with respect to each such country:
20 "(1) An evaluation of the country's commitment
21 to the Peace Corps program.
22 "(2) An analysis of the safety and security of
23 volunteers.
24 "(3) An evaluation of the country's need for as-
25 sistance.
26 "(4) An analysis of country program costs

"(5) An evaluation of the effectiveness of management of each post within the country.

"(6) An evaluation of the country's congruence with the Peace Corps' mission and strategic priorities.

"(b) REPORT.—The Director of the Peace Corps shall prepare a report on each portfolio review required under subsection (a). Each such report shall discuss performance measures and sources of data used (such as project status reports, volunteer surveys, impact studies, reports of the Inspector General of the Peace Corps, and any external sources) in making each such review's findings and conclusions. The Director shall make each such report available upon request to the Chairman and Ranking Member of the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate in a manner consistent with the protection of classified information if determined necessary to protect sensitive information.".

SEC. 1003. CONFORMING AMENDMENTS.

(a) INCLUSION OF SEXUAL ASSAULT RISK-REDUCTION AND RESPONSE TRAINING.—The Peace Corps Act is amended—

1 (1) in section 5(a) (22 U.S.C. 2504(a)), in the
2 second sentence, by inserting "(including training
3 under section 8B)" after "training"; and
4 (2) in section 8(a) (22 U.S.C. 2507(a)), in the
5 first sentence, by inserting ", including training
6 under section 8B," after "training".
7 (b) CERTAIN SERVICES.—Section 5(e) of the Peace
8 Corps Act (22 U.S.C. 2504(e)) is amended, in the first
9 sentence—
10 (1) by inserting "(including, if necessary, for
11 such volunteers and for trainees, services under sec-
12 tion 8D)" after "health care"; and
13 (2) by inserting "including services provided in
14 accordance with section 8D (except that the six-
15 month limitation shall not apply in the case of such
16 services)" before "as the President".

17 **SEC. 1004. INDEPENDENCE OF THE INSPECTOR GENERAL**
18 **OF THE PEACE CORPS.**

19 Section 7(a) of the Peace Corps Act (22 U.S.C.
20 2506(a)) is amended by adding at the end the following
21 new paragraph:
22 "(7) The limitations specified in subparagraph
23 (A) of paragraph (2) on the length of appointment
24 or assignment under such paragraph, subparagraph
25 (B) of paragraph (2) on reappointment or reassign-

1 ment of an individual whose appointment or assign-
2 ment under such paragraph has been terminated,
3 and paragraph (5) on the circumstances under
4 which an appointment or assignment under para-
5 graph (2) may exceed five years shall not apply to—
6 "(A) the Inspector General of the Peace
7 Corps; and
8 "(B) officers and employees of the Office
9 of the Inspector General of the Peace Corps.".

10 **SEC. 1005. AUTHORIZATION OF APPROPRIATIONS.**

11 Of the amounts authorized to be appropriated under
12 section 403, there is authorized to be appropriated for the
13 Peace Corps $375,000,000 for fiscal year 2012, of which
14 not less than $4,637,000 is authorized to be appropriated
15 for the Office of the Inspector General of the Peace Corps.

○

Chairman ROS-LEHTINEN. And after the ranking member and I deliver our opening remarks, I would be pleased to recognize other members who wish to speak for 5-minute opening statements.

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

We will then proceed to consider each title of the bill in order, which the clerk will designate by number and descriptive title.

I want to give folks a heads-up that, given the large number of recent and unknown amendments, I may be routinely reserving a point of order as each one is called up, and this does not necessarily reflect opposition to the amendment. It is just intended to give us a chance to look at the amendment, to make sure that it is within the committee's jurisdiction and doesn't expose the bill to unintended problems down the line. We have enough intended problems.

I also want to give everyone a heads-up that it is presently my intention to recess temporarily only for floor votes so that we can get through the bill as expeditiously as possible. And there may be points in the day when I decide to postpone and roll recorded votes, but, in that case, I intend to postpone those votes to a time certain, giving members at least ½-hour notice before 7 o'clock p.m. and a full hour's notice after 7 o'clock p.m. so that there are no surprises. We don't want folks to miss votes inadvertently.

Before turning to the ranking member, I now recognize myself to speak on this measure.

In my capacity as chairman, my priority has been to ensure that this committee is fully responsive to the interests and concerns of the American people. To that end, I have sought to significantly increase our oversight efforts and promote greater accountability, efficiency, and transparency in the agencies, programs, and operations under this committee's jurisdiction. I have been committed to expanding the committee's role in shaping U.S. foreign policy and have opened many committee-hosted meetings to the entire House.

Fiscally, this legislation is based on the bipartisan, carefully negotiated agreement for the Fiscal Year 2011 budget that was signed in to law earlier this year. The funding levels in this bill represent no increase from the Fiscal Year 2011 continuing resolution and will result in billions of dollars in savings in comparison with the proposed Fiscal Year 2012 budget.

The bill contains a long list of important measures, many of them resulting from the committee's enhanced oversight and investigations, and I will mention only a few.

In foreign assistance, a key objective is to move countries from perpetual dependence on foreign donors to sustained economic growth that will lift their population out of poverty using innovative, efficient methods and public-private partnerships. In this regard, the goals of the Millennium Challenge Corporation serve as a guide, especially the emphasis on ending corruption and ensuring that U.S. taxpayer dollars do not fill the coffers of corrupt governments.

Microfinance and microenterprise are vital to achieving economic growth, which is why the bill urges support for these efforts and also includes language on micro-credit in sub-Saharan Africa. An

example of what can be accomplished through bipartisan cooperation are the very important initiatives on Sudan and micro-credit offered by Mr. Payne, the ranking member on the Subcommittee on Africa, Global Health, and Human Rights. I want to thank Mr. Payne for his leadership on these issues and for his commitment to working closely with me and other members to ensure their inclusion in the base text.

In the area of nonproliferation, by strengthening the Proliferation Security Initiative, we are enhancing the tools available to the President by preventing Iran from acquiring nuclear weapons, ballistic missiles, and other means of assaulting the U.S. and or our allies. I appreciate Ranking Member Berman's input in improving this provision in the bill. The related change in the reporting requirement in the Iran, North Korea, and Syria Nonproliferation Act, from 6 months to 120 days, reflects our determination to address years of delay by the State Department in meeting its mandated schedule for reports on nonproliferation.

The bill continues this committee's long support for human rights and democracy programs, including provisions offered by members on both sides of the aisle concerning Vietnam's ongoing restrictions on religious freedoms, the rights of religious minorities in Egypt, and strong support for the reunification of Cyprus.

Among the most important provisions in the sections regarding U.S. security assistance are the reaffirmation of our unwavering support for our ally Israel, especially by ensuring that its qualitative military edge will remain robust and that our close relationship and cooperation on missile defense will continue.

The bill also conditions U.S. assistance to Egypt, Lebanon, Yemen, and the Palestinian Authority. Basically, if Hamas, Hezbollah, and other foreign terrorist organizations or violent extremist groups hold policy positions in their respective governments, they are not to receive U.S. assistance unless the President determines that it is vital to the national security interest to allow it to go forward. Our goal is to promote democratic governments in these countries and ensure that U.S. taxpayers are not subsidizing groups that seek to undermine U.S. policies, interests, and allies.

Turning to Pakistan, the language in this bill puts that government on notice that it is no longer business as usual and that they will be held to account if they continue to refuse to cooperate with our efforts to eliminate the nuclear black market, destroy the remaining elements of Osama bin Laden's network, and vigorously pursue our counterterrorism objectives. I think the prospect of a cutoff of assistance will get their attention and that the games being played with our security will finally stop.

There are a number of provisions that stem from this committee's oversight and investigations, such as the reforms of the State Department Inspector General and the Peace Corps. A priority in the Peace Corps section has been to address the sexual assault and abuse that Peace Corps volunteers have been subjected to and that have been ignored or covered up by officials for decades. This is based on bipartisan legislation introduced by Mr. Poe that I was proud to cosponsor and work on with him.

There are many other reforms and provisions aimed at improving our foreign relations agencies and programs, but I do not have time to go in to them here.

From the first, my goal has been to have a foreign relations authorization bill enacted into law after many years of failed attempts or simply not trying at all. To ensure that we do not relapse, the authorization in this bill is limited to 1 year, which will necessitate our addressing it again in order to ensure that we thoroughly review how State has implemented the policies and reforms. It is my hope that this bill will emerge from the committee with the support of a large majority and then quickly go to the floor. Hope springs eternal.

With that, let's get to work. I now turn to my good friend, the ranking member, Mr. Berman, for the remarks that he might care to make. Mr. Berman is recognized.

Mr. BERMAN. Well, thank you very much, Madam Chairman.

Passing a State Department authorization bill is one of the most important responsibilities of this committee, and I am actually glad that you are making it one of your priorities.

It is also encouraging to hear that your leadership is insisting that we pass our authorization bill before the appropriators mark up the State-Foreign Operations bill. That is an important first step in making this committee relevant again.

Having said that, the process that got us to this point leaves much to be desired and, in the end, severely undermines the credibility of this legislation. As you know, we received a first draft of this on July 6th. We appreciate the fact that you agreed to delay the markup by a week, but, frankly, 2 weeks is simply not enough to thoroughly review and vet a bill of this complexity. That is especially the case when the text keeps changing and changing. The most egregious example is the title on foreign assistance, which was not added until this past Saturday night. This is no way to run a railroad.

I can't help pointing out—well, I could help pointing out, but I choose not to—I choose to point out that when this committee last did a State bill 2 years ago, you, as the ranking member, had a draft text 2 full months before the markup, and the bill was introduced 2 weeks before committee consideration.

I wish that my concerns about the bill were limited to process, but they are far deeper than that. I appreciate the fact that the authorization levels for the State Department and certain foreign assistance are more or less the same as in the Fiscal Year 2011 budget deal. But I thought the numbers were too low when the deal was passed, and I continue to believe that today.

As our Nation's top military leaders have said repeatedly, diplomacy and development, along with defense, are the key pillars of our national security strategy. By shortchanging two of the three legs of that national security stool, we undermine our ability to respond to crises, promote stability, and pursue a wide range of U.S. interests around the world. This will inevitably result in greater reliance on the military and end up costing us much more in the long run.

Beyond the authorization levels, I have serious concerns about some of the policy provisions in this bill. On Pakistan, you tie all

economic assistance to the certification in Kerry-Lugar that applied to security assistance, toughen the certification, and eliminate the waiver. I agree we need to get tough with Pakistan on security assistance, but I fundamentally disagree with your approach on economic aid. The key to long-term stability in Pakistan and the only way we will ever get Pakistan to change its behavior, is by strengthening its civilian institutions—not weakening them, as this bill will do.

I have serious concerns about a number of provisions in the foreign assistance title, and I strongly object to the conclusion of the global gag rule, which we just learned about on Sunday night. I am also troubled by the authorization level for the peacekeeping account, which will put us back into arrears with the U.N., and oppose the cap on funding for the OAS, which I believe will only strengthen the hand of Hugo Chavez. I could go on and on about the other problematic provisions in the bill—and, unfortunately for the rest of you, I probably will during the course of the markup—but you get the point.

Regrettably, I get the sense that what I already consider to be a bad bill is going to get much worse in this markup and on the floor. That will simply ensure that this is a one-House bill.

Madam Chairman, I appreciate your willingness to make some sensible changes in the bill: Tough but workable waiver standards for the Middle East security assistance, and making technical changes to a number of other provisions. But, in the end, I remain strongly opposed to numerous provisions in the legislation, and I urge my colleagues to vote no.

Chairman ROS-LEHTINEN. Thank you very much, Mr. Berman.

Mr. Smith?

If members choose to make an opening statement, I will recognize them. You are not forced to do so.

Thank you.

Mr. Burton?

Mr. BURTON. Madam Speaker, you said everything so well, I will pass.

Chairman ROS-LEHTINEN. Mr. Rohrabacher?

Mr. ROHRABACHER. Well, everything we do here is in context of what is going on in our country right now. And let's just note, any money that we approve of spending today, what we are doing is asking for a policy of borrowing that money from China in order to give to someone else, so that our children can be in debt and pay back what we are giving to somebody else right now. If it is worth it, it is worth it. Well, sometimes you have to do things like that. But I think we should make sure we keep that in mind as we start spending our children's money.

Chairman ROS-LEHTINEN. Mr. Ackerman?

Mr. ACKERMAN. This is a bloody mess. Let's just get to work.

Chairman ROS-LEHTINEN. Thank you.

Mr. Chabot?

Mr. Mack?

Mr. Fortenberry?

Mr. FORTENBERRY. I will pass.

Chairman ROS-LEHTINEN. Thank you.

Ms. Schmidt?

Mrs. SCHMIDT. I will pass.

Chairman ROS-LEHTINEN. Mr. Rivera?

Mr. Marino?

Mr. Kelly?

Mr. Griffin?

Ms. Ellmers?

Did I skip Poe? Judge Poe, I apologize.

Ms. Buerkle, do you have any opening statement?

Ms. BUERKLE. No, thank you.

Chairman ROS-LEHTINEN. Bless you, my child.

Mr. Faleomavaega?

Mr. FALEOMAVAEGA. Madam Chair, for the record, I associate myself with the opening statement of our ranking member. And I look forward to the markup. Thank you.

Chairman ROS-LEHTINEN. And the bloody one by Mr. Ackerman.

Mr. Meeks?

Mr. MEEKS. Thank you, Madam Chair.

And I just want to say that my reaction from reading it reminded me of some epic opening remarks before reviewing the Bush administration's international affairs budget request for Fiscal Year 2007. In a speech by one of our esteemed former colleagues, Chairman Henry Hyde, known as "The Perils of the Golden Theory," Mr. Hyde told us about a paradox lying at the heart of America's relationship with the world:

> "Massively engaging the world while living on an autonomous island in the global sea . . . breeds arrogance . . . self-delusion . . . and inevitably distorts perceptions of the world by insulating them in a soothing cocoon."

And I find that this legislation before us is a perfect example of what Chairman Hyde was warning us about, because, as our ranking member has indicated, the proposal consists of sweeping cuts to programs aimed at improving the security situation in global hotspots, including Lebanon, Pakistan, Yemen, and the Palestinian Authority. And it also proposes—the proposal instructs the administration to disengage from, or remove funding for international organizations, including the United Nations and the Organization of American States, in some cases bringing the United States into financial arrears.

To me, that is not wise. And we need to make sure that we are working in a way that brings this world closer together so that we can have a better tomorrow than our today and yesterday.

And I yield back.

Chairman ROS-LEHTINEN. Thank you.

Mr. Sires?

Mr. SIRES. I have no comment. Thank you very much.

Chairman ROS-LEHTINEN. Mr. Connolly?

Mr. CONNOLLY. Thank you, Madam Chairman.

Just briefly, you know, we are a great power, and a great power cannot retreat from its responsibilities. It is a false choice to say we simply cannot afford to invest in our diplomacy. The cuts being presented today I think will be seriously injurious to the interests of our country and to the ability of the United States as a great power to execute its diplomatic responsibilities. I believe that that

is, as I said, a false choice, and it is one that I hope my colleagues will ponder carefully as we undertake this markup today.

And I thank you, Madam Chairman.

Chairman ROS-LEHTINEN. Ms. Schwartz?

Ms. SCHWARTZ. I also just pass just to say that I do have a few amendments I hope to offer later to see if we can't reach some bipartisan agreement on a few different points. I think there will be broader questions, obviously, that will come up during the course of the day, but I, too, agree that it is a question of priorities and the degree to which we are a world power and engage and act as such.

Thank you.

Chairman ROS-LEHTINEN. Ms. Bass?

Mr. Cicilline?

Mr. CICILLINE. Thank you, Madam Chairman.

I also have several amendments which I intend to offer, and I would associate myself with the remarks of our ranking member.

Chairman ROS-LEHTINEN. Thank you.

Mr. Higgins?

Mr. Keating?

And Ms. Wilson.

Ms. WILSON OF FLORIDA. Thank you, Madam Chair.

I am extremely concerned about the general course of this legislation before us today. Of course, I am concerned about the cap on funding for the U.N. peacekeepers, the decision of the Mexico City language restricting choice for women, the Millennium Challenge Corporation's lessened ability to help people in poor countries, including Haiti. I am really concerned about Haiti and the U.N. peacekeepers.

My concern with the legislation is that it will not allow the State Department to play a key role in national security. Two years ago, then-Chairman Berman said,

> "The State Department and our other civilian foreign affairs agencies have a critical role to play in protecting U.S. national security. Diplomacy, development, and defense are the three key pillars of our U.S. national security policy. By wisely investing resources to strengthen our diplomatic capabilities, we can help prevent conflicts before they start and head off conditions that lead to failed states."

Former Defense Secretary Robert Gates said,

> "It has become clear that American civilian institutions of diplomacy and development have been chronically undermanned and under funded for far too long."

Let's support our troops, let's fight for the poor, let's get a bill that provides the Department of State with the resources it needs to succeed.

Thank you, Madam Chair.

Chairman ROS-LEHTINEN. Thank you very much.

We will now proceed to consider title I of the bill.

The clerk will designate the title.

Ms. CARROLL. H.R. 2583, To authorize appropriations for the Department of State for Fiscal Year 2012, and for other purposes. In

the House of Representatives, Ms. Ros-Lehtinen introduced the following bill; which was referred to the Committee on Foreign Affairs. A bill to authorize——

Chairman ROS-LEHTINEN. Without objection, we will consider that the title is read.

Are there any amendments to the title?

Mr. Mack is recognized.

Mr. MACK. Thank you, Madam Chair. And I first want to say, congratulations for bringing this bill forward and all of your hard work and dedication to the committee's work.

Chairman ROS-LEHTINEN. Thank you. Does the member have an amendment?

Mr. MACK. I have an amendment at the desk.

Chairman ROS-LEHTINEN. The clerk will read the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Mack of Florida. In section 102 of the bill (relating to——

Chairman ROS-LEHTINEN. Thank you. We will consider the amendment as read.

[The information referred to follows:]

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AMENDMENT TO H.R. __

OFFERED BY MR. MACK OF FLORIDA

(Foreign Relations Authorization Act, Fiscal Year 2012)

In section 102 of the bill (relating to contributions to international organizations), strike the second sentence and insert the following: "None of the funds authorized to be appropriated by this section are authorized to be appropriated for assessed contributions to the Organization of American States.".

☒

Chairman ROS-LEHTINEN. Does everyone have a copy of the Mack amendment at their desk?

Mr. BERMAN. Reserving a point of order.

Chairman ROS-LEHTINEN. Yes, yes.

I will recognize the author for 5 minutes to explain the amendment.

Mr. MACK. Thank you, Madam Chair.

And as my position as the chair of the Western Hemisphere, it has become clear to me that the OAS is an organization in Latin America that has failed. It is failing not only in the tradition and the values of America, but it has failed in its charter to defend freedom and democracy in the Western Hemisphere. It appears that, every time we turn around, the OAS, instead of supporting democracies, is supporting and coddling, if you will, the likes of Hugo Chavez.

So what my amendment does is very simple. It restricts all funds to the OAS. And for the members on the committee who are concerned about saving money, this would save about $48.5 million out of this authorization.

Again, Madam Chair, it would be one thing if the OAS was a value-added partner in Latin America that actually stood for its charter and that took the hard stands to make sure that those that want to destroy freedom and democracy don't have an organization to use in that attempt. And I think that the OAS has been complicit in the continued down spiral of some of the countries in Latin America, disappointed that the OAS continues to turn its back on its own charter.

And, with that, Madam Chair, I yield my time back to you.

Chairman ROS-LEHTINEN. Thank you very much, Mr. Mack.

Do any other members seek recognition on the Mack amendment?

Mr. Berman is recognized.

Mr. BERMAN. Yes, Madam Chairman, I rise in opposition—I don't rise—I sit in opposition to the amendment. I speak in opposition to the amendment.

This amendment wipes out all funding for the OAS. I was upset with the cut of $5 million in the base bill. This wipes it all out. There will be amendments to address that issue later on. I will be real quick on this.

We have a treaty obligation to pay our assessed dues to the OAS. This is a unilateral act by this committee, were this amendment to be adopted, to abrogate that treaty obligation. This is the only regional organization that brings together the 34 democratically-elected governments of the region, including the United States and Canada.

The notion that we are going to defund the OAS, undermine the organization's ability to maintain rank-and-file staff critical to advancing its important work in key areas, the Inter-American Commission on Human Rights, decrease our moral and political standing in the organization, avoid all this—I can't think of anything that Hugo Chavez would want more.

I urge a no vote on this amendment.

Chairman ROS-LEHTINEN. Thank you.

Do other members wish to be recognized?

Mr. Rohrabacher?

Mr. ROHRABACHER. Thank you very much.

Mr. Mack, of course, has enveloped himself in understanding what is going on in Central and South America. He has obviously had some experiences with the Organization of American States which would suggest that the $48 million that we are borrowing

from China in order to give to the Organization of American States may not be a good investment and may be working contrary to our interests, not only our interests in terms of responsible spending but also, perhaps, other interests.

And I would ask Mr. Mack if he could—I would yield to him the balance of my time so he could explain to us exactly some of the things the OAS may be doing that make them not worthy of us borrowing money in order to give to that organization.

Chairman ROS-LEHTINEN. Mr. Mack is recognized.

Mr. MACK. I thank the gentleman.

And to the point of the ranking member, if you have an organization that everyone is committed to that continues to fly in the face of the values of the United States and of its own charter, it is irresponsible of us to continue to fund such an organization that gets in the way of democracy, that gets in the way of the goals of the United States. I think a continuation of funding of the OAS sends the wrong message to Latin America. It sends a message that if you want to be a part of the ALBA nations, the OAS is a perfect place for you to come and move your agenda.

So I would say to my side of the aisle that there hasn't been an example of the OAS supporting freedom and democracy. And I will give you an example. When the former President of Honduras tried to circumvent its own Constitution, it was the OAS and Hugo Chavez that attempted to help the President of Honduras to take over the country in a style only Hugo Chavez could support. So Chavez was flying on the plane, on the OAS plane, delivering ballots in Honduras against the Constitution of Honduras, and the ultimate removal of the President of Honduras.

This organization is not supporting the ideals of America or freedom and democracy, and we cannot continue to support such an organization. I would suggest to the gentleman, the ranking member, that—why would we continue to fund an organization that is intent on destroying the exact things that this committee is working hard for in Latin America?

And I yield back.

Chairman ROS-LEHTINEN. Thank you.

Mr. ROHRABACHER. Madam Chair?

Chairman ROS-LEHTINEN. Mr. Rohrabacher is recognized.

Mr. ROHRABACHER. Yeah, let me just note, $48.5 million, well, let's let Mr. Chavez pay for it. I mean, he is spending $48 million here and there to undermine our interests, putting money into revolutionary movements. Why should we finance all of this? And let's let Mr. Chavez pick up that——

Mr. BERMAN. Would the gentleman yield?

Mr. ROHRABACHER. Well, yes, I would.

Chairman ROS-LEHTINEN. Mr. Berman is recognized.

Mr. BERMAN. The fact is that there is—I thought there was only one, but if we pass this amendment maybe there are two governments that are actively and systematically trying to weaken the OAS. That one government was Venezuela. Why? Because it is the only regional organization that has called Chavez on the carpet repeatedly on democracy, on human rights, on free expression.

We are joining his side of this debate. He keeps trying to set up alternative organizations to the OAS. We are doing his work for him.

I yield back.

Chairman ROS-LEHTINEN. Mr. Rohrabacher?

Mr. ROHRABACHER. Well, thank you very much for that insight. And I yield back.

Chairman ROS-LEHTINEN. Thank you.

Mr. Ackerman, I know that you would like to be recognized, but Mr. Connolly was quicker on the draw.

Mr. Connolly is recognized, and then we will go——

Mr. CONNOLLY. Madam Chairman, I certainly would yield to Mr. Ackerman and then reclaim my time.

Chairman ROS-LEHTINEN. Be glad to.

Mr. Ackerman is recognized.

Mr. ACKERMAN. Thank you, Madam Chairman.

Very kind of you.

I am sorry, Howard, I don't like Chavez. I've got to agree with Mr. Rohrabacher. These people are just not worthy of us. I mean, the whole world is not worthy of us. I mean, none of them are really worthy of us. I mean, we know what freedom is. They don't like freedom.

I think I—you know, at the proper time I might just offer an amendment to just pull out of the world and put all this money into digging a moat around the United States and putting a big dome over the thing and——

Chairman ROS-LEHTINEN. Does the gentleman have an amendment?

Mr. ACKERMAN [continuing]. Keep us—I will see if I can have staff draft that.

I mean, this thing is getting awful ridiculous. I mean, we have to borrow from the Chinese to help people in our own hemisphere? I mean, what are we degenerating in to? What are we becoming?

Complaining that, you know, we are borrowing from the Chinese? Well, let me tell you something, the Chinese are investing more than $48.5 million in each and every one of those countries and all over the world. That is our real competition. We are competing on this planet for the hearts and minds of people who should be looking toward us because of the value that you claim we represent, and indeed we do, but we are not representing it to others.

We should be extending our hand and trying to cooperate and bring them to a better place, the place that we see and the place that we know is a good place. They look to us for leadership and inspiration. And here we are, for a lousy $48.5 million, willing to symbolically turn our back on our own hemisphere.

And the people who look to us as brothers for a little bit of understanding and sympathy—and if we turn our backs on the people in our hemisphere, there is no hope. There is no hope for us winning the hearts and minds of people anywhere in places that are in trouble, where people are in distress, where they feel there is no hope for the future generations, and they will look to others who do help them and do want to extend that hand.

This is folly. It is more than folly, it is dangerous. We are approaching the precipice of leaving this planet. And if that is what you want, that is what you are going to get. And you have the votes to do it; that is the frightening thing. But what you should be looking at is opportunities to be helpful, to make this world a better place. And what better place to start but in our own hemisphere?

Forty-eight-point-five million dollars. If you want to do away with it, you have the power. Let's see what you do with it.

Chairman ROS-LEHTINEN. Mr. Burton is recognized.

I thought he was going to claim his own time. Would you like to have the full 5 minutes? I think he just ceded his spot.

Mr. CONNOLLY. I was just going to claim my own time, that is right, Madam Chairman.

Chairman ROS-LEHTINEN. Okay. Thank you.

Mr. Burton is recognized.

Mr. BURTON. Thank you, Madam Chairman. I yield my time to Mr. Mack.

Chairman ROS-LEHTINEN. Mr. Mack is recognized.

Mr. MACK. I thank the gentleman.

To my colleagues, this is no joke. We continue to fund an organization that does not support the ideals of America. We continue to fund an organization that is bent on being a roadblock to democracy in our hemisphere. This isn't a joke. This isn't putting a moat around the United States. And it is offensive that someone would make that analogy.

Why would you continue to fund an organization that has no intentions on even ensuring its own charter? So, in effect, what you are doing is you are hurting the people of Latin America by supporting the OAS. You can't give an example of when the OAS has fought for democracy. It has done everything it can to be a roadblock for democracy. There have been more opportunities for the OAS to stand up for its own charter, and it has failed to do so.

So I would suggest to other members, this is not a joke. If you want to continue to fund an organization that you can't defend other than saying, "Well, we should put a moat around the United States," is laughable.

I would suggest to the members that there is a better way, moving forward, in Latin America than the OAS. And that is the United States will stand with our friends and our allies, to support free-trade agreements, to pass free-trade agreements. If you really want to care—if you really care about the people of Latin America, then let our allies know that if you are a friend of the United States, that we will be a friend of yours. Stop blocking the free-trade agreements.

That is the way to move forward in Latin America, not to continue to fund an organization that is destroying the opportunity for democracy. And that is what you will be doing if you do not support this amendment. You will support an organization that is destroying the hopes and dreams of Latin America. If this committee and if this Congress is serious about supporting our friends, we will pass the free-trade agreements, and we will defund the OAS.

I yield back.

Chairman ROS-LEHTINEN. Mr. Burton, would you like to——

Mr. BURTON. Yes, I will yield the balance of my time to Mr. Rohrabacher.

Chairman ROS-LEHTINEN. Mr. Rohrabacher is recognized.

Mr. ROHRABACHER. Well, just a note, that when $48 million that we will borrow from China in order to give and finance the Organization of American States is referred to as a lousy $48 billion—or million—pardon me for mixing the M's and the B's there—a lousy $48 million, let me tell you what $48 million can do in my district.

Forty-eight million dollars can take care of the needs of our veterans in my district who are coming back from the war and need help. And now we are in such a bad financial situation that we are struggling to come up with that money. Forty-eight million dollars could provide all of the schools in my district the—how do you say—taking care of their own—the maintenance of their facilities that they now are in desperate need of. That is what a lousy $48 million can do.

Now, why are we borrowing money from China in order to put our children in debt when we have needs like that at home? And I take it that Mr. Mack is an expert. He is the chairman of the subcommittee, and so I am taking his concerns very seriously, rather than just looking at $48 million as just a lousy $48 million. No, it is really an important $48 million.

Thank you.

Chairman ROS-LEHTINEN. Mr. Burton?

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

Chairman ROS-LEHTINEN. Thank you.

Mr. Connolly is recognized.

Mr. CONNOLLY. Thank you, Madam Chairman. And I speak in opposition to this amendment.

You know, we have just been presented with a lot of false choices. Somehow, support for an organization this country created and founded, an organization than stood with President Kennedy during the Cuban missile crisis unanimously against the emplacement of nuclear-tipped missiles 90 miles from our border, an organization that has been useful on a multilateral basis to U.S. foreign policy and to our relationships in building democracy in this hemisphere is somehow tantamount to actually doing the opposite of all of those things. And, oh, by the way, it is a deficit-reduction measure.

That is a false choice. This is a great country. The fact that any multilateral organization doesn't bend to our will 100 percent is to be expected. That is why we roll up our sleeves and participate in the arena, in the international arena. This amendment is nothing but a retreat from our international responsibilities as a great power, with false arguments to back it up.

This committee needs to stand tall. We are the Foreign Affairs Committee of the United States Congress. We are not going to tolerate any retreat by the United States in terms of its responsibilities, especially in our own backyard.

I yield back.

Chairman ROS-LEHTINEN. Thank you.

Mr. Rivera is recognized.

Mr. RIVERA. Thank you, Madam Chair.

I think it has been made pretty clear by the sponsor of the amendment and by others that the OAS is simply an enemy to the interests of the United States and an enemy to the interests of hemispheric security. Not only that, they have been an ally to the enemies of freedom, the enemies of freedom and democracy in the hemisphere.

A lot has changed since that unanimous vote in 1962, where, yes, the OAS did stand with the United States. But in contemporary events, we can see that there is a huge difference in the OAS. We see what happened in their treatment of the forces of democracy in Honduras. And we see what has happened with their treatment toward the forces and enemies of democracy and freedom in Cuba.

Just in recent years, in recent times, the OAS has voted to allow Cuba, a nation that has been designated a sponsor of terrorism by the United States, voted to allow them back into the OAS. In fact, the person leading that charge, Mr. Insulza, Secretary of the OAS, was quoted as saying, "One of the greatest sources of legitimacy of the Cuba system is Fidel Castro. And I say this with very much respect and an admiration for this individual."

Well, maybe Mr. Insulza didn't understand the reality of what is going on in Cuba: That there are no human rights, no civil liberties, no free elections. Maybe he didn't understand that the Castro dictatorship murdered four Americans in international airspace in 1996, unarmed civilians, murdered Americans, murdered in international airspace.

Maybe he didn't understand the fact that Cuba is harboring fugitives from U.S. justice, including cop killers. And I know we have my distinguished colleague from New Jersey, Mr. Sires, here, who could probably speak to that better than I can because it happened in his State—cop killers being harbored in Cuba by the Castro dictatorship. Fugitives from justice in the United States, dozens and dozens of them wanted by the FBI.

Maybe Mr. Insulza and others in the OAS didn't realize that right now, as we speak, there is an American being held hostage in Cuba—an American citizen, Alan Gross, being held hostage by the Castro dictatorship.

Or maybe Mr. Insulza didn't understand what is going on with the opposition movement, the human rights activists in Cuba, people like Orlando Zapata Tamayo, who was killed by the regime after being on a hunger strike. And just in recent days, in the last few weeks, his mother came here to Congress and demonstrated the blood-soaked shirt that her son was wearing when he was murdered by the Castro dictatorship.

So when we talk about the treatment of the United States toward international organizations, really what we need to talk about is the treatment of these international organizations toward the interests of democracy and security in our hemisphere.

It kind of reminds me of that scene in "Animal House" where the college pledge is pledging the fraternity, and as part of the ceremony to become a member of the fraternity he has to get paddled, and every time he gets paddled, he says, "Please, sir, may I have another?" How much longer are we going to say to the OAS, "Please, sir, may I have another?"

I understand a little bit about Stockholm Syndrome, where the hostage becomes enamored with their persecutor. And I don't know if that is going on with this administration or with some who support involvement in the OAS, but maybe it is. But the time for the abuse is over.

Mr. ACKERMAN. Would the gentleman yield for a question?

Mr. RIVERA. I will in just a moment.

The time for the abuse is over. What we need to do is engage. This is not isolationism. This is engaging our allies—with free trade, with supporting democratic reform, with supporting civil liberties in the hemisphere.

When someone gives me the answer to exactly how the OAS is supporting our interests, supporting the interests of democracy, freedom, human rights, in the hemisphere, then perhaps we can consider funding the OAS.

And I will yield my time for that answer.

Mr. ACKERMAN. Thank you.

Chairman ROS-LEHTINEN. The gentleman is recognized for 15 seconds.

Mr. ACKERMAN. Thank you.

The gentleman does know that Cuba is not a member of the OAS and gets none of its money, does he not?

Mr. RIVERA. They voted to allow the OAS—to allow Cuba into the OAS, and Cuba can become a member——

Chairman ROS-LEHTINEN. The time has expired. Thank you very much.

Mr. Payne?

Mr. ACKERMAN. Madam Chair?

Chairman ROS-LEHTINEN. No. No.

Mr. PAYNE. Mr. Ackerman, I will yield to you.

Chairman ROS-LEHTINEN. Mr. Payne, you can yield the time to Mr. Ackerman. But Mr. Payne is recognized for 5 minutes. Each member is recognized for 5 minutes.

Mr. ACKERMAN. Madam Chair, we are each entitled to our opinion, and I do respect yours. And——

Chairman ROS-LEHTINEN. Wait.

Mr. Payne, you had already given him the time?

Mr. PAYNE. Yes, I yield a portion, a small portion.

Mr. ACKERMAN [continuing]. And I appreciate your usual fairness, but I was making a point, and there were 10 seconds left, at least on my clock. I assume they are all synchronized. But I was just making the point that Cuba is not a member and does not become a member, cannot become a member, unless they become a democracy, which is what I think we all hope.

Thank you.

Chairman ROS-LEHTINEN. Mr. Payne?

Mr. PAYNE. Reclaiming my time. And I will yield some time to Mr. Berman.

Mr. BERMAN. The OAS is our enemy? I don't know—we are really living in two different worlds.

There has been no area of the world where the transition from military dictatorships and authoritarian rulers to democracy has been greater than in Latin America. Since 1962, Cuba has not been

a member of OAS. Cuba can only come back in to the OAS if they accept the democratic principles of the OAS.

The OAS has existed and worked during the entire time of this incredible transition. Remember what was going on in Chile and Argentina and Brazil and throughout—and Central America? A lot of us were here in the 1980s.

This has not been a failure of American foreign policy; this has been a triumph of American foreign policy. Yes, we've still got a few bad actors there and we have to stay vigilant about them. But this is not a basis for leaving the OAS.

I yield back.

Chairman ROS-LEHTINEN. Mr. Payne?

Mr. PAYNE. Thank you very much.

I certainly oppose this amendment. I think it is very shortsighted.

You know, we keep talking about Honduras and how this government went and took this—wrestled democracy back from this President. Yeah, they wrestled it back with the army with fixed bayonets taking him to the border and throwing him out of the country, which is usually a coup d'etat.

However, we can forget that. That is past as prologue, so we are not going to deal with this tremendous democratic and judicial way that Hondurans dealt with the President. They sent him out of the country, with the army dropping him off at the border. So, so much for democracy in Honduras.

Let me just say that I think that we are totally shortsighted. I agree, maybe it won't be a moat, but maybe it will be the great wall—China tried it—and we will be safe because we will keep everybody out.

Our country has more people coming from OAS countries than any country in the world. We are going to turn our back on countries where our new Americans are coming to the U.S., where they will continue to have relationships. We are going to say, we don't really believe in being involved in this organization where your parents live because we are better than that, and therefore we are going to withdraw.

I hope someone in Quebec doesn't say anything bad about the United States because I guess we will cut Canada off, you know, just build a wall around them too.

We are about as fickle as—I could see anything being happened. Someone says something and we say, let's take our ball, because I own it, and let's run home and lock the door. It doesn't even make sense.

You got Brazil now dealing with the new—we are talking about, open up free trade. Brazil is dealing with the South Africa-India deal, which Turkey is starting to get in, and we are going to be shut out. You know what? They are going to tell us, take our free-trade agreements, they don't need us when we continue to treat people in a paternalistic way, that we don't want to deal with you, you are right on our borders, but we don't like one or two persons in your group of states.

So I think that we are going in the wrong direction. I always hear about it and I see all those great things that they could do in Mr. Rohrabacher's district, but those things have come up in the

regular budget and they have been voted down. So, all of a sudden, we love fixing up schools and helping old women and feeding little children because we want to take the money that China is lending us away from those evil South American countries. You know, this may become very hilarious. It is better drama than you see on Broadway.

I think my time has expired.

Chairman ROS-LEHTINEN. Thank you so much.

Mr. Chabot is recognized.

Mr. CHABOT. Thank you, Madam Chair.

I would like to yield my time to the gentleman from Florida, Mr. Rivera.

Mr. RIVERA. Thank you. Actually, I will just take a few seconds. I want to be clear about the facts, because we are all entitled to our opinion but not to different facts.

The fact is that, in 2009, the OAS voted to provide for the Castro dictatorship's reintegration into the OAS system. And leading the charge for that was Secretary Insulza, who stated, "I want to be clear: I want Cuba back in the inter-American system. I think it was a bad idea to remove Cuba in the first place."

This is unprecedented, never happened before. Of course, before that, since 1962, the Castro brothers were spreading revolution throughout Africa and Asia and Latin America. The Castro brothers were allowing Cuba to be used as a surrogate enemy stronghold of the Soviet Union—different times.

In modern times, this is unprecedented, that the OAS would make these unilateral concessions to the Castro dictatorship—unilateral because there has been absolutely no movement whatsoever toward democratic reform, as outlined in the OAS charter, toward promoting human rights and civil liberties in Cuba, none whatsoever. And yet, unilaterally, the OAS Secretary and the Organization voted to give this concession to Cuba—a vote by the OAS, a unilateral concession to the terrorist dictatorship of the Castro brothers in Cuba.

So, again, I would like someone on this panel to please address the question I posed earlier. What has the OAS done to promote freedom and democracy and to promote the interests of not only the United States but of freedom-loving people all over the hemisphere?

And I will yield back to Mr. Chabot.

Mr. CHABOT. Reclaiming my time——

Chairman ROS-LEHTINEN. Mr. Chabot?

Mr. CHABOT [continuing]. I yield back.

Chairman ROS-LEHTINEN. Thank you.

Mr. Meeks is recognized.

Mr. MEEKS. Thank you, Madam Chair.

This would be funny if it wasn't so serious.

Number one, everything that I am hearing on the other side strikes of isolationism. That is what it is. You know, you can go and say that it is not, but everything that you are saying is saying that the United States wants to be isolated from everyone else, especially in our hemisphere.

You make it sound as though the OAS is some organization that is just flying in the air. The OAS has members. It has a democratic

process, also. And those members include our allies. I have not heard Colombia say, "We don't want the OAS." I have not heard Mexico say, "We don't want the OAS." I have not heard Peru say, "We don't want the OAS." I have not heard Brazil say, "We don't want the OAS." I have not heard Argentina say, "We don't want the OAS." All of these are allies of ours. They are all part of the OAS. They, each and every one of them, have a vote in the OAS. It is not some individual, by him or herself, that is a dictator that tells the OAS. It is our allies, the same ones you say you want to trade with, the same ones that we have agreements with. Those are our friends. And by saying that we don't want to support the OAS, we are, in fact, slapping them in the face. Those who support us the most, we are slapping them in the face.

We say we want trade agreements? Well, the President said he wants a trade agreement. Pass TAA, and we will have those trade agreements done. We are ready to move.

But to say that we are going to just turn our backs on all of our friends in this hemisphere after all that they have gone through. And when you look at the OAS, for example, the elections in Haiti, and when you look at how they helped with reference to these trade agreements, to formulate some of these trade agreements, to implement some of these trade agreements, these are the kinds of things that we need.

It reminds me of what I said in my opening statement with reference to the words of the former chair, Henry Hyde, when he said, "massively engaging the world while living on an autonomous island." That is what we are trying to do, live on an autonomous island in the global sea. What does it breed? It breeds arrogance and self-delusion. And if we cut off payment, our dues, or paying our dues, or forcing ourselves to go into arrears, what we are doing is we are becoming arrogant and self-delusional, which is not the way that we should be moving in this time on our own hemisphere, when we are talking about getting past the post-Cold War period and working closer together.

You don't just throw away the whole barrel of apples because maybe there is one or two you don't like. We figure out how we fix it, how we work together. We work with our allies. There are votes that take place. That is what we should be talking about.

Mr. ROHRABACHER. Will the gentleman yield for a question?

Mr. MEEKS. When I finish, I will yield.

What we need to be focused on is, how do we continue to work with our allies in this hemisphere? And without the OAS, we are saying to them, "We don't want to work with you."

And I yield to the gentleman.

Chairman ROS-LEHTINEN. Mr. Rohrabacher?

Mr. ROHRABACHER. Obviously, there is a difference as to the value of the OAS. Let me just note that bilateral approaches are not isolationist approaches. What we are talking about is a multilateral approach versus a bilateral approach.

But if you do support a multilateral approach, which you currently do, and the OAS is an example of that, perhaps you could give us three examples of what the OAS has accomplished in the last 5 years that you think would be worthy of this $50-million-a-year investment in OAS.

Chairman ROS-LEHTINEN. Mr. Meeks?

Mr. MEEKS. Well, I will tell you one: The elections in Haiti, first of all. I think that was a good thing.

I also believe when you had the craziness in the Honduras, you know, with what was going on back and forth, working with those nations and how we were putting that together, that is number two, you know, just right quickly off the top of my head.

Number three, when we talked about—even when we were working with Peru, and their helping with the implementation of that trade agreement. The OAS was part of that also.

I further would say that, despite what was said earlier, you know, when you talk about the nations coming together, even with regards to Cuba, they didn't say, let Cuba in. They said that Cuba had to adhere to the democratic charter. In other words, that puts pressure on Cuba to say that, "You have to become a democracy. You want to be part of us? Then you have to have a democratic organization. If you don't have a democratic organization, you can't be a part of us at the OAS."

Those are three quick things that I can tell you right off the top of my head.

Chairman ROS-LEHTINEN. The gentleman's time has expired.

Mr. Faleomavaega?

Mr. FALEOMAVAEGA. Thank you, Madam Chair.

I have been listening very carefully with these statements that have been made on this very important issue. I do want to say that I do have the utmost respect for the gentleman who offered the amendment. He is the chairman of our Subcommittee on the Western Hemisphere, for which I respect his opinions.

As I was listening to the comments made, why we should not authorize $48.5 million to the funding of the OAS, I just have to respectfully disagree with my good friend, the chairman of our Subcommittee on the Western Hemisphere, for this one reason: I think it has been clearly recognized that our relationship with Latin America or the Western Hemisphere has been one of indifference. We have never really committed ourselves to the point where we really look at the Western Hemisphere not only as a very important ally in this part of the region of the world, but we never really seem to be serious enough in taking up the issues affecting hundreds of millions of people living in this part of the world.

One thing that I want to share with my good friend, the chairman of our subcommittee, if we look at OAS as a regional organization the same way that we look at the United Nations, I cannot—OAS has an excellent report card saying that we have done everything in terms of our own expectations. Our membership in the United Nations is a classic example where members are not necessarily democracies. We have countries that are not democracies at all that are members, and we are members of this global organization, the United Nations.

We talk about—treat this issue clearly and in a way that is of an equal basis, if I want to put it in those terms. And I have to agree with my good friend from New York that we ought to take Chairman Hyde's statement and observation very seriously about what exactly is the position or what role the United States has to play with our global community.

I say we ought to continue the engagement process. We may not necessarily agree with some of the policies or positions taken by some of our friends who are members of the OAS, but that is part of the deliberative process as a member of a regional organization like the OAS, the same way that we are members of the United Nations but we don't necessarily agree with some of the positions taken by some of the countries that are members of the United Nations.

So I suggest to my good friend, this proposed amendment really is almost like, "It is either my way or the highway, buddy." And I don't think that is really the approach that we should take in terms of how we should be treating other members of a regional organization like the OAS. And for that matter, I respectfully have to object to my good friend's proposed amendment.

I yield back.

Mr. BURTON. Madam Chairman? Madam Chairman?

Chairman ROS-LEHTINEN. Are you yielding back, Mr. Faleomavaega?

Mr. FALEOMAVAEGA. I gladly yield to my good friend from Indiana.

Chairman ROS-LEHTINEN. Mr. Burton is recognized.

Mr. BURTON. I was just wondering if it would be in order to move the previous question. We have a lot of amendments, and we have been on this one for well over an hour.

Chairman ROS-LEHTINEN. I think that—thank you, Mr. Faleomavaega. We will——

Mr. BURTON. I will withdraw that, but I just think moving on the previous question is not a bad idea.

Chairman ROS-LEHTINEN. Please withdraw that.

Mr. Faleomavaega, would you yield back your time?

Mr. FALEOMAVAEGA. Madam Chair, I yield back.

Chairman ROS-LEHTINEN. Thank you.

And I do apologize to Mr. McCaul. It was our turn at bat, and I had not seen you.

Mr. MCCAUL. Thank you, Madam Chair.

Chairman ROS-LEHTINEN. So I apologize. And you are recognized.

Mr. MCCAUL. Thank you. And no apology necessary.

I yield to the gentleman from Florida, Mr. Mack.

Chairman ROS-LEHTINEN. Mr. Mack?

Mr. MACK. And I thank the gentleman.

A few observations.

No one is suggesting isolation. And that is just a fantasy that some are putting up on the other side. In fact, what we are saying is, let's engage with our allies and our friends, but let's not continue to support an organization that is perpetuating some countries' ability to destroy democracy.

So we can have relations with Colombia and Panama. We could pass free-trade agreements right now. One of my friends on the other side said, "Well, if we would just do the TAA." Every time we get close on the free-trade agreements, the President or somebody comes up with another hurdle that has to be crossed.

My friends on the other side really, I think, are confused about what is happening here. We are not saying, let's not engage in our hemisphere. What we are saying is, let's not continue to support

an organization that doesn't want to help us in engagement in our hemisphere.

I continue to say to my friends that you can't point to an example of when the OAS, in recent times, has supported the ideals of democracy in our hemisphere. My good friend used the example of Honduras. Let me remind you, it was Insulza who was helping distribute ballots to Honduras. It was the OAS that was helping Zelaya to try to take over the Constitution and the country. Their Constitution clearly said that you cannot do a referendum, yet the OAS was helping to do just that. So the example that my friend used is an exact example of the opposite, of why we shouldn't be continuing to support the OAS.

Mr. BERMAN. Would the gentleman——

Mr. MACK. Let's strengthen our relationships with our allies. Let's pass the free-trade agreements. Let's support our allies in their missions for their democracy and their freedom. But let's not continue to fund an organization that is bent on destroying any hope for democracy in Latin America.

Mr. BERMAN. Would the gentleman from Texas yield?

Mr. MACK. And, with that, I would——

Mr. BERMAN. Would the gentleman from Texas yield?

Chairman ROS-LEHTINEN. Mr. McCaul?

Mr. MCCAUL. I yield.

Mr. BERMAN. I appreciate the gentleman yielding.

And I was wondering if—the gentleman from Florida could correct me if I am wrong, but my understanding is the OAS is the only regional organization that has ever, and frequently, criticized Venezuela under Hugo Chavez for their human rights treatment.

I was wondering if the gentleman could tell me if I am wrong in believing that the Truth Commission of Honduras just declared what the Honduran military did a coup, as was described by the gentleman from New Jersey.

And I am wondering if the gentleman from Florida could tell me whether I am wrong in believing that the OAS is the one that, through its own mediation and intervention, stopped the outbreak of a war between Costa Rica and Nicaragua and got the dispute referred to the International Court of Justice for resolution there—as three specific examples, the kind that Mr. Rohrabacher asked about, of positive work.

Chairman ROS-LEHTINEN. So it is Mr. McCaul's time.

Mr. BERMAN. Yes.

Chairman ROS-LEHTINEN. And if Mr. McCaul will allow Mr. Mack to answer.

Mr. MCCAUL. And I yield to the gentleman from Florida.

Chairman ROS-LEHTINEN. Mr. Mack, 1 minute.

Mr. MACK. I thank you.

Again, I think it is kind of funny. Just because a commission is called the Truth Commission doesn't mean that there is any truth with it. Just because you call it the Truth Commission doesn't make it true.

What is interesting about the Truth Commission, there was one big lie in the Truth Commission, and that was calling it a coup. And I remind my friends, it was Insulza and it was the OAS who was helping Zelaya, who, by the way, was attempting the real coup

in Honduras by trying to take over that country and take away the right of its citizens to elect a President. It was——

Mr. BERMAN. A preemptive coup.

Mr. MACK [continuing]. It was the OAS who was helping in that. You can't point to an example of when the OAS is standing up for democracy in our hemisphere.

Chairman ROS-LEHTINEN. Thank you, Mr. Mack. You yielded your second to Mr. McCaul.

And, Mr. McCaul, your time is up.

Mr. MCCAUL. My time has expired.

Chairman ROS-LEHTINEN. And we are ready to vote. But, first, does the ranking member withdraw his reservation?

Mr. ENGEL. Madam Chair?

Mr. BERMAN. I withdraw my reservation.

Mr. ENGEL. Yeah, I move to strike the last word, Madam Chair.

Chairman ROS-LEHTINEN. Thank you.

Mr. Engel is recognized.

Mr. ENGEL. Okay. Thank you. Thank you very much.

I think it is incumbent upon me, as the ranking member of the Subcommittee on the Western Hemisphere and the former chairman of the subcommittee, to comment.

Mr. Mack and I have worked very well together, both when I was chair and now that he is chair. And, in fact, we share a lot of the same principles, and we see the region the same way, I would say, 95 percent of the time. But I don't agree with this amendment, and let me just say why.

If you take the countries together, if you say that we are going to do this, you know, you take Venezuela—countries like Venezuela, Cuba, Nicaragua, and now the United States, that is a strange-sounding list. Because if this passes, that is the list of countries in the region that want to weaken the OAS, the Organization of American States. And I think that is a mistake.

I think that this elimination of funds for the OAS does more than just weaken the OAS; it plays into the hands of those countries in the region that wish to strengthen opposite-minded organizations, that wants to be against the United States.

The OAS, with all its flaws—and I share some of the frustrations of Mr. Mack; he and I have talked about it a great deal—but it is still the only organization in the region that brings together all 34 democratically elected governments in the region. And let's see what would happen if funding were cut and the OAS were to collapse. As the strength of the OAS wanes, alternative regional organizations, such as UNASUR and ALBA, which are the Chavez-inspired leftist alliances and the Castro-inspired leftist alliances, they stand to gain. As the OAS goes down, those other organizations stand to gain.

And these are organizations, by the way, which were deliberately formed to exclude the United States and Canada as members. That is the way they formed it. But it has Venezuela, Bolivia, and other less friendly nations.

So I think this is a mistake, because I think what this will do, it will strengthen the hands of Hugo Chavez. It will collapse the OAS, over which the United States has much influence, and will make these other organizations, UNASUR and ALBA, the pre-

eminent organizations, which we have no—virtually no influence, and make Chavez's organization the preeminent organization.

So I just think that, while I share the frustrations and I think there are many, many ways we can let the OAS know that we think that it is not a perfect organization and we want to push it in the direction, I think that this is not the way to do it. Although my friend, Mr. Mack, knows that I respect him greatly. And, again, we work together on so many things.

But I just think the OAS is the best game in town, as flawed as it may be. We have influence. Yes, we have spent money there, but that we have influence. Unfortunately or fortunately, money buys influence. We would have much less, in my opinion, if the OAS were weakened.

And I yield back.

Chairman ROS-LEHTINEN. Thank you.

Mr. Smith is recognized.

Mr. SMITH. Thank you very much, Madam Chair.

And let me just say to my friend and colleague, Mr. Mack, Chairman Mack, nobody has more respect for him. He has done yeoman's work not only on Cuba, but also on Honduras. His hearings, I think, have been extraordinary in shining a light on the misdeeds of the OAS vis-à-vis Honduras.

I do rise, or will in speaking today, with a conditional no. I will vote no on his amendment, but it is a conditional no. I think he is sending a very serious shot across the bow of the Organization of American States. He is bringing light and scrutiny as never before to the OAS. And I think many of us are taking that second and long look at the OAS to try to determine whether or not it has truly lost its way irreparably.

It also puts the OAS on notice that it needs to seriously reclaim its promotion of fundamental human rights and democracy and to cease its drift toward the socialist side of issues.

Otherwise, I do believe, you know, if Mr. Mack, or Chairman Mack, brings his amendment back in the future, there would be much more support for it. But at this point, I will be a conditional "no."

Chairman ROS-LEHTINEN. Mr. Carnahan is recognized.

Mr. CARNAHAN. Thank you, Madam Chairman.

I want to thank the gentleman from Florida for making the strong and legitimate points about the OAS. He has legitimate concerns. And as the gentleman from New Jersey says, he has really shined a light on some of the problems there. But I think this is not the way to go with regard to this amendment, I would submit.

And I am concerned about the trend with regard to international organizations, that when they are not doing exactly what we want, when they have their flaws, which are many, that we, instead of engaging and being there at the table like a great country with the power our ideas, with the strength of the partnership of our allies to make them better—that is, I think, when our country is at its best.

And if we do go forward with this, I think we will see a weakened OAS, it will be worse, and I think alternative regional organizations could also be worse. Problems could also be more complex and more expensive.

So I would respectfully submit that this is not the way to go. I appreciate the work the gentleman has done, but I would urge folks to vote no on this amendment.

Chairman ROS-LEHTINEN. Thank you.

Mr. Sires is recognized.

Mr. SIRES. Thank you, Madam Chairman.

First of all, let me thank you for including rights of religious minorities in Egypt and the recognition that we need to recognize minorities, religious minorities in Egypt.

And in terms of my friend, Connie Mack, we share a great deal of ideas regarding the OAS. My biggest complaint with the OAS is the same thing with the U.N. commission. They do not speak up enough about the people that are being hurt in all these countries.

The best part about this argument today, as I sat here and listened to everybody, is I think we articulated all the problems that are going on in Cuba better than we have done in the long time—the abuses that are going on, the beatings, the beatings of the Ladies in White that die and the people in prison. We have articulated those issues, and yet the OAS does not speak strongly enough about this or the abuses in any other country.

I don't think that taking the money away from the OAS is the answer. I think they have to be revamped. I think they have to be more up front with all the other countries and talk about the abuses and the lack of democracy and the lack of respect for human rights in some of these countries. They don't do that strongly enough. They haven't done it for many, many years.

That is the frustration that I share with my colleagues who don't want to vote for this money. It is in your charter, just like it is that we have to comply with our agreement, our contract to give them the $48 million. So if they don't comply with the charter on human rights, on abuses in all these countries, they have to change.

And I thank you, Madam Chair.

Chairman ROS-LEHTINEN. I am just looking around to see if anyone would like to be recognized.

And, if not, Mr. Mack has requested a roll call vote.

The clerk will call the roll.

Ms. CARROLL. Madam Chairman?

Chairman ROS-LEHTINEN. Yes.

Ms. CARROLL. The chairman votes aye.

Mr. Smith?

Mr. SMITH. No.

Ms. CARROLL. Mr. Smith votes no.

Mr. Burton?

Mr. BURTON. Aye.

Ms. CARROLL. Mr. Burton votes aye.

Mr. Gallegly?

Mr. GALLEGLY. Aye.

Ms. CARROLL. Mr. Gallegly votes aye.

Mr. Rohrabacher?

Mr. ROHRABACHER. Yes.

Ms. CARROLL. Mr. Rohrabacher votes aye.

Mr. Manzullo?

Mr. MANZULLO. Aye.

Ms. CARROLL. Mr. Manzullo votes aye.

Mr. Royce?
Mr. ROYCE. Aye.
Ms. CARROLL. Mr. Royce votes aye.
Mr. Chabot?
Mr. CHABOT. Aye.
Ms. CARROLL. Mr. Chabot votes aye.
Mr. Paul?
[No response.]
Ms. CARROLL. Mr. Pence?
Mr. PENCE. Aye.
Ms. CARROLL. Mr. Pence votes aye.
Mr. Wilson?
Mr. WILSON OF SOUTH CAROLINA. Aye.
Ms. CARROLL. Mr. Wilson votes aye.
Mr. Mack?
Mr. MACK. Aye.
Ms. CARROLL. Mr. Mack votes aye.
Mr. Fortenberry?
Mr. FORTENBERRY. No.
Ms. CARROLL. Mr. Fortenberry votes no.
Mr. McCaul?
Mr. MCCAUL. Aye.
Ms. CARROLL. Mr. McCaul votes aye.
Mr. Poe?
Mr. POE. Aye.
Ms. CARROLL. Mr. Poe votes aye.
Mr. Bilirakis?
Mr. BILIRAKIS. Aye.
Ms. CARROLL. Mr. Bilirakis votes aye.
Ms. Schmidt?
Mrs. SCHMIDT. Aye.
Ms. CARROLL. Ms. Schmidt votes aye.
Mr. Johnson?
Mr. JOHNSON. Aye.
Ms. CARROLL. Mr. Johnson votes aye.
Mr. Rivera?
Mr. RIVERA. Aye.
Ms. CARROLL. Mr. Rivera votes aye.
Mr. Kelly?
Mr. KELLY. Aye.
Ms. CARROLL. Mr. Kelly votes aye.
Mr. Griffin?
Mr. GRIFFIN. Aye.
Ms. CARROLL. Mr. Griffin votes aye.
Mr. Marino?
Mr. MARINO. Aye.
Ms. CARROLL. Mr. Marino votes aye.
Mr. Duncan?
Mr. DUNCAN. Aye.
Ms. CARROLL. Mr. Duncan votes aye.
Ms. Buerkle?
Ms. BUERKLE. Aye.
Ms. CARROLL. Ms. Buerkle votes aye.
Ms. Ellmers?

Mrs. ELLMERS. Aye.
Ms. CARROLL. Ms. Ellmers votes aye.
Mr. Berman?
Mr. BERMAN. No.
Ms. CARROLL. Mr. Berman votes no.
Mr. Ackerman?
[No response.]
Ms. CARROLL. Mr. Faleomavaega?
Mr. FALEOMAVAEGA. No.
Ms. CARROLL. Mr. Faleomavaega votes no.
Mr. Payne?
Mr. PAYNE. No.
Ms. CARROLL. Mr. Payne votes no.
Mr. Sherman?
[No response.]
Ms. CARROLL. Mr. Engel?
Mr. ENGEL. No.
Ms. CARROLL. Mr. Engel votes no.
Mr. Meeks?
Mr. MEEKS. No.
Ms. CARROLL. Mr. Meeks votes no.
Mr. Carnahan?
Mr. CARNAHAN. No.
Ms. CARROLL. Mr. Carnahan votes no.
Mr. Sires?
Mr. SIRES. No.
Ms. CARROLL. Mr. Sires votes no.
Mr. Connolly?
Mr. CONNOLLY. No.
Ms. CARROLL. Mr. Connolly votes no.
Mr. Deutch?
Mr. DEUTCH. No.
Ms. CARROLL. Mr. Deutch votes no.
Mr. Cardoza?
Mr. CARDOZA. No.
Ms. CARROLL. Mr. Cardoza votes no.
Mr. Chandler?
Mr. CHANDLER. No.
Ms. CARROLL. Mr. Chandler votes no.
Mr. Higgins?
Mr. HIGGINS. No.
Ms. CARROLL. Mr. Higgins votes no.
Ms. Schwartz?
Ms. SCHWARTZ. No.
Ms. CARROLL. Ms. Schwartz votes no.
Mr. Murphy?
[No response.]
Ms. CARROLL. Ms. Wilson?
Ms. WILSON OF FLORIDA. No.
Ms. CARROLL. Ms. Wilson votes no.
Ms. Bass?
Ms. BASS. No.
Ms. CARROLL. Ms. Bass votes no.
Mr. Keating?

Mr. KEATING. No.

Ms. CARROLL. Mr. Keating votes no.

Mr. Cicilline?

Mr. CICILLINE. No.

Ms. CARROLL. Mr. Cicilline votes no.

Chairman ROS-LEHTINEN. Have all members been recorded?

Mr. CONNOLLY. Mr. Sherman is here.

Ms. CARROLL. Mr. Sherman, you are not recorded.

Mr. SHERMAN. I record a no vote.

Ms. CARROLL. Mr. Sherman votes no.

Chairman ROS-LEHTINEN. Have all members been recorded?

The clerk will report the vote.

Ms. CARROLL. Madam Chairman, there are 22 ayes and 20 noes.

Chairman ROS-LEHTINEN. The ayes have it, and the question is agreed to.

Are there any other amendments on the desk?

Mr. BERMAN. On title I?

Chairman ROS-LEHTINEN. Yes, sir. We are going title by title.

Mr. Payne is recognized.

The clerk will report the amendment.

Ms. CARROLL. Which amendment, Mr. Payne?

Mr. PAYNE. The amendment on the contributions for international peacekeeping activities, 28.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Payne of New Jersey. In section 103, strike "$1,735,382,277" and insert "$1,920,000,000". In section 103, add at the end of the following:——

Chairman ROS-LEHTINEN. Unanimous consent to dispense with the reading.

[The information referred to follows:]

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AMENDMENT TO H.R. 2583

OFFERED BY MR. PAYNE OF NEW JERSEY

In section 103, strike "1,735,382,277" and insert "$1,920,000,000".

In section 103, add at the end the following:

1 (c) SUDAN.—In addition to amounts authorized to be
2 appropriated under subsection (b), there are authorized to
3 be appropriated $60,000,000 for peacekeeping in Sudan.

☒

Chairman ROS-LEHTINEN. The Chair reserves a point of order and recognizes the author for 5 minutes to explain his amendment.

Mr. PAYNE. Thank you very much, Madam Chair.

And let me say that I have listened over the years about criticisms and praises for international organizations, as we have just gone through on the OAS. However, I think that if it were not for international organizations, the world would be in a much worse place.

And I would have to say that I think that one of the very strong aspects of the United Nations, an idea conceived by the USA first with the old League of Nations and then with the U.N., is that they have been able to minimize outright wars, have been able to negotiate in places where combatants might have gone to war. And I think that one of the strong contributions has been their use of peacekeeping around the world. And so, the resolution that I have here asks to restore the initial amount to $1,920,000,000 and strike the $1,735,000,000, which reduces the peacekeeping operation.

When we were interviewing new Secretary-Generals for the United Nations, one of Ban Ki-Moon's only requests as he was being considered was that we continue to support peacekeeping, because he felt that peacekeeping was really the hallmark of the U.N., it was necessary, and it saved so many lives around the world.

And with us reducing the peacekeeping amount, I think that we have—and we, at that time, agreed that we would continue to sup-

port peacekeeping since it was so vital. Other parts we had questions with—the political part, et cetera, et cetera—but peacekeeping was something that we did make an agreement with. I think that it would be unfair for us now to turn our back on our, really, sort of, the candidate that we supported because we thought he would do the best to reform the United Nations.

So, over the past few years, the United States has returned to good financial standing at the U.N. by honoring its financial obligations and fully funding its peacekeeping dues. A full funding for the U.N. peacekeeping budget ensures that the world body can carry out its vital work, stabilizing conflict zones and promoting democratic governance.

Peacekeeping missions have played an important role in international conflicts and bringing about international peace. Peacekeeping missions have continued to keep American soldiers out of numerous international conflicts, as well as save American taxpayer dollars in the long run, while maintaining focus on the United States' long-term foreign policy goals. As we know, peacekeepers are throughout the world—in Iraq and Afghanistan, places that we have a very strong interest. And because peacekeepers are there, it saves the United States our manpower and dollars.

Recent negotiations have changed the amount necessary for the United States to provide for peacekeeping missions. One-point-nine-two billion is necessary for the United States to appropriate in order to fulfill its requirements to the United Nations peacekeeping missions.

The measure also authorizes an additional $60 million for peacekeeping missions in Sudan. Current conflicts in Abyei, South Kordofan, and Blue Nile states have created an immediate need of attention from the international community and the U.N. peacekeeping. And had it not been for the U.S.'s interest in South Sudan with President Clinton and then with President Bush appointing Senator Danforth and so many of the supporters from the Republican side of the aisle, in particular in our U.S. Senate, with Democrats, perhaps South Sudan would not be a new nation. And I credit, you know, President Bush for continuing to push that forward, as President Obama.

The United States has invested significant time and resources in that struggle. The U.S. votes for each and every U.N. peacekeeping mission on the Security Council; it should also pay them. As a permanent member of the U.N. Security Council, the U.S. plays a leading rule——

Chairman ROS-LEHTINEN. Thank you, Mr. Payne.

Mr. PAYNE [continuing]. In authorizing the peacekeeping.

And if one of my colleagues, when our time comes, would yield me about 1 minute——

Chairman ROS-LEHTINEN. I am sure they will.

Mr. PAYNE [continuing]. I will be able to complete——

Chairman ROS-LEHTINEN. First Henry Hyde is quoted, now Bush is being thanked.

Mr. PAYNE. I am throwing you—you know, I am name-dropping.

Chairman ROS-LEHTINEN. Ms. Schmidt is recognized for 5 minutes.

Mrs. SCHMIDT. Thank you, Madam Chair.

And first off, I would like to point out that this would increase the level of authorized appropriations for U.S. assessed contributions to the U.N. peacekeeping to nearly $2 billion.

My good friend, the ranking member, Mr. Payne, on Africa, Global Health, and Human Rights, has made an impassioned plea to increase the amount authorized, not just to meet the request, which assumed a rate of assessment at 27.14 percent, but to increase it by an additional $60 million, so that we can pay for a peacekeeping mission that does not yet exist.

While I am sympathetic to the need to secure the border regions between Sudan and the Republic of South Sudan—and the violence there has been deplorable—but I would like to point out to the author of this amendment that the administration's request for the Sudan mission that recently was terminated was well-padded.

There is more than enough left over from the UNMIS request to cover the new mission in South Sudan and the mission in Abyei. We know that the United Nations currently is holding some $436 million in credits or overpayments for U.N. peacekeeping; $13.9 million of those credits are for Sudan. These credits can be used to offset any shortfalls that may arise due to the new needs in Sudan.

Further, the administration's request included funding for the Somalia mission that has been moved to another account. The adjusted request factoring out of the Somalian mission is another $1.82 billion. Yet the amendment goes beyond and above the request by $160 million.

I would like to point out that, in this budgetary environment, we simply cannot justify authorizing appropriations at levels above and beyond which even the U.N. is asking at levels which are beyond the statutory cap and at levels that assume needs that are not yet known.

And so I would urge my colleagues to oppose this amendment.

Chairman ROS-LEHTINEN. Thank you.

The gentlelady yields back.

Mr. Faleomavaega?

Mr. FALEOMAVAEGA. Madam Chair, I would like to yield my time to the gentleman from New Jersey.

Chairman ROS-LEHTINEN. Mr. Payne is recognized.

Mr. PAYNE. Thank you very much.

As I was getting ready to conclude, I do think that, first of all, the $60 million is a contingency fund. We are saying that we should it set aside; that if, indeed, it is necessary, that we would therefore move into that fund.

And I certainly appreciate the interest and the accuracy of which the previous speaker spoke and her interest in trying to be just. And I do agree that we certainly have budgetary problems. I think this, though—U.N. peacekeeping—first of all, the U.S. votes for each and every U.N. peacekeeping mission on the Security Council since we have—that is one of the things the Security Council has, and we have the privilege of being one of the five countries on it. And so we have a special responsibility. Other members of the Security Council are paying their fair share.

And as a permanent member of the Security Council, the U.S. plays a leading role in authorizing and renewing peacekeeping mis-

sions. In fact, it was during, once again, the Bush administration that there was the largest growth in peacekeeping because of that administration's recognition that these missions serve our national interest and are cost-effective.

No U.N. peacekeeping mission can be deployed if it is vetoed by the U.S. on the Security Council. Therefore, the U.S. authorizes every peacekeeping mission. And failure to pay our dues in full sends a negative message to countries who contribute troops to the U.N. peacekeeping mission. And, as you know, we do not contribute troops to peacekeeping organizations. They are all from other countries that put their persons into harm's way.

When we fail to pay our peacekeeping dues, when we don't pay them in full, U.S. allies, such as India, Bangladesh, and Jordan, who each provide thousands of military and police personnel to the U.N. peacekeeping operations, do not receive adequate payment for their contributions.

And so, I think that it is very important. I do know that we are under tough times, and I would hope that we would consider.

I yield back my time to Mr. Faleomavaega.

Chairman ROS-LEHTINEN. Mr. Faleomavaega?

Mr. FALEOMAVAEGA. Yes, reclaiming my time.

I thank the gentleman for sharing with us some of the concerns as it relates to his proposal for the increase in our peacekeeping program with the United Nations.

I would like to ask the gentleman, though, what would be the consequences if we don't provide this critically needed additional funding for the peacekeeping operations of the United Nations?

Chairman ROS-LEHTINEN. Mr. Payne?

Mr. PAYNE. Well, right now, in Abyei, which is still a disputed region, South Kordofan, the Nuba Mountain region are still in dispute. The Government of Sudan has sent planes in. They are bombing, they are killing people. And the U.N. is willing to go there to be the buffer.

I happened to have the privilege to attend the celebration in South Sudan. And Presidents of dozens and dozens and dozens of countries were there, all of them praising the United States of America, even some that are not our great friends, saying what we have done in such a humanitarian way, and the pride that the South Sudanese had on their independence, becoming the 193rd country in the world, the 53rd country in Africa.

So I yield back to the gentleman.

Mr. FALEOMAVAEGA. I would also like to say to the gentleman, it is not so much the money but it is the principle.

Mr. PAYNE. That is correct.

Mr. FALEOMAVAEGA. The fact that our country has got to continue the engagement process, especially with countries like South Sudan, who has just been liberated and brand-new. And with all the serious problems facing the continent of Africa, I ask the gentleman how serious we are at this point in juncture in our relationship, not just on a bilateral basis with a country like South Sudan but throughout all of Africa. And I would like to ask the gentleman—I have 29 seconds—the consequence, again, if we don't increase the funding.

Mr. PAYNE. Well, the consequence could be that the Government of Sudan's indicted war criminal, al-Bashir, will then have rein to go back in and destroy much of what we have put our energy in. Like I said, this has been a bipartisan method from President Bush to President Clinton to President Obama, and I think it would be disastrous if we turned our back at this time.

Mr. FALEOMAVAEGA. I thank the gentleman.

I yield back, Madam.

Chairman ROS-LEHTINEN. Thank you so much.

I am looking for frantic hand signals.

And Mr. Rohrabacher is recognized.

Mr. ROHRABACHER. Well, I just would like to remind everyone that, again, we are talking about borrowing money from China in order to provide services or benefits to people overseas. Hopefully, it provides benefit to our own people, as well.

But let me just disagree with what we have just heard. This isn't just about the principle of the matter. This is about money. And we are borrowing money from China to expend it overseas, leaving our children in debt. And we better darn well think that this money is being well-spent and is important for the young people of our country.

Now, $60 million is a lot of money in order for us to provide to the people of Sudan. And increasing our expenditures here for the United Nations from 173.5 to 192, well, that is an important—increasing that level.

But, Mr. Payne, let me just note, when you said that, "Well, as you know, the United States doesn't participate in peacekeeping, we don't put our people in harm's way," all of the things we do overseas are part of peacekeeping operations. We just don't have them under United Nations' command, as we shouldn't. We have thousands of people who have lost their lives trying to bring some type of acceptable government in Iraq. Six thousand people gave them their lives.

No, we put our people in harm's way a lot. And we have nothing to be ashamed of, in terms of saying, "No, we are not going to put them under United Nations' command." But I think that that is no less a sacrifice. Our people in Afghanistan who are losing their lives are no less sacrificing their lives for a general better world than are those people who are in Afghanistan under United Nations' command.

Mr. PAYNE. Would the gentleman yield?

Mr. ROHRABACHER. Sure.

Mr. PAYNE. No, I certainly couldn't agree with you more. We have people that have been in places around the world since the end of World War II. We are still in Germany and Japan and Okinawa. There is no question about it.

And, secondly, I know that we have had many of our troops in harm's way. We lost 18 Rangers in Somalia. I was there a week or so before that happened and went back and, as a matter of fact, at that time even had my plane shot at, as it happened just a year or 2 ago. So I know that we do have people in harm's way, and I am not—in no way minimizing that.

Mr. ROHRABACHER. Okay.

Mr. PAYNE. And so I think we are on the same accord. I am talking about the issues, that the world agrees, that we need to have some sort of peacekeeping apparatus.

And so I appreciate giving me the opportunity to clarify my position.

Mr. ROHRABACHER. Thank you very much.

I yield back.

Chairman ROS-LEHTINEN. Mr. Rohrabacher yields back.

And Mr. Payne has asked for a recorded vote, so the clerk will call the roll.

Ms. CARROLL. Madam Chairman?

Chairman ROS-LEHTINEN. No.

Ms. CARROLL. The chairman votes no.

Mr. Smith?

Mr. SMITH. No.

Ms. CARROLL. Mr. Smith votes no.

Mr. Burton?

Mr. BURTON. No.

Ms. CARROLL. Mr. Burton votes no.

Mr. Gallegly?

[No response.]

Ms. CARROLL. Mr. Rohrabacher?

Mr. ROHRABACHER. No.

Ms. CARROLL. Mr. Rohrabacher votes no.

Mr. Manzullo?

[No response.]

Ms. CARROLL. Mr. Royce?

Mr. ROYCE. No.

Ms. CARROLL. Mr. Royce votes no.

Mr. Chabot?

Mr. CHABOT. No.

Ms. CARROLL. Mr. Chabot votes no.

Mr. Paul?

[No response.]

Ms. CARROLL. Mr. Pence?

[No response.]

Ms. CARROLL. Mr. Wilson?

[No response.]

Ms. CARROLL. Mr. Mack?

Mr. WILSON OF SOUTH CAROLINA. No.

Ms. CARROLL. Mr. Mack—Mr. Wilson votes no.

Mr. Mack?

Mr. MACK. No.

Ms. CARROLL. Mr. Mack votes no.

Mr. Fortenberry?

Mr. FORTENBERRY. No.

Ms. CARROLL. Mr. Fortenberry votes no.

Mr. McCaul?

Mr. MCCAUL. No.

Ms. CARROLL. Mr. McCaul votes no.

Mr. Poe?

Mr. POE. No.

Ms. CARROLL. Mr. Poe votes no.

Mr. Bilirakis?

Mr. BILIRAKIS. No.
Ms. CARROLL. Mr. Bilirakis votes no.
Ms. Schmidt?
Mrs. SCHMIDT. No.
Ms. CARROLL. Ms. Schmidt votes no.
Mr. Johnson?
Mr. JOHNSON. No.
Ms. CARROLL. Mr. Johnson votes no.
Mr. Rivera?
Mr. RIVERA. No.
Ms. CARROLL. Mr. Rivera votes no.
Mr. Kelly?
Mr. KELLY. No.
Ms. CARROLL. Mr. Kelly votes no.
Mr. Griffin?
Mr. GRIFFIN. No.
Ms. CARROLL. Mr. Griffin votes no.
Mr. Marino?
Mr. MARINO. No.
Ms. CARROLL. Mr. Marino votes no.
Mr. Duncan?
Mr. DUNCAN. No.
Ms. CARROLL. Mr. Duncan votes no.
Ms. Buerkle?
Ms. BUERKLE. No.
Ms. CARROLL. Ms. Buerkle votes no.
Ms. Ellmers?
Mrs. ELLMERS. No.
Ms. CARROLL. Ms. Ellmers votes no.
Mr. Berman?
Mr. BERMAN. Aye.
Ms. CARROLL. Mr. Berman votes aye.
Mr. Ackerman?
[No response.]
Ms. CARROLL. Mr. Faleomavaega?
Mr. FALEOMAVAEGA. Yes.
Ms. CARROLL. Mr. Faleomavaega votes aye.
Mr. Payne?
Mr. PAYNE. Yes.
Ms. CARROLL. Mr. Payne votes aye.
Mr. Sherman?
[No response.]
Ms. CARROLL. Mr. Engel?
Mr. ENGEL. Aye.
Ms. CARROLL. Mr. Engel votes aye.
Mr. Meeks?
Mr. MEEKS. Aye.
Ms. CARROLL. Mr. Meeks votes aye.
Mr. Carnahan?
Mr. CARNAHAN. Aye.
Ms. CARROLL. Mr. Carnahan votes aye.
Mr. Sires?
[No response.]
Ms. CARROLL. Mr. Connolly?

Mr. CONNOLLY. Aye.
Ms. CARROLL. Mr. Connolly votes aye.
Mr. Deutch?
Mr. DEUTCH. Aye.
Ms. CARROLL. Mr. Deutch votes aye.
Mr. Cardoza?
[No response.]
Ms. CARROLL. Mr. Chandler?
Mr. CHANDLER. Aye.
Ms. CARROLL. Mr. Chandler votes aye.
Mr. Higgins?
Mr. HIGGINS. Aye.
Ms. CARROLL. Mr. Higgins votes aye.
Ms. Schwartz?
Ms. SCHWARTZ. Aye.
Ms. CARROLL. Ms. Schwartz votes aye.
Mr. Murphy?
[No response.]
Ms. CARROLL. Ms. Wilson?
Ms. WILSON OF FLORIDA. Aye.
Ms. CARROLL. Ms. Wilson votes aye.
Ms. Bass?
Ms. BASS. Aye.
Ms. CARROLL. Ms. Bass votes aye.
Mr. Keating?
Mr. KEATING. Aye.
Ms. CARROLL. Mr. Keating votes aye.
Mr. Cicilline?
Mr. CICILLINE. Aye.
Ms. CARROLL. Mr. Cicilline votes aye.
Chairman ROS-LEHTINEN. Have all members been recorded?
Mr. Sherman?
Mr. SHERMAN. Please record me as an aye.
Ms. CARROLL. Mr. Sherman votes aye.
Chairman ROS-LEHTINEN. Mr. Sires?
Mr. SIRES. Aye.
Ms. CARROLL. Mr. Sires votes aye.
Chairman ROS-LEHTINEN. Have all members been recorded?
The clerk will report the vote.
Ms. CARROLL. Madam Chairman, on that vote there are 21 noes and 17 ayes.
Chairman ROS-LEHTINEN. The amendment has not been adopted.
And we will continue to our next amendment on this section.
And I do note that Mr. Pence had walked in, but I will be starting the vote and we will end the vote once the clerk starts tallying. So I apologize for any members who come late, but otherwise we will never end. Thank you.
Any other amendments on this?
Mr. POE. Madam Chair?
Chairman ROS-LEHTINEN. Mr. Poe is recognized.
Mr. POE. I have an amendment at the desk.
Chairman ROS-LEHTINEN. The clerk will report the amendment.
Ms. CARROLL. What number, Mr. Poe?
Mr. POE. 164.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Poe of Texas. In section 102 of the bill, after the first dollar amount, insert "(reduced by $395,453,750)".

[The information referred to follows:]

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AMENDMENT TO H.R.

OFFERED BY MR. POE OF TEXAS

(Foreign Relations Authorization Act, Fiscal Year 2012)

In section 102 of the bill, after the first dollar amount, insert "(reduced by $395,453,750)".

Chairman ROS-LEHTINEN. The Chair reserves a point of order and recognizes the author for 5 minutes to explain the amendment.

Mr. POE. Thank you, Madam Chair.

The United States donates, contributes approximately $5 billion to $6 billion annually to the United Nations. Most of that money goes to peacekeeping activities; $1.5 billion of that is the U.N. regular budget. This amendment cuts 25 percent of that regular U.N. budget which the United States participates in, which is 22 percent—of all of the money that goes into that fund, the United States is responsible for 22 percent of that. So it cuts 25 percent of that fund does not deal with peacekeeping funds at all.

There are many reasons for this amendment. One of them is the problem with corruption in the United Nations and the tenor of the United Nations in its relationship with not just the United States but with Israel. There are examples of this: The United Nations pays for anti-Semitic textbooks to be given to Palestinian children. Even the former United Nations Secretary-General Boutros Boutros-Ghali once made this comment: "Perhaps half of the U.N. workforce does nothing useful." That is from the U.N. former Secretary-General. I couldn't agree with him more on that assessment of the United Nations.

It is time for the United States to promote getting rid of corruption in the United Nations. Also, the money that goes to the organizations in the United Nations like the Human Rights Council, made up of such stellar and stoic human rights advocates such as China and Libya, Saudi Arabia, Cuba, Syria. The United States and the Human Rights Council have been at odds over the years of their treatment of, especially, Israel.

There are other examples. The United Nations in 2006 created a task force to investigate fraud in its own organization, which was a great idea. The organization that did so found over $1 billion in tainted contracts. And so the United Nations, in honor of this organization they formed, disbanded it because it was finding corruption in the U.N. So they shut down an organization that was finding corruption in its own organization.

So, after years of inaction and waste and fraud and abuse and scandal, the United States' unconditional funding has to stop. This is one way to get the attention of the U.N. This is limiting 25 percent of the regular fund. Once again, it does not affect, in any way, the peacekeeping contributions, which is the vast majority of the funds that the United States contributes to the U.N.

And I will yield back.

Chairman ROS-LEHTINEN. Thank you. Thank you, Judge Poe.

The Chair withdraws the point of order and recognizes Mr. Berman for 5 minutes.

Mr. BERMAN. Well, thank you very much, Madam Chairman.

This, in effect, is a 25 percent cut in our treaty-obligated dues assessment from the United Nations—25 percent. I admire the author for his restraint. We have unilaterally pulled out of the OAS, but here we are only going to shortchange them by what we owe by 25 percent.

But the underlying point that my friend from Texas makes regarding waste and corruption and a bureaucracy that is bloated and inefficient, there have been—we could spend hours talking about efforts to deal with that issue. The only thing I would point out is nothing in this amendment seeks to deal with that issue. This is not an amendment that withdraws funds unless certain kinds of reforms take place. It is a unilateral cut in our treaty-obligated assessment.

Now, I know we don't want the Supreme Court to consider international law, but I did think that Members of Congress considered treaties ratified by the Congress and the U.S. Senate to be obligations as much as any of the laws that we pass.

And I just have to, once again, point out that whatever changes we would like to make in the U.N.—and heaven knows there are many—this is both an improper way to go about it and a way that will not achieve the goals that the gentleman has articulated.

And I yield back.

Chairman ROS-LEHTINEN. Ms. Buerkle is recognized.

Ms. BUERKLE. Thank you, Madam Chairman.

I just want to lend my support to this amendment. I think that this is the responsible thing to do. We have heard the gentleman from California talking about American taxpayers' dollars and us being good stewards of them. I think this is a good opportunity for us to make sure the money we are contributing to the U.N. is not used in a useless manner and we are good stewards of the American taxpayers' money.

So I want to lend my support to this amendment. I think it is the right thing to do.

I yield back.

Chairman ROS-LEHTINEN. Thank you.

And Mr. Carnahan has an amendment that he would like to offer at this time. Mr. Carnahan is recognized——

Mr. CARNAHAN. Thank you, Madam Chairman. I have an amendment to Mr. Poe's amendment.

Chairman ROS-LEHTINEN. The clerk will read the amendment.

Ms. CARROLL. Amendment offered by Mr. Carnahan to the amendment offered by Mr. Poe. Insert new subsection (b) and redesignate previous subsection(s) accordingly. Waiver. The Secretary may waive the above provision if the Secretary determines that any such reduction would harm any of the following activities funded through the United Nations Regular Budget in Iraq and Afghanistan: 1. Demining programs. 2. Police training program. 3. Narco-trafficking, poppy eradication, or other efforts to counteract illicit drugs.

[The information referred to follows:]

AMENDMENT OFFERED BY MR. Carnahan TO THE AMENDMENT OFFERED BY Mr. Poe

Insert new subsection (b) and redesignate previous subsection(s) accordingly

WAIVER.---- The Secretary may waive the above provision if the Secretary that determines that any such reduction would harm any of the following activities funded through the United Nations Regular Budget in Iraq and Afghanistan:

1. Demining programs.
2. Police training programs.
3. Narco-trafficking, poppy eradication, or other efforts to counteract illicit drugs.

Chairman ROS-LEHTINEN. Thank you.

Do all members have a copy of Mr. Carnahan's amendment?

While that is being distributed, Mr. Carnahan is recognized to explain his amendment.

Mr. CARNAHAN. Thank you, Madam Chairman.

This is an amendment to Mr. Poe's amendment cutting the U.N. assessed dues.

I appreciate the work of my friend from Texas to push the U.N. to reform, and I hope he will accept this amendment in the spirit in which it is offered, to, again, be part of that push for reform, but at the same time continuing to look out for our national interest.

I think the underlying amendment, by itself, in just having a dramatic reduction in our funding obligations, would jeopardize our national security interest and violate our treaty obligations, as was mentioned by the ranking member.

While it is absolutely true there has been an increase in the U.N. regular budget over the last 10 years, the primary driver of the increase is the special political missions, or the SPMs. The two largest U.N. political missions which comprise most of the funding are in Iraq and Afghanistan. Political missions such as these focus on democracy assistance and institution-building and are funded out of the U.N. regular budget.

It is these kinds of missions that are the kind of civilian surge that our military and intelligence experts advise us are needed as

military operations are winding down. It also means that the U.S. pays only 22 percent of their cost and other nations pay 78 percent.

My amendment would allow this provision to be waived if—and I want to emphasize "if"—the Secretary determines that any such reduction would harm any of the following activities funded through the U.N. regular budget in Iraq and Afghanistan: Specifically, demining programs; police training programs; narcotrafficking, poppy eradication, or other efforts to counteract illicit drugs.

This amendment I think will ensure our national security interests are protected, will also be sure that we honor our treaty obligations. And I hope my friend from Texas will, again, accept this in the spirit in which it is offered, to be sure we can continue those interests.

I yield back.

Chairman ROS-LEHTINEN. Thank you, Mr. Carnahan.

Does any member wish to be heard on the amendment to the amendment?

Judge Poe?

Mr. POE. Madam Speaker, I have a question for Mr. Carnahan.

Chairman ROS-LEHTINEN. Mr. Carnahan, will you yield the time to Mr. Poe?

Mr. CARNAHAN. Yes, I yield.

Mr. POE. It is my understanding that these three activities do not come out of this specific fund but they come out of the peacekeeping fund. Am I correct or incorrect about that?

Mr. CARNAHAN. That is my understanding, as well.

Mr. POE. Reclaiming my time, the——

Mr. CARNAHAN. I am sorry, I am being corrected. That is not the case.

Mr. POE. All right.

Mr. BERMAN. Would the gentleman yield?

Mr. POE. I will yield to the ranking member.

Chairman ROS-LEHTINEN. Mr. Berman?

Mr. BERMAN. I am quite sure that these specific programs come out of the regular budget of the U.N., not the peacekeeping budget. And I think that that is the purpose of putting this amendment to your amendment.

Chairman ROS-LEHTINEN. Mr. Poe?

Mr. POE. I yield back my time.

Chairman ROS-LEHTINEN. Thank you, sir.

Does anyone wish—Mr. Connolly, to be heard on the amendment to the amendment.

Mr. CONNOLLY. Thank you, Madam Chairman.

Certainly, I think that the amendment offered by our colleague from Missouri improves the underlying amendment, but it doesn't really address that underlying set of issues.

The idea that the United States could, even with this waiver, cut 25 percent of its contribution to the multilateral body that we helped create would represent yet another strategic retreat by this committee and, if adopted as policy of the United States, by the United States of America from our multilateral obligations and from our willingness to engage with the rest of the world as a great power.

And so I certainly will support my colleague's perfecting amendment, but I will not, sadly, be able to support Judge Poe's underlying amendment, because I think it is yet another example in this brief markup already of a stunning retreat from America's obligations and responsibilities as a world power.

I yield back.

Chairman ROS-LEHTINEN. Thank you, sir.

Ms. Schmidt is recognized to speak on the amendment to the amendment.

Mrs. SCHMIDT. Thank you.

Will the gentleman answer a question for me? Because I am a little confused.

Chairman ROS-LEHTINEN. Which gentleman are you referring to?

Mrs. SCHMIDT. The gentleman that offered the amendment.

Chairman ROS-LEHTINEN. Mr. Carnahan?

Mrs. SCHMIDT. Mr. Carnahan, yes.

Can't the President waive this already? Isn't it in his power to do so, so this would be unnecessary?

Mr. CARNAHAN. Not to my understanding. This amendment would just specifically allow this to be waived by the Secretary if the Secretary determines it would do harm to these activities that are being funded through the regular budget for Iraq and Afghanistan.

Mrs. SCHMIDT. Madam Chair, my confusion with this amendment is that we really don't know which account it really comes out of. We are assuming it comes out of a certain account. We don't know who has the authority to waive this. We are assuming that certain folks do and certain folks don't.

And I think that maybe we should hold off on the amendment until we get better clarification, or I would just urge my colleagues to vote no.

I yield back.

Mr. ROHRABACHER. Will the gentlelady yield?

Chairman ROS-LEHTINEN. Mr. Rohrabacher is asking for time, Ms. Schmidt.

Mr. ROHRABACHER. Would you yield?

Mrs. SCHMIDT. Yes.

Mr. ROHRABACHER. Mr. Carnahan, let me see if we are reading this correctly. The way your amendment is written, if, indeed, the 25 percent reduction that Mr. Poe is suggesting in any way affects demining, police training, narcotrafficking, eradication, then the entire 25 percent is knocked out? Or just the 25—just the effect on those specific issues?

Chairman ROS-LEHTINEN. Ms. Schmidt, would you like to yield to Mr. Carnahan to answer Mr. Rohrabacher's question?

Mr. Carnahan?

Mr. CARNAHAN. Yes, I yield.

Mr. ROHRABACHER. No, I——

Chairman ROS-LEHTINEN. Could you rephrase the question?

Mr. ROHRABACHER. Mr. Carnahan, your proposed amendment, would it—let's put it this way. You are talking about—Mr. Poe is talking about a 25 percent reduction, and you are saying that only the demining programs, police training programs, and narcotrafficking or other illicit drug programs, only if those are affected, the

entire 25 percent reduction for everything else is not applicable? Or you are just saying that they may waive—the effect of this may be waived just on those specific programs?

Mr. CARNAHAN. Yes, that is what the amendment does. And, again, we have identified those specific programs because they have been the primary driver of the increase in those special political missions.

Mr. ROHRABACHER. When you said "yes," I am not quite sure what "yes" was. "Yes" means that the entire 25 percent reduction is eliminated if it affects these programs? Or is the only part that is eliminated is those parts of the 25 percent of these three programs?

Mr. CARNAHAN. The former, that the 25 percent would be waived.

Mr. ROHRABACHER. So the whole 25 percent. So, in other words, Mr. Poe's amendment is neutered totally, not just for these programs, if these programs are affected at all?

Mr. BERMAN. Would the gentleman yield?

Mr. ROHRABACHER. I am just asking for information.

Chairman ROS-LEHTINEN. Let me see. That is Ms. Schmidt's time that has been handed over. And, Mr. Berman, she will yield to you.

Mr. BERMAN. I appreciate it.

Through the gentlelady from Ohio, I would like to ask the gentleman from California, would he be willing to borrow from China to protect the demining programs, the police training programs, and the narcotrafficking programs in Iraq and Afghanistan?

Mr. ROHRABACHER. May I answer?

Mrs. SCHMIDT. Yes, you may.

Chairman ROS-LEHTINEN. Mr. Rohrabacher.

Mr. ROHRABACHER. The answer is no.

Chairman ROS-LEHTINEN. Thank you.

Ms. Schmidt, do you yield back?

Mrs. SCHMIDT. I yield back unless anyone else wants a portion of my time.

Mr. ROHRABACHER. If I could just clarify what we just——

Chairman ROS-LEHTINEN. Would you like Ms. Schmidt's time?

Mr. ROHRABACHER. Would you yield?

Chairman ROS-LEHTINEN. She has 1 minute left.

Mrs. SCHMIDT. Yes.

Mr. ROHRABACHER. Yes.

Chairman ROS-LEHTINEN. Mr. Rohrabacher.

Mr. ROHRABACHER. So, let me clarify what we have just determined by this exchange, that your amendment, Mr. Carnahan, actually would just say eliminate all of what Mr. Poe is trying to do if, indeed, it has any impact on demining and police training, et cetera, rather than just it exempts those from the 25 percent cut.

Chairman ROS-LEHTINEN. Mr. Carnahan?

Mr. CARNAHAN. Again, I would direct the gentleman to the language of the amendment, that the Secretary may waive the above provision if the Secretary determines that such reduction would harm——

Mr. ROHRABACHER. So, yes.

Mr. CARNAHAN [continuing]. These listed activities.

Mr. ROHRABACHER. So the answer—my reading of that is yes.

Mr. CARNAHAN. Yes.

Chairman ROS-LEHTINEN. Reclaiming her time, Ms. Schmidt is recognized, 15 seconds.

Mrs. SCHMIDT. I think I got it. What you really want to do is kill Mr. Poe's amendment. Got it.

Chairman ROS-LEHTINEN. Ms. Schmidt, do you yield your time?

Mrs. SCHMIDT. I yield back.

Chairman ROS-LEHTINEN. She does.

And seeing no further requests for time, we will now vote on the amendment offered by Mr. Carnahan, which is the amendment to Mr. Poe.

So the clerk will call the roll on Mr. Carnahan's amendment to Mr. Poe's amendment.

Ms. CARROLL. Madam Chairman?

Chairman ROS-LEHTINEN. No.

Ms. CARROLL. The chairman votes no.

Mr. Smith?

Mr. SMITH. No.

Ms. CARROLL. Mr. Smith votes no.

Mr. Burton?

Mr. BURTON. No.

Ms. CARROLL. Mr. Burton votes no.

Mr. Gallegly?

[No response.]

Ms. CARROLL. Mr. Rohrabacher?

Mr. ROHRABACHER. No.

Ms. CARROLL. Mr. Rohrabacher votes no.

Mr. Manzullo?

Mr. MANZULLO. No.

Ms. CARROLL. Mr. Manzullo votes no.

Mr. Royce?

[No response.]

Ms. CARROLL. Mr. Chabot?

Mr. CHABOT. No.

Ms. CARROLL. Mr. Chabot votes no.

Mr. Paul?

[No response.]

Ms. CARROLL. Mr. Pence?

Mr. PENCE. No.

Ms. CARROLL. Mr. Pence votes no.

Mr. Wilson?

Mr. WILSON OF SOUTH CAROLINA. No.

Ms. CARROLL. Mr. Wilson votes no.

Mr. Mack?

Mr. MACK. No.

Ms. CARROLL. Mr. Mack votes no.

Mr. Fortenberry?

Mr. FORTENBERRY. No.

Ms. CARROLL. Mr. Fortenberry votes no.

Mr. McCaul?

Mr. MCCAUL. No.

Ms. CARROLL. Mr. McCaul votes no.

Mr. Poe?

Mr. POE. No.

Ms. CARROLL. Mr. Poe votes no.
Mr. Bilirakis?
[No response.]
Ms. CARROLL. Ms. Schmidt?
Mrs. SCHMIDT. No.
Ms. CARROLL. Ms. Schmidt votes no.
Mr. Johnson?
Mr. JOHNSON. No.
Ms. CARROLL. Mr. Johnson votes no.
Mr. Rivera?
Mr. RIVERA. No.
Ms. CARROLL. Mr. Rivera votes no.
Mr. Kelly?
Mr. KELLY. No.
Ms. CARROLL. Mr. Kelly votes no.
Mr. Griffin?
Mr. GRIFFIN. No.
Ms. CARROLL. Mr. Griffin votes no.
Mr. Marino?
Mr. MARINO. No.
Ms. CARROLL. Mr. Marino votes no.
Mr. Duncan?
Mr. DUNCAN. No.
Ms. CARROLL. Mr. Duncan votes no.
Ms. Buerkle?
Ms. BUERKLE. No.
Ms. CARROLL. Ms. Buerkle votes no.
Ms. Ellmers?
Mrs. ELLMERS. No.
Ms. CARROLL. Ms. Ellmers votes no.
Mr. Berman?
Mr. BERMAN. Aye.
Ms. CARROLL. Mr. Berman votes aye.
Mr. Ackerman?
[No response.]
Ms. CARROLL. Mr. Faleomavaega?
Mr. FALEOMAVAEGA. Yes.
Ms. CARROLL. Mr. Faleomavaega votes aye.
Mr. Payne?
Mr. PAYNE. Aye.
Ms. CARROLL. Mr. Payne votes aye.
Mr. Sherman?
Mr. SHERMAN. Aye.
Ms. CARROLL. Mr. Sherman votes aye.
Mr. Engel?
Mr. ENGEL. Aye.
Ms. CARROLL. Mr. Engel votes aye.
Mr. Meeks?
Mr. MEEKS. Aye.
Ms. CARROLL. Mr. Meeks votes aye.
Mr. Carnahan?
Mr. CARNAHAN. Aye.
Ms. CARROLL. Mr. Carnahan votes aye.
Mr. Sires?

Mr. SIRES. Aye.
Ms. CARROLL. Mr. Sires votes aye.
Mr. Connolly?
Mr. CONNOLLY. Aye.
Ms. CARROLL. Mr. Connolly votes aye.
Mr. Deutch?
[No response.]
Ms. CARROLL. Mr. Cardoza?
[No response.]
Ms. CARROLL. Mr. Chandler?
Mr. CHANDLER. Aye.
Ms. CARROLL. Mr. Chandler votes aye.
Mr. Higgins?
Mr. HIGGINS. Aye.
Ms. CARROLL. Mr. Higgins votes aye.
Ms. Schwartz?
Ms. SCHWARTZ. Aye.
Ms. CARROLL. Ms. Schwartz votes aye.
Mr. Murphy?
Mr. MURPHY. Aye.
Ms. CARROLL. Mr. Murphy votes aye.
Ms. Wilson?
Ms. WILSON OF FLORIDA. Aye.
Ms. CARROLL. Ms. Wilson votes aye.
Ms. Bass?
Ms. BASS. Aye.
Ms. CARROLL. Ms. Bass votes aye.
Mr. Keating?
Mr. KEATING. Aye.
Ms. CARROLL. Mr. Keating votes aye.
Mr. Cicilline?
[No response.]
Ms. CARROLL. Mr. Royce?
Mr. ROYCE. No.
Ms. CARROLL. Mr. Royce votes no.
Chairman ROS-LEHTINEN. Have all members been recorded?
Ms. CARROLL. Mr. Bilirakis.
Mr. BILIRAKIS. No.
Ms. CARROLL. Mr. Bilirakis votes no.
Chairman ROS-LEHTINEN. Have all members been recorded?
The clerk will report the vote.
Ms. CARROLL. Madam Chairman, on that vote there are 16 ayes and 23 noes.
Chairman ROS-LEHTINEN. The noes have it, and the question is not agreed to.
Now we go back to Mr. Poe's underlying amendment. Does anyone seek recognition to speak on the amendment, or shall we go for a vote?
Thank you.
A recorded vote has been requested on the Poe amendment. The clerk will call the roll.
Ms. CARROLL. Madam Chairman.
Chairman ROS-LEHTINEN. Yes.
Ms. CARROLL. The chairman votes aye.

Mr. Smith?
Mr. SMITH. Yes.
Ms. CARROLL. Mr. Smith votes aye.
Mr. Burton?
Mr. BURTON. Aye.
Ms. CARROLL. Mr. Burton votes aye.
Mr. Gallegly?
[No response.]
Ms. CARROLL. Mr. Rohrabacher?
Mr. ROHRABACHER. Yes.
Ms. CARROLL. Mr. Rohrabacher votes aye.
Mr. Manzullo?
Mr. MANZULLO. Aye.
Ms. CARROLL. Mr. Manzullo votes aye.
Mr. Royce?
Mr. ROYCE. Aye.
Ms. CARROLL. Mr. Royce votes aye.
Mr. Chabot?
Mr. CHABOT. Aye.
Ms. CARROLL. Mr. Chabot votes aye.
Mr. Paul?
[No response.]
Ms. CARROLL. Mr. Pence?
Mr. PENCE. Aye.
Ms. CARROLL. Mr. Pence votes aye.
Mr. Wilson?
Mr. WILSON OF SOUTH CAROLINA. Aye.
Ms. CARROLL. Mr. Wilson votes aye.
Mr. Mack?
Mr. MACK. Aye.
Ms. CARROLL. Mr. Mack votes aye.
Mr. Fortenberry?
Mr. FORTENBERRY. Yes.
Ms. CARROLL. Mr. Fortenberry votes aye.
Mr. McCaul?
Mr. MCCAUL. Aye.
Ms. CARROLL. Mr. McCaul votes aye.
Mr. Poe?
Mr. POE. Yes.
Ms. CARROLL. Mr. Poe votes aye.
Mr. Bilirakis?
Mr. BILIRAKIS. Yes.
Ms. CARROLL. Mr. Bilirakis votes aye.
Ms. Schmidt?
Mrs. SCHMIDT. Aye.
Ms. CARROLL. Ms. Schmidt votes aye.
Mr. Johnson?
Mr. JOHNSON. Aye.
Ms. CARROLL. Mr. Johnson votes aye.
Mr. Rivera?
Mr. RIVERA. Aye.
Ms. CARROLL. Mr. Rivera votes aye.
Mr. Kelly?
Mr. KELLY. Aye.

Ms. CARROLL. Mr. Kelly votes aye.
Mr. Griffin?
Mr. GRIFFIN. Aye.
Ms. CARROLL. Mr. Griffin votes aye.
Mr. Marino?
Mr. MARINO. Yes.
Ms. CARROLL. Mr. Marino votes aye.
Mr. Duncan?
Mr. DUNCAN. Aye.
Ms. CARROLL. Mr. Duncan votes aye.
Ms. Buerkle?
Ms. BUERKLE. Aye.
Ms. CARROLL. Ms. Buerkle votes aye.
Ms. Ellmers?
Mrs. ELLMERS. Aye.
Ms. CARROLL. Ms. Ellmers votes aye.
Mr. Berman?
Mr. BERMAN. No.
Ms. CARROLL. Mr. Berman votes no.
Mr. Ackerman?
Mr. ACKERMAN. No.
Ms. CARROLL. Mr. Ackerman votes no.
Mr. Faleomavaega?
Mr. FALEOMAVAEGA. No.
Ms. CARROLL. Mr. Faleomavaega votes no.
Mr. Payne?
Mr. PAYNE. No.
Ms. CARROLL. Mr. Payne votes no.
Mr. Sherman?
Mr. SHERMAN. No.
Ms. CARROLL. Mr. Sherman votes no.
Mr. Engel?
Mr. ENGEL. No.
Ms. CARROLL. Mr. Engel votes no.
Mr. Meeks?
Mr. MEEKS. No.
Ms. CARROLL. Mr. Meeks votes no.
Mr. Carnahan?
Mr. CARNAHAN. No.
Ms. CARROLL. Mr. Carnahan votes no.
Mr. Sires?
Mr. SIRES. No.
Ms. CARROLL. Mr. Sires votes no.
Mr. Connolly?
Mr. CONNOLLY. No.
Ms. CARROLL. Mr. Connolly votes no.
Mr. Deutch?
[No response.]
Ms. CARROLL. Mr. Cardoza?
[No response.]
Ms. CARROLL. Mr. Chandler?
Mr. CHANDLER. No.
Ms. CARROLL. Mr. Chandler votes no.
Mr. Higgins?

Mr. HIGGINS. No.
Ms. CARROLL. Mr. Higgins votes no.
Ms. Schwartz?
Ms. SCHWARTZ. No.
Ms. CARROLL. Ms. Schwartz votes no.
Mr. Murphy?
Mr. MURPHY. No.
Ms. CARROLL. Mr. Murphy votes no.
Ms. Wilson?
Ms. WILSON OF FLORIDA. No.
Ms. CARROLL. Ms. Wilson votes no.
Ms. Bass?
Ms. BASS. No.
Ms. CARROLL. Ms. Bass votes no.
Mr. Keating?
Mr. KEATING. No.
Ms. CARROLL. Mr. Keating votes no.
Mr. Cicilline?
[No response.]
Chairman ROS-LEHTINEN. Have all members have been recorded?
The clerk will report the vote.
Ms. CARROLL. Madam Chairman, on that vote there are 23 ayes and 17 noes.
Chairman ROS-LEHTINEN. The ayes have it, and the question is agreed to.
Are there any other amendments to this section/title?
Mr. Carnahan is recognized.
Mr. CARNAHAN. Thank you, Madam Chairman. I have an amendment. It should be labeled 560 at the desk.
Chairman ROS-LEHTINEN. We are going to hold a while the clerk will read the whole amendment while we get it passed out.
Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Carnahan of Missouri. Strike section 103(a).
[The information referred to follows:]

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AMENDMENT TO H.R. _____

OFFERED BY M__. _____

Strike section 103(a).

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Chairman ROS-LEHTINEN. Thank you. We are going to wait 1 second while the amendment gets passed out.

The Chair reserves a point of order and recognizes the author for 5 minutes to explain the amendment.

Mr. Carnahan is recognized.

Mr. CARNAHAN. Thank you, Madam Chairman. This amendment would strike the statement of policy in section 103(a) in the bill that limits the U.S.'s contribution for U.N. peacekeeping operations to no more than 25 percent of the total of all assessed contributions for U.N. peacekeeping operations. The U.S. is currently assessed approximately 27 percent by negotiated amount.

Paying our dues on time and in full is in our Nation's best interest. U.N. peacekeeping operations are cost effective. For example, a 2005 GAO study found that funding the U.S. peacekeeping force in Haiti was eight times less expensive than fielding a comparable U.S. force. These operations allow the U.S. to not send our military into conflict zones. They provide increased political influence at the U.N., and this cap is arbitrary.

It has been waived nearly every year since it was instituted in 1994. From 1994 to 2011, bipartisan majorities have waived this cap in all but 3 years. From 2005 to 2007, the cap was not lifted, and the U.S. went into arrears. The practical effect was that countries who provided troops did receive payment for missions that the U.S. advocated for and authorized. It undermined our credibility, and it undermined the viability of peacekeeping missions and their ability to protect civilians.

It is important to remember that an arbitrary cap is not necessary because no U.N. peacekeeping mission can be authorized and deployed and thus paid for if it is vetoed by the U.S. at the Security Council. And it is important to know that the U.S. renegotiates assessed rates with the U.N. every 3 years, and the U.S.

peacekeeping rate has dropped from 31 percent down to 27 percent in the last 10 years.

While this amendment only strikes the statement of policy in the underlying bill, it does not do anything to affect the underlying law. I urge support for this amendment and urge the committee to really review this underlying cap in the future.

Chairman ROS-LEHTINEN. Do you yield back?

Mr. CARNAHAN. Yes.

Chairman ROS-LEHTINEN. Thank you, sir.

The Chair withdraws the point of order.

Do any other members seek recognition to speak on the Carnahan amendment?

Mr. CONNOLLY. Madam Chair.

Chairman ROS-LEHTINEN. Yes, Mr. Connolly.

Mr. CONNOLLY. Thank you.

Just briefly, Madam Chairman, I speak in favor of the amendment.

I think again we have to avoid the false choice being presented to us that we cannot afford our own diplomacy. Peacekeeping saves billions of dollars for the United States. It allows us on a multilateral basis to do things we otherwise, frankly, could not do and could not afford on a bilateral basis.

Henry Kissinger certainly didn't think about, well, I can only afford 25 percent and no more when he successful got the parties in the 1973 war, after the 1973 war, to disengage and to help persuade the United Nations to put peacekeeping forces in place in the Golan Heights, where they remain today keeping the peace, or the Sinai disengagement that ultimately led to the Camp David—successful Camp David Accord with Egypt recognizing Israel and the disengagement there.

We must preserve flexibility, and we shouldn't have rigid strictures that limit the ability of our diplomats to successfully accomplish diplomacy in our Nation's interests on a multilateral basis. I yield back.

Mr. BERMAN. Will the gentleman yield?

Mr. CONNOLLY. I yield to the distinguished ranking member.

Mr. BERMAN. I thank the distinguished gentleman for yielding. And I just agree with every point he made. But the one thing I would like to say to my friends on the other side, all right, you want to unilaterally—you want to lower the cap from 27 to 25 percent; you cut about $185 million from the peacekeeping budget. Mr. Connolly has laid out I think very clearly why from a fiscal point of view that is not a smart thing to do.

But don't you at least then have some obligation to say which of these peacekeeping missions—we are helping to fund about 15 of them—which of these peacekeeping missions do you want to chop off, do we want to stop doing what we are doing in Haiti? Do we want to end the Sudan operation? In other words, you like to talk about 40 cents on the dollar, and you are right about the issue of the deficit, but then you have to make choices. So why don't you make the choices about which ones you don't think are necessary. Which are the priority peacekeeping missions? Which are the ones that aren't a priority? Some responsibility—when you are talking about unilaterally changing the formula for funding these oper-

ations, it seems to me obligates you to at least tell us whether it is the Sudan, whether it is the Congo, whether it is Haiti, which—whether it is the groups on the Lebanon-Israel border, which are the ones should we wipe out as a result of this change in the lay?

And I yield back to my friend.

Mr. PAYNE. Would the gentleman yield?

Mr. CONNOLLY. Who seeks—yes, I would yield to my distinguished colleague.

Mr. PAYNE. Let me just continue on with Ranking Member Berman.

I think that if indeed we are going to say that there has to be a reduction, just as we would do in any other kind of reduction, whether it is even in your household, you would decide whether you are going to fix the roof or just remodel the kitchen, I think that we ought to, since there is this drive to stop China from lending us money all of a sudden—I didn't know the only place we borrow money from is China, but China is the topic today—why don't we try then to prioritize, and then we could at least make some semblance of sense out of this, rather than just nonsensical where we just cut and let the chips sort of fall where they may. So I certainly support the amendment by the gentleman from Missouri.

Chairman ROS-LEHTINEN. Mr. Connolly.

Mr. CONNOLLY. Reclaiming my time.

Thank you, Madam Chairman.

Just to summarize all of these points, of course, very on point, I think it is also important, frankly, to say that without this multilateral peacekeeping operation, U.S. taxpayers would be footing the bill for more unilateral preemptive actions or even reactive actions all over the world, and we have already seen the folly of that model in Iraq and in other places as well. So, frankly, this is a bargain for the United States. It saves taxpayer dollars and allows us to do something we otherwise, frankly, could not could on a bilateral basis.

With that, I yield back.

Chairman ROS-LEHTINEN. Thank you.

Ms. Buerkle is recognized for 5 minutes.

Ms. BUERKLE. Thank you, Madam Chair.

I would just like to remind my colleagues on the other side of the aisle that section 103 of this bill does not create a peacekeeping cap, but instead, it simply reiterates what is already in public law. I think we in this United States are in an economic crisis, and the American people can no longer bear to really—really to bear a disproportionate share of peacekeeping.

So I think it is time for the United States Congress, as well as the United Nations, to abide by a law and commitments that have been made a decade ago. I am opposed to this amendment.

I yield back my time.

Chairman ROS-LEHTINEN. The gentlelady yields back.

Does any member seek—Mr. Rohrabacher.

Mr. ROHRABACHER. Thank you very much.

I would just note that this cap was first established by—in a partnership. One of the co-authors was Vice President Biden, I believe. In 1999 and maybe his judgment then was better than it is now, I don't know. I would have to ask. But in terms of answering

Mr. Berman's specific point that we should be willing to be specific, I will wait until he can hear me answer him.

Chairman ROS-LEHTINEN. He can hear.

Mr. ROHRABACHER. Mr. Berman, to answer your specific point—and I think it was a very justified point—that we should not be here talking in generalities, that we should be willing to be very specific. And the answer to your specific question is, yes, there are many places of the list that I would be very happy to and I believe my fellow Republicans would be very happy not to have intervention if it costs the American people money for that U.N. intervention. Yes, we would rather spend it at home doing those things that I reiterated that are important for our own people. That is the answer.

Mr. BERMAN. Would the gentleman yield?

Mr. ROHRABACHER. Not until I make the last point. That is that this cap, by eliminating it, would cost over an extra $100 million. Maybe you would like to be specific as to where—what you are going to eliminate in order to come up with that $100 million.

Chairman ROS-LEHTINEN. Mr. Berman.

Mr. BERMAN. Well, let us start with that deduction for the jets——

Chairman ROS-LEHTINEN. This is a United Nations budget.

Mr. BERMAN. No, no. This is our budget.

Mr. ROHRABACHER. Okay.

Mr. BERMAN. This is our cap. This is not a United Nations cap. I mean, I have got a whole list I would be happy to give you.

Mr. ROHRABACHER. I happen to agree with getting rid of as many loopholes——

Mr. BERMAN. I appreciate the gentleman's appreciation of my point. And the only thing I would say is I look forward to his amendment. We have got a list of 15 peacekeeping missions. I believe some are more important than the others. Let us—I look forward to the amendment which tells us which ones to fund and which ones not to fund. And if none of them should be funded, then 25 percent is a ridiculous cap. It should be zero.

Mr. ROHRABACHER. Reclaiming my time.

I said I would be very happy to work with the gentleman to come up with a list of areas not to intervene in order to save the taxpayers' money. Thank you very much.

Chairman ROS-LEHTINEN A recorded vote has been requested by Mr. Carnahan and the clerk will call the roll.

This is on the Carnahan amendment.

Ms. CARROLL. Madam Chairman?

Chairman ROS-LEHTINEN. No.

Ms. CARROLL. The chairman votes no.

Mr. Smith?

Mr. SMITH. No.

Ms. CARROLL. Mr. Smith votes no.

Mr. Burton?

Mr. BURTON. No.

Ms. CARROLL. Mr. Burton votes no.

Mr. Gallegly?

[No response.]

Ms. CARROLL. Mr. Rohrabacher?

Mr. ROHRABACHER. No.
Ms. CARROLL. Mr. Rohrabacher votes no.
Mr. Manzullo?
Mr. MANZULLO. No.
Ms. CARROLL. Mr. Manzullo votes no.
Mr. Royce?
[No response.]
Ms. CARROLL. Mr. Chabot?
Mr. CHABOT. No.
Ms. CARROLL. Mr. Chabot votes no.
Mr. Paul?
[No response.]
Ms. CARROLL. Mr. Pence?
Mr. PENCE. No.
Ms. CARROLL. Mr. Pence votes no.
Mr. Wilson?
Mr. WILSON OF SOUTH CAROLINA. No.
Ms. CARROLL. Mr. Wilson votes no.
Mr. Mack?
[No response.]
Ms. CARROLL. Mr. Fortenberry?
Mr. FORTENBERRY. No.
Ms. CARROLL. Mr. Fortenberry votes no.
Mr. McCaul?
Mr. MCCAUL. No.
Ms. CARROLL. Mr. McCaul votes no.
Mr. Poe?
Mr. POE. No.
Ms. CARROLL. Mr. Poe votes no.
Mr. Bilirakis?
Mr. BILIRAKIS. No.
Ms. CARROLL. Mr. Bilirakis votes no.
Ms. Schmidt?
Mrs. SCHMIDT. No.
Ms. CARROLL. Ms. Schmidt votes no.
Mr. Johnson?
Mr. JOHNSON. No.
Ms. CARROLL. Mr. Johnson votes no.
Mr. Rivera?
Mr. RIVERA. No.
Ms. CARROLL. Mr. Rivera votes no.
Mr. Kelly?
Mr. KELLY. No.
Ms. CARROLL. Mr. Kelly votes no.
Mr. Griffin?
Mr. GRIFFIN. No.
Ms. CARROLL. Mr. Griffin votes no.
Mr. Marino?
Mr. MARINO. No.
Ms. CARROLL. Mr. Marino votes no.
Mr. Duncan?
Mr. DUNCAN. No.
Ms. CARROLL. Mr. Duncan votes no.
Ms. Buerkle?

Ms. BUERKLE. No.
Ms. CARROLL. Ms. Buerkle votes no.
Ms. Ellmers?
Mrs. ELLMERS. No.
Ms. CARROLL. Ms. Ellmers votes no.
Mr. Berman?
Mr. BERMAN. Aye.
Ms. CARROLL. Mr. Berman votes aye.
Mr. Ackerman?
Mr. ACKERMAN. Yes.
Ms. CARROLL. Mr. Ackerman votes aye.
Mr. Faleomavaega?
Mr. FALEOMAVAEGA. Aye.
Ms. CARROLL. Mr. Faleomavaega votes aye.
Mr. Payne?
Mr. PAYNE. Aye.
Ms. CARROLL. Mr. Payne votes aye.
Mr. Sherman?
Mr. SHERMAN. Aye.
Ms. CARROLL. Mr. Sherman votes aye.
Mr. Engel?
Mr. ENGEL. Aye.
Ms. CARROLL. Mr. Engel votes aye.
Mr. Meeks?
Mr. MEEKS. Aye.
Ms. CARROLL. Mr. Meeks votes aye.
Mr. Carnahan?
Mr. CARNAHAN. Aye.
Ms. CARROLL. Mr. Carnahan votes aye.
Mr. Sires?
Mr. SIRES. Aye.
Ms. CARROLL. Mr. Sires votes aye.
Mr. Connolly?
Mr. CONNOLLY. Aye.
Ms. CARROLL. Mr. Connolly votes aye.
Mr. Deutch?
[No response.]
Ms. CARROLL. Mr. Cardoza?
[No response.]
Ms. CARROLL. Mr. Chandler?
Mr. CHANDLER. Yes.
Ms. CARROLL. Mr. Chandler votes yes.
Mr. Higgins?
Mr. HIGGINS. Yes.
Ms. CARROLL. Mr. Higgins votes yes.
Ms. Schwartz?
Ms. SCHWARTZ. Aye.
Ms. CARROLL. Ms. Schwartz votes aye.
Mr. Murphy?
Mr. MURPHY. Aye.
Ms. CARROLL. Mr. Murphy votes aye.
Ms. Wilson?
Ms. WILSON OF FLORIDA. Aye.
Ms. CARROLL. Ms. Wilson votes aye.

Ms. Bass?

Ms. BASS. Aye.

Ms. CARROLL. Ms. Bass votes aye.

Mr. Keating?

Mr. KEATING. Aye.

Ms. CARROLL. Mr. Keating votes aye.

Mr. Cicilline?

Mr. CICILLINE. Aye.

Ms. CARROLL. Mr. Cicilline votes aye.

Chairman ROS-LEHTINEN. Have all members been recorded?

Mr. Mack?

Ms. CARROLL. You are not recorded, sir.

Mr. MACK. No.

Ms. CARROLL. Mr. Mack votes no.

Mr. Royce?

Mr. ROYCE. No.

Ms. CARROLL. Mr. Royce votes no.

Chairman ROS-LEHTINEN. The clerk will report the vote.

Ms. CARROLL. Madam Chairman, on that vote, there are 18 ayes and 23 noes.

Chairman ROS-LEHTINEN. The noes have it, and the question is not agreed to.

Are there any other amendments to this title?

Mr. Payne is recognized.

Mr. PAYNE. I have an amendment——

Chairman ROS-LEHTINEN. The clerk will read the amendment.

Ms. CARROLL. Which one, Mr. Payne?

Mr. PAYNE. Let us try 561, and then we will do all the 20 others after that.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Payne of New Jersey. Amend section 103 to read as follows: Section 103. Statement of policy regarding peacekeeping operations contributions. (a) In General. Except as provided in subsection (b), it remains the policy of the United States pursuant to section 404(b)(2)(A) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236; 22 U.S. Code 287e note) that United States assessed contributions for a United Nations peacekeeping operation shall not exceed 25 percent of the total of all assessed contributions for such operation. (b) Exception. Notwithstanding any other provision of law, United States assessed contributions for United Nations peacekeeping operations in the Republic of Sudan and the Republic of South Sudan are exempt from the percentage limitation referred to in subsection (a).——

Chairman ROS-LEHTINEN. Dispense with the reading.

[The information referred to follows:]

AMENDMENT TO H.R. _____

OFFERED BY M__. _____

Amend section 103 to read as follows:

1 **SEC. 103. STATEMENT OF POLICY REGARDING PEACE-**
2 **KEEPING OPERATIONS CONTRIBUTIONS.**
3 (a) IN GENERAL.—Except as provided in subsection
4 (b), it remains the policy of the United States, pursuant
5 to section 404(b)(2)(A) of the Foreign Relations Author-
6 ization Act, Fiscal Years 1994 and 1995 (Public Law
7 103–236; 22 U.S.C. 287e note) that United States as-
8 sessed contributions for a United Nations peacekeeping
9 operation shall not exceed 25 percent of the total of all
10 assessed contributions for such operation.
11 (b) EXCEPTION.—Notwithstanding any other provi-
12 sion of law, United States assessed contributions for
13 United Nations peacekeeping operations in the Republic
14 of Sudan and the Republic of South Sudan are exempt
15 from the percentage limitation referred to in subsection
16 (a).
17 (c) AUTHORIZATION OF APPROPRIATIONS.—There
18 are authorized to be appropriated for "Contributions for
19 International Peacekeeping Activities", $1,735,382,277
20 for fiscal year 2012 for the Department of State to carry

1 out the authorities, functions, duties, and responsibilities
2 of the United States with respect to international peace-
3 keeping activities and to carry out other authorities in law
4 consistent with such purposes.

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Chairman ROS-LEHTINEN. All members have the amendment on their desk.

So, without objection, the Chair reserves a point of order and recognizes the author of amendment, Mr. Payne, for 5 minutes to explain the amendment.

Mr. PAYNE. Thank you very much, Madam Chair.

And as I indicated previously, I do believe that if indeed and since the amendment to reduce our contributions to the United Nations peacekeeping by several hundred million we, I believe, then should move forward in a way that we tend to at least hold several harmless—hold harmless some very important peacekeeping operations. It certainly does not alter the cap that has been passed by this committee. It simply says that there are some areas that currently need to have more support, that they need to be protected.

There are different levels of peacekeeping and their importance. It is almost like in Dante's "Inferno," there are seven levels of purgatory. So I would simply say that we ought to hold several of the peacekeeping operations harmless.

And therefore, Madam Chairman, I offer this amendment, which would exempt U.N. peacekeeping operations in South Sudan and Abyei from proposed percentage limitations as referred to in subsection (a). The U.N. Mission in South Sudan (UNMISS) and the U.N. Interim Security Forces for Abyei (UNISFA) protects the U.S.-backed Comprehensive Peace Agreement, the CPA, that we saw signed by—there and we celebrated with President Bush in 2001 on the lawn of the White House and, as we all mentioned, the birth of a new nation, the 53rd in sub-Saharan Africa and 193rd in the world. We think it is very important that at the inception—it is just like a new baby being born; there has to be intensive care. There needs to be a special kind of nurturing. There needs to be the support.

And for us to allow a cap of peacekeeping to interfere with the many years, as you know, in the South Sudan situation, 4 million people were displaced, 2 million people died back in 1993 when I met Salva Kiir and the founder of the movement John Garang, I came back and offered a resolution to the Congress saying that the people of South Sudan should have the right of self-determination,

which really was the first beginning to a new nation in South Sudan. I was on the battlefield with the South Sudanese Liberation Army, and they had just captured some vehicles from the north in Bashir's Army.

So this amendment would ensure that the U.N. peacekeeping mission in Sudan are fully funded so they can continue to advance our interests. On July 9, 2011, dignitaries from around the world stood and watched South Sudan be born after 20 years of civil war, resulting in countless lives be lost to the conflict and starvation. The Bush administration played an active role in getting both sides to agree to the CPA. Peace isn't easy, so peacekeeping forces of UNMISS and UNICEF are on the ground to ensure that peace is kept.

They are working to prevent border skirmishes and to disarm and demobilize ex-combatants. They are there to facilitate humanitarian aid and help to build a new nation's police and security forces. The World Health Organization and UNICEF are ensuring that the medical supplies are getting there to those who need it, and the U.N.—and I would certainly urge someone on my side to give me another minute as my time has expired.

Chairman ROS-LEHTINEN. Thank you very much.

Mrs. Schmidt is recognized for 5 minutes to speak on the Payne amendment.

Mrs. SCHMIDT. Thank you.

First off, I fully understand the importance of supporting security and stability in the Sudan. However, once we start making an exception for one mission, we have to start making an exception for all of them.

The issue at stake is adhering to U.S. law, and U.S. law, as reflected in the historic Helms-Biden agreement, states that the maximum U.S. rate of assessment is 25 percent.

Further, the U.S. certainly maintains over $13.8 million in unspent peacekeeping credits for the U.N. mission in Sudan, UNMISS. This means that the U.S. has overpaid our commitment by $13.8 million, and those assets would be readily available to fill any gaps if they occur.

So while I appreciate the sensitivity and the importance of the issue raised with this amendment, we must remain mindful of our current economic crisis, and as such, I respectfully urge a no vote on this amendment.

Chairman ROS-LEHTINEN. The gentlelady yields back.

Mr. Faleomavaega.

Mr. FALEOMAVAEGA. Thank you, Madam Chair.

I just want to commend the gentleman from New Jersey in offering this amendment.

And in my humble opinion, Madam Chair, no one as a member of this committee has probably had more experience and a sense of expertise in dealing with issues affecting the people and the countries in Africa.

At this time, I would like to turn my time over to the gentleman from New Jersey to elaborate further the importance of this amendment.

Mr. PAYNE. Thank you very much.

And in all due respect, I am not sure that this amendment violates U.S. law. You have made a vote, which says that needs to be the 25 percent limit. And that is what the funding will be.

All we are saying is that we should have a priority of keeping certain countries harmless, even with the amendment on the OAS. Many of the countries have been very, very fair and very supportive of the USA. However when we throw them all out together, we throw the baby out with the bath water. And I don't think that that is wise in personal life and certainly as we deal with the world.

So what I am simply saying is that it would certainly be important that we ensure that the two peacekeeping operations in South Sudan, which does not alter, does not impact on the amount of funds that we are going to contribute to peacekeeping—that is what has been voted on, and as it leaves the House, that is what it is. And I just cannot understand why there would be so much opposition to a commonsense amendment that would simply say there definitely tends to be higher priority, even as we deal with communicable diseases.

There are certain diseases that need more intensive care and attention than others. A common cold we don't deal with as we do perhaps the HIV virus.

We ought to be able to prioritize without making it a sin that we are doing something when we are not altering the bottom line, so to speak. So I would even further mention that Secretary of State Condoleezza Rice said that U.N. peacekeeping is much more cost-effective than using American force, as we know.

We are not even talking about that. We are simply saying that America doesn't have the forces to do these things. And so we are simply saying, let's just prioritize the countries. There are one or two others that I think fall into this category. So I would urge the other side to rethink your position.

I yield back.

Chairman ROS-LEHTINEN. Mr. Berman would like——

Mr. FALEOMAVAEGA. I would gladly yield 30 seconds——

Mr. BERMAN. I thank the gentleman for yielding.

Mrs. Schmidt raised, and I think it was raised before, the issue of the law. And it is a very fair point.

As a result of that deal, the cap statutorily was moved to 25 percent. And then, of course, what happened, that was all part of a deal that had other previous arrearages being paid. It was a deal in the finest and ugliest sense of the word.

And to show you how that deal was kept, in almost every year since that time, the appropriators waive the provision of that law and fund 27 percent. And that happened while George Bush was President and the Republican Party controlled both Houses of Congress because of the fact that we never managed to reduce our percent share through the international negotiations like we did do with our regular peacekeeping—with our regular dues obligation at the U.N., where we did negotiate a lower percentage.

And so the consequence was in a couple of years where they didn't do that, later on, we just paid the arrearages for it, which will happen again.

Here is the one—I understand your position and I think it is a legitimate position. We should pay a lower percentage. I think the right way to do it is negotiate it. But you are doing it this way.

But what Mr. Payne is saying is really, let's prioritize. And here is a case where what is happening in the Sudan and given the story in Darfur and the story in South Sudan and the work under the Bush administration to deal with these issues, this is one place where let's fully fund our share, 27 percent.

Chairman ROS-LEHTINEN. Thank you.

Mr. Faleomavaega's time has expired.

Does any other member—Mr. Connolly and then Mr. Meeks.

Mr. CONNOLLY. Thank you, Madam Chairman.

I find myself in the odd position in the sense of agreeing with my colleague, Mrs. Schmidt, from Ohio. I supported the gentleman's amendment to restore $60 million for peacekeeping in Sudan. I oppose an artificial rigid cap of peacekeeping operations at 25 percent.

But as the gentleman from New Jersey has phrased it, he is asking us in this vote to actually express on the part of this committee a priority. I have trouble with that. I have trouble saying that the Sudan trumps everything, including UNIFIL, including U.N. troops on the Golan Heights, for example. I think they are all important. I think—and I made that case.

And so I certainly will yield to the gentleman from New Jersey if he wish, but I have to say to him, I am not reassured by his explanation because I think he actually gave voice to exactly what bothers me about this amendment, that we are saying the Sudan is different, even though I support it, but it is so different that it is actually more important than some other, I think, very vital U.N. operations we support and to keep the peace, especially in the Middle East.

So, with that, I would yield to my friend.

Chairman ROS-LEHTINEN. Mr. Payne.

Mr. PAYNE. Thank you very much to the gentleman, who is a very thoughtful, professor type.

But let me just get back to reality. There are some missions that are more important, unfortunately, than others. That is why they have votes, and everyone that wants peacekeeping, that doesn't happen. Let me assure you one thing: I doubt very seriously if supporting South Sudan is going to impact on the Golan Heights. I don't think we have to worry about that. And so to use that as an example I think is less than—it is kind of not genuine.

What I do say, and everyone is entitled to their opinion, that it is almost nonsensical to say there are not priorities. There are simply every—everyone is created equal, but everybody doesn't behave equally. So priorities are a way of life.

I mean—and if we have unique situations—and I would just say unique situations, the birth of a new country, a country that has gone through some very horrific situation where democracy may have been restored when a tyrant has been in, I do think that a limited time for a country to be able to get on its feet is not in my opinion a very unusual request.

I would yield back.

Chairman ROS-LEHTINEN. Mr. Connolly.

Mr. CONNOLLY. Thank you, Madam Chairman.

And I appreciate the remarks of my colleague, but I would remind him he is the one who actually just articulated, that, yes, I want to rank things; I want to express a hierarchy of priorities, and Sudan should be number one. That is what this amendment does. And I would remind my friend I already voted with his amendment for $60 million restoration for the Sudan. And I voted against an artificial 25 percent cap.

But if we have to live within such a cap, I am troubled by saying this one uber alles. And I do think it does raise questions about other U.N. peacekeeping missions that are also of critical importance to U.S. interests and to world peace. So while I completely support the mission in the Sudan, I have trouble voting for an amendment that is tantamount to saying, but the Sudan is the most important.

With that, I yield back.

Chairman ROS-LEHTINEN. Thank you.

Mr. Johnson is recognized.

Mr. JOHNSON. Thank you, Madam Chairman.

And I will yield some time to my colleague from Ohio.

Chairman ROS-LEHTINEN. Mrs. Schmidt.

Mrs. SCHMIDT. Thank you, Madam Chairman.

I agree with my good colleague from the other side of the aisle on continued—making priorities of how the U.N. should spend its money. If we carve out the Sudan, then we are going to have to carve out the Congo and then Haiti and so on and so on. And at the end of the day, my good friend Mr. Connolly is absolutely right; when you get to issues that have legitimate concerns as well as these, there may not be anything left for them. And so I think we have to say no to this, because it is not in our best interest to carve out a niche for one case over another, especially in a fluid environment where tomorrow the whole game may be a different play.

Mr. BERMAN. Will the gentlelady yield?

Chairman ROS-LEHTINEN. Mrs. Schmidt?

Mrs. SCHMIDT. No. It would be Mr. Johnson.

Mr. JOHNSON. I yield back, Madam Chairman.

Chairman ROS-LEHTINEN. Thank you.

Mr. Meeks is recognized.

Mr. MEEKS. I yield Mr. Payne 1 minute or so.

Mr. PAYNE. Thank you.

I will yield to Mr. Berman for 1 minute.

Mr. BERMAN. I accept.

Chairman ROS-LEHTINEN. Mr. Berman.

Mr. BERMAN. Thank you.

The issue is joined. When it is tough to make—I disagree with Mr. Connolly on this one. I wish that the peacekeeping forces on the border between Syria and Israel were the glue that was ensuring that there would be peace; I don't think they are. There are differences in priorities.

And Mrs. Schmidt, I believe your response is essentially, we have got to cut; it is tough to prioritize, so let us just cut across the board, not decide which peacekeeping mission is working better, which is more efficient; let's abdicate our responsibility as a For-

eign Affairs Committee to make those kinds of miserable, tough decisions and let's just cut across the board.

There is no doubt I am against the lowering of the cap, but if that is the way we are going and that is the way we are going, then I think what Mr. Payne is doing is an appropriate thing. It is asking the committee to make its judgment. If someone disagrees and thinks there are other ones, they can offer amendments to it, and we can have that debate. That is a fair debate to have. But across the board, without any judgments about the individual peacekeeping operations doesn't sound like a committee exercising its discretion to do the most—the smartest thing it could do with the reduced resources that we are giving to this.

Chairman ROS-LEHTINEN. Mr. Meeks.

Mr. PAYNE. Reclaiming my time.

Okay. I give you 1 minute. And like I said, once again, I am a little puzzled by Mr. Connolly, who I am—surprisingly supports across-the-board cuts. I guess we then should put that into our domestic policies. I am shocked that someone would say that everyone should be cut the same or increased the same.

I have always argued that across-the-board cuts were something that made no sense at all, primarily in the domestic arena. But everyone certainly is entitled and I have a lot of respect for Mr. Connolly, but I am sort of shocked at the simplistic across the board, just cut everybody equal, because we have to make a cut and that is the simplistic way to do it, to me seems asinine to me.

We have had a special envoy. We don't do special envoys everywhere. But we had one for Northern Ireland. We had Mr. Mitchell, who was a special envoy. We made a special arrangement for him and gave him special powers, and guess what? As a result, we have a peace that has unfolded in the north of Ireland because we made it a priority. We put a special envoy there who worked with groups who had never talked to each other before.

We have had special envoys in Israel to deal with the Palestinian-Israeli situation.

To say you should just cut everything equally, that there are no priorities, that everything is equal to me—like I said, it is—I certainly respect everybody's opinion——

Mr. CONNOLLY. Would my colleague yield?

Chairman ROS-LEHTINEN. It is Mr. Meeks' time.

Mr. CONNOLLY. My question was addressed to Mr. Meeks.

Mr. MEEKS. Let me just say something first. If I have any time left, I will yield.

Cuts affect people or places or things differently. That is why I don't think that you can cut across the board. Cuts to some folks won't hurt them; some cuts to others can be devastating. And we must take that into consideration when—especially if you are talking about limiting—putting a cap on funds. So we have got to do the best we can with what we have.

And when you have a scenario that we have had in the Sudan, which really had not been prioritized for I don't know how long with all of the lives that have been lost, then it would just seem to me that the time has come just to simply say, well, even to correct the wrong of our past, that we are going to look at this and

prioritize it. And if there are other items that we need to prioritize, let's do that.

But this—and to cut Sudan at such a critical time—I mean, the camera of history is on Sudan right now as a new nation is born. And to turn our back on it now, historically when folks look back on us, they will say, what kind of decision did you make? So we have got to make the kind of decision when we do cuts to make sure that it doesn't hurt the least fortunate.

Chairman ROS-LEHTINEN. Thank you.

Mr. Smith is recognized.

Mr. SMITH. Thank you very much, Madam Chair.

First of all, I think it should be underscored that peacekeeping caps are an attempt to promote burden sharing. It is not to cut off peacekeepers. It is to try to get countries, especially the European Union, to pick up a greater share of their—of the cost associated with peacekeeping.

Peacekeeping—the peacekeeping burden in Africa, and I say this with great pride for the people of Africa, has increasingly been borne by the African Union and African Union troops. They are actually putting people in the field and doing a stellar performance in country after country, and they are in Congo—the largest peacekeeping force is in that nation, where things continue to be incredibly unstable and could quickly erode into even more bloodshed than there currently is today.

With regards to this amendment, and I do support the amendment, I think with the emerging challenges of the newest nation on earth in Southern Sudan, the Republic of South Sudan, we are dealing with a situation where there is incredible volatility, especially in Abyei and in other places, and the ability to deploy immediately and without any kind of hesitation sufficient troops is paramount.

So I would say that we need to have the capability—you know, caps are great. They have been waived in the past. I congratulate the gentlelady for putting a cap again to extend burden sharing to other countries that have the ability and the capacity to do so.

But I think when you are talking about Sudan, which remains a tinder box of potential conflict, this I think is a prudent exception.

Chairman ROS-LEHTINEN. The gentleman yields back.

Mr. CONNOLLY. Would the gentleman before he yields back yield me some time?

Mr. SMITH. I would be happy to.

Chairman ROS-LEHTINEN. Mr. Connolly is recognized.

Mr. CONNOLLY. I thank you because I wanted an opportunity to respond to my friend from New Jersey, the other friend from New Jersey. I think it is unfair to say to a colleague who raises a question about whether we want to make one country's peacekeeping operations more important than all others, irrespective of the circumstances, that that is tantamount to support for an across-the-board cut because I just voted for your amendment to restore $60 million to the Sudan. I opposed the 25 percent cap and supported the amendment in fact to lift it. So they are not the same. But if we, having failed in those votes and being asked then, okay, in

picking 15 missions, let us make this one number one, respectfully, I raise questions about that.

And I would say to my friend, Mr. Berman, you know I would agree that the U.N. missions in the Middle East have had different records. But I would argue that overall they have served a purpose, and I sure wouldn't want to defund them or have them withdraw in a volatile part of the world. So that is the nature of my concern, and I would hope that that nuance could be appreciated without being characterized in a way that does not in fact reflect my views.

With that, I yield back.

Chairman ROS-LEHTINEN. The gentleman yields back. Hearing no——

Mrs. SCHMIDT. Will the gentleman yield?

Mr. CONNOLLY. I would be happy to yield.

Mrs. SCHMIDT. Again, my concern is carving this out because what—because I understand we are going to have more carve-outs offered. Why would we ask for an increase in the contributions to U.S. peacekeeping to support one over the other? And the fact is that we are talking about $436 million in overpayments that are already on the table that can be used if they believe that they need to be used for the Sudan or for Haiti or for any other thing. So I guess my question is to Mr. Payne and to anyone else, are we going to ask for any more carve-outs?

Chairman ROS-LEHTINEN. It is Mr. Smith's time.

Mrs. SCHMIDT. Why Sudan over anyone else?

Chairman ROS-LEHTINEN. Mr. Smith yields to Mr. Payne.

Mr. PAYNE. Well, I—yes, have some other carve-outs, too, and I assume they will be treated the same way. But I do think there is a priority. I would think that if the arguments made for South Sudan cannot be compelling enough to have consideration, I certainly question where the others will fall. And actually I do, to the gentleman, Mr. Connolly, appreciate the support for the other amendment, but I still contend and I am not criticizing him, he is—he has the 700,000 people to answer to like I do, and it is his opinion, and I respect it. The thing that disturbs me is that it seems that there should not be priorities and that things should be across the board, I still—however he says it, it is kind of an across-the-board cut support.

Chairman ROS-LEHTINEN. Mr. Smith's time has expired.

Mr. PAYNE. And I yield back.

Chairman ROS-LEHTINEN. And hearing no further requests for recognition, the question occurs on the amendment, a recorded vote has been requested. The clerk will call the roll.

Ms. CARROLL. Madam Chairman.

Chairman ROS-LEHTINEN. No.

Ms. CARROLL. The chairman votes no.

Mr. Smith?

Mr. SMITH. Yes.

Ms. CARROLL. Mr. Smith votes aye.

Mr. Burton?

[No response.]

Ms. CARROLL. Mr. Gallegly?

[No response.]

Ms. CARROLL. Mr. Rohrabacher?

Mr. ROHRABACHER. No.
Ms. CARROLL. Mr. Rohrabacher votes no.
Mr. Manzullo?
Mr. MANZULLO. No.
Ms. CARROLL. Mr. Manzullo votes no.
Mr. Royce?
Mr. ROYCE. No.
Ms. CARROLL. Mr. Royce votes no.
Mr. Chabot?
Mr. CHABOT. No.
Ms. CARROLL. Mr. Chabot votes no.
Mr. Paul?
[No response.]
Ms. CARROLL. Mr. Pence?
Mr. PENCE. No.
Ms. CARROLL. Mr. Pence votes no.
Mr. Wilson?
Mr. WILSON OF SOUTH CAROLINA. No.
Ms. CARROLL. Mr. Wilson votes no.
Mr. Mack?
Mr. MACK. No.
Ms. CARROLL. Mr. Mack votes no.
Mr. Fortenberry?
[No response.]
Ms. CARROLL. Mr. McCaul?
Mr. MCCAUL. No.
Ms. CARROLL. Mr. McCaul votes no.
Mr. Poe?
[No response.]
Ms. CARROLL. Mr. Bilirakis?
Mr. BILIRAKIS. No.
Ms. CARROLL. Mr. Bilirakis votes no.
Ms. Schmidt?
Mrs. SCHMIDT. No.
Ms. CARROLL. Ms. Schmidt votes no.
Mr. Johnson?
Mr. JOHNSON. No.
Ms. CARROLL. Mr. Johnson votes no.
Mr. Rivera?
Mr. RIVERA. No.
Ms. CARROLL. Mr. Rivera votes no.
Mr. Kelly?
Mr. KELLY. No.
Ms. CARROLL. Mr. Kelly votes no.
Mr. Griffin?
Mr. GRIFFIN. No.
Ms. CARROLL. Mr. Griffin votes no.
Mr. Marino?
Mr. MARINO. No.
Ms. CARROLL. Mr. Marino votes no.
Mr. Duncan?
Mr. DUNCAN. No.
Ms. CARROLL. Mr. Duncan votes no.
Ms. Buerkle?

Ms. BUERKLE. No.
Ms. CARROLL. Ms. Buerkle votes no.
Ms. Ellmers?
Mrs. ELLMERS. No.
Ms. CARROLL. Ms. Ellmers votes no.
Mr. Berman?
Mr. BERMAN. Aye.
Ms. CARROLL. Mr. Berman votes aye.
Mr. Ackerman?
Mr. ACKERMAN. Aye.
Ms. CARROLL. Mr. Ackerman votes aye.
Mr. Faleomavaega?
Mr. FALEOMAVAEGA. Aye.
Ms. CARROLL. Mr. Faleomavaega votes aye.
Mr. Payne?
Mr. PAYNE. Aye.
Ms. CARROLL. Mr. Payne votes aye.
Mr. Sherman?
Mr. SHERMAN. Aye.
Ms. CARROLL. Mr. Sherman votes aye.
Mr. Engel?
Mr. ENGEL. Aye.
Ms. CARROLL. Mr. Engel votes aye.
Mr. Meeks?
Mr. MEEKS. Aye.
Ms. CARROLL. Mr. Meeks votes aye.
Mr. Carnahan?
Mr. CARNAHAN. Aye.
Ms. CARROLL. Mr. Carnahan votes aye.
Mr. Sires?
Mr. SIRES. Aye.
Ms. CARROLL. Mr. Sires votes aye.
Mr. Connolly?
Mr. CONNOLLY. No.
Ms. CARROLL. Mr. Connolly votes no.
Mr. Deutch?
[No response.]
Ms. CARROLL. Mr. Cardoza?
Mr. CARDOZA. Aye.
Ms. CARROLL. Mr. Cardoza votes aye.
Mr. Chandler?
Mr. CHANDLER. No.
Ms. CARROLL. Mr. Chandler votes no.
Mr. Higgins?
Mr. HIGGINS. Aye.
Ms. CARROLL. Mr. Higgins votes aye.
Ms. Schwartz?
[No response.]
Ms. CARROLL. Mr. Murphy?
Mr. MURPHY. Aye.
Ms. CARROLL. Mr. Murphy votes aye.
Ms. Wilson?
Ms. WILSON OF FLORIDA. Aye.
Ms. CARROLL. Ms. Wilson votes aye.

Ms. Bass?

Ms. BASS. Aye.

Ms. CARROLL. Ms. Bass votes aye.

Mr. Keating?

Mr. KEATING. Aye.

Ms. CARROLL. Mr. Keating votes aye.

Mr. Cicilline?

Mr. CICILLINE. Aye.

Ms. CARROLL. Mr. Cicilline votes aye.

Chairman ROS-LEHTINEN. Have all members been recorded?

Ms. CARROLL. Mr. Fortenberry?

Mr. FORTENBERRY. Yes.

Ms. CARROLL. Mr. Fortenberry votes aye.

Chairman ROS-LEHTINEN. The clerk will report the vote.

Ms. CARROLL. Madam Chairman, on that vote there are 18 ayes and 21 noes.

Chairman ROS-LEHTINEN. The noes have it, and the question is not agreed to.

Before I call on the next amendment, the Chair would like to say that we will be having a floor vote soon, two votes. And we will break for those votes and come back. We won't have the second series of votes until 3 o'clock. And so our intent is to—if we don't have enough for a vote, we will roll the votes to a time certain when we come back after the second series of votes, so that people do not miss votes.

Mr. BERMAN. Ma'am——

Chairman ROS-LEHTINEN. There will be no votes between the first series and the second series, but the intent of the Chair is to continue with the debate on the amendments.

Mr. Berman.

Mr. BERMAN. I don't know why I am—it sounds like what you are saying is very simple, and I am not—we are going to continue now until the first series of votes?

Chairman ROS-LEHTINEN. Correct.

Mr. BERMAN. And then after the first series of votes, we are coming back?

Chairman ROS-LEHTINEN. Correct.

Mr. BERMAN. And then——

Chairman ROS-LEHTINEN. We hope to have some amendments debated. No votes.

Mr. BERMAN. No votes now. No votes between the first series of votes and the second series of votes?

Chairman ROS-LEHTINEN. Right. And we will be done around 4 o'clock in the second series of votes, and we will be back.

Mr. BERMAN. It was very simple. I was just very——

Chairman ROS-LEHTINEN. No. Thank you for clarifying. I appreciate it.

Are there any further amendments on this item?

Ms. BASS. Madam Chair, I have an amendment at the desk.

Chairman ROS-LEHTINEN. Ms. Bass will—the clerk will designate—will read the amendment, please.

Ms. CARROLL. Amendment to H.R. 2583 offered by Ms. Bass of California. Amend section 103 to read as follows: Section 103. Statement of policy regarding peacekeeping operations contribu-

tions. (a) In General. Except as provided in subsection (b), it remains the policy of the United States, pursuant to section 404(b)(2)(A) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236; 22 U.S. Code 287e note) that United States assessed contributions for a United Nations peacekeeping operation shall not exceed 25 percent of the total of all assessed contributions for such operation. (b) Exception. Notwithstanding any other provision of law, the United States assessed contributions for United Nations peacekeeping operations in the Democratic Republic of Congo are exempt from the percentage limitation referred to in subsection (a).——

Chairman ROS-LEHTINEN. With unanimous consent, we will dispense with the reading.

[The information referred to follows:]

AMENDMENT TO H.R. _____

OFFERED BY M__. _____

Amend section 103 to read as follows:

1 **SEC. 103. STATEMENT OF POLICY REGARDING PEACE-**
2 **KEEPING OPERATIONS CONTRIBUTIONS.**
3 (a) IN GENERAL.—Except as provided in subsection
4 (b), it remains the policy of the United States, pursuant
5 to section 404(b)(2)(A) of the Foreign Relations Author-
6 ization Act, Fiscal Years 1994 and 1995 (Public Law
7 103–236; 22 U.S.C. 287e note) that United States as-
8 sessed contributions for a United Nations peacekeeping
9 operation shall not exceed 25 percent of the total of all
10 assessed contributions for such operation.
11 (b) EXCEPTION.—Notwithstanding any other provi-
12 sion of law, United States assessed contributions for
13 United Nations peacekeeping operations in the Demo-
14 cratic Republic of Congo are exempt from the percentage
15 limitation referred to in subsection (a).
16 (c) AUTHORIZATION OF APPROPRIATIONS.—There
17 are authorized to be appropriated for "Contributions for
18 International Peacekeeping Activities", $1,735,382,277
19 for fiscal year 2012 for the Department of State to carry
20 out the authorities, functions, duties, and responsibilities

1 of the United States with respect to international peace-
2 keeping activities and to carry out other authorities in law
3 consistent with such purposes.

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Chairman ROS-LEHTINEN. I believe that all members have the copy of the Bass amendment.

The Chair reserves a point of order and recognizes the authority of the amendment, Ms. Bass, for 5 minutes to explain her amendment.

Ms. BASS. Thank you, Madam Chair.

This amendment really continues our conversation on priorities. It provides necessary funds for the U.N. peacekeeping mission in the Democratic Republic of Congo. It is the largest U.N. mission in a very dangerous part of the world. It is currently being lead by former U.N. Ambassador to the DRC, Roger Meece. This amendment will ensure that the U.S. peacekeeping mission in the DRC is fully funded so the mission can continue to advance U.S. interests.

The mission has been mandated to patrol an area the size of the United States from the Mississippi to the Atlantic with very poor infrastructure. The U.N. is improving its ability to protect civilians, especially those crimes against women. These efforts have been led by Special Representative Atul Khare of the U.N. peacekeeping operations and Margot Wallstrom, Special Representative for Sexual Violence and Conflict, a position that was spearheaded by the United States. This includes finding cost-effective ways to increase radio and telephone communications in remote areas, sending military and civilian protection teams to remote areas, and providing medical and psychosocial support to victims.

The mission partnered with the DRC Government in February 2010 to build five mineral trading centers in North and South Kivu. These centers will facilitate the tracing, control and regulation of mineral trading. The establishment of these centers will not only help curb the financing of conflict but also will help reduce smuggling, which often saps the national wealth.

The U.S. and U.N. peacekeeping mission are working together to stimulate economic growth through agricultural and vocational programs. So far, six youth vocational schools have been built for students whose educations were interrupted due to the ongoing conflict.

I also want to express my overall support of the United Nations peacekeeping operations around the world. Today's world conflicts are transnational, freely crossing borders to threaten entire regions and dragging people of many national allegiances into war. These

types of complicated problems need multinational solutions to promote peace and security and help countries transition to stability. The U.N. peacekeepers play a critical role in these transitions by being the first line of defense to ensure the—to ensure the safety of civilians and promoting diplomacy.

Despite peacekeeping operations' broad reach throughout the world, the international security provided by the peacekeepers is given at a relatively low cost to the United States. Peacekeeping missions deploy 100,000 international troops in 14 countries on 5 continents, but the United States provides few troops, and other countries pick up about 75 percent of the cost. Because of the U.S.'s significant role and good standing within the U.N., the U.S. is able to have influential impact on the development, leadership and execution of peacekeeping operations without investing American lives on the ground.

The United States needs to uphold its commitment to the U.N. and the rest of the world and continue to invest in global peace and security through U.N. peacekeeping operations. I ask you to continue our global leadership and continue to fund the peacekeeping operations and urge you to support this amendment to fund peacekeeping in the Democratic Republic of the Congo. I yield——

Chairman ROS-LEHTINEN. Thank you very much, Ms. Bass.

And because we have been called to vote, the committee will temporarily recess and suspend until we come back from these two votes, and it would be great if the members would come back. Thank you.

[Recess.]

Chairman ROS-LEHTINEN. The committee is now back in order and we are resuming proceedings on the amendment by Ms. Bass. And before I recognize other members for their statements, I would like to ask unanimous consent that we make a technical correction—it is a different amendment, sorry, different amendment.

Thank you, Ms. Bass.

And which other member would like to be recognized?

Mrs. Schmidt is recognized for 5 minutes.

Mrs. SCHMIDT. Madam Chairman, I won't keep this very long, but, again, we are carving out another section of this for another reason. And we can't continue down this path, because we will have made choices that in a year from now may be the wrong choices. And so I urge my colleagues to vote no on this amendment.

Chairman ROS-LEHTINEN. The gentlelady yields back. Mr. Payne is recognized for 5 minutes.

Mr. PAYNE. Let me say that I support the amendment by the gentlelady from California. Once again, the general premise is that all situations are not equal; that in light of the fact that we are going to have a limitation, then that pushes us to therefore make more informed decisions.

I won't belabor the point either, but it is very important that the DRC, a country that has had tremendous problems, has been assisted tremendously by the U.N., the sexual violence against women is just unbelievable, where our statistics make it perhaps one out of every three women has been sexually abused one way or the other. The U.N. has really moved in and has started to turn the trend around.

It is a country that has tremendous resources that by the U.N. being there and putting some semblance of order so that the central government in Kinshasa can benefit from the tremendous mineral resources that are available in the DRC. As we all know, coltan, which is a mineral found practically solely in the DRC, is the mineral that goes into the cell phones. I am sure that there have been some financial gains by U.S. corporations with the invention of the cell phone. So there are definitely reasons why if that valuable resource could be channeled into the Government of Sudan by virtue of peacekeepers making order, then the standard of living could increase, the health care can improve, education can start, and that these resources can be used for the benefit of the residents of the DRC.

And so I think it is an overall goal of trying to upgrade the standard of living throughout parts of sub-Saharan Africa, and so I support the gentlelady's amendment, and I will yield back the balance of my time.

Chairman ROS-LEHTINEN. Thank you.

Do other members wish to be heard on the Bass amendment? If not, then we will postpone this vote. Based on the previous agreement that we had made, we will have a recorded vote when we come back.

Are there any other amendments to this title?

Ms. WILSON OF FLORIDA. I have an amendment at the desk.

Chairman ROS-LEHTINEN. The clerk will report the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Ms. Wilson of Florida. Amend section 103 to read as follows: Section 103. Statement of policy regarding peacekeeping operations contributions. (a) In General. Except as provided in subsection (b), it remains the policy of United States, pursuant to section 404(b)(2)(A) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236; 22 U.S. Code 287e note) that the United States assessed contributions for a United Nations peacekeeping operation shall not exceed 25 percent of the total of all assessed contributions for such operation. (b) Exception. Notwithstanding any other provision of law, United States assessed contributions for United Nations peacekeeping operations in Haiti are exempt from the percentage limitation referred to in subsection (a).——

Chairman ROS-LEHTINEN. I ask unanimous consent we will consider the amendment as having been read, because I believe all of the members have a copy of the amendment.

[The information referred to follows:]

AMENDMENT TO H.R. 2583

OFFERED BY MS. Wilson of Florida

Amend section 103 to read as follows:

1 **SEC. 103. STATEMENT OF POLICY REGARDING PEACE-**
2 **KEEPING OPERATIONS CONTRIBUTIONS.**

3 (a) IN GENERAL.—Except as provided in subsection
4 (b), it remains the policy of the United States, pursuant
5 to section 404(b)(2)(A) of the Foreign Relations Author-
6 ization Act, Fiscal Years 1994 and 1995 (Public Law
7 103–236; 22 U.S.C. 287e note) that United States as-
8 sessed contributions for a United Nations peacekeeping
9 operation shall not exceed 25 percent of the total of all
10 assessed contributions for such operation.

11 (b) EXCEPTION.—Notwithstanding any other provi-
12 sion of law, United States assessed contributions for
13 United Nations peacekeeping operations in Haiti are ex-
14 empt from the percentage limitation referred to in sub-
15 section (a).

16 (c) AUTHORIZATION OF APPROPRIATIONS.—There
17 are authorized to be appropriated for "Contributions for
18 International Peacekeeping Activities", $1,735,382,277
19 for fiscal year 2012 for the Department of State to carry
20 out the authorities, functions, duties, and responsibilities

1 of the United States with respect to international peace-
2 keeping activities and to carry out other authorities in law
3 consistent with such purposes.

Chairman ROS-LEHTINEN. And I would now like to recognize Ms. Wilson of Florida to explain her amendment.

Ms. WILSON OF FLORIDA. Thank you, Madam Chair.

I have been to Haiti in the past 3 months. I have seen the entire country. I have seen the tent cities, 1,400 tent cities. I have seen women and children in desperate situations; sexual assaults on women and children are a daily occurrence. The national penitentiary collapsed during the recent earthquake, so murderers, rapists and thieves all escaped and wreak havoc in Haiti. I shudder to think what would happen if Haiti did not have any U.N. peacekeepers there.

The U.N. peacekeepers' mission in Haiti has played a vital role in helping this country get back on its feet after the devastating earthquake that killed 200,000 people and displaced nearly 1.5 million.

Peacekeepers have been in Haiti since June 2004. There are 8,702 troops, 3,550 police officers, 542 international civilians who are working there, 1,210 Haitians and 231 volunteers from the United Nations. Since 2004, there have been 160 fatalities among these peacekeepers.

This amendment will ensure that the U.N. peacekeeping mission in Haiti is fully funded so the mission can continue to advance U.S. interests. The U.N. mission played a critical, important role in supporting the Haitian Government during the country's 2010, 2011 election process. It helped Haiti's Provisional Electoral Council administer the elections, providing logistical support, getting displaced voters to polling stations, and creating security plans to minimize violence.

This election marks the first time in Haitian history that power had been transferred from one democratically elected President to another from the opposition. It has trained 10,000 officers so far, and it is currently working to raise that figure to 14,000 by the end of 2011.

The U.N. peacekeeping mission in Haiti has helped the other U.N. agencies, like UNICEF's efforts to educate more than 720,000 children and 15,000 teachers across the country. In addition, the WFP is providing over 400,000 schoolchildren with meals every day.

As a permanent veto-wielding member of the U.N. Security Council, the U.S. approves every peacekeeping mission. Over the

last decade the number of U.N. peacekeeping missions has grown, with its largest growth in history during the George W. Bush administration. This is because these missions serve our national interests and are cost-effective. According to the GAO, U.N. peacekeeping is eight times less expensive than fielding a comparative U.S. military force. Further, Secretary of State Condoleezza Rice said that U.N. peacekeeping is much more cost-effective than using American forces, and, of course, America doesn't have the forces to do all of these peacekeeping missions. But somebody has to do them.

I ask for your support of this amendment. Thank you.

Chairman ROS-LEHTINEN. Thank you so much.

Ms. Wilson yields back.

Mr. Mack is recognized for 5 minutes.

Mr. MACK. Thank you, Madam Chair. And I first want to thank Ms. Wilson for her continued commitment and passion for supporting the people of Haiti in these difficult times. And I also want to thank the chair of the committee for her strong, steadfast commitment to ensuring the people of Haiti get the things they need and the resources they need.

However, I would like—also like to say, as the two amendments before this one, I think we need to be clear that the underlying provision of this amendment is not about Haiti or any other particular mission for that matter. It is about fiscal responsibility.

The United States has made it, Congress has made it, abundantly clear that we support the efforts of Haiti to recover from the tragedy of last year's earthquake. In fact, we provided nearly $2 billion in assistance to the nation since last January. I also believe that there is roughly $7 million that are available through the U.N. for Haiti that have not been spent.

So I just want to make it clear that this is not a question about the commitment of this committee or Congress to Haiti. And I respectfully urge a no vote on the amendment. And I yield back.

Chairman ROS-LEHTINEN. Thank you, Mr. Mack.

Mr. Berman is recognized for 5 minutes.

Mr. BERMAN. Thank you very much, Madam Chairman.

And I rise in support of the amendment. It is about Haiti. We can have a disagreement about how much we should be spending on peacekeeping, but we know not just the incredibly humanitarian issues raised by the disasters, natural and manmade, that have occurred in Haiti, the state of the people there, the national security implications of what is happening in Haiti before us, the issues of refugees and immigrants, and when you decide to take the peacekeeping cap from $1.9 billion to $1.7 billion and don't prioritize, you impact on life in Haiti, just as the author of the amendment, the gentlelady from Florida, pointed out in describing exactly what is going on there and what these peacekeepers are doing.

I think—and what is the alternative? Well, because Haiti is so important to us, because the case is so compelling, we will now pay 100 percent rather than 27 percent of operations to help Haiti survive and turn things around, or not?

Somewhere there should be responsibility for which of these missions are highest priority when we cut this money without having renegotiated the percentages among all the countries who partici-

pate in the peacekeeping. This is 27 cents, or, after the amendment that has passed, 25 cents of each dollar, and that is a lot better than 100 percent of each dollar.

And I would argue in the case Haiti would rank very high on my list of priorities for where we should not be pulling back from our commitments, especially when they produce so much greater from other countries in terms of the good that they are doing. So I call—I urge the support for this amendment.

Chairman ROS-LEHTINEN. Thank you.

Mr. Berman yields back.

Mrs. Schmidt of Ohio is recognized.

Mrs. SCHMIDT. Thank you, Madam Speaker, and I really don't want to belabor the point, but I do want to point out some things. No one is more committed to Haiti than the Members of Congress, the President, in fact the citizens of the United States. And we are not talking about getting rid of our support. We fully support our presence in the stabilization and recovery of Haiti, and we continue to do this time and time again.

The underlying provision does not eliminate the MINUSTAH, which is the U.N. initiative for Haiti. The U.S. would still be authorized to provide nearly $200 million in support. This is on top of the $300 million the U.S. is providing to Haiti on a bilateral basis to choose to support the rule of law and governance in Haiti, which, as my good friend from Florida said, is part of the $2 billion that Congress has already appropriated for Haiti since last January.

So the U.S. is clearly committed to Haiti, as am I. But that is not what this amendment is about. Madam Chair, if we continue to carve out every mission under peacekeeping, the U.N. will continue to take advantage of our generosity and raise our level of assessment until we finally put our foot down and say, no more. And this is what we did in 2005. And while the cap was in effect, our rate of assessment dropped from 28 percent to 25.6 percent.

When the leadership of the last Congress decided to arbitrarily raise the cap above and beyond what the U.N. itself was asking for, we virtually invited them to raise our rate of assessment, which they did this year.

This is about getting us back on track and respecting U.S. law. And so, again, I urge my colleagues to oppose this amendment. I yield back.

Chairman ROS-LEHTINEN. Thank you.

Mr. Payne is recognized for 5 minutes.

Mr. PAYNE. I rise in support of the amendment.

Once again, I do think that as we are dealing with the capping of funds available, I still contend the basic premise that I have mentioned before, that there needs to therefore be an order of priority. I think it only makes sense that we tend to prioritize when we have scarce resources, and the fact that Haiti is so close to our borders, it makes it essential, because many of us remember when the boat people were coming over, and people were drowning at sea and in shark-infested water and ships turning over, and the U.S. Navy had to spend tremendous resources rescuing people, and attempted to put a blockade in, and the tremendous amount of resources spent on that operation exceeded probably what we will

spend in 5 years in a peacekeeping operation. And so sometimes a stitch in time saves nine, my grandmother used to say. If you tend to then put preventive situations in, you therefore can prevent larger problems from happening.

And U.S. has really been, as you know, so involved in Haiti. I went back to Haiti with President Aristide when he was restored during the Clinton administration. I was there when the U.S. went in militarily. I was there when the U.S. came out militarily. I was there when the U.N. went in initially. I was there when they restored democracy to Haiti.

And so it is just the right thing to do. They are close to us in our Nation. We have many, as you know, Haitian Americans in throughout the United States, not only in Florida, where, of course, you all have tremendous numbers, but in New Jersey and New York and in other parts of our country.

I do believe that things are getting better. I believe we actually have started a daily service to Port au Prince from Newark, which is a great step forward because there was limited air transport to Haiti. You had to go to New York to catch a flight.

So I think that this makes sense. I certainly support the gentlelady, Congresswoman Wilson, who even prior to coming to the U.S. Congress spent a lot of her time in the State assembly and in her activities in Florida fighting for the cause of the Haitian people. And I commend her for this amendment and urge the support.

I will yield back the balance of my time.

Chairman ROS-LEHTINEN. Thank you.

Mr. Fortenberry is recognized.

Mr. FORTENBERRY. Thank you, Madam Chair.

I want to express appreciation to Ms. Wilson for her deep concern about Haiti. I was there on election day last year as a part of a group of—Members of Congress as a group were observing the integrity of the election, and like so many Members I have a deep concern about that country, which is really on the doorstep of our own neighborhood and has been mired in such deep poverty and structural governance difficulties for so long. I think many of us share the concern.

I do for a moment want to go back to the commentary made by Mrs. Schmidt, and Mr. Connolly, as well as Mr. Payne in the debate that occurred prior to this debate right now. I think some excellent and constructive points were made about the problem of trying to carve out countries, prioritizing one over the other with somewhat limited information in this particular process, yet at the same time all situations are not the same. And do we take advantage of the moment to actually determine whether some slight increase of resources for one particular area of the world as balanced against other areas of the world that may not have as pressing of a need at the moment is particularly germane. I think Mr. Payne made that argument, and yet Mrs. Schmidt and Mr. Connolly made equally as good arguments about this problem of going country by country and carving it out.

I would like to point out that we have a process by which the administration notifies our committee before the U.N. Security Council acts on any change of a mission and commits troop levels.

They notify our committee, and there is an implied consent if we don't do anything.

We also have an appropriations process where I think it would behoove all of us to become perhaps more informed, where we go line by line and actually commit a dollar figure to these various missions.

So with that said, maybe after all of this particular hearing on the State authorization is done, if we want to strengthen our ability to have more direct oversight so that we have better information in a more timely fashion, some of us could creatively think about that so that we can determine whether or not we want to prioritize one country or region over another given the particular sensitivity of that situation in the moment. That is why I voted for Mr. Payne's amendment on the Sudan earlier, taking advantage of this moment, although it is limited, in terms of a comprehensive discussion about that particular situation. It is particularly sensitive and potentially volatile, and peacekeeping forces there will affect a five-country region.

But it is a real dilemma to start going country by country and carving things out. So again, as a constructive comment, Madam Chair, perhaps if some of us want to think creatively about a process later that puts us more in the midst of direct oversight or better exercising what is already in place, I would simply offer that and yield back my time.

Mr. PAYNE. Would the gentleman yield?

Chairman ROS-LEHTINEN. He has yielded back his time. Perhaps Mr. Faleomavaega could.

Mr. PAYNE. I thought I caught him in time before he yielded back.

Chairman ROS-LEHTINEN. Mr. Faleomavaega is recognized.

Mr. FALEOMAVAEGA. Thank you, Madam Chair. I yield my time to Mr. Payne.

Chairman ROS-LEHTINEN. Mr. Payne is recognized.

Mr. PAYNE. I just want to commend the gentleman for the suggestion that perhaps in the future we could sit down, if the chairperson and ranking member would think it prudent. Perhaps a small group of us from both sides of the aisle could have some conversation about how do we deal with the dilemma that faces us. We may not come up with a conclusion, but I think we could share the opportunity to discuss the issues and try to understand the rationale that people—and I would like to maybe carve out about 8 hours from Mr. Connolly to explain the situation. But however, but we—seriously, getting back to the serious part, if we could have some conversation, it could be formal or informal, even though I don't think it has to be a formal committee. And I yield back to Mr. Faleomavaega.

Mr. FALEOMAVAEGA. Reclaiming my time.

Chairman ROS-LEHTINEN. Mr. Faleomavaega.

Mr. FALEOMAVAEGA. I would also like to commend Mr. Fortenberry for his very constructive observations in terms of what has been proposed so far. And I think what really is not so much to say which is a higher priority, the problem is that they are all important and part of our national interest in these countries that if they are unstable, we may end up having to pay more than what

we are doing now by providing the necessary funding to do this peacekeeping forces to stabilize these countries.

So with that, I want to thank Mr. Fortenberry for a very thoughtful and constructive observation on this issue.

I yield back.

Chairman ROS-LEHTINEN. Do any other speakers wish to be recognized?

Mr. Rivera is recognized on the Wilson amendment.

Mr. RIVERA. Thank you, Madam Chair, and I want to recognize Congresswoman Wilson's efforts on this behalf. I served with Congresswoman Wilson for 8 years in the State legislature in Florida, and I witnessed firsthand her passion on this issue and her activism on this issue.

I know last year, early last year, I participated in a visit to Haiti right after the earthquake. And Congresswoman Wilson, then-State Senator Wilson, helped to coordinate and facilitate that trip where we took food and medicine and humanitarian supplies to orphanages and to hospitals in Haiti. And I remember discussing that trip with Congresswoman Wilson. I know more recently Congresswoman Wilson has discussed with me her visit to Haiti and where she certainly understands the conditions on the ground in Haiti and what that country needs right now in terms of assistance from the United States.

I think I can address this issue of distinguishing between countries where peacekeeping efforts might be considered, and I think one of the thresholds that we could apply is the issue of our national interest in terms of where we would carve out or make exceptions for a peacekeeping force. For example, I know we talk about the drug war in Mexico here in Congress. Many times we talk about the fact that it is right at our border, and that it is in our national interest to deal with that issue in Mexico because it can spill over into our borders. There may be drug wars in Russia or Ukraine or other parts of the world, but I know we have a specific national interest in dealing with that drug war at our border.

We also have a crisis in Haiti at our border, at our doorstep. And Congresswoman Wilson has made this argument so articulately on many occasions. We have a situation that is brewing right on the borders of the United States. And I think if there is ever somewhere where we can make an exception or see where our national interests is at stake, it is when it hits so close to home on our doorstep.

So if anybody understands the issue of Haiti, the implications for bilateral relations between the United States and Haiti, it is Congresswoman Wilson. So I would encourage my fellow members to vote in favor of this good amendment.

Chairman ROS-LEHTINEN. And the gentleman yields back.

Seeing no other members who seek recognition, and based upon our previous agreement, a recorded vote has been requested. And we will roll that vote until the second series of votes is over on the House floor.

Do other members have amendments on this section?

Mr. Berman.

Mr. BERMAN. Yes, Madam Speaker. I move to strike the last word.

Chairman ROS-LEHTINEN. Yes, sir. You are recognized.

Mr. BERMAN. I am only aware of one amendment on this side left on title I, and I believe that the purpose of my seeking to strike the last word in order to get unanimous consent for that offer to return has already been dealt with, and so I yield back the balance of my time.

Chairman ROS-LEHTINEN. Okay. Does anyone have an amendment on the desk? Mr. Higgins perhaps?

Mr. Higgins has an amendment. The clerk will read the amendment.

Mr. Higgins.

Ms. CARROLL. Which amendment, Mr. Higgins?

Mr. HIGGINS. 17.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Higgins of New York. In section 104(3), strike "$7,237,000" and insert "$8,000,000".

[The information referred to follows:]

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AMENDMENT TO H.R. 2583

OFFERED BY MR. HIGGINS OF NEW YORK

In section 104(3), strike "$7,237,000" and insert "$8,000,000".

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Chairman ROS-LEHTINEN. We will wait a second until everyone gets a copy of the amendment.

And I believe that all the members have a copy of the Higgins amendment, and he is now recognized for 5 minutes to explain the amendment.

Mr. HIGGINS. Thank you, Madam Chair.

My amendment would restore critical funding to the International Joint Commission to Fiscal Year 2011 levels of $8 million from the current level proposed of $7.3 million. Restoring $750,000 in funding to the International Joint Commission would allow it to fully continue its important efforts along our country's northern border with Canada.

The International Joint Commission was founded under the 1909 boundary waters treaty between the United States and Canadian Governments to manage waterways along our shared border. The Great Lakes is the centerpiece of the Commission's efforts. The Commission has been instrumental in addressing issues of water quality in the region, specifically along Lake Erie in my congres-

sional district. The Commission also has the authority to approve the construction of dams and hydroelectric power plants, as well as studying variations in water levels across the Great Lakes seaway system.

Water quality and water levels in the Great Lakes are an important issue to the communities of western New York that I represent as they have a direct and economic and environmental impact on these communities.

Just last week we were successful in fighting a bill before the Ohio Governor that would have allowed 5 million gallons of water drained from Lake Erie every day. We argued that this is a violation of the Great Lakes Compact.

As the value of water in the Great Lakes rises, those who desire it, we must have an effective safeguard in place to police it and ensure that it remains a resource for those living in the Great Lakes Basin. Now is not time to cut funding for the Commission after it has been so instrumental in improving water quality in the Great Lakes. I urge my colleagues to support this amendment.

Chairman ROS-LEHTINEN. Thank you.

And the gentleman yields back.

Do other members seek recognition?

Mrs. Schmidt is recognized for 5 minutes.

Mrs. SCHMIDT. Madam Chairman, this looks like this is a straight funding increase. And correct me if I am wrong—and the 2012 level is $7,237,000, and the gentleman would request it to go to $8 million.

My concern is that these boundaries, waterways and fisheries have a longstanding treaty and the agreement-based organizations between the U.S. and allies are on our borders. These Commissions address important border water and fisheries, but the authorization levels in the current bill serve as a cost-cutting measure, saving the American taxpayers over $31 million compared to the FY 2010 funding levels, and that there has been some question about how those moneys have been spent in the FY 2010 levels. And I just think that this is a very prudent way to go and look at this, and I support the underlying bill and the $7,237,000 request and not the $8 million increase.

At a time when we are really counting pennies in Washington, and at a time when the American public is asking us to do so; at a time when the American public is looking at foreign aid, foreign assistance, foreign budgets, foreign appropriations and asking us why are we even doing this; when it is hard enough for us to really administer to the wants, wishes and needs back home, I think what we have done here is craft a bill that goes after what we need to have accomplished with foreign aid, but in a very prudent and responsible way. And if we continue to ratchet this back up, we are going to be exactly where the public doesn't want us to be: Overspending their taxpayer dollars at a time when we should be doing it in a very prudent and efficient way.

And so while I respect the gentleman for his amendment, I would ask this body to say no, because we have a financial responsibility to the folks in our Nation, and we have to address that. And I think this bill clearly does that while also addressing the needs of foreign aid.

I yield back my time.

Chairman ROS-LEHTINEN. Thank you.

Mr. Berman is recognized for 5 minutes.

Mr. BERMAN. Thank you, Madam Chairman.

I yield my time to the gentleman from New York, Mr. Higgins, the author of the amendment.

Chairman ROS-LEHTINEN. Mr. Higgins.

Mr. HIGGINS. I thank the gentleman for yielding.

I would just say that in response, that Great Lakes water resources represent about 20 percent of the world's freshwater supply. And we saw with the situation in Ohio last week that despite eight States and two Provinces of Canada coming together to do a Great Lakes Compact, the desperate need for freshwater threatens the compact and thus that great resource.

And it seems to me that this is a very little amount of money within the context of what is at stake here. An additional $750,000 is not a waste of money. It is an investment in protecting and preserving the great resource of the Great Lakes.

So I would yield back the balance of my time.

Chairman ROS-LEHTINEN. Thank you so much.

Mr. Burton is recognized.

Mr. BURTON. Thank you, Madam Chairman.

This amount that is in the bill is what the administration requested for Fiscal Year 2012, and so the President has already asked for this amount of money. I don't know why we would want to increase it, with all due respect to my colleague. The administration is agreeable to what is already in the bill.

I yield back.

Chairman ROS-LEHTINEN. Thank you.

Seeing no other requests for time, and based on our previous agreement, a recorded vote has been requested, and the vote will be put into place after the second series of votes on the floor.

Do any other members seek recognition on an amendment that they might have?

Mr. Higgins is recognized.

Mr. HIGGINS. Madam Chair, I have another amendment.

Chairman ROS-LEHTINEN. The clerk will report the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Higgins of New York. In section 104(4), strike "$31,291,000" and insert "$38,900,000".

[The information referred to follows:]

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AMENDMENT TO H.R. 2583

OFFERED BY MR. HIGGINS OF NEW YORK

In section 104(4), strike "$31,291,000" and insert "~~$50,000,000~~".

$38,900,000

☒

Chairman ROS-LEHTINEN. We will briefly suspend while the amendment is given out, and then we will at the appropriate time call upon Mr. Higgins to explain.

All the members having received a copy of the amendment, the Chair recognizes the author for 5 minutes to explain the amendment.

Mr. HIGGINS. Thank you, Madam Chair.

My amendment would restore funding to the International Fisheries Commissions to $38.9 million from the current proposed funding level of $31.3 million.

This amendment would increase funding for these important Commissions, but would still represent a nearly 25 percent cut from funding levels for Fiscal Year 2011.

The Great Lakes Fishery Commission, the largest Commission funded through this program, is a critical resource for ensuring that the largest freshwater lake system in the world is healthy and thriving. The Great Lakes are vital economic environmental resources for the communities I represent, and the environmental health of those lakes is crucial to our Nation's future. In fact, the Great Lakes fisheries and recreational boating industries represent over $23 billion to the economy, supporting over 75,000 jobs.

The Commission continues to address the environmental challenges imposed by invasive species that run the risk of destabilizing the entire marine habitat. Controlling these invasive species has been essential to restoring the Great Lakes fisheries, and adequate funding for control methods are needed to ensure that these invasive species populations do not proliferate, resulting in ecological and economic harm to the Great Lakes fisheries.

Furthermore, the challenges of the Commission loom as the prospect for the entrance of Asian carp into the Great Lakes system. This poses the largest threat in recent memory to the health of the Great Lakes.

Now is not the time to cut funding to these crucial institutions. Approving my amendment would allow the Great Lakes Fishery Commission and others to carry out their important tasks.

I urge the committee to support my amendment to provide adequate funding for these Commissions, and I yield back.

Chairman ROS-LEHTINEN. Thank you, sir.

Mrs. Schmidt is recognized for 5 minutes.

Mrs. SCHMIDT. Madam Chair, in the interest of time, I won't go into the fact that the American public wants us to do more with less and to really examine the way we are expending foreign aid, but I would like to point out that the $31,291,000 is the administration's budget request, and what my gentle friend from New York is asking is that we actually increase what the administration is already asking. Quite frankly, I think we have been more than generous to keep it at their level. And so I would urge my colleagues to oppose this amendment.

Chairman ROS-LEHTINEN. The gentlelady yields back.

Do any members seek recognition? If not, we will call those votes. We will call for a recorded vote at the specific time when we come back.

And I would just like to note that because I had said there will be no votes during this time, and I then asked for a recorded vote, if when we come back you ask for your amendment not to have a recorded vote, that would be fine. I am not forcing you to have a recorded vote, but I can't do it any other way, so I have to call for a recorded vote. Feel free to let go of that request. Thank you.

Do any other members have an amendment on this section or title?

Yippee.

We will now proceed to consider title II of the bill. The clerk will designate the title.

Ms. CARROLL. Title II—Department of State Authorities and Activities.

Chairman ROS-LEHTINEN. Thank you. Are there any amendments to this title?

Ms. WILSON OF FLORIDA. Madam Chair, I have an amendment at the desk.

Chairman ROS-LEHTINEN. Thank you, Ms. Wilson, and then we will go—Ms. Wilson, amendment—do you need to clarify which amendment?

Ms. CARROLL. I do not have that amendment at the desk.

Chairman ROS-LEHTINEN. Is it the one on Tibet? I have seen that.

Ms. CARROLL. Amendment to H.R. 2583 offered by Ms. Wilson of Florida. At the end of section 212 the following: (d) Bilateral assistance. Section 616 of the Tibetan Policy Act of 2002 is amended—(1) in subsection (a), in the second sentence, by striking "subsection (d)" and inserting "subsection (e)"; (2) in subsection (b), by striking "subsection (d)" and inserting "subsection (e)"; (3) in subsection (c), by striking "subsection (d)" and inserting "subsection (e)"; (4), by redesignating subsection (d) as subsection (e); and (5) by inserting after subsection (c) the following new subsection: "(d) United States Assistance. The President shall provide grants to nongovernmental organizations to support sustainable economic development, cul-

tural and historical preservation, health care, education, and environmental sustainability projects for Tibetan communities in the Tibet Autonomous Region and in other Tibetan communities in China, in accordance with the principles specified in subsection (e)——"

Chairman ROS-LEHTINEN. I ask unanimous consent that the amendment be considered as read.

[The information referred to follows:]

AMENDMENT TO H.R. 2583

OFFERED BY Ms. Wilson of Florida

Add at the end of section 212 the following:

1 (d) BILATERAL ASSISTANCE.—Section 616 of the Ti-
2 betan Policy Act of 2002 is amended—
3 (1) in subsection (a), in the second sentence, by
4 striking "subsection (d)" and inserting "subsection
5 (e)";
6 (2) in subsection (b), by striking "subsection
7 (d)" and inserting "subsection (e)";
8 (3) in subsection (c), by striking "subsection
9 (d)" and inserting "subsection (e)";
10 (4) by redesignating subsection (d) as sub-
11 section (e); and
12 (5) by inserting after subsection (c) the fol-
13 lowing new subsection:
14 "(d) UNITED STATES ASSISTANCE.—The President
15 shall provide grants to nongovernmental organizations to
16 support sustainable economic development, cultural and
17 historical preservation, health care, education, and envi-
18 ronmental sustainability projects for Tibetan communities
19 in the Tibet Autonomous Region and in other Tibetan
20 communities in China, in accordance with the principles

1 specified in subsection (e) and subject to review and ap-
2 proval of the United States Special Coordinator for Ti-
3 betan Issues under section 621(d).".

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Chairman ROS-LEHTINEN. And Ms. Wilson is recognized for 5 minutes to explain her amendment.

Ms. WILSON OF FLORIDA. Thank you, Madam Chair.

I rise to speak in support of my amendment that will merely authorize what has already been appropriated, funding for nongovernmental organizations to provide support to the Tibetan communities in China.

In 2000 Congress established a program to provide grants to nongovernmental organizations to support activities which preserve cultural traditions and promote sustainable development and environmental conservation in Tibetan communities, and in the Tibetan Autonomous Region, and in other Tibetan communities in China. This program was first administered by the Office of the Special Coordinator at the State Department and run by USAID since 2003. The U.S.-based grantees are the bridge funds, Winrock and the Tibet Poverty Alleviation Fund. It is my understanding that the program has strong support of USAID leadership, including Administrator Shah.

Adoption of my amendment sends an important political signal about U.S. interests in preserving the unique Tibetan identity. Legislatively this program has been funded annually in the foreign operations appropriations bill with bipartisan support.

The program is currently funded at $7.4 million. The steady state level for the next 3 years—for the last 3 years, the budget request is for $5 million. However, this program has never been authorized. A provision authorizing the program was included in H.R. 2410, section 237, which passed the House in 2009. It was also included in H.R. 2475, the Republican alternative introduced by our current chairwoman Ileana Ros-Lehtinen. This amendment is the same exact language passed in 2009.

This amendment would authorize a program funded for more than a decade by the Appropriations Committee, strengthening the jurisdiction of HFAC. Better yet, the amendment neither authorizes a specific amount, nor sets them as may be necessary. It merely authorizes the program. I ask for your support of this amendment.

Chairman ROS-LEHTINEN. Thank you very much.

The gentlelady yields back.

The Chair recognizes herself for 5 minutes.

I would like to tell Ms. Wilson that you were so correct in the way that you explained your amendment. The money is already being used. This is to authorize it. We have no opposition on our side. But based on what I had said that we would be rolling amendments until a later time, although we are prepared to accept your amendment, I will ask for a recorded vote. But feel free to unrequest that, and then we will accept it as soon as we get back into regular order.

So you are waiving? Well, wonderful. Then we accept the amendment. Thank you very much for waiving, and without objection the amendment is considered as having been adopted. Thank you, Ms. Wilson.

Mr. Mack has an amendment at the desk.

Ms. CARROLL. Number 32, Mr. Mack?

Amendment to H.R. 2583 offered by Mr. Mack of Florida. Foreign Relations Authorization Act, Fiscal Year 2012. At the appropriate place in the bill, insert the following: Section [blank]. Sense of Congress Regarding Keystone XL pipeline. It is the sense of Congress that—(1) the delay of the Secretary of State to authorize the Presidential Permit for the Keystone XL pipeline has adversely affected the United States economy and weakened United States national security; (2) according to the Energy Information Administration, in 2010, the United States imported 2,321 barrels per day from Canada; 3) Canada, as a democratic ally, offers a stable source of energy for the United States; (4) support of this pipeline is contingent upon——

Chairman ROS-LEHTINEN. I ask unanimous consent that the amendment be considered as read.

[The information referred to follows:]

AMENDMENT TO H.R. __

OFFERED BY MR. MACK OF FLORIDA

(Foreign Relations Authorization Act, Fiscal Year 2012)

At the appropriate place in the bill, insert the following:

1 **SEC. ___. SENSE OF CONGRESS REGARDING KEYSTONE XL**
2 **PIPELINE.**
3 It is the sense of Congress that—
4 (1) the delay of the Secretary of State to au-
5 thorize the Presidential Permit for the Keystone XL
6 pipeline has adversely affected the United States
7 economy and weakened United States national secu-
8 rity;
9 (2) according to the Energy Information Ad-
10 ministration, in 2010, the United States imported
11 2,321 barrels per day from Canada;
12 (3) Canada, as a democratic ally, offers a stable
13 source of energy for the United States;
14 (4) support of this pipeline is contingent upon
15 the adherence of any private company, contractor, or
16 subsidiary, connected to this project to the Iran
17 Sanctions Act of 1996, the Comprehensive Iran

1 Sanctions, Accountability, and Divestment Act of
2 2010, and other provisions of United States law; and
3 (5) in accordance with all applicable rules and
4 guidelines, the Secretary of State should promptly
5 authorize the Presidential Permit for the Keystone
6 XL pipeline.

☒

Chairman ROS-LEHTINEN. And all the members have a copy of the amendment, and Mr. Mack is recognized for 5 minutes to explain his amendment.

Mr. MACK. Thank you, Madam Chair, and I will try to be brief.

The Keystone XL pipeline is really waiting just one permit, and that permit sits with the Secretary of State. And what this amendment does is to urge the Secretary to sign off on a permit that would allow the Keystone XL pipeline to move forward.

And why is this a foreign—why is this in front of our committee? Right now we get about 900,000 barrels of oil a day from Hugo Chavez. The Keystone XL pipeline would deliver around 830,000 barrels per day. And the significance of this is we could help a friend and ally in Canada and strengthen our relationship with Canada instead of continuing to buy oil from Hugo Chavez in Venezuela.

There have been numerous studies done on the environmental impacts, and those studies have come back very strong on both occasions. And I believe that the Secretary of State is positioned to support this Keystone XL pipeline, and merely what this amendment does is it urges her to sign off on the Presidential Permit. And with that, I will yield back.

Chairman ROS-LEHTINEN. Thank you so much.

Mr. Connolly is recognized for 5 minutes.

Mr. CONNOLLY. Madam Chairman. And I might put this perhaps ultimately in the form of a question to the author of the resolution. As I understand it, this Keystone pipeline would terminate in the Port of New Orleans; is that correct?

Chairman ROS-LEHTINEN. Mr. Mack.

Mr. MACK. Yes, it would.

Mr. CONNOLLY. One of the concerns I have—I thank my colleague, Madam Chairman—is that by not terminating, say, in Oklahoma, by terminating in the export-oriented Port of New Orle-

ans, it suggests that by permitting this pipeline, we aren't necessarily improving domestic access to Canadian oil. We are facilitating the export of Canadian shale oil. And while that may be a good public policy, I don't know that it addresses the concerns the gentleman raised, legitimate concerns, about improving domestic access to energy sources and eliminating our reliance on foreign oil, especially Venezuelan. And with that I would be happy to yield.

Chairman ROS-LEHTINEN. Mr. Mack.

Mr. MACK. I thank the gentleman, and I thank the gentleman for the question.

This would bring the Canadian oil to the refineries and to ensure that we are able to refine the product for domestic use.

But there is no doubt that we continue to buy oil at roughly 900,000 barrels a day from Venezuela, and with this pipeline, we would no longer need to buy our oil from Chavez. One other, if you allow me. The oil that we get from Chavez is a heavy crude oil, and there are only a few places in the world where it can be refined. One of those places is in the U.S. The oil that would be coming from Canada is that same heavy crude oil. So you can understand then if we don't buy that oil from Chavez, it is going to be harder for him to sell it to someone because of the refinery capacity.

Mr. CONNOLLY. I thank you.

Reclaiming my time. I am not going to oppose my colleague's resolution, but I just say to him that I think this legitimate source of concern that with the best of intentions—not his, but the country's—that we end up facilitating the export of this oil rather than for domestic consumption. And so when we do address this issue on the floor, I am going to have an amendment that would make contingent the approval of this permit on the fact that the certification that the bulk of the oil produced would be for domestic consumption, not for export, and hopefully my colleague would see his way clear to supporting such an amendment when it comes to the floor.

Mr. FALEOMAVAEGA. I want to compliment the gentleman from Florida for introducing this amendment. And I recall that we had a similar hearing on the matter about how much we import the oil that comes from Mr. Chavez in Venezuela. And it is my understanding I think we are purchasing from Mr. Chavez about $113 million a day of the oil that we import from Venezuela. That comes to about $14.6 billion that we are giving to Mr. Chavez if we are going to look at in terms of the pricing. And so I certainly want to thank my good friend from Florida for offering this amendment, and I do support this amendment.

Chairman ROS-LEHTINEN. Mr. Connolly.

Mr. CONNOLLY. Reclaiming my time, Madam Chairman, I certainly agree with my friend Mr. Faleomavaega, but on the other hand, I am sure he would share my concern that we not find ourselves unwittingly facilitating the export of this oil when the goal here is to lessen our reliance on foreign imported oil, especially Venezuela under the Chavez regime. So I just want to make sure that if we get this pipeline, and with the risks attendant, that it does the intended, it meets the intended goal which is for domestic consumption, not for export.

With that, I yield back.

Chairman ROS-LEHTINEN. Mr. Fortenberry.

Mr. FORTENBERRY. Thank you, Madam Chair.

This is a very difficult issue for me in that this pipeline will go straight across a very environmentally sensitive area of Nebraska. The committee may be wondering why we are dealing with this. Mr. Mack rightly points out that the State Department interestingly has jurisdiction over it because it involves an international treaty. The State Department is also in the process of doing a rigorous environmental assessment.

There is a very significant debate happening in Nebraska as to whether this pipeline is appropriately sited. There is another Keystone pipeline already in the eastern part of the State located in my district where the soil is basically a clay-type soil. Out west it is a sandy soil, it would run over the Ogallala aquifer, again a highly sensitive area for environmental purposes. So it is my opinion that the State Department needs to take its time to make sure that whatever siting is agreed to is done so in a manner that is environmentally responsible.

So in good conscience, I am going to have to oppose this, although I agree with the underlying premise that we do need to be strengthening our partnership with the Canadians in looking for appropriate ways to use that resource in our own hemisphere.

Thank you. I yield back.

Chairman ROS-LEHTINEN. Do any other members wish to be recognized on this amendment?

Mr. Meeks is recognized.

Mr. MEEKS. Thank you, Madam Chair. And again unfortunately, I have to oppose my good friend from Florida. I will do so in a calm voice this time. Listening to some of the argument—in fact, I can understand some of the strong arguments that Mr. Mack made in favor of it. But it is probably unwise to do—and let me explain why real quickly. In the last year or so, we have seen a nuclear meltdown in Japan, and a colossal oil spill in the Gulf of Mexico. Both of which are due, in large part, to inadequate regulation and government oversight. So considering the scale of these disasters, I find it perplexing that some think we should short-circuit the process which is making the pipeline safer. It is not just members of this side of the aisle that say the State Department and the EPA review is making the Keystone XL pipeline safer. It also comes from David Goldwyn, a Republican witness who Chairman Mack called to testify at a hearing of the pipeline, I believe. He stated that—and I quote,

> "The environmental impacts are important. The United States is required under EPA to consider them. In fact, the pipeline is safer because of comments that we have received in the process, that the U.S. Department of State has received."

And you have heard right, even Keystone XL pipeline supporters are saying the review process is working. So what is the rush? Why rush now? The State Department has committed to completing its review by the end of the year, and there is no inside information or anything of that nature. But if I was betting, I would wager that the State Department is going to approve this pipeline.

Mr. MACK. Would you yield?

Chairman ROS-LEHTINEN. Mr. Meeks, Mr. Mack, would like to——

Mr. MEEKS. Yes.

Mr. MACK. Thank you. And I wouldn't disagree with a portion of your statement. But I am not sure that maybe you are speaking to a time past, because we have now—this is the second review of the State Department. So the State Department got an environmental study not once but twice. So there has been ample time for the review of this. And, in fact, this pipeline will be built to a higher standard than any other pipeline. So I think, the concerns that you raise are legitimate, and certainly having dialogue is a good thing. But we have already had two now reviews, environmental reviews, to the State Department.

So I think a lot of the concerns that you bring up were valid but now the reviews have been in. They have had ample opportunity to review those reviews. And I agree with you, I think that they are going to sign off on this presidential permit. And I yield back.

Chairman ROS-LEHTINEN. Mr. Meeks.

Mr. MEEKS. Reclaiming my time and just saying quickly, all I am saying is I believe that it is going to please what, it is going to happen fairly quickly. We have to make sure that we don't have the colossal mistakes again.

Mr. FORTENBERRY. Will you yield me some time, Mr. Meeks?

Mr. MEEKS. Yes.

Mr. FORTENBERRY. It is important to point out that by taking extra time for this environmental review, there have been changes made to actually strengthen the safety considerations involved here in siting this pipeline. Now, there are other issues still left undetermined. So I would agree that there shouldn't—this body should not constrain a thorough environmental assessment particularly given that as it has gone on, we have had Keystone pipeline leakage.

We have had other pipelines in the area leak as well. So to ensure there is a thorough and rigorous environmental process without an artificial truncation with pressure from this body, I think it is in the best interest of moving this forward in the best way for environmental stewardship. I yield back to the gentleman.

Mr. MEEKS. I yield back the balance of my time.

Chairman ROS-LEHTINEN. Thank you. We have just been called for votes but maybe we can dispense with this amendment. We have Mr. Duncan and Mr. Sires, and now Mr. Berman. Let us see if we can get through it. Mr. Duncan is recognized.

Mr. DUNCAN. Thank you, Madam Chairman. I just want to echo the comments of my friend from Florida. We have to look at who we are buying the oil from. Who are we relying on for American energy resources. It is Middle Eastern countries. A lot of times it is Venezuela who Hugo Chavez is not our friend. Canada is our friend. They are a longstanding ally. Why do we continue to depend on Middle Eastern energy sources controlled by a cartel who is intent and concerned about their own pocketbooks and not the pocketbooks of Americans, not the pocketbooks of people in my district who are having to take a $100 bill out to buy the same gasoline that they paid $20 or $30 for just a short time ago.

So the Keystone XL pipeline will help meet America's energy needs from a friendly source. And I want to echo that the reason that it is terminating in Louisiana is because that is where our refineries are in this country, along the Gulf Coast where a majority of our sources of energy are.

So in order to bring the crude oil there and have it refined into products that we can use as Americans has to be refined, and the refineries are there on the Gulf Coast. So let us buy from a friendly country. I want to thank my colleague on the upper dais for putting this amendment up. Something I firmly believe that we need to encourage the Secretary of State to sign off on this and I yield back the balance.

Chairman ROS-LEHTINEN. Thank you very much, Mr. Duncan. And Mr. Sires is recognized for 5 minutes.

Mr. SIRES. Thank you, Madam Chairperson. I support Congressman Mack's effort to get this pipeline done. I support it because I think we need it for domestic use. I would be supporting Congressman Connolly's effort to make sure that the oil that is imported from Canada is used domestically. I would hate to see us running a risk of having this pipe go through this country and not reap the rewards. I supported it in the committee with you and I think it is a good thing for this country that we import our oil from a friendly country like Canada. Thank you.

Chairman ROS-LEHTINEN. The gentleman yields back. Mr. Wilson is recognized.

Mr. WILSON OF SOUTH CAROLINA. And I am grateful to be joining with my colleague from Pennsylvania also in support of this amendment, and my colleague from South Carolina and Florida, not only is Canada a great ally of the United States, but this is creating jobs in South Carolina and in the United States, specifically, the earth mover tires that are used in the recovery of oil which will be in this pipeline are made in Lexington, South Carolina. So hundreds of jobs are created because of our relationship with Canada, and so I just see this as a positive move at a crucial time where we have record unemployment. I yield the balance of my time.

Chairman ROS-LEHTINEN. Thank you, Mr. Wilson. Do any other members seek—Mr. Berman is recognized for 5 minutes.

Mr. BERMAN. Yes. Just very quickly. I am actually very sympathetic to this project with the one caveat that I want to know what the consequences are on some of the issues that are being looked at. In other words, if this is okay generally, the notion that we can get a huge amount of our domestic energy from Canada rather than from the Middle East is a tremendous positive in reducing our reliance there. If you were to change your words to the "Secretary of State should promptly make a decision on whether or not to authorize" because—what I cannot answer, I don't have the experience, the background to know—is there something about this that is so detrimental to our interests that my instinctive desire to see it happen I should think—that is what is going on. I am told the administration is going to decide this by the end of the year. I'd just hate to put aside their process. Going with your gut is sometimes a very good idea, but I think we have a process in place and if it isn't taking too long and if we can get the resolution within the next few months, we can move ahead on this. I guess if you

were to recast this, which my guess is you aren't going to, to call for a quick decision by the Secretary, I'd support it.

Mr. DUNCAN. Will the gentleman yield down here?

Chairman ROS-LEHTINEN. Mr. Mack?

Mr. DUNCAN. Sure. Can you assure us that the administration is going to make the right decision and approve the XL pipeline?

Mr. BERMAN. I can assure you that they will make a prompt decision based on the movement of the head of a gentleman in the second row. In other words——

Mr. DUNCAN. We are encouraging her to make the right decision.

Mr. BERMAN. In other words, some of this is just a little bit fact-based, and again, it is not religion. And I like the argument for it, and I think if it could work, it is a great answer to a very significant problem. Not a total answer, but a significant answer to a great problem. But I still would like to have a few facts that I am not capable of ascertaining on my own. That is all.

Chairman ROS-LEHTINEN. Never let a gang of brutal facts get in the way of a beautiful theory. Mr. Mack, your amendments stir up a lot of debate. I like that. But seeing no other people who would like to be recognized on this amendment, a roll call vote has been asked for and our committee will suspend for this next series of floor votes and we will come back to vote on all of the roll call votes that have been requested, and the committee is in recess.

[Recess.]

Chairman ROS-LEHTINEN. The committee will come to order. Thank you so much. As we had previously agreed, we will keep debating and we will start voting at 4 o'clock. That way we can debate and give proper attention to every member who has an amendment. We are on title II. When we left off, Mr. Mack had finished his amendment. And so—because we are not going to vote—I will ask, do any members have amendments on this section/title. Mr. Higgins is recognized.

Mr. HIGGINS. Thank you, Madam Chair. I have an amendment. I will offer it and withdraw it.

Chairman ROS-LEHTINEN. Thank you. The clerk will read the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Higgins of New York. At the appropriate place in the bill insert the following: Section 215. Payment of passport fees. (a) In General. Section 1(a) of the act of June 4, 1920 (22 U.S. Code 214(a)), is amended, in the first sentence, by striking "into the Treasury of the United States" and inserting "to the Department of State". (b) Retention of Fees. Any amount collected by the Department of State in Fiscal Year 2012 and each fiscal year thereafter as a fee for visas, passports, or other consular services may be credited as an offsetting collection to the appropriate Department of State appropriation,——

Chairman ROS-LEHTINEN. Move to consider the amendment as read, because all of the members have a copy of the amendment by now. The Chair reserves a point of order and recognizes the author for 5 minutes to explain the amendment. Mr. Higgins.

[The information referred to follows:]

AMENDMENT TO H.R. 2583

OFFERED BY MR. HIGGINS OF NEW YORK

At the appropriate place in the bill, insert the following:

1 **SEC. 215. PAYMENT OF PASSPORT FEES.**

2 (a) IN GENERAL.—Section 1(a) of the Act of June
3 4, 1920 (22 U.S.C. 214(a)), is amended, in the first sen-
4 tence, by striking "into the Treasury of the United
5 States" and inserting "to the Department of State".

6 (b) RETENTION OF FEES.—Any amount collected by
7 the Department of State in fiscal year 2012 and each fis-
8 cal year thereafter as a fee for visas, passports, or other
9 consular services may be credited as an offsetting collec-
10 tion to the appropriate Department of State appropria-
11 tion, to remain available until expended, for the purpose
12 of meeting the costs of providing such services and shall
13 be available for the same purposes as the appropriation
14 to which such amounts are credited.

15 (c) RULE OF CONSTRUCTION.—Nothing in this Act
16 shall be construed to affect or limit in any manner any
17 fees collected by local governments for the purposes of
18 processing passport applications submitted to the Depart-
19 ment of State.

1 (d) SENSE OF CONGRESS.—It is the sense of Con-
2 gress that new revenues directed to the Department of
3 State under this Act should be used to reduce the costs
4 of passports for consumers.

☒

Mr. HIGGINS. Thank you, Madam Chairman. My amendment would have the effect of reducing passport fees to reflect the actual cost of the passport program. Currently, over half of the fees and surcharges collected by the Department of State are returned to the Treasury as general revenues, meaning the cost of passports does not correspond with the cost to the government for providing passports. This amendment would require the State Department to set the passport fees no higher than the cost of administering the passport program. As a result of the new documentation requirements under the Western Hemisphere travel initiative, over 240,000 passports have been issued in Erie and Chautauqua counties since 2007. Approximately 20 percent of the total population largely to comply with the Western Hemisphere travel initiative.

A family of four looking to get passports to go to Canada could pay upwards of $500 before they even cross the border. We must do everything we can to decrease the cost of passports, not find ways to get more money out of citizens who forced to spend thousands of dollars just to maintain a quality of life. Crossing the border to Canada should be convenient and not a burden. I would urge the committee to support my amendment. And I yield back.

Chairman ROS-LEHTINEN. Thank you. The Chair recognizes herself for 5 minutes. As we had discussed in the break, Mr. Higgins, your amendment also references appropriations language which is not permissible in authorizing legislation under rule XXI. So I would ask the gentleman if he was prepared to withdraw at this time.

Mr. HIGGINS. I am.

Chairman ROS-LEHTINEN. The gentleman is withdrawing his amendment. If the clerk would so note. And I withdraw my point of order. Thank you so much, Mr. Higgins, for that. I ask the members if they have any amendments on this title. Mr. Berman is recognized.

Mr. BERMAN. Yes, Madam Chair, I know that the gentleman from Florida, Mr. Deutch, has some amendments to title II, do any of the other members of the committee who are not here—that is not a good question.

Chairman ROS-LEHTINEN. You could present the amendment for Mr. Deutch.

Mr. BERMAN. And I also have an amendment that we are reworking. So we are just finishing the drafting of it. Mr. Deutch had at least one or two amendments on this.

Chairman ROS-LEHTINEN. I would ask the clerk, how many amendments do you have from Mr. Deutch listed under title II? Two amendments?

Ms. CARROLL. We have two Deutch amendments for title II.

Mr. BERMAN. Do you have any other ones for title II?

Ms. CARROLL. No, that is all we have.

Chairman ROS-LEHTINEN. Mr. Berman, would you like to present the amendments for Mr. Deutch?

Mr. BERMAN. The only other way would be to move—if we—through unanimous consent for those specific amendments and the one—well, here is——

Chairman ROS-LEHTINEN. Ms. Deutchette.

Mr. Berman, you will do a wonderful job presenting these amendments.

Mr. BERMAN. I know about as much as I do with my own amendments.

Chairman ROS-LEHTINEN. Absolutely.

Mr. BERMAN. How about Amendment No. 621.

Chairman ROS-LEHTINEN. The clerk will read the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Berman.

Chairman ROS-LEHTINEN. On behalf of Mr. Deutch.

Ms. CARROLL. On behalf of Mr. Deutch. At the end of title II, section [blank]. Bureau on Counterterrorism. (a) Establishment. There is established in the Department of State a Bureau of Counterterrorism——

Mr. BERMAN. I ask unanimous consent that the reading be dispensed with.

Chairman ROS-LEHTINEN. Granted. But let us just wait one moment until everybody gets the amendment. That is why I let her read. Will you suspend?

[The information referred to follows:]

AMENDMENT TO H.R. _____

OFFERED BY MR. Deutch

At the appropriate place in the bill, insert the following:

1 **SEC. ___. BUREAU OF COUNTERTERRORISM.**

2 (a) ESTABLISHMENT.—There is established in the
3 Department of State a Bureau of Counterterrorism (in
4 this section referred to as the "Bureau").

5 (b) HEAD OF THE BUREAU.—The head of the Bu-
6 reau shall be an Assistant Secretary of State for
7 Counterterrorism.

8 (c) RESPONSIBILITIES.—The Bureau shall be respon-
9 sible for supervision (including policy oversight of re-
10 sources), coordinating, and overseeing programs related to
11 international counterterrorism activities, including—

12 (1) providing assistance, in consultation with
13 the Bureau for International Narcotics and Law En-
14 forcement, to foreign countries in order to enhance
15 the ability of the law enforcement and security per-
16 sonnel in such countries to deter terrorists and ter-
17 rorist groups from engaging in international ter-
18 rorist acts such as bombings, kidnappings, assas-
19 sinations, hostage takings, and hijackings;

1 (2) supporting and cooperating with foreign
2 banking, regulatory, and other officials to counter
3 the financing of such terrorist acts; and
4 (3) providing assistance to foreign countries, in-
5 cluding nongovernmental organizations, to enhance
6 the ability of such countries to counter—
7 (A) violent extremist ideologies; and
8 (B) the appeal of terrorist and other ex-
9 tremist organizations.

☒

Mr. BERMAN. I withdraw my unanimous consent request. Madam Chairman? Since the resolution I actually do know something about is at the desk——

Chairman ROS-LEHTINEN. I will ask the clerk to delay consideration of the Deutch amendment as presented by Mr. Berman, and let us go with the Berman amendment that is at the desk. Without objection. If the clerk will report the Berman amendment.

Ms. CARROLL. Ma'am, the amendments are not ready right now.

Chairman ROS-LEHTINEN. They are coming right off the printer as we speak, I am sure.

Mr. BERMAN. I thought that was just the clump of papers that were handed to you.

Chairman ROS-LEHTINEN. It is multiple pages and they are not stapled.

Chairman ROS-LEHTINEN. So we have it here. We can copy it. It is the sense of Congress——

Mr. BERMAN. It is copied, but it is not stapled.

Chairman ROS-LEHTINEN. That is fine. Just start reading. If the clerk would—start reading the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Berman. At the end of title II, insert the following: Section 200. Sense——

Chairman ROS-LEHTINEN. 208?

Ms. CARROLL. It is 208, sense of Congress regarding Turkey. It is the sense of Congress that the Secretary of State, in all official contacts with Turkish leaders and other Turkish officials, should emphasize that Turkey should—(1) end all forms of religious discrimination; (2) allow the rightful church and lay owners of Chris-

tian church properties, without hindrance or restriction, to organize and administer prayer services, religious education, clerical training, appointments, and succession, religious community gatherings, social services, including ministry to the needs of the poor and infirm, and other religious activities; (3) return to their rightful owners all Christian churches and other places of worship, monasteries, schools, hospitals, monuments, relics, holy sites, and other religious properties, including movable properties, such as artwork, manuscripts, vestments, vessels, and other artifacts; and (4) allow the rightful Christian church and lay owners of Christian church properties, without hindrance or restriction, to preserve, reconstruct, and repair, as they see fit, all Christian churches and other places of worship, monasteries, schools, hospitals, monuments, relics, holy sites, and other religious properties within Turkey.

Chairman ROS-LEHTINEN. I ask unanimous consent that the reading be dispensed with, even though you had actually finished the reading. You are good. And I think every member now has a copy of the amendment. And Mr. Berman is recognized for 5 minutes to explain his sense of Congress amendment.

[The information referred to follows:]

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AMENDMENT TO H.R. _____

OFFERED BY M R. Berman & Gallegly

II

At the end of title ~~VIII~~, insert the following:

208 SENSE

1 **SEC. 8___. ~~STATMENT~~ OF CONGRESS REGARDING TURKEY.**

2 ~~Congress urges the Government of Turkey to honor~~
3 ~~its obligations under international treaties and human~~
4 ~~rights law to~~

It is the Sense of Congress that the Secretary of State, in all ~~to~~ official contacts with Turkish leaders and other Turkish officials, should emphasize that Turkey should—

5 (1) end all forms of religious discrimination;

6 (2) allow the rightful church and lay owners of
7 Christian church properties, without hindrance or
8 restriction, to organize and administer prayer serv-
9 ices, religious education, clerical training, appoint-
10 ments, and succession, religious community gath-
11 erings, social services, including ministry to the
12 needs of the poor and infirm, and other religious ac-
13 tivities;

14 (3) return to their rightful owners all Christian
15 churches and other places of worship, monasteries,
16 schools, hospitals, monuments, relics, holy sites, and
17 other religious properties, including movable prop-
18 erties, such as artwork, manuscripts, vestments, ves-
19 sels, and other artifacts; and

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2

1 (4) allow the rightful Christian church and lay
2 owners of Christian church properties, without hin-
3 drance or restriction, to preserve, reconstruct, and
4 repair, as they see fit, all Christian churches and
5 other places of worship, monasteries, schools, hos-
6 pitals, monuments, relics, holy sites, and other reli-
7 gious properties within Turkey.

☒

Mr. BERMAN. Yes. Madam Chairman, I would ask unanimous consent that the—208, No. 208 be stricken and we just—and section 2. It would just be section 2.

Chairman ROS-LEHTINEN. Without objection.

Mr. BERMAN. Madam Chairman, thank you very much. This amendment incorporates with a slight change in the initial paragraph in order to worm it into title II the result causes from H. Res. 306, a bipartisan resolution that the gentleman from California, Mr. Royce, and I have introduced that has 34 co-sponsors and I am offering this amendment with Mr. Cicilline. This amendment is simple in its directness but profound in his implications.

The Christian communities of Turkey, once populous and prosperous, have long been victims of discrimination and are now reduced to a mere handful. Whereas, well over 2 million Christians lived in Anatolia a century ago, today there are only a few thousand, and yet although Christians are less than 1 percent of Turkey's population today and clearly constitute no threat to the majority, the various Christian communities remain the victims of unthinkable discrimination. Their churches have been desecrated, their properties confiscated and they are denied the right to practice their religion as they see fit or to train their clergy. Through this amendment, we are asking that Turkey rectify this terrible situation. Much of the worst damage to and confiscation of Christian properties was done in the earlier decades of the Turkish Republic, but it continues to some extent today.

And Christians suffer other forms of discrimination as well. Every church in Turkey suffers petty harassment at a minimum. Forced to apply to central authorities for authorization to do any types of repairs or construction, requests that often linger for months and years without government action. Moreover, Turkey recognizes certain Christian groups as legitimate but not others. If you belong to one of the unauthorized groups, such as the evangelicals, you can't even build a church. The amendment calls on Turkey to make good on past transgressions and allow true freedom of religion to achieve the standards of Democratic behavior to which it says, and to which I believe it aspires.

We want Turkey to allow its Christian citizens to worship exactly as they want and to allow them to train their clergy exactly as they want. We want Christians to have the right to preserve, reconstruct and repair their churches and other communal buildings without hindrance or petty harassment as in the case of all other democracies. We want our Turkey to return confiscated property to Christian communities and at a minimum to provide compensation for properties that can't be recovered.

In short, we want Christian communities in Turkey to enjoy the same rights and privileges that religious minorities enjoy in this country. That is not too much to ask. In fact, that is the minimum we must ask if Turkey is ever to join the ranks of the world's fully free nations. I urge all members to support the amendment and I yield back my time.

Chairman ROS-LEHTINEN. Thank you, Mr. Berman. Thank you. And I would like to recognize Mr. Bilirakis for 5 minutes to speak on this amendment.

Mr. BILIRAKIS. I won't take the 5 minutes, Ms. Chairman. But I want to thank the ranking member for offering the amendment. I encourage support of this very important amendment. It is imperative that the Turkish Government take immediate steps to address serious concerns regarding its treatment of believers of certain religions and reform its policies to allow those denominations the freedom to worship, congregate and preserve their religious sites and to return those—to those organizations the properties that they have previously held. And I yield back, Madam Chairman.

Chairman ROS-LEHTINEN. Thank you, Mr. Bilirakis. The gentleman yields back.

VOICE. Madam Chair.

Chairman ROS-LEHTINEN. I had already seen—I don't know who is saying my name, but Mr. Sherman had already gotten my attention. So there are some folks over here. Mr. Sherman is recognized.

Mr. SHERMAN. Thank you. I rise in strong support of this amendment and am an original co-sponsor of H.R. 306 on which it is based. The adoption of this amendment would add a powerful voice, the voice of the United States Congress in the defense of religious freedom for Christians in present day Turkey and reinforce the traditional leadership of Congress in defending freedom of faith around the world. This amendment is urgently needed to address the vast destruction of Christian religious heritage as a result of the Turkish Government's theft, desecration and disregard of ancient Christian holy sites and churches, many holding great significance to the world Christian community. The U.S. Commission on International Religious Freedom raises the following alarm in its 2011 report. The Turkish Government continues to impose serious limitation on freedom of religion or belief, thereby threatening the continued vitality and survival of minority religious groups in Turkey. This amendment honors our heritage as a Nation dedicated to religious liberty.

For example, in January 2011, President Obama noted, bearing witness to those who are persecuted or attacked because of their faith is essential to who we are as Americans. While President Bush declared in 2009 no human freedom is more fundamental

than the right to worship in accordance with one's conscience. Churches in Turkey have been desecrated. The adoption of this amendment would help bring the attention of the world to the Christian communities within Turkey which remain highly vulnerable and are forced to endure restrictions on their right to practice their faith. For example, of the 2,000 Armenian churches which existed in the early 1900s, less than 100 remain standing and functioning today. The U.S. Commission on International Religious Freedom has, for 3 straight years, placed Turkey on their watch list.

In 2009, Bartholmew I, the ecumenical Christian orthodox patriarch of Constantinople, appeared on CBS' "60 Minutes" and reported that Turkey's Christians were second class citizens and that he personally felt crucified by a state that wanted to see his church die out. Christian property is routinely confiscated through discriminatory laws. The U.S. Commission on International Religious Freedom has reported, and I quote, "Over the past 5 decades, the Turkish state has using convoluted regulations and undemocratic laws to confiscate hundreds of religious minority properties, primarily those belonging to the Greek orthodox community, as well as Armenian orthodox, Catholics and Jews." The state has closed seminaries denying these communities the right to train their clergy.

The Turkish Supreme Court issued a ruling just this year transferring ownership of a substantial part of the ancient Syriac monastery of Mor Gabriel dating from the 4th century A.D., transferring that property to the Turkish state.

I think that it is important that we pass this amendment and I yield back.

Chairman ROS-LEHTINEN. Thank you very much to the gentleman from California. The order I have for speakers who have requested time. Mr. Burton, Mr. Connolly, Mr. Royce, Mr. Cicilline and Mr. Duncan. So we will go with Mr. Burton. Thank you.

Mr. BURTON. First of all, Madam Speaker, I support the resolution. I think everybody on the dais believes in religious freedom and believes that those who have religious views should be able to express them freely in a free society. So I support this. As a matter of fact, my wife and I have met with the patriarch over in Turkey and have had a chance to talk to him personally. There is just no question that there are questions about religious freedom over there. However, the one thing that I hope that we will realize as we discuss this and realize the problems that do exist in Turkey today.

We also realize that they are a NATO ally and a lot of these problems have gone back for 70, 80, 90, 100 years. And while those problems, to a large degree still exist, we have to realize that Turkey is a NATO ally, and while we are talking about religious freedom and people's right, we also have to realize that there are a lot of positives in having a good relationship with Turkey.

So while I support this resolution and support religious freedom, I think it is extremely important that we don't go overboard in criticizing Turkey because it could have a bad impact on the problems that we have in the Middle East right now. Turkey is a NATO ally. They have been a conduit for us getting supplies into Afghani-

stan and helping our allies and to just beat them over the head on this issue to a larger degree than what has already been done seems to me to be a little bit excessive. But I do support the amendment. I do support religious freedom and I hope that this amendment does pass.

Chairman ROS-LEHTINEN. Thank you. Mr. Burton yields back. Mr. Connolly is recognized.

Mr. CONNOLLY. Thank you, Madam Chairman. And I want to thank Mr. Berman for crafting language to put before us that is consensus language and that obviously, I think, all of us can rally behind. Religious freedom is a Tenet of American philosophy. It is a cardinal American value. In fact, with Thomas Jefferson, a native of my State of Virginia was contemplating his gravestone, it was the Tenets on religious freedom, not the presidency, that he wanted on his tombstone. He thought it was that important.

So obviously, it is appropriate for an American Congress to reiterate those Tenets and urge them on others. I would echo what our friend Indiana just said. In this context we also have to remember the importance and the criticality of the relationship of a NATO ally and a country that with which we have very important ties and relationships, and I think the language drafted by Mr. Berman strikes a careful balance, making the point while avoiding perhaps other entanglements and other appointments that could be made in some other form and agenda. And I thank him for that and look forward to supporting the language. And I yield back.

Chairman ROS-LEHTINEN. I thank the gentleman. Mr. Royce of California is recognized for 5 minutes.

Mr. ROYCE. Yes, Madam Chairman. The reason we are bringing forward this amendment today, the reason that Ranking Member Howard Berman and I have introduced legislation on this issue, is because this is an issue that is ongoing in Turkey. And as discussed—imagine a situation in which you have a country where you had literally millions of people of many faiths and over the last few generations, we have reached the point today where the Baha'i and the Christians and the Jews in Turkey are less than 1 percent of the population.

And in tandem with that, the personal experiences that we have had in discussions with people that we have gotten to know today who will try to practice religious freedom in Turkey and have come under these constraints, constraints that frankly have led to a situation where 2,000 churches are now 200 in Turkey. A situation where no longer if you are a religious minority can you effectively practice your religion because in order to practice, you have got to be able to study, you have got to have clergy teach your religion and if you can't overcome the barriers to that, how are you going to keep that religion alive? If those religious needs are not met, if we don't speak out, if we don't—as the United States of America, if we don't speak up for this principle, what do we think is going to happen ultimately to those religious minority groups?

They are going to decline eventually. If this continues, they are going to disappear. And that is why this resolution urges Turkey to fulfill its obligation. The United States Commission on International Religious Freedom points this out repeatedly, Turkey is identified as a country among the world's top violators of religious

freedom, despite it being a signatory of the universal declaration of human rights.

So we urge Turkey to fulfill its obligation, allow clergy to train and students to study Christianity and other religions there, return all confiscated church properties that were stolen, frankly, provide religious minorities with the right to own property, repair the damage that Turkey has caused with these minority groups and allow people to practice their faith freely.

And lastly, and most importantly, provide churches with legal status and rights because until these churches, until the Baha'i, until the Jews, until the Christians, until the Greek orthodox have the legal status in Turkey, we are going to see the winding down of a situation where they are now less than 1 percent. We are going to watch as they fear to even repair—you cannot, on some of these—on some of these churches there is a desire to put a cross back up on the church. On some of these Greeks orthodox churches. Why not allow that? If it is a secular society, why not allow the parish to do that.

People fear discrimination there. They fear that discrimination while they study, while they practice, while they are trying to teach their religion, and this goes to that issue.

And let me close by saying this. The United States has a vested interest in protecting religious freedom because by threatening the vitality and survival of minority religious communities, that threatens the fundamental freedoms that this country was founded upon. That is why we have an obligation, I think, and the entire international community has an obligation to speak out now before it is too late, and these religions are finally gone. I yield back, Madam Chair.

Chairman ROS-LEHTINEN. The gentleman from California yields back. The gentleman from Rhode Island, Mr. Cicilline, is recognized for 5 minutes.

Mr. CICILLINE. Thank you, Madam Chairman. The respect for the full exercise of religious freedom is really central to who we are as Americans and central to the values and the ideals that we promote all over the world, and I am proud to be an original co-sponsor of the House Resolution 306, and I thank Mr. Berman the courtesy in allowing me to cosponsor this amendment and for his extraordinary leadership.

As a strong supporter of religious freedom, we have a responsibility as a Congress to speak to this issue and really a moral obligation to talk about what is happening in Turkey. Christian communities in Turkey have long suffered from the destruction and confiscation of their holy sites, the forced closure of their theological schools and restrictions on their right to worship according to their conscience. There are reports that Christians are prevented from praying in their own churches. Continued prosecution of the vulnerable Christian minority in Turkey threatens the survival of their religious tradition. The adoption of this amendment would support their struggle for religious freedom, a value central to basic human dignity and a basic civil right. My home State, the State of Rhode Island, was founded by Roger Williams, on the principle of religious liberty and freedom. And I am proud to support Mr. Berman's amendment in that spirit. I urge my colleagues to do the

same and vote yes on this amendment. I yield back the balance of my time.

Chairman ROS-LEHTINEN. I thank the gentleman for yielding back. Mr. Duncan is recognized for 5 minutes.

Mr. DUNCAN. Thank you, Madam Chairman. And I just want to thank the colleagues that put this language together. I am one of the signers of the letter to President Obama. I think there were 214 of those signers the last count I had. So this is an issue that is important to a lot of us. I want to point out that on June 12th of this year, I was in Turkey when they had the parliamentarian elections. And it is interesting to note, and I would like to have in the record here today that Turkey elected its first Christian to the Turkish Parliament, Erol Dora, Turkey's first Christian, part of the AKP party that took over. And so I think it is interesting to note that we are seeing some change hopefully in Turkey. But as a patriotic American that understands the first amendment rights that we have here and that we should be the country that promotes religious freedom, not just in Turkey but worldwide, to give folks around the world the opportunities that we have to worship as we wish, as Christians or any other religious organization, the freedoms that we have in this country should be promoted worldwide.

So I want to commend my subcommittee chairman, Mr. Royce, and Mr. Berman for their efforts on this to call on Turkey to end religious discrimination, to cease all constrictions on gatherings for religious prayer and education and return stolen church property that you have heard about already.

So I want to urge my colleagues to get behind this amendment, to sign onto the letter to the President if you haven't already and get behind this issue. And I yield back.

Chairman ROS-LEHTINEN. Thank you so much, Mr. Duncan, for yielding back. And Mr. Engel is recognized and another speaker that I have is Meeks, Carnahan and Rohrabacher. We will go to you afterward. Thank you. If you could hold on, Mr. Rohrabacher. Would you like to go now? No, sorry. We had a Republican. Sorry. We have got to go to—and we want to go to Mr. Engel. We wish, we desire, we really need to go to Eliot.

Mr. ENGEL. I am not letting my classmate Dana Rohrabacher jump ahead of me. He comes before R in the alphabet you know.

Chairman ROS-LEHTINEN. Beauty before beast.

Mr. ENGEL. Thank you, Madam Chairwoman. And I rise in strong support of this resolution, this amendment today. And, you know, sometimes we get bills before us that are complicated to understand and you have got to read them several times, you have got to look at memos, you have got to see what they do and then you hope you have a good knowledge of what they do. I read this amendment. It is really easy. It is really simple. And I don't think anybody should oppose it, no matter where they stand with regard to Turkey or anything else like that. I would like to just read it because I think it is important. It simply is a statement of Congress regarding Turkey and it says that Congress urges the Government of Turkey to honor its obligations under international treaties and human rights law to, one, end all forms of religious discrimination and, two allow the rightful church and lay owners of Christian church properties without hindrance or restriction to

organize and administer prayer services, religious education, clerical training, appointments and succession, religious community gatherings, social services, including ministry to the needs of the poor and infirm and other religious activities.

Well, no one could find any fault with that. Three, return to their rightful owners all Christian churches and other places of worship, monasteries, schools, hospitals, monuments, relics, holy sites and other religious properties, including movable properties such as artwork, manuscripts, vestments, vessels and other artifacts, and finally, allow the rightful Christian church and lay owners of Christian church properties without hindrance or restriction to preserve, reconstruct and repair as they see fit all Christian churches and other places of worship, monasteries, schools, hospitals, monuments, relics, holy sites and other religious properties within Turkey.

I don't find one thing objectionable in what I have just read. I would ask any country to do that. In fact, many of you know that one of my crusades here in the 23 years that I have been here has been independence for Kosovo, to try to fight for independence of Kosovo because the majority of people who live in that country, 95 percent of them are Kosovo Albanians, the majority of whom are Muslim. And as much and as fervent as I have been of Kosovo independence and still am and have been to the country many, many times, from day one, I have said that we must take great pains to make sure that the monastery, the Serbian orthodox monasteries in Kosovo are not desecrated or taken care of, that the church needs to be insured that everything that pertains to the church is under its control, there needs to be freedom of worship, that there needs to be all of these things. I don't find that inconsistent with any of the principles in terms of Kosovo independence which I wholeheartedly support or any of the principles here.

Yes, Turkey is an ally in NATO, and we recognize that. I wish they would frankly act a little more like an ally of the United States than they have lately. They really have gone astray and gone away frankly from—their foreign minister has set out a policy of Islamicism and has moved away from the European Union and the West and the United States and has behaved very poorly with the flotilla and Israel and the whole bit, but that is beside the fact.

The fact is, who could be against safeguarding the right of Christians in Turkey to worship and the right of churches to keep their properties. Now, I have gotten notice from both the Armenian National Committee of America, the Armenian Assembly of America are saying that and I find that completely persuasive.

So I would urge my colleagues on both sides of the aisle, a bipartisan amendment and with good cause to support this amendment. I am in favor of religious freedom for all people and certainly for Christians in Turkey. And I yield back.

Chairman ROS-LEHTINEN. Thank you so much, the gentleman from New York. The gentleman from California, Mr. Rohrabacher, is recognized for 5 minutes.

Mr. ROHRABACHER. Thank you very much. And I am in support of this amendment, but I would like to ask Mr. Berman, the author of the amendment——

Chairman ROS-LEHTINEN. Mr. Berman.

Mr. ROHRABACHER [continuing]. Several questions if I could. Mr. Berman, this amendment is aimed at promoting religious freedom in Turkey. Where would you rank Turkey in terms of other Muslim countries in terms of freedom of religion?

Mr. BERMAN. Countries of the world?

Mr. ROHRABACHER. And the world, yes. I mean, yes, the planet, the world, not Mars——

Mr. BERMAN. You seem to limit it to Muslim countries. Is there a different standard?

Mr. ROHRABACHER. Would you agree with me that Turkey is a relatively free country as compared to other countries that have such large Muslim populations?

Mr. BERMAN. Could I answer the question with a question?

Mr. ROHRABACHER. Well, if you don't want to answer my question.

Mr. BERMAN. Why do you keep limiting this to Muslim countries?

Mr. ROHRABACHER. Because Turkey finds itself in a part of the world not surrounded by Western democracies, but instead, bordering many countries that have, perhaps, less freedom than the Turks do, yet we have in front of us, yes, an amendment that is accurate, but it is aimed at perhaps the freest country in the region. I am trying to understand why.

Mr. BERMAN. It is not my intention to hold Turkey to the particular standard you have chosen to articulate. Turkey is a modern country that is a member of NATO that is a candidate for EU members that is a close ally on which we have many important relationships. But in this particular area, their practices for many years after—in the post——

Mr. ROHRABACHER. Reclaiming my time.

Mr. BERMAN [continuing]. Ottoman period have been atrocious.

Mr. ROHRABACHER. Reclaiming my time.

Chairman ROS-LEHTINEN. Mr. Rohrabacher is recognized.

Mr. ROHRABACHER. Reclaiming my time. Obviously there is a double standard being put to use here clearly. Now, I agree with everybody here. I am going to vote for this because it is true. The same reason I vote for the Armenian genocide resolution and these other things that have happened with Turkey in the past. If they are true, I vote for them and this is true. But that doesn't mean there isn't a double standard that is being used against Turkey. I will——

Mr. BERMAN. Will the gentleman yield?

Mr. ROHRABACHER. No. Let me go on for one moment. We all know this. People come into my office all the time. Jews will come into my office and say, "What have you done for Israel?" and Irishmen will come in and say, "What have you done to help us in Ireland to promote peace?"

And of course, the Greeks and the Armenians come in saying, "What have you done to hurt Turkey?" For Pete's sake, the bottom-line is we are supposed to be—yes, we will stand up for the principle, and that is what is in this amendment, that is why I will vote for it. But we have a terrible double standard when it comes to Turkey. And the Armenians and the Greeks, yes, they have legitimate concerns, but that doesn't mean we have to be inconsistent and always express those concerns and make Turkey feel

that we are singling them out from all the other Muslim countries who have a worse record than Turkey has.

If we want to drive them in the opposite direction, that is what we are doing. By doing things like this, we are not promoting freedom in Turkey. We are making them think that we are singling them out and have a total double standard.

Mr. BERMAN. Would the gentleman yield?

Mr. ROHRABACHER. I certainly will.

Mr. BERMAN. I appreciate the gentleman yielding.

Give me a break. There are many ills in this world. There are many governments that are not living by standards, I think—involved a fundamental commitment to universal human rights. This resolution, which you have defined as accurate——

Mr. ROHRABACHER. Correct.

Mr. BERMAN [continuing]. And something that you will support, you are sort of working yourself into a rage that I am offering something that you think is accurate——

Mr. ROHRABACHER. No, I——

Mr. BERMAN [continuing]. Because there are other evils in the world.

Mr. ROHRABACHER. Okay. Reclaiming my time——

Mr. BERMAN. The gentleman from California——

Chairman ROS-LEHTINEN. Mr. Rohrabacher reclaims his time.

Mr. ROHRABACHER. Reclaiming my time.

No, you could have had on this—we suggested that our leaders of our Government, the Secretary of State and others, when meeting with people from that region, including Turkey and naming several other countries, should talk about freedom of religion and all these other things.

Mr. BERMAN. I agree.

Mr. ROHRABACHER. Instead, you didn't put that in there. You just singled out——

Mr. BERMAN. I also didn't put who is borrowing money——

Chairman ROS-LEHTINEN. Mr. Rohrabacher has his time——

Mr. ROHRABACHER. Thank you very much.

Chairman ROS-LEHTINEN [continuing]. That he has not yielded.

Mr. BERMAN. Will the gentleman yield?

Chairman ROS-LEHTINEN. The gentleman's time has expired.

Mr. Meeks is recognized.

Mr. MEEKS. Thank you, Madam Chair.

You know, I rise in support of this amendment because it is the right thing to do. Religion—and once we learn to be tolerant of religion, different than ours especially, we will be there a lot better and safer place. And we have to encourage all to make sure that everyone has the opportunity to practice his or her religion of choice, and they should not be discriminated against because of his or her religion.

Now, clearly, in this particular instance, Turkey, in my estimation, has shown some forward progress and flexibility—for example, in the nationality of the patriarch. And I hope that an agreeable solution can be found on the Halki seminary, perhaps as incorporated under a Turkish university of the Greek Orthodox community's choosing. But more can and should be done. And I

thank the ranking member for his language in this bill, so that it makes it—so that it brings us all together.

And I think that is what the key is. The key is trying to figure out—because religion is a way of life. And a religion shouldn't be something, no matter what your religion, that separates us or to make us not like one another. It should be, you have the freedom of the way of life and the freedom of the belief that you have.

And I would just, you know, give a cautionary note, as we do talk to other countries, et cetera, we in the United States need to also take a check at ourselves. When I look at the debate that we have had in New York about whether or not Muslims can build a mosque in New York City or not, practicing their religious freedom, whether or not—and I hear the debate, people questioning whether or not the President of the United States is a Muslim or not, as if that should be considered. He is not, but his religion should not preclude him from being the President of the United States, as people are talking about here.

So it is easy to look out and talk to other people about what they should do—and we should, because if you stay silent when you know something is wrong, then you are allowing it continue. So we have to be vocal about it. But we also have to make sure—we don't live in a glass house. We have to make sure that our house is also taken care of, because people are looking at us also. And when you look at people burning the Koran or other things of that nature, we are talking about their religion.

So we have to lead by example in the United States also. And I think, by and large, we have. But I just get concerned when I hear the kinds of issues and the long debates that we have had about even the President's—whether he is a Christian or whether he is not. And he has stated over and over what his beliefs were, but we doubt it, as if it would be something negative if he was.

For me, you know—and I am a devout Christian. We talked about—someone just mentioned that—and in Turkey, they finally—they elected a Christian. Well, it took us a long time; just recently we elected two Muslims to the United States Congress. It just happened—not, you know, 4 years ago, that hadn't happened.

So there is progress that is being made on all sides, and I think that is a good thing. And I think that we have to make sure that—you know, in the words of Dr. King, Dr. King said, "Injustice anywhere is a threat to justice everywhere." And so, if we allow religious discrimination anywhere, then it is a threat to practicing religion everywhere, and it affects all of us.

And so, Mr. Berman, again, thank you for writing an amendment that we can all agree upon so that we can get this message across. And, hopefully, we can all make this place that we call "Earth" a more tolerable and a better place, as we all practice our individual religion.

Mr. ACKERMAN. Would the gentleman yield?

Mr. MEEKS. I yield.

Mr. ACKERMAN. I thank the gentleman very much.

Well said.

I just can't help but laughing. It is really extraordinary that we take out all this time to fight about something we agree upon, and to do it with such venom.

You know, Turkey certainly stands not without blemish, but they are among the closer countries to us in that area, which causes one some concern and gives us an additional ability to have—what friends would say, we have a call upon each other and a right to say to our friends and very, very important player in the region that there are things that you could do to burnish your image and look like the country that you hope to be; this is one of those areas.

There is no double standard. We are just talking about Turkey in this amendment. Bring up any country in any amendment that you want, and if there are problems with human rights or religious freedoms, I think we would all be willing to support that amendment.

But let's try to at least agree on the things we know we agree on, instead of just picking each other apart because we are sitting on different sides of the aisle. This thing is getting ridiculous here.

Chairman ROS-LEHTINEN. The gentleman yields.

Who had the time? Mr. Meeks? Does Mr. Meeks yield?

Mr. MEEKS. Yeah, I yield back.

Chairman ROS-LEHTINEN. Thank you.

Yes, we are loving it to death. Never has an amendment so loved been so controversial.

Mr. Smith, then Mr. Carnahan, then Mr. Poe.

Mr. SMITH. I will be very brief, Madam Chair. Just to point out that this is a very timely and, I think, a very important amendment.

You know, the May edition, just-released edition of the Commission on International Religious Freedom, points out that the Turkish Government continues to impose serious limitations on freedom of religion or belief, threatening the continued vitality and survival of the minority religious communities in Turkey. They have also pointed out that, when Turkey was placed on the Commission's watch list in 2009, the issues related to religious freedom have deteriorated to this end. So the glide slope is in the wrong direction in Turkey, not the right direction. And that goes equally for both the Christians and the rising tide of anti-Semitism.

I chair the Commission on Security and Cooperation in Europe and never miss an opportunity to raise this with our counterparts in the Turkish Parliament, both Christians and Jews, who are increasingly put at risk—and that, of course, would include the Orthodox and the Armenians.

So I think it is timely and it is always, I think, appropriate to raise this issue in the hopes of providing additional freedoms and respect for this fundamental human right.

I yield back.

Chairman ROS-LEHTINEN. Thank you so much to the gentleman from New Jersey. He yields back.

And Mr. Carnahan is recognized for 5 minutes.

Mr. CARNAHAN. Thank you, Madam Chairman.

And I want to thank Mr. Berman and Mr. Royce for putting together this balanced amendment, but also that includes frank language but also language that I think can unify us around our common values instead of dividing us.

Last year, our subcommittee had a briefing on the status of religious freedom around the world. This is a key element and a key

measure for us to have included in our relations around the world. It is a key indicator for free and developing societies.

Turkey has been a longtime ally and friend, and so we can and should speak frankly to them about this. We should recognize progress they have made, but we should also urge them to do more. They have been a key NATO ally. They are a key world economy. And they are especially today a key example of a moderate, Muslim, democratic country. During this vital time of transition for so many Muslim countries across the Middle East and North Africa, they are a model in many respects for how those countries can succeed. So we need them at the table. We need to continue to urge them to do more.

And to the broader question that many have raised here today, Chairman Smith spoke about the International Commission on Religious Freedom, the annual reports that they come out with each year. It is important that we look at those, measure that progress, not just in Turkey, but in other countries around the globe.

So, with that, Madam Chair, I yield back.

Chairman ROS-LEHTINEN. I thank the gentleman.

And Mr. Poe of Texas is recognized because that is just the way it is.

Mr. POE. Thank you, Madam Chair.

I do support the amendment, but I do have the same concerns that Mr. Rohrabacher from California has. It seems to be traditional in the United States we are always harder on our allies and our friends than we are on our enemies for some reason. And I think we should have an equal standard and make sure that we promote religious liberty and freedom everywhere, not just in certain specific countries.

I was with the gentleman from South Carolina and Mr. Carnahan of Missouri when the free elections took place in Turkey, and I do believe they are making progress. I commend them for the progress that they are making, and I would hope that we would commend them where they are doing good. We should look to the future with Turkey. They are an ally of the United States, and support religious freedom everywhere, including in the United States.

And, with that, I will yield back.

Chairman ROS-LEHTINEN. Thank you, sir.

Hearing no further requests for recognition, the question occurs on the amendment. And we will have a recorded vote on that amendment, but we will now proceed in the order that I had stated.

Pursuant to committee rule 4 and the prior announcement of the Chair, recorded votes will now take place on the following amendments that were postponed and will be taken now in this order: First, we will have the amendment offered by Ms. Bass to section 103, regarding peacekeeping contributions and the Democratic Republic of Congo. The second amendment, offered by Ms. Wilson of Florida, to section 103, regarding peacekeeping contributions and Haiti. The third vote will be Amendment No. 17 offered by Mr. Higgins, raising the funding level for the International Joint Commission. The fourth vote will be the Amendment No. 16 offered by Mr. Higgins, raising the funding level for the International Fisheries Commission. The fifth vote will be the amendment offered by

Mr. Mack regarding the pipeline. And the last vote—not the last vote of today, but the last vote in this series will be the amendment just offered by Mr. Berman, loved by all, on the sense of Congress regarding Turkey.

Mr. BERMAN. Madam Chairman?

Chairman ROS-LEHTINEN. Yes, Mr. Berman.

Mr. BERMAN. In all fairness, because we were rewriting it to get it into title II, it is a Berman-Cicilline amendment. And I just——

Chairman ROS-LEHTINEN. Let the record so reflect, with unanimous consent.

Mr. ACKERMAN. Madam Chair?

Chairman ROS-LEHTINEN [continuing]. Will it be the Berman-Cicilline-Ackerman amendment?

Mr. ACKERMAN. Madam Chair, I just wanted to clarify that it is the amendment, not Mr. Berman, that is loved by all.

Chairman ROS-LEHTINEN. Both, both, both. Please. Cherished, admired, respected, revered, feared.

So the clerk—are we all—I don't want to confuse anyone. Are we clear on the votes that will take place?

The first vote will be the amendment offered by Ms. Bass to section 103, regarding peacekeeping contributions and the Democratic Republic of the Congo.

The clerk will call the roll.

Ms. CARROLL. Madam Chairman?

Chairman ROS-LEHTINEN. No.

Ms. CARROLL. The chairman votes no.

Mr. Smith?

Mr. SMITH. No.

Ms. CARROLL. Mr. Smith votes no.

Mr. Burton?

Mr. BURTON. No.

Ms. CARROLL. Mr. Burton votes no.

Mr. Gallegly?

Mr. GALLEGLY. No.

Ms. CARROLL. Mr. Gallegly votes no.

Mr. Rohrabacher?

Mr. ROHRABACHER. No.

Ms. CARROLL. Mr. Rohrabacher votes no.

Mr. Manzullo?

Mr. MANZULLO. No.

Ms. CARROLL. Mr. Manzullo votes no.

Mr. Royce?

Mr. ROYCE. No.

Ms. CARROLL. Mr. Royce votes no.

Mr. Chabot?

Mr. CHABOT. No.

Ms. CARROLL. Mr. Chabot votes no.

Mr. Paul?

Mr. PAUL. No.

Ms. CARROLL. Mr. Paul votes no.

Mr. Pence?

[No response.]

Ms. CARROLL. Mr. Wilson?

[No response.]

Ms. CARROLL. Mr. Mack?
Mr. MACK. No.
Ms. CARROLL. Mr. Mack votes no.
Mr. Fortenberry?
Mr. FORTENBERRY. No.
Ms. CARROLL. Mr. Fortenberry votes no.
Mr. McCaul?
Mr. MCCAUL. No.
Ms. CARROLL. Mr. McCaul votes no.
Mr. Poe?
Mr. POE. No.
Ms. CARROLL. Mr. Poe votes no.
Mr. Bilirakis?
Mr. BILIRAKIS. No.
Ms. CARROLL. Mr. Bilirakis votes no.
Ms. Schmidt?
Mrs. SCHMIDT. No.
Ms. CARROLL. Ms. Schmidt votes no.
Mr. Johnson?
Mr. JOHNSON. No.
Ms. CARROLL. Mr. Johnson votes no.
Mr. Rivera?
Mr. RIVERA. No.
Ms. CARROLL. Mr. Rivera votes no.
Mr. Kelly?
Mr. KELLY. No.
Ms. CARROLL. Mr. Kelly votes no.
Mr. Griffin?
Mr. GRIFFIN. No.
Ms. CARROLL. Mr. Griffin votes no.
Mr. Marino?
Mr. MARINO. No.
Ms. CARROLL. Mr. Marino votes no.
Mr. Duncan?
Mr. DUNCAN. No.
Ms. CARROLL. Mr. Duncan votes no.
Ms. Buerkle?
Ms. BUERKLE. No.
Ms. CARROLL. Ms. Buerkle votes no.
Ms. Ellmers?
[No response.]
Ms. CARROLL. Mr. Berman?
Mr. BERMAN. Aye.
Ms. CARROLL. Mr. Berman votes aye.
Mr. Ackerman?
Mr. ACKERMAN. Aye.
Ms. CARROLL. Mr. Ackerman votes aye.
Mr. Faleomavaega?
Mr. FALEOMAVAEGA. Aye.
Ms. CARROLL. Mr. Faleomavaega votes aye.
Mr. Payne?
Mr. PAYNE. Aye.
Ms. CARROLL. Mr. Payne votes aye.
Mr. Sherman?

Mr. SHERMAN. Aye.
Ms. CARROLL. Mr. Sherman votes aye.
Mr. Engel?
Mr. ENGEL. Aye.
Ms. CARROLL. Mr. Engel votes aye.
Mr. Meeks?
Mr. MEEKS. Aye.
Ms. CARROLL. Mr. Meeks votes aye.
Mr. Carnahan?
Mr. CARNAHAN. Aye.
Ms. CARROLL. Mr. Carnahan votes aye.
Mr. Sires?
Mr. SIRES. Aye.
Ms. CARROLL. Mr. Sires votes aye.
Mr. Connolly?
Mr. CONNOLLY. No.
Ms. CARROLL. Mr. Connolly votes no.
Mr. Deutch?
Mr. DEUTCH. Aye.
Ms. CARROLL. Mr. Deutch votes aye.
Mr. Cardoza?
Mr. CARDOZA. Aye.
Ms. CARROLL. Mr. Cardoza votes aye.
Mr. Chandler?
Mr. CHANDLER. No.
Ms. CARROLL. Mr. Chandler votes no.
Mr. Higgins?
Mr. HIGGINS. Aye.
Ms. CARROLL. Mr. Higgins votes aye.
Ms. Schwartz?
Ms. SCHWARTZ. Aye.
Ms. CARROLL. Ms. Schwartz votes aye.
Mr. Murphy?
Mr. MURPHY. Aye.
Ms. CARROLL. Mr. Murphy votes aye.
Ms. Wilson?
Ms. WILSON OF FLORIDA. Aye.
Ms. CARROLL. Ms. Wilson votes aye.
Ms. Bass?
Ms. BASS. Aye.
Ms. CARROLL. Ms. Bass votes aye.
Mr. Keating?
Mr. KEATING. Aye.
Ms. CARROLL. Mr. Keating votes aye.
Mr. Cicilline?
Mr. CICILLINE. Aye.
Ms. CARROLL. Mr. Cicilline votes aye.
Chairman ROS-LEHTINEN. Have all members been recorded? Mr. Pence?
Ms. CARROLL. Mr. Pence?
Mr. PENCE. No.
Ms. CARROLL. Mr. Pence votes no.
Chairman ROS-LEHTINEN. Have all members been recorded?
The clerk will report the vote.

Ms. CARROLL. Madam Chairman, on that vote there are 18 ayes and 25 noes.

Chairman ROS-LEHTINEN. The noes have it, and the question is not agreed to.

The next vote is on the amendment offered by Ms. Wilson of Florida to section 103, regarding peacekeeping contributions in Haiti.

Ms. CARROLL. Mr. Smith?
Mr. SMITH. No.
Ms. CARROLL. Mr. Smith votes no.
Mr. Burton? Mr. Burton?
Mr. BURTON. No.
Ms. CARROLL. Mr. Burton votes no.
Mr. Gallegly?
Mr. GALLEGLY. No.
Ms. CARROLL. Mr. Gallegly votes no.
Mr. Rohrabacher?
Mr. ROHRABACHER. No.
Ms. CARROLL. Mr. Rohrabacher votes no.
Mr. Manzullo?
Mr. MANZULLO. No.
Ms. CARROLL. Mr. Manzullo votes no.
Mr. Royce?
Mr. ROYCE. No.
Ms. CARROLL. Mr. Royce votes no.
Mr. Chabot?
Mr. CHABOT. No.
Ms. CARROLL. Mr. Chabot votes no.
Mr. Paul?
Mr. PAUL. No.
Ms. CARROLL. Mr. Paul votes no.
Mr. Pence?
Mr. PENCE. No.
Ms. CARROLL. Mr. Pence votes no.
Mr. Wilson?
[No response.]
Ms. CARROLL. Mr. Mack?
Mr. MACK. No.
Ms. CARROLL. Mr. Mack votes no.
Mr. Fortenberry?
Mr. FORTENBERRY. No.
Ms. CARROLL. Mr. Fortenberry votes no.
Mr. McCaul?
Mr. MCCAUL. No.
Ms. CARROLL. Mr. McCaul votes no.
Mr. Poe?
Mr. POE. No.
Ms. CARROLL. Mr. Poe votes no.
Mr. Bilirakis?
Mr. BILIRAKIS. No.
Ms. CARROLL. Mr. Bilirakis votes no.
Ms. Schmidt?
Mrs. SCHMIDT. No.
Ms. CARROLL. Ms. Schmidt votes no.

Mr. Johnson?
Mr. JOHNSON. No.
Ms. CARROLL. Mr. Johnson votes no.
Mr. Rivera?
Mr. RIVERA. Aye.
Ms. CARROLL. Mr. Rivera votes aye.
Mr. Kelly?
Mr. KELLY. No.
Ms. CARROLL. Mr. Kelly votes no.
Mr. Griffin?
Mr. GRIFFIN. No.
Ms. CARROLL. Mr. Griffin votes no.
Mr. Marino?
Mr. MARINO. No.
Ms. CARROLL. Mr. Marino votes no.
Mr. Duncan?
Mr. DUNCAN. No.
Ms. CARROLL. Mr. Duncan votes no.
Ms. Buerkle?
Ms. BUERKLE. No.
Ms. CARROLL. Ms. Buerkle votes no.
Ms. Ellmers?
[No response.]
Ms. CARROLL. Mr. Berman?
Mr. BERMAN. Aye.
Ms. CARROLL. Mr. Berman votes aye.
Mr. Ackerman?
Mr. ACKERMAN. Aye.
Ms. CARROLL. Mr. Ackerman votes aye.
Mr. Faleomavaega?
Mr. FALEOMAVAEGA. Aye.
Ms. CARROLL. Mr. Faleomavaega votes aye.
Mr. Payne?
Mr. PAYNE. Aye.
Ms. CARROLL. Mr. Payne votes aye.
Mr. Sherman?
Mr. SHERMAN. Aye.
Ms. CARROLL. Mr. Sherman votes aye.
Mr. Engel?
Mr. ENGEL. Aye.
Ms. CARROLL. Mr. Engel votes aye.
Mr. Meeks?
Mr. MEEKS. Aye.
Ms. CARROLL. Mr. Meeks votes aye.
Mr. Carnahan?
Mr. CARNAHAN. Aye.
Ms. CARROLL. Mr. Carnahan votes aye.
Mr. Sires?
Mr. SIRES. Aye.
Ms. CARROLL. Mr. Sires votes aye.
Mr. Connolly?
Mr. CONNOLLY. No.
Ms. CARROLL. Mr. Connolly votes no.
Mr. Deutch?

Mr. DEUTCH. Aye.
Ms. CARROLL. Mr. Deutch votes aye.
Mr. Cardoza?
Mr. CARDOZA. No.
Ms. CARROLL. Mr. Cardoza votes no.
Mr. Chandler?
Mr. CHANDLER. No.
Ms. CARROLL. Mr. Chandler votes no.
Mr. Higgins?
Mr. HIGGINS. Aye.
Ms. CARROLL. Mr. Higgins votes aye.
Ms. Schwartz?
Ms. SCHWARTZ. Aye.
Ms. CARROLL. Ms. Schwartz votes aye.
Mr. Murphy?
Mr. MURPHY. Aye.
Ms. CARROLL. Mr. Murphy votes aye.
Ms. Wilson?
Ms. WILSON OF FLORIDA. Aye.
Ms. CARROLL. Ms. Wilson votes aye.
Ms. Bass?
Ms. BASS. Aye.
Ms. CARROLL. Ms. Bass votes aye.
Mr. Keating?
Mr. KEATING. Aye.
Ms. CARROLL. Mr. Keating votes aye.
Mr. Cicilline?
Mr. CICILLINE. Aye.
Ms. CARROLL. Mr. Cicilline votes aye.
Chairman ROS-LEHTINEN. Mr. Wilson, are you recorded?
Mr. WILSON OF SOUTH CAROLINA. Madam Chair, how am I recorded?
Ms. CARROLL. You are not recorded, sir.
Mr. WILSON OF SOUTH CAROLINA. I seek to vote no.
Ms. CARROLL. Mr. Wilson votes no.
Madam Chairman?
Chairman ROS-LEHTINEN. Yes.
Ms. CARROLL. The chairman votes aye.
Chairman ROS-LEHTINEN. The clerk will call the vote.
Ms. CARROLL. Madam Chairman, on that vote there are 19 ayes and 25 noes.
Chairman ROS-LEHTINEN. The amendment is not agreed to.
Thank you. We will now move to Amendment No. 17, offered by Mr. Higgins, raising the funding level for the International Joint Commission.
Ms. CARROLL. Madam Chairman?
Chairman ROS-LEHTINEN. No.
Ms. CARROLL. The chairman votes no.
Mr. Smith?
Mr. SMITH. No.
Ms. CARROLL. Mr. Smith votes no.
Mr. Burton?
Mr. BURTON. No.
Ms. CARROLL. Mr. Burton votes no.

Mr. Gallegly?
Mr. GALLEGLY. No.
Ms. CARROLL. Mr. Gallegly votes no.
Mr. Rohrabacher?
Mr. ROHRABACHER. No.
Ms. CARROLL. Mr. Rohrabacher votes no.
Mr. Manzullo?
Mr. MANZULLO. No.
Ms. CARROLL. Mr. Manzullo votes no.
Mr. Royce?
Mr. ROYCE. No.
Ms. CARROLL. Mr. Royce votes no.
Mr. Chabot?
Mr. CHABOT. No.
Ms. CARROLL. Mr. Chabot votes no.
Mr. Paul?
Mr. PAUL. No.
Ms. CARROLL. Mr. Paul votes no.
Mr. Pence?
Mr. PENCE. No.
Ms. CARROLL. Mr. Pence votes no.
Mr. Wilson?
Mr. WILSON OF SOUTH CAROLINA. No.
Ms. CARROLL. Mr. Wilson votes no.
Mr. Mack?
Mr. MACK. No.
Ms. CARROLL. Mr. Mack votes no.
Mr. Fortenberry?
Mr. FORTENBERRY. No.
Ms. CARROLL. Mr. Fortenberry votes no.
Mr. McCaul?
Mr. MCCAUL. No.
Ms. CARROLL. Mr. McCaul votes no.
Mr. Poe?
Mr. POE. No.
Ms. CARROLL. Mr. Poe votes no.
Mr. Bilirakis?
Mr. BILIRAKIS. No.
Ms. CARROLL. Mr. Bilirakis votes no.
Ms. Schmidt?
[No response.]
Ms. CARROLL. Mr. Johnson?
Mr. JOHNSON. No.
Ms. CARROLL. Mr. Johnson votes no.
Mr. Rivera?
Mr. RIVERA. No.
Ms. CARROLL. Mr. Rivera votes no.
Mr. Kelly?
Mr. KELLY. No.
Ms. CARROLL. Mr. Kelly votes no.
Mr. Griffin?
Mr. GRIFFIN. No.
Ms. CARROLL. Mr. Griffin votes no.
Mr. Marino?

Mr. MARINO. No.
Ms. CARROLL. Mr. Marino votes no.
Mr. Duncan?
Mr. DUNCAN. No.
Ms. CARROLL. Mr. Duncan votes no.
Ms. Buerkle?
Ms. BUERKLE. No.
Ms. CARROLL. Ms. Buerkle votes no.
Ms. Ellmers?
[No response.]
Ms. CARROLL. Mr. Berman?
Mr. BERMAN. Aye.
Ms. CARROLL. Mr. Berman votes aye.
Mr. Ackerman?
Mr. ACKERMAN. Aye.
Ms. CARROLL. Mr. Ackerman votes aye.
Mr. Faleomavaega?
Mr. FALEOMAVAEGA. Aye.
Ms. CARROLL. Mr. Faleomavaega votes aye.
Mr. Payne?
Mr. PAYNE. Aye.
Ms. CARROLL. Mr. Payne votes aye.
Mr. Sherman?
Mr. SHERMAN. Aye.
Ms. CARROLL. Mr. Sherman votes aye.
Mr. Engel?
Mr. ENGEL. Aye.
Ms. CARROLL. Mr. Engel votes aye.
Mr. Meeks?
Mr. MEEKS. Aye.
Ms. CARROLL. Mr. Meeks votes aye.
Mr. Carnahan?
Mr. CARNAHAN. Aye.
Ms. CARROLL. Mr. Carnahan votes aye.
Mr. Sires?
Mr. SIRES. Aye.
Ms. CARROLL. Mr. Sires votes aye.
Mr. Connolly?
Mr. CONNOLLY. Aye.
Ms. CARROLL. Mr. Connolly votes aye.
Mr. Deutch?
Mr. DEUTCH. Aye.
Ms. CARROLL. Mr. Deutch votes aye.
Mr. Cardoza?
Mr. CARDOZA. Aye.
Ms. CARROLL. Mr. Cardoza votes aye.
Mr. Chandler?
Mr. CHANDLER. No.
Ms. CARROLL. Mr. Chandler votes no.
Mr. Higgins?
Mr. HIGGINS. Aye.
Ms. CARROLL. Mr. Higgins votes aye.
Ms. Schwartz?
Ms. SCHWARTZ. Aye.

Ms. CARROLL. Ms. Schwartz votes aye.
Mr. Murphy?
Mr. MURPHY. Aye.
Ms. CARROLL. Mr. Murphy votes aye.
Ms. Wilson?
Ms. WILSON OF FLORIDA. Aye.
Ms. CARROLL. Ms. Wilson votes aye.
Ms. Bass?
Ms. BASS. Aye.
Ms. CARROLL. Ms. Bass votes aye.
Mr. Keating?
Mr. KEATING. Aye.
Ms. CARROLL. Mr. Keating votes aye.
Mr. Cicilline?
Mr. CICILLINE. Aye.
Ms. CARROLL. Mr. Cicilline votes aye.
Chairman ROS-LEHTINEN. Have all members been recorded? Mr. Deutch?
Mrs. SCHMIDT. One more. No.
Ms. CARROLL. Ms. Schmidt votes no.
Chairman ROS-LEHTINEN. Mr. Deutch?
Mr. DEUTCH. Aye.
Ms. CARROLL. Mr. Deutch votes aye.
Chairman ROS-LEHTINEN. Have all members been recorded?
The clerk will report the vote.
Ms. CARROLL. Madam Chairman, on that vote there are 19 ayes and 25 noes.
Chairman ROS-LEHTINEN. The noes have it, and the question is not agreed to.
We will now move to Mr. Higgins' No. 16 amendment, raising the funding level for the International Fisheries Commission.
The clerk will call the roll.
Ms. CARROLL. Madam Chairman?
Chairman ROS-LEHTINEN. No.
Ms. CARROLL. The chairman votes no.
Mr. Smith?
Mr. SMITH. No.
Ms. CARROLL. Mr. Smith votes no.
Mr. Burton?
Mr. BURTON. No.
Ms. CARROLL. Mr. Burton votes no.
Mr. Gallegly?
Mr. GALLEGLY. No.
Ms. CARROLL. Mr. Gallegly votes no.
Mr. Rohrabacher?
Mr. ROHRABACHER. No.
Ms. CARROLL. Mr. Rohrabacher votes no.
Mr. Manzullo?
Mr. MANZULLO. No.
Ms. CARROLL. Mr. Manzullo votes no.
Mr. Royce?
[No response.]
Ms. CARROLL. Mr. Chabot?
Mr. CHABOT. No.

Ms. CARROLL. Mr. Chabot votes no.
Mr. Paul?
Mr. PAUL. No.
Ms. CARROLL. Mr. Paul votes no.
Mr. Pence?
Mr. PENCE. No.
Ms. CARROLL. Mr. Pence votes no.
Mr. Wilson?
Mr. WILSON OF SOUTH CAROLINA. No.
Ms. CARROLL. Mr. Wilson votes no.
Mr. Mack?
Mr. MACK. No.
Ms. CARROLL. Mr. Mack votes no.
Mr. Fortenberry?
Mr. FORTENBERRY. No.
Ms. CARROLL. Mr. Fortenberry votes no.
Mr. McCaul?
Mr. MCCAUL. No.
Ms. CARROLL. Mr. McCaul votes no.
Mr. Poe?
Mr. POE. No.
Ms. CARROLL. Mr. Poe votes no.
Mr. Bilirakis?
Mr. BILIRAKIS. No.
Ms. CARROLL. Mr. Bilirakis votes no.
Ms. Schmidt?
Mrs. SCHMIDT. No.
Ms. CARROLL. Ms. Schmidt votes no.
Mr. Johnson?
Mr. JOHNSON. No.
Ms. CARROLL. Mr. Johnson votes no.
Mr. Rivera?
Mr. RIVERA. No.
Ms. CARROLL. Mr. Rivera votes no.
Mr. Kelly?
Mr. KELLY. No.
Ms. CARROLL. Mr. Kelly votes no.
Mr. Griffin?
Mr. GRIFFIN. No.
Ms. CARROLL. Mr. Griffin votes no.
Mr. Marino?
Mr. MARINO. No.
Ms. CARROLL. Mr. Marino votes no.
Mr. Duncan?
Mr. DUNCAN. No.
Ms. CARROLL. Mr. Duncan votes no.
Ms. Buerkle?
Ms. BUERKLE. No.
Ms. CARROLL. Ms. Buerkle votes no.
Ms. Ellmers?
[No response.]
Ms. CARROLL. Mr. Berman?
Mr. BERMAN. Aye.
Ms. CARROLL. Mr. Berman votes aye.

Mr. Ackerman?
Mr. ACKERMAN. Aye.
Ms. CARROLL. Mr. Ackerman votes aye.
Mr. Faleomavaega?
Mr. FALEOMAVAEGA. Aye.
Ms. CARROLL. Mr. Faleomavaega votes aye.
Mr. Payne?
Mr. PAYNE. Aye.
Ms. CARROLL. Mr. Payne votes aye.
Mr. Sherman?
Mr. SHERMAN. Aye.
Ms. CARROLL. Mr. Sherman votes aye.
Mr. Engel?
Mr. ENGEL. Aye.
Ms. CARROLL. Mr. Engel votes aye.
Mr. Meeks?
Mr. MEEKS. Aye.
Ms. CARROLL. Mr. Meeks votes aye.
Mr. Carnahan?
Mr. CARNAHAN. Aye.
Ms. CARROLL. Mr. Carnahan votes aye.
Mr. Sires?
Mr. SIRES. Aye.
Ms. CARROLL. Mr. Sires votes aye.
Mr. Connolly?
Mr. CONNOLLY. Aye.
Ms. CARROLL. Mr. Connolly votes aye.
Mr. Deutch?
Mr. DEUTCH. Aye.
Ms. CARROLL. Mr. Deutch votes aye.
Mr. Cardoza?
Mr. CARDOZA. Aye.
Ms. CARROLL. Mr. Cardoza votes aye.
Mr. Chandler?
Mr. CHANDLER. Aye.
Ms. CARROLL. Mr. Chandler votes aye.
Mr. Higgins?
Mr. HIGGINS. Aye.
Ms. CARROLL. Mr. Higgins votes aye.
Ms. Schwartz?
Ms. SCHWARTZ. Aye.
Ms. CARROLL. Ms. Schwartz votes aye.
Mr. Murphy?
Mr. MURPHY. Aye.
Ms. CARROLL. Mr. Murphy votes aye.
Ms. Wilson?
Ms. WILSON OF FLORIDA. Aye.
Ms. CARROLL. Ms. Wilson votes aye.
Ms. Bass?
Ms. BASS. Aye.
Ms. CARROLL. Ms. Bass votes aye.
Mr. Keating?
Mr. KEATING. Aye.
Ms. CARROLL. Mr. Keating votes aye.

Mr. Cicilline?
Mr. CICILLINE. Aye.
Ms. CARROLL. Mr. Cicilline votes aye.
Chairman ROS-LEHTINEN. Have all members been recorded? Mr. Royce?
Mr. ROYCE. No.
Ms. CARROLL. Mr. Royce votes no.
Chairman ROS-LEHTINEN. All members have been recorded?
The clerk will report the vote.
Ms. CARROLL. Madam Chairman, on that vote there are 20 ayes and 24 noes.
Chairman ROS-LEHTINEN. The noes have it, and the question is not agreed to.
We will now proceed to the amendment offered by Mr. Mack, regarding the Keystone XL pipeline.
The clerk will call the roll.
Ms. CARROLL. Madam Chairman?
Chairman ROS-LEHTINEN. Yes.
Ms. CARROLL. The chairman votes aye.
Mr. Smith?
Mr. SMITH. Yes.
Ms. CARROLL. Mr. Smith votes aye.
Mr. Burton?
Mr. BURTON. Yes.
Ms. CARROLL. Mr. Burton votes aye.
Mr. Gallegly?
Mr. GALLEGLY. Aye.
Ms. CARROLL. Mr. Gallegly votes aye.
Mr. Rohrabacher?
Mr. ROHRABACHER. Yes.
Ms. CARROLL. Mr. Rohrabacher votes aye.
Mr. Manzullo?
Mr. MANZULLO. Yes.
Ms. CARROLL. Mr. Manzullo votes aye.
Mr. Royce?
Mr. ROYCE. Yes.
Ms. CARROLL. Mr. Royce votes aye.
Mr. Chabot?
Mr. CHABOT. Aye.
Ms. CARROLL. Mr. Chabot votes aye.
Mr. Paul?
Mr. PAUL. Aye.
Ms. CARROLL. Mr. Paul votes aye.
Mr. Pence?
Mr. PENCE. Aye.
Ms. CARROLL. Mr. Pence votes aye.
Mr. Wilson?
Mr. WILSON OF SOUTH CAROLINA. Yes.
Ms. CARROLL. Mr. Wilson votes aye.
Mr. Mack?
Mr. MACK. Yes.
Ms. CARROLL. Mr. Mack votes yes.
Mr. Fortenberry?
Mr. FORTENBERRY. No.

Ms. CARROLL. Mr. Fortenberry votes no.
Mr. McCaul?
Mr. MCCAUL. Aye.
Ms. CARROLL. Mr. McCaul votes aye.
Mr. Poe?
Mr. POE. Yes.
Ms. CARROLL. Mr. Poe votes aye.
Mr. Bilirakis?
Mr. BILIRAKIS. Aye.
Ms. CARROLL. Mr. Bilirakis votes aye.
Ms. Schmidt?
Mrs. SCHMIDT. Aye.
Ms. CARROLL. Ms. Schmidt votes aye.
Mr. Johnson?
Mr. JOHNSON. Aye.
Ms. CARROLL. Mr. Johnson votes aye.
Mr. Rivera?
Mr. RIVERA. Aye.
Ms. CARROLL. Mr. Rivera votes aye.
Mr. Kelly?
Mr. KELLY. Aye.
Ms. CARROLL. Mr. Kelly votes aye.
Mr. Griffin?
Mr. GRIFFIN. Aye.
Ms. CARROLL. Mr. Griffin votes aye.
Mr. Marino?
Mr. MARINO. Yes.
Ms. CARROLL. Mr. Marino votes aye.
Mr. Duncan?
Mr. DUNCAN. Aye.
Ms. CARROLL. Mr. Duncan votes aye.
Ms. Buerkle?
Ms. BUERKLE. Yes.
Ms. CARROLL. Ms. Buerkle votes aye.
Ms. Ellmers?
[No response.]
Ms. CARROLL. Mr. Berman?
Mr. BERMAN. No.
Ms. CARROLL. Mr. Berman votes no.
Mr. Ackerman?
Mr. ACKERMAN. No.
Ms. CARROLL. Mr. Ackerman votes no.
Mr. Faleomavaega?
Mr. FALEOMAVAEGA. Yes.
Ms. CARROLL. Mr. Faleomavaega votes yes.
Mr. Payne?
Mr. PAYNE. No.
Ms. CARROLL. Mr. Payne votes no.
Mr. Sherman?
Mr. SHERMAN. No.
Ms. CARROLL. Mr. Sherman votes no.
Mr. Engel?
Mr. ENGEL. Yes.
Ms. CARROLL. Mr. Engel votes aye.

Mr. Meeks?
Mr. MEEKS. No.
Ms. CARROLL. Mr. Meeks votes no.
Mr. Carnahan?
Mr. CARNAHAN. No.
Ms. CARROLL. Mr. Carnahan votes no.
Mr. Sires?
Mr. SIRES. Yes.
Ms. CARROLL. Mr. Sires votes aye.
Mr. Connolly?
Mr. CONNOLLY. Aye.
Ms. CARROLL. Mr. Connolly votes aye.
Mr. Deutch?
Mr. DEUTCH. No.
Ms. CARROLL. Mr. Deutch votes no.
Mr. Cardoza?
Mr. CARDOZA. Aye.
Ms. CARROLL. Mr. Cardoza votes aye.
Mr. Chandler?
Mr. CHANDLER. Yes.
Ms. CARROLL. Mr. Chandler votes aye.
Mr. Higgins?
Mr. HIGGINS. Yes.
Ms. CARROLL. Mr. Higgins votes aye.
Ms. Schwartz?
Ms. SCHWARTZ. No.
Ms. CARROLL. Ms. Schwartz votes no.
Mr. Murphy?
Mr. MURPHY. No.
Ms. CARROLL. Mr. Murphy votes no.
Ms. Wilson?
Ms. WILSON OF FLORIDA. No.
Ms. CARROLL. Ms. Wilson votes no.
Ms. Bass?
Ms. BASS. No.
Ms. CARROLL. Ms. Bass votes no.
Mr. Keating?
Mr. KEATING. No.
Ms. CARROLL. Mr. Keating votes no.
Mr. Cicilline?
Mr. CICILLINE. No.
Ms. CARROLL. Mr. Cicilline votes no.
Chairman ROS-LEHTINEN. Have all members been recorded?
The clerk will report the vote.
Ms. CARROLL. Madam Chairman, on that vote there are 30 ayes and 14 noes.
Chairman ROS-LEHTINEN. The ayes have it, and the question is agreed to.
Our last rolled vote is the amendment offered by Mr. Berman on the sense of Congress regarding Turkey.
The clerk will call the roll.
Ms. CARROLL. Madam Chairman?
Chairman ROS-LEHTINEN. Yes.
Ms. CARROLL. The chairman votes aye.

Mr. Smith?
Mr. SMITH. Yes.
Ms. CARROLL. Mr. Smith votes aye.
Mr. Burton?
Mr. BURTON. Aye.
Ms. CARROLL. Mr. Burton votes aye.
Mr. Gallegly?
Mr. GALLEGLY. Aye.
Ms. CARROLL. Mr. Gallegly votes aye.
Mr. Rohrabacher?
Mr. ROHRABACHER. Yes.
Ms. CARROLL. Mr. Rohrabacher votes aye.
Mr. Manzullo?
Mr. MANZULLO. Aye.
Ms. CARROLL. Mr. Manzullo votes aye.
Mr. Royce?
Mr. ROYCE. Aye.
Ms. CARROLL. Mr. Royce votes aye.
Mr. Chabot?
Mr. CHABOT. Aye.
Ms. CARROLL. Mr. Chabot votes aye.
Mr. Paul?
Mr. PAUL. No.
Ms. CARROLL. Mr. Paul votes no.
Mr. Pence?
Mr. PENCE. Pass.
Ms. CARROLL. Mr. Wilson?
Mr. WILSON OF SOUTH CAROLINA. Aye.
Ms. CARROLL. Mr. Wilson votes aye.
Mr. Mack?
Mr. MACK. Yes.
Ms. CARROLL. Mr. Mack votes aye.
Mr. Fortenberry?
Mr. FORTENBERRY. Yes.
Ms. CARROLL. Mr. Fortenberry votes aye.
Mr. McCaul?
Mr. MCCAUL. Aye.
Ms. CARROLL. Mr. McCaul votes aye.
Mr. Poe?
Mr. POE. Yes.
Ms. CARROLL. Mr. Poe votes aye.
Mr. Bilirakis?
Mr. BILIRAKIS. Yes.
Ms. CARROLL. Mr. Bilirakis votes aye.
Ms. Schmidt?
Mrs. SCHMIDT. Aye.
Ms. CARROLL. Ms. Schmidt votes aye.
Mr. Johnson?
Mr. JOHNSON. Aye.
Ms. CARROLL. Mr. Johnson votes aye.
Mr. Rivera?
Mr. RIVERA. Aye.
Ms. CARROLL. Mr. Rivera votes aye.
Mr. Kelly?

Mr. KELLY. Aye.
Ms. CARROLL. Mr. Kelly votes aye.
Mr. Griffin?
Mr. GRIFFIN. Aye.
Ms. CARROLL. Mr. Griffin votes aye.
Mr. Marino?
Mr. MARINO. Yes.
Ms. CARROLL. Mr. Marino votes aye.
Mr. Duncan?
Mr. DUNCAN. Aye.
Ms. CARROLL. Mr. Duncan votes aye.
Ms. Buerkle?
Ms. BUERKLE. Yes.
Ms. CARROLL. Ms. Buerkle votes aye.
Ms. Ellmers?
[No response.]
Ms. CARROLL. Mr. Berman?
Mr. BERMAN. Aye.
Ms. CARROLL. Mr. Berman votes aye.
Mr. Ackerman?
Mr. ACKERMAN. Aye.
Ms. CARROLL. Mr. Ackerman votes aye.
Mr. Faleomavaega?
Mr. FALEOMAVAEGA. Ayes.
Ms. CARROLL. Mr. Faleomavaega votes aye.
Mr. Payne?
Mr. PAYNE. Aye.
Ms. CARROLL. Mr. Payne votes aye.
Mr. Sherman?
Mr. SHERMAN. Aye.
Ms. CARROLL. Mr. Sherman votes aye.
Mr. Engel?
Mr. ENGEL. Aye.
Ms. CARROLL. Mr. Engel votes aye.
Mr. Meeks?
Mr. MEEKS. Aye.
Ms. CARROLL. Mr. Meeks votes aye.
Mr. Carnahan?
Mr. CARNAHAN. Aye.
Ms. CARROLL. Mr. Carnahan votes aye.
Mr. Sires?
Mr. SIRES. Aye.
Ms. CARROLL. Mr. Sires votes aye.
Mr. Connolly?
Mr. CONNOLLY. Aye.
Ms. CARROLL. Mr. Connolly votes aye.
Mr. Deutch?
Mr. DEUTCH. Aye.
Ms. CARROLL. Mr. Deutch votes aye.
Mr. Cardoza?
Mr. CARDOZA. Aye.
Ms. CARROLL. Mr. Cardoza votes aye.
Mr. Chandler?
Mr. CHANDLER. Aye.

Ms. CARROLL. Mr. Chandler votes aye.
Mr. Higgins?
Mr. HIGGINS. Yes.
Ms. CARROLL. Mr. Higgins votes aye.
Ms. Schwartz?
Ms. SCHWARTZ. Aye.
Ms. CARROLL. Ms. Schwartz votes aye.
Mr. Murphy?
Mr. MURPHY. Aye.
Ms. CARROLL. Mr. Murphy votes aye.
Ms. Wilson?
Ms. WILSON OF FLORIDA. Aye.
Ms. CARROLL. Ms. Wilson votes aye.
Ms. Bass?
Ms. BASS. Aye.
Ms. CARROLL. Ms. Bass votes aye.
Mr. Keating?
Mr. KEATING. Aye.
Ms. CARROLL. Mr. Keating votes aye.
Mr. Cicilline?
Mr. CICILLINE. Aye.
Ms. CARROLL. Mr. Cicilline votes aye.
Mr. Pence?
Mr. PENCE. Aye.
Ms. CARROLL. Mr. Pence votes aye.
Chairman ROS-LEHTINEN. Have all members been recorded?
The clerk will report the vote.
Ms. CARROLL. Madam Chairman, on that vote there are 43 ayes and 1 no.
Chairman ROS-LEHTINEN. The ayes have it, and the question is agreed to.
We will now go back to regular order.
And, Mr. Deutch, we have two amendments that you have offered under title II. And if you would like to offer your amendments at this time.
Mr. DEUTCH. Thank you, Madam Chair.
Amendment 621 is what we are on. Madam Chair, I think this has been distributed.
Chairman ROS-LEHTINEN. The clerk will report the amendment.
And we all have a copy of it. Let's just make sure we all do. It is Bureau of Counterterrorism.
Mr. Deutch is recognized to explain his amendment.
[The information referred to follows:]

AMENDMENT TO H.R. _____

OFFERED BY MR. Deutch

At the appropriate place in the bill, insert the following:

1 **SEC. ____. BUREAU OF COUNTERTERRORISM.**

2 (a) ESTABLISHMENT.—There is established in the
3 Department of State a Bureau of Counterterrorism (in
4 this section referred to as the "Bureau").

5 (b) HEAD OF THE BUREAU.—The head of the Bu-
6 reau shall be an Assistant Secretary of State for
7 Counterterrorism.

8 (c) RESPONSIBILITIES.—The Bureau shall be respon-
9 sible for supervision (including policy oversight of re-
10 sources), coordinating, and overseeing programs related to
11 international counterterrorism activities, including—

12 (1) providing assistance, in consultation with
13 the Bureau for International Narcotics and Law En-
14 forcement, to foreign countries in order to enhance
15 the ability of the law enforcement and security per-
16 sonnel in such countries to deter terrorists and ter-
17 rorist groups from engaging in international ter-
18 rorist acts such as bombings, kidnappings, assas-
19 sinations, hostage takings, and hijackings;

1 (2) supporting and cooperating with foreign
2 banking, regulatory, and other officials to counter
3 the financing of such terrorist acts; and
4 (3) providing assistance to foreign countries, in-
5 cluding nongovernmental organizations, to enhance
6 the ability of such countries to counter—
7 (A) violent extremist ideologies; and
8 (B) the appeal of terrorist and other ex-
9 tremist organizations.

☒

Mr. DEUTCH. Madam Chairman, this amendment would authorize a new Bureau of Counterterrorism. It is based on a recommendation of the Quadrennial Diplomacy and Development Review to elevate the position of the coordinator for counterterrorism.

Madam Chairman, when the Office of Counterterrorism was first created during the Reagan years, counterterrorism was an important yet relatively peripheral issue in the Department. That has changed dramatically in the last 20 years.

Elevating the office to a bureau accomplishes two goals: First, it strengthens the position of the coordinator, enabling that individual to serve as a more effective leader of U.S. counterterrorism activities. Statutorily, the coordinator for counterterrorism is supposed to coordinate all U.S. Government counterterrorism activities, but, in practice, it does not work that way. Creating a bureau puts the coordinator on the same footing as his colleagues at the Department of Defense and the Department of Homeland Security. It gives him a more expansive role in the State Department.

Second, converting to a bureau would have allow the coordinator to strengthen States' involvement in new, powerful counterterrorism activities, such as multilateral and bilateral diplomacy to advance U.S. counterterrorism goals, building the capacity of foreign partners to fight terror, and coordinating public diplomacy and military information support programs.

Since 9/11, we have seen the role of the Department of Defense evolve dramatically. That department now fights not only terrorists but battles the underlying conditions that lead to terror. The Department of Defense speaks of "influencing the global environment and eroding support for extremist ideologies."

I view these as fundamental functions of the Department of State and USAID. And I view the coordinator for counterterrorism as a

point person in the Department's efforts to coordinate these activities. Just as DoD's role has changed, so, too, should that of the coordinator for counterterrorism to reflect this expanded mission.

I am aware that, although many on this committee support the counterterrorism efforts of the Department, there are concerns about establishing a new bureau. And yet I support the fundamental recommendation of the QDDR to establish a bureau and, given the imminent threats faced by the United States, want to see this bureau established as soon as practicable. For that reason, I urge my colleagues to support this amendment.

And I yield back.

Chairman ROS-LEHTINEN. Thank you very much, Mr. Deutch.

Do other members seek recognition to speak on the amendment?

Mr. Royce is recognized for 5 minutes.

Mr. ROYCE. Yes, Madam Chair. I do appreciate the gentleman's focus here on counterterrorism, but I have a couple of concerns about this amendment.

And I am not convinced that making the office of the special coordinator for counterterrorism a bureau would make its activities any more effective. I think that is the conceptual point we need to concern ourselves with. It is an office today, and it is an office because it is supposed to coordinate programs. It is not supposed to implement them. Its responsibility is to coordinate programs, which is exactly what offices do, and that is why it is an office.

And I just haven't heard enough about why we should move away from the coordinator model, which is what is suggested here. And if you think about it, also, it is the person doing the job that makes the difference when it comes to effectiveness, not the title. But the basic job here is the job of the bureau.

Now, let's take the second point. If the administration feels that this is important, then they already have the authority to create a bureau here. The problem is that they have other priorities, right? The State Department's numbers of bureaus are capped at 29, and right now they have—I think it is 27, right? Twenty-seven bureaus. They can't create a Bureau of Counterterrorism because they have given preference to creating a new Bureau for Conflict Stabilization and a new Bureau for Energy Resources. And the bottom line is, that is the administration's choice. So I would feel better about this amendment if it struck one of these new or even several of these currently existing bureaus.

But the base bill—and let's think about what we are doing with the base bill here—the base bill has a provision requiring the President to send Congress a feasibility study to eliminate duplicative bureaus and offices and positions. So the administration has already made its decision here. What we are trying to do is get more efficiency out of the bureaucracy. So let's get that information, and then we can make a better choice about where in the bureaucracy counterterrorism should be housed.

And one thing I am certain about is that the State Department does not need 30 assistant secretaries, which would be the practical result of this amendment if we do not basically reduce other bureaus at State. And, frankly, it goes against the intention of the underlying bill here, which is to get that feasibility study to elimi-

nate duplicative bureaus, offices, and positions. As I say, if the administration wanted to do this, they could do it.

So I yield back, Madam Chair.

Chairman ROS-LEHTINEN. Thank you, Mr. Royce.

Mr. Berman is recognized.

Mr. BERMAN. Thank you, Madam Chairman.

I rise in support of the amendment and yield my time to the sponsor of the amendment, the gentleman from Florida, Mr. Deutch.

Mr. DEUTCH. I thank the ranking member.

In response to the gentleman from California, three points.

First, the idea of eliminating duplicative bureaus is one that I think we can all support, but there is no suggestion that there is a duplicative bureau that deals with counterterrorism. In fact, there is no bureau that deals with counterterrorism. That is the purpose of this amendment.

Secondly, in response to the suggestion that simply changing the title won't have an effect, I would again restate that, by creating an Assistant Secretary of State for Counterterrorism, we would be putting that person at State on the same level as his counterparts at DoD and the Department of Homeland Security, exactly the position that person should hold, given the responsibilities that come with that job.

And, finally, if this is merely a problem with the number, the number of assistant secretaries, the number of bureaus as currently capped, I would gladly entertain a secondary amendment to my amendment to increase that cap by one so that we could accomplish it that way.

And I yield back.

Mr. ROYCE. Would the gentleman yield before——

Chairman ROS-LEHTINEN. Thank you, Mr. Deutch.

Mr. ROYCE [continuing]. He yields back?

Chairman ROS-LEHTINEN. Mr. Deutch, would you like to yield?

Mr. DEUTCH. Gladly. Gladly. I yield.

Mr. ROYCE. Mr. Deutch, when you were responding to my points, again, the point I was making is that it is an office, rather than a bureau, because the function here, the responsibility, is to coordinate programs. It doesn't have the function of implementing programs. It is not, in fact, a bureau. That is why it is set up that way. That is probably why the administration has not made it a bureau.

So I would just suggest that—that point I would just reiterate. And your amendment might seek, in keeping with the underlying bill, to cut the number of bureaus and then let the administration make the choice of how it wants to reorganize.

I yield.

Mr. DEUTCH. I thank the gentleman for yielding.

Reclaiming my time, I would simply point out that the role of—currently the role of coordinator, ultimately the role of Assistant Secretary, is not merely to coordinate programs but to lead the fight at State Department in the counterterrorism area.

And I would urge my colleagues to adopt the amendment.

And I yield back, Madam Chair.

Mr. CONNOLLY. Well, would the gentleman yield before he yields back?

Chairman ROS-LEHTINEN. Mr. Connolly——

Mr. DEUTCH. I would gladly yield to the gentleman from Virginia.

Mr. CONNOLLY. You know, I am struck, Mr. Deutch, by the fact that, in the culture of the State Department—and I take to heart our colleague from California, Mr. Royce's words. But, on the other hand, as a longtime observer of the State Department and somebody who used to, on the staff level, write these authorization bills in the other body, what has always struck me is that, you know, hierarchy and status, in a sense, are everything, and that by elevating counterterrorism to bureau status we have made a statement in terms of elevating the issue and insisting on more coordination and making sure that this has equal status with other functions within the State Department as opposed to sort of the stovepipe mentality that this is somebody else's assignment at the clerical level.

And it strikes me that that is really, in many ways, what you are getting at, Mr. Deutch, if I understand your amendment. Would that be correct?

Mr. DEUTCH. That is correct. That is exactly what we are getting at in this amendment.

Again, this office was created during the Reagan years. Counterterrorism was hardly—played hardly the role that it does today. That added stature that would come, as the gentleman from Virginia points out, is exactly what is necessary to put this officer on the same footing as his colleagues at Defense and Homeland Security.

Mr. CONNOLLY. And as I recall, Mr. Deutch, actually, the State Department had some issues in terms of coordination and the passing on of intelligence prior to 9/11 in terms of, frankly, monitoring al-Qaeda. And, you know, obviously, since 9/11 we have made counterterrorism a priority. But ensuring that it is enshrined as a priority for the State Department and that, hopefully, those problems of the past are no longer with us is also encompassed in the intent of your amendment.

Would that also be correct?

Mr. DEUTCH. That is correct. And I appreciate the gentleman from Virginia pointing that out.

Mr. CONNOLLY. I thank my colleague for yielding.

Chairman ROS-LEHTINEN. The gentleman yields back.

Mr. McCaul is recognized.

Mr. MCCAUL. Thank you, Madam Chair. I yield to the gentleman from California, Mr. Royce.

Chairman ROS-LEHTINEN. Mr. Royce?

Mr. ROYCE. I thank Mr. McCaul for yielding.

Well, the suggestion I was going to make to Mr. Deutch, in keeping with the legislation here, how about a secondary amendment to eliminate a bureau that already exists? You would keep it at 29. We need to make choices, but in so doing at least we keep with the intention of the legislation.

As I already reiterated, the administration could do this if it wanted to. Let us make the choice. Let's keep it at 29 but dictate the elimination of 1 bureau and put this on the list.

I think that is a credible suggestion for a secondary amendment, which you might want to consider accepting.

Chairman ROS-LEHTINEN. Mr. Deutch?

Mr. DEUTCH. I appreciate the gentleman's suggestion. I am not—this is not, I don't believe, a—this is not an issue of whether or not we have too many bureaus. This is a question of whether fighting counterterrorism deserves added importance.

Mr. ROYCE. But keep in mind that one of the things we are doing with the legislation is we are making a choice. This is about the need to make choices. If you make that choice and we do that with a secondary amendment, you can achieve your goal, even though the administration has not elevated it to that position.

I would just suggest that to you for your contemplation. It is an idea. It is not a bad one.

Chairman ROS-LEHTINEN. Mr. Deutch?

Mr. DEUTCH. And I appreciate the gentleman's suggestion. I am not prepared to engage in an evaluation of the various bureaus to determine whether one should be reduced. I believe the issue is important enough that elevating——

Mr. ROYCE. But——

Chairman ROS-LEHTINEN. Mr. Royce?

Mr. ROYCE. But returning to my time, it is an issue of making choices. Because a new bureau is going to cost money. The administration has not made that choice. If we make that choice, let's do it, but let's continue to cap it at 29. We can do that.

And let me yield to the——

Chairman ROS-LEHTINEN. Mr. Burton?

Mr. ROYCE [continuing]. Gentleman from Indiana.

Mr. BURTON. I would like to know how they came up with 29 bureaus. I mean, why is it not 25? Why is it not 35? Where did this number, 29, come? Does anybody know?

Mr. ROYCE. Well, probably for the reason—reclaiming my time—for the reason that it is not 1,000. At some point, you have to control the size of the bureaucracy because the bureaucracy becomes unwieldy. And just as we know that too many Cabinet positions creates a certain roadblock toward the ability to operate efficiently, so it is with bureaus. And there is an attempt to keep this within the confines not only of a budget but also of being able to operate effectively. You build a bureaucracy too large and you——

Mr. BURTON. Well, if the gentleman would yield further.

Mr. ROYCE. Yes.

Mr. BURTON. I am not questioning whether or not it should be 29 or 28. I was just curious about——

Mr. ROYCE. Right.

Mr. BURTON [continuing]. Where this number originated, because it seems to be stuck on 29. Was that legislated?

Mr. ROYCE. Yes. Congress authorized it, and we did it in order to keep this from proliferating to the hundreds.

Chairman ROS-LEHTINEN. The gentleman yields back.

Mr. McCaul, do you yield back?

Mr. MCCAUL. I yield back.

Chairman ROS-LEHTINEN. Does any other member seek recognition on this amendment?

If not, the clerk will call the roll.

Ms. CARROLL. Madam Chairman?

Chairman ROS-LEHTINEN. No.

Ms. CARROLL. The chairman votes no.

Mr. Smith?

Mr. SMITH. No.

Ms. CARROLL. Mr. Smith votes no.

Mr. Burton?

Mr. BURTON. No.

Ms. CARROLL. Mr. Burton votes no.

Mr. Gallegly?

[No response.]

Ms. CARROLL. Mr. Rohrabacher?

Mr. ROHRABACHER. No.

Ms. CARROLL. Mr. Rohrabacher votes no.

Mr. Manzullo?

[No response.]

Ms. CARROLL. Mr. Royce?

Mr. ROYCE. No.

Ms. CARROLL. Mr. Royce votes no.

Mr. Chabot?

Mr. CHABOT. No.

Ms. CARROLL. Mr. Chabot votes no.

Mr. Paul?

[No response.]

Ms. CARROLL. Mr. Pence?

Mr. PENCE. No.

Ms. CARROLL. Mr. Pence votes no.

Mr. Wilson?

[No response.]

Ms. CARROLL. Mr. Mack?

Mr. MACK. No.

Ms. CARROLL. Mr. Mack votes no.

Mr. Fortenberry?

Mr. FORTENBERRY. No.

Ms. CARROLL. Mr. Fortenberry votes no.

Mr. McCaul?

Mr. MCCAUL. No.

Ms. CARROLL. Mr. McCaul votes no.

Mr. Poe?

[No response.]

Ms. CARROLL. Mr. Bilirakis?

Mr. BILIRAKIS. No.

Ms. CARROLL. Mr. Bilirakis votes no.

Ms. Schmidt?

Mrs. SCHMIDT. No.

Ms. CARROLL. Ms. Schmidt votes no.

Mr. Johnson?

Mr. JOHNSON. No.

Ms. CARROLL. Mr. Johnson votes no.

Mr. Rivera?

Mr. RIVERA. No.

Ms. CARROLL. Mr. Rivera votes no.
Mr. Kelly?
Mr. KELLY. No.
Ms. CARROLL. Mr. Kelly votes no.
Mr. Griffin?
Mr. GRIFFIN. No.
Ms. CARROLL. Mr. Griffin votes no.
Mr. Marino?
Mr. MARINO. No.
Ms. CARROLL. Mr. Marino votes no.
Mr. Duncan?
Mr. DUNCAN. No.
Ms. CARROLL. Mr. Duncan votes no.
Ms. Buerkle?
Ms. BUERKLE. No.
Ms. CARROLL. Ms. Buerkle votes no.
Ms. Ellmers?
[No response.]
Ms. CARROLL. Mr. Berman?
Mr. BERMAN. Aye.
Ms. CARROLL. Mr. Berman votes aye.
Mr. Ackerman?
Mr. ACKERMAN. Aye.
Ms. CARROLL. Mr. Ackerman votes aye.
Mr. Faleomavaega?
Mr. FALEOMAVAEGA. Aye.
Ms. CARROLL. Mr. Faleomavaega votes aye.
Mr. Payne?
Mr. PAYNE. Aye.
Ms. CARROLL. Mr. Payne votes aye.
Mr. Sherman?
[No response.]
Ms. CARROLL. Mr. Engel?
[No response.]
Ms. CARROLL. Mr. Meeks?
Mr. MEEKS. Aye.
Ms. CARROLL. Mr. Meeks votes aye.
Mr. Carnahan?
Mr. CARNAHAN. Aye.
Ms. CARROLL. Mr. Carnahan votes aye.
Mr. Sires?
Mr. SIRES. Aye.
Ms. CARROLL. Mr. Sires votes aye.
Mr. Connolly?
Mr. CONNOLLY. Aye.
Ms. CARROLL. Mr. Connolly votes aye.
Mr. Deutch?
Mr. DEUTCH. Aye.
Ms. CARROLL. Mr. Deutch votes aye.
Mr. Cardoza?
Mr. CARDOZA. Aye.
Ms. CARROLL. Mr. Cardoza votes aye.
Mr. Chandler?
Mr. CHANDLER. Aye.

Ms. CARROLL. Mr. Chandler votes aye.
Mr. Higgins?
Mr. HIGGINS. Yes.
Ms. CARROLL. Mr. Higgins votes aye.
Ms. Schwartz?
Ms. SCHWARTZ. Aye.
Ms. CARROLL. Ms. Schwartz votes aye.
Mr. Murphy?
Mr. MURPHY. Aye.
Ms. CARROLL. Mr. Murphy votes aye.
Ms. Wilson?
Ms. WILSON OF FLORIDA. Aye.
Ms. CARROLL. Ms. Wilson votes aye.
Ms. Bass?
[No response.]
Ms. CARROLL. Mr. Keating?
Mr. KEATING. Aye.
Ms. CARROLL. Mr. Keating votes aye.
Mr. Cicilline?
Mr. CICILLINE. Aye.
Ms. CARROLL. Mr. Cicilline votes aye.
Chairman ROS-LEHTINEN. Have all members been recorded?
Mr. Engel?
Mr. ENGEL. Votes aye.
Ms. CARROLL. Mr. Engel votes aye.
Mr. WILSON OF SOUTH CAROLINA. Madam Chair?
Chairman ROS-LEHTINEN. Mr. Wilson?
Mr. WILSON OF SOUTH CAROLINA. I vote no.
Ms. CARROLL. Mr. Wilson votes no.
Chairman ROS-LEHTINEN. Have all members been recorded?
The clerk will report the vote.
Ms. CARROLL. Just one moment, ma'am.
Madam Chairman, on that vote there are 18 ayes and 20 noes.
Chairman ROS-LEHTINEN. The noes have it, and the question is not agreed to.
Mr. Deutch, did you have another amendment on this title?
Mr. DEUTCH. I do, Madam Chair, Amendment 29.
Chairman ROS-LEHTINEN. The clerk will report the amendment.
Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Deutch of Florida. At the end of title II, section [blank]. Report on Office of Terrorism Finance and Economic Sanctions Policy of the Department of State. (a) Report. Not later than 3 months after the date of the enactment of this act, the Secretary of State shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report on the resources and effectiveness of the Office of Terrorism Finance and Economic Sanctions Policy of the Department of State. (b) Contents——
Chairman ROS-LEHTINEN. I ask unanimous consent to dispense with the reading.
[The information referred to follows:]

AMENDMENT TO H.R. _____

OFFERED BY MR. DEUTCH OF FLORIDA

At the appropriate place in the bill, insert the following:

1 **SEC. . REPORT ON OFFICE OF TERRORISM FINANCE**
2 **AND ECONOMIC SANCTIONS POLICY OF THE**
3 **DEPARTMENT OF STATE.**

4 (a) REPORT.—Not later than three months after the
5 date of the enactment of this Act, the Secretary of State
6 shall submit to the Committee on Foreign Affairs of the
7 House of Representatives and the Committee on Foreign
8 Relations of the Senate a report on the resources and ef-
9 fectiveness of the Office of Terrorism Finance and Eco-
10 nomic Sanctions Policy of the Department of State.

11 (b) CONTENTS.—The report required under sub-
12 section (a) shall include the following:

13 (1) An assessment of how additional resources
14 would enhance the efforts of the Office of Terrorism
15 Finance and Economic Sanctions Policy has suffi-
16 cient resources to initiate, conduct, and complete in-
17 vestigations into violations of United States sanc-
18 tions policy in a timely and effective manner and
19 carry out its goals and mission.

1 (2) An assessment of the feasibility and con-
2 straints toward increasing personnel numbers or en-
3 abling short-term contracting with outside consult-
4 ants in the Office of Terrorism Finance and Eco-
5 nomic Sanctions Policy.
6 (3) An analysis of the potential impact of in-
7 creased personnel, contracting authority, and re-
8 sources for the Office of Terrorism Finance and
9 Economic Sanctions Policy on the timeframe for a
10 typical investigation's initiation, performance, con-
11 clusion, and resolution.

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Chairman ROS-LEHTINEN. The Chair reserves a point of order and recognizes the author for 5 minutes to explain the amendment. Mr. Deutch is recognized.

Mr. DEUTCH. Thank you, Madam Chairman.

It has been 1 year since Congress passed the Comprehensive Iran Sanctions, Accountability, and Divestment Act. This legislation, the most robust sanctions package to date, coupled with the passage of U.N. Security Council Resolution 1929 and a newly strengthened sanctions package from the European Union, gave us the tools to create a targeted international sanctions regime aimed at bringing maximum economic pressure on the Iranian regime to halt its illicit nuclear program.

In the year since the President signed CISADA into law, the Iranian regime has continued to advance its nuclear weapons program, with the latest report from the IAEA identifying possible military dimensions to the Iranian program and plans to triple highly enriched uranium production. In addition to its flagrant violation of international nuclear nonproliferation laws and sanctions policy, the regime has continued to be the leading sponsor of terrorist organizations like Hezbollah and Islamic Jihad.

For the past year, members of this committee, including the chairman and ranking member, both of whom have been so committed to this issue, have lamented over the lack of implementation and enforcement of CISADA. We have questioned countless witnesses about the lack of sanctions on major energy companies and the seemingly slow progress of investigations. We have cited news

reports of developing deals and new investments in the Iranian energy sector and wonder why no determinations were made and sanctions imposed.

Madam Chairman, in a subcommittee hearing just weeks ago, the Director of the Office of Terrorism Finance and Economic Sanctions Policy, the office within the State Department charged with initiating and conducting investigations into sanctions violations, sat before many of us on this full committee and confirmed that his office has three and a half full-time staff devoted to these efforts—three and a half full-time staffers to determine the validity of thousands of news reports, documents, and statements about the thousands of energy firms potentially operating or looking to operate in Iran. Many Members of Congress, Madam Chairman, have five times as many staff members.

As we look to pass new legislation in the coming months that would further tighten our existing sanctions policy, we must make sure the United States Government has the necessary resources to properly execute these laws. This amendment requires that a report be issued on the ability of the Office of Terrorism Finance and Economic Sanctions Policy to effectively carry out its duties given its current resources. It will provide an assessments of how additional resources would enhance the efforts of the office, and it will also address what has continued to be a troubling issue for many of us—the pace of investigations—by providing an analysis of the potential impact of increased personnel, contracting authority, and resources for the Office of Terrorism Finance and Economic Sanctions Policy on the timeframe for a typical investigation's initiation, performance, conclusion, and resolution.

If we are serious about stopping the threat to national and international security posed by a nuclear-armed Iran, then we must not only continue to create the most stringent framework of targeted, biting sanctions, but we must ensure that we are providing the necessary tools to implement and enforce these laws to their fullest extent.

Madam Chairman, this is a de minimis report that would not be scored by the CBO. Any cost can be offset by the repeals listed in section 1 of this legislation. And I urge your support of this amendment.

I thank the members, and I yield back the balance of my time.

Chairman ROS-LEHTINEN. Thank you so much, Mr. Deutch of Florida, for your amendment.

And Mr. Burton is recognized.

Mr. BURTON. Well, I see that the committee is possibly going to accept this amendment. I was just going to state that I think it makes a lot of sense.

I think Mr. Deutch is correct; if we are going to impose sanctions, we need to know when and how we are going to impose them. And we need the personnel that can study the issue and make a decision as quickly as possible.

So I think it is a good amendment.

Chairman ROS-LEHTINEN. Thank you, sir.

The gentleman yields back. Seeing no other recognition for time, then we will perhaps have a voice vote.

Yes, sir?

Mr. BURTON. I move we accept the amendment unanimously.

Chairman ROS-LEHTINEN. Thank you, sir. And I move that that be done, without objection. My magic wand.

Thank you. Yippee.

Mr. Deutch, any more amendments on title II?

Does any other member have amendments to title II of the bill?

Having no further amendments on that title, we will then proceed to title III. The clerk will designate the title.

And before you do so, Madam Clerk, I would like to ask unanimous consent from the members that, pursuant to rule 4, I am announcing that from 6:30 to 8 o'clock p.m., any recorded votes will be rolled until at least 8 o'clock p.m. However, debate and voice votes will continue during that time.

So recorded votes will be rolled until at least 8 o'clock, but we will continue to debate the amendments. You must be present to win. You must be present to lose. No tickee, no laundry. If you are not here, you can't present it, or you can have someone else present it for you. But we will continue with our business.

Mr. BERMAN. Reserving——

Chairman ROS-LEHTINEN. Mr. Berman is recognized.

Mr. BERMAN. I am just reserving the right to object. I don't intend to, but—so we are now starting title III. We will proceed with amendments for title III.

To the extent the amendments are considered and a roll call is requested, that process will take place at that time until 6:30. And then at 6:30, from that point on, amendments that are taken up, if a roll call is requested, that roll call will be postponed.

I thought it was going to be until 8:30. Because Georgetown is a long way from here. No——

Chairman ROS-LEHTINEN. 8:15.

Mr. BERMAN. 8:15. Okay, 8:15.

But if we finish a title during that time and a person is not here to offer their amendment, they lose their chance to offer that amendment. That is my understanding of your——

Chairman ROS-LEHTINEN. That is correct. If the gentleman would yield. Or you can have a member offer it on your behalf.

Mr. BERMAN. Just so it is not me.

Chairman ROS-LEHTINEN. So, to be clear, once again, pursuant to rule 4, I am announcing that we will not have recorded votes from 6:30 to 8:15. And we will have voice votes. And you must be present or have a friend present your amendment because we will move by section and title, and if you are not here, we are not going back in time.

So thank you. It shall be done. And with that, we were about to enter the title III, and we had the clerk designating the title.

Madam Clerk.

Ms. CARROLL. Title III—Organization and Personnel Authorities.

Chairman ROS-LEHTINEN. Are there any amendments to this title?

Mr. Fortenberry.

Mr. FORTENBERRY. I have an amendment at the desk.

Chairman ROS-LEHTINEN. The clerk will read the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Fortenberry of Nebraska. At the end of title III, insert the following: Sec-

tion 311. Diaspora Affairs. (a) Statement of Policy—it shall be the policy of the State Department Bureau of Population, Refugees, and Migration to track resettled refugee patterns, migrations, and educational and skill set accumulations in the United States with the goal of engaging new Americans for the purpose of facilitating U.S. national security, humanitarian, and economic goals in their home countries.

[The information referred to follows:]

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AMENDMENT TO H.R. ____

OFFERED BY MR. FORTENBERRY OF NEBRASKA

At the end of title III, insert the following:

SEC. 3II. DIASPORA AFFAIRS.

(a) STATEMENT OF POLICY— it shall be the policy of the State Department Bureau of Population, Refugees, and Migration to track resettled refugee patterns, migrations, and educational and skill set accumulations in the United States with the goal of engaging new Americans for the purpose of facilitating US national security, humanitarian, and economic goals in their home countries.

Chairman ROS-LEHTINEN. Thank you. The Chair reserves a point of order. The amendment is still being given out.

The Chair recognizes the author to explain the amendment, Mr. Fortenberry.

Mr. FORTENBERRY. Thank you, Madam Chair.

It is my understanding there is a point of order problem here as well as a jurisdictional issue, so I am going to withdraw the amendment momentarily, but I do want to speak to the issue since I think it is a possible idea that some of us may want to consider moving in another measure.

Madam Chair, the Nebraska delegation for about almost the last 70 years on a weekly basis, when we are all in Washington, gets together for a breakfast. And any Nebraskans who are in town can join us, and that even includes U.S. Senators. And we have a good lively discussion with our constituents. And recently a young man who was a Sudanese refugee, a new American, who actually grew up from childhood in Nebraska and went to the University of Nebraska in Omaha, came to that breakfast and told us after that referendum in Southern Sudan, he went back to the village where his family had come from and began his project of digging a well for the people there.

I say that simply because it wasn't until the registration began for the Southern Sudanese referendum earlier this year that it was realized that the largest population of Southern Sudanese refugees in the United States is in my home State of Nebraska. Many of

these refugees came to America over the years during the course of the violence in the former Sudan and were settled in communities across the country, but for various reasons, such as migratory patterns, jobs, family and tribal linkages, a vast number of refugees made their home in Nebraska.

Following the referendum until Southern Sudan's official independence on July 9th, my office learned there was not any type of focus on following the progress of new Americans, refugees, in our country.

Furthermore, as many refugees in Nebraska inquired as to how they could help their former home establish independence and work toward becoming a strong and viable nation, I learned that refugees with in-demand technical skills and educations were not being called upon to assist U.S. development and aid efforts in South Sudan.

Many refugees from other places throughout the world desire the opportunity to make a difference in their former homes when U.S. diplomacy creates the opportunity for peace and new beginnings.

This amendment would have, if we had considered it, would have made it policy of the State Department Bureau of Population, Refugees, and Migration to track resettled refugee patterns, migrations, educational and skill set accumulations in the United States with the goal of engaging these new Americans for the purpose of facilitating U.S. national security, humanitarian and economic pursuits in their former countries.

I know many refugee doctors and engineers and others with technical skills that could help in development efforts are eager to make such a difference. We should use their linguistic and educational talents, as well as cultural familiarity.

And again, I understand there is a point of order with this amendment, and I am prepared to withdraw it, but I did want to use the time to talk about what I hope could be a constructive idea that we may consider in another measure.

Thank you, Madam Chair, and I yield back my time.

Chairman ROS-LEHTINEN. Thank you.

Is the gentleman prepared to withdraw his amendment?

Mr. FORTENBERRY. I withdraw my amendment.

Chairman ROS-LEHTINEN. Thank you so much.

Are there any other amendments to this title? Does any other member have an amendment? Hearing no further amendments to this title, we will proceed to title IV.

The clerk will designate the title.

Ms. CARROLL. Title IV—Foreign Assistance.

Chairman ROS-LEHTINEN. Are there any amendments to this title?

Mr. Poe is recognized.

Mr. POE. I have an amendment at the desk.

Chairman ROS-LEHTINEN. The clerk will report the amendment.

Ms. CARROLL. Which number Mr. Poe?

Mr. POE. Number 156.

Ms. CARROLL. Number 156, amendment to H.R. 2583 offered by Mr. Poe of Texas and Mr. Duncan of South Carolina. At the end of title IV, add the following: Section 4xx. Internet Web site to make publicly available comprehensive, timely, comparable, and ac-

cessible information on United States foreign assistance programs. (a) Establishment; Publication and Updates. Not later than 2 years after the date of the enactment of this act, the President shall establish and maintain an Internet Web site to make publicly available comprehensive, timely, comparable, and accessible information on United States foreign assistance programs. The head of each Federal department or agency that administers such programs shall on a regular basis publish and update on the Web site such information with respect to the programs of the department or agency.——

Chairman ROS-LEHTINEN. Unanimous consent to dispense with the reading.

[The information referred to follows:]

AMENDMENT TO H.R. __

OFFERED BY MR. POE OF TEXAS AND MR. DUNCAN OF SOUTH CAROLINA

(Foreign Relations Authorization Act, Fiscal Year 2012)

At the end of title IV, add the following:

1 **SEC. 4xx. INTERNET WEBSITE TO MAKE PUBLICLY AVAIL-**
2 **ABLE COMPREHENSIVE, TIMELY, COM-**
3 **PARABLE, AND ACCESSIBLE INFORMATION**
4 **ON UNITED STATES FOREIGN ASSISTANCE**
5 **PROGRAMS.**

6 (a) ESTABLISHMENT; PUBLICATION AND UP-
7 DATES.—Not later than 2 years after the date of the en-
8 actment of this Act, the President shall establish and
9 maintain an Internet website to make publicly available
10 comprehensive, timely, comparable, and accessible infor-
11 mation on United States foreign assistance programs. The
12 head of each Federal department or agency that admin-
13 isters such programs shall on a regular basis publish and
14 update on the website such information with respect to
15 the programs of the department or agency.

16 (b) MATTERS TO BE INCLUDED.—

1 (1) IN GENERAL.—Such information shall be
2 published on a detailed program-by-program basis
3 and country-by-country basis.
4 (2) TYPES OF INFORMATION.—To ensure trans-
5 parency, accountability, and effectiveness of United
6 States foreign assistance programs, the information
7 shall include country assistance strategies, annual
8 budget documents, congressional budget justifica-
9 tions, and reports and evaluations for such programs
10 and projects under such programs. Each type of in-
11 formation described in this paragraph shall be pub-
12 lished on the website not later than 30 days after
13 the date of issuance of the information and shall be
14 continuously updated.
15 (c) SCOPE OF INFORMATION.—The website shall con-
16 tain such information relating to the current fiscal year
17 and the immediately preceding 5 fiscal years. The website
18 shall also contain a link to a searchable database available
19 to the public containing such information relating to fiscal
20 years prior to such immediately preceding 5 fiscal years.
21 (d) FORM.—Such information shall be published on
22 the website in unclassified form. Any information deter-
23 mined to be classified information may be submitted to

1 Congress in classified form and an unclassified summary

2 of such information shall be published on the website.

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Chairman ROS-LEHTINEN. I think all the members now have a copy of the amendment offered by Mr. Poe of Texas and Mr. Duncan of South Carolina.

Mr. Poe is recognized for 5 minutes to explain his amendment.

Mr. POE. Thank you, Madam Chair.

I am honored to introduce this with my good friend from South Carolina, Mr. Duncan. This amendment is a transparency amendment. It requires the President to post all foreign aid programs online. In January of this year, January 11, USAID launched the Foreign Assistance Dashboard, a public online resource that allows users to examine, research and track government foreign assistance investments in an accessible and easy-to-understand format. But USAID itself said the site is incomplete and only includes programs from two of the 25 Federal agencies that administer aid and no performance metrics posted for any foreign aid program.

In a recent study by the Brookings Institute and the Center for Global Development, the United States ranked 22nd out of 31 countries when it came to transparency in foreign aid programs. There are hundreds of foreign aid programs run by the United States, but without transparency, there is no accountability.

This amendment is a simple amendment, and with the amendment, everyone from someone cooking dinner in the kitchen table to the independent watchdog investigator can know where our foreign aid is going and what it is accomplishing or what it is not accomplishing.

And I will yield back the balance of my time.

Chairman ROS-LEHTINEN. Thank you so much, Mr. Poe, for yielding back. Do other members wish to be heard on Mr. Poe and Mr. Duncan's amendment?

Mr. DUNCAN. Madam Chairman.

Chairman ROS-LEHTINEN. Mr. Duncan.

Thank you.

Mr. DUNCAN. Thank you, Madam Chairman.

This is a simple issue of transparency. I think the American people deserve to know how their tax dollars are being spent. So I strongly believe in the need for more transparency in reporting standards.

We have so many Federal agencies that give foreign assistance, and both the American people and policy makers need a uniform standard by which to determine whether our foreign assistance is effective.

I believe this amendment will help us better determine what programs are working, what programs need tweaking and really what

programs need to be cut out altogether. We are $14 trillion in debt, but part of the problem with foreign assistance is that American taxpayers do not have a way to monitor how Federal agencies use the funds they receive from the government. It is difficult to know exactly where the money is going and determine whether or not it is being used effectively in our national interests. Large percentages of U.S. foreign assistance are being used to pay administrative costs at organizations and companies who deliver U.S. foreign assistance.

President Obama has said Western consultants and administrative costs end up gobbling up huge percentages of our aid overall. That was in a July 2, 2009 interview.

And so I urge the passage of this amendment, and let's give real transparency to the American people about how their tax dollars are being spent.

Chairman ROS-LEHTINEN. Thank you.

And Mr. Berman is recognized for 5 minutes.

Mr. BERMAN. Thank you, Madam Chairman, and I rise in support of this amendment. This is one of several good Poe amendments.

I may have a different view on other amendments, but this is one of the important issues I think in a reform of our foreign assistance program, and that is improving transparency. I urge my colleagues to support the amendment.

Chairman ROS-LEHTINEN. The gentleman yields back.

Mrs. Ellmers is recognized.

Mrs. ELLMERS. Thank you, Madam Chairman.

I would just like to congratulate my colleagues, Mr. Poe and Mr. Duncan, on this great amendment. I think at a time now, as we have all discussed, in the economic stance that we are in right now, this is just a perfect way of our being able to track the moneys that are being responsibilities.

We have all discussed many times here today that with foreign aid and U.N. funds, that there are inefficiencies that exist and we acknowledge that. And this would be one of those great ways that we could watch and see with our own eyes through the Web site or through a Web site how these things are being spent. The transparency and accountability would be a great improvement.

And again, I thank my colleagues.

And I yield back, Madam Chairman.

Chairman ROS-LEHTINEN. Thank you.

And seeing no further requests for recognition, the question occurs on the amendment.

All those in favor, signify by saying aye.

Opposed, no.

In the opinion of the Chair, the ayes have it and the amendment is agreed to.

Mr. Berman is recognized for an amendment.

Mr. BERMAN. Yes, Madam Chairman, amendment 042 is at the desk.

Chairman ROS-LEHTINEN. The clerk will report the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Berman of California. Page 27, strike line 7 and all that follows through page 28, line 17, and insert the following: (a) Findings. Congress

finds the following: (1) In an increasing interdependent world, the health, prosperity, freedom, and security of the people of the United States are strengthened when the people of all countries can enjoy these same advantages; (2) United States foreign assistance should be designed to build the capacity of other countries to meet the needs of their people and to conduct themselves responsibly in the international system; (3) Foreign assistance is not only a reflection of the values, generosity, and goodwill of the people of the United States, but also an essential means for achieving the United States foreign policy, economic, and national security objectives.

(b) Statement of Policy. It is the policy of the United States to help build and sustain an international community composed of states that meet basic human needs, resolve conflicts peacefully, respect fundamental freedoms, cooperate to address issues that transcend national boundaries, use wisely the world's limited resources in a sustainable manner, and work toward the achievement of economic well-being for all people.

(c) Goals and Assistance. United States foreign assistance should be designed to achieve the following interrelated and mutually-reinforcing goals: (1) Reduce global poverty and alleviate human suffering. (2) Advance peace and mitigate crises. (3) Support human rights and democracy. (4) Build and reinforce strategic partnerships. (5) Combat transnational threats. (6) Sustain global environment. (7) Expand prosperity through trade and investment.

[The information referred to follows:]

AMENDMENT TO H.R. ____

OFFERED BY MR. BERMAN OF CALIFORNIA

(Foreign Relations Authorization Act, Fiscal Year 2012)

Page 27, strike line 7 and all that follows through page 28, line 17, and insert the following:

1 (a) FINDINGS.—Congress finds the following:
2 (1) In an increasingly interdependent world, the
3 health, prosperity, freedom, and security of the peo-
4 ple of the United States are strengthened when the
5 people of all countries can enjoy these same advan-
6 tages.
7 (2) United States foreign assistance should be
8 designed to help build the capacity of other countries
9 to meet the needs of their people and to conduct
10 themselves responsibly in the international system.
11 (3) Foreign assistance is not only a reflection of
12 the values, generosity, and goodwill of the people of
13 the United States, but also an essential means for
14 achieving United States foreign policy, economic,
15 and national security objectives.
16 (b) STATEMENT OF POLICY.—It is the policy of the
17 United States to help build and sustain an international
18 community composed of states that meet basic human

1 needs, resolve conflicts peacefully, respect fundamental
2 freedoms, cooperate to address issues that transcend na-
3 tional boundaries, use wisely the world's limited resources
4 in a sustainable manner, and work toward the achieve-
5 ment of economic well-being for all people.
6 (c) GOALS OF ASSISTANCE.—United States foreign
7 assistance should be designed to achieve the following
8 interrelated and mutually-reinforcing goals:
9 (1) Reduce global poverty and alleviate human
10 suffering.
11 (2) Advance peace and mitigate crises.
12 (3) Support human rights and democracy.
13 (4) Build and reinforce strategic partnerships.
14 (5) Combat transnational threats.
15 (6) Sustain the global environment.
16 (7) Expand prosperity through trade and in-
17 vestment.

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Chairman ROS-LEHTINEN. Thank you.

Mr. Berman is recognized for 5 minutes to explain the amendment.

Mr. BERMAN. Well thank you very much, Madam Chairman.

This is one of the unfortunate aspects of not knowing that we would be doing a foreign assistance title until Saturday night. I think we might have been able to work through a lot of these things, but I would ask both the chairman and my colleagues on the other side of the aisle to take a look at this because this is not a got-you amendment. This is not an effort to make some political point. It is a statement that deals with what the goals of United States assistance should be.

This relates to title IV, foreign assistance. Foreign assistance is a very broad topic. It doesn't just mean development assistance. The Foreign Assistance Act of 1961 covers everything from foreign military sales to antiterrorism assistance, nonproliferation and export-control assistance, international narcotics control, humanitarian and disaster assistance, democracy and human rights programs, OPIC, the Trade and Development Agency and a number of other accounts and programs. The whole annual foreign operations appropriation bill also covers all these areas.

Now if you look at the base text of the bill, there is a fine statement in section 401, but it is a very narrow and constrained view of the goals of foreign assistance. I agree with every word in there, but it fails to deal with the large sweep of what foreign assistance is all about.

So when we are talking about the goals of United States assistance, they ought to be very broad goals; things like supporting human rights and democracy, advancing peace and mitigating crises, reducing global poverty and alleviating human suffering. Even if section 401 were only referring to development assistance, it is still extremely narrow in its conception. Development assistance seeks to promote food security, advance health, expand education, improve access to clean water and sanitation, foster equal opportunities for women and so forth.

To rectify this problem, I am proposing a simple substitute that lays out a few broad findings about the reasons for providing foreign assistance, makes a general policy statement and lists seven overall goals of assistance, including the ones mentioned specifically in the base bill.

For example, "build and reinforce strategic partnerships" covers things like maintaining Israel's qualitative military edge. There are a lot of provisions in this legislation that are doing it. This is not just development assistance. There is, as I mentioned before, a whole variety of types of assistance. "Combat transnational threats" would encompass programs like counternarcotics, counterterrorism, and counterproliferation.

I look forward to having a debate some time when we can begin considering a complete overhaul of our foreign assistance program. But I would ask my colleagues, I think these fit better as the goals of our foreign assistance program and would ask you to seriously consider supporting this amendment, even though I am the author of it. And again, it is just a more overarching perspective on what our goals are, qualitative military edge for Israel is not about pub-

lic-private partnerships to produce economic development. It is about something else. It is important. We want to do it; counterproliferation, counterterrorism, and counternarcotics. Yes, I am a full subscriber to the notion that the true way to sustainable growth and stability is through private partnerships in the economic sphere, as well as trade, investment, and developing the private sector of these countries. But it is not the only thing.

And so, with that, I will yield back the balance of my time and ask you to consider supporting this amendment.

Chairman ROS-LEHTINEN. Thank you, Mr. Berman yields.

Mr. Smith is recognized.

Mr. SMITH. Thank you very much.

I would like to ask my good friend from California, on page 2, where it says, "respect fundamental freedoms," would he be willing to substitute "fundamental freedoms," which are not defined, to "basic human rights," which have clear definition in international fora, human rights treaties and the like? Universal Declaration of Human Rights and all the other treaties that have been passed and ratified by the United States have clear definitions. I don't know what "fundamental freedom" means.

Chairman ROS-LEHTINEN. Mr. Smith would like to know.

Mr. BERMAN. So the gentleman yields to me?

Mr. SMITH OF NEW JERSEY. Yes.

Mr. BERMAN. You are suggesting a more precise and definable term is "fundamental human rights" rather than "fundamental freedoms"?

Mr. SMITH. That is correct. I think it strengthens it. There is a——

Mr. BERMAN. I am not sure I understand why you say that, but on good faith, I am willing to accept your suggestion if you think that might motivate you to be supportive of what we are trying to do.

Mr. SMITH. It will.

Mr. BERMAN. In that case, I would ask unanimous consent, if I might, on your time to amend my amendment to substitute "fundamental human rights" for "fundamental freedoms."

Chairman ROS-LEHTINEN. If the gentleman would yield, Mr. Berman, would you consider using your amendment as an addition to the base text rather than in lieu of the base text which we have, and our staff can work on the proper wording so that you don't have two sections of findings but rather blend them together? Because at first blush, I would say that it does not appear to do any harm, but I would feel more comfortable, having just been handed this to——

Mr. BERMAN. Would the gentlelady yield?

Chairman ROS-LEHTINEN. It is your time.

Mr. SMITH. I yield to Mr. Berman.

Mr. BERMAN. If I could make one slight amendment to your suggestion, because I think it is appropriate we start with the broader, overarching, now amended goals and then include exactly as you have it, your findings and policy statement. Because it makes more sense to do the more overarching one first and then get specifically into your quotes regarding the help to enhance lives of poor people and those specific provisions.

Chairman ROS-LEHTINEN. I do understand what you are saying. And I would be fine with it. I think our side would be fine with it. Mr. Smith would like to have that change and——

Mr. SMITH. Mr. Berman asked unanimous consent so I think that——

Mr. BERMAN. I would seek unanimous consent to substitute on page——

Chairman ROS-LEHTINEN. Page 27.

Mr. BERMAN. But on the amendment, page——

Chairman ROS-LEHTINEN. Page 2, line 6, Goals of Assistance. No. 3, support human rights and democracy.

Mr. BERMAN. Respect fundamental freedom, respect fundamental human rights, and if I could add to that unanimous consent that, instead of as a substitute for the base text, this provision become the first part of the base text.

Chairman ROS-LEHTINEN. And I think the staff understands the changes that we are making. And I assure our side of the aisle that it is not a huge change and tracks our line of thinking on the bill and on the findings and on the goals of foreign assistance.

With that understanding, I know that our staff will work on any technical changes and if the gentleman would kindly withdraw his amendment for just a little while, while we redraft it so that everyone is clear on what we are about to vote on. And then we will move on to the next amendment, but we will redraft it. Would that be all right with the gentleman?

Mr. BERMAN. That is fine.

Chairman ROS-LEHTINEN. Thank you.

Mr. Mack is recognized.

Mr. MACK. Thank you and I—just to, I guess inquiry, so it says here that the United States' foreign assistance should be designed to help build the capacity of other countries to meet the needs of their people and to conduct themselves responsibly in the international system. Shouldn't the purpose of foreign assistance be to meet the needs of and the goals of the U.S., of the people of the U.S., of the United States?

Mr. BERMAN. It is my firm, firm belief, if I may respond, that it is——

Chairman ROS-LEHTINEN. The gentleman is recognized.

Mr. BERMAN. By seeking to achieve those goals, that we serve the interests of the American people in reducing the consequences of conflict, extreme poverty, natural disasters, refugee flows, those all serve American interests. By definition, I believe this is on behalf of the American people. Otherwise, how could I support foreign assistance?

So I take your point, but I think that is assumed in the whole fabric of our foreign assistance program; there is no point to doing this with taxpayer money unless we think we are serving the interests of our constituents. I am not——

Chairman ROS-LEHTINEN. At this point, Mr. Mack, we only have a few seconds, we will rework this amendment. We will keep that in consideration, and we will come back to the committee with a revised amendment.

Mr. BERMAN. I would ask unanimous consent to withdraw without prejudice.

Chairman ROS-LEHTINEN. Consider it done. Thank you.

Any other amendments to this title? Do we have any other members have an amendment? Mr. Manzullo.

Mr. MANZULLO. Madam Chair, I have an amendment at the desk.

Chairman ROS-LEHTINEN. The clerk will report the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Manzullo of Illinois. At the appropriate place in the bill insert the following: Section [blank]. Prohibition on funding for Development Innovation Ventures (DIV) program. (a) Prohibition. No funds available to the United States Agency for International Development (USAID) may be used to carry out the Development Innovation Ventures (DIV) program or any successor program. (b) Effective Date. This section shall take effect on the date of the enactment of this act and shall apply with respect to funds available to USAID for the DIV program or any successor program that are unobligated on or after such date of enactment.

[The information referred to follows:]

AMENDMENT TO H.R.

OFFERED BY MR. MANZULLO OF ILLINOIS

(Foreign Relations Authorization Act, Fiscal Year 2012)

At the appropriate place in the bill, insert the following:

1 **SEC. . PROHIBITION ON FUNDING FOR DEVELOPMENT**
2 **INNOVATION VENTURES (DIV) PROGRAM.**

3 (a) PROHIBITION.—No funds available to the United
4 States Agency for International Development (USAID)
5 may be used to carry out the Development Innovation
6 Ventures (DIV) program or any successor program.

7 (b) EFFECTIVE DATE.—This section shall take effect
8 on the date of the enactment of this Act and shall apply
9 with respect to funds available to USAID for the DIV pro-
10 gram or any successor program that are unobligated on
11 or after such date of enactment.

Chairman ROS-LEHTINEN. We are still handing the amendment out.

Mr. Manzullo is recognized for 5 minutes as the author to explain his amendment.

Mr. MANZULLO. Thank you, Madam Chair.

This amendment is narrowly focused on eliminating a truly duplicative and wasteful program at the U.S. Agency for International Development. The Development Innovation Ventures (DIV) program, created only last year, provides grants up to $6 million to conduct research and development activities that "promote development outcomes." Recipients of these grants could be foreign governments or domestic or foreign individuals, companies, or

NGOs. A recipient may end up using the money to develop a product in the U.S., even if that product is never used for a foreign aid purpose. The program adds at least 10 new employees to the Federal payroll in 2012, and it adds more than $30 million a year to the deficit.

Research conducted by my office shows that this program duplicates existing work by the Energy Department, NIH, Defense Department, and the private sector. Creating new government programs, particularly under current fiscal conditions, must occur only as a last resort. DIV fails this basic test. It does nothing to promote economic recovery in the U.S., create jobs or even boost national security.

Furthermore, it is questionable whether DIV will even help improve the livelihood of those in the developing world. The President's fiscal commission criticized the creation of more programs among multiple agencies to address the same concerns. DIV currently funds a variety of projects with questionable outcomes, such as a grant to develop an affordable hydrogen fuel cell bicycle called the E-bike. The technology behind the E-bike already exists and has a number of private-sector investors, including large multinational corporations. When that bike is developed, we have no guarantee it is even going to end up overseas. The money goes to a domestic inventor and company. The American Recovery and Reinvestment Act of 2009 appropriated $41.9 million to the Department of Energy for hydrogen fuel research, including miniaturization and portability applications.

Other projects supported by DIV include a $99,992 grant to study the effectiveness of using cell phones to monitor election results in foreign countries and a $173,000 grant to study the use of smart phone technology to combat absenteeism in health care in India.

According to USAID, the DIV program provides grants in three separate stages: Stage one is $100,000; stage two, up to $1 million; and believe it or not, stage three projects are funded up to $15 million. These are peer grants. Thus, a project like the E-bike can receive $15 million of Federal funding, regardless of the fact that the Energy Department is funding an almost identical program.

Let me read to you from the official publication of some of the programs that DIV puts on. It says DIV funding will also support, and I am reading from the State Department bulletin,

> "USAID innovation fellows and innovation solution-seeking sessions. Professor Mike Kremer of Harvard's economic department has been recruited as the first innovation fellow and scientific director of DIV. Innovation conferences will bring together development experts from academia, the private sector and USAID to brainstorm and develop innovative ideas for potential seed funding and scaling up of critical innovations."

It is interesting that the next program in their bulletin is the science and technology program that spends an additional $22 million.

Madam Chair, we are at a point in America today where we don't need additional programs. If the members would take a look at the handout that we passed out with the red ribbon across the top, you will see the duplicative programs that USAID is funding

under this program. We need to strike it. I spoke with the Director of USAID. He is a very nice fellow, but as I examine the programs, many of these, if not most, have absolutely no relationship to the foreign aid purpose that the taxpayers pay so heavily in this country.

Chairman ROS-LEHTINEN. Mr. Manzullo yields back.

Do any members seek recognition on this amendment?

Mr. Berman is recognized.

Mr. BERMAN. Madam Chairwoman, I rise in opposition to the amendment.

Innovative technology is exactly the kind of thing we want to encourage USAID to be investing in. This is a program that helps U.S. companies and creates U.S. jobs. While it is not restricted to American applicants, Development and Innovation Ventures' first round of grants went to U.S. firms and organizations located all around the country. There is all this new technology out there that could be harnessed to make game-changing breakthroughs so that we can save money and improve results.

Do we really want to be opposing an innovative idea to do things better with new technologies than we have done? Think back to the green revolution. It didn't come out of thin air. One of the great advances based on innovative technology happened because agencies like USAID were out there investing in research and development that was specifically designed to address development challenges.

That is what this program is for. It is a small amount of money and not new money. The gentleman, whom you praise, the new Director of USAID, has reallocated $30 million from existing USAID resources. They are taking steps to make sure this program does not duplicate R&D programs in other agencies. They are very sensitive to the notion that we don't want to spend our scarce resources at USAID on duplicative work. They are requiring all applicants to specify whether they are receiving other U.S. Government funds, and they are including experts from other U.S. Government agencies on the grant review panels.

We have an administrator over there who I believe is really trying to shake things up and try new approaches and get more results. This is sort of the kind of program we should be encouraging. So I would urge my colleagues to oppose the amendment.

I yield back.

Chairman ROS-LEHTINEN. The gentleman yields back.

Mr. Duncan is recognized.

No. I meant Mr. Griffin.

Mr. GRIFFIN. Thank you, Madam Chair.

I support this amendment. As I look across the government, I see report after report, particularly GAO reports, that detail duplicative programs. I don't have any evidence that this is a bad program; that is not the issue. The issue is what in the heck is USAID doing with this program working on economic development and innovation? This is the type of thing that if you are going to have it, it ought to be consolidated with other programs that are similar at the Commerce Department or elsewhere.

You can look in so many different areas in this government and find programs of merit, but they are duplicated all across the gov-

ernment because each entity, each agency wants their own little program. Take workforce programs, there are something like 40 of them spread all over the government, most of them doing what the others are doing, not coordinating. They just want their own little pot of money to do their own little thing. And this is another example of this.

So I don't have any problem with the general concept. It is just that I can't figure out why USAID is the one handling this. Let's get all these things together and consolidate them and find efficiencies through the consolidation and not continue to support a program that is repeated elsewhere in every little agency. And this is just another example. So I support the amendment.

Chairman ROS-LEHTINEN. Thank you, Mr. Griffin.

How dare I confuse you with Mr. Duncan.

Terrible mistake.

I apologize, Mr. Griffin.

Do other members seek recognition?

We will go to Mr. Connolly, and we have Mr. Cicilline, and on this side, we have Mr. McCaul. Thank you.

Mr. CONNOLLY. Thank you, Madam Chairman.

I listened to my colleague, Mr. Duncan, I don't know if Mr. Duncan's visited USAID projects or NGO projects in developing countries, but the idea that the U.S. Commerce Department and its research and development efforts can be conflated with those of the Third World is sadly false. It doesn't work that way. The Department of Commerce of the United States has a different mission.

And it is not looking into new techniques to control Bilharzia. It is not looking at new techniques to help make small dirt-poor farmers upgrade their livestock capability to bring in some cash for the family. They are not looking at ways to get necessarily higher yields from certain strains of grain that grow only in certain parts of the world, mostly located in the third world.

This is a modest program. It is funded by reallocated funding. It is not adding to the deficit, despite what we heard in the presentation.

I represent a high-tech district. And I find it amazing that we would want to go—we would actually want to discourage the Agency for International Development from funding on a really seed basis some opportunities to exploit technology and innovation to save money, to actually make lives better and more productive. The green revolution didn't happen by itself. Smallpox eradication ultimately was concluded successfully because of USAID investments made in West and Central Africa that understood the difference in the phenomenon of smallpox as a disease in that part of the world versus other parts of the world. Innovation, R&D, tailored to the mission.

This is a modest program. It is an innovation of our new USAID Director. And I think it needs a little more time.

If you know anything about R&D funding at all, it takes time to see the fruits of your labor. And sometimes, yes, it means that you don't always see the fruit of your labor. Go ask NIH. Go ask CBC. It took a long time, for example, doing AIDS research, to be able to isolate the virus and to be able to then develop treatments. And it was hit and miss. There were failures along the way. But thank

God, we maintained the commitment in terms of the funding stream.

Here we are trying to have a research component on an innovative basis for USAID to try to see if there are some things we have missed. And all of the grants, by the way, went to U.S. companies, creating jobs in the United States and supporting U.S. institutions, organizations and nonprofits.

I must, unfortunately, oppose the amendment of my friend from Illinois as being penny wise and pound foolish and will never, if this succeeds, will never fully understand the missed opportunity represented.

I yield back.

Chairman ROS-LEHTINEN. Thank you.

Mr. Duncan is recognized.

Mr. DUNCAN. Thank you, Madam Chairman, I would like to yield the balance of my time to the other Mr. Duncan, who goes by Mr. Griffin.

Chairman ROS-LEHTINEN. Mr. Griffin.

Mr. GRIFFIN. Thank you, Mr. Duncan.

I would just say I am familiar with these sorts of projects when I served with the 101st Airborne Division in Mosul, Iraq. I was familiar with what USAID and the Department of Agriculture were doing in Iraq. I just got back from Afghanistan and talked with USAID and Department of Agriculture personnel there and talked with them about what they were doing.

It is interesting to me that a couple of the examples mentioned by the gentlemen on the other side are precisely the type of innovation and research that is being done at the Department of Agriculture. Sure, those aren't being done at Commerce, ones dealing with seeds and varieties of the seeds and how to better conduct agriculture in Afghanistan and around the world in developing nations. That is being done at the Department of Agriculture.

So there is duplication.

And I would also point out, it is my understanding that the seed money for this program was taken from within the budget. But, yes, they are requesting additional money, new money, this year. My understanding is that it is $30 million of new money, not money that was already in the budget.

So, yes, this program was started with money already in the budget, but now they are requesting $30 million in new money. That is what I am told by staff. Thank you.

Chairman ROS-LEHTINEN. Thank you so much.

The gentleman yields. We will have Mr. Cicilline, Mr. Cardoza, and then I hope we have a roll call vote on this amendment.

Mr. Cicilline is recognized.

Mr. CICILLINE. Thank you, Madam Chairman. And I want to first associate myself with the remarks of Ranking Member Berman.

When this initiative was launched, USAID recognized that they would really pursue market-driven solutions that really engaged the business community in developing new, creative ideas to solve some of the important issues in the developing world and that would really serve as game changers. And it seems to me that this is precisely the kind of investments we should be making in innovation, in ensuring that taxpayer resources are most effectively

being used and are most impactful. And I think the agency has gone to great pains to really separate out the research and development function and instead focus on applied innovation, to take these developed ideas and figure out how they can be used in ways that address development challenges more cheaply and more effectively.

This is precisely the kind of innovation we should be expecting and supporting in every area of government to develop new innovations to use taxpayer resources more effectively, to have a greater impact and to solve some of the great challenges of our time.

Some of the examples in this first round of funding was a grant for $100,000 that could reduce the cost of a lifesaving maternal medical test by 99 percent. Another grant was for a portable clean low-cost hydrogen-based energy source with a range of potential applications in the developing world. Those are just two examples.

So I think the notion that we would want to send a message that we don't support and are willing to not invest in innovation in this developing work, it seems to me is the wrong message. We ought to be encouraging and nurturing that kind of investment and innovation because it will ultimately make the cost of our investment less and much more impactful.

We are living in an innovation economy. We are living in a time when that is how we are creating jobs, that is how we are solving the big challenges of the 21st century. This should be applauded. It should be supported.

Mr. BERMAN. Would the gentleman yield?

Mr. CICILLINE. Certainly.

Mr. BERMAN. I thank the gentleman for yielding.

And I would like to say to my colleague, Mr. Griffin, that if this amendment were to pass, neither the deficit nor the USAID budget would be reduced by $30 million. It goes back to programs that the administration of USAID, who is lauded by the members on the other side for his talents and his abilities and his intentions in his new position as administrator, it goes back to programs that he thought were less valuable for the foreign assistance programs than this program. So we are taking something, where I have not heard yet an example of duplicative work, I have heard the possibility of duplication—I know that ARPA does things and Commerce does things. They all have different goals. But this does not in any way bring down the authorization.

And I yield back to Mr. Cicilline.

Chairman ROS-LEHTINEN. Mr. Cicilline, there was someone who sought time?

Mr. MANZULLO. Would the gentleman yield?

Mr. CICILLINE. Certainly.

Chairman ROS-LEHTINEN. Mr. Manzullo.

Mr. MANZULLO. The answer, if you look at this page that I handed out with the orange on the top, it shows about eight of the programs that are being funded on the left, and on the right, it shows the same programs being funded by other Federal agencies.

Mr. BERMAN. I don't have what you handed out.

Mr. MANZULLO. Thank you.

Mr. CICILLINE. Reclaiming my time. I will yield to Mr. Berman.

Chairman ROS-LEHTINEN. Mr. Berman.

Mr. BERMAN. I don't know what you are handing out. All I know is there is nothing about your amendment that will reduce the authorization, and maybe I shouldn't have said that because now you will do it. But the fact is what you are doing saying something that the Director thought made more sense with the resources he had, you are going to wipe out so that he can instead do things he thought were less valuable with those resources. That doesn't make a lot of sense to me.

Mr. CICILLINE. I yield back the balance of my time.

Chairman ROS-LEHTINEN. The gentlemen yields back.

Mr. Rohrabacher.

Mr. ROHRABACHER. Thank you very much.

I rise in support of the amendment, and the author has just indicated if you look at what he is presenting, the duplicative nature of this. And what I might add, let's just go to the very fundamental of what we are trying to decide.

This, I believe, is a USAID budget that we are talking about here, and not the budget of a Department of Energy or Department of Commerce, which has specific responsibilities of making decisions about developing new technologies.

Now certainly people who are engaged in foreign aid need to have technology that they can buy. But why are we thinking at all that it is their job to enlist inventors and entrepreneurs in order to oversee the development of a new technology? No. They should be going on the market, getting what they do best, which is trying to manage a part of the budget rather than trying to be entrepreneurs and inventors.

This makes no sense at all, and the fact that it is already being done in other departments and agencies, it is a total waste of money.

I would now be very happy to yield the rest of my time to Mr. Manzullo.

Chairman ROS-LEHTINEN. Mr. Manzullo.

Mr. MANZULLO. Thank you.

The Hydrogen and Fuel Cells Interagency Working Group, these are the present agencies already working on this fuel cell powered bicycle. There are about 12 of them. I asked Mr. Shah, who was in my office, about this particular grant for the bicycle. He is an American innovator. He is working on the bicycle with this fuel cell. I said, "Do you have any idea what this would cost?" He said, "No." I said, "Do you have indication whether or not this will be even used overseas?" He said, "No." I said, "Then why are we spending all this money, up to $15 million, to an American inventor of this particular bicycle when there is slightly no guarantee it will even go overseas for any use overseas?" And he couldn't answer that question.

It is not the mission of USAID to be involved in research and development. Other agencies have the core knowledge and the understanding in how to use those tools. What we are saying here is if you take a look at the USAID what their mission goal is online, it says to extend a helping hand to those people overseas struggling to make a better life, recover from a disaster, or striving to live in a free and democratic country.

I can't see us spending $15 million of taxpayers' money to develop a fuel-powered bicycle is going to aid their own definition of their own mission. Thank you.

Chairman ROS-LEHTINEN. Thank you very much.

The gentleman yields back.

And Mr. Cardoza is recognized for 5 minutes.

Mr. CARDOZA. Thank you, Madam Chair.

I want to applaud Mr. Manzullo's effort with this. I think—I don't know every aspect of this program. There may be some good things in it that may end up being cut. But I want to applaud the method by which you went by these cuts.

These are specifics. These are duplicative programs that you have indicated with this orange sheet, headed sheet, and this is the way we ought to be going about doing our business. Too often in this institution, we do 2 percent cuts across the board. We do unthoughtful ways of getting at the real goals.

I want to tell a story very briefly. I know the committee is taking a lot of time, but I think it is important to applaud when things are right. I had an earmark last session where I got money to do wiretaps to take on the Mexican Mafia doing bad things in my district. They just arrested 170 people. That was a positive earmark. That was a good use of taxpayers' $250,000.

And we have eliminated all earmarks because a few folks didn't do it right. That is the unthoughtful way of going about our business as Congress.

So I am going to support your amendment, sir. I applaud you for doing it. I don't know if everything we are doing here is correct, but I think this is the right method by which we ought to be doing it.

Mr. ROHRABACHER. Would the gentleman yield?

Mr. CARDOZA. I will yield.

Mr. ROHRABACHER. Let me just note, there are some people on this side of the aisle that agree with everything you just said about earmarks. And so just know that I am very happy you just made that point.

Mr. CARDOZA. Thank you.

Chairman ROS-LEHTINEN. The gentleman yields back.

No other member seeks recognition?

Oh, Mr. Sires, I apologize.

Mr. SIRES. Thank you, Madam Chair.

Chairman ROS-LEHTINEN. It is so easy to overlook you; you are so small.

Mr. SIRES. I will yield to my colleague from Virginia.

Chairman ROS-LEHTINEN. Mr. Connolly.

Mr. CONNOLLY. I thank the gentleman.

I just want to say, Madam Chairman, I am glad our friend from Illinois actually said, "USAID should not be in the business of R&D." I couldn't disagree more fundamentally.

As somebody who has worked with the agency and used to authorize its legislation in the other body, that is just now not how it works. The idea that you can just readily go off the shelf in the marketplace and purchase that which has been developed in technology and R&D unspecialized for the unique needs on the field is false. I wish it were that simple. That is not how it works.

And having a modest capability within the agency to modify technology, to come up with new R&D, like oral rehydration therapy, for example, that saves tens of millions of children from a cruel and bitter death, up to the green revolution, is simply false and sadly turning our back on how science works, which seems to be a phenomenon increasingly experienced in this Congress.

So I respect my colleague from Illinois. I know they are desperate to find examples of saving money. This one, in my view, will not save money, will eventually cost money, will cost the United States a critical capability and who knows what future improvements in R&D and technology might have been achieved but for this investment, a modest investment.

Mr. ROHRABACHER. Would the gentleman yield for a question?

Chairman ROS-LEHTINEN. Mr. Sires, would you yield to Mr. Rohrabacher?

Mr. SIRES. My pleasure.

Mr. ROHRABACHER. Mr. Connolly.

Mr. CONNOLLY. Mr. Rohrabacher.

Mr. ROHRABACHER. You talked about your experience, could you tell us why it is more important to have some government employees at USAID instead of putting out, this is what we need, and seeing what the market will produce and then purchasing whatever is brought to them by people who are trying to make money and developing new products, rather than commissioning someone specifically to build a product?

Mr. CONNOLLY. Well, I would say to my friend, assuming Mr. Sires continues to yield——

Mr. SIRES. Yes. I yield to you.

Mr. CONNOLLY. Well, it is not an either/or proposition.

Of course, the Agency for International Development goes out to the market to look at what is out there and to see whether it is appropriate. It also, however, needs this capability, in its view, because there are large parts of the market that don't have the experience in working with developing countries and with some of the unique circumstances of geography, warfare, health issues, on and on and on but make this very difficult terrain.

And so it is not an either/or proposition. The idea that we want to wipe clean any capability of R&D at USAID, an agency that has world class experience, going back almost now 55, 60 years, unique in the world, is, to me, turning our back on science and experience at a very modest price and will prove to be penny wise and pound foolish.

With that, I yield back to my friend from California.

Chairman ROS-LEHTINEN. Mr. Sires yields back, having no further requests for recognition, the question now occurs on the amendment. A recorded vote has been requested——

Mr. FALEOMAVAEGA. Madam Chair, I ask unanimous consent that we consider the gentleman's amendment by voice vote.

Chairman ROS-LEHTINEN. He would like to have a recorded vote.

We asked your staff.

We would love a voice vote. We had asked—voice? Okay. Okay.

All those in favor, signify by saying aye.

Opposed, no.

In the opinion of the Chair, the ayes have it. And the amendment is agreed to.

Thank you.

Ms. Schwartz has an amendment at the desk.

The clerk will report the amendment.

Ms. CARROLL. Which amendment, Ms. Schwartz?

Ms. SCHWARTZ. Four.

Ms. CARROLL. Thank you.

Amendment to H.R. 2538 offered by Ms. Schwartz of Pennsylvania. In section 401(a) of the bill, add at the end the following: (4) the Millennium Challenge Corporation (MCC) effectively supports countries with a demonstrated commitment toward good governance, sound economic policies and investment on their people, hence the, "HELP Commission" report recommends a reduction of tariffs for MCC Compact-eligible countries to more closely align United States trade and development policies.

[The information referred to follows:]

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AMENDMENT TO H.R. __

OFFERED BY MS. SCHWARTZ OF PENNSYLVANIA

(Foreign Relations Authorization Act, Fiscal Year 2012)

In section 401(a) of the bill, add at the end the following:

1 (4) the Millennium Challenge Corporation
2 (MCC) effectively supports countries with a dem-
3 onstrated commitment toward good governance,
4 sound economic policies and investment on their peo-
5 ple, hence the "HELP Commission" report rec-
6 ommends a reduction of tariffs for MCC Compact-
7 eligible countries to more closely align United States
8 trade and development policies.

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Chairman ROS-LEHTINEN. The amendment is being distributed.

The Chair reserves a point of order and recognizes the author for 5 minutes to explain the amendment.

Ms. Schwartz.

Ms. SCHWARTZ. Thank you, Madam Chairman, and I hope this is actually an easy one.

Maybe we can reach sort of easy agreement on this one. What I am seeking to do is to add a statement, a recognition of some findings in a report from the health commission. And I think it is a helpful finding and recommendation for us to consider basically what this does is it highlights a provision that makes a connection between economic development and foreign assistance.

U.S. foreign assistance, as we all know, is a multipurpose—has multi purposes, including furthering America's foreign policy interests by expanding democracy and free trade, economic development as well as, of course, improving the lives health and well-being of citizens in the developing world. Increasing trade opportunities can help strengthen these ties.

MCC forms partnerships in some of the world's poorest countries, which are committed to good governance, economic freedom and investments in their citizens.

MCC provides particular countries, there are 23 of them, with grants with particular accountability and benchmarks in terms of reducing poverty through sustainable economic growth.

MCC, which was a Bush administration initiative that has been continued, and many of us who have visited some of these countries find have a really quite a powerful force in moving these very new economies economically. It is a prime example, I think, of the U.S. Government assistance that works, that is benefiting these developing countries and U.S. taxpayers.

So what I want to do is an add this additional wording you just heard as read that would suggest that for MCC compact nations that are promoting these growth opportunities and open markets and standard of living, that we recognize that the recommendation that we consider reductions in tariffs for these 23 nations that are building their economies is a good finding. I want to add it to the report—it is in the report. I want to add it to this language. I think it would be useful to consider in the future. And I hope that I would just ask for a voice vote, if we get to that point, but I would hope that my colleagues on both sides of the aisle would recognize that this is just pointing out something that could be a huge advantage to these very new economies and possibly an advantage to our Nation as well.

Chairman ROS-LEHTINEN. Thank you, Ms. Schwartz.

Before you yield, let me just tell you that this staff is just looking at the amendment to make sure that this reduction of tariffs doesn't then lead to a referral to the Ways and Means Committee. So I will recognize others to speak while they are sorting it out.

And the gentlelady yields back.

Ms. SCHWARTZ. We did—before I yield back, we tried to come up with something that would be general enough and not terribly specific, but it is a reference to a slight change in the findings but a reference to the findings that already exist, but I am happy to hear other comments.

Chairman ROS-LEHTINEN. If the gentlelady would yield, it is just because it is a jurisdiction of another committee when you talk about the reduction of tariffs.

Ms. SCHWARTZ. Having served on the Ways and Means Committee, I would certainly not want to take from their jurisdiction. I hope to go back there someday. So by all means.

Chairman ROS-LEHTINEN. I don't mind grabbing it. It is just that we are not allowed. Does anyone wish to be heard? Mr. Mack, you had some questions on the MCC itself. Perhaps this is a good opportunity for you to air that out. Mr. Mack is recognized for 5 minutes.

Mr. MACK. Thank you, Madam Chair. I guess part of the concern I have when we are dealing with the MCC is that first of all, the way that some of the compacts are determined, who gets them and who doesn't get them, are very subjective. And I will give you an example. Nicaragua, who invades Costa Rica, is allowed to have a compact with the MCC, and Honduras, who fights for and defends its democracy and freedom, is turned down based upon subjective kind of numbers. In other words, I think a lot of times the MCC can be so politicized that if we want to, let's say, punish—if our Government wants to punish Honduras because they feel like something happened there that they didn't like, they will manipulate the standards and the criteria. And what I would be concerned about with this amendment is then, in effect, if a country like Nicaragua, that invades another country like Costa Rica, gets an MCC compact, then that would also trigger tariff issues as well.

And I am just not sure that I am comfortable with moving forward with something like this as long as it continues to—until the MCC has more defined criteria on how countries and how these compacts are guaranteed.

Ms. SCHWARTZ. Would the gentleman yield?

Mr. MACK. I would be happy to yield.

Ms. SCHWARTZ. As I understand it, this would not change any of the criteria for MCC. Except for other parts of the bill, my next amendment, you might want to discuss it, because there is a suggestion in the underlying bill, which I didn't write, but the majority did, suggested use of MCC criteria. But in this situation, all I am doing is recognizing a finding in a report that is referenced in the underlying bill and adding to it the suggestion—the finding, I am just highlighting in a way a finding that suggests that at some point, there might want to be more discussion about the opportunity to enhance trade.

Mr. MACK. And reclaiming my time, I understand what it is that you are trying to do. I guess I am just trying to shine the light a little bit on the, MCC in that we see a lot of times that the State Department or others will influence the outcome of these based upon criteria that is not understandable.

In other words, a corruption charge may be put on a country that they can't point to any real corruption, but they use a subjective measurement of corruption for their political gain, outcome, if that makes any sense. And I just don't think that—you know, I think that is something, frankly, that the committee, we ought to look at, is how do we ensure that we don't get kind of this double standard where a country like Nicaragua that invades another country and

is granted an MCC compact, and then another country that fights for and defends its freedom and its democracy has an MCC compact taken away from them.

Chairman ROS-LEHTINEN. Thank you. Mr. Mack, if you would yield to me——

Mr. MACK. I would yield.

Chairman ROS-LEHTINEN. And if I could make a request of Ms. Schwartz, we are trying to work it out so that whether your amendment passes or not, it would not cause it to be dual referred. So if the gentlelady would withdraw her amendment, because your amendment actually amends the area in the bill that Mr. Berman and I are trying to work out also.

So we have got an agreement with Mr. Berman on that. If you would temporarily withdraw your amendment until we work it out with the dual jurisdiction so that yours doesn't get pulled.

Ms. SCHWARTZ. That would be very helpful. I would be happy to temporarily withdraw it.

Chairman ROS-LEHTINEN. Withdraw it. And I know we have other folks who want to speak on it, but we will hold that discussion for a little while. Now we go to Mr. Duncan, who has got an amendment at the desk.

Mr. DUNCAN. Yes, ma'am. I offer amendment number 18.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Duncan of South Carolina. At the appropriate place in the bill, insert the following: Section [blank]. Reports on financial disclosure of certain organizations and businesses that receive United States foreign assistance funding. (a) Purpose. The purpose of this section is to strengthen the capacity, transparency, and accountability of United States foreign assistance programs to steward American tax dollars wisely in effectively adopting and responding to new challenges of the 21st century. (b) Reports. The Administrator of the United States Agency for International Development shall require any organization or business that receives more than 50 percent of its funding from the United States Government under the Foreign Assistance Act of 1961 (22 U.S. Code 2151 et. sequentially) for any fiscal year to submit to the United States Agency——

Chairman ROS-LEHTINEN. Ask unanimous consent to dispense with the reading. And Mr. Duncan is recognized for 5 minutes to explain his amendment.

Mr. DUNCAN. Thank you, Madam Chairman. The problem is currently we have salaries for nonprofit USAID contractors that are not disclosed. And 501(c)(3) nonprofit agencies only have to report their CEO's pay on public tax records. We discussed transparency earlier in the Poe-Duncan amendment. And I want to take the opportunity to thank the gentleman from California, Mr. Berman, for his support of that early amendment. And this is just an effort for more transparency. This amendment requires a financial disclosure of the compensation provided to the top five employees of an organization or business that contracts with the U.S. Government to deliver U.S. foreign assistance if that organization or business receives more than 50 percent of its budget from American taxpayers. Now, this is not unprecedented. It has happened before. In 2009, Congress enacted restrictions on foreign——

Mr. FALEOMAVAEGA. Madam Chair? We don't have the same amendment.

Chairman ROS-LEHTINEN. Yes. We are going to wait there. If you would hold on a second, I think that we have gotten another amendment. Hold on a second. Because what you are explaining doesn't jive with the amendment that we have here.

Mr. DUNCAN. She read the correct one.

Ms. CARROLL. Madam Chairman, I don't think we have copies to distribute right now.

Chairman ROS-LEHTINEN. Okay. We have the Duncan of South Carolina prohibition on assistance to countries that oppose the position of the United States in the United Nations. Mr. Duncan, we do have the one on the United Nations. Do you want to offer that one now?

Mr. DUNCAN. I would be glad to. Are we in that section? I didn't want to be out of order.

Chairman ROS-LEHTINEN. We are not in that section yet? The same title, but a different section. If you don't mind, I don't want to force you, but since we have that amendment, if we could redistribute that amendment on the United Nations. And we will just take care of that. Hold on 1 second. Madam Clerk, do you understand me?

Ms. CARROLL. Yes. I just thought that was part of title VIII.

Chairman ROS-LEHTINEN. Never mind.

Ms. CARROLL. We have copies of 18 now.

Chairman ROS-LEHTINEN. That was just a tease to let them know that it is going to get really good later on. You are recognized to explain your amendment. It is being handed out.

Mr. DUNCAN. Okay. Thank you, Madam Chairman. They just got a preview of one we are going to deal with a little bit later. I ask them to go ahead and take a look at the United Nations one. We are going to talk a little bit right now about the transparency issue that I was talking about a minute ago. This amendment requires a financial disclosure of the compensation provided to the top five employees of an organization or business that contracts with the U.S. Government to deliver U.S. foreign assistance if that organization or business receives more than 50 percent of its budget from American taxpayers. This is not unprecedented. It happened before. In 2009, Congress enacted restrictions——

Chairman ROS-LEHTINEN. Hold on 1 second again.

Mr. PAYNE. Madam Chair, it seems Mr. Duncan is confused on this one again. We have something totally different.

Mr. FALEOMAVAEGA. Prohibition on assistance.

Chairman ROS-LEHTINEN. Mr. Duncan, according to you, what should your amendment say on the very top after your name?

Mr. DUNCAN. It says at the very top, "Reports on financial disclosures of certain organizations or businesses that receive United States foreign assistance funding."

Chairman ROS-LEHTINEN. That is what we have.

Mr. PAYNE. Okay. We got it now.

Chairman ROS-LEHTINEN. You got it. Okay. Let me just take 1 minute and make sure. It says, "Reports on financial disclosure of certain organizations or businesses that receive United States foreign assistance funding."

Mr. DUNCAN. That is correct.
[The information referred to follows:]

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AMENDMENT TO H.R. __

OFFERED BY MR. DUNCAN OF SOUTH CAROLINA

(Foreign Relations Authorization Act, Fiscal Year 2012)

At the appropriate place in the bill, insert the following:

1 **SEC. ___. REPORTS ON FINANCIAL DISCLOSURE OF CER-**
2 **TAIN ORGANIZATIONS AND BUSINESSES**
3 **THAT RECEIVE UNITED STATES FOREIGN AS-**
4 **SISTANCE FUNDING.**

5 (a) PURPOSE.—The purpose of this section is to
6 strengthen the capacity, transparency, and accountability
7 of United States foreign assistance programs to steward
8 American tax dollars wisely in effectively adapting and re-
9 sponding to new challenges of the 21st century.

10 (b) REPORTS.—The Administrator of the United
11 States Agency for International Development shall require
12 any organization or business that receives more than 50
13 percent of its funding from the United States Government
14 under the Foreign Assistance Act of 1961 (22 U.S.C.
15 2151 et seq.) for any fiscal year to submit to the United
16 States Agency for International Development a report that
17 contains the names and all forms of compensation paid

1 by the organization or business to the 5 most highly-com-
2 pensated employees of the organization or business.
3 (c) PUBLIC DISCLOSURE.—The Administrator of the
4 United States Agency for International Development shall
5 make the reports submitted under subsection (b) publicly
6 accessible on the website of the Agency.

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Chairman ROS-LEHTINEN. The gentleman is now recognized. If you could start again on your 5 minutes.

Mr. DUNCAN. Okay. Thank you, Madam Chairman. I apologize. We have six amendments offered today, so I understand the confusion. This is a very simple amendment. It is talking about transparency again. Like I said, it is not unprecedented. In 2009, Congress enacted restrictions on for-profit companies that received taxpayer bailouts. But today, there are no restrictions on disclosures for organizations or companies that subsist on Federal grants. All disclosures would be made publicly available on the USAID Web site. Taxpayers need assurance that most of their tax dollars will go for the foreign aid that they actually should go for.

We need a way to monitor and make sure that the tax dollars are going for the foreign aid versus inflating salaries of those contractors. And as I mentioned earlier, we discussed transparency in the Poe-Duncan amendment, and that Mr. Berman supported that earlier, I hope that he will support this one. The gentleman from Rhode Island says that taxpayer dollars need to be spent effectively. This is the way we can assure that taxpayer dollars are getting to where they are supposed to go, and that is providing the aid and not inflating salaries. And I just urge my colleagues to support this amendment.

Chairman ROS-LEHTINEN. Thank you, sir. Any members wish to be heard on the Duncan amendment? Yes, Mrs. Schmidt.

Mrs. SCHMIDT. Thank you, Madam Chairman. And I would like to thank Mr. Duncan for offering this important amendment, and urge my colleagues to support it. This amendment will increase transparency and accountability of U.S. foreign assistance dollars, particularly when being allocated to contracting firms, nongovernmental organizations, and other entities involved in U.S. foreign assistance programs. You know, a substantial amount of USAID's work in development is conducted through the establishment of contracts with numerous NGOs, businesses, and organizations. And there have been reports concerning exorbitant and disproportionate levels of salary and benefits for high level staff at organiza-

tions involved in implementing United States Government foreign aid programs.

This amendment would increase the accountability and transparency of the U.S. Government assistance funds by requiring organizations that receive more than 50 percent of its funding from the United States under the FAA to disclose the salaries and how their employees are compensated. This would allow increased and proper oversight of our public funds. And I think it is a great amendment. And I hope that everyone agrees with it and votes for it.

Chairman ROS-LEHTINEN. Thank you very much, Mrs. Schmidt. Mr. Chandler is recognized for 5 minutes.

Mr. CHANDLER. Madam Chairman, may I ask the gentleman a question? Would you yield for a question? Will you take a question?

Chairman ROS-LEHTINEN. Mr. Duncan?

Mr. CHANDLER. Why limit it to the five most highly compensated employees? Why not just have it all be transparent? Let's have a report that shows exactly what money goes to whom.

Mr. DUNCAN. I would be fine with that. This is a step in the right direction, a beginning. Top five highest paid employees would give us some indication of whether taxpayer dollars are actually getting to where they are supposed to go or whether we have inflated budgets and inflated overhead that we see in a lot of organizations where the money doesn't get to where it is supposed to go.

Mr. CHANDLER. I have a hard time understanding why you wouldn't require a report that just gives a detailed summary of all of the money and who it goes to. Just say who the money goes to, each and every employee that receives it.

Mr. DUNCAN. I would be fine with supporting that type of amendment. I believe in transparency all the way around. This was a step in the right direction to begin the transparency process. If you see what the salaries are of the top employees at an organization, independent contractors that are doing work for USAID, it would give you an indication of whether there is a problem and to look further.

Mr. CHANDLER. All right. Thank you.

Chairman ROS-LEHTINEN. Thank you. Does any member——

Mr. FALEOMAVAEGA. Would the gentleman yield?

Chairman ROS-LEHTINEN. Hold on 1 second. Yes, Mr. Faleomavaega.

Mr. FALEOMAVAEGA. I would just like to ask Mr. Duncan in terms of he made an earlier statement about inflated salaries. Is this because the administrator is given discretionary authority in terms of how these people are to be paid or is it because there is no mandate? I am just a little puzzled when you said inflated salaries. Is it because something is wrong with the system of how these people are to be paid?

Mr. DUNCAN. Well, the contracts are written, you know, basically you contract with an independent contractor to provide that foreign aid assistance. The contractor determines his budget, determines who he hires and what he pays. And if they are directing more of our taxpayer dollars to high salaries, this is just a check and balance to make sure that all that money is not going to salaries and not getting out into the field where it should go. I think everyone

in here would agree that we want our tax dollars, if we are giving it to foreign aid, we want it to go to where the rubber meets the road, and that is to meet the need. And it is not going to go to line the pockets of the independent contractor. I think this is a step in the right direction, sir.

Mr. FALEOMAVAEGA. I think your point is well taken. And I do want to associate myself with Mr. Chandler's earlier line of questioning. If we are going to do it not just for this agency, let's do it throughout the whole State Department, making sure that everybody, contract or whatever. You know what, when we had 20,000 contractors in Iraq, we are still trying to find $8 billion in cash that we are not able to account for. So I do appreciate the gentleman's concern about transparency. And this is probably one way that we ought to really get into.

But I do want to say that Mr. Chandler's point is well taken. Let's not just do it for USAID, let's do it for the entire Department of State so we can find out what happened to the $8 billion in cash that we can't account for. I thank the gentleman for yielding.

Mr. DUNCAN. Will the gentleman yield? I agree with you. I would put the check register for every government agency online. Our salaries and our MRAs are online for the American people. I think that there ought to be total transparency for the government so that the American taxpayer can go and find out where every dollar, whether it goes to the U.N., which cannot provide us any transparency on how that money is being spent, any agency, any tax dollar should be transparent so the American people knows how that money is being spent. And then they can let us know that they don't think it is being spent very wisely. We are $14 trillion in bad debt. We need to be more accountable to the taxpayer. Thank you.

Chairman ROS-LEHTINEN. The gentleman yields back. Does any other member wish to be heard on this amendment? If not, hearing no further requests for recognition, the question occurs on the amendment. All those in favor say aye. All opposed, no. In the opinion of the Chair, the ayes have it, and the amendment is agreed to.

Ms. Schwartz is recognized for another amendment that you have.

Ms. SCHWARTZ. I think this will be within our jurisdiction, but maybe a little more controversial. We'll see. I do have an amendment at the desk.

Chairman ROS-LEHTINEN. The clerk will report the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Ms. Schwartz of Pennsylvania. Strike section 407 of the bill.

Chairman ROS-LEHTINEN. We will wait a minute and make sure that we have the correct amendment. So we will suspend. While they are handed out, I would like to remind the members that pursuant to my prior announcement, after the ranking member's request, from 6:30 to 8:15 we will continue with debate and voice votes, but any recorded votes will be postponed until 8:15. Ms. Schwartz is recognized to explain her amendment.

[The information referred to follows:]

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AMENDMENT TO H.R. 2583

OFFERED BY MS. SCHWARTZ OF PENNSYLVANIA

(Foreign Relations Authorization Act, Fiscal Year 2012)

Strike section 407 of the bill.

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Ms. SCHWARTZ. Yes. This amendment would strike section 407. It is a very short section. So maybe it would be, the best explanation I will start with is just to simply read it. It basically says that there would be a prohibition on assistance to countries that fail to meet the Millennium Challenge Corporation's corruption performance indicator. And while there are some waivers and exceptions that would be allowed, actually basically allowing the President to be able to make a waiver, it is a pretty blanket statement that no countries can receive any foreign assistance if they don't meet this particular indicator under the Millennium Challenge grant.

And let me just say that I agree with the intent of what I would understand would be the intent of this section, which is to make sure that we are providing assistance to countries that are moving, you might want to even say aggressively, to eliminate corruption in their country. And many of us, again who have visited many countries, understand how it is a key element to really having a democracy that people can trust is to eliminate corruption. And for many new democracies, this is a major issue as they take over from dictatorships in particular.

There are, however, some real problems with using this particular indicator. Under MCC, the corruption indicator has several provisions I just want to point out that I think would eliminate some countries we would not want to stop foreign aid to. And I will just mention a few of them. One of them is Afghanistan. Another one is Armenia. There is Haiti, Honduras, Kosovo, just to name a few. Basically, what the standard calls for under MCC, which would now be applied broadly as I understand reading this section, and that may not have been what was intended, but this is what it says, is that it would prohibit any aid to government. And for many of these countries, this is a big problem.

For example, if we want to provide foreign aid to train teachers, well, teachers are paid by the government. That would no longer

be allowed. That if they provide—if we want to provide aid to health clinics and doctors that are paid by the government, that would be a part of the problem of this indicator that they judge. That if we want to support clean water and sanitation, that that would be a part of the indicator, and that would be a problem. So again, countries like Afghanistan, where our assistance is really working to build a capacity within government to do exactly these functions, this would actually be a problem because it would affect the corruption indicator, as I understand it.

So let me also say that the indicator, this is, I think, the one that really is even the most problematic, does basically say that any country that is below the median is not fighting corruption enough. They can no longer meet the criteria. So that means even if they are doing a pretty good job, that means that half the countries would be eliminated just because median means that half of the countries fail. Half are below the median and half are above the median, so half would fail and no longer be able to get foreign assistance from the United States. And I am not quite sure.

Mr. CONNOLLY. Would my colleague yield for a question?

Ms. SCHWARTZ. Sure.

Mr. CONNOLLY. Would one of those countries, for example, be Haiti?

Ms. SCHWARTZ. Yes. As I understand. Let me look.

Mr. CONNOLLY. That is my understanding as well.

Ms. SCHWARTZ. Yes.

Mr. CONNOLLY. The idea that the United States would cut off aid to Haiti because of a well-intentioned but mislaid criterion I think speaks to the gentlelady's point. We can all think that these are worthy goals and values, but frankly, the implementation, the consequence of this standard, I think, would be very self-defeating for the United States. And Haiti is a great example. I yield back to my colleague.

Ms. SCHWARTZ. Just to finish this, if I may, is just to finish my point, is, again, I think that for many of us, myself included, we are deeply concerned about and want to assist nations that are fighting corruption and building their countries to do that. I think the problem here is the indicator that was used, which comes from the Millennium Challenge grant, which I just talked about liking, but in this case, to apply that to all foreign assistance, eliminate half of the nations that could receive aid from us because they fall below the median. And then, of course, if you do it another year, you are breaking the numbers of countries in half again. And if you do it the next year, you are he breaking it—I mean, at some point we reach no countries could receive foreign aid, because there are always going to be half the countries are going to fall below the median. So I think some of this is just the nature of the indicator and the way it is measured is really a problem.

Chairman ROS-LEHTINEN. Thank you. The lady's time is expired. Mrs. Schmidt is recognized.

Mrs. SCHMIDT. Thank you, Madam Chair. And while I do share the concerns of my colleague, first off, with Haiti, I believe that the President can give a waiver so that Haiti, the foreign aid Haiti receives would not be interrupted. Really, this amendment effectively endorses the provision of the U.S. foreign assistance to corrupt re-

gimes, thus rewarding those committed to stealing U.S. taxpayer dollars and perpetuating the cycle of an inefficient and ineffective assistance program worldwide.

And you know, the MCC has it right. Assistance is most effective when directed toward those who have demonstrated a commitment to the rule of law, investments in people, and economic reform. Corruption, on the other hand, perpetuates poverty, contributes to instability, and renders foreign assistance useless. It is difficult for me to fathom how one could defend providing assistance to corrupt regimes without even a second thought. I realize there are exceptions, and that is why this bill has provided a waiver, a waiver for those exceptions, exceptions like Haiti. There are some countries where our national security objectives are so important that we need to make targeted investments, while simultaneously seeking to mitigate risk and root out corruption.

So I strongly oppose this amendment. And I want to add that we can't play favorites when it comes to accountability for U.S. assistance. I know some might want to carve out one country or another. But you know, this is just common sense. We should not be giving U.S. money to governments that are found to be corrupt.

And finally, to account for any time lags in the corruption indicator, I would like to note that this again does provide a provision for the President to have waiver authority, so he doesn't have to wait on Congress, to allow certain countries to receive this assistance once Congress has received certification that the recipient nation is taking steps to alleviate corruption and that the end use monitoring measures are in place.

So all we want to do is make sure that if the country is corrupt and it is trying to correct itself and it is demonstrating good policy, that we will give them the assistance. But if it is a country like North Korea, where Kim Jong Il is never going to make steps, that we don't give it to Kim Jong Il. And I think that that is just—I mean, that is just——

Ms. SCHWARTZ. If the gentlewoman would yield.

Chairman ROS-LEHTINEN. Excuse me, Mrs. Schmidt has the time.

Mrs. SCHMIDT. And I really didn't want to yield.

Chairman ROS-LEHTINEN. I know. You have the time, and continue with your thoughts.

Mrs. SCHMIDT. I mean, it makes sense, with the precious dollars that we have, to make sure that they are going to countries that are not working against us. And if there is an exception to that, then let's allow the President to make that exception. But to just carte blanche say we are not going to see if you are good stewards, we are not going to see whether you are corrupt or not, just hand the money over carte blanche is really foolish. Because a corrupt government, chances are, isn't going to give that money to the people who need it. If they are corrupt, they are going to use that money, that assistance, that grain, that whatever for their own benefit. And so it is counterproductive, counterintuitive to what we want to do. So why don't we just look at the precious dollars that we have to spend and make sure that they are spent in a place where corruption is not the dominant feature of the country? Where this country, whatever it is, is either non corrupt or trying

to make itself non corrupt. And toward that end, I yield back the balance of my time.

Chairman ROS-LEHTINEN. Thank you so much, Mrs. Schmidt. Mr. Berman.

Mr. BERMAN. Yes. Madam Chairman, I ask my friends in the majority to think about what you are saying. In response to the gentlelady from Pennsylvania's arguments, and the gentleman from Virginia's question, you are saying the President has a waiver. So we are going to have a roll call vote on this amendment. And what this will say is we who, assuming the majority side prevails and the amendment is defeated, we in Congress will cut off aid to Honduras, that just got rid of this bad guy and is now trying to rebuild a civil society because Honduras—so we are going to cut off aid to Honduras. The President has a way of saving you if he can work language in that says the national security interests of the United States. Not the "national interest" of the United States, but the "national security interests" of the United States. Armenia? Historic relationship, aid programs, Congress cuts it off.

Iraq and Afghanistan, where our troops are dying, we are going to cut off all economic aid because they are in the lower half.

Cote d'Ivoire just had an election. The guy tried to hold on to power, this corrupt dictator tried to hold onto power. President Ouattara finally gets in, he is just starting his job. But Ivory Coast is in the lower half. Cut off all their aid. You can't be serious about wanting to do that.

If you are worried about Kim Jong Il, let me tell you, first of all, there are about 22 provisions in law that keep us from giving foreign assistance in almost every circumstance to him. Legislate about North Korea. If you want to talk about some other people who are against our interests, we don't want to give aid to, propose it. But don't take an index that applies to people who are trying to get better. The Millennium Challenge program is a wonderful program because it was said for some portion of our foreign aid we are going to have a real merit test, and one of the tests is if you have confronted corruption and dealt with it effectively, then you are going to be eligible for compacts and grants under those compacts. We didn't say the whole foreign assistance program immediately is going to become subject to the Millennium Challenge Corporation standards.

Now, I don't think you want to be on record voting to cut off aid to Honduras and Armenia and Haiti and say, Oh, but the saving grace here, we really didn't do it, because the President, if he wants to scream national security, can waive it. Is that the position you want to be in? Is that a Congress that wants to assert its authorities in the proper way? That is the ultimate delegation of power to the executive branch of government. And remember who is President. Thank you. I yield back.

Mr. PAYNE. Madam Chair.

Chairman ROS-LEHTINEN. Mr. Payne is recognized.

Mr. PAYNE. I too would like to echo what the ranking member has said. You know, I think that these things sound good, however, when we start to look at it, for example, Egypt is on this particular—would be out. They have a transition going on, have people who are trying to go in to set up a democracy. And if this bill goes

through, Egypt is cut off. We are worried about the Muslim Brotherhood. Okay, let's just cut off all our aid to the military, cut off aid to the country, let it fend for itself. If you think you have a problem in the Middle East now, you haven't even seen a problem. You take a place like Indonesia, the largest Muslim country in the world. They got more people who are Muslims practicing Islam in Indonesia than all of the Arab countries in the Middle East.

We should, therefore—and they are our biggest supporters. So this brilliant amendment would say let's cut them off. Right. The bill does. Cut them off. The bill would cut them off. That makes a lot of sense. Kenya, who gives more intelligence to the United States about Somalia and Yemen and those areas that have people who are threatening our service persons, would be cut off.

Kenya is one of the longest-serving emerging countries in democracy. They are the stability. You take Uganda. Uganda is the country that has the U.N. peacekeepers. They are dying. Uganda was attacked at the World Cup. You know why they were attacked at the World Cup? People were sitting around watching the game, some of them went in, blew them up, killed 20 or 30 people because Uganda is assisting the United States by having peacekeepers in Somalia so that Somalia doesn't turn around and become a haven for al-Qaeda. And if you think we have got a problem with hijacking now, let Somalia get turned over to al-Qaeda and we will be in tremendous problems. I mean, we could go country by country. It does not make any sense at all. So I would hope that countries are striving to cut out corruption. Countries, we have had people killed who were in offices on anti-corruption who are on these very lists. So I would hope that we would think about this. You know, it certainly has good intentions. However, the road to purgatory is paved with good intentions. I just hope that we really would give a good thought to this before we go and make another wrong vote. I yield back.

Chairman ROS-LEHTINEN. We look forward to a recorded vote on this amendment. Do other members wish to be heard on this amendment? Yes, Mr. Carnahan, Mr. Engel, and Mr. Cicilline.

Mr. CARNAHAN. Madam Chair, if I could yield time to Ms. Schwartz.

Chairman ROS-LEHTINEN. Yes.

Ms. SCHWARTZ. Thank you. I just wanted to echo the last comments, and to be very clear about this. I think what we are saying very clearly I hope is being heard, is that we too are very concerned about corruption, and are not looking to reward any nation that is not doing the work that it needs to do to fight corruption and to build a fair and transparent both rule of law and government that their own people and we can trust with our dollars. That is absolutely a goal we share. The issue is how we achieve them. And the adverse consequences of removing aid to countries that are working very hard, very aggressively, maybe even very well on this major and important issue, would be shut down in terms of receiving aid for us to do that very work is our concern.

And so again, maybe it is in the drafting of this and not the intent, but it really is not about North Korea. We don't give them aid now. That is not the issue. Obviously, if a country is not cooperating with us there are consequences. We just saw that happen

with Pakistan. So it is not like there isn't intention to these issues. And that was not about corruption per se, that was other issues. This really is very specific and potentially extremely harmful to the very mission that this committee works on every day.

Mr. ROHRABACHER. Would the gentlelady yield?

Chairman ROS-LEHTINEN. It was the gentleman's time. Would the gentleman yield to Mr. Rohrabacher, to Ms. Schwartz?

Mr. ROHRABACHER. I have a question for the lady. So clear it up for me. Is your amendment aimed at making it more likely that aid would go to countries that are questionable in terms of corruption? Or are you loosening the standard for countries that maybe were being too fastidious about to whom we are choosing to give aid? What is the purpose of your amendment in terms of the standard that we have for corruption?

Ms. SCHWARTZ. My amendment would delete this section. It doesn't replace it with anything. So the standard would remain as it is today. It does not replace it with any new standard at all. It just basically says that this new standard—the section establishes a new standard, which I am objecting to as being——

Mr. ROHRABACHER. So the new standard is about corruption?

Ms. SCHWARTZ. Yes.

Mr. ROHRABACHER. So you are eliminating a standard that has been put in place to prevent our money from going to corruption?

Ms. SCHWARTZ. No. It is saying that this new standard that is going to go into effect in this section is deeply flawed. And I am suggesting—and it may be an opportunity for there to be cooperation in working out what would be the right standard and the right language. So I am not at all suggesting that there couldn't be a better standard or a better written standard. I am just suggesting that this one is deeply flawed.

Mr. ROHRABACHER. So the purpose of what you are trying to replace was to eliminate corruption. But you feel that it is a flawed wording or something like that, so that you need to eliminate that section that would protect our money from going to fraudulent countries because it really won't be effective in doing it.

Ms. SCHWARTZ. No, it would prevent countries from being denied foreign assistance in a way that would be so sweeping as to have many, many countries that may not have been intended to fit into this because that particular Millennium Challenge——

Mr. ROHRABACHER. I think I understand now. Thank you.

Ms. SCHWARTZ. You are welcome.

Chairman ROS-LEHTINEN. Thank you. The gentleman yields?

Mr. CARNAHAN. I yield back.

Chairman ROS-LEHTINEN. Thank you. Ms. Buerkle is recognized.

Ms. BUERKLE. Thank you, Madam Chairman. I want to echo some of the sentiments of my colleague from Ohio, Mrs. Schmidt. We have been here for the better part of today discussing this piece of legislation. And the recurring themes that we continue to hear are that this Nation faces a $14 trillion-plus debt, that we need to be accountable to the American people and wise stewards of their taxpayer money, and that we need to be careful about how we spend money. And it seems to me that elimination of section 407 flies in the face of everything we have been talking about today.

We talked about being transparent and accountable to the American people. I think this flies in the face of it.

You know, I think it has been proven after five decades of providing assistance across the world that we know assistance over a long period of time can create dependency, but worse than that, it can create corruption. And I think in light of the difficult times the American Nation faces here at home, that to continue to allocate U.S. taxpayer dollars to the governments that indulge in corruption for the benefit of themselves is wrong, and it is neglecting the American people, and it is not being good stewards of their taxpayer dollars. I yield back.

Chairman ROS-LEHTINEN. Thank you so much, Ms. Buerkle. I believe that we had Mr. Engel. Is that right?

Mr. ENGEL. Yes.

Chairman ROS-LEHTINEN. Mr. Engel is recognized.

Mr. ENGEL. Yes. Thank you, Madam Chair. I rise to support Ms. Schwartz's amendment. I understand the frustration that we don't want to pour money down a sewer hole and give good money after bad. And I also understand that in this day and age, with our budget deficits and problems we have, many of us get tired of giving assistance to countries that seem to always spit in our face. But let's look at what we are doing here. I think this would be penny wise and pound foolish, and I think it would also be tying our hands artificially. The Millennium Challenge Compacts which we are talking about here are just a few a year, 2 or 3, or whatever it is. It is not as if we are giving foreign assistance to everybody through the Millennium Challenge Compacts.

Now, if you take the corruption standards and you say it is a median, obviously by the term median, half of countries are going to be below the median, and half of countries are going to be above the median. Now, we may want to give aid to a country that may be pro-American, pro-West, doing the things we want, but they artificially fall below the median, and therefore we would be barred from giving them Millennium Challenge Compacts. It doesn't make any sense.

For instance, I said this before, you know I have been very active in the Balkans, particularly with Albania and Kosovo. Well, what this would do is Kosovo would fall below the median. That is a country that is as pro-West as you can get, pro-American as you can get, and would need our help, yet we would be precluded from giving them a Millennium Challenge Compact. In fact, some of U.S. assistance is specifically designed to help countries minimize corruption. That was the Millennium Challenge Compact threshold program for Albania. It targeted corruption, and successfully reduced corruption in Albania. If this had been in place, we would never have been able to target Albania, and would never have been able to give them aid to help them reduce corruption. So I think what this does is it ties our hands artificially. We should look at the criteria that is good for our country. And sometimes a country may fall below the median, and giving them the MCC would be good for them and good for us. And so, you know, this is not about blocking foreign assistance to bad players. It is assistance to countries that are pro-West potentially.

So I don't know why we need to do this, to tie our hands artificially. I wouldn't want to hurt Haiti. I would want to help Haiti. We have an obligation to help Haiti. Haiti would fall below the median, therefore, we wouldn't be able to help them.

I mentioned Kosovo. There are other countries as well. In fact, I think it was pointed out Afghanistan and Egypt as well. Honduras. We want to help Pepe Lobo and the new government there. This would preclude us from helping them. And Indonesia, Kenya, countries like that. So I know that the intent here is good. I just think that we are boxing ourselves in, and we are using artificial medians to sort of cut off other criteria that can at least and should at least be as important as that. So for those reasons——

Mr. PAYNE. Would the gentleman yield for a question?

Mr. ENGEL. I would certainly yield. But for those reasons, I think Ms. Schwartz is absolutely right. This is well intentioned, but I think if you scratch beneath the surface it has the potential to do us harm. I yield to Mr. Payne.

Mr. PAYNE. With the few seconds left, I would just like to mention in countries where we have and we know that there is a high level of corruption, for your information, the U.S. assistance does not go to the government. For example, Haiti gets zero dollars directly to the government. We have NGOs, we have organizations that provide the services in those countries. So if there are some countries where we know that the corruption is something that is suspected to be gross, the countries do not get the foreign assistance. So I just want to make that clear. We don't fund governments. As a matter of fact, very few governments in Africa get direct funding. It goes to health groups, it goes to Red Cross, it goes to those groups. So I just wanted to make that clarification.

Chairman ROS-LEHTINEN. Thank you. The gentleman's time has expired. The Chair will recognize herself. Mr. Mack, I understand that you are interested in the manner in which the MCC develops and applies the corruption performance benchmarks. I pledge to work with you, Mr. Mack, to request that the GAO, the Government Accountability Office, review the MCC's application and development of these indicators. And I will ensure to make reference to this GAO request and your concerns, Mr. Mack, in the committee report on this legislation.

Mr. MACK. Thank you. Would you yield?

Chairman ROS-LEHTINEN. Yes, sir.

Mr. MACK. Thank you very much. And I have been very interested in this debate. And first of all, I must commend the chair. We do have to have standards in this bill to ensure that the people who are receiving the hard-earned tax dollars go to countries that are not corrupt. But as you stated, I do think it is important to look at the way that the indicators are developed, the way that the corruption indicator is developed.

And I am concerned that just based upon public opinion that can influence the corruption indicator, and a report from the GAO would be fantastic. I want to thank the chair.

Chairman ROS-LEHTINEN. Count on it.

Mr. MACK. I want to thank you very much.

Chairman ROS-LEHTINEN. Thank you. I yield back. Mr. Faleomavaega.

Mr. FALEOMAVAEGA. Thank you, Madam Chairman. I too would like to associate myself with the position taken by the gentlelady taken from Philadelphia. I don't think she is being very restrictive. I think she is flexible. She is willing to work out the language in such a way that is not so restrictive in saying a corruption indicator. What does that mean by being corrupt? I looked at countries like Cambodia and Laos. Madam Chair, I don't know if any of our colleagues have been to Laos. We dropped over 2 million pounds of bombs during the Vietnam War. And never did the people of Laos ever wage war or even declare war against us. Where does the corruption come into play in this? Because it was like a little playground. Cambodia the same thing. We dropped bombs there simply because we, you know, on the way back from the sorties that we did against Vietnam. It was just horrible. And I would invite my colleagues to go to Cambodia and Laos. And when you talk about corruption, I don't know what we can do, the kind of decisions that we made, but we did this against these countries.

We can go to Uzbekistan, Tajikistan, and Kyrgyzstan. These countries have only been democracies less than 20 years. How do we measure corruption of the fact that these people were under colonization for 100 years of the former Soviet Union. How do we measure corruption? Do you expect that they are going to become democracies the same way that we expect them to be like us? It took us over 100 years to give Black people the right to vote and their civil rights recognized. And here we are making demands, I believe, that I think we are being a little too stringent in trying to understand these countries that have been given corruption indicators, it is just unbelievable. I would like to suggest to the gentlelady that as part of the description or the narrative that is put in the proposed bill that we ought to work out maybe better language than just say corruption.

Maybe there are other factors we ought to consider, and not just this one indicator to say if a country is corrupt. I would challenge anybody to suggest that all these countries are that corrupt given the fact that we really—I just don't know where the measurement comes into play in this.

Mr. ROHRABACHER. Would the gentleman yield?

Mr. FALEOMAVAEGA. I will be glad to yield to my friend from California.

Mr. ROHRABACHER. I will be very quick. Listen, I spent some time in Vietnam back then too. And I was not in the military. I was involved in some other activities there. And I left Vietnam as a very—how do you say, I was very pessimistic because I saw the blood and the gore of war. And it was my opinion at that time, and I was 19 years old, that it was the corruption that would prevent us from winning that war. And quite frankly, we should have set a much higher level against the corruption of the Saigon regime. And we might not have gone through that defeat, and we might not have had this 20 years of dictatorship, Communist dictatorship. But we didn't set the standard against corruption in Vietnam. And maybe we should have learned that lesson, my friend.

Mr. FALEOMAVAEGA. I would say to my good friend, I served in Vietnam. And we supported a corrupt government, if you want to call it.

Mr. ROHRABACHER. That is what I am saying.

Mr. FALEOMAVAEGA. But my point is how do you define corruption?

Mr. ROHRABACHER. It was easy to see, wasn't it? I saw it. I was 19 years old. I certainly identified it very easily.

Mr. PAYNE. Would the gentleman yield?

Mr. FALEOMAVAEGA. I gladly yield to my friend from New Jersey.

Mr. PAYNE. On the question of corruption, and we should certainly work toward it, however some of these countries are working to try to cut down on corruption. We have here in the United States, we are still fighting to try to win the battle against corruption. Take Mr. Rupert Murdoch, most powerful person in Europe.

Mr. FALEOMAVAEGA. And a U.S. citizen, too.

Mr. PAYNE. And a U.S. citizen. When his corporation pays off Scotland Yard, pays people to give information, pays people to try to get 9/11 survivors' phone numbers. So when we talk about corruption, we should continue to work—the NYPD. You continue to work against corruption everywhere. We shouldn't tolerate it. However, I think that we ought to maybe look at ourselves and see how many people do the right thing on their income tax or when they pay taxes offshore rather than taxes here.

Mr. FALEOMAVAEGA. Reclaiming my time, all I want to say, Madam Chair, is that we ought to find some sense of measurement how do we define, how do we measure corruption.

Chairman ROS-LEHTINEN. Thank you very much. Mr. Cicilline.

Mr. CICILLINE. Thank you, Madam Chairman. It strikes me, from listening to this discussion, that people are talking about two different things. I think we would all agree that we ought not ever be supporting corrupt governments. And I think there is no question about that. The other question is, is there a role for the United States to play in supporting governments that are fighting corruption and helping them develop institutions to successfully combat corruption? And I think we are mixing up two different conversations here. And I would hope that we could work on some language which ensures that we are not supporting corruption or corrupt governments, but at the same time recognizing that we have a role to play in supporting leaders and governments that are working hard and seriously to combat corruption.

We had a recent visit here, Madam Chairman, as a result of your good work, of the President of the nation of Liberia, Ellen Johnson Sirleaf, who is a hero in terms of the work that she is doing to combat corruption in her government. She made it clear to us in those conversations that she relies enormously on the support and aid of the United States. And so I think we have to be able to distinguish between those governments that are working hard to build the kinds of institutions that share the values of our country and combat corruption, and we have a whole series of efforts underway in helping countries build court systems, and develop rule of law. And all of that in part is a battle to fight corruption, which it would seem to me would no longer be permitted under the new language of this legislation.

Mr. ROHRABACHER. Would the gentleman yield for a question?

Mr. CICILLINE. I would be happy to.

Mr. ROHRABACHER. Are you aware the part of the bill that she is seeking to eliminate actually provides the President a waiver so that when he has examples like you have given, that he is able to provide a waiver to the President of Liberia?

Mr. CICILLINE. I will reclaim my time. I am aware it has a waiver. But we have a responsibility, I believe, as members of the Foreign Affairs Committee, to set this policy, to be thoughtful about the way we do it, and not to rely on the executive branch to do our job. I yield back the balance of my time.

Chairman ROS-LEHTINEN. Thank you. Seeing no other requests for time, a recorded vote has been requested on the Schwartz amendment. It will be rolled until 8:15. I know that Mr. McCaul had an amendment. We have a list of a lot of amendments. Don't worry about it. But I had told Mr. McCaul that he would be next.

Mr. MCCAUL. Thank you. Am I being recognized?

Chairman ROS-LEHTINEN. Yes. If you have your amendment, you can call it up to the desk there.

Mr. MCCAUL. Thank you, Madam Chair. I have an amendment at the desk, number 21.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. McCaul of Texas. At the appropriate place in the bill, insert the following: Section [blank]. Limitation on USAID training contracts under the Merida Initiative.

Chairman ROS-LEHTINEN. And we will hand out the amendment as she is reading it. Hold on 1 second. Let's make sure. Merida Initiative, McCaul.

Ms. CARROLL. (a) Findings. Congress finds the following: (1) In 2007, the United States and Mexico announced the Merida Initiative, a multi-year partnership to fight organized crime and associated violence, while furthering respect for human rights and the rule of law in the region; (2) One of the Merida Initiative's four primary goals is to improve the capacity of justice systems in the region; (3) In April 2009, USAID/Mexico awarded a 3-year, $44.1 million cost-type contract to Management Systems International (MSI) to work with Mexican state and Federal justice institutions to strengthen their capacity to improve transparency, public oversight, and public accountability, and better serve Mexican citizens under the new constitutional reforms that shape the police and criminal procedure codes; (4) A January 2011 USAID Office of Inspector General audit determined that the contract mechanism that USAID-Mexico used to award the task order to MSI was not done in accordance with procurement regulations, USAID-Mexico's technical officers responsible for the rule of law projects have not effectively carried out all of their responsibilities in accordance with USAID policy and internal mission orders. USAID-Mexico's contractor has not developed——

Chairman ROS-LEHTINEN. Ask unanimous consent that the amendment has been read. I believe that all members have a copy of the amendment. And I will call on Mr. McCaul for 5 minutes to explain his amendment.

[The information referred to follows:]

AMENDMENT TO H.R. __

OFFERED BY MR. MCCAUL OF TEXAS

(Foreign Relations Authorization Act, Fiscal Year 2012)

At the appropriate place in the bill, insert the following:

1 **SEC. ___. LIMITATION ON USAID TRAINING CONTRACTS**
2 **UNDER THE MERIDA INITIATIVE.**
3 (a) FINDINGS.—Congress finds the following:
4 (1) In 2007, the United States and Mexico an-
5 nounced the Merida Initiative, a multi-year partner-
6 ship to fight organized crime and associated violence
7 while furthering respect for human rights and the
8 rule of law in the region.
9 (2) One of the Merida Initiative's four primary
10 goals is to improve the capacity of justice systems in
11 the region.
12 (3) In April 2009, USAID/Mexico awarded a 3-
13 year, $44.1 million cost-type contract to Manage-
14 ment Systems International (MSI) to work with
15 Mexican state and federal justice institutions to
16 strengthen their capacity to improve transparency,
17 public oversight, and public accountability, and bet-
18 ter serve Mexican citizens under the new constitu-

1 tional reforms that shape the police and criminal
2 procedure codes.
3 (4) A January 2011 USAID Office of the In-
4 spector General audit determined that the contract
5 mechanism that USAID/Mexico used to award the
6 task order to MSI was not in accordance with pro-
7 curement regulations, USAID/Mexico's technical of-
8 ficers responsible for the rule of law projects have
9 not effectively carried out all their responsibilities in
10 accordance with USAID policy and internal mission
11 orders, USAID/Mexico's contractor has not devel-
12 oped systems for evaluating the effectiveness of the
13 training it delivers, and USAID/Mexico's reported
14 numbers of beneficiaries trained are not accurate.
15 (b) LIMITATION.—Notwithstanding any other provi-
16 sion of law, the Administrator of the United States Agency
17 for International Development, in awarding contracts dur-
18 ing a fiscal year to procure training services as part of
19 the Merida Initiative, may not award more than 50 per-
20 cent of the dollar amount of the contracts to one company.
21 (c) MERIDA INITIATIVE DEFINED.—In this section,
22 the term "Merida Initiative" means the program an-
23 nounced by the United States and Mexico on October 22,

1 2007, to fight illicit narcotics trafficking and criminal or-

2 ganizations throughout the Western Hemisphere.

Mr. MCCAUL. Thank you, Madam Chair. You know, we talked a lot about the wars in Iraq, Afghanistan, and Libya. But we have a war that is going on right next door and just south of our border in Mexico. I have met with President Calderon. Connie Mack, the gentleman from Florida, and I recently met with him. Security is his number one issue. And since he has declared war, about 40,000 people have died in Mexico at the hands of the drug cartels, who have become more brazen and more violent than ever. In Juarez alone, 6,000 people have been killed. As a result, the Congress passed the Merida Initiative to deal with that, to provide intelligence, military assistance to Mexico. And I think, as Chairman Mack of the Subcommittee on Western Hemisphere, and Mr. Engel would agree as well, we have been very frustrated with the State Department and the inability to implement the Merida Initiative.

I think today only 25 percent of that funding has been implemented. And it has been about 2½ years. One area that I think we need to—let me just add also that it has become so brazen that our U.S. law enforcement have now been under fire, not only in Mexico, but on this side of the border.

ICE agent Jaime Zapata was killed in cold blood, and his partner, Agent Avila, by nothing short of a miracle survived that ambush by the Zetas cartel, which has become the most violent down there. So we need to look at the Merida Initiative. We need to ensure that the training that we provide is contracted the right way, completed in a timely manner, and measured for its effectiveness. This committee has a responsibility to provide effective oversight to ensure that this happens for our security and for the security of Mexico. So when we look at these training programs and we look at the contracting of those programs, I have seen some inefficiencies.

My amendment would prevent USAID from spending more than 50 percent of the training funds under the Merida Initiative with any one company.

One of the main areas in which we provide Merida aid is to institutionalize the rule of law in Mexico by providing these training programs for the Mexican police, judges and prosecutors. USAID was tasked to carry this out and gave about 90 percent of that contract to one single company, Management Systems International, or MSI. This company has a poor record of performance, and the inspector general agreed. He reported that there are issues with the contract's process; that it was hurried, sloppy; and there were no metrics of performance; and the reporting was ineffective and lacking.

In fact, USAID itself admitted it has been ineffective in its metrics and oversight of MSI and the training. In fact, we have made repeated calls to MSI from my staff that were never returned. And the situation, I believe, is getting worse.

This bill does one thing, in effect. It provides competition, which I always think brings out the best, competition to carry out these contracts, and it will force USAID to do what they should have done in the first place, and that was to provide effective training with real metrics and real oversight.

With that, I ask that the members of this committee support my amendment, and I yield back the balance of my time.

Chairman ROS-LEHTINEN. The gentleman yields back.

Do any members wish to be heard on the McCaul amendment?

Mrs. Schmidt is recognized, and also Mr. Mack.

Mrs. SCHMIDT. Thank you, Madam Chairman. And I want to applaud my good friend Mr. McCaul for this amendment.

You know, the USAID has the task to carry out the responsibility for the training component of the Merida Initiative, as well as the Department of Justice, especially under pillars 2 and 4, institutionalizing the rule of law and building stronger and resilient communities. But, Madam Chair, until the 4th of January, until the 10th of December, 2010, USAID held 501 training events, with 466 of these events being contracted through just one company, Management Systems International, or MSI, and I think that is the basis for this amendment.

On January—in January 2011, the USAID IG Office identified several problems with the contract with MSI and other companies, including issues with the process, the metrics and the reporting. The audit specifically found, one, the rule of law program lacked strategic focus, there was a poor statement of working and poor technical control over the contractor; two, the contracting mechanism used for the rule of law program was not appropriate. USAID attempted to expedite the award and the implementation of the program; three, the performance indicators and targets were inappropriate measures of the program's progress. There was either no target or unrealistic targets. Performance measures were either not available or not within the USAID control. There was a lack of effective program oversight; that is, no visit, no formal approval of work plans and reports. And finally, training effectiveness was not evaluated. There was no consideration of formal evaluation systems during the design of training, and the USAID did not adhere to the policy regarding assessing the degree of results and impact of training.

Given the horrific violence that continues along our U.S.-Mexico border, given the tragic deaths of our ICE agent Jamie Zapata, given the continued threats posed by drug cartels to our Nation and citizens as well as the citizens of Mexico, we need to ensure that the rule of law and strong, resilient communities exist in Mexico. We need to ensure that the training we provide is contracted in the right way, completed in a timely manner, and measured for its effectiveness. This committee has a responsibility to provide effective oversight to ensure that this happens for our security and for that of Mexico.

This amendment stresses our concerns with USAID's handling of training for the Merida Initiative and restricts the practice of "putting all of our eggs in one basket" regarding training. Our administration, Madam Chair, cannot afford to haphazardly enter into contracts simply for convenience, ease or timeliness alone. For security of our country, as well as Mexico, regarding the Merida training programs, we must ensure the best possible training programs for Mexico, utilizing solid contracting processes that consider all companies that are able to perform components of this vital training process.

I yield back the balance of my time and urge my colleagues to vote for this amendment.

Chairman ROS-LEHTINEN. Thank you very much, Mrs. Schmidt.

And Mr. Keating is recognized for 5 minutes.

Mr. KEATING. Thank you, Madam Chair.

I urge support of this amendment as well. I think the 50 percent—people could argue where 50 percent comes from and how accurate that might be. But the situation in Mexico, as we have found out in the Homeland Security Committee, is one of a crisis. And if we have a contractor that is not fulfilling the obligation, and we are held captive to that contractor, I think we have to do something about that.

I will be offering an amendment later on that I think will address this same kind of situation at no cost as well, but I do think we should move forward with this amendment, and I do support it.

I yield back the rest of my time.

Chairman ROS-LEHTINEN. Thank you, sir.

Mr. Mack is recognized.

Mr. MACK. Thank you, Madam Chair. And just real quickly, I want to thank Mr. McCaul for bringing this amendment forward.

We have got a huge challenge when it comes to Mexico. The Merida Initiative has struggled for sure, the implementation and the delivery of the resources. And I would urge all of my colleagues to support this amendment.

Thank you, Madam Chair.

Chairman ROS-LEHTINEN. Thank you very much.

Mr. Faleomavaega.

Mr. FALEOMAVAEGA. I support the gentleman's amendment, but the only thing, as a matter of observation, I don't think it is MSI's fault in this whole process. It is the USAID administrators. They are the ones that should be disciplined. And I just wanted to share that with the gentleman, because it says that MSI was not in accordance with procurement regulations. My gosh, we should fire the guy that administers USAID in Mexico and not necessarily put the blame on MSI.

I yield back.

Chairman ROS-LEHTINEN. Thank you.

Mr. Rivera is recognized.

Mr. RIVERA. Thank you, Madam Chair.

And I similarly applaud the gentleman's bringing this amendment forward. I think it is an important step to make sure that we have accountability in our programs with respect to the Merida project, and making sure that USAID is held to the highest standards, and making sure that our contractors are held to the highest

standards, and making—in that procurement process. So again, I support this good amendment.

Chairman ROS-LEHTINEN. Thank you so very much.

Hearing no further requests for recognition, the question occurs on the amendment. All those in favor, say aye.

All those opposed, no.

In the opinion of the Chair, the ayes have it, and the amendment is agreed to.

Mr. CICILLINE. Madam Chair, I have an amendment.

Chairman ROS-LEHTINEN. Yes. Mr. Cicilline is recognized. But I had told Mr. Carnahan that he would go first. I apologize. I am looking at my master list.

Mr. Carnahan, you are on the master list.

Mr. CARNAHAN. Thank you, Madam Chair. I am happy to be on your list. It is a good list, I hope.

Chairman ROS-LEHTINEN. If the clerk would look for the Carnahan amendment and let us see if we are in sync.

Mr. CARNAHAN. It is No. 032.

Ms. CARROLL. Yes, sir. Amendment to H.R. 2583 offered by Mr. Carnahan of Missouri. At the end of title IV, add the following: Section 4 [blank]. Assistance to establish partnerships between businesses and postsecondary education institutions in developing countries in Africa. (a) Findings. Congress finds the following: (1) There is a growing need in developing countries in Africa to educate and properly train future business leaders in such a way to help them adapt to the demanding complexities and leadership.

Mr. CARNAHAN. Excuse me, Madam Chair. If I could interrupt. In lieu of reading the entire amendment——

[The information referred to follows:]

AMENDMENT TO H.R. _____

OFFERED BY MR. CARNAHAN OF MISSOURI

At the end of title IV, add the following:

1 **SEC. 4___. ASSISTANCE TO ESTABLISH PARTNERSHIPS BE-**
2 **TWEEN BUSINESSES AND POSTSECONDARY**
3 **EDUCATIONAL INSTITUTIONS IN DEVEL-**
4 **OPING COUNTRIES IN AFRICA.**

5 (a) FINDINGS.—Congress finds the following:

6 (1) There is a growing need in developing coun-
7 tries in Africa to educate and properly train future
8 business leaders in such a way to help them adapt
9 to the demanding complexities of leadership.

10 (2) This growing need has led to the call for
11 Africa to develop and train the next generation of
12 leaders that will bring Africa forward into a peaceful
13 and prosperous new century and ensure that democ-
14 racy lasts across the continent.

15 (3) One of the ways to help train the next gen-
16 eration of leaders is through entrepreneurial edu-
17 cation, entrepreneurship may be one of the most im-
18 portant channels through which education raises
19 economic productivity.

(4) All youth should be provided with the access to any and all opportunities to develop skills, attitudes, and abilities that are needed in later life that can lead to entrepreneurship and leadership.

(5) One of the goals of educators should be to train students to become self-employed after graduation and produce the goods and services that are needed locally, thereby initiating significant internal economic activity.

(6) It is important that the youth be assisted to achieve higher levels of access and entry into the economy as potentially self-employed people since there are simply not enough employment opportunities within the private and public sectors for them all.

(7) Business and management education is especially critical in Africa where, in the face of huge shortages in both the private and public sectors, only 50 business schools exist to serve nearly 800 million people, compared with 1,000 business schools in India and 1,200 in the United States.

(8) While many institutions in Africa do offer a business certificate/degree, the training can lack certain practical elements, which makes it difficult

1 for graduates to readily apply their skills in the real-
2 world.
3 (9) Educational institutions are not rapidly re-
4 sponding to this urgent challenge.
5 (b) ASSISTANCE TO ESTABLISH PARTNERSHIPS BE-
6 TWEEN BUSINESSES AND POSTSECONDARY EDUCATIONAL
7 INSTITUTIONS IN DEVELOPING COUNTRIES IN AFRICA.—
8 Chapter 1 of part I of the Foreign Assistance Act of 1961
9 (22 U.S.C. 2151 et seq.) is amended by inserting after
10 section 105 the following new section:

11 **"SEC. 105A. ASSISTANCE TO ESTABLISH PARTNERSHIPS BE-**
12 **TWEEN BUSINESSES AND POSTSECONDARY**
13 **EDUCATIONAL INSTITUTIONS IN DEVEL-**
14 **OPING COUNTRIES IN AFRICA.**

15 "(a) ASSISTANCE AUTHORIZED.—The President, act-
16 ing through the Administrator of the United States Agen-
17 cy for International Development, is authorized to provide
18 assistance, on such terms and conditions as the President
19 may determine, to establish partnerships between busi-
20 nesses and postsecondary educational institutions in devel-
21 oping countries in Africa to further the education and en-
22 trepreneurship skills of students at such institutions in
23 order to increase economic freedom and competitiveness,
24 promote civil society, and improve the quality of life in
25 such countries.

1 "(b) ACTIVITIES SUPPORTED.—Assistance provided
2 under subsection (a) shall, to the maximum extent prac-
3 ticable, be used to—
4 "(1) enable students at postsecondary edu-
5 cational institutions in developing countries in Africa
6 to practice in the field what they are learning in the
7 classroom and thereby acquire relevant business and
8 management experience;
9 "(2) provide opportunities for individuals in de-
10 veloping countries in Africa who are unable to re-
11 ceive a formal education to benefit from the transfer
12 of knowledge and skills by students described in
13 paragraph (1); and
14 "(3) carry out other appropriate activities, in-
15 cluding—
16 "(A) training students described in para-
17 graph (1) and faculty to build sustainable pro-
18 grams;
19 "(B) institutionalizing and promoting sus-
20 tainability of program leadership;
21 "(C) supporting the launch and develop-
22 ment of new in-country operations;
23 "(D) investing in other United States as-
24 sistance programs for long-term sustainability
25 and support of African programs; and

1 "(E) demonstrating results and sharing
2 best practices.
3 "(c) REPORT.—The President shall transmit to Con-
4 gress a report on the implementation of this section for
5 each of the fiscal years 2012 through 2016. The report
6 shall include an assessment of the impact of the assistance
7 provided under subsection (a) and an analysis of the ex-
8 tent to which such assistance could be provided in other
9 regions of the world.".

☒

Chairman ROS-LEHTINEN. Why don't we wait just 1 second so everyone gets a copy of the amendment, and that is why I let her read on a little bit. But, no, we will wait. Well, just suspend. Hold on 1 second. And while you are handing out that amendment, I would like to tell members that this is the list I have of folks who have amendments, but please tell me if you are also on my dance card: Mr. Mack, Mr. Cicilline, Mr. Griffin, Mr. Deutch, Mr. Duncan, Mr. Rohrabacher, Mr. Fortenberry. If you are not on my dance card—Mr. Poe. Thank you. And Mr. Berman. Okay. Thank you.

Mr. Carnahan, you are recognized.

Mr. CARNAHAN. Thank you.

Madam Chair, my amendment would authorize USAID to provide assistance to establish partnerships between businesses and postsecondary educational institutions in developing countries in Africa.

The reason for the program is simple. There was a recognized need to further educate, develop and train future business leaders in developing countries in Africa. Better education, training will allow for more prosperous businesses. One way to help train the next generation of leaders is through entrepreneurial education. While institutions throughout the continent offer business certificates or degrees, the training can lack certain practical elements necessary for ultimate success, and there is a shortage of access.

My amendment sets out that there are only 50, only 50 business schools that exist in the entire continent of Africa compared to—and that is for 800 million people—compared with 1,000 business

schools in India, 1,200 in the U.S. There is a clear shortage of access there.

My amendment would help focus efforts to close this gap by enabling students to practice in their future fields. They will enhance their education by requiring real-world business and management experience. Better training will help lead to jobs, better economic opportunities. This is not only in their interest, but it is in our interest as well to help them succeed and focus our efforts to support that.

With that, I would yield——

Chairman ROS-LEHTINEN. Thank you. It sounds good. We are busily trying to find something wrong with it, but apparently we can't come up with anything.

Mr. CARNAHAN. I want to cut you short then. I have reached out—and just if I may add, Madam Chair, I reached out to our ranking member and the chair of the subcommittee and shared this information, and it is my——

Chairman ROS-LEHTINEN. That explains it.

Does anyone wish to be recognized?

Mr. PAYNE. Madam Chair.

Chairman ROS-LEHTINEN. Yes, Mr. Payne.

Mr. PAYNE. Let me commend the gentleman for introducing this resolution. We are working on legislation where we are trying to deal with higher education in general. As you know, in many African countries now, there is universal education in elementary school. Some small school fees are still required; however, most students are able to go. The other big movement in the elementary is that the girl child, which has always—in developing countries been sort of left behind, they have sort of a "leave no girl behind" type thing going on now, but they have included in a number of countries because of wives of many of the Presidents have said the girl child should be involved.

So as we are increasing elementary ed, there is a move on secondary education that only makes sense that with more graduates coming out of elementary and secondary school, going into higher education, that we ought to have a way to tap this new resource of qualified entrepreneurs. And I think if we did this and we sort of taught them the way that we do it, we could perhaps interest some American businesses to invest in China.

I see we have a lot of concern about China's investment. My African friends in perhaps every country in Africa say, we wish America would come, we prefer to do business with American businesses, we know it is better, it is more honest, it is more proficient. The typical African who goes for higher education doesn't want to go to Beijing. It is just totally free. But they want to come to the U.S. institutions at Harvard and Howard and Yale and Morehouse to the person.

So we have a great opportunity. The only reason we are not doing better in Africa businesswise is simply because our business people have not decided to maximize the opportunity. So I think this Carnahan is a good measure, and I certainly support it wholeheartedly.

I yield back.

Chairman ROS-LEHTINEN. Thank you, sir.

Do any members wish to be heard on the Carnahan amendment? If not, hearing no further requests for recognition, the question occurs on the amendment. All those in favor, say aye.

All opposed, no.

In the opinion of the Chair, the ayes have it, and the amendment is agreed to. We just didn't have enough time.

Mr. Mack is recognized.

Mr. MACK. Thank you, Madam Chair. I have an amendment at the desk.

Chairman ROS-LEHTINEN. The clerk will report the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Mack of Florida. At the appropriate place in the bill, insert the following: Section [blank]. Limitation on assistance to Argentina, Venezuela, Nicaragua, Ecuador, and Bolivia. None of the funds authorized to be appropriated under this act may be made available for assistance to the Governments of Argentina, Venezuela, Nicaragua, Ecuador, or Bolivia.

Chairman ROS-LEHTINEN. Thank you. And we will just wait a few minutes until the amendment is distributed.

[The information referred to follows:]

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AMENDMENT TO H.R. __

OFFERED BY MR. MACK OF FLORIDA

(Foreign Relations Authorization Act, Fiscal Year 2012)

At the appropriate place in the bill, insert the following:

1 **SEC. ____. LIMITATION ON ASSISTANCE TO ARGENTINA,**
2 **VENEZUELA, NICARAGUA, ECUADOR, AND BO-**
3 **LIVIA.**
4 None of the funds authorized to be appropriated
5 under this Act may be made available for assistance to
6 the governments of Argentina, Venezuela, Nicaragua, Ec-
7 uador, or Bolivia.

☒

Chairman ROS-LEHTINEN. Mr. Mack, you are recognized for 5 minutes on your amendment.

Mr. MACK. Thank you, Madam Chair.

And again, as the chair of the Western Hemisphere Subcommittee, we have focused a lot on how to move Latin America forward. And it appears that every time we turn around, there are a number of countries who stand in the way, or at least put up resistance, and those countries are the countries that are outlined in this amendment.

I think we all recognize that Venezuela—whether it is supporting terrorism, drug trafficking, assistance to Iran, kicking out DEA agents, severing ties, you name it, I think Venezuela is probably an easy one for everyone in here to agree with me on. Bolivia, at the same time has kicked out the DEA, kicked out the U.S. Ambassador and aligns itself with the ALBA nations undermining democracy in Latin America. Nicaragua has invaded Costa Rica. Ortega is unconstitutionally running for a third term, and they are in close relations with Iran.

I could go on and on about the—each one of these countries, but I believe again, as I heard from some of my friends on the other side of the aisle, that we need to make choices, and I believe that Mr. Berman said that if we had governments that we wanted to make sure we restricted funds to, then we ought to bring that to the committee. Well, that is exactly what this does. We send approximately $96 million to these countries right now, and none of these countries are helping in the creation and strength of democracy and freedom in Latin America.

And I want to make one last point about Argentina. Argentina is undermining both the United States judicial system and the settlement process at the World Bank. Argentina owes the United States bondholders more than $3.5 billion and has cost the United States bondholder, taxpayers and shareholders more than $10 billion. You will know that recently they seized sensitive U.S. equipment for domestic, political maneuvering, and the government continues to intimidate and initiate attacks on the media and freedom of expression.

So, Madam Chair, I believe this is a good amendment. This really shows where our priorities are, and it sticks to the principles that I believe are important, that we will support our friends and our allies. Countries in the Western Hemisphere that support the ideals of freedom, security and prosperity should and can expect the United States to stand with them. This amendment says that if you choose to turn your back on those principles and ideals, then we will no longer continue in support of those governments.

And with that, I yield back.

Chairman ROS-LEHTINEN. Thank you, Mr. Mack.

Mr. Berman is recognized.

Mr. BERMAN. Thank you, Madam Chairman.

And the gentleman's amendment—I do agree with this approach, rather than a standard which is much more general and has very negative consequences on our interests. But there are a few points—questions I would like to ask.

If the logic is bad leader, oppressive government, corruption, Iran comes to mind. But we, with my colleagues on the other side very

enthusiastically leading the way, appropriated significant funds for democracy promotion in Iran. Why would we want in Bolivia—in Bolivia, we have a program that promotes democracy-building programs in municipalities far away from Evo Morales' control. Why do we want to wipe out those programs? We have counternarcotics programs going on in—again, in Bolivia.

Mr. MACK. Would the gentleman yield?

Mr. BERMAN. Just 1 second. As I understand the gentleman's amendment, you are cutting out all economic assistance regardless of category to these five countries—five countries, each of which has their own problems, but are different countries—and we are lumping them together in a way that I am not sure makes sense. So I would be happy to yield to get a little more——

Chairman ROS-LEHTINEN. Mr. Mack.

Mr. BERMAN [continuing]. Understanding of what the gentleman is intending here.

Mr. MACK. Thank you.

And the amendment is very clear that these are funds that go to the government. So these are some of the programs that you talked about are not included in this. This is about assistance to these governments.

Mr. BERMAN. And my reply to the gentleman, the democracy-building and counternarcotics programs, the democracy building goes to municipal governments, frankly, in many years where they are quite opposed to the policies of the central government. You don't distinguish between the central government and the municipal governments in this amendment, and the counternarcotics programs do go to the government. So this is a decision to cut out those programs. I haven't heard enough reason to feel comfortable doing that without understanding what we are getting from them and why they are concerned.

So I understand the spirit of the gentleman's amendment, but I am just wondering if a strict application of these provisions doesn't undermine some of our interests here.

Chairman ROS-LEHTINEN. Is that a question for Mr. Mack?

Mr. BERMAN. Only if he chooses to answer it.

Mr. MACK. Well, I thank the gentleman.

Look, I don't think that we can—you can't make the argument, let us say, in Bolivia that we have a program with the DEA, because the DEA isn't in Bolivia. So I think if you go through and look at the countries that we are pointing out here, each one of these countries has stood in the face of democracy and freedom in Latin America, whether it is Venezuela, Bolivia, Nicaragua, Ecuador. Argentina owes an incredible amount of money. So the idea that we are going to continue to fund these governments when they have no intentions in standing with us and fighting narcotrafficking, fighting drugs, fighting terrorism. In fact, the leaders of these countries all align with Hugo Chavez, who is trying to change the direction of Latin America. Hugo Chavez wants to see—he wants to be leader for life, and all of those other countries are moving in that same direction.

So what we are saying is we have to make the hard choices. We don't have unlimited amounts of money. When it comes to these countries, they have shown that they do not support the ideals of

freedom, security and prosperity in Latin America. And if they don't support those ideals, then we should no longer support——

Mr. BERMAN. May I just reclaim my last second here?

Chairman ROS-LEHTINEN. If the gentleman would like to get time from another person, that would be great. We just went to Mr. Berman.

Mr. Rivera is recognized.

Mr. RIVERA. Thank you, Madam Chair.

It seems like I am reminiscing about the earlier debate regarding the amendment on the OAS. As Yogi Bear would say, this is déjà vu all over again. How much longer does the United States need to subsidize anti-American behavior in the hemisphere? How much longer should the United States subsidize activities that run counter to U.S. national interests?

When I spoke earlier on the OAS amendment, and I spoke about the OAS taking actions that run counter to U.S. national interests, those U.S. national interests include making sure that we have democracies that are moving more and more toward democratic reform, human rights, respect for civil liberties. That is not only in the interest of the United States, but in the interest of the entire hemisphere, in the interest of hemispheric cooperation, in the interest of hemispheric stability among all of our neighbors.

These countries have taken concrete action to destabilize U.S. interests in the hemisphere, and those actions have already been outlined in part by Chairman Mack, and there are many others that perhaps we don't have complete time to deliberate. But there are many other activities that these countries have taken that run counter to U.S. national interests.

So why, particularly in an era of economic austerity, and an era of budgetary constraints, why should we subsidize or continue to subsidize these countries? Let us finally send a message that we are not going to be the punching bag for countries that perhaps ostensibly or purportedly try in some way to give a semblance of a friendly relationship, but in reality, in practice they are taking actions that run counter to U.S. interests. And we should not subsidize—our taxpayers, United States taxpayers, should not subsidize anti-American activities, anti-democratic activities in the hemisphere, and that is why I support this good amendment.

I yield back.

Chairman ROS-LEHTINEN. Thank you very much, Mr. Rivera.

Mr. Engel.

Mr. ENGEL. Thank you, Madam Chairwoman.

I am afraid I am going to have to disagree with my good friend Mr. Mack on this amendment, although we do share a lot of the concerns. This is sort of a one-size-fits-all approach, and I am not sure it is the best way to do it.

For instance, I would not lump Argentina in with these other countries. Yes, there have been things in Argentina that have happened that we are perhaps not happy about, but I think that what is going on in Argentina—Argentina is a democracy, and we have relationships with that government. There are things on which we agree, and there are things on which we disagree. But, for instance, I would not—would put it in the same category as Venezuela.

I think that is a little bit of a too simplistic approach. Bolivia, Evo Morales sort of makes his own bed, and he lies in it. I don't understand why he does half the things he does. Venezuela, we have all kind of given up. And Nicaragua, you know, we have seen a lot of things that make us very unhappy. I am disappointed with Ecuador. I think that they are expelling our Ambassador and we expel their Ambassador was foolhardy, but I wouldn't even put Ecuador in the category of Venezuela. I think when we do that, we push them further into the hands of Hugo Chavez, and I am not sure that is the right way.

By this logic, for instance, when Lula was President of Brazil, which is a very important country, he was really collaborating with Iran. He did it many, many times in the U.N. He did it in terms of when we were able to get sanctions on Iran, he was trying to go a different direction. Would we then have included Brazil into that, an important country with which we need to have a good relationship with? Since their new leader Dilma is there, she is a lot better.

And so are we to do this every time a country elects a government that we don't particularly like or that we think is wrong?

So I have difficulty. I think we can decide a country by country. I don't think we need to lump everybody in. And I think that here, Argentina, it is the most egregious to put Argentina here.

I have visited there several times. I met with the President and the Foreign Minister, who was the Ambassador here in Washington. I would not say that they are anti-American. I think they want to work with us. Yes, they have a good relationship with Hugo Chavez and Venezuela. He gives them money. He gives them oil. He helps pay off their debt. I don't think if a country has a relationship with Hugo Chavez it means that they cannot also have a positive relationship with us. I don't think it is an either/or situation. I think that they can do what is in their best interest, and it is in our best interest, I think, to have a good relationship with a country like Argentina, which again is a democracy. I went there, I visited. We took a codel there. We visited with their trade union movement with their people.

Again, there are many, many countries that I think we can say that we don't agree 100 percent with, but I think putting Argentina in this group is not the right thing to do.

Mr. CONNOLLY. Would my colleague yield?

Mr. ENGEL. Yes.

Mr. CONNOLLY. I would echo what he said. Look, this is a crude way of substituting for diplomatic engagement. We don't have to like the actions of another country, or many of their actions, or their leadership, or some of their votes or practices to nonetheless understand that we have to be engaged. We have no choice. To cut off aid of any kind, I think, has ramifications and limits whatever leverage the United States may yet still exercise.

I certainly echo my colleague from New York's puzzlement at the inclusion of Argentina on this list. But nonetheless, this is a crude weapon. It impinges on any diplomatic leverage. It ought to be a last resort, not a first resort, and I believe it will have some unwitting consequences in terms of other things that matter to the

United States not here discussed. I think it is a mistake to adopt this amendment, and I am going to vote against it.

Mr. ENGEL. I want to reclaim my time for about 8 seconds. I just want to say of late Colombia has been having close relations with Venezuela. Do we want to eliminate Colombia, who is our best ally? And I am very supportive of Colombia. So I think we have to be careful to have these blanket things.

I yield to Mr. Berman.

Mr. BERMAN. Thank you for not much.

Chairman ROS-LEHTINEN. Does anyone seek recognition?

Mr. Rohrabacher is recognized, and then we will go on that side.

Mr. ROHRABACHER. Okay. So we are only spending $1.5 trillion more than we are taking in. If the money we are sending these countries—we are borrowing from China and giving the debt to our children, who will have to pay it off some day. So what? Let us just give it to them. Cutting off aid in any way to anybody is a crude weapon.

Well, I have got to tell you, I hope the American people hear this loud and clear, because that is not in keeping, I don't believe, and they will determine who they elect and decide to have up here on these desks making these decisions. We—they know we are on the edge of a catastrophe, an economic catastrophe.

Mr. BERMAN. Would the gentleman yield?

Mr. ROHRABACHER. Not until I finish.

We are talking about a collapse of our currency unless we do something rather than going in to debt $1.5 trillion a year, $1.5 trillion a year for the last 3 years. That is almost $5 trillion. What is the interest on that? And we can't cut out people from receiving our money and adding to that debt; we can't just say, okay, if you are really having a negative attitude toward us, we are not going to give you the money and put our kids further in debt? We can't do that? What can we do? Come on. In that is your philosophy? This is my philosophy: Let us let the American people decide.

Thank you. I will yield to my friend Mr. Berman.

Mr. BERMAN. He doesn't want it anymore.

Mr. ROHRABACHER. Okay. Thank you.

Mr. CONNOLLY. Would you yield to me for a question?

Chairman ROS-LEHTINEN. Mr. Connolly is recognized.

Mr. CONNOLLY. I thank my colleague from California.

I am just curious, you have repeatedly throughout this markup brought up the fact that a significant percentage of any dollar for diplomacy, for USAID, for a State Department is largely a borrowed dollar, and the clear indication being that is a negative thing. So should we cut back on aid to Israel, because the same percentage of borrowed dollars applies to Israel, which is one of the larger aid programs we have.

Mr. ROHRABACHER. If Israel started to be engaged in anti-American activity, and we determined they were going in that direction, the answer is yes.

And I would suggest to you that the reason why I am saying every dollar that we spend is a borrowed dollar, because 40 percent of our budget is borrowed, I am taking it for granted that the other 60 percent are things like Social Security, Medicare, things that really are important directly to the American people, and that what

we are talking about is part of that 40 percent that is not really totally directed to their personal well-being at the moment. But I would think that 60 percent of our budget is in that way. So the 40 percent that we are talking about is borrowed. So we are borrowing this from China in order to give to countries that express themselves very well in the fact that they don't like us? Sorry.

Chairman ROS-LEHTINEN. The gentleman yields back.

I know Mrs. Schmidt wants to be recognized, but first, Don Payne.

Mr. PAYNE. Thank you very much.

I do think when we have this start/stop kind of policies that we are starting to do now, we sort of, I think, defeat the long-term goals of our foreign policy. These countries here at different times were close to the U.S. They have—perhaps a little bump has come in the road. We have countries that we had very terrible relations with; Peru, for example, when Sendero Luminoso was killing people, and Fujimori came in and eliminated them, and then Fujimori became the bad guy, and we put them on the bad list, and now they are back on the good list.

We are taking the short-term—we are a relatively new country; however, the fact that we look at things on an annual basis rather than a 15- or 20-year plan, I think, is kind of short-sighted. We sort of—like they used to say in Britain, penny wise and pound foolish. You know, the British pound. The fact that we have changed—we are willing now to throw some of these countries out, whereas they were our allies before.

What I am saying is that I think if we had a long-term plan—as was mentioned, Brazil now, I think, is going to become one of our closer allies, very important with a several-hundred-million-people population and the economic growth where we can have some trade relations. But we had bad relations with them before because we didn't like the guy who got elected 8 years ago. Sixteen years ago—8 years wasn't as bad as that one—and now the new President seems to be okay.

So my point is that if we have these short-term, jerky, bump-in-the-road, roller coaster policies, we are not going to win in the long run. So I would hope that we could take a vision that could certainly be more than sort of a knee-jerk type of reaction. And I will certainly yield to the gentleman from California.

Mr. BERMAN. I thank the gentleman for yielding. And I wonder if the author of the amendment would be open to a few exceptions to his prohibition on aid.

In Bolivia, yes, the DEA—the Drug Enforcement Agency is not there, but the NAS—Narcotics Assistance Section of the State Department—has a counternarcotics program in Bolivia, one of the world's three largest suppliers of the foundations for cocaine that is dealing with eradication of the growth of coca leaves. That is going through the government.

Maybe there—yes, Bolivia is opposing a lot of our initiatives, but is this something that we are doing for Bolivia, or are we doing it for ourselves? Is the program worthless and ineffective?

The gentleman talked about democracy programs and other things like that. Would the gentleman be open to exempting assistance provided through nongovernmental organizations even though

it is because there may be government people being trained, teachers being trained, health workers may be trained? This is wiped out by your amendment. If there is a chance to do what you want to do, even though I don't like lumping Argentina into the category with Venezuela and Nicaragua, but if he is open to some exceptions, I would be interested in knowing, because that might be a way we could get you some support you may not need for your amendment. But sometimes a belt and suspenders——

Chairman ROS-LEHTINEN. Mr. Mack.

Mr. MACK. I thank the gentleman. And let me just say this, that I think I will stick with the amendment as written, because I think it is important that we send a message to our friends and our allies and to those who oppose us. And these countries clearly have aligned with each other to denounce, if you will, into the ideals of freedom, security and prosperity. And I don't think that we ought to continue to support with taxpayer dollars governments that have no interest in those ideals.

Mr. BERMAN. Well, just to reclaim the time that Mr. Payne controls, if he will continue to yield to me.

Mr. PAYNE. Yes.

Mr. BERMAN. I would say I thought you guys were supply-siders. Well, the supply of cocaine in the United States is very much contributed to by——

Chairman ROS-LEHTINEN. Thank you. The time has expired.

Mr. BERMAN. I don't know why you want to wipe out a program that is for us, not for Bolivia.

Chairman ROS-LEHTINEN. Mrs. Schmidt is recognized.

Mrs. SCHMIDT. Thank you, Madam Chair.

And I want to applaud my good friend from Florida for this amendment. Tonight, while we have got papers up here debating what amendments to support and not support, there are millions of Americans out there at their kitchen tables trying to figure out how to balance their budgets and pay their bills. And so their papers look a little different. It might be their energy bill, it might be their mortgage payment, it might be their car payment. And I say that because as they struggle in this recessed economy to meet their bills, their demands, we in our Nation need to be doing the same with ours, and we cannot continue to spend money that we don't have. And we certainly can't afford to spend money in ways that I think are wrong for this Nation, and I think that the people at the tables tonight who are paying their bills would ask us why.

And I really want to look at the countries that Mr. Mack has included and ask why would we be giving them our hard-earned money, our taxpayers' hard-earned money? Argentina, you know, Argentina is undermining both the United States judicial system and the settlement process at the World Bank. Argentina owes the United States bondholders more than $3.5 billion. It has caused the U.S. bondholder, taxpayers and shareholders more than $10 billion. And in addition, it has seized sensitive U.S. military equipment for domestic political maneuvering.

Venezuela, well in addition to Chavez not being a really great guy, they sponsor terrorism and drug trafficking, and they provide assistance to Iran.

Bolivia kicked out the DEA, kicked out the U.S. Ambassador, aligns with ALBA, and undermines democracy.

Nicaragua invaded Costa Rica. Ortega unconstitutionally is running for a third term and has a very close relationship with Iran.

Ecuador refuses to regulate its borders with Colombia, where the majority of the FARC are. So while Colombia is trying to get rid of drug trafficking along its border with Ecuador, they are allowing the ties to continue. The government official ties are very close with the FARC, and they kicked out the U.S. Ambassador, and undermine freedom of the press.

We have got to figure out how we are going to spend American taxpayer dollars, and they are really concerned about spending it with foreign aid. When I go back home, that is the one thing that people say to me is, "Why are you giving it to foreign countries, why don't you keep it here?" Well, there are reasons why we give it to foreign countries, countries like Israel, which, by the way, for every dollar that we give them, we actually get 75 cents of that dollar back right here in the United States. But there are countries that maybe we shouldn't be giving those taxpayer dollars to. And I applaud Mr. Mack for pointing out that maybe these are countries we should say, "Hey, not until you straighten up your act, you are not going to get money from us."

So I urge my colleagues to support this amendment. And it is not because of an ideological difference between the other side and my side. It is because the American public is asking us, point blank, "Why are we giving any foreign assistance money, period, case closed?" We have to go back and defend it. We better doggone well not have to answer why are we giving it to Argentina, Venezuela, Bolivia, Nicaragua and Ecuador because I cannot support them, but I can support other countries.

I yield back my time.

Chairman ROS-LEHTINEN. Thank you so much, Mrs. Schmidt.

Mr. Meeks is recognized, and then Mrs. Ellmers.

Mr. MEEKS. I, of course, understand that my friend from Florida really believes that he is doing the right thing, but I really think that what we are looking at—you know, it is pay me now or pay me later. To have this kind of policy really says and belittles, I think, the people that we need—we are working with on our hemisphere and these countries.

I mean, Bolivia, for example, do we have an interest? Of course we have an interest, because when you talk about cocaine and drugs and things of that nature, we want to make sure that it doesn't come over here, so we need to interact with that government and governments like it so that we can make a difference, and so that we can—and when President Morales was elected, it was a big thing for the Bolivian people, the first time an individual who happened to be an Indian from the—he is from the community. It was a big thing for them. It was a democracy. Democracies are—democracy is sometimes messy. You can't determine—I mean, I wish in the United States I could determine the outcome of the elections that we have, and I can determine who is the President and who is going to be the President of the United States, and those that I like I will stay with, and then those that are elected that I don't like, I will take myself out of the Nation.

It doesn't work that way. I am compelled to deal with who the people have decided that they are going to elect. So it is the same situation when we talk about our hemisphere. We can't vote, nor should we, nor should we tell the people in these countries who they should elect. But what we have got to do, and I think similar, I think that Mr. Engel mentioned it—I see what is taking place with President Santos where he and Venezuela were—Colombia and Venezuela were completely at odds, and he decided to take a different tack to figure out how he can have a better relationship based upon the interests that Colombia has with Venezuela.

Well, the same thing that we should do. We should look at this in a tactical manner and figure out the best way that we can continue to move to get the results that we need, and understanding at times we are going to have these governments that—or these Presidents that are not the ones that we would have selected. But it doesn't mean that we have a herky-jerky-type situation and say, okay, the guy that we like or the lady that we didn't like got elected, so therefore we are going to change all of our policies, we are not going to do anything, we are going to cut all of the programs. I think that is—it is short-sighted. It does not have any vision. It is—you can have short-term gain. It makes you feel good, short-term gain, but you will probably be in for some long-term pain. I think what we need to do is maybe have some short-term pain so that we can have some long-term gain and better relationships overall on our hemisphere.

Mr. CONNOLLY. Would my colleague yield?

Mr. MEEKS. Yes, I yield.

Mr. CONNOLLY. I just wonder whether my colleague is as puzzled as I am. If we are going to make these the criteria, why wouldn't we have Pakistan on the list? I mean, they are shooting at—in some cases reportedly at allied troops in the Afghan border, harboring terrorists——

Chairman ROS-LEHTINEN. Wait a minute.

Mr. CONNOLLY [continuing]. Noncooperation in terms of our fight against terrorism and insurgency, corruption, compromise of intelligence. One could go on and on and on. Frankly, the countries here on this list are penny ante compared to the magnitude of Pakistan. So if we really mean it, why wouldn't we add Pakistan to the list?

Mr. PAYNE. Mr. Rohrabacher?

Mr. ROHRABACHER. I hope you will wait. I have an amendment on the floor.

Chairman ROS-LEHTINEN. Whose time is it?

Mr. Gregory Meeks.

Mr. MEEKS. My time, and I yield back.

Chairman ROS-LEHTINEN. Thank you.

Mrs. Ellmers.

Mrs. ELLMERS. Thank you, Madam Chairman.

We on this side—and thank you to my colleague from Florida for offering this amendment. And I echo the sentiments of my fellow colleague from Ohio on this issue.

I keep hearing over and over again from our colleagues on the left about being penny wise and pound foolish. Well, it is difficult when the American people see of every dollar that is spent in this

country, 42 of those pennies are borrowed from other countries for these purposes. So we continue to spend money we do not have.

And we understand international diplomacy. We understand these issues. But the fact of the matter is we have got to put an end to this wasteful spending and giving money to countries that we really need to pull back on because of their continued policies. And it is just very frustrating to hear how—what a luxurious lifestyle we are all living, and as far as short-term pain, the American people have been in pain for 2½ years. This is pain, real pain. And it is time we put an end to this.

And I would just like to say also that I would like to again thank my colleague from Florida for offering this. This is very needed, a very needed amendment. And I would like to yield a moment of my time to Ms. Buerkle, if that——

Chairman ROS-LEHTINEN. Ms. Buerkle is recognized.

Ms. BUERKLE. Thank you. Thank you, Madam Chairman. Thank you to my colleague for yielding time to me. I will be brief.

I want to speak in support of Mr. Mack's amendment. I want to say that the definition of insanity is to continue doing the exact same thing and expecting a different result. When I hear my colleagues on the other side talk about stopping and starting diplomacy, that is exactly what this body should be charged with. If a program isn't working, if we are funding a corrupt government, or we are funding a government that does not espouse our values, then, yes, we will stop. We should not support them. We should not expect the same result when we continue to fund these countries. So I thank you, and I yield back to Mrs. Ellmers.

Chairman ROS-LEHTINEN. Thank you so much, Mrs. Ellmers and Ms. Buerkle.

Do other members wish to be recognized on this amendment? If not, then——

Mr. PAYNE. Recorded vote.

Chairman ROS-LEHTINEN. Yes, we will get to that part. So hearing no further requests for recognition, the question occurs on the amendment. Mr. Mack has requested a roll call vote already. So because of our previous agreement, this will be the second roll call vote that will take place at 8:15, in just a little bit. So thank you, Mr. Mack, for that amendment.

Mr. Cicilline is recognized, and then we will have Mr. Poe's amendment.

Mr. CICILLINE. Thank you, Madam Chairman.

I have an amendment at the desk. It is an amendment which is also cosponsored by Mr. Keating of Massachusetts.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Cicilline of Rhode Island and Mr. Keating of Massachusetts. At the appropriate place in title IV, insert the following: Section [blank]. Sense of Congress regarding the Millennium Challenge Corporation. (a) Findings. Congress finds the following: (1) The Millennium——

Mr. CICILLINE. Madam Chairman, I would ask for unanimous consent that the amendment be deemed as read.

Chairman ROS-LEHTINEN. Correct.

[The information referred to follows:]

AMENDMENT TO H.R. 2583

OFFERED BY MR. CICILLINE OF RHODE ISLAND AND MR. KEATING OF MASSACHUSETTS

(Foreign Relations Authorization Act, Fiscal Year 2012)

At the appropriate place in title IV, insert the following:

SEC. ___. SENSE OF CONGRESS REGARDING THE MILLENNIUM CHALLENGE CORPORATION.

(a) FINDINGS.—Congress finds the following:

(1) The Millennium Challenge Corporation (MCC) provides access to financial services and helps create sustainability for financial institutions in Cape Verde, both of which are critical components to that country's economic growth.

(2) The MCC strategy in Cape Verde, a developing nation in which 30 percent of its citizens live below the poverty level, focuses on microfinance development and improved access to credit for farmers.

(3) The MCC Compact with Cape Verde contributed to e-government service by investing in software, equipment, and technical assistance. As a result, the number of days it takes to start a business has decreased from an average of 52 days in 2007, to less than one day to do so in 2010.

(4) Preliminary findings of the MCC Compact with Cape Verde indicate substantial results for farmers receiving assistance through the Agricultural Support Project. For example, following a year of very bad rains, farmers who did not receive MCC assistance experienced a drop in income of 88 percent, while farmers who did receive such assistance faced a decrease of only 18 percent.

(5) As a result of the MCC Compact with Cape Verde, the following outputs have been completed:

(A) The construction of 28 reservoirs.

(B) 549 farmers have received training in new technologies.

(C) Four participating microfinance institutions have issued $617,000 in rural agricultural loans to 209 farmers on agribusiness.

(D) Increased financial intermediation and competition in the government securities market and development of the private sector.

(E) Eight microfinance institutions have received technical assistance, and capacity-building in accounting, credit appraisal, delivery, collection, human resources management, and marketing.

1 (6) As a result of the MCC, Cape Verde is
2 launching its first private credit bureau.
3 (7) Because the compact with Cape Verde was
4 among the first MCC compacts approved, a number
5 of unanticipated issues arose regarding timing and
6 design that required rescoping of projects and revi-
7 sion of targets and indicators. Without the ability to
8 extend the compact beyond the 5-year limit, the
9 MCC was unable to provide full support for the ac-
10 tivities initially envisioned.
11 (b) SENSE OF CONGRESS.—It is the sense of Con-
12 gress that—
13 (1) Cape Verde has demonstrated a commit-
14 ment to transforming its economy and creating sus-
15 tainable growth, as well as an ability to effectively
16 utilize the assistance provided by the Millennium
17 Challenge Corporation (MCC); and
18 (2) a second compact with the MCC would
19 allow Cape Verde to build on the success of its first
20 compact, accelerate economic growth, raise incen-
21 tives in other countries to maintain high levels of
22 performance on MCC programs, and exemplify the
23 results-based approach to foreign assistance.

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Chairman ROS-LEHTINEN. And we will just then suspend until the members have the amendment. And I do have the list of the Republicans who are offering an amendment. But, Mr. Payne, did you say you had an amendment also? So we have Cicilline for the Democrats. I have Cicilline, Deutch, and Payne. And do let me know so I can put you in the queue.

Everyone has the amendment?

And Mr. Cicilline is recognized at this time.

Mr. CICILLINE. Thank you, Madam Chairman.

This amendment is a sense of Congress language describing the success of the Millennium Challenge Corporation's first compact in Cape Verde. Members of the committee know, the MCC funding is based upon an assessment of a country's political, social and economic conditions, and the country's ability to promote sustainable economic growth. In order for a country to be selected as eligible for an MCC program, it must demonstrate a commitment to just and democratic governance, investments in its people and economic freedom as measured by 17 different and very specific policy indicators, control of corruption and commitment to rule of law among them. And in Cape Verde, the Millennium Challenge strategy has focused on microfinance development and improved access to credit for farmers.

The Millennium Challenge has played a really important role in helping to transform Cape Verde's economy and help it create sustainable growth. My amendment simply recognizes the tremendous progress that Cape Verde has made and expresses the sense of Congress that a second compact would help Cape Verde build on the successes of the first compact.

Chairman ROS-LEHTINEN. Would the gentleman yield a second? We love your amendment, and Mr. Smith is ready to speak in favor of it, but I am wondering, would you like to read your statement nonetheless?

Mr. CICILLINE. Just one more paragraph.

Chairman ROS-LEHTINEN. Go right ahead. Threw you off your track.

Mr. CICILLINE. Yeah. Again, this amendment again—the award to Cape Verde demonstrates that MCC adheres strictly to its indicators about achieving results and investing in countries where it will be most effective, and really allows us to leverage our investment and build upon the investments we have already made. And I think it is important that when a small country like Cape Verde has made such progress, we want to really use it as a way to incentivize other countries to compete and develop policies that will help them sustain sustainable economic growth. So I thank—I have learned early to quit while I am ahead.

Chairman ROS-LEHTINEN. Thank you. And I know that this is cosponsored by our friend Mr. Keating of Massachusetts as well.

We thank the gentleman for yielding back the time.

Mr. Smith is recognized.

Mr. SMITH. Thank you very much, Madam Chair. I will be very brief.

This amendment encourages the MCC to conclude a compact with Cape Verde. Cape Verde has proven to be a small but reliable partner, and has demonstrated respect for the rule of law, economic

freedom and investing in people. Cape Verde was one of the first countries to qualify for, negotiate and implement a compact, which helped create jobs, reduce poverty, and create a sound investment environment, which sets the country on a trajectory to aid—to trade. Through MCC Cape Verde, though it was granted some $110 million for their compact, they have expended just $103 million to date, demonstrating fiscal constraint and saving the U.S. taxpayer $7 million.

I point out that a second compact for Cape Verde was included in the Millennium Challenge Corporation's Fiscal Year 2012 request. Given existing resources and the opportunity to leverage private sector resources, the MCC has reduced the budget range for a second comeback for Cape Verde from $75 million to $100 million to $50 million to $70 million. However, in supporting the amendment, I would like to emphasize that I fully expect the MCC to continue to adhere to its core principles and rigorous performance indicators. And again, I thank——

Chairman ROS-LEHTINEN. The gentleman yields back.

Do any other members seek recognition to speak on the amendment?

Mr. Payne.

Mr. PAYNE. I certainly concur with the two previous speakers. I think Cape Verde is a very good example of how the MCC works, and it is doing an outstanding job. It is very close to our Government. Many of our codels were refueling. In the old days when we had codels, we would stop in Cape Verde for refueling, a very pleasant country, very cooperative. So I just would like to add my support to this amendment.

Chairman ROS-LEHTINEN. Thank you.

Seeing no other members seeking recognition to speak on the amendment, the question occurs on the amendment. All those in favor, say aye.

All opposed, no.

In the opinion of the Chair, the ayes have it, and the amendment is agreed to.

And Mr. Poe is recognized for his amendment.

Mr. POE. I have an amendment at the desk, No. 155.

Chairman ROS-LEHTINEN. Thank you. The clerk will read the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Poe of Texas. At the end of title IV, add the following: Section 4xx. Guidelines for United States foreign assistance programs. (a) Purpose. The purpose of this section is to evaluate the performance of United States foreign assistance programs and their contribution to policy, strategies, projects, program goals, and priorities undertaken by the Federal Government, to foster and promote innovative programs to improve the effectiveness of such programs, and to coordinate the monitoring and evaluation processes of Federal departments and agencies that administer such programs. (b) Establishment of guidelines. The President, in consultation with the Administrator of the United States Agency for International Development——

Mr. POE. Madam Chair, I move that we waive the reading of the rest of the amendment.

Chairman ROS-LEHTINEN. Thank you. It is so granted.
[The information referred to follows:]

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AMENDMENT TO H.R. __

OFFERED BY MR. POE OF TEXAS

(Foreign Relations Authorization Act, Fiscal Year 2012)

At the end of title IV, add the following:

1 **SEC. 4xx. GUIDELINES FOR UNITED STATES FOREIGN AS-**
2 **SISTANCE PROGRAMS.**

3 (a) PURPOSE.—The purpose of this section is to
4 evaluate the performance of United States foreign assist-
5 ance programs and their contribution to policy, strategies,
6 projects, program goals, and priorities undertaken by the
7 Federal Government, to foster and promote innovative
8 programs to improve the effectiveness of such programs,
9 and to coordinate the monitoring and evaluation processes
10 of Federal departments and agencies that administer such
11 programs.

12 (b) ESTABLISHMENT OF GUIDELINES.—The Presi-
13 dent, in consultation with the Administrator of the United
14 States Agency for International Development, the head of
15 the Millennium Challenge Corporation, and the Secretary
16 of Defense, shall establish guidelines regarding the estab-
17 lishment of measurable goals, performance metrics, and
18 monitoring and evaluation plans that can be applied on
19 a uniform basis to United States foreign assistance pro-

Insert: "the Secretary of State,"

1 grams, country assistance plans, and international and
2 multilateral assistance programs receiving financial assist-
3 ance from the United States. Such guidelines shall be es-
4 tablished according to best practices of monitoring and
5 evaluation studies and analyses.

6 (c) OBJECTIVES OF GUIDELINES.—

7 (1) IN GENERAL.—Such guidelines shall provide
8 direction to Federal departments and agencies that
9 administer United States foreign assistance pro-
10 grams on how to develop the complete range of ac-
11 tivities relating to the monitoring of resources, the
12 evaluation of projects, the evaluation of program im-
13 pacts, and analysis that is necessary for the identi-
14 fication of findings, generalizations that can be de-
15 rived from those findings, and their applicability to
16 proposed project and program design.

17 (2) OBJECTIVES.—Specifically, the guidelines
18 shall provide direction on how to achieve the fol-
19 lowing objectives for monitoring and evaluation pro-
20 grams:

21 (A) Building measurable goals, perform-
22 ance metrics and monitoring and evaluation
23 into program design at the outset, including the
24 provision of sufficient program resources to
25 conduct monitoring and evaluation.

1 (B) Disseminating guidelines for the devel-
2 opment and implementation of monitoring and
3 evaluation programs to all personnel, especially
4 in the field, who are responsible for the design,
5 implementation and management of foreign as-
6 sistance programs.
7 (C) Developing a clearinghouse capacity
8 for the dissemination of knowledge and lessons
9 learned to United States development profes-
10 sionals, implementing partners, the inter-
11 national aid community, and aid recipient gov-
12 ernments, and as a repository of knowledge on
13 lessons learned.
14 (D) Distributing monitoring and evaluation
15 reports internally and making this material
16 available online to the public. Furthermore, pro-
17 viding a summary including a description of
18 methods, key findings and recommendations to
19 the public on-line in a fully searchable form
20 within 90 days after the completion of the eval-
21 uation. Principled exceptions will be made in
22 cases of classified or proprietary material.
23 (E) Establishing annual monitoring and
24 evaluation agendas and objectives that are re-
25 sponsive to policy and programmatic priorities.

1 (F) Applying rigorous monitoring and eval-
2 uation methodologies, choosing from among a
3 wide variety of qualitative and quantitative
4 methods common in the field of social scientific
5 inquiry.
6 (G) Partnering with the academic commu-
7 nity, implementing partners, and national and
8 international institutions that have expertise in
9 monitoring and evaluation and analysis when
10 such partnerships will provide needed expertise
11 or will significantly improve the evaluation and
12 analysis.
13 (H) Developing and implementing a train-
14 ing plan for aid personnel on the proper con-
15 duct of monitoring and evaluation programs.
16 (d) ROLE OF OTHER FEDERAL DEPARTMENTS AND
17 AGENCIES.—The head of each Federal department and
18 agency that administers United States foreign assistance
19 programs shall implement such guidelines.
20 (e) EVALUATION DEFINED.—In this section, the
21 term "evaluation" means, with respect to a United States
22 foreign assistance program, the systematic collection and
23 analysis of information about the characteristics and out-
24 comes of the program and projects under the program as

1 a basis for judgments, to improve effectiveness, and to in-
2 form decisions about current and future programming.
3 **SEC. . REPORT.**
4 Not later than one year after the date of the enact-
5 ment of this Act, the Administrator shall submit to Con-
6 gress a report that contains a detailed description of the
7 guidelines that have been developed on measurable goals,
8 performance metrics, and monitoring and evaluation plans
9 for United States foreign assistance programs established
10 under section __.

☒

Chairman ROS-LEHTINEN. We will just give 1 minute for all of the amendments to be distributed.

And the gentleman is recognized.

Mr. POE. Thank you, Madam Chair.

This amendment is really the second amendment in two. The first one was for transparency, which we passed by a voice vote. This amendment requires monitoring and evaluation done by the President for setting up guidelines for goals and benchmarks for all foreign aid programs.

I want to thank the ranking member Mr. Berman and his staff for their input on this amendment.

Right now, foreign aid programs are not measuring results. USAID, which has done more than any other agency except MCC on monitoring and evaluation, isn't even requiring its programs to have a way to measure results, let alone implementation, until Fiscal Year 2013.

So, since the passage of the Foreign Assistance Act in 1961, foreign aid programs have spread across 12 departments, 25 agencies, 60 Federal offices. Funding levels for foreign aid have doubled in the last 10 years. And lack of accountability really invites waste, fraud, and even corruption.

The losers are those the programs are trying to help overseas and the Americans who pay for all of this. So there must be a clearly defined set of standards that is applied to all foreign assistance programs. And I urge adoption of this amendment that monitors and evaluates all foreign aid programs.

And I yield back.

Chairman ROS-LEHTINEN. Thank you, Mr. Poe.

Mr. FALEOMAVAEGA. Will the gentleman yield?

Chairman ROS-LEHTINEN. Mr. Faleomavaega?

Mr. FALEOMAVAEGA. I just wanted to ask the gentleman, the sponsor of the amendment, a question.

Chairman ROS-LEHTINEN. If the gentleman would yield, Mr. Poe?

Mr. POE. Certainly.

Mr. FALEOMAVAEGA. I would just like to ask the gentleman if there was any reason why the Secretary of State is not included in the process of consultation. In the establishment of guidelines, the first page, I notice that we have USAID, we have the Secretary of Defense, got the MCC, but I was just wondering, to the gentleman, if there was any reason why the Secretary of State is not included.

Mr. POE. Well, it requires the President to set up the guidelines. I just mentioned USAID and MCC because they are doing something. But I prefer that the President set the guidelines and the benchmarks and the standards, rather than the Secretary of State. It is just a choice.

Mr. FALEOMAVAEGA. I see. The Secretary of Defense is also included in the consultation. Is there a reason?

Mr. POE. Well, the Secretary of Defense—the Defense Department does foreign assistance, as well. That is the reason.

Mr. FALEOMAVAEGA. Okay. I thank the gentleman.

Chairman ROS-LEHTINEN. Thank you.

Do other members seek recognition on this amendment?

Mr. Berman?

Mr. BERMAN. Yes, I rise in very strong support of this amendment. I was going to offer an amendment on this subject, and the gentleman from Texas has offered an amendment that I think is as good as the one I was going to offer, and I am biased in favor of myself.

So I hope the committee adopts it. I congratulate him. I think it is a significant contribution to the improvement of our foreign assistance program. And I encourage your enthusiastic support for it.

Mr. PAYNE. Madam Chair?

Chairman ROS-LEHTINEN. Mr. Berman yields back.

Mr. Payne is recognized.

Mr. PAYNE. Yes. I think that this resolution has some merit, especially since Mr. Berman has agreed that it does.

However, I also wonder about the organizations mentioned. And I really have a problem with us including the Department of Defense in foreign assistance per se.

Now, we do know that the Department of Defense, if they are in a country, will help to build the road. However, there has been suspicion in the past when the Department of Defense or some of our agencies, like the CIA or others that were involved in so-called foreign assistance, also became involved.

And one of the problems that initially confronted AFRICOM was that the African nations felt that foreign assistance now was going to be determined by the military, that there would be a general in charge and the USAID and other programs would have to get approval from AFRICOM that would be in charge. And after several years of assuring the African countries that this was not a military movement, this was not a program to simply protect U.S. military interests and fight al-Qaeda or protect the oil in the Gulf of Guinea, that there had now been an acceptance that AFRICOM, in its new reorganization, may be positive.

So I just cringe a little bit when I see the Department of Defense included in USAID or the Department of State and would question—I don't think it would weaken your amendment at all if you would consider perhaps not having the Department of Defense mentioned, but when in instances that they do indeed become involved, they would kind of be consulted.

Mr. BERMAN. Would the——

Mr. PAYNE. Yes, I will yield to the gentleman.

Chairman ROS-LEHTINEN. Mr. Berman?

Mr. BERMAN. I appreciate it.

The way to make the amendment better than what I was going to offer is, certainly, the Secretary of State should be in there. I assume it was——

Mr. PAYNE. Absolutely.

Mr. BERMAN [continuing]. Inadvertent that the Secretary of State is not included. Since we have not made USAID an independent agency, the administrator works under the Secretary.

And I do see a logic to the Secretary of Defense when we are dealing with 1206 funding. There are a lot of—I think too much—assistance administered through the Department of Defense, such as the whole Pakistan counterterrorism fund and all that. So there is logic for evaluation of those programs with Defense. Mr. Payne's suggestion is not a bad one, have them focus on those programs.

But I do think it is a glaring omission not to have the Secretary of State as one of the people being consulted. And I am hoping the gentleman might——

Mr. PAYNE. Reclaiming my time. I agree that the Secretary of State certainly should be in there. I think that was mentioned before. And it is sort of like the tail wagging the dog, because USAID is a part of the Department of State.

I think that evaluations of Defense programs ought to be done by the Department of Defense. I think that some legislation like this for the Department of Defense should also be in—as a matter of fact, we spend maybe $50 billion a year on all foreign assistance, or less, even including MCA. We spend $700 billion on defense. So I would prefer to even see something like this set up for Defense.

I just think it is inappropriate; however, I would not vote against it because it—I just think that we continue to have certain countries who remember Vietnam and remember the old days of Iran-Contra and so forth. To say with the Department of Defense being our aid agency, I think just, in my opinion, it sends the wrong message.

Mr. POE. Would the gentleman yield?

Chairman ROS-LEHTINEN. Mr. Poe?

Mr. PAYNE. Yes, Mr. Poe.

Mr. POE. I ask unanimous consent that we add the Secretary of State.

Chairman ROS-LEHTINEN. Without objection?

Mr. FALEOMAVAEGA. I thank the gentleman.

Chairman ROS-LEHTINEN. Thank you.

Mr. POE. I yield back.

Chairman ROS-LEHTINEN. The clerk will make that addition.

And does Mr. Payne yield back?

Mr. PAYNE. I yield back. Thank you.

Chairman ROS-LEHTINEN. Thank you.

Does any other member seek recognition?

Hearing no further requests for recognition, the question occurs on the amendment.

All those in favor, say aye.

All opposed, no.

In the opinion of the Chair, the ayes have it, and the amendment is agreed to.

Congratulations, Judge Poe.

Mr. Deutch is recognized.

Mr. DEUTCH. I thank you, Madam Chairman.

I have two amendments at the desk. The first is Amendment 623.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Deutch of Florida. At the end of title IV, insert the following: Section [blank]. Nonproliferation, antiterrorism, and demining. For nonproliferation, antiterrorism, and demining programs, not more than $740 million is authorized to be appropriated to the President for Fiscal Year 2012.

[The information referred to follows:]

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AMENDMENT TO H.R. _____

OFFERED BY MR. Deutch

At the end of title IV, insert the following:

1 **SEC. ___. NONPROLIFERATION, ANTITERRORISM, AND**

2 **DEMINING.**

3 For nonproliferation, antiterrorism, and demining

4 programs, not more than ~~$740,000,000~~ 708,540,000 is authorized to

5 be appropriated to the President for fiscal year 2012.

☒

Chairman ROS-LEHTINEN. Thank you.

Hold on 1 second, Mr. Deutch, and we will give out the amendment.

The amendment having been given out, the gentleman is recognized to explain his amendment.

Mr. DEUTCH. Thank you, Madam Chairman.

As the ranking member noted earlier, the name of this title is "Foreign Assistance," but the title omits authorization of key activities. Foreign assistance is not just development. It encompasses a broad swath of activities to support partners and advance U.S. national security.

A key area of this assistance is the nonproliferation, antiterrorism, demining, and related programs account. It encompasses counterterrorism assistance, demining, and nonproliferation activities at the Department of State—some of the most important functions of the entire national security apparatus. The text before us omits authorization for these programs.

These programs keep America safe and help us strengthen our partners. States' nonproliferation programs help halt the proliferation of weapons of mass destruction, their delivery systems, and advanced conventional weapons systems, with particular emphasis on denying such weapons to terrorists. These programs also support multinational exercises under the Proliferation Security Initiative and the destruction of WMD weapons.

The Global Threat Reduction Program supports specialized activities aimed at reducing the threat of terrorist or state acquisition of WMD materials and expertise through such activities as scientist redirection and engagement. Antiterrorism programs provide training and equipment to help build the counterterrorism capabilities of partner nations.

The coordinator for counterterrorism is expanding the Department's efforts to counter violent extremism in high-priority countries. This is exactly what we need to do to ameliorate the need for military action down the road.

The NADR account also funds the TIP/PISCES program, which provides computerized watch-listing systems to partner nations that enable immigration and border control officials to quickly identify suspect persons attempting to enter or leave their countries.

Finally, NADR supports humanitarian demining efforts like the Conventional Weapons Destruction Program.

The bottom line, Madam Chairman, is that these programs are critical to U.S. national security. We should fully exercise our committee's prerogative by authorizing these programs specifically in the bill. I urge adoption of this amendment.

And I yield back.

Chairman ROS-LEHTINEN. Thank you.

And the gentleman yields back.

And speaking of critical issues, pizza has arrived for members on both sides of the aisle in the side room.

Which member would like to be recognized for the Deutch amendment?

Mr. Rohrabacher?

Mr. ROHRABACHER. Mr. Deutch, where did you come up with this $740 million number?

Mr. DEUTCH. If I may, the $740 million is the Fiscal Year 2011 number, which is consistent with the balance of this bill.

Mr. ROHRABACHER. Okay. So your proposal is just basically to carry over what we were doing last year——

Mr. DEUTCH. That is correct.

Mr. ROHRABACHER [continuing]. Over to this year.

Mr. DEUTCH. That is correct.

Mr. ROHRABACHER. Okay. All right. Just wanted to know where it came from. Thank you very much.

Mr. DEUTCH. You are welcome.

Chairman ROS-LEHTINEN. Thank you.

Do members wish to speak on this amendment?

Mr. ROYCE. Yes, I will speak——

Chairman ROS-LEHTINEN. Mr. Royce is recognized.

Mr. ROYCE. Yeah, I appreciate the gentleman's concern about this account, the NADR account. I have watched this account very closely over the years. As a matter of fact, Mr. Sherman and I, some years ago, worked together to make sure there were sufficient resources to combat the threat from shoulder-fired missiles, and the account got beefed up.

But this amendment envisions a NADR account beyond what the President has called for. And the President's request is $708,540,000. So this amendment then goes and adds $30 million to the President's request, and it does so without saying why or identifying how that money would be spent.

Now, if the President thought he could spend more money if the administration thought they could, we would know they would try to do that. But as I said before, we have to make choices. And going above the President's request just isn't a choice I think we are in the position to make.

And I would also add that, in terms of the Appropriations Committee, they are in line with our number here—they are in line with the President's request. They are in line with the President's request.

So, if the State Department thinks that this account request was shortchanged, I haven't heard anything from them. And as I indicated, we have worked with them closely on this account over the years. I chair the relevant subcommittee. No one has alerted me to the fact that they feel the President's request is insufficient.

So I have to oppose this amendment. And to go back to the argument at hand, just to add $30 million to this without a compelling reason why, at a time when we have to make tough choices and when that is not what the State Department or the administration is asking for, is not a good idea.

Mr. DEUTCH. Will the gentleman yield?

Mr. ROYCE. I oppose the amendment.

Mr. DEUTCH. Will the gentleman yield?

Mr. ROYCE. Sure, I would be happy to yield.

Mr. DEUTCH. This is not—just to clarify for the gentleman from California, this is not an increase from the President's requested amount to $740 million. This is an increase from zero to $740 million.

Mr. ROYCE. No, it is not—it is not zero, because—the reason it is not zero, Mr. Deutch, reclaiming my time, is because I took the time to talk to the Appropriations Committee this morning to find out what the appropriations is, and the appropriation is $708,540,000.

Mr. DEUTCH. If the gentleman will yield, there is nothing in this bill, in the underlying bill, that reauthorizes these programs. There is nothing in this bill that reauthorizes these programs.

I will gladly accept an amendment to my amendment to change the $740 million to the $708 million requested by the President.

Mr. ROYCE. Well, I think that is what you ought to do.

Chairman ROS-LEHTINEN. If the gentleman would yield, would there be any objection to changing the amount? The sponsor of the amendment would agree to that.

Mr. FALEOMAVAEGA. Madam Chair?

Chairman ROS-LEHTINEN. It is a matter of the President's numbers—yes?

Mr. FALEOMAVAEGA. Madam Chairman, I do have a question about——

Chairman ROS-LEHTINEN. Oh, yes, Mr. Faleomavaega.

Mr. FALEOMAVAEGA. Mr. Deutch, I know——

Chairman ROS-LEHTINEN. We will just start the 5 minutes——

Mr. FALEOMAVAEGA [continuing]. That in one of the drafts earlier, the proposed authorization, there was a specific section dealing with demining and, I believe, nonproliferation. And then the latest draft, there was no provision whatsoever. And I think this is the reason why Mr. Deutch has offered this amendment.

And, specifically, I wanted to ask Mr. Deutch about the issue of demining. And I had intended and wanted to include unexploded ordnance, the fact that we dropped 2 million pounds of cluster bombs in Laos and Cambodia for which we never really did an honorable job in cleaning up the mess that we created in those two countries—countries that never waged war against us.

And I wanted to ask the gentleman, how much money is being allocated for purposes of cleaning up mines? I presume it is land mines, but I wanted to know if there is any provision in there that touches on unexploded ordnance as well as cluster bombs.

Chairman ROS-LEHTINEN. Mr. Deutch?

Mr. DEUTCH. I thank the chairman.

If this amendment is adopted, there is $5 million for conventional-weapons destruction in Laos and $4 million, $3,940,000, for conventional-weapons destruction in Cambodia.

Mr. FALEOMAVAEGA. I thank the gentleman.

Chairman ROS-LEHTINEN. Thank you.

And, Mr. Deutch, if I could have that number again—did we write that down—that Mr. Royce had given, since you were in agreement? It is the President's number for Fiscal Year 2012: $708,540,000.

If the clerk would note that, then I think that we are ready, if there are no further requests for time, to voice vote this Mr. Deutch amendment.

Hearing no further requests for recognition, the question occurs on the Deutch amendment.

All those in favor, say aye.

All opposed, no.

In the opinion of the Chair, the ayes have it, and the amendment is agreed to.

Congratulations, Mr. Deutch.

Now, pursuant to the earlier announcement, the following postponed votes will be taken in the following order: We have pending the Schwartz amendment to strike section 407, conditioning assistance on the MCC corruption performance indicator; and the Mack amendment, limitation on assistance to Argentina, Venezuela, Nicaragua, Ecuador, and Bolivia.

And, Mr. Deutch, I know you have another amendment. Mr. Duncan has, like, three others. So we will take—and we have a bunch. So we are taking them one at a time. But thank you.

So we are ready to vote.

Mr. Berman, ready?

You ready, gang?

We are ready to go.

Yes?

Mr. BERMAN. You are certainly within your rights to go. I feel a little bad that the author of the amendment isn't back yet, and I am sure she will be here in a minute.

Chairman ROS-LEHTINEN. No. I think we were very clear. And we are pretty nice about accommodating folks, but we were pretty darn clear.

So, pursuant to the earlier announcement, the following postponed votes will be taken in the following order: First, the Schwartz amendment to strike section 407, conditioning assistance on the MCC corruption performance indicator.

The clerk will call the roll.

Ms. CARROLL. Madam Chairman?

Chairman ROS-LEHTINEN. No.

Ms. CARROLL. The chairman votes no.

Mr. Smith?

Mr. SMITH. No.

Ms. CARROLL. Mr. Smith votes no.

Mr. Burton?

Mr. BURTON. No.

Ms. CARROLL. Mr. Burton votes no.

Mr. Gallegly?

Mr. GALLEGLY. No.

Ms. CARROLL. Mr. Gallegly votes no.

Mr. Rohrabacher?

Mr. ROHRABACHER. No.

Ms. CARROLL. Mr. Rohrabacher votes no.

Mr. Manzullo?

[No response.]

Ms. CARROLL. Mr. Royce?

[No response.]

Ms. CARROLL. Mr. Chabot?

Mr. CHABOT. No.

Mr. MANZULLO. No.

Ms. CARROLL. Mr. Manzullo votes no.

Mr. Royce?

[No response.]

Ms. CARROLL. Mr. Chabot?

Mr. CHABOT. I said no earlier.

Ms. CARROLL. Mr. Chabot votes no.

Mr. Paul?

[No response.]
Ms. CARROLL. Mr. Pence?
Mr. PENCE. No.
Ms. CARROLL. Mr. Pence votes no.
Mr. Wilson?
Mr. WILSON OF SOUTH CAROLINA. No.
Ms. CARROLL. Mr. Wilson votes no.
Mr. Mack?
Mr. MACK. No.
Ms. CARROLL. Mr. Mack votes no.
Mr. Fortenberry?
Mr. FORTENBERRY. No.
Ms. CARROLL. Mr. Fortenberry votes no.
Mr. McCaul?
Mr. MCCAUL. No.
Ms. CARROLL. Mr. McCaul votes no.
Mr. Poe?
Mr. POE. No.
Ms. CARROLL. Mr. Poe votes no.
Mr. Bilirakis?
[No response.]
Ms. CARROLL. Ms. Schmidt?
Mrs. SCHMIDT. No.
Ms. CARROLL. Ms. Schmidt votes no.
Mr. Johnson?
Mr. JOHNSON. No.
Ms. CARROLL. Mr. Johnson votes no.
Mr. Rivera?
Mr. RIVERA. No.
Ms. CARROLL. Mr. Rivera votes no.
Mr. Kelly?
Mr. KELLY. No.
Ms. CARROLL. Mr. Kelly votes no.
Mr. Griffin?
Mr. GRIFFIN. No.
Ms. CARROLL. Mr. Griffin votes no.
Mr. Marino?
Mr. MARINO. No.
Ms. CARROLL. Mr. Marino votes no.
Mr. Duncan?
Mr. DUNCAN. No.
Ms. CARROLL. Mr. Duncan votes no.
Ms. Buerkle?
Ms. BUERKLE. No.
Ms. CARROLL. Ms. Buerkle votes no.
Ms. Ellmers?
Mrs. ELLMERS. No.
Ms. CARROLL. Ms. Ellmers votes no.
Mr. Berman?
Mr. BERMAN. Aye.
Ms. CARROLL. Mr. Berman votes aye.
Mr. Ackerman?
Mr. ACKERMAN. Aye.
Ms. CARROLL. Mr. Ackerman votes aye.

Mr. Faleomavaega?
Mr. FALEOMAVAEGA. Aye.
Ms. CARROLL. Mr. Faleomavaega votes aye.
Mr. Payne?
Mr. PAYNE. Aye.
Ms. CARROLL. Mr. Payne votes aye.
Mr. Sherman?
Mr. SHERMAN. Aye.
Ms. CARROLL. Mr. Sherman votes aye.
Mr. Engel?
Mr. ENGEL. Aye.
Ms. CARROLL. Mr. Engel votes aye.
Mr. Meeks?
Mr. MEEKS. Aye.
Ms. CARROLL. Mr. Meeks votes aye.
Mr. Carnahan?
Mr. CARNAHAN. Aye.
Ms. CARROLL. Mr. Carnahan votes aye.
Mr. Sires?
Mr. SIRES. Aye.
Ms. CARROLL. Mr. Sires votes aye.
Mr. Connolly?
Mr. CONNOLLY. Aye.
Ms. CARROLL. Mr. Connolly votes aye.
Mr. Deutch?
Mr. DEUTCH. Aye.
Ms. CARROLL. Mr. Deutch votes aye.
Mr. Cardoza?
[No response.]
Ms. CARROLL. Mr. Chandler?
Mr. CHANDLER. Aye.
Ms. CARROLL. Mr. Chandler votes aye.
Mr. Higgins?
Mr. HIGGINS. Aye.
Ms. CARROLL. Mr. Higgins votes aye.
Ms. Schwartz?
[No response.]
Ms. CARROLL. Mr. Murphy?
[No response.]
Ms. CARROLL. Ms. Wilson?
[No response.]
Ms. CARROLL. Ms. Bass?
[No response.]
Ms. CARROLL. Mr. Keating?
[No response.]
Ms. CARROLL. Mr. Cicilline?
[No response.]
Chairman ROS-LEHTINEN. Have all members been recorded?
Mr. Royce?
Mr. ROYCE. Royce votes no.
Ms. CARROLL. Mr. Royce votes no.
Chairman ROS-LEHTINEN. Have all members been recorded?
The clerk will report the vote.

Ms. CARROLL. Madam Chairman, on that vote there are 13 ayes and 23 noes.

Chairman ROS-LEHTINEN. The noes have it, and the question is not agreed to.

Now we will proceed to vote on the Mack amendment, limitation on assistance to Argentina, Venezuela, Nicaragua, Ecuador, and Bolivia.

The clerk will call the roll.

Ms. CARROLL. Madam Chairman?

Chairman ROS-LEHTINEN. Yes.

Ms. CARROLL. The chairman votes aye.

Mr. Smith?

Mr. SMITH. Aye.

Ms. CARROLL. Mr. Smith votes aye.

Mr. Burton?

[No response.]

Ms. CARROLL. Mr. Gallegly?

Mr. GALLEGLY. Aye.

Ms. CARROLL. Mr. Gallegly votes aye.

Mr. Rohrabacher?

Mr. ROHRABACHER. Yes.

Ms. CARROLL. Mr. Rohrabacher votes aye.

Mr. Manzullo?

Mr. MANZULLO. Aye.

Ms. CARROLL. Mr. Manzullo votes aye.

Mr. Royce?

Mr. ROYCE. Aye.

Ms. CARROLL. Mr. Royce votes aye.

Mr. Chabot?

Mr. CHABOT. Aye.

Ms. CARROLL. Mr. Chabot votes aye.

Mr. Paul?

[No response.]

Ms. CARROLL. Mr. Pence?

Mr. PENCE. Yes.

Ms. CARROLL. Mr. Pence votes aye.

Mr. Wilson?

Mr. WILSON OF SOUTH CAROLINA. Yes.

Ms. CARROLL. Mr. Wilson votes aye.

Mr. Mack?

Mr. MACK. Aye.

Ms. CARROLL. Mr. Mack votes aye.

Mr. Fortenberry?

Mr. FORTENBERRY.

[No response.]

Ms. CARROLL. Mr. McCaul?

Mr. MCCAUL. Aye.

Ms. CARROLL. Mr. McCaul votes aye.

Mr. Poe?

Mr. POE. Yes.

Ms. CARROLL. Mr. Poe votes aye.

Mr. Bilirakis?

[No response.]

Ms. CARROLL. Ms. Schmidt?

Mrs. SCHMIDT. Aye.
Ms. CARROLL. Ms. Schmidt votes aye.
Mr. Johnson?
Mr. JOHNSON. Aye.
Ms. CARROLL. Mr. Johnson votes aye.
Mr. Rivera?
Mr. RIVERA. Aye.
Ms. CARROLL. Mr. Rivera votes aye.
Mr. Kelly?
Mr. KELLY. Aye.
Ms. CARROLL. Mr. Kelly votes aye.
Mr. Griffin?
Mr. GRIFFIN. Aye.
Ms. CARROLL. Mr. Griffin votes aye.
Mr. Marino?
Mr. MARINO. Aye.
Ms. CARROLL. Mr. Marino votes aye.
Mr. Duncan?
Mr. DUNCAN. Aye.
Ms. CARROLL. Mr. Duncan votes aye.
Ms. Buerkle?
Ms. BUERKLE. Aye.
Ms. CARROLL. Ms. Buerkle votes aye.
Ms. Ellmers?
Mrs. ELLMERS. Aye.
Ms. CARROLL. Ms. Ellmers votes aye.
Mr. Berman?
Mr. BERMAN. No.
Ms. CARROLL. Mr. Berman votes no.
Mr. Ackerman?
Mr. ACKERMAN. No.
Ms. CARROLL. Mr. Ackerman votes no.
Mr. Faleomavaega?
Mr. FALEOMAVAEGA. No.
Ms. CARROLL. Mr. Faleomavaega votes no.
Mr. Payne?
Mr. PAYNE. No.
Ms. CARROLL. Mr. Payne votes no.
Mr. Sherman?
Mr. SHERMAN. No.
Ms. CARROLL. Mr. Sherman votes no.
Mr. Engel?
Mr. ENGEL. No.
Ms. CARROLL. Mr. Engel votes no.
Mr. Meeks?
Mr. MEEKS. No.
Ms. CARROLL. Mr. Meeks votes no.
Mr. Carnahan?
[No response.]
Ms. CARROLL. Mr. Sires?
Mr. SIRES. No.
Ms. CARROLL. Mr. Sires votes no.
Mr. Connolly?
Mr. CONNOLLY. No.

Ms. CARROLL. Mr. Connolly votes no.
Mr. Deutch?
Mr. DEUTCH. No.
Ms. CARROLL. Mr. Deutch votes no.
Mr. Cardoza?
[No response.]
Ms. CARROLL. Mr. Chandler?
Mr. CHANDLER. No.
Ms. CARROLL. Mr. Chandler votes no.
Mr. Higgins?
Mr. HIGGINS. No.
Ms. CARROLL. Mr. Higgins votes no.
Ms. Schwartz?
[No response.]
Ms. CARROLL. Mr. Murphy?
Mr. MURPHY. No.
Ms. CARROLL. Mr. Murphy votes no.
Ms. Wilson?
[No response.]
Ms. CARROLL. Ms. Bass?
[No response.]
Ms. CARROLL. Mr. Keating?
Mr. KEATING. No.
Ms. CARROLL. Mr. Keating votes no.
Mr. Cicilline?
Mr. CICILLINE. No.
Ms. CARROLL. Mr. Cicilline votes no.
Chairman ROS-LEHTINEN. Have all members been recorded?
Mr. Bilirakis?
Mr. BILIRAKIS. Yes.
Ms. CARROLL. Mr. Bilirakis votes aye.
Chairman ROS-LEHTINEN. Mr. Burton?
Mr. BURTON. Aye.
Ms. CARROLL. Mr. Burton votes aye.
Chairman ROS-LEHTINEN. Mr. Carnahan?
Mr. CARNAHAN. No.
Ms. CARROLL. Mr. Carnahan votes no.
Chairman ROS-LEHTINEN. All members been recorded?
The clerk will report the vote.
Ms. CARROLL. Madam Chairman, on that vote there are 23 ayes and 16 noes.
Chairman ROS-LEHTINEN. The ayes have it, and the question is agreed to.
We will now turn—oh, the Chair recognizes the presence of her much better half. Hi, Better Half. You picked a good day to come up. Move we adjourn? We have pressing business. Don't embarrass me.
All right, Mr. Griffin has lost his turn in the queue, which now goes to—oh, he is there? Okay, Mr. Griffin.
He was excused for a little while for National Guard duty there. Reporting for duty.
Mr. GRIFFIN. That was pizza duty.
Chairman ROS-LEHTINEN. That was pizza duty.
Mr. Griffin has an amendment at the desk.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Griffin of Arkansas. In section 403 of the bill, after the dollar amount, insert "(reduced by $1,500,000)". At the end of title IV, add the following: Section 4xx. Prohibition on funds for the Trilateral Assistance Program. (a) Findings. Congress finds the following: (1) During Fiscal Years 2009 and 2010, the United States Agency for International Development provided the Government of South Africa with $2,500,000 to support the Trilateral Assistance Program, a program through which the Government of South Africa provides technical assistance to third countries in Africa; (2) $1,500,000 was requested for Fiscal Year 2011 and $1,530,000 has been requested for Fiscal Year 2012; (3) South Africa has been recognized, along with Brazil, Russia, India, and China, as having one of the world's largest, rapidly growing economies and has become a donor nation; (4) Further, while South Africa still faces enormous development challenges, including one of the highest——

Chairman ROS-LEHTINEN. Thank you. Unanimous consent to consider the amendment as read.

[The information referred to follows:]

AMENDMENT TO H.R. __

OFFERED BY MR. GRIFFIN OF ARKANSAS

(Foreign Relations Authorization Act, Fiscal Year 2012)

In section 403 of the bill, after the dollar amount, insert "(reduced by $1,500,000)".

At the end of title IV, add the following:

1 **SEC. 4xx. PROHIBITION ON FUNDS FOR THE TRILATERAL**
2 **ASSISTANCE PROGRAM.**

3 (a) FINDINGS.—Congress finds the following:

4 (1) During fiscal years 2009 and 2010, the
5 United States Agency for International Development
6 provided the Government of South Africa with
7 $2,500,000 to support the Trilateral Assistance Pro-
8 gram, a program through which the Government of
9 South Africa provides technical assistance to third
10 countries in Africa.

11 (2) $1,500,000 was requested for fiscal year
12 2011 and $1,530,000 has been requested for fiscal
13 year 2012.

14 (3) South Africa has been recognized, along
15 with Brazil, Russia, India, and China, as having one

of the world's largest, rapidly growing economies and has become a donor nation.

(4) Further, while South Africa still faces enormous development challenges, including one of the highest HIV/AIDS infections rates in the world, this funding is not used to support development programs within South Africa.

(5) Using the Government of South Africa as a pass-through for foreign assistance made available through the generosity of the American taxpayer diminishes the public diplomacy value of this assistance for the United States, while enhancing South Africa's own standing in the region.

(6) In a time of domestic financial crisis, continued support for the Trilateral Assistance Program cannot continue.

(b) PROHIBITION.—None of the funds authorized to be appropriated under section 403 may be used to support the Trilateral Assistance Program in South Africa.

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Chairman ROS-LEHTINEN. All members now have a copy of the amendment, and Mr. Griffin is recognized, as the author, for 5 minutes to explain his amendment.

Mr. GRIFFIN. Thank you, Madam Chair.

We all know that we have a problem with debt and spending money we don't have and borrowing about 42 cents on the dollar from foreign sources. And that brings me to the amendment I have on the South Africa Trilateral Assistance Program.

We are giving money to this Trilateral Assistance Program at the request of USAID. They have requested $1.5 million for Fiscal Year 2012. And the Trilateral Assistance Program is a program through which the Government of South Africa provides technical assistance to other countries in Africa. That is not a bad thing.

What bothers me about the funding of this particular program is that we give the money to South Africa so that they can give the money to other countries. My amendment reduces funding for the Trilateral Assistance Program by $1.5 million, because if we want to give to these countries, we can give to them directly. We do not need to give through South Africa.

South Africa is a member of the G–20 and has been recognized, along with Brazil, Russia, India, China, as having a major, emerging world economy. South Africa invested billions in infrastructure for the 2010 World Cup.

While South Africa still faces enormous development challenges, including the highest HIV/AIDS infection rate in the world, this program does not relate to that. De-funding this program does not keep those dollars from assisting in that area. Cutting this program would not affect funding to support development programs within South Africa.

What we do here is we use South Africa as a pass through. And it is like taking these bags of food that we have seen around the world that USAID distributes, taking the American flag off, putting some other country's flag on there, and letting them get the diplomatic credit for feeding folks. That is what is happening here. We are giving the money to South Africa, and then they give it out as they see fit.

I don't have a problem, in many instances, with where this money is going. I just feel like we should be giving it, if it is going to go there, particularly in light of the fact that, when we give through another country, we lose direct oversight over those funds. Simply put, if we want to spend this money, we need to be spending it directly and not through another country.

We are out of money. And we have a task, the task of identifying wasteful spending or spending that could be done in a more efficient way. And this is another one of those examples.

I yield back, Madam Chair.

Mr. CHABOT [presiding]. The gentleman yields back.

The gentleman from New Jersey, Mr. Payne, is——

Mr. GRIFFIN. Oh, sorry. Not Madam Chairman.

Mr. CHABOT [continuing]. Recognized for 5 minutes.

Mr. PAYNE. Thank you, Mr. Chairman.

I rise in strong opposition to the amendment.

One of our USAID's goals, and ultimate goal as a development agency, is to work ourselves out of a job. Given that many coun-

tries in Africa require development assistance for many years to sustainably develop, a critical part of our effort is to encourage African countries that have made significant development progress to show leadership in helping their neighbors achieve similar success.

This program leverages a very small amount of U.S. Government money resources jointly with those of the Government of South Africa together. And, together, we provide technical assistance to other countries in Africa in a manner that is consistent with the tenets of the Paris Declaration on Aid Effectiveness, which includes country ownership, alignment with countries' strategies and systems, and mutual accountability. These trilateral activities allow the Government of South Africa to provide demand-driven expertise and services to other African countries while enhancing its own capacity to become a more active foreign assistance donor.

The administration believes that Africa holds the key to its own development and that we must utilize opportunities to leverage African performances to engage the international community in a dynamic partnership. The trilateral activities provide a multiplier effect of not only strengthening the capacity of the Government of South Africa to play a more active role in Africa's development, but to achieve meaningful impact through project activities such as strengthening the capacity of government officials in South Sudan and other areas.

And so what I am saying is that South Africa has been very important to us on some critical votes on Iran in the U.N. South Africa gave us support under the new government of our new President. I would urge us to continue to work with South Africa, a dominant force in Africa. And I think that this should not pass.

I yield back.

Mr. CHABOT. The gentleman yields back.

Does the gentleman from South Carolina seek recognition?

Mr. DUNCAN. Thank you, Mr. Chairman.

Mr. CHABOT. If so, he is recognized for 5 minutes.

Mr. DUNCAN. And I will yield my time to the gentleman from Arkansas.

Mr. GRIFFIN. I just wanted to make a couple more points, Mr. Chairman.

We give South Africa almost $600 million a year, $582 million. And the majority of that is to deal with their HIV/AIDS crisis. The money that we are talking about in the context of the Trilateral Assistance Program is not somehow going to turn South Africa against us when we are still giving them over $500 million a year. That is just ridiculous. That is not a legitimate argument.

The other argument is that they need help, they somehow need help in developing relationships. Well, South Africa has already become a leader in the region. They are a donor state. They have been engaging in bilateral arrangements with traditional donor states in other developing countries for 11 years. They have sufficient experience and sufficient funds to do precisely what this program is allowing them to do with our money.

And where does this end? I mean, we could just go around the world and give every country some money for them to give out to their neighbors, and that might help them to better their relationships. I mean, it never ends.

This is a perfect example of us giving money away that we have little to no oversight over. And it is money that we can continue to provide to the recipients if we choose to. If we don't, we can stop.

I ask that you support this amendment. Thank you.

Mr. CHABOT. The gentleman yields back.

The gentleman is recognized, Mr. Faleomavaega.

Mr. FALEOMAVAEGA. I thank the chairman.

I yield my time to the gentleman from New Jersey.

Mr. CHABOT. The gentleman yields to the gentleman from New Jersey.

Mr. FALEOMAVAEGA. And, along those lines, I would like to ask the gentleman to explain to us exactly what the trilateral agreement portends and why we participate in such, in doing this with South Africa, if he could.

Mr. PAYNE. As you may know, South Africa is a dominant nation in the continent of Africa. With the new leadership of Jacob Zuma, we have now moved toward close relations. We have a number of votes that will come up in the United Nations, and South Africa, with the new leadership, has said that they will be even a stronger ally to the U.S.

I never indicated that if we did not fund this program that South Africa would turn against us. The gentleman stated that he didn't feel that they would turn against us; I never said they would. I just simply said that they put in money which matches the money that we put in. It maximizes what they do, because many of the African countries look toward South Africa as they are developing, and they have the expertise, and the countries know that this is a joint program between the U.S. and South Africa.

Mr. FALEOMAVAEGA. Will the gentleman yield?

Mr. PAYNE. Absolutely.

Mr. FALEOMAVAEGA. It is my time anyway.

Mr. PAYNE. Yes.

Mr. FALEOMAVAEGA. So what you are saying here, through the Trilateral Assistance Program, it is kind of like a burden-sharing program.

Mr. PAYNE. Absolutely.

Mr. FALEOMAVAEGA. This is not like we are giving South Africa $2.5 million. They are also contributing to the fund, for which then they give assistance to other countries. Am I correct in that?

Mr. PAYNE. That is absolutely correct. And we are able to maximize what we are able to do. Countries know that it is a U.S.-South Africa joint project. They look at that very positively. And I think that it is really money well spent. South Africa gets more expertise; we get credit for our partnership with them.

Mr. FALEOMAVAEGA. Thank you, Mr. Chairman. I yield back.

Mr. CHABOT. The gentleman yields back.

Do any other members seek time?

The gentleman from Pennsylvania, Mr. Kelly, is recognized for 5 minutes.

Mr. KELLY. Thank you, Mr. Chairman.

This is a very bizarre conversation. We can't pay our own bills. We are in over our head. We are borrowing 42 cents of every dollar we spend. And then we have to pay interest on that money that we borrow.

And if I am understanding it, my friend from Arkansas, so we are borrowing money, and while some people would say $2.5 million is not a lot of money, it is only a lot of money down here because it is not our money; it is easy to give away money that is not yours.

But, Mr. Griffin, if you could explain to me, so we are borrowing this money, we are giving it to South Africa so that South Africa can give it to somebody else to develop their—their what? Their image as a donor?

Mr. GRIFFIN. Well, South Africa has flexibility—oh, does the gentleman yield?

Mr. KELLY. Yes.

Mr. GRIFFIN. South Africa has flexibility to determine who is going to get this money and what for. But the point is, if we want to give this money, we can give it directly. If you take the amount that is here, $1.5 million, that means almost half of that is borrowed, and a third of the borrowed is from China. Maybe if we are going to borrow all this money from China, we could just skip that step and try to work out an agreement where China can give it directly there. I mean, this is ridiculous. It is ridiculous.

Mr. KELLY. Well, you know, if the gentleman would yield, what I think we ought to do, then, is propose to China that they give the money to South Africa but tell them it came from us.

Mr. GRIFFIN. Precisely.

Mr. KELLY. All right, I get it.

Mr. GRIFFIN. That is what we are doing.

Mr. KELLY. I get it. Okay. This is making a lot more sense to me now.

Well, I will tell you what. The gentleman from Arkansas, thank you for bringing the amendment up. I think it does—in the theater of the bizarre or the theater of the absurd, which is what we operate in anymore. I appreciate that.

Thank you very much, and I yield back my time.

Mr. ACKERMAN. Would the gentleman yield?

Mr. KELLY. I am yielding back my time.

Mr. CHABOT. He yielded back his time. Does the gentleman seek recognition?

Mr. ACKERMAN. I would.

Mr. CHABOT. All right. The gentleman from New York is recognized for 5 minutes.

Mr. ACKERMAN. I would just like to ask the gentleman who made the motion or the gentleman who just spoke, do you know how much money China actually does give directly to South Africa and to the African countries?

Mr. KELLY. Are you directing that question to me?

Mr. ACKERMAN. Okay.

Mr. KELLY. I don't represent any of the citizens of China, so I really have no concerns of what China gives to anybody.

Mr. ACKERMAN. But you do recognize that we have an interest in what China does on the planet because they are one of our main competitors, don't you?

Mr. KELLY. I am not sure I understand where you are going with your question. Yes, I understand China is a competitor to the U.S., but thank you.

Mr. ACKERMAN. Where I am going is that it is pretty cute to say, eliminate the middle man and China should give the money directly to them. But without even doing that, China, despite the fact that you don't represent any of them, is smart enough to know that it is in their national interest to invest in Africa. And they have indeed invested in Africa, and South Africa specifically, multiples, multiples, multiples of what we are looking at investing there now.

The natural resources on the continent of Africa are huge. And the Chinese, who you are privileged enough not to represent any of, is smart enough to know that——

Mr. KELLY. Will the gentleman——

Mr. ACKERMAN [continuing]. This is a really good investment. Despite the fact that you don't represent them doesn't mean that they don't understand what a good investment is.

Mr. KELLY. Will the gentleman yield back?

Mr. ACKERMAN. I will yield back, maybe, in a minute. I will think about it.

But the Chinese are smart enough to know a good investment when they see one.

We are not the only ones on the planet. Some people seem to think so. And we have seen a lot of amendments today that begin with the words, as does this one, "Prohibition on funds for." So it seems that we are pulling out of the planet and leaving the playing field to those Chinese people that you don't represent.

But someone is representing them that is pretty smart. And they have looked around the world at the resources that they, and maybe even we, desperately need now and on into the future and say, let's see where we could make investments and we could buy some friends and let people know on this world that we have an interest in them and helping them, because that is not throwing away money—and I think they need money in China, too——

Mr. KELLY. Would the gentleman——

Mr. ACKERMAN [continuing]. But that is investing a lot of money. And they are investing that money in places like Africa.

So I assure you that your suggestion, although it did bring a smile to my face, that they could make the investment directly, they have thought about this before you thought it was a joke. And they have really done it. They have done it to the extent that puts us looking like meager paupers.

If we were as smart as we think we are, we should be investing in the world, not withdrawing and retracting ourselves from it.

The gentleman wanted some time?

Mr. KELLY. Yeah, I would appreciate it.

Mr. ACKERMAN. Surely.

Mr. KELLY. And I would agree with you, the Chinese have been much smarter in their investments. They really do get a positive ROI. And I don't know where China sits with their debt. I know where we sit. They are much smarter than us. I mean, we are $14.3 trillion in a deficit. So I would say, yes, China has done things a lot smarter than we have.

But China makes its investments overseas when there is a strategic reason for China to make its investments overseas. They just don't throw money around like a Santa Claus——

Mr. ACKERMAN. Yeah, reclaiming——

Mr. KELLY [continuing]. Thinking it is going to buy them friends.

Mr. ACKERMAN. I don't know a lot about Santa Claus, but reclaiming my time. The point is, China does know what is in their national interests. And if they could figure out what their national interests are, we should be able to figure out the same thing.

And I assure you, it is in both countries' national interests to invest in mineral-rich areas and resource-rich areas such as Africa. And the Chinese are doing that.

Mr. DUNCAN. Would the gentleman——

Mr. ACKERMAN. We don't have to be smart——

Mr. DUNCAN. Would the gentleman answer a question?

Mr. ACKERMAN. I don't know if I know the answer, but I will refer it to my Chinese friends.

Mr. DUNCAN. Are we talking about investments from China into rare earth minerals or energy issues? Or are we talking about humanitarian investments, where the Government of China is——

Mr. ACKERMAN. The Chinese are doing all of the above, both of what you just suggested and more.

Mr. DUNCAN. I would like to see the real numbers on that.

Mr. ACKERMAN. And they are investing in resources, they are investing in businesses, they are investing in infrastructure in these countries. And they are building a tremendous amount of goodwill, and that is not just Africa.

Mr. CHABOT. The gentleman's time has expired.

Mr. ACKERMAN. You would be shocked to see what they are doing in South America, as well.

Mr. CHABOT. The gentleman's time has expired.

The gentleman from Indiana, Mr. Burton, is recognized for 5 minutes.

Mr. BURTON. The Chinese are buying minerals and investing because they are going to use those investments long-term to become a more powerful country. They are not giving it away like we are. I think that is the point the gentleman is trying to make. Giving the money away is far different than buying assets that you can use later. And that is what the Chinese are doing.

So I don't know how many Chinese people you have in your district, and I really don't care——

Mr. ACKERMAN. 34 percent, if you did care.

Mr. BURTON. I don't really care. I think I said that. But what I do care about——

Mr. ACKERMAN. You cared enough to bring it up and not care.

Mr. CHABOT. The gentleman from Indiana controls the time.

Mr. BURTON. Yes, but the gentleman from New York cannot control his mouth.

The point is——

Mr. ACKERMAN. I think that was really——

Mr. CHABOT. The gentleman from Indiana controls the time.

Mr. ACKERMAN. Point of personal privilege.

Mr. BURTON. Take it.

Mr. CHABOT. The gentleman is recognized for making a point of privilege.

And I think at this time it would be appropriate for me to give the committee back to the chair.

Mr. ACKERMAN. I second that motion.

Mr. BURTON. Let me finish my time, Madam Chairman.

The point of the whole discussion is, should we be giving money to a third party and let them disburse that money, or should we be doing it ourselves? And I think the gentleman from—where are you from? Arkansas?—the gentleman from Arkansas makes a very valid point. If we are going to give foreign aid, let's give foreign aid to whom we think deserves it. We shouldn't be giving it to a third party who can use it to influence people for their benefit. That is number one.

And number two, the Chinese, since that has been a subject of contention here, the Chinese are investing and buying minerals and oil and other things around the world for their benefit. They are not the humanitarians that we have been led to believe by the other side today. They are not humanitarian. They are out for their own benefit. And you can't compare that to the humanitarian largesse that we give to the rest of the world.

And I yield back.

Chairman ROS-LEHTINEN [presiding]. Thank you.

Mr. PAYNE. Would you yield for a second?

Chairman ROS-LEHTINEN. Mr. Burton, would you yield to Mr. Payne?

Mr. BURTON. Sure.

Mr. PAYNE. He is my former buddy, but now you are back, a friend of mine.

The fact that—there are some numbers, and perhaps tomorrow I will dig them up—I gave them in a talk I talked about on China-Africa relations. Believe it or not, the amount of money that China gives for education in Africa is, like, maybe 50 times, 100 times what we give to Africa for education. I mean, their investment is $50 billion just right now. That it is just starting.

The thing about China is that we had the same opportunities, as I mentioned before. And this is not about China; this is about trilateral. However, we just did not pay attention to Africa until China said, "Well, these Africans want to deal with U.S. They are not dealing with it. Let's go in." The copper mines in Zambia, oil fields in Sudan, the—you can go on and on and on—the plutonium that is in Africa. And so the Chinese just said, "Hey, listen. Nobody is dealing with it. We will deal with it."

Mr. BURTON. No. If the gentleman—let me reclaim my time.

Chairman ROS-LEHTINEN. You can reclaim your time.

Mr. BURTON. Let me reclaim my time and just say, you are making my point. The point is, they are buying assets around the world for future purposes and to make them a stronger power in the world. They are not the humanitarians that they have been made out to be.

I yield back.

Chairman ROS-LEHTINEN. He yields back.

And let me see, who seeks recognition? We have Mr. Johnson, who is recognized. And Mr. Rohrabacher, sorry.

Mr. JOHNSON. Madam Chairman, I have been sitting here listening to this, and it strikes me as interesting. We are $14.3 trillion in debt. It is rising every day. I don't have to remind the members of this committee of that. Here within a month or so, the entire Nation thinks we are going to drive off the economic cliff. And we are

actually sitting here debating whether or not we should borrow money to give to someone else.

The gentleman earlier, on the other side, talked about intelligence and how smart that is. I dare say that the American people have great reason to be suspicious of the intelligence of those in Washington that are making those kinds of decisions in this kind of austere time.

Also talked about whether or not this was a national security interest and how we should be focused on addressing national security interests. And I would submit that Admiral Mullen has said that our national debt is indeed our most serious national security interest and threat.

So I am not sure how we get to this level of debate. It sort of seems to me that it verifies that we do, indeed, have parallel universes here that we exist in. Not sure what to make of it.

And, with that, Madam Chairman, I yield back the balance of my time.

Chairman ROS-LEHTINEN. Thank you very much.

Mr. Rohrabacher is recognized.

Mr. ROHRABACHER. Thank you very much. Just a few thoughts about what we have been hearing.

First of all, let us just note—and, again, sometimes I feel like the gentleman just expressed, you know, what planet are we on or what parallel universe are we in, complimenting China's approach? Yes, China is able to go in to Africa in a big way, and other countries, and sometimes they are able to do things that we are unable to do—because they are a vicious dictatorship and don't permit anybody to complain. We happen to be a democracy.

And the people of China, do you think that they would go along with their government if the government was just unloading resources on some other country, whether it was friendly or not? No. I mean, the Chinese people have no chance whatsoever to complain. Our people expect us to watch out for their interests.

That is what democracy is all about. It is not some, you know, grandiose scheme that we are going to save everybody in the world and not expect to get any credit for it. And that attitude is, I think, again, a parallel universe. That may be what our colleagues on the left believe. That is not what I believe, and I am sure that don't reflect what my colleagues over here believe, first.

Second of all, let's take a look at China. When you start looking at it and comparing us to China, they go in to a country, and there are no corruption standards for China. Just as if, by the way, I might note, we tonight have heard how we want to take away the corruption standards for our efforts. Well, no, corruption standards are very important. And in China they don't have the corruption standards; they go in and bribe other countries and other officials to go their way and to basically sell out their own people to these dictators in Africa.

And, finally, let's just take a look, that when we are involved with helping other people—I think the American people are the most generous people in the world. You know, I don't think you should count foreign aid alone when you are talking about generosity. You should talk about people who go out and try to help other people.

And there is nothing wrong with Americans holding their head up high and saying, "We are the most generous people in the world, and we give voluntarily probably more money than China gives at all." Because my guess is, China doesn't give what we would consider beneficial and helpful hands. What they do is, they go in and they build a bridge or they buy a resource or they bribe an official, but they are not engaged in what we call foreign aid or humanitarian programs, as we are. Instead, they are engaged with ripping off countries as much as they can and also, again, not hampered by a democratic process.

So any comparison of our country with China, I will just have to say that it is beyond my imagination that people could even think about making a positive comparison between our country and our people and the Chinese and this vicious government in China that is the world's worst human rights abuser.

Chairman ROS-LEHTINEN. The gentleman yields back.

Mr. ROHRABACHER. I yield back the balance of my time.

Chairman ROS-LEHTINEN. And Mr. Marino is recognized.

Mr. MARINO. Thank you, Madam Chair.

I just want to bring out a point or two that—I should be investing in gold, at this point. But you know something? I don't have the money.

The United States doesn't have the money. But China does. And as a dictatorship, it makes it even more convenient for them to go out and do the investments that they do.

Now, I am a new member here. I have been here 7 months. And I have been doing town halls and conference town halls. At least in my district, in rural Pennsylvania, north-central, farm area, middle-class, small business, overwhelmingly, Republicans, Democrats, and independents and even people that aren't registered tell me, we have to look after our own need. And I agree with that.

But before I am going to yield my time over to Mr. Griffin, I have an observation that I would like to make here. I have been sitting here for almost 12 hours, like most of us have been, and I have been sitting in these meetings for 7 months. And I am a little embarrassed.

You know something? If we just check our egos at the door, respect one another, not trying to embarrass someone—because my father always told me, never try to embarrass someone intentionally. It is the wrong thing to do, particularly with our colleagues. But because of the cameras and because of the people sitting out there, we seem to think this is humorous. We seem to think it is okay to whack away at each other.

You know, we are intelligent people. At least, I think we are. At least I am still hoping that that is the case. And we can get our point across by being respectful with one another, by treating each other like we should, like we want to be treated. So I am just going to throw out a little suggestion here. Why don't we try that once in a while? We will differ. We will differ a great deal. But we can have good, intelligent dialogue. I yield my time to Mr. Griffin.

Chairman ROS-LEHTINEN. Thank you very much. Oh, Mr. Griffin.

Mr. GRIFFIN. I would just want to reiterate that I don't think that anyone in this room needs a lecture on what China is doing in the world. You don't have to be a Ph.D. in Chinese history or

world affairs to know what China is doing in the world. And to give a condescending briefing on what China is doing in the world as part of your argument is out of line and ridiculous. I come from a relatively poor State, Arkansas. Recent studies have shown that although we have almost the least of all the States, we give more per capita to charities than any other State in the country. This is a giving country. We invest, and we give all around the world. That is not what this amendment is about. This amendment is about spending our money wisely period. I yield back.

Chairman ROS-LEHTINEN. Thank you. Does any member wish—Mr. Murphy is recognized.

Mr. MURPHY. Thank you very much, Madam Chair. Listen, I agree with the gentleman. This is about spending our money wisely. Here is a great way to spend our money wisely. Let's stop invading countries. Let's stop having to spend $3 trillion overall, as we have done over the last 10 years in two wars. So it makes sense fiscally for us to think about the ways in which we don't get to a point of crisis where we have to invade another country.

Now, Islamic extremist groups are popping up all over Africa, as we speak, so fast that we can barely count them. So as we try to catalogue the ways in which we can avoid this country getting mired in another conflict like we did in Iraq and Afghanistan, it is to start to think to ourselves maybe there is some partners in the region that we can invest in today that can help us, who maybe have stronger relationships and more leverage over countries that may be harboring those terrorists, to prevent us from spending trillions of dollars in the long run.

For now I don't really care about the conversation about China. For now, I care about making sure that we spend our foreign aid dollars today in small, but important ways to make sure that we don't have to go into another country ever again with military troops to try to stop a nation from providing safe harbor to Islamic extremist groups. Africa is a very, very dangerous place today. That is the reality. And it is complicated about how we form alliances with true partners in that region who can reach out and try to represent our interests in the region. That, to me, is as much as anything else the reason why we are talking about aid to South Africa, a strong partner in the region, not just economically, but for national security reasons as well.

So I am opposing this amendment, I am supporting this money because I am just as fiscally responsible as you all are. I care about spending our money wisely. But I ran for Congress because I watched this Nation spend trillions of dollars in wars that we might not have had to have fought if we would have been smarter about spending our foreign aid dollars up front. And if you talk to our military generals on the ground, they will tell you, they will tell you over and over again that foreign aid dollars spent wisely are just as important and a critical piece of our military spending. So for that reason, I think that many of us approach this with the same sense of fiscal responsibility that you do. We just maybe look a little bit farther down the line in terms of that. I yield back.

Chairman ROS-LEHTINEN. The gentleman yields. Mr. Chabot is recognized for 5 minutes. Then we will go to Mr. Deutch, and then we will go to Mr. Duncan, the other Mr. Griffin.

Mr. CHABOT. Thank you, Madam Chairman. I will be brief. I would just like to speak to this idea that the Chinese aid or investment or largesse is a positive thing around the world. I think in most instances, it has been just the opposite. China has undercut our efforts, our interests around the world time and time again. Just a couple examples. I have been to the refugee camps in Darfur, both on the Sudanese side and on the Chad side. And what you see there is just—well, it is an absolute shame. And a lot of the world was trying to put pressure, including the United States, on the Sudanese to back off with the Janjaweed and the travesty that was happening there. And our efforts on sanctions against Sudan were undercut by the Chinese. Why? Because they wanted their oil. And they didn't care about the people that were being killed, the villages that were being burned. They wanted their oil. And so they undercut the sanctions that could have, should have worked on Sudan. In Iran, I think all of us agree about the last thing this world needs is nuclear weapons controlled by Iran, you know, one of the largest countries that supports terrorists around the world.

The chance that nuclear weapons could fall into the hands of terrorist organizations, the principal source of those would probably be Iran if they ultimately get nuclear weapons. So, rather than handle this militarily, the United States and our allies have tried to get Iran to back down this program by sanctions. And what country has time and again undercut those efforts? Well, China once again. China cares about China. And that is basically why these investments happen around the world. We could look at a whole range of things. And I said I would be brief, so I will. You know, you look at Burma, or Myanmar, whatever one's preference is what to call that country. I prefer Burma. But look what they have done there. Look what they have done in North Korea. Country after country after country. The aid that comes from China in general is against the United States' interests, unfortunately.

And I agree with the comments of Mr. Rohrabacher, it is a dictatorship. It has been for a long, long time. Hopefully, at some point it won't be. But right now that is what it is. And I think the American people are with those of us that are speaking out. And this amendment is a pretty good way to do that. So I will yield back at this time.

Chairman ROS-LEHTINEN. Thank you, Mr. Chabot. Mr. Deutch.

Mr. DEUTCH. Thank you, Madam Chairman. I yield to the gentleman from New York.

Chairman ROS-LEHTINEN. Mr. Ackerman.

Mr. ACKERMAN. Thank you very much. First, let me apologize if I offended anybody's sensitivities by bringing up China. It wasn't meant to lecture about China, but to stimulate some thinking about China. And I have heard a lot of people objecting to China, and the discussion has been about China for the last ½ hour because obviously people are really thinking about China. But we have to try to approach this in some kind of intelligent, holistic way that makes sense for our American interests. And whether we are Democrats or Republicans, we have the same interests, especially vis-à-vis China.

I can recite the litany of grievances against China as well as anybody else. And I agree with everyone. And I would throw in they put too much MSG in the food. But the Chinese are the competition of the future. They are the folks that we are going to be going up against. Their military is enlarging exponentially. Their influence around the world has greatened on every single continent, while ours is shrinking. We have to think about China as we do these things. Certainly they are not doing these things out of a great sense of benevolence. They are not wealthy philanthropists. They are acting in their own selfish interests. And we have to act in our American interests.

What I am suggesting, and tried to suggest in my own crude way, was that we should not be looking to withdraw and abandon the playing field on the planet to the Chinese, because they are making those investments. Their people are poorer than our people. They can get away with it, and their government can act the way that it does because they are a dictatorship. But we are smart enough to educate our people to know that there is real competition and danger lurking out there in the world as the Chinese influence grows not only in Asia, where they are the dominating force, but in Africa, where they are the emerging force, and South and Latin America, where they are the emerging force. There is a danger in front of us here. And I don't look at it as a bad investment if we are teaming up in some Trilateral way and sharing the credit. I am looking at this as a matching grant. We are putting up money and South Africa is putting up the same amount of money.

We are giving it out, and everybody over there knows what the game is. This is America helping our African brothers look good with some of our money, doubling the amount of resources that we are putting in. And there is an appreciative value that inures to us that is more important than just buying resources. It is letting people know that we care about them.

And the Chinese aren't just buying resources that they are going to store away and use later. They are building bridges, they are building roads, they are investing in factories, they are doing infrastructure and everything else that you could think of. We have to wisen up and not be fighting against each other. And I didn't cite China to say that they are the mirror that we should be looking into and trying to make ourselves like them. We have other reasons to do it. But the fact of the matter is, like it or not, they are the real emerging competition. Name another country that you think is going to be competing with us, another military superpower. Who is it going to be? Another economic power. Who is it going to be? In the field of education, who is it going to be? We have to start winning the hearts and minds of the people of the world in an intelligent, comprehensive fashion. And we have to really think about this and come up with a strategy in working together on both sides of the aisle, and not just oppose each other because one side put up an amendment so that we are against it. But to really think it through and how do we improve it to make it really work for us as a people. How does it strengthen our economy? How does it strengthen our standing? And if I was too flippant in my approach to trying to do it the first time, I hope to have remedied it at least a little bit in this second try at an explanation.

And I appreciate my friend yielding me the time. Thank you, Madam Chair.

Chairman ROS-LEHTINEN. Mr. Duncan.

Mr. DUNCAN. Thank you, Madam Chairwoman. I apologize for dwelling on this issue. But I sat here and listened to the gentleman I think from Pennsylvania, Mr. Murphy, talk about the two wars, and as I sat here and thought about the context of the debate we are having, I think about the investment that America has made in the region where those wars are currently taking place. What we did for the Mujahedin Afghanistan to defeat the Russians during the Cold War. The money we gave to Iraq when they were fighting our enemies in the late 1970s and early 1980s of Iran. The fact that we went into that region at the bequest of Saudi Arabia and Kuwait to kick out an invading Army. It wasn't for imperialistic reasons. We went to help out folks that called for America to help. And now we see Saudi Arabia export being the Wahhabist literature, and supporting terrorism around the world, and maybe not the government, but individuals within that country supporting terrorism around the world with financial resources. How much money have we given Pakistan?

Where was Osama bin Laden? He was in Pakistan. He was within the town where their military is, and yet they failed to tell us. We supported Egypt over the years. And how much money did Mubarak run off with? Afghanistan became a haven for terrorism and training camps that helped the 9/11 terrorists train to attack this country. And on 9/11 we were attacked. We were attacked. And for what? Because we are a free Nation. That is the root of it. We are a free Nation. And because we are free, we like to export our beliefs and freedom of religion and free markets, and that is just to name a few. On 9/11, we as a Nation came together. And has the war cost us? It has cost us a lot more than the financial resources of this Nation. It has cost us our men and women. They have lost limbs, and they have lost lives, and it is a price that we need to think about. Don't bring the war into this. We are talking about the financial stability of this country. We are talking about it in a context where this week we are dealing with a debt ceiling increase where we are looking to borrow more money to continue giving more money away. And something about my South Carolina upbringing tells me that is not right. So I apologize, Madam Chairwoman, but I cannot sit here and listen to someone bring the war into this when it is very clear the United States has had a presence there.

Mr. MURPHY. Would the gentleman yield?

Mr. DUNCAN. I will.

Mr. MURPHY. I am sorry if I have touched a nerve here, but we can't sit here and believe there is some separation between the foreign aid budget and the military budget. We can't sit here and pretend that it is somehow unpatriotic to bring up the facts——

Mr. DUNCAN. Will the gentleman yield? I am not saying there is a separation.

Mr. MURPHY. You control the time.

Mr. DUNCAN. I am not saying there is a separation. But what I am saying is the United States has had a presence there in a lot more ways than just money over my lifetime, 45 years I have been

alive. And what has it got us? In a lot of instances it has got us a lot of pain and heartache because we were attacked.

Mr. MURPHY. Would the gentleman yield? Listen, I understand the merits of that argument. But the suggestion that you can't bring up the wars, you can't bring up the military, the potential military consequences of not making foreign aid investments I think is an absolute fallacy.

Mr. DUNCAN. Look at what the foreign aid investment has gotten us. I don't believe the argument holds water. You know, we are in Libya now. You failed to bring up that war. And I would be interested to find out how you voted on that war, because I voted to get us out of that war.

Mr. GRIFFIN. Will the gentleman yield?

Mr. DUNCAN. I will yield to the gentleman from Arkansas.

Mr. GRIFFIN. I just want to make clear, my amendment does not comment on—I served in Iraq with the 101st. I am very familiar with the role of foreign assistance. I recently got back from Afghanistan, where I was briefed on the ground by Petraeus and other generals. I get all that. This is about $1.5 million that we are giving to another country so they can give to other countries. It is this amendment. And if you are for this amendment, it does not mean that you are against foreign aid. It means you are for this amendment. I yield back.

Mr. DUNCAN. I yield back.

Chairman ROS-LEHTINEN. Does the gentleman yield? Thank you. And we have anyone who would—okay. We have Connolly, and we have Mr. Fortenberry, and we have Mr. Payne—Mr. Meeks, and who else? Because we would like to bring this puppy home here.

Mr. MANZULLO. I was just going to move the previous question.

Chairman ROS-LEHTINEN. So hold on 1 second. If we are ready to vote on after these—we can keep——

Mr. MANZULLO. I move the previous question.

Chairman ROS-LEHTINEN. No, that is okay. I just want to say the prohibition on funds for the Trilateral Assistance Program is Mr. Griffin's amendment, and section 403. Who did I call on first? Who was that? Mr. Connolly? Thank you.

Mr. CONNOLLY. Thank you, Madam Chairman. And I will be brief. I had almost forgotten what Mr. Griffin's amendment was about. By my count tonight, this is like country number 56 in which we are slashing aid or disinvesting. And the night, of course, is young. And if one needed more evidence of the isolationist, retreatist mentality of the new majority in this Congress, tonight's markup is a good example.

I would say to my colleagues who are concerned about the influence of China, if you want to help China and accelerate their broad influence and emerging confidence in Asia, Africa, and Latin America continue this pattern of disinvestment, because they have no such qualms. They are willing to put enormous resources on the ground. They are not disinvesting in countries because they don't agree with us or with them. And anyone who has traveled to large swaths of Africa or Latin America knows what I am talking about. You see the Chinese presence in the airport, in the city, at the hotels, on the ground, investing in construction, in securing access to raw materials, in whatever it is they are seeking. And that is the

competition. That is the future, as Mr. Ackerman said. So, you know, we have a fairly modest foreign assistance program to use as a tool to help buttress our ability to compete with that. And tonight we are dismantling much of that foreign assistance tool. I yield back, Madam Chair.

Chairman ROS-LEHTINEN. The gentleman yield back. Mr. Fortenberry and then Mr. Meeks.

Mr. FORTENBERRY. All I wanted to say, Madam Chair, is if we all have patience and want to continue the discussion of China's role in Africa, I have an amendment on this issue that will probably at this rate come up at about 5 a.m. So if we want to defer that discussion until later, I would be glad to do it. I yield back.

Chairman ROS-LEHTINEN. The gentleman yields back. Mr. Meeks.

Mr. MEEKS. Let me just say that, before I yield to Mr. Payne, that the gentleman's amendment basically says that we are going to take money away from South Africa, who is an ally, because what we are looking about is that region, the region of South Africa, where South Africa is, and we want to make sure, since they are such a good ally of ours, that they also have influence in that region, and that they can work with their neighbors and other African countries so that we have additional allies. And it shows that we are maximizing the money because South Africa is also saying, look, I am not just taking your money, we are going to put up some more money also. And that is going to help a lot of other countries in the region. And it is going to have greater influence in the region for us in the long run also. So it is really a wise move, because we are helping an ally who is helping give a good and better impression for all, for them to help them in that region, where we need allies, and to help us. I yield to Mr. Payne.

Mr. PAYNE. I will be very brief. First of all, when the discussion began about China, I don't know if Mr. Griffin said he is tired of hearing a lecture about China, so I am trying to decide when a discussion becomes a lecture. A lecture is like somebody talking down to people. I thought it was a discussion that we were just having. And characterizing it as a lecture——

Mr. GRIFFIN. Would the gentleman yield?

Mr. PAYNE. Yes. I would be glad to yield.

Mr. GRIFFIN. I wasn't referring to you.

Mr. PAYNE. Pardon?

Chairman ROS-LEHTINEN. The person yielding is——

Mr. PAYNE. I was yielding to Mr. Griffin.

Chairman ROS-LEHTINEN. I know, but that is not your time. Mr. Meeks.

Mr. MEEKS. I yield.

Mr. GRIFFIN. I wasn't referring to you. I don't even remember what you said.

Mr. PAYNE. Okay.

Chairman ROS-LEHTINEN. Mr. Payne is recognized again.

Mr. PAYNE. Thank you very much, Mr. Griffin, for that clarification. I just think that, and let me tell you something, there is no one over here in love with China. I mean, I saw the way they tried to interfere with Security Council resolutions on Darfur. I was there when the bombs were falling. I was there and—as a matter

of fact, the Congressional Black Caucus almost had relations with China broken off, because we had a meeting with their Ambassador, and we told him what to tell Beijing. It was a quiet meeting, no one knew about it, it was a couple years ago, and we saw a change in China's attitude. So there is no love in our heart for China.

I just want to say two things quickly. One, that in Africa there is the highest acceptance for the United States of America of any place in the world. It is almost 80 percent of the people in Africa prefer the United States, and we don't even do anything very much there compared to what China does. And secondly, just to say about the Heritage Foundation actually came up with the statistics that China in 2010 invested $120 billion in Africa. Now, that is certainly a concern, because as has been indicated, it is simply building up to when they are at the point where they are going to have all the power that they need, and then we are going to have to decide, well, what do we do? One hundred twenty billion dollars, I thought it was $50 billion, and we just looked up the number.

So there is something that we need to be concerned about. I want to make it clear that nobody over here, especially me, have any love in my heart for China. I think that we need to look at this Trilateral. I think it is money well spent. South Africa is putting their expertise, they are putting their money in. It is sort of like a public-private partnership. We are doing it with them. I would hope that we would have my amendment passed. Thank you. Yield back.

Chairman ROS-LEHTINEN. Thank you. Mr. Meeks, do you yield back?

Mr. MEEKS. Yield back.

Chairman ROS-LEHTINEN. Thank you. Seeing no further requests for recognition, the question occurs on the amendment. And the amendment is Mr. Griffin's amendment, prohibition on funds for the Trilateral Assistance Program. A recorded vote has been requested. And the clerk will call the roll.

Ms. CARROLL. Madam Chairman.

Chairman ROS-LEHTINEN. Yes.

Ms. CARROLL. The chairman votes aye.

Mr. Smith?

[No response.]

Ms. CARROLL. Mr. Burton.

Mr. BURTON. Aye.

Ms. CARROLL. Mr. Burton votes aye.

Mr. Gallegly?

Mr. GALLEGLY. Aye.

Ms. CARROLL. Mr. Gallegly votes aye.

Mr. Rohrabacher?

Mr. ROHRABACHER. Yes.

Ms. CARROLL. Mr. Rohrabacher votes aye.

Mr. Manzullo?

Mr. MANZULLO. Yes.

Ms. CARROLL. Mr. Manzullo votes aye.

Mr. Royce?

[No response.]

Ms. CARROLL. Mr. Chabot.

Mr. CHABOT. Aye.
Ms. CARROLL. Mr. Chabot votes aye.
Mr. Paul?
[No response.]
Ms. CARROLL. Mr. Pence?
Mr. PENCE. Aye.
Ms. CARROLL. Mr. Pence votes aye.
Mr. Wilson?
Mr. WILSON OF SOUTH CAROLINA. Aye.
Ms. CARROLL. Mr. Wilson votes aye.
Mr. Mack?
Mr. MACK. Aye.
Ms. CARROLL. Mr. Mack votes aye.
Mr. Fortenberry?
Mr. FORTENBERRY. Aye.
Ms. CARROLL. Mr. Fortenberry votes aye.
Mr. McCaul?
Mr. MCCAUL. Aye.
Ms. CARROLL. Mr. McCaul votes aye.
Mr. Poe?
[No response.]
Ms. CARROLL. Mr. Bilirakis.
Mr. BILIRAKIS. Yes.
Ms. CARROLL. Mr. Bilirakis votes aye.
Ms. Schmidt?
Mrs. SCHMIDT. Aye.
Ms. CARROLL. Ms. Schmidt votes aye.
Mr. Johnson?
Mr. JOHNSON. Aye.
Ms. CARROLL. Mr. Johnson votes aye.
Mr. Rivera?
Mr. RIVERA. Aye.
Ms. CARROLL. Mr. Rivera votes aye.
Mr. Kelly?
Mr. KELLY. Aye.
Ms. CARROLL. Mr. Kelly votes aye.
Mr. Griffin?
Mr. GRIFFIN. Aye.
Ms. CARROLL. Mr. Griffin votes aye.
Mr. Marino?
Mr. MARINO. Yes.
Ms. CARROLL. Mr. Marino votes aye.
Mr. Duncan?
Mr. DUNCAN. Aye.
Ms. CARROLL. Mr. Duncan votes aye.
Ms. Buerkle?
Ms. BUERKLE. Yes.
Ms. CARROLL. Ms. Buerkle votes aye.
Mrs. Ellmers?
Mrs. ELLMERS. Aye.
Ms. CARROLL. Ms. Ellmers votes aye.
Mr. Berman?
Mr. BERMAN. No.
Ms. CARROLL. Mr. Berman votes no.

Mr. Ackerman?
Mr. ACKERMAN. No.
Ms. CARROLL. Mr. Ackerman votes no.
Ms. CARROLL. Mr. Faleomavaega?
Mr. FALEOMAVAEGA. No.
Ms. CARROLL. Mr. Faleomavaega votes no.
Mr. Payne?
Mr. PAYNE. No.
Ms. CARROLL. Mr. Payne votes no.
Mr. Sherman?
Mr. SHERMAN. Yes. Let me correct that to a no.
Ms. CARROLL. Mr. Sherman off aye, on no.
Mr. Engel.
[No response.]
Ms. CARROLL. Mr. Meeks.
Mr. MEEKS. No.
Ms. CARROLL. Mr. Meeks votes no.
Mr. Carnahan?
Mr. CARNAHAN. No.
Ms. CARROLL. Mr. Carnahan votes no.
Mr. Sires?
Mr. SIRES. No.
Ms. CARROLL. Mr. Sires votes no.
Mr. Connolly?
Mr. CONNOLLY. No. But happy birthday, Nelson Mandela.
Ms. CARROLL. Mr. Connolly votes no.
Mr. Deutch?
Mr. DEUTCH. No.
Ms. CARROLL. Mr. Deutch votes no.
Mr. Cardoza?
[No response.]
Ms. CARROLL. Mr. Chandler.
Mr. CHANDLER. No.
Ms. CARROLL. Mr. Chandler votes no.
Mr. Higgins?
Mr. HIGGINS. No.
Ms. CARROLL. Mr. Higgins votes no.
Ms. Schwartz?
Ms. SCHWARTZ. No.
Ms. CARROLL. Ms. Schwartz votes no.
Mr. Murphy?
Mr. MURPHY. No.
Ms. CARROLL. Mr. Murphy votes no.
Ms. CARROLL. Ms. Wilson?
Ms. WILSON OF FLORIDA. No.
Ms. CARROLL. Ms. Wilson votes no.
Ms. Bass?
Ms. BASS. No.
Ms. CARROLL. Ms. Bass votes no.
Mr. Keating?
Mr. KEATING. No.
Ms. CARROLL. Mr. Keating votes no.
Mr. Cicilline?
Mr. CICILLINE. No.

Ms. CARROLL. Mr. Cicilline votes no.

Chairman ROS-LEHTINEN. Have all members been recorded?

Mr. Royce?

Mr. ROYCE. Aye.

Ms. CARROLL. Mr. Royce votes aye.

Chairman ROS-LEHTINEN. Mr. Engel.

Mr. ENGEL. No.

Ms. CARROLL. Mr. Engel votes no.

Chairman ROS-LEHTINEN. Mr. Smith.

Mr. SMITH. Aye.

Ms. Carroll. Mr. Smith votes aye.

Chairman ROS-LEHTINEN. Have all members been recorded? The clerk will report the vote.

Ms. CARROLL. Madam Chairman, on that vote, there are 23 ayes and 19 nos.

Chairman ROS-LEHTINEN. The ayes have it, and the question is agreed to. The next amendment will be Mr. Payne. I would like to tell the members that the Chair is going to restrict the time on the amendments because it keeps volleying back and forth, and it takes up an awful lot of time. I am going to try this. If I can't get unanimous consent, we will just limit it for ½ hour. Would it be all right if members have 3 minutes each instead of 5? Ms. Wilson says aye. Can I get a witness? Yes? Let me try it this way. Since it is unanimous consent—yes, sir.

Mr. BERMAN. Madam Chair, I am reserving the right to object. There are many amendments where I think that is acceptable. There are a few amendments, I will just give you one example, in case you thought it wasn't going to happen, there will be an amendment regarding the global gag rule that has been inserted into this bill. And I would object to any effort to limit the debate on that kind of an amendment. But on most of the amendments, fine.

Chairman ROS-LEHTINEN. Okay. How about this? How about 5 minutes for the person who offers the amendment, 3 minutes for everyone else except for Mexico City?

Mr. ROHRABACHER. Madam Chairman, just so people will understand, I have an amendment that eliminates aid to Pakistan and another amendment that eliminates aid to Iraq. I will be satisfied with my 5 minutes, but I would like my colleagues to understand that this would be limiting their ability to discuss this. So I mean, I am not being limited here by that rule, but they may not want to take it up.

Chairman ROS-LEHTINEN. Hold on 1 second. I will make a motion, and then we will vote on it. The Chair makes a motion that from now on, the person who offers the amendment, the sponsor, will have 5 minutes. Each member will have 3 minutes to speak on it.

Mr. BERMAN. I have to make a point of order on this amendment.

Chairman ROS-LEHTINEN. Yes, sir.

Mr. BERMAN. This amendment constrains House rules on the committee procedures. It can be done by unanimous consent, but I would make a point of order.

Chairman ROS-LEHTINEN. Will the gentleman yield? Are you saying that I cannot limit debate time?

Mr. BERMAN. By motion.

Chairman ROS-LEHTINEN. By a motion that we will vote on?

Mr. BERMAN. That is right. Under the House rules regarding how committees function, there is——

Mr. ROHRABACHER. But she can do it with unanimous consent.

Chairman ROS-LEHTINEN. Hold on. No one is recognized right now.

Mr. BERMAN. While we are checking this, can I move to strike the last word?

Chairman ROS-LEHTINEN. No. No. Thank you. Hold on 1 second. Mr. Berman, while we are looking, Mr. Berman and Mr. Rohrabacher, what were you going to say? Mr. Berman is recognized.

Mr. BERMAN. I will just take one moment. We have some additional amendments on title IV. I am not sure how many. I have three, at least one of which is going to be the amendment on the global gag rule. And then we have additional titles where there are many more amendments. I know this goes against the chair's initial desire of how to conclude this markup, but I would like to throw out a suggestion, that we try to work out a time agreement on amendments, both as to the amount of time that a member might speak and the amount of time on a total amendment, but that we do it in the context of saying there will be a time tonight when we will recess—I would just like to finish my request before it gets shot down, and that we reconvene at 9 o'clock or 9:30 or 10 o'clock, or whatever the appropriate time is tomorrow, to finish the markup at a reasonable hour. Because otherwise we will be here all night.

Chairman ROS-LEHTINEN. Yes, we will.

Mr. BERMAN. And I would suggest we will end up spending much less time on this markup if we follow a notion of deciding to stay for another hour or ½ hour and then coming back at 9 o'clock or 10 o'clock tomorrow, and in the meantime, work out a unanimous agreement on time that members will speak on amendments and on the total time spent on an amendment, and that we will end up spending much less time in markup and love each other much more.

Chairman ROS-LEHTINEN. And I think I am ready to make the motion. Are we ready? On the time to limit. May I recognize you? Are you allowed to have a voice? We need a magnifying glass. You have to wait for my cataract surgery.

Mr. MANZULLO. Why don't we just agree.

Chairman ROS-LEHTINEN. Hold on a second. There is no unanimous consent on anything. We are going to proceed with debate, and we will try to work this out where we have perhaps 5 minutes for the sponsor, 3 minutes for everyone else. And in ½ hour, after that amendment is talked, except for the Mexico City, perhaps we will hear a motion to end the debate on that particular amendment.

This last amendment went on for an awfully long time, and people were then called on again and again to talk, and off topic. So it is fine if we are on topic, but I am not going to censor what you say, but it is really getting a little out of control. But Mr. Payne, we will work it out while you debate your amendment. You have

an amendment at the desk. And the clerk will report the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Payne of New Jersey. At the end of title IV of the bill, add the following: Section 4xx. Improvements to nutritional quality, quality control, and cost-effectiveness of United States food assistance. (a) In General. The Administrator of the United States——

Chairman ROS-LEHTINEN. Everyone has the amendment. Thank you. Unanimous consent to consider it as read. And Mr. Payne is recognized to explain his amendment. Thank you, sir.

[The information referred to follows:]

AMENDMENT TO H.R. 2583

OFFERED BY MR. PAYNE OF NEW JERSEY

(Foreign Relations Authorization Act, Fiscal Year 2012)

At the end of title IV of the bill, add the following:

1 **SEC. 4xx. IMPROVEMENTS TO NUTRITIONAL QUALITY,**
2 **QUALITY CONTROL, AND COST EFFECTIVE-**
3 **NESS OF UNITED STATES FOOD ASSISTANCE.**

4 (a) IN GENERAL.—The Administrator of the United
5 States Agency for International Development should take
6 the actions described in subsection (b) to improve the nu-
7 tritional quality, quality control, and cost effectiveness of
8 United States food assistance.

9 (b) ACTIONS DESCRIBED.—The actions referred to in
10 subsection (a) are the following:

11 (1) Adopt new specifications and formulations
12 for food aid products, including fortified-blended
13 foods (FBFs), and grain premixes containing micro-
14 nutrients.

15 (2) Develop new program guidance to facilitate
16 improved matching of products to purposes having
17 nutritional intent, including an updated commodity
18 reference guide and decision tools.

1 (3) Convene a new Interagency Food Aid Com-
2 mittee to provide a "one-stop shop" for whole-of-
3 government technical actions in food aid and inter-
4 face with industry and implementing partners.
5 (4) Explore and test options for improved pack-
6 aging and storage of products to improve shelf life
7 and promote recommended usage by intended bene-
8 ficiaries, and establish a multi-stakeholder working
9 group to oversee field-testing of products.
10 (5) Undertake reforms in commodity acquisi-
11 tion and supply chain management, drawing on best
12 commercial practices for vendor selection, quality as-
13 surance standards, and auditing.
14 (6) Develop mechanisms and partnerships to fa-
15 cilitate more private sector development and innova-
16 tion in food aid products, packaging, and delivery in
17 order to improve the cost-effectiveness, nutritional
18 quality, and overall acceptability of the product.
19 (7) Develop clear guidance, in coordination with
20 the Coordinator of United States Government Activi-
21 ties to Combat HIV/AIDS Globally and the Presi-
22 dent's Emergency Fund for AIDS Relief in Africa
23 (PEPFAR), to support allocation of funds for nutri-
24 tion support in HIV programming, using standard-
25 ized indicators of impact.

(8) Provide guidance to implementing partners on how to address nutritional deficiencies that may emerge for food aid that is the sole source of diet for recipients of emergency programs that extend beyond one year.

(9) Evaluate, in an appropriate program setting, the performance and cost-effectiveness of new specialized food products designed to meet the nutritional needs of the most vulnerable groups.

(10) Provide guidance on whether and how best to use new specialized food products, including guidance on targeting strategies to ensure that the products reach their intended recipients.

(11) Strengthen monitoring of commodity quality by identifying and systematically tracking key quality indicators to determine the full extent of quality problems, including emerging concerns, throughout the supply chain.

(12) Establish process and system-wide protocols for monitoring and evaluation of impact, specifically addressing improving cost-effectiveness.

☒

Mr. PAYNE. Great. And I hope to do it in less than 5 minutes, however I will do my best. This amendment costs no money. It is, in my opinion, noncontroversial. I offer this amendment to title IV of the bill, which establishes a sense of Congress that USAID should institute critical reforms to improve the quality and cost-effectiveness of U.S. food aid. That is not asking for any more money or changing anything substantially. For 55 years, the United States, backed by the support of the American people, have been committed to providing life-saving food aid to developing countries and vulnerable populations around the world.

After their inception, bilateral food aid programs were primarily organized with the disposal of major agricultural commodity surpluses generated by domestic farm production as the major objective. Additional objectives of the program include advancing U.S. trade and national security interests, as well as meeting the recipient countries' food security and development objectives. U.S. food aid has provided critical calories and nutrition to millions of people during short term emergencies. But food aid programs have been increasingly called into question over the past decade for not meeting the nutritional needs of recipient populations, and in some cases, for disrupting local markets. This sense of Congress amendment is our opportunity to voice support for the recommendations of two recent studies.

One, the first study, conducted by the Government Accountability Office at my request, is entitled "International Food Assistance: Better Nutrition and Quality Control Can Further Improve U.S. Food Aid." The second study, conducted by Tufts University and commissioned by USAID, is entitled "Improving the Nutritional Quality of U.S. Food Aid: Recommendations for Changes to Products and Programs." Both studies found that while U.S. food aid is effective in satisfying the nutritional requirements of recipients for short-term emergencies, it does not provide adequate nutrition during long-term emergencies, especially if food aid is the primary or only source of nutrition, and for populations with special nutritional needs, such as for infants, children under 5, individuals who are critically malnourished, and individuals living with HIV and AIDS. The amendment simply calls on USAID to implement the GAO and Tufts recommendations to issue guidance on how best to address nutritional deficiencies that may emerge during protracted emergencies; two, to evaluate the performance and cost-effectiveness of specialized food products, convene a new interagency food aid committee to provide a one stop shop for whole of government technical actions and food aid, and interface with U.S. food industry and implementing partners, identify and systematically track key quality indicators, undertake reforms in commodity acquisition and supply chain management, develop mechanisms and partnerships to facilitate more U.S. private sector development and innovative innovation and food aid products, packaging, and delivery in order to improve the cost-effectiveness, nutritional qualities, and overall accept ability of the product, and develop clear guidance, in coordination with the Office of Global AIDS Coordinator and the President's Emergency Fund for AIDS Relief in Africa, PEPFAR, for standardized nutrition support in HIV programs, establish process and system-wide protocols for monitoring and eval-

uation of program impact, specifically for improving cost-effectiveness.

As the U.S. continues its leadership in providing life-saving food assistance, we must find efficiencies and leverage U.S. private sector innovations. As I mentioned, it does not ask for any additional costs. This simply says there are two studies that point out how we can take the program we have and make it better, more nutritional, probably not more food, but more nutritional aspects. And I would urge my colleagues to support this amendment. Thank you. I yield back.

Chairman ROS-LEHTINEN. Thank you very much, Mr. Payne. I don't see a China angle to it, but the night is young. Mrs. Schmidt is recognized.

Mrs. SCHMIDT. While we do use China to eat, I won't bring it up. Mr. Payne, I do want to thank you for offering this amendment and highlighting the importance of nutrition and quality of food issues in the United States. Food aid, as you well know, I chair the Subcommittee on Nutrition in the Agriculture Committee, and nutrition are near and dear to my heart. However, I can't support this amendment.

Currently, the United States is the largest donor of food aid, contributing $1.6 billion through just the Food for Peace program in Fiscal Year 2010 alone. You know, the nutritional needs of vulnerable groups and the quality of our food aid to impoverished countries are critical issues. I couldn't agree with you more. However, many of the reforms to improve our quality control are already underway. The recent Government Accountability Office report on better nutrition and quality control highlights these issues for reform that both USAID and USDA concurred with and recently provided examples on continuing efforts to address such issues.

This amendment calls for new programming, a convening of a new interagency food aid committee, and the establishment of a multi-stakeholding working group, adding to the bureaucracy, and I think, too, probably additional costs, because it is adding to the bureaucracy. Under such difficult constraints, I cannot support the potential costs of this amendment, especially when some of the reforms and recommendations that are cited within the amendment are currently being addressed.

You know, Mr. Payne, if our budgetary issues weren't in the same shape as many Americans, and that we really have to look at pennies and the way to save pennies, I might be able to be more sympathetic to your point of view. But we have so few dollars to spend. And to create a new program that is only going to add layers of bureaucratic costs, I would rather find ways to improve nutrition with the dollars that we have to spend now instead of creating a new agency. And Madam Chair, I yield back the balance of my time.

Chairman ROS-LEHTINEN. Thank you so much, Mrs. Schmidt. I did not hear that nation brought up at all. Good job. Mr. Faleomavaega.

Mr. FALEOMAVAEGA. Thank you, Madam Chair. I just want to thank the gentleman from New Jersey for his proposed amendment. As I understand it, it immediately is not an additional cost to establish what he is trying to promote here. I would like to give

him my time, if he could explain a little more exactly what the amendment provides.

Mr. PAYNE. Right. Just briefly, it doesn't call for new employees. It says create an interagency organization. That would certainly be people who are currently employed by the agencies. It would not add anybody. It would not create any additional costs. We are not asking for more money for more food. We are simply saying that we have some very specific recommendations. We think that by having someone really focusing on it clearly with this new interagency group, it would be able to really facilitate it better. And this is just the sense of the Congress saying that we think we have done a good job, we are not asking for more money, we are not asking for more food, we are just saying, why can't we make the food more nutritious? And secondly, that we use people in our agencies already to simply have a meeting. So trying to save time, I will yield back to the gentleman.

Chairman ROS-LEHTINEN. Thank you, Mr. Payne. Thank you, Mr. Faleomavaega. Does any member wish recognition? I did not mean to put a chill on this. Okay then. I am sorry. All right. Then hearing no further request for recognition, the question occurs on the amendment. This is on the Payne amendment. All those in favor say aye. All those opposed, no. In the opinion of the Chair, the noes have it. The amendment is not agreed to.

Mr. PAYNE. Madam Chair, may I ask for a recorded vote?

Chairman ROS-LEHTINEN. Absolutely. A recorded vote has been requested. The clerk will call the roll on the Payne amendment.

Ms. CARROLL. Madam Chairman?

Chairman ROS-LEHTINEN. No.

Ms. CARROLL. The chairman votes no.

Mr. Smith?

Mr. SMITH. Yes.

Ms. CARROLL. Mr. Smith votes aye.

Mr. Burton?

Mr. BURTON. No.

Ms. CARROLL. Mr. Burton votes no.

Mr. Gallegly?

Mr. GALLEGLY. No.

Ms. CARROLL. Mr. Gallegly votes no.

Mr. Rohrabacher?

Mr. ROHRABACHER. No.

Ms. CARROLL. Mr. Rohrabacher votes no.

Mr. Manzullo?

[No response.]

Ms. CARROLL. Mr. Royce.

[No response.]

Ms. CARROLL. Mr. Chabot.

Mr. CHABOT. No.

Ms. CARROLL. Mr. Chabot votes no.

Mr. Paul?

[No response.]

Ms. CARROLL. Mr. Pence?

[No response.]

Ms. CARROLL. Mr. Wilson.

Mr. WILSON OF SOUTH CAROLINA. No.

Ms. CARROLL. Mr. Wilson votes no.
Mr. Mack?
Mr. MACK. No.
Ms. CARROLL. Mr. Mack votes no.
Mr. Fortenberry?
[No response.]
Ms. CARROLL. Mr. McCaul.
Mr. MCCAUL. No.
Ms. CARROLL. Mr. McCaul votes no.
Mr. Poe?
Mr. POE. No.
Ms. CARROLL. Mr. Poe votes no.
Mr. Bilirakis?
Mr. BILIRAKIS. No.
Ms. CARROLL. Mr. Bilirakis votes no.
Mrs. Schmidt?
Mrs. SCHMIDT. No.
Ms. CARROLL. Mrs. Schmidt votes no.
Mr. Johnson?
Mr. JOHNSON. No.
Ms. CARROLL. Mr. Johnson votes no.
Mr. Rivera?
Mr. RIVERA. No.
Ms. CARROLL. Mr. Rivera votes no.
Mr. Kelly?
Mr. KELLY. No.
Ms. CARROLL. Mr. Kelly votes no.
Mr. Griffin?
Mr. GRIFFIN. No.
Ms. CARROLL. Mr. Griffin votes no.
Mr. Marino?
Mr. MARINO. No.
Ms. CARROLL. Mr. Marino votes no.
Mr. Duncan?
Mr. DUNCAN. No.
Ms. CARROLL. Mr. Duncan votes no.
Ms. Buerkle?
Ms. BUERKLE. No.
Ms. CARROLL. Ms. Buerkle votes no.
Mrs. Ellmers?
Mrs. ELLMERS. No.
Ms. CARROLL. Mrs. Ellmers votes no.
Mr. Berman?
Mr. BERMAN. Aye.
Ms. CARROLL. Mr. Berman votes aye.
Mr. Ackerman?
Mr. ACKERMAN. Aye.
Ms. CARROLL. Mr. Ackerman votes aye.
Mr. Faleomavaega?
Mr. FALEOMAVAEGA. Aye.
Ms. CARROLL. Mr. Faleomavaega votes aye.
Mr. Payne?
Mr. PAYNE. Aye.
Ms. CARROLL. Mr. Payne votes aye.

Mr. Sherman?
Mr. SHERMAN. Aye.
Ms. CARROLL. Mr. Sherman votes aye.
Mr. Engel?
[No response.]
Ms. CARROLL. Mr. Meeks.
[No response.]
Ms. CARROLL. Mr. Carnahan.
Mr. CARNAHAN. Aye.
Ms. CARROLL. Mr. Carnahan votes aye.
Mr. Sires?
Mr. SIRES. Aye.
Ms. CARROLL. Mr. Sires votes aye.
Mr. Connolly?
Mr. CONNOLLY. Aye.
Ms. CARROLL. Mr. Connolly votes aye.
Mr. Deutch?
Mr. DEUTCH. Aye.
Ms. CARROLL. Mr. Deutch votes aye.
Mr. Cardoza?
[No response.]
Ms. CARROLL. Mr. Chandler.
Mr. CHANDLER. Aye.
Ms. CARROLL. Mr. Chandler votes aye.
Mr. Higgins?
Mr. HIGGINS. Yes.
Ms. CARROLL. Mr. Higgins votes aye.
Ms. Schwartz?
Ms. SCHWARTZ. Aye.
Ms. CARROLL. Ms. Schwartz votes aye.
Mr. Murphy?
Mr. MURPHY. Aye.
Ms. CARROLL. Ms. Wilson?
Ms. WILSON OF FLORIDA. Aye.
Ms. CARROLL. Ms. Wilson votes aye.
Ms. Bass?
[No response.]
Ms. CARROLL. Mr. Keating.
Mr. KEATING. Aye.
Ms. CARROLL. Mr. Keating votes aye.
Mr. Cicilline?
Mr. CICILLINE. Aye.
Ms. CARROLL. Mr. Cicilline votes aye.
Chairman ROS-LEHTINEN. Have always members been recorded?
Mr. Royce?
Mr. ROYCE. No.
Ms. CARROLL. Mr. Royce votes no.
Chairman ROS-LEHTINEN.
Ms. Bass.
Ms. BASS. Aye.
Ms. CARROLL. Ms. Bass votes aye.
Chairman ROS-LEHTINEN. Mr. Meeks.
Mr. MEEKS. Aye.
Ms. CARROLL. Mr. Meeks votes aye.

Chairman ROS-LEHTINEN. Mr. Manzullo.

Ms. CARROLL. Wait.

Chairman ROS-LEHTINEN. I am sorry. I didn't mean to rush you.

Mr. PENCE. How am I recorded?

Ms. CARROLL. Mr. Pence, you are not recorded.

Mr. PENCE. No.

Ms. CARROLL. Mr. Pence votes no.

Chairman ROS-LEHTINEN. Mr. Engel.

Mr. ENGEL. Votes yes.

Ms. CARROLL. Mr. Engel votes aye.

Chairman ROS-LEHTINEN. Mr. Manzullo would like to be recognized.

Mr. MANZULLO. Aye.

Ms. CARROLL. Mr. Manzullo votes aye.

Chairman ROS-LEHTINEN. The clerk will report the vote.

Ms. CARROLL. Madam Chairman, on that vote there are 20 ayes and 21 nos.

Chairman ROS-LEHTINEN. The noes have it, and the question is not agreed to. On my list of amendments, Mr. Duncan is recognized for his amendment.

Mr. DUNCAN. Thank you, Madam Chairman. I have amendment number 19.

Chairman ROS-LEHTINEN. The clerk will report the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Duncan of South Carolina. At the end of title IV, add the following: Section 4xx. Prohibition on assistance to countries that oppose the position of the United States in the United Nations. (a) Prohibition. None of the funds authorized to be appropriated by this act or any amendment made by this act may be provided as bilateral economic assistance to a country that opposed the position of the United States in the United Nations. (b) Definitions. In this section—(1) the term "opposed the position of the United States" means, in the case of a country, that the country's recorded votes in the United Nations General Assembly during the most recent session of the General Assembly and, in the case of a country which is a member of the United Nations Security Council, the country's recorded votes both in the Security Council and the General Assembly during the most recent session of the General Assembly, were the same as the position of the United States less—sorry, the second page is not on here.

Chairman ROS-LEHTINEN. Can you give that to the clerk? Thank you.

Ms. CARROLL. Thank you. Than 50 percent of the time——

Chairman ROS-LEHTINEN. Thank you. We will consider the amendment as having been read because all of the members have the amendment. And the sponsor is recognized now for 5 minutes to explain. Mr. Duncan. Do all members have the amendment? Mr. Duncan.

[The information referred to follows:]

AMENDMENT TO H.R. __

OFFERED BY MR. DUNCAN OF SOUTH CAROLINA

(Foreign Relations Authorization Act, Fiscal Year 2012)

At the end of title IV, add the following:

SEC. 4xx. PROHIBITION ON ASSISTANCE TO COUNTRIES THAT OPPOSE THE POSITION OF THE UNITED STATES IN THE UNITED NATIONS.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or any amendment made by this Act may be provided as bilateral economic assistance to a ~~country~~ foreign government that opposed the position of the United States in the United Nations.

Strike "country" and insert "foreign government" (by UC request)

(b) DEFINITIONS.—In this section—

(1) the term "opposed the position of the United States" means, in the case of a country, that the country's recorded votes in the United Nations General Assembly during the most recent session of the General Assembly and, in the case of a country which is a member of the United Nations Security Council, the country's recorded votes both in the Security Council and the General Assembly during the most recent session of the General Assembly, were the same as the position of the United States less

1 than 50 percent of the time, using for this purpose
2 a comparison of the recorded vote cast by each mem-
3 ber country with the recorded vote cast by the
4 United States, as described in the annual report
5 submitted to Congress pursuant to section 406 of
6 the Foreign Relations Authorization Act, Fiscal
7 Years 1990 and 1991; and
8 (2) the term "most recent session of the Gen-
9 eral Assembly" means the most recently completed
10 plenary session of the General Assembly for which a
11 comparison of the vote cast by each member country
12 with the vote cast by the United States is described
13 in the most recent report submitted to Congress
14 pursuant to section 406 of the Foreign Relations
15 Authorization Act, Fiscal Years 1990 and 1991.
16 (c) WAIVER.—The President may waive the require-
17 ments in subsection (a) on a case-by-case basis if the
18 President determines and certifies to the appropriate con-
19 gressional committees not less than 15 days prior to the
20 exercise of waiver authority that the exercise of such waiv-
21 er authority is important to the national interests of the
22 United States.

Mr. DUNCAN. Thank you, Madam Chairman. Let me just set the stage for it. The U.S. is the largest contributor to the U.N. And U.S. voluntary contributions in the U.N. organizations has increased dramatically over the past decade. According to reports from the OMB, in the year 2006 through 2010, total U.S. contribution to the U.N. system jumped from $3.183 billion to $6.347 billion, more than doubled over the last decade. Excluding U.S. contributions to the U.N. regular budget, U.S. funding for U.N.-affiliated organizations through the contributions to international organizations account skyrocketed from $375 million in Fiscal Year 2000 to $645.5 million in the year 2010. That is over the last 10 years it has skyrocketed. The U.S. pays 22 percent of the U.N.'s regular budget and 27.1 percent of the peacekeeping budget, while the combined total of 128 countries, or rather, two-thirds of the General Assembly pay less than 1 percent of the U.N.'s regular budget and less than ⅓ of 1 percent of the peacekeeping budget. So when you review the State Department's 2010 report on voting practices in the United Nations, this lists all of the General Assembly votes during the 65th session of the United States General Assembly.

Out of the 71 votes that the U.S. cast, 131 countries voted opposite of the United States more than 50 percent of the time. Only 60 countries voted with the U.S. at least 50 percent of the time. For example, for the 65th U.N. General Assembly, 18 resolutions related to Israel. Only seven countries voted in coincidence with the United States at least 50 percent of the time: Australia, Canada, Israel, the Marshall Islands, Micronesia, Nauru, and Palau. So when these countries who don't support us, and they combine with influential voting blocks in the U.N., they can and do block U.S. attempts to implement reform, curtail budgets, and support American principles and values.

Folks, the American people are behind us on this issue. We are $14.3 trillion in debt. Why are we giving so much money to the United Nations? What return are we reaping on our investment when these countries do not support American interests on the world stage? It is important that countries recognize that America values issues such as supporting Israel, U.N. reform, and international religious freedom. My amendment seeks to address this gap between spending and promoting American interests. Our level of foreign assistance to other countries should make a difference in how that country votes on resolutions in the U.N.

My amendment is very simple. Our economic assistance is not an entitlement program. If countries that receive U.S. foreign assistance do not vote with the U.S. at least 50 percent of the time, then the U.S. has the right to revote that country's foreign assistance. As security assistance is in the interests of our national interest, this amendment does not touch security interests. Rather, as defined in the amendment, it refers to bilateral economic assistance only. I will keep it simple. I urge you to support this amendment, and I appreciate the consideration.

Chairman ROS-LEHTINEN. Thank you, Mr. Duncan.

Mr. Berman.

Mr. BERMAN. Thank you, Madam Chairman. This amendment, unlike, for instance, the Mack amendment, cuts off any money au-

thorized to be appropriated by this act to a country that opposes the position in the United Nations under the definitions of the amendment. So you vote for this amendment, you kill the Merida Initiative because Mexico is one of those countries. You eliminate the global HIV/AIDS, malaria, tuberculosis program because practically every one of the countries that are recipients of that assistance votes against us more than half the time. You kill the democracy programs in Iran and other assistance to the people of Iran to stop their government from suppressing them because you haven't limited your amendment to aid to the government. You have said aid to the country. In other words, you go right through—and of course, you wipe out your bilateral assistance to Iraq and Afghanistan.

Mr. DUNCAN. Would the gentleman yield?

Mr. BERMAN. All aspects of it.

Mr. DUNCAN. Would the gentleman yield? There is a waiver provision in the amendment.

Mr. BERMAN. I love when you guys say that. I reclaim my time. We are going to do something really stupid and then give a waiver because we know we are doing something stupid, and the President has got to have the ability to undo this. And that is what this is. I am sorry to say, I have great respect for the gentleman, but I would love to know that he anticipated the consequences of his amendment before he had it drafted and offered it. I think it is a mistake to eliminate the Merida program.

I don't want to cut the program that George Bush got started, with the help of a Republican Congress, to try and save hundreds of thousands and millions of lives through HIV/AIDS medications. I don't want to get rid of our efforts to continue the transformation in Iraq that, as we move from a military situation to an effort to help them sustain themselves we wipe out all economic assistance. You have got to be responsible for what you are doing here. And to say that the President can issue a waiver just falls flat.

Mr. BURTON. Would the gentleman yield, please, for just a moment? Would the gentleman yield?

Mr. BERMAN. Yeah.

Mr. BURTON. You know when we passed the Iran sanctions bill, we gave the President waiver authority. You didn't complain about it then. Why are you complaining now?

Mr. BERMAN. I am saying thank God you gave the President waiver authority. And I believe in certain situations—by the way, we had a very nice high standard for that waiver authority. But reclaiming my time, I am saying, why would you do an amendment that the immediate consequence of its passage is that a huge number of countries that get our assistance to stop their people from being killed by AIDS and the children who are born to pregnant women taking medication so their kids won't be born with AIDS, and which will wipe out our Merida Initiative and undermine everything you guys supported doing in Iraq and Afghanistan, why would you want to offer an amendment that does this and then rest on the fact that the President could waive it?

Mr. BURTON. Will the gentleman yield for one more question?

Mr. BERMAN. Sure.

Mr. BURTON. The amendment says very clearly that if they vote with us more than 50 percent of the time, then there is no penalty. And if they vote with us less than 50 percent of the time, the President, if it is in our national interest, can waive it. I don't understand what the problem is.

Mr. BERMAN. By and large, I have generally found that when I want to get one of my colleagues to do something I would like, I don't tell them how I am going to whack him if he doesn't do what I like. It is not usually the best first approach. On those rare occasions, Mr. Burton, and there are some where you and I are on the same side, I don't come to you and say, you bum, I am going to do everything I can to destroy you unless you support my particular bill or amendment. I would suggest some of that logic applies here. Taking a standard, providing a waiver that allows you to make the standard meaningless, but that immediately insults the vast majority of the countries of the world by saying you are trying to bribe them into changing their sovereign decisions is not the best first approach toward international diplomacy or human relationships. I yield back my time.

Chairman ROS-LEHTINEN. The gentleman's time has expired. But maybe calling the proposal stupid is also not the best approach.

Mr. BERMAN. I would like to correct it. What is a better word?

Chairman ROS-LEHTINEN. Foolhardy.

Mr. BERMAN. Wrong. Wrongheaded.

Chairman ROS-LEHTINEN. Thank you. Much better. I have seen some hands up. I saw Mr. Johnson and I saw Mr. Connolly. And then I saw Mr. Rivera, and Mr. Carnahan, and Mrs. Schmidt, and Mr. Ackerman. Remind me of that order. Mr. Johnson.

Mr. JOHNSON. Thank you, Madam Chairman. You know, with great wealth comes great responsibility. Even the Scriptures teach that. And we have a responsibility to be good stewards of taxpayer dollars. And I think if our goal, which I believe that everyone on this committee shares that goal, is to encourage the advancement of democracy and freedom across the globe, then we have a responsibility to help those who are less advantaged than we are understand that we are there to help, but that that help is not a handout, that it comes with a determination that they support the same ideals that we do. I support this amendment to restrict the bilateral economic assistance to countries that oppose the position of the United States at the U.N. You know, during the past decade about 90 percent of U.N. member states that receive U.S. assistance vote against the U.S. a majority of the time in the U.N. General Assembly on nonconsensus votes. These countries are happy to benefit from our economic assistance, but they frequently do not step up to the plate when we need their vote at the U.N.

Mr. DUNCAN. Will the gentleman yield for just a second?

Mr. JOHNSON. I will yield in a second, when I finish my statement. All too often, and with impunity, they vote against the United States, against Israel, against sanctioning Iran, against real budgetary and management reforms at the U.N. This amendment makes it clear that our economic assistance is not an entitlement program, and there are consequences when countries oppose our position at the U.N.

In order for our economic assistance to promote responsibility, our economic assistance must reward responsibility. This amendment does not apply to our security assistance programs. Let me be clear about that. It does not apply to our security assistance programs. And because not all votes and situations are alike, the amendment includes a Presidential waiver—we have just discussed that—to ensure that economic assistance can continue when it is in our national interests to do so. With that, I will yield.

Chairman ROS-LEHTINEN. I think Mr. Griffin was asking for time.

Mr. JOHNSON. I will yield to the gentleman.

Mr. DUNCAN. Actually, Madam Chairman, it was me. You are getting us confused today.

I just wanted to add some data to what you said, the gentleman from Ohio. South Africa, we talked a lot about them today. They only voted with the United States 33.8 percent of the time. Let us mention some others here. Pakistan, 21.3 percent of the time. Nicaragua was mentioned earlier; 34.4 percent of the time. The list goes on and on.

It is very clear that countries that are large recipients of U.S. aid through the U.N. fail to vote with the United States. It is our tax dollars that we are giving to them. Shouldn't we demand something for that in return? And let us at least stand on the world stage shoulder to shoulder with the United States of America that is giving them hundreds of billions of dollars in foreign assistance, economic aid and vote with us. And if they want that money, Mr. Berman, they want that money, all they have to do is vote with us. They wouldn't be cut off if they voted more than 50 percent of the time.

I yield back.

Mr. JOHNSON. I reclaim the balance of my time just to say if we want to change the outcome, then we have to change the steps to the dance. We can't keep dancing the same dance over and over again and get our fiscal house in order and expect to get a different result from our partners overseas if we keep playing by the same rules.

These are dire economic times. We owe to the people of this country, to our children and our grandchildren to be responsible. I believe this bill is a responsible bill and a movement in that direction. I support it, and I urge my colleagues to.

And with that, I yield back the balance of my time.

Chairman ROS-LEHTINEN. Thank you, sir.

Mr. Connolly is recognized.

Mr. CONNOLLY. Thank you so much, Madam Chairman. By the way, thank you for your patience and your fairness tonight. You have done it with good humor, and I appreciate it, and I know my colleagues do.

In case anyone is keeping score, I think we have just doubled the number of countries we are disinvesting in and cutting aid from, at least economic aid. Interesting why we are not including military. And I listened very carefully to my two new colleagues, Mr. Johnson from Ohio and Mr. Duncan from South Carolina, and it is amazing what a binary world they apparently want us to live in. The United States is apparently always right, and anyone who

votes against us must therefore by definition be wrong. No. Their national sovereignty is to be dismissed. In fact, when they exercise it, and it doesn't conform with what we think is right in our black-and-white world, view of the world, they are to be punished. All economic assistance is to be cut unless the President waives.

We actually heard a Biblical reference about our responsibility to taxpayers, and I guess I would say that is—I don't know if it is Biblical, but I certainly know we have a responsibility to the taxpayers. But the other responsibility we have is when you are a great power, you do not retreat from your responsibilities. That makes for a dangerous world that no taxpayer is going to thank you for down the road. Been there, done that. We have done that in periods of American history. It didn't work out too well. Paid a high, terrible price for it.

I don't want to return to that world. I want to maintain our international obligations. I don't want to be perceived as some crude, tin-horned, throw-your-weight-around power that takes its marbles and goes home when it doesn't get its way.

Here is a question for us as a committee and as Members of Congress: Do we believe in democracy and democratic institutions or not? Maybe we ought to adopt a rule that any time you disagree with me, we throw you out of Congress, because that is really the standard you are espousing on this issue.

Mr. BERMAN. Will the gentleman yield?

Mr. CONNOLLY. I would yield gladly to the ranking member.

Mr. BERMAN. I would like to ask the gentleman a question. Under this title, our Cuba Democracy Program is bilateral economic assistance. As I read this language, there is no question but that this amendment, unless the President waives it, the guy who will save us from everything, the Cuba Democracy Program is cut out because Cuba does not vote with us very much at the U.N. Is that your understanding of this?

Mr. CONNOLLY. That would be my understanding, because it falls under the rubric of economic assistance, not military assistance. And I thank the ranking member for pointing that out.

I just end by saying it is a complex world, and to suck us all into a simple right-or-wrong, black-or-white world does not serve anybody's interests, certainly not the United States'. And it is no substitute for doing the hard, difficult work of diplomacy and engagement to make it a better world and to make sure U.S. interests are protected and fostered. This is, I think, a very crude and almost juvenile approach to that and frankly will be counterproductive, no question about it, and I urge my colleagues to defeat this amendment.

Thank you, Madam Chair.

Chairman ROS-LEHTINEN. Thank you, sir.

The gentleman yields back.

I have Mr. Rivera, Mr. Carnahan, Mrs. Schmidt, Mr. Ackerman and Mr. Pence. So Mr. Rivera is recognized. And Mr. Cicilline. And Mr. Payne. Thank you.

Mr. Rivera is recognized.

Mr. RIVERA. Thank you, Madam Chair.

I am glad our friends on the other side mentioned Cuba just now, because I don't think they were accurate in their assessment. The

money that goes for the Cuba Democracy Program does not go to the Cuban Government. The money that goes to the Cuba Democracy Program goes to civil society members—I will in a moment—members that are dissidents, human rights activists, people that are struggling against the Cuban dictatorship, people like the Mothers in White that march and are repressed by the Cuban Government, human rights dissidents like Orlando Zapata Tamayo, who was murdered while on a hunger strike protesting human rights in Cuba. I don't think Orlando Zapata Tamayo was a member of the United Nations or was voting against us more than 50 percent of the time at the United Nations.

But it is very interesting to me how much criticism is leveled against the waiver provision that Congressman Duncan has enshrined in this amendment. I can recall about 15 years ago when four Americans were murdered in international air space by the Castro dictatorship, and Congressman Burton at that time authored legislation to sanction the Castro dictatorship for murdering those four Americans, and it was insisted, insisted upon, the sponsors of that legislation at that time, Jesse Helms and Dan Burton, to have a waiver provision for President Clinton to be able to waive the sanctions against the Castro dictatorship after they had just murdered four Americans in a civilian aircraft in international airspace.

So—I will yield in a moment. So if four Americans, if their lives were not worthy of having specific, concrete sanctions, and a waiver was demanded at that point—I would think here we are talking about votes. I think four American lives are more important than votes at the United Nations. But Congressman Duncan is still providing that waiver because we might have some folks that are more aligned with us than others, and they may vote 49.9 percent, and we don't want to be unreasonable certainly, and Congressman Duncan has provided for a way for the administration to provide that waiver.

But again, we are being very selective in our criticism, because if it wasn't good enough when four Americans were murdered to have sanctions leveled, then I would think that certainly for voting decisions at the United Nations, we could have a waiver provision. And before I yield to the other side, I want to yield to Congressman Rohrabacher, who also wants to say a few words.

Chairman ROS-LEHTINEN. Congressman Rohrabacher.

Mr. ROHRABACHER. Thank you very much.

Yeah, I think that sometimes we can suggest that we have a black and white vision of the world. And I am talking to my friend and colleague, yes, it is a good thing if you are a friend of the United States, and it is a bad thing if you are an enemy of the United States and you don't like us. And when you have a limited amount of money to provide assistance because you yourself are going into a financial crisis, it is a good thing to make sure that you are not providing people who don't like you as expressed by their votes in the United Nations the limited amount of resources we have to help other people. Yes, it is a good thing to help your friends rather than to help your enemies. That is black and white. Fine.

If that is the logic from which the American people are trying to decide as to what policy should take place, I hope they listen to this debate. I am very proud to stand behind that criteria. And there is nothing wrong with that.

Let me note, Mr. Berman was talking about all these programs that are going to be eliminated by that. No. If countries want to have our support, they can come and become our friends. And there is nothing wrong with encouraging them to be our friends. And when we have programs that are designed that don't require that, what happens? We have the very program Mr. Berman was talking about.

For example, the program—the Global Fund program that was supposed to fight AIDS, tuberculosis and malaria. China ended up contributing I think it was $96 million, and it got out of that program already $549 million, and, in fact, will be given $947 million. Yeah, what happens? Our adversaries end up getting our scarce resources that I have no apologies about directing to America's friends. And if that is what the American people need to hear to understand the difference between the left wing and the right wing, fine. Let them listen.

Chairman ROS-LEHTINEN. Time has expired.

I would like to ask that Mr. Duncan, who wanted to make a clarifying change to his amendment. So I am going to take this out of turn so that he can make that motion.

Mr. DUNCAN. Thank you, Madam Chairman.

If you will look at line 7, the front page of the amendment, the word "country," I would like to strike that. Unanimous consent to strike the word "country" and add the word "government." I think it would clear up some of the confusion. But I would like to strike "country" and add "government." Unanimous consent.

Mr. BERMAN. Reserving a point of order, you are seeking an amendment to your amendment; is that right?

Mr. DUNCAN. That is correct. An amendment to the amendment to strike the word "country."

Mr. BERMAN. On my reservation, can I conclude that when Mr. Rivera, the gentleman from Florida, says I am wrong, you are saying, no, he is not? I just want to make sure you understand—I made certain statements about different democracy programs. The Cuban Government is not going to change its vote in order to save the Cuban Democracy Program. I just want to make sure you are agreeing that amendment as written does not—ends up cutting off democracy programs in these countries.

Mr. RIVERA. Congressman Duncan, would you yield for a moment?

Mr. DUNCAN. I would. It is my time. It is just a clarification word to clear up any confusion going forward not out of this body, because you all have heard the argument, but going forward out of this body.

Mr. BERMAN. Is there an amendment in front of us that you want to—the amendment is not in writing. It requires us to agree by unanimous consent to make that. So I am just reserving in order to ask——

Mr. BURTON. Madam Chair, point of order.

Chairman ROS-LEHTINEN. Yes, Mr. Burton is——

Mr. BURTON. I would propose the amendment that the gentleman suggested to change that word, and I will reduce it to writing right now.

Chairman ROS-LEHTINEN. Thank you.

Mr. DUNCAN. That is fine.

Chairman ROS-LEHTINEN. Mr. Burton——

Mr. BURTON. I have an amendment at the desk.

Chairman ROS-LEHTINEN. Mr. Duncan has an amendment, but you are not going to be—do you want Mr. Burton to be offering it?

Mr. DUNCAN. I will withdraw the amendment, Madam Chairman.

Mr. BURTON. I have an amendment to his amendment.

Mr. BERMAN. I just wanted to make the point, I think you have a right to fix up your amendment, and I don't object to it.

Mr. DUNCAN. Then I will leave the amendment active and ask for unanimous consent.

Chairman ROS-LEHTINEN. To make the change, and the clerk has noted that change. Thank you so much.

We will go back to the order of speakers. Unanimous consent has been granted. The change has been noted.

Mr. Carnahan is now recognized to speak.

Mr. CARNAHAN. Thank you, Madam Chairman. And I want to thank my friend from South Carolina for clarifying that. But I want to make a point.

Some of my friends on the other side of the aisle, we may vote opposite 90 percent of the time, but if we took certain positions, we might miss out on that 10 percent of the time where we have some common ground or some opportunities to work together. I just want to make that point.

And secondly, the U.N. is an easy target. They absolutely are a complex body. It is a difficult place to work. And it is hard to sit there at the table with every country in the world with competing and complex interests all mixed up there, and to be sure we are looking out for our interests there, but clearly our interests are not going to align with every country all the time, and sometimes not even half the time. But we absolutely need to be building those allies.

And I would suggest to the gentleman that they speak to some of our leaders from Israel. And I bet virtually every one of them you spoke to, they would think this was a bad idea because we have fought many battles on behalf of our ally Israel at the U.N. to beat back a lot of the attacks that come against Israel on a regular basis, and because we are engaged in building alliances, looking for new ways to beat those things back, we have had success there. And Israel is just one example of how we have tried to keep some of those alliances together, and I would urge the gentleman or others to talk to some of our allies from Israel, and I believe they would tell you this is not a good approach.

I think you have a good idea in terms of how to hold people accountable, but I think we need to look for some other ways to actually execute that idea. And that is going to be a constant challenge at the U.N. But I don't think it is going to work to have a formula like this, and so I would respectfully request my colleagues to vote no on the amendment.

Chairman ROS-LEHTINEN. Thank you, Mr. Carnahan, who yields back.

Mrs. Schmidt is recognized.

Mrs. SCHMIDT. Thank you, Madam Chairman.

And I first want to thank Mr. Berman for bringing up the point about country versus government, because I was a little nervous about supporting this amendment, and I am so glad that we have corrected that all very important word.

I just want to say again that when I go back home and I talk to folks, when I have teletown halls, when I have town halls, one of the things that I am constantly asked is why are we giving to foreign governments when we really can't even afford to help our own? One in four families in the United States at some point during the years is going to be on food stamps. The cost of our food stamp program, our domestic program in the United States, has nearly doubled in the last few years. Now, I am only pointing that out because we have real needs in the United States, and we have to find the dollars to pay for those needs.

So now you look at the real needs across the globe, and, gosh, every country sounds like it has a real need. So how do you pick which one you are going to support? Well, it is really difficult for me to go back and justify supporting countries that continuously vote against us at the U.N., and that is an easy target because people can see the recorded votes.

So I think that this is a very well-thought-out amendment. If you can't vote with us at least 50 percent of the time, then maybe you have to have a little different scrutiny on getting our money, and I think the scrutiny is we are not going to give it to you unless the President finds some compelling reason to give it to you, and then you are going to get it. So the President has that waiver authority. So if a country like Israel is concerned that another country that used to get our aid that is no longer getting our aid because they voted with us only 12 percent of the time, the President can override our concerns here in this body.

I think we are giving the President a great deal of authority in this. I think it is the flexibility that works within Congress, within the halls of Congress, and I really urge the support of this amendment because I have to go home and justify the way I am spending taxpayer dollars, and it is just so difficult for me to justify foreign aid when folks see it going to countries that really don't care a whole lot about our national interests and our national security.

And I will yield to Mr. Griffin.

Mr. GRIFFIN. I just want to mention, we have heard a lot of talk about the waiver provision, and I think some folks indicated that the fact that there is a waiver provision somehow takes away from the substance of the amendment. If you are applying that standard—I know someone mentioned it earlier—you could argue that because President Obama's health care law had a waiver provision, it should have never been passed in the first place. Well, I agree. It should never have been passed in the first place, but it is not because it has a waiver provision.

Waiver provisions, as the folks who have been here much longer than I have know, are very common in legislation. I would opine that if you counted through the numerous bills that are passed in

this body that have some sort of waiver, you would find a whole bunch of them.

Mrs. SCHMIDT. Can I reclaim my time? Because I am really afraid we are going to get into the issue of the waiver of the health care bill, and that is not really germane to this.

So while I applaud Mr. Griffin for his view, I would hope that both sides continue the debate on foreign aid and this bill and don't get side-tracked into other issues that we can talk about another day.

And with that I yield back the balance of my time.

Chairman ROS-LEHTINEN. The gentlelady yields back.

Mr. Ackerman is recognized.

Mr. ACKERMAN. I am happy to see all——

Chairman ROS-LEHTINEN. Hold on 1 second. I had a parliamentary inquiry.

Mr. GALLEGLY. Are we now officially abiding by 3 minutes on the——

Chairman ROS-LEHTINEN. No, we did not get that accord.

Mr. Ackerman.

Mr. ACKERMAN. I am happy to see the renewed confidence in the President's judgment. I am amazed to see yet another amendment that begins with prohibition on assistance to countries that—this one amendment alone encompasses two-thirds of the world. Two-thirds of the world. Two-thirds of the world because of a mathematical formula. I mean, it is not really sensible. I am not sure that the amendment was very well thought out. There are usually unintended consequences, and very often it is easy, when you take a second glance, to find the unintended consequences.

I would like to ask Mr. Duncan, the author of the amendment, in those two-thirds of countries of the world that we eliminate from consideration from U.S. aid, how many of those countries are our strategic allies in the war against terror?

Mr. DUNCAN. I can go through the list. If you want to go through every country and tell you based on the last General Assembly. Afghanistan, 34.3 percent of the time.

Mr. ACKERMAN. Is the Government of Afghanistan on our side in the war against terror?

Mr. DUNCAN. I can go through every country if you would like to.

Mr. ACKERMAN. We just started the list. Is Afghanistan on our side in the war on terror? Is India on our side in the war on terror? Is Iraq on our side in the war on terror? These are the major partners that we have. These are where we fly our planes from. These are the people who let our troops and our supplies through.

VOICE. Will the gentleman yield?

Chairman ROS-LEHTINEN. Let me see——

Mr. ACKERMAN. Let me finish my point. We are doing tremendous damage here because we haven't really considered what we are doing except it sounds good, and it will sell good back home because my constituents can understand this. Well, if your constituents can understand why we are doing this, then both of you are wrong. We should be making these decisions on a country-by-country basis as to which countries deserve our aid. If we are basing it on the principle of whose votes we can buy, gee, that makes us

a terrible thing, and I won't name what it makes us. But we are in the business of selling ourselves. And if we are doing that, maybe we should have a sliding scale on the menu. What type of action do you need? And we will sell it to you. That is how we will base our aid.

Mr. DUNCAN. Will the gentleman yield?

Mr. ACKERMAN. What are you looking for? How much money?

Chairman ROS-LEHTINEN. Would the gentleman like to yield?

Mr. ACKERMAN. In a moment.

Should we give the same amount of money in consideration to somebody who is with us 52 percent as we do for 75 percent, because maybe the guy who is with us 52 percent has given everything that he can give, and maybe somebody who is with us 49 percent is really there on the front lines when it counts. Because of the part of the world in which they find themselves, they have to vote in a certain way and fashion.

I mean, if you analyze the list, you see what we have got going for us with the countries that are with us 75 percent of the time. There are not a lot of them. If we are going to give money only to people who like us, that is the reason people don't like us. It is bullying. It is buying. It is paying off. You don't get intelligent policy decisions and support because of that. And some of these countries are punching far above their weight grade.

Mr. MACK. Would the gentleman yield?

Mr. ACKERMAN. I would be delighted to yield.

Mr. MACK. The one problem I am having is on the one hand you say we shouldn't do it this way, but then when I offer an amendment and specifically outline countries that have opposed the U.S. and laid out the cite that all of the things that you just said that we should do, you oppose that as well.

Mr. ACKERMAN. You are talking about South America?

Mr. MACK. What it sounds like is that it doesn't matter really that none of it makes sense on this——

Mr. ACKERMAN. Reclaiming my time. There are some countries in Latin America—and I am not sure if it was you or one of the other gentlemen or ladies that made the point about free trade agreements with Latin America. I don't dismiss free trade agreements; you have to look at them one at a time and see what we are getting and why it is important. I am in favor of Colombia. Colombia under this would be excluded. We couldn't do a free trade agreement with Colombia under this because, guess what, they are not with us 50 percent of the time.

I don't think anybody really analyzed it. Somebody picked a number that sounded good, like 50 percent sounds, like, good. You know, if you get a C or a C-minus or a C-plus, that is passing. That makes you our friend. That doesn't make you our friend. It doesn't make you a supporter of U.S. interests.

We really have to put some collective thought into this, and certainly there are countries that we give aid to that shouldn't be getting aid, and certainly there are some that are bargains that we don't give enough aid to that can't vote with us for certain reasons.

But of critical importance to us on our national security interests, countries in the Gulf. Look at the list. Countries in the Gulf

are very important to us right now for the stability of the whole region. They are all off this list. We just dissed them just like that.

They are not all the same. What I am suggesting is that we take a look at these one at a time on a policy basis, not on an arithmetic formula or a Biblical quote. If we wanted to base our foreign policy decisions on the Bible, I would offer an amendment of love thy neighbor and give them aid. That we can't take care of all our needs in this country? We will never take care of all our needs in this country, but, yes, I know a lot of poor individuals and poor families. And you know, they are the most generous people I know, and they give assistance, and they give charity to people that need help outside of their family, even though they don't cover their own bases completely.

[Music plays.]

Mr. DUNCAN. I have no way of stopping it.

Mr. ACKERMAN. I think the place is haunted.

Mr. DUNCAN. I apologize.

Mr. ACKERMAN. Madam Chair, I am not sure what that is all about. But, Madam Chairman——

Chairman ROS-LEHTINEN. Mr. Berman wanted to know if they are paying royalties for that song.

Mr. ACKERMAN. I am just suggesting that this approach is really helter skelter, and it picks a number that really doesn't mean anything. And we have to approach this on an intelligent basis, and I would ask if the gentleman would withdraw the amendment. Maybe a group of us can work together and pick those countries that are not deserving of our aid.

Chairman ROS-LEHTINEN. I don't think so.

Mr. Pence is recognized.

Mr. PENCE. Thank you, Chairman. And I—you don't need to use theme music for my comments. Mr. Ackerman got a music bed I just heard.

I want to rise in strong support of the amendment by Mr. Duncan from South Carolina, and I appreciate his leadership. And I—and the level of freshmen hazing that is taking place from some of my colleagues on the other side of the aisle is memorable, but unpersuasive. I particularly appreciate Mr. Berman revising and extending his characterization that this piece of legislation was stupid. But the use of the terms—Mr. Connolly referred to this legislation as crude. My good friend Mr. Ackerman referred to it as a helter-skelter approach. The gentleman from Virginia said that this is evidence of Republicans having a binary world view, isolationists retreating from the world.

Since when did economic aid from the United States of America become an entitlement in the world? I am trying to get that. And the suggestion that there should be some rational limitation on how we use our increasingly scarce taxpayer dollars in the area of foreign aid to governments is not the same as what some of those accusations portend. Quite frankly, I talk to a lot of people back around the Hoosier State and across this country who just assume we did away with all foreign aid.

I am not one of those people, but I do think that the way we have seen the United Nations evolve of late, it makes the late President John F. Kennedy quite a prophet when he said in his inaugural ad-

dress, we must not permit the United Nations to become a forum for invective against the West. Now, the problem with President Kennedy's statement is he was not focused enough. It hasn't become a forum for invective against the West, it has become a forum for invective against the United States of America and Israel.

And I say by an informational basis to my friend Mr. Ackerman, with whom I had the privilege of serving as the ranking member of the Middle East Subcommittee when he chaired that subcommittee, I know his heart for Israel. He may not be aware, a significant number of the recorded votes that would be affected here are anti-Israel votes, and if a country consistently voting against Israel in the United Nations should have no bearing on the United States providing economic aid to that country, well, I think I have got a different viewpoint on that.

Mr. ACKERMAN. Would the gentleman yield?

Mr. PENCE. I will when I am done.

Another thing the gentleman from Virginia said, a great power does not retreat from its responsibilities. We have a responsibility first to the American people, second to America's vital national interests, third to America's treaty allies. And America's opponents and detractors and enemies don't make the list. I have no responsibility to those countries where I grew up. I mean, someone just said if we only give money to people who like us—well, isn't it equally ridiculous to mostly give money to people who don't like us?

And can I remind my colleagues on the other side of the aisle, we are the biggest benefactor of this forum for invective against the United States and Israel in the world. And I worked with the late Henry Hyde, whose portrait adorns these walls, and we tried to pass the U.N. Reform Act. He let this backbencher be the coauthor of one of those versions of the bill with him. I have worked with him in a spirit of partnership with colleagues I respect on the opposite side of this panel.

This institution has a serious problem, and if—we were talking earlier about the war in Iraq. If the run-up to the war in Iraq was not evidence of the toothlessness and near uselessness of the United Nations in confronting tyrants in the world, which was the reason it was created was to confront tyranny as it rose, then I don't know what was. One resolution after another, one unenforced resolution after another, the United States of America eventually had to act. And I just—I want to——

Chairman ROS-LEHTINEN. I thank the gentleman.

Mr. PENCE. He has taken a bit of a pounding today. He is tough enough for it. But I strongly support this amendment and urge my colleagues to do likewise.

Chairman ROS-LEHTINEN. Thank you very much, Mr. Pence.

Mr. Cicilline.

Mr. CICILLINE. Thank you, Madam Chairman.

And I certainly want to acknowledge the gentleman from South Carolina's interest in getting to this issue of ensuring that we are not providing support to countries who don't share our values and share interests of the United States. But I would say that the strength of our great country is not our ability to buy our friends or buy support in any forum, it is the power of our ideas, it is the

strength of our values, and it is our commitment to democratic freedoms and democratic principles.

And I think that we have to make determinations about how we use treasured resources, very, very important resources, in a very strategic and careful way. And we ought to be looking at a whole series of relevant factors. One of them should be that support of the United States. One of them should be the strategic importance in the world of the country. One should be prospects for democratic advancement, geopolitical considerations, a whole series of complicated important factors that we ought to be weighing individually and country by country. But if we engage in what will be described really as buying support, something if we did in our domestic politics would be a crime, it will diminish our democracy. It will diminish us. And I really appreciate what the gentleman is trying to do, but I would respectfully suggest it is an approach that really does reduce the democracy that we are trying to protect.

And I would just say in conclusion, one other important reason, if by itself reason to defeat this amendment, is it will result in the senseless and horrible death of thousands of, maybe millions of, individuals from HIV and AIDS. As Mr. Berman stated, the Global Health Initiative, which is present in many, many countries which will not be on this list, and the work that is under way that is saving lives all across the world will come to an end, and so we can be certain that if this becomes law, millions perhaps individuals, innocent individuals, will face the scourge of HIV and AIDS. And I know the gentleman doesn't intend that to happen. I would urge defeat of this amendment.

Mr. MURPHY. Would the gentleman yield?

Mr. CICILLINE. Certainly.

Mr. MURPHY. I would just like to make an analogy. I think you make a great point as to how our constituents would look on our Government if we imposed the same rule. If our President proffered a public rule in which he said that only Members of Congress who vote with him 50 percent of the time will receive any funding from this administration, and they issued that as a public declaration, there would be a revolt because they know, as you know, that that is not how this democracy works. And though I think the gentleman is right that this should potentially play a factor in decision making, there will rightfully be the same response around the world as there would be in this country if we did the same thing.

Chairman ROS-LEHTINEN. He has already yielded back.

Mr. Marino is recognized. Sorry, sir? Taken care of. Thank you.

Mr. Smith.

Mr. SMITH. Thank you very much, Madam Chair.

Let me just say that Mr. Duncan, I think, highlights a very serious problem of global nonsolidarity with the United States. He encourages a message to countries around the world that we're watching and we're watching very diligently, and I absolutely commend him for that. I do think it is a barometer. I am not sure it ought to be the only barometer as to how we condition U.S. foreign aid.

I would point out that as a firm believer of conditionality, when it comes to human rights benchmarks in trafficking, the Trafficking Victims Protection Act clearly annunciates a number of minimum

standards as we call them. The same way with the Religious Freedom Act and some of the other human rights laws that does exactly—or moves in the direction that Mr. Duncan, I think, is trying to take us.

One cautionary note, that from session to session at the U.N., we don't get to pick the issue mix that is debated there. Very often the United Nations General Assembly, unfortunately, is a debating society with very little relevance. The Security Council is where the real action is, although they do have some relevance, and we ought to take seriously what they do.

So again, I cannot thank him enough for raising this issue so that we begin to take more seriously what happens at the United Nations, because that does reflect the foreign capitals, that is what those Ambassadors are there to do.

One cautionary note really. I don't agree with this administration on a whole lot of issue, so when they actually take a position at the United Nations contrary to my own or perhaps some of my colleagues, I am glad the developing world—Latin Americans and perhaps some of our friends in Africa or elsewhere or in Ireland, or you name the country—takes a contrarian view. Let them push back, because I don't agree with what the White House is doing.

So I just throw that out, you know. Some of the issues that we care so deeply about, the culture of life issues which we will be debating very shortly, this administration has pushed the culture of death like no other administration ever, everywhere, in every one of the venues where it is applicable. This administration is pushing abortion on demand, and I hope and pray, frankly, that those countries will push back out of a great sense of protection for their own individual babies and mothers and all those who are at risk from the U.S. position.

So I would just say to my friend, it is very important that he raises it. It is a barometer. It ought to maybe be seen with other barometers as to how well or poorly a country is doing. But again, I think the issues need to be delineated just so we know what it is that this administration, which is really the U.S. position—it is not the congressional position—it is the U.S. position as articulated by the executive branch.

Mr. JOHNSON. Will the gentleman yield?

Mr. SMITH. Yes, sir.

Mr. JOHNSON. Thank you for yielding.

I am not sure I understand the Obama administration, the Presidential analogy that was used just a little bit ago. I would daresay that right now most American people are struggling to relate to this administration in any way. We have clearly indicated that we have got an amendment here that has got—it does not apply to security assistance. It has got waiver capability. It does not bar trade agreements, as I understand it.

What we are trying to do here is change the conduct of those nations that deal with the United States and benefit from our pocketbooks. We are trying to promote democracy and freedom around the world. Now, how do you do that in an environment where there is just an endless flow of money? It is a cause-and-effect kind of thing.

And I don't believe Americans can relate to the Obama administration analogy, but I bet you they can relate to this. If you live in a neighborhood where you are the only family that has got vital resources that the neighborhood needs, and you set a rule that you have got to cut your grass every Thursday and keep the neighborhood looking right, I bet you most people that want that resource are going to cut their grass. If we want to encourage pro-U.S. relationships, there ought to be some buy-in to the process.

And with that, I yield back.

Chairman ROS-LEHTINEN. Thank you.

Mr. Smith, yields back. And I have on my dance card Mr. Payne, Mr. Meeks, Mr. Deutch, Mr. Keating, and maybe we could have a vote.

So Mr. Payne is recognized.

Mr. PAYNE. Thank you very much.

I think this is a very interesting debate, and I do want to just mention that the four Americans who were tragically killed, it was a sad situation when Cuba brought a plane down. However, to correct the gentleman, it was wrong wherever it was, but it was not in international space, it was in Cuba airspace, and that is when the plane was brought down. Wrong whether it was in Cuba's airspace or wrong whether it was in international airspace. However, it happened. Just to correct the record.

We look at votes in the U.N. You take South Africa. South Africa voted against us. They were on the list. They had elections in South Africa. The leadership that voted against us, Thabo Mbeki, the country said there is a vote of no confidence, and 1 year before his term was over, he was ousted from government. They had a new election. A man named Jacob Zuma became the President. I talked to him 2 weeks ago in South Sudan at the independence celebration. He said they want to really get more engaged with the U.S.; have gone into Zimbabwe and told Mugabe he had to cut out the stuff, and now they are going to have elections. He said that if you continue to do this, we, South Africa, the strong guys on the block, will have to look at our policy toward you, Mr. Mugabe. Mugabe didn't like it, but he is working in the right direction.

This would be unbelievable for us to turn around and tell South Africa, who now has a new President moving in the same direction—you see, it is great to have an infusion of new people, and it brings a lot of new attention to it. However, we do have to understand that we have to learn the issues, and you have governments that change. The South African position is going to be very much different. And here we will come out and say, let me cut you guys off because this sounds good, and you shouldn't have done what you did 3 years ago.

So a lot of this really does not make sense. You take Turkey. A year or 2 ago, Turkey allowed the flotilla to go into Gaza, and nine people were killed, and it was a big thing. This year Turkey destroyed one boat and stopped the other from going to Gaza to have the flotilla. Now we would tell Turkey, you are out. Let us take you out. You know, the world moves in a way that can't be done in, like, 24 hours or 48 hours. Turkey has told Syria, stop the killing. And they are now saying that we don't want you to keep having

refugees come into our country. So Turkey is on the list. So this is really going totally in the wrong direction.

I think that we need to rethink things that we do. There are things that Mr. Smith mentioned that happened in the U.N. that—this current administration that he opposes and some of the countries support Mr. Smith's position. I certainly had a different position of going to war with Iraq because it was—because Saddam Hussein had supposedly done 9/11, and then they changed it and said, no, no weapons of mass destruction, it wasn't there, but we went in anyway. It was Osama bin Laden, and he is out in Afghanistan somewhere then, and then end up in Pakistan.

So I was in support of some of the countries who voted against us going into Iraq because I didn't think that there was—the reason that was put forward for us to go into Iraq was correct at the time. I think to question Mr. Berman and Mr. Ackerman's position on Israel is like somebody questioning my position on the NAACP. I mean, it really makes no sense at all that they have to be thrown into some mix which makes no sense at all.

So I think that this is another ill-conceived notion. I think that people really mean well. I remember when I was a freshman, I meant well, too, and stepped in it a bunch of times. It is a part of maturing and growing, especially on something like Foreign Affairs, which is extremely, extremely—as a matter of fact, President Bush, $50 billion. I remember when my friends from the other side almost fell off their seat, and we are going to stop the program that people all around the world are saying that President Bush was a great guy.

One last thing. I would like to ask the chairlady that on the vote on the food amendment, there was a mistake. Congressman Meeks——

Chairman ROS-LEHTINEN. The gentleman's time has expired, and I have a little sheet when this is over about that. Thank you so much.

Mr. Mack is recognized.

Mr. MACK. Thank you, Madam Chair. And I do—this debate is, I think, quite telling about where we are headed and how we all look at the world. On one side you have apparently a side that just can't say no. And if you have in any relationship, whether it is with family or with—in business, in your friendships, if you can't stand for something, you stand for nothing. So you have to be—you have to—people have to know what it is you stand for.

You know, leadership isn't continued—just continue to spend more money. Leadership is recognizing—having strength in one's character, recognizing what it is that you are trying to accomplish, and standing by your principles. If we started to stand by our principles, the rest of the world would recognize that we are leading again. They would recognize that we can look to the United States and that that friendship matters.

Right now there are a lot of—there are a lot of countries who just as soon take advantage of us because there are no consequences. You can't do that in—every relationship has consequences. You can't just be afraid to not spend money or to send money to, in this case, a government when the government doesn't support anything that we are doing.

I mean, I think people back home, they are going to boil it down this way. On one side all they are hearing is that we need to continue to fund everything and have no kind of barometer or standard or measure of where that money goes. But just keep spending money, because if you don't, we are going to send a bad message. And I think what you are hearing over here is we want to support our friends, we want to support our allies, we want to reward people who believe in the same things we believe in, but we can't continue to just spend money with countries, governments that don't have the same desires as we do.

With that, I would like to yield to the gentleman from—Mr. Rivera.

Chairman ROS-LEHTINEN. Mr. Rivera.

Mr. RIVERA. Thank you very much for yielding.

With respect to the comments about where American citizens were shot down by the Castro government, once again folks are entitled to their own opinion, but not their own facts. And the fact of the matter is that not only our own FAA, the Coast Guard, satellite evidence, the International Civil Aviation Organization all brought forward evidence, facts that those four Americans were murdered over international airspace.

But besides all of that, we have the actual murderer confessing it. I have a videotape of Raul Castro on camera saying he ordered the murder of the four Americans in international airspace because he wanted to hide—they didn't want evidence of the body part—of the plane, parts from the plane over Cuban territory on videotape. And I will get that videotape to anyone who wants it, the actual murderer admitting he ordered the shootdown and the murder of four Americans.

Besides all of that, our own Justice Department indicted the MIG pilots, MIG fighter pilots, fighter airplanes shooting down two Cessnas, unarmed, with American citizens, civilians over international airspace. They were indicted by our Government for murder. And the reason they were able to be indicted was because of the evidence, the facts, data, satellite imagery, eyewitness from people that were on cruise ships in the Caribbean that saw the shootdown.

So it is amazing to me that anyone would even try to rationalize anybody being murdered in a civilian aircraft. But let us stick to the facts. They were murdered over international airspace by a terrorist government. And I have a videotape—some people may have seen it already on this committee—of Raul Castro admitting, saying very proudly that he ordered the pilots to shoot them down——

Ms. BASS. Would the gentleman yield?

Mr. RIVERA [continuing]. In international airspace.

Certainly.

Ms. BASS. We provide no money, no foreign aid to Cuba, and we were talking about an amendment. So I am just a little confused about——

Mr. MACK. Reclaiming my time on this.

Chairman ROS-LEHTINEN. Mr. Mack's time.

Mr. MACK. I want to thank the gentleman from Florida for his comments and just again remind this committee that from our friends on the other side, you tell us don't do it—don't cut in a

blanket way, specifically name the countries that you want to do. Then we put forward an amendment to specifically name countries, and you say, no, don't do that, you are going after a few. So you have got to come up with—you have got to come up with some standards. You have got to come up with what it is that you really stand for and not just to say no.

We will continue over here to offer ideas to set a path for this Congress on the values that we stand for, the idea of freedom, the idea of security, the idea of prosperity. We are going to continue to fight for those principles, even though you are going to say no to this one or no to that one, or now is not the right time, or maybe tomorrow would be better, or maybe if you wrote it a little this way or maybe a little bit that way. But right now you have argued out of both sides, and you haven't had a clear—I mean, I don't think—you are sure what it is that you are trying to accomplish other than to stand up and say that amendment wasn't written right. And then when we are done with that one, and there is another one written the way that you just said it should be written, that one is not written right.

I mean, at some point maybe figure out what it is you think the foreign policy should be, and let us have a real debate. But right now we are going to continue to move with those ideals, freedom, security and prosperity.

With that I yield back.

Chairman ROS-LEHTINEN. The gentleman yields back.

I have Mr. Meeks, Mr. Deutch, Mr. Keating and Mr. Faleomavaega.

Mr. MEEKS. Let me go back to what I said earlier, what Henry Hyde said in here. Massively engaging the world while living on an autonomous island in the global sea breeds arrogance and self-delusion. And that is where we are headed here. We are self-delusioning ourselves to think that if somebody disagrees with us, that our principles are the only principles that are right.

I love this country. This is the greatest country on the planet, the greatest country this planet has ever seen, but this country is not always right. It hasn't always been right. And we should not be going after someone else when we look at them and they may not be right.

We have had the ability to change. Others have had the ability to change. This country was not right when we enslaved individuals. This country was not right when we put indigenous on reservations and the Trail of Tears. This country was not right when we had Jim Crow. This country was not right when there was *Plessy* v. *Ferguson* and separate but equal. This country was not right when we called Nelson Mandela a terrorist. This country was not right when we continued to allow apartheid to go on in South Africa, the last one to join on board. This country was not right when we were late getting in to stop the Holocaust. This country was not right when we supported dictators in our hemisphere when it was convenient. And this country was not right when we went into Iraq under the alleged guise of weapons of mass destruction, and there were no weapons of mass destruction.

So we have got to make sure we have a standard of understanding and working collectively together and understanding that

we can't just say that we—it is our way or the highway. We have got to make sure that—otherwise we will be the individuals that are stuck on an island thinking that the Pacific Ocean and the Atlantic Ocean can protect us. Those oceans can no longer protect us. We are in a different world. And if we are not cooperating with folks, if we are not working with folks and working with the United Nations, we are imperiling ourselves and making us—and isolating ourselves on an island by ourselves, and that indeed could be our own destruction.

Chairman ROS-LEHTINEN. Does the gentleman yield back?

Mr. MEEKS. I yield back.

Chairman ROS-LEHTINEN. Thank you.

Mr. GALLEGLY. Madam Chairman?

Chairman ROS-LEHTINEN. Yes. Mr. Gallegly is recognized.

Mr. GALLEGLY. I move the previous question. Point of order, Madam Chairman. You had previously recognized additional speakers before this motion.

Mr. BERMAN. Point of parliamentary inquiry, Madam Chair.

Chairman ROS-LEHTINEN. Mr. Berman is recognized.

Mr. BERMAN. Is this a debatable motion? I want to repeat what—I do think you recognized the following individuals in the following order, and then recognized Mr. Gallegly ahead of you, and I have got to say the day we start moving the previous question is the day I object to the waiving of reading of the amendments. We add amendments——

Chairman ROS-LEHTINEN. Mr. Gallegly, we will——

Mr. BERMAN. It is a very big mistake for you to offer that motion.

Chairman ROS-LEHTINEN. Yes.

Mr. BERMAN. I just want you to understand that.

Chairman ROS-LEHTINEN. Mr. Gallegly, if I may, it is my fault, and we will do that at the proper time.

Mr. Deutch, Mr. Keating and Mr. Faleomavaega are the people who are seeking recognition—yes, sir.

Mr. GALLEGLY. I ask that I be added to the list.

Chairman ROS-LEHTINEN. Yes, sir. Absolutely, sir. Thank you.

Mr. Deutch is recognized.

Mr. DEUTCH. Thank you, Madam Chair.

Madam Chairman, I am tired of being told that the folks on our side don't have principles, that we don't stand for anything, all we are doing is opposing anything that comes forward. Let me be very clear about my principles as it relates to foreign aid. My principles are that it is in this Nation's best interest to spend considerably less than 1 percent of our Federal budget, considerably less, on the type of bilateral economic assistance that this amendment speaks to. And I think it is high time that we disabuse ourselves of this notion that what we are talking about is the cutting of checks to governments that we don't agree with. That is not how we do foreign aid in America.

The bilateral assistance, I would encourage everyone to flip through the 35 pages in the Secretary of State's foreign operations description of bilateral economic assistance. And I would suggest that as we look to these countries that we disagree with, that we bear in mind that ultimately what we are trying to do is move their position, is to change their position, and I would suggest that this

is not, we are not offering candy to these countries. We are offering $846 million for maternal health and child health programs because every year in the developing world, 358,000 mothers die from complications related to pregnancy and childbirth; and $691 million for malaria programs because 800,000 people every year die of malaria, and 250 million people are infected. And we can go through on and on through the fight against global HIV/AIDS epidemic, $150 million for nutrition, $236 million to fight tuberculosis.

I would go back to the point raised earlier comparing the world to a neighborhood and what we do in our neighborhood if someone didn't cut the yard. I would respectfully suggest that if any of us lived in a neighborhood where there was a malaria outbreak, it wouldn't matter how much we despised the people who contract malaria, if we sit back and do nothing, then it could well spread to our friends in our neighborhood and to us. That is what foreign aid is.

The money that we spend on foreign aid isn't a gift and it is in our self interest. It is in our self interest to promote freedom and to promote security and to promote prosperity. And we do it by making investments to prevent people from dying, to help people gain education, to help countries deal with disasters, even countries that we don't agree with. And we do all of this with dramatically, dramatically less than 1 percent of our Federal budget.

There are countries who benefit from the dollars that we spend, that have been the topic of conversation, $5 million, to help strengthen and support Venezuelan civil society. We spoke earlier of $20 million to support humanitarian assistance for prisoners of conscience in Cuba. We could go on and on, and the dollars that we spend in places where we despise the government, and not just because of their votes at the U.N., but we make these investments because ultimately it is in our own interest. It is about American values. That is why we have foreign aid.

We don't write checks to governments. We support efforts to save lives, to promote democracy, to promote freedom, all of the things that every member on this committee supports.

So I am not sure if we went through the list, the list of all the countries who receive this bilateral economic assistance. I am not sure if we went through this list, which countries that we dislike the most receive the aid to do the things that we all believe need to be done the most, but I know ultimately that it is in our Nation's best interest. I will yield for a question.

Mrs. ELLMERS. Where does the money come from, sir? Where does the money come from?

Mr. DEUTCH. Reclaiming my time.

Mrs. ELLMERS. Not one time have you mentioned in all of your high ideals that you have outlined that we are spending taxpayer's dollars.

Chairman ROS-LEHTINEN. Mr. Deutch's time. We have 15 seconds.

Mr. DEUTCH. And I will conclude with this. I know exactly where the dollars come from. And it is a worthy investment of our Nation's tax dollars to promote freedom, to promote democracy, and to do it in a way that simultaneously saves lives, improves lives for

people in countries that we respect and support and even in those countries that we want to change. That is how we accomplish it.

Chairman ROS-LEHTINEN. Thank you, Mr. Deutch.

The gentleman's time has expired.

Mr. Keating is recognized.

Mr. KEATING. Thank you, Madam Chair.

And I yield my time to the gentleman from Virginia, Mr. Connolly.

Chairman ROS-LEHTINEN. Mr. Connolly is recognized.

Mr. CONNOLLY. Thank you, Madam Chairman, I thank my colleague.

I wanted to respond to a few things that have been said. I marveled, frankly, at some of the comments made by Mr. Pence, our friend the Indiana. He used the word "enemy" in describing how people vote at the United Nations, and then took umbrage at the description of the Republican approach as binary.

Mr. PENCE. Will the gentleman yield?

Mr. CONNOLLY. No, sir, I will not I will give you the same courtesy you gave my colleague. So——

Mr. PENCE. I think I gave your colleague plenty of courtesy.

Mr. CONNOLLY. No, sir, you did not.

Mr. PENCE. The gentleman is misstating my statement on the record. Madam Chairman, I would like to have the opportunity to have my record read.

Mr. KEATING. Madam Chairman, I reclaim my time.

Chairman ROS-LEHTINEN. Mr. Keating has the time. And he gave it to Mr. Connolly.

Mr. Connolly is recognized.

Mr. CONNOLLY. Thank you, Madam Chairman.

So you described the world as enemies or friends; that is a binary world. And it is a very simplistic view.

Mr. PENCE. Gentleman yield?

Mr. CONNOLLY. It is one that does not serve U.S. interest, Madam Chairman. And that was the point that was being made.

And to Mr. Rohrabacher's credit, he confirmed it. He said, yes, that is our world view. We do see the world in black and white. And what is wrong with that? He even said, I leave it to the taxpayers to decide which world view they want to support. That was an honest statement, and I thank the gentleman for making it. I happen to disagree with him.

I happen to believe actually, upon reflection, most Americans will not accept that simplistic view of the world, but fair enough that you assert it.

Mr. Ackerman referred to this bill as tantamount to being a bully. Teddy Roosevelt talked about; speak softly but carry a big stick. But he also went on to say, hopefully, don't need to use that stick very often, nor should you.

This amendment is nothing but stick. And I use the word "crude" not so much to apply to the amendment as to the tool it creates. If you vote against us, you are our enemy, and we are going to punish you. That is the action of a schoolyard bully. It is not the action of a mature great power.

And in my view, it will backfire. Mr. Mack indicated that this was leadership; this is how you affect leadership. Not in my experi-

ence. You are going to get people's backs up. You are actually going to hurt U.S. influence and the ability to engage and persuade with this kind of crude tool. And that is why I think it is unwise. I don't know what the motivation is. In some ways it is irrelevant. Its effect will be very damaging to U.S. interests and U.S. foreign policy. And that is why I oppose it.

With that, Madam Chairman, I yield back my time to Mr. Keating.

Chairman ROS-LEHTINEN. Mr. Keating has the time.

Mr. KEATING. Madam chairman, I yield back the remaining portion of my time.

Chairman ROS-LEHTINEN. Thank you so much, sir.

Mr. Faleomavaega—I am sorry, I didn't—I had not seen that you wanted recognition. So we are going to take turns.

Mr. Chabot is recognized. Then Mr. Faleomavaega.

Mr. CHABOT. I yield my time to the gentleman from Indiana.

Mr. PENCE. I thank the gentleman for yielding. And I thank him for the courtesy.

And I won't take the whole 5 minutes, Madam Chairman.

I just wanted to correct the gentleman from Virginia, who, to his benefit, misstated and mischaracterized my statement before the committee. I am happy to have the record read back. I did not say the world was divided between our friends and our enemies.

I believe the record will reflect that I said that we have friends, and we have—I think I used the term, we have countries that are not our allies; we have countries that oppose us; and we even have enemies in the world.

Now that didn't strike me as a binary world view.

And let me just say that, the gentleman from Virginia knows that I respect his passion. I don't respect the way he has treated my freshman colleague in his thoughtful legislation, but I respect him personally.

And I just, my view of this, as someone that supports foreign aid—and I thought Mr. Deutsch's remarks were very well taken. I believe the record of this committee will reflect I was one of the strongest advocates of the PEPFAR program. I worked very closely with the former chairman of this committee to ensure a thoughtful bipartisan accomplishment during the last administration and during the last Congress to ensure that that extraordinary commitment to arrest the crisis of AIDS in Africa was met with the resources and the compassion of the American people.

I believe in foreign aid. I just think, I think when you look at the type of recorded votes that this amendment addresses and you recognize the substantial portion of those votes are actually votes that have been taken against what I think is our most cherished ally, Israel, then there ought to be some consequences to that. What you subsidize, you get more of. And I think the gentleman's amendment is an attempt to simply say, let us not subsidize those that are more than half of the time voting against consistently against the United States and our ally, Israel and other interests.

And that is it. I am not advocating a binary view of the world. I don't see the world in black and white. I am from south of Highway 40. I know the stereotypes. I know if you are conservative, you know, the liberal political class thinks you are either evil or stupid.

I get accused of being both. I have a much more nuanced view of the world, and my colleagues on the committee who have known me for a few years know that. And I just I want to rise in strong support of this amendment.

Mr. BERMAN. Would the gentleman from Ohio yield?

Mr. CHABOT. It is my time, and I have several colleagues over here.

Mr. PENCE. I yield back to the gentleman from Ohio.

Chairman ROS-LEHTINEN. The gentleman from Ohio.

Mr. CHABOT. Thank you. Just one quick point, with all the discussion here this evening, I don't want to lose track of what this amendment is, and that is basically those countries that vote against us time and time again at the U.N. ought not to be getting assistance from the United States. The tax dollars shouldn't go to countries that oppose us over and over and over again at the U.N.

It seems eminently sensible to me, and I will yield to the gentleman from California.

Mr. ROHRABACHER. And that, of course, has been labeled as bullying. You are bullying someone if you say I am not going to give up my scarce resources that I could spend on my family or help other people who are in need overseas who are our friends; we are not going to give it to people who don't like us and vote against us in the United Nations.

I needed to clarify my words as well because I believe that my position was also mischaracterized, although it sounds good to say that we are all a bunch of simpletons over here and believe in bullying.

But let me note, you can believe that there is black and white in the world without having to believe that everything is black and white. And there are lots of nuances in the world. And the same mistake that you are making in analyzing Mr. Pence, you made in analyzing Mr. Rohrabacher. The fact is there are some people who are evil in this world, there are people who are very good in this world, and there are in-betweens.

Black and white does exist. And I don't mind at all saying America should not be on the side and try our very best to be in the light rather than in the darkness with those people who stand for the good things that we believe in as a people, rather than those governments that are controlled by bullies and by sadistic gangsters, and just not because we are not going to give money to their governments doesn't mean that we are bullying the gangster.

I yield back.

Chairman ROS-LEHTINEN. Gentleman from Ohio.

Mr. CHABOT. I would like to yield, but I am out of time.

Chairman ROS-LEHTINEN. Mr. Faleomavaega is now recognized.

Mr. FALEOMAVAEGA. Thank you, Madam Chair.

I thank the gentleman from South Carolina for introducing this legislation. I think it has merit. But there are some questions, and I want to share with the gentleman. I note with interest that you had mentioned four of those countries that probably vote the most with us in the United Nations, and they are the Federated States of Micronesia, the Republic of the Marshall Islands the Republic of Palau and Australia.

I note with interest if my good friend would also note that, yes, we ought to look at some—very suspicious of those who don't support us, but then even those who are very supportive of us in the United Nations, we have not honored our obligations.

And let me just share this one instance with my good friend. We conducted 67 nuclear testings in the Republic of the Marshall Islands. We exploded the first hydrogen bomb in the Marshall Islands. And as a result of these testings, some 400 Marshallese were subjected to very serious nuclear radiation. And I say to my good friend from South Carolina, to this day, our government has not honored not only giving proper medical treatment to these Marshallese people. To this day, they are still struggling and wanting to figure, when is my government going to honor those commitments in taking care of these people whom, frankly, destroyed their lives, their properties, their islands, simply because of what we did in the time that we conducted these nuclear tests?

I might also add the fact it is very interesting that the reason why we stopped testing in the Marshall Islands, it wasn't because we wanted to desist from testing, it is because they found strontium-90 in milk products coming out of Wisconsin and Minnesota when this nuclear cloud went all the way from the Marshall Islands up to the continental United States.

So I just wanted to share that little bit of history with my friend from South Carolina. It is good that we look at people who don't support us, but even those who are very supportive of us, we have not honored these commitments to these people.

And I will yield to my good friend from New York.

Chairman ROS-LEHTINEN. Mr. Ackerman.

Mr. ACKERMAN. I thank the gentleman very much.

I just wanted to respond to my good friend, Mr. Pence, and agree with him and add my fond recollection of the time that we shared the leadership of the Subcommittee on the Middle East and worked so closely together.

We on this side surely do not question the intelligence or the evilness of our friends on the other side. We do question your judgment on some of the legislation that you have supported.

We find it rather shocking when you question our devotion to liberty and our patriotism because that is your program and imply that it is your exclusive province.

Let's start with that as a baseline. My good friend from Indiana cited Israel. And I don't want to put Israel in the middle of this debate because they don't deserve that. But certainly he is right in that a great number of the votes taken at the United Nations are anti-Israel, and sometimes there are some countries that aren't really anti-Israel but have to vote that way because of their circumstances.

I think that if your intent is to look at what Israel would do on this vote, citing them as evidence, I think you might best be served by talking to the Israelis.

I would suspect, and I have not consulted them on this, but I would strongly suspect that they would be absolutely aghast, aghast if we stopped our assistance to Jordan, which has the longest border with Israel and usually has their back, and even our aid to Egypt, who has a good part of the other border. That would be

a disaster in my view. Check with them to see what theirs is. I don't think it is much different.

Those are countries that don't vote with us 50 percent of the time and are very, very important to our interests and to what you cite as a motivation for some of your support for the measure, Israel's interest.

Again, we really have to think about the consequences of what we are doing here and to whom the damage is done. It is certainly not in our American interest.

And Madam Chair, if you would note my time has expired.

Chairman ROS-LEHTINEN. I am so sorry. I am kvetching here with Mr. Berman. I apologize. Thank you.

And now Mr. Gallegly is recognized—no. Definitely not. With him. With him.

Mr. Gallegly, you have a brilliant motion I think.

Mr. GALLEGLY. Thank you, Madam Chairwoman.

We have had a lot of debate on this issue in the past 2 hours plus, and I would respectfully request that we move the previous question.

Chairman ROS-LEHTINEN. Thank you.

I don't think that is open for debate so a recorded vote has been requested.

The clerk will call the roll.

Ms. CARROLL. Madam Chairman?

Chairman ROS-LEHTINEN. Yes.

Ms. CARROLL. The chairman votes aye.

Mr. Smith?

[No response.]

Ms. CARROLL. Mr. Burton?

Mr. BURTON. Aye.

Ms. CARROLL. Mr. Burton votes aye.

Mr. Gallegly?

Mr. GALLEGLY. Aye.

Ms. CARROLL. Mr. Gallegly votes aye.

Mr. Rohrabacher?

Mr. ROHRABACHER. Aye.

Ms. CARROLL. Mr. Rohrabacher votes aye.

Mr. Manzullo?

Mr. MANZULLO. Yes.

Ms. CARROLL. Mr. Manzullo votes aye.

Mr. Royce?

[No response.]

Ms. CARROLL. Mr. Chabot?

Mr. CHABOT. Aye.

Ms. CARROLL. Mr. Chabot votes aye.

Mr. Paul?

[No response.]

Ms. CARROLL. Mr. Pence?

Mr. PENCE. Aye.

Ms. CARROLL. Mr. Pence votes aye.

Mr. Wilson?

[No response.]

Ms. CARROLL. Mr. Mack?

Mr. MACK. Yes.

Ms. CARROLL. Mr. Mack votes aye.
Mr. Fortenberry?
Mr. FORTENBERRY. Yes.
Ms. CARROLL. Mr. Fortenberry votes aye.
Mr. McCaul?
Mr. MCCAUL. Aye.
Ms. CARROLL. Mr. McCaul votes aye.
Mr. Poe?
[No response.]
Ms. CARROLL. Mr. Bilirakis?
Mr. BILIRAKIS. Yes.
Ms. CARROLL. Mr. Bilirakis votes aye.
Ms. Schmidt?
Mrs. SCHMIDT. Aye.
Ms. CARROLL. Ms. Schmidt votes aye.
Mr. Johnson?
Mr. JOHNSON. Aye.
Ms. CARROLL. Mr. Johnson votes aye.
Mr. Rivera?
Mr. RIVERA. Aye.
Ms. CARROLL. Mr. Rivera votes aye.
Mr. Kelly?
Mr. KELLY. Aye.
Ms. CARROLL. Mr. Kelly votes aye.
Mr. Griffin?
Mr. GRIFFIN. Aye.
Ms. CARROLL. Mr. Griffin votes aye.
Mr. Marino?
Mr. MARINO. Yes.
Ms. CARROLL. Mr. Marino votes aye.
Mr. Duncan?
Mr. DUNCAN. Aye.
Ms. CARROLL. Mr. Duncan votes aye.
Ms. Buerkle?
Ms. BUERKLE. Aye.
Ms. CARROLL. Ms. Buerkle votes aye.
Ms. Ellmers?
Mrs. ELLMERS. Aye.
Ms. CARROLL. Ms. Ellmers votes aye.
Mr. Berman?
Mr. BERMAN. No.
Ms. CARROLL. Mr. Berman votes no.
Mr. Ackerman?
Mr. ACKERMAN. No.
Ms. CARROLL. Mr. Ackerman votes no.
Mr. Faleomavaega?
Mr. FALEOMAVAEGA. No.
Ms. CARROLL. Mr. Faleomavaega votes no.
Mr. Payne?
Mr. PAYNE. No.
Ms. CARROLL. Mr. Payne votes no.
Mr. Sherman?
[No response.]
Ms. CARROLL. Mr. Engel?

[No response.]
Ms. CARROLL. Mr. Meeks?
Mr. MEEKS. No.
Ms. CARROLL. Mr. Meeks votes no.
Mr. Carnahan?
Mr. CARNAHAN. No.
Ms. CARROLL. Mr. Carnahan votes no.
Mr. Sires?
Mr. SIRES. No.
Ms. CARROLL. Mr. Sires votes no.
Mr. Connolly?
Mr. CONNOLLY. No.
Ms. CARROLL. Mr. Connolly votes no.
Mr. Deutch?
Mr. DEUTCH. No.
Ms. CARROLL. Mr. Deutch votes no.
Mr. Cardoza?
[No response.]
Ms. CARROLL. Mr. Chandler?
[No response.]
Ms. CARROLL. Mr. Higgins?
Mr. HIGGINS. No.
Ms. CARROLL. Mr. Higgins votes no.
Ms. Schwartz?
Ms. SCHWARTZ. No.
Ms. CARROLL. Ms. Schwartz votes no.
Mr. Murphy?
Mr. MURPHY. No.
Ms. CARROLL. Mr. Murphy votes no.
Ms. Wilson?
Ms. WILSON OF FLORIDA. No.
Ms. CARROLL. Ms. Wilson votes no.
Ms. Bass?
Ms. BASS. No.
Ms. CARROLL. Ms. Bass votes no.
Mr. Keating?
Mr. KEATING. No.
Ms. CARROLL. Mr. Keating votes no.
Mr. Cicilline?
Mr. CICILLINE. No.
Ms. CARROLL. Mr. Cicilline votes no.
Chairman ROS-LEHTINEN. Have all members been recorded?
Mr. Wilson?
Mr. WILSON OF SOUTH CAROLINA. I vote yes.
Ms. CARROLL. Mr. Wilson votes aye.
Chairman ROS-LEHTINEN. Mr. Engel?
Mr. ENGLE. No.
Ms. CARROLL. Mr. Engle votes no.
Chairman ROS-LEHTINEN. Mr. Royce.
Mr. ROYCE. Aye.
Ms. CARROLL. Mr. Royce votes aye.
Chairman ROS-LEHTINEN. Mr. McCaul?
Ms. CARROLL. Mr. McCaul is recorded as aye.
Chairman ROS-LEHTINEN. Mr. Sherman?

Mr. SHERMAN. No.

Ms. CARROLL. Mr. Sherman votes no.

Chairman ROS-LEHTINEN. The clerk will report the vote.

Ms. CARROLL. Madam Chairman, on that vote there are 22 ayes and 18 noes.

Chairman ROS-LEHTINEN. The ayes have it, and the question is agreed to.

Mr. BERMAN. Madam Speaker.

Chairman ROS-LEHTINEN. The Chair recognizes herself for a clarification on a previous vote. It has come to my attention that Mr. Meeks was not reported by all the staff at the clerk's table as having voted on the recent—well it was recent at the time I wrote this—at the recent amendment by Mr. Payne. So, without objection, Mr. Meeks' vote, which does not affect the outcome of that amendment, shall be recorded as aye.

Thank you to the clerks. And before recognizing Mr. Berman to offer an amendment, I recognize him for a unanimous consent request regarding the agreed text that we worked out on his previous prior amendment.

Mr. Berman.

Mr. BERMAN. Madam Chairman, I seek unanimous consent that the amendment——

Chairman ROS-LEHTINEN. Without objection.

Mr. BERMAN. That was previously offered and then withdrawn in order to revise and based on the agreement reached be considered as adopted by unanimous consent.

Chairman ROS-LEHTINEN. Without objection and in order to refresh everyone's mind——

Mr. BERMAN. That was the repeal of the global gag rule. No. No.

Chairman ROS-LEHTINEN. Now you are being stupidly evil. So binary.

Mr. BERMAN. And everything is black and white.

Chairman ROS-LEHTINEN. So Mr. Berman is recognized for an amendment.

Mr. BERMAN. Madam Speaker, I would like to ask you if I could use my position as ranking member before I offer the amendment to take about 2 minutes to review the bidding.

Chairman ROS-LEHTINEN. Yes, sir.

Mr. Berman is recognized. Don't let the clock start, please.

Mr. BERMAN. We spent a very long time on an amendment just now. The gentleman from California, my good friend, moved the previous question. I am not aware of whether there were speakers who sought to have recognition so I am not going to operate that that motion was made and thereby shut off people who wanted to speak on a very, very large and important amendment that was, this was not $1.5 million. This was a very different kind of an amendment.

We did not see this title, which is taking so much time and will continue to take time, until Saturday night. If the majority is going to use its authority to close off debate when there are still members who are wanting to speak, not to stall or delay but simply on an important issue to express heartfelt views, then the minority is going to have to use the privileges at its disposal under the rules

to retaliate. I hate getting into that kind of game. I think it is not productive.

I had hoped last week, I met with my own Democrats in the caucus, I hoped we could work things out where we will have some issues we will agree on, and in the base text, we could work out some number of amendments and have a very quick markup. That was not to be the case. So be it. So all I want to say is I ask the chair and the members of the majority not to use that tactic again because the next time, we will then as fast as we dispose of amendments, we will think of amendments.

Right now, we hear that there are approximately 30 amendments proposed on our side, 35 on the majority side. My guess is in a spirit of trying to work things out, get reasonable times, and I have to say, allow the chair to finish this markup certainly before we leave here this week because she needs to and tomorrow, in fact, we are open to negotiating time limits, try to get understandings about how many of the amendments people are planning to offer can be dropped, or dealt with en bloc, look for all kinds of ways to accelerate this.

So two things I would ask is, one, no more motions to close debate when there are people who want to speak, and secondly, that we think about a time we are going to recess tonight in order to come back tomorrow morning and finish up.

I say this in the spirit of not wanting to take—we are not going to, in the end, you are going to get your bill out of this committee.

Chairman ROS-LEHTINEN. If the gentleman would yield whenever?

Mr. BERMAN. I certainly will yield.

Chairman ROS-LEHTINEN. It is the intention of the Chair if we can get an agreement that we complete consideration of title IV tonight to adjourn until 9 o'clock a.m. tomorrow, at which point we would resume consideration of title V. Would that be agreeable to everyone?

Mr. ACKERMAN. If we could roll votes.

Chairman ROS-LEHTINEN. If we can roll votes.

Mr. MANZULLO. Yes, let's roll the votes now.

Chairman ROS-LEHTINEN. Then shall I make that as a motion? What is the proper mumbo jumbo?

I ask unanimous consent that we complete consideration of title IV tonight, debate and voice vote—is that a problem? We will roll the votes until tomorrow, and we will adjourn until 9 o'clock a.m. tomorrow, at which point we would then vote on the amendments that we have debated and resume consideration with title V.

And what is the proper mumbo jumbo? That was unanimous consent?

Mr. BERMAN. Can I make a suggestion of adding something that will expedite the process——

Chairman ROS-LEHTINEN. Yes. The gentleman is recognized.

Mr. BERMAN. And work out time agreements on the remaining amendments——

Chairman ROS-LEHTINEN. Perfect.

Mr. BERMAN. To titles V through XI.

Chairman ROS-LEHTINEN. Reserving the right to object, Mrs. Schmidt.

Why don't you get on the microphone so we can all hear you.

Mrs. SCHMIDT. I may have to object, depending on what time we are going to roll those votes.

Chairman ROS-LEHTINEN. Do you have a marathon?

Mrs. SCHMIDT. No, I have a committee that I am chairing at 10 o'clock a.m. tomorrow, so I would hate to miss votes. So can we roll the votes tonight until tomorrow morning at 9?

Chairman ROS-LEHTINEN. Tomorrow morning at 9, would that—is that good?

Mr. GALLEGLY. Roll the votes at 9 o'clock.

Chairman ROS-LEHTINEN. 9 a.m. manana. Yippee, yippee, yippee. So without objection?

Mr. CONNOLLY. I have to object to 9 o'clock. I have got another commitment. I can be here shortly after that, but I can't be here at 9. And I don't want to miss votes; 9:15 would work.

Chairman ROS-LEHTINEN. 9:15. Yes. Who would like to be—I would like to recognize, Mr. Gallegly is recognized.

Mr. GALLEGLY. Madam Chairman, I want to respond to my good friend and neighbor from California on the motion to move the previous question. And I understand and respect that. I personally thought that all the speakers that were in the queue had been asked. I would not have done that had I not. And as soon as I found that out I believe the gentleman would concede that I immediately withdrew and asked that I be placed in the queue for the purpose of making that motion. I have never ever tried to circumvent the process.

However, I think that there was, in my opinion, adequate debate, particularly since there was no one else asking for, and I yield back.

Chairman ROS-LEHTINEN. The gentleman is correct.

So without objection, has that motion been agreed to? So we will reconvene tomorrow. The time was 9:15.

Oh, Mr. Pence.

Mr. PENCE. Madam Chairman, reserving the right to object, if by tomorrow morning, the committee could clarify the meaning of the term "mumbo jumbo" for me. I have been here 11 years. I am not familiar with that in the rules, but I would withdraw.

Chairman ROS-LEHTINEN. Without objection, we will reconvene at 9:15 to have the votes.

Mr. MCCAUL. Madam Chairman, how many votes will there be? Because I am managing a bill from 10 to 12 o'clock. How many votes are there going to be at 9:15?

Chairman ROS-LEHTINEN. Well, we are going to continue on to finish title IV. And I think maybe seven tops; three from Mr. Berman, two from Mr. Rohrabacher and two from Mr. Fortenberry.

Mr. GALLEGLY. Madam Chairman.

Chairman ROS-LEHTINEN. Yes, sir. Wait let me see, Mr. McCaul, are you done?

Mr. MCCAUL. 9 o'clock. Would you object to 9 o'clock?

Chairman ROS-LEHTINEN. That is not good for Mr. Connolly. I have got a dentist appointment. I have to floss—no, I am kidding.

Mr. Gallegly.

Mr. GALLEGLY. One other suggestion I think would help the members, would also help expedite the process and be fair to every-

one is if we have the vote at 9 o'clock or 9:15, whenever we agree on, but then we would do debate and schedule the next round for 12 o'clock or 12:30——

Chairman ROS-LEHTINEN. Absolutely, we would do that. Yes, sir.

Mr. GALLEGLY. So we could flush the votes at that point and anyone who was concerned about being a part of the debate——

Chairman ROS-LEHTINEN. We will consult the House schedule.

Mr. GALLEGLY. [continuing]. Can physically be here and that may move things along.

Chairman ROS-LEHTINEN. We will certainly try for that, depending on the House schedule and then—hold on, let me go to Mr. Ackerman and then Mr. Smith.

Mr. ACKERMAN. I think you might want to alert the members that those who intend to offer those amendments on those sections have to be here to be in the queue, otherwise, they would lose the opportunity to make them.

Chairman ROS-LEHTINEN. I so agree.

Thank you, Mr. Ackerman. Excellent suggestion.

Mr. Smith.

Mr. SMITH. Just reserving the right to object, I would like to know, this is important. We will be debating the Mexico City Policy and if members are here, I think we can probably safely assume what the result will be. But if attendance were to result in the loss——

Chairman ROS-LEHTINEN. No we are going to——

Mr. SMITH. I am saying tomorrow, so I would ask my colleagues on the Republican side, and perhaps any friends on the Democrat side——

Chairman ROS-LEHTINEN. Let's not yell, yell, yell.

Mr. SMITH. So, please, assure us that you will be here because otherwise a vote in favor of abortion could occur.

Chairman ROS-LEHTINEN. That is okay—oh, right now.

Mr. BERMAN. Are you trying to fix the outcome?

Chairman ROS-LEHTINEN. Mr. Connolly says yes, 9:15. Mr. Smith says yes; 9 o'clock? Mr. Connolly or——

How about 8:30?

Mrs. SCHMIDT. Madam Chair, if we are going to be voting, we are not going to be debating the votes, we are just going to be casting the votes.

Chairman ROS-LEHTINEN. Voting. Voting. I will say call the roll, boom, and we will do it.

Mr. CONNOLLY. Madam Chairman, I just point out both Mrs. Schmidt and I agreed 9:15 would work.

Chairman ROS-LEHTINEN. 9:15. We have got a deal.

Mrs. SCHMIDT. But we start at 9:15.

Chairman ROS-LEHTINEN. We are very confident we can be done, if people would be here at 9, we will have the glazed doughnuts, 9:15 we start rolling, and Mr. Berman is recognized because that motion has been adopted.

All right. Mr. Berman.

And Mr. Berman, if I could, I keep yapping, I am sorry, the floor tomorrow will have votes from starting at 2:15. Does that mean that we can have a hearing until that vote? We don't have to break until then. And I will shut up. Mr. Berman is actually recognized.

Mr. BERMAN. Madam Chairman, I have an amendment at the desk.

Chairman ROS-LEHTINEN. The clerk will report the amendment.

Mr. BERMAN. Amendment 036.

Ms. CARROLL. Mr. Berman, would you mind repeating the number please?

Mr. BERMAN. Zero—no. No. It wasn't that one.

I have got a lot of papers. It is amendment 613.

Mr. ROHRABACHER. Madam Chairman, while they are looking for the paperwork, I would make a——

Chairman ROS-LEHTINEN. Excuse me just 1 second.

Let me just make sure that they start distributing the amendment. And is it proper for me while the amendment is brought up to recognize someone else?

Mr. ROHRABACHER. Just a point of personal privilege.

Chairman ROS-LEHTINEN. Mr. Rohrabacher.

Mr. ROHRABACHER. Very quickly, I want to remind those members who are leaving that I have two amendments, one would eliminate all aid to Pakistan. Another would eliminate all aid to Iraq. They might be important enough for your interest. I just want to make sure you knew it was going to be on tonight.

Chairman ROS-LEHTINEN. Thank you, sir.

And the amendment of Mr. Berman is being distributed.

Mr. BERMAN. Madam Chairman, I just, before I speak to my amendment, I just point out that since we just passed an amendment to knock out all aid to countries that didn't vote with us 50 percent of the time, we have already eliminated all aid to Pakistan and Iraq. As well as——

Chairman ROS-LEHTINEN. And now the——

Mr. BERMAN. How many times do you want to do it?

Chairman ROS-LEHTINEN. Can the clerk report the amendment?

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Berman. Strike section 412——

Chairman ROS-LEHTINEN. And hold on 1 second because I want to give Mr. Berman the attention that he deserves.

[The information referred to follows:]

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AMENDMENT TO H.R. 2583

OFFERED BY Mr. BERMAN

Strike section 412.

☒

Mr. BERMAN. I hope I get better than that.

Thank you.

Chairman ROS-LEHTINEN. Thank you. There was just a question about maybe if everyone is here before 9:15, we could start a little bit on the roll call votes without having anyone skip because of that, if everyone happens to be at Dunkin Donuts right here next to us in the side room, some people were wondering if we can start the roll call votes before 9:15 if there is a whole lot. They have already left. So sorry. My job was to relay that, votes begin at 9:15.

Mr. Berman is recognized.

Mr. BERMAN. Madam Chairman, this amendment would strike section 412 of the bill, which reinstates and, by the way and very importantly, expands the Mexico City Policy or the global gag rule as it is appropriately known.

Madam Chairman, I want to be clear. For almost four decades, U.S. law has prohibited the use of U.S. Government foreign assistance to fund abortion as a method of family planning. The language in the bill represents a cruel and harmful policy that prevents poor women and families around the world from gaining access to essential information and health care services.

This provision is far more extreme than any policy that was implemented under the Executive Orders of President Reagan, Bush 41 or Bush 43. Why? Why does it go further? Because it not only prohibits family planning assistance to local health care providers in poor countries, it bars all forms of assistance to such organizations, including funding for HIV/AIDS, water and sanitation, child survival and education.

Even President George Bush insisted on exempting HIV/AIDS assistance from the global gag rule restrictions.

I do find, we all have very strong feelings on the fundamental issue that is raised by this language and by my amendment, but I find it very, very ironic that in the name of right to life, we would be cutting off funds that are saving tens of thousands, hundreds of

thousands of lives right now, because these organizations are giving the medications, the counseling and the education to the people who either are or very likely to be in a population that will be, could be inflicted with AIDS and HIV. Let's not make it more difficult for poor women to access quality care. Let's support programs that enable women and families to make decisions to ensure their health and the health of their families.

The language in this bill is a dramatic expansion of restrictions previously in place.

I urge my colleagues to support this amendment to strike this offensive and expanded global gag rule, and I yield back the balance of my time.

Chairman ROS-LEHTINEN. Thank you, Mr. Berman.

Mr. Smith is recognized.

Mr. SMITH. Thank you, Madam Chair.

Could you reset the clock? Thank you.

Thank you, Madam Chair.

Today most African and Latin American countries protect the lives of women and children from abortion. Indeed, prior to January 2009, the pro-life Mexico City Policy guaranteed that unborn children in Asia, Africa, Latin America and elsewhere not be put at risk of death by the nongovernmental organizations we fund. The U.S. funded family planning and did so robustly, but not those foreign nongovernmental organizations that perform or actively promote abortion.

Every human life, Madam Chair, is precious and sacred and worthy of respect. No one—and I say again—no one is expendable. Thus family planning funds, and the NGOs that they empower, cannot be allowed to be the Trojan horse for the global abortion industry.

Americans agree with our efforts to reinstate Mexico City Policy. Indeed, the Gallup Poll, by a margin of 2 to 1, 65 to 35 percent say they oppose President Obama's Executive Order reversing the Mexico City Policy.

Madam Chair, stripped of its many euphemisms, abortion is violence against children and often harms women emotionally, psychologically and physically. Abortion methods either dismember the fragile body of a baby to death or poison the infant, or chemically induce premature labor, leaving the immature child unable to cope with his or her new environment.

The opponents of the Mexico City Policy love to denigrate the policy by dismissing it as the gag rule. Respectfully, we are talking about lobbying for abortions in foreign capitals, and we are also talking about gagging babies. Many of the poisons actually cause the child to suffocate and to die. So the real gagging that occurs actually occurs as a result of an abortion.

The U.N. Millennium Development Goals, number 4, calls for reducing child mortality rates by two-thirds from 1990 levels. It is clear that numerous cost-effective interventions need to be expanded to save children's lives. These include treatment and prevention of disease as well as vaccinations, clean water, food and nutrition and oral rehydration, antibiotics and drugs to inhibit mother-to-child HIV transmission.

Abortion, on the other hand, is by definition child mortality and it undermines the achievement of the fourth Millennium Development Goal. There is nothing benign or compassionate about procedures that dismember, poison, induce premature labor or starve to death a child. RU–46 widely used by pro-abortion NGOs has two effects on the child. First the baby is starved; he or she cannot get nutrition inside the womb. And the second chemical induces labor, delivering what is usually a dead baby.

Indeed, the misleading term "safe abortion" misses the point that no abortion, legal or illegal, is safe for the child and that all can be fraught with negative health consequences, including physical, emotional, and psychological damage to the mother.

Talk of unwanted children reduces children to mere objects without inherent human dignity and whose worth depends on their perceived utility or how much they happen to be wanted. Let me just remind my colleagues that the studies, and there are mega analysis studies that show this, that there is a significant risk of psychological harm, major depression and elevated suicide risk to women who resort to abortion.

The Times of London reported, and I quote them, senior psychiatrists say that new evidence has uncovered a clear link between abortion and mental illness in women with no previous history of psychological problems. They found that women who have had abortions have twice the level of psychological problems and three times the level of depression as women who have given birth or have never been pregnant; 102 studies have shown those kinds of outcomes, including elevated suicide risk.

Abortion is also harmful to children born subsequently to women who have had an abortion. At least 113 studies show a significant association between abortion and subsequent premature births, including one study by Shah and Zhao, they found a 36 percent increased risk for preterm birth and a staggering 93 percent after two abortions—36 was after one.

What does that mean for the children? Preterm birth is the leading cause of infant mortality in the industrialized world after congenital anomalies. Preterm infants have a greater risk of suffering a myriad of problems from chronic lung disease, sensory deficits and cerebral palsy.

Chairman ROS-LEHTINEN. Thank you, Mr. Smith.

The time has expired.

Mr. Cicilline is recognized.

Mr. CICILLINE. Thank you, Madam Chairman.

I rise in strong support of Mr. Berman's amendment. I think the important point to begin with is that no taxpayer dollars since 1973 have been spent to provide or promote abortion services.

And the global gag rule, the claim that has often be made in support of this, is that it will reduce the number of abortions. It does not. In fact, access to international family planning services is one of the most effective ways to reduce the need for abortions. It will lead to an increase in the number of unsafe abortions.

In addition to that, family planning can also prevent maternal and child deaths, unintended pregnancies, unsafe abortions and, of course, the spread of HIV and AIDS and other sexually transmitted disease. The World Health Organization estimates that more than

half a million women, more than one woman every minute, die each year from pregnancy or childbirth-related causes, and 99 percent of those women live in developing countries.

There was a report done in 2004 that found that complications for pregnancy and childbirth are the leading cause of death for teenaged girls in the developing world. This gag rule would be unconstitutional if it were applied here in the United States. It forbids countries from engaging in activities that are legal in their own countries. Family planning providers that don't sign the global gag rule not only lose funds, they also lose donated contraceptives, including condoms, and the United States is responsible for 37 percent of all donated supplies of contraceptions. Clinics that are declined funding because of the gag rule cut services, close clinics and increase fees, making access to health care nonexistent for some women and more expensive for others.

Mr. Berman's amendment will save the lives of countless women by ensuring they have access to quality reproductive health care, have important information about family planning and, in fact, will ultimately lead to a reduction in number of abortions.

There will be an increase of unsafe abortion procedures if the global gag rule is put into place.

I urge all of my colleagues to support Mr. Berman's amendment.

And I yield back the balance of my time.

Chairman ROS-LEHTINEN. Mrs. Schmidt is recognized.

Mrs. SCHMIDT. Thank you, Madam Chair.

And I oppose this amendment.

First off, I do want to read section 412 because it is six, little lines. It says none of the funds authorized to be appropriated by this act or any amendment made by this act may be made available to foreign nongovernment organizations, that is, NGOs, that promote or perform abortion, except in the cases of rape or incest or when the life of the mother would be endangered if the fetus were carried to term.

So Mr. Cicilline's concern that the life of the mother would not be recognized if there was an abortion that was needed has been handled in this amendment.

And this isn't going to cut off foreign aid to countries, but to NGOs within the countries. And quite frankly, what I have been saying all night is this: The American public doesn't want us to give out foreign aid, period, case closed, as my wonderful father would say. But we have to consider foreign aid in a responsible way.

Americans have also said time and time again, they don't want public dollars spent on abortion. When the President, in January 2009, lifted the Mexico City Policy, which is basically what we are talking about, the American public responded and overwhelmingly said they disagreed with the President.

Now they didn't say they disagreed with abortion. They just disagreed with the Federal funding of abortion. But you know the latest poll in May of this year shows that the American public is even conflicted on abortion because, really, when you read this Gallup Poll, they are really pro-life. But in addition to whether you want to argue whether they are pro-life or they are not, they clearly

don't want their tax dollars spent to fund abortions, either here or abroad. But let's go beyond that. You know there is——

Mr. CICILLINE. Will the gentlelady yield?

Mrs. SCHMIDT. No, I will not. So exceptions for rape and incest are in here. So when we think, oh my gosh, what is going to happen to a mother that is in one of those situations?, that exception is there.

We talk about family planning, and while we may have different views on family planning, I don't think any of us really want to say that the ending of the life of a child is part of family planning. And that is really what abortion is. It is not about terminating a fetus. It is about ending an innocent life.

And we all know that.

Now you might think that is okay, but that is really what abortion is all about.

When we talk about maternal morbidity, it is not reduced because you take away—it is not increased because you take away the Mexico City Policy. In 1984, when Reagan really implemented the Mexico City Policy, maternal morbidity rates didn't go up. They actually stayed the same and in some cases have gone down, because we actually have the exception for the life of the mother if an abortion—if the child is causing the mother to have her life compromised. So the Mexico City Policy really does not increase morbidity. It doesn't increase the death rate for women.

The final thing is that it really doesn't hurt the women, period, because when you ask a mother, whether they are starving here or they are starving abroad, what they want is clean water, food, shelter and clothing. They are not saying, give me an abortion. And so for NGOs that want to help women, we are saying, we will give you the money to help you. You can help women. You can get them a condom. You can get them contraceptives. But if you are going to also allow them to have an abortion, we are not going to give you the taxpayer dollars for any of it, because money is fungible. And the American public expects their taxpaying dollars to be used in the way that they believe is justifiable.

And quite frankly, if you took a poll today, Madam Chair, people would be against foreign aid. So we have got to be careful about how we spend it. Because when I go back home and I have to argue why I am going to vote for this bill, I better be armed with the facts that I haven't misspent the public dollars and I haven't misspent their trust. And with that, I yield back the balance of my time and urge my folks to vote no on this amendment. Thank you.

Chairman ROS-LEHTINEN. Thank you, Mrs. Schmidt.

Mr. Connolly is recognized.

Mr. CONNOLLY. Thank you, Madam Chairman.

And I want to say, I certainly can appreciate the sincerity on both sides of this debate. It is never an easy one. But there are several real troubling aspects of the text in the bill in front of us that make this different.

For one thing, Mexico City has always been, the Mexico City Policy has always been an Executive Order started under Ronald Reagan. I worked here in the Capitol in the United States Senate in the Foreign Relations Committee when it was first adopted as an Executive Order of then-President Ronald Reagan. It was subse-

quently overturned with another Executive Order by President Clinton. Reinstated under the second President Bush in an Executive Order, and now, once again, overturned by this President, President Obama.

What we are doing in the bill in front of us is changing that. We are codifying the Mexico City Policy in law, and that is crossing a threshold that I think is significant. Because it would preclude the free debate about this very difficult topic. And frankly, as our colleague from Ohio was sort of noting, public opinion, depending on what question you ask, can be very volatile on the subject and, frankly, can be even contradictory on the subject.

Secondly, in codifying Mexico City, this bill would actually significantly broaden its reach and implications. It would silence organizations on providing abortion counseling, even with their own segregated private funds, and it would overturn a policy exception even George W. Bush, arguably the single most conservative prolife President we have ever had, in his Executive Order regarding this policy, he said this policy shall not apply to foreign assistance, furnished pursuant to the United States leadership against HIV/AIDS, Tuberculosis and Malaria Act of 2003.

He understood that there were some other health issues that had to be carved out over and above the health and life of the mother. So that if an NGO was engaged in those activities, they got a carve out because he recognized, George W. Bush recognized how important, what a primacy, in terms of health policy had to be put on those activities. We are undoing that exception with this statutory language. So we are not just codifying his Executive Order, we are actually changing it and significantly restricting a woman's right to exercise control of her body and her choice.

My colleague from Rhode Island rightfully pointed out the other side of the coin of those who would draw a dramatic picture about the exercise of abortion. And that other side of the coin is damage done to young lives by not having a choice, by not even being made aware of the choice because we put a gag rule on international NGOs if they wish to be the recipients of any U.S. money. And I think that is unfortunate. Frankly, I think it is un-American.

We may not like the policy, but to gag it, to prohibit it, to again sequester any funding should you in fact dare to have an opinion different than ours I think does damage to U.S. interests. And I think more importantly, it actually affects lives, the lives of women all around the world.

So while I respect both sides of this debate, I must support enthusiastically Mr. Berman's amendment. This language goes way too far and does way too much damage in codifying for the first time a policy that in my view was unwise to begin with.

Mr. SMITH. Would my friend yield?

Mr. CONNOLLY. I certainly will with 26 seconds.

Mr. SMITH. I think as the gentleman knows, since you worked here in the late 1990s, under the Clinton administration we codified a major portion of the Mexico City Policy. It was a compromise, but it did get codified in law. This is a 1-year proposal we have pending before us. So there is no precedent in the codification of the Mexico City Policy.

Mr. CONNOLLY. I have 1 second, and I gladly give it back to the chairman. It is just the kind of guy I am.

Chairman ROS-LEHTINEN. Thank you so much.

So generous. I am overwhelmed. Mr. Fortenberry is recognized.

Mr. FORTENBERRY. Thank you, Madam Chair.

The hour is late, I am tired. All of you I am sure are tired as well, so it is a difficult moment to talk about such a serious issue. Because this issue has left a deep wound, I believe, in the soul of this country. To correct something that was suggested earlier, the number of abortions since its legalization has skyrocketed in this country. And since the widespread introduction of government involvement in providing contraception as well, the number of abortions has skyrocketed. So, so much for safe, legal, and rare.

Let's just take a hard look at what this is. Abortion is so often the result of abandonment of someone in need. A woman left scarred, lonely, may turn to that as an option. And I just think that is a failure on the part of our society to be big enough and bold enough to say as a community that we love and care and will provide the resources enough to help get you through no matter how difficult.

On top of that now, as official U.S. policy, we want to export this woundedness. It is a form of neocolonialization by the West of the worst aspects, the most divisive aspects of what has afflicted us as a people. But really, beyond that, what is at issue here is whether or not the taxpayers should pay for it, whether the taxpayer of the United States should be complicit in the act of abortion by providing money to organizations who are entangled with it. That is the core issue here.

So I want to commend my colleague from New Jersey for suggesting that this language be put back in, that we move in a direction of hope and healing, that we conform our foreign affairs assistance to that which is life-affirming, that we do not undermine familial and tribal and cultural norms in other places with our own deep despair and woundedness because we have not resolved this in the right way in our own country.

I yield back.

Chairman ROS-LEHTINEN. Thank you very much, Mr. Fortenberry.

Ms. Schwartz is recognized.

Ms. SCHWARTZ. Thank you, Madam Chairman.

This is always a difficult issue, and I certainly want to give some allowance or understanding for the strength of feeling on the other side, not universal on the other side of the aisle, but strong feelings about this. But just as we have had this discussion about access to family planning and women's health services in this country, and the importance of understanding that as family planning services are a part of that women's health services, that to deny services to women here, the access to vital women's health services because of access to abortion in a separate way is coercive in its own way, and obviously something we feel very strongly about. And fortunately, the other side of the aisle was not successful here.

But to do this same thing, to try and do the same thing internationally, particularly in countries that are much poorer and without access to health services really just compounds the issues, pov-

erty, poor sanitation, scarcity of health services, scarcity of health professionals, distance, lack of transportation, you name it. It just makes it even that much more difficult for women to access the full range of women's health services that they want and they have a right to in their own countries. And I just want to give some statistics, because this is not just a small thing to say to women in these other countries that because some people in this country feel so strongly about abortion, we are going to deny women who we are giving aid to, to have access to the very vital health services that they need to be healthy, to be healthy mothers, and to be healthy in their own lives, and to be able to live full and fulfilling lives themselves.

Every day, thousands of women die in pregnancy and childbirth. Out of 215 million women who want to delay or cease child bearing, one in six women of reproductive age are in need of effective contraceptive methods. That is what we are talking about, is access to family planning and contraceptive methods. AIDS is the leading cause of death among women of reproductive age. This is in many of the 150 countries that are served by this funding. We know that women who are served also get help in childbirth and clean birthing kits and the provision of midwives and skilled birthing attendants.

The effectiveness of the family planning funding and the women's health programs that we have around the world have made such a difference in women's lives. And to deny them access is really going to have dramatic effect on, again, their ability to live full and active lives, the ability for them to be able to have healthy children, and to be strong and healthy mothers as well.

So what we do through the family planning programs internationally is to help women to be able to be successful. And understand, too, some of these programs are provided in post-conflict and disaster situations. These same hospitals, the same providers may be providing a full range of services. But what we are talking about is providing money for family planning.

To deny these funds, and I do support Mr. Berman's amendment in striking this language, is so important again for the health of women around the world in order for them to be able to make these decisions. To be able to strike this language will save women's lives. It will ensure healthier mothers, and healthier babies, and healthier families, and more successful women in these countries. And to deny them, to turn back the clock for women around the world, as has been the attempt to turn back the clock for women in this country, does not promote women's health or women's success or women's ability to be all they could be.

I feel strongly about that for American women. I think we should not try and do the same thing. I am strongly against doing the same thing, to denying to access to family planning and critical women's health services through our aid programs around the world.

With that, I actually do have a few seconds. You will take your own time. So I will yield my few seconds to Mr. Cicilline to add some words to my thoughts.

Chairman ROS-LEHTINEN. Mr. Cicilline is recognized.

Mr. CICILLINE. Thank you. And I thank the gentlelady for yielding.

I just want to respond to the gentleman who raised the concern about taxpayer funding. Since at least 1973, no taxpayer dollars have been spent to provide or promote abortion services. That is the Helms amendment to the Foreign Operations Appropriations bill. Again, I think we have to be very clear about that: Nothing in this proposed amendment would provide funding to promote or provide abortion services. That remains unchanged. I disagree with that policy, but that remains unchanged. And I wanted to just respond to the gentleman.

Chairman ROS-LEHTINEN. Thank you, Mr. Cicilline.

And thank you, Ms. Schwartz, for the time.

Ms. Buerkle is recognized.

Ms. BUERKLE. Thank you, Madam Chairman.

And I rise in strong opposition to this amendment offered by Mr. Berman.

I am really uncertain as to where to start this discussion because I am so offended as a woman, a mother of six, a grandmother of soon to be 11, a registered nurse, and someone who has been involved in health care my entire adult life. The words I hear from the other side, it begins by calling it a global gag rule. Say it what it is. You want to fund abortion with taxpayer dollars. That is a much—you know, it is much more palatable when you can talk about a global gag rule.

Ms. Schwartz, you talk about helping women be all they can be by paying for their abortions with American taxpayer dollars. That is an insult to women, to say that they cannot function and be all they can be without paying for abortions. This is—and it is late—this debate——

Ms. SCHWARTZ. Would the gentlewoman yield? This is about women having access to health services.

Ms. BUERKLE. I am sorry. I did not yield my time. This is not about whether or not we are in favor of abortion. This is about using taxpayer dollars for abortions. But we have got to tell the truth here. And referring to this as a global gag rule, talking about every day, thousands of women die from childbirth, one in six women is in need of contraception. If you read section 412, all it talks about is providing taxpayer money for abortions. It doesn't talk about HIV/AIDS. It doesn't talk about contraceptives. It doesn't talk about any of the other health issues that we are happy to provide funding for. This 412 talks about taxpayer dollars being used for abortions.

And if we are going to have a debate about this issue and wiping out this section of this piece of legislation, then we have got to be honest. And we have got to be honest with the American people. You are proposing to use their tax dollars to fund abortions worldwide, to push this culture of pro-abortion, anti-life agenda throughout the world in countries where abortions may be illegal.

We are still pushing this, as my colleague, Mr. Fortenberry said, this culture that we have embraced in this country, in countries where they have decided that all life is valuable, and it should be protected.

So I rise in strong opposition to this. And I ask the other side to please be honest about what we are talking about here. Don't couch these terms in a language such as global gag rules. Talk about using taxpayer dollars to fund abortions worldwide. And we know, the polls show it clearly, the American people, whether they are for or against abortion, they do not want their tax dollars to be used for abortion.

Mrs. SCHMIDT. Ms. Buerkle, may I have the rest of your time?

Mr. BUERKLE. You may. Thank you.

Chairman ROS-LEHTINEN. Mrs. Schmidt is recognized.

Mrs. SCHMIDT. I would like to clarify something that Mr. Cicilline said. Yes, the Helms amendment, which has been reauthorized by Congress since its inception in 1973, prohibits the use of Federal tax funds for abortion as a method of family planning overseas. The Helms amendment is a good standard, but it should be made into permanent law. And the Mexico City Policy takes the necessary step. President Reagan realized that taxpayer money was supporting NGOs overseas that promoted and performed abortions as a part of family planning and issued a memo during a population conference in Mexico City to halt that practice. That is how the Mexico City Policy got its name, from Ronald Reagan.

And it has been kept in place through the Presidency of George H. Bush, rescinded by Clinton in 1993, reinstated by George W. Bush in 2001, and was rescinded again by President Obama in 2009, which is why we want to codify it into law today. So all we are doing is taking what Reagan wanted to clarify with Helms and put it into law today.

And as far as Mrs. Schwartz's concern with family planning, and I do agree that we do need to help these women overseas, as long as the NGOs aren't providing abortion or funneling these people to an abortion clinic, they can keep the money. But the minute they provide abortion or talk about giving these women access to abortion, the money is cut off. And that is not something that is just the will of this Congress, that is really the overwhelming will of the American people in this country. I yield back.

Chairman ROS-LEHTINEN. Thank you, Mrs. Schmidt.

And thank you, Ms. Buerkle, for your statement.

Mr. Engel is recognized at this time.

Mr. ENGEL. Yes. Thank you, Madam Chairman.

This is a very sensitive issue. And I have friends on both sides of this issue. And I know the heartfelt feelings on both sides of this issue. This is something that I never point fingers at anybody, because things are very heartfelt. I know Mr. Smith and Mrs. Schmidt are two of my best friends here in Congress. And I know how heartfelt they feel about this.

I would ask unanimous consent that my statement go into the record.

Chairman ROS-LEHTINEN. Without objection.

Mr. ENGEL. Thank you.

And I just want to read two paragraphs of what the effect of this rule is: In Zambia, the Family Life Movement of Zambia, which is a faith-based anti-abortion organization, was stymied in efforts to expand programs because the global gag rule disqualified Planned Parenthood Association of Zambia, a partner organization. The

Family Life Movement of Zambia promotes abstinence among young people in Zambia and did not provide contraceptives of any kind.

For those young people who were sexually active, the Family Life Movement of Zambia would refer them to the Planned Parenthood Association of Zambia, where they could receive information about condoms and other contraceptives.

But the global gag rule has forced the Planned Parenthood Association of Zambia to close three of its nine rural outreach programs and cost them more than $100,000 worth of condoms and other contraceptives.

I mean, I happen to believe, heartfelt my belief, that contraception leads to less abortions, not to more abortions. I respect people's religious views about it, but it seems to me that if you are providing people with family planning, they are less likely to want an abortion or need an abortion because they would not become pregnant.

Let me read this second example. In Kenya, the Family Planning Association of Kenya, which did not provide abortion, had to cut its outreach staff in half, close three clinics that served 56,000 clients in traditionally underserved communities, and raise fees at the remaining clinics. One of the clinics that closed housed the unique well baby center, that provided comprehensive infant and postpartum care, making it easier for women to receive critical follow-up care. That well baby center is now lost to the community.

So what I want to say to my colleagues is there are really two sides of a coin. Many of us who, frankly, struggle with this issue feel very strongly that people have a right to make a personal choice and that things should be available to women, particularly poor women, particularly women all around the world who don't have access to contraception, they should be allowed to be provided with the tools necessary to make these very personal decisions.

And so I think that the global gag rule, and I don't mean any disrespect for my New York colleague, I think that that is not something that should be codified. I think that is something that is very important to have these women provided with the services.

If you don't want them to have abortion services, surely there cannot be objection to contraception or to condoms or things that can prevent AIDS and disease. I think it is just putting our head in the sand and pretending that these problems don't exist. So, again, this is a very, very difficult issue, and I certainly respect everyone's views, but my view is that I will support the Berman amendment because I don't think that these restrictions ought to be put on these women.

I yield back.

Chairman ROS-LEHTINEN. Thank you very much, Mr. Engel.

Ms. Ellmers is recognized.

Mrs. ELLMERS. To my friend, Mr. Engel, your points, I understand where you are coming from, but you know, the point is that this particular section of this bill deals with abortion and abortion only. And I am going to read it: Section 412, Preventing Taxpayer Funding of Foreign Organizations That Promote Or Perform Abortions. None of the funds authorized to be appropriated by this act, or any amendment made by this act, may be made available to any

foreign nongovernmental organization that promotes or performs abortion, except in the cases of rape or incest or when the life of the mother would be endangered if the fetus were carried to term.

This is not talking about contraception. This is not talking about other forms of women's health issues. I am a nurse. I don't read that here. This has to do with abortion and abortion only.

Mr. ENGEL. Would the gentlewoman yield?

Mrs. ELLMERS. I will yield at the end of my time—I don't believe the clock was started, Madam Chairman.

Chairman ROS-LEHTINEN. I am so sorry.

Mrs. ELLMERS. To the point of the feelings of the American people, when President Obama put back the provisions for funding for family planning—and let me clarify, family planning, which would include all of the things that you said—family planning providers may be at the least popular thing he has done so far. This was an Executive Order that forbade Federal Government money from going to overseas family planning groups that provide abortions or offer abortion counseling. Fifty-eight percent of Americans opposed it, 35 percent supported it.

Chairman ROS-LEHTINEN. Thank you, Mrs. Ellmers.

Thank you so much. The time has expired. I think that we might have messed up on the clock for you, because it doesn't seem like you were there for 5 minutes.

Mrs. ELLMERS. No, I don't think so.

Chairman ROS-LEHTINEN. May I ask unanimous consent that she be given 2 more minutes? Because I know that that wasn't 5.

Mrs. ELLMERS. Thank you. My point, again, is very simple. I understand the position that my friends have on this issue.

But this particular section of the bill has nothing to do with family planning other than the thought that abortion would be part of family planning. And this is against family planning. I completely and totally am against this amendment put forward by Mr. Berman. And if I do have time left, I would like to yield to my colleague from Ohio.

Chairman ROS-LEHTINEN. Mrs. Schmidt is recognized.

Mrs. SCHMIDT. Thank you.

And I just want to echo that what this says is as long as these NGOs are doing family planning other than abortion, they get money. But the minute they include abortion as part of family planning, which I believe all of us here will agree that the ending of a life should not be part of family planning—I think it is counterintuitive to the whole nature of family planning—that then those moneys would not be given because moneys are fungible.

Mr. CICILLINE. Will the gentlelady yield to a question?

Mrs. SCHMIDT. The Helms amendment, which has been in place since 1973, had to be resupported by Reagan with the Mexico City Policy because money was being used for abortions. Nobody is against family planning. But the public in the United States is against using our taxpayer dollars to pay for abortions, whether it is here or it is abroad. And all this amendment does is codify something that Ronald Reagan did in 1984, which was continued, except under the Clinton administration and the Obama administration. And all it does is codify a standing position of the Helms amend-

ment that had wiggle room, that Ronald Reagan took the wiggle room out of with abortion. I yield back my time.

Chairman ROS-LEHTINEN. Thank you so much, Mrs. Schmidt.

And Mrs. Ellmers' time has run out.

I would like to recognize Mr. Murphy for 5 minutes.

Mr. MURPHY. Thank you very much, Madam Chair.

Listen, I think it is clear we are not going to bridge some pretty substantial divides of opinion on the underlying question. But I think what you hear from our side is a very sincere concern for the unintended consequences of the underlying policy.

I accept the Hyde provision, and yet I have a lot of trouble with the Mexico City Policy because of the underlying facts here. And the facts are this: Within months of the Mexico City Policy being reinstituted in 2001, 16 different African countries immediately had shipments of contraception from the United States ceased. Millions of African women lost access to basic contraception. That is the reality of what happened. That is not in the United States' interests. The reality is that 71,000 women in this world die from unsafe abortions. And though the Mexico City Policy doesn't specifically prohibit care for post-abortion treatment, it essentially prohibits providers from having the equipment necessary to deal with that care. So you are putting at risk tens of thousands of women who have unsafe abortions because they don't have providers who can deal with it because of the Mexico City Policy.

And while my colleagues keep on talking about this just being about prohibiting funding to providers that provide abortion, that is not what the policy says. It says provide or promote. And that is why it is called a gag policy. Because you could be a family planning provider who has never performed an abortion, who has never referred anyone to an abortion provider, and all you want to do is advocate on that issue, and you are shut down under this policy.

Mr. FORTENBERRY. Will the gentleman yield?

Mr. MURPHY. I will finish, and then I know Mr. Cicilline wants some time as well. So when you say provide and promote, that is why this becomes called the gag policy. And as we spend billions of dollars as a Nation trying to promote democracy, trying to tell other nations that they should have vigorous, open debates about policy, it seems pretty inconsistent to then say that the one issue that is off limits is abortion; that we want you to openly debate everything, but we are going to cut off funding to anybody that wants to debate this particular subject on one side of the subject. And that is why it is called a gag rule, because it seems to run contrary to decades of investment in open conversation and open democracy.

Let me yield to Representative Cicilline.

Chairman ROS-LEHTINEN. Mr. Cicilline.

Mr. CICILLINE. I thank the gentleman for yielding. I just wanted to underscore the point that my friend from Connecticut just made with respect to the performance requirement, that this actually prevents family health agencies from making either a referral, someone who doesn't perform an abortion, but it really interferes with the ability of a physician or health care provider to have a candid and full conversation with a woman about a whole range of health care choices. And we ought not be interfering with the relationship between a woman and her physician and the ability of a

physician to share in a complete and professional way all of the options available to a woman as she makes important health care decisions. It undermines that relationship as well. So I think that is one of the other dangers of this. I yield back.

Chairman ROS-LEHTINEN. Thank you, Mr. Cicilline.

I am pretty sure that the time has run out.

Mr. MURPHY. I miraculously got 4 more minutes.

I yield back.

Chairman ROS-LEHTINEN. Thank you for understanding, Mr. Murphy and Mr. Cicilline. I would like to yield now to Mr. Burton. Let's look at that clock.

Mr. BURTON. Madam Speaker, I yield my time to the gentleman New Jersey.

Mr. SMITH. I thank my friend for yielding.

Let me just say to my colleagues on both sides of this issue, I certainly respect each and every one of you, but I do believe that we are forgetting someone, a child who is growing, developing, maturing each and every minute of every day, who, when abortion is performed, is decimated. It is an act of violence. If you did the exact same thing to a newly born child or a 1-year-old child, or even as we saw during the partial birth abortion debates, where the scissors were literally thrust into the brain of a child and then the brain sucked out, simply because that was done while the child was almost in utero, abortion proponents defended it and did so. Bill Clinton vetoed the bill twice; it finally was approved and signed into law by George Bush. It is violence. Why is that so hard to understand? The methods, the act is an act of violence.

Whether it be legal or illegal, abortion is violence against children. It also is highly injurious to women's health. I mentioned earlier the numbers of women who suffer chronic deleterious effects to their psychological health. The studies couldn't be more clear. Read them. Over 100 studies show it, no matter where the studies are undertaken. Whether it be in the Nordic countries, New Zealand, or anywhere else, including the United States, the women suffer. Not immediately, but it has a lag time. It is an intermediate and a longer-term terrible psychological impact that is largely disregarded by the abortion rights proponents.

Let me also say to my colleagues that in 1984, I offered the first amendment on the Mexico City Policy and frankly, the U.N. population fund ban because of forced abortion in China. And opponents got up, including Olympia Snowe, now over in the Senate, and others, Sam Gejdenson, who used to be a member from Connecticut, said no one will accept these safeguards, so the money will lie fallow; it will not go to family planning organizations.

After that year was over, with the Mexico City Policy the law of the land, virtually every dollar was allocated, either obligated or spent, by a family planning organization. And just like any grant money, there are always more grant requests than we have money to fund, whether it be in our own districts for name the issue or name the project. So all the money was accounted for. So when I hear how family planning dollars were reduced or restricted, nothing could be further from the truth.

During the Bush era, 2002 to 2007, this is USAID numbers, Ethiopia, family planning went up from $5 million to $19.5 million,

a 300 percent increase; Haiti, a 144 percent increase; Pakistan, a 1,100 percent increase; D.R. Congo, 800 percent increase. This is family planning money going to organizations that accepted the safeguards and provided family planning, and not the demise and the wounding of a baby and the wounding of their mothers. This is all about who we fund.

My colleague from Ohio talked about the Helms amendment. We found in the early 1980s that the Helms amendment was infirm because money is fungible. The organizations figured it out. They simply do a little bit of bookkeeping and segregation of funds, and if they did that—assuming they did, they were unfettered in their ability to promote abortion and to perform—and again when you talk gag rule, a very, very poor choice. Maybe the news media will amplify it, and you think you have a public relations coup on your hands, but frankly, it is such a misleading term. We are talking about lobbying in capitals all over the world. And the people we give this money to, frankly, are our surrogates. They are ambassadors, in a way. They are doing things that we hope they will do, whether it be family planning or other kinds of health care interventions. But they set up shop in country after country, and they try to topple the pro-life laws.

But they also, and this is where the gag rule language falls totally flat, what about the child? The language is, promote and perform, except in cases of rape and incest and life of the mother. And you know, the debate that now has been engaged on Planned Parenthood domestically; I love the way Planned Parenthood domestically is going into overdrive trying to suggest that only 3 percent of what they do actually is about abortion. That 3 percent is over 900 abortions every single day in Planned Parenthood clinics around this country. That is the kind of movement that will follow if IPPF and the other pro-abortion groups are not inhibited in their promotion of performance of abortions. Nine hundred a day is a lot of dead children and wounded mothers.

Chairman ROS-LEHTINEN. The gentleman's time has expired.

Mr. Deutch is recognized.

Mr. DEUTCH. Thank you, Madam Chairman.

This is a very personal issue for all of us. I am sensitive to that. But really what is at stake here is whether our taxpayer dollars are going to fund abortions. That is what we should be debating.

I understand that it is the goal of some of my friends to outlaw abortion all together. I understand it is the goal to stop all abortions from being performed. I understand that. And they are entitled to that view.

But what we are talking about here is whether taxpayer dollars should be funded. And for almost four decades, for almost four decades, no taxpayer dollars have been spent to provide or promote abortion services overseas. The Helms amendment, renewed annually by Congress, forbids these activities. It is not happening. The gag rule has failed. And it is a gag rule. It gags overseas counseling. It gags overseas community groups, health experts, and prevents them from discussing access to safe and legal abortion—legal abortion—even when this needed counseling is funded with their own money, kept separate from Federal dollars.

This is not a debate about Planned Parenthood, but I can't help, since the point has been raised, to point out that it is the same debate that takes place domestically, and we had this debate before, and I trust we will have it again. I understand the efforts, the goals of some of my colleagues to stop all abortions. But as long as abortion is legal, then I believe that while we ensure that there are no taxpayer dollars going to it as required by law, that we don't turn around and penalize those groups who are helping to ensure that of the more than 46,000 women around the world who die annually, that other families won't face that same fate. Millions more suffer debilitating injuries and disabilities.

And if we impose this global gag rule again, we will only exacerbate the situation. The level of harm from unsafe abortions is quite high. Twenty one million unsafe abortions every year. Nearly all of them in low-income countries. More than 95 percent of abortions in Africa and Latin America are performed under unsafe conditions.

And while it may be the goal to end all abortions for some of my colleagues, the fact is this gag rule is unnecessary. It shuts down debate. It will force clinics to close. It will make outreach efforts to try to reduce the number of unsafe abortions to cease. That is what is at stake here. I will finish where I started. I know how difficult an issue this is. But the law as it currently exists is quite clear that taxpayer dollars cannot be funded.

Mr. FORTENBERRY. Would the gentleman yield? Would the gentleman yield? Right here. I am right here.

Mr. DEUTCH. I will yield.

Mr. FORTENBERRY. So let me try to clarify what you are saying. You support the Helms law, and you believe taxpayer dollars should not be going toward abortion. Are you saying that?

Mr. DEUTCH. No. What I am saying is that the Helms law has been renewed——

Mr. FORTENBERRY. Because I thought you might be able to accept our position on this if you were saying that. But you are not.

Mr. DEUTCH. What I am say is that the Helms law, because it has now been almost 40 years, it has been renewed, that this gag rule is unnecessary and is damaging. And what we are ultimately striving for, those who put forth the Helms amendment, which is preventing taxpayer funding of abortions, is already the law. This will result in changes that will be damaging to women, that will yield only more abortions, unsafe abortions. So I support this amendment, and urge others to do so as well. I yield back.

Chairman ROS-LEHTINEN. Thank you very much, Mr. Deutch.

Mr. Rohrabacher.

Mr. ROHRABACHER. Thank you, Madam Chairman.

I would certainly agree with my colleague as he began his statement when he talked about one's belief in abortion is a very personal, very, very personal issue. And let me just note that I wasn't always opposed to abortion, and I didn't really start thinking about it until later on. But once I started thinking about it, and once I came to the conclusion that we are talking about the life of a child, at that point, there was just no other direction.

Let me note that God blessed my family with triplets 7 years ago. And I will tell you we struggled to have children. And we followed those children as little babies from very early on in their de-

velopment. And you could see that beep beep beep on the screen. And it really, once you have gone through that, it is very difficult to think that we are not really talking about a baby after that. Because we know that that early stage led to these wonderful children that I have in my life right now.

And I think that these medical steps taken to snuff out the potential for life while in the mother's body was the taking of a human life. And I think that that is something that when someone actually comes to that conclusion, that we are talking about human life, we are talking—that then there is just no choice. And I think that maybe when I am talking to my colleagues, I am just hoping that their eyes will be opened, as mine were, to the fact that we can't let some baby be killed with some central planning or some idea about health care, general health care in mind.

Now, let me just note that, again, we are not talking necessarily just about abortion. Here the only thing we are really talking about today is the taxpayer dollars being used to sponsor abortion. So even if you don't agree that life, as I saw it, and inside my wife after 2 or 3 months appeared, that that was life, even if you disagree with that, you would probably—you should be able to agree that taxpayer money shouldn't be used if there is that type of question. And so many wonderful people are on both sides of the argument. But if someone who you know is honest believes it could be a baby, you don't want their money to be taken from them in the name of killing a baby. So it is not about abortion; it is whether or not the government is going to be paying for abortions, and in this case, whether or not we are going to be permitting U.S. dollars that are sent overseas to help with family planning for poor women overseas, whether or not that money can be used for abortion. And to show you how, and I think just how obsessed the other side is with making sure that there can be abortions, that they are insisting so much that abortion not be excluded, that they are willing to give up all of the money that is going into these clinics in order for them to have the right to advise a woman or provide a woman with abortion.

There are no restrictions that anyone is considering on family planning. The only restrictions are being placed on abortion. So if someone says that they would rather just not have family planning at all unless I can advocate abortions because it is not complete family planning unless you can actually recommend that, I don't buy that. I don't buy that at all.

And I would yield my remaining time to Mrs. Schmidt.

Chairman ROS-LEHTINEN. Mrs. Schmidt is recognized for 50 seconds.

Mrs. SCHMIDT. Thank you.

Some people have been saying the Helms amendment is enough. But I would like to remind them why we got the Mexico City Policy in the first place. It was when President Ronald Reagan realized that taxpayer money, under the Helms amendment, was supporting NGOs overseas that promoted and performed abortions. Money is fungible. We know that. And so he, at a population conference in Mexico City, he put a halt to the practice, hence the term Mexico City Policy. We want to keep that in place. We don't want to give Presidents the opportunity to allow it to go back to

a loosey-goosey Helms amendment that allows it to be fungible money. We want to codify the intent of Helms. Mexico City codifies the intent of Helms. And that is all this is about.

And I yield back.

Chairman ROS-LEHTINEN. Thank you so much.

I believe that the time is done.

Mr. CONNOLLY. Madam Chairman?

Chairman ROS-LEHTINEN. Who is asking?

Oh, Mr. Connolly, yes.

Mr. CONNOLLY. Just a quick, funny observation. When I worked with and for Senator Jesse Helms, the idea that——

Chairman ROS-LEHTINEN. I don't know under whose time, but I will be glad to——

Mr. CONNOLLY. Well, just I find it funny that anyone would refer to him as loosey-goosey on any subject, let alone this one.

Chairman ROS-LEHTINEN. Thank you, Mr. Connolly.

And Mr. Poe is recognized.

Mr. POE. Thank you, Madam Chair.

I yield my time to Mr. Smith.

Mr. SMITH. Thank you.

I will be very brief. I just want to remind my colleagues that we really have known for more than 60 years what actually saves women's lives. It is skilled attendants at birth, treatment to stop hemorrhages, access to safe blood. I actually held a hearing in this room, and a World Health Organization physician told us that if women had access to safe blood in sub-Saharan Africa, some 44 percent of maternal mortality disappears. They don't have access to it. And I work with a lot of NGOs, including one that pushes safe passages to ensure that women are well-resourced as they approach the time of the birthing of their child in order to preclude either a dead baby and/or a dead mother. It is all about how we respond to both.

Abortion, I do believe, needs to be looked at as an abandonment of both, certainly of the child, and I would argue equally the mother. A landmark study by the Bill and Melinda Gates Foundation and published in the British journal Lancet in 2010, backed up by a WHO report about maternal mortality, shows that we are making progress, not as much as all of us would like, but it is some 40 percent lower than in 1980. But contrary to prevailing myth, the study underscored that many nations that have laws prohibiting abortion also have some of the lowest maternal mortality rates in the world, including Ireland, Chile, and Poland among them.

Let me also point out to my colleagues that, you know, Bernard Nathanson founded NARAL, Betty Friedan, Lawrence Lader, and Bernard Nathanson, the leading abortionists in the 1960s and the 1970s. He actually ran the largest abortion clinic in New York City. Dr. Nathanson quit doing abortions and wrote in the New England Journal of Medicine, "I have come to the agonizing conclusion that I have presided over 60,000 deaths." And he said what brought him to that conclusion. He was working in St. Luke's Hospital on prenatal interventions, blood transfusions, prenatal surgeries, which then were really in their infancy, but have now blossomed to the point where children can be treated for all kinds of diseases and anomalies while still in utero. But he came to the conclusion that

it was schizophrenic to, in one operating room to be treating that child as an unborn patient, one of his patients, and then in another operating room to be dismembering, or chemically poisoning, or in some other way committing an act of violence against that child.

You know, we have seen breathtaking breakthroughs in the area of fetal surgeries over the last decades, ever since Nathanson made that discovery in his own heart and mind. We need to look at the unborn child as a patient who may be in great, desperate need of intervention. Abortion is antithetical to that. It kills. And not all the babies die, especially when there are twins involved. And I have actually met some abortion survivors. One woman, who was the object of a chemical abortion, saline amniocentesis, that didn't work all the way, and she now has cerebral palsy as a direct result of that. So some of these children do survive. The reason for partial birth abortion, according to the originator of that terrible method, he has said is that it is one way of precluding a live birth, in other words, an abortion where the child is a survivor.

Years ago, CDC used to note that some 500 children per year would survive later-term abortions. Now the abortionists try to ensure that that possibility is precluded by using the most lethal means possible to kill the baby. The Mexico City is all about holding harmless the child, as I said earlier, equally the mother. Abortion is not health care. We provide three exceptions in the language. The three exceptions were in the original Mexico City promulgated by Ronald Reagan by regulation back in 1984. And that would be rape, incest, and life of the mother. But after that—and that is a very, very small number of abortions. And we recognize a child dies there as well. So I would urge my colleagues to at least give this some additional thought.

These children need your help. You need to be an advocate, or at least consider being an advocate for them. Why does wantedness dictate whether or not you have a right to live? Birth is an event that happens to each and every one of us; it is the beginning of a life. I yield back.

Chairman ROS-LEHTINEN. Thank you, Mr. Smith.

Mr. Poe, do you yield back?

Mr. POE. I yield back.

Chairman ROS-LEHTINEN. Thank you very much.

Hearing no further speakers, pursuant to committee rule 4 and the prior announcement of the Chair, the recorded vote on this measure, Mr. Berman's amendment, is postponed until 9:15 a.m. today, Thursday.

Such a sad statement, today, Thursday.

We have Mr. Berman, I know that we have other members who have amendments as well. Mr. Rohrabacher has two amendments, I believe, and Mr. Fortenberry has two amendments.

Mr. Rohrabacher, may we go to one of your amendments?

Mr. ROHRABACHER. I would be very happy to, but I was asked by your staff to perhaps allow Mr. Berman 5 minutes if he wanted to present something.

Chairman ROS-LEHTINEN. All right.

Thank you, Mr. Berman.

Mr. Berman has an amendment on the desk.

Chairman ROS-LEHTINEN. The clerk will report the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Berman of California. Strike section 411 and insert the following: Section 411. Quadrennial diplomacy and development review. (a) Review of diplomacy and development. (1) In General. Not later than December 15, 2014, and every 4 years thereafter, the Secretary of State (in this section referred to as the "Secretary") and the Administrator of the United States Agency for International Development (in this section referred to as the "Administrator") shall complete a comprehensive examination——

Mr. BERMAN. Madam Chair, I ask unanimous consent that the reading be dispensed with.

[The information referred to follows:]

AMENDMENT TO H.R. _____

OFFERED BY MR. BERMAN

Strike section 411 and insert the following:

1 **SEC. 411. QUADRENNIAL DIPLOMACY AND DEVELOPMENT**
2 **REVIEW.**
3 (a) REVIEW OF DIPLOMACY AND DEVELOPMENT.—
4 (1) IN GENERAL.—Not later than December 15,
5 2014, and every four years thereafter, the Secretary
6 of State (in this section referred to as the "Sec-
7 retary") and the Administrator of the United States
8 Agency for International Development (in this sec-
9 tion referred to as the "Administrator") shall com-
10 plete a comprehensive examination to be known as
11 a "Quadrennial Diplomacy and Development Re-
12 view" (in this section referred to as the "Review")
13 of United States diplomacy and development efforts.
14 (2) KEY ELEMENTS OF REVIEW.—Each Review
15 required under paragraph (1) shall include informa-
16 tion on the following:
17 (A) The nature of the global challenges
18 and opportunities facing the United States and
19 the changes in such challenges and opportuni-
20 ties over the previous four-year period.

1 (B) Key objectives and missions for United
2 States foreign policy and foreign assistance in
3 the global context, including a clear statement
4 of United States objectives for development as-
5 sistance.
6 (C) The roles and responsibilities of Exec-
7 utive agencies in carrying out United States di-
8 plomacy and promoting global development, and
9 the mechanisms for cooperation between such
10 departments and agencies, including any re-
11 forms needed in such departments and agencies
12 and mechanisms to adapt to changing cir-
13 cumstances.
14 (D) The roles of international organiza-
15 tions and multilateral institutions in advancing
16 United States diplomatic and development ob-
17 jectives, including the mechanisms for coordi-
18 nating and harmonizing development policies
19 and programs with partner countries and
20 among donors.
21 (E) The requirements for overseas infra-
22 structure necessary to carry out United States
23 diplomatic and development objectives, includ-
24 ing major changes in diplomatic presence and
25 investments in technology and facilities.

1 (F) A plan, budget, and timetable for im-
2 plementing the recommendations of each Re-
3 view, including any legislative requests and Ex-
4 ecutive orders to be issued.
5 (3) INTERAGENCY COORDINATION AND CON-
6 SULTATION.—In conducting each Review under
7 paragraph (1), the Secretary and the Administrator
8 shall take into account the views of the Secretary of
9 Defense, the Secretary of the Treasury, the Attorney
10 General, and the heads of other relevant Executive
11 agencies.
12 (b) CONSULTATIVE PROCESS.—In conducting each
13 Review required under subsection (a), the Secretary and
14 the Administrator shall consult with—
15 (1) the appropriate congressional committees;
16 (2) a variety of civil society groups, including
17 private businesses, non-governmental organizations
18 involved in diplomacy and development, and experts
19 at academic institutions or institutions involved in
20 the study of foreign policy or development matters;
21 and
22 (3) appropriate international organizations and
23 partner countries.
24 (c) REPORT.—

1 (1) ADDITIONAL ELEMENTS.—The Secretary
2 and the Administrator shall submit to the appro-
3 priate congressional committees a report upon com-
4 pletion of each Review required under subsection
5 (a). Each such report shall include, in addition to
6 the elements specified in subsection (a)(2), the fol-
7 lowing:
8 (A) The assumptions used to inform the
9 Review, including assumptions regarding the
10 following:
11 (i) Key global challenges and opportu-
12 nities facing the United States over the
13 next 10-year period.
14 (ii) The capacity of United States dip-
15 lomatic and development personnel to re-
16 spond to such challenges and opportuni-
17 ties.
18 (iii) The cooperation and capacity of
19 partner countries and international institu-
20 tions in addressing such challenges and op-
21 portunities.
22 (iv) The levels of engagement in oper-
23 ations other than war and smaller-scale
24 contingencies and withdrawal from such
25 operations and contingencies.

1 (v) The intensity, duration, and mili-
2 tary and political end-states of conflicts
3 and smaller-scale contingencies that arise
4 in the diplomatic and development context.
5 (vi) The anticipated roles and mis-
6 sions of the reserve components available
7 to civilian agencies, including capabilities
8 and resources necessary to assure that
9 such reserve components can capably dis-
10 charge such roles and missions.
11 (vii) The extent to which diplomatic
12 and development personnel need to be
13 shifted to different regions to successfully
14 carry out the full range of missions called
15 for in the Review.
16 (B) A description of the process by which
17 the Review was conducted, including participa-
18 tion of Department of State and United States
19 Agency for International Development per-
20 sonnel, coordination and consultation with other
21 Executive agencies, and consultations as re-
22 quired under subsection (b).
23 (C) Lessons learned during the review
24 process and recommendations for improvements
25 in future years.

1 (2) PUBLIC AVAILABILITY.—Each report re-
2 quired under this subsection shall be made publicly
3 available on the internet upon submission to the ap-
4 propriate congressional committees.
5 (d) DEFINITIONS.—In this section:
6 (1) APPROPRIATE CONGRESSIONAL COMMIT-
7 TEES.—The term "appropriate congressional com-
8 mittees" means the Committee on Foreign Affairs
9 and the Committee on Appropriations of the House
10 of Representatives, and the Committee on Foreign
11 Relations and the Committee on Appropriations of
12 the Senate.
13 (2) EXECUTIVE AGENCY.—The term "Executive
14 agency" has the meaning given such term in section
15 105 of title 5, United States Code.

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Chairman ROS-LEHTINEN. Correct. That is true. And the Chair reserves a point of order, recognizes the author for 5 minutes to explain his amendment.

Mr. BERMAN. Thank you, Madam Chairman.

The last time we marked up a State Department authorization bill in this committee, in June 2009, we included a requirement for the administration to undertake a quadrennial review of diplomacy and development.

The idea was a bipartisan one. In addition to the provision in our bill, there was a bill introduced by a Republican, Mac Thornberry, requiring a quadrennial review of foreign affairs. At the time our bill was under consideration, the State Department was strongly opposed to that provision. However, shortly after it passed the House, they decided to do the review anyway. Just like the State Department.

The initial review was completed in the middle of December 2010. And one of the things they found was that in order for our

development assistance to become more efficient and more effective, and I repeat it, in order for the development assistance to become more efficient and more effective, USAID needed to have control of its own budget. And I quote from the QDDR that I made reference to,

> "Effective development depends on the strategic deployment of resources that advance particular programs and align with overall policy goals. USAID must have sufficient control of its budget to systematically deploy its resources where they will have the greatest impact. To ensure this essential role in budget preparation and funding requests, USAID has created a new Office of Budget and Resource Management (BRM), charged with developing USAID's annual budget proposal and overseeing budget execution."

To alleviate any concerns that this office would be duplicative, the QDDR explains that the Deputy Secretary of State will consolidate and review the USAID and State budget components, and the Director of foreign assistance resources, who is located at State, will analyze and integrate all foreign assistance budgets. The F bureau at State and USAID's new budget office are currently working together on finalizing the Fiscal Year 2011 foreign assistance allocations.

Yet without a single word of explanation, section 411 of this bill specifically prohibits and repeals the new USAID budget office. I assume this is nothing more than a political stab at the administration. There is no foreign policy objective to be advanced by this, no budgetary savings to be accomplished. USAID's budget office costs no extra money. The 16 total staff positions now assigned to that office were funded by reallocating funding and positions from other bureaus and offices at USAID.

If anything, the new office will result in significant budget savings, as USAID is finally allowed to start matching resources with results, instead of being told what to fund, regardless of whether the program works or not. My amendment would replace section 411 with a statutory mandate to continue doing the QDDR every 4 years like the Defense Department does in its Quadrennial Defense Review. Just as there was no special authorization or appropriation of funds for the first QDDR process, the State Department and USAID managed to do it within their regular budgets. This amendment does not require or authorize any additional funds.

I really urge the committee to consider the mistake in knocking out this USAID budget office. If you want to abolish USAID, consolidate with the State Department, have all the foreign development assistance going from the State Department, I understand that. If you want to separate USAID completely from the State Department and give them all the authorities, I understand that. But what I don't understand is having USAID separate from the State Department, although under the Secretary's direction, but not having the ability to budget their own operations or determine the extent to which their programs are meeting their goals. This is a fundamental capacity of reforming and making foreign assistance more efficient.

I urge adoption of the amendment, and I yield back my 7 seconds.

Chairman ROS-LEHTINEN. Thank you, Mr. Berman.

And I apologize for going to you right away. I thought this was an amendment that you were going to offer and take out, whatever, withdraw.

Mr. BERMAN. I could find one to do that with.

Chairman ROS-LEHTINEN. No. I apologize.

Mr. Rivera is recognized.

Mr. RIVERA. Thank you, Madam Chair.

My understanding of the Quadrennial Diplomacy and Development Review, or the QDDR, is that it was an attempt to advertise the elevation of civilian power and aimed to set out a new blueprint for U.S. foreign assistance, with the objective of making foreign assistance more effective and accountable.

In trying to achieve those objectives, it failed in achieving its goal. It not only failed to adequately address the underlying fundamental issues, such as distinguishing clear lines of authority and accountability between the Department of State and USAID, but more importantly, failed to provide a meaningful assessment of overall U.S. assistance efforts abroad and the effectiveness of such spending.

Instead, the QDDR suggested an actual expansion and growth of government, recommending the additional hiring of Federal employees, the establishment of more bureaucracy, the establishment of more offices, and the call for ongoing assistance programs without evaluating their actual effectiveness. So, in other words, the QDDR's recommendations have done little to change the business as usual attitude that has characterized our failed strategies for the past 50 years within U.S. assistance efforts. So, for all those reasons, I am going to oppose this amendment and encourage my colleagues to do as well.

I yield back the balance of my time.

Chairman ROS-LEHTINEN. Thank you, Mr. Rivera. Do any members seek recognition? Hearing no further speakers, pursuant to committee rule 4 and the prior announcement of the Chair, the recorded vote on this amendment is postponed until 9:15 a.m. today, Thursday.

Again, so cruel.

Mr. Rohrabacher is recognized.

Mr. ROHRABACHER. I have an amendment at the desk, No. 33.

Chairman ROS-LEHTINEN. The clerk will report the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Rohrabacher of California. At the end of title IV of the bill, add the following: Section 4xx. Limitation on assistance to Pakistan. Notwithstanding any other provision of this act, no funds made available to carry out this act or any amendment made by this act may be used to provide assistance to Pakistan. Strike part V of subtitle B of title IX of the bill (relating to security assistance to Pakistan).

[The information referred to follows:]

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AMENDMENT TO H.R.

OFFERED BY MR. ROHRABACHER OF CALIFORNIA

(Foreign Relations Authorization Act, Fiscal Year 2012)

At the end of title IV of the bill, add the following:

1 SEC. 4xx. LIMITATION ON ASSISTANCE TO PAKISTAN.

2 Notwithstanding any other provision of this Act, no
3 funds made available to carry out this Act or any amend-
4 ment made by this Act may be used to provide assistance
5 to Pakistan.

Strike part V of subtitle B of title IX of the bill (relating to security assistance to Pakistan).

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Chairman ROS-LEHTINEN. Thank you very much.

And the amendment is being distributed, so we will give it just a few seconds.

Mr. CONNOLLY. Madam Chair, would you entertain a question while we are waiting?

Chairman ROS-LEHTINEN. Yes, sir.

Mr. CONNOLLY. You may recall that I have written you and the ranking member on what I think are the need for comprehensive, in-depth hearings on U.S.-Pakistan relationship. I am just wondering if you have had a chance to review that request and what, if any, position you have on it.

Chairman ROS-LEHTINEN. Yes. I think if the gentleman would yield, I believe that we want Secretary of State Hillary Clinton to be present for that. So I am sure that she will get back to us soon. We will do so.

And with that, Mr. Rohrabacher is recognized to explain his amendment.

Mr. ROHRABACHER. Okay. Thank you very much. My amendment takes Pakistan off the list of countries for which we will borrow

money from China to support, then stick our children and grandchildren with the responsibility of paying off the debt.

In other words, my amendment eliminates our aid going to Pakistan. The Pakistani ISI, their equivalent of the CIA, through its long support of Osama bin Laden in the years leading to 9/11, is directly responsible for the violent death of thousands of our people. To this day, they still support the Taliban, which of course the ISI, the Pakistani CIA, created, as well as they support other terrorist organizations who are killing U.S. soldiers, U.S. military personnel as we speak.

So what good has all of our aid to Pakistan done? We have given out since 9/11 over $18 billion to Pakistan since 9/11. Our billions of dollars in aid have not pulled Pakistan away from China, nor ended Pakistan's support for terrorists operating in Afghanistan and India. Osama bin Laden, who was the one who personally organized the slaughter of those 3,000 Americans on 9/11, was given refuge in Pakistan for 5 years. And when our Special Forces killed him, Pakistan arrested those who helped us find him. Making matters worse, Pakistan is in an alliance with China, and has been for a number of decades. It is actively pursuing a China-backed alignment with Iran against the United States. And Pakistan is actively engaged in trying to convince other governments to ditch the United States and cast their lot with China. They obviously consider the United States a strategic enemy. Yet they keep taking our money, and we don't fault them for that. We should fault ourselves. They are treating us like fools because we are acting like fools. The Obama administration has already cut some aid to Pakistan, a third of it in fact. So why play games? Let's make our intent clear. No more American money should go to a regime that actively participates in the murder of American civilians and soldiers. We have been playing the sucker for too long.

It is time to stop. We should cut off the billions of dollars we have been giving to Pakistan. And we should energetically seek a new strategic relationship in South Asia which puts us on the side of India, a democratic government, rather than the side of a government which is aligned with radical Islam and Communist China.

Well, I ask my colleagues to support this effort. We should have the courage to say, now is the time to recognize the Cold War is over. That is what started our relationship with Pakistan to begin with. And we should now, instead of hanging on to that relationship in a way that is proving detrimental to us because Pakistan, itself, is allied with our enemies, move to try to set a new strategic relationship with India. And the first step to doing that and creating a more peaceful world is to quit giving support to a country that is engaged in anti-American activity and undermines our national security.

So I would ask my——

Mr. CONNOLLY. Would my colleague yield for a question?

Mr. ROHRABACHER. I certainly would.

Chairman ROS-LEHTINEN. Mr. Connolly?

Mr. CONNOLLY. Just a question. Has my colleague given thought to the unintended consequence that, by doing this, what we risk is

destabilizing an already-rickety Pakistan and leading to a far worse outcome in terms of——

Mr. ROHRABACHER. Yeah, we have been hearing that for years. And it is not an unintended consequence; it is something that you—it is a risk. It is risk that you take. Every time you take a step forward to try to create a better world, you are taking a risk that something may go wrong. And, in this case, that is a risk that—I think it is riskier to continue in the relationship that we have had with Pakistan than it is to try to demand a change in the status quo.

Chairman ROS-LEHTINEN. Thank you. The gentleman's time has expired.

Do any other members seek recognition?

Mr. Berman is recognized.

Mr. BERMAN. Thank you, Madam Chairman.

My friend from California says this is a matter of courage. Do we have the courage, can we summon up the courage to cut it off? The aid to Pakistan, that is. I say it is question of wisdom. It is not about courage.

Congress is correct to conduct additional scrutiny over the assistance to Pakistan. We in the United States are very rightfully skeptical of Pakistan's commitment to fighting extremism following the many incidents that have come to light in the weeks following the killing of bin Laden. I even have some problems with the base bill in terms of what it does with Pakistan, which I will address not in an amendment but in a motion to strike the last word later in this markup.

But cutting off all assistance to punish Pakistan, without proper consideration of the national security ramifications of doing so, is lazy, it is shortsighted, and it is quite irresponsible.

I meet with Indian Government officials all the time about this issue, and I have never heard one of them suggest that they thought it was in their interest for us to cut off every aspect of our economic assistance to Pakistan. To the contrary, they want to see civilian institutions built. They know that the direction that Pakistan could be headed leads to chaos and massive instability, implied in the question from my friend of Virginia to the author of this amendment.

And the other thing that should be part of this amendment, if it makes sense, is, if you are going to cut off all assistance here to Pakistan, decide that Pakistan is the enemy, this is one of those rare issues that are black and white, and align ourselves with India. You ought to at least, on behalf of our troops in Afghanistan, call for the immediate withdrawal of all our troops in Afghanistan. Because what you are proposing, without withdrawing our troops in Afghanistan, puts them in so much greater jeopardy than they are even now. Our effort in Afghanistan, supplying our troops there, remains highly reliant upon continued Pakistani cooperation, both in terms of access to Pakistani territory but also with regard to Pakistani intelligence and counterterrorism cooperation.

Is it as good as I would want? Absolutely not. Are they not doing things they should be doing? You are absolutely right. But Pakistan's strategic location, the possession of nuclear weapons, the ongoing insurgency along the country's border with Afghanistan

makes it imperative for the U.S. to keep the lines of communication with Pakistan open.

It is in our national security interest—not an entitlement program, not some obligation, but our national security interest to ensure we have a productive relationship with Pakistan, both for the short-term gains in Afghanistan and for long-term regional stability. Unless we are able to find a path toward that stability in South Asia, we could potentially find ourselves in a similar situation years from now.

This becomes all the more difficult if we were to significantly cut—to abolish all security and economic assistance to the country. And I point out, the amendment is drafted not to the Government of Pakistan, not simply to economic assistance, but all assistance of any kind to the people of Pakistan, through NGOs, through any other mechanism.

I urge my colleagues to oppose this well-intended but wrong-headed amendment.

Chairman ROS-LEHTINEN. The gentleman yields back.

Mr. Smith is recognized.

Mr. SMITH. Thank you, Madam Chair. And I yield my time to Mr. Rohrabacher.

Chairman ROS-LEHTINEN. Mr. Rohrabacher?

Mr. ROHRABACHER. I don't know how much more Pakistan has to do to prove to us that they are not our friend and, in fact, are our enemy and that if we rely on them for our security, we are going to get hurt, as we have been hurt.

Let's just—again, our relationship with Pakistan started during the Cold War. When I came here 22 years ago, let me note that I was Pakistan's best friend in Congress, because I had been working in the Reagan administration in the Cold War, during the Cold War.

And times have changed. The Soviet Union has disintegrated. India, which was in a positive relationship with the Soviet Union, is no longer an ally to our adversary. Instead, what we have now is a former ally, Pakistan, who has gone its way and has allied itself, now, in this world, with America's worst enemies. Radical Islam is Pakistan's ally, if not their brother and sister. The Pakistani Government, and especially their ISI, helped create the radical Islamic threat that threatens us today.

Who is our—okay, what is the second threat that we face? China. We have a looming China. And guess what? Pakistan is China's best friend. So Pakistan is best friend to the two forces in the world that most threaten the United States.

For us to continue giving them billions of dollars is insane. Let's just recognize the world is different, and try to establish a new status quo which will, indeed, create a more stable world.

We can't just create an illusion that the Pakistanis are so important to us because they cooperate with us in intelligence. Intelligence? The ISI is the focal point of their intelligence, and we rely on the ISI for guidance? I think that most people understand that the ISI has been lying to us and has been responsible for supporting radical Islam and creating that threat to the world all of these years.

Let's admit that times have changed and try to create a better future, not trying to keep ahold of an illusion that the Pakistanis are still our friends. We can make a more peaceful world by making sure that India is our friend.

And I would disagree with my colleague totally, when he suggests that India wouldn't want us to move closer to India and eliminate this alliance that we have had with the Pakistani Government? No. I think that India understands that Pakistan has allied with China.

And let's get back down it. The Chinese, through Pakistan, have what? Have been engaged in one of the worst proliferations of nuclear technology in recent—actually, in the history of the nuclear problems. The fact is that China has worked through Pakistan to provide nuclear material and know-how to North Korea, to Iran.

And if there is a threat in the world today, yes, Pakistan is that threat. But that is not any reason that we should continue giving them money. Talk about bribe money. No, we should be trying our very best to develop a new system of alliances that will help create the world that is a more peaceful world. And that does not include living in a dream world, that Pakistan can be relied upon.

And I do agree—and I will end with this. My colleague has made me a challenge, and the challenge is, you can't be in favor of eliminating this aid to Pakistan unless you are calling for an immediate withdrawal of American troops from Afghanistan. Well, let me make it very clear: I think there should be an immediate withdrawal of all American troops from Pakistan. This is a no—or, from Afghanistan. This is a no-win situation, no matter what is going on, but especially when we are living in a dream world and giving money to Pakistan while it conspires——

Chairman ROS-LEHTINEN. The gentleman's time——

Mr. ROHRABACHER [continuing]. To kill American troops.

Chairman ROS-LEHTINEN [continuing]. Has expired.

Mr. Faleomavaega is recognized.

Mr. FALEOMAVAEGA. Thank you, Madam Chair. I would like to give my time over to our ranking member.

Chairman ROS-LEHTINEN. Mr. Berman?

Mr. BERMAN. I don't want to dwell on this too much, but I wonder, do we think about what we have done and what we say and see if there is any relationship between the two?

The gentleman talks about the flowering of a new strategic relationship with India, an alliance deep—the world's greatest, the world's oldest democracies coming together. I love the idea. And about 1½ hours ago, the gentleman voted to eliminate that very little economic assistance we give to India because they don't vote with us 50 percent of the time at the U.N.

At what point do we have to be accountable for what we do and square it with what we say? Give me a break.

Again, I repeat that I spend a great deal of time with Indian officials; I have not only never heard them suggest that we cut off all economic assistance to Pakistan, I have, to the contrary, heard them suggest that they want a stable Pakistan. What they don't want is a Pakistan that is taking our military assistance to use it in some military confrontation with India. They want it to be focused on counterterrorism, not on the India-Pakistan conflict.

So this ally you want us to join up with—and I want us to join up with them, as well—number one, I don't think the best way to start that alliance is by saying, we are prohibited from any more PEPFAR cooperation because they don't vote with us at the U.N.; and, secondly, when we hear what they want, they aren't suggesting what this amendment does, they are opposing what this amendment does.

Mr. ROHRABACHER. Would the gentleman yield?

Mr. FALEOMAVAEGA. Reclaiming my time, I just want——

Chairman ROS-LEHTINEN. Mr. Faleomavaega?

Mr. FALEOMAVAEGA. I just want to add on to what the gentleman from California was saying. And I submit to my friend, Mr. Rohrabacher, the situation in Pakistan is not a simple one. In fact, it is a very complicated issue, sometimes, historically, on issues that have come about not necessarily because of our doing, but that is just the way it is. Just as we understand on the border line between Afghanistan and Pakistan there are 12 million Pashtuns living in Afghanistan, where all the Taliban are, and then just across the border are 27 million Pashtuns living in Pakistan.

And I can appreciate my good friend's concerns, but I think it is not as simple as——

Mr. ROHRABACHER. If the gentleman would remember——

Mr. FALEOMAVAEGA. We are talking about a nuclear power. And when you add in the nuclear issues, that changes the whole landscape on how we deal.

My hope and desire, hopefully, that part of our national policy is that we should establish friendships with both Pakistan and India.

And I yield to Mr. Rohrabacher.

Mr. ROHRABACHER. I hope the gentleman remembers that, about 20 years ago, the two of us——

Mr. FALEOMAVAEGA. Oh, I——

Mr. ROHRABACHER [continuing]. Were on the Afghan-Pakistan border——

Mr. FALEOMAVAEGA. Of course.

Mr. ROHRABACHER [continuing]. Sleeping in a fortress. And I think you got the shotgun and I got the pistol. Or it was one way or the other.

Mr. FALEOMAVAEGA. Reclaiming my time, I can say to the good gentleman, I still remember that day. We were in Peshawar.

Mr. ROHRABACHER. Yep.

Mr. FALEOMAVAEGA. And we met with a lot of the tribal chiefs there in Pakistan. We went to Afghanistan.

But what I just wanted to share with my good friend is that I think denying this funding, which I think is—I thought it was only $8 billion, and now I realize it is $18 billion since we have established this relationship.

Mr. ROHRABACHER. Right.

Mr. FALEOMAVAEGA. But then to understand, too, we have to give Pakistan some credit when the Soviet Union decided to invade Afghanistan, for which Pakistan played a very critical role——

Mr. ROHRABACHER. That is right.

Mr. FALEOMAVAEGA [continuing]. In terms of how we were trying to be helpful.

Mr. ROHRABACHER. And those days are over.

Mr. FALEOMAVAEGA. And I just wanted to share that with my good friend.

Mr. ROHRABACHER. Thank you.

Mr. FALEOMAVAEGA. Thank you.

Chairman ROS-LEHTINEN. Thank you very much. Thank you.

Hearing no further speakers, pursuant to—oh, Mr. Connolly. I am sorry.

Mr. CONNOLLY. I am sorry, Madam Chairman, but I——

Chairman ROS-LEHTINEN. Usually, you are more aggressive in seeking time. Have we mellowed you?

Mr. CONNOLLY. Yes, you have. You really have.

Chairman ROS-LEHTINEN. That is how you get after 1 o'clock in the morning.

Mr. Connolly is recognized.

Mr. CONNOLLY. Thank you, Madam Chairman.

And I want to say that, in listening to my friend from California, my heart wants to go where he goes. My head, however, says, as Mr. Faleomavaega said, it is more complicated than that.

I think his critique of Pakistan's behavior is devastatingly on point. And I think we have to acknowledge that. This has gone beyond the realm of a troubled relationship. And the behavior across a broad spectrum—nuclear behavior, new reports about collaboration, allowing North Korea to develop a nuclear capability; actual hostile firing on the border against U.S. allies, if not U.S. troops; the compromise of intelligence on very important missions within Pakistan, aimed at what is ostensibly a joint goal of putting out of business insurgents and terrorists; of course, the obvious one with respect to bin Laden's location for 6 or 7 years in the middle of a military retirement community—who knew?—stretches credulity and strains the relationship.

Having said that, it is a nuclear power. And for good or real, we need each other at some level. We can't simply walk away and abandon the relationship.

And I listened carefully to my friend's answer. I don't know the answer, but I do think this: We, as policymakers, cannot afford to simply say, I am willing to roll the dice on the unraveling of Pakistan and the outcomes that may flow from that.

So, for all of these reasons, I would be troubled by simply precipitously ending any and all aid right now to Pakistan, though I am tempted.

And I would suggest to my friend from California that he may want to think about joining me in the request I have put before the chairman and the ranking member. I think this is—and it is going to sound strange—but I almost think this is a Vietnam hearing moment for this committee. You know, J.W. Fulbright, the then-chairman of the Senate Foreign Relations Committee, actually helped change the course of U.S. policy by having an in-depth series of hearings covering Vietnam rather exhaustively. And I think the time has come for some, at least, mini-version, frankly, that covers all aspects of the U.S.-Pakistan relationship to help air these issues and these problems and, hopefully, to help us find some common ground with what next steps are.

And I would renew that request and urge my colleague to think about joining, on a bipartisan basis, in making—not to even imply there is any resistance. I just think that moment has come.

But, at this time, I would have a lot of trouble crossing the precipice and pulling the plug entirely on aid to Pakistan. But I must confess I am not unsympathetic with the motivation and the analysis our good friend from California has put behind us. And——

Mr. FORTENBERRY. Would the gentleman yield?

Mr. CONNOLLY. I would yield, certainly.

Chairman ROS-LEHTINEN. Mr. Fortenberry?

Mr. FORTENBERRY. Just to note on your point as to how we properly think through the dynamics you well outlaid, our colleague Frank Wolf has proposed the formation of an Afghan-Pakistan study group. Now, I believe before you came to Congress, the Iraq Study Group was formulated, and it made a significant impact on policy, I believe, and I think made a significant contribution in turning that situation around.

I would just submit that for your consideration because that is out there, and I would like to see that actually gain some momentum.

Mr. CONNOLLY. I thank my colleague.

Mr. Faleomavaega?

Mr. FALEOMAVAEGA. I just wanted to add also to the gentleman's comment about Senator Fulbright and the Vietnam war. I recall Senator Byrd, throughout the whole time when we were going through the Iraq crisis, he singlehandedly, again, on every point of contention in terms of whether or not the policy was really sound before we committed our troops—and, of course, I don't need to say what happened.

But I just wanted to say that, of interest, that is something that we should all learn from what Senator Byrd had warned us against, and the very things that he said. It is almost like saying, "See? I told you so." But anyway——

Chairman ROS-LEHTINEN. The gentleman's time has expired.

"I left my heart in Islamabad." It doesn't have the same ring.

So, hearing no further speakers, pursuant to committee rule 4—oh, Mr. Rivera. Thank you. I would not want to jump ahead of you. Of course you are recognized.

Mr. RIVERA. Thank you, Madam Chair. Actually, with your permission, I respectfully request to yield to Mr. Rohrabacher.

Chairman ROS-LEHTINEN. Mr. Rohrabacher is recognized.

Mr. ROHRABACHER. I will try not to take the entire 5 minutes.

So we got $18 billion that we have provided for Pakistan since 9/11—$18 billion. And from all the intelligence reports that we have been privately briefed on, we know full well that, as we have been handing them that $18 billion, they have been supporting elements in Afghanistan who are killing American troops. We know that.

And we now know that Osama bin Laden, who was the mastermind behind slaughtering 3,000 American civilians, that they were hiding him the whole time. I guess they didn't really notice he was, as you say, in the middle of that city with all those other military people around him. No, we know they knew that.

So I guess now we just want to continue along; we don't want to really try to create a new status quo in South Asia. No, we have to do that. We have to do that or we can expect even more problems, more killing of our people. Because the people who run the Pakistani Government, especially their military and their ISI, obviously look at the United States as their enemy. Perhaps it is because of cultural differences. Whatever reason, they think that they need to be against the United States, even as we give them billions of dollars and they plot to murder Americans.

I wonder if giving them money, does anyone think that generates a respect or is going to make the relationship better? It is going to make it worse. They think we are fools, because we are fools. Nobody in their right mind gives money to someone who is killing their civilians and being involved with an organized, worldwide movement to kill Westerners, to kill people of another religious faith. Nobody in their right mind does that.

And we also know that we are borrowing money to give to them. Every penny that we give to them, yes, I am afraid every penny of that money is being borrowed, because, you know, that 60 percent of the budget that we aren't borrowing is going to take care of the needs of the American people. These things are being borrowed. And we are borrowing money from China in order to give to Pakistan, which is China's ally, which is China, which is doing China's bidding. And I guess China must think we are stupid, too.

So now we are going to borrow that money, and who is going to pay for it? Our children and our grandchildren. They are going to pay it back because we are acting stupid today. Not just stupid, we are acting irresponsibly and we are acting in a cowardly way, because we are afraid of what is going to happen if we change the way we do things with Pakistan.

The future belongs to people with courage and insight and, yes, wisdom. It is not wise to give money to people who are engaged in killing your population. It is not wise to give money to someone who has allied themselves with Communist China, which is the world's worst human rights abuser and sees itself as a global adversary of the United States.

While we have India next-door, who would like to be part—and I reject the notion that they don't want to be part of a new strategic relationship with the United States. Okay? And I believe that India would—and, by the way, I would say, probably India will vote with us more in the United Nations if we quit financing the terrorists who are going into their country and murdering their civilians. Because the attack in Mumbai that represented the slaughter of their civilians started out in Pakistan, and we know that. And we know the ISI was involved.

Let's face reality. Let's have the courage to face reality and start building a new world.

Chairman ROS-LEHTINEN. Thank you, Mr. Rohrabacher.

Mr. ROHRABACHER. And that is what this is. We can start by defunding Pakistan.

Chairman ROS-LEHTINEN. And now I am not going to jump the gun and say, "Hearing no further speakers." Does any member wish to be recognized?

Hearing no further speakers, pursuant to committee rule 4 and the prior announcement of the Chair, the recorded vote on this amendment is postponed until 9:15 a.m. today, Thursday. Yes.

Mr. Rohrabacher, would you like to have your other amendment?

Mr. ROHRABACHER. I have an amendment at the desk.

Chairman ROS-LEHTINEN. Mr. Rohrabacher has an amendment at the desk. The clerk—sorry, sorry. I forgot that, Mr. Deutch, that you were not on the list. I forgot.

Mr. Rohrabacher, would you hold it a second?

Mr. ROHRABACHER. As a matter of courtesy and seeing that it is so late anyway, yes, I would be——

Chairman ROS-LEHTINEN. Thank you. Thank you.

Mr. Deutch has an amendment at the desk. The clerk will report the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Deutch of Florida. At the end of title IV, insert the following: Section 4 [blank]. International narcotics control and law enforcement. For international narcotics control and law enforcement programs, not more than $1,597,000,000 is authorized to be appropriated to the President for Fiscal Year 2012.

[The information referred to follows:]

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AMENDMENT TO H.R. _____

OFFERED BY MR. Deutch

At the end of title IV, insert the following:

1 **SEC. 4___. INTERNATIONAL NARCOTICS CONTROL AND**
2 **LAW ENFORCEMENT.**
3 For international narcotics control and law enforce-
4 ment programs, not more than $1,597,000,000 is author-
5 ized to be appropriated to the President for fiscal year
6 2012.

☒

Chairman ROS-LEHTINEN. Thank you.

The amendment is being given out, and Mr. Deutch is recognized to explain his amendment.

Mr. DEUTCH. Thank you, Madam Chairman.

In the spirit of my previous amendment, offered some 12 or 13 days ago, I would like to highlight another critical area of assistance beyond development that was omitted from the base text. The international narcotics control and law enforcement account funds the State Department's counternarcotics, transnational crime, and police training programs.

These programs are focused where security situations are the most precarious. Funding in Fiscal Year 2012 will support Liberia's transition to peace through funding of police training and justice institutions. It will strengthen law enforcement and judicial institutions in Latin America and Mexico. It will train judges in Afghanistan and fortify criminal justice sectors in West Africa.

We talk a lot, Madam Chairman, in Congress about fighting terrorism and crime. We all agree that we need to reduce violence in Mexico and safeguard our borders. This account, the international narcotics control and law enforcement account, is a key way to do that, and we should acknowledge so by authorizing it.

I would point out, Madam Chairman, that my amendment authorizes this account at the Fiscal Year 2011 budget amount. My previous amendment, if you recall, by unanimous consent, we adopted the President's budget, which seemed preferable. I would accept that amendment, in which case we would be funding this, rather than the $1,597,000,000, the President had requested $2,511,000,000. If you wanted to entertain that, I would gladly accept that amendment.

And I yield back.

Chairman ROS-LEHTINEN. Mr. Deutch, will you be willing to accept victory?

Is this higher, or is this lower? Let me have that number again, the 2012 and your amendment.

Mr. DEUTCH. The Fiscal Year 2011 number that is in here is $1,597,000,000. The President's requested amount, which is the number that we used for nonproliferation and antiterrorism, that number is $2,511,838,000.

Chairman ROS-LEHTINEN. Oh, sorry. We are just looking at the President's request, and apparently we have a different number that says—$1,511,838,000.

Sorry. We were looking at different numbers—wrong numbers, incorrect numbers.

So what we are doing is that we are looking at the President's number, which is Fiscal Year 2012, which is $1,511,838,000.

Mr. DEUTCH. So I will look forward to claiming victory at the earliest possible moment.

Chairman ROS-LEHTINEN. Yes. Sorry for the victory tease. That is not right. So if we could just suspend for a few moments.

So, Mr. Deutch, since the numbers that we had had are different—and I apologize—you still have time to continue to speak on your amendment. Would you like more time on your amendment, Mr. Deutch? Sorry for the fuss. No?

Then we are once again teasing you with victory. Yes, we are teasing you again with victory. They are saying that we will accept the amendment.

Stalling works with us every time.

Mr. DEUTCH. I yield back the balance of my time.

Chairman ROS-LEHTINEN. Thank you very much.

So that amendment has been accepted. Thank you. I am glad we went to you, Mr. Deutch.

Now, I have——

Mr. ROHRABACHER. Madam Chairman?

Chairman ROS-LEHTINEN [continuing]. Mr. Rohrabacher.

Mr. ROHRABACHER. I have an amendment at the desk.

Chairman ROS-LEHTINEN. The clerk will report the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Rohrabacher of California. At the end of title IV, add the following: Section 4xx. Limitation on assistance to Iraq. None of the funds authorized to be appropriated by this act or any amendment made by this act may be used to provide assistance to Iraq unless the President certifies to the appropriate congressional——

Chairman ROS-LEHTINEN. Thank you. We will consider the amendment as having been read. And Mr. Rohrabacher is recognized.

[The information referred to follows:]

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AMENDMENT TO H.R. __

OFFERED BY MR. ROHRABACHER OF CALIFORNIA

(Foreign Relations Authorization Act, Fiscal Year 2012)

At the end of title IV, add the following:

1 **SEC. 4xx. LIMITATION ON ASSISTANCE TO IRAQ.**

2 None of the funds authorized to be appropriated by
3 this Act or any amendment made by this Act may be used
4 to provide assistance to Iraq unless the President certifies
5 to the appropriate congressional committees that the Gov-
6 ernment of Iraq agrees to reimburse the United States
7 Government fully for expenses incurred since March 19,
8 2003, to liberate Iraq and to provide security and recon-
9 struction assistance to Iraq.

☒

Mr. ROHRABACHER. Thank you very much, Madam Chairman.

The current government, under Prime Minister Maliki, in Iraq is realigning Iraq with Iran. That is a reality that we have to face. And, of course, my amendment would recognize that reality and say, well, let us not fund this transition, and let's basically get our troops out and end our involvement in that country, rather than not admitting reality.

So, Prime Minister Maliki's ruling coalition is dependent on a Shiite radical, Mr. al-Sadr, who is very well-known. And while he is an important part of their coalition, we know he is also an open agent of Iran.

Prime Minister Maliki has been and continues to be unresponsive to American requests to keep even a minimal detachment of American troops in Iraq. Why? Because the mullahs in Iran want all U.S. forces out of Iraq, and Prime Minister Maliki is doing their bidding. That was made clear when, under his authority, Iraqi troops invaded Camp Ashraf, a refugee camp for Iranian dissidents, and massacred unarmed residents, leaving 35 dead and hundreds more wounded.

The United States has already spent $1 trillion and nearly 4,500 lives, not to mention the tens of thousands who have been wounded, trying to liberate and rebuild Iraq, only to have a government come to power that is in league with the Iran mullah's regime, who is our worst enemy in the region and perhaps in the world. The mullah dictatorship in Tehran is the most dangerous and violent terrorist state in the Middle East, and Maliki is buddy-buddy with them.

Well, enough is enough. American troops won the war, but U.S. State Department bureaucrats have lost the peace. Only a new government in Baghdad, one that is grateful for our liberation of the Iraqi people from the monstrous Saddam Hussein dictatorship and which will be willing to repay, perhaps, when they are prosperous, repay the United States for what we have expended on their behalf and the behalf of the Iraqi people, only then would it be worth for the United States to continue aid and support for Iraq.

Such a government does not exist, however, and it is not in the offing as we consider this bill. The ingratitude of the current Iraqi Government for all of the sacrifice by Americans on their behalf is overwhelming and should dictate that no more American blood, nor money, should be expended on their behalf, especially when we have to borrow the money in order to provide it for them.

My amendment would shut off the spigot. Those who thumb their noses at us after the expenditure of blood and treasure that we have given to the people of Iraq do not deserve more of that treasure and certainly not more of our people's blood. They deserve not one more red cent from the United States.

And, in that, I am quoting a spokesman from the Maliki government, who, after a recent codel where it was requested that they might consider the fact that once Iraq is wealthy—because it has greater oil and gas reserves than Saudi Arabia—that they might consider paying back a little bit to the United States because we are entering a financial crisis, responded, "Not one red cent."

Well, with that in mind, why do we continue to give money to them, millions of dollars to them, at a time when we have to bor-

row the money to give it to them? So I would suggest that the State Department funds for Fiscal Year 2012, that is $2.36 billion, that we decide not to send that to them, and instead—we should not be giving them——

Chairman ROS-LEHTINEN. The gentleman's time has expired.

Mr. ROHRABACHER [continuing]. Money at a time when we are broke and they don't have gratitude.

Chairman ROS-LEHTINEN. Thank you.

Do members seek recognition?

Mr. Berman is recognized.

Mr. BERMAN. Yes, Madam Chairman. I think I am going to oppose this amendment.

So let me just go through this again. We authorized the war. The gentleman voted aye. We spent, by his terms, $1 trillion on the costs of defense and economic. And for the last $1 billion, if they give us back $999 billion, we will give them another $1 billion. I don't think they are going to take that deal.

Where was the gentleman on this issue when the administration was talking about, this war will pay for itself with reimbursements? Where were the conditions on the money then? Where were the conditions on all those appropriation fights in the 2003 and 2004 and 2005 and 2006 period of time when we were asked to spend more and more to deal with all of the problems we were confronting? There was never a suggestion that those appropriations would be limited. We are going to do it on the last $1 billion?

The issue of whether or not to provide any more assistance to Iraq should be decided on its own merits, not on a condition they pay us back the $999 billion that we have already spent trying to bring freedom and democracy there, to a greater or lesser extent successful, depending on where you are coming from on that issue. And I don't think this amendment is worthy of support.

And I yield back.

Chairman ROS-LEHTINEN. The gentleman yields back.

Mr. Smith is recognized.

Mr. SMITH. Thank you, Madam Chair. I yield my time to Mr. Rohrabacher, Chairman Rohrabacher.

Chairman ROS-LEHTINEN. Mr. Rohrabacher?

Mr. ROHRABACHER. Yes, thank you very much.

Let me just note that when we—I think one of the biggest mistakes that I have made as a Member of Congress was believing the Bush administration when they told us we had to go into Iraq to eliminate Saddam Hussein. I admit it, I made a mistake. And I think it is important that we do admit our mistakes and make up for it and not just continue down with policies that are taking our country into bankruptcy and continuing leaving our people in harm's way.

Yes, I voted—but let me note that when my Democrat colleagues suggested an amendment, early on, that would have required the Iraqis to repay the money that we were spending to liberate them, I was one of the few Republicans, Mr. Berman, I was one of the few Republicans that sided with the Democrats when that amendment was proposed. I think there were three of us. And so I am not Johnny-come-lately to the idea that they should have been re-

quired to pay the price that we were putting out to liberate them from Saddam Hussein's vicious and monstrous dictatorship.

Let me also note that the Kuwaitis repaid us when we liberated Kuwait from Saddam Hussein's troops. There is no reason in the world why we couldn't expect that same position from the Iraqis.

And let us note that your party actually proposed that early on. I know because I sided with you and supported it. Well, now that they have committed that expenditure, I don't think it is wrong, the fact that we are going into a financial crisis, to ask them to repay some of that money.

And maybe we could also ask them—maybe it would be a good idea for them not to ally themselves with America's worst enemy and the worst enemy of freedom and security and stability in that region. They are allying themselves with the mullah dictatorship in Iran. There is no reason why we shouldn't ask that they not do that and use our influence and, if they decide that they are going to do it, pull our support for them. Let them know there are consequences if they ally themselves with people who are dedicated to the destruction of Israel and the instability of the region and enemies of the United States.

Let me also note, I don't think there is anything wrong with holding a government accountable for massacring civilians, massacring unarmed people at a refugee camp, doing the dirty work for the mullah regime. And if there was anything that indicated that these people—that the current Government of Iraq are going to be doing the bidding of the ayatollahs and the mullah regime, it was this massacre that happened of unarmed people at Camp Ashraf.

So, considering all of those details and the points that I have made—number one, the Kuwaitis repaid us; number two, it was the position of your party, Mr. Berman, that suggested repayment early on, which I supported; and the current trend among the leadership of Iraq today is to head toward making an alliance with our enemies, the mullahs in Iran—all of that suggests to me that we should cut off spending any more of our limited money to support that regime.

And we should get our troops out of that country as soon as possible, as well. So whether it is Afghanistan or Iraq, it is time for us to start building a better future and having the courage to leave behind policies that are counterproductive and helping our enemies.

And so that is why I would suggest it is time to stop acting like fools and financing our enemies and financing people who are making themselves allies of our enemies. I would ask my colleagues to support my amendment to defund the foreign aid that is going to Iraq.

Chairman ROS-LEHTINEN. Do any members seek recognition on the Rohrabacher amendment?

Thank you.

Hearing no further speakers, pursuant to committee rule 4 and the prior announcement of the Chair, the recorded vote on this amendment is postponed until 9:15 a.m. today, Thursday. Thank you.

And just for clarity—I am not good with the mumbo jumbo—without objection, the amendment offered by Mr. Deutch on inter-

national narcotics control and law enforcement is adopted. Because I said it is "accepted," and that is not the right phrase. So, just to be clear.

And now we have Mr. Fortenberry's amendment.

Mr. FORTENBERRY. Madam Chair, I have an amendment at the desk.

Chairman ROS-LEHTINEN. The clerk will report the amendment.

Mr. FORTENBERRY. No. 66.

Chairman ROS-LEHTINEN. Which one, sir?

Mr. FORTENBERRY. 66. Oh, I am being told no. I don't know why.

Chairman ROS-LEHTINEN. I think it is—she has the right one for you. You can trust her. I don't know about that one on your right, but the one in front of you.

Mr. FORTENBERRY. Can I ask unanimous consent to hear that one right now, even though it has been moved to——

Chairman ROS-LEHTINEN. It has to be on this title, as we had discussed.

Mr. FORTENBERRY. I know, but I have sat here for——

Chairman ROS-LEHTINEN. No. We were pretty clear. I am sorry. We are on title IV, and that is the one that we will be debating. And we will be debating it until it ends. So whatever you have for title IV, we will take.

Mr. FORTENBERRY. Well, let's move to the first one we have. I think we have two.

Well, Madam Chair, while we straighten out the other issue, No. 64.

Chairman ROS-LEHTINEN. The clerk will let us know if that is on title IV?

Ms. CARROLL. Yes, ma'am.

Chairman ROS-LEHTINEN. Great. The clerk will report the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Fortenberry of Nebraska and Mr. Payne of New Jersey. At the end of title IV, add the following: Section 4xx. Sense of Congress regarding reducing malaria prevalence and——

Chairman ROS-LEHTINEN. Thank you. With unanimous consent, we will dispense with the reading. And Mr. Fortenberry is recognized for 5 minutes to explain his amendment. And I think that we are on our road to victory.

[The information referred to follows:]

AMENDMENT TO H.R. __

OFFERED BY MR. FORTENBERRY OF NEBRASKA & PAYNE

(Foreign Relations Authorization Act, Fiscal Year 2012)

At the end of title IV, add the following:

1 **SEC. 4xx. SENSE OF CONGRESS REGARDING REDUCING MA-**
2 **LARIA PREVALENCE AND DEATHS.**

3 (a) FINDINGS.—Congress finds the following:

4 (1) Malaria is a leading cause of death and dis-
5 ease in many developing countries, despite being
6 completely preventable and treatable.

7 (2) According to the Centers for Disease Con-
8 trol and Prevention, 35 countries, the majority of
9 them in sub-Saharan Africa, account for 98 percent
10 of global malaria deaths.

11 (3) Young children and pregnant women are
12 particularly vulnerable and disproportionately af-
13 fected by malaria.

14 (4) Malaria greatly affects child health, with es-
15 timates that children under the age of 5 account for
16 85 percent of malaria deaths each year.

17 (5) Malaria poses great risks to maternal
18 health, causing complications during delivery, ane-
19 mia, and low birth weights, with estimates that ma-

1 laria infection causes 400,000 cases of severe mater-
2 nal anemia and from 75,000 to 200,000 infant
3 deaths annually in sub-Saharan Africa.
4 (6) Heightened national, regional, and inter-
5 national efforts to prevent and treat malaria over re-
6 cent years have made measurable progress and have
7 helped save hundreds of thousands of lives.
8 (7) The World Health Organization's World
9 Malaria Report 2010 reports that in 2010, more Af-
10 rican households (42 percent) owned at least one in-
11 secticide-treated mosquito net (ITN), more children
12 under 5 years of age (35 percent) were using an
13 ITN compared to previous years, and household ITN
14 ownership reached more than 50 percent in 19 Afri-
15 can countries.
16 (8) The World Health Organization's World
17 Malaria Report 2010 further states that a total of
18 11 countries and one area in the African region
19 showed a reduction of more than 50 percent in ei-
20 ther confirmed malaria cases or malaria admissions
21 and deaths in recent years (Algeria, Botswana, Cape
22 Verde, Eritrea, Madagascar, Namibia, Rwanda, Sao
23 Tome and Principe, South Africa, Swaziland, Zam-
24 bia, and Zanzibar, United Republic of Tanzania),

and that in all countries, the decreases are associated with intense malaria control interventions.

(9) Continued national, regional, and international investment is critical to continue to reduce malaria deaths and to prevent backsliding in those areas where progress has been made.

(10) The United States Government has played a major leadership role in the recent progress made toward reducing the global burden of malaria, particularly through the President's Malaria Initiative (PMI) and the United States contribution to the Global Fund to Fight AIDS, Tuberculosis, and Malaria.

(11) Recognizing the burden of malaria on many partner countries, PMI has set the target for 2015 of reducing the burden of malaria by 50 percent for 450,000,000 people, representing 70 percent of the at-risk population in Africa.

(b) SENSE OF CONGRESS.—Congress—

(1) supports the achievable target of ending malaria deaths by 2015;

(2) recognizes the importance of reducing malaria prevalence and deaths to improve overall child and maternal health, especially in sub-Saharan Africa;

1 (3) commends the recent progress made toward
2 reducing global malaria deaths and prevalence, par-
3 ticularly through the efforts of the President's Ma-
4 laria Initiative and the Global Fund to Fight AIDS,
5 Tuberculosis, and Malaria;
6 (4) welcomes ongoing public-private partner-
7 ships to research and develop more effective and af-
8 fordable tools for malaria diagnosis, treatment, and
9 vaccination;
10 (5) supports continued leadership by the United
11 States in bilateral and multilateral efforts to combat
12 malaria; and
13 (6) encourages other members of the inter-
14 national community to sustain and scale up their
15 support and financial contributions for efforts world-
16 wide to combat malaria.

☒

Mr. FORTENBERRY. Thank you, Madam Chair.

I should say from the outset, I am pleased to join my colleague, Mr. Payne, in this amendment, who co-chairs the Congressional Malaria and Neglected Tropical Diseases Caucus, in sponsoring this amendment related to U.S. global leadership on malaria.

For members who are not a part of the caucus, you might ask why the United States leads the world in this particular disease. Simply because it is hard for Americans to sit idly by while the vulnerable are afflicted by a treatable and preventable disease. Our leadership on this is good for humanity. It also builds good relationships in some of the most troubled countries across the world. And like much of our humanitarian assistance, it aids in global stabilization and, therefore, national security.

Malaria is a life-threatening but preventable disease that the U.S. defeated in the 1950s, but other nations are still struggling to eradicate it. The majority of those killed are pregnant women and children under 5 years old. A child dies every 45 seconds from ma-

laria in Africa alone. And 98 percent of all malaria deaths occur in just 35 countries, the majority of which are in sub-Saharan Africa.

But we can end this disease. America has asserted strong global leadership to help vulnerable persons, particularly children. We have seen that investments in malaria and neglected tropical diseases control efforts reap significant success, but the serious work does also remain. This amendment simply reaffirms our commitment to global leadership on working to end malaria deaths by 2013, and I urge my colleagues to support this essential——

Mr. BERMAN. Will the gentleman yield?

Chairman ROS-LEHTINEN. Yes, Mr. Fortenberry, if you will yield to Mr. Berman.

Mr. BERMAN. Yes. I thank the gentleman for yielding. It is a very good amendment and I intend to support it. But I do have to say that none of the goals that you want to see achieved, and they are very important, and I am very glad you are doing this—but none of them can be achieved when you don't allow assistance to countries that are below the median in the Millennium Challenge's corruption index, or didn't vote with us more than 50 percent of the time.

All I ask is somewhere we square what we want to see happen with what we do on these other amendments and rationalize the two together because you outlined a whole series of things we want to accomplish and you can't do it——

Chairman ROS-LEHTINEN. Reclaiming his time, Mr. Fortenberry.

Mr. FORTENBERRY. I know it is late. Am I dreaming or have I heard this before?

Mr. BERMAN. You mean the notion that we should be accountable for how amendments relate to each other?

Mr. FORTENBERRY. It was an attempt at levity, but clearly it was missed.

Mr. BERMAN. It was definitely missed, but I am not sure any level of levity would have been caught.

It was not an attack on your levity.

Mr. FORTENBERRY. I understand. All right. I still control the time. Do you have anything else to say? Or I will yield back. I yield back.

Chairman ROS-LEHTINEN. Thank you. I believe that we like the amendment and we are ready to accept it. And before I call for the vote, I would like to tell you, Mr. Fortenberry, that if we just change the title in your next amendment, it will be kosher.

Mr. FORTENBERRY. How do I do that, Madam Chair?

Chairman ROS-LEHTINEN. We will show you magically. And hearing no further speakers—oh, yes, Mr. Berman.

Mr. BERMAN. I would like to think about that amendment the gentleman wanted to offer, was supposed to come in title VIII. Why not let that come in title VIII so we can learn a little more about this amendment which I have never seen until a couple of minutes ago, rather than—was it in title VIII?

Chairman ROS-LEHTINEN. I think he misclassified and it—and I won't get in the way of this, Mr. Fortenberry. Let's just end with this amendment.

Mr. FORTENBERRY. Are we still in the malaria amendment?

Chairman ROS-LEHTINEN. We would like to pass your amendment and—no? We would like to consider it, of course. But hearing no further speakers, pursuant to committee rule 4 and the prior announcement of the Chair, the recorded vote on the Fortenberry amendment on malaria with Mr. Payne is postponed until 9:15 a.m. today, Thursday.

Now, we will start the discussion on Mr. Fortenberry's other amendment. And let's get in the proper posture and then you will make your suggestion of having it be at the proper place.

We have not called it up. Would you like to be in a colloquy with Mr. Fortenberry before we call up that amendment? Mr. Fortenberry?

Mr. FORTENBERRY. Are you recognizing me, Madam Chair?

Yes.

Chairman ROS-LEHTINEN. Before I call up your amendment, Mr.—what is your name? Berman—has a question and he is wondering about the proper title.

Mr. BERMAN. All amendments that are, with the exception of this amendment, have been for title IV have been completed. There are no outstanding amendments. My preference if we—there is no amendment ready to be offered at this time because there is no amendment at the desk, as far as I understand it, that amends title IV. I prefer, but that point may no longer be correct. Is there an amendment at the desk on title IV?

Ms. CARROLL. Yes, sir.

Mr. BERMAN. And is it stapled? I'm just kidding.

Ms. CARROLL. No, it is not.

Chairman ROS-LEHTINEN. Mr. Fortenberry has an amendment at the desk. The clerk will report the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Fortenberry of Nebraska. At the end of title IV, add the following: Section [blank]. Statement of policy and report on sex-selection abortion.——

Chairman ROS-LEHTINEN. We need to have a copy of that amendment. While that is handed out, Mr. Fortenberry is recognized for 5 minutes to explain his amendment.

[The information referred to follows:]

AMENDMENT TO H.R. __

OFFERED BY MR. FORTENBERRY OF NEBRASKA

(Foreign Relations Authorization Act, Fiscal Year 2012)

At the end of title ~~VIII~~ IV, add the following:

1 **SEC. ~~[illegible]~~. STATEMENT OF POLICY AND REPORT ON SEX-SE-**
2 **LECTION ABORTION.**

3 (a) STATEMENT OF POLICY.—It shall be the policy
4 of the United States to declare sex-selection abortion a
5 human rights violation.

6 (b) AMENDMENTS.—The Foreign Assistance Act of
7 1961 is amended—

8 (1) in section 116 (22 U.S.C. 2151n), by add-
9 ing at the end the following:

10 "(g) SEX-SELECTION ABORTION.—The report re-
11 quired by subsection (d) of this section shall include, wher-
12 ever applicable, systematic assessments and conclusions of
13 the extent and nature of sex-selection abortion in each for-
14 eign country."; and

15 (2) in section 502B (22 U.S.C. 2304), by add-
16 ing at the end the following:

17 "(j) SEX-SELECTION ABORTION.—The report re-
18 quired by subsection (b) of this section shall include, wher-
19 ever applicable, systematic assessments and conclusions of

1 the extent and nature of sex-selection abortion in each for-
2 eign country.".

☒

Mr. FORTENBERRY. Thank you, Madam Chair.

I apologize for the confusion here.

It was my intent to offer this in section 4 all day. But I do offer this amendment to draw attention to an abhorrent human rights violation that the United States has not yet officially acknowledged in its annual human rights report, namely the practice of targeting unborn girls for abortion simply because they are girls.

The United States Congress has condemned China for this practice, but I believe it is time to elevate international scrutiny of this new human rights effrontery. The tragic practice known as gendercide, the intentional infanticide of baby girls, which reports indicate has claimed the lives of over 100 million girls in China and is responsible for a staggering demographic imbalance in that nation will also drive the pernicious practice of human trafficking in the future.

According to a 2006 Zogby poll, 86 percent of Americans think that discriminatory practice of sex selected abortion should be illegal. And across the political spectrum, this serious issue is being given much more attention. The U.N. population fund, for instance, found that 50 million are girls missing in India because of gendercide. A recent survey by TrustLaw, a project through Reuters, ranked India as one of the worst countries for women in the world because of this plight.

Amnesty International as well has shed light on this problem recently.

Madam Chairman, I think as a government, we also need to shed light on the issue of sex-selection abortion, which has been widely denounced by the U.S. medical community.

One way to do that effectively is to call it out for what it is, and make sure that the United States is on record in opposition to this egregious human rights violation.

Chairman ROS-LEHTINEN. Hearing no further requests for recognition, the question occurs on the amendment——

Mr. SMITH. I will be brief.

Chairman ROS-LEHTINEN. All those in favor, signify by saying——

Oh, Mr. Smith.

Mr. SMITH. I know it is late, but this is an extraordinarily important human rights issue, and I do thank the chair for yielding. Where are China's missing girls? By the tens of millions, they are gone, victims of the earliest form of discrimination against the girl child, sex-selective abortion. Ten years ago—ten years ago—the U.S. Department of State reported in the Country Reports of

Human Rights Practices that there may be as many as 100 million girls missing. And they cited Chinese demographers in stating that.

China's forced abortion policy, and, as a direct consequence, its missing girls, constitutes a massive crime against women and the girl child. And as my colleague, Mr. Fortenberry, pointed out, it is also creating a huge magnet for sex trafficking.

Finally, everyone remembers Chai Ling, that great leader of China human rights at Tiananmen Square, and combating human rights and pushing for freedom. She now heads up a group called All Girls Allowed. And what they are trying to do at All Girls Allowed is to make the world aware of this horrible crime of gendercide, especially as it relates to sex-selective abortions where ultrasounds are used to find, discover the sex of the baby, and when the girl is discovered, she is decimated. She is destroyed.

She said at a press conference that I was a part of just the other day that the three most dangerous words today in both China and in India are: "It's a girl."

I yield back.

Chairman ROS-LEHTINEN. Thank you so much, Mr. Smith.

Hearing no further requests for recognition, the question occurs on the amendment.

All those in favor, signify by saying aye.

Aye.

Opposed, no.

In the opinion of the Chair the ayes have it, and the amendment is agreed to.

And with that, I believe that we, our committee is recessed until 9:15, will be the first vote as agreed upon.

So come early.

Grab a good seat. Thank you. Thank you, Mr. Berman. Thank you, Mr. Fortenberry. Thank you, Mr. Smith. Thank you Mr. Rohrabacher. Hardy ones until the end.

[Whereupon, at 2:15 a.m., the committee was adjourned, to be reconvened at 9:15 a.m., Thursday, July 21, 2011.]

THURSDAY, JULY 21, 2011

The committee met, pursuant to notice, at 9:18 a.m., in room 2172, Rayburn House Office Building, Hon. Ileana Ros-Lehtinen (chairman of the committee) presiding.

Chairman ROS-LEHTINEN. Good morning. The committee will come to order. Because I see Mr. Berman here.

Pursuant to the announcement of the Chair, ratified by unanimous consent of the committee, we are resuming our consideration of H.R. 2583, the Foreign Affairs Authorization Act, beginning immediately with a series of 5 rolled and recorded votes remaining from our consideration of title IV, which concluded at 2:07 a.m. In addition to being placed at your desk during consideration, copies of these amendments were sent to each of your offices at 2:43 a.m. Those votes will be taken in the same order listed in that 2:43 a.m. notice which is as follows: Number one, Mr. Berman, 613, Strike section 412, Mexico City language; second vote, Berman 582, Quadrennial diplomacy and development review. Third vote, Rohrabacher 033, Limitation on assistance to Pakistan; Rohrabacher 039, Limitation on assistance to Iraq; and No. 5, Fortenberry-Payne 064, Sense of Congress regarding reducing malaria prevalence and death.

The clerk will now call the roll on the Berman 613, Strike section 412, Mexico City language. The clerk will call the roll.

Ms. CARROLL. Madam Chairman?

Chairman ROS-LEHTINEN. No.

Ms. CARROLL. The chairman votes no.

Mr. Smith?

Mr. SMITH. No.

Ms. CARROLL. Mr. Smith votes no.

Mr. Burton?

[No response.]

Ms. CARROLL. Mr. Gallegly?

Mr. GALLEGLY. No.

Ms. CARROLL. Mr. Gallegly votes no.

Mr. Rohrabacher?

Mr. ROHRABACHER. No.

Ms. CARROLL. Mr. Rohrabacher votes no.

Mr. Manzullo?

Mr. MANZULLO. No.

Ms. CARROLL. Mr. Manzullo votes no.

Mr. Royce?

Mr. ROYCE. No.

Ms. CARROLL. Mr. Royce votes no.

Mr. Chabot?

Mr. CHABOT. No.

Ms. CARROLL. Mr. Chabot votes no.

Mr. Paul?
[No response.]
Ms. CARROLL. Mr. Pence?
Mr. PENCE. No.
Ms. CARROLL. Mr. Pence votes no.
Mr. Wilson?
Mr. WILSON OF SOUTH CAROLINA. No.
Ms. CARROLL. Mr. Wilson votes no.
Mr. Mack?
Mr. MACK. No.
Ms. CARROLL. Mr. Mack votes no.
Mr. Fortenberry?
Mr. FORTENBERRY. No.
Ms. CARROLL. Mr. Fortenberry votes no.
Mr. McCaul?
Mr. MCCAUL. No.
Ms. CARROLL. Mr. McCaul votes no.
Mr. Poe?
Mr. POE. No.
Ms. CARROLL. Mr. Poe votes no.
Mr. Bilirakis?
Mr. BILIRAKIS. No.
Ms. CARROLL. Mr. Bilirakis votes no.
Ms. Schmidt?
Mrs. SCHMIDT. No.
Ms. CARROLL. Ms. Schmidt votes no.
Mr. Johnson?
Mr. JOHNSON. No.
Ms. CARROLL. Mr. Johnson votes no.
Mr. Rivera?
Mr. RIVERA. No.
Ms. CARROLL. Mr. Rivera votes no.
Mr. Kelly?
Mr. KELLY. No.
Ms. CARROLL. Mr. Kelly votes no.
Mr. Griffin?
Mr. GRIFFIN. No.
Ms. CARROLL. Mr. Griffin votes no.
Mr. Marino?
Mr. MARINO. No.
Ms. CARROLL. Mr. Marino votes no.
Mr. Duncan?
Mr. DUNCAN. No.
Ms. CARROLL. Mr. Duncan votes no.
Ms. Buerkle?
Ms. BUERKLE. No.
Ms. CARROLL. Ms. Buerkle votes no.
Mrs. Ellmers?
Mrs. ELLMERS. No.
Ms. CARROLL. Ms. Ellmers votes no.
Mr. Berman?
Mr. BERMAN. Aye.
Ms. CARROLL. Mr. Berman votes aye.
Mr. Ackerman?

Mr. ACKERMAN. Aye.
Ms. CARROLL. Mr. Ackerman votes aye.
Mr. Faleomavaega?
Mr. FALEOMAVAEGA. Aye.
Ms. CARROLL. Mr. Faleomavaega votes aye.
Mr. Payne?
Mr. PAYNE. Aye.
Ms. CARROLL. Mr. Payne votes aye.
Mr. Sherman?
Mr. SHERMAN. Aye.
Ms. CARROLL. Mr. Sherman votes aye.
Mr. Engel?
[No response.]
Ms. CARROLL. Mr. Meeks?
Mr. MEEKS. Aye.
Ms. CARROLL. Mr. Meeks votes aye.
Mr. Carnahan?
Mr. CARNAHAN. Aye.
Ms. CARROLL. Mr. Carnahan votes aye.
Mr. Sires?
Mr. SIRES. Aye.
Ms. CARROLL. Mr. Sires votes aye.
Mr. Connolly?
Mr. CONNOLLY. Aye.
Ms. CARROLL. Mr. Connolly votes aye.
Mr. Deutch?
Mr. DEUTCH. Aye.
Ms. CARROLL. Mr. Deutch votes aye.
Mr. Cardoza?
Mr. CARDOZA. Aye.
Ms. CARROLL. Mr. Cardoza votes aye.
Mr. Chandler?
Mr. CHANDLER. No.
Ms. CARROLL. Mr. Chandler votes no.
Mr. Higgins?
Mr. HIGGINS. Yes.
Ms. CARROLL. Mr. Higgins votes aye.
Ms. Schwartz?
Ms. SCHWARTZ. Aye.
Ms. CARROLL. Ms. Schwartz votes aye.
Mr. Murphy?
Mr. MURPHY. Aye.
Ms. CARROLL. Mr. Murphy votes aye.
Ms. Wilson?
Ms. WILSON OF FLORIDA. Aye.
Ms. CARROLL. Ms. Wilson votes aye.
Ms. Bass?
[No response.]
Ms. CARROLL. Mr. Keating?
Mr. KEATING. Aye.
Ms. CARROLL. Mr. Keating votes aye.
Mr. Cicilline?
Mr. CICILLINE. Aye.
Ms. CARROLL. Mr. Cicilline votes aye.

Chairman ROS-LEHTINEN. Have all members been recorded. Mr. Burton?

Mr. BURTON. How am I recorded?

Ms. CARROLL. You are not recorded, sir.

Mr. BURTON. No.

Ms. CARROLL. Mr. Burton votes no.

Chairman ROS-LEHTINEN. Have all members been recorded? The clerk will report the vote.

Ms. CARROLL. Madam Chairman, on that vote there are 17 ayes and 25 noes.

Chairman ROS-LEHTINEN. The noes have it and the question is not agreed to.

Next we will vote on Berman 528. Quadrennial diplomacy and development refer. The clerk will call the roll on the Berman 582 amendment.

Ms. CARROLL. Madam Chairman?

Chairman ROS-LEHTINEN. No.

Ms. CARROLL. The chairman votes no.

Mr. Smith?

Mr. SMITH. No.

Ms. CARROLL. Mr. Smith votes no.

Mr. Burton?

Mr. BURTON. No.

Ms. CARROLL. Mr. Burton votes no.

Mr. Gallegly?

Mr. GALLEGLY. No.

Ms. CARROLL. Mr. Gallegly votes no.

Mr. Rohrabacher?

Mr. ROHRABACHER. No.

Ms. CARROLL. Mr. Rohrabacher votes no.

Mr. Manzullo?

Mr. MANZULLO. No.

Ms. CARROLL. Mr. Manzullo votes no.

Mr. Royce?

Mr. ROYCE. No.

Ms. CARROLL. Mr. Royce votes no.

Mr. Chabot?

Mr. CHABOT. No.

Ms. CARROLL. Mr. Chabot votes no.

Mr. Paul?

[No response.]

Ms. CARROLL. Mr. Pence?

Mr. PENCE. No.

Ms. CARROLL. Mr. Pence votes no.

Mr. Wilson?

Mr. WILSON OF SOUTH CAROLINA. No.

Ms. CARROLL. Mr. Wilson votes no.

Mr. Mack?

Mr. MACK. No.

Ms. CARROLL. Mr. Mack votes no.

Mr. Fortenberry?

Mr. FORTENBERRY. No.

Ms. CARROLL. Mr. Fortenberry votes no.

Mr. McCaul?

Mr. MCCAUL. No.
Ms. CARROLL. Mr. McCaul votes no.
Mr. Poe?
Mr. POE. No.
Ms. CARROLL. Mr. Poe votes no.
Mr. Bilirakis?
Mr. BILIRAKIS. No.
Ms. CARROLL. Mr. Bilirakis votes no.
Ms. Schmidt?
Mrs. SCHMIDT. No.
Ms. CARROLL. Ms. Schmidt votes no.
Mr. Johnson?
Mr. JOHNSON. No.
Ms. CARROLL. Mr. Johnson votes no.
Mr. Rivera?
Mr. RIVERA. No.
Ms. CARROLL. Mr. Rivera votes no.
Mr. Kelly?
Mr. KELLY. No.
Ms. CARROLL. Mr. Kelly votes no.
Mr. Griffin?
Mr. GRIFFIN. No.
Ms. CARROLL. Mr. Griffin votes no.
Mr. Marino?
Mr. MARINO. No.
Ms. CARROLL. Mr. Marino votes no.
Mr. Duncan?
Mr. DUNCAN. No.
Ms. CARROLL. Mr. Duncan votes no.
Ms. Buerkle?
Ms. BUERKLE. No.
Ms. CARROLL. Ms. Buerkle votes no.
Mrs. Ellmers?
Mrs. ELLMERS. No.
Ms. CARROLL. Ms. Ellmers votes no.
Mr. Berman?
Mr. BERMAN. Aye.
Ms. CARROLL. Mr. Berman votes aye.
Mr. Ackerman?
Mr. ACKERMAN. Aye.
Ms. CARROLL. Mr. Ackerman votes aye.
Mr. Faleomavaega?
Mr. FALEOMAVAEGA. Aye.
Ms. CARROLL. Mr. Faleomavaega votes aye.
Mr. Payne?
Mr. PAYNE. Aye.
Ms. CARROLL. Mr. Payne votes aye.
Mr. Sherman?
Mr. SHERMAN. Aye.
Ms. CARROLL. Mr. Sherman votes aye.
Mr. Engel?
[No response.]
Ms. CARROLL. Mr. Meeks?
Mr. MEEKS. Aye.

Ms. CARROLL. Mr. Meeks votes aye.
Mr. Carnahan?
Mr. CARNAHAN. Aye.
Ms. CARROLL. Mr. Carnahan votes aye.
Mr. Sires?
Mr. SIRES. Aye.
Ms. CARROLL. Mr. Sires votes aye.
Mr. Connolly?
Mr. CONNOLLY. Aye.
Ms. CARROLL. Mr. Connolly votes aye.
Mr. Deutch?
Mr. DEUTCH. Aye.
Ms. CARROLL. Mr. Deutch votes aye.
Mr. Cardoza?
Mr. CARDOZA. Aye.
Ms. CARROLL. Mr. Cardoza votes aye.
Mr. Chandler?
Mr. CHANDLER. No.
Ms. CARROLL. Mr. Chandler votes no.
Mr. Higgins?
Mr. HIGGINS. Yes.
Ms. CARROLL. Mr. Higgins votes aye.
Ms. Schwartz?
Ms. SCHWARTZ. Aye.
Ms. CARROLL. Ms. Schwartz votes aye.
Mr. Murphy?
Mr. MURPHY. Aye.
Ms. CARROLL. Mr. Murphy votes aye.
Ms. Wilson?
Ms. WILSON OF FLORIDA. Aye.
Ms. CARROLL. Ms. Wilson votes aye.
Ms. Bass?
[No response.]
Ms. CARROLL. Mr. Keating?
Mr. KEATING. Aye.
Ms. CARROLL. Mr. Keating votes aye.
Mr. Cicilline?
Mr. CICILLINE. Aye.
Ms. CARROLL. Mr. Cicilline votes aye.

Chairman ROS-LEHTINEN. Have all members been recorded? The clerk will report the vote.

Ms. CARROLL. Madam Chairman, on that vote, there are 18 ayes and 24 noes.

Chairman ROS-LEHTINEN. The noes have it and the question is not agreed to.

The next amendment is the Rohrabacher 033 limitation on assistance to Pakistan. The clerk will call the roll on the Rohrabacher Pakistan amendment.

Ms. CARROLL. Madam Chairman?
Chairman ROS-LEHTINEN. No.
Ms. CARROLL. The chairman votes no.
Mr. Smith?
Mr. SMITH. No.
Ms. CARROLL. Mr. Smith votes no.

Mr. Burton?
Mr. BURTON. Pass.
Ms. CARROLL. Mr. Burton passes.
Mr. Gallegly?
Mr. GALLEGLY. Pass.
Ms. CARROLL. Mr. Gallegly passes.
Mr. Rohrabacher?
Mr. ROHRABACHER. Yes.
Ms. CARROLL. Mr. Rohrabacher votes aye.
Mr. Manzullo?
Mr. MANZULLO. Aye.
Ms. CARROLL. Mr. Manzullo votes aye.
Mr. Royce?
Mr. Chabot?
Chairman ROS-LEHTINEN. Pass.
Mr. CHABOT. Aye.
Ms. CARROLL. Mr. Chabot votes no.
Chairman ROS-LEHTINEN. No.
Ms. CARROLL. I am sorry?
Chairman ROS-LEHTINEN. Mr. Chabot was a pass and Mr. Royce has not voted yet.
Ms. CARROLL. So noted.
Mr. Paul?
[No response.]
Ms. CARROLL. Mr. Pence?
Mr. PENCE. No.
Ms. CARROLL. Mr. Pence votes no.
Mr. Wilson?
Mr. WILSON OF SOUTH CAROLINA. No.
Ms. CARROLL. Mr. Wilson votes no.
Mr. Mack?
Mr. MACK. No.
Ms. CARROLL. Mr. Mack votes no.
Mr. Fortenberry?
Mr. FORTENBERRY. No.
Ms. CARROLL. Mr. Fortenberry votes no.
Mr. McCaul?
Mr. MCCAUL. No.
Ms. CARROLL. Mr. McCaul votes no.
Mr. Poe?
Mr. POE. Yes.
Ms. CARROLL. Mr. Poe votes aye.
Mr. Bilirakis?
Mr. BILIRAKIS. No.
Ms. CARROLL. Mr. Bilirakis votes no.
Ms. Schmidt?
Mrs. SCHMIDT. Pass.
Ms. CARROLL. I am sorry. Mrs. Schmidt, you passed?
Mrs. SCHMIDT. Yes.
Mrs. CARROLL. Mrs. Schmidt passes.
Mr. Johnson?
Mr. JOHNSON. No.
Ms. CARROLL. Mr. Johnson votes no.
Mr. Rivera?

Mr. RIVERA. No.
Ms. CARROLL. Mr. Rivera votes no.
Mr. Kelly?
Mr. KELLY. No.
Ms. CARROLL. Mr. Kelly votes no.
Mr. Griffin?
Mr. GRIFFIN. No.
Ms. CARROLL. Mr. Griffin votes no.
Mr. Marino?
Mr. MARINO. No.
Ms. CARROLL. Mr. Marino votes no.
Mr. Duncan?
Mr. DUNCAN. No.
Ms. CARROLL. Mr. Duncan votes no.
Ms. Buerkle?
Ms. BUERKLE. No.
Ms. CARROLL. Ms. Buerkle votes no.
Mrs. Ellmers?
Mrs. ELLMERS. No.
Ms. CARROLL. Ms. Ellmers votes no.
Mr. Berman?
Mr. BERMAN. No.
Ms. CARROLL. Mr. Berman votes no.
Mr. Ackerman?
Mr. ACKERMAN. No.
Ms. CARROLL. Mr. Ackerman votes no.
Mr. Faleomavaega?
Mr. FALEOMAVAEGA. No.
Ms. CARROLL. Mr. Faleomavaega votes no.
Mr. Payne?
Mr. PAYNE. No.
Ms. CARROLL. Mr. Payne votes no.
Mr. Sherman?
Mr. SHERMAN. No.
Ms. CARROLL. Mr. Sherman votes no.
Mr. Engel?
[No response.]
Ms. CARROLL. Mr. Meeks?
Mr. MEEKS. No.
Ms. CARROLL. Mr. Meeks votes no.
Mr. Carnahan?
Mr. CARNAHAN. No.
Ms. CARROLL. Mr. Carnahan votes no.
Mr. Sires?
Mr. SIRES. No.
Ms. CARROLL. Mr. Sires votes no.
Mr. Connolly?
Mr. CONNOLLY. No.
Ms. CARROLL. Mr. Connolly votes no.
Mr. Deutch?
Mr. DEUTCH. No.
Ms. CARROLL. Mr. Deutch votes no.
Mr. Cardoza?
Mr. CARDOZA. No.

Ms. CARROLL. Mr. Cardoza votes no.
Mr. Chandler?
Mr. CHANDLER. No.
Ms. CARROLL. Mr. Chandler votes no.
Mr. Higgins?
Mr. HIGGINS. No.
Ms. CARROLL. Mr. Higgins votes no.
Ms. Schwartz?
Ms. SCHWARTZ. No.
Ms. CARROLL. Ms. Schwartz votes no.
Mr. Murphy?
Mr. MURPHY. No.
Ms. CARROLL. Mr. Murphy votes no.
Ms. Wilson?
Ms. WILSON OF FLORIDA. No.
Ms. CARROLL. Ms. Wilson votes no.
Ms. Bass?
[No response.]
Ms. CARROLL. Mr. Keating?
Mr. KEATING. No.
Ms. CARROLL. Mr. Keating votes no.
Mr. Cicilline?
Mr. CICILLINE. No.
Ms. CARROLL. Mr. Cicilline votes no.
Chairman ROS-LEHTINEN. Have all members been recorded?
Mr. BURTON. Madam Clerk.
Ms. CARROLL. Mr. Royce votes aye.
Chairman ROS-LEHTINEN. You have more power than I do. Go ahead. You can recognize him.
Mr. BURTON. No.
Ms. CARROLL. Mr. Burton votes no.
Mr. GALLEGLY. No.
Ms. CARROLL. Mr. Gallegly votes no.
Mr. CHABOT. No.
Ms. CARROLL. Mr. Chabot votes no.
Mrs. SCHMIDT. No.
Ms. CARROLL. Mrs. Schmidt votes no.
Chairman ROS-LEHTINEN. We have Mr. Sherman, Mr. Engel.
Ms. CARROLL. Mr. Sherman.
Mr. SHERMAN. How am I recorded?
Ms. CARROLL. Mr. Sherman, you are recorded as voting no.
Mr. ENGEL. No.
Ms. CARROLL. Mr. Engel votes no.
Chairman ROS-LEHTINEN. Have all members been recorded? Is it possible that we could—Ms. Bass just came in. Ms. Bass, would you like to be recorded?
Ms. CARROLL. Ms. Bass votes no?
Chairman ROS-LEHTINEN. Correct. The clerk will report the vote.
Ms. CARROLL. Sorry. Just a moment, ma'am.
Chairman ROS-LEHTINEN. Yes, I am sorry.
Ms. CARROLL. Madam Chairman, there are 5 ayes and 39 noes.
Chairman ROS-LEHTINEN. Excuse me, could you say that again?
Ms. CARROLL. There are 5 ayes and 39 noes.

Chairman ROS-LEHTINEN. The noes have it and the question is not agreed to. The next vote will be the Rohrabacher 039 limitation on assistance to Iraq.

The clerk will call the roll on the Rohrabacher Iraq amendment.

Ms. CARROLL. Madam Chairman?

Chairman ROS-LEHTINEN. No.

Ms. CARROLL. The chairman votes no.

Mr. Smith?

Mr. SMITH. No.

Ms. CARROLL. Mr. Smith votes no.

Mr. Burton?

Mr. BURTON. No.

Ms. CARROLL. Mr. Burton votes no.

Mr. Gallegly?

Mr. GALLEGLY. No.

Ms. CARROLL. Mr. Gallegly votes no.

Mr. Rohrabacher?

Mr. ROHRABACHER. Aye.

Ms. CARROLL. Mr. Rohrabacher votes aye.

Mr. Manzullo?

Mr. MANZULLO. No.

Ms. CARROLL. Mr. Manzullo votes no.

Mr. Royce?

Mr. ROYCE. Aye.

Ms. CARROLL. Mr. Royce votes aye.

Mr. Chabot?

Mr. CHABOT. No.

Ms. CARROLL. Mr. Chabot votes no.

Mr. Paul?

[No response.]

Ms. CARROLL. Mr. Pence?

Mr. PENCE. No.

Ms. CARROLL. Mr. Pence votes no.

Mr. Wilson?

Mr. WILSON OF SOUTH CAROLINA. No.

Ms. CARROLL. Mr. Wilson votes no.

Mr. Mack?

Mr. MACK. No.

Ms. CARROLL. Mr. Mack votes no.

Mr. Fortenberry?

Mr. FORTENBERRY. No.

Ms. CARROLL. Mr. Fortenberry votes no.

Mr. McCaul?

Mr. MCCAUL. No.

Ms. CARROLL. Mr. McCaul votes no.

Mr. Poe?

Mr. POE. Pass.

Ms. CARROLL. Mr. Poe passes.

Mr. Bilirakis?

Mr. BILIRAKIS. No.

Ms. CARROLL. Mr. Bilirakis votes no.

Ms. Schmidt?

Mrs. SCHMIDT. No.

Ms. CARROLL. Ms. Schmidt votes no.

Mr. Johnson?
Mr. JOHNSON. No.
Ms. CARROLL. Mr. Johnson votes no.
Mr. Rivera?
Mr. RIVERA. No.
Ms. CARROLL. Mr. Rivera votes no.
Mr. Kelly?
Mr. KELLY. No.
Ms. CARROLL. Mr. Kelly votes no.
Mr. Griffin?
Mr. GRIFFIN. No.
Ms. CARROLL. Mr. Griffin votes no.
Mr. Marino?
Mr. MARINO. No.
Ms. CARROLL. Mr. Marino votes no.
Mr. Duncan?
Mr. DUNCAN. Aye.
Ms. CARROLL. Mr. Duncan votes aye.
Ms. Buerkle?
Ms. BUERKLE. No.
Ms. CARROLL. Ms. Buerkle votes no.
Mrs. Ellmers?
Mrs. ELLMERS. No.
Ms. CARROLL. Ms. Ellmers votes no.
Mr. Berman?
Mr. BERMAN. No.
Ms. CARROLL. Mr. Berman votes no.
Mr. Ackerman?
Mr. ACKERMAN. No.
Ms. CARROLL. Mr. Ackerman votes no.
Mr. Faleomavaega?
Mr. FALEOMAVAEGA. No.
Ms. CARROLL. Mr. Faleomavaega votes no.
Mr. Payne?
Mr. PAYNE. No.
Ms. CARROLL. Mr. Payne votes no.
Mr. Sherman?
Mr. SHERMAN. No.
Ms. CARROLL. Mr. Sherman votes no.
Mr. Engel?
Mr. ENGEL. No.
Ms. CARROLL. Mr. Engel votes no.
Mr. Meeks?
Mr. MEEKS. No.
Ms. CARROLL. Mr. Meeks votes no.
Mr. Carnahan?
Mr. CARNAHAN. No.
Ms. CARROLL. Mr. Carnahan votes no.
Mr. Sires?
Mr. SIRES. No.
Ms. CARROLL. Mr. Sires votes no.
Mr. Connolly?
Mr. CONNOLLY. No.
Ms. CARROLL. Mr. Connolly votes no.

Mr. Deutch?
Mr. DEUTCH. No.
Ms. CARROLL. Mr. Deutch votes no.
Mr. Cardoza?
Mr. CARDOZA. No.
Ms. CARROLL. Mr. Cardoza votes no.
Mr. Chandler?
Mr. CHANDLER. No.
Ms. CARROLL. Mr. Chandler votes no.
Mr. Higgins?
Mr. HIGGINS. No.
Ms. CARROLL. Mr. Higgins votes no.
Ms. Schwartz?
Ms. SCHWARTZ. No.
Ms. CARROLL. Ms. Schwartz votes no.
Mr. Murphy?
Mr. MURPHY. No.
Ms. CARROLL. Mr. Murphy votes no.
Ms. Wilson?
Ms. WILSON OF FLORIDA. No.
Ms. CARROLL. Ms. Wilson votes no.
Ms. Bass?
Ms. BASS. No.
Ms. CARROLL. Ms. Bass votes no.
Mr. Keating?
Mr. KEATING. No.
Ms. CARROLL. Mr. Keating votes no.
Mr. Cicilline?
Mr. CICILLINE. No.
Ms. CARROLL. Mr. Cicilline votes no.
Chairman ROS-LEHTINEN. Have all members been recorded?
Mr. POE. Yes.
Ms. CARROLL. Mr. Poe votes aye.
Chairman ROS-LEHTINEN. The clerk will report the vote.
Ms. CARROLL. Madam Chairman, on that vote there are 5 ayes and 39 noes.
Chairman ROS-LEHTINEN. The noes have it and the question is not agreed to. The last rolled vote is the Fortenberry-Payne 064 sense of Congress reducing malaria prevalence and death.
The clerk will now call the roll on the Fortenberry-Payne amendment.
Ms. CARROLL. Madam Chairman?
Chairman ROS-LEHTINEN. Yes.
Ms. CARROLL. The chairman votes aye.
Mr. Smith?
Mr. SMITH. Yes.
Ms. CARROLL. Mr. Smith votes aye.
Mr. Burton?
Mr. BURTON. Aye.
Ms. CARROLL. Mr. Burton votes aye.
Mr. Gallegly?
Mr. GALLEGLY. Aye.
Ms. CARROLL. Mr. Gallegly votes aye.
Mr. Rohrabacher?

Mr. ROHRABACHER. Yep.
Ms. CARROLL. Mr. Rohrabacher votes aye.
Mr. Manzullo?
Mr. MANZULLO. Aye.
Ms. CARROLL. Mr. Manzullo votes aye.
Mr. Royce?
Mr. ROYCE. Aye.
Ms. CARROLL. Mr. Royce votes aye.
Mr. Chabot?
Mr. CHABOT. Aye.
Ms. CARROLL. Mr. Chabot votes aye.
Mr. Paul?
[No response.]
Ms. CARROLL. Mr. Pence?
Mr. PENCE. Aye.
Ms. CARROLL. Mr. Pence votes aye.
Mr. Wilson?
Mr. WILSON OF SOUTH CAROLINA. Aye.
Ms. CARROLL. Mr. Wilson votes aye.
Mr. Mack?
Mr. MACK. Yes.
Ms. CARROLL. Mr. Mack votes aye.
Mr. Fortenberry?
Mr. FORTENBERRY. Yes.
Ms. CARROLL. Mr. Fortenberry votes aye.
Mr. McCaul?
Mr. MCCAUL. Aye.
Ms. CARROLL. Mr. McCaul votes aye.
Mr. Poe?
Mr. POE. Yes.
Ms. CARROLL. Mr. Poe votes aye.
Mr. Bilirakis?
Mr. BILIRAKIS. Yes.
Ms. CARROLL. Mr. Bilirakis votes aye.
Ms. Schmidt?
Mrs. SCHMIDT. Aye.
Ms. CARROLL. Ms. Schmidt votes aye.
Mr. Johnson?
Mr. JOHNSON. Aye.
Ms. CARROLL. Mr. Johnson votes aye.
Mr. Rivera?
[No response.]
Ms. CARROLL. Mr. Kelly?
Mr. KELLY. Aye.
Ms. CARROLL. Mr. Kelly votes aye.
Mr. Griffin?
Mr. GRIFFIN. Aye.
Ms. CARROLL. Mr. Griffin votes aye.
Mr. Marino?
Mr. MARINO. Yes.
Ms. CARROLL. Mr. Marino votes aye.
Mr. Duncan?
Mr. DUNCAN. Aye.
Ms. CARROLL. Mr. Duncan votes aye.

Ms. Buerkle?
Ms. BUERKLE. Aye.
Ms. CARROLL. Ms. Buerkle votes aye.
Mrs. Ellmers?
Mrs. ELLMERS. Aye.
Ms. CARROLL. Ms. Ellmers votes aye.
Mr. Berman?
Mr. BERMAN. Aye.
Ms. CARROLL. Mr. Berman votes aye.
Mr. Ackerman?
Mr. ACKERMAN. Aye.
Ms. CARROLL. Mr. Ackerman votes aye.
Mr. Faleomavaega?
Mr. FALEOMAVAEGA. Aye.
Ms. CARROLL. Mr. Faleomavaega votes aye.
Mr. Payne?
Mr. PAYNE. No.
Ms. CARROLL. Mr. Payne votes no.
Mr. Sherman?
Mr. SHERMAN. Aye.
Ms. CARROLL. Mr. Sherman votes aye.
Mr. Engel?
Mr. ENGEL. Aye.
Ms. CARROLL. Mr. Engel votes aye.
Mr. Meeks?
Mr. MEEKS. Aye.
Ms. CARROLL. Mr. Meeks votes aye.
Mr. Carnahan?
Mr. CARNAHAN. Aye.
Ms. CARROLL. Mr. Carnahan votes aye.
Mr. Sires?
Mr. SIRES. Aye.
Ms. CARROLL. Mr. Sires votes aye.
Mr. Connolly?
Mr. CONNOLLY. Aye.
Ms. CARROLL. Mr. Connolly votes aye.
Mr. Deutch?
Mr. DEUTCH. Aye.
Ms. CARROLL. Mr. Deutch votes aye.
Mr. Cardoza?
Mr. CARDOZA. Aye.
Ms. CARROLL. Mr. Cardoza votes aye.
Mr. Chandler?
Mr. CHANDLER. Aye.
Ms. CARROLL. Mr. Chandler votes aye.
Mr. Higgins?
Mr. HIGGINS. Aye.
Ms. CARROLL. Mr. Higgins votes aye.
Ms. Schwartz?
Ms. SCHWARTZ. Aye.
Ms. CARROLL. Ms. Schwartz votes aye.
Mr. Murphy?
Mr. MURPHY. Aye.
Ms. CARROLL. Mr. Murphy votes aye.

Ms. Wilson?

Ms. WILSON OF FLORIDA. Aye.

Ms. CARROLL. Ms. Wilson votes aye.

Ms. Bass?

Ms. BASS. Aye.

Ms. CARROLL. Ms. Bass votes aye.

Mr. Keating?

Mr. KEATING. Aye.

Ms. CARROLL. Mr. Keating votes aye.

Mr. Cicilline?

Mr. CICILLINE. Aye.

Ms. CARROLL. Mr. Cicilline votes aye.

Chairman ROS-LEHTINEN. Have all members been recorded?

Mr. RIVERA. Aye.

Ms. CARROLL. Mr. Rivera votes aye.

Chairman ROS-LEHTINEN. The clerk will report the vote.

Ms. CARROLL. Madam Chairman, on that vote there are 44 ayes and zero noes.

Chairman ROS-LEHTINEN. The ayes have it and the question is agreed to. Just so folks know, the Chair recognizes herself.

We are not aware of a large number of amendments for titles V, VI, and VII. So if the members will allow, we could proceed quickly through those titles and members wanting to offer amendments to title VIII should have their staff monitor our proceedings accordingly.

We will now proceed to title V. The clerk will designate the title.

Ms. CARROLL. Title V—United States International Broadcasting.

Chairman ROS-LEHTINEN. Are there any amendments to that title? Mr. Rohrabacher is recognized.

Mr. ROHRABACHER. I have an amendment at the desk.

Chairman ROS-LEHTINEN. If the clerk will read the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Rohrabacher of California. In section 501, strike "The following amounts" and insert the following: (a) In General. The following amounts. In section 501, add at the end of the following: (b) Limitation. Of the funds authorized to be appropriated to the Broadcasting Board of Governors, $15 million may only be obligated and expended for voice of America Mandarin and Cantonese language radio and satellite television broadcasting. Such funds may not be transferred or reprogrammed or obligated or expended for any other use.

[The information referred to follows:]

AMENDMENT TO H.R.

OFFERED BY M__. _____

In section 501, strike "The following amounts" and insert the following:

1 (a) IN GENERAL.—The following amounts

In section 501, add at the end the following:

2 (b) LIMITATION.—Of the funds authorized to be ap-
3 propriated to the Broadcasting Board of Governors,
4 $15,000,000 may only be obligated and expended for
5 Voice of America Mandarin and Cantonese language radio
6 and satellite television broadcasting. Such funds may not
7 be transferred or reprogrammed, or obligated or expended,
8 for any other use.

☒

Chairman ROS-LEHTINEN. Thank you. Mr. Rohrabacher is recognized to explain his amendment for 5 minutes.

Mr. ROHRABACHER. Thank you very much, Madam Chairman. This amendment walls off $15 million for Voice of America's China service. It does not increase the level of spending at Voice of America. It simply walls off that $15 million, which will allow them to maintain their radio and television broadcasts to China.

The Broadcasting Board of Governors plans to eliminate this October all Voice of America Mandarin and Cantonese radio and television broadcast into Communist China. They will let go over 40 journalists which a 2010 Department of State Inspector General review found to be "outstanding" and "dedicated." The Board of Governors claims this money is a savings move, but at the same time they are planning to hire more managers, going from 177 positions for Fiscal Year 2010 to a desired 250 next year. We need to de-

mand that the Board of Governors get more efficient, not cut broadcasts so they can continue to hire more people.

That is what my amendment will do. The Board of Governors says that the VOA can use the Internet to reach the people of China except that two-thirds of the people in China lack regular access to the Internet and even then VOA is censored. During times of crisis, we know that China that simply turned off the Internet to whole regions of their country. If the VOA relies on the Internet to communicate, they will be handing a kill switch to the Communist Party to use whenever they like.

When the Arab Spring began in Egypt, Mubarak turned off the Internet in an attempt to stifle protests, if the Board of Governors only had the ability to reach into Egypt over the Internet, if that was what they were limited to, they would have been totally cut off from communication at that pivotal moment in Egypt's history, and let us hope that they have a moment like that in China.

The Board of Governors says it can give another organization, Radio Free Asia the responsibility for short wave broadcasting, but they plan to slash the funding for Radio Free Asia as well, not to mention of course that Radio Free Asia has an entirely different mandate than the mission of VOA. For this year, VOA's Mandarin transmissions cost $1.3 million and Radio Free Asia's will be $3.2 million. Why is the Board of Governors trying to get rid of the cheaper broadcaster?

We should not surrender our irreplaceable broadcasting infrastructure this hastily. The Department of State Inspector General report from 2010 on the Chinese service concluded that since access to the Internet is more easily controlled than access to shortwave radio and satellite, the broadcasts remain the only dependable source for political news, especially during a crisis.

And finally, China spends billions of dollars on their international and national propaganda effort. And they are expanding the use of shortwave radio themselves. Reserving $15 million to make sure that a much larger segment of the Chinese population will have a chance to hear the truth from the Voice of America is money that is well spent, and we are not again increasing the level of spending. We are just making sure that they don't fire these people in the Chinese service and hire administrators with that money.

I would ask my colleagues for supporting this amendment.

Chairman ROS-LEHTINEN. The gentleman yields back. Mr. Berman is recognized for 5 minutes.

Mr. BERMAN. Yes, Madam Chairman. I rise in opposition to this amendment. This amendment is going to require that from the funds authorized in this bill, $15 million is limited to VOA Mandarin and Cantonese radio and satellite television broadcasting. In other words, it is an earmark, an earmark in effect that would cut out one of VOA Mandarin's truly effective and popular services, its Web site. The Web site is funded out of the $13.76 million currently spent for VOA Mandarin. Why wouldn't we want to cut funding for VOA's Internet programming, which reaches millions and millions of Chinese, at least—how many subscribers?

Mr. ROHRABACHER. Will the gentleman yield at this point?

Mr. BERMAN. No, I will not yield at this point. At least 12 million subscribers in order to maintain a radio that according to a BBG survey found that 1/10 of 1 percent of Chinese listened to due to Chinese jamming. One of the few places VOA programming is viewable, in this case a non-news art and entertainment program, is on cruise ships sailing out of Guangdong, China. In other words, if you are going for the weekend to Macau to play some blackjack, you can capture an entertainment program.

This amendment also harms VOA's ability to update its infrastructure because it takes money away from plans to transition VOA's filing systems into the digital age and to develop innovative new media technologies. This is what the experts tell us.

I understand there is an old principle that many people in my party used to hold on to to feather bedding, protect the jobs of people providing a service that isn't in demand and isn't getting utilized because we fear change. The fact is the way people are getting communications these days is changing. The Internet is what is growing. This will destroy the effort to expand and develop the Internet communications by our VOA. These are the professionals that run the show. This is not a political call. This is a call on whether—how best to achieve our purposes.

I urge we vote no on this earmark.

Chairman ROS-LEHTINEN. The gentleman yields. Mr. Manzullo is recognized.

Mr. MANZULLO. I visited Voice of America a couple of blocks from here several times. If you look at the original purpose of Voice of America, it is to get the message of freedom to people that otherwise are not hearing it. Voice of America touts itself as being the world's largest news gathering agency. They have translators hired in Washington and all over the world to do this. If you take a look at their Web site, to me it looks like a Web site from CNN, Fox News, ABC, and you begin to wonder at what point has Voice of America moved toward losing its mission. I think even if we are only reaching 1 percent of the people in China, it is a mistake to think that they would otherwise be able to hear the truth about what is going on through the Internet. That presumes that the Internet itself will not be monitored or censored in Asia.

I am going to join in Mr. Rohrabacher's amendment. It is far from perfect, but I think it sends the message that Voice of America may have to reevaluate its entire stature.

I would yield time to my friend from California.

Chairman ROS-LEHTINEN. Mr. Rohrabacher.

Mr. ROHRABACHER. Thank you very much. There is nothing, Mr. Berman, there is nothing in this amendment that prevents them—VOA from moving forward with an Internet system. This is not taking any money from anyone else. It is just suggesting that there instead of, for example, hiring 28 new administrators, which is part of VOA's plan, perhaps they should keep on the 40 journalists who deal with communicating directly with China. And, yeah, we understand this isn't Internet versus broadcasting by shortwave, although if you would like to make that comparison, let us just note that our corporations sinfully are over there helping the Communist Chinese try to understand exactly who is on the Internet. And unlike shortwave radio where the people who are engaged in

the Internet activity can be traced down and, unlike the shortwave radio, the Internet can then just be shut off. Now, yeah, there is a limited number of people who claim to listen to Voice of America. They think that the polls that are being cited are actually—they are not accurate because so many people are afraid to admit that they are listening to Voice of America because guess what, China is a vicious dictatorship and they would put themselves on a list by the government if they were known to be listeners of Voice of America.

No, this is not the time that we should be cutting off broadcasting to a big hunk of China that does not get the Internet. And maybe—I am not sure exactly how many people are listening, but it seems to me this is very symbolic and it offers an option at least for the people of China. And when there is a crisis that happens—and let us pray that there is a crisis in China because the people of China are our greatest ally in the cause of world peace. If they succeed as the people of Russia did in eliminating their Communist dictatorship, it will be a more peaceful world and the chance for peace will be greater. But during a moment of crisis when that change is in play, we should not have put ourselves in a position where the government can turn off the communications. And instead what we will have is a broadcasting alternative.

Sometimes I feel like Winston Churchill here a little bit talking about British broadcasts to Nazi Germany or maybe perhaps even policy toward Nazi Germany in 1937 and 1938 when he lost overwhelmingly everything he was proposing as well. But let us base it on fact. We are not preventing any Internet development there.

Chairman ROS-LEHTINEN. Mr. Manzullo yields his remaining 4 seconds. Mr. Connolly is recognized.

Mr. CONNOLLY. Thank you, Madam Chairman. And again thank you for the spirit in which you have conducted this markup. I very much appreciate it. My good friend from California just compared himself I think to Winston Churchill in 1938. And wow, our friend from California certainly has many attributes that remind one of that great historical figure.

Mr. ROHRABACHER. Do you mean I am losing everything?

Mr. CONNOLLY. More to the point, his citation of radio addresses by Winston Churchill in 1938 is quite apt because that is what this amendment really does. It freezes us in the technology of 1938. I understand the frustration of our friend about Chinese Government blocking activity, but look, I represent a high tech district. Technology changes by the day. The ability of governments to control that technology, its spread and its reach is increasingly limited. It is a difficult challenge.

Our friend from California points out only 30 percent of Chinese have access to Internet. I will remind you that 30 percent of 1.5 billion people is a lot of people. It is the opinion leaders in China. So we want to be using the Internet and we want to, in fact, help fund R&D to make sure that we can get around attempts by the central government to block the Internet, just like they block radio. What this amendment does is say that $15 million is sequestered exclusively for the technology of 1938 that our good friend refers to with the estimable Winston Churchill.

I think we need to be in the 21st century. We can't give up on technology just because the Chinese try to block it. And the very example our good friend from California uses is to be used against his argument. Despite attempts by governments to block people's access to Internet and e-mail and Twitter, in the Arab Spring country after country after country was able to communicate in an informal network that was nonetheless powerful and toppled long time autocratic regimes.

The power of technology is great. I want to preserve flexibility. I don't want to kill radio. But I don't want to say this $15 million can only be used for two purposes, radio and television.

Mr. ROHRABACHER. Will the gentleman yield for a question?

Mr. CONNOLLY. I will. We don't want to lock ourselves into that kind of rigid formula. We share goals. All of us share the goal of trying to see a freer society in China. We are debating about how best to do it. And I respectfully submit this would actually be counterproductive while I don't for a second question, however the nobility and the intention, and now I do yield to my colleague.

Mr. ROHRABACHER. You are of course aware that this does not prevent the development—with the rest of the huge budget they have got, their Internet service. But let me ask you this. Are you aware that China itself is expanding its use of shortwave and that if this was—is not as effective as you are suggesting, why are the Chinese then expanding their use of shortwave communication and we are just disregarding it?

Mr. CONNOLLY. Let me say to my friend, I think he asked two questions there. It is true that there are other resources, but the problem with this language is we are going to take $15 million and you can only use it for one. What if there is a breakthrough tomorrow or there is an opportunity tomorrow and we do want to shift some funds to be able to exploit that opportunity. This won't let us. This is a rigid formulaic micro-managing approach to what is a very complex subject that is changing by the day.

And so I want to preserve flexibility to achieve the same goal you and I share. I don't want to create a rigid barrier that prevents us from actually pursuing that with all the vigor we can. With respect to shortwave, that may be true, that also suggests to me that the Chinese Government is finding itself challenged by the ever changing technology field in terms of trying to stay up with it and communicate itself. So I want to have the flexibility so we can play at shortwave or radio or television or Internet, not put ourselves in a straitjacket. So I think the goal is noble, but I think that actually the formulation that we have come up with here actually hurts the goal, does not further the goal, and I would urge defeat of amendment.

I yield back.

Chairman ROS-LEHTINEN. Thank you. The gentleman yields back and the Chair recognizes herself for an announcement due to many requests. Pursuant to committee rule 4, the Chair announces that debate and voice votes on amendments will continue, but recorded votes will be rolled until 1 p.m.

With that, Mr. Royce is recognized for 5 minutes.

Mr. ROYCE. Yes, I think we need to be logical and somewhat open to how we craft this amendment. But I think at the same

time the VOA budget is ¾ of $1 billion. Colleagues, the budget is ¾ of $1 billion. And my concern here is the way that the Department of State Inspector General who was asked to report on the VOA's Chinese branch doesn't seem to be in concurrence with what he says, with what the Inspector General says about this, is that access to the Internet is more easily controlled than access to shortwave radio. What he says is shortwave radio and international radio and satellite remain the only dependable source of political news. And you have this explanation that China in the past simply disables the Internet for whole regions when they don't want news to get in, right? I think we ought to just be open minded as we go forward. If we are going to let go 40 journalists, if we are going to let go stringers who are out there on the ground in China getting us the information that is used, and especially when you look at the budget and you are going to put admin people in there, I think the idea here of crafting an amendment that in some way keeps open this possibility for radio broadcasting is important.

I do these shows. I have a friend who is Chinese and, with a translator, we do shows and I can tell you people call in from all over China. And she has bags and bags of mail that is actually mailed from China from people who listen to her programs. And they are very well-done. And so we do it with a translator, but from the translations I get, it seems to me it is enormously effective. And my concern is that we are going to allow the bureaucracy to make a decision on something that may not show up in the interviews. You do a survey and as you ask people are you listening to this, I know there is a problem in some cases, there is a problem with jamming. But a lot of these broadcasts get through, enough of them get through for people across China to be able to engage in talk shows and get information about what is actually going on and understand a different view other than the government's view.

I want us to be nimble enough here, open enough here that we basically adopt an amendment that guarantees that this isn't foreclosed as an option. If you think about the hacking that goes on now over at the Department of Defense in this country and our defense contractors by China, I don't think you can logically say that the Department of State's Inspector General report is wrong here about the ability of China to control the Internet. So members should be open to the idea that there should be some kind of minimal set-aside that keeps this kind of news open as long as it is a viable source of information. And I would suggest we adopt the amendment. As we go forward, we can continue to study it to see how we can ensure that we have both modes of technology deployed, but to allow the agency to foreclose something that has worked in the past—and I will give you one other suggestion here.

You know, the State Department is not always right, my friends. The State Department never wanted to broadcast into Yugoslavia. I had a Croatian journalist with tears in his eyes tell me that if only the State Department had allowed the kinds of broadcasts that went into Czechoslovakia to go into Yugoslavia, we wouldn't have had the kind of slaughter that we had because intelligent people did not have an option to listen to information and learn political pluralism, learn tolerance, learn democratic values.

Let us learn a little bit from history. Some things don't change. And one of them is the fact that people still use the radio to get information in large parts of the world. So I support this amendment. We can work later on how we tweak this. But we need to get it into the bill, and I yield back.

Chairman ROS-LEHTINEN. Thank you. Mr. Faleomavaega is recognized.

Mr. FALEOMAVAEGA. Thank you, Madam Chair. I thank my good friend from California for introducing this amendment. I don't necessarily agree with him philosophically on a lot of the amendments that he has proposed, but I do respect him, the ideas that he has shared with the members of the committee to the extent it is very thought provoking and, like my good friend, the chairman of our Subcommittee on Asia and the Pacific, the gentleman from Illinois, I also had visited the Voice of America office just across the street from here and actually I come away very impressed in terms of what they are trying to do. I kind of think that perhaps this proposed amendment we are micro-managing something that I think what my good friend the ranking member has said earlier, I think the current process in terms of how we—the administration of the VOA program, I think they are doing quite well. And I just want to express concern I think that perhaps we are micro-managing an entity or a situation like this. I wish we had held hearings or something to that effect to be more specific.

But that is just my general observation I want to share with my good friend for proposing this amendment. And I yield back.

Chairman ROS-LEHTINEN. The gentleman yields back. Mr. Smith is recognized.

Mr. SMITH. Thank you very much, Madam Chair. And to answer my good friend and colleague, Mr. Faleomavaega, Mr. Rohrabacher, Chairman Rohrabacher did have a hearing on this and I think it is very important that he has done his due diligence. I have looked into this myself. Members might recall that I held a series of hearings on the misuse of the Internet. We had Google, Microsoft, Yahoo!, and Cisco sitting right here telling us how they could not disclose what it was that they were censoring. Google since has come around and now supports the Global Online Freedom Act, which I have reintroduced—a bipartisan bill—and I would hope we can move to a markup to provide better access for Chinese people to the Internet without the government tracking their personally identifiable information on their e-mails, by putting them out of reach and also to disclose what is being censored.

But I think it should be underscored that it is extraordinarily hard for the Government of China to track radio use or satellite television use. So that when you go online in China, and I have done it, I have gone to the Internet cafes in Beijing, you type in any word that is taboo according to the Chinese propaganda office and you either get a spate of misinformation. For example, I put in "torture." I put in a guy named Manfred Nowak, the Special Rapporteur for Torture at the United Nations, and the only thing I got was article after article about Guantanamo and the Japanese occupation during World War II. Nothing about Manfred Nowak's incredibly incisive report that said that torture is commonplace, pervasive in China. If you are arrested in China for a crime, espe-

cially a faith-based crime; that is to say, that you want to act out or believe in or express your faith, you are tortured until you finally sign some kind of confession statement.

The Voice of America tells America's story. It is unique. It tells a story that is not being told in the People's Republic of China. Yes, the Falun Gong and others have done great things to pierce the great Chinese Internet firewall, and I am deeply regretful that the State Department is yet to fully fund with the money appropriated by people like Frank Wolf to get the money to people who know how to pierce that terrible firewall.

That said, this is a minimal, modest commitment of money to a world class operation that tells America's story. And I just want to thank Mr. Rohrabacher for offering this amendment, because any way we can pierce that Bamboo Curtain—remember the great statement, the Iron Curtain isn't soundproof? Well, the same goes for the Bamboo Curtain. And the people of China need to hear the truth about America rather than the distortion that is fed to them day in and day out by the dictatorship.

I yield to Mr. Rohrabacher.

Chairman ROS-LEHTINEN. Mr. Rohrabacher.

Mr. ROHRABACHER. Thank you very much. And let me just note, this is not micro-managing. This is not micro-managing. The bottom-line is we are setting some parameters on how we expect the money that we are responsible for will be spent, some broad parameters. And one of the broad parameters is that we are going to be in the arena of radio broadcasting and television broadcasting to China. There is no limitation on what will be done over the Internet by my amendment, none whatsoever. But when Voice of America, the board of broadcasters, the governors are eliminating 40 journalists to this volatile, to this important part of the world, they are eliminating 40 journalists and then adding on 28 administrators, yeah, maybe we can say, no, I think it is better that we keep our ability to communicate with Chinese people over the broadcasting.

Let me note, one of my proudest moments here on this committee was under Tom Lantos. And when Tom Lantos had a hearing and we had the President of Yahoo here talking about how he—and admitting how they had given in and were taking the direction and helping this dictatorship in China which resulted in the arrest of journalists, no, you cannot count on our people who are big Internet people to do the bidding of freedom. We need to make sure we maintain an alternative radio and television broadcasting system or again the Chinese people who are so important for the cause of peace in the long run, we can't cut them off from communication.

Chairman ROS-LEHTINEN. The gentleman's time has expired. The Chair recognizes herself for a markup notice. I would like to inform our members that Mr. Berman and I have asked our staffers to work out a time limitation for every amendment so that we can get through the bill. So we will let you know as soon as that accord is reached.

With that, Mr. Ackerman, is recognized for 5 minutes.

Mr. ACKERMAN. Thank you very much. I don't know why some thought it was humorous. The first thing that I think of when I think of the gentleman from California is Winston Churchill. He is

evocative of that actually, especially in the chapter of his long work that set alone as entitlement because the gentleman does very often stand alone. He will oppose Democratic and Republican administrations, even if he is the only one in the House sometimes and does so courageously, not always correctly, but certainly courageously.

But with that, let me first yield to Mr. Berman for——

Chairman ROS-LEHTINEN. Mr. Berman.

Mr. BERMAN. I just want to put in front of the members of the committee some information. Ownership and use of shortwave radio is in decline. The results from the BBG's 2010 survey in China showed that 1/10 of 1 percent of Chinese listen to VOA in Mandarin. Only 4/10 of 1 percent of respondents reported listening to any shortwave radio broadcast in the previous week.

Mr. POE. Will the gentleman yield for a question?

Mr. BERMAN. It is the gentleman's time, certainly if the gentleman——

Mr. POE. I just want to know how many people that is, that percentage, how many people that is.

Mr. BERMAN. One-tenth of 1 percent of China is 1.2 million people out of the 1.2 billion.

Mr. POE. I thank the gentleman.

Mr. BERMAN. The Internet services to VOA have 12 million subscribers. So—and only 4/10 of 1 percent listen to any shortwave radio broadcast. This year's survey of 8,635 Chinese adults in the sampling found 2 weekly listeners to Radio Free Asia Mandarin, 3 weekly listeners to VOA Mandarin. For annual listeners, RFA Mandarin had 5 listeners and VOA Mandarin had 10 listeners. And I do take my friend from California's point, surveys of people—methodology and the freedom of the people to feel they can answer questions is a relevant factor in all of this. But in contrast, the trend for use of the Internet and mobile technology is increasing rapidly. China has the largest number of entertainment users in the world. A recent survey showed that 38 percent of respondents said they own a computer, up from 30 percent in 2008 and 20 percent in 2007.

Think about that in China. Twenty-eight percent of adult Chinese are weekly Internet users, a sevenfold increase since 2003. Despite blocking by the Chinese Government, many Chinese access BBG Web sites through proxy servers, many of which are supported by BBG-sponsored anti-censorship technology using mobile proxies under development right now. VOA expects its reach into China to increase significantly.

I yield back.

Mr. ACKERMAN. I thank the gentleman. This is really about earmarks, regardless of what you think of them. And I know I have heard all the arguments here that we make about earmarks, about substituting our judgment instead of the professionals at agencies. And I appreciate the gentleman not calling it earmarks; he is calling it walling off. And I guess, ever the wordsmith, walling off in China, the imagery is not lost on us.

But it is an earmark nonetheless. And my view here is regardless of our expertise, I don't think we should be substituting our judgment for those people who are running this program full time.

Actually we are depriving them of $15 million that if they think it is better spent and they get a better media buy doing something else, such as the Internet or some other technology, why should we be telling them that they have to put it in something that in their judgment may be worth it and they still can do that if we don't earmark and isolate this money, they would be able to use it for nothing else except radio broadcasts. I think it is basically the wrong way to go. We should not be earmarking this money and substituting our judgment for the judgment of the professionals.

Chairman ROS-LEHTINEN. The gentleman yields back. Mr. Chabot is recognized.

Mr. CHABOT. Thank you, Madam Chair. I have a tendency to think that the answer is to be flexible in this and I do think that the use of the Internet, Twitter and Voice of America through shortwave, et cetera, all of these ought to be utilized. I am very skeptical of any surveys that are done over there because I tend to believe, as Mr. Rohrabacher mentioned, that those that would answer a survey might believe that they are putting themselves on some sort of list and there might be repercussions from that. So I wouldn't put a lot of stock into that. And we have talked a lot about the shortwave, et cetera, aspect of this.

One of the things that concerns me that hasn't gotten a lot of attention is the increase that Mr. Rohrabacher mentioned from 177 to 250 managers and getting rid of 40 journalists. That seems to be completely the wrong way to go. And I don't know if there is anything in addition that Mr. Rohrabacher might like to say about that because allowing the bureaucracy to grow just seems ridiculous to me.

I will yield to the gentleman.

Mr. ROHRABACHER. Thank you very much. We have 40 people who are trying to break through and present a message to the people of China that will hopefully result in promotion of more freedom in China which will in the end bring peace to this world because the Communist Party of China, as we know, is the worst human rights abuser.

Let me just note there are only two VOA reporters in China right now. Only two. The Chinese have 600 Chinese Government reporters in the United States. The Chinese are at this time expanding—let me repeat that—expanding their use of shortwave. So you think that this is not going to be seen as a retreat? You think this is not going to be seen as giving in, as kowtowing to the Communist Party dictatorship? Of course it is going to be.

And let me note some of the quotes that Mr. Berman has been using here. He said 38 percent of the respondents I think was his—he was quoting, yeah, 38 percent of the respondents said this. Respondents? Yeah. I mean, think about it. You are getting a call, this is Voice of America and I would like to ask you about how you pay attention to—sure, those—do you consider that an accurate way to determine?

Mr. BERMAN. Will the gentleman yield?

Mr. ROHRABACHER. Not yet, not yet. Because you are also wrong—I don't know if you have seen this or not, but the 2010 annual language service review briefing book of the Board of Governors says, and I quote, "Samples of VOA and Radio Free Asia,

weekly listeners in the survey are too small for meaningful analysis." So all of this talk that you have been giving us, talking about oh, only so few people listen to this, are by the Board of Governors themselves saying that the survey reflected only a very small cross-section so thus you can't count on it.

And second of all—and last of all, let us again look back at what we are talking about. There is no restriction on utilizing the Internet. We are not saying the VOA can't do that. And by the way, I will have to say that when saying this is an earmark, I plead guilty. I actually opposed my leadership's stand on earmarks. And I did so publicly.

Yes, it is a good thing for Members of Congress, who have been elected by the American people, to designate where that money will go, at least in broad parameters. And here we are saying in the broad parameter we need to have shortwave broadcasting into China. You can use other methods of communicating, but that has to be part of it. That is not micromanaging. That is simply setting parameters, what we think are good for the American people.

Mr. CHABOT. Reclaiming my time. When I yielded to the gentleman, I didn't know he was going to say that he was pro-earmark.

But let me just conclude that we ought not to allow these bureaucracies to grow. And I am very concerned about management growing from 177 to 250. And I yield back my time.

Chairman ROS-LEHTINEN. The gentleman yields back. Mr. Sherman is recognized.

Mr. SHERMAN. Thank you. I don't have an absolute opinion on whether this amendment is going to make our communication better. If it interferes with an effort to use the Internet, then maybe I would vote against it. And I am going to be analyzing that and getting a little more information. But the bigger issue here is whether Congress has a right to make this decision or is it somehow illegitimate for us to tell the wise and flexible bureaucrats that $15 million should be spent on radio?

The fact is there is no right decision here. One way of spending our communication dollars will turn out 100 years ago, when we meet our maker perhaps we will be told, was slightly better use of funds than the other way. And I don't know which way it is. But I do know that it is right and proper to make this decision. I disagree with the use of the term "earmark," even though both sides have adopted it. We may use the word "earmark" as we will to describe whatever fits a particular category. But the public thinks that an earmark is a corrupt action taken by a single Member of Congress for the support of his own constituents or his own political supporters.

This is not that earmark. I know Mr. Rohrabacher. I don't think that this facility is in your district, wherever that district may be. And in fact, there is an effort by elites in this country to turn Congress into a mere advisory body, a Duma circa 1906. Part of that story, part of that effort is to describe the bureaucrats as brilliant, experts, flexible, wise, and that any restriction put on them is illegitimate.

If this is an earmark the way the public uses the term, then it is an earmark for us authorize money for VOA in total, because the

wise bureaucrats may decide it is better to spend that money on public diplomacy. But then it is an earmark for us to give this money to the State Department. Why don't we just give all the money to the President, and if the President decides that communicating through diplomats or radio or the Internet is a bad idea and that the best communication is a new aircraft carrier, he can move the money over and persuade through bombing.

The fact is Congress has a role here. Congress should be deciding how our programs work. And we are the ones who go back to our districts and are held responsible for the decisions this Federal Government makes. And if we are going to adopt the idea that any statute we pass must be there for all time or it ruins flexibility, the fact is, if 6 months from now there is a change in technology, Mr. Rohrabacher will be there at the Conference Committee saying strip my amendment. And if a year from now there is a change in technology, we will be here reversing it.

The fact is nobody, not in the executive branch, not this Congress can make decisions so wise that they are wise permanently. That is why this statute is not a constitutional amendment, this is for 1 year that it is wise for us to use $15 million for broadcasting in these two Chinese languages.

So regardless of what it says in the House manual as what is or is not an earmark, the country views an earmark very disparagingly, and this is not what the country thinks. And by the way, as to whether Congress is a legitimate decision-making body rather than just an advisory body here in the Federal Government, let me assure you that bureaucrats have built dozens of bridges to nowhere. They just didn't get any coverage. They didn't do it transparently. There was no review. There was no famous face to attach to the bad decision.

So let us vote yes or no on this amendment because it is our decision to make. This is the Foreign Affairs Committee. And that doesn't mean that I am absolutely certain that either a yes or a no vote will dramatically improve our communications.

I yield back.

Mr. CONNOLLY. Parliamentary inquiry?

Chairman ROS-LEHTINEN. Mr. Connolly.

Mr. CONNOLLY. Madam Chairman, it is just a parliamentary inquiry. Given the fact that this amendment offered by Mr. Church—er, Rohrabacher has been described by the author as an earmark, would this be subject to a point of order under the rules of the House?

Chairman ROS-LEHTINEN. No, it would not.

Mr. CONNOLLY. I thank the chair.

Chairman ROS-LEHTINEN. Thank you. And our staffs are almost worked out with the time limitation for the amendments.

Mr. ROHRABACHER. May I ask a personal privilege? I didn't say this was an earmark. I said I was not against earmarks.

Chairman ROS-LEHTINEN. Yes. Mr. Mack is recognized, and then Mr. Sires, and then Mr. Poe.

Mr. MACK. Thank you, Madam Chair. I want to thank the gentleman for bringing this amendment forward. When we started, I got to tell you I didn't know how I was going to vote on this. And I see legitimate arguments on both sides. And I also want to say

that I agree with Mr. Sherman that we do have a responsibility in this body to make decisions. The idea that we are going to leave all those decisions to the bureaucrats is frightening to me, and I am sure frightening to many Americans. But Mr. Berman quoted some statistics about how many people, what percentage and how many people in surveys respond that they have heard the messages. I am not exactly sure how he positioned it. And then Mr. Smith and I were kind of talking about it a little bit. So the conversation would go something like this in China. "Hi, we are doing a survey, and would like to know whether or not you listen to a broadcast by Voice of America." And the other person on the line, you can imagine in China, or for that matter in Cuba, they are probably not jumping up for joy to announce to this person on the phone that they are listening to the broadcast. Right? Can you imagine that in Cuba or in China? I mean here in the United States, where you feel pretty secure that if the government is calling you and your family will probably survive, but in China or in Cuba, the idea that you are going to respond "yes" when the Governments of Cuba and China are looking for ways to punish people.

So I think using those statistics in that way is—I wouldn't say it is offensive, but I would certainly say it is a stretch. Because one thing is for sure, whether or not you are someone who lives in the United States of America, you live in China, you live in Cuba, the last thing you want to do is put yourself or your family in danger. And responding to a questionnaire that may or may not come from the government to see whether or whether or not you are participating in something that they don't want you to participate in, and those governments have a track record of punishing people who do things that they don't want, I am not surprised that the numbers of a survey are that low.

And my guess is we are going to hear this argument again on other amendments as we move forward on this topic. But we have been going around and around about this how ineffective or effective Voice of America is. But to tie it to a survey where people responding to that survey are afraid for their life in countries like China and Cuba, and point to that as a reason why we should stop, I would make the argument that maybe that is a good reason why we need to continue.

Mr. SMITH. Will the gentleman yield?

Mr. MACK. I will be happy to yield.

Mr. SMITH. I thank my friend for yielding. Adding to his very incisive commentary he made just now, if you or I were called, knowing what happens to people if they listening to VOA or Radio Free Asia, you will be interrogated. Add to that, adding additional suspicion to this poll, Intermedia, who are the contractor that got the grant from the Broadcasting Board of Governors, but they hired a Beijing contractor. Now, the only way you get a Beijing contractor to do this is with full government acquiescence and blessing. So I wonder, anyone who answered "yes," what happened to them. Did they get a knock on the door from the secret police?

Chairman ROS-LEHTINEN. Thank you, Mr. Smith. The gentleman's time has expired. The Chair will recognize herself, because I know that Mr. Rohrabacher has an amendment to his amendment to change a little bit about the amounts.

Mr. BERMAN. I have no objection to allowing the gentleman to correct his amendment.

Chairman ROS-LEHTINEN. Mr. Rohrabacher will correct the amendment so that it complies with House rules.

Mr. ROHRABACHER. I would ask unanimous consent to revise my amendment, as has been handed out, to avoid exposing the bill to a point of order by inadvertently carrying appropriations language, and to reduce the amount of the current year, Fiscal Year 2011 CR levels.

Chairman ROS-LEHTINEN. Thank you, Mr. Rohrabacher. If you would yield, Mr. Rohrabacher will, and you have the amendment on your desk now, on line four strike the figure and the words up to "for Voice of America," and it would read, of the funds authorized to be appropriated to the Broadcasting Board of Governors, comma, $13.76 million rather than $15 million is authorized to be appropriated only for Voice of America Mandarin and Cantonese radio and television satellite broadcasting period. Such funds may not be used for any other purpose.

Mr. ACKERMAN. Reserving the right to object.

Chairman ROS-LEHTINEN. Yes, Mr. Ackerman.

Mr. ACKERMAN. And I will not object. So we are changing, just understand this, $15 million, restricting the use of $15 million to restricting the use of $13.76 million so that we are doing less micromanaging.

Chairman ROS-LEHTINEN. Correct. It goes with the numbers that we have been using before.

Mr. ACKERMAN. I don't object.

Chairman ROS-LEHTINEN. Thank you. Without objection, the amendment to the amendment has been adopted. And now we are on the amendment, as amended. Mr. Sires is recognized.

Mr. SIRES. I thank the chairperson. As I listen to the argument, I wonder if you can answer a question for me. Have they given you any idea what the 40 positions are going to be doing?

Chairman ROS-LEHTINEN. Mr. Rohrabacher?

Mr. ROHRABACHER. No, they haven't. But they are administrative positions. Oh, no, the journalist positions are disappearing.

Mr. SIRES. Disappearing.

Mr. ROHRABACHER. But the new administrators positions, I am not sure exactly what their authority will be.

Mr. SIRES. Okay. And as far as the surveys, you know, my experience, I represent a district that probably has the second largest concentration of Cuban Americans in the country. And I talk constantly to people that are leaving the island. And I do my own self-surveying. You know, I always ask them do you listen, do you get information? And they are so conditioned that they are even afraid to answer me here because they are afraid that their relatives back home are going to get a visit, or even as punitive as removing the quota card that they have to purchase or to get their quota for food.

So I don't put too much faith on those surveys. I know that a lot of information gets through. And even if one gets through, one of the things that is very popular is that they talk to neighbors, the neighbor talks to the other one, and that is how they disseminate a lot of the information that is going around the world. So, you know, I wasn't too excited about this amendment, but after the ar-

guments I think I will be supporting it. I think it is just another way of trying to get through to people that need information of what is going on around the world.

Thank you.

Chairman ROS-LEHTINEN. Thank you very much. The gentleman yields. And if the Chair could recognize herself, we are ready to accept this amendment, if the members so wish, by a voice vote. So without objection, and hearing no further requests for recognition, the question occurs on the Rohrabacher amendment, as amended.

Mr. FALEOMAVAEGA. Madam Chair, if I could have the 5 minutes?

Chairman ROS-LEHTINEN. Absolutely. Mr. Faleomavaega, you were already heard.

Mr. FALEOMAVAEGA. To the amendment to the amendment?

Chairman ROS-LEHTINEN. Yes. So we are back on just the amendment, as amended. So hearing no further requests for recognition, the question occurs on the amendment.

All those in favor say aye. All opposed, no. In the opinion of the Chair, the ayes have it, and the amendment is agreed to.

And we are very close to getting an arrangement on time limitations.

Mr. ROHRABACHER. Does that mean I won one, Madam Chair?

Chairman ROS-LEHTINEN. Yes, sir.

Mr. ACKERMAN. You are no longer alone.

Chairman ROS-LEHTINEN. And no longer Winston-like, no longer Churchillian. Are there other amendments to this title?

Mr. SHERMAN. Madam Chair, I have an amendment at the table.

Chairman ROS-LEHTINEN. Mr. Sherman has an amendment at the table. If the clerk will read the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Sherman of California. In section 501, strike "The following amounts" and insert the following: (a) In General. The following amounts. In section 501, add at the end of the following: (b) Limitation. Of the funds authorized to be appropriated to the Broadcasting Board of Governors, $2.5 million may only be obligated and expended for Voice of America Sindhi language communication. Such funds may not be transferred or reprogrammed, or obligated or expended, for any other use.

[The information referred to follows:]

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AMENDMENT TO H.R.

OFFERED BY M_. Sherman

In section 501, strike "The following amounts" and insert the following:

1 (a) IN GENERAL.—The following amounts

In section 501, add at the end the following:

2 (b) LIMITATION.—Of the funds authorized to be ap-
3 propriated to the Broadcasting Board of Governors,
4 ~~$15,000,000~~ 2,500,000 may only be obligated and expended for
5 Voice of America ~~Mandarin and Cantonese~~ Sindhi language ~~radio~~
6 ~~and satellite television broadcasting~~ communication. Such funds may not
7 be transferred or reprogrammed, or obligated or expended,
8 for any other use.

Chairman ROS-LEHTINEN. Mr. Sherman, hold on a second before we recognize you. I think we may have to tinker with your amendment a little bit.

Mr. SHERMAN. I would ask unanimous consent to amend my amendment to read as follows. And this is inspired by Mr. Rohrabacher. "Of the funds authorized to be appropriated to the Broadcasting Board of Governors, $1.5 million," big discount here, "is authorized to be appropriated only for Sindhi language communication. Such funds may not be used for any other purpose."

Chairman ROS-LEHTINEN. Without objection, the amendment has been amended and approved. So we are on the Mr. Sherman amendment, as amended. And the gentleman is recognized for 5 minutes to explain his amendment.

Mr. SHERMAN. For many years the Pakistani Government has focused Pakistan on just using one language, Urdu, when in fact Sindh is spoken by tens of millions of people. We need to reach out to the people of the Sindh Province and others who speak the

Sindhi language. For the most part, these are people who profess a moderate form of Islam, and yet they are not hearing from us in their native language. There is probably no country more important to us in our efforts against terrorism and extremism than is Pakistan. But we cannot just reach the Pakistani people in the Urdu language. We cannot ignore the southern third of the country.

I have received reports from the Voice of America that they could begin communicating in the Sindh language if they were to devote $1.5 million to this. Now, I would think that in their ¾ of $1-billion budget that they could find the funds necessary to do what might be the most important part of our Voice of America efforts, and that is to reach out to the people of Pakistan.

I would also comment that if I can secure support for this amendment it not only will be the last amendment I offer today, but this will be the last speech I give today in this room. So I am willing to offer the committee——

Mr. ACKERMAN. Give them $5 million.

Mr. SHERMAN. And I think that might be the most eloquent part of my presentation. There are many things the Voice of America does. But the fact that the country that is probably most important to us from a national security perspective at this time, we are broadcasting only in one language and we are ignoring the southern third of the country, I think $1.5 million a year to correct that is a good decision for this committee and this Congress to make.

With that, I yield back.

Chairman ROS-LEHTINEN. Thank you, Mr. Sherman. Based on the fact that you are a level-headed, intelligent person, who is trustworthy as a Boy Scout, it seems like a very good amendment. I don't see any opposition from our side. We are prepared to accept the amendment.

So with that, hearing no further requests for recognition, the question occurs on the Sherman amendment. All those in favor say aye. All opposed, no. In the opinion of the Chair, the ayes have it, and the amendment is agreed to.

Are there any other amendments to this title? Hearing no further amendments to this title, we will proceed to title VI. The clerk will designate the title.

Ms. CARROLL. Title VI—Reporting Requirements.

Chairman ROS-LEHTINEN. Are there any amendments to this title? Mr. Fortenberry is recognized, and Ms. Schwartz has an amendment as well. Mr. Fortenberry.

Mr. FORTENBERRY. I have an amendment at the desk, Madam Chair.

Chairman ROS-LEHTINEN. The clerk will report the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Fortenberry of Nebraska. At the end of title VI, add the following: Section 6xx. Report on progress to ameliorate violations of religious freedom.

[The information referred to follows:]

AMENDMENT TO H.R. __

OFFERED BY MR. FORTENBERRY OF NEBRASKA

(Foreign Relations Authorization Act, Fiscal Year 2012)

At the end of title VI, add the following:

1 **SEC. 6xx. REPORT ON PROGRESS TO AMELIORATE VIOLA-**
2 **TIONS OF RELIGIOUS FREEDOM.**
3 The Foreign Assistance Act of 1961 is amended—
4 (1) in section 116 (22 U.S.C. 2151n), by add-
5 ing at the end the following:
6 ''(g) PROGRESS TO AMELIORATE VIOLATIONS OF RE-
7 LIGIOUS FREEDOM.—Every five years beginning in 2012,
8 the report required by subsection (d) shall include, wher-
9 ever applicable, a description of progress to ameliorate vio-
10 lations of religious freedom identified by the United States
11 Commission on International Religious Freedom by gov-
12 ernments of countries designated by the Commission as
13 Countries of Particular Concern.''; and
14 (2) in section 502B (22 U.S.C. 2304), by add-
15 ing at the end the following:
16 ''(j) PROGRESS TO AMELIORATE VIOLATIONS OF RE-
17 LIGIOUS FREEDOM.—Every five years beginning in 2012,
18 the report required by subsection (d) shall include, wher-
19 ever applicable, a description of progress to ameliorate vio-

1 lations of religious freedom identified by the United States
2 Commission on International Religious Freedom by gov-
3 ernments of countries designated by the Commission as
4 Countries of Particular Concern.''.

☒

Chairman ROS-LEHTINEN. Unanimous consent to dispense with the reading. And Mr. Fortenberry is recognized for 5 minutes to explain his amendment that is being given out.

Mr. FORTENBERRY. Thank you, Madam Chair. I don't believe I will need the entire 5 minutes. The purpose of this amendment is to ensure that we are placing an appropriate emphasis, by augmenting the State Department's annual human rights report, on the most egregious religious freedom violations as confirmed by the United States Commission on International Religious Freedom, which was established in 1998 by Congress under the International Religious Freedom Act.

In recent years, we have witnessed an alarming level of persecution, state-sanctioned and otherwise, of religious minorities throughout the world, most particularly in countries designated by the Commission as countries of particular concern. In its 2011 annual report, the Commission designated the following countries as countries of particular concern, including Burma——

Mr. BERMAN. Will the gentleman yield for a statement of acceptance of his amendment?

Mr. FORTENBERRY. I can take yes for an answer.

Mr. BERMAN. Yes is my answer.

Chairman ROS-LEHTINEN. Thank you, Mr. Berman. And thank you, Mr. Fortenberry. Mr. Fortenberry yields back. And hearing no further requests for recognition, the question occurs on the Fortenberry amendment. All those in favor say aye. All opposed, no. In the opinion of the Chair, the ayes have it, and the amendment is agreed to.

Ms. Schwartz is recognized for her amendment. There is an amendment at the desk, and the clerk will report the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Ms. Schwartz of Pennsylvania. In section 602(b)(4)——

[The information referred to follows:]

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AMENDMENT TO H.R. 2583

OFFERED BY MS. SCHWARTZ OF PENNSYLVANIA

(Foreign Relations Authorization Act, Fiscal Year 2012)

In section 602(b)(4) of the bill, before "to ensure" insert "to counter multilateral efforts to isolate Israel, as well as".

☒

Chairman ROS-LEHTINEN. Receiving unanimous consent, I will dispense with the reading. And Ms. Schwartz is recognized for 5 minutes to explain her amendment.

Ms. SCHWARTZ. Thank you, Madam Chairman. This is an amendment that would just add some language to the requirement for the Secretary to report back to Congress in the section where we are asking for a report back on the Secretary and the Department's efforts to counter multilateral efforts to isolate Israel. I want to add—I am adding language, I am sorry, to say in addition to—you know, the wording here that asks for the report back to ensure and promote Israel's full participation in the world's diplomatic community, I am looking to add just as well to report back to us on our efforts to counter multilateral efforts to isolate Israel. And my reason is a simple one that I think we agree to on both sides of the aisle here, is that we recognize that while there has been good efforts by Israel and by others to enhance Israel's participation in the world diplomatic community, and multilateral efforts, there is also we know efforts out there in the international community to delegitimize Israel, to isolate Israel. And we have done good work to——

Chairman ROS-LEHTINEN. I sense no opposition on our side, and your amendment makes perfect sense. Therefore, I am puzzled by no opposition on our side.

Ms. SCHWARTZ. I would be delighted——

Chairman ROS-LEHTINEN. Thank you. Hearing no further requests for recognition, the question occurs on the amendment. All those in favor of the Schwartz amendment say aye. All those opposed, no. In the opinion of the Chair, the ayes have it, and the amendment is agreed to.

. Are there any other amendments to this title? Hearing no further amendments to this title, we will then proceed to title VII. The clerk will designate the title.

Ms. CARROLL. Title VII—Proliferation Security Initiative.

Chairman ROS-LEHTINEN. Are there any amendments to this title? Hearing no amendments, we will go proceed to title VIII. The clerk will designate the title.

Ms. CARROLL. Title VIII—Miscellaneous Provisions.

Chairman ROS-LEHTINEN. Are there any amendments to this title? Thank you. Mr. Smith is recognized, and then Mr. Faleomavaega, and Mr. Connolly. And Mr. Berman. Mr. Smith has an amendment.

Mr. SMITH. Special Envoy for D.R. Congo.

Chairman ROS-LEHTINEN. The clerk will report the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Smith of New Jersey. At the appropriate place in the bill, insert the following:——

[The information referred to follows:]

AMENDMENT TO H.R. _____

OFFERED BY MR. SMITH OF NEW JERSEY

At the appropriate place in the bill, insert the following:

1 **SEC. . STATEMENT OF POLICY REGARDING THE SPE-**
2 **CIAL ENVOY FOR THE GREAT LAKES REGION**
3 **OF AFRICA.**
4 Congress calls on the President to appoint a Special
5 Envoy for the Great Lakes Region of to help coordinate
6 efforts to resolve the instability and insecurity in Eastern
7 Congo, as provided in section 107 of the Democratic Re-
8 public of the Congo Relief, Security, and Democracy Pro-
9 motion Act of 2006 (Public Law 109–456; 22 U.S.C. 2151
10 note).

Mr. SMITH. Madam Chair, ask unanimous consent that the amendment be considered as read.

Chairman ROS-LEHTINEN. Correct. Thank you. Unanimous consent has been granted. The amendment will be given out to all the members. And the sponsor of the amendment, Mr. Smith, is recognized for 5 minutes to explain his amendment dealing with the Special Envoy for the Great Lakes Region of Africa.

Mr. BERMAN. Will the gentleman yield before he begins his comments for 10 of his seconds so I can make one comment? I appreciate the gentleman yielding.

We are familiar with this amendment. We think it is an excellent amendment, and we intend to support this amendment.

Mr. SMITH. I thank my good friend, Mr. Berman. Thank you very much. And I want to thank the ranking member for his agreement

to this amendment. I do hope we will have full committee agreement on this.

According to section 107 of Public Law 109–456, the Democratic Republic of the Congo Relief, Security, and Democracy Act of 2006, not later than 60 days after the enactment of this act, the President should appoint a Special Envoy for the Great Lakes Region to help coordinate efforts to resolve the instability and insecurity in Eastern Congo.

Madam Chair, I had the privilege of traveling to D.R. Congo in 2008, and I still have vivid memories about the suffering and the courage of the Congolese people. A highlight of my visit was meeting Dr. Joe——

Chairman ROS-LEHTINEN. If the gentleman would yield.

Mr. SMITH. Yes.

Chairman ROS-LEHTINEN. Hearing no further requests for recognition, the question occurs on the amendment, if I may.

Mr. SMITH. I will yield back. But I do ask unanimous consent that the——

Chairman ROS-LEHTINEN. Your full statement will be made a part of the record.

All those in favor say aye. All those opposed, no. In the opinion of the Chair, the ayes have it, and the amendment is agreed to.

And we will go to Mr. Faleomavaega for his amendment.

Mr. FALEOMAVAEGA. Madam Chair, I have an amendment to amend section 802.

Chairman ROS-LEHTINEN. The clerk will report the amendment.

Ms. CARROLL. Number 579, Mr. Faleomavaega?

Mr. FALEOMAVAEGA. If it is to amend section 802, that is the one.

Ms. CARROLL. Amendment to H.R. 2583 offered——

[The information referred to follows:]

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AMENDMENT TO H.R. 2583

OFFERED BY Mr. Faleomavaega

In section 802, insert before the period at the end the following: ", unless the President determines that the provision of such funds are in the national security interest of the United States by contributing to efforts to prevent terrorists from obtaining radioactive materials that could used in an explosive device".

☒

Chairman ROS-LEHTINEN. Ask unanimous consent to dispense with the reading. And the gentleman is recognized to explain his amendment.

Mr. FALEOMAVAEGA. Thank you, Madam Chair. Madam Chair, this amendment provides a waiver to the President to allow the provisions of the funds to the center if he determines it is in the national security interest of the United States to do so, and to prevent terrorists from obtaining radioactive materials that could be used in a nuclear bomb.

Madam Chair, I offer this amendment on this section 802. The United States and China agreed to form this joint center to promote effective nuclear safety and safeguards. It will provide a venue for nuclear security training and workshops, as well as exchanging best practices. The main purpose of the center is to promote better Chinese security for radioactive materials that could be acquired by terrorists, primarily for radiological dirty bombs, if you will, and to be a regional resource for other Asian countries to improve their security practices as far as nuclear weapons are concerned.

The bill would also eliminate U.S. funding for the center, and thus undercuts efforts to combat nuclear terrorism in the region. My amendment would offer the President a waiver authority to allow U.S. funds for participation in the center if he determines that it would be in our national security interest to do so. I understand that many of my colleagues have serious concerns about China, and I respect that. But it makes no sense to eliminate fund-

ing for a center that so clearly serves our national security interests, as well as in Asia and around the world.

I urge my colleagues to——

Chairman ROS-LEHTINEN. If the gentleman would yield.

Mr. FALEOMAVAEGA. I am glad to yield, Madam Chair.

Chairman ROS-LEHTINEN. So explain in a very simple way what your amendment does that the bill does not do. How would you be changing it?

Mr. FALEOMAVAEGA. Basically, it is to give the President this discretionary authority, if he believes that it does bear our national security interest and our involvement in this center that this memorandum of agreement that was made between the two governments in January of this year. That is basically to ensure that our national security interests are not compromised in any way. And this is what this amendment does.

Mr. BERMAN. Would the gentleman yield?

Mr. FALEOMAVAEGA. I gladly yield to the gentleman.

Mr. BERMAN. Madam Chairman, the gentleman has yielded to me part of his time.

Chairman ROS-LEHTINEN. Right. I just had a follow-up question. Well, I just wanted to know, because the section that you are amending is the prohibition of funds to the center. And so you are saying that it will not be defunded if the President says that it is needed for national security. So instead of zapping the center, we are letting the President decide whether to fund it?

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

Mr. BERMAN. For only one aspect of national security, and that is to the extent that he is willing to say that we need this to prevent terrorists from obtaining radioactive——

Chairman ROS-LEHTINEN. Correct. If the gentleman would yield, then I understand. I feel comfortable with the amendment. Our side is ready to accept the amendment, and no other members seek recognition on the amendment.

The question occurs on the Faleomavaega amendment. All those in favor say aye. All opposed, no. In the opinion of the Chair, the ayes have it, and the amendment is agreed to.

Mr. Mack has an amendment.

Mr. MACK. Thank you, Madam Chair. I have an amendment at the desk.

Chairman ROS-LEHTINEN. The clerk will report the amendment.

Ms. CARROLL. Mr. Mack, is it number 33 or 35?

Chairman ROS-LEHTINEN. I ask unanimous consent to dispense with the reading.

Mr. MACK. 33.

Chairman ROS-LEHTINEN. And Mr. Mack is recognized to explain his amendment as soon as we have a copy of the amendment.

Ms. CARROLL. 33?

Mr. MACK. 33.

Ms. CARROLL. Thank you.

Mr. CONNOLLY. Madam Chairman, while we are waiting, I just want to make sure I am on your list for an amendment.

Chairman ROS-LEHTINEN. Oh, definitely.

Mr. CONNOLLY. Thank you, Madam Chair.

Chairman ROS-LEHTINEN. Thank you. We have the Mack amendment. Have you already stated so? If the clerk will report the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Mack of Florida.——

[The information referred to follows:]

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AMENDMENT TO H.R.

OFFERED BY MR. MACK OF FLORIDA

(Foreign Relations Authorization Act, Fiscal Year 2012)

At the appropriate place in the bill, insert the following:

1 **SEC. . LIMITATION ON ASSISTANCE TO SUPPORT AC-**
2 **TIVITIES OF THE GLOBAL CLIMATE CHANGE**
3 **INITIATIVE.**
4 None of the funds authorized to be appropriated by
5 this Act or any amendment made by this Act may be made
6 available to support activities of the Global Climate
7 Change Initiative.

☒

Chairman ROS-LEHTINEN. Mr. Mack is recognized. Unanimous consent to dispense with the reading.

Mr. MACK. Thank you, Madam Chair. And I have noticed we have had a number of amendments that have just rolled right through on voice vote. And I am sure this one will be the same way.

One of the things that we are discussing here today are the priorities of the United States. What are our priorities? And as I think yesterday, last night, and today, we have talked about, we have had a debate about what those priorities are. And I have said over and over that I believe that the priorities of the United States must be the ideals of freedom, security, and prosperity. I think that it

is imperative that we continue to fight for and defend those principles.

What this amendment does is it says in the priorities of the United States that we ought to put the resources that we have available toward those priorities. What this amendment does is it eliminates U.S. funding for the Global Climate Change Initiative. This is about $650 million. And again, we are not saying that we don't think there may be parts of the Global Climate Change Initiative that are good and important, but right now when we have to prioritize U.S. tax dollars, we believe that those moneys should be spent in other areas. And we would encourage that our friends around the world who have natural resources in their environments that are so important to them, that at this time, you know, the United States can't come to every part of the world to protect their environment. And they need to step up and do that on their own.

So this amendment, Madam Chair, would eliminate U.S. funding for the Global Climate Change Initiative. It will ensure that we continue to focus on freedom, security, and prosperity not only in the Western Hemisphere, but around the world. I think for those on my side, this is $650 million that the President has moved forward on this Global Climate Change Initiative. And we have actually seen with this initiative that moneys are getting shifted around and moved around to pay for other things. So, you know, we want to make sure that the administration knows, and again that the world knows, that at this time the United States cannot continue to spend money on any and every project that we think is important, that we have to make sure that we fund those priorities of freedom, security, and prosperity.

With that, I yield back the balance of my time.

Chairman ROS-LEHTINEN. Thank you. The Chair would like to recognize herself to say that after we dispense with this amendment, favorably or unfavorably, we will—well, by voice vote or else we will roll it—we will have a time limitation request that I will be making along with the ranking member. But we will get through this amendment first.

Mr. Berman is recognized to speak on the Mack amendment.

Mr. BERMAN. Yes, Madam Chair, I am sorry to break the string of four, five amendments where we got consensus and voice vote. Mr. Mack's amendment essentially says none of the money authorized in this act, and we now authorize everything involving both the State and Foreign Assistance budget in this act, nothing can be used to support activities of the Global Climate Change Initiative. So, essentially it is no on the Global Climate Change Initiative, yes on a faith-based initiative.

I strongly oppose the amendment. The amendment completely guts U.S. aid that helps developing countries deal with the impacts of climate change. This amendment would cut off funds to help vulnerable countries adapt to the effects of the climate change, which they are already experiencing. The funding could help a farmer diversify the types of crops she or he grows due to increasingly scarce water supplies, or it could help a coastal community in Sri Lanka raise barriers to rising sea levels.

Mr. Mack's proposal also would prevent the development of clean energy technologies to developing countries. I know American companies are eager to enter new clean energy markets. We shouldn't forget that the U.S. Chamber of Commerce estimates that half of U.S. exports go to developing countries.

Lastly, this troubling amendment precludes assistance to help poor countries preserve their forests and the diverse species in them due to deforestation. Haiti, for example, is a recipient of this funding, which helps improve their agricultural sector and support biodiversity conservation.

I urge members to vote against this destructive amendment, and yield back 3 of the 5 minutes of my time.

Chairman ROS-LEHTINEN. Amen. Mrs. Ellmers is recognized.

Mrs. ELLMERS. Thank you, Madam Chairman. I just would like to say that I strongly support this amendment. This is exactly what the American people are so incredibly tired of, $650 million going to something that is not even scientific proof. We know that there is climate change. We don't know that it is manmade. And there is really, over the years this has just been a fallacy that has continued. And we should be pulling back on all these moneys.

To the point that my colleague on the other side has made to clean energies, there is a system in place now called the free enterprise system. Private markets that do that already do not need to be funded by our taxpayer dollars to do so.

And I am as concerned about our environment as anyone is. But for $650 million to be going toward this initiative is just truly waste for the American people.

And again I thank my colleague for bringing this amendment. I yield back.

Chairman ROS-LEHTINEN. The gentlelady yields. Mr. Faleomavaega is recognized.

Mr. FALEOMAVAEGA. I thank the gentlelady for yielding me the time. I have always said that I respect my good friend from Florida for his opinions, and the proposed amendment that he has now presented to the committee. And I have to respectfully oppose the proposed amendment.

I recall distinctly when the Bush 43 came into power, one of the first things that the administration did was to just not only took us out of the Kyoto Protocol situation, but we completely just took ourselves away from any collaborations or any further working together with other countries, with the world community as far as climate change was concerned. And it is almost like saying if you are not at the table you are going to be on the menu. And for some 8 years during the Bush administration, I would say regretfully, we were not even on the table. And almost to the point where I think it was embarrassing that our country, the superpower of the world, just completely just disregarded itself as being a player, a very important player.

If there is any issues to be discussed as far as climate change is concerned, I would submit to my friend from Florida, without us participating it is almost like a Johnny-come-lately, when now finally we are saying, hey, we better get back on the bandwagon, and trying to collaborate and to work closely with other countries of the world. And there is a global consensus that we definitely

have a very serious problem with climate change. And I think our country should be a leader in the process. Because without us participating—it isn't just for the needs of poor countries or small island states that have said this for years and years, and that they are in trouble. And not necessarily because of their doing, but because of the problems that the industrial countries have brought upon these other members.

My time is up. I respectfully have to oppose my friend's proposed amendment.

Chairman ROS-LEHTINEN. Thank you so much. The Chair herself just to ask the folks who are going to offer amendments, it would be quite beneficial to all of us if we could have a copy of your amendment. Thinking that you will sneak an amendment through doesn't quite work. So please cooperate and give to the clerk a copy of your amendments. We are still missing some that I already have listed as folks who are going to offer an amendment. Please help us all. Thank you.

Mr. Chabot is recognized.

Mr. CHABOT. I would like to commend and thank the gentleman from Florida for offering this amendment. I think it is well intentioned, well timed. You know, America just can't afford to spend its limited resources on this Global Climate Change Initiative. And a few examples show the extent of the spending. Two hundred thirteen million dollars on monitoring and reporting greenhouse gases in the Amazon and Congo. One hundred sixty-six million dollars for programs like a satellite hub in Nepal to allegedly track global melting. Twenty-eight million dollars to measure the size of a forest and the size of its carbon capturing capability. And the list goes on and on.

I think we need to preserve our American resources, slim the foreign budget, and encourage other nations to pick up the tab on these programs, not be funding these through our limited foreign aid dollars. Why is America providing assistance to foreign governments related to clean energy and sustainable landscapes when our own fiscal house is not in order? And it clearly is not.

Six hundred fifty million dollars this Global Climate Change Initiative program is. This is at a time when we have a national debt of $14.5 trillion. We are borrowing $0.43 of every dollar that is spent here in Washington nowadays. Think of that, $0.43 on every dollar. And a lot of that, as we have discussed last night in this committee, is from China. And if there are any people on this planet who ought to understand that China isn't necessarily our friend, and is clearly our rival in the next century, and has only China's interests in mind, it is the folks that are on this committee. So we just can't afford to continue to keep us in this vulnerable position.

And also at this time, when literally, if you believe the arguments that have been made, we are ready to default on our debts, which I don't buy that, because that can be paid first, but nonetheless, in just a couple of weeks we reach that end where we essentially run out of money. And we have to decide whether Social Security checks can go out, or Medicare can be paid, or all the rest.

We are going to be spending money for this global warming, $650 million program all around the world. It makes no sense. I com-

mend the gentleman from Florida for trying to put a stop to it, and I yield back the balance of my time.

Chairman ROS-LEHTINEN. Thank you. The gentleman yields back. Mr. Connolly is recognized.

Mr. CONNOLLY. I thank the chair. Well, if we wanted an example of how truly we are operating from parallel universes, this is it. My colleague from Florida and I will probably long be out of office before we see the dramatic effect of sea level rises. Certainly much of Florida will feel that effect. And my home State of Virginia will feel that effect, especially in and around the Naval base at Norfolk. And we are legitimately concerned about it.

The gentlelady, our new colleague, says the science about global warming is arguable, questionable. Well, not in the scientific community. Maybe in some other communities, but not in the scientific community. The evidence is overwhelming and compelling. And what we are about to do, sadly, on a party line vote, is substitute political rhetoric for scientific judgment. We are going to interpose ourselves, as Members of Congress, and we will decide the science. And conveniently, we will decide the science in a way, of course, that is biased against the science.

This funding is to help developing countries deal with what they are experiencing on the front line of global warming, desertification, the creeping encroachment of the desert, which is affecting crops. We have a famine right now in Central Africa. Clean water sources drying up. The rise of sea levels. Mr. Faleomavaega could, I think, give compelling evidence of its impact already in certain Pacific island nations that are at sea level and are desperately concerned about the impact of rising sea levels on their ability to continue to survive, let alone thrive.

This isn't theoretical. It is real. And ironically, here on one of the hottest days of the year, in a week in which there are stories all over the country about a heat dome affecting 141 million Americans right here at home, we are going to deny global warming and we are going to once again present us with a false choice. Even if it is true, is the implicit argument here, we can't afford it because we built up big debts. And I think that is a false choice. It is not a matter of whether we can avoid investments in dealing with this compelling scientific fact that has to be addressed because of the consequences, but we hide behind the deficit to make the weak argument we can't afford it.

I think that is truly putting our head in the sand at enormous long-term peril to ourselves and to people all around the world. As a great power, we have an obligation to step up to this threat and address it and help others address it. This amount of money isn't some kind of giveaway to others. It is actually an investment in ourselves and trying to make sure we develop the proper techniques and policies and programs to help turn this threat around and to respond to the inevitable consequences of growing global warming.

So I just know we are going to vote on a party line vote.

Chairman ROS-LEHTINEN. I note Mr. Faleomavaega is itching to get time.

Mr. CONNOLLY. I will yield to him in 1 second. But sadly, on a party line vote we are going to substitute ourselves for science yet again.

I now yield to my good friend, Mr. Faleomavaega.

Mr. FALEOMAVAEGA. I thank my good friend for yielding. And I just want to compliment and add onto his concerns about this whole issue. I might also suggest or add to my good friend from Florida that in the process for the past 10 years the two countries that were most active in discussing the very serious issue of climate change was China and India. We were not even at the table where we were discussing these very important issues. And to this day, if you are ever to consider to think that maybe it is not important to these two most populous countries of the world, the fact of the matter is they are effectively establishing policies to address the serious issue of climate change not only in their own respective countries, but as a global issue.

And I appeal to my good friend from Florida, this is not a matter—and I am not lessening you to think $625 million is not important. It is very important. The question is, is it important enough that our country, a leader of the world, should withdraw itself from the process, not being a participant, and also for the fact that if countries like India and China recognize that it is a serious problem, we have got a very serious problem if we don't follow the needs and the promptings of the world community and say where is the United States?

I thank the gentleman for yielding.

Chairman ROS-LEHTINEN. Thank you. The gentleman gives back. Mr. Ackerman is recognized. I don't see any speakers on our side.

Mr. ACKERMAN. I have an amendment to the amendment at the desk.

Chairman ROS-LEHTINEN. The clerk will report the amendment, the Ackerman amendment to the amendment.

Ms. CARROLL. Ackerman second degree amendment to the Mack amendment. On line six, strike "activities of the Global Climate Change Initiative." and insert "anything."

[The information referred to follows:]

Ackerman amendment to the Mack amendment:

On line 6, strike "activities of the Global Climate Change Initiative." and insert "anything."

Chairman ROS-LEHTINEN. Unanimous consent. Okay, Mr. Ackerman. Explain your amendment.

Mr. ACKERMAN. I just want to congratulate our colleague Mr. Mack, and just take it a step further. Because not only are we also in favor of freedom and security and prosperity, which is what this is all about, but we on our side are really in favor of freedom and security and prosperity. I will amend that. We are really, really, really in favor of freedom, and security, and prosperity. Because

that is what it is all about. It is about freedom, and security, and prosperity.

If you didn't get the point, that is really important to us. And we shouldn't be spending money on stuff that has nothing to do with anything except freedom, and security, and prosperity. So the amendment now reads none of the funds authorized to be appropriated by this act or any amendment made by this act may be available to support anything, because we shouldn't really support anything unless it has to do with freedom, and security, and prosperity, which our side is also in favor of.

I just want to make that point, if it escapes anybody. You know, this is a much bigger fight. This is a fight between different beliefs, different sets of facts, and those who would meld facts and beliefs. This is a fight between what you know and what you believe in. This is the modern day equivalent of the debate, the debate going on in America right now, of the Scopes Monkey Trial and whether, you know, we cite the Bible as evidence and admit it as evidence, or whether we are looking at science, or maybe we could actually be looking at both. This is a fight between whether science is real or belief is real. You know, they call it belief. You know why they call it belief? Because you can't prove it. It is what you believe.

Go out and say that there is no global climate change. You know, I am not going to cite the anecdotal evidence. Just walk out in the street and your glasses are going to fog up today. When I was a little boy a lot of years ago, we would go to cool off because we didn't have any air conditioning in the projects in I which grew up in. We would go to the beaches in Coney Island or the Rockaways in Brooklyn or Queens, and the beach was long. It was a long walk from the boardwalk to the water. And it wasn't just in the eyes of a little boy. Because you look at the pictures now, I mean it was really long. The beach is gone. What was 150-, 250-foot walk down beautiful sand is now eroded to 40 or 50 feet away from the boardwalk right now. That is real. That sand is not growing back. The water is rising. The world is in trouble.

Look around at the evidence. It is not speculative, it is not anecdotal, it is not a theory, it is not a belief. It is true. And just because it is not in the Bible doesn't mean that it is not. And I am not denigrating the Bible, for which I have a lot of respect, and happen to believe in—at least my version of it. But the fact of the matter is there is global climate change.

It is more than a belief; it is a fact. This is a problem the world is facing that is going to cost us more than $650 million. It is going to cost us much of the planet. It is going to cost us clean air. It is going to cost us clean water. It is going to cost us a pristine environment, all of which are rapidly disappearing.

Please exert some common sense. Six hundred fifty million dollars is not a lot of money to save the planet and to address its real problems. I would ask unanimous consent to withdraw my amendment.

Chairman ROS-LEHTINEN. The Chair would remind our members that we are not as wise and witty and articulate as we think, and people are not as silly and stupid and superficial as we think. So let's get to the serious amendments. We have a lot of serious amendments.

Mr. ACKERMAN. Madam Chair?

Chairman ROS-LEHTINEN. Go ahead.

Mr. ACKERMAN. A point of personal privilege.

Chairman ROS-LEHTINEN. Go ahead, Mr. Ackerman. You are recognized.

Mr. ACKERMAN. We are all entitled to our opinions and I believe under the 5-minute rule we are entitled—in the way in which we find it to be most effective.

Chairman ROS-LEHTINEN. If you think it is effective——

Mr. ACKERMAN. And if you choose to think that my way is silly——

Chairman ROS-LEHTINEN. Yes, I do.

Mr. ACKERMAN [continuing]. You are entitled to that opinion, and I will reserve my opinion on your point of view except to say, very respectfully, that I think that your view is short-sighted. I don't think it is silly. I don't think it is foolish. I don't think it is derogatory. And I wouldn't demean you for it.

Chairman ROS-LEHTINEN. If the gentleman would yield. I do not know how this amendment to Mr. Mack's amendment is not considered to be dismissive, snotty and demeaning to someone else's point of view.

Mr. ACKERMAN. I would reject your characterization of my point of view as dismissive, demeaning and snotty.

Chairman ROS-LEHTINEN. It has been noted.

Mr. ACKERMAN. This is your opinion. And if I struck a raw nerve with what for me passes as a good humored, good natured way of making a point.

Chairman ROS-LEHTINEN. I don't see many people laughing.

Mr. ACKERMAN. Mr. Mack was smiling during my presentation, I don't know if he thought it was cute, clever or what he thought——

Chairman ROS-LEHTINEN. The Chair will retake her time. And I think that we are——

Mr. ACKERMAN. I would just say to the chair that I have enough respect for you and your point of view as to not characterize your views as snotty or silly. And I am not saying that I resent your presentation or recharacterization of what my point of view is, but it is my point of view and I think it is shared by a lot of the American people. And you may want to put it to a survey or a vote, but the American people will have their will out and so will world opinion on whether or not there is global warming and what some of the amendments to this bill are trying to do.

And I was making that point in my own maybe unique way. And you can characterize it in any way that you choose. But to do it publicly is not worthy of the way that——

Chairman ROS-LEHTINEN. I know that have a lot of folks that want personal privilege, but we will just move on if we could. And we are on the Mack amendment. Mr. Ackerman having withdrawn his amendment, who seeks recognition on the Mack amendment?

Mrs. ELLMERS. Madam Chairman.

Chairman ROS-LEHTINEN. The gentlewoman is recognized for 5 minutes.

Mrs. ELLMERS. Thank you. I have a report right here. It is the U.S. Senate minority report, basically updated 2009. It says over

650 dissenting scientists from around the globe challenge man-made global warming. Yes, there is climate change. It has existed since the world was created, but it is not man-made. And if you have 650 dissenting scientists——

Chairman ROS-LEHTINEN. If you will allow me to interrupt you. It has been pointed out to me that I had already recognized you.

Mr. ACKERMAN. I ask unanimous consent that the lady be permitted to continue.

Chairman ROS-LEHTINEN. Not granted. We will have many such requests and I am sorry, Mrs. Ellmers, people have one whack at it. Who wishes to be recognized for the Mack amendment? Hearing no further requests for recognition, Mr. Mack, let me ask you a second—do you want a voice vote or would you like—you want a recorded vote? Yes. Okay. Hearing no further requests for recognition, the question occurs on the amendment and as we had agreed to, we were going to be rolling votes to 1 o'clock p.m. And I believe there are several more amendments to this bill if we can move onto the Schwartz amendment. And I know that I have several here on the list. I won't get in trouble again by putting them in order. I will just say whoever is the next one. Ms. Schwartz's amendment at the desk. If the clerk would read the amendment, please.

Ms. CARROLL. Amendment to H.R. 2583 offered by Ms. Schwartz of Pennsylvania. At the end of title VIII, insert the following: Section 8 [blank]. Sense of Congress on the Bureau of Educational——

[The information referred to follows:]

AMENDMENT TO H.R. 2583

OFFERED BY MS. SCHWARTZ OF PENNSYLVANIA

At the end of title VIII, insert the following:

1 **SEC. 8___. SENSE OF CONGRESS ON THE BUREAU OF EDU-**
2 **CATIONAL AND CULTURAL AFFAIRS.**
3 (a) FINDINGS.—Congress finds the following:
4 (1) The Bureau of Educational and Cultural
5 Affairs of the Department of State engages stu-
6 dents, educators and rising leaders in more than 160
7 countries through academic, cultural, sports, and
8 professional exchanges.
9 (2) These robust and effective international
10 education, cultural exchange and leadership develop-
11 ment programs strengthen our relationships with
12 foreign partners that in turn benefit our economy
13 and our national security.
14 (3) The Department of State's Competitive
15 Grants Program within the Bureau of Educational
16 and Cultural Affairs' Exchange critically supports
17 academic, cultural and professional exchange and
18 training programs that seek mutual understanding
19 and the free exchange of ideas between the people of
20 the United States and the people of other countries.

1 (4) Broadening our understanding of other cul-
2 tures, languages, foreign governments, and econo-
3 mies makes us stronger as a country.
4 (5) As Secretary of State Hillary Clinton noted
5 in February 2011, "There is nothing that is more
6 effective than having people break down barriers
7 [through exchange]."
8 (6) The Bureau of Educational and Cultural
9 Affairs' focus on global education, women, youth,
10 underserved audiences and the formation of critical
11 global communities, as well as its concentration on
12 countries of strategic importance, such as Afghani-
13 stan, Pakistan, Iraq, and Indonesia, serve the inter-
14 ests of the United States around the world.
15 (7) Alumni outreach engages thousands of Bu-
16 reau Educational and Cultural Affairs alumni
17 around the world and assures a strong return on in-
18 vestment.
19 (8) The Bureau of Educational and Cultural
20 Affairs alumni encompass over one million people
21 around the world, including more than 50 Nobel
22 Laureates and over 350 current and former heads of
23 state and government.
24 (b) SENSE OF CONGRESS.—It is the sense of Con-
25 gress that the Bureau of Educational and Cultural Affairs

1 of the Department of State fosters mutual understanding
2 between the people of the United States and the people
3 of other countries to promote friendly and peaceful rela-
4 tions as mandated by the Mutual Educational and Cul-
5 tural Exchange Act of 1961.

☒

Chairman ROS-LEHTINEN. Unanimous consent to dispense with the reading. And Ms. Schwartz is recognized.

Ms. SCHWARTZ. Thank you, Madam Chairman. I am just adding a new section, a sense of Congress that recognizes the value of educational and cultural exchanges.

Chairman ROS-LEHTINEN. If the gentlelady will suspend. We had previously read your amendment and found to be a solid amendment. We are prepared to accept it. And if we can dispense with any more speeches, although everyone is within their right, his or her right to speak, but if we could have no further requests for recognition, the question occurs if the gentlelady would allow on your amendment.

Ms. SCHWARTZ. I am delighted there is bipartisan support for the importance of these kinds of exchanges and the value that it brings to our world community.

Chairman ROS-LEHTINEN. I thank the gentlelady. The question occurs on the Schwartz amendment. All those in favor say aye. All those opposed no. In the opinion of the Chair, the ayes have it and the Schwartz amendment is agreed to. And I know that we have other amendments. We are trying to see if we can do the noncontroversial ones at first. So Mr. Poe is recognized for his amendment.

Mr. POE. Madam Chair. I have an amendment at the desk.

Chairman ROS-LEHTINEN. The clerk will report the amendment.

Ms. CARROLL. Which amendment, Mr. Poe? I have 162 and 163.

Mr. POE. Camp Ashraf as amended.

Ms. CARROLL. Poe 163. Amendment to H.R. 2583 offered by Mr. Poe of Texas. At the end of title VIII, add the following: Section 8xx. Statement of policy regarding Camp Ashraf. It shall be the policy of the United States to (1) urge the Government of Iraq to uphold its commitments to the United States——

Chairman ROS-LEHTINEN. I ask unanimous consent to dispense with the reading and the author is recognized for 5 minutes to explain his amendment. Mr. Poe.

[The information referred to follows:]

Poe_163.doc

AMENDMENT TO H.R. 2583
(FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEAR 2012)

OFFERED BY MR. POE OF TEXAS

At the end of title VIII, add the following:

1 **SEC. 8XX. STATEMENT OF POLICY REGARDING CAMP ASHRAF**
2 It shall be the policy of the United States to—
3 (1) urge the Government of Iraq to uphold its commitments to the United
4 States to ensure the continued well-being of those living in Camp
5 Ashraf and prevent their involuntary return to Iran in accordance with
6 the United States Embassy Statement on Transfer of Security
7 Responsibility for Camp Ashraf of December 28, 2008; and
8 (2) take all necessary and appropriate steps in accordance with international
9 agreements to support the commitments of the United States to ensure
10 the physical security and protection of Camp Ashraf residents; and
11 (3) prevent the forcible relocation of Camp Ashraf residents inside Iraq and
12 facilitate the robust presence of the United Nations Assistance Mission
13 in Iraq in Camp Ashraf.

insert
"take all necessary and appropriate steps to"

Mr. POE. Thank you, Madam Chair. On April the 8th, the Iraqi military invaded Camp Ashraf, Camp Ashraf is a group of Iranian dissidents, about 3,400 that are inside of the country of Iraq, supposed to be protected by Iraq and the rest of the world. 34 Iranians were murdered by the Iraqi Government. I have seen the video as many have of the unarmed citizens being murdered when myself, Mr. Duncan, Mr. Carnahan and Mr. Rohrabacher were in Iraq on June 11th, we met with the Prime Minister Maliki to discuss this issue, almost a 2-hour meeting. He gave his side of the story.

Toward the end of the meeting, we asked if we could then go to Camp Ashraf and get the other side of the story, the people who were there. He was defiant in making sure that was not going to happen. He did not give us permission, would not let us go to Camp Ashraf to talk to the survivors of this attack by the Iraqi military. It is obvious to me as a former judge that he didn't want the other side of the story to be told to the Americans that were

there. The truth is always the first casualty of an invasion like his military committed in April.

Therefore, we were not allowed to talk to the people of Camp Ashraf. This amendment—and I appreciate the chair and the ranking member's input on this amendment, will make sure that the United States takes a firm and strong position in support of the safety of the citizens in Camp Ashraf. The Iranian dissidents, as I call them. Many of them freedom fighters that want freedom in their own country of Iran. I believe this is my opinion that Maliki and the Iranian Government are complicit in cahoots together in trying to remove Camp Ashraf to an unsafe location, somewhere else in Iraq so that at some point, the Iraqi Government when they have total control of the area and the United States has left, that these people's lives are in danger.

We talk about human rights, we talk about helping people, we talk about making sure that democracy lives throughout the world, and I believe that it is important that we practice what we preach and we should start with Camp Ashraf, making sure that the safety of these people is paramount, that the Iraqi Government, the Iranian Government does not have their way and they are relocated somewhere else in Iraq and their safety becomes in jeopardy.

Mr. BERMAN. Would the gentleman yield?

Mr. POE. I will yield.

Mr. BERMAN. First, I want to thank the gentleman for his amendment, and I wanted to ask the gentleman if he would be willing to answer in paragraph 2 of the amendment, the reference to international agreements, my assumption this includes the status of forces agreement between—it was entered into by President Bush, and the Government of Iraq back in 2008. Am I correct in that assumption?

Mr. POE. Reclaiming my time. Yes, that is just one of the many international agreements that would be covered under this amendment.

Mr. BERMAN. I thank the gentleman and I intend to support the amendment.

Chairman ROS-LEHTINEN. Would the gentleman like for us to approve his amendment? So hearing no further requests?

Mr. ACKERMAN. Ma'am.

Chairman ROS-LEHTINEN. Oh, yes. Mr. Ackerman is recognized.

Mr. ACKERMAN. Thank you. Let me congratulate the gentleman from Texas for offering the amendment which I think is an excellent amendment. I do have one concern, and it is in paragraph 3, and I was wondering if the gentleman would be willing to add the words at the beginning of No. 3, "to work to prevent the forcible relocation," because otherwise we are committed to an action, affirmatively committed to an action that we may not be, at a particular time, prepared to engage in.

Chairman ROS-LEHTINEN. Mr. Poe?

Mr. POE. I do not agree to the phrase "work to."

Mr. ACKERMAN. So what you are saying is, it shall be the policy of the United States to prevent so that we would have to go in presumably militarily if an action were taken, we would be aggressively at war?

Mr. POE. To answer your question, it would go back to paragraph 2, which says take necessary and appropriate steps.

Mr. ACKERMAN. Could we use that language in paragraph 3 as well instead of the word "prevent"?

Mr. POE. I would accept that amendment. Take all necessary and appropriate steps to prevent the forcible——

Mr. ACKERMAN. That would be——

Chairman ROS-LEHTINEN. If the clerks could note that Mr. Ackerman has proposed an amendment to the Poe amendment that Mr. Poe agrees to. And, Mr. Ackerman, would you please state that again so they can write it down.

Mr. ACKERMAN. "To amend paragraph 3 to now read to take all necessary and appropriate steps to prevent the forcible"—et cetera.

Mr. POE. Madam Chair, that is acceptable.

Chairman ROS-LEHTINEN. With unanimous consent, we will consider the Poe amendment as amended by Mr. Ackerman. Without—hearing no further requests for recognition, thank you, Mr. Ackerman, thank you, Mr. Poe, the question occurs on the Poe amendment as amended. All those in favor say aye. All opposed no. In the opinion of the Chair, the ayes have it and the amendment is agreed to. We will then hear from Mr. Murphy who has—we will reserve a point of order—I will reserve a point of order. Mr. Murphy.

Mr. MURPHY. Thank you, Madam Chair. I have an amendment at the desk. I believe it is No. 41.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Murphy of Connecticut. At the end of title VIII, add the following new section: Section 8xx. American materials required——

Chairman ROS-LEHTINEN. Unanimous consent that the amendment be considered as read. And Mr. Murphy is recognized to explain his amendment.

Mr. MURPHY. Thank you very much, Madam Chair. This amendment is fairly straightforward. It provides a sense of Congress that the country of Poland should become part of our Nation's visa waiver program. That is a program currently that benefits about 36 different countries. Poland——

Chairman ROS-LEHTINEN. If the gentleman could suspend for just a second. I believe that we are passing out the wrong Murphy amendment. Could we have that—could you——

Mr. MURPHY. Yeah, we are looking for——

Chairman ROS-LEHTINEN. Mr. Murphy, what is the number you are using for that amendment?

Mr. MURPHY. I was given 41.

Chairman ROS-LEHTINEN. It is the right one. Okay, thanks. We are giving out the right one. Thank you.

Mr. MURPHY. So this should be entitled sense of Congress relating to membership of Poland visa waiver program.

Chairman ROS-LEHTINEN. Correct, correct. So let us suspend because appears from is the right number but the wrong amendment. So we will just suspend a second so that we get the right amendment. Could you say it again, Mr. Murphy.

Mr. MURPHY. This is sense of Congress relating to Poland in visa waiver program. The number I have is 41.

Chairman ROS-LEHTINEN. 41. Mr. Ackerman is recognized. The visa waiver. And I think we have got it at the desk, Mr. Murphy.

So don't worry about the number. If the clerk would read the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Murphy of Connecticut. At the end of title VIII, add the following: Section 8xx. Sense of Congress relating to membership of Poland in visa waiver program.——

Chairman ROS-LEHTINEN. I hear Poland and I hear visa waiver and I hear Murphy. I think that is a match. Mr. Murphy is recognized.

[The information referred to follows:]

AMENDMENT TO H.R. 2583

OFFERED BY MR. MURPHY OF CONNECTICUT

At the end of title VIII, add the following:

1 **SEC. 8xx. SENSE OF CONGRESS RELATING TO MEMBERSHIP**
2 **OF POLAND IN VISA WAIVER PROGRAM.**
3 (a) FINDINGS.—Congress finds the following:
4 (1) Poland is an unwavering ally of the United
5 States and has contributed significantly to the oper-
6 ations in Iraq and Afghanistan. Today there are
7 2,600 Polish troops serving in the Ghazni Province
8 of Afghanistan.
9 (2) Poland took over the Presidency of the
10 Council of the European Union on July 1, 2011.
11 (3) Poland has adopted economic policies that
12 promote free markets and economic growth.
13 (4) Poland was the fastest growing country in
14 the European Union (EU) in 2010 and Poland's
15 economic growth has been consistently better than
16 the EU average.
17 (5) The United States is home to over 10 mil-
18 lion people of Polish ancestry.
19 (6) Polish Diaspora in the United States has
20 made great contributions to academic, cultural, and

1 political life as well as to the arts and entertain-
2 ment, science, innovation and sports.
3 (7) United States travel industry and the ailing
4 United States economy would benefit greatly from
5 additional travelers.
6 (8) Travelers from countries participating in
7 the visa waiver program spend billions of dollars in
8 the United States, renting cars and hotel rooms,
9 dining in restaurants and shopping in stores—pur-
10 chases that help the United States economy by cre-
11 ating jobs and sustaining small and large businesses.
12 (9) Foreign tourists often spend three times as
13 much as domestic travelers when they visit the
14 United States and taxes generated from tourism
15 produce over $100 billion in revenue for local, State
16 and Federal governments.
17 (10) President Barack Obama has emphasized
18 that, "We should work to include countries like Po-
19 land that are members of both the EU and NATO
20 into the Visa Waiver Program. Today's visa regime
21 reflects neither the current strategic relationship nor
22 the close historic bonds between our peoples, and is
23 out of date.".
24 (11) The visa waiver program requires members
25 to maintain superlative airport security standards, to

1 assist in the operation of an effective air marshal
2 program, and to promptly report information about
3 lost and stolen passports.
4 (12) The visa waiver program increases collec-
5 tive security by encouraging more states to meet
6 common security standards and share information—
7 minimizing opportunities for the expansion of ter-
8 rorist networks.
9 (13) When foreign travelers come to the United
10 States and interact with Americans and gain an un-
11 derstanding of what makes America great, they
12 share these positive experiences with members of
13 their own societies.
14 (14) The visa waiver program has enjoyed bi-
15 partisan congressional support.
16 (b) SENSE OF CONGRESS.—It is the sense of Con-
17 gress that Poland should be supported in its bid to join
18 the visa waiver program under section 217 of the Immi-
19 gration and Nationality Act.

☒

Mr. MURPHY. Thank you very much, Madam Chair. Again, this is an amendment that puts forward a sense of Congress that we should work towards, including Poland in our Nation's visa waiver program, our visa waiver program right now includes 36 countries and is primarily based on visa denial rates. In fact, Poland is one, if not the only remaining country that is both a member of the EU and NATO that is not a member of the visa waiver program. We have normally excluded countries from this program because we have a fear of overstay. And though that may have been a legitimate concern in the past regarding Poland, that is not a concern today.

Overstays for Polish immigrants are now at 3 percent or below. In fact, the main prior reason to worrying about overstays, the relative shape of Poland's economy versus the United States economy has unfortunately been flipped. Poland's economy has been one of the few in Europe that has been growing consistently, and unfortunately for this country, people are more likely than not going to find a job in Poland rather than here. This is also one of our most important staunchest allies in the world, Poland has stood with this Nation over and over again when we have asked them to join us in matters abroad and matters before the U.N. and both from a perspective of whether it makes sense vis-à-vis overstays and whether it makes sense to stand by one of our closest allies around the world, we should, as a matter of American foreign policy, be bringing Poland into the visa waiver program.

This, I think, enjoys bipartisan support in discussions with the chairwoman's staff. I understand that she may be willing to work on this issue, moving forward. But I also understand that this is subject to a point of order due to the jurisdiction that it may fall under.

Chairman ROS-LEHTINEN. If the gentleman would yield. I wholeheartedly agree with his amendment and with what he is trying to do. It is a jurisdictional problem with another committee. I look forward to working with you.

Mr. MURPHY. With that, I appreciate your willingness to work on this issue going forward and I will withdraw the amendment.

Chairman ROS-LEHTINEN. Thank you very much, Mr. Murphy. We are currently working to try to get the—and we do have an agreement. Mr. Fortenberry has an en bloc amendment by U.C. The clerk will report the amendment.

Ms. CARROLL. Fortenberry amendment to be considered en bloc, 59 Lord's——

Chairman ROS-LEHTINEN. Unanimous consent to dispense with the reading. Mr. Fortenberry, if you could explain what these amendments will do.

[The information referred to follows:]

AMENDMENT TO H.R. _____

OFFERED BY MR. FORTENBERRY OF NEBRASKA

At the end of title VIII, insert the following:

1 **SEC. 8 . LORD'S RESISTANCE ARMY.**

2 (a) FINDINGS.—Congress finds the following:

3 (1) The Lord's Resistance Army has terrorized
4 central Africa for 25 years, and abducted tens of
5 thousands of children, many of whom have been
6 forced into child soldiering or sex slavery.

7 (2) The influence of the Lord's Resistance
8 Army spans the border areas of South Sudan,
9 Democratic Republic of Congo, and Central African
10 Republic.

11 (3) The Lord's Resistance Army has become
12 one of the deadliest rebel group in Congo, and has
13 displaced hundreds of thousands of people across
14 central Africa, including South Sudan, the world's
15 newest country where United States investments in
16 peace and stability are critical.

17 (b) STATEMENT OF POLICY.— It shall be the policy
18 of the United States to implement the Administration's
19 strategy released in November 2010 to mitigate and elimi-
20 nate the threat to civilians and regional stability posed by

1 the Lord's Resistance Army, in accordance with section
2 4 of the Lord's Resistance Army Disarmament and North-
3 ern Uganda Recovery Act of 2009 (Public Law 111–172;
4 22 U.S.C. 2151 note).

☒

AMENDMENT TO H.R.

OFFERED BY MR. FORTENBERRY OF NEBRASKA

In section 812, add at the end the following:

1 (c) STATEMENT OF POLICY.—It is the policy of the
2 United States to investigate, hold accountable, and impose
3 sanctions against any individual or entity responsible for
4 war crimes and crimes against humanity in the Republic
5 of Sudan or Republic of South Sudan.

AMENDMENT TO H.R. _____

OFFERED BY MR. FORTENBERRY OF NEBRASKA

In section 812(b)(6)(E), strike "and" at the end.

In section 812(b), redesignate paragraph (7) as paragraph (8).

In section 812(b), insert after paragraph (6)(E) the following:

1 (7) the United States and other responsible
2 countries should support the Legislative Assembly of
3 the Republic of South Sudan, particularly the Com-
4 mittee on Energy, Mining, Commerce and Industry
5 (as oil comprises 98 percent of total government rev-
6 enues), and the Auditor General's office as it works
7 to create a Petroleum Directorate, to ensure full ac-
8 countability in the management of the country's oil
9 sector; and

☒

AMENDMENT TO H.R.

OFFERED BY MR. FORTENBERRY OF NEBRASKA

(Foreign Relations Authorization Act, Fiscal Year 2012)

At the end of title VIII, add the following:

1 **SEC. 8xx. NATIONAL INTEREST WAIVER UNDER THE CHILD**
2 **SOLDIERS PREVENTION ACT OF 2008.**

3 Section 404(c) of the Child Soldiers Prevention Act
4 of 2008 (22 U.S.C. 2370c–1(c)) is amended to read as
5 follows:

6 "(c) NATIONAL INTEREST WAIVER.—The President
7 may waive the application to a country of the prohibition
8 in subsection (a) if—

9 "(1) the President determines that such waiver
10 is in the national interest of the United States; and

11 "(2) the President provides to the appropriate
12 congressional committees at least 15 days in ad-
13 vance of exercising the waiver a justification for
14 granting such a waiver, including a certification that
15 the government of the country has taken credible
16 and verifiable steps to implement a plan of action to

end the recruitment and use of child soldiers, including the demobilization of child soldiers.''.

☒

AMENDMENT TO H.R. _____

OFFERED BY MR. FORTENBERRY OF NEBRASKA

At the appropriate place in the bill, insert the following:

1 **SEC. . WATER AND SANITATION.**

2 (a) FINDINGS.—Congress finds the following:

3 (1) The Department of State and the United
4 States Agency for International Development have
5 designated Global Health as a policy priority for
6 United States foreign assistance.

7 (2) Clean, potable water and adequate sanita-
8 tion are indispensable foundations of healthy soci-
9 eties.

10 (3) Urban areas, where the expansion of slums
11 reduces access to clean water and proper sanitation,
12 are particularly prone to the spread of disease.

13 (4) Diseases related to unsafe water and inad-
14 equate sanitation account for [80 percent of sick-
15 nesses in developing countries].

16 (b) STATEMENT OF POLICY.—It shall be the policy
17 of the United States to address waterborne illnesses and

1 conditions related to poor sanitation as priorities for
2 United States global health policy.

FORTEN_074.XML

FORT 74

AMENDMENT TO H.R. ___

OFFERED BY MR. FORTENBERRY OF NEBRASKA and Mr. Payne of New Jersey T-8

At the end of title VIII, insert the following:

SEC. 8ll. CHINESE INVOLVEMENT IN AFRICA.

(a) FINDINGS.—Congress finds the following:

(1) China is one of the world's largest investors in Africa.

(2) Bilateral trade deals have been signed between China and 45 African countries.

(3) The China-Africa Development Fund was created to invest in African equities, and plans call for an expansion to $5 billion.

(4) According to Tapiwa Mashakada, Zimbabwe's Minister of Economic Planning and Investment, the China Development Bank could invest up to $10 billion in Zimbabwe, site of the world's second-largest platinum deposit.

(5) Chinese direct investment in Zambia, with a focus on copper mining, surpassed $1 billion in 2010.

(6) Sudan is China's third-largest trade partner in Africa, and China has been its biggest arms supplier. China continues to be criticized by human rights observers for supplying weapons in violation of the United Nations weapons embargo of Sudan.

(7) Chinese direct investment in Nigeria exceeded $7 billion in 2010, with a focus on oil investments in the conflict-ridden Niger Delta.

(8) According to reports, China's African investments may increase by 70 percent from 2009 to 2015, to $50 billion, and Chinese-African bilateral trade may double from 2010 to 2015, to $300 billion.

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

(1) the United States Government should have a firm understanding of China's rapid expansion in natural resource-rich, high-conflict areas of Africa;

(2) the U.S.-China Economic and Security Review Commission should, as part of its existing mandate and resources, prepare a report on China's activities in Africa as they relate to the U.S.-China relationship.

FORT # 76

T-8

Amendment to H.R. _____
Offered by Mr. Fortenberry of Nebraska

At the appropriate place in the bill, insert the following:

Sec. VIII. Sense of Congress Regarding Public Diplomacy

(a) FINDINGS. – Congress finds the following:

(1) New media and communication technologies have given rise to explosive growth in the volume and frequency of information flowing to consumers worldwide.

(2) Individuals and entities that seek to undermine American principles and ideals are actively engaged in shaping perceptions about America and its role in world affairs.

(3) The 9/11 Commission concluded in its report that long-term success against terrorism "demands the use of all elements of national power," including foreign aid and public diplomacy. The Commission cautioned, "If we favor one tool while neglecting others, we leave ourselves vulnerable and weaken our national effort."

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

(1) strengthening America's public diplomacy through increased collaboration with the private sector should be a top U.S. foreign policy priority;

(2) the Secretary of State should consider ways to strengthen current outreach efforts to key audiences in the following countries: Egypt, Pakistan, Turkey, and Russia.

Mr. FORTENBERRY. I will be glad to, Madam Chair. Thank you for the time. We are referring to these as the Gang of 7 amendments. I think they are fundamental in meeting the purpose of our foreign affairs and State Department budgets in that they address humanitarian concerns, encourage the benefits of mutual exchange, including both economic as well as cultural understanding and finally they are in our national security interests.

Let me also recognize Mr. Payne's assistance and his co-sponsorship of Amendment No. 59 regarding the Lord's Resistance Army. Regarding Amendment 60, which is a statement of policy regarding Sudan war crimes. And I appreciate Mr. Payne's co-sponsorship as well of a report we are calling for regarding China's involvement in Africa.

The first amendment deals with the Lord's resistance Army. This Army has terrorized Central Africa for 25 years. It has abducted tens of thousands of children, many of whom have been forced into child soldiering or sexual slavery. Last year this body and the administration took unprecedented steps to end the group's campaign of violence. We passed broadly supported bipartisan legislation called the Lord's resistance Army disarmament and northern Uganda Recovery Act requiring the administration to prepare and present to Congress a comprehensive strategy to bring the LRA commanders to justice. This amendment simply seeks to implement that strategy.

The second amendment, No. 60, states that it is the policy of the United States to investigate, hold accountable and impose sanctions against my individual or entity responsible for war crimes and crimes against humanity in the Republic of Sudan or Republic of South Sudan.

The third amendment, No. 61, is regarding South Sudan as well. While the Republic of South Sudan is now independent, it is important to note that serious conflicts, microcosms of decade-long violence threaten the peaceful establishment of that new country. One of the most serious sources of potential conflict is over the issue of oil. This amendment simply expresses support for technical support for the proper management of the country's oil sector.

The next amendment, No. 63, deals with child soldiers. This has been wildly bipartisan legislation that we have passed in the past, however this adjusts that legislation to require the President to submit to appropriate congressional committees at least 15 days in advance of exercising the waiver of a justification, of exercising a waiver, the justification for exercising that waiver for granting that waiver, including a certification that the government in question has taken credible and verifiable steps to implement a plan of action to end the recruitment and use of child soldiers, including the demobilization of soldiers. Six governments were found guilty of using child soldiers in 2010, Burma, Chad, the Democratic Republic of Congo, Somalia, Sudan and Yemen, several received national security interest waivers. This simply demands that the President explain why and verify the progress that these countries are making to end the pernicious practice.

The next amendment, No. 69, is a statement of policy that the United States Agency for International Development designated global health as a policy for—as a policy priority for the United

States foreign assistance. This simply states that the United States will address water borne illnesses and conditions related to poor sanitation as priorities of global health policy. Approximately 80 percent of all illnesses and deaths in the developing world come from water borne illnesses.

The next amendment, No. 74, addresses the lengthy conversation that we were having last night regarding China's involvement in Africa. It asks the United States, China, economic and security review commission, that is a part of its existing mandate and resources to prepare a report on China's extensive activities in Africa as they relate to the U.S.-China relationship.

Finally, the last amendment is regarding strengthening our public diplomacy. It simply asks that through an increased collaboration with the private sector, public diplomacy should be a top U.S. foreign policy priority and that the State Department should consider ways to strengthen current outreach efforts to key audiences in Egypt, Pakistan, Turkey and Russia. I yield back the 5 seconds.

Chairman ROS-LEHTINEN. Thank you very much, Mr. Fortenberry. And Mr. Berman is recognized.

Mr. BERMAN. Madam Chair, I have an amendment at the desk. And the No.——

Chairman ROS-LEHTINEN. No. You are going to say how much you love the Fortenberry amendment.

Mr. BERMAN. I am jumping ahead. I am going to say how much I love the Fortenberry amendments.

Chairman ROS-LEHTINEN. We all do love them.

Mr. BERMAN. And prepare to accept all of them en bloc and encourage my colleagues to do so.

Chairman ROS-LEHTINEN. And hearing no further requests for recognition, the question occurs——

Mr. PAYNE. Madam Chair, please.

Chairman ROS-LEHTINEN. Oh, Mr. Payne, who is a co-sponsor of all of amendments. I apologize. Mr. Payne is recognized for 5 minutes.

Mr. PAYNE. I am under the shadow of Ackerman. He blocks me.

Chairman ROS-LEHTINEN. We all are.

Mr. PAYNE. I know. He was complaining because the bagels had no lox. Let me thank the gentleman, Mr. Fortenberry, for the amendments that he is permitting me as we worked on together to co-sponsor with him. As he indicated very briefly, the Lord's Resistance Army, Koney and his cronies have been terrorizing Africa for 20-some-odd years. Thousands of children have been abducted and killed and maimed and he continues to romp around in the eastern part of Africa, of course, being supported by al Bashir and the Government of Sudan.

So I wholeheartedly support—we need to bring an end. He is indicted by the International Criminal Court and there needs to be an effort to search and get him and take him to the Hague for trial. Secondly, the statement of policy regarding Sudan war crimes, which we know 20 years of civil war, 4 million people displaced, 2 million killed. Dr. John Garang, I was with him several weeks before he took a plane from Uganda back to Sudan which mysteriously crashed. And he lost his life 20 days after a 20-year war.

As I indicated, I was there at the celebration of the new South Sudan. I certainly support the legislative assembly and the support that they will need as they move toward a democracy. 61 and 63, national interest waiver on child soldier prevention. And I think that as—and I have had a conversation with Mr. Fortenberry on this, that countries that work toward trying to eliminate it is not as easy as it may seem. But that we will work together to try to assist the countries, the water and sanitation, it is a real pleasure to co-sponsor that. We know that water-borne diseases kill, cholera, diarrhea. As a matter of fact, a 3- to 5-cent kit of sugar and water can prevent deaths, just 3 cents because it prevents diarrhea and it puts the body substance back into the child. And so I certainly support the whole question of water and sanitation.

Of course China and Africa, as we have heard, $120 billion invested in 2010. That is staggering. We need to seek, rather than curse the darkness, we need to light a candle. We need to start investing. We can outcompete them in many of the countries. So I certainly support that issue.

So it is really a pleasure for me to work so closely with Mr. Fortenberry and I appreciate his interests. Thank you. I yield back.

Chairman ROS-LEHTINEN. Thank you very much. The gentleman yields back. Hearing no further requests for recognition, the question occurs on the fortunate en bloc amendment with Mr. Payne, of course. All those in favor say aye. All opposed no. In the opinion of the Chair, the ayes have it. And the Fortenberry-Payne amendment en bloc is agreed to. Now we will go to Mr. Payne's amendment. Ivory Coast. The clerk will—if Mr. Payne would like to offer it, the clerk will report the amendment. The clerk will report the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Payne of New Jersey. At the end of title VIII, insert the following: Section——

Chairman ROS-LEHTINEN. With unanimous consent, we will dispense with the reading and Mr. Payne is recognized to explain his amendment.

[The information referred to follows:]

AMENDMENT TO H.R. 2583 #593

OFFERED BY MR. Payne

At the end of title VIII, insert the following:

1 **SEC. 8___. COTE D'IVOIRE.**

2 (a) FINDINGS.—Congress finds the following:

3 (1) The political crisis in Cote d'Ivoire, which
4 resulted from the disputed November 2010 Presi-
5 dential election, imperiled the civic, economic, and
6 human rights of its citizens and the political stability
7 of the entire sub-region.

8 (2) With 17 scheduled elections across Africa in
9 2011, Ivoirian and international acceptance of Mr.
10 Gbagbo's electoral claim would have aided and abet-
11 ted the efforts of those who may seek to undermine
12 the democratic will of Africa's citizens and reversed
13 gains in democracy and governance across the con-
14 tinent.

15 (3) On April 11, 2011, Mr. Gbagbo was ar-
16 rested and taken into the custody of the forces
17 aligned with the elected President, thereby creating
18 an opportunity for the political and security crisis in
19 Cote d'Ivoire to be resolved and for rule of law to
20 be restored.

1 (4) The United States has a strong interest in
2 promoting democracy and peace in Cote d'Ivoire and
3 across all of Africa.
4 (b) STATEMENT OF CONGRESS.—Congress—
5 (1) supports the democratic aspirations of the
6 Ivoirian people;
7 (2) strongly condemns Mr. Gbagbo's attempt to
8 circumvent the will of the people of Cote d'Ivoire the
9 majority of whom voted on November 29, 2010, to
10 elect Alassane Ouattara as their president;
11 (3) welcomes the arrest of former president
12 Laurent Gbagbo and calls upon him to urge his sup-
13 porters to lay down their weapons and contribute to
14 peace and reconciliation in the country;
15 (4) calls for an immediate end to acts of vio-
16 lence, human rights abuses, the intimidation of
17 United Nations troops, and the hindrance of United
18 Nations access to investigate alleged violations of
19 international human rights and humanitarian law;
20 (5) asserts that Mr. Gbagbo and his military
21 and paramilitary forces must be held accountable for
22 any human rights crimes and abuses that they have
23 perpetrated against citizens and residents of Cote
24 d'Ivoire, as must all other persons or entities who
25 have committed such violations;

(6) calls on the United States Government and international community to continue to provide support for the ongoing efforts of the Economic Community of West African States and the African Union efforts to resolve the Ivoirian crisis, in particular through support for implementation of the conflict resolution framework and related recommendations contained in the Report of the High Level Panel of the African Union for the Resolution of the Crisis in Cote d'Ivoire of March 10, 2011;

(7) calls on the United Nations Security Council, with the support of the elected Government of Cote d'Ivoire, the African Union, and ECOWAS, to continue to ensure that legal democratic processes and international human rights and humanitarian law are upheld in Cote d'Ivoire, and that there is accountability for violations thereof;

(8) supports the application of smart, targeted sanctions against Mr. Gbagbo and his key supporters by the United States Government and international community in order to send a clear message that his rejection of the democratic process is unacceptable and that impunity for human rights violations and economic crimes against the Ivoirian people will not be tolerated;

(9) supports the Economic Community of West African States and the African Union's aggressive steps to constrict the access of the Gbagbo regime's access to financial resources, including all actions taken by the Central Bank of West African States (BCEAO) of the West African Economic and Monetary Union (UEMOA) to achieve that end;

(10) calls on the United States Government and other responsible nations to continue, in a coordinated manner, to provide humanitarian assistance to those with emergency needs, both within Cote d'Ivoire and in neighboring countries hosting Ivoirian refugees, as necessary and appropriate;

(11) calls on President Ouattara to demonstrate restraint and uphold rule of law with respect to the capture and potential prosecution of Mr. Gbagbo and his supporters, while demonstrating commitment to reconciliation and recovery;

(12) calls for an independent, and impartial investigation of all allegations of mass killings and other human rights abuses, and calls on President Ouattara to provide unfettered access and the necessary resources for such an investigation to occur, with the support of the United States and other responsible nations, as necessary and appropriate;

1 (13) calls for the disarmament of all irregular
2 security forces and militias; and
3 (14) urges the Government of Cote d'Ivoire to
4 immediately commence national reconciliation ef-
5 forts, invest in rebuilding infrastructure, facilities,
6 and institutions damaged as a result of the military
7 and political crisis, to ensure the safety of all per-
8 sons resident within Cote d'Ivoire and, facilitate the
9 safe and voluntary return of refugees and internally
10 displaced people.

☒

Mr. PAYNE. Thank you very much. As we know, in November 2010, there was an election that was held in Cote d'Ivoire. Mr. Berman calls it Ivory Coast, but it is Cote d'Ivoire. We attempted to get a resolution during the time when President Gbagbo refused to cede power. He lost the election to Mr. Ouattara. And he held on to power, brought the Army into it and after 7 or 8 months, actually with the support of NATO and the French, they finally destroyed the garrison of happy weapons that President Gbagbo had. He was fortified in the Presidential palace and he was therefore captured and arrested, and he now will stand trial before the international criminal court. And this is a resolution that we were attempting to get passed as the—as it was unfolding, a sense of the EU, ECOWAS, a group called EGAD, the executive branch of the U.S. Government. As I mentioned, the European Union and others all supported the democratic election and Mr. Ouattara, who was duly elected, I just felt it would be proper that the U.S. House of Representatives foreign committee, although we were unable to get the amendment going during the crisis, that we make this a part of the sort of like a report that simply urges the country to move toward democracy.

Mr. Smith was kind enough to mark it up in committee, subcommittee, it was approved unanimously in the subcommittee on Africa global health and human rights and it is not controversial. Just to say that you should have democracy. This is a good example of people having their will and let us move forward with recognizing the elections in Cote d'Ivoire. With that, Madam Chairman, I yield back.

Chairman ROS-LEHTINEN. Thank you so much to the gentleman from New Jersey for yielding, and the other gentleman from New Jersey.

Mr. SMITH. I will be very brief. And I thank my good friend and colleague and ranking member for offering this amendment. It does track the amendment, House Resolution 85, that he had sought markup. We did mark it up, and of course the House rules precluded its consideration. So I think it's ever so creative, bringing it forward right here today. It is a great way of keeping the focus on Cote d'Ivoire. The issues there are still bad and vexing. And we need to show our support for the freedom loving people of Cote d'Ivoire. So I thank you him for his resolution.

Chairman ROS-LEHTINEN. I thank the gentleman for yielding and hearing no further requests for time. The question occurs on the amendment, the Payne amendment. All those in favor say aye. All opposed no. In the opinion of the Chair, the ayes have it. And the amendment is agreed to. We will move to Mr. Berman's amendment, only because I am changing the order because some amendments have been agreed to and we will go forth quietly into the goodnight or into daylight. Mr. Berman has an amendment at the desk.

Mr. BERMAN. I have an amendment at the desk. Amendment 032.

Chairman ROS-LEHTINEN. The clerk will report the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Berman of California.——

Chairman ROS-LEHTINEN. Consent to dispense with the reading. And the Chair authorizes the author for 5 minutes to explain his amendment.

[The information referred to follows:]

AMENDMENT TO H.R. _____ #32

OFFERED BY MR. BERMAN OF CALIFORNIA

Strike section 805 and insert the following:

1 **SEC. 805. ANTIBOYCOTT PROVISIONS.**

2 (a) SHORT TITLE.—This section may be cited as the
3 "Antiboycott Act".

4 (b) FINDINGS.—The Congress finds that—

5 (1) the Arab League boycott of Israel, and the
6 secondary boycott of United States firms that have
7 commercial ties with Israel, are an impediment to
8 investment, trade, economic development, and peace
9 in the Middle East and North Africa;

10 (2) it is in the common interest of the people
11 of Israel and the Arab states that the Arab League
12 boycott be terminated, that the Central Office for
13 the Boycott of Israel be closed, and that Arab
14 League states normalize relations with their neigh-
15 bor Israel; and

16 (3) the President, the Secretary of State, and
17 the Secretary of Commerce should continue to vigor-
18 ously oppose the Arab League boycott of Israel and
19 use the authorities enacted into law by Congress to

1 take concrete steps to seek an end to the Arab
2 League boycott.
3 (c) POLICY.—It is the policy of the United States—
4 (1) to oppose restrictive trade practices or boy-
5 cotts fostered or imposed by foreign countries
6 against other countries friendly to the United States
7 or against any United States person;
8 (2) to encourage and, in specified cases, require
9 United States persons engaged in the export of
10 goods or technology or other information to refuse to
11 take actions, including furnishing information or en-
12 tering into or implementing agreements, which have
13 the effect of furthering or supporting the restrictive
14 trade practices or boycotts fostered or imposed by
15 any foreign country against a country friendly to the
16 United States or against any United States person;
17 and
18 (3) to foster international cooperation and the
19 development of international rules and institutions
20 to assure reasonable access to world supplies.
21 (d) PROHIBITIONS AND EXCEPTIONS.—
22 (1) PROHIBITIONS.—In order to carry out the
23 purposes set forth in subsection (c), the Secretary of
24 Commerce (in this section referred to as the "Sec-
25 retary") shall issue regulations prohibiting any

1 United States person, with respect to that person's
2 activities in the interstate or foreign commerce of
3 the United States, from taking or knowingly agree-
4 ing to take any of the following actions with intent
5 to comply with, further, or support any boycott fos-
6 tered or imposed by a foreign country against a
7 country that is friendly to the United States and is
8 not itself the object of any form of boycott pursuant
9 to United States law or regulation:
10 (A) Refusing, or requiring any other per-
11 son to refuse, to do business with or in the boy-
12 cotted country, with any business concern orga-
13 nized under the laws of the boycotted country,
14 with any national or resident of the boycotted
15 country, or with any other person, pursuant to
16 an agreement with, or requirement of, or a re-
17 quest from or on behalf of the boycotting coun-
18 try. The mere absence of a business relationship
19 with or in the boycotted country with any busi-
20 ness concern organized under the laws of the
21 boycotted country, with any national or resident
22 of the boycotted country, or with any other per-
23 son, does not indicate the existence of the in-
24 tent required to establish a violation of regula-
25 tions issued to carry out this subparagraph.

1 (B) Refusing, or requiring any other per-
2 son to refuse, to employ or otherwise discrimi-
3 nate against any United States person on the
4 basis of the race, religion, sex, or national ori-
5 gin of that person or of any owner, officer, di-
6 rector, or employee of such person.
7 (C) Furnishing information with respect to
8 the race, religion, sex, or national origin of any
9 United States person or of any owner, officer,
10 director, or employee of such person.
11 (D) Furnishing information about whether
12 any person has, has had, or proposes to have
13 any business relationship (including a relation-
14 ship by way of sale, purchase, legal or commer-
15 cial representation, shipping or other transport,
16 insurance, investment, or supply) with or in the
17 boycotted country, with any business concern
18 organized under the laws of the boycotted coun-
19 try, with any national or resident of the boy-
20 cotted country, or with any other person which
21 is known or believed to be restricted from hav-
22 ing any business relationship with or in the boy-
23 cotting country. Nothing in this subparagraph
24 shall prohibit the furnishing of normal business

1 information in a commercial context as defined
2 by the Secretary.
3 (E) Furnishing information about whether
4 any person is a member of, has made a con-
5 tribution to, or is otherwise associated with or
6 involved in the activities of any charitable or
7 fraternal organization that supports the boy-
8 cotted country.
9 (F) Paying, honoring, confirming, or other-
10 wise implementing a letter of credit that con-
11 tains any condition or requirement the compli-
12 ance with which is prohibited by regulations
13 issued pursuant to this paragraph, and no
14 United States person shall, as a result of the
15 application of this paragraph, be obligated to
16 pay or otherwise honor or implement such letter
17 of credit.
18 (2) EXCEPTIONS.—Regulations issued pursuant
19 to paragraph (1) may provide exceptions for—
20 (A) compliance, or agreement to comply,
21 with requirements—
22 (i) prohibiting the import of items
23 from the boycotted country or items pro-
24 duced or provided, by any business concern
25 organized under the laws of the boycotted

1 country or by nationals or residents of the
2 boycotted country; or
3 (ii) prohibiting the shipment of items
4 to the boycotting country on a carrier of
5 the boycotted country or by a route other
6 than that prescribed by the boycotting
7 country or the recipient of the shipment;
8 (B) compliance, or agreement to comply,
9 with import and shipping document require-
10 ments with respect to the country of origin, the
11 name of the carrier and route of shipment, the
12 name of the supplier of the shipment, or the
13 name of the provider of other services, except
14 that, for purposes of applying any exception
15 under this subparagraph, no information know-
16 ingly furnished or conveyed in response to such
17 requirements may be stated in negative, black-
18 listing, or similar exclusionary terms, other
19 than with respect to carriers or route of ship-
20 ment as may be permitted by such regulations
21 in order to comply with precautionary require-
22 ments protecting against war risks and confis-
23 cation;
24 (C) compliance, or agreement to comply, in
25 the normal course of business with the unilat-

1 eral and specific selection by a boycotting coun-
2 try, or a national or resident thereof, of car-
3 riers, insurers, suppliers of services to be per-
4 formed within the boycotting country, or spe-
5 cific items which, in the normal course of busi-
6 ness, are identifiable by source when imported
7 into the boycotting country;
8 (D) compliance, or agreement to comply,
9 with export requirements of the boycotting
10 country relating to shipment or transshipment
11 of exports to the boycotted country, to any busi-
12 ness concern of or organized under the laws of
13 the boycotted country, or to any national or
14 resident of the boycotted country;
15 (E) compliance by an individual, or agree-
16 ment by an individual to comply, with the immi-
17 gration or passport requirements of any country
18 with respect to such individual or any member
19 of such individual's family or with requests for
20 information regarding requirements of employ-
21 ment of such individual within the boycotting
22 country; and
23 (F) compliance by a United States person
24 resident in a foreign country, or agreement by
25 such a person to comply, with the laws of the

country with respect to the person's activities exclusively therein, and such regulations may contain exceptions for such resident complying with the laws or regulations of the foreign country governing imports into such country of trademarked, trade-named, or similarly specifically identifiable products, or components of products for such person's own use, including the performance of contractual services within that country.

(3) LIMITATION ON EXCEPTIONS.—Regulations issued pursuant to paragraphs (2)(C) and (2)(F) shall not provide exceptions from paragraphs (1)(B) and (1)(C).

(4) ANTITRUST AND CIVIL RIGHTS LAWS NOT AFFECTED.—Nothing in this subsection may be construed to supersede or limit the operation of the antitrust or civil rights laws of the United States.

(5) EVASION.—This section applies to any transaction or activity undertaken by or through a United States person or any other person with intent to evade the provisions of this section or the regulations issued pursuant to this subsection. The regulations issued pursuant to this section shall expressly provide that the exceptions set forth in para-

1 graph (2) do not permit activities or agreements (ex-
2 pressed or implied by a course of conduct, including
3 a pattern of responses) otherwise prohibited, which
4 are not within the intent of such exceptions.
5 (c) REPORTS.—
6 (1) IN GENERAL.—Regulations issued under
7 this section shall require that any United States per-
8 son receiving a request to furnish information, enter
9 into or implement an agreement, or take any other
10 action referred to in subsection (d) shall report that
11 request to the Secretary, together with any other in-
12 formation concerning the request that the Secretary
13 determines appropriate. The person shall also sub-
14 mit to the Secretary a statement regarding whether
15 the person intends to comply, and whether the per-
16 son has complied, with the request.
17 (2) PUBLIC AVAILABILITY OF REPORTS.—Any
18 report filed pursuant to this subsection shall be
19 made available promptly for public inspection and
20 copying, except that information regarding the quan-
21 tity, description, and value of any item to which
22 such report relates may be kept confidential if the
23 Secretary determines that disclosure of that infor-
24 mation would place the United States person in-
25 volved at a competitive disadvantage.

1 (3) SUMMARIES TO SECRETARY OF STATE.—
2 The Secretary shall periodically transmit summaries
3 of the information contained in the reports filed pur-
4 suant to this subsection to the Secretary of State for
5 such action as the Secretary of State, in consultation
6 with the Secretary, considers appropriate to carry
7 out the purposes set forth in subsection (c).
8 (f) PREEMPTION.—The provisions of this section and
9 the regulations issued under this section shall preempt any
10 law, rule, or regulation that—
11 (1) is a law, rule, or regulation of any of the
12 several States or the District of Columbia, or any of
13 the territories or possessions of the United States,
14 or of any governmental subdivision thereof; and
15 (2) pertains to participation in, compliance
16 with, implementation of, or the furnishing of infor-
17 mation regarding restrictive trade practices or boy-
18 cotts fostered or imposed by foreign countries
19 against other countries.
20 (g) PENALTIES.—
21 (1) UNLAWFUL ACTS.—It shall be unlawful for
22 a person to violate, attempt to violate, conspire to
23 violate, or cause a violation of this section or of any
24 regulation or order issued under this section.

1 (2) CRIMINAL PENALTY.—A person who, with
2 knowledge or intent, commits, attempts to commit,
3 or conspires to commit, or aids or abets in the com-
4 mission of, an unlawful act described in subsection
5 (d) shall, upon conviction, be fined not more than
6 $1,000,000, or, if a natural person, be imprisoned
7 for not more than 20 years, or both.
8 (3) CIVIL PENALTIES.—
9 (A) AUTHORITY.—The President may im-
10 pose the following civil penalties on a person for
11 each violation by that person of this section or
12 any regulation or order issued under this sec-
13 tion, for each violation:
14 (i) A fine of not more than $250,000.
15 (ii) A prohibition on the person's abil-
16 ity to export any goods, technology, or
17 services, whether or not a license has been
18 issued previously to authorize such an ex-
19 port.
20 (B) PROCEDURES.—Any civil penalty
21 under this subsection may be imposed only
22 after notice and opportunity for an agency
23 hearing on the record in accordance with sec-
24 tions 554 through 557 of title 5, United States

1 Code, and shall be subject to judicial review in
2 accordance with chapter 7 of such title.
3 (C) STANDARDS FOR LEVELS OF CIVIL
4 PENALTY.—The President may by regulation
5 provide standards for establishing levels of civil
6 penalty under this paragraph based upon the
7 seriousness of the violation, the culpability of
8 the violator, and the violator's record of co-
9 operation with the Government in disclosing the
10 violation.
11 (h) ANNUAL REPORT.—Not later than 180 days after
12 the date of the enactment of this Act and annually there-
13 after, the President shall report to the Congress on the
14 implementation and enforcement of this section and on ad-
15 ditional steps taken by the United States to bring about
16 the termination of the Arab League boycott of Israel and
17 to encourage Arab League states to normalize their rela-
18 tions with Israel.
19 (i) DEFINITION.—In this section, the term "United
20 States person"—
21 (1) means—
22 (A) any United States resident or national;
23 (B) any domestic concern (including any
24 permanent domestic establishment of any for-
25 eign concern); and

1 (C) any foreign subsidiary or affiliate (in-
2 cluding any permanent foreign establishment)
3 of any domestic concern that is controlled in
4 fact by such domestic concern, as determined
5 under regulations of the President; but
6 (2) does not include an individual resident out-
7 side the United States who is employed by a person
8 other than a person described in paragraph (1).

☒

Mr. BERMAN. Well, thank you very much, Madam Chair. And I won't take the full 5 minutes. There is excellent hortatory language in the base bill urging the President to vigorously oppose the Arab League boycott of Israel and to encourage Arab states to normalize their trade relations with Israel. I want to add to that by incorporating that language in an amendment which will make that part of a law that has not been extended except by Executive Order of the President which raises certain legal questions about its certainty and put it in as a permanent part of our law, and that is the provisions with the updated penalties, making it illegal for U.S. companies to cooperate with the Arab League's secondary boycott and criminal and civil penalties. And I can go into great detail if you like for the legal reasons for doing it, but——

Chairman ROS-LEHTINEN. Mr. Berman, we have read your amendment. If the gentleman will yield.

Mr. BERMAN. I would be happy to yield.

Chairman ROS-LEHTINEN. We favor your amendment. Look forward to supporting it.

Mr. BERMAN. I look forward to yielding back the balance of my time.

Chairman ROS-LEHTINEN. The gentleman yields back. And hearing no further requests for recognition, the question occurs on the Berman amendment. All those in favor say aye. All opposed no. In the opinion of the Chair, the ayes have it and the Berman amendment is agreed to. Now we will move to the Smith amendment.

Mr. SMITH. Thank you, Madam Chair. I have an amendment at the desk on child abduction.

Chairman ROS-LEHTINEN. The clerk will report the amendment on child abduction, the Smith amendment.

Ms. CARROLL. Smith No. 49.

Mr. SMITH. I just gave mine over to—it is child abduction to Japan.

Chairman ROS-LEHTINEN. Could you start reading it? And we will find out.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Smith of New Jersey. At the end of title VIII, insert the following: Section [blank]. Sense of Congress urging the immediate return of the United States——

Mr. SMITH. That is it.

Chairman ROS-LEHTINEN. Yes. Unanimous consent to dispense with the reading. And the gentleman from New Jersey is recognized to explain his child abduction amendment.

[The information referred to follows:]

AMENDMENT TO H.R. _____

OFFERED BY MR. SMITH OF NEW JERSEY

At the end of title VIII, insert the following:

1 **SEC. ___. SENSE OF CONGRESS URGING THE IMMEDIATE**
2 **RETURN OF UNITED STATES CHILDREN AB-**
3 **DUCTED TO JAPAN.**
4 (a) FINDINGS.—Congress finds the following:
5 (1) More than 300 United States children have
6 been wrongfully removed to and retained in Japan
7 since the United States began keeping records in
8 1994.
9 (2) At least 31 United States children were
10 wrongfully removed to and retained in Japan in
11 2010 alone.
12 (3) The Department of State currently has at
13 least 113 open cases involving 156 children who
14 have been reported to the Department and who are
15 being retained in Japan against the wishes of their
16 parent in the United States and, in many cases, in
17 direct violation of a valid United States court order.
18 (4) Congress is not aware of any legal decision
19 that has been issued and enforced by the Govern-

1 ment of Japan to return a single abducted child to
2 the United States.
3 (5) Japan has announced that it is preparing to
4 ratify the 1980 Hague Convention on the Civil As-
5 pects of International Child Abduction (the "Hague
6 Convention").
7 (6) The Hague Convention provides enumerated
8 defenses designed to provide protection to children
9 alleged to be subjected to a grave risk of physical or
10 psychological harm in the left-behind country.
11 (7) The Hague Convention by its own terms
12 would not apply to any abductions occurring before
13 Japan's ratification of the Hague Convention, there-
14 fore necessitating that a separate protocol be estab-
15 lished to immediately address the existing abduction
16 cases of all United States children wrongfully re-
17 moved to and currently retained in Japan.
18 (8) According to the Department of State's
19 April 2009 Report on Compliance with the Hague
20 Convention on the Civil Aspects of International
21 Child Abduction, abducted children are at risk of se-
22 rious emotional and psychological problems and have
23 been found to experience anxiety, eating problems,
24 nightmares, mood swings, sleep disturbances, ag-
25 gressive behavior, resentment, guilt, and fearfulness,

1 and as adults may struggle with identity issues,
2 their own personal relationships, and parenting.
3 (9) Left-behind parents may encounter substan-
4 tial psychological, emotional, and financial problems,
5 and many may not have the financial resources to
6 pursue civil or criminal remedies for the return of
7 their children in foreign courts or political systems.
8 (b) SENSE OF CONGRESS.—It is the sense of Con-
9 gress that—
10 (1) the Hague Convention on the Civil Aspects
11 of International Child Abduction (the "Hague Con-
12 vention"), if ratified by Japan, will not provide for
13 the resolution of the existing cases involving the ab-
14 ductions of more than 156 United States children to
15 Japan;
16 (2) the United States, by way of a memo-
17 randum of understanding with the Government of
18 Japan, and through all other appropriate means,
19 should seek the immediate return of all United
20 States children wrongfully removed to or retained in
21 Japan;
22 (3) the Secretary of State should take any and
23 all other appropriate measures to ensure that left
24 behind parents with United States children wrong-

1 fully removed or retained in Japan, have direct ac-

2 cess and communications with their children.

☒

Mr. SMITH. I thank Madam Chair for yielding. Madam Chair, Japan is an important partner with the United States and shares interests in the areas of economy, defense, global peace and prosperity and the protection of human rights of the two nations' respective citizens. It is an increasingly integrated global society. However, Japan has become known infamously as a haven for international child abduction. It has become a black hole for American children whose parents—Japanese parent, or, in some cases, a non-Japanese parent decides not to abide by the laws of the United States and would rather run to a jurisdiction where they would not have to share custody or even permit visitation of the child by the child's other parent.

Japan has historically been complicit in these abductions, offering complete protection without investigation. In Japan, the abducting parent wins. Such has been the case with Jade and Michael Elias of Rutherford, New Jersey. Their father, an injured Marine veteran from Iraq, suffered the loss of his two children when his estranged wife abruptly abducted them to Japan in December 2008. They had their day in court. The Superior Court of New Jersey ordered that the children not be taken out of New Jersey. The Superior Court ordered three times that the children's passports be surrendered, but the children's mother worked at the Japanese consulate and had replacement passports made. Japan, for its part, fired her for her actions and we understand may be prosecuting her in Japan. But Japan will not return the children she abducted in defiance of the Superior Court.

I held a hearing on this, Madam Chair, just a couple of months ago. We heard from several left-behind parents, including Michael Elias. I traveled to Japan and met with a number of our Embassy people who are very robust in their efforts to at least do welfare and where about, but was greatly chagrinned by the fact that some thought if Japan just signs the Hague Convention on the Civil Aspects of International Child Abduction, that somehow a magic wand, that would solve the problem. Regrettably, it makes the problem worse for the 156 other American children who have been left behind——

Mr. BERMAN. Will the gentleman yield?

Mr. SMITH. I will be happy to yield to my friend.

Mr. BERMAN. The gentleman has truly been indefatigable in pursuit of this very just cause. Of course, he is indefatigable about every cause he pursues. But this is an important one that—I had the pleasure of working with him on this. But particularly in Japan, it is a very serious problem. I myself tried to deal with the

Japanese on this without great success and I strongly urge our committee to adopt this amendment.

Mr. SMITH. Mr. Berman, I thank you so much.

Chairman ROS-LEHTINEN. Will the gentleman yield? Yield back the balance of his time?

Mr. SMITH. I yield back.

Chairman ROS-LEHTINEN. Thank you, the gentleman yields back the balance of his time. Hearing no further requests for recognition, the question occurs on the Smith amendment, all those in favor say aye. All opposed no. In the opinion of the Chair, the ayes have it and the Smith amendment is agreed to. Mr. Faleomavaega.

Mr. FALEOMAVAEGA. Madam Chair, I have two amendments.

Chairman ROS-LEHTINEN. Mr. Faleomavaega, because your amendment would—one of them perhaps deals with an issue related to—of interest to Mr. Royce, I was wondering if you have another one that is not related to that center. Are they both?

Mr. FALEOMAVAEGA. I think they are both related to——

Chairman ROS-LEHTINEN. So we are going to go to Mr. Berman.

Mr. BERMAN. The East-West Center and the one on Vietnam.

Chairman ROS-LEHTINEN. We are going to go to Mr. Berman—oh, we did that one, yeah. Mr. Faleomavaega, I know that you are senior and I know that you have been bumped, correct?

Mr. FALEOMAVAEGA. Well, as I understand, Madam Chair, the ruling of the committee is that you had to be physically here whenever an amendment is proposed. So if you are not here, you are out of the game. But am I hearing that what Madam Chair would like to suggest is that we wait until the gentleman who has an interest in these two amendments——

Chairman ROS-LEHTINEN. No. The gentleman is correct. We will—which amendment are you calling up, the Vietnam?

Mr. FALEOMAVAEGA. The thing is both amendments do relate to Mr. Royce's interests and I will—I will accept the chair's recommendation or suggestion that we wait until Mr. Royce comes to the committee, to be fair to him. I am not wanting to do this behind his back in any way. But if it is to accommodate Mr. Royce's wishes and his wanting to object to these two amendments, that is fine with me.

Chairman ROS-LEHTINEN. No, no. Mr. Faleomavaega. No. I was inserting words in Mr. Royce's mouth. He has not asked me to do this. So the gentleman is well within his rights to offer the amendment. If you would like to have them considered en bloc, we may do so or individually as the gentleman wishes. The gentleman is correct. You have to be present to win.

Mr. FALEOMAVAEGA. All right. I have been waiting very patiently——

Chairman ROS-LEHTINEN. Yes, you have.

Mr. FALEOMAVAEGA [continuing]. For my amendments.

Chairman ROS-LEHTINEN. The Chair acknowledges that. So Mr. Faleomavaega is recognized to——

Mr. FALEOMAVAEGA. I would like to offer them together.

Chairman ROS-LEHTINEN. Together, en bloc. If we could give—is there objection to hearing them en bloc? No objection. And the clerk will report the amendment.

Mr. FALEOMAVAEGA. I thank the gentlelady.

Chairman ROS-LEHTINEN. No, I thank the gentleman for his patience.

Mr. FALEOMAVAEGA. This is to amend section 803.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Faleomavaega of American Samoa: Strike section 803 (and redesignate subsequent sections accordingly). And amendment to H.R. 2583 offered by Mr. Faleomavaega of American Samoa: Strike section 809 (relating to restrictions——

[The information referred to follows:]

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AMENDMENT TO H.R. 2583

OFFERED BY MR. FALEOMAVAEGA OF AMERICAN SAMOA

Strike section 803 (and redesignate subsequent sections accordingly).

☒

Chairman ROS-LEHTINEN. Thank you. I ask unanimous consent to dispense with the reading. And Mr. Faleomavaega of America Samoa is recognized to speak about his two amendments en bloc.

Mr. FALEOMAVAEGA. Thank you, Madam Chair, for giving me this opportunity. The first amendment in amending section 803 is just simply to delete the section which proposes to basically eliminate the East-West Center. Madam Chair, I move in opposition to this draft proposal in our authorization proposal for which—this is not a new story. H.R. 1, which was the base bill that was forwarded by our Republican majority already had decreased the amount of funding for the East-West Center from the current $23 million to $10.7 million. But my good friend and his two colleagues wanted to eliminate any and all funding for the East-West Center. While I agree that we need to cut the Federal budget, Madam Chair, I do not believe that we should carelessly discard programs that are necessary in protecting U.S. interests.

The East-West Center was established by the U.S. Congress in 1960, President Eisenhower signed the Mutual Security Act of 1960, which authorized its creation only after the State Department conducted a study and reported back to Congress about the relevance of establishing the East-West Center.

President John Kennedy also signed an Act which appropriated additional funding and every President since the Republicans and

the Democrats have done the same. Why? Because the East-West Center promotes a better understanding among the people, of the nations of the United States, Asia and the Pacific and this understanding is critical in my humble opinion to U.S. economic political, social and especially our strategic and military interests in this important region of the world. I am not clear as to why we would want to undermine U.S. interests in the Asia-Pacific region considering that this region is the world's most populous region where more than 4 billion people live, or more than 60 percent of the world's current human population living under and considering conflicts between nations like north and south of Korea—South Korea among them brewing with the problems occurring even in North Korea.

Since the East-West Center is not solely funded by the Federal Government, but also receives the majority of its funding from private agencies, individuals and foundations, I agree that Federal support can be scaled back and this is what the Republican leadership has proposed by putting forward a base bill that cuts funding, and all I am suggesting here, Madam Chair is that we not eliminate the East-West Center. And even though the East-West Center is not in my district, if some of my colleagues may think I have a personal interest in this, I do not. But I have been an active supporter and also participant in many of the activities of this center. I would also like to ask unanimous consent for the record that two of our colleagues who represent the great State of Hawaii, Congresswoman Hirono and Congresswoman Hanabusa both have submitted statements in strong support——

Chairman ROS-LEHTINEN. Without objection.

Mr. FALEOMAVAEGA [continuing]. Of this proposed amendment. Again, Madam Chair, I really, sincerely hope that my colleagues will understand that the East-West Center should not be eliminated. And just, as a matter of perspective, I want to share with my colleagues. When I first became a member of this committee some 20 years ago, nobody wanted to be on the Asia-Pacific Subcommittee because the entire mentality here in Washington and also on this committee was focused on Europe and the Middle East. The Asia-Pacific region was not even on the radar screen on how the Washington mentality operated.

I would only say that in the last 4 or 5 years, now finally, we have gotten the understanding, the importance, how critically important the Asia-Pacific region is and the East-West Center has been a dynamic player in orienting some 50,000 of its alumni from all over the Asia-Pacific region which I believe is one reason why the center is so important, and with that, Madam Chair, I respectfully ask my colleagues to support this proposed amendment.

Chairman ROS-LEHTINEN. The gentleman yields back. Mr. Rohrabacher is recognized.

Mr. ROHRABACHER. Thank you very much. Well, when you are in an era when you are borrowing 40 cents on every dollar that you spend, that means maybe you should question much more closely where that money is being spent than those decades-long periods when the United States didn't have to borrow the money in order to—in order to build things like the East-West Center in Hawaii. I am aware of the East-West Center and I have been for a while.

I am unaware of any major accomplishments that can be attributed to the East-West Center over its 50 years.

What we have is 50 years of people getting together and philosophizing and enjoying each other's company and exchanging views and how nice it is that we can sponsor people from the Pacific to get together there and have those discussions with people from the United States and elsewhere. But I am afraid that that money that we expended in the past and the results that we have seen from that expenditure do not justify us borrowing the money from China in order to continue this program.

So I would think that maybe if indeed it is worthwhile and has served a proper function and made some things that are respected and acknowledged throughout the Pacific, I would imagine that there are some Pacific countries that would like to jump in and put their money down because perhaps there are some countries there who are not entering a financial crisis as we are and whose currency is not so much in jeopardy that we could suffer major—a major problem with our currency within the next year or 2.

So I would think that this is the time when we should be restructuring our spending patterns, and if there is anything that needs to be restructured out of that, it would be the East-West Center in Hawaii, and which hopefully if it is doing good work, can be funded through private dollars. Thank you.

Chairman ROS-LEHTINEN. The gentleman yields back. Mr. Berman is recognized.

Mr. BERMAN. Yes, Madam Chair. I move to strike the last word. Let me first just try to straighten out the parliamentary system. I believe Mr. Faleomavaega brought these up en bloc as a way of getting both amendments to be considered before we went to another author. These are 2 different subjects, as I understand it, and they should be voted on separately. In other words, yeah, I mean, his comments were only about one of the provisions. His expectation is——

Chairman ROS-LEHTINEN. If the gentleman will yield then. I would ask unanimous consent that we have a division of those amendments and we are now dealing with the Faleomavaega East-West Center and that—not the one on Vietnam. And so we will go to both of his amendments, but we will deal with them separately. So now, without objection, we are just on the first amendment that has been adequately described and people know——

Mr. BERMAN. I appreciate——

Chairman ROS-LEHTINEN. The gentleman is—let us put its time for 5 minutes.

Mr. BERMAN. That is all right. I am just going to take a minute. I just want to remind my colleagues of the point made by the gentleman from American Samoa, the ranking member of the relevant subcommittee, and that is, that the funding level for this fiscal year for the East-West Center was massively reduced because of the points made by some—some of the points made by the gentleman from California, Mr. Rohrabacher our financial situation, our deficit, a massive cut. The President's proposal for this next fiscal year, at least as I understand it——

Mr. FALEOMAVAEGA. Will the gentleman yield?

Mr. BERMAN. Yes.

Mr. FALEOMAVAEGA. I think the understanding as I have known it, that the—it was always in the amount of $23 million a year, but the Republican leadership under H.R. 1 reduced the amount to $10 million. So it is almost a 50 percent reduction.

Mr. BERMAN. Greater than a 50 percent reduction. Greater than a 50 percent reduction. But that in the final compromise, that was passed for Fiscal Year 2011, that cut was maintained.

Mr. FALEOMAVAEGA. That is my understanding.

Mr. BERMAN. And the expectation is that that cut will be maintained in the next fiscal year and there is a lot of good work done at that center. I think that cut deals—is an appropriate response to our fiscal situation and I would urge support for Mr. Faleomavaega's amendment.

Chairman ROS-LEHTINEN. The gentleman yields back. Mr. Royce is recognized.

Mr. ROYCE. Thank you. Thank you, Madam Chairman. Many of you have seen The Washington Post article on the East-West Center entitled, "The Programs That Refuse to Die." One of the problems we have is that throughout our history, since this program was developed, administrations put in requests for far less funding than the Center received. But every year—and in every one of these cases actually has been one Senator—has stepped in and essentially doubled the amount appropriated to the Center. In the past 6 years, Congress basically has overpaid the Center $54 million from the standpoint of administrations, both Democrat and Republican, in terms of what they have asked for.

This funding has been on cruise control and it forces us to take a little look at exactly what is produced. The base text asks whether Federal funding of this institution is still needed. I think this Center is an example of an institution that should now be funded by the many sources that they have already tapped. They have got a great deal of income from sources that they have developed over the years and in the meantime, we—we are not really addressing our basic deficit here in the country. China is investing its money to build a world class infrastructure.

We are borrowing money from around the world to fund the East-West Center. And if you go on the Web site right now, you will see they are hosting an art exhibition to highlight emerging urban culture. They are receiving $21 million to do things that frankly are done by other institutions, by RAND and by Brookings and by CSIS and by AEI. And if you go to any of those recent publications, you will see all of the issues that they cover that are duplicative of the ones of this institution funded by Congress. You know, change is difficult, but we simply must change the way we do things and that starts with reassessing our spending, no matter how seemingly small. East-West gets funding again from all kinds of private foundations, foreign governments and institutions, regional organizations, the private sector, the MacArthur Foundation, the Open Society Institute, U.N. Democracy Fund, U.N. Programme on AIDS.

This is great. They all provide funding there. So they have a funding stream. We have administration's—both administrations over the years, trying to curtail this. I don't need to read the East-West Center's report on U.S.-China economic relations to know

that for every dollar we send to this talk shop, we are borrowing 40 cents from around the world. And the question is, is it worth it at a time when we are trying to cut back on expenditures?

I think it is past time to turn this institution to private donors. That is where they should be getting all of their funding, and I commend the chairman for including its elimination in the base text of the bill.

Chairman ROS-LEHTINEN. Does the gentleman yield back?

Mr. ROYCE. I yield back.

Chairman ROS-LEHTINEN. Thank you. Do other members seek recognition? Mr. Smith is recognized.

Mr. SMITH. Madam Chair, thank you very much. And I would hope that members would vote no on this effort to cut, or to alter language that Mr. Royce put into the bill dealing with calling for CPC, Countries of Particular Concern status for Vietnam.

Chairman ROS-LEHTINEN. We are first on the East-West Center, then we will do—yeah, we divided them. We divorced them. It was amicable differences, but it was time for therapy, and it wasn't just—thank you. So seeing no further requests for recognition, I would imagine that the gentleman would like a recorded vote on this. Or I don't want to——

Mr. FALEOMAVAEGA. I would like that, Madam Chair.

Chairman ROS-LEHTINEN. Correct. So we will then—because of our prior agreement, we will roll the Faleomavaega vote on the East-West Center to 1 o'clock p.m. as agreed upon. And now we will move to the Faleomavaega Vietnam amendment, if the clerk would report the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Faleomavaega——

Chairman ROS-LEHTINEN. Unanimous consent to consider the amendment as read and the gentleman is free to explain his amendment while the amendment is given out.

[The information referred to follows:]

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AMENDMENT TO H.R. 2583

OFFERED BY MR. FALEOMAVAEGA OF AMERICAN SAMOA

Strike section 809 (relating to restrictions on religious freedom in Vietnam).

☒

Mr. FALEOMAVAEGA. I thank Madam Chair for, again, allowing me to introduce this amendment. And the amendment simply is just to eliminate the sense of Congress as it is in the draft authorization bill that we are now considering. And the point of my suggesting or offering this amendment to eliminate the amendment is simply because a resolution containing almost the same language was introduced in January 2009 and nearly identical provision passed also the House just last year as it was part of H.R. 2410 and again in the format of House Resolution 20. Each of these resolutions was passed without the courtesy of input from the Asia-Pacific Subcommittee. Had the authors discussed the matter with the subcommittee or even with our U.S. Ambassador to Vietnam, they probably would have learned that Vietnam presented in this sense of Congress is not the Vietnam of today. The language was put forward in this bill, in my humble opinion, mischaracterizing Vietnam as we see it today.

I have personally met with Vietnamese's leaders in Hanoi and worshipped in parishes among the people. And I can assure my colleagues there is a strong commitment on the part of the Vietnamese Government to respect and facilitate religious freedom. Now, while Vietnam recognizes it has work to do, so do we. We can begin by telling the whole truth rather than cherry picking bits of truth. This is why I ask that my full statement be entered in part of the record for its full purposes.

The point I want to make, Madam Chair, we have already passed resolutions expressing these very same concerns for which, on a verbatim basis, we are now reconsidering again and be made part of the authorization bill. I just think it is not only redundant, but we are doing an overkill here. And I respectfully ask my good friends, who have already got this resolution passed in the House, this is the third time that we are putting this thing through. And I, for one, just don't understand why we have to do this through an authorization bill, when the bill had already passed by way of resolution that passed the House I believe twice.

So, with that, Madam Chair, I respectfully request that the current authorization provision be eliminated, as my amendment suggests.

Chairman ROS-LEHTINEN. The gentleman yield back?

Mr. FALEOMAVAEGA. I yield back.

Chairman ROS-LEHTINEN. Mr. Smith is recognized.

Mr. SMITH. Thank you very much, Madam Chair.

Madam Chair, the Catholic community of Con Dau Province near Da Nang is being confiscated by—and it is well on its way—by the Government of Vietnam. There was a funeral procession for a very elderly woman who passed away. There were 1,000 people. The police showed up, bully boys, 1,000 of them. They beat 100 mourners, and they beat one particular man to death. They also hurt several over people very, very severely, who are still recovering from that terrible beating imposed upon them by the secret police of Vietnam.

The reign of terror of this 85-year-old Catholic community continues to this very day. It is not an isolated incident. In 2004 and in 2005, believing that perhaps Hanoi was beginning to ameliorate its behavior vis-à-vis religious believers, whether be it the Unified Buddhist Church, the Cao Dai, the Catholics, the Protestants, the

Montagnards, all of the people who were trying to espouse their faith. And I actually led a trip in 2005, went to Hanoi, Hue, and Ho Chi Minh City, and met with of these pastors who were optimistic that things were changing. Ambassador-at-Large for International Religious Freedom John Hanford kept saying there were all these deliverables on the table, and it looked like Vietnam was going to really break out in the right direction and begin to respect the fundamental religious freedom that everyone is entitled to in the world.

While I was in Vietnam, I met with Father Ly, who was under house arrest, who then got subsequently rearrested and beaten; Father Loi, who continues to be under house arrest; human rights defender Dai, I met with him in Hanoi. He was arrested. He was beaten. Here is another man who represents people who are religious believers, as well as other human rights defenders.

So there has been a serious U-turn on the part of Vietnam, so much so that all of the hope has largely evaporated with regards to whether they will become more respecting of fundamental human rights? And what was the reason for the big charade on the part of Hanoi? The bilateral agreement followed by ascension into WTO and waiving of MFN. So they wanted all the economic goodies that the U.S. could provide, a bilateral trade agreement. And the day after that agreement was concluded, they said there is no relationship between human rights and trade, not unlike our friends in the People's Republic of China, and then went on a tear to crack down on religious believers and human rights offenders.

There is a group called Bloc 8406. Members will recall it is very analogous to Charter 77, the great group that was headed by Vaclav Havel, Father Maly, and many others in Czechoslovakia during the worst days of Soviet repression. A great manifesto on human rights. The signers of Bloc 8406—it is named for April 8, 2006—have now been hunted down systematically by Hanoi, imprisoned, and beaten simply because of their religious or their belief in democracy and freedom.

I finally point out, and I again thank Mr. Royce for putting this language in the bill, the U.S. Commission on International Religious Freedom, again, strongly urges that the administration designate Vietnam as a Country of Particular Concern. I held all the hearings in 1998 right here in this room on Frank Wolf's bill. That International Religious Freedom Act is a superb example of how we can first name a country or countries that are egregious violators of a particular human rights precept, in this case religious freedom.

The second part is, what do we do in terms of the penalty phase? We are calling on the administration. And Mr. Faleomavaega said, oh, this is the third time. The administration is not getting the message. Vietnam has gone in reverse. Whether it be the Catholics or any other religious believer, group of believers, they are being repressed with impunity by Hanoi. We are calling on the administration again at least to designate Vietnam with CPC status. The next step would be, what do you do about it? But at least put them on the list.

And I, again, thank Mr. Royce.

Mr. FALEOMAVAEGA. Will the gentleman yield?

Mr. SMITH. Here is a Catholic priest, Father Ly, at his trial. Does the defendant have a right to speak? I don't think so. And he, and like so many others, when I met with him in his chancery before he got rearrested here, here is a brave, courageous man, like so many of them, men and women.

Chairman ROS-LEHTINEN. The gentleman's time has expired.

Mr. Royce is recognized.

Mr. ROYCE. Let me be pretty brief here.

Basically, to go to our own U.S. Commission on International Religious Freedom, the reason we are doing this, this is their report. They say Vietnam's overall human rights record remains poor and has deteriorated. And here are their words. They say the religious security police routinely harasses and intimidates those who pray outside of government-approved religions. They report beatings with electric batons, sexual assault of monks, confiscation of property, forced evictions.

I met with one of the victims of this type of repression, the venerable Thich Quang Do, who is the head of the Unified Buddhist Church of Vietnam. He has spent 33 years of his life in prison or under house arrest. I met with several dissidents who have been beaten. But Pastor Nguyen Cong Chinh has been interrogated more than 300 times. He has been beaten over 20 times. I am going to save you the photograph today of what it looks like after he goes through these interrogations.

But the bottom line is this is what is happening today. And that is why we are trying to get the State Department to act. And with that, I yield back the balance of my time.

Chairman ROS-LEHTINEN. I thank the gentleman for yielding back. Mr. Berman is recognized.

Mr. BERMAN. Yes, Madam Chair.

I yield my time to the sponsor of the amendment, Mr. Faleomavaega.

Mr. FALEOMAVAEGA. I thank the gentleman for yielding. I want to say for the record that nobody on this committee, and I have the greatest and utmost respect, and my good friend from New Jersey not only is a champion of human rights but not only someone who really has tremendous insight and understanding and appreciation of human rights. The point I wanted to make is that not once in my statement have I ever challenged or even questioned the validity of the factors or the things that are brought into the resolution.

My only point is the House has already expressed its will twice, verbatim, on all the provisions that are brought into this authorization bill. My only point is that we have already spoken our will through the entire Membership of the House of Representatives saying, yes, Vietnam needs to make improvements. And Vietnam does admit that they need to make improvements.

We have only established about 16 years diplomatic relations with this country. And if we want to understand really, I would say probably 99 percent of the American people before we got into Vietnam did not know that Vietnam was a colony, in the most brutal way, of France for some 100 years. And understanding that this country coming forth with all the problems that it has had, periods of colonization from foreign powers, and appreciating the fact that it is not a perfect country, nor is our country perfect as a democ-

racy, all I am suggesting here to my colleagues and my friends, whom I respect very much, the gentleman from California, Mr. Royce, and Mr. Smith, that we work very well together, but it is just in this instance, I just want to point out to my colleagues these issues have already been presented to the floor of the House. We debated the issues, and they won the issues. They won.

So here we are bringing it again as part of the authorization bill, Madam Chair, is the only point I wanted to make. I think not only is it a redundancy, but we are doing the overkill. That is all I wanted to say.

I yield back.

Chairman ROS-LEHTINEN. Thank you.

Mr. Connolly is recognized.

Mr. CONNOLLY. Thank you. I will be brief, Madam Chairman.

I have the deepest respect for my colleague. And I know his feelings are heartfelt. And there is no more honorable member of this committee than Mr. Faleomavaega. But sadly, I have to take issue with his amendment. I don't think there is such a thing as overkill in trying to emphasize the protection of basic human rights. I represent a very diverse district with a very large Vietnamese community, Vietnamese American community. And I have to say in both Buddhist and Catholic circles, this issue of religious persecution, the suppression of the freedom to worship publicly and to worship as one chooses is a recurring theme of great concern when people talk about what their families and friends and associates are experiencing back in Vietnam.

So I think it is incumbent upon us as Members of Congress to continue to keep the pressure on, not to duck this issue. And although the gentleman is right, we have expressed ourselves previously, I think it is appropriate in this bill to express ourselves again. So I find myself sadly disagreeing with my colleague, with whom I usually agree. But on this one, I believe I have a very important obligation to speak out on human rights and to represent the many, many Vietnamese Americans in my district, anyhow, who have indirectly experienced what is going on in Vietnam through their family and their friends.

Mr. FALEOMAVAEGA. Will the gentleman yield?

Mr. CONNOLLY. I would yield, of course.

Mr. FALEOMAVAEGA. I thank the gentleman for yielding. And I appreciate his input and observations concerning this issue. I think it comes down to the issue of whether or not human rights is a moral issue. It is a moral issue. Let's talk about moral issues. For some 11 years, we supposedly had used this chemical herbicide supposedly to destroy the forestry, other than to discover the fact that there was a little substance called dioxin, one of the most deadly chemical substances, that caused hundreds and thousands of Vietnamese, not just the Northern Vietnamese, South Vietnamese that were affected. And do you know what we produced? We produced the same kind of monsters, if you will, and I hate to use the word, that women and children were just in the most terrible descriptions. And I can remember the times that I visited Vietnam, visited the hospitals of these deformed children that became the byproducts of the bombs, of the uses of Agent Orange, if

you want to call it. And I suggest to my friends, is that a moral issue?

And we have not done squat in helping the Vietnamese people with the problems that we caused. We used Agent Orange for some 11 years. And I wanted to just share that issue. If we are talking about human rights, let's talk about Agent Orange.

Mr. CONNOLLY. Reclaiming my time, Madam Chairman, I want to assure my colleague, when he is ready to work on that issue in this or subsequent legislation, he will find in me a ready ally. I completely agree.

Chairman ROS-LEHTINEN. Thank you.

Mr. CONNOLLY. With that, Madam Chairman, I yield back.

Chairman ROS-LEHTINEN. The gentleman yields.

And hearing no further requests for recognition, the question occurs on the Faleomavaega Vietnam amendment.

All those in favor say aye.

All those opposed, no.

In the opinion of the Chair, the noes have it, and the amendment is not agreed to.

We will now move to the Smith amendment. The clerk will report the amendment.

Mr. SMITH. On Vietnam.

Chairman ROS-LEHTINEN. On Vietnam. Smith amendment on Vietnam.

Ms. CARROLL. I don't think I see it. Do you have the number on it, sir?

Mr. SMITH. No. 45.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Smith of New Jersey.——

Chairman ROS-LEHTINEN. Thank you. Unanimous consent to dispense with the reading.

The Chair recognizes the author, Mr. Smith, for 5 minutes to explain his Vietnam amendment.

[The information referred to follows:]

#45

AMENDMENT TO H.R.

OFFERED BY MR. SMITH OF NEW JERSEY

At the end of title VIII, insert the following:

1 **SEC. 8___. PROMOTION OF HUMAN RIGHTS IN VIETNAM.**

2 (a) FINDINGS.—Congress finds the following:

3 (1) The relationship between the United States
4 and the Socialist Republic of Vietnam has grown
5 substantially since the end of the trade embargo in
6 1994, with annual trade between the two countries
7 exceeding $15,300,000,000 in 2009.

8 (2) The Government of Vietnam's transition to-
9 ward greater economic freedom and trade has not
10 been matched by greater political freedom and sub-
11 stantial improvements in basic human rights for Vi-
12 etnamese citizens, including freedom of religion, ex-
13 pression, association, and assembly.

14 (3) The United States Congress agreed to Viet-
15 nam becoming an official member of the World
16 Trade Organization in 2006, amidst assurances that
17 the Government of Vietnam was steadily improving
18 its human rights record and would continue to do so.

19 (4) Vietnam remains a one-party state, ruled
20 and controlled by the Communist Party of Vietnam

(CPV), which continues to deny the right of citizens to change their Government.

(5) Although in recent years the National Assembly of Vietnam has played an increasingly active role as a forum for highlighting local concerns, corruption, and inefficiency, the National Assembly remains subject to the direction of the CPV and the CPV maintains control over the selection of candidates in national and local elections.

(6) The Government of Vietnam forbids public challenge to the legitimacy of the one-party state, restricts freedoms of opinion, the press, and association and tightly limits access to the Internet and telecommunication.

(7) Since Vietnam's accession to the WTO on January 11, 2007, the Government of Vietnam arbitrarily arrested and imprisoned numerous individuals for their peaceful advocacy of religious freedom, democracy, and human rights, including Father Nguyen Van Ly, human rights lawyers Nguyen Van Dai, Le Thi Cong Nhan, Cu Huy Ha Vu, and Le Cong Dinh, and bloggers Nguyen Van Hai and Phan Thanh Hai.

(8) The Government of Vietnam continues to detain, imprison, place under house arrest, convict,

1 or otherwise restrict persons for the peaceful expres-
2 sion of dissenting political or religious views.
3 (9) The Government of Vietnam has also failed
4 to improve labor rights, continues to arrest and har-
5 ass labor leaders, and restricts the right to organize
6 independently.
7 (10) The Government of Vietnam continues to
8 limit the freedom of religion, restrict the operations
9 of independent religious organizations, and persecute
10 believers whose religious activities the Government
11 regards as a potential threat to its monopoly on
12 power.
13 (11) Despite reported progress in church open-
14 ings and legal registrations of religious venues, the
15 Government of Vietnam has halted most positive ac-
16 tions with respect to religious freedom since the De-
17 partment of State lifted the "country of particular
18 concern" (CPC) designation for Vietnam in Novem-
19 ber 2006.
20 (12) The Government of Vietnam controls all
21 print and electronic media, including access to the
22 Internet, jams the signals of some foreign radio sta-
23 tions, including Radio Free Asia, and has detained
24 and imprisoned individuals who have posted, pub-

1 lished, sent, or otherwise distributed democracy-re-
2 lated materials.
3 (13) People arrested in Vietnam because of
4 their political or religious affiliations and activities
5 often are not accorded due legal process as they lack
6 full access to lawyers of their choice, may experience
7 closed trials, have often been detained for years
8 without trial, and have been subjected to the use of
9 torture to admit crimes they did not commit or to
10 falsely denounce their own leaders.
11 (14) Vietnam continues to be a source country
12 for the commercial sexual exploitation and forced
13 labor of women and girls, as well as for men and
14 women legally entering into international labor con-
15 tracts who subsequently face conditions of debt
16 bondage or forced labor, and is a destination country
17 for child trafficking and continues to have internal
18 human trafficking.
19 (15) Although the Government of Vietnam re-
20 ports progress in combating human trafficking, it
21 does not fully comply with the minimum standards
22 for the elimination of trafficking, and is not making
23 substantial efforts to comply.
24 (16) United States refugee resettlement pro-
25 grams, including the Humanitarian Resettlement

(HR) Program, the Orderly Departure Program (ODP), Resettlement Opportunities for Vietnamese Returnees (ROVR) Program, general resettlement of boat people from refugee camps throughout Southeast Asia, the Amerasian Homecoming Act of 1988, and the Priority One Refugee resettlement category, have helped rescue Vietnamese nationals who have suffered persecution on account of their associations with the United States or, in many cases, because of such associations by their spouses, parents, or other family members, as well as other Vietnamese nationals who have been persecuted because of race, religion, nationality, political opinion, or membership in a particular social group.

(17) While previous programs have served their purposes well, a significant number of eligible refugees from Vietnam were unfairly denied or excluded, including Amerasians, in some cases by vindictive or corrupt Vietnamese officials who controlled access to the programs, and in others by United States personnel who imposed unduly restrictive interpretations of program criteria. In addition, the Government of Vietnam has denied passports to persons who the United States has found eligible for refugee admission.

(18) Congress has passed numerous resolutions condemning human rights abuses in Vietnam, indicating that although there has been an expansion of relations with the Government of Vietnam, it should not be construed as approval of the ongoing and serious violations of fundamental human rights in Vietnam.

(b) PROHIBITION ON INCREASED NONHUMANITARIAN ASSISTANCE TO THE GOVERNMENT OF VIETNAM.—

(1) ASSISTANCE.—

(A) IN GENERAL.—Except as provided in paragraph (2), the Federal Government may not provide any nonhumanitarian assistance authorized to be appropriated by this Act or any amendment made by this Act to the Government of Vietnam during any fiscal year in an amount that exceeds the amount of such assistance provided during fiscal year 2011 unless—

(i) the Federal Government provides assistance supporting the creation and facilitation of human rights training, civil society capacity building, noncommercial rule of law programming, and exchange programs between the Vietnamese National

1 Assembly and the United States Congress
2 at levels commensurate with, or exceeding,
3 any increases in nonhumanitarian assist-
4 ance to Vietnam authorized to be appro-
5 priated by this Act or any amendment
6 made by this Act;
7 (ii) with respect to the limitation for
8 fiscal year 2012, the President determines
9 and certifies to Congress, not later than 30
10 days after the date of the enactment of
11 this Act, that the requirements of clauses
12 (i) through (vii) of subparagraph (B) have
13 been met during the 12-month period end-
14 ing on the date of the certification; and
15 (iii) with respect to the limitation for
16 subsequent fiscal years, the President de-
17 termines and certifies to Congress every 12
18 months after the certification required pur-
19 suant to clause (ii) of this subparagraph,
20 that the requirements of subparagraphs (i)
21 through (vii) of subparagraph (B) have
22 been met during the 12-month period prior
23 to such certification.
24 (B) REQUIREMENTS.—The requirements
25 of this subparagraph are the following:

(i) The Government of Vietnam has made substantial progress toward releasing all political and religious prisoners from imprisonment, house arrest, and other forms of detention.

(ii) The Government of Vietnam has made substantial progress toward—

(I) respecting the right to freedom of religion, including the right to participate in religious activities and institutions without interference, harassment, or involvement of the Government, for all of Vietnam's diverse religious communities; and

(II) returning estates and properties confiscated from the churches and religious communities.

(iii) The Government of Vietnam has made substantial progress toward respecting the right to freedom of expression, assembly, and association, including the release of independent journalists, bloggers, and democracy and labor activists.

(iv) The Government of Vietnam has made substantial progress toward repeal-

1 ing or revising laws that criminalize peace-
2 ful dissent, independent media,
3 unsanctioned religious activity, and non-
4 violent demonstrations and rallies, in ac-
5 cordance with international standards and
6 treaties to which Vietnam is a party.
7 (v) The Government of Vietnam has
8 made substantial progress toward allowing
9 Vietnamese nationals free and open access
10 to United States refugee programs.
11 (vi) The Government of Vietnam has
12 made substantial progress toward respect-
13 ing the human rights of members of all
14 ethnic and minority groups.
15 (vii) Neither any official of the Gov-
16 ernment of Vietnam nor any agency or en-
17 tity wholly or partly owned by the Govern-
18 ment of Vietnam was complicit in a severe
19 form of trafficking in persons, or the Gov-
20 ernment of Vietnam took all appropriate
21 steps to end any such complicity and hold
22 such official, agency, or entity fully ac-
23 countable for its conduct.
24 (2) EXCEPTION.—

1 (A) CONTINUATION OF ASSISTANCE IN
2 THE NATIONAL INTEREST.—Notwithstanding
3 the failure of the Government of Vietnam to
4 meet the requirements of clauses (i) through
5 (vii) of paragraph (1)(B), the President may
6 waive the application of paragraph (1) for any
7 fiscal year if the President determines that the
8 provision to the Government of Vietnam of in-
9 creased nonhumanitarian assistance authorized
10 to be appropriated by this Act or any amend-
11 ment made by this Act would promote the pur-
12 pose of this section or is otherwise in the na-
13 tional interest of the United States.
14 (B) EXERCISE OF WAIVER AUTHORITY.—
15 The President may exercise the authority under
16 subparagraph (A) with respect to—
17 (i) all United States nonhumanitarian
18 assistance to Vietnam authorized to be ap-
19 propriated by this Act or any amendment
20 made by this Act; or
21 (ii) one or more programs, projects, or
22 activities of such assistance.
23 (3) DEFINITIONS.—In this section:

1 (A) NONHUMANITARIAN ASSISTANCE.
2 The term "nonhumanitarian assistance"
3 means—
4 (i) any assistance under the Foreign
5 Assistance Act of 1961 (including pro-
6 grams under title IV of chapter 2 of part
7 I of that Act, relating to the Overseas Pri-
8 vate Investment Corporation) authorized to
9 be appropriated by this Act or any amend-
10 ment made by this Act, other than—
11 (I) disaster relief assistance, in-
12 cluding any assistance under chapter
13 9 of part I of that Act;
14 (II) assistance which involves the
15 provision of food (including monetiza-
16 tion of food) or medicine;
17 (III) assistance for refugees; and
18 (IV) assistance to combat HIV/
19 AIDS, including any assistance under
20 section 104A of that Act; and
21 (ii) sales, or financing on any terms,
22 under the Arms Export Control Act.
23 (B) SEVERE FORMS OF TRAFFICKING IN
24 PERSONS.—The term "severe form of traf-
25 ficking in persons" means any activity de-

1 scribed in section 103(8) of the Trafficking Vic-
2 tims Protection Act of 2000 (Public Law 106–
3 386 (114 Stat. 1470); 22 U.S.C. 7102(8)).
4 (c) EFFECTIVE DATE.—This section shall take effect
5 on the date of the enactment of this Act and shall apply
6 with respect to the provision of nonhumanitarian assist-
7 ance to the Government of Vietnam authorized to be ap-
8 propriated by this Act or any amendment made by this
9 Act during fiscal year 2012 and subsequent fiscal years.
10 (d) UNITED STATES PUBLIC DIPLOMACY.—
11 (1) RADIO FREE ASIA TRANSMISSIONS TO VIET-
12 NAM.—It is the policy of the United States to take
13 such measures as are necessary to overcome the
14 jamming of Radio Free Asia by the Government of
15 Vietnam.
16 (2) UNITED STATES EDUCATIONAL AND CUL-
17 TURAL EXCHANGE PROGRAMS WITH VIETNAM.—It is
18 the policy of the United States that programs of
19 educational and cultural exchange with Vietnam
20 should actively promote progress toward freedom
21 and democracy in Vietnam by providing opportuni-
22 ties to Vietnamese nationals from a wide range of
23 occupations and perspectives to see freedom and de-
24 mocracy in action and, also, by ensuring that Viet-
25 namese nationals who have already demonstrated a

1 commitment to these values are included in such
2 programs.
3 (c) REFUGEE RESETTLEMENT FOR NATIONALS OF
4 VIETNAM.—It is the policy of the United States to offer
5 refugee resettlement to nationals of Vietnam (including
6 members of the Montagnard ethnic minority groups) who
7 were eligible for the Orderly Departure Program (ODP),
8 the Humanitarian Resettlement (HR) Program, the Re-
9 settlement Opportunities for Vietnamese Returnees
10 (ROVR) Program, the Amerasian Homecoming Act of
11 1988, or any other United States refugee program and
12 who were deemed ineligible due to administrative error or
13 who for reasons beyond the control of such individuals (in-
14 cluding insufficient or contradictory information or the in-
15 ability to pay bribes demanded by officials of the Govern-
16 ment of Vietnam) were unable or failed to apply for such
17 programs in compliance with deadlines imposed by the De-
18 partment of State.

☒

Mr. SMITH. Thank you very much, Madam Chair.

Since we just had a discussion on Vietnam, I will be brief. But I think, you know, the purpose of this amendment, it is a scaled down version of the Human Rights in Vietnam Act, H.R. 1410, which is cosponsored by Zoe Lofgren, Loretta Sanchez, Frank Wolf, my friend and colleague Mr. Royce, and many other Members of the House, both sides of the aisle.

It is truly a bipartisan piece of legislation. And the idea behind it is to prohibit U.S. non-humanitarian assistance that is authorized in the bill to the Government of Vietnam over current levels unless there are increases in dollars for human rights and democracy promotion.

There are many human rights defenders in Vietnam today who have nothing. They live from hand to mouth. They are in and out of prison. And we do very little to support them as we should. And this legislation says basically there is a freeze on any additional non-humanitarian aid unless there is a commensurate increase in help for those who are fighting for human rights. It also expresses U.S. policy in opposition to Hanoi's jamming of Radio Free Asia, which they do routinely, although the message does get through in many places. But there is an active attempt to jam it.

I said earlier in response to the amendment offered by Mr. Faleomavaega that when it comes to human rights, Vietnam has made a very calculated and decided U-turn from what some people thought, perhaps naively, but perhaps with all good will, was going to be a change with regards to the human rights policy. They have cracked down in every area, from the Internet to religious freedom, to the repression of the Montagnards. Forced renunciations of faith are still occurring among the Montagnards, particularly for the Protestant minority there. And it is an all out assault.

The stronger version of the Human Rights in Vietnam Act has passed the House twice. So I say to my friend Mr. Faleomavaega, this is the third time on this one as well. Passed the House, bipartisan numbers, overwhelming numbers, both sides of the aisle, only to die through inaction, like so many bills do, over on the Senate side.

So we have to send a clear and unambiguous message to the Vietnamese Government that business as usual, repressing your people with impunity, and then getting all the trading benefits, although this doesn't link it to trade, it says our foreign dollars are ours to control. And we are saying in a very modest way, we mean business. We want you to respect fundamental human rights.

And again, one person after another who has spoken out, especially the people on Bloc 8406. I can't tell you how discouraging it was when people came forward and began signing in large numbers this magnificent human rights manifesto, and it became a hit list for the secret police of Vietnam. And one by one, they have been tracking them down and throwing those great people into prison.

Chairman ROS-LEHTINEN. The gentleman yields back.

Mr. FALEOMAVAEGA. Would the gentleman yield?

Chairman ROS-LEHTINEN. The Chair recognizes herself for an announcement that we will soon have one vote on the floor, and then we will recess for that vote. We come back, and it will bring us to the 1 o'clock voting time. And perhaps this amendment might go by voice, but we will see. Who seeks recognition? Mr. Faleomavaega.

Mr. FALEOMAVAEGA. I thank the gentlelady for yielding.

I just want to say it is one of the ironies that I find myself in, in terms of discussing this issue with my good friend from New Jersey, and yet we have got another pending bill concerning the South China Seas, and one of our allies happens to be Vietnam in terms of the incursions of China and its bullying tactics against not only Vietnam, but countries that surround the South China Sea. So, on the one hand, we condemn Vietnam for the problems facing human rights issues, and on the other hand, we have to be a friend

to Vietnam because it is in our national security interests. We look to the South China Seas, and Vietnam is a very critical player of being a friend and an ally when it comes to dealing with the problems of the People's Republic of China. And I do respect my friend from New Jersey always for his appreciation and understanding of the problems we are faced with.

I yield back.

Chairman ROS-LEHTINEN. Thank you so much.

Mr. Berman is recognized.

Mr. BERMAN. Yes. Thank you, Madam Chair.

We give a great deal of assistance under PEPFAR. But as I understand it, your amendment exempts that. I don't know to what extent our other assistance comes within your exclusions. But I am ready for a vote.

Chairman ROS-LEHTINEN. Thank you.

Hearing no further requests for recognition, the gentleman yields back.

The question occurs on the Smith amendment on Vietnam.

All those in favor say aye.

All opposed, no.

In the opinion of the Chair, the ayes have it, and the amendment is agreed to.

We will now move to Mr. Connolly.

Mr. CONNOLLY. Thank you, Madam Chairman. And hopefully this may also be an amendment with common ground.

I have an amendment at the desk. I believe it is amendment No. 578.

Chairman ROS-LEHTINEN. The clerk will read the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Connolly of Virginia and Mr. Berman of California. At the end of title VIII, insert the following: Section 8 [blank]. Sense of Congress regarding sale of F–16 fighters to——

Mr. CONNOLLY. Madam Chairman, I ask that further reading of the amendment be dispensed with.

[The information referred to follows:]

AMENDMENT TO H.R. 2583

OFFERED BY MR. CONNOLLY OF VIRGINIA AND MR. BERMAN OF CALIFORNIA

At the end of title VIII, insert the following:

SEC. 8___. SENSE OF CONGRESS REGARDING SALE OF F-16 FIGHTERS TO TAIWAN.

(a) FINDINGS.—Congress finds the following:

(1) The Taiwan Relations Act (Public Law 96–8) codified in law the basis for continued commercial, cultural, and other relations between the people of the United States and the people of Taiwan.

(2) The Taiwan Relations Act states that "the United States will make available to Taiwan such defense articles and defense services in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability", and that "both the President and the Congress shall determine the nature and quantity of such defense articles and services based solely upon their judgment on the needs of Taiwan, in accordance with procedures established by law".

(3) A Department of Defense report on the military power of the People's Republic of China in 2010 stated that "China's military build-up opposite

1 [Taiwan] continued unabated. The [People's Libera-
2 tion Army] is developing the capability to deter Tai-
3 wan independence or influence Taiwan to settle the
4 dispute on Beijing's terms. . .[and] the balance of
5 cross-Strait military forces continues to shift in the
6 mainland's favor".
7 (4) A Defense Intelligence Agency assessment
8 of Taiwan's air defense status in 2010 concluded
9 that while Taiwan has nearly 400 combat aircraft in
10 service, "far fewer are operationally capable".
11 (5) Taiwan's president stated in a newspaper
12 interview on February 17, 2011, that Taiwan needs
13 both new F-16 C/D fighter jets and upgrades to the
14 Taiwan Air Forces' existing fleet of F-16 A/B fight-
15 er jets to "maintain a certain defensive and fighting
16 capability".
17 (6) The president of Taiwan stated his adminis-
18 tration's desire to acquire F-16 C/Ds in a May 12,
19 2010, video address to the United States where he
20 asked the United States to provide Taiwan with the
21 necessary weapons to keep its aerial integrity intact.
22 (b) SENSE OF CONGRESS.—It is the sense of Con-
23 gress that—
24 (1) the United States, in accordance with the
25 Taiwan Relations Act, should continue to make

1 available to Taiwan such defense articles and serv-
2 ices as may be necessary for Taiwan to maintain a
3 sufficient self-defense capability; and
4 (2) the President should take immediate steps
5 to sell to Taiwan all the F-16 fighter jets that are
6 needed by Taiwan, including new F-16 C/D aircraft
7 and upgrades to the existing F-16 A/B fleet.

☒

Chairman ROS-LEHTINEN. It is agreed to. And the author is recognized for 5 minutes to explain the amendment.

Mr. CONNOLLY. Thank you, Madam Chair.

On behalf of myself and the distinguished ranking member, Mr. Berman, I am offering this amendment, which expresses the sense of Congress that the U.S. should continue arms sales to Taiwan, and urges the President to sell Taiwan the F–16 fighter jets that it needs, a deal that has been pending for some time.

We had a committee hearing just a few weeks ago in which the need for this was underscored. Members on both sides of the aisle have expressed a strong commitment to maintaining Taiwan security in the face of a threat from the mainland potentially, and as part of the Taiwan Relations Act of 1979, which is the cornerstone of the relationship between Taiwan and the United States.

One of the main obligations of that act is to make available to Taiwan defensive arms so that Taiwan is able to maintain a sufficient self defense capability. The Defense Department has said that China's military buildup opposite Taiwan is continuing. The military balance continues to shift in the mainland's favor.

Another DoD assessment stated that of Taiwan's nearly 400 combat aircraft currently in service, very few remain operationally capable. Moreover, despite improving ties between Beijing and Taipei, China had over 1,100 conventionally armed short-range ballistic missiles deployed opposite Taiwan. And that number could grow, it is expected over the next year or so, to 1,600.

Last year, consistent with the Taiwan Relations Act, the administration released a $6.4 billion arms package to Taiwan, which included Patriot missiles Black Hawk helicopters, mine hunters, and military communications equipment. We are still waiting for the approval of 66 F–16 C/D airplanes and eight diesel-powered submarines.

Due to Taiwan's aging fleet and future supply line issues with the F–16 C/Ds, this is now becoming critical. The military threat, potentially, to Taiwan has not subsided. Taiwan urgently needs new F–16 fighters in order to close the hole in its defensive um-

brella. Congress and the President should work together to show support for Taiwan security. And on behalf of myself and Mr. Berman, I would ask my colleagues to support this resolution expressing our support of that sale.

Chairman ROS-LEHTINEN. The gentleman yields to Mr. Berman.

Mr. CONNOLLY. I yield to the distinguished ranking member.

Mr. BERMAN. I thank the gentleman for yielding.

I thank the gentleman for offering the amendment. I support the amendment. If China were to commit to resolve its differences through peaceful means and forswear exercise of the military option, and if China were to move the mobile missiles that are now based across the Straits from Taiwan, I might have a different view of this. But they haven't, and I think we should pass this. And I think the administration should provide these planes to Taiwan.

Chairman ROS-LEHTINEN. Mr. Connolly yields back.

Mr. Burton is recognized.

Mr. BURTON. Madam Chairman, there must be some misunderstanding, because I had planned to introduce an amendment that says the same thing, only went a little bit further, saying that not only should we sell the F–16 fighter planes to Taiwan but also diesel-powered submarines for defensive purposes. So I share the gentleman's view on this, and I would like to amend his bill to include the diesel-powered submarines that Taiwan has requested for defensive purposes.

I was not aware you were going to introduce this amendment. I was told we were going to have a separate bill on this later on that the chairman was going to sponsor. And that is why I didn't offer my amendment. But I am happy to support your amendment. And I would like to put in writing and add to this that the diesel-powered submarines requested by Taiwan will be added to your bill.

Chairman ROS-LEHTINEN. Mr. Connolly?

Mr. CONNOLLY. Assuming that the distinguished ranking member, who is the cosponsor of this resolution, concurs, I would have no objection to Mr. Burton's modification.

Chairman ROS-LEHTINEN. Mr. Berman?

Mr. Burton?

Mr. BURTON. I yield to the ranking member.

Mr. BERMAN. I guess if this were an ideal world, I would like a little time to hear more about this issue before I accepted it. But this is a sense of Congress resolution. I am not going to object to the gentleman's expansion of the material that would be sold.

Mr. BURTON. I thank the gentleman for that comment.

Chairman ROS-LEHTINEN. Thank you.

Would the gentleman yield?

Mr. BURTON. I would be happy to yield to the chairman.

Chairman ROS-LEHTINEN. What kind of language do you have ready for the clerk to amend it?

Mr. BURTON. We will work on it real quickly and have it in just 1 second here. Let me just say that we are not asking for anything that the Taiwanese Government has not already requested. This has been in the process for a long time. And that is why I think, since we are doing this on the F–16s, as the gentleman and the ranking member have suggested, that we go ahead and add the diesel-powered submarines that they requested as well.

Mr. CONNOLLY. Madam Chairman?

Chairman ROS-LEHTINEN. Yes.

Mr. Burton, would you continue to yield to Mr. Connolly?

Mr. BURTON. I will be happy to yield to my colleague.

Mr. CONNOLLY. In other words, Madam Chairman, I think in terms of clarifying language, what the gentleman is suggesting where we have the reference to the 66 F–16 C/D airplanes, we would add and eight diesel-powered submarines. Is that correct?

Mr. BURTON. In fact, I have the language here. I will be glad to read it to you. It says in section 3, it says as well as diesel submarines sold to Taiwan or offered to Taiwan by the United States in 2001. So this has been going on for almost 10 years now. That would be the language I would suggest be added.

Chairman ROS-LEHTINEN. Yes. I think that we all understand the nature of that amendment. And the clerk understands. We will make the proper corrections. So let's vote on the amendment to the amendment. Yes, sir. So we will hold on. I know that I have already recognized Mr. Burton, so I will recognize myself, who will yield to Mr. Berman.

Mr. BERMAN. I appreciate that very much. Actually, there was a misstatement, the Taiwanese have not requested these planes because they don't want to make a formal request unless it is going to be granted. But they have within their budgetary process, they have appropriated funds to purchase. This is not military assistance. This is a sale. They have not done that with respect to the submarines, as I understand it. And that is my one reservation. In other words, when Taiwan makes the decision to purchase the diesel submarines through their budget process, I would feel a bit more comfortable with the expansion of this language.

Mr. BURTON. Will the gentleman yield, please?

Mr. BERMAN. Sure.

Mr. BURTON. I was in Taiwan a short time ago. I talked to their leaders, as well as the President and the military leaders. The language, I am sure that they would support. I am sure that they would like the opportunity, if they haven't made a request already. I thought they had. But if they have not made the request already, I would like the opportunity to be made——

Mr. BERMAN. Could I make a suggestion then?

Mr. BURTON. Yes.

Mr. BERMAN. As to the submarines, add the language, once Taiwan has appropriated, budgeted the funds for that purpose.

Mr. BURTON. I have no problem with that. That would be fine with me.

Mr. ENGEL. Madam Chair?

Chairman ROS-LEHTINEN. I will recognize you, Mr. Engel.

So, Mr. Burton, could you just tell us how that amendment to your amendment will read then? It is the addition of the submarines once Taiwan——

Mr. BURTON. If the gentlelady will yield.

Chairman ROS-LEHTINEN. Yes, sir.

Mr. BURTON. It says in title III, in section 3, it says, as well as "diesel submarines offered to Taiwan by the United States in 2001, once Taiwan has budgeted for such submarines."

Chairman ROS-LEHTINEN. Correct. And that will be what the clerk is writing down.

Mr. Engel is recognized.

Mr. ENGEL. Thank you, Madam Chair. I will be very brief.

I just wanted to mention my strong support for the amendment and for the change in the amendment. I have long thought that the relationship between the U.S. and Taiwan is a very important relationship and that the United States has a moral obligation to continue to protect and help Taiwan. At a time when there are overt and covert threats against them, I think to turn our back on them would be disgraceful. And I commend the authors of this amendment and the people changing it.

Chairman ROS-LEHTINEN. And the gentleman yields back.

So, without objection, the modification on the Burton amendment has been agreed to.

And hearing no further request for recognition—the Connolly, correct. The Connolly amendment. The Burton modifications have been agreed to in the Connolly amendment and have been adopted.

Hearing no further requests for recognition, the question occurs on the Connolly amendment, as amended.

All those in favor say aye.

All opposed, no.

In the opinion of the Chair, the ayes have it. And the amendment is agreed to.

Now, the Chair will recess our committee. We have the vote. And if we chow down on a hot dog and tuna salad sandwich real quick—I will have a hamburger, fries and a shake—and we will come back. We will have sandwiches for members, and then we will resume the votes that have been rolled. The committee is suspended. And in that time, the folks will be working on some amendments, 1:15. We had said 1 o'clock for votes. It is just one vote.

[Recess.]

Chairman ROS-LEHTINEN. The committee is now in session. Pursuant to committee rule 4 and the prior announcement of the Chair, recorded votes for the following amendments were postponed and will be taken up now in this order: First, Mr. Mack, 033, limitation on assistance to support activities of the Global Climate Change Initiative; and then Mr. Faleomavaega, 008, strike section 803, elimination of the East-West Center.

The clerk will call the roll.

Ms. CARROLL. Madam Chairman?

Chairman ROS-LEHTINEN. Yes.

Ms. CARROLL. The chairman votes aye.

Mr. Smith?

Mr. SMITH. Yes.

Ms. CARROLL. Mr. Smith votes yes.

Mr. Burton?

[No response.]

Ms. CARROLL. Mr. Gallegly?

Mr. GALLEGLY. Present.

Ms. CARROLL. Mr. Gallegly votes present.

Mr. Rohrabacher?

Chairman Ros-Lehtinen. I am sorry. I had to rush that. I apologize.

Mr. ROHRABACHER. I am voting yes, and Mr. Gallegly is voting——

Mr. GALLEGLY. Can I change my vote from present to yes?

Chairman ROS-LEHTINEN. Sorry. It is the old schoolmarm in me.

Ms. CARROLL. Mr. Gallegly votes aye. Mr. Rohrabacher votes aye.

Mr. Manzullo?

Mr. MANZULLO. Yes.

Ms. CARROLL. Mr. Manzullo votes aye.

Mr. Royce?

Mr. ROYCE. Yes.

Ms. CARROLL. Mr. Royce votes aye.

Mr. Chabot?

Mr. CHABOT. Aye.

Ms. CARROLL. Mr. Chabot votes aye.

Mr. Paul?

Mr. PAUL. Aye.

Ms. CARROLL. Mr. Paul votes aye.

Mr. Pence?

Mr. PENCE. Aye.

Ms. CARROLL. Mr. Pence votes aye.

Mr. Wilson?

Mr. WILSON OF SOUTH CAROLINA. Aye.

Ms. CARROLL. Mr. Wilson votes aye.

Mr. Mack?

Mr. MACK. Yes.

Ms. CARROLL. Mr. Mack votes aye.

Mr. Fortenberry?

Mr. FORTENBERRY. Yes.

Ms. CARROLL. Mr. Fortenberry votes aye.

Mr. McCaul?

Mr. MCCAUL. Yes.

Ms. CARROLL. Mr. McCaul votes aye.

Mr. Poe?

Mr. POE. Yes.

Ms. CARROLL. Mr. Poe votes aye.

Mr. Bilirakis?

Mr. BILIRAKIS. Yes.

Ms. CARROLL. Mr. Bilirakis votes aye.

Ms. Schmidt?

Mrs. SCHMIDT. Yes.

Ms. CARROLL. Ms. Schmidt votes aye.

Mr. Johnson?

Mr. JOHNSON. Aye.

Ms. CARROLL. Mr. Johnson votes aye.

Mr. Rivera?

Mr. RIVERA. Aye.

Ms. CARROLL. Mr. Rivera votes aye.

Mr. Kelly?

Mr. KELLY. Aye.

Ms. CARROLL. Mr. Kelly votes aye.

Mr. Griffin?

Mr. GRIFFIN. Aye.

Ms. CARROLL. Mr. Griffin votes aye.
Mr. Marino?
Mr. MARINO. Yes.
Ms. CARROLL. Mr. Marino votes aye.
Mr. Duncan?
Mr. DUNCAN. Aye.
Ms. CARROLL. Mr. Duncan votes aye.
Ms. Buerkle?
Ms. BUERKLE. Aye.
Ms. CARROLL. Ms. Buerkle votes aye.
Mrs. Ellmers?
Mrs. ELLMERS. Aye.
Ms. CARROLL. Ms. Ellmers votes aye.
Mr. Berman?
Mr. BERMAN. No.
Ms. CARROLL. Mr. Berman votes no.
Mr. Ackerman?
Mr. ACKERMAN. No.
Ms. CARROLL. Mr. Ackerman votes no.
Mr. Faleomavaega?
[No response.]
Ms. CARROLL. Mr. Payne?
Mr. PAYNE. No.
Ms. CARROLL. Mr. Payne votes no.
Mr. Sherman?
Mr. SHERMAN. No.
Ms. CARROLL. Mr. Sherman votes no.
Mr. Engel?
Mr. ENGEL. No.
Ms. CARROLL. Mr. Engel votes no.
Mr. Meeks?
Mr. MEEKS. No.
Ms. CARROLL. Mr. Meeks votes no.
Mr. Carnahan?
Mr. CARNAHAN. No.
Ms. CARROLL. Mr. Carnahan votes no.
Mr. Sires?
Mr. SIRES. No.
Ms. CARROLL. Mr. Sires votes no.
Mr. Connolly?
Mr. CONNOLLY. No.
Ms. CARROLL. Mr. Connolly votes no.
Mr. Deutch?
Mr. DEUTCH. No.
Ms. CARROLL. Mr. Deutch votes no.
Mr. Cardoza?
[No response.]
Ms. CARROLL. Mr. Chandler?
Mr. CHANDLER. No.
Ms. CARROLL. Mr. Chandler votes no.
Mr. Higgins?
Mr. HIGGINS. No.
Ms. CARROLL. Mr. Higgins votes no.
Ms. Schwartz?

Ms. SCHWARTZ. No.
Ms. CARROLL. Ms. Schwartz votes no.
Mr. Murphy?
Mr. MURPHY. No.
Ms. CARROLL. Mr. Murphy votes no.
Ms. Wilson?
Ms. WILSON OF FLORIDA. No.
Ms. CARROLL. Ms. Wilson votes no.
Ms. Bass?
[No response.]
Ms. CARROLL. Mr. Keating?
Mr. KEATING. No.
Ms. CARROLL. Mr. Keating votes no.
Mr. Cicilline?
Mr. CICILLINE. No.
Ms. CARROLL. Mr. Cicilline votes no.
Chairman ROS-LEHTINEN. Have all members be recorded?
Ms. CARROLL. Mr. Burton, you are not recorded, sir.
Mr. BURTON. Yes.
Ms. CARROLL. Mr. Burton votes yes.
Mr. Faleomavaega?
Mr. FALEOMAVAEGA. No.
Ms. CARROLL. Mr. Faleomavaega votes no.
Chairman ROS-LEHTINEN. Have all members voted? The clerk will call the vote.
Ms. CARROLL. Madam Chairman, on that vote there are 25 ayes and 18 noes.
Chairman ROS-LEHTINEN. The ayes have it, and the question is agreed to.
We will now move to Mr. Faleomavaega's 008 amendment, which strikes section 803, and that section is the elimination of the East-West Center. The clerk will call the roll.
Ms. CARROLL. Madam Chairman?
Chairman ROS-LEHTINEN. No.
Ms. CARROLL. The chairman votes no.
Mr. Smith?
Mr. SMITH. No.
Ms. CARROLL. Mr. Smith votes no.
Mr. Burton?
Mr. BURTON. No.
Ms. CARROLL. Mr. Burton votes no.
Mr. Gallegly?
Mr. GALLEGLY. No.
Ms. CARROLL. Mr. Gallegly votes no.
Mr. Rohrabacher?
Mr. ROHRABACHER. No.
Ms. CARROLL. Mr. Rohrabacher votes no.
Mr. Manzullo?
Mr. MANZULLO. No.
Ms. CARROLL. Mr. Manzullo votes no.
Mr. Royce?
Mr. ROYCE. No.
Ms. CARROLL. Mr. Royce votes no.
Mr. Chabot?

Mr. CHABOT. No.
Ms. CARROLL. Mr. Chabot votes no.
Mr. Paul?
Mr. PAUL. No.
Ms. CARROLL. Mr. Paul votes no.
Mr. Pence?
Mr. PENCE. No.
Ms. CARROLL. Mr. Pence votes no.
Mr. Wilson?
Mr. WILSON OF SOUTH CAROLINA. No.
Ms. CARROLL. Mr. Wilson votes no.
Mr. Mack?
Mr. MACK. No.
Ms. CARROLL. Mr. Mack votes no.
Mr. Fortenberry?
Mr. FORTENBERRY. No.
Ms. CARROLL. Mr. Fortenberry votes no.
Mr. McCaul?
Mr. MCCAUL. No.
Ms. CARROLL. Mr. McCaul votes no.
Mr. Poe?
Mr. POE. No.
Ms. CARROLL. Mr. Poe votes no.
Mr. Bilirakis?
Mr. BILIRAKIS. No.
Ms. CARROLL. Mr. Bilirakis votes no.
Ms. Schmidt?
Mrs. SCHMIDT. No.
Ms. CARROLL. Ms. Schmidt votes no.
Mr. Johnson?
Mr. JOHNSON. No.
Ms. CARROLL. Mr. Johnson votes no.
Mr. Rivera?
Mr. RIVERA. No.
Ms. CARROLL. Mr. Rivera votes no.
Mr. Kelly?
Mr. KELLY. No.
Ms. CARROLL. Mr. Kelly votes no.
Mr. Griffin?
Mr. GRIFFIN. No.
Ms. CARROLL. Mr. Griffin votes no.
Mr. Marino?
Mr. MARINO. No.
Ms. CARROLL. Mr. Marino votes no.
Mr. Duncan?
Mr. DUNCAN. No.
Ms. CARROLL. Mr. Duncan votes no.
Ms. Buerkle?
Ms. BUERKLE. No.
Ms. CARROLL. Ms. Buerkle votes no.
Mrs. Ellmers?
Mrs. ELLMERS. No.
Ms. CARROLL. Ms. Ellmers votes no.
Mr. Berman?

Mr. BERMAN. Aye.
Ms. CARROLL. Mr. Berman votes aye.
Mr. Ackerman?
Mr. ACKERMAN. Aye.
Ms. CARROLL. Mr. Ackerman votes aye.
Mr. Faleomavaega?
Mr. FALEOMAVAEGA. Yes.
Ms. CARROLL. Mr. Faleomavaega votes aye.
Mr. Payne?
Mr. PAYNE. Aye.
Ms. CARROLL. Mr. Payne votes aye.
Mr. Sherman?
Mr. SHERMAN. Yes.
Ms. CARROLL. Mr. Sherman votes aye.
Mr. Engel?
Mr. ENGEL. Yes.
Ms. CARROLL. Mr. Engel votes aye.
Mr. Meeks?
Mr. MEEKS. Yes.
Ms. CARROLL. Mr. Meeks votes aye.
Mr. Carnahan?
Mr. CARNAHAN. Aye.
Ms. CARROLL. Mr. Carnahan votes aye.
Mr. Sires?
Mr. SIRES. Yes.
Ms. CARROLL. Mr. Sires votes aye.
Mr. Connolly?
Mr. CONNOLLY. No.
Ms. CARROLL. Mr. Connolly votes no.
Mr. Deutch?
Mr. DEUTCH. Aye.
Ms. CARROLL. Mr. Deutch votes aye.
Mr. Cardoza?
[No response.]
Ms. CARROLL. Mr. Chandler?
Mr. CHANDLER. Aye.
Ms. CARROLL. Mr. Chandler votes aye.
Mr. Higgins?
Mr. HIGGINS. Yes.
Ms. CARROLL. Mr. Higgins votes aye.
Ms. Schwartz?
Ms. SCHWARTZ. Aye.
Ms. CARROLL. Ms. Schwartz votes aye.
Mr. Murphy?
Mr. MURPHY. Aye.
Ms. CARROLL. Mr. Murphy votes aye.
Ms. Wilson?
Ms. WILSON OF FLORIDA. Aye.
Ms. CARROLL. Ms. Wilson votes aye.
Ms. Bass?
[No response.]
Ms. CARROLL. Mr. Keating?
Mr. KEATING. Aye.
Ms. CARROLL. Mr. Keating votes aye.

Mr. Cicilline?

Mr. CICILLINE. Aye.

Ms. CARROLL. Mr. Cicilline votes aye.

Chairman ROS-LEHTINEN. Have all members be recorded?

The clerk will report the vote.

Ms. CARROLL. Madam Chairman, on that vote there are 17 ayes and 26 noes.

Chairman ROS-LEHTINEN. The noes have it and the question is not agreed to.

The Chair recognizes herself for an announcement regarding votes and amendments. I am just speaking to the ranking member right now. Pursuant to rule 4, the Chair announces that except for recesses for floor votes, one is expected around 2:30, the next around 6 p.m. We will continue debate and voice votes on amendments, but any recorded votes will be postponed and rolled until, I would say, after the last floor votes for the day. Mr. Berman prefers after the next series—postponed and rolled until 4 p.m., and then we will have our next series of rolled votes after the last floor votes.

Mr. BERMAN. Madam Chairman, is 4 o'clock a bad time?

Chairman ROS-LEHTINEN. So after the last floor votes. Would my members be all right——

Mr. BERMAN. What about after the last votes of the day?

Chairman ROS-LEHTINEN. That sounds so much like what I had said.

Mr. BERMAN. Are you going to go home after the last votes of the day or come back here, not that it will make any difference in the outcome.

Chairman ROS-LEHTINEN. Yes, yes. So any ordinary recorded votes will be postponed and rolled until after the last floor votes of the day. So ordered. Thank you.

Now we will move back to the amendment process. Mr. Rohrabacher, you are next on my dance card.

Mr. ROHRABACHER. Thank you very much. I have an amendment at the desk.

Chairman ROS-LEHTINEN. The clerk will report the amendment.

Ms. CARROLL. Which amendment, sir?

Mr. ROHRABACHER. The amendment deals with cooperation with China space efforts with China. That would be probably the third one on your list.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Rohrabacher. At the end of title VIII, insert the following: Section 8 [blank]——

Mr. ROHRABACHER. We are talking about 588.

Chairman ROS-LEHTINEN. Space Station and China. Did she read the correct one? Thank you. Now we will hand out the amendment.

Ms. CARROLL. Section 8. Sense of Congress. It is the sense of Congress that any effort to expand international cooperation in space, such as adding new partners to the International Space Station, conducting operations beyond low Earth——

[The information referred to follows:]

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AMENDMENT TO H.R.

OFFERED BY M__. _____

At the end of title VIII, insert the following:

1 **SEC. 8 . SENSE OF CONGRESS.**

2 It is the sense of Congress that any effort to expand
3 international cooperation in space, such as adding new
4 partners to the International Space Station, conducting
5 operations beyond low Earth orbit, exploring the Moon
6 and Mars, launching deep space probes, and developing
7 related technology and capabilities should not include par-
8 ticipation by entities owned, controlled, chartered by, or
9 located within the People's Republic of China.

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Chairman ROS-LEHTINEN. By unanimous consent we will consider the amendment as having been read. Mr. Rohrabacher will explain it in just 15 seconds.

Mr. ROHRABACHER. All right, can we get order?

Chairman ROS-LEHTINEN. Mr. Rohrabacher is recognized.

Mr. ROHRABACHER. Thank you very much. Madam Chairman, my amendment would prohibit the United States from working with Communist China in cooperation for further—as part of U.S. space operations. Today there is a great deal of pressure on to forget the lessons that we learned back in the 1990s, the last time we cooperated with Communist China in space endeavors. What that resulted in, that period of time in which the United States agreed to launch its satellites on Chinese rockets—could I ask the gentlemen to let me talk? Excuse me.

Chairman ROS-LEHTINEN. If we could set the clock back at 5, because the gentleman deserves to be heard and there is a lot of noise.

Mr. ROHRABACHER. Thank you. My amendment would prohibit and prevent cooperation with Communist China in our space pro-

gram, especially in future U.S. space operations. We should have learned our lesson from the 1990s, which was this type of cooperation with a Communist dictatorship tends to result not in improving our abilities, but instead transferring technology and capabilities to China. In fact, the Chinese space program of today, much of its abilities can be attributed directly to the cooperation with American aerospace companies in the 1990s that transferred very significant high technology items to the Chinese in order to facilitate the launch of our satellites on to their rockets. What has happened was that billions of dollars worth of American R&D ended up in the hands of China, which is now incorporating it into their own rocket systems.

Prior to our cooperation with the Chinese, the Long March system was very unreliable and in fact a majority of the time it was unable to reach orbit with its payload. After cooperating with American aerospace companies, it became very reliable and, of course, the Chinese didn't have to pay for any of the R&D for the technology that we were installing and providing them to make their rockets better.

It is not good. We should have cooperation with free countries, and that works to our benefit, or cooperation with a country that has at least an advanced space program, like Russia. But for a country like China, this is nothing but a gift, a major gift from the people of the United States, and it puts us at risk.

The Chinese rockets that we helped improve in the 1990s not only launch their satellites today, but those rockets can launch, what, nuclear warheads and in fact one of the things that we did, and I remember some aerospace engineers bragging, that before they got there, those Chinese rockets could only have one payload. But after we got done, they could put up three satellites at one time.

You know, we don't want to get back into that same pattern where we have American companies making short-term profit, huge short-term profit in order to deal with the Chinese in a technology area like this, but in the end it is at the expense of American security.

Let me also note if we do permit this cooperation, which this amendment would prohibit, it will kill the fledgling commercial space market that is now developing in the United States. There are hundreds of millions of dollars, even billions of dollars, being invested in the private sector to develop new launch technologies here in the United States. They will be undercut and they will fail if you can have the Chinese come in and intentionally undercut the price which they are able to charge.

So it is I believe in competition and I believe in free trade, but I believe in competition and free trade—free trade between free people. And you can't do that with dictatorships like China. Now, if they start having some reform in China, well, I will be very interested and we can revisit this issue then. But until now it is not a good thing for us to be cooperating with China in these high technology areas, especially the space program that has direct military applications for the type of projects that we are involved in.

So all my amendment would do would say no, we cannot work in cooperation, our space program will not have joint ventures and we will not be involved with China as a partner in space.

As I say, once there is some reform there and we don't have to worry that the transfer of technology is going to a more democratic society, well, that is a whole other issue.

So I would ask my colleagues to join me both for economic reasons, it makes no sense economically for us to be building up the capabilities of the Chinese as we did in the nineties, and it is inherent that transfer of technology is inherent, and it is also bad for us and——

Chairman ROS-LEHTINEN. The gentleman's time has expired.

Do other members seek recognition to speak on the amendment?

Mr. MCCAUL. I just want to associate myself with your remarks. From personal experience, I was in the Justice Department when we investigated the campaign finance issue with respect to China. I prosecuted the Johnny Chung case. We got a conviction. It led us to the director of Chinese intelligence who was actually flowing money through China aerospace to Johnny Chung to go into the Clinton campaign. So I find this very timely that we talk about this today.

I think also when you look at the office that has been hacked into with cyber attacks, it is the Export Control Act office which deals with specifically what the gentleman is talking about, dual-use technology. There is a reason why the Chinese are interested in the decisions made in that office. So I do consider them a threat.

Chairman ROS-LEHTINEN. The gentleman yields back?

Mr. MCCAUL. But we are turning over our space program to the Chinese and the Russians with this administration's policy of ending human space flight.

I yield back.

Chairman ROS-LEHTINEN. Thank you. We are prepared to go by voice vote. Hearing no further requests for recognition, the question occurs on the Rohrabacher amendment. All those in favor say aye; all opposed no.

In the opinion of the Chair, the ayes have it and the amendment is agreed to.

Now we will move to the Cicilline amendment.

Mr. CICILLINE. Thank you, Madam Chair. I have an amendment at the desk.

Chairman ROS-LEHTINEN. The clerk will report the amendment.

Ms. CARROLL. Mr. Cicilline, is this amendment 572, human rights priorities?

Mr. CICILLINE. No, this is Azores Cooperative Initiative Program.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Cicilline of Rhode Island and Mr. Keating of Massachusetts. At the end of title VIII, add the following: Section 8xx. Azores Cooperative Initiative Program. (a) Authorization——

[The information referred to follows:]

AMENDMENT TO H.R. 2583

OFFERED BY MR. CICILLINE OF RHODE ISLAND AND MR. KEATING OF MASSACHUSETTS

(Foreign Relations Authorization Act, Fiscal Year 2012)

At the end of title VIII, add the following:

1 **SEC. 8xx. AZORES COOPERATIVE INITIATIVE PROGRAM.**

2 (a) AUTHORIZATION.—The Secretary of State is au-
3 thorized to establish a program, to be known as the
4 "Azores Cooperative Initiative Program", to provide bilat-
5 eral cooperation, expertise, and resources to design and
6 implement solutions to the provisions of the 1995 agree-
7 ment between the United States and Portugal, in areas
8 of science, technology, education, environment and agri-
9 culture in order to further Luso-American relations.

10 (b) ACTIVITIES.—The program shall include the fol-
11 lowing activities:

12 (1) Integrated pest management program for
13 horticultural crops in the Azores, Portugal.

14 (2) Establishment of aquacultural research in
15 the Azores.

16 (3) Sustainable fisheries in the Azores.

17 (4) Improvements to the Azores health care sys-
18 tem, including epidemiology and control of Lepto-
19 spirosis in the Azores.

1 (5) Geological risk monitoring.

2 (6) Tourism promotion.

3 (7) Assistance in economic policy analysis.

4 (8) Technical cooperation for rural develop-

5 ment.

6 (9) Export promotion of Azorean products.

7 (10) Training exchanges with regard to the ac-

8 tivities described in paragraphs (1) through (9).

9 (c) AUTHORIZATION OF APPROPRIATIONS.—There is

10 authorized to be appropriated to the Secretary to carry

11 out the program $200,000 for fiscal year 2012.

☒

Chairman ROS-LEHTINEN. Unanimous consent to dispense with the reading. If the gentleman from Rhode Island—I believe that we have the amendment crafted so that it has no problems with it. If this includes the changes that we had talked about to make sure——

Mr. CICILLINE. May I approach the chairman for a moment?

Chairman ROS-LEHTINEN. Yes. Hold on. The one that we have here does not include the changes.

I am sorry, I do not mean to have private conversations with the sponsor. We just wanted to make sure that the amendment would be ruled in order and within our jurisdiction and not having any appropriation problems. So the gentleman from Rhode Island has made those changes. If I could then recognize the gentleman so you could speak to your amendment.

Mr. CICILLINE. Thank you very much, Madam Chairman.

The changes, just to be clear, are on line 3 to strike the word "establish" and put "to support a program," and then strike the words "to be." So an outreach to support a program known as, because it is an existing program, we are not establishing a new one.

Then on the second page of line 11, to add a comma after 2012, and add the words "from existing department funds."

If I may, Madam Chairman, this amendment relates to an agreement that began in 1995. The United States and Portugal negotiated an agreement to institute the Azores Cooperative Initiative Program. This agreement replaced an earlier U.S. lease payment agreement for the use of the largest Air Force Base on the island of Terceira in the Azores. On that base there are 604 U.S. Air

Force personnel stationed, as well as 690 dependents and 80 Department of Defense civilians.

In exchange for U.S. access, the U.S. agreed to undertake cooperation programs with the Azores, including in the areas of agricultural, education, tourism and health. This program normally receives $200,000 annually. However, I was recently notified that the Defense Department would no longer fund this program because its activities have not been explicitly authorized by law and are non-defense related activities.

We, that is members of the Portuguese Caucus, wrote to Secretary of Defense. We received correspondence back acknowledging the merit of this relationship and the merit of the activities and the suggestion that authorization for this come from within the State Department.

This amendment will simply authorize these activities which are already underway. These are non-defense initiatives that have a really important effect on our relationship with Portugal, particularly with the Azores. It is not a new program. The United States has been engaging in these activities for years and we do in exchange for using the Azorian Islands for our military and strategic interests. My amendment simply authorizes the activities that are already taking place.

The Portuguese Government and the Azorian people have been incredibly strong allies of the United States and have allowed us to use this base on the island of Terceira for a home for our Air Force Base, which is a very important location for us and in support of our national security interests.

I urge my colleagues to support this amendment.

Chairman ROS-LEHTINEN. And the gentleman yields back. I would like to ask unanimous consent that the Cicilline-Keating amendment be considered as Mr. Keating has amended it, and it is so ordered. So we are on the Cicilline-Keating amendment.

I know Mr. Cardoza wishes to speak and Mr. Sires, and I would like to tell the members that we are ready to accept it. We welcome your comments.

Mr. Cardoza is recognized.

Mr. CARDOZA. Thank you, Madam Chair. I wholeheartedly support your effort to move this markup forward, so I will try and truncate my remarks. But I would like to make one point, that the Azorian people have been maybe some of the most loyal to the United States of any region in the world. When you go there, I think that their allegiance to the United States is almost every bit as much as to their own Nation. They supported us during the Communist era in their country and they fought valiantly to bring back democracy and capitalism back to their society.

Despite the fact that it is my ancestral homeland for all four of my grandparents, I think Mr. Cicilline should be very much thanked for bringing this forward. This measure is something that was worked out and negotiated by our State Department a number of years ago in order to maintain a very strategic base that probably over half the members of this committee have flown through at one time or another and used that facility. It is also strategically important to the economy those islands and I think it is absolutely

critical for us to maintain this relationship with one of our staunchest allies, Portugal.

Madam Chair, I will truncate my remarks at that point and say thank you for offering to accept this.

Chairman ROS-LEHTINEN. Thank you, Mr. Cardoza. The gentleman yields back.

Mr. Sires is recognized.

Mr. SIRES. I will be very short. I just want to say a few words in support of this. I thank you for everyone supporting this. I have been to the Azores. I have seen how American planes land and the uses of it. It is amazing to me they even find it in the middle of the ocean. For America, it is a great deal.

So thank you very much.

Chairman ROS-LEHTINEN. The gentleman yields back. Hearing no further requests for recognition, the question occurs on the Cicilline-Keating amendment. All those in favor say aye; all opposed, no.

In the opinion of the Chair, the ayes have it and the amendment is agreed to.

We will now move to the Smith amendment on Chinese human rights activists.

Ms. CARROLL. Is this number 44, sir?

Mr. SMITH. I think it is 44. One second.

Chairman ROS-LEHTINEN. Could you start reading it?

Mr. SMITH. It is 44.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Smith of New Jersey. At the appropriate place in the bill, insert the following: Section [blank]. Sense of Congress on administration——

Mr. SMITH. Madam Chair, I ask unanimous consent that the amendment be considered as read.

Chairman ROS-LEHTINEN. Correct. So ordered. The gentleman is recognized for 5 minutes.

[The information referred to follows:]

AMENDMENT TO H.R. _____

OFFERED BY MR. SMITH OF NEW JERSEY

At the appropriate place in the bill, insert the following:

1 **SEC. ___. SENSE OF CONGRESS ON ADMINISTRATION AC-**
2 **TION NEEDED TO SECURE THE FREEDOM OF**
3 **CHEN GUANGCHENG AND OTHER HUMAN**
4 **RIGHTS DEFENDERS IN CHINA.**

5 (a) FINDINGS.—Congress finds the following:

6 (1) Blind, self-taught legal advocate Chen
7 Guangcheng publicly exposed the fact that in 2005,
8 130,000 involuntary abortions and sterilizations
9 were performed on women in Linyi County,
10 Shandong Province in a single year.

11 (2) Mr. Chen was arrested on June 21, 2006,
12 tried on November 27, 2006, and sentenced on De-
13 cember 1, 2006, to four years and three months in
14 jail, on charges of "intentional destruction or dam-
15 age to property" and "gathering people to disturb
16 traffic order".

17 (3) The prosecution and trial of Mr. Chen has
18 drawn repeated criticism for its lack of due process
19 of law, including the detention of his defense lawyers

on the eve of trial and the alleged extraction of witness statements under torture.

(4) Time Magazine named Mr. Chen one of "2006's Top 100 People Who Shape Our World", in the category of "Heroes and Pioneers".

(5) In August 2007, Chinese authorities stopped Mr. Chen's wife, Yuan Weijing, at the airport, revoked her passport and forcibly returned her to her village as she attempted to travel to Manila to collect Mr. Chen's Magsaysay Award, known as Asia's Nobel Prize.

(6) Mr. Chen was released from prison on September 9, 2010, with a chronic, debilitating intestinal illness contracted in prison, for which he has been allowed no medical treatment.

(7) Mr. Chen is now under house arrest, where he has been repeatedly and severely beaten, and denied adequate medical treatment and nutrition despite fragile and deteriorating health.

(8) Mr. Chen's wife, Yuan Weijing, and their children have been subjected to harassment, surveillance, and confinement throughout Mr. Chen's imprisonment and house arrest.

(9) Mr. Chen and Ms. Yuan secretly recorded a video describing the harsh conditions of their

house arrest, which included constant surveillance by 66 security police, severed telephone and internet connections, lack of adequate food, and continued intimidation by officials, who enter their home at any time, without notice.

(10) In February 2011, following the video's release, Mr. Chen's legal team tried to assist him, but several were placed under house arrest, and two of his lawyers, Jiang Tianyong and Teng Biao, were beaten and later disappeared.

(11) The Foreign Correspondents' Club of China issued the following warning on February 17, 2011, "Correspondents should be careful if they attempt to enter the village of activist Chen Guangcheng in Shandong Province. In recent days several correspondents have encountered groups of violent, plainclothes thugs. . . They have pushed reporters around, threatened them with bricks, damaged their cars, confiscated or destroyed their equipment and taken their press credentials".

(12) The 2010 Congressional-Executive Commission on China Report states that "Chinese authorities continued to implement population planning policies that interfere with and control the reproductive lives of women, employing various methods in-

1 cluding fines, cancellation of state benefits and per-
2 mits, forced sterilization, forced abortion, arbitrary
3 detention, and other abuses".
4 (b) SENSE OF CONGRESS.—It is the sense of Con-
5 gress that—
6 (1) the Government of the People's Republic of
7 China should cease its harassment of Chen
8 Guangcheng and his family, including his wife,
9 daughter, son, and mother, and arrange medical
10 treatment for him and his wife, Yuan Weijing;
11 (2) the Government of the People's Republic of
12 China should release Chen Guangcheng and his fam-
13 ily from house arrest, allow them freedom of move-
14 ment, and allow access to him by international dip-
15 lomats and journalists;
16 (3) the President and the Secretary of State
17 should actively and repeatedly seek diplomatic visits
18 to Chen Guangcheng and his family;
19 (4) the President, Secretary of State, and other
20 Administration officials should raise the issue of
21 harassed, arrested, disappeared, and disbarred
22 human rights lawyers and defenders with the Gov-
23 ernment of the People's Republic of China and link
24 this issue to United States interests in the rule of
25 law and human rights;

1 (5) the President, Secretary of State, and other
2 United States Government officials should aggres-
3 sively and repeatedly raise the issue of the coercive
4 implementation of China's birth limitation policy
5 with President Hu Jintao; and
6 (6) Chen Guangcheng and his wife, Yuan
7 Weijing, are to be commended for their courage and
8 integrity and should be supported in their deter-
9 mination to expose and oppose coercive population
10 control methods in China that violate the human
11 rights of women.

☒

Mr. SMITH. Thank you very much, Madam Chair.

Chen Guangcheng is a blind, self-taught legal advocate in China who was arrested in 2006 for helping to expose the Chinese Government's use of forced sterilization and forced abortions to enforce its barbaric one-child-per-couple policy.

Mr. Chen amassed compelling evidence that 130,000 forced abortions and involuntary sterilizations were performed on women in just one county in 1 year in Linyi County, in the Shandong Province. Time Magazine has named him one of 2006's top 100 people who helped shape the world and he actually got the 2007 Magsaysay Award, which is often referred to as the Asian Nobel Peace Prize.

Mr. Chen has spent 4 years in prison, 4 years and 3 months in prison, after a trial in which he was denied every due process right imaginable. Two of his legal team were not only beaten; they have gone missing. Nobody knows where two members of his legal team are today.

Mr. Chen actually tried to bring cases to the Chinese court—talk about courage—on behalf of women who had been irreparably harmed by the forced abortion policy, both physically and emotionally, and for that he has gotten that jail sentence and now is under house arrest.

I would ask members, we have passed out a sheet from Women's Rights Without Frontiers. There is a very, very incisive commentary on Chen in that, if you want to go and check it out online. But there is also in his own words a video smuggled out a few

months ago in which he tells briefly his story, and for that, for getting that out to the West, he has now been beaten even more severely than before.

His wife wrote a note that was released on June 15th, and this is what she said, a couple of weeks ago: "They beat and tortured Chen and me for 2 hours in our own home. More than 10 men covered me," this is his wife talking, "with a blanket and kicked my ribs all over my body. I saw more than 10 men surround Chen, torturing him. Some of them twisted his arms," and she goes on to talk about some of the brutal things that they have done to him.

Sixty police surround his house. A CNN reporter and other reporters have tried to get in, can't even get anywhere near his house. So he is under arrest by any other terms. Of course, this is a man, in his video he pleads with the West to speak out for him. He also asks that his children, should something happen, be cared for somehow.

This is a man that cries out for our attention, for the attention of the White House, the European Union, people in Parliaments all over the world, as he has combated so bravely this cruel, Draconian one-child-per-couple policy. Here is a guy, again, who actually got into court and tried to protect those individual women. It is like bringing a class action suit here, and for that he has been so brutally beaten and tortured by the Chinese dictatorship.

I know it is an issue that has been raised by the U.S. Department of State. I hope they will raise it even more robustly. Just like Liu Xiabo and Guo Xiaotian and so many other human rights defenders and advocates, Liu of course got the Nobel Peace Prize and still languishes in prison. This calls for the release of other human rights defenders in the PRC as well.

So I hope we can go on the record very strongly, unanimously, calling for his release and that of his wife, who is suffering equally with him—two very brave individuals who are just extraordinary.

Chairman ROS-LEHTINEN. Thank you. The gentleman yields back. I know my friend the ranking member has just indicated to me that they have no opposition to the gentleman's amendment. So hearing no further requests for recognition, the question occurs on the Smith amendment.

All those in favor say aye; all opposed, no.

In the opinion of the Chair, the ayes have it and the amendment is agreed to.

Mr. Engel is recognized.

Mr. ENGEL. Thank you, Madam Chair. I am submitting, offering this amendment, along with Mr. Mack. It is a joint amendment for both of us. I have an amendment at the desk.

Chairman ROS-LEHTINEN. The clerk will report the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Engel of New York and Mr. Mack of Florida. At the end of title VIII, add the following: Section 8. Limitation on assistance to the Palestinian Authority.——

Chairman ROS-LEHTINEN. Unanimous consent to dispense with the reading.

Wait, wrong amendment. Let's do read it. Mr. Engel, could you tell us——

Mr. ENGEL. Yes, 592.

Chairman ROS-LEHTINEN. I know that the staff has been working out a few words to change. Maybe that is why it is not there. All right, now we are going. The clerk will report the amendment. I don't know if someone gave her a copy of it before they are handing it out.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Engel and Mr. Mack. At the end of title VIII, insert the following: Section 8 [blank]. United States Embassies in Caribbean countries.——

Chairman ROS-LEHTINEN. Hold on 1 second. Let's make sure that is the right one. Caribbean Embassies. Mr. Mack says yes. Mr. Engel says yes. Unanimous consent to dispense with the reading.

[The information referred to follows:]

AMENDMENT TO H.R. 2583
OFFERED BY Mr. Engel and Mr. Mack

At the end of title VIII, insert the following:

1 **SEC. 8 . UNITED STATES EMBASSIES IN CARIBBEAN**
2 **COUNTRIES.**
3 (a) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that—
5 (1) the Department of State should establish
6 embassies in Antigua and Barbuda, Dominica, St.
7 Kitts and Nevis, St. Lucia, and St. Vincent and the
8 Grenadines, where the United States does not now
9 have embassies;
10 (2) the United States Embassy in St. George's,
11 Grenada, should serve as a model for future United
12 States embassies in such countries;
13 (3) as the very large United States diplomatic
14 presence diminishes in Afghanistan and Iraq over
15 time, the Department of State should re-assign five
16 of those diplomatic billets to the five Caribbean
17 countries identified in paragraph (1);
18 (4) between the time of passage of this Act and
19 the coming reduction in the number of Department
20 of State Foreign Service officers in Iraq and Af-

1 ghanistan, the Department of State should plan for
2 the establishment of embassies in the five Caribbean
3 countries identified in paragraph (1); and
4 (5) such embassies should be established not
5 later than ten years after the date of enactment of
6 this Act.
7 (b) REPORT, CONDITIONALITY, AND EXCEPTION.—
8 (1) NOTIFICATION.—The Secretary of State
9 shall notify the appropriate congressional committees
10 when the total number of Foreign Service officers in
11 the United States embassies in Iraq and Afghani-
12 stan has been reduced by 20 percent as compared to
13 the total number of such officers as of the date of
14 the enactment of this Act.
15 (2) WITHHOLDING OF FUNDS.—Except as pro-
16 vided in paragraph (3), if United States embassies
17 have not been established in the five Caribbean
18 countries identified in subsection (a)(1) by the date
19 that the total number of Foreign Service officers in
20 United States embassies in Iraq and Afghanistan
21 has been reduced by 20 percent under paragraph (1)
22 of this subsection, notwithstanding any other provi-
23 sion of law, five percent of the amounts otherwise
24 made available to the Overseas Building Operations
25 account of the Department of State shall be with-

1 held until such time as such embassies are estab-
2 lished.
3 (3) EXCEPTION FOR DELAY.—The Secretary of
4 State may delay for up to one year the establish-
5 ment of the United States embassies in the five Car-
6 ibbean countries identified in subsection (a)(1) if the
7 Secretary determines that more time is needed to es-
8 tablish such embassies and submits to the appro-
9 priate congressional committees a report explaining
10 the reason for such delay.
11 (4) LIMITATION ON ADDITIONAL FUNDING.—To
12 establish the United States embassies in the five
13 Caribbean countries identified in subsection (a)(1),
14 the Secretary of State may use only amounts that
15 are available to the Department of State for such
16 purpose.

☒

Chairman ROS-LEHTINEN. I know that our side is in agreement with it, but we would love to hear—yes, Mr. Berman?

Mr. BERMAN. And our side is in agreement.

Chairman ROS-LEHTINEN. We all love it. But please explain it to us.

Mr. ENGEL. I will try to give you the shortened version. How about that?

There are five countries in the Western Hemisphere with which the United States does not have an Embassy, and each of these are islands. The first is Antigua and Barbuda, the second is Dominica, the third St. Kitts and Nevis, the fourth St. Lucia, and the fifth St. Vincent and Grenadines. The problem is Cuba has an Embassy in each of those islands. So does Venezuela, so does Brazil. And even in the case of St. Lucia, France, Libya, Mexico and Taiwan all have Embassies. And China has an Embassy in two of them.

So if you could visualize a place where American businesses flourish, where tens of thousands of American citizens travel for pleasure or business, where thousands of American citizens go to school, there is constant concern about drug trafficking to the United States, but we have no Embassies there. And it really makes no sense.

These countries are small and certainly pose no strategic threats to us, but at the same time they are friendly, welcoming nations where Americans often go. They have votes in the United Nations and other international organizations and are of profound interest to the millions of our Caribbean heritage citizens.

Due to the lack of any U.S. diplomatic presence in these countries, in order to deal with local officials, business or civil society, diplomats fly in from Barbados or Washington on expensive infrequent flights and stay in expensive island hotels. U.S. citizens living in these countries do not have fully accredited consular staff to assist with emergencies. Key events and meetings often pass with no American presence. Close working relationships with key leaders never develop because our diplomats are not there to establish them. Our diplomacy is limited to phones, e-mails and faxes, when the best interaction is carried out in person.

I want to again emphasize Cuba and Venezuela maintain Embassies in all these countries, putting us behind the diplomatic 8-ball because we are simply not there.

But the solution Mr. Mack and I have put forward is that the United States maintains an Embassy in Grenada, staffed by one Foreign Service officer and a few locally hired personnel. This Embassy's operating costs are very low, in the hundreds of thousands of dollars, according to the Congressional Research Service. Keeping costs down, our Grenada Embassy is staffed by a principal officer Chargé d'Affaires, but not an ambassador. The Ambassador remains in Barbados.

Now, we don't want this to establish new positions and be costly. We don't want to spend more money on this. So we address that concern. The amendment specifically says only amounts available to setting up Embassies may be used for this purpose. No additional monies may be used, so there will be no net additional cost to the taxpayers. And further, it only reassigns current Foreign Service staff to do the job, rather than creating a new position.

For instance, we have huge Embassies in Iraq and Afghanistan which have more than 500 Foreign Service officers in Afghanistan as well and more than 300 in Iraq. They will be there for years to come, and rightfully so. But my amendment does nothing to affect our requirements in Iraq and Afghanistan. But our huge diplomatic presence will not be there forever, and the amendment says when 20 percent of the diplomats come home, only five, five, are going to be reassigned to the Caribbean countries.

So I urge the committee to support this amendment and move ahead with setting up Embassies in the Caribbean countries where we have none so we can take care of our citizens' need and the Chavezes and the Castros of the world won't be the only ones present.

I yield back.

Chairman ROS-LEHTINEN. The gentleman yields back. Mr. Mack is recognized.

Mr. MACK. I will be very brief. This is a good amendment. One of the things that we had to work out that Mr. Engel and I worked out is to ensure that there is no cost, increase in cost associated with this amendment. Frankly, it is the only reason why I would sign on in support, because there is no additional cost. Mr. Engel

is correct that we do not have a presence there. We need a presence there. And I think this is a good amendment and something that all members should support.

With that, I yield back.

Chairman ROS-LEHTINEN. Thank you very much, Mr. Mack. Seeing no further requests for recognition, the question occurs on the Engel-Mack amendment. All those in favor say aye; all opposed, no.

In the opinion of the Chair, the ayes have it and the amendment is agreed to.

Mr. Berman is recognized.

Mr. BERMAN. Thank you, Madam Chairman. I have an amendment at the desk. The subject matter is Sri Lanka and it is amendment 112.

[The information referred to follows:]

AMENDMENT TO H.R. __

OFFERED BY MR. Berman

(Foreign Relations Authorization Act, Fiscal Year 2012)

At the appropriate place in the bill, insert the following:

1 **SEC. ___. LIMITATION ON FOREIGN ASSISTANCE TO SRI**
2 **LANKA.**
3 (a) LIMITATION.—
4 (1) IN GENERAL.—Except as provided in para-
5 graph (2), none of the funds made available to carry
6 out this Act may be used to provide assistance to Sri
7 Lanka unless a certification described in subsection
8 (b) is in effect.
9 (2) EXCEPTION.—The limitation on funds
10 under paragraph (1) shall not apply with respect to
11 democracy and governance assistance, humanitarian
12 assistance, and assistance for demining activities.
13 (b) CERTIFICATION.—A certification described in this
14 subsection is a certification submitted by the Secretary of
15 State to the appropriate congressional committees that
16 contains a determination of the Secretary of State that
17 the Government of Sri Lanka is making demonstrable
18 progress in the following areas:

1 (1) Accountability for those involved in viola-
2 tions of human rights and war crimes at the end of
3 Sri Lanka's civil war in May 2009, including by any
4 remaining members of the Liberation Tigers of
5 Tamil Eelam (LTTE).
6 (2) Reconciliation, including —
7 (A) the establishment of a mechanism to
8 account for events that occurred at the end of
9 the civil war;
10 (B) information from the government on
11 what happened to those missing at the end of
12 the civil war; and
13 (C) expeditious release of those remaining
14 in detention.
15 (3) Withdrawal of emergency regulations.
16 (4) An improved climate for freedom of the
17 press throughout the country.
18 (c) WAIVER.—The Secretary of State may waive the
19 limitation on funds under subsection (a) on a case-by-case
20 basis if the Secretary determines that it is in the national
21 interests of the United States to do so.

Chairman ROS-LEHTINEN. Maybe we can yank it from you. You can make copies if you don't have it. Here. If the gentleman would allow, while they are making copies, it is a commonsense amendment and perhaps the gentleman could explain his amendment at this time.

Mr. BERMAN. I will cut short my elaborate justification, but simply point out this is an amendment that limits U.S. foreign assistance to Sri Lanka with the exception of democracy and governance assistance, humanitarian assistance, and assistance for de-mining activities, pending a certification by the Secretary of State that the Sri Lankan Government has made demonstrable progress on issues of accountability, reconciliation, the withdrawal of emergency regulations and an improved climate for press freedom. The amendment includes a waiver provision in the case the Secretary deems it in the national interest to waive the limitation on funds.

There is a whole history behind this, the civil war, the end of the civil war, the reconciliation process. But given that both sides have looked at this amendment and feel comfortable with it, I will yield back my time.

Chairman ROS-LEHTINEN. Mr. Berman, if you yield back, Mr. Chabot is going to speak. Maybe that will give enough time for us to have the amendment. Or you can continue to speak.

Mr. BERMAN. No, I am happy to. I heard you don't have this amendment, but I was told this——

Chairman ROS-LEHTINEN. They are making copies.

Mr. BERMAN. I meant in the sense of having seen the amendment, signed off on the amendment.

Chairman ROS-LEHTINEN. No, we signed off on your good faith explanation of it. But we are making copies of the one that you had. They just didn't have it there on the clerk's desk.

With that, Mr. Chabot is recognized, wearing a very fetching pin on his lapel.

Mr. CHABOT. That is right. I guess I should explain it.

Chairman ROS-LEHTINEN. Please do.

Mr. CHABOT. Since the chairwoman has I think carried out quite a good markup under somewhat challenging circumstances, a few years back we all celebrated the chairwoman getting her doctorate and we all had "Dr. Ily" buttons. I happened to be going through my stuff that I brought back after my loss a couple years ago and brought it back. I thought, hey, there is that button. I will wear it on the appropriate occasion. Since this is our first big markup——

Chairman ROS-LEHTINEN. Since you got all your amendments approved. Mr. Chabot is recognized to speak on the Sri Lanka amendment.

Mr. CHABOT. Thank you very much. I will be very brief. I want to associate myself with the remarks of the gentleman from California, Mr. Berman. I think this is a very thoughtful amendment, a very helpful amendment. We support it. I yield back my time.

Chairman ROS-LEHTINEN. Thank you. That was a pithy comment. That is a good word.

Does anyone seek time, recognition on the Berman amendment? If not, we have no problems with the amendment. We like the amendment. Hearing no further requests for recognition, the ques-

tion occurs on the Berman amendment. All those in favor say aye; all opposed, no.

In the opinion of the Chair, the ayes have it and the amendment is agreed to.

Next on my hit parade is Mr. Griffin of Arkansas who has an amendment.

Mr. GRIFFIN. Thank you, Madam Chair.

Chairman ROS-LEHTINEN. The clerk will report the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Griffin of Arkansas. At the end of title VIII, insert the following: Section 8xx. Prohibition on disclosure of political contributions in submitting offers for Department of State contracts. (a) Prohibition. The Secretary of State may not require an entity submitting an offer for a contract with the Department of State or otherwise participating in acquisition of property or services by the Department of State to disclose any——

Chairman ROS-LEHTINEN. I ask unanimous consent that the amendment be considered as read, and Mr. Griffin is recognized to explain the amendment and the amendment is being passed out to all the members right now.

[The information referred to follows:]

AMENDMENT TO H.R. 2583

OFFERED BY MR. GRIFFIN OF ARKANSAS

(Foreign Relations Authorization Act, Fiscal Year 2012)

At the end of title VIII, insert the following:

1 **SEC. 8xx. PROHIBITION ON DISCLOSURE OF POLITICAL**
2 **CONTRIBUTIONS IN SUBMITTING OFFERS**
3 **FOR DEPARTMENT OF STATE CONTRACTS.**

4 (a) PROHIBITION.—The Secretary of State may not
5 require an entity submitting an offer for a contract with
6 the Department of State or otherwise participating in ac-
7 quisition of property or services by the Department of
8 State to disclose any of the following information as a con-
9 dition of submitting the offer or otherwise participating
10 in such acquisition:

11 (1) Any payment consisting of a contribution,
12 expenditure, independent expenditure, or disburse-
13 ment for an electioneering communication that is
14 made by the entity, its officers or directors, or any
15 of its affiliates or subsidiaries to a candidate for
16 election for Federal office or to a political com-
17 mittee, or that is otherwise made with respect to any
18 election for Federal office.

1 (2) Any disbursement of funds (other than a
2 payment described in paragraph (1)) made by the
3 entity, its officers or directors, or any of its affiliates
4 or subsidiaries to any individual or entity with the
5 intent or the reasonable expectation that the indi-
6 vidual or entity will use the funds to make a pay-
7 ment described in paragraph (1).
8 (b) NO EFFECT ON OTHER DISCLOSURE REQUIRE-
9 MENTS.—Nothing in this section may be construed to
10 waive or otherwise affect the application to an entity de-
11 scribed in subsection (a) of any provision of law that re-
12 quires the entity to disclose information on contributions,
13 expenditures, independent expenditures, or electioneering
14 communications.
15 (c) DEFINITIONS.—In this section—
16 (1) each of the terms "contribution", "expendi-
17 ture", "independent expenditure", "electioneering
18 communication", "candidate", "election", and "Fed-
19 eral office" has the meaning given such term in the
20 Federal Election Campaign Act of 1971 (2 U.S.C.
21 431 et seq.); and
22 (2) the term "acquisition" has the meaning
23 given that term in section 131 of title 41, United
24 States Code.

Mr. GRIFFIN. Thank you, Madam Chair.

Recently President Obama proposed an Executive Order establishing a political litmus test, if you will, for contractors by requiring disclosure of political contributions as a condition to receiving a government contract. If implemented, this Executive Order would politicize the Federal contracting process, giving political appointees involved in the contracting process political contribution information. This would allow political appointees to potentially exert pressure on decision makers based on the information disclosed. Companies and their bids could be judged based on political credentials rather than professional credentials.

The proposed Executive Order also extends to the political contributions of contractors, directors, officers or subsidiaries, thereby requiring that contractors police their ranks and compel their employees to disclose their political contributions as a matter of corporate compliance. And because of the costs incurred to set up a reporting system to comply with the proposed Executive Order, many businesses and particularly small businesses will be burdened and may choose not to deal with the government, reducing the competitive pool and potentially threatening American jobs.

The proposed Executive Order is unnecessary because political donations are already heavily regulated under current law. Current law bars contractors from making political contributions during the negotiation and performance of a contract. Federal acquisition and procurement laws and regulations are designed to ensure impartiality in the selection of contractors. The information that the proposed Executive Order would get from companies is not a request for better information, in my view, and legitimately raises a fear of retaliation.

My amendment would prevent the President from implementing his unnecessary and overly burdensome proposed disclosure requirements within the State Department, over which this committee has jurisdiction. This amendment keeps the executive branch from engaging in unnecessary and improper political activity.

I would note that this amendment reflects in substance the Cole amendments that were adopted on the floor, several different amendments, one to the Homeland Security appropriations bill, one to the Defense appropriations bill, one to the Energy and Water appropriations bill, and one to the Defense authorization bill.

I would also note that I have not spoken with the individuals on the committee, Madam Chair, on the other side of the aisle who have supported this on the floor, but suffice it to say, the roll call vote shows that a couple of our colleagues on the other side have supported this and Mr. Hoyer supports this general language as well. I have not spoken with him about it in this context, but this is something that has received bipartisan support.

Thank you, Madam Chair.

Chairman ROS-LEHTINEN. Thank you for the yielding.

Mr. Deutch is recognized. I know we have other speakers as well.

Mr. DEUTCH. Thank you, Madam Chairman. I had some questions for the amendment sponsor. I am just trying to understand, and it has been a long time since last night when we had an awful lot of discussion about the overwhelmingly bipartisan support for

transparency. It seems like a long time ago, and the offering of this amendment makes it seem even more in the more distant past.

What is it that is burdensome about requiring a contractor who wants to do business with our Government from simply telling us whether they have made contributions or have been engaged in electioneering? Why is this hard to accomplish?

Mr. GRIFFIN. Well, first of all, under current law, under current constitutional precedent, the ability to give and contribute is protected as exercising your First Amendment right. It is already disclosed when you give to someone, it is disclosed in the candidate's filing or a party's filing.

Mr. DEUTCH. Reclaiming my time, I have to correct the gentleman. My understanding, if I am correct, of the Citizens United case, is that there are no bars, no limits on contributions from corporations, and there are no requirements to disclose, and in fact the disclosed act which this Congress failed to pass last session would have required that.

On what basis does the gentleman suggest that political contributions are already disclosed? And if they are I can understand and if they are not, perhaps the gentleman will offer some bipartisan support to move legislation to require the disclosure.

Mr. GRIFFIN. Well, I assume you receive PAC contributions. I receive PAC contributions. I report them on my form. They are disclosed. In any event, the core problem with this is the problem pointed out by your whip, with which I agree, the House Democratic whip, Steny Hoyer, who has said it is not a requirement now and it shouldn't be. It injects——

Mr. DEUTCH. Reclaiming my time, the fact that campaign committees, Members of Congress have to disclose contributions that we receive is not the same, cannot be viewed the same way as this language which makes it impossible for us to require the disclosure of electioneering communications generally, electioneering communication that is made by the entity.

Just to be clear, what this amendment does is it says that any company of any size that wants to enter into a contract with the United States Government is free to spend unlimited sums of money helping to elect Members of the United States House of Representatives and the United States Senate and that they are prohibited, this amendment—this committee will prohibit our ability to know how those dollars are being spent. And I can't for the life of me understand that while it may be constitutional precedent that companies have the ability to contribute, that this is a constitutional precedent that many of us, many of us, both in this Congress and throughout this country, believe is a precedent that is dangerous to the future of democracy, that makes it harder for the American people to have faith in the operation of the campaign system, and prohibiting, prohibiting a requirement that we simply know what is being contributed to help influence the outcome of elections it seems to me flies in the face of all of the good discussion we had yesterday about transparency and the need for greater transparency.

This goes the opposite direction, and I would urge my colleagues on this committee to oppose the amendment.

I yield back.

Chairman ROS-LEHTINEN. The gentleman yields back.

Mr. Mack is recognized.

Mr. MACK. Thank you. Maybe another question needs to be asked: Why do they seek this information? Is it illegal to make those contributions? You know, I think the problem here is it smacks of politics, that you want to have to make these disclosures is more of a way to intimidate and manipulate.

Mr. DEUTCH. Will the gentleman yield for an answer?

Mr. MACK. Not yet. So the idea that you talk about transparency, maybe we need a little more transparency on the intent. Why do they need that information? I mean, it seems to me that there is probably other information that would be more critical than doing something that is protected under free speech to participate in the political process, something we ought to be encouraging people to do. And yet my colleague from Florida seems to think that this amendment in some way would destroy the freedom of speech.

What I don't get here is you say the question is raised about transparency, but you are failing to ask the real question, which is why? Why do you need the information?

I yield to the gentleman if he can answer that.

Mr. DEUTCH. I thank my colleague from Florida. The reason that we would like—the reason transparency is important, the reason that it would be helpful to the American people to know what contributions corporations who wish to enter into contracts with the government, what contributions they are making, what expenditures they are making for electioneering communications, is the very same reason that the amendment's sponsor points out. We have to disclose those who contribute to us.

Mr. MACK. Reclaiming my time, is it illegal? Is there something wrong with an individual or a corporation to make a contribution?

Mr. DEUTCH. Are you yielding for a response? Thank you.

This does not prohibit contributions. It simply requires disclosure.

Mr. MACK. Reclaiming my time, this is intimidation. This isn't transparency. This is intimidation. So if a company wants to do business or get a contract and they might have, let's say, contributed to someone's political opponent, they feel that we may not get this. This isn't about transparency. I don't understand in America, where we want to encourage people to participate in the process of communicating and electing and voting in our Government, why you would want—why you need to gather this information in an attempt just to intimidate.

I think what most people feel is let's call it what it is. What most people feel is if this is a way to say hey, if you are going to give to them, you better give to us. If not, you might not get a contract. This is something you would expect to see in other places. I don't think you expect to see that here.

I yield the remainder of my time to Mr. Griffin.

Mr. GRIFFIN. At its core, this has really nothing to do with transparency, because the Executive Order is not seeking to obtain this information so that the American people can see it. If the American people want to know who John Smith, CEO of whatever company, gives to, they can find that out. That is public information. That is transparency.

What is the point behind this? This is so they are disclosed to the people considering who to hire. That is what this is about. This is not about transparency. That is a joke. We all know this is not about whether a corporation can give to an individual candidate. Ford Company can't write me a big check. Even if they did, I would have to disclose it.

Chairman ROS-LEHTINEN. I thank the gentleman. Mr. Mack's time is over.

Mr. Murphy is recognized.

Mr. MURPHY. Thank you very much. With all due respect to Mr. Griffin's comments, that is just not true. It is just not true. The American people cannot find out all of the political donations being made by an individual or a corporation. They can certainly find out the donations that are being made to individual candidates.

But as we have seen in recent elections, a growing amount of spending and electoral influence is not being done through disposable contributions to candidates. It is being done through shadowy 527 organizations with absolutely no transparency.

Now, listen, we hope that political donations are not having an effect on decisions made in Congress or a Federal agency. We hope that is the case. But our constituents want to know who donates to us so they can just make sure. And that should be the exact same standard when it comes to the administration, that our constituents hope that donations to 527s to try to influence a contract one way or another, try to influence a decision of the State Department one way or another, aren't having an effect on the decision. But they can't know that if they don't have the information at their fingertips.

We have come a very long way in this country to the point where my friend on the other side of the aisle now refer to disclosure as intimidation or manipulation or an attempt to politicize donations. Transparency is the bedrock of this Nation. Transparency is what allows our constituents to judge whether companies are getting fair treatment. And it is just not right to say that they can see every donation is attempting to manipulate a decision on a Federal contract. They cannot. And I fear that increasingly contributions are going to disappear from the public eye because with Citizens United, major donors and major corporations have figured it out, that they have a way around transparency, they have a way to hide their influence in the process.

And so when we are looking at a major decision being made by an agency, it is possible that bidders are going to put lots and lots of ads on the air on both sides and nobody is going to know who paid for them. And this is absolutely, absolutely in the end about transparency, it has nothing to do with intimidation. This has to do with giving our constituents—not to giving contractors or contract personnel the information—it is about giving our constituents the personnel so that they can make sure we are doing what we say we are doing.

With that, I will be glad to yield to Mr. Deutch.

Chairman ROS-LEHTINEN. Mr. Deutch.

Mr. DEUTCH. I thank my colleague. Looking through the specific list of what this amendment prohibits and how it impacts transparency, any payment consisting of a contribution, I acknowledge

that if any of these companies who wish to do business with the government make a contribution through a political action committee to any Member of Congress, that is disclosed. However any other expenditure, independent expenditure, disbursement for an election year in communication made by that entity or any of its affiliates or subsidiaries to a candidate for election for Federal office or to a political committee or that is otherwise made with respect to any election; my colleague is exactly right. If people want to find out what contributions are being made, what money corporations are spending to influence elections, my—the amendment's sponsor is incorrect to say that they can, because they cannot.

Mr. GRIFFIN. Will the gentleman yield?

Mr. DEUTCH. I will not until I am finished. And I will also respond to my friend from Florida. What is it that we want to encourage? Do we want to encourage—we have a choice to make. Do we want to encourage—is it our goal to encourage corporations to participate to the maximum extent possible in our electoral process with no accountability and no disclosed in order to influence the outcome of elections, or do we want to encourage the citizens of this country to have faith enough in our system to know, to believe deeply that corporations as a result of Citizens United are not, are not influencing the outcome of elections without any accountability, without disclosure? This amendment is another step toward preventing that accountability and preventing that disclosure.

And I yield to Mr. Griffin.

Mr. GRIFFIN. Madam Chair, since I only have 9 seconds——

Chairman ROS-LEHTINEN. Thank you, but it is not Mr. Deutch's time to yield.

It is Mr. Murphy's, and the time is over anyway.

So I thank the gentleman.

Mr. Duncan is recognized.

Mr. DUNCAN. I would like to yield a few seconds to Ms. Buerkle.

Chairman ROS-LEHTINEN. Ms. Buerkle is recognized.

Ms. BUERKLE. Thank you, Mr. Duncan.

I thank the gentleman.

I just want to commend Mr. Griffin on this amendment. I think it is the right way to go, and I agree with him that if citizens are interested in finding out where we receive our contributions from, they can go—those sites are available and that information is available.

With that, I yield to Mr. Duncan.

Chairman ROS-LEHTINEN. Mr. Duncan.

Mr. DUNCAN. I reclaim my time and yield the balance of my time to the gentleman from Arkansas.

Mr. GRIFFIN. I would say this just to clarify. Yes, there are certain expenditures by individuals and corporations that cannot be gleaned from Web sites or from public information. I get that. If you want to fix that, that is a debate that we can have. And you can introduce legislation to fix that. That is not what this is about. That is a much, much broader issue that goes to disclosure beyond the contracting realm. I totally get that. That is not what this is about.

This is about contractors specifically trying to do something and require something for contractors that is not required anywhere else. If you want to change the law everywhere else, go ahead, propose something on that.

I would point out that Mr. Meeks of this committee, Representative Meeks, Representative Chandler, Representative Connolly all supported this repeatedly on the floor. Your Whip supports it. This is a bipartisan deal. And I would love to have them weigh in if they want to weigh in on this.

But the bottom line is, this is—you can try to make this about things that—changes in the law that you have not been able to get through other means. But that is not what this is about. This is about contractors. And it is simply—the focus of this—as I said, this has already passed four times on the floor with a lot of Democrat support. I yield back.

Mr. DUNCAN. And I reclaim my time and yield my time to Mr. Mack.

Chairman ROS-LEHTINEN. Mr. Mack is recognized.

Mr. MACK. Thank you.

And again, I just—I didn't hear an answer as to why this information is needed. It is not that it is secret. It is not secret. Why does someone need—what is wrong with people participating in our democracy? I mean, it is almost like you are saying that it is bad, it is bad to participate in this democracy.

And I also might note that the gentleman spoke a lot about corporations, but failed to mention unions as well. So don't act like your problem should be—in your case, not mine—with unions and corporations. But you failed to mention the unions' participation.

I would—again, I would suggest to the members to support Mr. Griffin's amendment. This is a good amendment. This says to the people of America, we want you to participate in our election process. We want you to stand up and have your voice heard. We want you to participate. What this amendment also says is that we don't think that intimidation should be used to try to force behavior on people because of a contribution that may be made to one person or another.

And with that, I yield back to the gentleman.

Mr. DUNCAN. Thank you.

And I would go further to say that it also encourages folks to get involved in contracting with the Federal Government without fear of retribution because of who they support politically. So I appreciate the gentleman's comments from Florida.

And, Madam Chairman, I yield back the balance of my time.

Chairman ROS-LEHTINEN. Thank you, sir.

Before yielding to Mr. Cicilline for this amendment, the Chair notes that at 2:35, we will have two votes. And then we will come back to the committee, continue debate on amendments, and then from 6:45 to 8:30, we will have votes on the floor, at which time we will come back to the committee and vote on all of the amendment votes that had been rolled.

With that, Mr. Cicilline is recognized.

Mr. CICILLINE. Thank you, Madam Chairman. This amendment attempts to keep information secret. The reality is—the suggestion by my friends on the other side of the aisle that you can already

find this by going online, it is available to the American people, is absolutely not true. If you look at the second paragraph of this amendment, it says any payment or expenditure—independent expenditure, disbursement and that means that a whole range of expenditures can be made and kept secret. Disclosure is the bedrock, transparency is the bedrock of our democracy.

What we want to ensure is that the American people have confidence that when their money is being expended through this contracting process, that there is integrity there and that decisions are being made based on merit. And they have a right to information that they can then consider to determine if that is in fact the case.

So knowing and learning information about money being expended in this way is information the American people are entitled to know. They know it about us because it contributes to their thinking about where we stand on issues. They are entitled to know that when it involves the expenditure of millions and billions of dollars. And it is very important that the American people have confidence in this process. And I know I hear from my constituents, there is distrust about the way money is spent in Washington, about the influence of money on our political system.

Part of the answer to that is disclosure. I asked the question back, why do you want to keep this a secret? Why don't you think the American people are entitled to know this information. The American people are smart. They can discern whether it has had an influence or not. But share this information. What is the benefit of keeping secret the kind of expenditures that this amendment attempts to keep secret?

There is a fix. There is an Executive Order that has been at least talked about that fixes this. This amendment is designed to stop that fix. So when my friends say, oh there is way to fix it and change the law. There is also a way to fix it by Executive Order. If this amendment passes, it will end the transparency that an Executive Order would bring about. The American people have a right to learn what is being spent to influence our democracy and the extent that it has some impact on contracting decisions. And it is one way that we can rebuild the trust of the American people in this process. The notion that we should enact an amendment that will codify keeping secret from the American people millions and millions of dollars in spending to influence our democracy because they don't have a right to know that information or somehow they will misunderstand it is insulting to the American people. Disclosure is central to our democracy. We ought to have this kind of transparency in every department in our national Government so the American people——

Mr. MACK. Would the gentleman yield?

Mr. CICILLINE. Yes.

Mr. MACK. Thank you. So I am assuming then that under that criteria that you think someone should also disclose whether or not they are a member of a union and disclose which union they are a member of and how much dues they pay to that union?

Mr. CICILLINE. Well, reclaiming my time. I think this amendment would cover—would allow secrecy for union expenditures as well because it says any entity. I think the disclosure I am talking about ought to exist for all expenditures from my entity.

But I think sharing information with the American people about the expenditures that are being made both directly, indirectly to influence elections, any notion that we strengthen our democracy by keeping those things secret and keeping them away from the American people, I think misses the mark. And the—let me finish. The disclosure requirements that we should all be working toward. We heard so much yesterday about transparency and so much about the right of the American people to know things about their government, and I couldn't agree more.

But we all know the influence and the importance that money plays in our political system, much to the detriment of our system. And in the area of contracting where we saw examples in my first days of Congress, where weapon systems were being purchased, even though the Pentagon didn't want them, the American people have the right to know if in fact expenditures helped to influence those kinds of decisions.

Disclosure is good. Transparency is good. The American people deserve that. They deserve to know how this democracy is being influenced by this kind of spending, and I urge my colleagues to defeat this amendment.

Chairman ROS-LEHTINEN. Thank you.

Mr. Wilson, yes, is recognized.

Mr. WILSON OF SOUTH CAROLINA. I yield to the Congressman from Arkansas, Mr. Griffin.

Mr. GRIFFIN. Thank you. I just wanted to say that if you look at my positions both on this and elsewhere, I will tell you that I am a big advocate for transparency and disclosure. This is not about the American people seeing these names. This is about the Federal Government requiring that you submit it to them when you are trying to get a contract. And I can see a situation wherein administration A, and my beliefs are the opposite of administration A, and I know I do a lot of government work, I am not going to want to give to candidates that I would support because I am afraid that Administration A is going to see my page after page of political affiliation.

It is not about the American people seeing it. It is like I said, if you want to change the law so that there is disclosure for all of these other groups, then let us work on a bipartisan bill that includes unions. Let's talk about that. It doesn't make exceptions. I am all for that.

The sticking point in this Congress has been unions and carveouts. I am willing to say disclose it all. Let's work on a comprehensive law. That is not what this is about. Sure, this accomplishes a sliver of that, but it does it through forcing disclosure to the Federal Government. Now, I don't think your Whip is against transparency. I don't think Mr. Connolly, who is not here right now, is against transparency. I don't think Mr. Meeks, who voted for this, is against transparency. I don't think Mr. Chandler is against transparency. I think they are for it. They also voted for this on the floor.

So, clearly, if you are for this, you don't necessarily buy into the argument that you make. Someone might, but I happen to agree with your colleague, Mr. Connolly, on this and the Whip. So, look, we can disagree on it, but we don't have to demonize each other

and act as if someone wants to keep something secret. The reason that I am for this, the same reason they are for, the same reason your Whip is for it is because it is providing information to the Federal Government when you are seeking a contract.

Mr. DEUTCH. Will the gentleman yield for a question?

Mr. GRIFFIN. No.

Chairman ROS-LEHTINEN. It is not the gentleman's time.

Mr. GRIFFIN. It is not because—that you want to keep something from someone. And we have been through all of these arguments. We have heard yours. You have heard ours. And we can just agree to disagree. But I just don't think the Federal Government ought to be requesting this information when people are seeking contracts with it.

I yield back to the gentleman from South Carolina.

Mr. WILSON OF SOUTH CAROLINA. And I yield the balance of my time, thank you.

Chairman ROS-LEHTINEN. Thank you.

And Mr. Faleomavaega is recognized.

Mr. FALEOMAVAEGA. I thank the gentlelady for yielding.

I just wanted to ask Mr. Griffin just one or two questions on this proposed amendment.

Chairman ROS-LEHTINEN. Mr. Griffin, Mr. Faleomavaega is——

Mr. FALEOMAVAEGA. The gentleman from Arkansas, I note with interest that the proposed amendment is not an amendment to a current law or a regulation. It seems to be a new section in and of itself as a prohibition about—what I am saying is that at the current procedures, if I were to offer—or wanted to make a contract or win a contract from the Federal Government, is the current system I have to reveal campaign contributions as part of that requirement, or is it something that we want to do it in advance without even—I just want to understand more from the gentleman, what is the current procedure, since I don't see anything as an amendment from the current statutory requirement or regulation? Will the gentleman help me on that?

Mr. GRIFFIN. Yes. There are a number of regulations with regard to folks seeking contracts with the Federal Government. It does not—there is not this disclosure. Otherwise, I don't think the President would be proposing it. I can tell you—I will tell you a couple of the aspects of the current law. Current law bars contractors from making political contributions during the negotiation and performance of a contract. Federal law already prohibits contractors from using appropriated funds for lobbying or political activity. So we are not talking about those funds.

Under the Byrd amendment to the Lobbying Disclosure Act, contractors may not use appropriated funds to pay lobbyists to attempt to influence executive or leg branch personnel with regard to the contract. Current disclosure rules require all political contributions to Federal candidates, parties or party committees to be reported to the FEC, obviously.

Yes, there are some entities that this Congress is not required to make disclosure. And again, if we want to address that writ large, we can address that separately. Any political committee affiliated with a bidding entity that contributes to Federal can-

didates, parties or party committees must also report that to the FEC. Those are some of the rules.

Mr. FALEOMAVAEGA. Reclaiming my time. So I think the gentleman can understand and appreciate that there are provisions in our current election laws just to elicit or prohibit any sense of conflict of interest and to make sure—this is just for corporations—any entity which I would consider to be entity meaning labor unions or any organization that wants to make a bid for a contract from the Federal Government is under the scrutiny of the Federal law, making sure that if you win a contract, it is because of the merits and not because you were a friend of the administrator or by some reason you had—there wasn't even a bidding process. I think that is the whole thrust of what I understand why we have these election laws is just to prohibit even the appearance of a conflict of interest is what we are trying to do in the name of transparency. It seems that this is what we really are trying to do.

And I would like to yield some time to Mr. Deutch.

Chairman ROS-LEHTINEN. Mr. Deutch.

Mr. DEUTCH. I thank my friend.

Chairman ROS-LEHTINEN. He wants to make a few points that he hasn't made before, right?

Mr. DEUTCH. I wanted to ask a couple of questions, Madam Chairman, in light of the recent comments by the amendment sponsor. If we understand that there are all of these important disclosure requirements, all of these important prohibits already incorporated into our laws and the concern seems to be that we shouldn't disclose because the only party that will utilize this information is the government, I wonder as we look ahead to our efforts to try to craft bipartisan legislation to try to require fuller disclosure, I wonder if the amendment sponsor would have a different view of these issues if perhaps we required not only the disclosure of this information from any corporation, but specifically the disclosure of the information from any union that wishes to enter into a contract with the government and finally that we take that information and don't simply leave it up to the government, but post all of that information on the Internet, just like the amendment that we passed last evening with regard to some other salary information.

Chairman ROS-LEHTINEN. Is that a question for Mr. Griffin?

Mr. DEUTCH. It is a question for Mr. Griffin.

Mr. GRIFFIN. I look forward to taking whatever legislation you propose. I am happy to talk about a comprehensive solution with regard to transparency. Right now, that is not what this is.

Chairman ROS-LEHTINEN. Time is up. Mr. Faleomavaega's time is over. We have one more speaker, Ms. Buerkle, on our side, and I think that will just get our plane landed on time for the votes. Ms. Buerkle is recognized.

Ms. BUERKLE. Thank you, Madam Chairman.

I yield my time to the gentleman from Arkansas, Mr. Griffin.

Chairman ROS-LEHTINEN. I didn't see that coming. Mr. Griffin.

Mr. GRIFFIN. You will be happy to know that I have said everything that I want to say.

Chairman ROS-LEHTINEN. Thank you.

The gentlelady yields back. And I know that we will have a recorded vote on this. So hearing no further requests for recognition, the question occurs on the Griffin amendment, which we will then have when we come back from votes at the 8:30-ish time. But remember when the bells ring, we will go vote but come back, come back.

And Mr. Keating is recognized for his amendment. Mr. Keating. Mr. Keating, you are on my dance card for an amendment.

So the clerk will report the Keating amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Keating. At the appropriate place in the bill, insert the following: Title VIII——

Chairman ROS-LEHTINEN. Unanimous consent is granted in dispensing of the reading. And while the amendment is being handed out, we will ask Mr. Keating to explain his amendment in 5 minutes.

[The information referred to follows:]

AMENDMENT TO H.R. 2583

OFFERED BY MR. KEATING

At the appropriate place in the bill, insert the following:

TITLE VIII—CONFLICT PREVENTION, RISK ASSESSMENT, AND MITIGATION

SEC. . CONFLICT PREVENTION WORKING GROUP.

(a) FINDINGS.—Congress makes the following findings:

(1) Diplomacy, including mediation, support to civil society, governance and democracy programs, strategic communications, sanctions or the threat thereof, and other forms of international pressure are essential for conflict prevention.

(2) Preventing conflict is a key diplomatic objective of the United States.

(3) Critical to conflict prevention are assessments to track potential conflicts and plan responses appropriately.

(4) Although the United States Government contains the analytic capabilities to track conflict,

1 there is no mechanism to coordinate analysis and en-
2 sure a coordinated response to potential conflicts.
3 (5) An integrated mechanism nested at the Na-
4 tional Security Council would help facilitate a com-
5 prehensive approach towards conflict prevention.
6 (b) ESTABLISHMENT OF INTERAGENCY CONFLICT
7 PREVENTION WORKING GROUP.—The President shall es-
8 tablish an Interagency Conflict Prevention Working Group
9 with the following responsibilities:
10 (1) Advise the President on conflict prevention
11 functions.
12 (2) Coordinate and synchronize the crisis pre-
13 vention activities of the agencies specified in sub-
14 section (d), particularly the agencies of the Depart-
15 ment of Defense, the Department of State, and the
16 United States Agency for International Development
17 (USAID).
18 (3) Integrate the early-warning systems of na-
19 tional security agencies, including intelligence agen-
20 cies, with respect to conflict and coordinate the pol-
21 icy response to such conflicts.
22 (4) Conduct gaming and contingency planning
23 exercises regarding crisis prevention.

1 (5) Identify available resources and policy op-
2 tions necessary to prevent the emergence or esca-
3 lation of violent conflict.
4 (c) LEADERSHIP.—The Working Group shall be
5 headed by a senior director selected by the President, and
6 who shall report to the Assistant to the President for Na-
7 tional Security Affairs (commonly referred to as the Na-
8 tional Security Advisor).
9 (d) COMPOSITION.—The Working Group shall be
10 composed of representatives from the following agencies,
11 and such others as the President determines appropriate:
12 (1) The Department of Defense.
13 (2) USAID.
14 (3) The Department of State.
15 (4) The Department of Justice.
16 (5) The Department of the Treasury.
17 **SEC. . REGIONAL CONFLICT RISK ASSESSMENT AND**
18 **CONFLICT MITIGATION STRATEGY.**
19 (a) FINDINGS.—
20 (1) Armed conflict and civil strife often stem
21 from dynamics that transcend traditional state bor-
22 ders and require cross-border and regional ap-
23 proaches.
24 (2) United States diplomacy is often conducted
25 on a bilateral, state-centric basis that fails to ad-

1 dress problems comprehensively or to identify and
2 assess the full range of issues and opportunities.
3 (3) A comprehensive approach towards conflict
4 prevention is required, incorporating cross border
5 and regional dynamics and non-state actors.
6 (b) CONFLICT ASSESSMENT.—The Secretary, acting
7 through the Under Secretary for Civilian Security, Democ-
8 racy, and Human Rights, shall be responsible for ensuring
9 that an annual regional conflict risk assessment is con-
10 ducted for each geographic region represented by an As-
11 sistant Secretary. Each assessment shall include the fol-
12 lowing:
13 (1) An identification of ongoing violent conflicts
14 in the region.
15 (2) An evaluation of the potential for outbreaks
16 of violent conflict in the region.
17 (3) A list of those conflicts determined to be at
18 high risk of outbreak of escalation.
19 (4) A description of new opportunities and chal-
20 lenges for conflict mitigation in the region.
21 (c) CONFLICT MITIGATION STRATEGY.—For each
22 area identified in subsection (b)(3), the relevant office or
23 diplomatic or consular post of the Department of State
24 shall develop a conflict mitigation strategy. Such strategy
25 shall include the following elements:

1 (1) An analysis of the key drivers of potential
2 conflict.
3 (2) An analysis of the impact of current United
4 States policies and programs on the drivers referred
5 to in paragraph (1).
6 (3) Specific objectives in mitigating conflict for
7 the next 12-month period, including indicators and
8 other measurements of progress.
9 (4) A description of policies and programs
10 needed to achieve the objectives identified in para-
11 graph (3).
12 (5) A description of how such policies and pro-
13 grams will be coordinated with the policies and pro-
14 grams of local partners and the international com-
15 munity.
16 (6) A description of the roles of each Federal
17 agency in carrying out the conflict mitigation strat-
18 egy, and the mechanisms for interagency coordina-
19 tion.
20 (7) The requirements for human and financial
21 resources to carry out the conflict mitigation strat-
22 egy over the next 12-month period.
23 (d) CONSULTATION.—In preparing each conflict miti-
24 gation strategy required under subsection (c), the relevant
25 office or diplomatic or consular post of the Department

1 of State shall consult with a wide range of local stake-
2 holders.
3 (f) TRANSMISSION TO CONGRESS.—Each conflict
4 mitigation strategy required under subsection (e) shall be
5 transmitted to the appropriate congressional committees.

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Mr. KEATING. Thank you, Madam Chair.

Madam Chair, I was looking for some opportunity in this to really carve out an area where we can all agree on something from a bipartisan standpoint where I could offer something that would make a greater efficiency and possibly save great money at no additional expense and do so without creating any new agencies. And this amendment does all of those things. This is merely a mechanism where existing agencies be required to work together in conflict and crisis assessment, prevention and response. You know, Madam Chair there are so many times before this committee that after a crisis has occurred, that different agencies will come ahead, sit right where our staff is sitting now and tell us what happened, why the conflict occurred, why the planning wasn't what it should be, why the assessment might have been wrong. And that is the part of our goal and our current areas of authority.

I think we have a chance to do more than that with this amendment. We are not going to wait until after a conflict, after a crisis. We are not going to find out that there was information that was out there with some agencies that weren't shared with another like was the case in Rwanda. We are going to not find out there was slow recognition, slow planning, slow implementation by agencies that failed to share information and coordinate resources. We are going to play it forward with this amendment and we are going to fill two gaping holes in the way that government acts and be able to, I think, do so in a way that is going to save lives potentially and save money with greater efficiencies.

First, we are going to address one of those holes with a central coordinating mechanism for crisis prevention response among national security agencies. And secondly, we are also going to do this and allow that kind of same planning and assessment in regional areas. So it is not just done country by country.

And I know there are piecemeal approaches in place now, like the genocide warning system between the Department of State and Defense. And I know that there are other piecemeal approaches, like the Quadrennial Diplomacy and Development Review. But this particular amendment does something much more inclusive and requires greater collaboration from working groups. This is one that

is completely devoted to looking at prevention of conflict, crisis and making an assessment.

Now, former secretary Robert Gates when he was Secretary of Defense during the latter part of his exemplary service to this country made a couple of interesting comments. Number one, he said the U.S. must devote more energy to overseas dollars toward developing local security forces and other means that we have been discussing through this whole process. But he also reiterated the importance of interagency partnerships and the need to create an equal playing field for these agencies to collaborate. Now, that from the Secretary of Defense.

There are those who will look at this amendment and say, well, the President can do this for themselves. Well, evidently, that is not a very easy thing to do. And I think that if you look at not just our role traditionally being one of oversight, finding out what happened or simply to fund agencies, not to look at what can be done after things occur, this gives this House, this gives this Congress the opportunity if this is passed and implemented to save money, save resources and save lives.

To fail to prepare is to prepare to fail. And that is what we have the opportunity to do with this amendment. We have the opportunity again with no expense, no new agency, to go forward and perhaps save the necessity of our committee looking at needless loss of lives, needless resources and expenditures from our taxpayers and be able to say we did something looking forward. This would also require the working group not only to work with the President but also to come back to this Congress and give their assessments about where the greatest potential for conflict in crisis exists in the world and what their plans are ahead of time to try and address that. I think this is a forward thinking amendment that we certainly could all agree with and something that will allow this Congress greater authority.

Chairman ROS-LEHTINEN. Thank you. The gentleman's time has expired.

Mr. Griffin is organized—is recognized and organized.

Mr. GRIFFIN. I am organized and recognized. Thank you, Madam Chair.

Regions of world that are in conflict or post-conflict phases pose a threat certainly to the development and building of stable societies. We can agree on that. We can agree that U.S. targeted conflict and stabilization assistance helps to mitigate volatile circumstances prior to a crisis. We can agree on that. As the amendment states, it is critical to conflict prevention assessments to track potential conflicts and plan responses appropriately.

Although the intent of the amendment is admirable, it calls for another annual regional conflict assessment. This assessment is already completed as a part of the annual Quadrennial Defense Review, which as a member of the Readiness Subcommittee in Armed Services, I can tell you we have all sorts of issues with. But this assessment required by this amendment is duplicative. Although this amendment attempts to coordinate bureaucracy, there are too many questions that remain.

I heard the gentleman say there will be no additional costs. It raises the question, what are the folks that will do this doing now?

Is this an expansion of government? Will the senior director be a new hire? How will this office engage with the new bureau at State? And there may be good answers to these, but I would like to hear them. Although I agree with the amendment's findings, I cannot support the ultimate establishment of another working group with duplicative assessments of conflict efforts.

In these times, we need to eliminate, consolidate and streamline our Government offices to ensure that assistance to mitigate, prevent and respond to conflict is implemented effectively and efficiently so that the threat of conflict does not continue to undermine our assistance.

Chairman ROS-LEHTINEN. Does the gentleman yield back?

Mr. GRIFFIN. I yield back.

Chairman ROS-LEHTINEN. Do other members seek recognition?

Mr. Cicilline is recognized and organized.

Mr. CICILLINE. Recognized and organized and strongly support this excellent amendment by Mr. Keating.

And with that, I would like to yield the balance of my time to Mr. Keating.

Chairman ROS-LEHTINEN. Mr. Keating.

Mr. KEATING. Thank you for yielding your time.

I would say this, that I think I was quite clear that this is completely different than the Quadrennial Diplomacy and Development Review. It is something that will cut through duplicity, cut through walls and barriers and really do what I think everyone in this committee wants to be done, including the gentleman from Georgia just spoke that—said that he wants things to be more efficient. This is an opportunity to do it. This is an opportunity to come forward. And certainly, no matter what side of the aisle you are on, you would benefit, we would all benefit from this information. So if state wants to—the Department of State wants to do this, the Department of Defense, you have these barriers that have been built up over time that are inefficient. So by reorganizing—and it is such a small step—with a working group, representing all our national security departments, we are doing just what you want.

What you are saying is let us preserve the inability of those agencies to work together, to share information and to plan ahead, planning ahead will save money, you will have information flowing among agencies, and importantly, there will be information flowing to this House, this committee, this Congress, so we won't be reacting to wasted expenditures later. We won't be having amendments like we did last evening when the gentleman from Texas was talking about USAID and Mexico and how the Mexican situation isn't dealt with from agency to agency. Last night when I supported his amendment, I made a point of saying, this is exactly what the amendment I am offering will try and deal with. So I don't understand how establishing a working group mechanism that for some reason is not in place, whether it is competing agencies and their own protection of jurisdictional barriers how that will not make government more efficient, and how that won't save money?

So, in the last analysis, if we are interested in the bottom-line, this will save money. And it is not duplicative because we are not doing it now. And the only time we find out what happens when

we don't do it is after a crisis occurs, after a genocide goes too far too fast without us knowing about it.

Ms. BUERKLE. Would the gentleman yield for a question?

Chairman ROS-LEHTINEN. Ms. Buerkle, I think it is—whose time is it?

Mr. CICILLINE. Reclaiming my time. I am happy to yield.

Chairman ROS-LEHTINEN. Ms. Buerkle.

Ms. BUERKLE. While the concept may be good, I just have a couple of questions with regards to your saying it is cost-neutral as well as it doesn't expand government. The language talks about the working group shall be composed of representatives from the following agencies and such others as the President determines appropriate. That sounds to me like that opens the door to him putting all sorts of people in there. I am not saying he would, but the language is there that would open that door.

And the paragraph up above talks about the working group shall be headed by a senior director selected by the President. That sounds like a new position to me. Again, it seems like an expansion of government and of costs.

Chairman ROS-LEHTINEN. Mr. Cicilline yields to Mr. Keating.

Mr. KEATING. Thank you.

Thank you for that question because I think it will just underscore what I am talking about. This is not an effort for new personnel. In fact, you wouldn't want new personnel in this. You would want experienced personnel that are dealing with these issues from each agency. Someone that is there, not someone that is new where the information has to go through one more barrier.

This whole mechanism is a working group from those agencies from the people that are there working together. And I think the important part of this as a Member of this House is the fact that they are going to come back and report to us ahead of time just where these critical areas are, just how they have assessed it because right now, after these crises occur, what happens later is it is like an onionskin, we are just undoing the skin.

We have the opportunity now to say you were supposed to report to us, you are supposed to give us our assessment and if something does occur, there is at least a baseline experience. What went wrong? Are we spending our money the right way? What did you do? And this can do nothing but save money. Thank you.

Chairman ROS-LEHTINEN. Thank you.

Does Mr. Cicilline yield back?

Mr. CICILLINE. Yes, I do.

Chairman ROS-LEHTINEN. Thank you.

And it is the Chair's intention to call on Mr. Faleomavaega, who will probably yield to Mr. Keating. I don't know. And then I will end the conversation and ask for a recorded vote for later.

So Mr. Faleomavaega.

Mr. FALEOMAVAEGA. Thank you, Madam Chair.

I just want to reenforce the spirit in what I believe Mr. Keating's amendment is trying to share with us as members of the committee, it is not to have a reactionary but a proactive system within our Government. And I want to cite a classic example of what Mr. Keating is expressing he is concerned about. I think one of the things that led to our failure in acting properly—what happened in

9/11, a classic example to the fact that we had well over 16 Federal agencies all having to deal with intelligence issues. And I think by the time whatever information that was brought to the attention of the President, even the President and his top advisors could not figure out what really is the right information that should be brought to the attention of our highest policymakers to address the issues of the fact that of the 19 terrorists that attacked us in 9/11, 15 were Arabs, not one Iraqi ironically. I wanted to give that sense—I think this is the spirit of what Mr. Keating is trying to share with us, some sense of being proactive in the process because basically we have always been reacting to a given situation and not making sure that we take the proper decision—and I want to ask Mr. Keating if he may want to share this. This is the spirit of what the gentleman's amendment is offering.

Chairman ROS-LEHTINEN. Mr. Keating is recognized.

Mr. KEATING. Well, thank you very much.

And that is an excellent example, and I thank you for sharing that with us. I don't think we have to go back as far as 9/11. We can of course ourselves what happened in Libya. I know that on both sides of the aisle, people had great concern about how did this happen so quickly, how come we didn't know about it, how come we had to move in without being notified? If we are worried about notification with the War Powers Act, don't we want to be notified and be part of the process where we are privy to what the assessments of the risks are, what plans are being done, what resources might be available ahead of time? This is a tremendous opportunity for the House and the Congress to be on the front end of that and to have input in that.

So we are not appropriating money on something that might be duplicative. If you want to talk about issues of duplication, this is a mechanism whereby agencies will come forward to us, tell us where the greatest risks are and you won't have two or three agencies sitting there asking us for money for duplicative services where it is not necessary. So thank you very much.

Mr. FALEOMAVAEGA. Reclaiming my time. Again, one of the arguments in sharing the concerns that Mr. Keating has expressed. So Congress in its infinite wisdom in reacting to the 9/11 situation, we want to form a new agency. It is called the Department of Homeland Security. And having some 160,000 people that make up this new department, and we are still mixed up in really understanding how we can better streamline the whole intelligence systems that we still are not really right up to par in terms of getting the proper information so that we can make better decisions.

And I yield back.

Chairman ROS-LEHTINEN. The gentleman yields back.

Hearing no further requests for recognition, the question occurs on the amendment, and we will roll that vote until we come back, not from this series of votes but from the next series of votes.

But please remember that after these two votes, please come back. We are going to keep debating. Thank you. And we are now in recess.

When we come back, Mr. Berman—I will reopen the committee. When we come back, Mr. Berman, we have two votes now. We will come back, continue to debate, voice vote the amendments, and any

recorded votes will be asked for after the next—after the last series.

And we have pending on queue, Mr. Rohrabacher, Mr. Murphy, Mr. Smith and Mr. Berman and who knows what else. Now we are in recess.

[Recess.]

Chairman ROS-LEHTINEN. The committee is back at work. And with that, I will recognize Mr. Rohrabacher, who has an amendment at the desk.

Mr. ROHRABACHER. Yes, I have an amendment at the desk.

Chairman ROS-LEHTINEN. The clerk will report the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Rohrabacher of California. At the appropriate place in the bill, insert the following: Section [blank] [blank]. (a) The Secretary of State shall seek to enter into an agreement with the People's Republic of China regarding the issuance of visas under section 101(a)(15)(I)——

Chairman ROS-LEHTINEN. With unanimous consent, we will consider the amendment as having been read, and we will hand out the amendment to all the members while Mr. Rohrabacher is recognized to explain his amendment.

[The information referred to follows:]

#13

AMENDMENT TO H.R. ____

OFFERED BY MR. ROHRABACHER OF CALIFORNIA

At the appropriate place in the bill, insert the following:

1 **SEC. ___. _____.**

2 (a) The Secretary of State shall seek to enter into
3 an agreement with the People's Republic of China regard-
4 ing the issuance of visas under section 101(a)(15)(I) of
5 the Immigration and Nationality Act (8 U.S.C.
6 1101(a)(15)(I)) to an alien who is a state-controlled media
7 worker from the People's Republic of China only on a one-
8 for-one basis with an employment-based visa issued by the
9 People's Republic of China to a citizen or national of the
10 United States who is employed by the Broadcasting Board
11 of Governors.

12 (b) In this section:

13 (1) the term "state-controlled media worker
14 from the People's Republic of China" means a rep-
15 resentative of a media organization owned, operated,
16 or controlled by the People's Republic of China, in-
17 cluding—

18 (A) China Central Television;

19 (B) China Daily;

1 (C) China National Radio;
2 (D) China News Service;
3 (E) China Radio International;
4 (F) China Youth Daily;
5 (G) Economic Daily;
6 (H) Global Times;
7 (I) Guangming Daily;
8 (J) Legal Daily;
9 (K) Liberation Army Daily;
10 (L) People's Daily; or
11 (M) Xinhua News Agency; and
12 (2) the term "Broadcasting Board of Gov-
13 ernors" means—
14 (A) the entity described under the United
15 States International Broadcasting Act of 1994;
16 and
17 (B) any other entity that engages in
18 broadcasting activities as a result of such Act.

☒

Mr. ROHRABACHER. All right. And as you are getting a copy, my amendment instructs the Secretary of State to enter into visa negotiations with the People's Republic of China about the obvious disparity between the number of Chinese state media workers whom we grant visas to and the number of visas China issues to the Broadcasting Board of Governors, who are their counterparts. The Voice of America has two, let me repeat that, two full-time journalists in Beijing, one for English, and one for Mandarin. And the VOA have sought to send more journalists, but their visa requests have been continually been rebuffed.

Sometimes the Chinese Government says no, other times they just don't apply. The Voice of America has repeatedly asked to open a bureau in Shanghai and to place reporters there. The Chinese continue to deny permission for that. China also denies permission

for the Voice of America reporters to attend specific events in China, such as their sham National People's Congress.

Beyond that, our Voice of America reporters in China are not free to go about their work. Our reporters are harassed by Chinese police, and have been detained by the police. The Chinese authorities also intimidate, block, and arrest Chinese citizens who want to cooperate or speak with our reporters. In contrast, we issued, get this, they issued us two, and while we issued 650 journalist visas, that is I visas, to the PRC citizens in Fiscal Year 2010. So, that is it. They get 650, we get two. We have issued at least 579 of these visas so far in this fiscal year to the so-called journalists, the Chinese journalists.

Of course China, a country where there is no such thing as freedom of the press, when they talk about journalists it is a whole different thing. Xinhua, the official news source of the Chinese Communist Party, has recently opened up their new North American headquarters in Times Square, Times Square, New York. The State Department confirms that Xinhua alone has at least 71 accredited reporters in the United States. And those are the ones we know about. And of course, Voice of America gets two. At the moment, we have no visa agreement with Communist China. But according to the Immigration and Naturalization Act, visas should be granted on the basis of reciprocity. Well, is 579 to 2, is that reciprocity?

Well, my amendment suggests that the Secretary of State should seek to do something about this lopsided situation. And I am not suggesting that we limit the number of journalists from China who may come to the United States. We would welcome the free and independent Chinese reporters if there was such a thing as free and independent Chinese reporters. Because what we also have to note, as we are looking at this amendment, yes, there is no freedom of the press, so who are these people? They are government employees. And there is every reason to believe that the Chinese Government is using many of these so-called journalists as what? As functionaries of their intelligence agency, gathering information and producing classified reports for the Chinese leadership on both domestic and international events.

Furthermore, the Ministry of State Security, the Chinese equivalent to the CIA and FBI, also make extensive use of their news media personnel, sending abroad as correspondents for a state news agency Xinhua, and other reporters for other newspapers, for example, the People's Daily, or the China Youth Daily. This situation is bad, it is lopsided. At the very least, we have to start with that. And I would ask support for my amendment.

Chairman ROS-LEHTINEN. The gentleman's time has expired. Do other members seek recognition on this amendment? Hearing no further requests for recognition, the question occurs on the amendment. All those in favor say aye. All opposed, no. In the opinion of the Chair, the ayes have it, and the amendment is agreed to. Congratulations, Mr. Rohrabacher. Mr. Engel is recognized.

Mr. ENGEL. Thank you, Madam Chair. I have an amendment at the desk.

Chairman ROS-LEHTINEN. The clerk will read the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Engel of New York. At the end of title VIII, add the following: Section 8xx.

Limitation on assistance to the Palestinian Authority. Chapter 1 of part III of the Foreign Assistance Act——

Chairman ROS-LEHTINEN. Unanimous consent to dismiss with the reading of the amendment. And while the amendment is being handed out, the Chair would like to recognize the gentleman from New York, the author, for 5 minutes, to explain his amendment. Mr. Engel.

[The information referred to follows:]

AMENDMENT TO H.R. 2583
OFFERED BY MR. ENGEL OF NEW YORK

At the end of title VIII, add the following:

1 **SEC. 8xx. LIMITATION ON ASSISTANCE TO THE PALES-**
2 **TINIAN AUTHORITY.**
3 Chapter 1 of part III of the Foreign Assistance Act
4 of 1961 is amended—
5 (1) by redesignating the second section 620J
6 (as added by section 651 of Public Law 110–161)
7 as section 620M; and
8 (2) by adding at the end the following:
9 **"SEC. 620N. LIMITATION ON ASSISTANCE TO THE PALES-**
10 **TINIAN AUTHORITY.**
11 "(a) LIMITATION.—Funds may not be provided
12 under this Act to the Palestinian Authority except during
13 a period for which a certification described in subsection
14 (b) is in effect.
15 "(b) CERTIFICATION.—Not later than 60 days after
16 the date of the enactment of this Act, and every 180 days
17 thereafter—
18 "(1) the President shall certify in writing, to
19 the Speaker of the House of Representatives, the
20 President pro tempore of the Senate, and the Com-

1 mittees on Foreign Affairs of the House of Rep-
2 resentatives and Foreign Relations of the Senate
3 that leaders of the Palestinian Authority or any
4 caretaker or follow-on government have not unilater-
5 ally declared independence in 2011 or thereafter, are
6 engaged in peace negotiations with the State of
7 Israel, and are not pursuing recognition of Pales-
8 tinian statehood at the United Nations; or
9 "(2) if the President is unable to make such a
10 certification, the President shall transmit to the in-
11 dividuals and committees described in paragraph (1)
12 a report that contains the reasons therefor.
13 "(c) WAIVER.—The President may waive subsection
14 (a) if—
15 "(1) the President determines that it is vital to
16 the national security interest of the United States to
17 do so; and
18 "(2) the President transmits to the individuals
19 and committees described in subsection (b)(1) a re-
20 port detailing—
21 "(A) the justification for the waiver, the
22 purposes for which the funds for the Pales-
23 tinian Authority will be spent, and the reasons
24 the President is unable to make the certifi-
25 cation contained in subsection; and

1 "(B) the steps the Palestinian Authority
2 has taken to arrest terrorists, confiscate weap-
3 ons, dismantle terrorist infrastructure, halt in-
4 citement, and to promote peace with the Jewish
5 state of Israel.".

☒

Mr. ENGEL. Thank you, Madam Chair. Only 2 weeks ago today, the House of Representatives passed a resolution reaffirming the United States' commitment to a negotiated settlement of the Israeli-Palestinian conflict through direct Israeli-Palestinian negotiations. The resolution also strongly rejected the Palestinians' efforts to seek recognition of a Palestinian State outside of an agreement negotiated with Israel. The House felt so strongly about this, on a bipartisan basis, it passed the resolution by a vote of 407 to 6.

My amendment today is designed to support this resolution by embracing the peace process and rejecting unilateral steps which only undermine peace. The amendment says that unless the President certifies that the Palestinians have not unilaterally declared independence, are engaged in peace negotiations with the State of Israel, and are not pursuing recognition of Palestinian statehood unilaterally at the United Nations, the United States must cut off assistance to the Palestinian Authority.

Congress was right 2 weeks ago when we said the Palestinians need to return to negotiations with Israel and make peace by reaching agreement on the difficult issues which divide them. I believe our committee should put those words into action today by passing this amendment. Just like in any difficult situation, as we saw in Ireland and other places in the world, the only way that long-standing conflicts can be taken care of is by face-to-face negotiations. What we have had over the past several years is the Palestinians have put all these phony preconditions in order for them to even agree to sit down with the Israelis. They want Israeli concessions before talks are to even begin. You don't negotiate peace by demanding unilateral concessions from the other side before the parties are even sitting face-to-face. And the Palestinians know in the United Nations, which has not been impartial or balanced or fair to Israel, that it is essentially a kangaroo court, where a majority of nations will vote to support Palestinian statehood, many of whom have said it should be on the backs of the 1967 lines as a basis, which I think is preposterous. And any reasonable person will say it is preposterous in terms of having a long-standing peace that will be effective.

So what my amendment simply does is repeats the vote on the House of a couple of weeks ago saying that there should be face-to-face negotiations, no unilateral declarations of statehood with a phony kangaroo court, lopsided majority. If you want peace, face your adversary at the peace table and negotiate a peace. A two-state solution, direct negotiations between Israelis and Palestinians. There is no other way toward peace. I yield back.

Chairman ROS-LEHTINEN. Thank you. The gentleman yields back. Do other members seek recognition on the Engel amendment? Mr. Burton is recognized.

Mr. BURTON. I just want to speak in support of the amendment. I think it is extremely important that we send a signal to the Palestinians that the solution to the problems over there needs to be worked out between the parties involved. We also have to make absolutely sure that the security of Israel is guaranteed, and that it will be in any agreement that is reached, to make sure that the previous statements by the PLO that they wanted to destroy Israel or the other radical organizations over there, that Israel's right to exist is guaranteed, and that no funds are appropriated that would indicate anything that would lead to a different conclusion.

So I support this resolution. The only thing that I wish we did not have in there, but it will not alter my decision to vote for it and support it, is that I wish the President did not have waiver authority. I would like for this to be a hard and fast decision. But since the author has waiver authority in there, I won't object.

Chairman ROS-LEHTINEN. Thank you. The gentleman yields back. Do other members seek recognition on the Engel amendment? Seeing and hearing no further requests for recognition, the question occurs on the Engel amendment. All those in favor say aye. Aye.

Mr. ENGEL. Madam Chair, could we have a recorded vote on this, please?

Chairman ROS-LEHTINEN. Absolutely. A recorded vote being requested, we will then put it, without objection, in the queue of votes after the House is done voting tonight. So we will vote also on the Engel amendment. Thank you, sir. We will move to the Smith amendment. Which amendment is that, Mr. Smith? Number 55 dealing with Coptic Christians. The clerk will report the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Smith of New Jersey. At the end of title——

Mr. SMITH. Madam Chair, I ask unanimous consent the amendment be considered as read.

[The information referred to follows:]

AMENDMENT TO H.R. 2583

OFFERED BY MR. SMITH OF NEW JERSEY

At the end of title VIII, add the following:

1 **SEC. _____ PLIGHT OF COPTIC CHRISTIANS IN EGYPT.**

2 (a) FINDINGS.—Congress finds the following:

3 (1) Coptic Christians in Egypt have been sub-
4 ject to discrimination, oppression, and violent at-
5 tacks as documented by the United State Commis-
6 sion on International Religious Freedom (USCIRF)
7 and other human rights groups.

8 (2) USCIRF has called for Egypt to be des-
9 ignated as a Country of Particular Concern pursu-
10 ant to the International Religious Freedom Act of
11 1998.

12 (3) Credible reports concerning the disappear-
13 ance, forced conversion, and forced marriages of
14 Coptic Christian women and girls in Egypt reveal a
15 consistent pattern of targeting such vulnerable indi-
16 viduals with deceptive practices, often involving psy-
17 chological and physical abuse, including rape, beat-
18 ings, confinement, and isolation from their families.

19 (4) The Government of Egypt has failed to
20 credibly investigate these allegations, creating a cli-

1 mate of impunity for the perpetrators of these
2 crimes and denying justice to the victims and their
3 families.
4 (5) The current political uncertainty in Egypt
5 has increased concerns as to whether the religious
6 freedom and other human rights of Coptic Chris-
7 tians will be respected and protected.
8 (b) SENSE OF CONGRESS.—It is the sense of Con-
9 gress that the Administration should include the protec-
10 tion of Coptic Christian communities and respect for their
11 human rights as a priority in diplomatic engagements with
12 the Government of Egypt, including regular bilateral con-
13 sultations on the status of investigations, prosecutions,
14 sentencing and imprisonment of perpetrators of human
15 rights violations against Coptic Christians.

Chairman ROS-LEHTINEN. Unanimous consent is granted. The sponsor of the amendment is granted 5 minutes to explain his amendment.

Mr. SMITH. Thank you very much, Madam Chair. Despite their significant numbers, the Copts, for the most part, live as a marginalized and disadvantaged religious minority in their own country. Coptic Christians, accounting for about 10 percent of the Egyptian population, have long faced discrimination and repression. Under provisions of the Egyptian Constitution, Islam is the official state religion, and the principles of Sharia law are the primary sources of legislation. During the Mubarak years, and members of this committee are very aware of the fact that Mr. Berman and I and Ileana Ros-Lehtinen, all of us used to always raise the plight of the Coptic Christians with President Mubarak, and always pressed hard.

Regrettably, things to seem to have taken a very significant turn for the worse over the last several weeks and months. Over the

past ½ year alone, at least two dozen Coptic Christians have been known to have been killed because of their religion, and hundreds more have sustained serious injuries in a wave of violence, which has included physical attacks and fire bombings, as well as the destruction of at least three Coptic churches in Egypt.

Against this backdrop, it remains an open question exactly what role and influence militant Islamic groups will have in post-revolution Egypt. Such uncertainty gives rise to concerns among ongoing and escalating violence targeting Coptic Christians and their churches. More generally, respect for religious freedom by the Egyptian Government remains poor according to the State Department's 2010 International Religious Freedom Report released late last year. Governmental practices, especially government hiring, regularly discriminate against Christians, including the Copts. The plight of Coptic Christians in Egypt, including discrimination, oppression, and violent attacks, has been well documented, prompting calls by the U.S. Commission on International Religious Freedom for the Republic of Egypt to be designated as a CPC, or Country of Particular Concern.

Another aspect of the plight of Coptic Christians in Egypt concerns credible reports of disappearances, forced conversions, and forced marriages of Coptic Christian women and girls. A 2009 report on this phenomenon found that cases of abduction, forced conversion, and marriage are usually accompanied by acts of violence, which include rape, beatings, deprivation, and other forms of physical and mental abuse.

Mr. BERMAN. Would the gentleman yield?

Mr. SMITH. I yield.

Mr. BERMAN. I thank the gentleman for yielding. And your amendment raises, and you are addressing a very important issue. Your amendment is a good one. I strongly support it, and just wanted to manifest at this time that at least on behalf of this member, I plan to vote for your amendment.

Mr. SMITH. I thank the ranking member for that support. I will just conclude and put the rest of my statement in the record without objection. I just want to point out that tomorrow I will chair a hearing with the Helsinki Commission on the plight of Coptic Christians. And one of our witnesses will be Michele Clark, the adjunct professor at the Elliott School of International Affairs at George Washington University. Now, I have known Michele Clark for a long time. She has been a leader on issues related to human trafficking, particularly in the OSCE, and she has done a report called Minority At Risk: Coptic Christians in Egypt. She and others have documented this very disturbing, yet under focused upon, terrible human rights abuse, where young Coptic girls are abducted, held, forced into Islam, and then when they turn 18 are given in marriage to an Islamic man. That is a terrible human rights abuse. And many of the families never get to see their daughter again.

Tomorrow we are going to try to get to the bottom, or at least begin opening this question more widely as to how widespread this practice is, because there has been far too little reporting on it. So I urge support of the amendment, and I yield back.

Chairman ROS-LEHTINEN. Thank you. Mr. Burton is recognized.

Mr. BURTON. Yes. One of the things that I hope the State Department will do—of course, I am going to support this, and I think all of us will—but one of the things I hope the State Department will do is make absolutely sure that whatever organizations are in control of Egypt after the elections are held, and I presume the Muslim Brotherhood and other organizations will have a voice in that government, that no funds from the United States will go to the Government of Egypt, the newly elected Government of Egypt unless religious freedoms and human rights are recognized.

I think we need to have a stick as well as an incentive, a very strong incentive for the new government to comply with what this resolution stands for. And the only way that you are going to get that done, in my opinion, is to make sure that they know that the actions of the new government will be followed, and funds given to them from the United States, like the Camp David accords, that were in the Camp David accords will be contingent upon religious freedom and human rights.

Chairman ROS-LEHTINEN. The gentleman yields back. And hearing no further requests for recognition, the question occurs on the Smith amendment. All those in favor say aye. All opposed, no. It is the opinion of the Chair that the ayes have it, and the amendment is agreed to. I would say to Mr. Murphy, the Chair will recognize herself, that we do, Mr. Berman, we are trying to work with Mr. Murphy to get this CBO issue. I know that many believe that that is a CBO issue related to the floor, and not to the amendment. So I would ask, Mr. Berman, while staff tries to work out the problems with the Murphy amendment, which we are not trying to give him a hard time, just want to make sure that the bill complies with the House rules. If we could go to some of your amendments, Mr. Berman. And the staff will keep working with Mr. Murphy. So Mr. Berman has some amendments that he will begin with one.

Mr. BERMAN. Let me take amendment 571, and let Mr. Murphy know he will have a lot of time to work this out.

Chairman ROS-LEHTINEN. Thank you. The clerk will get number 571. Discrimination related to sexual orientation. 571. And while the young folks are handing out the amendment, if I could recognize Mr. Berman to explain his amendment.

[The information referred to follows:]

[Discussion Draft]

AMENDMENT TO H.R.

OFFERED BY M. v. Berman

At the end of title VIII, insert the following:

1 **SEC. 8___. DISCRIMINATION RELATED TO SEXUAL ORI-**
2 **ENTATION.**

3 (a) INTERNATIONAL EFFORTS TO REVISE LAWS
4 CRIMINALIZING HOMOSEXUALITY.—In keeping with the
5 Administration's endorsement of efforts by the United Na-
6 tions to decriminalize homosexuality in member states, the
7 Secretary of State shall work though appropriate United
8 States Government employees at United States diplomatic
9 and consular missions to encourage the governments of
10 other countries to reform or repeal the laws of such coun-
11 tries that criminalize homosexuality or consensual homo-
12 sexual conduct, or restrict the enjoyment of fundamental
13 freedoms, similar to United States law, by homosexual in-
14 dividuals or organizations.

15 (b) ANNUAL COUNTRY REPORTS ON HUMAN RIGHTS
16 PRACTICES.—The Foreign Assistance Act of 1961 is
17 amended—

18 (1) in section 116(d) (22 U.S.C. 2151n(d))—

1 (A) in paragraph (11)(C), by striking
2 "and" at the end;
3 (B) in paragraph (12)(C)(ii), by striking
4 the period at the end and inserting "; and";
5 and
6 (C) by adding at the end the following new
7 paragraph:
8 "(13) wherever applicable, violence or discrimi-
9 nation that affects the fundamental freedoms similar
10 to United States law, of individuals in foreign coun-
11 tries that is based on actual or perceived sexual ori-
12 entation and gender identity."; and
13 (2) in section 502B(b) (22 U.S.C. 2304(b)), by
14 inserting after the ninth sentence the following new
15 sentence: "Wherever applicable, violence or discrimi-
16 nation that affects the fundamental freedoms, simi-
17 lar to United States law, of individuals in foreign
18 countries that is based on actual or perceived sexual
19 orientation and gender identity.".
20 (c) TRAINING FOR FOREIGN SERVICE OFFICERS.—
21 Section 708(a) of the Foreign Service Act of 1980 (22
22 16 U.S.C. 4028(a)) is amended—
23 (1) in the matter preceding paragraph (1), by
24 inserting "the Secretary for Democracy, Human

1 Rights and Labor," before "the Ambassador at
2 Large";
3 (2) in paragraph (2), by striking "and" at the
4 end;
5 (3) in paragraph (3), by striking the period at
6 the end and inserting "; and"; and
7 (4) by adding at the end the end the following
8 new paragraph:
9 "(4) instruction, in courses covering human
10 rights reporting and advocacy work, on identifying
11 violence or discrimination that affects the funda-
12 mental freedoms, similar to United States law, of in-
13 dividuals that is based on actual or perceived sexual
14 orientation and gender identity.".

☒

Mr. BERMAN. Thank you, Madam Chairman. This amendment would require the Secretary of State to work through U.S. Embassies to encourage countries to repeal or reform laws that criminalize homosexuality, or consensual homosexual conduct, or that otherwise restrict fundamental human rights. In addition, it would codify human rights reporting requirements on LGBT issues, and include LGBT issues in human rights training courses for Foreign Service officers. While some of my colleagues on the other side raised concerns about this provision when it was included in the State Department bill 2 years ago, the murder of Ugandan LGBT activist David Kato should galvanize us to redouble our efforts in this area. His work to champion human rights in Uganda was heroic, but highlights the risks that individuals often face when they speak out for LGBT rights. Kato's death should reinforce our determination to ensure that people aren't subject to physical harm or other abuses because of their sexual orientation. Nor should LGBT individuals fear arbitrary arrest or imprisonment because they speak out for their rights.

This amendment would require that the State Department's annual human rights report, one of our most important and forceful

efforts to promote human rights around the world, include data on LGBT rights. It would also provide specialized training to Foreign Service officers to improve human rights reporting and efforts to identify acts of violence or discrimination that affects the freedom of LGBT individuals. So often and so eloquently do members of this committee speak out on behalf of those oppressed because of their race, their ethnicity, their religious beliefs, or their nationality. Why should those who are persecuted because of their sexual orientation be any different? I urge all my colleagues to support this amendment, and yield back.

Chairman ROS-LEHTINEN. The gentleman yields back. Mr. Cicilline is recognized for 5 minutes.

Mr. CICILLINE. Thank you, Madam Chairman. I rise in strong support of Mr. Berman's amendment, and thank him for his leadership on this issue. We have seen, unfortunately, examples of terrible, terrible violence being visited upon members of the LGBT community all across the world. Examples of threats of execution, of imprisonment, beatings simply because of who these individuals are and because of their sexual orientation. I applaud the ranking member for recognizing that this, like so many other instances of persecution and mistreatment, are worthy of the work of this committee, but also worthy of collecting information and being sure that we are actively promoting policies that protect human dignity and protect the safety and personal security of all members of the LGBT community. And I strongly endorse this amendment.

Chairman ROS-LEHTINEN. And the gentleman yields back?

Mr. CICILLINE. Yes.

Chairman ROS-LEHTINEN. We will have a recorded vote on this amendment. But if members seek time to speak? Hearing no further speakers for this amendment, and based on the agreement that we had previously, a recorded vote has been requested for this amendment. And we will roll that vote at the preset time. Thank you. Are there amendments to this title? Oh, Mr. Murphy. That is right.

Mr. MURPHY. Thank you very much, Madam Chair. I have an amendment at the desk.

Chairman ROS-LEHTINEN. The clerk will read Mr. Murphy's amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Murphy of Connecticut. At the end of title VIII, add the following new section: Section 8xx. American materials required for public use of certain funds. (a) In General. (1) Allowable materials. Notwithstanding any other provision of law, only unmanufactured articles, materials, and supplies that have been mined or produced in the United States, and only——

Chairman ROS-LEHTINEN. Thank you. I ask unanimous consent that the amendment be considered as read. And I thank the gentleman from Connecticut for being willing to work with staff to work on the budgetary aspects of the amendment as it works its way through the process. And Mr. Murphy is recognized to explain his amendment.

[The information referred to follows:]

AMENDMENT TO H.R. 2583

OFFERED BY MR. MURPHY OF CONNECTICUT

(Foreign Relations Authorization Act, Fiscal Year 2012)

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

1 **SEC. 8xx. AMERICAN MATERIALS REQUIRED FOR PUBLIC**
2 **USE OF CERTAIN FUNDS.**
3 (a) IN GENERAL.—
4 (1) ALLOWABLE MATERIALS.—Notwithstanding
5 any other provision of law, only unmanufactured ar-
6 ticles, materials, and supplies that have been mined
7 or produced in the United States, and only manufac-
8 tured articles, materials, and supplies that have been
9 manufactured in the United States substantially all
10 from articles, materials, or supplies mined, pro-
11 duced, or manufactured in the United States, shall
12 be acquired for public use with funds authorized to
13 be appropriated by this Act or any amendment made
14 by this Act for operations of the Department of
15 State unless the Secretary of State determines their
16 acquisition to be inconsistent with the public interest
17 or their cost to be unreasonable.

1 (2) EXCEPTIONS.—This section does not
2 apply—
3 (A) to articles, materials, or supplies for
4 use outside the United States unless they are
5 acquired for operations of the Department of
6 State on a regular basis and not needed on an
7 urgent basis;
8 (B) if articles, materials, or supplies of the
9 class or kind to be used, or the articles, mate-
10 rials, or supplies from which they are manufac-
11 tured, are not mined, produced, or manufac-
12 tured in the United States in sufficient and rea-
13 sonably available commercial quantities and are
14 not of a satisfactory quality; and
15 (C) to manufactured articles, materials, or
16 supplies procured under any contract with an
17 award value that is not more than $3,000.
18 (b) DEFINITIONS.—In this section:
19 (1) PUBLIC BUILDING, PUBLIC USE, AND PUB-
20 LIC WORK.—The terms "public building", "public
21 use", and "public work" mean a public building of,
22 use by, and a public work of, the Federal Govern-
23 ment, the District of Columbia, Puerto Rico, Amer-
24 ican Samoa, and the Virgin Islands.

1 (2) UNITED STATES.—The term "United
2 States" includes any place subject to the jurisdiction
3 of the United States.

☒

Mr. MURPHY. I thank the chair, and I thank you as well for working with me on this amendment and the path it may follow. The Buy America law has enjoyed for decades bipartisan support. It represents a pretty simple premise, that when the Federal Government is buying things that we try as best we can to buy them from American companies. It is the kind of stewardship that all of our constituents expect from us when we are using their dollars. There have been certain exceptions to the Buy America law over time. And one of them has been purchases that are made by our Embassies abroad. I would argue that we have both an economic, and I suggest a cultural interest in applying the Buy America law, with reasonable exceptions, to our Embassies as well. First, we have got 10 percent of this country out of work. And especially in the manufacturing sector, we need to be making sure that we are spending our appropriated dollars on U.S. jobs. But second, I think it makes some sense to have U.S. goods in our Embassies.

You can't do that with everything. It doesn't make sense to do it with everything. But as a general rule, I think it is a good starting point. So this amendment is pretty simple. It would apply the Buy America Act to purchases by Embassies with all of the exceptions that come with the Buy America Act. And I think those exceptions cover everything that people here would be concerned with. The exceptions include anything you can't find from the United States, anything that costs too much to get and transport from the United States, anything that you need urgently, anything that comes from a country that has a trade agreement with the United States, anything that costs less than $3,000.

So there is plenty of exceptions built in here that frankly mean that generally, the Buy America law is the exception rather than the rule in a lot of cases. But it will, I think, provide some important opportunities for American businesses to be able to produce things for our Embassies abroad that don't have that ability today. I appreciate the majority and the majority staff for working with me on this amendment. I certainly understand that there will likely be some question as to what the budget impact of this will be.

And I look forward to working with the majority on perhaps perfecting this amendment as we get more information on the budget moving forward. But I think this makes sense. I think it makes sense for our Embassies. I think it makes sense for American workers. It is frankly what most of our constituents think that we are

already doing, which is using the money that we are appropriating as a body in a variety of different departments to as best we can buy things from American manufacturers. I think that is the right thing as a general policy, and I think it is right today that we apply it also to State Department purchases for our Embassies. With that, I yield back.

Mr. CONNOLLY. Would my colleague yield for a question?

Mr. MURPHY. I would yield, certainly.

Chairman ROS-LEHTINEN. Mr. Connolly is recognized.

Mr. CONNOLLY. Thank you, Madam Chairman, and thank you, Mr. Murphy, for this amendment. Just to be clear, based on what you just said, for example, if we were building a new Embassy, I don't know, in Katmandu, your amendment allows the flexibility to use local materials if it were impractical to import Vermont granite or marble.

Mr. MURPHY. Absolutely. There are a variety of exceptions to the Buy America law under current law and worked into this amendment. And they are related to cost. And by the Federal Acquisition Regulations there is definitions on how much cost overruns would be that would allow you to buy it locally. And then there is a general waiver authority for the Secretary to use. But certainly in a lot of these building projects, it is just not going to be practical to bring it in from the United States. And when the cost exceeds a certain percentage above what you can get locally, then the waiver is allowed to purchase locally.

Mr. CONNOLLY. I thank my colleague.

Chairman ROS-LEHTINEN. Thank you. The gentleman yields?

Mr. MURPHY. Yes.

Chairman ROS-LEHTINEN. And seeing no—oh, yes, Mr. Meeks is recognized.

Mr. MEEKS. I was wondering if my good friend, Mr. Murphy, I wonder if he would accept an amendment to the amendment. I understand, of course, the intent of Mr. Murphy's amendment. And I want as much as he does to promote U.S. exports and support U.S. jobs. My concern is that we don't do harm to the U.S. standing in the process. And we must be sure to adhere to our trade obligations under the WTO Government Procurement Agreement. So my amendment would basically clarify that this legislation would be implemented in a way that complies with our existing international obligations.

And of course as the ranking member of the Subcommittee on Europe and Eurasia, I am particularly concerned that without additional language, we would create concern with our European partners. So simply if the gentleman would be amenable, I would like to add at the end of section 8xx, just simply say this section shall be applied in a manner consistent with the United States obligations under international agreements.

Mr. MURPHY. Will the gentleman yield?

Mr. MEEKS. I yield.

Mr. MURPHY. I thank the gentleman for, I think, a very good suggestion. I would just note that in the opening lines of the legislation, in which it states that the Act is notwithstanding any other vision of the law, that would take care of U.S. trade and treaty obligations. The Buy America law, as written today, no matter what

department it applies to, does not apply to countries that have trade agreements with the United States. Those trade agreements supersede the Buy America law under current law and under this amendment. But the gentleman from New York's amendment certainly reiterates what I believe is current law, and you know, probably is a wise and a worthwhile addition.

Chairman ROS-LEHTINEN. If the gentleman from New York would yield, are you making a formal amendment request?

Mr. MEEKS. Yes.

Chairman ROS-LEHTINEN. Would you please state it so that the clerk would know and we would know what we are voting on? Would you state that again?

Mr. MEEKS. Yes. At the end of section 8xx, and I think we have it at the desk also.

Chairman ROS-LEHTINEN. Okay. Thank you.

Ms. CARROLL. Amendment offered by Mr. Meeks of New York to the amendment offered by Mr. Murphy of Connecticut. At the end of section 8xx, add the following: (c) Rule of construction. This section shall be applied in a manner consistent with United States obligations under international agreements.

Chairman ROS-LEHTINEN. Hold on. We don't have it yet. So hold on one sec. Let's start up here. Thank you, sir. What Mr. Murphy is saying is it already has it.

Mr. MURPHY. I am perfectly willing to accept the amendment. I was just saying I believe it is covered, this is already covered under the amendment. But it certainly——

Chairman ROS-LEHTINEN. Mr. Meeks, if you could further elaborate on what your amendment seeks to do.

Mr. MEEKS. Yeah. Basically, we want to make sure that there is no room for any retaliation by others under the WTO rules. There has been a long-standing objective, for example, in U.S. trade policy that after we open new opportunities for U.S. goods, services, and supplies to compete on a level playing field that for the foreign government procurement. And this is why the United States has these long-standing government procurement obligations through the WTO agreement. We want to make sure that it is clear that we are in compliance with WTO rules and regulations so that there is no one else that comes back at a later date to try to retaliate against us for——

Chairman ROS-LEHTINEN. Yes. Thank you. I thank the gentleman from New York. Does anyone wish to be heard on the Meeks amendment?

Mr. FALEOMAVAEGA. Madam Chair.

Chairman ROS-LEHTINEN. Yes, Mr. Faleomavaega.

Mr. FALEOMAVAEGA. Thank you, Madam Chair. This is just a technical amendment to the amendment, if my good friend Mr. Murphy will help me on this. It is in reference to the definition of public building.

Chairman ROS-LEHTINEN. Excuse me, Mr. Faleomavaega. You are amending the Murphy amendment? We need to dispose first of the Meeks amendment. Sorry. I thought you wanted to be recognized on the Meeks amendment. Let's vote on the Meeks amendment to the Murphy amendment. Hearing no further requests for recognition on the Meeks amendment, the question occurs on his

amendment. All those in favor say aye. All opposed, no. In the opinion of the Chair, the ayes have it. The Meeks amendment to the Murphy amendment is agreed to. And now we will go to Mr. Faleomavaega, who has an amendment to the Murphy amendment.

Mr. FALEOMAVAEGA. Thank you, Madam Chair.

Chairman ROS-LEHTINEN. Do we have that at the desk? Hold on 1 second.

Mr. FALEOMAVAEGA. No, that is why I said it is an amendment to the amendment, it is just a technical wording I wanted to ask my good friend, Mr. Murphy, to help me with. I notice you mentioned going through the exercise of always defining what a State is. And I notice that you did mention specifically the Federal Government. This is page two in the last provision, where the Territories of Guam and the Commonwealth of Northern Mariana Islands are not listed. And again, it is just a technical—I just wanted to ask the gentleman if he would be willing to add those two territories as well.

Chairman ROS-LEHTINEN. Mr. Murphy.

Mr. MURPHY. Thank you. This text is lifted from the existing Buy America law. So we didn't invent this. This is the Buy America provision that applies to every other Federal agency. And so I don't know the reason why those territories are excluded.

Mr. FALEOMAVAEGA. As has been my experience for the past 20 years, territories are always overlooked, bypassed, even in some instances would be considered foreign countries. So I will say to the gentleman when you mention Puerto Rico, District of Columbia, the Territories of Guam, U.S. Territories of Guam and the Commonwealth of Northern Mariana Islands are always included when we come to adding these insular areas as part of the definition as you have listed here. I would say it was an absolute oversight of the current law why these other two territories are not listed. I would like to ask my friend if——

Chairman ROS-LEHTINEN. If Mr. Faleomavaega could give us an exact amendment language that we could——

Mr. FALEOMAVAEGA. Yes, I will. Can I just give it to you right now?

Chairman ROS-LEHTINEN. Yes, sir.

Mr. FALEOMAVAEGA. Right after the word District of Columbia, just Guam, comma, Commonwealth of Northern Mariana Islands, comma, Puerto Rico, et cetera.

Mr. MURPHY. If the gentleman would yield.

Chairman ROS-LEHTINEN. Mr. Murphy.

Mr. MURPHY. I would be prepared to accept the amendment with one caveat, which is that afterward, if we discover there was a particular reason for those exclusions that we can talk about it and work on it. But for today's purposes, I trust the gentleman that he is probably right that it was an oversight.

Chairman ROS-LEHTINEN. If Mr. Faleomavaega would yield, the word et cetera?

Mr. FALEOMAVAEGA. I am sorry?

Chairman ROS-LEHTINEN. The word "et cetera"?

Mr. FALEOMAVAEGA. No, no, I meant specifically——

Chairman ROS-LEHTINEN. Let's say what your amendment would be, would read.

Mr. FALEOMAVAEGA. Just to add the Territories of Guam and the Commonwealth of the Northern Mariana Islands as part of the listing here of the insular areas. And I have another comment also, Madam Chair, for page 3.

Chairman ROS-LEHTINEN. Hold on 1 second. Is it the same sort of amendment in a different place? If not, Mr. Berman is recognized to speak on your amendment, Mr. Faleomavaega. It seems like you were seeking recognition.

Mr. BERMAN. Yeah, I sort of made facial expressions. I am trying to understand a Buy America provision for a U.S. Embassy. It is just to cover the State Department buildings, wherever they are.

Mr. MURPHY. Correct.

Mr. BERMAN. Okay. Never mind.

Chairman ROS-LEHTINEN. So we will first deal with the Faleomavaega amendment to add those two Territories. And understanding, as Mr. Murphy does, that we will have to work on the details of this amendment to make sure that all is kosher later on. But hearing no other requests for recognition on the Faleomavaega amendment——

Mr. FALEOMAVAEGA. Madam Chair, we are still on the first one?

Chairman ROS-LEHTINEN. Yes, we actually need to adopt it. All those in favor say aye. Aye. All opposed, no. In the opinion of the Chair, the ayes have it, and the amendment is agreed to. Without objection, staff are authorized to make any corrections and technical changes. Mr. Faleomavaega is recognized for another amendment.

Mr. FALEOMAVAEGA. Thank you, Madam Chair. And also on page 3, again, Madam Chair, I have become an expert when it becomes to definitions, especially what do you pretend the United States to be? And I just wanted to share this with my good friend, Mr. Murphy. Usually when you define the term United States, it is any State or outlying possessions of the United States. It means the United States. The problem that I have here with the current definition, as I am sure Mr. Murphy got this from the Buy America Act, again, another oversight, the United States includes any place. That doesn't make sense to me. I think if you say specifically any State or outlying possessions or Territories of the United States subject to the jurisdiction of the United States, there is more clarity in my opinion. But I just wanted to share that with my good friend.

Mr. BERMAN. Would the gentleman yield?

Mr. FALEOMAVAEGA. I yield.

Mr. BERMAN. Actually, in this situation I am not sure that is the intention. We have Embassy buildings in countries all over the world. Those buildings are subject to the jurisdiction of the United States. And therefore, I think a different phrase here, any place subject to the jurisdiction. It is not going to be in—we have 50 now, don't we, 50 States? And Puerto Rico and Northern Marianas. It is also in Moscow and London and in a number of other countries where U.S. jurisdiction applies. And I think that is what the gentleman from Connecticut was driving at with that definition.

Mr. FALEOMAVAEGA. With this, Madam Chair, I thank the ranking member for his clearance. And I withdraw my concern.

Chairman ROS-LEHTINEN. The gentleman withdraws his amendment.

Mr. FALEOMAVAEGA. Thank the gentlelady.

Ms. ROS-LEHTINEN. So now we are back to the Murphy amendment, as amended. Hearing no further requests for recognition, the question occurs on the Murphy amendment. All those in favor say aye. All opposed, no. In the opinion of the Chair, the ayes have it, and the amendment is agreed to. If I could ask the members how many have amendments to this title? I know that Mr. Smith does, Mr. Berman does. No. Mr. Burton.

Mr. BURTON. I look like Berman.

Chairman ROS-LEHTINEN. And Mr. Duncan. And Mr. Meeks. Okay. Thank you. And we have another one? Mr. Carnahan. I am sorry.

Mr. CARNAHAN. We are working on some language, so somebody else can go first.

Chairman ROS-LEHTINEN. Absolutely. We just wanted to know who had one. Mr. Smith, are you ready to offer your amendment? What does it deal with?

Mr. SMITH. Russia, number 53.

Chairman ROS-LEHTINEN. Number 53 dealing with Russia. The clerk will report the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Smith of New Jersey. At the end of title VIII, insert the following:——

Chairman ROS-LEHTINEN. I ask unanimous consent to dispense with the reading. So ordered. The clerk will give out copies of the amendment. And the sponsor of the amendment, Mr. Smith, is recognized to explain it in 5 minutes. Mr. Smith.

[The information referred to follows:]

AMENDMENT TO H.R. 2583

OFFERED BY MR. SMITH OF NEW JERSEY

At the end of title VIII, insert the following:

1 **SEC. 8___. DEMOCRACY AND THE RULE OF LAW IN THE**
2 **RUSSIAN FEDERATION.**
3 It is the sense of Congress that—
4 (1) the Government of the Russian Federation
5 should—
6 (A) safeguard human rights, including
7 freedoms of speech, assembly, and association;
8 and
9 (B) take all necessary steps to ensure that
10 the upcoming parliamentary and presidential
11 elections meet international electoral standards
12 and are universal, free, equal, fair, secret,
13 transparent, and accountable and to—
14 (i) allow credible, independent elec-
15 toral observers, both domestic and inter-
16 national for both long-term and short-term
17 observation missions, unrestricted and
18 timely access to complete their work;
19 (ii) take steps to ensure that the text
20 and implementation of election law in the

1 Russian Federation is consistent with
2 international electoral standards;
3 (iii) provide access to the ballot for all
4 political parties and candidates by remov-
5 ing unreasonable barriers to political party
6 registration and to candidate acceptance
7 on electoral ballots and by ensuring fair,
8 impartial, and timely consideration of all
9 political party registration applications;
10 and
11 (iv) undertake an impartial, inde-
12 pendent investigation of the procedures
13 used to deny the party registration applica-
14 tion of the Party of the People's Freedom
15 (PARNAS) to ensure that the procedures
16 used were consistent with international
17 standards; and
18 (2) the President and the Secretary of State
19 should make respect for democracy, the rule of law,
20 and human rights a priority in the ongoing relation-
21 ship and dialogue between the Governments of the
22 United States and the Russian Federation, in par-
23 ticular in light of the upcoming parliamentary and
24 presidential elections in Russia.

☒

Mr. SMITH. Thank you, Madam Chair. As you know, Russia will hold parliamentary elections in December 2011 and Presidential elections in March 2012. There is growing concern that the coming round of elections is likely to be significantly less free and transparent than the previous one in 2007–2008, which itself failed to meet internationally recognized standards. In light of Russia's considerable democratic backsliding, I believe it is of considerable value to focus on respect for democracy, rule of law, and human rights in Russia, with a specific call on Russia to hold elections in a manner consistent with their numerous international obligations in this area. I don't know if we can say this enough to them. The amendment calls on the administration to make respect for human rights a priority in U.S.-Russian relations. The resolution affirms that respect for democracy, the rule of law, and internationally recognized human rights are fundamental values and objectives of U.S. foreign policy, and core components of the U.S.-Russia relationship. Further, it recognizes that the December——

Mr. BERMAN. Would the gentleman yield?

Mr. SMITH. I would be happy to yield.

Mr. BERMAN. I have had a chance to read this amendment. It does not authorize the use of force. It raises very important issues.

Chairman ROS-LEHTINEN. Does it have a waiver?

Mr. BERMAN. No, it is a sense of Congress, so it doesn't need a waiver.

Chairman ROS-LEHTINEN. Never be too sure.

Mr. BERMAN. And I am going to support the amendment.

Chairman ROS-LEHTINEN. Mr. Smith is ready to accept victory?

Mr. SMITH. Thank you. I yield back.

Mr. CONNOLLY. What about their votes in the U.N., Madam Chairman?

Chairman ROS-LEHTINEN. Don't worry. We will have plenty of money left over. No one is going to get any money. Hearing no further requests for recognition, the question occurs on the Smith amendment. All those in favor say aye. All opposed, no. In the opinion of the Chair, the ayes have it. The Smith amendment is agreed to. Congratulations, Mr. Smith. I know that we are working on a few amendments en bloc. But Mr. Meeks is recognized.

Mr. MEEKS. Thank you, Madam Chair. I have an amendment at the desk.

Chairman ROS-LEHTINEN. The clerk will report the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Engel of New York and Mr. Meeks of New York.

Chairman ROS-LEHTINEN. What does it deal with? Is that the right one?

Mr. MEEKS. Yes.

Ms. CARROLL. In section 102 of the bill, relating to contributions to international organizations, strike the second sentence.

Mr. MEEKS. That is not the right one.

Chairman ROS-LEHTINEN. No, it is an OAS.

Mr. MEEKS. This is Russia. This is a Meeks-Burton.

Chairman ROS-LEHTINEN. Meeks-Burton?

Mr. CONNOLLY. Whatever it is, we accept.

Chairman ROS-LEHTINEN. Thank you. The clerk will report the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Meeks of New York and Mr. Burton of Indiana. At the end of title VIII, insert the following: Section 8 [blank]. Relations with Russia——

Chairman ROS-LEHTINEN. Thank you. Unanimous consent to dispense with the reading. And Mr. Meeks is recognized to explain his amendment.

[The information referred to follows:]

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#9

AMENDMENT TO H.R. _____

OFFERED BY MR. MEEKS OF NEW YORK & Mr. Burton of Indiana

At the end of title VIII, insert the following:

1 **SEC. 8___. RELATIONS WITH RUSSIA.**

2 It shall be the policy of the United States to—

3 (1) strengthen bilateral relations with Russia,
4 in the interest of improving global security and the
5 prosperity of United States business and commercial
6 entities;

7 (2) encourage Russian development of rules to
8 govern a wide range of issues from services regula-
9 tion to foreign investment to intellectual property
10 rights that will improve the trade and investment cli-
11 mate and assure reliable partners to United States
12 potential investors, entrepreneurs, and exporters,
13 under the conviction that a rules-based system of
14 competition protects United States interests and
15 builds trust between countries and peoples;

16 (3) continue to collaborate with the Russian
17 Government and civil society to strengthen democ-
18 racy and human rights, combat corruption, deepen
19 the rule of law, and liberalize banking, finance, and
20 other services, which are initiatives that improve the

1 lives and livelihoods of Russians, the transparency of
2 their institutions, and the confidence of their part-
3 ners; and
4 (4) continue to collaborate with Russia to re-
5 solve international conflicts and to combat terrorism,
6 proliferation of nuclear weapons and other weapons
7 of mass destruction, and environmental degradation
8 that threaten the global economy and security.

☒

Mr. MEEKS. Thank you, Madam Chair. My amendment supports a policy of strengthening bilateral relations with Russia. Engagement with Russia has already produced tangible results, including a new START treaty, diplomatic cooperation on Iran sanctions, and a transit agreement to facilitate logistical supplies for international forces in Afghanistan. The United States and Russia have common interests, and are best served by acting as partners.

Our interests intersect on counterterrorism, counternarcotics, nuclear nonproliferation, a secure and stable Afghanistan, and countering radicalized groups and individuals. No single Nation can harness this agenda on its own. And U.S.-Russian partnership on these areas has great potential to yield good results. Increased economic cooperation will benefit the growing middle class of business-oriented, reform-minded Russians, and serve as a catalyst for long-term change. Russia is one of the fastest growing economies in the world, and has one of the world's fastest growing import markets, averaging a 20 percent increase annually from 1999 through 2010. Increased U.S. exports to Russia support the creation of manufacturing, agriculture, and service jobs in the United States. And further, Russia's integration into the international community will improve the trade and investment climate, enhance the enforcement of intellectual property laws, and strengthen U.S. interests in stability and security.

So, Madam Chair, I think that this basically just gives a sense of Congress that we are going to further create jobs in America, we are going to further improve our relationships so that we can deal with those things that are in common, and I think more importantly, get Russia to play by some of the rules of the game so that we don't have to worry as much about stolen intellectual property and other items of that nature. I yield back.

Chairman ROS-LEHTINEN. The gentleman yields back. Mr. Burton, do you wish to be heard on your amendment?

Mr. BURTON. Just for 1 second. I know it is unusual for me and Mr. Meeks to be cosponsoring an amendment, but I think this is a good amendment. Mr. Marino and I and others were on a codel just recently to Moscow and other countries. And although there still are problems with Russia, we met with people in their Foreign Ministry and talked about a number of issues. Everything is not coming up roses, but I think this amendment heads in the right direction. We met with the American Chamber of Commerce over there. And I am confident that they want to see an expansion of trade and better relations in all these areas. So I think this is a good amendment, and I support it, and I hope all of us will. I yield back.

Chairman ROS-LEHTINEN. Thank you, sir. Mr. Connolly is recognized.

Mr. CONNOLLY. Thank you, Madam Chairman. Just briefly, I just want to commend our colleagues Mr. Meeks and Mr. Burton. I think this is a thoughtful framework for proceeding with what is clearly a problematic relationship, but an essential relationship. And it recognizes that reality. So I thank them for their leadership, and I certainly intend to support the amendment.

Mr. BERMAN. Would the gentleman yield?

Mr. CONNOLLY. I would gladly yield to the distinguished ranking member.

Mr. BERMAN. I would like to add that the Smith amendment, which has been adopted, and this amendment, which also recognizes the issues of rule of law, civil society, and human rights, together are, I think, a sensible and balanced package going forward. I commend both the sponsors of this, and yield back to the gentleman from Virginia.

Mr. CONNOLLY. I thank my friend, and I agree with him. It is like two bookends. A comfortable fit. And I yield back my time, Madam Chairman.

Chairman ROS-LEHTINEN. Thank you. See, he thinks you can read, Dan.

Mr. CONNOLLY. I didn't go quite that far, Madam Chairman.

Chairman ROS-LEHTINEN. Who seeks recognition on this amendment? If not, then hearing no further requests for recognition, the question occurs on the amendment. All those in favor say aye. Aye. All opposed say no. In the opinion of the Chair, the ayes have it, and the amendment is agreed to. Mr. Burton has an amendment at the desk. Are you ready?

Mr. BURTON. Madam Chairman, my amendment has been included in the en bloc amendment. Real briefly, I will be glad to make a brief comment. It is regarding Georgia. The Russians have, as everyone knows, invaded Georgia.

Chairman ROS-LEHTINEN. The gentleman is recognized.

Mr. BURTON. And this simply is an amendment that will urge Russia to take the necessary steps to withdraw from Georgia and meet their international obligations regarding freedom in that region.

Chairman ROS-LEHTINEN. I thank the gentleman. Mr. Duncan, do you have an amendment at the desk?

Mr. DUNCAN. I do, Madam Chairman. I have an amendment on the desk.

Chairman ROS-LEHTINEN. The clerk will report the amendment. What is the number, Mr. Duncan?

Mr. DUNCAN. Number 15.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Duncan of South Carolina. At the appropriate place in the bill, insert the following: Section [blank]. Designation of the Muslim Brotherhood as a foreign terrorist organization. The Secretary of State shall designate the Muslim Brotherhood as a foreign terrorist organization in accordance with section 219(a)——

Chairman ROS-LEHTINEN. Without objection, we will consider the amendment as having been read. And the gentleman is recognized to explain his amendment.

[The information referred to follows:]

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AMENDMENT TO H.R.

OFFERED BY MR. DUNCAN OF SOUTH CAROLINA

At the appropriate place in the bill, insert the following:

1 **SEC. ___. DESIGNATION OF THE MUSLIM BROTHERHOOD**
2 **AS A FOREIGN TERRORIST ORGANIZATION.**
3 The Secretary of State shall designate the Muslim
4 Brotherhood as a foreign terrorist organization in accord-
5 ance with section 219(a) of the Immigration and Nation-
6 ality Act (8 U.S.C. 1189(a)).

☒

Mr. DUNCAN. Thank you, Madam Chairman. Folks, the Muslim Brotherhood has been involved in a lot of issues that are on the forefront today. But they have a long, long history. The Muslim Brotherhood is a Sunni religious and political organization that was founded in Egypt in 1928, and has branches throughout the world. It has been engaged in terrorist activity as defined in Chapter 8 of the INA, and retains the capability and intent to engage in terrorist activity or terrorism as defined in the Foreign Relations Act of Fiscal Year 1988 and 1989.

A little bit of history, after a coup attempt in 1954, the Muslim Brotherhood was banned in Egypt and elsewhere in the Middle East for its involvement in violent terrorist acts. Despite government crackdowns throughout the 1960s and 1970s, the Muslim Brotherhood and offshoot organizations were involved with the assassination of Egyptian President Anwar Sadat. The 1988 Hamas Covenant states that the Islamic resistance movement, or Hamas, one of the wings of Muslim Brotherhood in Palestine. Muslim Brotherhood founder Hassan al-Banna, quoted in the 1988 Hamas covenant, states that Israel exists and will continue to exist until Islam will obliterate it, just as it obliterated others before it.

In January 7th of this year, CNN released a story on a nine-page summary of a secret report that stated that the Muslim Brotherhood, an Islamist political group present in many Muslim countries, was trying, through its affiliated charities and organizations, often with the funding of unwitting private Saudi citizens, to spread its influence by providing support for candidates in Islamic democracies. That story goes on to say that according to the report, payback was simple. Once in power, these candidates are expected to further the Brotherhood's goals.

CNN further elaborates that al-Qaeda was able to benefit from these secret funding mechanisms because their source stated that some in the Muslim Brotherhood had historic sympathies and connections with members of the terror group dating back to when Saudi Arabia and the CIA covertly funded the Afghan Mujahedin to fight the Soviet occupation of Afghanistan. The bottom line here is that CNN reported that the connections meant that money in Muslim Brotherhood hands was occasionally given to al-Qaeda. The Muslim Brotherhood's activity threatens the security of the United States national security. The Muslim Brotherhood's creed is jihad is our way, and martyrdom is the way of Allah. It is our highest aspiration.

The ideological goals of the Muslim Brotherhood, based upon its doctrine, its leading intellectual figures, and its leadership is identical to that of al-Qaeda, Hamas, Islamic Jihad, Hezbollah, and other Islamist groups designated as terrorist entities. As chief counterterrorism adviser Richard Clarke told a Senate committee back in 2003, all of these organizations are descendants of the membership and ideology of the Muslim Brothers. In Federal court, evidence was produced in the 2008 Holy Land trial that exposed the Muslim Brotherhood's operations in the United States. The Muslim Brotherhood's goals for America were explained in a document entered into evidence in the trial. The explanatory memorandum on the general strategic goal for the group said this. The 1991 Muslim Brotherhood explained that the settlement process to establish itself in the United States, and once rooted, undertake a grand jihad in eliminating and destroying Western civilization from within, and sabotaging its miserable house by their hands and the hands of the believers so that it is eliminated.

Just to conclude, Madam Chairwoman, that the Muslim Brotherhood is a threat to American national security. And this Congress and our administration needs to recognize this threat and take action to protect America. I yield back.

Chairman ROS-LEHTINEN. The gentleman yields back. Mr. Berman is recognized.

Mr. BERMAN. Madam Chairman, first yesterday, the gentleman offered an amendment that sort of got me going. And I think I overstated and inappropriately commented about my feelings about the amendment. And I apologize for that once again. But for me, the Muslim Brotherhood holds despicable anti-U.S. and anti-Israeli views which I could not object to more strongly. But your amendment is not precise. If you are talking about the Muslim Brotherhood of Egypt, I am unaware of any information in the past 25 years that links them to terrorist acts. If that is not correct—I guess I am not asking you to answer at this point, but I ask you at least defer this amendment until the floor, and that the chair organize a classified briefing so we can find out if there is a fact-based justification for me learning about things that I don't now know about. And I would ask you just to consider that.

So in other words, there may be evidence to the contrary that proves me wrong, but I know they made a specific decision to both expel people involved in terrorist activity from their organization—I am talking now about the organization in Egypt. Your amendment doesn't specify, and I don't know that there is an organizational link between all the Muslim Brotherhoods of Jordan, and Syria, and other places in both Africa and the Asian continent. So I am going to talk as if this is about Egypt. And I think we need to get that information before we consider this amendment.

Secondly, those people that were expelled, many of them are Salafists now, they are clearly involved in terror activities. They assassinated Anwar Sadat, and they are not on our terrorist list. The question of who we go to first in terms of a proposal—remember, this is not a sense of Congress. This is a statutory obligation. I would argue there are even more compelling cases than this for that.

Third, the issue of the prioritization of adding organizations to the terror list need, I think, to get—we share the same feeling about the organization. But the question is, are the facts there to justify this amendment?

And again, I repeat my request you defer consideration of this amendment until the floor so we can get together the classified briefing that would be needed to answer that question. And third, I do have to say this, and I know this isn't the gentleman's intention, but if I wanted to provide campaign advice on how to ensure that the Muslim Brothers win the election in Egypt, the parliamentary elections in September or whenever they happen, I would say could I find a way to get the United States Congress to do something like this, in effect, and then go to the people of Egypt, saying that we inflame passions against the United States even though we may not have a factual basis for what we are doing. And I suggest this is worth 5 percentage points in the next election.

I mean, I don't know enough about Egyptian politics, but it just seems to me, strategically we are playing into their hands. I want to see our democracy efforts working to help the secular forces and the forces who don't live on anti-American and anti-Israel rhetoric feeding the people who don't have enough to eat and don't have jobs and are mired in poverty, feeding them with this kind of rhet-

oric as a substitute for a program to help the Egyptian people, and I think this plays into their hands.

So I repeat my request. I close and just ask the gentleman to consider withdrawing the amendment until the floor, at least to provide us with a factual basis for knowing how to vote on this. Otherwise, I have to vote no.

Chairman ROS-LEHTINEN. The gentleman's time has expired. The sponsor is chewing on that.

Do any members seek recognition on the amendment?

Mr. Cardoza is recognized.

Mr. CARDOZA. Thank you, Madam Chair.

There is no greater supporter of Israel and the cause of freedom in the Middle East than Mr. Berman on this committee. Think he has made a good point. If this was to put the Muslim Brotherhood on the despicable list, this committee would probably act in unanimity immediately.

I personally would like to have the questions that Mr. Berman has asked answered. I would not hesitate to vote for Mr. Duncan's amendment if in fact we have that kind of evidence.

Chairman ROS-LEHTINEN. The gentleman yields back.

Mr. Faleomavaega.

Mr. FALEOMAVAEGA. Thank you, Madam Chair.

I was listening very intently also to the gentleman's proposed amendment, and I want to say to the gentleman, I couldn't agree with you more with all of the facts from CNN and all of the reported incidents leading up to what was supposedly the activities by the Muslim Brotherhood. The only distinct thing I recall historically was the fact that they were directly involved in the assassination of Anwar Sadat. I have also——

Mr. BERMAN. Would the gentleman yield on that point?

They were people who were kicked out of the Muslim Brotherhood when the Muslim Brotherhood disavowed violence as a tactic in Egypt who were responsible for the assassination of Anwar Sadat, not members of the Brotherhood at that time.

Mr. FALEOMAVAEGA. I was going to leave that to my next point. I am glad the gentleman corrected my observation on that, because also it has been reported there are many positive things that the Muslim Brotherhood has done for the communities in Egypt, as I would understand it to be.

In weighing the evidence and all the facts that my friend Mr. Duncan has shared with the members of the committee, I would hope that maybe at some point in time that the administration would brief us. Because I do also share that same concern. I just think that maybe this is somewhere the Secretary of State or Department of Defense would probably have more specific information concerning the Muslim Brotherhood that is not part of our discussion here this afternoon.

With that, I do share the concerns that the ranking member had stated earlier concerning the gentleman's amendment.

Mr. CONNOLLY. Would the gentleman yield?

I thank my colleague.

I would just add, I would appeal to my colleague from South Carolina to think about the timing here. We are looking at elec-

tions soon. We don't want to find ourselves, as Mr. Berman indicated, obviously unintentionally playing into the wrong hands.

I mean, if I could put it in a more jocular fashion, I know my friend from South Carolina would probably welcome two or three Democrats coming to South Carolina the month before the election next year complaining about how conservative the gentleman is and how infrequently he votes with us liberals, and that might be a good thing from an electoral point of view for the gentleman from South Carolina. I think that is probably what we are trying to avoid here.

It is such a delicate moment in Egyptian political evolution, one would hate to have us as a committee annunciating something for the sake of good public policy that, because of timing, could have unintended political ramifications. That is all I would say.

I would urge my colleague to look at the timing as well as the other substantive arguments, but especially the timing.

Mr. FALEOMAVAEGA. Reclaiming my time, I just wanted to add another point of observation, Madam Chair.

I recall distinctly a couple of years ago we had talked about democracy during the Bush administration. We kept saying yes, we must have democracy. So when it came time for the election, it took place where the Hamas group was going to win the election. Well, guess what? They won the election and all of a sudden we said, oh, we didn't mean they should be the ones. But they were duly elected by the people.

I think this is the caution and the concern that we might have. The timing factor will make a distinct difference in what may happen.

Mr. BERMAN. Would the gentleman yield?

Mr. FALEOMAVAEGA. I yield.

Mr. BERMAN. But Hamas engages in acts of violence that are documented, that are recent, that are current, and they are a terrorist organization, without question, whatever the political consequences of their election are, we can discuss.

If you give me a factual basis that the Muslim Brotherhood is such an organization, notwithstanding the political consequences, I would support your amendment. So if this were Hamas, I would not oppose your amendment, even though it might help Hamas in the next election, because it would be truly factually based. I just want to find out.

Mr. FALEOMAVAEGA. I yield back.

Chairman ROS-LEHTINEN. I would like to recognize the sponsor of the amendment at this time.

Mr. DUNCAN. Thank you, Madam Chairman.

You know, I sit here and listen to your arguments, as valid or invalid as they may be——

Chairman ROS-LEHTINEN. If the gentleman would suspend, I apologize. I had already recognized you once.

Mr. Wilson, may I recognize you and you yield time?

Mr. WILSON OF SOUTH CAROLINA. Thank you very much, Chairman.

I yield to the gentleman from South Carolina, Mr. Duncan.

Mr. DUNCAN. And thank you, my colleague from South Carolina.

I sit here and I think about, would this argument have been similar prior to 9/11 talking about another organization known as al-Qaeda? And that is a rhetorical question. Looking at the Immigration and Nationality Act and the terminology and the definition of terrorist activity, assassination, commit or incite to commit under circumstances indicating an intention to cause death or serious bodily injury, a terrorist activity, to prepare or to plan a terrorist activity, to gather information on potential targets or to solicit funds or other things of value for those terrorist activities. A lot of those things I think the Muslim Brotherhood has been involved in.

I have had a briefing or two on this. So I believe that the revelation to Mr. Berman and others will come to light with a classified briefing or a State Department briefing.

So, Madam Chairwoman, I would withdraw this amendment with the assurance from the chairwoman that we will have that classified briefing.

Chairman ROS-LEHTINEN. Yes, sir. Mr. Berman and I will work together to schedule that—if the gentleman would yield.

Mr. DUNCAN. Madam Chairwoman, I will.

I have another amendment following this that I ask your support.

Chairman ROS-LEHTINEN. We will ask you to present that amendment forthwith.

Mr. Berman and I make that pledge to you that we will request that classified briefing quickly. Today. So it will happen in the near future on the Muslim Brotherhood.

If the gentleman from South Carolina, Mr. Wilson, would yield to you.

Mr. WILSON OF SOUTH CAROLINA. Yes, I yield.

Mr. BERMAN. For the purposes of this briefing, we are talking about the Egyptian Muslim Brotherhood.

Mr. DUNCAN. We need to talk about worldwide Muslim Brotherhood. I agree, Egyptian is where the focus is now, Mr. Berman, but also I think we need to talk about the world body.

Mr. BERMAN. Is there such a worldwide organization, or are there a bunch of different country-based chapters? In other words, we have an organizational chart question which I don't totally understand. But that is something that will be part of the briefing program.

Mr. DUNCAN. I think you will get a clear understanding of that connection.

Mr. CARDOZA. Would Mr. Wilson yield?

Chairman ROS-LEHTINEN. The gentleman is going to withdraw his amendment at this time. If the gentleman from South Carolina—how can the gentleman from South Carolina withdraw his amendment on his time?

So Mr. Wilson from South Carolina yields back his time.

Mr. WILSON OF SOUTH CAROLINA. Yes.

Chairman ROS-LEHTINEN. I will ask the committee for unanimous consent so that the sponsor of the amendment can make the motion to withdraw his amendment.

Mr. DUNCAN. Madam Chairwoman, I make the motion to withdraw the amendment and ask unanimous consent.

Chairman ROS-LEHTINEN. It is so ordered and the amendment is withdrawn.

Mr. Duncan is recognized again for his other amendment.

Mr. DUNCAN. Thank you, Madam Chairman, I have an amendment at the desk, No. 20.

Chairman ROS-LEHTINEN. The clerk will report the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Duncan of South Carolina. At the end of title IV, insert the following: Section 4 [blank]. Limitation on assistance to the Muslim Brotherhood. The Secretary of State may not use any funds made available under this act for direct or indirect assistance to the Muslim Brotherhood.

[The information referred to follows:]

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AMENDMENT TO H.R. _____

OFFERED BY MR. DUNCAN OF SOUTH CAROLINA

At the end of title IV, insert the following:

1 **SEC. 4___. LIMITATION ON ASSISTANCE TO THE MUSLIM**

2 **BROTHERHOOD.**

3 The Secretary of State may not use any funds made

4 available under this Act for direct or indirect assistance

5 to the Muslim Brotherhood.

☒

Chairman ROS-LEHTINEN. We can suspend for just 1 second. The sponsor of the amendment is recognized to explain his amendment.

Mr. DUNCAN. Thank you, Madam Chairman. I ask the members to please note at the top there was an error. We have corrected the title number from title IV to title VIII.

It is just a very simple amendment. It says the Secretary of State shall not use any funds available under this act to assist directly or indirectly the Muslim Brotherhood. I request a vote.

Chairman ROS-LEHTINEN. Mr. Cardoza.

I thank the gentleman. He yields back.

Mr. Cardoza is recognized for 5 minutes.

Mr. CARDOZA. I would like to say I am totally in agreement with this amendment. However, if light of the questions that Mr. Ber-

man just asked, that there may be different offshoots or different—particularly defining Muslim Brotherhood may be beneficial.

Are we talking about the Egyptian Muslim Brotherhood? Frankly, I would cut funds off—I would vote for your amendment for all of them that might find their way under this umbrella. But I think it is legitimate to ask the question, if there is a question of definition, how do we define it?

Mr. DUNCAN. Will the gentleman yield?

Mr. CARDOZA. Yes, sir.

Mr. DUNCAN. How do you define al-Qaeda as a world presence when you have al-Qaeda on the Arabian Peninsula, al-Qaeda in Iraq, al-Qaeda in Afghanistan. That is the reason the Muslim Brotherhood is broadly defined in this.

Mr. CARDOZA. I yield back.

Chairman ROS-LEHTINEN. Mr. Cardoza yields back.

Mr. Burton.

Mr. BURTON. Madam Chairman, I think what everybody is concerned about are the elections coming up in Egypt before too long and what kind of a situation we will face as far as Israel and Egypt and like the Camp David Accords and whether or not we should be supporting the new Government of Egypt.

In any event, this amendment says no money should go to the Muslim Brotherhood. It does not say anything about an elected government until Egypt. So I think the amendment makes sense. I don't see any big problem with it, and I fully think we ought to support this and then see what happens with the elections and the briefing we are going to get from the Department of State.

Chairman ROS-LEHTINEN. Thank you.

Hearing no further requests for recognition, the question occurs on the amendment.

All those in favor say aye.

All opposed, no.

In the opinion of the Chair, the ayes have it, and the amendment is agreed to.

Congratulations, sir.

Mr. Carnahan, I believe you have an amendment at the desk.

Mr. CARNAHAN. Madam Chair, we are not going to offer that amendment at this time. We are going to work to potentially work out some language and include it later in the process.

Chairman ROS-LEHTINEN. Yes, sir. Thank you.

Are there any amendments—do any members wish to propose amendments to this title? I believe it is now crunch time.

Thank you. So, hearing no further amendments to this title, we will proceed to title IX. The clerk will designate the title.

Oh, sorry, sorry. I take it back. Unanimous consent to reconsider that motion.

Yes, Mr. Berman is recognized for a whole lot of stuff. All of it is good. Mr. Berman is recognized.

Mr. BERMAN. This is Promotion of the Private Sector in Pakistan, Amendment 038.

Chairman ROS-LEHTINEN. The clerk will report the amendment. Promotion of Private Sector in Pakistan. They are in your secret stash of amendments, Mr. Berman.

Mr. BERMAN. All right, Madam Chairman, may I amend my request to bring up two amendments you won't be able to find, and consider them en bloc, 038, promotion of private——

Chairman ROS-LEHTINEN. Without objection, we will consider them en bloc. Promotion of private sector in Pakistan and Enterprise Funds for Egypt.

Mr. BERMAN. Promotion of Private Sector of Egypt and Tunisia, 037.

Chairman ROS-LEHTINEN. The clerk will report the amendments en bloc.

Ms. CARROLL. I have the first one. Amendment to H.R. 2583 offered by Mr. Berman. At the end of the bill, add the following new title: Title XI. Promotion of the Private Sector in Pakistan. Section 1101. Purposes. The purposes of this title are (1) to promote the private sector in Pakistan, while considering the development impact of investment——

[The information referred to follows:]

AMENDMENT TO H.R. __

OFFERED BY MR. BERMAN OF CALIFORNIA

(Foreign Relations Authorization Act, Fiscal Year 2012)

At the end of the bill, add the following new title:

TITLE XI—PROMOTION OF THE PRIVATE SECTOR IN PAKISTAN

SEC. 1101. PURPOSES.

The purposes of this title are—

(1) to promote the private sector in Pakistan, while considering the development impact of investments and profitability of those investments, particularly in small- and medium-sized enterprises, and joint ventures with participants from the United States and Pakistan;

(2) to promote policies and practices conducive to strengthening the private sector in Pakistan through measures including loans, microloans, equity investments, insurance, guarantees, grants, feasibility studies, technical assistance, training for businesses receiving investment capital, and other measures;

(3) to promote good corporate governance and transparency in Pakistan, foster competition, cata-

1 lyze productivity improvements in existing busi-
2 nesses, and strengthen local capital markets; and
3 (4) to promote security through job creation in
4 the private sector in Pakistan and to further the cre-
5 ation of a middle class in Pakistan.

6 **SEC. 1102. PAKISTAN-AMERICAN ENTERPRISE FUND.**

7 (a) ESTABLISHMENT.—The President is authorized
8 to establish or designate a private, nonprofit organization
9 (to be known as the "Pakistan-American Enterprise
10 Fund") to receive funds and support made available under
11 this title after determining that such organization has
12 been established for the purposes specified in section
13 1101. The President should make such designation only
14 after consultation with the leadership of each House of
15 Congress.

16 (b) BOARD OF DIRECTORS.—

17 (1) APPOINTMENT.—The Pakistan-American
18 Enterprise Fund shall be governed by a Board of
19 Directors, which shall be comprised of 4 private citi-
20 zens of the United States and 3 private citizens of
21 Pakistan, appointed by the President of the United
22 States in consultation with the Government of Paki-
23 stan.

24 (2) QUALIFICATIONS.—Members of the Board
25 of Directors shall be selected from among people

1 who have had successful business careers and dem-
2 onstrated experience and expertise in international
3 and particularly emerging markets investment activi-
4 ties, such as private equity or venture capital invest-
5 ment, banking, finance, strategic business con-
6 sulting, or entrepreneurial business creation, and
7 backgrounds in priority business sectors of the
8 Fund, such as the energy sector.
9 (3) ADDITIONAL USAID NON-VOTING MEMBER
10 TO THE BOARD.—The President shall appoint one
11 official or employee of the United States Agency for
12 International Development as an additional non-vot-
13 ing member of the Board.
14 (4) ADDITIONAL NONGOVERNMENT NON-VOT-
15 ING BOARD MEMBERS.—
16 (A) AUTHORITY TO APPOINT.—Upon the
17 recommendation of the Board of Directors, the
18 President may appoint up to 2 additional non-
19 voting members to the Board in addition to the
20 members specified in paragraphs (1) and (3), of
21 which not more than one may be a non-citizen
22 of the United States.
23 (B) NGO COMMUNITY.—One of the addi-
24 tional non-voting Board members shall rep-
25 resent the nongovernmental organization com-

1 munity, with significant prior experience in de-
2 velopment and an understanding of develop-
3 ment policy priorities for Pakistan.
4 (C) TECHNICAL EXPERTISE.—One of the
5 additional non-voting Board members shall have
6 extensive demonstrated industry, sector, or
7 technical experience and expertise in a priority
8 investment sector for the Fund.
9 (c) GRANTS.—
10 (1) IN GENERAL.—The President may use
11 funds appropriated pursuant to section 102 of the
12 Enhanced Partnership with Pakistan Act of 2009
13 (22 U.S.C. 8412)—
14 (A) to carry out the purposes specified in
15 section 1101 through the Pakistan-American
16 Enterprise Fund; and
17 (B) to pay for the administrative expenses
18 of the Pakistan-American Enterprise Fund.
19 (2) ELIGIBLE PROGRAMS AND PROJECTS.—
20 Grants awarded under this section may only be used
21 for programs and projects that support the purposes
22 specified in section 1101.
23 (3) COMPLIANCE REQUIREMENTS.—
24 (A) IN GENERAL.—Grants may not be
25 awarded to the Pakistan-American Enterprise

1 Fund under this section unless the Fund agrees
2 to comply with the requirements under this sec-
3 tion.
4 (B) GRANT AGREEMENT.—The grant
5 agreement between the United States Agency
6 for International Development and the Paki-
7 stan-American Enterprise Fund shall state that
8 the Fund shall liquidate its assets and dissolve
9 not later than December 31, 2020, unless the
10 Administrator of the United States Agency for
11 International Development determines, after
12 consultation with the appropriate congressional
13 committees, that the Fund should be extended.
14 (C) PREVENTION OF MONEY LAUNDERING
15 AND TERRORIST FINANCING.—The grant agree-
16 ment between the United States Agency for
17 International Development and the Pakistan-
18 American Enterprise Fund shall state that the
19 Fund shall comply with procedures specified by
20 the Secretary of State to ensure that grant
21 funds are not provided by the Fund to or
22 through any individual, private or government
23 entity, or educational institution that advocates,
24 plans, sponsors, engages in, or has engaged in,
25 money laundering or terrorist activity or, with

1 respect to a private entity or educational insti-
2 tution, that has as a principal officer of the en-
3 tity's governing board or governing board of
4 trustees any individual that has been deter-
5 mined to be involved in or advocating money
6 laundering or terrorist activity or determined to
7 be a member of a designated foreign terrorist
8 organization.
9 (D) DISPOSITION OF ASSETS.—The assets
10 of the Pakistan-American Enterprise Fund at
11 the time the Fund is dissolved shall be returned
12 to the General Fund of the United States
13 Treasury and used to reduce the debt of the
14 United States.
15 (d) NOTIFICATION.—
16 (1) IN GENERAL.—Not later than 15 days be-
17 fore designating an organization to operate as the
18 Pakistan-American Enterprise Fund pursuant to
19 subsection (a), the President shall provide the infor-
20 mation described in paragraph (2) to the Chairman
21 and Ranking Member of the appropriate congres-
22 sional committees.
23 (2) INFORMATION.—The information described
24 in this paragraph is—

1 (A) the identity of the organization to be
2 designated to operate as the Pakistan-American
3 Enterprise Fund pursuant to subsection (a);
4 (B) the names and qualifications of the in-
5 dividuals who will comprise the initial Board of
6 Directors; and
7 (C) the procedures referred to in sub-
8 section (c)(3)(C) that will apply to the Paki-
9 stan-American Enterprise Fund for purposes of
10 curtailing money-laundering and terrorist fi-
11 nancing activities.
12 (e) PUBLIC DISCLOSURE.—Not later than 1 year
13 after the entry into force of the initial grant agreement
14 under this section, and annually thereafter, the Fund shall
15 prepare and make available to the public on an Internet
16 Web site administered by the Fund a report on the Fund's
17 activities during the previous year, including—
18 (1) a description of each investment or project
19 supported by the Fund, including each type of as-
20 sistance provided in accordance with subsection
21 (c)(2);
22 (2) the amounts invested by the Fund in each
23 company or project;
24 (3) the amounts of additional private invest-
25 ments made in each company or project; and

1 (4) the amounts of any profits or losses realized
2 by the Fund in connection with each such company
3 or project.

4 **SEC. 1103. REPORTS.**

5 (a) ADMINISTRATIVE EXPENSES.—Not later than 1
6 year after the date of the enactment of this Act, and annu-
7 ally thereafter until the Fund is dissolved, the Fund shall
8 submit to the appropriate congressional committees a re-
9 port detailing the administrative expenses of the Fund.

10 (b) GAO REPORT.—Not later than 3 years after the
11 date of the enactment of this Act, and every 3 years there-
12 after until the Fund is dissolved, the Comptroller General
13 of the United States shall submit to the appropriate con-
14 gressional committees a report assessing the activities of
15 the Fund in achieving the stated goals of promoting pri-
16 vate sector investment and employment in Pakistan and
17 identifying those institutional or regulatory constraints
18 that inhibit a more effective application of Fund resources.

19 **SEC. 1104. OPERATION PROVISIONS.**

20 (a) APPLICABLE PROVISIONS.—Subsections (d)(5),
21 (g), (h), (i), (k), (l), (m), (n), (o), and (p) of section 201
22 of the Support for East European Democracy (SEED)
23 Act of 1989 (22 U.S.C. 5421) shall apply with respect
24 to the Pakistan-American Enterprise Fund in the same

1 manner as such provisions apply to Enterprise Funds des-
2 ignated pursuant to subsection (d) of such section.
3 (b) REINVESTMENT.—Returns on investments of the
4 Pakistan-American Enterprise Fund and other payments
5 to the Fund may be reinvested in projects carried out by
6 the Fund without further appropriation by Congress.

7 **SEC. 1105. BEST PRACTICES AND PROCEDURES.**

8 To the maximum extent practicable, the Board of Di-
9 rectors of the Pakistan-American Enterprise Fund should
10 adopt the best practices and procedures used by Enter-
11 prise Funds, including those for which funding has been
12 made available pursuant to section 201 of the Support for
13 East European Democracy (SEED) Act of 1989 (22
14 U.S.C. 5421).

15 **SEC. 1106. EXPERIENCE OF OTHER ENTERPRISE FUNDS.**

16 In implementing this title, the President shall ensure
17 that the Articles of Incorporation of the Pakistan-Amer-
18 ican Enterprise Fund (including provisions specifying the
19 responsibilities of the Board of Directors of the Fund),
20 the terms of United States Government grant agreements
21 with the Fund, and United States Government oversight
22 of the Fund are, to the maximum extent practicable, con-
23 sistent with the Articles of Incorporation of, the terms of
24 grant agreements with, and the oversight of the Enter-
25 prise Funds established pursuant to section 201 of the

1 Support for East European Democracy (SEED) Act of
2 1989 (22 U.S.C. 5421) and comparable provisions of law.

3 **SEC. 1107. APPROPRIATE CONGRESSIONAL COMMITTEES**
4 **DEFINED.**

5 In this title, the term "appropriate congressional
6 committees" means—
7 (1) the Committee on Foreign Relations of the
8 Senate;
9 (2) the Committee on Appropriations of the
10 Senate;
11 (3) the Committee on Foreign Affairs of the
12 House of Representatives; and
13 (4) the Committee on Appropriations of the
14 House of Representatives.

☒

Chairman ROS-LEHTINEN. With unanimous consent we will consider that one as having been read, but we are combining it with the other one on Egypt and Tunisia, which you are looking for.

You have got it. Please read that one.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Berman of California. At the end of the bill, add the following new title: Title XI. Promotion of the Private Sector in Egypt and Tunisia. Section 1101. Appropriate congressional committees defined. In this title, the term "appropriate congressional committees" means (1) the Committee on Foreign Relations of the Senate; (2) the Committee on Appropriations of the Senate; (3) the Committee on Foreign Affairs of the House of Representatives——

Chairman ROS-LEHTINEN. We will consider it as having been read.

[The information referred to follows:]

AMENDMENT TO H.R. __

OFFERED BY MR. BERMAN OF CALIFORNIA

(Foreign Relations Authorization Act, Fiscal Year 2012)

At the end of the bill, add the following new title:

TITLE XI—PROMOTION OF THE PRIVATE SECTOR IN EGYPT AND TUNISIA

SEC. 1101. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

In this title, the term "appropriate congressional committees" means—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Appropriations of the Senate;

(3) the Committee on Foreign Affairs of the House of Representatives; and

(4) the Committee on Appropriations of the House of Representatives.

Subtitle A—Egypt-American Enterprise Fund

SEC. 1111. SHORT TITLE.

This subtitle may be cited as the "Egyptian-American Enterprise Fund Act".

SEC. 1112. PURPOSE AND FINDINGS.

(a) PURPOSE.—The purpose of this subtitle is to support a transition to democracy in Egypt that is successful, lasting, and reflective of the aspirations of the Egyptian people for greater economic opportunity and political freedom through the creation of an Egyptian-American Enterprise Fund that will support economic prosperity through financial investment and technical assistance to small- and medium-sized enterprises.

(b) FINDINGS.—Congress makes the following findings:

(1) The United States and Egypt have a strong, long-standing bilateral relationship.

(2) Egypt—

(A) plays an important role in—

(i) global and regional politics; and

(ii) the broader Middle East and North Africa; and

1 (B) has been an intellectual, economic, and
2 cultural center of the Arab world for many
3 years.
4 (3) On January 25, 2011, demonstrations
5 began throughout Egypt in which thousands of pro-
6 testers peacefully called for—
7 (A) a new government;
8 (B) free and fair elections;
9 (C) significant constitutional and political
10 reforms;
11 (D) greater economic opportunity; and
12 (E) an end to government corruption.
13 (4) The demonstrators' perseverance in the face
14 of violence and intimidation—
15 (A) culminated in the February 11, 2011
16 resignation of President Hosni Mubarak; and
17 (B) inspired democracy activists through-
18 out the region and around the world.
19 (5) The United States has a strong interest
20 in—
21 (A) an orderly and peaceful transition to
22 democracy in Egypt; and
23 (B) assisting the people of Egypt to form
24 a representative and democratic political and
25 economic system that respects universal values.

1 (6) Egypt—

2 (A) has a well-developed civil society and

3 governing institutions; and

4 (B) was well-served by—

5 (i) the extraordinary determination

6 shown by the people of Egypt in forcing

7 President Mubarak to abdicate; and

8 (ii) the restraint demonstrated by the

9 Egyptian military.

10 (7) In 2010—

11 (A) the inflation rate in Egypt was ap-

12 proximately 11 percent; and

13 (B) Egypt's foreign debt was equal to 16

14 percent of its $216,000,000,000 gross domestic

15 product (GDP).

16 (8) As a result of the dramatic events in Egypt

17 in February 2011—

18 (A) Egypt's economy was brought to a

19 near standstill and continues to experience lin-

20 gering effects;

21 (B) widespread strikes slowed down

22 Egypt's manufacturing output and banks closed

23 down for intermittent periods; and

1 (C) the value of the Egyptian stock market
2 fell by 16 percent in the 2 days before it was
3 closed on January 30, 2011.
4 (9) According to analyst estimates, as a result
5 of recent events in Egypt—
6 (A) forecasted growth for Egypt's GDP
7 has dropped from 6 percent to between 3.1 and
8 3.5 percent;
9 (B) the amount of workers' remittances
10 coming into Egypt will likely decline;
11 (C) the amount of regional securities pur-
12 chased by foreign investors will likely decrease,
13 which will require fiscal deficits to be financed
14 by domestic banks and reduce the availability of
15 credit for private sector borrowers;
16 (D) heightened political uncertainty will
17 likely lead to a downturn in tourism, which ac-
18 counts for 8.2 percent of Egypt's GDP and 7
19 percent of Egypt's direct employment; and
20 (E) foreign direct investment (FDI) in
21 Egypt is predicted to decrease.
22 (10) The most recent official estimates of the
23 unemployment rate in Egypt is 9.2 percent. Unoffi-
24 cial estimates of the current unemployment rate in
25 Egypt range between 15 and 20 percent. The unem-

1 ployment rate for Egyptian youth is estimated at
2 24.8 percent. Egyptian women, who are more af-
3 fected by spikes in unemployment, face an unem-
4 ployment rate of nearly 25 percent compared to the
5 6.7 percent unemployment rate for Egyptian men.
6 (11) An estimated 61 percent of the population
7 of Egypt is younger than 30 years of age.
8 (12) Private sector employment in Egypt in-
9 creased from 11,000,000 to 15,100,000 between
10 1999 and 2007.
11 (13) According to the International Finance
12 Corporation's 2009 "SME Banking Knowledge
13 Guide"—
14 (A) the small and medium enterprise
15 (SME) market in Egypt was estimated at
16 160,000;
17 (B) of these firms, about 98 percent em-
18 ployed fewer than 50 people;
19 (C) Egypt had an estimated 2,400,000
20 microenterprises; and
21 (D) 68 percent of the SMEs in Egypt have
22 bank accounts, but only 12 percent of those
23 with bank accounts had taken out loans.
24 (14) A challenge for SMEs is that they are not
25 always considered a significant customer base for

1 banks and services don't meet the unique needs of
2 this market segment.
3 (15) According to the Government of Egypt's
4 Small and Medium Enterprise Development Unit,
5 SMEs constitute nearly 75 percent of private sector
6 employment.
7 (16) According to the World Bank report enti-
8 tled "Access to Finance and Economic Growth in
9 Egypt"—
10 (A) even before the recent political events
11 in Egypt, private-sector credit to GDP in Egypt
12 was modest compared to other developing
13 economies;
14 (B) private credit as a share of total credit
15 has been declining;
16 (C) the distribution of bank financing is
17 uneven, with most loans going to large and
18 well-established enterprises; and
19 (D) as a consequence, family-owned firms
20 and SMEs, which represent the majority of
21 firms in Egypt, rely heavily on the informal
22 market.
23 (17) To help foster and support the fledgling
24 private sector after the fall of the Berlin Wall, Con-
25 gress, through enactment of the Support for East

1 European Democracy (SEED) Act of 1989 (22
2 U.S.C. 5401 et seq.) and the FREEDOM Support
3 Act (22 U.S.C. 5801 et seq.), authorized nearly
4 $1,200,000,000 for the United States Agency for
5 International Development (USAID) to establish 10
6 new investment funds (collectively known as the
7 "Enterprise Funds") throughout Central and East-
8 ern Europe and the former Soviet Union.
9 (18) The Enterprise Funds—
10 (A) channeled funding into more than 500
11 enterprises in 19 countries;
12 (B) leveraged an additional
13 $5,000,000,000 in private investment capital
14 from outside the United States Government;
15 (C) provided substantial development cap-
16 ital where supply was limited;
17 (D) created or sustained more than
18 260,000 jobs through investment and develop-
19 ment activities;
20 (E) funded $74,000,000 in technical as-
21 sistance to strengthen the private sector; and
22 (F) are expected to recoup 137 percent of
23 the original USAID funding.
24 (19) Enterprise funds established in partner-
25 ship with United States partners, such as Poland,

1 Hungary, Albania, Russia, and other European
2 countries, have proven beneficial to the economies of
3 such countries.
4 (20) Creating a similar fund in close partner-
5 ship with the people of Egypt would help sustain
6 and expand reform efforts in Egypt and empower
7 Egyptian entrepreneurs with the resources required
8 to create urgently needed employment opportunities.
9 (21) Establishing an enterprise fund for Egypt
10 would—
11 (A) help reinforce financial institutions
12 within the country;
13 (B) provide debt and equity investment for
14 commercially viable SMEs; and
15 (C) make the investment environment
16 more attractive to domestic and international
17 investors.

18 **SEC. 1113. PURPOSES OF EGYPTIAN-AMERICAN ENTER-**
19 **PRISE FUND.**

20 The purposes of the Egyptian-American Enterprise
21 Fund are—
22 (1) to promote the private sector in Egypt,
23 while considering the development impact of invest-
24 ments and profitability of those investments, par-
25 ticularly in small- and medium-sized enterprises, and

1 joint ventures with participants from the United
2 States and Egypt;
3 (2) to promote policies and practices conducive
4 to strengthening the private sector in Egypt through
5 measures including loans, microloans, equity invest-
6 ments, insurance, guarantees, grants, feasibility
7 studies, technical assistance, training for businesses
8 receiving investment capital, and other measures;
9 (3) to promote good corporate governance and
10 transparency in Egypt, foster competition, catalyze
11 productivity improvements in existing businesses,
12 and strengthen local capital markets; and
13 (4) to promote security through job creation in
14 the private sector in Egypt and to further the cre-
15 ation of a middle class in Egypt.

16 **SEC. 1114. EGYPTIAN-AMERICAN ENTERPRISE FUND.**

17 (a) ESTABLISHMENT.—The President is authorized
18 to establish or designate a private, nonprofit organization
19 (to be known as the "Egyptian-American Enterprise
20 Fund") to receive funds and support made available under
21 this subtitle after determining that such organization has
22 been established for the purposes specified in section
23 1113. The President should make such designation only
24 after consultation with the leadership of each House of
25 Congress.

1 (b) BOARD OF DIRECTORS.—

2 (1) APPOINTMENT.—The Egyptian-American
3 Enterprise Fund shall be governed by a Board of
4 Directors, which shall be comprised of 6 private citi-
5 zens of the United States and 3 private citizens of
6 Egypt, appointed by the President of the United
7 States in consultation with the Government of
8 Egypt.

9 (2) QUALIFICATIONS.—Members of the Board
10 of Directors shall be selected from among people
11 who have had successful business careers and dem-
12 onstrated experience and expertise in international
13 and particularly emerging markets investment activi-
14 ties, such as private equity or venture capital invest-
15 ment, banking, finance, strategic business con-
16 sulting, or entrepreneurial business creation, and
17 backgrounds in priority business sectors of the
18 Fund.

19 (3) UNITED STATES GOVERNMENT LIAISON TO
20 THE BOARD.—The President shall appoint the
21 United States Ambassador to Egypt, or the Ambas-
22 sador's designee, as a liaison to the Board.

23 (4) NON-GOVERNMENT LIAISONS TO THE
24 BOARD.—

1 (A) AUTHORITY TO APPOINT.—Upon the
2 recommendation of the Board of Directors, the
3 President may appoint up to 2 additional liai-
4 sons to the Board of Directors in addition to
5 the members specified in paragraphs (1) and
6 (3), of which not more than 1 may be a non-
7 citizen of the United States.
8 (B) NGO COMMUNITY.—One of the addi-
9 tional liaisons to the Board should be from the
10 nongovernmental organization community, with
11 significant prior experience in development and
12 an understanding of development policy prior-
13 ities for Egypt.
14 (C) TECHNICAL EXPERTISE.—One of the
15 additional liaisons to the Board should have ex-
16 tensive demonstrated industry, sector, or tech-
17 nical experience and expertise in a priority in-
18 vestment sector for the Fund.
19 (c) GRANTS.—
20 (1) IN GENERAL.—The President may use
21 funds appropriated by any Act, in this fiscal year or
22 prior fiscal years, making appropriations for the De-
23 partment of State, foreign operations, and related
24 programs, including funds previously obligated, that

1 are otherwise available for such purposes, notwith-
2 standing any other provision of law—
3 (A) to carry out the purposes set forth in
4 section 1113 through the Egyptian-American
5 Enterprise Fund; and
6 (B) to pay for the administrative expenses
7 of the Egyptian-American Enterprise Fund,
8 which should not exceed 5 percent of the
9 amounts made available for the Fund.
10 (2) ELIGIBLE PROGRAMS AND PROJECTS.—
11 Grants awarded under this section may only be used
12 for programs and projects that support the purposes
13 set forth in section 1113.
14 (3) COMPLIANCE REQUIREMENTS.—
15 (A) IN GENERAL.—Grants may not be
16 awarded to the Egyptian-American Enterprise
17 Fund under this section unless the Fund agrees
18 to comply with the requirements under this sec-
19 tion.
20 (B) GRANT AGREEMENT.—The grant
21 agreement between the United States Agency
22 for International Development and the Egyp-
23 tian-American Enterprise Fund shall state that
24 the Fund shall end its reinvestment cycle not
25 later than December 31, 2021, unless the Sec-

1 retary of State, in consultation with the Admin-
2 istrator of the United States Agency for Inter-
3 national Development, and after consultation
4 with the appropriate congressional committees,
5 determines that the Fund should be extended.
6 (C) PREVENTION OF MONEY LAUNDERING
7 AND TERRORIST FINANCING.—The grant agree-
8 ment between the United States Agency for
9 International Development and the Egyptian-
10 American Enterprise Fund shall state that the
11 Fund shall comply with procedures specified by
12 the Secretary of State to ensure that grant
13 funds are not provided by the Fund to or
14 through any individual, private or government
15 entity, or educational institution that advocates,
16 plans, sponsors, engages in, or has engaged in,
17 money laundering or terrorist activity or, with
18 respect to a private entity or educational insti-
19 tution, that has as a principal officer of the en-
20 tity's governing board or governing board of
21 trustees any individual that has been deter-
22 mined to be involved in or advocating money
23 laundering or terrorist activity or determined to
24 be a member of a designated foreign terrorist
25 organization.

1 (D) ADHERENCE TO DEMOCRATIC DEVEL-
2 OPMENT AND REGIONAL PEACE.—The grant
3 agreement between the United States Agency
4 for International Development and the Egyp-
5 tian-American Enterprise Fund shall state that
6 the Fund agrees to cease operations for any pe-
7 riod of time during which a certification de-
8 scribed in section 1115 is not in effect.
9 (E) DISPOSITION OF ASSETS.—The assets
10 of the Egyptian-American Enterprise Fund at
11 the time the Fund is dissolved shall be returned
12 to the General Fund of the United States
13 Treasury and used to reduce the debt of the
14 United States.
15 (d) NOTIFICATION.—
16 (1) IN GENERAL.—Not later than 15 days be-
17 fore designating an organization to operate as the
18 Egyptian-American Enterprise Fund pursuant to
19 subsection (a), the President shall provide the infor-
20 mation described in paragraph (2) to the Chairman
21 and Ranking Member of the appropriate congres-
22 sional committees.
23 (2) INFORMATION.—The information described
24 in this paragraph is—

1 (A) the identity of the organization to be
2 designated to operate as the Egyptian-American
3 Enterprise Fund pursuant to subsection (a);
4 (B) the names and qualifications of the in-
5 dividuals who will comprise the initial Board of
6 Directors; and
7 (C) the procedures referred to in sub-
8 section (c)(3)(C) that will apply to the Egyp-
9 tian-American Enterprise Fund for purposes of
10 curtailing money-laundering and terrorist fi-
11 nancing activities.
12 (e) PUBLIC DISCLOSURE.—Not later than 1 year
13 after the entry into force of the initial grant agreement
14 under this section, and annually thereafter, the Fund shall
15 prepare and make available to the public on an Internet
16 Web site administered by the Fund a report on the Fund's
17 activities during the previous year, including—
18 (1) a description of each investment or project
19 supported by the Fund, including each type of as-
20 sistance provided in accordance with section
21 1113(2);
22 (2) the amounts invested by the Fund in each
23 company or project;
24 (3) the amounts of additional private invest-
25 ments made in each company or project; and

1 (4) the amounts of any profits or losses realized
2 by the Fund in connection with each such company
3 or project.

4 **SEC. 1115. CERTIFICATION.**

5 Not later than 90 days after the date of the enact-
6 ment of this Act and every 90 days thereafter—

7 (1) the President shall certify to the appro-
8 priate congressional committees that Egypt is pur-
9 suing policies conducive to democratic development
10 and regional peace; or

11 (2) if the President is unable to make such a
12 certification, the President shall transmit to the ap-
13 propriate congressional committees a report that
14 contains the reasons therefor.

15 **SEC. 1116. REPORTS.**

16 (a) ADMINISTRATIVE EXPENSES.—Not later than 1
17 year after the date of the enactment of this Act, and annu-
18 ally thereafter until the Fund is dissolved, the Fund shall
19 submit to the appropriate congressional committees a re-
20 port detailing the administrative expenses of the Fund.

21 (b) GAO REPORT.—Not later than 3 years after the
22 date of the enactment of this Act, and every 3 years there-
23 after until the Fund is dissolved, the Comptroller General
24 of the United States shall submit to the appropriate con-
25 gressional committees a report assessing the activities of

1 the Fund in achieving the stated goals of promoting pri-
2 vate sector investment and employment in Egypt and iden-
3 tifying those institutional or regulatory constraints that
4 inhibit a more effective application of Fund resources.

5 **SEC. 1117. OPERATION PROVISIONS.**

6 (a) APPLICABLE PROVISIONS.—Subsections (d)(5),
7 (g), (h), (i), (k), (l), (m), (n), (o), and (p) of section 201
8 of the Support for East European Democracy (SEED)
9 Act of 1989 (22 U.S.C. 5421) shall apply with respect
10 to the Egyptian-American Enterprise Fund in the same
11 manner as such provisions apply to Enterprise Funds des-
12 ignated pursuant to subsection (d) of such section.

13 (b) REINVESTMENT.—Returns on investments of the
14 Egyptian-American Enterprise Fund and other payments
15 to the Fund may be reinvested in projects carried out by
16 the Fund without further appropriation by Congress.

17 **SEC. 1118. BEST PRACTICES AND PROCEDURES.**

18 To the maximum extent practicable, the Board of Di-
19 rectors of the Egyptian-American Enterprise Fund should
20 adopt the best practices and procedures used by Enter-
21 prise Funds, including those for which funding has been
22 made available pursuant to section 201 of the Support for
23 East European Democracy (SEED) Act of 1989 (22
24 U.S.C. 5421).

1 **SEC. 1119. EXPERIENCE OF OTHER ENTERPRISE FUNDS.**

2 In implementing this subtitle, the President shall en-
3 sure that the Articles of Incorporation of the Egyptian-
4 American Enterprise Fund (including provisions speci-
5 fying the responsibilities of the Board of Directors of the
6 Fund), the terms of United States Government grant
7 agreements with the Fund, and United States Government
8 oversight of the Fund are, to the maximum extent prac-
9 ticable, consistent with the Articles of Incorporation of,
10 the terms of grant agreements with, and the oversight of
11 the Enterprise Funds established pursuant to section 201
12 of the Support for East European Democracy (SEED)
13 Act of 1989 (22 U.S.C. 5421) and comparable provisions
14 of law.

15 **Subtitle B—Tunisian-American**
16 **Enterprise Fund**

17 **SEC. 1121. SHORT TITLE.**

18 This subtitle may be cited as the "Tunisian-American
19 Enterprise Fund Act".

20 **SEC. 1122. PURPOSE AND FINDINGS.**

21 (a) PURPOSE.—The purpose of this subtitle is to sup-
22 port a transition to democracy in Tunisia that is success-
23 ful, lasting, and reflective of the aspirations of the Tuni-
24 sian people for greater economic opportunity and political
25 freedom through the creation of a Tunisian-American En-
26 terprise Fund that will support economic prosperity

1 through financial investment and technical assistance to
2 small- and medium-sized enterprises.
3 (b) FINDINGS.—Congress makes the following find-
4 ings:
5 (1) The United States and Tunisia have a
6 strong, long-standing bilateral relationship.
7 (2) Tunisia—
8 (A) plays an important strategic role in
9 promoting peace and security in North Africa,
10 the broader Middle East, and elsewhere; and
11 (B) has been, and continues to be, a re-
12 gional center for foreign investment and tour-
13 ism.
14 (3) On December 18, 2010, after the self-immo-
15 lation of a young street vendor, Mohamed Bouazizi,
16 protests broke out in Sidi Bouzid, Tunisia.
17 (4) The protests, which quickly spread across
18 Tunisia, involved peaceful demonstrators calling
19 for—
20 (A) a new government;
21 (B) free and fair elections;
22 (C) significant political reforms;
23 (D) greater economic opportunity; and
24 (E) an end to government corruption.

1 (5) The protests culminated in the ouster of
2 President Zine el-Abidine Ben Ali on January 14,
3 2011, inspiring democracy activists throughout the
4 region and around the world.
5 (6) The United States has a strong interest
6 in—
7 (A) an orderly and peaceful transition to
8 democracy in Tunisia; and
9 (B) assisting the people of Tunisia to form
10 a representative and democratic political and
11 economic system that respects universal values.
12 (7) Tunisia—
13 (A) has a well-educated and secular popu-
14 lation that displayed extraordinary determina-
15 tion in forcing President Ben Ali to abdicate;
16 and
17 (B) is well-positioned to make a successful
18 democratic transition.
19 (8) In 2010—
20 (A) the inflation rate in Tunisia was ap-
21 proximately 4.4 percent;
22 (B) Tunisia's foreign debt was equal to 46
23 percent of its $44,000,000,000 gross domestic
24 product (GDP); and

1 (C) according to The Peterson Institute of
2 Economics, Tunisia was the only country in the
3 region in which per capita incomes have gradu-
4 ally converged with the industrial democracies
5 of the Organization of Economic Cooperation
6 and Development (OECD).
7 (9) According to the World Economic Forum's
8 2010–2011 Global Competitiveness Report—
9 (A) Tunisia ranks first in competitiveness
10 among African nations; and
11 (B) Tunisia's most problematic factor for
12 doing business is lack of access to financing.
13 (10) According to the International Monetary
14 Fund (IMF), Tunisia had weathered the global eco-
15 nomic crisis well, having entered the crisis with
16 strong fundamentals.
17 (11) As a result of the dramatic events in Tuni-
18 sia during January 2011—
19 (A) Tunisia's economy was brought to a
20 near standstill and continues to feel lingering
21 effects;
22 (B) Tunisia's debt rating was downgraded;
23 (C) tourism revenues, which are respon-
24 sible for an estimated 8.6 percent of direct con-
25 tribution to Tunisia's GDP, have dropped an

1 estimated 40 percent compared to the previous
2 year;
3 (D) industrial output and investment activ-
4 ity in Tunisia are experiencing significant
5 short-term reductions; and
6 (E) the value of the Tunisian stock market
7 fell by 14 percent.
8 (12) The Fitch Rating Agency concluded, "Al-
9 though the transition to democracy could well im-
10 prove confidence in the long-term, political upheaval
11 has worsened the short-term outlook for the econ-
12 omy, public finances and financial system".
13 (13) Analysts estimate that the recent events in
14 Tunisia—
15 (A) will increase government deficits in
16 Tunisia for the next 2 years, due in part to new
17 government spending; and
18 (B) has shaken the Tunisian economy, al-
19 though Tunisia's medium-term growth outlook
20 remains relatively good.
21 (14) According to IMF's Middle East and Cen-
22 tral Asia Department—
23 (A) Tunisia's tourism and foreign direct
24 investment (FDI) inflows will continue to de-

1 cline, which will negatively impact the rest of
2 the Tunisian economy;
3 (B) recent events in Tunisia have illus-
4 trated the need for more inclusive growth and
5 better governance in Tunisia; and
6 (C) it is important to recognize that the
7 Tunisian society has enduring strengths.
8 (15) The World Bank estimates that Tunisian
9 banks may face stress as second round effects of the
10 slowdown in businesses and investment permeate.
11 (16) Foreign direct investment, which is a cru-
12 cial component of Tunisia's economic health, created
13 24 percent of the new jobs in 2009, according to
14 Tunisia's Ministry of Planning and International
15 Cooperation.
16 (17) According to the African Development
17 Bank—
18 (A) Tunisia has pursued governance re-
19 forms in an effort to increase FDI and boost
20 local enterprises; and
21 (B) Small- and medium-sized enterprises
22 in Tunisia require support to access finance
23 outside of the traditional lines of credit because
24 sources of finance for enterprises in Tunisia are
25 weak.

(18) According to the most recent official estimates—

(A) the unemployment rate in Tunisia is 13 percent;

(B) the youth unemployment rate is 30.7 percent; and

(C) 51 percent of the population of Tunisia is younger than 30 years of age.

(19) To help foster and support the fledgling private sector after the fall of the Berlin Wall, Congress, through enactment of the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5401 et seq.) and the FREEDOM Support Act (22 U.S.C. 5801 et seq.), authorized nearly $1,200,000,000 for the United States Agency for International Development (USAID) to establish 10 new investment funds (collectively known as the "Enterprise Funds") throughout Central and Eastern Europe and the former Soviet Union.

(20) The Enterprise Funds—

(A) channeled funding into more than 500 enterprises in 19 countries;

(B) leveraged an additional $5,000,000,000 in private investment capital from outside the United States Government;

1 (C) provided substantial development cap-
2 ital where supply was limited;
3 (D) created or sustained more than
4 260,000 jobs through investment and develop-
5 ment activities;
6 (E) funded $74,000,000 in technical as-
7 sistance to strengthen the private sector; and
8 (F) are expected to recoup 137 percent of
9 the original USAID funding.
10 (21) Enterprise Funds established in partner-
11 ship with United States partners, such as Poland,
12 Hungary, Albania, Russia, and other European
13 countries, have proven beneficial to the economies of
14 such countries.
15 (22) Creating a similar fund in close partner-
16 ship with the people of Tunisia would—
17 (A) help sustain and expand reform efforts
18 in Tunisia;
19 (B) empower Tunisian entrepreneurs with
20 the resources required to create urgently needed
21 employment opportunities;
22 (C) help reinforce financial institutions
23 within the country;
24 (D) provide debt and equity investment for
25 commercially viable SMEs; and

1 (E) make the investment environment
2 more attractive to domestic and international
3 investors.

4 **SEC. 1123. PURPOSES OF TUNISIAN-AMERICAN ENTER-**
5 **PRISE FUND.**

6 The purposes of the Tunisian-American Enterprise
7 Fund are—
8 (1) to promote the private sector in Tunisia,
9 while considering the development impact of invest-
10 ments and profitability of those investments, par-
11 ticularly in small- and medium-sized enterprises, and
12 joint ventures with participants from the United
13 States and Tunisia;
14 (2) to promote policies and practices conducive
15 to strengthening the private sector in Tunisia
16 through measures including loans, microloans, equity
17 investments, insurance, guarantees, grants, feasi-
18 bility studies, technical assistance, training for busi-
19 nesses receiving investment capital, and other meas-
20 ures;
21 (3) to promote good corporate governance and
22 transparency in Tunisia, foster competition, catalyze
23 productivity improvements in existing businesses,
24 and strengthen local capital markets; and

1 (4) to promote security through job creation in
2 the private sector in Tunisia and to further the cre-
3 ation of a middle class in Tunisia.

4 **SEC. 1124. TUNISIAN-AMERICAN ENTERPRISE FUND.**

5 (a) ESTABLISHMENT.—The President is authorized
6 to establish or designate a private, nonprofit organization
7 (to be known as the "Tunisian-American Enterprise
8 Fund") to receive funds and support made available under
9 this subtitle after determining that such organization has
10 been established for the purposes specified in section
11 1123. The President should make such designation only
12 after consultation with the leadership of each House of
13 Congress.

14 (b) BOARD OF DIRECTORS.—

15 (1) APPOINTMENT.—The Tunisian-American
16 Enterprise Fund shall be governed by a Board of
17 Directors, which shall be comprised of 4 private citi-
18 zens of the United States and 6 private citizens of
19 Tunisia, appointed by the President of the United
20 States in consultation with the Government of Tuni-
21 sia.

22 (2) QUALIFICATIONS.—Members of the Board
23 of Directors shall be selected from among people
24 who have had successful business careers and dem-
25 onstrated experience and expertise in international

1 and particularly emerging markets investment activi-
2 ties, such as private equity or venture capital invest-
3 ment, banking, finance, strategic business con-
4 sulting, or entrepreneurial business creation, and
5 backgrounds in priority business sectors of the
6 Fund.
7 (3) UNITED STATES GOVERNMENT LIAISON TO
8 THE BOARD.—The President shall appoint the
9 United States Ambassador to Tunisia, or the Am-
10 bassador's designee, as a liaison to the Board.
11 (4) NON-GOVERNMENT LIAISONS TO THE
12 BOARD.—
13 (A) AUTHORITY TO APPOINT.—Upon the
14 recommendation of the Board of Directors, the
15 President may appoint up to 2 additional liai-
16 sons to the Board of Directors in addition to
17 the members specified in paragraphs (1) and
18 (3), of which not more than one may be a non-
19 citizen of the United States.
20 (B) NGO COMMUNITY.—One of the addi-
21 tional liaisons to the Board should be from the
22 nongovernmental organization community, with
23 significant prior experience in development and
24 an understanding of development policy prior-
25 ities for Tunisia.

1 (C) TECHNICAL EXPERTISE.—One of the
2 additional liaisons to the Board should have ex-
3 tensive demonstrated industry, sector, or tech-
4 nical experience and expertise in a priority in-
5 vestment sector for the Fund.
6 (c) GRANTS.—
7 (1) IN GENERAL.—The President may use
8 funds appropriated by any Act, in this fiscal year or
9 prior fiscal years, making appropriations for the De-
10 partment of State, foreign operations, and related
11 programs, including funds previously obligated, that
12 are otherwise available for such purposes, notwith-
13 standing any other provision of law—
14 (A) to carry out the purposes specified in
15 section 1123 through the Tunisian-American
16 Enterprise Fund; and
17 (B) to pay for the administrative expenses
18 of the Tunisian-American Enterprise Fund,
19 which should not exceed 5 percent of the funds
20 made available for the Fund.
21 (2) ELIGIBLE PROGRAMS AND PROJECTS.—
22 Grants awarded under this section may only be used
23 for programs and projects that support the purposes
24 set forth in section 1123.
25 (3) COMPLIANCE REQUIREMENTS.—

1 (A) IN GENERAL.—Grants may not be
2 awarded to the Tunisian-American Enterprise
3 Fund under this section unless the Fund agrees
4 to comply with the requirements under this sec-
5 tion.
6 (B) GRANT AGREEMENT.—The grant
7 agreement between the United States Agency
8 for International Development and the Tuni-
9 sian-American Enterprise Fund shall state that
10 the Fund shall end its reinvestment cycle not
11 later than December 31, 2021, unless the Sec-
12 retary of State, in consultation with the Admin-
13 istrator of the United States Agency for Inter-
14 national Development, and after consultation
15 with the appropriate congressional committees,
16 determines that the Fund should be extended.
17 (C) PREVENTION OF MONEY LAUNDERING
18 AND TERRORIST FINANCING.—The grant agree-
19 ment between the United States Agency for
20 International Development and the Tunisian-
21 American Enterprise Fund shall state that the
22 Fund shall comply with procedures specified by
23 the Secretary of State to ensure that grant
24 funds are not provided by the Fund to or
25 through any individual, private or government

1 entity, or educational institution that advocates,
2 plans, sponsors, engages in, or has engaged in,
3 money laundering or terrorist activity or, with
4 respect to a private entity or educational insti-
5 tution, that has as a principal officer of the en-
6 tity's governing board or governing board of
7 trustees any individual that has been deter-
8 mined to be involved in or advocating money
9 laundering or terrorist activity or determined to
10 be a member of a designated foreign terrorist
11 organization.

12 (D) ADHERENCE TO DEMOCRATIC DEVEL-
13 OPMENT AND REGIONAL PEACE.—The grant
14 agreement between the United States Agency
15 for International Development and the Tuni-
16 sian-American Enterprise Fund shall state that
17 the Fund agrees to cease operations for any pe-
18 riod of time during which a certification de-
19 scribed in section 1125 is not in effect.

20 (E) DISPOSITION OF ASSETS.—The assets
21 of the Tunisian-American Enterprise Fund at
22 the time the Fund is dissolved shall be returned
23 to the General Fund of the United States
24 Treasury and used to reduce the debt of the
25 United States.

1 (d) NOTIFICATION.—

2 (1) IN GENERAL.—Not later than 15 days be-
3 fore designating an organization to operate as the
4 Tunisian-American Enterprise Fund pursuant to
5 subsection (a), the President shall provide the infor-
6 mation described in paragraph (2) to the Chairman
7 and Ranking Member of the appropriate congres-
8 sional committees.

9 (2) INFORMATION.—The information described
10 in this paragraph is—

11 (A) the identity of the organization to be
12 designated to operate as the Tunisian-American
13 Enterprise Fund pursuant to subsection (a);

14 (B) the names and qualifications of the in-
15 dividuals who will comprise the initial Board of
16 Directors; and

17 (C) the procedures referred to in sub-
18 section (c)(3)(C) that will apply to the Tuni-
19 sian-American Enterprise Fund for purposes of
20 curtailing money-laundering and terrorist fi-
21 nancing activities.

22 (e) PUBLIC DISCLOSURE.—Not later than 1 year
23 after the entry into force of the initial grant agreement
24 under this section, and annually thereafter, the Fund shall
25 prepare and make available to the public on an Internet

1 Web site administered by the Fund a report on the Fund's
2 activities during the previous year, including—
3 (1) a description of each investment or project
4 supported by the Fund, including each type of as-
5 sistance provided in accordance with section
6 1123(2);
7 (2) the amounts invested by the Fund in each
8 company or project;
9 (3) the amounts of additional private invest-
10 ments made in each company or project; and
11 (4) the amounts of any profits or losses realized
12 by the Fund in connection with each such company
13 or project.
14 **SEC. 1125. CERTIFICATION.**
15 Not later than 90 days after the date of the enact-
16 ment of this Act and every 90 days thereafter—
17 (1) the President shall certify to the appro-
18 priate congressional committees that Tunisia is pur-
19 suing policies conducive to democratic development
20 and regional peace; or
21 (2) if the President is unable to make such a
22 certification, the President shall transmit to the ap-
23 propriate congressional committees a report that
24 contains the reasons therefor.

1 **SEC. 1126. REPORTS.**

2 (a) ADMINISTRATIVE EXPENSES.—Not later than 1
3 year after the date of the enactment of this Act, and annu-
4 ally thereafter until the Fund is dissolved, the Fund shall
5 submit to the appropriate congressional committees a re-
6 port detailing the administrative expenses of the Fund.

7 (b) GAO REPORT.—Not later than 3 years after the
8 date of the enactment of this Act, and every 3 years there-
9 after until the Fund is dissolved, the Comptroller General
10 of the United States shall submit to the appropriate con-
11 gressional committees a report assessing the activities of
12 the Fund in achieving the stated goals of promoting pri-
13 vate sector investment and employment in Tunisia and
14 identifying those institutional or regulatory constraints
15 that inhibit a more effective application of Fund resources.

16 **SEC. 1127. OPERATION PROVISIONS.**

17 (a) APPLICABLE PROVISIONS.—Subsections (d)(5),
18 (g), (h), (i), (k), (l), (m), (n), (o), and (p) of section 201
19 of the Support for East European Democracy (SEED)
20 Act of 1989 (22 U.S.C. 5421) shall apply with respect
21 to the Tunisian-American Enterprise Fund in the same
22 manner as such provisions apply to Enterprise Funds des-
23 ignated pursuant to subsection (d) of such section.

24 (b) REINVESTMENT.—Returns on investments of the
25 Tunisian-American Enterprise Fund and other payments

1 to the Fund may be reinvested in projects carried out by
2 the Fund without further appropriation by Congress.

3 **SEC. 1128. BEST PRACTICES AND PROCEDURES.**

4 To the maximum extent practicable, the Board of Di-
5 rectors of the Tunisian-American Enterprise Fund should
6 adopt the best practices and procedures used by Enter-
7 prise Funds, including those for which funding has been
8 made available pursuant to section 201 of the Support for
9 East European Democracy (SEED) Act of 1989 (22
10 U.S.C. 5421).

11 **SEC. 1129. EXPERIENCE OF OTHER ENTERPRISE FUNDS.**

12 In implementing this subtitle, the President shall en-
13 sure that the Articles of Incorporation of the Tunisian-
14 American Enterprise Fund (including provisions speci-
15 fying the responsibilities of the Board of Directors of the
16 Fund), the terms of United States Government grant
17 agreements with the Fund, and United States Government
18 oversight of the Fund are, to the maximum extent prac-
19 ticable, consistent with the Articles of Incorporation of,
20 the terms of grant agreements with, and the oversight of
21 the Enterprise Funds established pursuant to section 201
22 of the Support for East European Democracy (SEED)
23 Act of 1989 (22 U.S.C. 5421) and comparable provisions
24 of law.

Chairman ROS-LEHTINEN. We are just trying to figure out, because the amendment says title XI on this one, maybe we can go with just Pakistan. That was the proper title.

Mr. BERMAN. I ask unanimous consent to change the title number on my amendment from title XI to title VIII.

Chairman ROS-LEHTINEN. To title VIII. The clerk will so designate.

Mr. BERMAN. On both amendments.

Chairman ROS-LEHTINEN. On both amendments, which will be considered en bloc. Without objection.

So we are considering both amendments together under title VIII. The gentleman is recognized.

Mr. BERMAN. Thank you very much.

Madam Chairman, one amendment authorizes a Pakistan-American Enterprise Fund. With the passage of the Enhanced Partnership With Pakistan Act of 2009, Congress acknowledged a need to reset our relationship with Pakistan through an increased focus on areas of importance to the Pakistani people.

Basically, let me describe the Enterprise Fund. It is a fund that will come from already appropriated authorized funds in the Kerry-Lugar—the Enhanced Partnership legislation. No new money. Funds already appropriated.

Secondly, this is a fund that will help stimulate private-sector investment, support competitive markets, promote capital corporate governance and promote job security through job creation and creation of opportunities.

These enterprise funds were used very successfully in Eastern Europe and other parts of the world after the end of the Cold War and are a model of what my friends on the other side talk about in the concept of public-private partnerships to enhance economic growth through private, free-market initiatives.

I could go in a great deal of debate on all of this. Again, I repeat, both as to this and as to the one for Egypt and Tunisia, they are out of already-authorized funds. There is no additional money being proposed for these. I just think this is a way to engage the private sector in these countries and investors in our country and other places into something that is really going to produce jobs in these countries where we definitely need to bring something to the people, in the case of Egypt and Tunisia, two countries going through a transition to democracy; Pakistan going through a transition to something, hopefully a democracy.

They have had an election. They have a fledgling civilian government. This will shore up—this will be good for the people of Pakistan.

I am going to yield back my time subject to further discussion.

Chairman ROS-LEHTINEN. Thank you.

The Chair will recognize herself. I thank the ranking member for putting forth this amendment, and I respectfully request that he withdraw it so that we can look at this issue further because it merits a fuller discussion, the issue of Enterprise Funds for Pakistan, for Egypt, for Tunisia.

They are serious issues. They are complex issues, and they require further examination by this committee. They are countries in flux, and I hope that we can maintain a constructive dialogue on

this matter as this bill moves forward, and we can certainly consider it at a later time. If I can make that respectful request of the ranking member.

Mr. BERMAN. Will the gentlelady yield?

Chairman ROS-LEHTINEN. Absolutely, sir.

Mr. BERMAN. I am prepared to withdraw this amendment and work closely with the majority to try and prepare this for floor action, but I would like the ability to speak a little longer so that an amendment that was going to be—might be offered to title VIII, the author can decide whether he wants to offer the amendment to title VIII. If I stop talking, debate will close, and we will close title VIII, and he won't be able to offer that amendment. Let me stall a short period of time.

Chairman ROS-LEHTINEN. In which case, we will always go to Mr. Connolly, who always has a wonderfully constructive statement to make.

I yield back the remainder of my time, and I would like to engage our members in constructive dialogue about this.

Mr. Connolly, would you request some time on the issue of Pakistan, Egypt, Tunisia? Or if you could yield the time to Mr. Berman, that would be helpful.

Mr. CONNOLLY. Madam Chairman, I think the ideas all have enormous merit.

To further elaborate on that merit, I now yield to the distinguished ranking member, Mr. Berman.

Chairman ROS-LEHTINEN. Thank you, Mr. Connolly.

Mr. Berman has been yielded the time, which he will use in a constructive manner.

Mr. BERMAN. Yes. And the need to stall has ended, and while I have excellent comments on both of these funds, I will save them for the floor debate.

I yield back.

Chairman ROS-LEHTINEN. The gentleman yields back. The gentleman is prepared to withdraw his amendment?

Mr. BERMAN. I am.

Mr. CONNOLLY. I yield back.

Chairman ROS-LEHTINEN. Thank you.

Mr. Connolly had the time. He yields back.

I ask the committee for unanimous consent that the ranking member can withdraw his amendment.

So granted.

Now we go to that amendment we have been waiting for.

Mr. BERMAN. That amendment we have been waiting for is not going to be offered.

Chairman ROS-LEHTINEN. Now we are done.

Hearing no further amendments to this title, we are done with title VIII.

And hearing no further amendments, we will proceed to title IX and once again I am excited. The clerk will designate the title.

Ms. CARROLL. Title IX—Security Assistance.

Chairman ROS-LEHTINEN. Are there any amendments to this title?

Seeing no—okay. All right.

Mr. BERMAN. Yes.

Chairman ROS-LEHTINEN. Mr. Berman is recognized as he mulls offer his multiple amendment possibilities on title IX.

Mr. BERMAN. Madam Chairman, am I recognized?

Chairman ROS-LEHTINEN. You sure are, Mr. Berman.

Mr. BERMAN. I have an amendment, 031.

Chairman ROS-LEHTINEN. The clerk will report the amendment. The clerk is eagerly awaiting it. What does it deal with, Mr. Berman?

Mr. BERMAN. Sometimes it is referred to as the HATA amendment to the State authorization bill.

Chairman ROS-LEHTINEN. HATA. We are on title IX. Mr. Berman has an amendment, the Hezbollah Anti-Terrorism Act of 2011.

Mr. BERMAN. Madam Speaker—Madam Chairman.

Chairman ROS-LEHTINEN. Mr. Berman is recognized for his amendment. Oh, the clerk. I am sorry, the clerk has to read the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Berman of California. Strike chapter 3 of subtitle B——

Mr. BERMAN. I ask unanimous consent to dispense with the reading.

Chairman ROS-LEHTINEN. Granted. Mr. Berman is now recognized.

[The information referred to follows:]

AMENDMENT TO H.R. __

OFFERED BY MR. BERMAN OF CALIFORNIA

(Foreign Relations Authorization Act, Fiscal Year 2012)

Strike chapter 3 of subtitle B of title IX (relating to security assistance to the Government of Lebanon and related matters).

At the appropriate place in the bill, insert the following new title:

1 **TITLE __—HEZBOLLAH ANTI-**
2 **TERRORISM ACT OF 2011**

3 **SEC. __01. SHORT TITLE.**

4 This title may be cited as the "Hezbollah Anti-Ter-
5 rorism Act of 2011".

6 **SEC. __02. LIMITATION ON ASSISTANCE TO A HEZBOLLAH-**
7 **DEPENDENT GOVERNMENT OF LEBANON.**

8 (a) DECLARATION OF POLICY.—It shall be the policy
9 of the United States—

10 (1) to promote the sovereignty, independence,
11 and territorial integrity of Lebanon;

12 (2) to oppose those organizations, individuals,
13 and countries that practice or support terrorism or
14 use Lebanon as a base to instigate attacks of any

1 kind against Lebanese citizens, the United States,
2 the West, and the State of Israel;
3 (3) to promote the rule of law, democracy, the
4 cessation of terrorism and incitement, and good gov-
5 ernance in Lebanon; and
6 (4) to urge members of the international com-
7 munity to avoid contact with and refrain from sup-
8 porting the terrorist organization Hezbollah until it
9 agrees to renounce violence and disarm.
10 (b) AMENDMENTS.—Chapter 1 of part III of the For-
11 eign Assistance Act of 1961 (22 U.S.C. 2351 et seq.) is
12 amended—
13 (1) by redesignating the second section 620J
14 (as added by section 651 of the Department of
15 State, Foreign Operations, and Related Programs
16 Appropriations Act, 2008 (division J of Public Law
17 110–161; 121 Stat. 2341) as section 620M; and
18 (2) by adding at the end the following new sec-
19 tion:

20 **"SEC. 620N. LIMITATION ON ASSISTANCE TO A HEZBOLLAH-**
21 **DEPENDENT GOVERNMENT OF LEBANON.**

22 "(a) LIMITATION.—Assistance may not be provided
23 under this Act to or for the benefit of a Hezbollah-depend-
24 ent Government of Lebanon unless a certification de-

1 scribed in subsection (c) or a recertification described in
2 subsection (d) is in effect.
3 "(b) EXCEPTIONS.—Subsection (a) shall not apply
4 with respect to the following:
5 "(1) ASSISTANCE TO MEET BASIC HUMAN
6 NEEDS.—Assistance to meet food, water, medicine,
7 health, or sanitation needs, or other assistance to
8 meet basic human needs.
9 "(2) ASSISTANCE TO PROMOTE DEMOCRACY.—
10 Assistance to promote democracy, human rights,
11 rule-of-law, and freedom of the press, provided that
12 such assistance does not directly benefit Hezbollah
13 or any other foreign terrorist organization.
14 "(3) ASSISTANCE TO PROMOTE DISAR-
15 MAMENT.—Assistance to promote disarmament of
16 Lebanese militia, including Hezbollah.
17 "(4) ASSISTANCE TO THE IMET PROGRAM.—As-
18 sistance to support the United States Government's
19 International Military Education and Training
20 (IMET) program.
21 "(5) ASSISTANCE TO EDUCATIONAL INSTITU-
22 TIONS.—Assistance to the American University of
23 Beirut, the Lebanese American University, and
24 other Lebanese educational institutions.

1 "(c) CERTIFICATION.—A certification described in
2 subsection (a) is a certification transmitted by the Presi-
3 dent to Congress that contains a determination of the
4 President that—
5 "(1) Hezbollah has ceased its support for ter-
6 rorism, renounced violence, and disarmed; or
7 "(2) the Government of Lebanon has made de-
8 monstrable progress toward dismantling all
9 Hezbollah terrorist and military infrastructure with-
10 in Lebanon, arresting and bringing all wanted
11 Hezbollah terrorists to justice, ending all Hezbollah
12 imports of military and terrorism-related equipment,
13 destroying unauthorized Hezbollah arms factories,
14 thwarting and preempting terrorist attacks, and
15 fully cooperating with United Nations Interim Force
16 in Lebanon (UNIFIL) peacekeepers.
17 "(d) RECERTIFICATIONS.—Not later than 90 days
18 after the date on which the President transmits to Con-
19 gress an initial certification under subsection (c), and
20 every six months thereafter—
21 "(1) the President shall transmit to Congress a
22 recertification that the conditions described in sub-
23 section (c) are continuing to be met; or

1 "(2) if the President is unable to make such a
2 recertification, the President shall transmit to Con-
3 gress a report that contains the reasons therefor.
4 "(e) CONGRESSIONAL NOTIFICATION.—Assistance
5 made available under this Act to Lebanon may not be pro-
6 vided until 15 days after the date on which the President
7 has provided notice thereof to the appropriate congres-
8 sional committees in accordance with the procedures appli-
9 cable to reprogramming notifications under section
10 634A(a) of this Act.
11 "(f) NATIONAL SECURITY WAIVER.—The President
12 may waive on a case-by-case basis the requirement to
13 make a certification under subsection (c) or a recertifi-
14 cation under subsection (d) if the President—
15 "(1) determines and certifies in writing to the
16 appropriate congressional committees that it is vital
17 to the national security interests of the United
18 States to do so; and
19 "(2) submits to the appropriate congressional
20 committees a report describing the reasons for the
21 determination, including—
22 "(A) a description of the reason or reasons
23 the President is unable to make a certification
24 under subsection (c) or a recertification under
25 subsection (d); and

1 "(B) a description of the potential impact
2 of the waiver on United States regional inter-
3 ests.
4 "(g) DEFINITIONS.—In this section:
5 "(1) APPROPRIATE CONGRESSIONAL COMMIT-
6 TEES.—The term 'appropriate congressional com-
7 mittees' means—
8 "(A) the Committee on Foreign Affairs
9 and the Committee on Appropriations of the
10 House of Representatives; and
11 "(B) the Committee on Foreign Relations
12 and the Committee on Appropriations of the
13 Senate.
14 "(2) FOREIGN TERRORIST ORGANIZATION.—
15 The term 'foreign terrorist organization' means an
16 organization designated as a foreign terrorist organi-
17 zation by the Secretary of State in accordance with
18 section 219(a) of the Immigration and Nationality
19 Act (8 U.S.C. 1189(a)).
20 "(3) HEZBOLLAH-DEPENDENT GOVERNMENT
21 OF LEBANON.—The term 'Hezbollah-dependent Gov-
22 ernment of Lebanon' means—
23 "(A) a Lebanese government in which
24 Hezbollah is the majority element in a gov-
25 erning coalition;

1 "(B) a Lebanese government in which
2 Hezbollah is the architect or primary forger of
3 the governing coalition; or
4 "(C) a Lebanese government which de-
5 pends on Hezbollah, even from outside that
6 government, for its parliamentary majority.".
7 (c) PREVIOUSLY OBLIGATED FUNDS.—The provi-
8 sions of section 620N of the Foreign Assistance Act of
9 1961, as added by subsection (b) of this section, shall be
10 applicable to the unexpended balances of funds obligated
11 prior to the date of the enactment of this Act.
12 **SEC. __03. LIMITATION ON ASSISTANCE TO HEZBOLLAH-IN-**
13 **FLUENCED MINISTRIES, AGENCIES, AND IN-**
14 **STRUMENTALITIES OF A GOVERNMENT OF**
15 **LEBANON IN WHICH HEZBOLLAH IS A MINOR-**
16 **ITY ELEMENT IN A GOVERNING COALITION.**
17 (a) AMENDMENT.—Chapter 1 of part III of the For-
18 eign Assistance Act of 1961 (22 U.S.C. 2351 et seq.), as
19 amended by section __02(b)(2) of this title, is further
20 amended by adding at the end the following new section:

1 **"SEC. 620O. LIMITATION ON ASSISTANCE TO HEZBOLLAH-**
2 **INFLUENCED MINISTRIES, AGENCIES, AND**
3 **INSTRUMENTALITIES OF A GOVERNMENT OF**
4 **LEBANON IN WHICH HEZBOLLAH IS A MINOR-**
5 **ITY ELEMENT IN A GOVERNING COALITION.**
6 "(a) LIMITATION.—
7 "(1) IN GENERAL.—In the case of a Govern-
8 ment of Lebanon in which Hezbollah is a minority
9 element in a governing coalition, assistance may not
10 be provided under this Act to, or to the benefit of,
11 any ministry, agency, or instrumentality in which
12 the chief official or other senior-level officials are
13 members of Hezbollah or which is otherwise effec-
14 tively controlled by Hezbollah unless a certification
15 described in section 620N(c) or a recertification de-
16 scribed in 620N(d) is in effect.
17 "(2) ADDITIONAL REQUIREMENT.—A certifi-
18 cation described in section 620N(c)(2) may be made
19 for purposes of subsection (a) only if the President
20 determines that Hezbollah has fully cooperated with
21 the Government of Lebanon in making demonstrable
22 progress toward meeting the conditions specified in
23 section 620N(c)(2).
24 "(b) EXCEPTIONS.—Subsection (a) shall not apply
25 with respect to assistance described in paragraphs (1)
26 through (4) of section 620N(b).

1 "(c) CONGRESSIONAL NOTIFICATION.—Assistance
2 made available under this Act to Lebanon may not be pro-
3 vided until 15 days after the date on which the President
4 has provided notice thereof to the appropriate congres-
5 sional committees in accordance with the procedures appli-
6 cable to reprogramming notifications under section
7 634A(a) of this Act.
8 "(d) NATIONAL SECURITY WAIVER.—The President
9 may waive on a case-by-case basis the requirement to
10 make a certification under section 620N(c) for purposes
11 of subsection (a) or a recertification under section
12 620N(d) for purposes of subsection (a) if the President—
13 "(1) determines and certifies in writing to the
14 appropriate congressional committees that it is vital
15 to the national security interests of the United
16 States to do so; and
17 "(2) submits to the appropriate congressional
18 committees a report describing the reasons for the
19 determination, including—
20 "(A) a description of the reason or reasons
21 the President is unable to make a certification
22 under section 620N(c) for purposes of sub-
23 section (a) or a recertification under section
24 620N(d) for purposes of subsection (a); and

"(B) a description of the potential impact of the waiver on United States regional interests.

"(e) DEFINITION.—In this section, the term 'appropriate congressional committees' has the meaning given the term in section 620N(g).".

(b) PREVIOUSLY OBLIGATED FUNDS.—The provisions of section 620O of the Foreign Assistance Act of 1961, as added by subsection (a) of this section, shall be applicable to the unexpended balances of funds obligated prior to the date of the enactment of this Act.

SEC. __04. LIMITATION ON ASSISTANCE FOR NONGOVERNMENTAL ORGANIZATIONS FOR LEBANON.

(a) AMENDMENT.—Chapter 1 of part III of the Foreign Assistance Act of 1961 (22 U.S.C. 2351 et seq.), as amended by sections __02(b)(2) and __03(a) of this title, is further amended by adding at the end the following new section:

"SEC. 620P. LIMITATION ON ASSISTANCE FOR NONGOVERNMENTAL ORGANIZATIONS FOR LEBANON.

"(a) LIMITATION.—

"(1) IN GENERAL.—Assistance may be provided under this Act to nongovernmental organizations working in Lebanon only during a period for which a certification described in section 620N(c) or a re-

1 certification described in section 620N(d) is in ef-
2 fect.
3 "(2) APPLICABILITY.—The limitation on assist-
4 ance under paragraph (1) applies only during a pe-
5 riod for which a Hezbollah-dependent Government of
6 Lebanon is in power.
7 "(b) EXCEPTIONS.—Subsection (a) shall not apply
8 with respect to the following:
9 "(1) ASSISTANCE TO MEET BASIC HUMAN
10 NEEDS, PROMOTE DEMOCRACY, AND PROMOTE DIS-
11 ARMAMENT.—Assistance described in paragraphs
12 (1), (2), and (3) of section 620N(b).
13 "(2) ASSISTANCE FOR INDIVIDUAL MEMBERS
14 OF THE LEBANESE GOVERNMENT.—Assistance,
15 other than funding of salaries or salary supplements,
16 to individual members of the Lebanese Government
17 who the President determines are not members of
18 Hezbollah or any other foreign terrorist organiza-
19 tion, for the purposes of facilitating the attendance
20 of such members in programs for the development of
21 institutions of democratic governance, including en-
22 hancing the transparent and accountable operations
23 of such institutions.
24 "(3) OTHER TYPES OF ASSISTANCE.—Any
25 other type of assistance if the President—

1 "(A) determines that the provision of such
2 assistance is in the national security interest of
3 the United States; and
4 "(B) not less than 30 days prior to the ob-
5 ligation of amounts for the provision of such as-
6 sistance—
7 "(i) consults with the appropriate con-
8 gressional committees regarding the spe-
9 cific programs, projects, and activities to
10 be carried out using such assistance; and
11 "(ii) submits to the appropriate con-
12 gressional committees a written memo-
13 randum that contains the determination of
14 the President under subparagraph (A),
15 with an explanation as to the reasons for
16 the President's determination.
17 "(c) CONGRESSIONAL NOTIFICATION.—Assistance
18 made available under this Act to nongovernmental organi-
19 zations for Lebanon may not be provided until 15 days
20 after the date on which the President has provided notice
21 thereof to the appropriate congressional committees in ac-
22 cordance with the procedures applicable to reprogramming
23 notifications under section 634A(a) of this Act.
24 "(d) DEFINITIONS.—In this section, the terms 'ap-
25 propriate congressional committees', 'foreign terrorist or-

1 ganization', and 'Hezbollah-dependent Government of
2 Lebanon' have the meanings given such terms in section
3 620N(g).".
4 (b) OVERSIGHT AND RELATED REQUIREMENTS.—
5 (1) OVERSIGHT.—For each of the fiscal years
6 2011 and 2012, the Secretary of State shall certify
7 to the appropriate congressional committees not
8 later than 30 days prior to the initial obligation of
9 amounts assistance to nongovernmental organiza-
10 tions for Lebanon under the Foreign Assistance Act
11 of 1961 that procedures have been established to en-
12 sure that the Comptroller General of the United
13 States will have access to appropriate United States
14 financial information in order to review the use of
15 such assistance.
16 (2) VETTING.—
17 (A) IN GENERAL.—Prior to any obligation
18 of for each of the fiscal years 2011 and 2012
19 for assistance to nongovernmental organizations
20 for Lebanon under the Foreign Assistance Act
21 of 1961, the Secretary of State shall take all
22 appropriate steps to ensure that such assistance
23 is not provided to or through any individual or
24 entity that the Secretary knows, or has reason

1 to believe, advocates, plans, sponsors, engages
2 in, or has engaged in, terrorist activity.
3 (B) PROCEDURES.—The Secretary of
4 State shall, as appropriate, establish procedures
5 specifying the steps to be taken in carrying out
6 this paragraph and shall terminate assistance
7 to any individual or entity that the Secretary
8 has determined advocates, plans, sponsors, or
9 engages in terrorist activity.
10 (C) DEFINITION.—In this paragraph, the
11 term "terrorist activity" has the meaning given
12 the term in section 212(a)(3)(B)(iii) of the Im-
13 migration and Nationality Act (8 U.S.C. 1182).
14 (3) PROHIBITION.—No amounts made available
15 for fiscal year 2011 or 2012 for assistance to non-
16 governmental organizations for Lebanon under the
17 Foreign Assistance Act of 1961 may be made avail-
18 able for the purpose of recognizing or otherwise hon-
19 oring individuals who commit, or have committed,
20 acts of terrorism.
21 **SEC. __05. REPORTING REQUIREMENT.**
22 Not later than 90 days after the date of the enact-
23 ment of this Act, and annually thereafter, the Secretary
24 of State shall submit to the appropriate congressional
25 committees a report that—

1 (1) describes the steps that have been taken by
2 the United States Government to ensure that other
3 countries and international organizations, including
4 multilateral development banks, do not provide di-
5 rect assistance to the Hezbollah-dependent Govern-
6 ment of Lebanon for any period for which a certifi-
7 cation described in section 620N(c) of the Foreign
8 Assistance Act of 1961 or a recertification described
9 in section 620N(d) of such Act (as added by section
10 __02(b)(2) of this title) is not in effect; and
11 (2) identifies any countries and international
12 organizations, including multilateral development
13 banks, that are providing direct assistance to the
14 Hezbollah-dependent Government of Lebanon during
15 such a period, and describes the nature and amount
16 of such assistance.
17 **SEC. __06. DEFINITIONS.**
18 In this title:
19 (1) APPROPRIATE CONGRESSIONAL COMMIT-
20 TEES.—The term "appropriate congressional com-
21 mittees" means—
22 (A) the Committee on Foreign Affairs and
23 the Committee on Appropriations of the House
24 of Representatives; and

1 (B) the Committee on Foreign Relations
2 and the Committee on Appropriations of the
3 Senate.
4 (2) HEZBOLLAH-DEPENDENT GOVERNMENT OF
5 LEBANON.—The term "Hezbollah-dependent Gov-
6 ernment of Lebanon" has the meaning given the
7 term in section 620N(g) of the Foreign Assistance
8 Act of 1961 (as added by section __02(b)(2) of this
9 title).

☒

Mr. BERMAN. I thank the chairman.

Another way I refer to this bill in my opinion is a better way. The base text of this bill on security assistance essentially makes it impossible for the United States to provide assistance to our friends in Lebanon—our friends in Lebanon. My amendment would allow the United States to continue to provide assistance to Lebanon in a way that we can promote our interests while countering the interests of Hezbollah.

Specifically, my amendment would strike sections 961 through 964 of the bill and replace them with the language contained in my recently introduced legislation, the Hezbollah Anti-Terrorism Act. Unlike the base text, my amendment views Lebanon realistically. My amendment distinguishes between the pro-U.S. led Lebanese governments and Hezbollah-dependent governments.

We have got a Hezbollah-dependent government there now. That means we could provide assistance to a government under a pro-U.S. leader like Saad Hariri but not to the current government, which was inspired by Hezbollah and is kept in office by Hezbollah votes. The base text makes no such distinction and effectively cuts off aid to any currently conceivable Lebanese Government.

The amendment also provides exceptions for certain types of aid that are crucial to American interests in Lebanon. My amendment would allow the United States to continue to support humanitarian, democratization, disarmament, IMET and education programs, without requiring the use of a strict Presidential waiver.

Let me be clear: American assistance to Lebanon cannot be allowed to benefit Hezbollah in any way, but at the same time, we want to continue to support our friends and our interests in Lebanon. This amendment leaves ample scope to do both. It is modeled on legislation championed by Chairman Ros-Lehtinen, the Pales-

tinian Anti-Terrorism Act, which Congress passed overwhelmingly following Hamas' election to leadership of the Palestinian Authority in 2006.

My colleague from California, Congressman Darrell Issa, a leading Lebanese American Member of Congress, said upon the introduction of HATA, "Hezbollah is a terrorist group and a cancer on Lebanon. The Hezbollah Anti-Terrorism Act surgically targets this cancer and will strengthen the position of Lebanese who oppose Hezbollah. This bipartisan legislation takes the right approach to a dangerous situation."

As Mr. Issa said, HATA enjoys strong bipartisan support, and several members of the committee, including Mr. Burton, Mr. Cardoza, Mr. Deutch, Mr. Murphy and Ms. Schwartz, are cosponsors. The United States should not limit itself in countering the influence of Hezbollah in Lebanon. I fear that the base text is drafted in a way in which we will be left fighting Hezbollah with one hand tied behind our backs. Iran, Hezbollah and Syria's President will be more than pleased to see American influence weakened in Beirut, and our allies in Lebanon will feel abandoned.

So this is an approach that says no aid to this government, other than the exceptions for humanitarian and democracy promotion, but if a pro-American government comes back into power, we are able then to provide the assistance that we now should be cutting off.

I yield back the balance of my time.

Chairman ROS-LEHTINEN. Thank you.

Mr. Chabot is recognized.

Mr. CHABOT. Thank you. I move to strike the last word.

Madam Chair, I must respectfully oppose the ranking member's amendment in its present form. I might note that the Anti-Terrorism Act that the gentleman referred to in referring to the chairwoman, Ms. Ros-Lehtinen, it was actually the watered-down Senate version. The chairwoman's version was much tougher early on in the process. I would just make that distinction.

I do agree with the ranking member that in Lebanon, we are confronted by the absence of a long-term U.S. strategy. As Iran, Syria and Hezbollah have acted relentlessly to undermine Lebanon's sovereignty, the U.S. has largely adopted a reactive posture.

The administration has also persisted in continuing to provide assistance to a Lebanese Government in which Hezbollah essentially had veto power. This included security assistance to the Lebanese armed forces, despite longstanding concerns over whether such aid could directly or indirectly benefit Hezbollah.

Title IX of this legislation is language that we agreed to with you prohibiting security assistance to the Government of Lebanon, except for a time in which a very strong certification is in effect. I agree with the premise that a Government of Lebanon in which a foreign terrorist organization actively participants or dominates cannot and must not be the recipient of U.S. taxpayer dollars. However, we have several concerns with respect to this amendment.

First, it is not clear as to what precisely you want to do. The legislation prohibits assistance under the Foreign Assistance Act of 1961 to Lebanon but then has specific carve-outs for assistance directly to the Government of Lebanon to include a couple of things;

one, assistance to meet basic humanitarian needs. It is unclear if this would include sustained child survival and health or even development assistance. Secondly, assistance to promote democracy. It is unclear how direct assistance to the Government of Lebanon, either Hezbollah inclusive or Hezbollah dominated, for democracy promotion would be in our best interests and how it would not raise fungibility issues. Thirdly, assistance to the IMET program. Again, with a military dominated by or subject to the coercion of Hezbollah, continued IMET training may be problematic.

On the one handy understand the benefits of IMET assistance at large. On the other hand, questions are raised with respect to both vetting of IMET recipients and whether it is cost-effective.

The cost-effectiveness of our assistance to the Government of Lebanon in the past has been of particular concern. This is a nation that even when it was in the hands of a Harari-led government, it was one of 31 countries requiring a waiver for the provision of U.S. assistance. This provision of law States that no U.S. assistance may be made available for assistance for the central government of any country that fails to publicly disclose on an annual basis its national budget to include income and expenditures. The amendment as currently drafted is porous and requires further refinement to be truly effective.

So while we cannot support the amendment in its current form, I think we all look forward to working with the ranking member to further refine the legislation and the amendment in question.

I yield back my time.

Chairman ROS-LEHTINEN. The gentleman yields back.

Mr. Duncan is recognized for 5 minutes.

Mr. DUNCAN. No.

Chairman ROS-LEHTINEN. Does anyone else seek recognition on this amendment?

Mr. BURTON. Madam Chairman, I didn't know if the ranking member wanted to respond to the comments made by the chairman.

Chairman ROS-LEHTINEN. I agree wholeheartedly with what Mr. Chabot said and. I am in disagreement with this amendment offered by my good friend from California, and I hope that we vote it down, if that is what the gentleman is asking.

Mr. BURTON. Oh. Okay.

Chairman ROS-LEHTINEN. Do you want a recorded vote?

Mr. BERMAN. I want a recorded vote.

Chairman ROS-LEHTINEN. So hearing no further requests for recognition, the question occurs on the amendment. A roll call vote has been ordered on the Berman amendment. That will be in the queue of recorded votes that we will have after the next series of votes.

I ask the ranking member, if I may, I noticed in that other set of amendments on Pakistan, Egypt and Tunisia, you had there title XI. So you will probably have some amendments on that title when we get to it?

Mr. BERMAN. No. I amended it to make it to title VIII, and then I withdrew it, not to bring it back for title XI.

Chairman ROS-LEHTINEN. It gives me the impression that you will have amendments to that title at the proper time, creating new titles.

Mr. BERMAN. Yes.

Chairman ROS-LEHTINEN. That is what I thunk. Okay. We shall be ready.

Mr. BERMAN. But only one new title.

Chairman ROS-LEHTINEN. We will be ready. We will be ready.

We are still on this title, and I would like to recognize anyone who has amendments at the desk on this title IX.

Ms. Schwartz. Since we had a Berman amendment, I don't know if we have a Republican amendment on this title.

No. Then we will go with Ms. Schwartz.

Ms. SCHWARTZ. I have an amendment at the desk.

Chairman ROS-LEHTINEN. The clerk will report the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Ms. Schwartz of Pennsylvania. In section 952(a)(4)(D)——

Chairman ROS-LEHTINEN. Unanimous consent has been granted to dispense with reading, and Ms. Schwartz is recognized to explain her amendment.

[The information referred to follows:]

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AMENDMENT TO H.R. 2583

OFFERED BY MS. SCHWARTZ OF PENNSYLVANIA

(Foreign Relations Authorization Act, Fiscal Year 2012)

In section 952(a)(4)(D), after "legal" insert "and political".

☒

Ms. SCHWARTZ. Thank you, and I hope this is going to be a relatively simple and hopefully agreed to amendment.

In this section, we call on Washington to report back to us on some of the assistance we are providing to the Government of Egypt as they begin to formulate their reforms, and there is a line that calls for legal reforms. And I want to add two words, which says "legal and political reforms." I am doing so because for many of us we know that in Egypt, as in many of the countries that are trying to formulate a strong democracy, that political and electoral reforms really matter. So how the elections are conducted, who has access to form parties, how they are formulated and communicated and overseen and how transparent they are all very, very important.

I am just asking that. Maybe this was intended to be included as part of legal reforms. Rule of law matters a lot. I wanted to be specific about the political process as well. It is really simply adding two words, that we get a description of the Government of Egypt and how they are doing in terms of moving ahead and formulating political reforms as well as legal reforms.

Chairman ROS-LEHTINEN. If the gentlelady would explain just a little bit more just so I get a better understanding of it, if you don't mind going into greater detail.

Ms. SCHWARTZ. Actually, there is greater detail. For many of us, we certainly are very interested and anxious to have Egypt move ahead in formulating their reforms. Some of those are constitutional reforms, and some of them are obviously just parliamentary reforms. One of them is the way they move ahead on elections, for example.

Chairman ROS-LEHTINEN. I understand. I just wanted to make sure it was at that section. We have no problem with this commonsense amendment. I just wanted to be sure.

I would like to recognize anyone else.

Seeing no further requests for recognition, the question occurs on the Schwartz amendment.

All those in favor say aye.

All opposed, no. In the opinion of the Chair, the ayes have it, and the amendment is agreed to.

Seeing no Republican amendments, Mr. Connolly is recognized for his amendment.

Mr. CONNOLLY. Thank you, Madam Chairman.

I have an amendment at the desk.

Chairman ROS-LEHTINEN. The clerk will report the amendment.

Mr. CONNOLLY. Amendment 80.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Connolly of Virginia——

Chairman ROS-LEHTINEN. Unanimous consent has been granted to dispense with the reading. The Chair reserves a point of order and recognizes the author for 5 minutes to explain the amendment.

[The information referred to follows:]

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AMENDMENT TO H.R. 2583

OFFERED BY MR. CONNOLLY OF VIRGINIA

(Foreign Relations Authorization Act, Fiscal Year 2012)

At the end of section 994B of the bill, add the following:

1 (c) REPORT.—The Inspector General for Iraq Recon-
2 struction (SIGIR) shall submit to Congress a report on
3 the expenditure, transparency, and efficacy of programs
4 initiated under the Commanders' Emergency Response
5 Program.

☒

Mr. CONNOLLY. Thank you, Madam Chairman.

Madam Chairman, I call this amendment up and I am going to withdraw the amendment because there is a question of joint jurisdiction that we don't want to complicate the bill. But I bring it up just to simply talk briefly about the Commanders' Emergency Response Program, known as CERP.

I had the opportunity to visit Iraq and Afghanistan several years ago right after I came to Congress, and I note that when CERP first began, it was originally supported by $136 million in seized Iraqi funds from the Saddam Hussein regime. However, since its inception, U.S. taxpayers have added to that $3.89 billion, and that is outside of the normal rubric of foreign assistance funding, USAID programming, DEA Drug Elimination or Eradication Program and the like.

This is a new endeavor since the invasion of Iraq, and it has been extended comparably to Afghanistan. We are talking about billions of dollars of U.S. taxpayer money. In various audits such as there have been on the program, there have been abuses, as one might expect, because frankly, the accountability in this program is fairly rudimentary, at least in some places. That includes one person who stole almost $700,000 from the program, and almost $1 million spent on a mural at the Baghdad airport. It might be a good thing to do, but I hear Mr. Burton and Mr. Rohrabacher cor-

rectly point out that we have to be cognizant that every dollar we spend of U.S. taxpayer money is 40 percent borrowed. Well, that applies to this program, too.

My amendment would simply add a reporting requirement to the Inspector General of Iraq Reconstruction. By the way, I would argue it is fully in order, Madam Chairman, because we address Iraq SIGIR in this bill. But my point is simply is not to create a parliamentary difficulty for the chair or the ranking member. It is to simply get in our consciousness the need to monitor this program, which is, frankly, had very little of it. And when one asks about billions of dollars, much of it in cash, on the military field in Iraq and Afghanistan, gee, what could go wrong with that? The answer has a chilling effect.

So I simply urge my colleagues to look to the SIGIR report that is pending on CERP and to insist that we continue to report and that the auditors have access to CERP records, because the accountability and transparency of this multibillion dollar taxpayer-funded program has not been as adequate as it could have been, and I am worried about the consequences of that and the uses of these taxpayer dollars. So my only point is to encourage transparency and accountability and to make sure that the auditors have the access they need to do their job.

With that, Madam Chairman, I ask unanimous consent to withdraw my amendment.

Chairman ROS-LEHTINEN. Thank you. The gentleman withdraws his amendment. We appreciate that.

I would like to now ask Mr. Berman if he is ready for his amendment.

Mr. BERMAN. I am, Madam Chairman, Amendment No. 33.

Chairman ROS-LEHTINEN. The clerk will report the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Berman of California. At the appropriate place in title IX of the bill, insert the following: Section 9xx. Diplomatic efforts to strengthen national and international arms export controls. (a) Sense of Congress. It is the sense of Congress——

Chairman ROS-LEHTINEN. I ask unanimous consent that the amendment be considered as read and that it be thus.

Mr. Berman is recognized to explain his amendment.

[The information referred to follows:]

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AMENDMENT TO H.R. __

OFFERED BY MR. BERMAN OF CALIFORNIA

(Foreign Relations Authorization Act, Fiscal Year 2012)

At the appropriate place in title IX of the bill, insert the following:

1 **SEC. 9xx. DIPLOMATIC EFFORTS TO STRENGTHEN NA-**
2 **TIONAL AND INTERNATIONAL ARMS EXPORT**
3 **CONTROLS.**

4 (a) SENSE OF CONGRESS.—It is the sense of Con-
5 gress that the President should redouble United States
6 diplomatic efforts to strengthen national and international
7 arms export controls by establishing a senior-level initia-
8 tive to ensure that those arms export controls are com-
9 parable to and supportive of United States arms export
10 controls, particularly with respect to countries of concern
11 to the United States.

12 (b) REPORT.—Not later than one year after the date
13 of the enactment of this Act, and annually thereafter for
14 4 years, the President shall transmit to the Committee on
15 Foreign Affairs of the House of Representatives and the
16 Committee on Foreign Relations of the Senate a report
17 on United States diplomatic efforts described in subsection
18 (a).

1 **SEC. 9xx. REVIEW AND REPORT OF INVESTIGATIONS OF**
2 **VIOLATIONS OF SECTION 3 OF THE ARMS EX-**
3 **PORT CONTROL ACT.**

4 (a) REVIEW.—The Inspector General of the Depart-
5 ment of State shall conduct a review of investigations by
6 the Department of State during each of fiscal years 2012
7 through 2016 of any and all possible violations of section
8 3 of the Arms Export Control Act (22 U.S.C. 2753) with
9 respect to misuse of United States-origin defense items to
10 determine whether the Department of State has fully com-
11 plied with the requirements of such section, as well as its
12 own internal procedures (and whether such procedures are
13 adequate), for reporting to Congress any information re-
14 garding the unlawful use or transfer of United States-ori-
15 gin defense articles, defense services, and technology by
16 foreign countries, as required by such section.

17 (b) REPORT.—The Inspector General of the Depart-
18 ment of State shall submit to the Committee on Foreign
19 Affairs of the House of Representatives and the Com-
20 mittee on Foreign Relations of the Senate for each of fis-
21 cal years 2012 through 2016 a report that contains the
22 findings and results of the review conducted under sub-
23 section (a). The report shall be submitted in unclassified
24 form to the maximum extent possible, but may include a
25 classified annex.

1 **SEC. 9xx. INCREASE IN PENALTIES FOR ILLICIT TRAF-**
2 **FICKING IN SMALL ARMS AND LIGHT WEAP-**
3 **ONS TO COUNTRIES IN THE WESTERN HEMI-**
4 **SPHERE.**

5 (a) IN GENERAL.—Notwithstanding section 38(c) of
6 the Arms Export Control Act (22 U.S.C. 2778(c)), any
7 person who willfully exports to a country in the Western
8 Hemisphere any small arm or light weapon without a li-
9 cense in violation of the requirements of section 38 of such
10 Act shall upon conviction be fined for each violation not
11 less than $1,000,000 but not more than $3,000,000 and
12 imprisoned for not more than twenty years, or both.

13 (b) DEFINITION.—In this section, the term "small
14 arm or light weapon" means any item listed in Category
15 I(a), Category III (as it applies to Category I(a)), or gre-
16 nades under Category IV(a) of the United States Muni-
17 tions List (as contained in part 121 of title 22, Code of
18 Federal Regulations (or successor regulations)) that re-
19 quires a license for international export under this section.

20 **SEC. 9xx. DEPARTMENT OF STATE REWARDS PROGRAM.**

21 Section 36(b) of the State Department Basic Au-
22 thorities Act of 1956 (22 U.S.C. 2708(b)) is amended—

23 (1) by redesignating paragraphs (4) through
24 (7) as paragraphs (5) through (8), respectively;

25 (2) by inserting after paragraph (3) the fol-
26 lowing new paragraph:

1 "(4) the arrest or conviction in any country of
2 any individual for illegally exporting or attempting
3 to export to Mexico any small arm or light weapon
4 (as defined in section 9xx(b) of the Foreign Rela-
5 tions Authorization Act, Fiscal Year 2012);"; and
6 (3) in paragraphs (5) and (6) (as redesignated),
7 by striking "paragraph (1), (2), or (3)" each place
8 it appears and inserting "paragraph (1), (2), (3), or
9 (4)".

In the section in title IX relating to "Annual Estimate and Justification for Sales Program", insert after the section heading the following:

10 (a) IN GENERAL.—Section 25(a)(1) of the Arms Ex-
11 port Control Act (22 U.S.C. 2765(a)(1)) is amended by
12 striking ", together with an indication of which sales and
13 licensed commercial exports" and inserting "and".

In the section in title IX relating to "Annual Estimate and Justification for Sales Program", strike "Section 25(a)(3)" and insert "(b) ADDITIONAL AMENDMENT.—Section 25(a)(3)".

☒

Mr. BERMAN. Thank you very much, Madam Chairman.

This amendment includes several provisions of H.R. 2410, the Foreign Relations Authorization Act for Fiscal Years 2010 and 2011, to further strengthen U.S. and multilateral export controls. The committee approved and the House passed these provisions in—all right, just for the barest amount of information; a sense of Congress that the President should redouble diplomatic efforts to

bring export controls of other countries and international organizations up to U.S. levels; second, the Inspector General of the State Department shall review internal processes and procedures to monitor other countries' use of U.S. origin defense items and report violations as required by the Arms Export Control Act; and third, it increases penalties for any person who illegally exports small arms or light weapons to a country in the Western Hemisphere. Existing penalties are a fine of no more than $1 million, no more than 10 years in prison.

I think I—I know how to accept yes here, and I am going to cut off my remarks.

Chairman ROS-LEHTINEN. If the gentleman will yield, I would like to have Mr. Burton explain our position.

Mr. BERMAN. I yield to my friend from Indiana.

Mr. BURTON. Thank you, Madam Chairman.

I understand the provisions included in this amendment were included in H.R. 2410, the Foreign Relations Authorization Act for Fiscal Years 2010 and 2011, which passed Congress in the 111th Congress. Two of these provisions relating to strengthening national and international arms export controls and a review and report of the investigations under section 3 of the Arms Export Control Act were also included in the Republican substitute to that bill. The remaining two provisions deal with the prevention of illicit trade in small arms and light weapons in the Western Hemisphere, and these are constructive additions to the bill.

I hope it will pass. Thank you very much for the opportunity to read this. It was very nice.

Chairman ROS-LEHTINEN. I thank the gentleman.

Mr. Berman, if the gentleman will continue to yield, we are prepared to accept your amendment.

Mr. BERMAN. I am sorry, Madam Chairman, I got distracted. Are you saying we are ready for a vote?

Chairman ROS-LEHTINEN. We are.

Mr. BERMAN. I am, too.

Chairman ROS-LEHTINEN. Thank you.

So hearing no other members who wish to be recognized on the Berman amendment, the question occurs on the Berman amendment.

All those in favor say aye.

All those opposed, no.

In the opinion of the Chair, the ayes have it, and the Berman amendment is agreed to.

Are there any amend further amendments to this title?

Mr. BERMAN. I got one.

Chairman ROS-LEHTINEN. Mr. Berman has one.

Mr. BERMAN. This is—oh.

Chairman ROS-LEHTINEN. We are still on title IX. We will suspend for a few minutes. The gentleman is recognized.

Mr. BERMAN. My last amendment to title IX is in the form of simply a motion to strike the last word so I can spend a few minutes venting.

Chairman ROS-LEHTINEN. Absolutely. The gentleman is recognized.

Mr. BERMAN. Madam Chairman, I move to strike the last word and speak against——

Chairman ROS-LEHTINEN. Without objection.

Mr. BERMAN [continuing]. Certain provisions of the Pakistan-related section of the bill. We have had a number of discussions about Pakistan in the context of the U.N. vote, the corruption vote, the Rohrabacher amendment, the Enterprise Funds, but the base bill has certain provisions which I would like to address, not by seeking to amend them but simply to indicate some views on them.

I share the frustrations that many on both sides of the aisle have with Pakistan, which have gotten even worse since the killing of Osama bin Laden. Recent reports indicate that Pakistan intelligence tipped off militants operating IED factories and played a direct role in the killing of the journalist Saleem Shahzad. These developments and many others raise serious questions about Pakistan's commitment to working with the United States to defeat the terrorists that threaten the U.S. and coalition forces in Afghanistan.

For far too long, our relationship with Pakistan focused on supporting that country's military rather than civilian and democratically elected leaders. Under the previous administration, we essentially gave Pakistan's military government a blank check. Over the years, our assistance has trended up during military rule and down during the short periods when the civilians were in charge. The Enhanced Partnership with Pakistan Act, legislation we passed in the last Congress, authorizing significant economic assistance for Pakistan, was intended to demonstrate the U.S. commitment to democracy and to the strengthening of civilian institutions in that country. The law helped to make it clear that we seek a long-term relationship with the Pakistani people that would not be held hostage to the misdeeds of Pakistan's military and intelligence service.

Madam Chairman, when we considered that legislation 2 years ago, you expressed serious concerns about conditions I included in the legislation for security assistance to Pakistan. You referred to me and other supporters of the bill as "armchair generals." You also said that such conditionality constrained the flexibility necessary for the executive branch, given the fluid and dynamic environment that exists in Pakistan. Very convincing arguments.

Opponents of the law argued that our conditions were the result of preconceived notions of our partners in Pakistan and would undermine the fight against terror. Pakistan is playing the same double game today as it was 2 years ago. So why has the position changed?

I agree that we need to get tough with Pakistan on security assistance, but I fundamentally disagree with linking civilian assistance to a military focused certification, while making the conditions tougher and not providing any waiver. Everything else that we were doing yesterday, we had all these provisions and the answer was the President could waive. But in this one area, we have taken out the waiver.

This punishes—these conditions on the economic and civilian assistance punish the people of Pakistan for the sins of the military. We should be moving in the opposite direction. The key to long-term stability in Pakistan and the only way we will ever change

Pakistan's behavior is by strengthening Pakistan's civilian institutions, not weakening them, as I think this bill will do. In fact, this bill would set back the U.S.-Pakistan relationship by decades, undermine the accomplishments of the late Ambassador Holbrooke, who worked tirelessly to chart a new course in our relationship with Islamabad.

Before closing, I would like to mention one additional item. By including in the certification a requirement that Pakistan facilitate the issuance of visas for America as a quid pro quo for receiving foreign assistance, we only reinforce the view held by many Pakistanis that the U.S. is intent on infringing on Pakistani sovereignty.

Do I absolutely hope that the Government of Pakistan issues visas to all our personnel seeking to assist the Pakistani Government, improve its ability to perform counterterrorism and counterinsurgency operations? Of course I do. But fundamentally, whether to issue someone a visa to enter Pakistan is a decision that will be made by the Government of Pakistan.

When we considered the Enhanced Partnership With Pakistan Act 2 years ago, the chairman stated that the conditions in our bill would, quote, weaken Pakistani democracy as well as potentially fuel paranoia, wild conspiracies that help give rise to the country's visceral and deep-seated anti-American feelings. That is what I think this visa provision will do exactly.

Our relationship with Pakistan is very far from perfect; far from good, for that matter. But it is necessary. That is why we joined to defeat the Rohrabacher amendment. We need to restore the path to improved relations with Pakistan, not simply for our long-term national security interests and regional stability, but for the short-term as well. Like it or not, Pakistan is one of the keys to our success in Afghanistan. Passing this bill with this language will make it that much harder to achieve that success.

I appreciate the chair's indulgence. I have no amendment to offer on the subject, but I did want to say that.

Chairman ROS-LEHTINEN. Very eloquently stated.

If the gentleman would yield, it is so uncomfortable to hear one's words brought back to memory. I talk way too much. I have to keep my words sweet, because sooner or later, I swallow those.

Mr. BERMAN. I am just saying the wisdom of what you were saying then.

Chairman ROS-LEHTINEN. That was then; this is now.

I am so much more smarter now.

Mr. Burton is recognized.

Mr. BURTON. Could we propose an amendment that would move this dais forward about one foot so you don't get killed by everybody walking behind you?

Chairman ROS-LEHTINEN. If the gentleman will yield, they have this stick of wood that is right on their backs. These poor staffers; they have a rail.

Mr. BURTON. Yes, I know. When we have a break, I am serious, if we could move this forward about a foot. I think they could probably do it and make everybody happy.

Chairman ROS-LEHTINEN. It would be wonderful. Pushing and pushing, Sisyphus with the rock up the hill.

Okay. So Mr. Burton, thank you for that observation.

Mr. Berman, thank you for quoting my words back to me.

With that, I believe that we have no further amendments to this title. We will then proceed to title X. The clerk will designate the title.

Ms. CARROLL. Title X—Peace Corps Volunteer Service Protection.

Chairman ROS-LEHTINEN. Are there any amendments to this title?

Hearing no amendments to title X, are there any amendments to the end of the bill?

Mr. Berman.

Mr. BERMAN. Madam Chairman, I have an amendment at the desk that you will be very familiar with.

Chairman ROS-LEHTINEN. I think so.

Mr. BERMAN. It is the bill that you sponsored with me as your cosponsor.

Chairman ROS-LEHTINEN. That is a good one.

Mr. BERMAN. 040.

Chairman ROS-LEHTINEN. The clerk will report the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Berman of California. Add at the end the following: Title [blank]. Nuclear Cooperation. Section [blank]. Requirement for congressional approval of agreements for peaceful nuclear cooperation. (a) Cooperation With Other Nations. Section 123 of the Atomic Energy Act of 1954 (42 U.S. Code 2153) is amended (1) in the matter preceding subsection a——

Chairman ROS-LEHTINEN. I ask unanimous consent and grant it that the amendment will be considered as read.

[The information referred to follows:]

AMENDMENT TO H.R. _____

OFFERED BY MR. BERMAN OF CALIFORNIA

Add at the end the following:

TITLE ____—NUCLEAR COOPERATION

SEC. ____. REQUIREMENT FOR CONGRESSIONAL APPROVAL OF AGREEMENTS FOR PEACEFUL NUCLEAR COOPERATION.

(a) COOPERATION WITH OTHER NATIONS.—Section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153) is amended—

(1) in the matter preceding subsection a., by striking "No cooperation" and inserting "Subject to subsection f., no cooperation";

(2) in subsection a.—

(A) in paragraph (3), by inserting "or acquired from any other source" after "pursuant to such agreement" each place it appears;

(B) in paragraph (4)—

(i) by striking "or terminates or" and inserting ", terminates,"; and

(ii) by inserting ", or violates or abrogates any provision contained within such agreement" after "IAEA safeguards";

(C) in paragraph (6), by inserting "or acquired from any other source" after "agreement" each place it appears;

(D) in paragraph (8), by striking "and" at the end;

(E) in paragraph (9), by striking the period at the end and inserting a semicolon; and

(F) by adding at the end the following new paragraphs:

"(10) a guaranty by the cooperating party that no nationals of a third country shall be permitted access to any reactor, related equipment, or sensitive materials transferred under the agreement for cooperation without the prior consent of the United States; and

"(11) a commitment to maintain and, in the case of a country without such a legal regime in place, a commitment to enact at the earliest possible date, and in no case later than one year after the agreement enters into force, a legal regime providing for adequate protection from civil liability that will allow for the partici-

1 pation of United States suppliers in any effort
2 by the country to develop civilian nuclear
3 power.";
4 (3) in the matter following paragraph (10) (as
5 added by paragraph (2)(F) of this subsection), by
6 striking "The President may exempt a proposed
7 agreement for cooperation" and all that follows
8 through "common defense and security.";
9 (4) in subsection c., by striking "and" at the
10 end;
11 (5) in subsection d.—
12 (A) in the first sentence—
13 (i) by striking "not" the first and sec-
14 ond place it appears;
15 (ii) by inserting "only" after "effec-
16 tive" the first place it appears; and
17 (iii) by striking ": *Provided further*,"
18 and all that follows through "such agree-
19 ment" and inserting ", unless the proposed
20 agreement includes a requirement as part
21 of the agreement for cooperation or other
22 legally binding document that is considered
23 part of the agreement that no enrichment
24 or reprocessing activities, or acquisition or
25 construction of facilities for such activities,

will occur within the territory over which the cooperating party exercises sovereignty, in which case the agreement shall become effective unless the Congress adopts, and there is enacted, a joint resolution of disapproval (1) during such sixty-day period for a new agreement; or (2) during a period of 30 days of continuous session for a renewal agreement."; and

(B) by striking the final period and inserting "; and";

(6) by redesignating subsection e. as subsection f.;

(7) by inserting immediately after subsection d. the following new subsection:

"e. the cooperating party—

"(1) has acceded to and is fully implementing the provisions and guidelines of—

"(A) the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (commonly known as the 'Chemical Weapons Convention');

1 "(B) the Convention on the Prohibi-
2 tion of the Development, Production and
3 Stockpiling of Bacteriological and Toxin
4 Weapons and on their Destruction (com-
5 monly known as the 'Biological Weapons
6 Convention'); and
7 "(C) all other international agree-
8 ments to which the United States is a
9 party regarding the export of nuclear,
10 chemical, biological, and advanced conven-
11 tional weapons, including missiles and
12 other delivery systems;
13 "(2) has established and is fully imple-
14 menting an effective export control system, in-
15 cluding fully implementing the provisions and
16 guidelines of United Nations Security Council
17 Resolution 1540;
18 "(3) is in full compliance with all United
19 Nations conventions to which the United States
20 is a party and all Security Council resolutions
21 regarding the prevention of the proliferation of
22 weapons of mass destruction, including—
23 "(A) the Convention on the Physical
24 Protection of Nuclear Material; and

1 "(B) the United Nations International
2 Convention for the Suppression of Acts of
3 Nuclear Terrorism;
4 "(4) is not a Destination of Diversion Con-
5 cern under section 303 of the Comprehensive
6 Iran Sanctions, Accountability, and Divestment
7 Act of 2010 (Public Law 111–195);
8 "(5) is closely cooperating with the United
9 States to prevent state sponsors of terrorism
10 (the term 'state sponsor of terrorism' means a
11 country the government of which has been de-
12 termined by the Secretary of State, for pur-
13 poses of section 6(j) of the Export Administra-
14 tion Act of 1979, section 620A of the Foreign
15 Assistance Act of 1961, section 40 of the Arms
16 Export Control Act, or other provision of law,
17 is a government that has repeatedly provided
18 support for acts of international terrorism)
19 from—
20 "(A) acquiring or developing chemical,
21 biological, or nuclear weapons or related
22 technologies; or
23 "(B) acquiring or developing desta-
24 bilizing numbers and types of advanced

1 conventional weapons, including ballistic
2 missiles; and
3 "(6) has signed, ratified, and is fully im-
4 plementing an Additional Protocol to its safe-
5 guards agreement with the International Atom-
6 ic Energy Agency."; and
7 (8) by adding after subsection f. (as redesig-
8 nated by paragraph (6) of this subsection) the fol-
9 lowing new subsection:
10 "g. For purposes of this section—
11 "(1) the term 'new agreement' means an
12 agreement for cooperation with a country with
13 respect to which the United States has not, on
14 or after the date of the enactment of this sub-
15 section, entered into such an agreement; and
16 "(2) the term 'renewal agreement' means
17 an agreement for cooperation with a country
18 with respect to which the United States has, be-
19 fore the date of the enactment of this sub-
20 section, entered into such an agreement.".
21 (b) SUBSEQUENT ARRANGEMENTS.—Section 131 a.
22 (1) of such Act (42 U.S.C. 2160 a.(1)) is amended—
23 (1) in the second sentence, by striking "secu-
24 rity," and all that follows through "publication."
25 and inserting "security."; and

1 (2) by inserting after the second sentence the
2 following new sentences: "Such subsequent arrange-
3 ment shall become effective only if Congress enacts
4 a joint resolution of approval according to the proce-
5 dures of sections 123 d. and 130 i. of this Act. Any
6 such nuclear proliferation assessment statement
7 shall be submitted to the Committee on Foreign Af-
8 fairs of the House of Representatives and the Com-
9 mittee on Foreign Relations of the Senate not later
10 than the 31st day of continuous session after sub-
11 mission of the subsequent arrangement.".

12 **SEC. ___. WITHDRAWAL FROM THE TREATY ON THE NON-**
13 **PROLIFERATION OF NUCLEAR WEAPONS.**

14 (a) STATEMENT OF POLICY.—It is the policy of the
15 United States to oppose the withdrawal from the Treaty
16 on the Non-Proliferation of Nuclear Weapons (in this sec-
17 tion referred to as the "Treaty") of any country that is
18 a party to the Treaty and to use all political, economic,
19 and diplomatic means at its disposal to deter, prevent, or
20 reverse any such withdrawal from the Treaty.

21 (b) PROHIBITION ON CERTAIN ASSISTANCE.—Not-
22 withstanding any other provision of law, no assistance
23 (other than humanitarian assistance) under any provision
24 of law may be provided to a country that has withdrawn

1 from the Treaty on or after the date of the enactment
2 of this Act.
3 (c) RETURN OF ALL UNITED STATES-ORIGIN MATE-
4 RIALS AND EQUIPMENT.—The United States shall seek
5 the return of any material, equipment, or components
6 transferred under an agreement for civil nuclear coopera-
7 tion that is in force pursuant to section 123 of the Atomic
8 Energy Act of 1954 (42 U.S.C. 2153) on or after the date
9 of the enactment of this Act, and any special fissionable
10 material produced through the use of such material, equip-
11 ment, or components previously provided to a country that
12 withdraws from the Treaty.

13 **SEC. ___. REPORT ON COMPARABILITY OF NON-**
14 **PROLIFERATION CONDITIONS BY FOREIGN**
15 **NUCLEAR SUPPLIERS.**

16 Not later than 180 days after the date of the enact-
17 ment of this Act, the President shall transmit to the Com-
18 mittee on Foreign Affairs of the House of Representatives
19 and the Committee on Foreign Relations of the Senate
20 a report on the extent to which each country that engages
21 in civil nuclear exports (including power and research nu-
22 clear reactors) requires nuclear nonproliferation require-
23 ments as conditions for export comparable to those under
24 this Act. Such report shall also—

1 (1) detail the extent to which the exports of
2 each such country incorporate United States-origin
3 components, technology, or materials that require
4 United States approval for re-export;
5 (2) detail the civil nuclear-related trade and in-
6 vestments in the United States by any entity from
7 each such country; and
8 (3) list any United States grant, concessionary
9 loan or loan guarantee, or any other incentive or in-
10 ducement to any such country or entity related to
11 nuclear exports or investments in the United States.
12 **SEC. ___. INITIATIVES AND NEGOTIATIONS RELATING TO**
13 **AGREEMENTS FOR PEACEFUL NUCLEAR CO-**
14 **OPERATION.**
15 Subsection f. of section 123 of the Atomic Energy
16 Act of 1954 (42 U.S.C. 2153), as redesignated pursuant
17 to section 1(a)(5) of this Act, is amended to read as fol-
18 lows:
19 "f. The President shall keep the Committee on
20 Foreign Affairs of the House of Representatives and
21 the Committee on Foreign Relations of the Senate
22 fully and currently informed of any initiative or ne-
23 gotiations relating to a new or amended agreement
24 for peaceful nuclear cooperation pursuant to this
25 section prior to the President's announcement of

1 such initiative or negotiations. The President shall
2 consult with the Committee on Foreign Affairs of
3 the House of Representatives and the Committee on
4 Foreign Relations of the Senate concerning such ini-
5 tiative or negotiations beginning not later than 15
6 calendar days after the initiation of any such nego-
7 tiations, or the receipt or transmission of a draft
8 agreement, whichever occurs first, and monthly
9 thereafter until such time as the negotiations are
10 concluded.".

11 **SEC. __. CONDUCT RESULTING IN TERMINATION OF NU-**
12 **CLEAR EXPORTS.**

13 Section 129 a. (2) of the Atomic Energy Act of 1954
14 (42 U.S.C. 2158) is amended—

15 (1) in subparagraph (C), by inserting "or" after
16 the semicolon; and

17 (2) by inserting after subparagraph (C) the fol-
18 lowing new subparagraph:

19 "(D) been determined to be a 'country of
20 proliferation concern' under section 1055(g)(2)
21 of the National Defense Authorization Act for
22 Fiscal Year 2010 (50 U.S.C. 2371(g)(2));".

23 **SEC. ___. CONGRESSIONAL REVIEW PROCEDURES.**

24 Section 130 i. of the Atomic Energy Act of 1954 (42
25 U.S.C. 2159 i.) is amended—

1 (1) by redesignating subparagraphs (B) and
2 (C) as subparagraphs (C) and (D), respectively; and
3 (2) by inserting after subparagraph (A) the fol-
4 lowing new subparagraph:
5 "(B) for an agreement for cooperation pur-
6 suant to section 123 of this Act, a joint resolu-
7 tion, the matter after the resolving clause of
8 which—
9 "(i) is as follows: 'That the Congress
10 does favor the proposed agreement for co-
11 operation transmitted to the Congress by
12 the President on _____.';
13 and
14 "(ii) includes, immediately after the
15 language specified in clause (i), any other
16 provisions to accompany such proposed
17 agreement for cooperation.".
18 **SEC. ___. REQUIREMENT OF LIABILITY PROTECTION FOR**
19 **UNITED STATES NUCLEAR SUPPLIERS.**
20 The Atomic Energy Act of 1954 is amended by in-
21 serting after section 134 (42 U.S.C. 2160d) the following
22 new section:

1 **"SEC. 135. REQUIREMENT OF LIABILITY PROTECTION FOR**
2 **UNITED STATES NUCLEAR SUPPLIERS.**

3 "The President may not issue a license for the export
4 of nuclear material, facilities, components, or other goods,
5 services, or technology to a country pursuant to an agree-
6 ment that has entered into force after the date of the en-
7 actment of this section unless the President determines
8 that such country has liability protection for United States
9 nuclear suppliers that is equivalent to the liability protec-
10 tion specified under the Convention on Supplementary
11 Compensation for Nuclear Damage.".

12 **SEC. ___. PROHIBITION ON ASSISTANCE TO STATE SPON-**
13 **SORS OF PROLIFERATION OF WEAPONS OF**
14 **MASS DESTRUCTION.**

15 (a) PROHIBITION ON ASSISTANCE.—The United
16 States shall not provide any assistance under Public Law
17 87–195, Public Law 90–629, the Food for Peace Act, the
18 Peace Corps Act, or the Export-Import Bank Act of 1945
19 to any country if the Secretary of State determines that
20 the government of the country has repeatedly provided
21 support for acts of proliferation of equipment, technology,
22 or materials to support the design, acquisition, manufac-
23 ture, or use of weapons of mass destruction or the acquisi-
24 tion or development of ballistic missiles to carry such
25 weapons.

1 (b) PUBLICATION OF DETERMINATIONS.—Each de-
2 termination of the Secretary of State under subsection (a)
3 shall be published in the Federal Register.
4 (c) RESCISSION.—A determination of the Secretary
5 of State under subsection (a) may not be rescinded unless
6 the Secretary submits to the appropriate congressional
7 committees—
8 (1) before the proposed rescission would take
9 effect, a report certifying that—
10 (A) there has been a fundamental change
11 in the leadership and policies of the government
12 of the country concerned;
13 (B) the government is not supporting acts
14 of proliferation of equipment, technology, or
15 materials to support the design, acquisition,
16 manufacture, or use of weapons of mass de-
17 struction; and
18 (C) the government has provided assur-
19 ances that it will not support such acts in the
20 future; or
21 (2) at least 45 days before the proposed rescis-
22 sion would take effect, a report justifying the rescis-
23 sion and certifying that—
24 (A) the government of the country con-
25 cerned has not provided any support for acts of

1 proliferation of equipment, technology, or mate-
2 rials to support the design, acquisition, manu-
3 facture, or use of weapons of mass destruction
4 during the preceding 24-month period; and
5 (B) the government has provided assur-
6 ances that it will not support such acts of pro-
7 liferation in the future.
8 (d) WAIVER.—The President may waive the require-
9 ments of subsection (a) on a case-by-case basis if—
10 (1) the President determines that national secu-
11 rity interests or humanitarian reasons justify a waiv-
12 er of such requirements, except that humanitarian
13 reasons may not be used to justify the waiver of
14 such requirements to provide security assistance
15 under Public Law 87–195, Public Law 90–629, or
16 the Export-Import Bank Act of 1945; and
17 (2) at least 15 days before the waiver takes ef-
18 fect, the President consults with the appropriate
19 congressional committees regarding the proposed
20 waiver and submits to the appropriate congressional
21 committees a report containing—
22 (A) the name of the recipient country;
23 (B) a description of the national security
24 interests or humanitarian reasons that require
25 the waiver;

1 (C) the type and amount of and the jus-
2 tification for the assistance to be provided pur-
3 suant to the waiver; and
4 (D) the period of time during which such
5 waiver will be effective.

6 **SEC. __. ADDITIONAL PROTOCOL AS A CRITERION FOR**
7 **UNITED STATES ASSISTANCE.**

8 (a) STATEMENT OF POLICY.—It is the policy of the
9 United States to ensure that each country that is a party
10 to the Treaty on the Non-Proliferation of Nuclear Weap-
11 ons should bring into force an Additional Protocol to its
12 safeguards agreement with the IAEA.

13 (b) CRITERION FOR ASSISTANCE.—The United
14 States shall, when considering the provision of assistance
15 under Public Law 87–195 or Public Law 90–629 to a
16 country that is a party to the Treaty on the Nonprolifera-
17 tion of Nuclear Weapons, take into consideration whether
18 the proposed recipient has in force an Additional Protocol
19 to its safeguards agreement with the IAEA.

1 **SEC. ___. REPORT ON NUCLEAR ASPIRATIONS OF NON-**
2 **STATE ENTITIES, NUCLEAR WEAPONS, AND**
3 **RELATED PROGRAMS IN NON-NUCLEAR-**
4 **WEAPONS STATES AND COUNTRIES NOT PAR-**
5 **TIES TO THE NUCLEAR NON-PROLIFERATION**
6 **TREATY, AND CERTAIN FOREIGN PERSONS.**

7 Section 1055(a) of the National Defense Authoriza-
8 tion Act for Fiscal Year 2010 (50 U.S.C. 2371(a)) is
9 amended, in the matter preceding paragraph (1)—

10 (1) by striking "and the Permanent" and in-
11 serting ", the Permanent"; and

12 (2) by inserting before "a report" the following:
13 ", the Committee on Foreign Relations of the Sen-
14 ate, and the Committee on Foreign Affairs of the
15 House of Representatives".

16 **SEC. ___. SENSE OF CONGRESS.**

17 It is the sense of Congress that the President should
18 ensure that participation in international nuclear pro-
19 grams conducted by the United States is limited to the
20 greatest extent practicable to governmental and non-
21 governmental participants from countries that have adopt-
22 ed nonproliferation provisions in their nuclear cooperation
23 and nuclear export control policies comparable to the poli-
24 cies specified in section 123 of the Atomic Energy Act (42
25 U.S.C. 2153), as amended by this Act.

☒

Mr. SMITH. Madam Chair, I reserve a point of order.

Chairman ROS-LEHTINEN. A point of order has been reserved.

Mr. Berman, would you seek recognition on your amendment? Mr. Berman is recognized.

Mr. BERMAN. Madam Chairman, this amendment attaches the text of H.R. 1280, a bill that I know the committee thought highly of because they unanimously approved it at our April markup. I believe that including this landmark bill will improve the prospects for moving that bill forward. I understand that the nuclear industry is concerned about this bill.

Committee staff has met with their representatives twice. I believe their concerns can be effectively addressed by refining certain provisions as we move this bill through the legislative process.

I am willing, and I know the chairman is, to work with the industry on making these changes. However, I must say that one concern is overblown, that requiring Congress to approve new nuclear cooperation agreements that don't include a no-enrichment-or-reprocessing provision would prevent countries from seeking new nuclear cooperation agreements. As my colleagues know, this bill does not require that a new agreement have a no enrichment or reprocessing commitment. However, if it does not, then a higher level of congressional review is required, and the agreement cannot go into effect unless a simple majority of both Houses approve it through an expedited resolution of approval.

Critics have asserted that requiring congressional approval on agreements to export nuclear material, equipment, and technology, which can support military nuclear programs if misused, is too onerous and uncertain. That is not accurate. Already the current process in which Congress can only disapprove a new agreement in practice through a two-thirds veto-proof majority of the House, both Houses, can take 7 months or longer to complete.

In the last Congress, when it appeared that the new agreement for Australia would not complete the statutory number of days of review before we adjourned, this committee and the Senate Foreign Relations Committee were prepared to move a resolution of approval for that agreement in a week's time. Good agreements with countries we trust on nonproliferation would move quickly, perhaps far more quickly than the current nonapproval process because no matter—Australia is the perfect case—no matter how quickly we want to approve it, we have to wait for those 90 legislative days that goes on, as I mentioned, for 7 months. So good agreements will be approved more quickly.

I agree with the sentiment I have heard that if the Congress must approve free trade agreements which cover goods that cannot support the production of nuclear weapons, then why shouldn't Congress have to approve nuclear cooperation agreements? It is vital to the security of the United States, its friends and its allies, that the further spread of technology to enrich uranium and obtain plutonium from spent reactor fuel be discouraged and ultimately halted. Otherwise more countries may follow Iran's example and construct, and I quote, peaceful, end of quote, nuclear fuel facilities whose real purpose is to provide the country and possibly terrorist groups the fuel for nuclear weapons that are meant to be used against us. We would have a very different view of what Iran was

doing if they did not have their own enrichment and reprocessing capabilities.

I look forward to working with the industry representatives in the next few weeks, and I am confident that the result will be legislation that supports all our interests, security and commercial alike. I urge my colleagues to support this amendment. They have done it once, they have no reason to regret that, and I urge this amendment's adoption.

Mr. SMITH. Madam chair?

Chairman ROS-LEHTINEN. The gentleman yields back. The gentleman from New Jersey.

Mr. SMITH. I do make a point of order that this amendment introduces Rules Committee jurisdiction in violation of clause 7 of rule 16 and therefore is not germane to the underlying act.

Chairman ROS-LEHTINEN. I thank the gentleman, and the Chair is prepared to rule, but I would like to ask Mr. Berman if he would like to speak on the point of order that Mr. Smith has raised, saying that the amendment is in violation of clause 7, rule 16, and not germane to this act.

Mr. BERMAN. Yes, I would like to make—I would like to persuade Mr. Smith to say so what, this is a great bill, and it would be a wonderful amendment, and this bill will go to the Rules Committee anyway, so the Rules Committee will have a chance to review that provision. That is what I would like to say.

Chairman ROS-LEHTINEN. You said it very well. The gentleman yields back. And the Chair is prepared to rule. I rule that because this amendment is in violation of clause 7 of rule 16, it is not germane to this act. We have conferred with the House Parliamentarian's office, and they support this ruling.

Does anyone have an amendment? And Mr. Berman is recognized. Mr. Berman has an amendment at the desk.

Mr. BERMAN. I have, not as good as the last one because I am leaving out the provision that caused the point of order to be made, but it is an amendment that is 048 at the desk, and——

Chairman ROS-LEHTINEN. It is so much better.

Mr. BERMAN. And it again only——

Chairman ROS-LEHTINEN. The clerk will report the amendment.

Ms. CARROLL. I am just waiting on a copy.

Amendment to H.R. 2583 offered by Mr. Berman of California. At the appropriate place in the bill insert the following: Title [blank]. Nuclear Nonproliferation. Section [blank]. Withdrawal from——

Chairman ROS-LEHTINEN. Unanimous consent has been granted to dispense with the reading, and Mr. Berman is recognized to explain his much improved amendment.

[The information referred to follows:]

AMENDMENT TO H.R. _____

OFFERED BY MR. BERMAN OF CALIFORNIA

At the appropriate place in the bill, insert the following:

1 **TITLE ____—NUCLEAR**
2 **NONPROLIFERATION**

3 **SEC. ___. WITHDRAWAL FROM THE TREATY ON THE NON-**
4 **PROLIFERATION OF NUCLEAR WEAPONS.**

5 (a) STATEMENT OF POLICY.—It is the policy of the
6 United States to oppose the withdrawal from the Treaty
7 on the Non-Proliferation of Nuclear Weapons (in this sec-
8 tion referred to as the "Treaty") of any country that is
9 a party to the Treaty and to use all political, economic,
10 and diplomatic means at its disposal to deter, prevent, or
11 reverse any such withdrawal from the Treaty.

12 (b) PROHIBITION ON CERTAIN ASSISTANCE.—Not-
13 withstanding any other provision of law, no assistance
14 (other than humanitarian assistance) under any provision
15 of law may be provided to a country that has withdrawn
16 from the Treaty on or after the date of the enactment
17 of this Act.

18 (c) RETURN OF ALL UNITED STATES-ORIGIN MATE-
19 RIALS AND EQUIPMENT.—The United States shall seek

1 the return of any material, equipment, or components
2 transferred under an agreement for civil nuclear coopera-
3 tion that is in force pursuant to section 123 of the Atomic
4 Energy Act of 1954 (42 U.S.C. 2153) on or after the date
5 of the enactment of this Act, and any special fissionable
6 material produced through the use of such material, equip-
7 ment, or components previously provided to a country that
8 withdraws from the Treaty.

9 **SEC. ___. PROHIBITION ON ASSISTANCE TO STATE SPON-**
10 **SORS OF PROLIFERATION OF WEAPONS OF**
11 **MASS DESTRUCTION.**

12 (a) PROHIBITION ON ASSISTANCE.—The United
13 States shall not provide any assistance under Public Law
14 87–195, Public Law 90–629, the Food for Peace Act, the
15 Peace Corps Act, or the Export-Import Bank Act of 1945
16 to any country if the Secretary of State determines that
17 the government of the country has repeatedly provided
18 support for acts of proliferation of equipment, technology,
19 or materials to support the design, acquisition, manufac-
20 ture, or use of weapons of mass destruction or the acquisi-
21 tion or development of ballistic missiles to carry such
22 weapons.

23 (b) PUBLICATION OF DETERMINATIONS.—Each de-
24 termination of the Secretary of State under subsection (a)
25 shall be published in the Federal Register.

1 (c) RESCISSION.—A determination of the Secretary
2 of State under subsection (a) may not be rescinded unless
3 the Secretary submits to the appropriate congressional
4 committees—
5 (1) before the proposed rescission would take
6 effect, a report certifying that—
7 (A) there has been a fundamental change
8 in the leadership and policies of the government
9 of the country concerned;
10 (B) the government is not supporting acts
11 of proliferation of equipment, technology, or
12 materials to support the design, acquisition,
13 manufacture, or use of weapons of mass de-
14 struction; and
15 (C) the government has provided assur-
16 ances that it will not support such acts in the
17 future; or
18 (2) at least 45 days before the proposed rescis-
19 sion would take effect, a report justifying the rescis-
20 sion and certifying that—
21 (A) the government of the country con-
22 cerned has not provided any support for acts of
23 proliferation of equipment, technology, or mate-
24 rials to support the design, acquisition, manu-

1 facture, or use of weapons of mass destruction
2 during the preceding 24-month period; and
3 (B) the government has provided assur-
4 ances that it will not support such acts of pro-
5 liferation in the future.
6 (d) WAIVER.—The President may waive the require-
7 ments of subsection (a) on a case-by-case basis if—
8 (1) the President determines that national secu-
9 rity interests or humanitarian reasons justify a waiv-
10 er of such requirements, except that humanitarian
11 reasons may not be used to justify the waiver of
12 such requirements to provide security assistance
13 under Public Law 87–195, Public Law 90–629, or
14 the Export-Import Bank Act of 1945; and
15 (2) at least 15 days before the waiver takes ef-
16 fect, the President consults with the appropriate
17 congressional committees regarding the proposed
18 waiver and submits to the appropriate congressional
19 committees a report containing—
20 (A) the name of the recipient country;
21 (B) a description of the national security
22 interests or humanitarian reasons that require
23 the waiver;

1 (C) the type and amount of and the jus-
2 tification for the assistance to be provided pur-
3 suant to the waiver; and
4 (D) the period of time during which such
5 waiver will be effective.

6 **SEC. ___. ADDITIONAL PROTOCOL AS A CRITERION FOR**
7 **UNITED STATES ASSISTANCE.**

8 (a) STATEMENT OF POLICY.—It is the policy of the
9 United States to ensure that each country that is a party
10 to the Treaty on the Non-Proliferation of Nuclear Weap-
11 ons should bring into force an Additional Protocol to its
12 safeguards agreement with the IAEA.

13 (b) CRITERION FOR ASSISTANCE.—The United
14 States shall, when considering the provision of assistance
15 under Public Law 87–195 or Public Law 90–629 to a
16 country that is a party to the Treaty on the Nonprolifera-
17 tion of Nuclear Weapons, take into consideration whether
18 the proposed recipient has in force an Additional Protocol
19 to its safeguards agreement with the IAEA.

Mr. BERMAN. This amendment—it is not an improved amendment because we liked the other part of our amendment, remember? It is just one that happens to comply with the rules.

This amendment creates a new title on nuclear nonproliferation and adds three new sections, creating a state sponsor of proliferation list, prohibiting most U.S. assistance to countries that withdraw from the treaty on the nonproliferation of nuclear weapons and requiring the administration to consider whether a country has an additional protocol for safeguards in force when allocating U.S. foreign and security assistance.

Every one of these provisions was originally approved as part of the amendment in the nature of a substitute on H.R. 1280 in April.

None of these provisions, Madam Chairman, none of these provisions have to do in any way with the issuance of nuclear cooperation, with the issue of nuclear cooperation agreements, and therefore don't present the jurisdictional issue raised in the Smith point of order.

The NPT withdrawal provision mandates a shutdown of all U.S. assistance with a waiver for humanitarian assistance or for national security to any state that withdraws from the NPT. The NPT is a cornerstone of the nuclear nonproliferation regime with near universal membership, only four states are currently outside the NPT: India, Pakistan, Israel, and North Korea. Only one country, North Korea, has ever withdrawn. I am concerned if a country or countries withdraw in the future, perhaps in response to the nuclear activities of Iran, perhaps because it is a nonaligned state that withdraws just to make a political point against the West, it could start a cascade of departures significantly undermining the NPT and the whole nuclear nonproliferation regime. This provision is intended to deter any country that will consider such a move.

There is a national security waiver. The state sponsors of proliferation provision mirrors the structure and penalties of state sponsor of terrorism list. This designation could apply to any country that the Secretary of State determines that the government of which has repeatedly provided support for acts of proliferation of equipment, technology, or materials to support the design, acquisition, manufacture or use of weapons of mass destruction. The state sponsor of terrorism list has been a significant success in calling the world's attention to countries that actively support terrorism. These countries are severely upset at being on that list, and in at least one case, enter into negotiations to take actions we want them to take to get off that list.

I suggest we can reproduce that success with a state sponsor of nonproliferation designation, and I expect that the first designees would be North Korea and Iran.

Finally, this amendment states that it should be U.S. policy to ensure that all NPT parties should also bring into effect an additional protocol for safeguards with the IAEA and that the United States should consider whether a state has an additional protocol in effect when considering providing assistance under the Foreign Assistance Act or under the Arms Export Control Act.

The additional protocol, I remind my colleagues, strengthens the IAEA's inspection authority to detect covert military nuclear activity, which is why Iran will not bring one into force. It is clearly in the interest of the U.S. and nuclear nonproliferation regime as a whole that all NPT parties give the IAEA this authority. This is not a requirement or a condition of assistance but an element that the administration should keep in mind, and more importantly the NPT states that are aid recipients should know that we expect them to have an additional protocol in place.

I urge my colleagues to support the amendment.

Chairman ROS-LEHTINEN. The gentleman yields back. Mr. Smith of New Jersey is recognized.

Mr. SMITH. I want to thank the ranking member for offering this amendment. I think this is a good amendment, and frankly I think it is, our side of the aisle certainly will support it.

Chairman ROS-LEHTINEN. Thank you. The gentleman yields back. Hearing no further requests for recognition, the question occurs on the Berman amendment. All those in favor say aye.

[A chorus of ayes.]

Chairman ROS-LEHTINEN. All opposed no.

[A chorus of noes.]

Chairman ROS-LEHTINEN. In the opinion of the Chair, the ayes have it, and the amendment is agreed to.

Mr. BERMAN. I thank the gentlelady.

Chairman ROS-LEHTINEN. The gentleman from California.

Mr. BERMAN. Move to strike the last word.

Chairman ROS-LEHTINEN. Yes, sir. The gentleman is recognized.

Mr. BERMAN. I appreciate you and the committee adopting this lesser amendment, but for me the heart of the bill was this no enrichment, no reprocessing. I would want to remind my colleagues on the committee, the State Department really dislikes that provision, and it tells you something about why you should all be for it. And why? Because it is Congress asserting its authority in this role.

So I guess my only question is, I know the chairman is quite committed to what we did, and I just wanted her to talk perhaps about what we might do to get the Rules Committee and the others to get consideration of that legislation and particularly in the context of——

Chairman ROS-LEHTINEN. If the gentleman will yield?

Mr. BERMAN. I will. Just one last phrase. My willingness to meet with the industry to see what the problems are and to work out those problems if we are able to.

Chairman ROS-LEHTINEN. Yes, I so agree with the gentleman from California, my good friend, the ranking member, and I have communicated my strong desires to the Speaker, to the chairman of the Rules Committee, so they definitely know that I am anxious too, and desirous of moving our original bill through the regular process, and it is my hope and my intention that I will continue to work with my good friend, the ranking member, to make that into a reality. So I will continue my efforts, as I know the gentleman will as well, and we hope that that day will come.

Thank you, Mr. Berman.

Mr. BERMAN. I yield back the balance of my time. I thank the gentlelady for her comments, and I want to partner with her on this.

Chairman ROS-LEHTINEN. Are there any amendments to title X? Mr. Cicilline? So we are now at amendments at the end of the bill. Correct. We are on title XI. We have renamed it. It is a new beast. And Mr. Cicilline has an amendment.

Mr. CICILLINE. I do, thank you, Madam Chairman. I have an amendment.

Chairman ROS-LEHTINEN. To title XI, and Mr. Cicilline has an amendment which the clerk will read.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Cicilline. At the end of the bill, insert the following: Title [blank]. Human Rights Priorities. Section [blank]. Human rights priorities. It is the sense of Congress that——

Chairman ROS-LEHTINEN. By unanimous consent we will consider the amendment as having been read, and we will look at the amendment, and we will—I will reserve a point of order, and the sponsor of the amendment is recognized for 5 minutes to speak on it.

[The information referred to follows:]

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AMENDMENT TO H.R. _____

OFFERED BY MR. Cicilline

At the end of the bill, insert the following:

1 **TITLE ____—HUMAN RIGHTS**
2 **PRIORITIES**

3 **SEC. ___. HUMAN RIGHTS PRIORITIES.**

4 It is the sense of Congress that—

5 (1) recognizing that standing for fundamental
6 freedoms and against human rights abuse abroad is
7 in keeping with United States values, the Secretary
8 of State should ensure that such issues are incor-
9 porated, on a basis equal to the attention given to
10 economic and political factors, into United States bi-
11 lateral relationships; and

12 (2) particular attention should be given to the
13 need to ensure that the voices, rights, and safety of
14 minority communities, including religious and sexual
15 minorities, are heard and protected.

☒

Mr. CICILLINE. Thank you, Madam Chairman. I offer this amendment which calls on the Secretary of State to elevate the promotion

of human rights on an equal basis to our bilateral political and economic relationships. The language in this amendment is a sense of Congress and does not create a new set of mandates or requirements at the State Department, but it does send a strong message that we, as Members of Congress, believe that the Department should work toward the protection and promotion of human rights.

My amendment also makes clear that particular attention should be given to ensure that the voices, rights, and safety of minority communities, including religious and sexual minorities, are protected in regions of the world that have experienced serious human rights violations, including murder, and there have been examples, as I mentioned earlier, including in Africa, the Caribbean, and Eastern Europe where we have seen really serious and grave violations of freedom of association, of personal security, particularly in regard to violence directed at individuals who are considered sexual minorities or religious minorities, and this is really an expression that as we shape our foreign policy that we should not only focus on the important political considerations, economic considerations, but also the values of our country in terms of protecting basic human rights, and so I hope that I might persuade the chairman of the committee to support the amendment and certainly ask my colleagues to support this amendment.

Chairman ROS-LEHTINEN. Yes, the Chairman is supportive. I do not speak for the other members of the committee. Mr. Sires is recognized on the Cicilline amendment.

Mr. SIRES. Well, the reason I asked to speak is because I think this is an excellent amendment. I mean, human rights should be something that the State Department should put at the head of the list whenever they approach any of these countries. When you look at what's happening in Egypt and you have the Coptic Christians and you have other minorities, I think the State Department should move that ahead of some of the other issues and make sure that all their rights are preserved. When you look at places like Cuba in terms of human rights abuses, where they throw you in jail, where they don't feed you, where they don't give you water for 18 days like they did Orlando Zapata, it is certainly something that the State Department should be more forceful with a country like Cuba. When you have a woman that was expelled from Cuba basically because she wanted the remains of her son who was killed in prison, and they were not given the remains, and they would not even give him a decent burial, those human rights, those basic rights should be something that the State Department should put in the forefront.

So I think that human rights priorities are something that this country stands for, and I think it is something that the State Department should take into even stronger consideration when they speak to some of these countries, and I only named two of the countries where all of these abuses are going on.

So I certainly agree with the amendment. I thank the Congressman from Rhode Island for bringing this up, and thank you very much.

Chairman ROS-LEHTINEN. We will probably have a roll call vote on this amendment, but I would like to recognize someone to speak—Mr. Engel.

Mr. ENGEL. Thank you, Madam Chair. I want to also strongly support the amendment. Yesterday when we went late into the night, a number of us, particularly my friends on the other side of the aisle, emphasized, I thought correctly, that the United States isn't just one country amongst a bunch of nations. We have certain values for which we hold dear. Our democracy, we all believe here, is the best in the world, and we believe in the fundamental goodness of this country and that the values that we have are something that we would like other countries to look at and hopefully join with us on a lot of these fundamental freedoms.

We believe that foreign aid is being given out because we truly want to help other countries. I think it helps the United States as well. But we have a reason for giving foreign aid in that we want to do it in a way of being helpful, and I think when we stand for the fundamental values and against the human rights abuses abroad, it is certainly keeping with the United States' values, and I think that the Secretary of State, no matter whom he or she may be, needs to know the Congress feels that we need to put these rights up there along with the economic and political factors.

We have many minorities in this country. We are in many ways a country of minorities. I think it is our strength, the fight against immigration, for or against immigration reform. People that come to this country are coming here from all over the world because of what this country stands for, the freedoms, the opportunities that we have. All of us, unless we are American Indians, either came here as immigrants or we have our forefathers and mothers came here as immigrants.

I am the son of four—the grandson, excuse me, of four immigrants. My grandparents all came to this country. My parents were born in this country, and I and my sister had the good fortune to be born in this country, and so we think that the voices, rights, and safety of minority communities, including religious and sexual minorities are heard and protected, all minority communities.

So I want to compliment my colleague for putting forth this important amendment, and I yield back the balance of my time with enthusiastic support.

Chairman ROS-LEHTINEN. Thank you. The gentleman yields back.

Mr. Payne of New Jersey.

Mr. PAYNE. I would like to also add my voice to the fact that I think that this human rights priorities is certainly in the right direction. I think that we certainly stand for recognizing and appreciating the fundamental freedoms, and we certainly have values in our country, as it has been indicated by the previous speaker, and that we should insist and encourage this to be practiced throughout the world.

We do find that in countries around the world there are attacks on human rights, that they don't have the organizations in country that could help assure that human rights of people are really protected, and that initiatives on behalf of people who have their rights violated are lacking. However, I believe this is certainly what we stand for. We have many countries that still look to us for leadership.

I think that we should continue to stand for the basic principles that were endowed in our important governmental documents, and so I also add my support to this amendment and commend the gentleman from Rhode Island for introducing it.

I will yield back the balance of my time.

Chairman ROS-LEHTINEN. I thank the gentleman. Does anyone else seek recognition?

Mr. Smith is recognized.

Mr. SMITH. Madam Chair, let me just say I have an amendment at the desk, we are now making a copy, it is a second degree amendment to the underlying amendment. Let me just make a couple of points about the underlying——

Chairman ROS-LEHTINEN. The gentleman is recognized.

Mr. SMITH [continuing]. Amendment. There is language in this that is ill-defined: Fundamental freedoms. The ranking member agreed to take that out of his language earlier in this debate. I think we—what does that mean? Human rights does have a definition. There are internationally recognized human rights, and just including ill-defined or not defined language about fundamental freedoms can mean just virtually anything. When the language says on the basis equal to the attention given to the economic and political factors, frankly having spent my 31 years here fighting for human rights, I argue it should at least be equal; hopefully it exceeds. Human rights should be at the core of what we do followed by economic—

Mr. CICILLINE. Will the gentleman yield?

Mr. SMITH. No, let me finish.

Mr. CICILLINE. Okay.

Mr. SMITH [continuing]. Followed by attention that is given to economic and political factors.

And then, number two, sexual minorities, which the gentleman might want to define that further, but when you talk about fundamental freedoms and then talk about particular attention be given to the need to ensure the rights of sexual minorities, are we talking about a right to marriage? What are we talking about? It is not defined. And what I have found in human rights law or in human rights admonishments like this, and this is an admonishment, you know, after the fact it is then defined by certain people when they go to a conference or when they go to the United Nations, and then they define it there to mean something that maybe the gentleman did not have in mind, but it is not defined.

It is very important that when we write legislation that it be very explicitly laid out exactly what it is we are talking about, so for that reason I do have a second degree amendment I will be offering.

Chairman ROS-LEHTINEN. I thank the gentleman. If the gentleman would yield.

Mr. SMITH. I would be happy to.

Chairman ROS-LEHTINEN. I believe that they are making copies. Does the clerk have the second degree amendment? Okay. Now, the clerk will report the amendment, second degree amendment.

Ms. CARROLL. Second degree amendment to Mr. Cicilline's amendment.

Chairman ROS-LEHTINEN. Yes, offered by Mr. Smith to Cicilline, and if I could ask you, do you have copies that we can give out? Thank you. So please read the second degree amendment.

Ms. CARROLL. Second degree amendment offered by Mr. Smith of New Jersey to Mr. Cicilline's amendment. Mr. Cicilline of Rhode Island's amendment, line 6 strike "freedoms" and insert "human rights." Line 9 after "basis" add "at least." On line 11 after "relationships" add a period and strike all that follows through the end of the amendment.

[The information referred to follows:]

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2nd degree to Cicilline

AMENDMENT TO H.R. _____

OFFERED BY Mr. Smith

At the end of the bill, insert the following:

1 **TITLE ____—HUMAN RIGHTS**
2 **PRIORITIES**

3 **SEC. ____. HUMAN RIGHTS PRIORITIES.**

4 It is the sense of Congress that—

5 (1) recognizing that standing for fundamental
6 ~~freedoms~~ human rights and against human rights abuse abroad is
7 in keeping with United States values, the Secretary
8 of State should ensure that such issues are incor-
9 porated, on a basis at least equal to the attention given to
10 economic and political factors, into United States bi-
11 lateral relationships~~, and~~.

12 ~~(2) particular attention should be given to the~~
13 ~~need to ensure that the voices, rights, and safety of~~
14 ~~minority communities, including religious and sexual~~
15 ~~minorities, are heard and protected.~~

☒

Chairman ROS-LEHTINEN. Thank you. Now that we have the amendment before us, can you explain? We will ask that you get time now, now that we have the amendment before us, even

though you spoke, but we didn't have the amendment. So this is on your amendment. Or Mr. Burton can yield to you.

Mr. BURTON. I will just say——

Chairman ROS-LEHTINEN. Mr. Smith, you do still have 5 minutes now that the amendment has been reported.

Mr. SMITH. Again, I think the first part of the amendment, which is changed, but the fundamental thrust is to recognize that fundamental human rights are a priority, that they need to be promoted. I would argue this should be at least on the basis equal to economic and political factors. My hope would be that it will exceed economic and political factors. We know in practicality that is not, often not the case, and the amendment simply strikes number 2 and strikes the language of fundamental freedoms and instead has fundamental human rights in lieu thereof.

And I yield back.

Mr. CICILLINE. Will the gentleman yield?

Chairman ROS-LEHTINEN. Let me just ask, I know that the first bell has rung, we still have time, so I would like to get some of the commentary through before we break for the votes.

Who would like to be recognized? Mr. Cicilline.

Mr. CICILLINE. I would ask if the gentleman would yield. I have no objection to the first two amendments, first two provisions of his amendment, and if he would agree to withdraw the third one, I think we could have an agreement.

Mr. SMITH. No.

Mr. CICILLINE. Because I think in fairness your third amendment guts the amendment. That eliminates—the purpose of the amendment is to raise the issue particularly of religious and sexual minorities. So all I am asking you to do is not gut the amendment. I will agree to those first two accommodations. Let us have a vote on the amendment I propose.

Mr. SMITH. With deep respect to my colleague, I would have to say no, and I yield back the balance of my time.

Mr. BERMAN. Would the gentleman yield?

Chairman ROS-LEHTINEN. It is Mr. Cicilline's time. Mr. Cicilline was recognized, so it is his time.

Mr. BERMAN. Well, I don't know, if you wanted to finish an argument.

Mr. CICILLINE. No, no.

Mr. BERMAN. I listened to the gentleman's argument. He was concerned about the absence of a definition of what I guess religious and sexual minorities means. But surely I was hoping he came up with a notion of a definition that he felt comfortable with in supporting rather than eliminating the whole provision. I cannot believe—the gentleman from New Jersey I know believes the murder of individuals who are sexual minorities, of people who are homosexuals, who are members of the LBGT community—I cannot believe he thinks that they should be targets of violence. I cannot believe he thinks they should be targets of criminalizing their conduct or subject to civil violations or to blatant discrimination on the right to earn a living or something like this, and I am disappointed that his notion of dealing with the concerns about the issue of marriage didn't cause him to come forth with a definition of those acts

of discrimination, violence, criminalization that he felt comfortable thinking are worthy of protection.

And with that, I will make that observation and yield back.

Mr. SMITH. If the gentleman would yield briefly.

Mr. BERMAN. I don't have the time.

Chairman ROS-LEHTINEN. It is Mr. Cicilline's time.

Mr. CICILLINE. I would ask for unanimous consent and ask the sponsor of the second amendment to agree to add after fundamental human rights, add the words "as codified in the Universal Declaration of Human Rights," which I think might answer his concerns.

Mr. SMITH. Well, as you know, the Universal Declaration of Human Rights——

Chairman ROS-LEHTINEN. Mr. Smith.

Mr. SMITH. If the gentleman would yield—was a declaration, it was not a codification of anything. There are human rights treaties, each of which needs to be—if you wanted to go through each and every one of them and somehow pick what you wanted to speak to and especially those that we ratified to which we would be obliged, taking into consideration we have reservations when we have ratified many of those conventions as well, that would be fine, but in a sense of the Congress that I saw 4 minutes ago, maybe 5 minutes ago, you know, again there is no codification in the Universal Declaration of Human Rights.

Mr. CICILLINE. I'm sorry, let me reclaim my time. I misspoke. I should have said as defined in the Universal Declaration of Human Rights. I think you are correct, it is not a codification, but that definition then I think will put in the amendment the limitations that seem to give you concern, and I would ask you with that amendment to——

Chairman ROS-LEHTINEN. Ask unanimous consent?

Mr. CICILLINE. Unanimous consent.

Chairman ROS-LEHTINEN. Mr. Smith?

Mr. SMITH. If I could see it in writing real quickly, just see exactly where you are putting it.

Mr. CICILLINE. Sure.

Mr. SMITH. No, no, respectfully I decline.

Chairman ROS-LEHTINEN. Then what we will do, ladies and gentlemen, we will just vote on this one. We will have—hearing no further requests for recognition.

Mr. CICILLINE. Madam Chairman.

Chairman ROS-LEHTINEN. We will have a recorded vote on this.

Mr. CICILLINE. May I offer an amendment in the nature of a substitute that reads "the Secretary should work to protect the human rights of sexual minorities"?

Chairman ROS-LEHTINEN. We already have that. We already have the second amendment pending.

Mr. CICILLINE. I will withdraw at this time.

Chairman ROS-LEHTINEN. Hearing no further requests for recognition, the question occurs on the amendment. All those in favor say aye. This is the Smith amendment, the second degree amendment. The Smith amendment to the Cicilline amendment. All those in favor say aye to the Smith amendment.

[A chorus of ayes.]

Chairman ROS-LEHTINEN. Wait.

Mr. BERMAN. Could I——

Chairman ROS-LEHTINEN. Yes. Yes, Mr. Berman.

Mr. BERMAN. I am confused. We have an amendment by Mr. Cicilline, we have a second degree amendment by Mr. Smith. Was an amendment in the nature of a substitute being offered?

Chairman ROS-LEHTINEN. No, he withdrew.

Mr. BERMAN. Oh, that was withdrawn.

Chairman ROS-LEHTINEN. If the gentleman would yield, so what we have before us, and it is a second degree amendment offered by Mr. Smith. All those in——

Mr. ENGEL. Madam Chair, I am sorry, I know we have a vote on the floor, but I had addressed Mr. Cicilline's amendment. I would like to be able to speak on Mr. Smith's amendment before we have a vote. I am sorry because I know we have to go and vote, but I really would like to speak on it.

Chairman ROS-LEHTINEN. I had already started to say all those in favor. So I am already in the middle of the ayes. All those in favor say aye.

[A chorus of ayes.]

Chairman ROS-LEHTINEN. All opposed say no.

[A chorus of noes.]

Chairman ROS-LEHTINEN. In the opinion of the Chair, the noes have it.

Mr. CICILLINE. Madam Chair, can we have a roll call vote?

Chairman ROS-LEHTINEN. Yeah.

We are going to take a minute break here, go vote, and come back and address this issue. I don't want to roll over anybody and do damage that I don't mean to do. This is a fair process. So the committee will suspend. We will be in recess. We have some amendments that will take a while, probably 2 hours perhaps, maybe less.

It is the Chair's intention that we will come back, finish with this amendment, then we will continue on to any other amendments that we will have, and also the—but we will have the pending roll call votes to dispense with.

So that is the Chair's intention. When will that happen? When the gavel goes down on the last vote, we will have 15 minutes from that point to come back. Are the members clear on that?

Mr. BERMAN. Madam Chairman?

Chairman ROS-LEHTINEN. Yes.

Mr. BERMAN. Can I move to strike?

Chairman ROS-LEHTINEN. Absolutely, yes.

Mr. BERMAN. So we come back, we finish the discussion of the pending amendment, we then go to a vote on the stacked roll calls, and then we go back to title XI to finish up the bill, as I understand it?

Chairman ROS-LEHTINEN. That is right.

Mr. BERMAN. And the en bloc amendment, when might we expect to have that because a lot of members have amendments in the en bloc.

Chairman ROS-LEHTINEN. Yes, we hope that that baby is going to be taken care of while we vote. Get to work. So we will complete, we hope to, tonight.

Mr. PAYNE. You can't roll the votes tonight and finish them up tomorrow morning at 9?

Chairman ROS-LEHTINEN. No. We have so much floor activity, et cetera. So we hope that tonight's the lucky night. Hope springs eternal.

So the committee will be in recess; 15 minutes after the last vote is gaveled down, we will come back, and we will finish this amendment, roll call votes, and the other amendments. Thank you.

[Recess.]

Chairman ROS-LEHTINEN. The committee will come to order. Per the prior announcement of the Chair, the committee will now resume its consideration of H.R. 2583. The pending business is the recorded vote on the Smith second degree amendment to the Cicilline amendment, which passed by voice vote before a recorded vote was requested. Once that concludes, we would proceed to dispose of the underlying Cicilline amendment, as amended or not, depending upon the vote outcome. After disposition of the Cicilline amendment, we will proceed immediately to vote on the rolled series as follows: Mr. Griffin amendment number 16, prohibition on disclosure of political contributions in submitting offers for the Department of State contracts; Mr. Keating number 619, conflict prevention, risk assessment, and mitigation; Mr. Engel, number 46, limitation on assistance to the Palestinian Authority; Mr. Berman, 571, discrimination related to sexual orientation; Mr. Berman, number 31, Hezbollah Antiterrorism Act of 2011.

We will then proceed to consider other end of bill amendments. It is the intent of the Chair to begin with the en bloc amendment that has been worked out between majority and minority. So the clerk will call the roll on the Smith second degree amendment to the Cicilline amendment.

Ms. CARROLL. Madam Chairman?

Chairman ROS-LEHTINEN. No.

Ms. CARROLL. The chairman votes no.

Mr. Smith?

Mr. SMITH. Yes.

Ms. CARROLL. Mr. Smith votes aye.

Mr. Burton?

[No response.]

Ms. CARROLL. Mr. Gallegly.

Mr. GALLEGLY. Pass.

Ms. CARROLL. Mr. Gallegly passes.

Mr. Rohrabacher?

Mr. ROHRABACHER. Pass.

Ms. CARROLL. Mr. Rohrabacher passes.

Mr. Manzullo?

Mr. MANZULLO. Yes.

Ms. CARROLL. Mr. Manzullo votes aye.

Mr. Royce?

Mr. ROYCE. Yes.

Ms. CARROLL. Mr. Royce votes aye.

Mr. Chabot?

Mr. CHABOT. Aye.

Ms. CARROLL. Mr. Chabot votes aye.

Mr. Paul?

[No response.]
Ms. CARROLL. Mr. Pence?
Mr. PENCE. Aye.
Ms. CARROLL. Mr. Pence votes aye.
Mr. Wilson?
Mr. WILSON OF SOUTH CAROLINA. Aye.
Ms. CARROLL. Mr. Wilson votes aye.
Mr. Mack?
Mr. MACK. Yes.
Ms. CARROLL. Mr. Mack votes aye.
Mr. Fortenberry?
Mr. FORTENBERRY. Yes.
Ms. CARROLL. Mr. Fortenberry votes aye.
Mr. McCaul?
Mr. MCCAUL. Yes.
Ms. CARROLL. Mr. McCaul votes aye.
Mr. Poe?
Mr. POE. Yes.
Ms. CARROLL. Mr. Poe votes aye.
Mr. Bilirakis?
Mr. BILIRAKIS. Yes.
Ms. CARROLL. Mr. Bilirakis votes aye.
Mrs. Schmidt?
Mrs. SCHMIDT. Yes.
Ms. CARROLL. Mrs. Schmidt votes aye.
Mr. Johnson?
Mr. JOHNSON. Yes.
Ms. CARROLL. Mr. Johnson votes aye.
Mr. Rivera?
Mr. RIVERA. Aye.
Ms. CARROLL. Mr. Rivera votes aye.
Mr. Kelly?
Mr. KELLY. Aye.
Ms. CARROLL. Mr. Kelly votes aye.
Mr. Griffin?
Mr. GRIFFIN. Aye.
Ms. CARROLL. Mr. Griffin votes aye.
Mr. Marino?
Mr. MARINO. Yes.
Ms. CARROLL. Mr. Marino votes aye.
Mr. Duncan?
Mr. DUNCAN. Yes.
Ms. CARROLL. Mr. Duncan votes aye.
Ms. Buerkle?
Ms. BUERKLE. Yes.
Ms. CARROLL. Ms. Buerkle votes aye.
Mrs. Ellmers?
Mrs. ELLMERS. Yes.
Ms. CARROLL. Ms. Ellmers votes aye.
Mr. Berman?
Mr. BERMAN. No.
Ms. CARROLL. Mr. Berman votes no.
Mr. Ackerman?
Mr. ACKERMAN. No.

Ms. CARROLL. Mr. Ackerman votes no.
Mr. Faleomavaega?
Mr. FALEOMAVAEGA. No.
Ms. CARROLL. Mr. Faleomavaega votes no.
Mr. Payne?
Mr. PAYNE. No.
Ms. CARROLL. Mr. Payne votes no.
Mr. Sherman?
Mr. SHERMAN. No.
Ms. CARROLL. Mr. Sherman votes no.
Mr. Engel?
Mr. ENGEL. No.
Ms. CARROLL. Mr. Engel votes no.
Mr. Meeks?
Mr. MEEKS. No.
Ms. CARROLL. Mr. Meeks votes no.
Mr. Carnahan?
Mr. CARNAHAN. No.
Ms. CARROLL. Mr. Carnahan votes no.
Mr. Sires?
Mr. SIRES. No.
Ms. CARROLL. Mr. Sires votes no.
Mr. Connolly?
Mr. CONNOLLY. No.
Ms. CARROLL. Mr. Connolly votes no.
Mr. Deutch?
Mr. DEUTCH. No.
Ms. CARROLL. Mr. Deutch votes no.
Mr. Cardoza?
Mr. CARDOZA. No.
Ms. CARROLL. Mr. Cardoza votes no.
Mr. Chandler?
Mr. CHANDLER. No.
Ms. CARROLL. Mr. Chandler votes no.
Mr. Higgins?
Mr. HIGGINS. No.
Ms. CARROLL. Mr. Higgins votes no.
Ms. Schwartz?
Ms. SCHWARTZ. No.
Ms. CARROLL. Ms. Schwartz votes no.
Mr. Murphy?
Mr. MURPHY. No.
Ms. CARROLL. Mr. Murphy votes no.
Ms. Wilson?
Ms. WILSON OF FLORIDA. No.
Ms. CARROLL. Ms. Wilson votes no.
Ms. Bass?
Ms. BASS. No.
Ms. CARROLL. Ms. Bass votes no.
Mr. Keating?
Mr. KEATING. No.
Ms. CARROLL. Mr. Keating votes no.
Mr. Cicilline?
Mr. CICILLINE. No.

Ms. CARROLL. Mr. Cicilline votes no.
Chairman ROS-LEHTINEN. Have all members been recorded?
Mr. Rohrabacher?
Mr. ROHRABACHER. How am I recorded?
Ms. CARROLL. You are not recorded, sir.
Mr. ROHRABACHER. Yes.
Ms. CARROLL. Sorry, I couldn't hear you.
Chairman ROS-LEHTINEN. Yes.
Ms. CARROLL. Mr. Rohrabacher votes aye.
Chairman ROS-LEHTINEN. Mr. Gallegly.
Mr. GALLEGLY. Aye.
Ms. CARROLL. Mr. Gallegly votes aye.
Chairman ROS-LEHTINEN. Mr. Burton.
Mr. BURTON. I vote aye.
Ms. CARROLL. Mr. Burton votes aye.
Chairman ROS-LEHTINEN. Have all members been recorded.
Mr. Ackerman?
Ms. CARROLL. Mr. Ackerman, you are recorded as no.
Mr. ACKERMAN. That is accurate.

Chairman ROS-LEHTINEN. Thank you. Mr. Berman, just an inquiry. I just don't know about the hovering. If we are going to hover, I will have someone hover as well. I don't know that hovering adds or subtracts from the quality of voting. Thank you. Thank you. The clerk will report the vote.

Ms. CARROLL. Madam Chairman, on that vote there are 23 ayes and 21 noes.

Chairman ROS-LEHTINEN. The ayes have it, and the question is agreed to. We now move to the underlying Cicilline amendment, as amended by Mr. Smith. And the question occurs on that amendment, as amended. It is the Cicilline amendment, as amended by Mr. Smith. All those in favor say aye. All those opposed, no. The ayes have it, and the amendment is agreed to. The amendment, as amended, is agreed to. Now we will start the rolled series of votes. We will begin with Mr. Griffin number 16, prohibition on disclosure of political contributions in submitting offers for Department of State contracts. The clerk will call the roll.

Ms. CARROLL. Madam Chairman.
Chairman ROS-LEHTINEN. Yes.
Ms. CARROLL. The chairman votes aye.
Mr. Smith?
Mr. SMITH. Yes.
Ms. CARROLL. Mr. Smith votes aye.
Mr. Burton?
Mr. BURTON. Aye.
Ms. CARROLL. Mr. Burton votes aye.
Mr. Gallegly.
Mr. GALLEGLY. Aye.
Ms. CARROLL. Mr. Gallegly votes aye.
Mr. Rohrabacher?
Mr. ROHRABACHER. Yeah.
Ms. CARROLL. Mr. Rohrabacher votes aye.
Mr. Manzullo?
Mr. MANZULLO. Aye.
Ms. CARROLL. Mr. Manzullo votes aye.

Mr. Royce?
Mr. ROYCE. Aye.
Ms. CARROLL. Mr. Royce votes aye.
Mr. Chabot?
Mr. CHABOT. Aye.
Ms. CARROLL. Mr. Chabot votes aye.
Mr. Paul?
[No response.]
Ms. CARROLL. Mr. Pence?
Mr. PENCE. Aye.
Ms. CARROLL. Mr. Pence votes aye.
Mr. Wilson?
Mr. WILSON OF SOUTH CAROLINA. Yes.
Ms. CARROLL. Mr. Wilson votes aye.
Mr. Mack?
Mr. MACK. Yes.
Ms. CARROLL. Mr. Mack votes aye.
Mr. Fortenberry?
Mr. FORTENBERRY. Yes.
Ms. CARROLL. Mr. Fortenberry votes aye.
Mr. McCaul?
Mr. MCCAUL. Aye.
Ms. CARROLL. Mr. McCaul votes aye.
Mr. Poe?
Mr. POE. Yes.
Ms. CARROLL. Mr. Poe votes aye.
Mr. Bilirakis?
Mr. BILIRAKIS. Yes.
Ms. CARROLL. Mr. Bilirakis votes aye.
Mrs. Schmidt?
Mrs. SCHMIDT. Aye.
Ms. CARROLL. Mrs. Schmidt votes aye.
Mr. Johnson?
Mr. JOHNSON. Aye.
Ms. CARROLL. Mr. Johnson votes aye.
Mr. Rivera?
Mr. RIVERA. Aye.
Ms. CARROLL. Mr. Rivera votes aye.
Mr. Kelly?
Mr. KELLY. Aye.
Ms. CARROLL. Mr. Kelly votes aye.
Mr. Griffin?
Mr. GRIFFIN. Aye.
Ms. CARROLL. Mr. Griffin votes aye.
Mr. Marino?
Mr. MARINO. Yes.
Ms. CARROLL. Mr. Marino votes aye.
Mr. Duncan?
Mr. DUNCAN. Aye.
Ms. CARROLL. Mr. Duncan votes aye.
Ms. Buerkle?
Ms. BUERKLE. Aye.
Ms. CARROLL. Ms. Buerkle votes aye.
Mrs. Ellmers?

Mrs. ELLMERS. Yes.
Ms. CARROLL. Ms. Ellmers votes aye.
Mr. Berman?
Mr. BERMAN. No.
Ms. CARROLL. Mr. Berman votes no.
Mr. Ackerman?
Mr. ACKERMAN. No.
Ms. CARROLL. Mr. Ackerman votes no.
Mr. Faleomavaega?
Mr. FALEOMAVAEGA. No.
Ms. CARROLL. Mr. Faleomavaega votes no.
Mr. Payne?
Mr. PAYNE. No.
Ms. CARROLL. Mr. Payne votes no.
Mr. Sherman?
Mr. SHERMAN. No.
Ms. CARROLL. Mr. Sherman votes no.
Mr. Engel?
Mr. ENGEL. No.
Ms. CARROLL. Mr. Engel votes no.
Mr. Meeks?
Mr. MEEKS. Aye.
Ms. CARROLL. Mr. Meeks votes aye.
Mr. Carnahan?
Mr. CARNAHAN. No.
Ms. CARROLL. Mr. Carnahan votes no.
Mr. Sires?
Mr. SIRES. No.
Ms. CARROLL. Mr. Sires votes no.
Mr. Connolly?
Mr. CONNOLLY. Aye.
Ms. CARROLL. Mr. Connolly votes aye.
Mr. Deutch?
Mr. DEUTCH. No.
Ms. CARROLL. Mr. Deutch votes no.
Mr. Cardoza?
Mr. CARDOZA. No.
Ms. CARROLL. Mr. Cardoza votes no.
Mr. Chandler?
Mr. CHANDLER. Aye.
Ms. CARROLL. Mr. Chandler votes aye.
Mr. Higgins?
Mr. HIGGINS. No.
Ms. CARROLL. Mr. Higgins votes no.
Ms. Schwartz?
Ms. SCHWARTZ. No.
Ms. CARROLL. Ms. Schwartz votes no.
Mr. Murphy?
Mr. MURPHY. No.
Ms. CARROLL. Ms. Wilson?
Ms. WILSON OF FLORIDA. No.
Ms. CARROLL. Ms. Wilson votes no.
Ms. Bass?
Ms. BASS. No.

Ms. CARROLL. Ms. Bass votes no.
Mr. Keating?
Mr. KEATING. No.
Ms. CARROLL. Mr. Keating votes no.
Mr. Cicilline?
Mr. CICILLINE. No.
Ms. CARROLL. Mr. Cicilline votes no.
Chairman ROS-LEHTINEN. Have all members been recorded?
The clerk will report the vote.
Ms. CARROLL. Madam Chairman, on that vote there are 27 ayes and 17 noes.
Chairman ROS-LEHTINEN. The ayes have it, and the question is agreed to. Next we will vote on Mr. Keating number 619, conflict prevention, risk assessment, and mitigation. The clerk will call the roll.
Ms. CARROLL. Madam Chairman?
Chairman ROS-LEHTINEN. No.
Ms. CARROLL. The chairman votes no.
Mr. Smith?
Mr. SMITH. No.
Ms. CARROLL. Mr. Smith votes no.
Mr. Burton?
Mr. BURTON. No.
Ms. CARROLL. Mr. Burton votes no.
Mr. Gallegly.
Mr. GALLEGLY. No.
Ms. CARROLL. Mr. Gallegly votes no.
Mr. Rohrabacher?
Mr. ROHRABACHER. No.
Ms. CARROLL. Mr. Rohrabacher votes no.
Mr. Manzullo?
Mr. MANZULLO. No.
Ms. CARROLL. Mr. Manzullo votes no.
Mr. Royce?
Mr. ROYCE. No.
Ms. CARROLL. Mr. Royce votes no.
Mr. Chabot?
Mr. CHABOT. No.
Ms. CARROLL. Mr. Chabot votes no.
Mr. Paul?
[No response.]
Ms. CARROLL. Mr. Pence?
Mr. PENCE. No.
Ms. CARROLL. Mr. Pence votes no.
Mr. Wilson?
Mr. WILSON OF SOUTH CAROLINA. No.
Ms. CARROLL. Mr. Wilson votes no.
Mr. Mack?
Mr. MACK. No.
Ms. CARROLL. Mr. Mack votes no.
Mr. Fortenberry?
Mr. FORTENBERRY. No.
Ms. CARROLL. Mr. Fortenberry votes no.
Mr. McCaul?

Mr. MCCAUL. No.
Ms. CARROLL. Mr. McCaul votes no.
Mr. Poe?
Mr. POE. No.
Ms. CARROLL. Mr. Poe votes no.
Mr. Bilirakis?
Mr. BILIRAKIS. No.
Ms. CARROLL. Mr. Bilirakis votes no.
Mrs. Schmidt?
Mrs. SCHMIDT. No.
Ms. CARROLL. Mrs. Schmidt votes no.
Mr. Johnson?
Mr. JOHNSON. No.
Ms. CARROLL. Mr. Johnson votes no.
Mr. Rivera?
Mr. RIVERA. No.
Ms. CARROLL. Mr. Rivera votes no.
Mr. Kelly?
Mr. KELLY. No.
Ms. CARROLL. Mr. Kelly votes no.
Mr. Griffin?
Mr. GRIFFIN. No.
Ms. CARROLL. Mr. Griffin votes no.
Mr. Marino?
Mr. MARINO. No.
Ms. CARROLL. Mr. Marino votes no.
Mr. Duncan?
Mr. DUNCAN. No.
Ms. CARROLL. Mr. Duncan votes no.
Ms. Buerkle?
Ms. BUERKLE. No.
Ms. CARROLL. Ms. Buerkle votes no.
Mrs. Ellmers?
Mrs. ELLMERS. No.
Ms. CARROLL. Ms. Ellmers votes no.
Mr. Berman?
Mr. BERMAN. Aye.
Ms. CARROLL. Mr. Berman votes aye.
Mr. Ackerman?
Mr. ACKERMAN. Aye.
Ms. CARROLL. Mr. Ackerman votes aye.
Mr. Faleomavaega?
Mr. FALEOMAVAEGA. Aye.
Ms. CARROLL. Mr. Faleomavaega votes aye.
Mr. Payne?
Mr. PAYNE. Aye.
Ms. CARROLL. Mr. Payne votes aye.
Mr. Sherman?
Mr. SHERMAN. Aye.
Ms. CARROLL. Mr. Sherman votes aye.
Mr. Engel?
Mr. ENGEL. Aye.
Ms. CARROLL. Mr. Engel votes aye.
Mr. Meeks?

Mr. MEEKS. Aye.
Ms. CARROLL. Mr. Meeks votes aye.
Mr. Carnahan?
Mr. CARNAHAN. Aye.
Ms. CARROLL. Mr. Carnahan votes aye.
Mr. Sires?
Mr. SIRES. Yes.
Ms. CARROLL. Mr. Sires votes aye.
Mr. Connolly?
Mr. CONNOLLY. Aye.
Ms. CARROLL. Mr. Connolly votes aye.
Mr. Deutch?
Mr. DEUTCH. Aye.
Ms. CARROLL. Mr. Deutch votes aye.
Mr. Cardoza?
Mr. CARDOZA. Aye.
Ms. CARROLL. Mr. Cardoza votes aye.
Mr. Chandler?
Mr. CHANDLER. Aye.
Ms. CARROLL. Mr. Chandler votes aye.
Mr. Higgins?
Mr. HIGGINS. Yes.
Ms. CARROLL. Mr. Higgins votes aye.
Ms. Schwartz?
Ms. SCHWARTZ. Aye.
Ms. CARROLL. Ms. Schwartz votes aye.
Mr. Murphy?
Mr. MURPHY. Aye.
Ms. CARROLL. Mr. Murphy votes aye.
Ms. Wilson?
Ms. WILSON OF FLORIDA. Aye.
Ms. CARROLL. Ms. Wilson votes aye.
Ms. Bass?
Ms. BASS. Aye.
Ms. CARROLL. Ms. Bass votes aye.
Mr. Keating?
Mr. KEATING. Aye.
Ms. CARROLL. Mr. Keating votes aye.
Mr. Cicilline?
Mr. CICILLINE. Aye.
Ms. CARROLL. Mr. Cicilline votes aye.
Chairman ROS-LEHTINEN. Have all members been recorded?
The clerk will report the vote.
Ms. CARROLL. Madam Chairman, on that vote there are 20 ayes and 24 noes.
Chairman ROS-LEHTINEN. The noes have it, and the question is not agreed to. The next vote will be on the Engel number 46, limitation on assistance to the Palestinian Authority amendment. The clerk will call the roll.
Ms. CARROLL. Madam Chairman.
Chairman ROS-LEHTINEN. Yes.
Ms. CARROLL. The chairman votes aye.
Mr. Smith?
Mr. SMITH. Aye.

Ms. CARROLL. Mr. Smith votes aye.
Mr. Burton?
Mr. BURTON. Aye.
Ms. CARROLL. Mr. Burton votes aye.
Mr. Gallegly.
Mr. GALLEGLY. Aye.
Ms. CARROLL. Mr. Gallegly votes aye.
Mr. Rohrabacher?
Mr. ROHRABACHER. Yes.
Ms. CARROLL. Mr. Rohrabacher votes aye.
Mr. Manzullo?
Mr. MANZULLO. Aye.
Ms. CARROLL. Mr. Manzullo votes aye.
Mr. Royce?
Mr. ROYCE. Aye.
Ms. CARROLL. Mr. Royce votes aye.
Mr. Chabot?
Mr. CHABOT. Aye.
Ms. CARROLL. Mr. Chabot votes aye.
Mr. Paul?
[No response.]
Ms. CARROLL. Mr. Pence?
Mr. PENCE. Aye.
Ms. CARROLL. Mr. Pence votes aye.
Mr. Wilson?
Mr. WILSON OF SOUTH CAROLINA. Aye.
Ms. CARROLL. Mr. Wilson votes aye.
Mr. Mack?
Mr. MACK. Yes.
Ms. CARROLL. Mr. Mack votes aye.
Mr. Fortenberry?
Mr. FORTENBERRY. Yes.
Ms. CARROLL. Mr. Fortenberry votes aye.
Mr. McCaul?
Mr. MCCAUL. Aye.
Ms. CARROLL. Mr. McCaul votes aye.
Mr. Poe?
Mr. POE. Yes.
Ms. CARROLL. Mr. Poe votes aye.
Mr. Bilirakis?
Mr. BILIRAKIS. Yes.
Ms. CARROLL. Mr. Bilirakis votes aye.
Mrs. Schmidt?
Mrs. SCHMIDT. Aye.
Ms. CARROLL. Mrs. Schmidt votes aye.
Mr. Johnson?
Mr. JOHNSON. Aye.
Ms. CARROLL. Mr. Johnson votes aye.
Mr. Rivera?
Mr. RIVERA. Aye.
Ms. CARROLL. Mr. Rivera votes aye.
Mr. Kelly?
Mr. KELLY. Aye.
Ms. CARROLL. Mr. Kelly votes aye.

Mr. Griffin?
Mr. GRIFFIN. Aye.
Ms. CARROLL. Mr. Griffin votes aye.
Mr. Marino?
Mr. MARINO. Yes.
Ms. CARROLL. Mr. Marino votes aye.
Mr. Duncan?
Mr. DUNCAN. Yes.
Ms. CARROLL. Mr. Duncan votes aye.
Ms. Buerkle?
Ms. BUERKLE. Yes.
Ms. CARROLL. Ms. Buerkle votes aye.
Mrs. Ellmers?
Mrs. ELLMERS. Yes.
Ms. CARROLL. Ms. Ellmers votes aye.
Mr. Berman?
Mr. BERMAN. Aye.
Ms. CARROLL. Mr. Berman votes aye.
Mr. Ackerman?
Mr. ACKERMAN. Aye.
Ms. CARROLL. Mr. Ackerman votes aye.
Mr. Faleomavaega?
Mr. FALEOMAVAEGA. Aye.
Ms. CARROLL. Mr. Faleomavaega votes aye.
Mr. Payne?
Mr. PAYNE. Aye.
Ms. CARROLL. Mr. Payne votes aye.
Mr. Sherman?
Mr. SHERMAN. Aye.
Ms. CARROLL. Mr. Sherman votes aye.
Mr. Engel?
Mr. ENGEL. Aye.
Ms. CARROLL. Mr. Engel votes aye.
Mr. Meeks?
Mr. MEEKS. Aye.
Ms. CARROLL. Mr. Meeks votes aye.
Mr. Carnahan?
Mr. CARNAHAN. Aye.
Ms. CARROLL. Mr. Carnahan votes aye.
Mr. Sires?
Mr. SIRES. Aye.
Ms. CARROLL. Mr. Sires votes aye.
Mr. Connolly?
Mr. CONNOLLY. Aye.
Ms. CARROLL. Mr. Connolly votes aye.
Mr. Deutch?
Mr. DEUTCH. Aye.
Ms. CARROLL. Mr. Deutch votes aye.
Mr. Cardoza?
Mr. CARDOZA. Aye.
Ms. CARROLL. Mr. Cardoza votes aye.
Mr. Chandler?
Mr. CHANDLER. Aye.
Ms. CARROLL. Mr. Chandler votes aye.

Mr. Higgins?
Mr. HIGGINS. Yes.
Ms. CARROLL. Mr. Higgins votes aye.
Ms. Schwartz?
Ms. SCHWARTZ. Aye.
Ms. CARROLL. Ms. Schwartz votes aye.
Mr. Murphy?
Mr. MURPHY. Aye.
Ms. CARROLL. Mr. Murphy votes aye.
Ms. Wilson?
Ms. WILSON OF FLORIDA. Aye.
Ms. CARROLL. Ms. Wilson votes aye.
Ms. Bass?
Ms. BASS. Aye.
Ms. CARROLL. Ms. Bass votes aye.
Mr. Keating?
Mr. KEATING. Aye.
Ms. CARROLL. Mr. Keating votes aye.
Mr. Cicilline?
Mr. CICILLINE. Aye.
Ms. CARROLL. Mr. Cicilline votes aye.
Chairman ROS-LEHTINEN. Have all members been recorded?
The clerk will report the vote.
Ms. CARROLL. Madam Chairman, on that vote there are 44 ayes and zero noes.
Chairman ROS-LEHTINEN. The ayes have it. The question is agreed to. Our next vote is on the Berman amendment number 571, discrimination related to sexual orientation. The clerk will call the roll.
Ms. CARROLL. Madam Chairman.
Chairman ROS-LEHTINEN. Yes.
Ms. CARROLL. The chairman votes aye.
Mr. Smith?
Mr. SMITH. No.
Ms. CARROLL. Mr. Smith votes no.
Mr. Burton?
Mr. BURTON. No.
Ms. CARROLL. Mr. Burton votes no.
Mr. Gallegly.
Mr. GALLEGLY. No.
Ms. CARROLL. Mr. Gallegly votes no.
Mr. Rohrabacher?
Mr. ROHRABACHER. No.
Ms. CARROLL. Mr. Rohrabacher votes no.
Mr. Manzullo?
Mr. MANZULLO. No.
Ms. CARROLL. Mr. Manzullo votes no.
Mr. Royce?
Mr. ROYCE. No.
Ms. CARROLL. Mr. Royce votes no.
Mr. Chabot?
Mr. CHABOT. No.
Ms. CARROLL. Mr. Chabot votes no.
Mr. Paul?

[No response.]
Ms. CARROLL. Mr. Pence?
Mr. PENCE. No.
Ms. CARROLL. Mr. Pence votes no.
Mr. Wilson?
Mr. WILSON OF SOUTH CAROLINA. No.
Ms. CARROLL. Mr. Wilson votes no.
Mr. Mack?
Mr. MACK. No.
Ms. CARROLL. Mr. Mack votes no.
Mr. Fortenberry?
Mr. FORTENBERRY. No.
Ms. CARROLL. Mr. Fortenberry votes no.
Mr. McCaul?
Mr. MCCAUL. No.
Ms. CARROLL. Mr. McCaul votes no.
Mr. Poe?
Mr. POE. No.
Ms. CARROLL. Mr. Poe votes no.
Mr. Bilirakis?
Mr. BILIRAKIS. No.
Ms. CARROLL. Mr. Bilirakis votes no.
Mrs. Schmidt?
Mrs. SCHMIDT. No.
Ms. CARROLL. Mrs. Schmidt votes no.
Mr. Johnson?
Mr. JOHNSON. No.
Ms. CARROLL. Mr. Johnson votes no.
Mr. Rivera?
Mr. RIVERA. No.
Ms. CARROLL. Mr. Rivera votes no.
Mr. Kelly?
Mr. KELLY. No.
Ms. CARROLL. Mr. Kelly votes no.
Mr. Griffin?
Mr. GRIFFIN. No.
Ms. CARROLL. Mr. Griffin votes no.
Mr. Marino?
Mr. MARINO. No.
Ms. CARROLL. Mr. Marino votes no.
Mr. Duncan?
Mr. DUNCAN. No.
Ms. CARROLL. Mr. Duncan votes no.
Ms. Buerkle?
Ms. BUERKLE. No.
Ms. CARROLL. Ms. Buerkle votes no.
Mrs. Ellmers?
Mrs. ELLMERS. No.
Ms. CARROLL. Ms. Ellmers votes no.
Mr. Berman?
Mr. BERMAN. Aye.
Ms. CARROLL. Mr. Berman votes aye.
Mr. Ackerman?
Mr. ACKERMAN. Aye.

Ms. CARROLL. Mr. Ackerman votes aye.
Mr. Faleomavaega?
Mr. FALEOMAVAEGA. Aye.
Ms. CARROLL. Mr. Faleomavaega votes aye.
Mr. Payne?
Mr. PAYNE. Aye.
Ms. CARROLL. Mr. Payne votes aye.
Mr. Sherman?
Mr. SHERMAN. Aye.
Ms. CARROLL. Mr. Sherman votes aye.
Mr. Engel?
Mr. ENGEL. Aye.
Ms. CARROLL. Mr. Engel votes aye.
Mr. Meeks?
Mr. MEEKS. Aye.
Ms. CARROLL. Mr. Meeks votes aye.
Mr. Carnahan?
Mr. CARNAHAN. Aye.
Ms. CARROLL. Mr. Carnahan votes aye.
Mr. Sires?
Mr. SIRES. Aye.
Ms. CARROLL. Mr. Sires votes aye.
Mr. Connolly?
Mr. CONNOLLY. Aye.
Ms. CARROLL. Mr. Connolly votes aye.
Mr. Deutch?
Mr. DEUTCH. Aye.
Ms. CARROLL. Mr. Deutch votes aye.
Mr. Cardoza?
Mr. CARDOZA. Aye.
Ms. CARROLL. Mr. Cardoza votes aye.
Mr. Chandler?
Mr. CHANDLER. Aye.
Ms. CARROLL. Mr. Chandler votes aye.
Mr. Higgins?
Mr. HIGGINS. Yes.
Ms. CARROLL. Mr. Higgins votes aye.
Ms. Schwartz?
Ms. SCHWARTZ. Aye.
Ms. CARROLL. Ms. Schwartz votes aye.
Mr. Murphy?
Mr. MURPHY. Aye.
Ms. CARROLL. Mr. Murphy votes aye.
Ms. Wilson?
Ms. WILSON OF FLORIDA. Aye.
Ms. CARROLL. Ms. Wilson votes aye.
Ms. Bass?
Ms. BASS. Aye.
Ms. CARROLL. Ms. Bass votes aye.
Mr. Keating?
Mr. KEATING. Aye.
Ms. CARROLL. Mr. Keating votes aye.
Mr. Cicilline?
Mr. CICILLINE. Aye.

Ms. CARROLL. Mr. Cicilline votes aye.

Chairman ROS-LEHTINEN. Have all members been recorded?

The clerk will report the vote.

Ms. CARROLL. Madam Chairman, on that vote there are 21 ayes and 23 noes.

Chairman ROS-LEHTINEN. The noes have it, and the question is not agreed to. The last rolled vote is Mr. Berman number 31, Hezbollah Antiterrorism Act of 2011. The clerk will call the roll.

Ms. CARROLL. Madam Chairman.

Chairman ROS-LEHTINEN. No.

Ms. CARROLL. The chairman votes no.

Mr. Smith?

Mr. SMITH. No.

Ms. CARROLL. Mr. Smith votes no.

Mr. Burton?

Mr. BURTON. Pass.

Ms. CARROLL. Mr. Burton passes.

Mr. Gallegly.

Mr. GALLEGLY. Aye.

Ms. CARROLL. Mr. Gallegly votes aye.

Mr. Rohrabacher?

Mr. ROHRABACHER. No.

Ms. CARROLL. Mr. Rohrabacher votes no.

Mr. Manzullo?

Mr. MANZULLO. No.

Ms. CARROLL. Mr. Manzullo votes no.

Mr. Royce?

Mr. ROYCE. No.

Ms. CARROLL. Mr. Royce votes no.

Mr. Chabot?

Mr. CHABOT. No.

Ms. CARROLL. Mr. Chabot votes no.

Mr. Paul?

[No response.]

Ms. CARROLL. Mr. Pence?

Mr. PENCE. No.

Ms. CARROLL. Mr. Pence votes no.

Mr. Wilson?

Mr. WILSON OF SOUTH CAROLINA. No.

Ms. CARROLL. Mr. Wilson votes no.

Mr. Mack?

Mr. MACK. No.

Ms. CARROLL. Mr. Mack votes no.

Mr. Fortenberry?

Mr. FORTENBERRY. No.

Ms. CARROLL. Mr. Fortenberry votes no.

Mr. McCaul?

Mr. MCCAUL. No.

Ms. CARROLL. Mr. McCaul votes no.

Mr. Poe?

Mr. POE. No.

Ms. CARROLL. Mr. Poe votes no.

Mr. Bilirakis?

Mr. BILIRAKIS. No.

Ms. CARROLL. Mr. Bilirakis votes no.
Mrs. Schmidt?
Mrs. SCHMIDT. No.
Ms. CARROLL. Mrs. Schmidt votes no.
Mr. Johnson?
Mr. JOHNSON. No.
Ms. CARROLL. Mr. Johnson votes no.
Mr. Rivera?
Mr. RIVERA. No.
Ms. CARROLL. Mr. Rivera votes no.
Mr. Kelly?
Mr. KELLY. No.
Ms. CARROLL. Mr. Kelly votes no.
Mr. Griffin?
Mr. GRIFFIN. No.
Ms. CARROLL. Mr. Griffin votes no.
Mr. Marino?
Mr. MARINO. No.
Ms. CARROLL. Mr. Marino votes no.
Mr. Duncan?
Mr. DUNCAN. No.
Ms. CARROLL. Mr. Duncan votes no.
Ms. Buerkle?
Ms. BUERKLE. No.
Ms. CARROLL. Ms. Buerkle votes no.
Mrs. Ellmers?
Mrs. ELLMERS. No.
Ms. CARROLL. Ms. Ellmers votes no.
Mr. Berman?
Mr. BERMAN. Aye.
Ms. CARROLL. Mr. Berman votes aye.
Mr. Ackerman?
Mr. ACKERMAN. Aye.
Ms. CARROLL. Mr. Ackerman votes aye.
Mr. Faleomavaega?
Mr. FALEOMAVAEGA. Aye.
Ms. CARROLL. Mr. Faleomavaega votes aye.
Mr. Payne?
Mr. PAYNE. Aye.
Ms. CARROLL. Mr. Payne votes aye.
Mr. Sherman?
Mr. SHERMAN. Aye.
Ms. CARROLL. Mr. Sherman votes aye.
Mr. Engel?
Mr. ENGEL. Aye.
Ms. CARROLL. Mr. Engel votes aye.
Mr. Meeks?
Mr. MEEKS. Aye.
Ms. CARROLL. Mr. Meeks votes aye.
Mr. Carnahan?
Mr. CARNAHAN. Aye.
Ms. CARROLL. Mr. Carnahan votes aye.
Mr. Sires?
Mr. SIRES. Yes.

Ms. CARROLL. Mr. Sires votes aye.
Mr. Connolly?
Mr. CONNOLLY. Aye.
Ms. CARROLL. Mr. Connolly votes aye.
Mr. Deutch?
Mr. DEUTCH. Aye.
Ms. CARROLL. Mr. Deutch votes aye.
Mr. Cardoza?
Mr. CARDOZA. Aye.
Ms. CARROLL. Mr. Cardoza votes aye.
Mr. Chandler?
Mr. CHANDLER. Aye.
Ms. CARROLL. Mr. Chandler votes aye.
Mr. Higgins?
Mr. HIGGINS. Yes.
Ms. CARROLL. Mr. Higgins votes aye.
Ms. Schwartz?
Ms. SCHWARTZ. Aye.
Ms. CARROLL. Ms. Schwartz votes aye.
Mr. Murphy?
Mr. MURPHY. Aye.
Ms. CARROLL. Mr. Murphy votes aye.
Ms. Wilson?
Ms. WILSON OF FLORIDA. Aye.
Ms. CARROLL. Ms. Wilson votes aye.
Ms. Bass?
Ms. BASS. Aye.
Ms. CARROLL. Ms. Bass votes aye.
Mr. Keating?
Mr. KEATING. Aye.
Ms. CARROLL. Mr. Keating votes aye.
Mr. Cicilline?
Mr. CICILLINE. Aye.
Ms. CARROLL. Mr. Cicilline votes aye.
Chairman ROS-LEHTINEN. Have all members been recorded?
Mr. BURTON. How am I recorded?
Ms. CARROLL. Mr. Burton, you are not recorded.
Mr. BURTON. Aye.
Ms. CARROLL. Mr. Burton votes aye.

Chairman ROS-LEHTINEN. Have all members been recorded? The clerk will report the vote.

Ms. CARROLL. Madam Chairman, on that vote there are 22 ayes and 22 nos.

Chairman ROS-LEHTINEN. The noes have it, and the question is not agreed to. Without objection, the following amendments will be considered as a single amendment en bloc. Remember Mr. Cardoza's wise counsel. Just kidding, kinda. Mr. Chabot 007, pending claims against the kingdom of Saudi Arabia; Chabot amendment MAS 007, state of policy on human rights abuses by the Government of Syria; Deutch amendment 031, sense of Congress relating to the quartet; Deutch amendment 030, sense of Congress relating to Chinese drywall—that was sneaky—Deutch amendment 028, sense of Congress regarding Holocaust-era property restitution

and compensation by certain European countries; Bass amendment 022, intercountry adoption strategy; Bass amendment 021.

Ms. BASS. Madam Chair, if I want to speak on it do I wait until you finish?

Chairman ROS-LEHTINEN. Yes, Ms. Bass. Yes, we will have—I am just reading the list of the amendments, and then we will open it up for people who dare to comment—wish to comment. Bass amendment 021, Department of State code of conduct to prevent human trafficking; Sherman amendment 039, clarification of sensitive technologies for purposes of procurement ban; Burton amendment 037, sense of Congress relating to democracy in Georgia; Royce amendment 54, curtailing the frequency of international maritime piracy; Rohrabacher 036, report on the influence of the People's Republic of China in Southwest Asia; Duncan amendment 021, the United Nations High Commissioner for Refugees and Religious Freedom; Carnahan amendment number 28, female exchange program; Carnahan amendment 031, certification of foreign military financing for Iraq; Ros-Lehtinen—watch that one—83, strike section 996(B); Berman 039, protection of intellectual property rights. The pending business is now the bipartisan en bloc amendment. Do any members seek recognition? Mr. Berman is recognized.

[The information referred to follows:]

AMENDMENT TO H.R. 2584

OFFERED BY MR. CHABOT OF OHIO

Add at the end of title VIII the following (and conform the table of contents accordingly):

1 **SEC. 813. PENDING CLAIMS AGAINST THE KINGDOM OF**
2 **SAUDI ARABIA.**

3 (a) FINDINGS.—Congress finds the following:

4 (1) On May 19, 1992, the Subcommittee on
5 Europe and the Near East of the Committee on
6 Foreign Affairs of the House of Representatives held
7 a hearing concerning commercial abuses experienced
8 by United States companies in Saudi Arabia and
9 brought the matter to the attention of the Saudi
10 Embassy.

11 (2) As a result of the May 19, 1992, hearing,
12 outstanding claims by United States companies
13 against the Kingdom of Saudi Arabia resulted in the
14 initiation by the Committee on Foreign Affairs of
15 the House of Representatives and the Committee on
16 Foreign Relations of the Senate of a special claims
17 process to resolve the claims, which was included in
18 subsequent legislation.

1 (3) Failure to resolve all such claims has set a
2 poor precedent for dispute resolution processes and
3 trade relations between the United States and the
4 Kingdom of Saudi Arabia.
5 (b) SENSE OF CONGRESS.—It is the sense of Con-
6 gress that the Secretary of State should—
7 (1) immediately engage with the Kingdom of
8 Saudi Arabia to resolve any outstanding claims de-
9 scribed in subsection (a) through the special claims
10 process described in that subsection; and
11 (2) take this matter into account when review-
12 ing United States relations with the Kingdom of
13 Saudi Arabia, including with respect to current and
14 future trade agreements and related activities.
15 (c) REPORT.—The Secretary of State shall, not later
16 than 30 days after the date of the enactment of this Act,
17 and not later than 120 days thereafter, submit to the ap-
18 propriate congressional committees a report on the
19 progress achieved in resolving any remaining claims de-
20 scribed in subsection (a).

AMENDMENT TO H.R. __

OFFERED BY M__. _____

(Foreign Relations Authorization Act, Fiscal Year 2012)

At the end of title VIII, add the following:

1 **SEC. 8xx. STATEMENT OF POLICY ON HUMAN RIGHTS**
2 **ABUSES BY THE GOVERNMENT OF SYRIA.**
3 (a) FINDINGS.—Congress makes the following find-
4 ings:
5 (1) The Syrian Arab Republic is governed by an
6 authoritarian regime which continues to commit
7 massive, systematic, and extraordinary human rights
8 abuses, including the use of torture and arbitrary
9 arrest and detention, and the most basic human and
10 political rights to its citizens.
11 (2) The Government of Syria continues to ruth-
12 lessly suppress pro-democracy protests within its
13 borders and has wantonly killed an estimated 1,500
14 people since the unrest began.
15 (3) The United States, European Union, and
16 other responsible nations have imposed sanctions
17 against the Syrian regime for its extensive human
18 rights abuses.

1 (4) The Department of State's Country Reports
2 on Human Rights Practices for 2010 states that—
3 (A) the Government of Syria "systemati-
4 cally repressed citizens' ability to change their
5 government. . . imposed severe restrictions on
6 civil liberties: freedoms of speech and press, in-
7 cluding Internet and academic freedom; free-
8 doms of assembly and of association, including
9 severe restrictions on nongovernmental organi-
10 zations (NGOs); and freedoms of religion and
11 movement"; and
12 (B) "the security forces committed arbi-
13 trary or unlawful killings, caused politically mo-
14 tivated disappearances, and tortured and phys-
15 ically abused prisoners and detainees with im-
16 punity".
17 (b) STATEMENT OF POLICY.—It shall be the policy
18 of the United States to—
19 (1) continue to strongly condemn the Govern-
20 ment of Syria's suppression of pro-democracy pro-
21 tests and its extensive and systematic violations of
22 and denial of the human rights of the Syrian people;
23 and
24 (2) fully implement and enforce the full range
25 of United States sanctions against the Government

of Syria pursuant to the Syria Accountability and Lebanese Sovereignty Restoration Act of 2003 and other provisions of law.

☒

AMENDMENT TO H.R. 2583

OFFERED BY MR. DEUTCH OF FLORIDA

At the end of title VIII, insert the following:

1 **SEC. 8___. SENSE OF CONGRESS RELATING TO THE QUAR-**
2 **TET.**

3 (a) FINDINGS.—Congress finds the following:

4 (1) On January 30, 2006, the Quartet stated
5 that all members of a future Palestinian government
6 must be committed to nonviolence, recognition of
7 Israel, and acceptance of previous agreements and
8 obligations, including the Roadmap, and recalled this
9 statement on March 30, 2006, following the forma-
10 tion of a Hamas-controlled Palestinian government.

11 (2) On July 5, 2011, the Quartet called for an
12 end to the deplorable five-year detention of Gilad
13 Shalit.

14 (b) SENSE OF CONGRESS.—It is the sense of Con-
15 gress that the Secretary of State should urge the Quartet
16 to adopt the immediate and unconditional release of Gilad Shalit as an
17 additional condition for contact with any Palestinian gov-
18 ernment in which Hamas participates.

☒

AMENDMENT TO H.R. _____

OFFERED BY MR. DEUTCH OF FLORIDA

At the of title VIII, insert the following:

1 **SEC. 8xx. SENSE OF CONGRESS RELATING TO CHINESE**
2 **DRYWALL.**
3 (a) FINDINGS.—Congress finds the following:
4 (1) Between 2001 through 2009, contaminated
5 drywall manufactured in China was imported into
6 the United States and used in home construction.
7 (2) It has been found through scientific studies,
8 including a study by Sandia National Laboratories
9 in New Mexico, that the contaminated drywall im-
10 ported from China creates a corrosive environment
11 for fire safety alarm devices, such as smoke and car-
12 bon monoxide alarms; electrical distribution compo-
13 nents, such as receptacles, switches, and circuit
14 breakers; and gas service piping and fire suppression
15 sprinkler systems installed in the affected homes.
16 (3) Based on these scientific findings, the
17 United States Consumer Product Safety Commission
18 issued an updated Remediation Protocol for Homes
19 with Problem Drywall on March 18, 2011, which
20 recommends the replacement of all contaminated

1 drywall and replacement of fire safety alarm devices,
2 electrical distribution components, and gas service
3 piping and fire suppression sprinkler systems.
4 (4) In addition, homeowners with contaminated
5 drywall from China have indicated that the drywall
6 releases a strong sulfur-like odor that renders the
7 home uninhabitable.
8 (5) Companies in China that manufactured and
9 exported the contaminated drywall to the United
10 States have refused to meet with United States offi-
11 cials, including representatives of the Consumer
12 Product Safety Commission, have not provided fi-
13 nancial assistance to homeowners with contaminated
14 drywall from China, and have not submitted to juris-
15 diction in United States Federal Courts that are
16 hearing cases on contaminated drywall from China.
17 (b) SENSE OF CONGRESS.—It is the sense of Con-
18 gress that—
19 (1) the Secretary of State should insist that
20 Government of the People's Republic of China,
21 which has ownership interests in the companies that
22 manufactured and exported contaminated drywall to
23 the United States, have the companies meet with
24 representatives of the United States Government on

1 remedying homeowners that have contaminated
2 drywall in their homes; and
3 (2) the Secretary of State should insist that the
4 Government of the People's Republic of China have
5 the companies that manufactured and exported con-
6 taminated drywall submit to jurisdiction in United
7 States Federal Courts and comply with any decisions
8 issued by the Courts for homeowners with contami-
9 nated drywall.

AMENDMENT TO H.R. ____

OFFERED BY MR. DEUTCH OF FLORIDA

At the end of title VIII, insert the following:

1 **SEC. 8xx. SENSE OF CONGRESS REGARDING HOLOCAUST-**
2 **ERA PROPERTY RESTITUTION AND COM-**
3 **PENSATION BY CERTAIN EUROPEAN COUN-**
4 **TRIES.**

5 It is the sense of Congress that—

6 (1) countries in Central and Eastern Europe
7 that have not already done so should return looted
8 and confiscated properties from the Holocaust to
9 their rightful owners or, where restitution is not pos-
10 sible, pay equitable compensation, in accordance
11 with principles of justice and in an expeditious man-
12 ner that is transparent and fair;

13 (2) to this end, such countries should follow the
14 Terezin Declaration of June 30, 2009, and the
15 Guidelines and Best Practices for the Restitution
16 and Compensation of Immovable (Real) Property
17 Confiscated or Otherwise Wrongfully Seized by the
18 Nazis, Fascists and Their Collaborators during the
19 Holocaust (Shoah) Era between 1933-1945, includ-
20 ing the Period of World War II, both of which were

1 adopted by more than 40 countries in Prague on
2 June 9, 2010; and
3 (3) countries in Central and Eastern Europe
4 should enact and implement appropriate restitution
5 and compensation legislation to facilitate private,
6 communal, and religious property restitution.

AMENDMENT TO H.R. __

OFFERED BY MS. BASS OF CALIFORNIA

(Foreign Relations Authorization Act, Fiscal Year 2012)

At the end of title VIII, add the following:

1 **SEC. 8xx. INTER-COUNTRY ADOPTION STRATEGY.**

2 (a) IN GENERAL.—Not later than December 31,
3 2012, the Secretary of State should develop and define
4 a strategy for inter-country adoptions between the United
5 States and foreign countries with over 100 adoptions into
6 the United States per year.

7 (b) MATTERS TO BE INCLUDED.—The strategy de-
8 scribed in subsection (a) should include—

9 (1) principles to guide the efforts of the De-
10 partment of State to encourage and support coun-
11 tries to ratify the Hague Convention on Protection
12 of Children and Cooperation in Respect of Inter-
13 country Adoption ("Hague Convention");

14 (2) a statement highlighting the United States
15 commitment to the Hague Convention and a sum-
16 mary of its most significant provisions;

17 (3) recommendations on bridging and coordi-
18 nating the various policies of the Hague Convention,

1 the States, United States courts, and United States
2 Government departments; and
3 (4) specific methods to encourage compliance
4 with post-adoption reporting and monitoring.
5 (c) ROLE OF SECRETARY OF HOMELAND SECU-
6 RITY.—The Secretary of State should work with the Sec-
7 retary of Homeland Security in developing the rec-
8 ommendations described in subsection (b)(3).
9 (d) SENSE OF CONGRESS.—Congress supports the
10 Department of State's ongoing efforts to assist countries
11 in amending their adoptions policies in order to come into
12 alignment with the Hague Convention.

AMENDMENT TO H.R. __

OFFERED BY MS. BASS OF CALIFORNIA

(Foreign Relations Authorization Act, Fiscal Year 2012)

At the end of title VIII, add the following:

1 **SEC. 8xx. DEPARTMENT OF STATE CODE OF CONDUCT TO**
2 **PREVENT HUMAN TRAFFICKING.**

3 (a) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that the Secretary of State should institute a code
5 of conduct within the Department of State to prevent ~~the~~
6 ~~human trafficking and serve victims of~~ severe forms of
7 trafficking in persons.

8 (b) MATTERS TO BE INCLUDED.—The code of con-
9 duct described in subsection (a) should outline necessary
10 steps to ensure that Department of State contractors and
11 subcontractors do not engage in trafficking in persons.

☒

AMENDMENT TO H.R. _____

OFFERED BY MR. SHERMAN OF CALIFORNIA

Add at the end of title VIII the following:

1 **SEC. 813. CLARIFICATION OF SENSITIVE TECHNOLOGIES**
2 **FOR PURPOSES OF PROCUREMENT BAN.**
3 (a) FINDINGS.—The Congress finds the following:
4 (1) The Government of Iran continues to dis-
5 rupt the free flow of information to the people of
6 Iran.
7 (2) The Government of Iran continues to utilize
8 information technology to conduct surveillance of
9 dissidents' communications in an effort to repress
10 opponents of the regime.
11 (3) Congress passed the Comprehensive Iran
12 Sanctions, Accountability, and Divestment Act of
13 2010 (CISADA) (which was enacted into law on
14 July 1, 2010) to increase pressure on the Iranian re-
15 gime to abandon nefarious policies, including the de-
16 velopment of nuclear weapons, support for inter-
17 national terrorism, and violations of internationally
18 recognized human rights.
19 (4) Section 106 of that Act provides for sanc-
20 tions against firms that provide Iran with sensitive

1 technologies that allow the Government of Iran to
2 monitor, disrupt, or filter the free flow of informa-
3 tion to and from the people of Iran.
4 (5) On September 23, 2010, the President dele-
5 gated authorities provided under section 106 of that
6 Act to the Secretary of State.
7 (6) On June 30, 2011, the Government Ac-
8 countability Office issued a report, pursuant to sec-
9 tion 106 of that Act and other legislation, entitled
10 "Iran Communications Blocking" (GAO–11–706R).
11 (7) That report notes that the State Depart-
12 ment has not identified any firms that have provided
13 Iran with such sensitive technology, and that the
14 State Department has no intention "to further re-
15 fine the definition of sensitive technologies beyond
16 hardware, software, telecommunications equipment,
17 or any other technology the President determines is
18 to be used to monitor, filter, or disrupt information
19 and communication flows in Iran". The report fur-
20 ther notes that many communications technologies
21 may be used for legitimate purposes as well as dis-
22 ruption and surveillance, making a determination of
23 the buyer's or seller's intent difficult to discern.
24 (8) The report also notes that, according to var-
25 ious sources, the Government of Iran has developed

1 "indigenous" capabilities to disrupt and monitor in-
2 formation and communications in Iran.
3 (b) RESPONSIBILITIES OF SECRETARY OF STATE.—
4 The Secretary of State shall—
5 (1) not later than 90 days after the date of the
6 enactment of this Act, issue guidelines to further de-
7 scribe the goods, services, and technologies that will
8 be considered "sensitive technologies" for purposes
9 of section 106 of the Comprehensive Iran Sanctions,
10 Accountability, and Divestment Act of 2010 (22
11 U.S.C. 8515), and publish those guidelines in the
12 Federal Register;
13 (2) determine the types of goods, services, and
14 technologies that enable any indigenous capabilities
15 that Iran has to disrupt and monitor information
16 and communications in that country, and consider
17 adding descriptions of those items to the guidelines;
18 and
19 (3) periodically review, but in no case less than
20 once each year, the guidelines and, if necessary,
21 amend the guidelines on the basis of technological
22 developments and new information regarding trans-
23 fers of goods, services, and technologies to Iran and
24 the development of Iran's indigenous capabilities to

1 disrupt and monitor information and communica-
2 tions in Iran.

☒

AMENDMENT TO H.R. _____

OFFERED BY MR. BURTON OF INDIANA

At the appropriate place in the bill, insert the following:

1 **SEC. ___. SENSE OF CONGRESS RELATING TO DEMOCRACY**
2 **IN GEORGIA.**
3 It is the sense of Congress that—
4 (1) Georgia is a strategic partner of the United
5 States and the United States should fully support
6 the development and consolidation of effective demo-
7 cratic governance in Georgia, respect for human
8 rights and the rule of law, an independent media,
9 and a vibrant civil society;
10 (2) the United States should support the
11 strengthening of democratic government institutions,
12 including truly independent executive, judicial, and
13 legislative branches that exhibit effective trans-
14 parency and accountability;
15 (3) the United States should support a free and
16 fair electoral system in Georgia with a diverse and
17 robust multi-party political system representative of
18 Georgia's diverse population;

(4) the United States should fully support Georgia's efforts to join NATO and the transatlantic community; and

(5) the United States should fully support Georgia's territorial integrity and should urge the European Union, its member states, and other responsible countries to call for an immediate and complete withdrawal of Russian troops occupying Georgian territory in accordance with the August and September 2008 ceasefire agreements.

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AMENDMENT TO H.R. _____

OFFERED BY MR. ROYCE OF CALIFORNIA

At the end of title VIII (relating to Miscellaneous Provisions), insert the following:

1 **SEC. 8___. CURTAILING THE FREQUENCY OF INTER-**
2 **NATIONAL MARITIME PIRACY.**
3 (a) FINDINGS.—Congress finds the following:
4 (1) Maritime piracy is expanding in frequency,
5 geographical scope, and cost, representing a growing
6 threat to United States national security and even
7 economic well-being. Somali pirates now operate in
8 a sea space of approximately 2.5 million square nau-
9 tical miles, an increase from 1 million square miles
10 two years ago.
11 (2) From 2007 to 2010, the number of reported
12 hijackings increased sevenfold. Last year witnessed
13 the highest number of successful pirate attacks and
14 hostages taken on record. Somali pirates captured
15 six times the number of hostages in 2010 than in
16 2007, with the length of time held hostage increas-
17 ing, along with reports of abuse. Average ransom
18 payments to Somali pirates have risen to over
19 $4,000,000.

(3) Central to curtailing maritime piracy are internationally recognized "best management practices", which entail practical steps ship owners and seafarers can take to prevent pirate attacks from happening. "Best management practices" include steps such as proceeding at full speed through high risk areas, placing additional lookouts on watches, and employing physical barriers such as razor wire.

(4) "Best management practices" have been developed by the shipping industry and are updated based upon operation experience and lessons learned. "Best Management Practice 3", the third version of the document, was produced in June 2010.

(5) Use of the internationally recognized "best management practices" have been actively encouraged by the international Contact Group on Piracy off the Coast of Somalia, created in January 2009 pursuant to United Nations Security Council Resolution 1851.

(6) It is estimated that approximately 20 percent of all vessels operating off the Horn of Africa do not employ these "best management practices". Reportedly, it is these ships that make up the vast majority of ships that are successfully pirated.

1 (7) On June 15, 2011, Assistant Secretary of
2 State for Political-Military Affairs Andrew Shapiro
3 testified before the Subcommittee on Terrorism,
4 Nonproliferation and Trade of the Committee on
5 Foreign Affairs of the House of Representatives
6 that, "The problem is that the small number of
7 ships that don't follow best management practices
8 are responsible for the vast majority of those that
9 are actually pirated. . .we need to work with the
10 shipping industry to put financial pressure and in-
11 centives on those who are not following best manage-
12 ment practices and leading to this problem to take
13 further action.".
14 (b) DECLARATION OF POLICY.—It shall be the policy
15 of the United States to publically identify persons who
16 show continual disregard for internationally-recognized
17 maritime best management practices promoted by the
18 Contact Group on Piracy off the Coast of Somalia, putting
19 the lives of their crew in jeopardy and contributing to the
20 growing ransom demands of Somali pirates.
21 (c) PUBLICATION OF PERSONS WHO SHOW CON-
22 TINUAL DISREGARD FOR INTERNATIONALLY-RECOGNIZED
23 MARITIME BEST MANAGEMENT PRACTICES.—
24 (1) IN GENERAL.—Subject to paragraph (3),
25 not later than 180 days after the date of enactment

1 of this Act and annually thereafter (or more fre-
2 quently as new information becomes available), the
3 President shall transmit to the appropriate congres-
4 sional committees a list of persons who the Presi-
5 dent determines continually disregard internation-
6 ally-recognized maritime best management practices
7 promoted by the Contact Group on Piracy off the
8 Coast of Somalia.
9 (2) PUBLIC AVAILABILITY.—The lists required
10 under paragraph (1) shall be printed in the Federal
11 Register.
12 (3) TERMINATION.—
13 (A) CERTIFICATION.—The lists required
14 under paragraph (1) shall no longer be required
15 on the date that is 30 days after the date on
16 which the President certifies to the appropriate
17 congressional committees that the insufficient
18 use of internationally recognized "best manage-
19 ment practices" is no longer a contributing fac-
20 tor in the rise of maritime piracy off the coast
21 of Somalia.
22 (B) NOTIFICATION.—The President shall
23 notify the appropriate congressional committees
24 not less than 15 days before making a certifi-
25 cation described in subparagraph (A).

1 (4) DEFINITIONS.—In this section:

2 (A) APPROPRIATE CONGRESSIONAL COM-
3 MITTEES.—The term "appropriate congres-
4 sional committees" means—

5 (i) the Committee on Foreign Affairs
6 and the Committee on Armed Services of
7 the House of Representatives; and

8 (ii) the Committee on Foreign Rela-
9 tions and the Committee on Armed Serv-
10 ices of the Senate.

11 (B) PERSON.—The term "person" means
12 any natural person, or any business, legal enti-
13 ty, or association, including a corporation, part-
14 nership, or joint venture.

AMENDMENT TO H.R. __

OFFERED BY MR. ROHRABACHER OF CALIFORNIA

(Foreign Relations Authorization Act, Fiscal Year 2010)

At the appropriate place in the bill, insert the following:

1 **SEC. ___. REPORT ON THE INFLUENCE OF THE PEOPLE'S**
2 **REPUBLIC OF CHINA IN SOUTHWEST ASIA.**
3 (a) IN GENERAL.—Not later than 180 days after the
4 date of the enactment of this Act, and annually thereafter
5 for the next 2 years, the Secretary of State shall submit
6 to the appropriate congressional committees a report de-
7 tailing—
8 (1) the extent of strategic ties between the Peo-
9 ple's Republic of China and Pakistan, including
10 arms transfers, technological and military assistance
11 (including nuclear and missile capabilities), intel-
12 ligence cooperation, ties to senior Pakistani civilian
13 and military leaders, commercial and defense indus-
14 trial base development, and efforts to expand stra-
15 tegic infrastructure in Pakistan (road, airfields,
16 ports) and its motives for doing so; and
17 (2) China's strategic interests in Afghanistan,
18 including with respect to security, investment and

1 trade, as well as the interrelationship between Chi-
2 nese policy toward Afghanistan and Pakistan, re-
3 spectively.
4 (b) PUBLIC RELEASE OF REPORT.—The report re-
5 quired under subsection (a) may be submitted in classified
6 and unclassified form, but the unclassified portion of the
7 report shall be published on the website of the Department
8 of State.

AMENDMENT TO H.R. 2583

OFFERED BY MR. DUNCAN OF SOUTH CAROLINA

At the end of title VIII, insert the following:

1 **SEC. 8xx. THE UNITED NATIONS HIGH COMMISSIONER FOR**
2 **REFUGEES AND RELIGIOUS FREEDOM.**

3 (a) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that the United Nations High Commissioner for Ref-
5 ugees (UNHCR) should, within the next 12 months, ac-
6 complish the following:

7 (1) A review by UNHCR of the extent to which
8 UNHCR ~~has implemented~~ is processing Religion-Based Refugee
9 Claims ~~under~~ consistent with Article 1A(2) of the 1951 Convention
10 or the 1967 Protocol relating to the Status of Refu-
11 gees.

12 (2) A thorough training of ~~all~~ UNHCR staff
13 utilizing the UNHCR Guidelines for Religion-Based
14 Refugee Claims, including any additional materials
15 necessary based on the review conducted pursuant to
16 paragraph (1), such as the Department of State's
17 Annual Report on International Religious Freedom
18 under section 102(b) of the International Religious
19 Freedom Act of 1998 (22 U.S.C. 6412(b)).

20 (b) REPORTING.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report on whether UNHCR has accomplished the measures specified in paragraphs (1) and (2) of subsection (a), and ~~whether and how UNHCR has subsequently implemented new policies to address concerns of uneven~~ any new steps UNHCR has taken to strengthen implementation of the Guidelines referred to in paragraph (2) of such subsection, with a particular focus on countries that are contiguous to, or hosting asylum-seekers from, countries identified as "countries of particular concern for religious freedom" under section 402(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6442(b)) or listed on the "Watchlist" of the United States Commission on International Religious Freedom for violations of religious freedom.

(2) JUSTIFICATION AND DOCUMENTATION.— If the Secretary determines ~~and~~ in the reports under paragraph (1) that UNHCR has not accomplished the aforementioned measures, or has not ~~implemented new policies~~ taken any new steps to address the aforementioned concerns, the Secretary shall submit to the appropriate congressional committees the justification and documenta-

provided by UNHCR,

1 tion, if ~~any is~~ available, of the reasons why no such

2 actions were taken.

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AMENDMENT TO H.R. _____

OFFERED BY MR. CARNAHAN OF MISSOURI + Mr. Payne of New Jersey

At the end of title VIII, insert the following:

1 SEC. 8___. FEMALE EXCHANGE PROGRAM.

2 (a) ESTABLISHMENT.—The Secretary of State shall should encourage exchanges between

3 establish an exchange program to increase the substantive

4 involvement of women legislators and civil society leaders

5 in politics and decision-making processes. The Secretary

6 shall should focus such exchange program on the following coun-

7 tries:

8 (1) Afghanistan.

9 (2) The Democratic Republic of the Congo.

10 (3) Iraq.

11 (4) Liberia.

12 (5) South Sudan.

13 (b) PURPOSES.—The These exchanges program established

14 under subsection (a) shall should seek to

15 (1) expand female participation in international

16 exchange programs of the Department of State;

17 (2) promote the advancement of women leaders

18 in national parliaments and civil society, reduce legal

19 and discriminatory barriers to women's social civil, edu-

20 cational, and economic equality; and

2

1 (3) promote the human and civil rights of women ~~women's rights~~ and inclusion in de-
2 cision-making structures as fundamental components
3 of democratic governance, stability, and economic
4 development.

☒

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Replacement

Ok

AMENDMENT TO H.R. __

OFFERED BY MR. CARNAHAN OF MISSOURI

(Foreign Relations Authorization Act, Fiscal Year 2012)

In section 911 of the bill (relating to Foreign Military Financing program), add at the end the following:

1 (c) CERTIFICATION ON FOREIGN MILITARY FINANC-
2 ING FOR IRAQ.—Notwithstanding any other provision of
3 this section or any amendment made by this section, 25
4 percent of the funds made available to the Department
5 of State for the Foreign Military Financing program in
6 Iraq for fiscal year 2012 may not be made available for
7 contracts under the program unless the Secretary of State
8 submits to Congress a plan to manage large-scale con-
9 tracts under the program and certifies to Congress that
10 sufficient management and oversight practices are in place
11 with respect to such contracts.

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AMENDMENT TO H.R. 2583

OFFERED BY MS. ROS-LEHTINEN OF FLORIDA

Strike section 996B of the bill.

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AMENDMENT TO H.R. _ ___

OFFERED BY MR. BERMAN OF CALIFORNIA

Mr. Deutch of Florida

Add at the end of title VIII the following (and conform the table of contents accordingly):

1 **SEC. 813. PROTECTION OF INTELLECTUAL PROPERTY**
2 **RIGHTS.**

3 (a) RESOURCES TO PROTECT INTELLECTUAL PROP-
4 ERTY RIGHTS.—The Secretary of State shall ensure that
5 the protection in foreign countries of the intellectual prop-
6 erty rights of United States persons in other countries is
7 a significant component of United States foreign policy in
8 general and in relations with individual countries. The
9 Secretary of State, in consultation with the Director Gen-
10 eral of the United States and Foreign Commercial Service
11 and other agencies as appropriate, shall ensure that ade-
12 quate resources are available at diplomatic missions in any
13 country that is identified under section 182(a)(1) of the
14 Trade Act of 1974 (19 U.S.C. 2242(a)(1)) to ensure—
15 (1) support for enforcement action against vio-
16 lations of the intellectual property rights of United
17 States persons in such country; and
18 (2) cooperation with and support for the host
19 government's efforts to reform its applicable laws,

1 regulations, practices, and agencies to enable that
2 government to fulfill its international and bilateral
3 obligations with respect to intellectual property
4 rights.
5 (b) NEW APPOINTMENTS.—
6 (1) APPOINTMENTS.—The Secretary of State,
7 in consultation with the Director General of the
8 United States and Foreign Commercial Service,
9 shall appoint at least one intellectual property
10 attaché to serve in a United States embassy or other
11 diplomatic mission in a country in each geographic
12 region covered by a regional bureau of the Depart-
13 ment of State. The appointments under the pre-
14 ceding sentence shall be in addition to personnel
15 serving, on the date of the enactment of this Act, in
16 the capacity of intellectual property attachés from
17 any department or agency of the United States at
18 United States embassies or other diplomatic mis-
19 sions.
20 (2) REGIONS DEFINED.—The geographic re-
21 gions referred to in paragraph (1) are the following:
22 (A) Africa.
23 (B) Europe and Eurasia.
24 (C) East Asia and the Pacific.
25 (D) The Near East.

1 (E) South and Central Asia and the Pa-
2 cific.
3 (F) The Western Hemisphere.
4 (c) PRIORITY ASSIGNMENTS.—
5 (1) IN GENERAL.—Subject to paragraph (2), in
6 designating the embassies or other missions to which
7 attaches are assigned under subsection (b), the Sec-
8 retary of State shall give priority to those countries
9 where the activities of an attaché may be carried out
10 with the greatest potential benefit to reducing intel-
11 lectual property infringement in the United States
12 market, to protecting the intellectual property rights
13 of United States persons and their licensees, and to
14 protecting the interests of United States persons
15 otherwise harmed by violations of intellectual prop-
16 erty rights in those countries.
17 (2) ASSIGNMENTS TO PRIORITY COUNTRIES.—
18 In carrying out paragraph (1), the Secretary of
19 State shall consider assigning intellectual property
20 attachés—
21 (A) to the countries that have been identi-
22 fied under section 182(a)(1) of the Trade Act
23 of 1974 (19 U.S.C. 2242(a)(1));

1 (B) to the country where the Organization
2 for Economic Cooperation and Development has
3 its headquarters; and
4 (C) to countries recommended by the Intel-
5 lectual Property Enforcement Coordinator and
6 the heads of other appropriate agencies.
7 (d) TRAINING.—The Secretary of State shall ensure
8 that each attaché appointed under subsection (b) is fully
9 trained for the responsibilities of the position before as-
10 suming duties at the United States embassy or other mis-
11 sion in question.
12 (e) COORDINATION.—The activities of intellectual
13 property attachés under this section shall be carried out
14 in coordination with the Intellectual Property Enforce-
15 ment Coordinator.
16 (f) REPORT TO CONGRESS.—
17 (1) IN GENERAL.—The Secretary of State shall
18 submit to the Congress, not later than December 31
19 of each year, a report on the appointment, designa-
20 tion for assignment, and activities of all intellectual
21 property attachés of any Federal department or
22 agency who are serving at United States embassies
23 or other diplomatic missions.
24 (2) IN GENERAL.—Each report under para-
25 graph (1) shall include the following:

1 (A) An outline of the specific duties and
2 responsibilities undertaken by the intellectual
3 property attachés.
4 (B) A description of the progress, or lack
5 thereof, in the preceding 1-year period, regard-
6 ing the resolution of general and specific intel-
7 lectual property disputes in each country identi-
8 fied under section 182(a)(1) of the Trade Act
9 of 1974 (19 U.S.C. 2242(a)(1)), including any
10 changes by the host government in applicable
11 laws and regulations and their enforcement.
12 (C) An assessment of the obstacles pre-
13 venting the host government of each country
14 described in subparagraph (B) from imple-
15 menting adequate measures to fulfill its inter-
16 national and bilateral obligations with respect
17 to intellectual property rights.
18 (D) An assessment of the adequacy of the
19 resources of the Department of State employed
20 to carry out this section and, if necessary, an
21 assessment of the need for additional resources
22 for such purposes.
23 (g) DEFINITIONS.—In this section:
24 (1) INTELLECTUAL PROPERTY ENFORCEMENT
25 COORDINATOR.—The term "Intellectual Property

1 Enforcement Coordinator" means the Intellectual
2 Property Enforcement Coordinator appointed under
3 section 301 of the Prioritizing Resources and Orga-
4 nization for Intellectual Property Act of 2008 (15
5 U.S.C. 8111).
6 (2) INTELLECTUAL PROPERTY RIGHTS.—The
7 term "intellectual property rights" means the rights
8 of holders of copyrights, patents, trademarks, other
9 forms of intellectual property, and trade secrets.
10 (3) UNITED STATES PERSON.—The term
11 "United States person" means—
12 (A) any United States resident or national;
13 (B) any corporation, partnership, other
14 business entity, or other organization, that is
15 organized under the laws of the United States;
16 and
17 (C) any foreign subsidiary or affiliate (in-
18 cluding any permanent foreign establishment)
19 of any corporation, partnership, business entity,
20 or organization described in subparagraph (B),
21 that is controlled in fact by such corporation,
22 partnership, business entity, or organization.
23 (h) AUTHORIZATION OF APPROPRIATIONS.—There
24 are authorized to be appropriated for each fiscal year such
25 sums as may be necessary for the training and support

1 of the intellectual property attachés appointed under sub-
2 section (b).

☒

Of the amounts authorized to be appropriated by this Act, or any amendments made by this Act, amounts necessary for the training and support of the intellectual property attaches appointed under subsection (b).

there are authorized to be appropriated

Mr. BERMAN. Well, Madam Chairman, I have a few things to say about two of the items on the en bloc, but I like the example of the Cardoza approach, so I will yield back in the assumption that perhaps it will be an example.

Chairman ROS-LEHTINEN. Thank you so much. I think Mr. Berman sets an excellent example. We are all tired. Never tired for democracy, but perhaps a little tired of hearing each other. But members are always advised to put a statement in the record. And we sound far more eloquent oftentimes than when we speak. However, saying all of that, Ms. Bass, if you feel the need, we would not deprive you.

Ms. BASS. Well, after listening to all the comments, I will defer to my colleagues with more seniority and wisdom, and I will defer.

Chairman ROS-LEHTINEN. Certainly older. I don't know about wisdom on our side. But the ranking member does. Hearing no further requests for recognition, the question occurs on the amendment. All those in favor say aye. All opposed, no. In the opinion of the Chair, the ayes have it, and the amendment is agreed to.

Mr. CICILLINE. Madam Chair? I have an amendment at the desk.

Chairman ROS-LEHTINEN. Mr. Cicilline has an amendment at the desk. The clerk will report the amendment. You didn't even give us a minute to rejoice.

Mr. CICILLINE. I am sorry. It is all business.

Ms. CARROLL. I need a copy of the amendment, please.

Chairman ROS-LEHTINEN. The clerk will report the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Cicilline of Rhode Island. At the end of the bill, add the following: Title XI. Discouraging Murder and Other Forms of Violence. Section 1101. Discouraging murder and other forms of violence. It is the sense of Congress that the Secretary of State should discourage foreign governments from condoning murder and other forms of physical violence that is directed against persons because of their sexual orientation or gender identity.

[The information referred to follows:]

AMENDMENT TO H.R. 2583

OFFERED BY MR. CICILLINE OF RHODE ISLAND

At the end of the bill, add the following:

TITLE XI – DISCOURAGING MURDER AND OTHER FORMS OF VIOLENCE.

SEC. 1101. DISCOURAGING MURDER AND OTHER FORMS OF VIOLENCE.

It is the sense of Congress that the Secretary of State should discourage foreign governments from condoning murder and other forms of physical violence that is directed against persons because of their sexual orientation or gender identity.

Chairman ROS-LEHTINEN. I am just going to wait 1 second because members are just getting the amendment now. We are still handing out the amendment here.

Mr. CARNAHAN. Madam Chair, point of inquiry.

Chairman ROS-LEHTINEN. Yes, Mr. Carnahan.

Mr. CARNAHAN. Just for planning purposes for the evening, is it your intention to roll any votes, schedule any votes?

Chairman ROS-LEHTINEN. Thank you. If the gentleman would yield, it is the Chair's intention and the ranking member's intention as well that we will roll through. This is the end of the bill. These are all surprise amendments, so we don't know what we are going to get. But we vote as we get the amendment. The clerk will read it. We will encourage members to explain their amendments and then vote on it. So it is the Chair and the ranking member's intentions to finish this rather quickly, depending upon how many surprises we get. Does that answer the gentleman's question.

Mr. CARNAHAN. Do we have any idea of the quantity of the amendments?

Chairman ROS-LEHTINEN. On our side we have none. But every amendment has been a surprise. The gentleman is recognized. It is not my time.

Mr. CARNAHAN. I yield.

Mr. BERMAN. I thank the gentleman for yielding. As far as I know, there are two or three, maximum four additional amendments, as far as I know. But the chair is right, I could be surprised too.

Chairman ROS-LEHTINEN. We have no amendments, if the gentleman would yield.

Mr. CARNAHAN. That answers my question. Thank you.

Chairman ROS-LEHTINEN. Thank you. So Mr. Cicilline is recognized, because I believe the clerk read the amendment. And it is

Mr. Cicilline's amendment, so the gentleman is recognized for 5 minutes.

Mr. CICILLINE. Thank you, Madam Chairman. And I want to first say that our ranking member submitted an amendment that I think dealt with this issue in a much more comprehensive and a broader way. That amendment narrowly failed. And I have now offered a new amendment, which I hope there will be broad consensus on. And that is really an amendment which expresses the sense of Congress that the Secretary of State should discourage foreign governments from condoning murder and other forms of physical violence that is directed against persons because of their sexual orientation or gender identity. This is a real issue. People are dying all over the world because of who they are.

Now, there was a recent report done by the State Department, and I am going to quote from it, a human rights report:

> "A third trend, and one that points in a negative direction, was the continuing escalation of violence, persecution, and official and societal discrimination of members of vulnerable groups, often religious, racial, or ethnic minorities, or disempowered majorities. In many countries, this pattern of discrimination extended to women, children, persons with disabilities, indigenous, lesbian, gay, bisexual, and transgendered persons, and members of other vulnerable groups who lack the political power to defend their own interests."

They go on to say,

> "Persons around the world continue to experience discrimination and intimidation based on their sexual orientation or gender identity. Honduras saw an upsurge in killing of members of the LGBT community by unknown perpetrators. Meanwhile, in many African, Middle Eastern, and Caribbean nations, same-sex relations remain a criminal offense, and through such laws and other measures the state reinforces and encourages societal discrimination and intolerance. In Uganda, for example, intimidation and harassment of LGBT individuals worsened during the year, and some government and religious leaders threatened LGBT individuals."

There are examples in the State Department analysis that found abuses against members of the LGBT community in Iran, where the punishment for homosexual acts is death. And in Bulgaria, there was a huge amount of violence that was conducted during a gay pride parade in Sofia. And the examples go on and on of violence and murder and physical attacks of members of this community.

At the very least, the Congress of the United States should stand very strongly and loudly against violence against people because of who they are, against murder and physical violence. And I hope that every single member of this committee can join in this expression that at the very least, we can protect members and advocate for the protection of members from the LGBT community all over the world to be free from being murdered and beaten because of who they are.

There are so many examples of these kinds of violence. And a strong statement from the Congress of the United States can make a real difference.

Mr. CONNOLLY. Would my colleague yield?

Chairman ROS-LEHTINEN. Yes, Mr. Connolly. Mr. Berman will get his own time.

Mr. CONNOLLY. I just want to commend my colleague for this amendment. Surely, this amendment can unite us. Surely, life is life. We have heard a lot over the last 2 days of this extraordinary markup about the need to speak out on discrimination all over the world. We have heard about the sanctity of life. We have heard passionate discussion about, frankly, certain practices constituting the taking of human life. Well, the murder of somebody because of his or her sexual orientation is murder. A life is a life. And here is a moment of truth as to whether we can't find common ground, Democrats and Republicans, to stand up and say it is never okay to discriminate based upon one's sexual orientation, and it is certainly never okay to commit violence or the ultimate act of violence, the taking of a life. Every nation should know with whom we deal that from the United States' point of view, we are going to assert that fundamental value as a country that has turned its back on discrimination and wants to urge others to do the same. I yield to Mr. Cicilline.

Mr. CICILLINE. Thank you. And I yield back the balance of my time.

Mr. BERMAN. Madam Chairman.

Chairman ROS-LEHTINEN. Mr. Cicilline yields back, and Mr. Berman is recognized.

Mr. BERMAN. Madam Chairman, I have an amendment at the desk, a second degree amendment to the amendment.

Chairman ROS-LEHTINEN. If Mr. Berman could hold a second, I had messed up and was supposed to go on our side.

Mr. BERMAN. Madam Chairman, on this one I was recognized without any limitations on purpose, and I have proposed a second degree amendment.

Mr. CHABOT. And it wasn't his turn, Madam Chairman.

Chairman ROS-LEHTINEN. Mr. Chabot is recognized.

Mr. CICILLINE. Point of order, Madam Chairman. Point of order.

Chairman ROS-LEHTINEN. Yes, Mr. Cicilline.

Mr. CICILLINE. Madam Chairman, I believe there is a motion for a second amendment that has been made, which was properly made. And I would ask that Mr. Berman be permitted to proceed with his amendment. He was recognized.

Chairman ROS-LEHTINEN. It was my fault, because Mr. Connolly, you had given time to Mr. Connolly. Instead, we made an error and gave Mr. Connolly 5 minutes as if he were an individual speaker. I realize that it is our fault. And then I went to Mr. Berman.

Mr. CICILLINE. I think my point of order, Madam Chairman, with all due respect, is that Mr. Berman is not speaking on the amendment, he is offering his own amendment. So it is not a question of going to him to speak in support of my amendment. He is offering his own amendment, which he is entitled to do under the rules. He was recognized. And I ask that that amendment be considered.

Mr. CHABOT. Madam Chairman, I have a point of order.

Chairman ROS-LEHTINEN. Mr. Chabot is recognized for the point of order.

Mr. CHABOT. Isn't it the policy of this committee to go back and forth from side to side? And isn't that what we are attempting to do?

Chairman ROS-LEHTINEN. Yes. Not only that way of doing it, it is up to the Chair to see who the Chair would recognize and for what purpose.

Mr. CHABOT. And I would ask the chair to follow regular order.

Mr. BERMAN. Point of order, Madam Chairman. I was recognized. I offered an amendment. If Mr. Chabot wants to speak on my amendment before I do, that is fine. However, the amendment to the amendment is before the committee. There is no other way to interpret it. I was not recognized with a limitation for purposes of debate only. I was recognized——

Chairman ROS-LEHTINEN. If the gentleman would yield.

Mr. BERMAN. I would be happy to.

Mr. CHABOT. Point of order, Madam Chairman.

Chairman ROS-LEHTINEN. The gentleman has yielded. You do realize that it was my intention for me to recognize you in order to speak, and not for me to recognize you to present an amendment. Had I known that, I would have made sure that we would have had regular order, which is to alternate sides. I inadvertently recognized you, and you offered an amendment. I would have then gone to Mr. Chabot. You have seen us do this for 2 days. And that is the way that I have been doing it. I think I have been fair about it.

Mr. BERMAN. Madam Chairman, in all fairness, I watched a gentleman offer an amendment and not be able to get a vote on his amendment because the next person offered an amendment to his amendment, totally appropriately within the rules. It was Mr. Smith who did that. Mr. Cicilline did that, and I then was recognized, and I offered an amendment. And whatever the notions are of what was intended or what is the policy, I understand all that. There is no rule that requires you to recognize people from alternate sides of the aisle. It is only a custom and practice. And you recognized me.

Mr. CHABOT. Madam Chair?

Chairman ROS-LEHTINEN. Fine. The gentleman is recognized.

Mr. CHABOT. It is the regular order of this committee to go back and forth from side to side to side, and it would have been our turn next. And we have offered a second degree amendment. And I would——

Mr. BERMAN. You haven't.

Mr. CHABOT. I would ask it be put to a vote, the ruling of the chair.

Mr. ACKERMAN. Point of order. Point of order, Madam Chairman.

Chairman ROS-LEHTINEN. I am going to——

Mr. ACKERMAN. Point of order.

Chairman ROS-LEHTINEN. Point of order? I will rule that it is the power——

Mr. ACKERMAN. Point of order?

Chairman ROS-LEHTINEN. Mr. Ackerman.

Mr. ACKERMAN. Thank you very much. If I could just review the bidding, Mr. Cicilline spoke on his amendment.

Chairman ROS-LEHTINEN. What is the point of order, Mr. Ackerman?

Mr. ACKERMAN. I am raising it. He yielded to Mr. Connolly. You indicated that Mr. Berman would speak on his time when Mr. Cicilline——

Mr. CHABOT. Madam Chair, that is not a point of order.

Chairman ROS-LEHTINEN. That is not a point of order.

Mr. ACKERMAN. The point of order is that you then recognized Mr. Berman.

Mr. CHABOT. That is not a point of order, Madam Chair.

Mr. ACKERMAN. The point of order is if the chair recognized Mr. Berman on his own time, he offered his resolution.

Chairman ROS-LEHTINEN. Reclaiming my time——

Mr. ACKERMAN. And his resolution—then his amendment to the amendment is before us.

Chairman ROS-LEHTINEN. The gentleman is out of order. Ultimately, the power of recognition belongs to the Chair, and the Chair will recognize Mr. Chabot.

Mr. BERMAN. Point of order. Madam Chairman, you recognized me. I offered an amendment. It is the amendment before us. If you are ruling that my offering an amendment is not in order, I would like to appeal the ruling of the chair. I don't think——

Chairman ROS-LEHTINEN. So ordered.

Mr. SMITH. I move to table.

Mr. CHABOT. Second.

Chairman ROS-LEHTINEN. So we will go to a vote to appealing the ruling.

Mr. BERMAN. This is just not a fair way to do it.

Mr. ACKERMAN. Madam Chair, if we proceed, we are going to have to go to the Parliamentarian of the House, because this is in complete violation of the rules. We can't win a vote here. We are just asking for fairness.

Chairman ROS-LEHTINEN. I was trying to be fair. If the gentleman would yield, I was trying to be fair. And I think everyone has seen how fair I have been trying to be on this. And I had said, and you correctly said, I was recognizing Mr. Berman to speak. And that was the intention, to speak, not to offer an amendment.

Mr. CICILLINE. Point of parliamentary inquiry. Point of parliamentary inquiry, Madam Chairman.

Chairman ROS-LEHTINEN. We already had an amendment that was——

Mr. CICILLINE. Point of parliamentary inquiry.

Chairman ROS-LEHTINEN. Mr. Cicilline.

Mr. CICILLINE. Madam Chairman, would you explain why the rule as it applied to the second amendment offered by Mr. Smith was treated completely differently, was allowed to proceed immediately upon his being recognized? You didn't identify ahead of time that it was for a particular purpose. Why does that very same rule not apply to Mr. Berman?

Chairman ROS-LEHTINEN. No, I think if the gentleman would yield——

Mr. CICILLINE. Of course.

Chairman ROS-LEHTINEN. There was a pending motion. I recognized Mr. Smith, and he had made it very clear that he was going to offer a second degree amendment.

Mr. CICILLINE. No, that is not true. He was recognized, Madam Chairman, with all due respect, he was recognized by you, he offered a second amendment without notice to anyone, and we had to consider it. You recognized Mr. Berman. Why does the same procedures not apply to Mr. Berman?

Mr. BERMAN. Will the gentleman yield?

Mr. CICILLINE. I yield.

Mr. BERMAN. Had the chairman said for what purpose, Mr. Berman, do you seek recognition, and I had said I intend to offer an amendment——

Chairman ROS-LEHTINEN. If the gentleman would suspend, he is out of order.

Mr. BERMAN. And the chairman had said you are not recognized for that purpose, it would be a different story.

Chairman ROS-LEHTINEN. The gentleman is out of order.

Mr. BERMAN. No, the committee is out of order.

Chairman ROS-LEHTINEN. We will briefly recess. There is a pending motion to table the appeal of the ruling of the Chair.

Mr. KEATING. Point of order, Madam Chairman.

Chairman ROS-LEHTINEN. The clerk will call the roll on the motion to table the appeal of the ruling of the Chair.

Mr. ACKERMAN. Point of order.

Mr. CHABOT. The roll has been called.

Mr. ACKERMAN. A point of order has been raised before the vote is taking place, Madam Chair.

Mr. KEATING. Point of order.

Chairman ROS-LEHTINEN. So a vote——

Mr. ACKERMAN. Madam Chair, you really don't have to do this. You can just win the vote clean. Make everybody feel like the rules are being obeyed. We can take that loss. We don't.

Chairman ROS-LEHTINEN. The gentleman is out of order.

Mr. ACKERMAN. Point of order. We can't take getting rolled.

Chairman ROS-LEHTINEN. The clerk will call the roll.

Mr. BERMAN. Madam Chair, let's understand something. Madam Chairman, you have been a fair chairman. In this case, you said on your own terms had you observed the custom——

Chairman ROS-LEHTINEN. The gentleman is out of order.

Mr. BERMAN [continuing]. You would have recognized someone else, but you didn't. You recognized me.

Chairman ROS-LEHTINEN. The gentleman is out of order.

Mr. BERMAN. This is not a close question. The amendment is pending. You can rule anything you want, but it is not right.

Chairman ROS-LEHTINEN. I have ruled.

Mr. BERMAN. It is not right. You know it is not right. And to ask people to vote on partisan grounds, all we are doing is asking for a vote on the substance of the amendment. Kill it if you want to.

Chairman ROS-LEHTINEN. There is a pending motion to table the appeal of the ruling of the Chair.

Mr. KEATING. Point of order, Madam Chair.

Chairman ROS-LEHTINEN. There is a pending motion to table the appeal of the ruling of the Chair.

Mr. KEATING. That is my point of order, Madam Chair, that there was an amendment on the floor, and this is out of order.

Mr. GALLEGLY. Regular order, Madam Chairman. Regular order.

Chairman ROS-LEHTINEN. Regular order. The clerk will call the vote.

Ms. CARROLL. Madam Chairman.

Chairman ROS-LEHTINEN. Yes.

Ms. CARROLL. The chairman votes aye.

Mr. Smith?

Mr. SMITH. Yes.

Ms. CARROLL. Mr. Smith votes yes.

Mr. Burton?

Mr. BURTON. Yes.

Ms. CARROLL. Mr. Burton votes aye.

Mr. Gallegly?

Mr. GALLEGLY. Aye.

Ms. CARROLL. Mr. Gallegly votes aye.

Mr. Rohrabacher?

Mr. ROHRABACHER. Aye.

Ms. CARROLL. Mr. Rohrabacher votes aye.

Mr. Manzullo?

Mr. MANZULLO. Aye.

Ms. CARROLL. Mr. Manzullo votes aye.

Mr. Royce?

Mr. ROYCE. Aye.

Ms. CARROLL. Mr. Royce votes aye.

Mr. Chabot?

Mr. CHABOT. Aye.

Ms. CARROLL. Mr. Chabot votes aye.

Mr. Paul?

[No response.]

Ms. CARROLL. Mr. Pence?

Mr. PENCE. Aye.

Ms. CARROLL. Mr. Pence votes aye.

Mr. Wilson?

Mr. WILSON OF SOUTH CAROLINA. Aye.

Ms. CARROLL. Mr. Wilson votes aye.

Mr. Mack?

Mr. MACK. Aye.

Ms. CARROLL. Mr. Mack votes aye.

Mr. Fortenberry?

Mr. FORTENBERRY. Aye.

Ms. CARROLL. Mr. Fortenberry votes aye.

Mr. McCaul?

Mr. MCCAUL. Aye.

Ms. CARROLL. Mr. McCaul votes aye.

Mr. Poe?

Mr. POE. Aye.

Ms. CARROLL. Mr. Poe votes aye.

Mr. Bilirakis?

Mr. BILIRAKIS. Aye.

Ms. CARROLL. Mr. Bilirakis votes aye.

Ms. Schmidt?

Mrs. SCHMIDT. Aye.

Ms. CARROLL. Ms. Schmidt votes aye.
Mr. Johnson?
Mr. JOHNSON. Aye.
Ms. CARROLL. Mr. Johnson votes aye.
Mr. Rivera?
Mr. RIVERA. Aye.
Ms. CARROLL. Mr. Rivera votes aye.
Mr. Kelly?
Mr. KELLY. Aye.
Ms. CARROLL. Mr. Kelly votes aye.
Mr. Griffin?
Mr. GRIFFIN. Aye.
Ms. CARROLL. Mr. Griffin votes aye.
Mr. Marino?
Mr. MARINO. Aye.
Ms. CARROLL. Mr. Marino votes aye.
Mr. Duncan?
Mr. DUNCAN. Aye.
Ms. CARROLL. Mr. Duncan votes aye.
Ms. Buerkle?
Ms. BUERKLE. Aye.
Ms. CARROLL. Ms. Buerkle votes aye.
Mrs. Ellmers?
Mrs. ELLMERS. Aye.
Ms. CARROLL. Ms. Ellmers votes aye.
Mr. Berman?
Mr. BERMAN. No.
Ms. CARROLL. Mr. Berman votes no.
Mr. Ackerman?
Mr. ACKERMAN. No.
Ms. CARROLL. Mr. Ackerman votes no.
Mr. Faleomavaega?
Mr. FALEOMAVAEGA. No.
Ms. CARROLL. Mr. Faleomavaega votes no.
Mr. Payne?
Mr. PAYNE. No.
Ms. CARROLL. Mr. Payne votes no.
Mr. Sherman?
Mr. SHERMAN. No.
Ms. CARROLL. Mr. Sherman votes no.
Mr. Engel?
Mr. ENGEL. No.
Ms. CARROLL. Mr. Engel votes no.
Mr. Meeks?
Mr. MEEKS. No.
Ms. CARROLL. Mr. Meeks votes no.
Mr. Carnahan?
Mr. CARNAHAN. No.
Ms. CARROLL. Mr. Carnahan votes no.
Mr. Sires?
Mr. SIRES. No.
Ms. CARROLL. Mr. Sires votes no.
Mr. Connolly?
Mr. CONNOLLY. No.

Ms. CARROLL. Mr. Connolly votes no.
Mr. Deutch?
Mr. DEUTCH. No.
Ms. CARROLL. Mr. Deutch votes no.
Mr. Cardoza?
Mr. CARDOZA. No.
Ms. CARROLL. Mr. Cardoza votes no.
Mr. Chandler?
Mr. CHANDLER. No.
Ms. CARROLL. Mr. Chandler votes no.
Mr. Higgins?
Mr. HIGGINS. No.
Ms. CARROLL. Mr. Higgins votes no.
Ms. Schwartz?
Ms. SCHWARTZ. No.
Ms. CARROLL. Ms. Schwartz votes no.
Mr. Murphy?
Mr. MURPHY. No.
Ms. CARROLL. Mr. Murphy votes no.
Ms. Wilson?
Ms. WILSON OF FLORIDA. No.
Ms. CARROLL. Ms. Wilson votes no.
Ms. Bass?
Ms. BASS. No.
Ms. CARROLL. Ms. Bass votes no.
Mr. Keating?
Mr. KEATING. No.
Ms. CARROLL. Mr. Keating votes no.
Mr. Cicilline?
Mr. CICILLINE. No.
Ms. CARROLL. Mr. Cicilline votes no.
Mr. ACKERMAN. How am I recorded?
Ms. CARROLL. Mr. Ackerman, you are not recorded.
Mr. ACKERMAN. I vote aye.
Ms. CARROLL. Mr. Ackerman votes aye.
Chairman ROS-LEHTINEN. The clerk will report the role.
Ms. CARROLL. Madam Chairman, on that vote there are 25 ayes and 19 noes.
Mr. ACKERMAN. Madam Chair, I move to reconsider.
Chairman ROS-LEHTINEN. Correct. The Chair would like to yield myself some time.
I would like to win on votes and I would like to win on people offering amendments and doing it in a fair way. All of this, it makes me uncomfortable. I don't like it, and I would like to go back to what we had.
Mr. Cicilline has an amendment. Mr. Berman has his second degree amendment. That is the way it is. We can show that we can win on the votes. I don't wish to win this way. So if my colleagues would go along with it, and I ask you to please do so, it is my intention to go and let Mr. Berman offer his amendment the way it was.
We will vote on it aye or no. Mr. Cicilline will vote aye or no, and we will do it the way that I would like my homeland to have a fair assembly and a fair Congress, which is you win on votes and

you win on debate and you win on power of persuasion. I prefer to do it that way.

So if my wonderful colleagues would allow me to do that, it would give me a great sense of comfort, no matter what the topic is.

With that, I ask unanimous consent that Mr. Berman be recognized to present his amendment to the amendment. Mr. Berman. If the clerk would read the amendment.

Ms. CARROLL. Amendment offered by Mr. Berman of California to the amendment offered by Mr. Cicilline of Rhode Island. Strike "It is the sense of Congress" and all that follows and replace with the following: "It is the sense of Congress that the Secretary——"

Chairman ROS-LEHTINEN. Thank you. I ask unanimous consent that the Berman amendment to the amendment be considered as read.

[The information referred to follows:]

Berman 2° Cicilline

AMENDMENT TO THE AMENDMENT

Strike "It is the sense of Congress" and all that follows and replace with the following:

"It is the sense of Congress that the Secretary of State should discourage foreign governments from condoning murder and other forms of physical violence that is directed against individuals because of their sexual orientation or gender identity."

Chairman ROS-LEHTINEN. I thank Mr. Chabot especially for allowing that and all of the members on my side for allowing this to happen.

Mr. Berman is recognized on his amendment to the Cicilline amendment.

Mr. BERMAN. Madam Chairman, thank you. Let me say that was a very, very classy thing for you to do, and I appreciate it.

The amendment before us speaks for itself. Mr. Cicilline has made a statement on the amendment which I am seeking to amend regarding the merits of it. Mr. Connolly has been eloquent in his support of that position.

The only thing I would like to add in support of my amendment to his amendment is to take the comments that my friend from New Jersey made in the earlier round of discussion. This is not about marriage. This is not about civil liability. This is not about discrimination in employment or benefits. This is not even about the criminalizing of certain kinds of consenting adults' conduct. All this is about is asking the Secretary to discourage foreign governments from condoning murder and other forms of physical violence that is directed against persons because of their sexual orientation or gender identity.

I will accept whatever the will of the majority is in terms of this amendment, but I would make the case, this is a pretty constrained and limited amendment, and I cannot conceive of why it would be an objectionable thing to do.

I yield back the balance of my time.

Mr. FALEOMAVAEGA. Will the gentleman yield?

Mr. BERMAN. I would be happy to yield.

Mr. FALEOMAVAEGA. Just to be quick, I fully support the gentleman's amendment to the amendment. I was wondering as a matter of suggestion if the word "religious" could also be added into the text. I would say because of the religious, sexual orientation or gender identity. Is there anything wrong with that?

Mr. BERMAN. There is nothing wrong with it, but this is a little bit like my conversation with Mr. Rohrabacher last night. The fact that I am talking about a specific country and not about all and every other wrong that is going on does not mean I don't accept the legitimacy of concerns about those wrongs. It means that this is the one I wanted to focus on with this amendment.

Chairman ROS-LEHTINEN. If the gentleman would yield, our side is ready to voice vote.

Mr. CHABOT. Madam Chair?

Chairman ROS-LEHTINEN. Mr. Chabot is recognized.

Mr. CHABOT. I will be very quick here. But the amendment we were going to offer, I mean, there are many of us that feel very strongly that there ought not to be physical violence or murder against anybody. Gay, straight, Black, White, we don't care. There shouldn't be any physical violence against anybody. Our second degree amendment was going to say against any person, rather than saying that they are gay. In fact, it could have said born and unborn. But we know the problems that would create and I know we don't want to stay here all night. So we were just going to say against any person.

But I think if you look at the amendment, the change the gentleman made, by cutting us out from making a second degree amendment, to change the word "persons" to "individuals." What the heck difference does that make? It is the same basic amendment, isn't it?

Mr. BERMAN. If the gentleman will yield, there was one purpose in that change. It was to allow us to have a vote. Not to prevail, but just to——

Mr. CHABOT. Reclaiming my time. In other words, you just said it, in other words, to block us from making a second degree amendment, knowing that this is not acceptable to us because we want to protect everybody, not just gays or anybody else, but everybody. We don't condone any physical violence against anybody.

Mr. BERMAN. Would the gentleman yield? I will address the issue.

Mr. CHABOT. What the other side wants to do is label people, put them in categories, and then that is the way we do this coalition politics.

We think you ought to protect everybody. You ought to treat everybody fairly and like human beings, and we don't need to be categorizing people as straight and gay and all the rest. We have been blocked from doing the amendment, and I commend the chair for

taking a volatile situation and calming it down, and hopefully I haven't revitalized it.

But with that, I will yield back.

Chairman ROS-LEHTINEN. The gentleman yields back. Mr. Payne is recognized.

Mr. PAYNE. This is non-volatile either. I yield to Mr. Berman.

Mr. BERMAN. Thank you. I appreciate the gentleman yielding. To Mr. Chabot, when Mr. Smith comes up with an amendment regarding the discrimination against Vietnamese Buddhist monks and Catholic priests by the Government of Vietnam, I don't say, why are you doing that? There are many governments discriminating against many people for many reasons that are unjustified, whether it be race or religion or ethnicity or national origin. We should turn his amendment into an amendment that opposes all countries discriminating against anyone.

What you do when you do that is you try to turn everything into nothing. The fact is you know and I know and we all know that there are some acts of physical violence that take place not based on anything other than the individual's sexual orientation. That is what the purpose of this amendment is. It doesn't mean we condone physical violence against everyone else except people of a certain sexual orientation. It means this is a real problem and we want our Secretary of State to be addressing that in these countries where that is a problem.

So I am not trying to stop you from speaking to any issue you want. Your purpose in your second degree amendment was going to be to keep Mr. Cicilline from getting a vote on an issue that he and we and many other people are very concerned about. That was the purpose of your second degree amendment. And, yes, my second degree amendment was designed to keep you from keeping him from getting a vote on that issue.

I yield back.

Chairman ROS-LEHTINEN. Mrs. Schmidt.

Mrs. SCHMIDT. Thank you, Madam Chair. I just want to say while I give kudos to the other side for, you know, this trickery, I want to remind all of us, and it is, it is, I want to remind all of us that the American public is watching. And one of the things that the American public doesn't like about either side is this kind of gamesmanship that is being played. So maybe we should work in a way that is as bipartisan as humanly possible without taking one side's opportunity away from the other.

I want to commend the chair, for even though she won the tabling rule, to allow this debate to go on, because that really is what America is all about. And I yield back the balance of my time.

Chairman ROS-LEHTINEN. I saw Mr. Keating first. Then we will go on this side. I will be meticulous about this.

Mr. KEATING. Thank you, Madam Chair. I just wanted to address the point in terms of why we are taking a targeted group of people. I was a district attorney for 12 years, chief law enforcement officer, and one of the laws that I enforced were the hate crime laws.

Why do jurisdictions in this country have hate crime laws? They could simply say we are against all violence against anyone. We are against all murders against anyone. But why in the United States, from jurisdiction to jurisdiction to jurisdiction, do we have

hate crime laws? Because people are targeted because of their sexual orientation, their gender. There is a host of other issues that make that penalty worse.

So in answer to your question, we should not have any hate crime laws in this country if indeed you took the same logic that it makes no difference, we are against everything. And I hope that helps put this in perspective, because that is what this amendment is all about.

Chairman ROS-LEHTINEN. Thank you. Anyone on this side? Mr. Rohrabacher.

Mr. ROHRABACHER. I am sorry to say this to my colleagues, but I think that—and I am against hate crime laws because I think you want to make all—if somebody commits a murder for whatever reason, they should be convicted of murder. Whatever their motive is, they are a murderer.

But in terms of this argument today, quite frankly I think my friends on the other side of the aisle have got this. I mean, let me just note that I would word it a little bit differently. I would suggest that we should word it something like this, saying that the Secretary of State should discourage foreign governments from condoning murder or other forms of physical violence against any innocent person, including individuals who are, because of their sexual orientation or because of their religion or because of whatever else you want to stick in there.

But when there is a problem in the world, there is nothing wrong with mentioning that that is one of the—that that fits into the category you are trying to suggest shouldn't be condoned by governments anywhere in the world. So, I would suggest that anyway, that the language might be acceptable that I just suggested.

Chairman ROS-LEHTINEN. Thank you. And if the gentleman—does the gentleman yield back?

Mr. ROHRABACHER. Yes.

Chairman ROS-LEHTINEN. The Chair would say to our members, I am not going to overlook anyone who wishes to speak, but we will be ready to voice vote this. If you don't like the outcome, we will get a recorded vote, whatever you like. I can continue to recognize members, but I want you to know that we are not holding it up because people were anxious to get going.

Mr. Ackerman.

Mr. ACKERMAN. I will be brief, Madam Chair.

I just want to note that what we are trying to do here is what we always try to do on both sides of the aisle, and that is to call people out for specific bad behavior when their bad behavior is directed at people because of those specifics. When somebody, usually on—it is people on both sides—bring up motions against countries and governments and peoples and movements that discriminate against Coptic Christians, I think we did it in this bill and we all supported it.

When people have discriminating specific bad behavior against women, we don't throw them all into the same category. We call them out for being discriminating against women. We don't say when people propose legislation to make it a crime or to call people out for bad behavior against children, we don't say why are we saying children? It should be everybody.

It seems sometimes only when we specifically touch what is a sensitive nerve in some people, and we are talking about people's sexual orientation, that suddenly they want to lump them into a category with everybody else. This is bad behavior and unacceptable. And just as we have done with other major discrimination against people for who or what they are, people who are gay, people who have a different sexual orientation, are entitled to the same protection and the same voices within our Congress to say that we care about them. They are entitled to the love of God, the same as anybody else, and not make believe they don't exist by just lumping them into some generic category with everybody else. We are just doing what we do around here, and that is demand justice for everybody.

I yield back my time.

Chairman ROS-LEHTINEN. The gentleman yields back. It is the Chair's intention, without overlooking anyone who feels that burning desire to speak, but it is the Chair's desire and the ranking member's desire to call the voice vote on this Berman amendment to the amendment at this time.

So hearing no further requests for recognition, the question occurs on the amendment to the amendment by Mr. Berman to the Cicilline amendment. All those in favor say aye; all those opposed, no.

In the opinion of the Chair, the ayes have it and the amendment to the amendment is agreed to.

Now on the underlying amendment, the question occurs on the underlying amendment, as amended. All those in favor say aye; all opposed, no.

In the opinion of the Chair, the ayes have it and the amendment, as amended, is agreed to.

Thank you so very much, ladies and gentlemen. Again, I apologize for any mess-up on my part. I did not mean to cause anyone to have any ulcers.

So now I will entertain further amendments to this title, the surprise bag. Does anyone have an amendment to this title?

Mr. ENGEL. Madam Chair, I have an amendment at the desk.

Chairman ROS-LEHTINEN. Mr. Engel has an amendment at the desk. The clerk will report the amendment. You have it.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Engel of New York. At the end of the bill, add the following. Title [blank]. Limitation on Assistance to the Palestinian Authority. Section 01. Short title——

Chairman ROS-LEHTINEN. Is someone making copies? I don't see any movement from the ant farm. Thank you. Go ahead. Further limitations on the Palestinian Authority. I already like the title of it.

Ms. CARROLL. [continuing]. Section 01. Short title. This title may be cited as the "Preparing the Palestinian People for Peace Act of 2011." Section 02. Sense of Congress. It is the sense of Congress that (1) the Palestinian Authority has not fully lived up to its prior agreements with Israel to end incitement; and (2) the Palestinian Authority should do more to prepare the Palestinian people for peace with Israel. Section 03. Limitation on assistance to the Palestinian Authority. Chapter 1 of part III of the Foreign Assistance

Act of 1961 is amended (1) by redesignating the second section 620J (as added by section 651 of Public Law 110–161) as section 620M; and (2) by adding at the end the following——

Mr. ENGEL. Madam Chair. Can I ask unanimous consent that the bill be considered as read?

[The information referred to follows:]

AMENDMENT TO H.R. 2583

OFFERED BY MR. ENGEL OF NEW YORK

At the end of the bill, add the following:

TITLE __—LIMITATION ON ASSISTANCE TO THE PALESTINIAN AUTHORITY

SEC. 01. SHORT TITLE.

This title may be cited as the "Preparing the Palestinian People for Peace Act of 2011".

SEC. 02. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the Palestinian Authority has not fully lived up to its prior agreements with Israel to end incitement; and

(2) the Palestinian Authority should do more to prepare the Palestinian people for peace with Israel.

SEC. 03. LIMITATION ON ASSISTANCE TO THE PALESTINIAN AUTHORITY.

Chapter 1 of part III of the Foreign Assistance Act of 1961 is amended—

(1) by redesignating the second section 620J (as added by section 651 of Public Law 110–161) as section 620M; and

1 (2) by adding at the end the following:

2 **"SEC. 620N. LIMITATION ON ASSISTANCE TO THE PALES-**
3 **TINIAN AUTHORITY.**

4 "(a) LIMITATION.—Funds may not be provided
5 under this Act to the Palestinian Authority except during
6 a period for which a certification described in subsection
7 (b) is in effect.

8 "(b) CERTIFICATION.—Not later than 60 days after
9 the date of the enactment of this Act, and every 180 days
10 thereafter, the President shall certify in writing to Con-
11 gress that the Palestinian Authority—

12 "(1) is not engaging in a pattern of incitement
13 against Israel; and

14 "(2) is engaged in peace preparation activities,
15 that is, activities aimed at promoting peace with the
16 Jewish state of Israel.

17 "(c) WAIVER.—The limitation of subsection (a) shall
18 not apply if the President certifies in writing to Congress
19 that waiving such prohibition is important to the national
20 security interests of the United States.

21 "(d) REPORT.—Whenever the waiver authority pur-
22 suant to subsection (c) is exercised, the President shall
23 submit to Congress a report detailing the justification for
24 the waiver, the purposes for which the funds will be spent,
25 and the reasons the President is unable to make the cer-

1 tification in subsection (b). Such report shall also detail
2 the steps the Palestinian Authority has taken to arrest
3 terrorists, confiscate weapons, halt incitement, dismantle
4 the terrorist infrastructure, and promote peace with the
5 Jewish state of Israel.

6 "(e) DEFINITIONS.—In this section:

7 "(1) CONGRESS.—The term 'Congress'
8 means—

9 "(A) the Speaker, the Committee on For-
10 eign Affairs, and the Committee on Appropria-
11 tions of the House of Representatives; and

12 "(B) the President pro tempore, the Com-
13 mittee on Foreign Relations, and the Com-
14 mittee on Appropriations of the Senate.

15 "(2) INCITEMENT.—The term 'incitement'
16 means any of the following that is sponsored, sup-
17 ported, or directed by officials or employees of the
18 Palestinian Authority or Palestinian Authority-con-
19 trolled, sponsored, or supported electronic, broad
20 cast, and print media, schools, mosques, and institu-
21 tions:

22 "(A) Statements, media, communication,
23 or other activities against any religion, eth-
24 nicity, or nationality.

1 "(B) Advocacy, endorsement, or glorifi-
2 cation of violence, martyrdom, or terrorism.
3 "(C) Endorsement, glorification, honor, or
4 other memorialization of any person or group
5 that has advocated, sponsored, or committed
6 acts of terrorism, including the naming after or
7 dedication to such person or group of any
8 school, community center, camp, stadium, pub-
9 lic square, street, land, landmark, waterway, or
10 other facility.
11 "(3) PEACE PREPARATION ACTIVITIES.—The
12 term 'peace preparation activities' means Arabic-lan-
13 guage communications and educational activities
14 sponsored by the Palestinian Authority, which are
15 communicated or administered via electronic, broad
16 cast and print media, schools, mosques and state-
17 ments by government officials that may include the
18 following:
19 "(A) Public acknowledgments of the State
20 of Israel's right to exist as a Jewish state.
21 "(B) Firm public commitments to and en-
22 dorsements of peaceful co-existence with the
23 Jewish State of Israel.
24 "(C) Production, distribution, and public
25 display via all media platforms, schools,

1 mosques, educational materials and elsewhere of
2 maps that show the State of Israel existing as
3 'Israel' side-by-side with 'Palestine' and halting
4 all production, distribution, or public display of
5 maps that do not include a state of Israel.
6 "(D) Renouncing any and all future rights
7 or claims to commit acts of violence against
8 Israel.".

☒

Chairman ROS-LEHTINEN. Yes. By unanimous consent, it will be considered as read, and the sponsor of the amendment, Mr. Engel, is recognized for 5 minutes to explain his amendment.

Mr. ENGEL. Thank you very much, Madam Chair.

When Yasser Arafat was still around, I used to like to say that he talked out of both sides of his mouth. To an American audience he would declare himself in favor of the "peace of the brave," but to a Palestinian audience he would call for jihad or holy war. No matter what he told us, Arafat never prepared his people for peace.

Boil it down and it comes to this: No Palestinian leader can take his people where they are not prepared to go. If they call for jihad, deny the existence of Israel and leave it off the map, reject the Jewish history in the region, teach that European Jews stole your lands, and pine away for return of refugees to homes in Jaffa or Haifa, refugees that have never been to those places, peace will never be possible.

After the failure of the Oslo process, I recall Dennis Ross, the lead American diplomat, saying if he were to have done anything differently, he would have held Yasser Arafat's feet to the fire on incitement and preparation for peace.

Two months ago, Israeli Prime Minister Bibi Netanyahu addressed both Houses of Congress, and one part stands out to me. The Prime Minister said——

Chairman ROS-LEHTINEN. Will the gentleman yield?

Mr. ENGEL. Yes.

Chairman ROS-LEHTINEN. Would it be possible for you to accept victory at this time, if there is no overwhelming need to oppose it? I feel a lot of love coming from this side.

Mr. ENGEL. Okay. Let me just finish this sentence and then I will stop, because I think it is important. The Prime Minister said,

"President Abbas must do what I have done. I stood before my people and it wasn't easy for me. I stood before my people and I said I will accept a Palestinian state. It is time for President Abbas to stand before his people and say I will accept a Jewish state."

I will end with that, and I thank you.

Chairman ROS-LEHTINEN. I will accept the Engel amendment. Hearing no further requests for recognition, the question occurs on the Engel amendment. All those in favor say aye; all opposed, no. In the opinion of the Chair, the ayes have it and the Engel amendment is agreed to.

Any further amendments? Mr. Meeks?

Mr. MEEKS. Madam Chair, I have an amendment at the desk.

Chairman ROS-LEHTINEN. The clerk will report the amendment.

Ms. CARROLL. Amendment to H.R. 2583 offered by Mr. Meeks of New York. At the appropriate place in the bill, insert the following: Section [blank]. Requirement. The President shall fully enforce all United States regulations on travel to Cuba and impose the corresponding penalties against individuals determined to be in violation of such regulations.

[The information referred to follows:]

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AMENDMENT TO H.R. 2583

OFFERED BY MR. MEEKS OF NEW YORK

At the appropriate place in the bill, insert the following:

1 **SEC. . REQUIREMENT.**

2 The President shall fully enforce all United States
3 regulations on travel to Cuba and impose the cor-
4 responding penalties against individuals determined to be
5 in violation of such regulations.

☒

Chairman ROS-LEHTINEN. Thank you. The gentleman is recognized for 5 minutes on his amendment.

Mr. MEEKS. I will be very, very brief, because I know this is a sensitive issue. And even though I favor family members going

back and forth, one thing that has to be absolutely clear, the integrity of the rules must be maintained. And so, simply put, this amendment calls on the President of the United States to fully enforce all travel regulations and to sanction violations of those regulations. Travel to Cuba is highly regulated, and we want to ensure that straight tourist travel does not occur.

That is basically it, Madam Chair.

Chairman ROS-LEHTINEN. Thank you. I thank the gentleman for yielding back?

Mr. MEEKS. I yield back.

Chairman ROS-LEHTINEN. Thank you. With that wonderful note of brevity, I will assiduously go back and forth. Who seeks time?

Mrs. Schmidt is recognized for 5 minutes.

Mrs. SCHMIDT. Am I to understand this would open travel to Cuba?

Chairman ROS-LEHTINEN. I would not be the one to explain it. If the gentleman would like to——

Mr. MEEKS. Absolutely not. It just says that the current rules that are in place have to be strictly enforced. We want to make sure that none of the rules are violated, and anybody that violates any of those rules should be sanctioned.

Mrs. SCHMIDT. Madam Chair, I just want to say there is no travel ban to Cuba. Under the administration's new policies, there are 21 different ways Americans can legally travel to Cuba, eight categories under general licenses and 13 under specific.

When I went almost 10 years ago, there were only two categories to go, and you had to get it licensed through the Department of Treasury. In fact, many Members of Congress travel to Cuba every year, some at the taxpayers' expense, stay at the best hotels, some of which have been built on confiscated U.S. property, and return with nothing but glowing reviews about Fidel Castro and his brother Raul.

While the proponents of increased travel claim it will help the people of Cuba, suggesting that Americans have some sort of magic democratic——

Chairman ROS-LEHTINEN. Will the gentlelady yield a second?

Mrs. SCHMIDT. Yes.

Chairman ROS-LEHTINEN. Let me just hold on 1 second.

I know that you have a second degree amendment that you want to offer, and we just don't know if it is ready for you to offer.

Mr. BERMAN. Point of parliamentary inquiry. Point of parliamentary inquiry.

Chairman ROS-LEHTINEN. The gentleman is recognized.

Mr. BERMAN. The gentlelady was recognized. She began her debate on the subject. There are plenty of ways to deal with what you are concerned about, but a person who has spoken on the amendment, she was recognized and spoke on the amendment.

Chairman ROS-LEHTINEN. The gentlelady will be recognized.

Mrs. SCHMIDT. Do you want me to hold off until the second degree amendment is ready?

Mr. BERMAN. Then somebody on our side gets recognized.

Mr. SMITH. Instead of yielding back my time, I will have an opportunity to make it? In fact, Mr. Bilirakis, would you give me your time at the appropriate time to do that?

Mr. Bilirakis will give me his time at the appropriate time to do it. Thank you.

Chairman ROS-LEHTINEN. Mrs. Schmidt, if the gentlelady would yield, because I am going back and forth, I would like for you to continue——

Mrs. SCHMIDT. Continue with what? Okay. I am going to yield to Mr. Rivera right now, and then I will get some time later.

Chairman ROS-LEHTINEN. Mrs. Schmidt yields to Mr. Rivera. It is her time.

Mr. RIVERA. Thank you, Congresswoman Schmidt. Madam Chair, am I to understand if I take these moments, I will still get my own 5 minutes?

Chairman ROS-LEHTINEN. Yes, sir.

Mr. RIVERA. I would like to ask the members of the committee while they are reflecting or pondering on this amendment, and I believe there is going to be a secondary amendment that I will offer if Congresswoman Schmidt does not, but I will be offering a secondary amendment to this amendment.

While that is all going on and the photocopying is going on, I know there are a lot of members that have either iPads or Google on their phones or instruments that they have wireless connections. If you could take a moment and just type in Cuba, sex, tourism—Cuba, sex, tourism, or Cuba, human trafficking—because I think it will perhaps edify many of us as to the reality that is going on with travel to Cuba.

I can tell you, for example, that in my congressional office, in my district office, just in the 6 months that I have been in office I have had people who have recently come from Cuba or who have traveled to Cuba recently tell me horrific stories about people traveling to Cuba for some frivolous reason, some reason truly terrible.

I have had people come to tell me that folks travel to Cuba to engage in santa ria or voodoo rituals, to engage in plastic surgery, liposuction, to engage in Sweet 16 parties, what we know as Quinceanera parties, and to engage in sex tourism, which is in some forms a human trafficking issue which was discussed earlier today by one of the members on this committee.

My distinguished colleague from Indiana, Congressman Burton, Googled sex tourism in Cuba and got 352,000 hits, 352,000 hits as a result of sex tourism in Cuba.

Mr. MEEKS. Will the gentleman yield?

Chairman ROS-LEHTINEN. It is not the gentleman's time to yield.

Mr. RIVERA. So when we talk about travel to Cuba, enforcing regulations, there may be some on this committee that would think those regulations that we want enforced that facilitate under this administration that type of travel to Cuba, where when you go on these hits on Google you will see that women in Cuba, and this is painful for me to say, I don't like saying this in the United States Congress, that women have to engage in those types of acts for clothing, for toothpaste, for shoes. Read some of those hits on Google, on sex tourism and human trafficking.

And then when we consider the secondary amendment, I hope you will consider what you are really talking about here and the frivolous statement you were trying to make, because it is not frivolous, it is really serious and there is a lot of human lives involved.

I yield back.

Chairman ROS-LEHTINEN. Thank you. The gentleman's time has expired. And having gone through this lesson, the Chair would like to—simmer down—the Chair would like to make sure, I know there are hands that are going up, the Chair will not, will not be recognizing someone right now to be offering an amendment. The Chair has the right to grant recognition to speakers who want to speak on the underlying amendment. The Chair has the power to recognize a member to speak and the Chair has the power to recognize a member to offer an amendment. I am not going to be recognizing a member on this side to be offering a second degree amendment. I have been there, done that. I am not going to do it.

I know that the gentleman is upset about it. I recognize that. I don't know why the second degree amendment is not ready yet. It was supposed to be ready.

Mr. BERMAN. That is not my fault.

Chairman ROS-LEHTINEN. I understand that.

Mr. BERMAN. And we have a custom——

Chairman ROS-LEHTINEN. The gentleman has not been recognized. I will be glad to recognize the gentleman, and I will be glad to recognize anyone who wants to speak on the underlying amendment by Mr. Meeks right here for purposes of debate. I will not be recognizing you to be speaking and then offer in the middle of your remarks another amendment.

Mr. BERMAN. Point of order.

Chairman ROS-LEHTINEN. The Chair has the power and we could rule and vote on what powers the Chair has, et cetera. I will be glad to grant recognition to any member who would like to speak on the underlying amendment for purposes of debate. So who seeks recognition on the underlying amendment for purposes of debate?

Mr. ACKERMAN. Point of order.

Mr. BERMAN. Will the gentlelady yield for clarification of what she is saying? I just want to clarify the chair's position on this. Are you saying that no member on this side of the aisle has a right to offer a second degree amendment until the person you want to offer a second degree amendment gets to do it first? I don't think that was the way this system was designed to be.

Chairman ROS-LEHTINEN. The Chair recognizes Mr. Rivera.

Mr. RIVERA. Madam Chair, I have a second degree amendment.

Mr. ACKERMAN. Point of order.

Chairman ROS-LEHTINEN. The gentleman is recognized for the purpose of offering an amendment.

Mr. BERMAN. Point of parliamentary inquiry.

Chairman ROS-LEHTINEN. Mr. Rivera has an amendment.

Mr. ACKERMAN. Point of order.

Chairman ROS-LEHTINEN. He is being recognized to offer an amendment.

Mr. ACKERMAN. Point of parliamentary procedure.

Mr. BERMAN. Madam Chairman, I move to adjourn.

Mr. ACKERMAN. I second the motion.

Chairman ROS-LEHTINEN. The vote is on the motion to adjourn. The clerk will call the roll. Motion to adjourn. The clerk will call the roll.

Ms. CARROLL. Madam Chairman?

Chairman ROS-LEHTINEN. No.
Ms. CARROLL. The chairman votes no.
Mr. Smith?
Mr. SMITH. No.
Ms. CARROLL. Mr. Smith votes no.
Mr. Burton?
Mr. BURTON. No.
Ms. CARROLL. Mr. Burton votes no.
Mr. Gallegly?
Mr. GALLEGLY. No.
Ms. CARROLL. Mr. Gallegly votes no.
Mr. Rohrabacher?
Mr. ROHRABACHER. No.
Ms. CARROLL. Mr. Rohrabacher votes no.
Mr. Manzullo?
Mr. MANZULLO. No.
Ms. CARROLL. Mr. Manzullo votes no.
Mr. Royce?
Mr. ROYCE. No.
Ms. CARROLL. Mr. Royce votes no.
Mr. Chabot?
Mr. CHABOT. No.
Ms. CARROLL. Mr. Chabot votes no.
Mr. Paul?
[No response.]
Ms. CARROLL. Mr. Pence?
Mr. PENCE. No.
Ms. CARROLL. Mr. Pence votes no.
Mr. Wilson?
Mr. WILSON OF SOUTH CAROLINA. No.
Ms. CARROLL. Mr. Wilson votes no.
Mr. Mack?
Mr. MACK. No.
Ms. CARROLL. Mr. Mack votes no.
Mr. Fortenberry?
Mr. FORTENBERRY. No.
Ms. CARROLL. Mr. Fortenberry votes no.
Mr. McCaul?
Mr. MCCAUL. No.
Ms. CARROLL. Mr. McCaul votes no.
Mr. Poe?
Mr. POE. No.
Ms. CARROLL. Mr. Poe votes no.
Mr. Bilirakis?
Mr. BILIRAKIS. No.
Ms. CARROLL. Mr. Bilirakis votes no.
Ms. Schmidt?
Mrs. SCHMIDT. No.
Ms. CARROLL. Ms. Schmidt votes no.
Mr. Johnson?
Mr. JOHNSON. No.
Ms. CARROLL. Mr. Johnson votes no.
Mr. Rivera?
Mr. RIVERA. No.

Ms. CARROLL. Mr. Rivera votes no.
Mr. Kelly?
Mr. KELLY. No.
Ms. CARROLL. Mr. Kelly votes no.
Mr. Griffin?
Mr. GRIFFIN. No.
Ms. CARROLL. Mr. Griffin votes no.
Mr. Marino?
Mr. MARINO. No.
Ms. CARROLL. Mr. Marino votes no.
Mr. Duncan?
Mr. DUNCAN. No.
Ms. CARROLL. Mr. Duncan votes no.
Ms. Buerkle?
Ms. BUERKLE. No.
Ms. CARROLL. Ms. Buerkle votes no.
Mrs. Ellmers?
Mrs. ELLMERS. No.
Ms. CARROLL. Ms. Ellmers votes no.
Mr. Berman?
Mr. BERMAN. Aye.
Ms. CARROLL. Mr. Berman votes aye.
Mr. Ackerman?
Mr. ACKERMAN. Aye.
Ms. CARROLL. Mr. Ackerman votes aye.
Mr. Faleomavaega?
Mr. FALEOMAVAEGA. Aye.
Ms. CARROLL. Mr. Faleomavaega votes aye.
Mr. Payne?
Mr. PAYNE. Aye.
Ms. CARROLL. Mr. Payne votes aye.
Mr. Sherman?
Mr. SHERMAN. No.
Ms. CARROLL. Mr. Sherman votes no.
Mr. Engel?
Mr. ENGEL. No.
Ms. CARROLL. Mr. Engel votes no.
Mr. Meeks?
Mr. MEEKS. Aye.
Ms. CARROLL. Mr. Meeks votes aye.
Mr. Carnahan?
Mr. CARNAHAN. Aye.
Ms. CARROLL. Mr. Carnahan votes aye.
Mr. Sires?
Mr. SIRES. No.
Ms. CARROLL. Mr. Sires votes no.
Mr. Connolly?
Mr. CONNOLLY. No.
Ms. CARROLL. Mr. Connolly votes no.
Mr. Deutch?
Mr. DEUTCH. No.
Ms. CARROLL. Mr. Deutch votes no.
Mr. Cardoza?
[No response.]

Ms. CARROLL. Mr. Chandler?
Mr. CHANDLER. Aye.
Ms. CARROLL. Mr. Chandler votes aye.
Mr. Higgins?
Mr. HIGGINS. Yes.
Ms. CARROLL. Mr. Higgins votes aye.
Ms. Schwartz?
Ms. SCHWARTZ. Aye.
Ms. CARROLL. Ms. Schwartz votes aye.
Mr. Murphy?
Mr. MURPHY. Aye.
Ms. CARROLL. Mr. Murphy votes aye.
Ms. Wilson?
Ms. WILSON OF FLORIDA. No.
Ms. CARROLL. Ms. Wilson votes no.
Ms. Bass?
Ms. BASS. Aye.
Ms. CARROLL. Ms. Bass votes aye.
Mr. Keating?
Mr. KEATING. Aye.
Ms. CARROLL. Mr. Keating votes aye.
Mr. Cicilline?
Mr. CICILLINE. Aye.
Ms. CARROLL. Mr. Cicilline votes aye.
Chairman ROS-LEHTINEN. Have all members been recorded?
Mr. McCaul.
Ms. CARROLL. Mr. McCaul, you are not recorded.
Mr. MCCAUL. No.
Ms. CARROLL. Mr. McCaul votes no.
Chairman ROS-LEHTINEN. Have all members been recorded?
The clerk will report the results.
Ms. CARROLL. Madam Chairman, on that vote there are 29 noes and 13 ayes.
Chairman ROS-LEHTINEN. The noes have it, and the question is not agreed to. The motion to adjourn has failed.
The gentleman from Florida was recognized to offer his amendment. He will continue to speak.
Mr. ACKERMAN. Point of order. I am raising a point of order before the gentleman's presentation.
Chairman ROS-LEHTINEN. The gentleman is recognized.
Mr. ACKERMAN. Thank you very much, Madam Chair. Is it not true, Madam Chairman, that the last person who spoke was on the majority side, and that it evolves now to the minority side?
Chairman ROS-LEHTINEN. The Chair has the authority to recognize the members, and the Chair has already recognized Mr. Rivera, who offered his amendment. Mr. Rivera is recognized to continue.
Mr. ACKERMAN. Can you tell us when we can come back so we can have recognition?
Chairman ROS-LEHTINEN. Mr. Rivera is recognized.
Mr. RIVERA. I assume I am recognized to explain the amendment.
Chairman ROS-LEHTINEN. Yes, sir.
Mr. RIVERA. Thank you so much, Madam Chair.

This amendment to the distinguished gentleman Mr. Meeks' amendment basically says that, yes, the United States shall enforce travel regulations to Cuba that were in place on January 19, 2009. Some of you may know that in 2004 travel regulations were changed to Cuba. The reason they were changed is because it was found that there was widespread abuse and fraud in the current regulations that allowed for example——

Chairman ROS-LEHTINEN. Excuse me. Will the gentleman suspend? It was my error. You were beginning to address it.

Mr. BERMAN. We don't have the amendments.

Chairman ROS-LEHTINEN. We don't have copies. It is my mistake. It is my error. If the clerk would read the amendment, we will suspend until all of the members have a copy. The clerk is recognized.

Ms. CARROLL. Amendment offered by Mr. Rivera of Florida to the amendment offered by Mr. Meeks of New York. In the third line after "regulations," insert "as in effect on January 19, 2009"——

[The information referred to follows:]

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AMENDMENT TO H.R. 2583

OFFERED BY MR. ~~MEEKS~~ Rivera OF ~~NEW YORK~~ Florida

At the appropriate place in the bill, insert the following:

1 **SEC. ___. REQUIREMENT.** as in effect on January 19, 2009

2 The President shall fully enforce all United States

3 regulations on travel to Cuba and impose the cor-

4 responding penalties against individuals determined to be

5 in violation of such regulations.

☒

Chairman ROS-LEHTINEN. The amendment is considered as read. I apologize, Mr. Rivera. I skipped that part. You may continue.

Mr. RIVERA. Thank you so much, Madam Chair, for your indulgence.

The regulations were changed in 2004 because of widespread fraud and abuse which allowed some of the activities that you see illustrated before us in these poster boards.

As you can see, there are basically tourism promotion activities, some that I would assume some folks will take offense at considering they are occurring in a Communist dictatorship that has been designated as a state sponsor of terrorism, that has been des-

ignated by our own Government, including this administration, as someone that supports—a government that supports terrorist organizations, that harbors terrorists from the ETA movement in Spain, from the FARC movement in Columbia, FMLN, ELN, harbors even fugitives from U.S. justice, cop killers, individuals that have murdered police here in the United States, harbored in this country where you see these placards.

Many folks were also abusing the regulation because under the guise of family reunification, people were going without having any family in Cuba or saying they had a second cousin or a third cousin, whatever it may be, with no ability whatsoever in a Communist dictatorship that denies at all times of public information or credible information, no way whatsoever for this government to enforce those regulations in a closed society, a closed totalitarian society like Cuba.

So the administration changed the rules that you could travel once every 3 years for family reunification purposes, recognizing that Cubans who come to the United States are given a special political asylum status. The reason Cubans get that special political asylum status is because in Cuba they suffer incredible fear of persecution.

But what would happen, a lot of folks would come, claiming political asylum, and after exactly 1 year and 1 day under the current legal framework, would be traveling back to Cuba, that same country where supposedly they were fleeing persecution and needed asylum here in the United States.

There was rampant abuse, rampant fraud, not to mention the multi-millions of dollars that the Castro dictatorship earned in hard currency that was denied to the Cuban people because many businesses were cropping up that allowed the Cuban dictatorship to receive these hundreds, hundreds of millions of dollars every year.

But, thank goodness, this fraud and abuse and the offense that I think many Americans would see in knowing that individuals who were receiving political asylum because of the largess of this great country were abusing that system and traveling back to a country where supposedly they were fearing political persecution.

Fast forward to current day, to 2009 and 2010. Those regulations were lifted and what we are seeing now are the abuses that I spoke about when the distinguished gentlewoman Mrs. Schmidt yielded me her time. Those abuses are occurring right now, because I am getting them every day in my office, people coming and calling and telling me about the types of abuses that are occurring under the current restrictions.

What we need to do is go back to the reasonable restrictions from pre-January 20, 2009, that were working just fine and were eliminating the fraud, the abuse and the terrible, terrible behavior that it was promoting inside Cuba, the people that were taken advantage of by not only the Castro dictatorship, but even some that were using those regulations in that way.

I hope you will support this good amendment so we can indeed enforce reasonable regulations.

Chairman ROS-LEHTINEN. The gentleman's time has expired. Thank you. I think we have our sea legs here.

I know what is going on and Mr. Berman always knows what is going on. I will recognize Mr. Berman for purposes of debate on the Rivera amendment to the Meeks amendment whenever he is ready or if you would like for me to go.

Mr. Berman is recognized.

Mr. BERMAN. I thank the gentlelady for recognizing me. I want to point out that all I wanted to do was to get a vote on this issue. Earlier, Mr. Smith used his ability to offer a second degree amendment to keep the committee from voting on the substantive issue.

Mr. Rivera's second degree amendment is a very legitimate second degree amendment saying I want to enforce the regulations that were in effect on a certain date, and it raises the exact issue that I wanted to discuss and why I think his amendment is wrong, but is not an effort to keep us from having a discussion and a vote on the merits of the issue.

The reason I would urge my members to vote no on his amendment is that he locks in the regulations before the President changed those regulations to allow Cuban Americans to enjoy and visit their families in Cuba. In April 2009, President Obama issued an Executive Order which, among other things, lifted restrictions on Cuban Americans wishing to travel to Cuba to visit their loved ones.

The restrictions that existed at that time limited the frequency and duration of the family visits and even the weight of baggage they could take with them. Since they could only travel once every 3 years, Cuban-Americans were forced to choose which relative to visit and if faced with a sick relative or worse within a 3-year period window, they were simply out of luck.

As a result of that Executive Order in 2009, which Mr. Rivera wants to trump and nullify, today Cuban Americans can travel to Cuba without those limitations. I, of course, support the right of all U.S. citizens to travel freely. In fact, my position was codified into law. We had one exception. It wasn't North Korea and it wasn't Iran and it wasn't places of civil war, it was Cuba. Only Cuba. So now by law only Cuban Americans possess that right.

Mr. Rivera wants to go back and deny Cuban Americans that right to travel freely to visit their homeland, to visit their family and to do all this. That is not moving in the direction I want. That is moving backwards.

The rest of us, whether his amendment passes or not, cannot travel freely to Cuba without special permission from the government. From a humanitarian perspective alone, family travel is the most important because separating loved ones with capricious travel limits as Mr. Rivera is seeking is simply cruel. But I also believe it is a profound infringement of our rights. Except under the most extreme circumstances, the government has no business telling us where we should go or with whom we should talk.

If Congress reimposes, as Mr. Rivera is trying to do in this amendment, the ban on Cuban-American family travel, as some of our colleagues are attempting to do in the Appropriations Committee as well, then we will be preventing the critical contact between Cubans and Cuban Americans that helps break Havana's choke hold on information about the outside world. That is the

strangest aspect of this. This serves Castro's interests. It doesn't undermine Castro.

Cuban Americans who travel to the island today are ambassadors for democratic values we hold dear. Preventing this travel only harms us. Today, Cuban Americans can travel freely to Cuba. Tomorrow, or when this bill becomes law, they may not be able to.

So let's come out for the right of—at the very least—Cuban Americans to travel to visit their loved ones whenever they wish.

I yield back.

Chairman ROS-LEHTINEN. I thank the gentleman. The gentleman yields back. On our side I will recognize Mr. Kelly.

Mr. KELLY. Thank you, Madam Chair.

At this time I would like to yield my time to the gentlelady from Ohio, Mrs. Schmidt.

Mrs. SCHMIDT. Thank you.

I would just like to say I went to Cuba about 9 years ago, and I am not a Cuban American, but I got a license to go because I was with the Ohio Farm Bureau. So there were many ways to go then. But under this new administration's policies, there are 21 different ways Americans can legally travel to Cuba, eight categories under general licenses and 13 under specific licenses. So there is really no ban.

In fact, many Members of Congress travel to Cuba every year, some at taxpayer expense, stay at the best hotels, some of which are built on confiscated U.S. property, and return with nothing but glowing reviews about Fidel and his brother.

And while the proponents of increased travel claim it will help the people of Cuba, suggesting that Americans have some sort of a magic touch, we have seen, time and time again, this is not the case. In fact, reports indicate that since the administration's new travel regulations easing travel have been in place for the last 6 months, the level of physical violence against dissidents has actually increased significantly and the number of detentions has more than doubled.

What those who argue for increased travel want is unrestricted tourist travel to Cuba. The pictures that are up here showcase this. These pictures over here, the second two, are a recent photo contest by our Interest Section in Havana. We don't have an ambassador, we have an Interest Section in Cuba. And they had a contest and those are the photos that were taken. You see bikinis and beaches and sunsets, the quintessential picture of fun and activity.

Then you look at this picture here and you see what Cuba is all about. Unrestricted travel will allow the Havana regime to feed off the dollars of the American people in the same way it has done throughout its history with the likes of the Soviet Union and now Venezuela.

With the fate of its subsidies from Hugo Chavez now hanging in the balance, the Cuban tyranny is desperate for new sources of funding. And, believe me, when you get beyond the glitz and glamour of the fancy hotels, there is rampant poverty and they live in places that are unimaginable by most Americans. You know, Madam Chair, as a jogger, I witnessed it firsthand. You see a lot at dawn's early light.

Further, the opening of doors to tourism will only feed the regime's repulsive practice in sanctioning of human trafficking on the island. And it is there. I talked to locals when I was there. They told me about it—and this was 9 years ago. Last month, Cuba was again designated by the State Department as one of the worst nations in the area of human and sex trafficking.

And, finally, it is in our Nation's security interests to curtail travel to Cuba. Why would we want to give money to Castro and to Raul? They are not going to do anything good with it.

As former Defense Intelligence Agency counterspies have emphasized during congressional briefings and as analysts at Stratford Global Intelligence report, "The Cuban military is well integrated throughout the tourism industry. This presents an excellent platform from which to conduct a wide variety of illicit activities due to a large volume of foreign visitors who pass in and out of these resorts, providing Cuba with hard currency."

And I might add there are cameras everywhere over there. It has been also reported that Cuban intelligence sees tourist travel to the island as an important source of potential assets; that is, as a means of recruiting foreign spies for the regime, and maybe they are using those cameras to do that. I don't know. But given the success of Cuban intelligence in recruiting to betray the United States and spy for the regime, why would we want to facilitate such potential espionage activity by allowing unfettered travel to Cuba? I think restrictions need to be in place, and they are generous restrictions. They were generous before January 19th, 2009. Heaven knows, I am not Cuban, and I went. I am just a farmer.

The bottom line is easing travel regulations to Cuba is a bailout for the regime, and it puts our security risks at risk. I oppose the underlying amendment.

I like Mr. Rivera's amendment, and I urge my colleagues to pass the Rivera amendment, and I yield back.

Chairman ROS-LEHTINEN. Mr. Kelly's time is reclaimed.

Mr. KELLY. Thank you, Madam Chair.

I yield back my time to the chair.

Chairman ROS-LEHTINEN. Thank you, the gentleman yields back. Who seeks time in recognition for purposes of debate on the Rivera amendment to Meeks amendment?

Mr. Sires is recognized.

Mr. SIRES. Thank you, Madam Chair. You know, we are all products of our life experiences, and I am probably the only one here who has lived in Communist Cuba. I came here when I was 11 years old. I have relatives there.

I remember the Cuban Government coming into my house, the military, searching throughout the house because we had soap. So when I feel strongly about Cuba, it is because I lived the experience, and what is happening with the President's efforts is being misused.

And I will give you a prime example. I had a relative that came in recently. She took the special status with the generosity of this country that is not given to many people. She is already thinking of going back with that generosity. That is wrong. You are either a political asylum, or you ask for the freedom to enjoy the freedoms of this country, or you stay where you are.

It is hard for me. I have relatives. I have friends. My mother never saw—my father never saw his mother because he left, and she passed away. So when I speak, I speak from the heart, quite frankly, and I get around my colleagues, and, you know, I respect everybody's position here, but the President has made it so easy for these people to go back and forth and abuse the system, that is wrong.

The President probably is well intended, and when you travel to Cuba, you don't get to travel freely. You know, people tell me that they go to these homes, and they had a wonderful dinner. My friends, you have to get licensed by the government before you can provide a dinner to anybody that comes to your house for dinner. There are 5,000 of those licenses throughout Cuba, and you know what? They report back to the government.

This is a terrible, oppressive government. I wish you had had the opportunity to meet with the mother of Orlando Zapata 2 weeks ago, and I asked the people, and I asked them point blank about the restriction. You know what she said to me? What you have to do—and this is someone who lost a son, who spent 18 days without even being given water, and she said to me, you know what we have to do is tighten the screw until the screw pops. This is a dissident. This is someone that all her son—and you know what happened? She brought out a shirt, okay, a T-shirt with old blood stains because he was beat up so badly. And on the back of the T-shirt he wrote, "This is for you, mom. Keep up the fight." And we had that shirt right here.

So I wholeheartedly am supporting this amendment. We should not be paying for these people to go back. They are given an opportunity with some efforts by this country to make a living here. I have spent here 49 years. My mother and father are buried in Florida because of this government. You cannot expect me to feel any other way against this government and the abuses.

You know, they show all these pictures, supposedly during this revolution, all this prostitution, all this child abuse, all this child prostitution was supposed to be gone because the revolution was so great. Well, my friend, it is worse now than in 1959. It is worse now than 1959 what is going on in Cuba because people have to make a living, and it is not necessarily because—people say it is the embargo. Baloney, because they can buy anywhere else. They owe money to everywhere because their revolution is a failure.

So, my friends, I urge you to vote for this, and I disagree with my colleagues, but unfortunately, like I said before, I am a product of the experience that I had in my life, and I thank you very much.

Chairman ROS-LEHTINEN. The gentleman's time has expired. I do not wish to cut off anyone. You can let me know when we are ready to vote, and that would be fine, but I don't wish to cut anyone off. But we are ready to vote whenever.

Mr. Rohrabacher is recognized for purposes of debate on the pending matter.

Mr. ROHRABACHER. Yes, thank you very much, Madam Chairman, and let me just note we have heard about the abuses. And they seem—you know, we have got some people giving us credible information of the abuses that are taking place in Cuba, many of them a direct result of a relaxing of the controls that have been on

the movement to Cuba and movement in and out of Cuba over the years that have actually been relaxed as of January 19th, 2009.

And why should we be concerned about that? I mean, I happen to believe in freedom of travel. I am a rather libertarian type conservative, and I am very concerned about that because there is a factor at play in Cuba that is not at play here. We have got to understand that.

In the United States, when we see things that are wrong and we see abuses occurring, we have the freedom to get together to form political coalitions, to inform our fellow citizens through a free press and to try to correct those maladies we see in our society, and we just heard described that it was far worse now, some of the prostitution and sex trafficking that is taking place, it is far worse than it was in 1959 when Castro used that as an excuse to overthrow that government.

Well, they don't have a chance to correct those abuses, and they have to rely on us to have policies that will in some way restrain our citizens and others who would go to Cuba through the United States that would do something that will actually bolster the dictatorship, and by bolstering the dictatorship prevent people from correcting the maladies in their own society. As we have heard, not just about the sex trade, but we have heard about the fact that the standard of living is so low and all of the facades of health care that are just phony. And we know that there are criminals and terrorists that get special treatment in Cuba.

Let us just note that I remember Robert Vesco. I am a Californian. Robert Vesco bilked billions—not billions, but hundreds of millions of dollars from people in California and fled where? To Cuba, where he was given refuge for decades. And what did he do in Cuba? Robert Vesco, this great executive, came to the United States ended up being a negotiator, chief negotiator for the drug cartel and ended up, was very famous in those parts for having ended some dispute between the Sandinistas and the drug cartels. And Robert Vesco was in Cuba because the people of Cuba don't have a right and didn't have a right then to set down the law and kick such people out of their country because the Castro dictatorship was allied with such people and still is allied with such people.

I know that there is some kind of special place in the heart for many people in the left in this country for Fidel Castro. You see it when you see these pictures on people's chests of Che Guevara, a man who personally murdered, and I mean murdered, went out and took people who were unarmed and took a gun and shot them, a murderer. And these kids are walking around with T-shirts with his picture on them, and I have had kids come up to me and say—they will have that on and say, "What do you think of this?" I will say, "Well, I would be kind of disturbed if I saw someone with a picture of Adolf Hitler on their T-shirt and if they really meant that;" I hope you really don't mean that.

Well, it is up to us to do our part. Hopefully some day the people of Cuba will be free, but we have got to make sure that we stand up here in this country for policies that will hasten that day so that the people of Cuba could start correcting their own problems rather than having us to try to be proactive here to prevent Americans

from going down there and others from going down there and participating in the type of horrible activities that were being described today. So I stand—I certainly support Mr. Rivera and his efforts.

Chairman ROS-LEHTINEN. The gentleman yields back. Who seeks recognition for purposes of debate?

Mr. SHERMAN. Madam Chair.

Chairman ROS-LEHTINEN. Mr. Sherman is recognized for purposes of debate on the pending matter.

Mr. SHERMAN. Madam Chairman, I promised I would not speak again on Thursday, but in the Maritime Provinces of Canada, it is already Friday, and I will try to be brief.

We have heard eloquently from those who focus on Cuba about the wisdom of deterring travel and even how the rules of not only the current rules perhaps should be enforced but even the rules of 2008 might be superior to those that exist today, but I am confused as to the phraseology of this amendment to the amendment. It seems to require the President to enforce regulations that no longer exist.

I am an old tax lawyer, and from time to time, legislators would exhort us to enforce the tax law, but I never thought that meant enforce tax laws that had been repealed, even those laws that had been repealed that I preferred to the new laws that had been enacted.

This amendment may—the author of this amendment may prefer to repeal any changes to the Cuba travel regulations that have been adopted during the Obama administration, but this amendment doesn't seem to do that. It directs the President to enforce the regulations that have ceased to be in effect. I don't know how the law enforcement power of the Federal Government can be used to enforce regulations that have been repealed, and so I am happy to yield to someone who can explain to me not why it is good policy to strictly enforce the regulations of 2008, but how as a matter of law we can direct the President to enforce regulations that have been repealed, and I will yield to the author of the secondary amendment.

Chairman ROS-LEHTINEN. Mr. Rivera is recognized.

Mr. RIVERA. Thank you so much for the question.

As folks probably know, the regulations on travel to terrorist nations like Cuba are just that, regulations. They are not statutory. They are not set in law. This administration came in changed them. The next administration could change them back.

So, yes, while they are not in effect right now. This administration certainly knows what they are, and this administration certainly can enforce them. All they have to do is go back and change the regs and enforce the pre-2009 regulations, and there are no laws that the administration needs to change. They can do this unilaterally, the same way they unilaterally changed the regulations after January 19th, they can——

Chairman ROS-LEHTINEN. The gentleman——

Mr. SHERMAN. Reclaiming my time. I understand that the administration could do that. I can understand how we as a matter of statute could direct the administration to do it. I just don't know

how this particular amendment is supposed to work when it doesn't include what the gentleman is talking about.

It does not include a sentence that says the regulations on Cuba travel as in existence on January 19, 2009, are hereby reinstated and shall be enforced.

This does not reinstate regulations. It simply calls for regulations that have been repealed to be enforced, and this issue is one of such great policy importance and such great emotion, I feel somewhat trivial talking about legal niceties, but this doesn't reinstate regulations so much as it calls for regulations that will continue not to be in effect to be enforced. And maybe this is just a drafting issue. Maybe this has something to do with the jurisdiction of this committee and what would be in order. And I have a limited time, but I will yield to the author of the secondary amendment.

Mr. RIVERA. Thank you very much for your indulgence. I believe it does reinstate the regulations, but I would certainly welcome any improvement in the drafting. I am sure there are other people who are going to be speaking their 5 minutes on this issue, so if you would like to assist me toward that end, I would welcome your assistance. I think everybody understands——

Mr. SHERMAN. I will reclaim my time and note that the one thing the whole committee agrees on is that we are not going to entertain a third degree amendment from me or anybody else.

I yield back.

Chairman ROS-LEHTINEN. Is the gentleman asking a question or yielding, or what would he like to do?

Mr. SHERMAN. I yield back to the chair.

Chairman ROS-LEHTINEN. The gentleman yields back.

The Chair would just like to note that I have an increasingly long list of members. I am glad to yield equal time. I want you to know that we don't have to do that, we can call for a vote. It is at the members' pleasure.

I will keep at it. I just want the members to know that I am not the one forcing you to stay and speak.

Mr. Mack is—who seeks recognition for purposes of debate?

Mr. Mack is recognized for purposes of debate on the pending matter.

Mr. MACK. Thank you, Madam Chair.

You know, there are so many—I think there are so many emotions that are—I know that are running through me and I am sure through a lot of—through everyone in this committee room, but this is one of those issues that I just can't understand, and when we have had debate over the last couple days in this committee and some people wanted to suggest that things should be black and white and other people wanted to suggest that it shouldn't be black and white and we should have different, you know, maybe different standards here or there.

On this issue, I don't know how—it cannot be any more clear. What the administration has been doing as relates to lifting of restrictions in Cuba to me is appalling. What is happening is we are lining the pockets of Fidel Castro. So it is so crystal clear that all you have to do is listen to our colleagues. We heard an impassioned speech just a few minutes ago that, you know, I know it has got

to be difficult for the gentleman to walk down that—walk down memory lane and think about his loved ones in his homeland.

Then we have also heard very passionately from the gentleman from Florida, who has offered the amendment that we are discussing right now, and some of us, I, for one, have had the opportunity to talk with hundreds of people who are from Cuba, who have relatives in Cuba. And one thing that is crystal clear when you talk to them, the brutalness of this regime is something that most, if not everyone, except for the—except for a few can even understand in this room. You know, I have a great friend. His name is Kiko, gave me my first job, left Cuba. There are family members that he hasn't seen, there is—the stories that he tells me about the brutalness of this regime is something that is beyond belief, and the idea that this administration, hiding behind something, a feel-good talking about how, you know, family members reuniting, maybe the administration, maybe some who believe that this is the direction we ought to be going should talk to the family members. It is—I think it is a sad day when we start talking about laxing restrictions that end up padding the pockets of Fidel Castro and his brother.

And, you know, Madam Chair, I know there are a lot of people who want to speak on this issue, and I can understand why because there is nothing that could be more clear about the direction of our foreign policy than this issue. I would also like to note that for those of you who are under the illusion that travel to Cuba is going to help the Cuban people, the Cuban people won't see a dime from travel that goes to Cuba, so I would urge my colleagues to support Mr. Rivera's amendment and let's remember that you can never support brutal dictators like the Castros.

Chairman ROS-LEHTINEN. Thank you. The gentleman's time has—the gentleman's speech was well timed because the time has expired.

The Chair will recognize herself to float out this idea, just in case. I have a feeling that all of my colleagues on this side of the aisle will not be insulted if I don't call on them to speak, and if it is okay, if we think that that would be fair, if I could recognize—I didn't go through my Parliamentarian—recognize the Democrats and then be ready to vote, or we just have a long list of speakers.

Mr. BERMAN. Let's find out. Let's see if we can facilitate it.

Chairman ROS-LEHTINEN. Thank you.

Mr. BERMAN. Mr. Faleomavaega.

Chairman ROS-LEHTINEN. Oh, no, I have them all, thank you.

Mr. BERMAN. Do we have anybody else?

Chairman ROS-LEHTINEN. Who seeks recognition for purposes of debate?

Ms. Bass is recognized for purposes of debate on the pending matter.

Ms. BASS. Thank you, Madam Chair.

If you don't mind, I would like to ask the question, but before I get to my question, I just want to say that this is a very difficult issue to talk about, and it is a very difficult issue to talk about because we have colleagues here, three colleagues that I am aware of and maybe more, that are from Cuba, and so it leaves or it can leave, you know, some of us who are not from Cuba feeling almost

reluctant to even ask the question or to have a difference of opinion.

What I don't understand, and, you know, perhaps someone can explain in future comments, our policies toward travel to Cuba, I don't know of other countries that we ban U.S. citizens from going to. So the policy is confusing to me because, as I understand it, this is a policy that has been in existence for several decades. My understanding of what the President did in January was not lifting the travel ban, but allowing Cuban-Americans, who I presume are U.S. citizens, to go to Cuba and visit their family members where they were restricted before; I think, they only had a couple times a year. I think the ranking member mentioned that it was two or three times a year that a family member could go. I think of a whole lot of countries that we have talked about.

Mr. BERMAN. Will the gentlelady yield just on that issue?

Ms. BASS. Sure.

Mr. BERMAN. It is once—under the old regulations, it was once every 3 years, not only 3 times a year. It was once, only once during a 3-year period. I yield back.

Ms. BASS. Once every 3 years. I just think of the countries that we have talked about in this room over the last couple of days who have all sorts of egregious histories of abuse, of murder, of torture, and if I am not mistaken, and I might be, so if I am, somebody can correct me, I don't know if we prohibit travel to Iran, if we prohibit travel to Yemen, if we prohibit travel to many other countries who are on that list of human rights abuses. And so I have difficulty understanding why our policy prohibits U.S. citizens from going somewhere.

This is not about, as I understand it, Cubans coming here. This is about U.S. citizens going to Cuba. So I don't understand why we would do that.

And I think of my good friend from California, who is very concerned about China, my good friend, but I think we can go to China, but maybe we should ban U.S. travel to China. I think of all the business that the United States does with China. Maybe we shouldn't do that.

So maybe somebody could clarify to me why this country—and like I said, and I want to close on almost feeling the need to apologize, frankly, because there are three members of this committee who have personal stories that are very painful, and so it makes it difficult to even raise this question, and so I just hope that I have not offended any of my colleagues.

With that, I will yield back to the chair.

Chairman ROS-LEHTINEN. Thank you. I thank the gentlelady for yielding back.

I would like to recognize Ms. Buerkle for purposes of debate on the pending matter.

Ms. BUERKLE. Thank you very much, Madam Chairman.

And I would like to yield my time to the gentleman from Florida, Mr. Rivera.

Chairman ROS-LEHTINEN. Mr. Rivera.

Mr. RIVERA. Thank you so much, Madam Chair, thank you, Representative Buerkle.

And thank you, Representative Bass, for those sincere words and words of inquiry, and you are absolutely right. Perhaps the human rights abusers, there should be more restrictions on human rights abusers across the world, but these restrictions deal with terrorist nations, so a country like China, for example, is not on the U.S. list of sponsors of state terrorism.

Ms. BASS. Pakistan?

Mr. RIVERA. A country—no, they are not on the list, either. A country like Cuba is. Iran——

Chairman ROS-LEHTINEN. Miss Buerkle has the time, and she has yielded to Mr. Rivera.

Mr. RIVERA. Thank you, Madam Chair. So countries that are on the terrorist list, countries that have been determined by the U.S. State Department to want to do harm to our country, countries that are considered enemies of the United States because the actual law that oversees these regulations is called the Trading With the Enemies Act, and the countries that are on that list are countries like Syria, Sudan, Iran, there are restrictions on travel because they are sponsors of state terrorism.

But going even beyond that, if we want to focus on the issue of U.S. national interests, what are the real U.S. national interests here when, for example, you have a terrorist sponsor like Cuba, who right now is holding a United States citizen hostage? Why would we want to give a unilateral concession to a terrorist dictatorship that is holding a U.S. citizen hostage? Why would we want to give unilateral concessions to a terrorist government that murdered four Americans over international air space? Why would we want to give unilateral concessions to a terrorist government that is harboring, believe it or not, dozens of fugitives who have committed, and we can all relate to this, Medicare fraud in this country and are now fugitives in Cuba? Billions of dollars, U.S. taxpayer dollars. All of your constituents, the hard-earned money they sent here, billions of dollars have been stolen by people who come from Cuba under these relaxed rules that we have had, get Medicare billing numbers, steal billions of dollars, not millions, not hundreds of millions, billions of dollars in U.S. taxpayer money, and go back to Cuba.

Just like you Googled earlier sex tourism in Cuba, Google Cuba Medicare fraud. Google that. And then talk about what the U.S. interests are in protecting the money of our taxpayers, our residents.

We talk about these folks being ambassadors for democratic values. I heard that earlier. Ambassadors for democratic values. We can see what type of ambassadors they are right here in these photos. Again, when we talk about human trafficking, Cuba has been a tier 3 country, and the first time they got a waiver for being a tier 3 country for human trafficking was under these new regulations from this administration. What type of ambassador for democratic values can possibly be promoted with sex tourism in Cuba?

We talked about, for example, the fact that people can travel to Cuba. There is no complete blanket prohibition, even under the regulations before January 2009. Because you had to get a license, there was a process in place to vet through the applications to travel to Cuba. Religious organizations, academic organizations, news media organizations. All of them. Business organizations. All trav-

eled to Cuba before the 2009 regulations went into play. A lot different than what happened in 1966, when the Cuban Adjustment Act was passed, when Castro did not let anyone go back and visit their family. All of a sudden it is important for Fidel and all of the Castros to have family reunification. I wonder why. Could it be because he is bankrupt? Because he needs the hundreds of millions of dollars that this type of travel supplies?

Think about all those reasons. National security interests, interests of protecting human lives, the war on terror. This is a country that wants to do harm to every one of our constituents. This government wants to harm the United States. They want to promote drug trafficking, as we have heard before. They want to promote terrorism. They want to violate human rights, deny civil liberties. This isn't about family unification for the Castro blood. It is about hard currency, just like the Medicare fraud is about hard currency.

Chairman ROS-LEHTINEN. Ms. Buerkle, your time has expired.

Ms. BUERKLE. Thank you, Madam Chair.

Chairman ROS-LEHTINEN. Thank you.

Who seeks recognition for purposes of debate?

Mr. Faleomavaega is recognized for purposes of debate on the pending matter.

Mr. FALEOMAVAEGA. Thank you, Madam Chair.

I would like to assign a portion of my time to the ranking member, Mr. Berman.

Chairman ROS-LEHTINEN. Mr. Berman.

Mr. BERMAN. Thank you very much, Madam Chairman. There are so many lists and so many rules and regulations that any of us can get confused about what the law says, but to my friend from Florida, Mr. Rivera, there is nothing in our laws on terrorism that stop Americans from going to terrorist list countries.

Iran is a terrorist list country with whom we have an embargo and many sanctions, holding U.S. hostages, by the way, as prisoners, and there is no law prohibiting Americans from going to Iran. In fact, it would be against the law for the President or the Treasury Department to try and stop an American from going to Iran.

Syria is on the terrorist list. There is nothing that keeps Americans from going to Syria.

So the issue isn't terrorist list countries. There is a law that one of my favorite Congressmen got through a number of years ago that prohibits when we impose economic embargoes limiting the rights of Americans to travel. In order to get that bill through, we made a tactical exemption in order to get the votes, which was to exempt Cuba under the Trading with the Enemy Act from being one of those countries, but for all other countries, there is no restriction on going, and you don't need a license.

The Cuban-Americans who want to visit their family are not sex tourists.

And Mr. Rohrabacher, I have to say for those of us who feel strongly about this issue and disagree with you, maybe you are right about some people, this guy here has no picture of Che Guevara on his mantle. He has no foggy notions that Fidel Castro has good health care and has done a lot about discrimination and is therefore to be a revered leader. He is a dictator who jails people

and in the past has killed people because of political views, and there is nothing about the state of freedom or liberty in Cuba that I ever want to be thought of as an apologist for.

Some of us just think, number one, there is a fundamental right here, particularly for family members, particularly for family members, and secondly, we tried this way for 40 years, and 50 years now, and it hasn't worked. We haven't achieved the goal.

Mr. FALEOMAVAEGA. Reclaiming my time. I thank the gentleman.

Chairman ROS-LEHTINEN. Mr. Faleomavaega.

Mr. FALEOMAVAEGA. I just want to say that my good friend from New Jersey has certainly made a very persuasive case in understanding from someone who has personally experienced living under Communist Cuba.

But I do want to share with my colleagues, I have been to Cuba, and the years when I traveled there I had to go to Cancun to get a visa in order to go to Havana, and pretty much understanding what really amazed me was the fact that we had 100 Foreign Service officers who supposedly have an unofficial presence or are being unofficial living there in Havana for doing whatever they are doing, just as the diplomatic people from Cuba are somewhat accredited unofficially New York City for whatever that means.

But I do want to say that, to my good friend from Florida in terms of his amendment, as a result of the regulations, it had to be the embargo or the sanctions law that we passed years ago which, in my mind, authorized the President, gave him the discretionary authority to issue these regulations as he felt the need for. And that is exactly what happened in 2009 when President Obama decided by regulation based on the statutory authority given him why this greater freedom for travel for people who may want to visit Cuba, and I just want to add that on to the gentleman.

Chairman ROS-LEHTINEN. I thank the gentleman.

Does the gentleman yield back?

Mr. FALEOMAVAEGA. I yield back.

Chairman ROS-LEHTINEN. Who seeks recognition for purposes of debate?

Mr. SMITH. I do.

Chairman ROS-LEHTINEN. Mr. Smith is recognized for purposes of debate.

Mr. SMITH. Madam Chair, thank you very much.

First of all, I want to commend David Rivera for his very eloquent defense, and to Albio Sires for his very strong and impassioned promotion of human rights in Cuba generally and in today's debate and all those who have spoken so well today, but especially David, thank you so much for your leadership.

You know, what inspires brave men like Orlando Zapata Tamayo to suffer, sacrifice and even die, in his case in a long hunger strike to protest the cruelty of Fidel Castro, Raul Castro, and the rest of this tyrannical regime? I don't know how many of you have read Armando Valladares' book, but I would encourage you to read it, "Against All Hope." I have met Armando Valladares. He actually was in the Reagan-Bush administrations—when he finally got out after almost 20 years of suffering in Fidel Castro's gulag, and he talks about what really goes on day in and day out—and it has not changed—to political prisoners on that island gulag. And it is—

some of the things are unmentionable. They are beyond acceptable conversation in polite company. Taking political prisoners and immersing them in vats of excrement, human excrement, which caused all kinds of infections. Not only is it degrading, it is heinous torture, not to mention the other kinds, cattle prods to the genitals, and all the rest, done by Fidel Castro.

Travel regulations to try to keep hard currency out of the hands of this dictatorship is a means to an end, to weaken him. For years, he had the largesse of the Soviet Union pouring billions of dollars every year into Havana. When that went away, there was hope that this country that has suffered so much might matriculate from the dictatorship to a democracy, but in came tourists and trade from Europe and from Canada that helped to keep afloat this dictatorship. They probably would have crashed and burned, and democracy more likely than not would have broken out. The travel regulations that were in effect until unfortunately the President reversed it at least kept some of that hard currency away from this dictatorship.

Mention has been made by several members about the tier 3 rating with regards to human trafficking. Fidel Castro derives huge amounts of money by selling children as child prostitutes. It doesn't go to the pimps. It goes to the dictatorship. Both are equally bad, but we have an ability to hold a government to account. And we have done less than what we could do, especially since there was no conditionality to the lifting of the travel regs.

In previous congresses, I offered amendments to lift the so-called travel bans, but it was always with conditions, release all the political prisoners, extradition for convicted felons who fled to Cuba, including Joanne Chesimard from my State of New Jersey who brutally gunned down New Jersey State Trooper Werner Foerster and then fled to safe haven. There are scores of felons living in Cuba, escaping justice here in the United States, and that was one of the conditions.

Finally, let me just say, I have tried to get to Cuba. I hear Members, they travel, they meet with Fidel Castro. They come back, and they gush about what a great guy he is, how personable he is. I and Frank Wolf have tried for 20 years to get into the prisons and meet with the political prisoners; every opportunity to go to the prisons and not become part of a public relations coup has been rebuffed by Fidel Castro. In one of his speeches, he called me and Congressman Wolf provocateurs because we wanted to do what the U.N. did in the 1980s under the leadership of Armando Valladares when he got the U.N., finally, to send a team in to look at the prison conditions and was promised that nobody would be retaliated against. And of course, certainly every single person who came forward with information was brutally retaliated against by this dictatorship.

I do believe strongly that Fidel Castro needs to be held to account for crimes against humanity, not propped up with concessions and carrots without having conditionality. Lift the travel ban completely, but do so with——

Chairman ROS-LEHTINEN. Thank you. The gentleman's time has expired. I thank the gentleman.

Who seeks recognition for purposes of debate? Mr. Engel is recognized for purposes of debate on the pending matter.

Mr. ENGEL. Thank you, Madam Chair.

As the former chairman of the Subcommittee on the Western Hemisphere, now the ranking member, I can tell you very clearly that Fidel Castro and his brother Raul, and the regime have not been good players in the area, that they align themselves with all the governments that consider themselves enemies of our country, Venezuela, you can go on and on, Bolivia, and it really is a problem. In fact, you know, you wonder if they have made a pact with the devil because both of them are getting older, and they seem to survive and survive.

What bothers me about the regime is that there is no allowance, besides the brutality and all the documented cases of prisoners and tortures—and we have heard that all today. I don't want to repeat it. But if the regime did the things for its people that its supporters say it does, then I have a simple question, and that is why do they not allow any kind of political pluralism? Why is there not a democracy where an opposition party can run and talk about its vision for a new Cuba and where the supporters of Castro could give their vision? It is not allowed. It is not allowed because for all intents and purposes, they run a police state there for the past 50 years, every bad as the police state of every country we have talked about, whether it is Saddam Hussein's Iraq or what is happening in Iran.

And what makes Cuba different—some of my colleagues have said, well, you know, you can travel to Iran, you can travel to all these other places. Look, politics does enter into it here. Cuba is a place that is very close to the United States, and it is very, very emotional for a lot of people, especially Cuban-Americans, but not only Cuban-Americans. It is a sore thumb; it is almost a cancer in the Western Hemisphere. And everything that we have been doing as a country through Democratic and Republican Presidents for the past 50 years, the Castro regime has always been on the opposite side, aligning itself with the Soviet Union during the Cold War, and now every dictator that wants to do harm to the United States becomes a hero with the Cuban regime.

Alan Gross is an American citizen who traveled to Cuba about a year or so ago and was basically kidnapped by the regime, thrown in jail, and all kinds of spurious charges are being made against him. I met with his wife and with the family, and we are trying to get him back from Cuba, but he is being held hostage as a political prisoner by the regime over there.

So, you know, what we are doing now with the State Department reauthorization, all these issues we have been doing is really a sense of the Congress, a sense of this committee, a sense of what we feel, and I think it is perfectly—I respect everyone's opinion on this, but for me, I cannot see trying to cozy up to a dictator so close to home in our own hemisphere.

I don't doubt for a minute that President Obama believes that he is doing the right thing, and in fact, I am for Cuban-Americans to be able to go to Cuba to visit with their families, to not have to choose whether they see a sick parent or go to that parent's funeral because, under the old rules, you couldn't do both. But I think it

is pretty well documented that under the new rules, people are taking advantage who are not really—they don't really have ties in Cuba, and so what we have been doing is sort of opening the door, and virtually anybody who wants to go is able to go. If you have a little bit of smarts, you can do it.

So, for me, the sense of the Congress, my sense is that this is not a regime that I want to do business with. This is a brutal regime that is against everything that I stand for, that we stand for as Americans, and I don't want to prop it up with capital, with tourism, with any kind of aid, and I am going to be supporting the gentleman from Florida's substitution of the amendment, and I yield back.

Chairman ROS-LEHTINEN. I thank the gentleman for yielding back.

The Chair will recognize herself in another vain attempt. I have Mr. Burton, Mr. Connolly, I have other speakers. I think that many wonderful points have been made, and I am willing to keep it up. I am also ready to bring this plane in, and it is whatever the members choose. You can keep your remarks shorter if you feel the need to speak.

Does anyone seek recognition for purposes of debate? You don't have to. Or we can agree to——

Mr. BURTON. I will take 2 minutes.

Chairman ROS-LEHTINEN. We can agree to go on to the vote. I will not preclude anyone. I know that I have folks who want to say.

Mr. Burton is recognized for purposes of debate.

Mr. BURTON. I won't take 5 minutes. I will take just a couple.

I worked with you, Madam Chairman, and a number of my colleagues who are Cuban-Americans on the Helms-Burton law a long time ago, and things really haven't changed.

Let me give you a couple examples of what goes on in Cuba. You go down there and spend money at one of the hotels, the people who serve you at that hotel, they don't get the money that you pay them. That money goes to the government, and the government pays them in pesos, which is worth about one-tenth of the money that you pay, which means simply that if they get $100, they really get 100 pesos, which is probably worth $10 or less. So you are actually feeding the money to the Castro government and not to the people who are working. The people that work at these hotels cannot visit these hotels. They go there and work, and they go home at night. They don't get to stay. They are not at liberty to. They are there to serve and to serve the government. And these are things that people ought to know.

And also another thing that hasn't been brought out, they have a Soviet-style system of policing the people. They have block captains every three or four or five blocks, and nobody knows who is going to tell on anybody else, and if you say anything out of sorts that the government doesn't agree with, they will throw you in the gulag or beat the hell out of you.

These are the things that the American people do not know about. And the money that goes to Cuba by and large goes to Fidel Castro and Raul and people like Che Guevara, who wanted to spread revolution throughout all of Central and South America.

I yield back the balance of my time.

Chairman ROS-LEHTINEN. I thank the gentleman for yielding back.

And I am pleased to recognize Mr. Connolly for purposes of debate on the pending matter.

Mr. CONNOLLY. Thank you, Madam Chairman, and I will try to be succinct. I rise in support of the amendment, second degree amendment in front of us. I do for slightly different reasons.

I very much appreciate the passion, certainly from my colleague Mr. Sires and from my colleagues on the other side. I know it is heartfelt.

I would remind them, however, I hope a gentle admonition, that when we talk about torture, when we talk about abuse, when we talk about mistreatment, when we talk about even death at the hands of people who abuse human rights, it really doesn't make a difference if the victim is Cuban or gay, the victim is the victim, and I would love to hear some day the same passion I heard here tonight for any and all victims of human rights abuses.

Having said that, I believe that whether or not U.S. policy toward Cuba has been a success or failure, whether it has entrenched the administration in Cuba, the regime in Cuba or has, in fact, hurt it, we are where we are today. And that regime is on the brink of enormous transformation, given the age of the two dictators.

Abuses clearly have occurred and continue to occur. This is not the time for the United States Government to take the leverage we now have and give it away for nothing. It is the time carefully to husband that leverage and use it for good purposes, on behalf of dissidents, political dissidents, on behalf of Cuban people who aspire for freedom. It would almost be criminal, it seems to me, if this Congress or the administration wholesale switched policy overnight and gave it away for nothing to the likes of Fidel and Raul Castro, and that to me ought to give all of us pause.

And for that reason I support the underlying amendment. I think it would be a mistake to change the United States policy precipitously, and I certainly concur with the arguments of my colleagues that we need to keep this policy in place at the moment and strictly enforced.

And with that, Madam Chairman, I yield back.

Chairman ROS-LEHTINEN. I thank the gentleman for his statement and for yielding back. Hearing no further requests——

Mr. MEEKS. Madam Chair, I have got to say something.

Chairman ROS-LEHTINEN. If—the gentleman is recognized. Don't want any fist fights. The gentleman is recognized, even though I would normally come over here, and Mr. Bilirakis has given me baseball signals that he wants to be recognized. I was just hoping to get a vote, but the gentleman is recognized. I don't want—for purposes of debate on the pending matter. I don't want anyone angry.

Mr. Meeks is recognized.

Mr. MEEKS. And I am going to try to do this very calmly because, number one, I certainly respect my colleagues who have had personal experiences in Cuba, and I can feel it. It is heartfelt. In fact, it is the only reason why I feel compelled, coming even from what I said last night. It is related, and that is why I feel compelled be-

cause of what my experiences are also. I experienced seeing a little boy hung in the United States of America by the name of Emmett Till. I can recall my father showing me that picture. I can recall myself in my lifetime, me in the United States of America, could not drink at a water fountain; a man came and snatched me because I was Black in a democracy. I can recall my father trying to vote in South Carolina and couldn't do it. And I was threatened and thrown into jail, in a democracy, in this place that I love.

I can recall a neighbor getting arrested and thrown into jail for rape, for looking at a woman who happened to be White, in my lifetime in the United States of America.

I can also recall from my experience that back then when I was a little boy nobody, I shouldn't say nobody, but a lot of people in this government didn't recognize it. It took people like my colleague John Lewis to get beat on the head, almost killed, to try to make a difference in this country. It took an individual like Medgar Evers, who was shot in his driveway and no one arrested for it in the United States of America. This is my lifetime, my life experience. And yet and still in that, because of the love of this country, Dr. King and others kept marching on to say we are going to make this a better place.

I know of property that was taken away. In fact, people are still fighting right now for Black farmers in the United States to get land back that was taken from them. That is my experience.

And so I understand my good friend from New Jersey, because I want to be with him. We have different views on this, but it is based upon our experience. And it is to say we want a better way, because I surely don't condone those things that he talked about. I want Cuba to be different. I want all of the people to have freedom. I want them to have the right to vote, like I now do. And I want the people of Cuba to make sure that they stand up in the same that we did, so we can all have the same kinds of freedoms.

But I don't want to point a finger at somebody all the time and then say we are pure. That is the only thing I am saying. We are all human.

So I just felt compelled that I had to say something, because my life experiences were boiling up in me. And I hope that the time will come where every human being, I don't care what your sexual orientation is, what your race is, what your religion is or where you come from, every human being, because we all bleed the same way, are able to be able to live in freedom, but we do it in a way that is respectful for all.

I yield back.

Chairman ROS-LEHTINEN. I thank the gentleman for his eloquent statement.

I realize that I have still baseball signs from members who wish to be recognized to talk about the racial discrimination in today's Cuba. Let's not do that.

The Chair will try again. The question occurs on the Rivera amendment to the Meeks amendment. Am I saying that in the right way? I think we would like to just go with the roll call vote, if we could. So this is on the Rivera amendment to the Meeks amendment, and if the clerk will call the roll, I think that is just easier.

Ms. CARROLL. Madam Chairman.
Chairman ROS-LEHTINEN. Yes.
Ms. CARROLL. The chairman votes aye.
Mr. Smith?
Mr. SMITH. Yes.
Ms. CARROLL. Mr. Smith votes aye.
Mr. Burton?
Mr. BURTON. Aye.
Ms. CARROLL. Mr. Burton votes aye.
Mr. Gallegly.
[No response.]
Ms. CARROLL. Mr. Rohrabacher?
Mr. ROHRABACHER. Yes.
Ms. CARROLL. Mr. Rohrabacher votes aye.
Mr. Manzullo?
Mr. MANZULLO. Aye.
Ms. CARROLL. Mr. Manzullo votes aye.
Mr. Royce?
[No response.]
Ms. CARROLL. Mr. Chabot?
Mr. CHABOT. Aye.
Ms. CARROLL. Mr. Chabot votes aye.
Mr. Paul?
[No response.]
Ms. CARROLL. Mr. Pence?
[No response.]
Ms. CARROLL. Mr. Wilson?
Mr. WILSON OF SOUTH CAROLINA. Aye.
Ms. CARROLL. Mr. Wilson votes aye.
Mr. Mack?
Mr. MACK. Yes.
Ms. CARROLL. Mr. Mack votes aye.
Mr. Fortenberry?
Mr. FORTENBERRY. Yes.
Ms. CARROLL. Mr. Fortenberry votes aye.
Mr. McCaul?
Mr. MCCAUL. Aye.
Ms. CARROLL. Mr. McCaul votes aye.
Mr. Poe?
Mr. POE. Yes.
Ms. CARROLL. Mr. Poe votes aye.
Mr. Bilirakis?
Mr. BILIRAKIS. Yes.
Ms. CARROLL. Mr. Bilirakis votes aye.
Mrs. Schmidt?
Mrs. SCHMIDT. Aye.
Ms. CARROLL. Mrs. Schmidt votes aye.
Mr. Johnson?
Mr. JOHNSON. Aye.
Ms. CARROLL. Mr. Johnson votes aye.
Mr. Rivera?
Mr. RIVERA. Aye.
Ms. CARROLL. Mr. Rivera votes aye.
Mr. Kelly?

Mr. KELLY. Aye.
Ms. CARROLL. Mr. Kelly votes aye.
Mr. Griffin?
Mr. GRIFFIN. Aye.
Ms. CARROLL. Mr. Griffin votes aye.
Mr. Marino?
Mr. MARINO. Yes.
Ms. CARROLL. Mr. Marino votes aye.
Mr. Duncan?
Mr. DUNCAN. Aye.
Ms. CARROLL. Mr. Duncan votes aye.
Ms. Buerkle?
Ms. BUERKLE. Aye.
Ms. CARROLL. Ms. Buerkle votes aye.
Mrs. Ellmers?
Mrs. ELLMERS. Aye.
Ms. CARROLL. Ms. Ellmers votes aye.
Mr. Berman?
Mr. BERMAN. No.
Ms. CARROLL. Mr. Berman votes no.
Mr. Ackerman?
Mr. ACKERMAN. Aye.
Ms. CARROLL. Mr. Ackerman votes aye.
Mr. Faleomavaega?
Mr. FALEOMAVAEGA. Aye.
Ms. CARROLL. Mr. Faleomavaega votes aye.
Mr. Payne?
Mr. PAYNE. No.
Ms. CARROLL. Mr. Payne votes no.
Mr. Sherman?
Mr. SHERMAN. Present.
Ms. CARROLL. Mr. Sherman votes present.
Mr. Engel?
Mr. ENGEL. Aye.
Ms. CARROLL. Mr. Engel votes aye.
Mr. Meeks?
Mr. MEEKS. No.
Ms. CARROLL. Mr. Meeks votes no.
Mr. Carnahan?
Mr. CARNAHAN. Aye.
Ms. CARROLL. Mr. Carnahan votes aye.
Mr. Sires?
Mr. SIRES. Yes.
Ms. CARROLL. Mr. Sires votes aye.
Mr. Connolly?
Mr. CONNOLLY. Aye.
Ms. CARROLL. Mr. Connolly votes aye.
Mr. Deutch?
Mr. DEUTCH. Aye.
Ms. CARROLL. Mr. Deutch votes aye.
Mr. Cardoza?
Mr. CARDOZA. Aye.
Ms. CARROLL. Mr. Cardoza votes aye.
Mr. Chandler?

Mr. CHANDLER. Aye.
Ms. CARROLL. Mr. Chandler votes aye.
Mr. Higgins?
Mr. HIGGINS. Yes.
Ms. CARROLL. Mr. Higgins votes aye.
Ms. Schwartz?
Ms. SCHWARTZ. No.
Ms. CARROLL. Ms. Schwartz votes no.
Mr. Murphy?
Mr. MURPHY. No.
Ms. CARROLL. Mr. Murphy votes no.
Ms. Wilson?
Ms. WILSON OF FLORIDA. Aye.
Ms. CARROLL. Ms. Wilson votes aye.
Ms. Bass?
Ms. BASS. No.
Ms. CARROLL. Ms. Bass votes no.
Mr. Keating?
Mr. KEATING. Aye.
Ms. CARROLL. Mr. Keating votes aye.
Mr. Cicilline?
Mr. CICILLINE. Yes.
Ms. CARROLL. Mr. Cicilline votes aye.
Chairman ROS-LEHTINEN. Have all members been recorded?
Ms. CARROLL. Mr. Gallegly.
Mr. GALLEGLY. Aye.
Ms. CARROLL. Mr. Gallegly votes aye.
Mr. Royce?
Mr. ROYCE. Aye.
Ms. CARROLL. Mr. Royce votes aye.
Chairman ROS-LEHTINEN. Have all members been recorded.
Mr. Burton.
Ms. CARROLL. Mr. Burton is recorded as voting aye.
Mr. BURTON. I vote aye.
Chairman ROS-LEHTINEN. The clerk will report the vote.
Ms. CARROLL. Madam Chair, on that vote, there are 36 ayes, six noes and one present.
Chairman ROS-LEHTINEN. The ayes have it, and the question is agreed to.
The question now occurs on the underlying Meeks amendment, as amended. All those in favor say aye; those opposed, no.
In the opinion of the Chair, the ayes have it and the amendment, as amended, is agreed to.
Hearing no further amendments, the question is on agreeing to the bill, as amended. We will now move to a recorded vote on final adoption and the clerk will call the roll.
Ms. CARROLL. Madam Chairman.
Chairman ROS-LEHTINEN. Yes.
Ms. CARROLL. The chairman votes aye.
Mr. Smith?
Mr. SMITH. Yes.
Ms. CARROLL. Mr. Smith votes aye.
Mr. Burton?
Mr. BURTON. Definitely aye.

Ms. CARROLL. Mr. Burton votes aye.
Mr. Gallegly.
Mr. GALLEGLY. Aye.
Ms. CARROLL. Mr. Gallegly votes aye.
Mr. Rohrabacher?
Mr. ROHRABACHER. Yes.
Ms. CARROLL. Mr. Rohrabacher votes aye.
Mr. Manzullo?
Mr. MANZULLO. Aye.
Ms. CARROLL. Mr. Manzullo votes aye.
Mr. Royce?
Mr. ROYCE. Aye.
Ms. CARROLL. Mr. Royce votes aye.
Mr. Chabot?
Mr. CHABOT. Aye.
Ms. CARROLL. Mr. Chabot votes aye.
Mr. Paul?
[No response.]
Ms. CARROLL. Mr. Pence?
[No response.]
Ms. CARROLL. Mr. Wilson?
Mr. WILSON OF SOUTH CAROLINA. Aye.
Ms. CARROLL. Mr. Wilson votes aye.
Mr. Mack?
Mr. MACK. Aye.
Ms. CARROLL. Mr. Mack votes aye.
Mr. Fortenberry?
Mr. FORTENBERRY. Yes.
Ms. CARROLL. Mr. Fortenberry votes aye.
Mr. McCaul?
Mr. MCCAUL. Aye.
Ms. CARROLL. Mr. McCaul votes aye.
Mr. Poe?
Mr. POE. Yes.
Ms. CARROLL. Mr. Poe votes aye.
Mr. Bilirakis?
Mr. BILIRAKIS. Yes.
Ms. CARROLL. Mr. Bilirakis votes aye.
Mrs. Schmidt?
Mrs. SCHMIDT. Aye.
Ms. CARROLL. Mrs. Schmidt votes aye.
Mr. Johnson?
Mr. JOHNSON. Aye.
Ms. CARROLL. Mr. Johnson votes aye.
Mr. Rivera?
Mr. RIVERA. Aye.
Ms. CARROLL. Mr. Rivera votes aye.
Mr. Kelly?
Mr. KELLY. Aye.
Ms. CARROLL. Mr. Kelly votes aye.
Mr. Griffin?
Mr. GRIFFIN. Aye.
Ms. CARROLL. Mr. Griffin votes aye.
Mr. Marino?

Mr. MARINO. Yes.
Ms. CARROLL. Mr. Marino votes aye.
Mr. Duncan?
Mr. DUNCAN. Aye.
Ms. CARROLL. Mr. Duncan votes aye.
Ms. Buerkle?
Ms. BUERKLE. Aye.
Ms. CARROLL. Ms. Buerkle votes aye.
Mrs. Ellmers?
Mrs. ELLMERS. Aye.
Ms. CARROLL. Ms. Ellmers votes aye.
Mr. Berman?
Mr. BERMAN. No.
Ms. CARROLL. Mr. Berman votes no.
Mr. Ackerman?
Mr. ACKERMAN. No.
Ms. CARROLL. Mr. Ackerman votes no.
Mr. Faleomavaega?
Mr. FALEOMAVAEGA. No.
Ms. CARROLL. Mr. Faleomavaega votes no.
Mr. Payne?
Mr. PAYNE. No.
Ms. CARROLL. Mr. Payne votes no.
Mr. Sherman?
Mr. SHERMAN. Reluctantly no.
Ms. CARROLL. Mr. Sherman votes no.
Mr. Engel?
Mr. ENGEL. No.
Ms. CARROLL. Mr. Engel votes no.
Mr. Meeks?
Mr. MEEKS. No.
Ms. CARROLL. Mr. Meeks votes no.
Mr. Carnahan?
Mr. CARNAHAN. No.
Ms. CARROLL. Mr. Carnahan votes no.
Mr. Sires?
Mr. SIRES. No.
Ms. CARROLL. Mr. Sires votes no.
Mr. Connolly?
Mr. CONNOLLY. Another reluctant no.
Ms. CARROLL. Mr. Connolly votes no.
Mr. Deutch?
Mr. DEUTCH. No.
Ms. CARROLL. Mr. Deutch votes no.
Mr. Cardoza?
Mr. CARDOZA. No.
Ms. CARROLL. Mr. Cardoza votes no.
Mr. Chandler?
Mr. CHANDLER. No.
Ms. CARROLL. Mr. Chandler votes no.
Mr. Higgins?
Mr. HIGGINS. No.
Ms. CARROLL. Mr. Higgins votes no.
Ms. Schwartz?

Ms. SCHWARTZ. No.
Ms. CARROLL. Ms. Schwartz votes no.
Mr. Murphy?
Mr. MURPHY. No.
Ms. CARROLL. Mr. Murphy votes no.
Ms. Wilson?
Ms. WILSON OF FLORIDA. No.
Ms. CARROLL. Ms. Wilson votes no.
Ms. Bass?
Ms. BASS. No.
Ms. CARROLL. Ms. Bass votes no.
Mr. Keating?
Mr. KEATING. No.
Ms. CARROLL. Mr. Keating votes no.
Mr. Cicilline?
Mr. CICILLINE. No.
Ms. CARROLL. Mr. Cicilline votes no.
Chairman ROS-LEHTINEN. Have all members been recorded?
The clerk will report the vote.
Ms. CARROLL. Madam Chairman, on that vote there are 23 ayes and 20 noes.
Chairman ROS-LEHTINEN. The bill as amended is agreed to. Without objection, a motion to reconsider is laid on the table and the staff are directed to make technical and conforming changes to agreed text.
The committee will stand adjourned.
Mr. ENGEL. Before you bang the gavel, I was just wondering if I could have 30 seconds to speak out of turn.
Chairman ROS-LEHTINEN. Absolutely.
Mr. ENGEL. For the past several hours there has been a lot of contention about a lot of things, but I want to say publicly what I have said to you privately. I want to thank you for the way that you have conducted these past couple of days.
Chairman ROS-LEHTINEN. I made a few mistakes and I apologize. Thank you. You guys are very nice. Thank you.
Mr. ENGEL. I think you have bent over backwards trying to be fair, and that is why I am so proud that you and I have been friends for the past 20 years.
Chairman ROS-LEHTINEN. That is very nice. I made some mistakes. I will get better as I muddle along. But I have a good team here.
Mr. DUNCAN. Madam Chairman, your staff and our staffs have been here the whole time.
Chairman ROS-LEHTINEN. Yes, sir.
Mr. DUNCAN. I think they deserve thanks.
Chairman ROS-LEHTINEN. You are so right. Thank you so much. Thank you, Mr. Duncan.
The committee is now adjourned. Thank you so much.
[Whereupon, at 10:32 p.m., the committee was adjourned.]

APPENDIX

Material Submitted for the Hearing Record

FULL COMMITTEE MARKUP NOTICE
COMMITTEE ON FOREIGN AFFAIRS

U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515-0128

Ileana Ros-Lehtinen (R-FL), Chairman

July 13, 2011

You are respectfully requested to attend an OPEN meeting of the Committee on Foreign Affairs, to be held in **Room 2172 of the Rayburn House Office Building (and available live, via the WEBCAST link on the Committee website at http://www.hfca.house.gov)**:

DATE: Wednesday, July 20, 2011

TIME: 10:00 a.m.

MARKUP OF: Foreign Relations Authorization Act, Fiscal Year 2012

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.

COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF FULL COMMITTEE MARKUP

Day *Weds. & Thurs.* **Date** *7/20/11 & 7/21/11* **Room** *2172 RHOB*

Starting Time *10:05 AM* **Ending Time** *10:33 PM*

Recesses [ ] (*1:00pm* to *1:50pm*) (*2:55pm* to *3:25pm*) (*2:07am* to *9:18am*) (*12:44pm* to *1:15pm*) (*2:56pm* to *3:30pm*) (*6:20pm* to *7:40pm*)

Presiding Member(s)

Rep. Ileana Ros-Lehtinen, Rep. Steve Chabot, & Rep. Dan Burton

Check all of the following that apply:

Open Session [✓]
Executive (closed) Session [ ]
Televised [✓]
Electronically Recorded (taped) [✓]
Stenographic Record [✓]

BILLS FOR MARKUP: *(Include bill number(s) and title(s) of legislation.)*

Foreign Relations Authorization Act for Fiscal Year 2012, H.R. 2583

COMMITTEE MEMBERS PRESENT:

Attendance attached.

NON-COMMITTEE MEMBERS PRESENT:

STATEMENTS FOR THE RECORD: *(List any statements submitted for the record.)*

Bass (1), Berman (1), Carnahan (3), Deutch (4), Faleomavega (1), Schwartz (1)

ACTIONS TAKEN DURING THE MARKUP: *(Attach copies of legislation and amendments.)*

RECORDED VOTES TAKEN (FOR MARKUP): *(Attach final vote tally sheet listing each member.)*

Subject	Yeas	Nays	Present	Not Voting

TIME SCHEDULED TO RECONVENE _____
or
TIME ADJOURNED _____

Doug C. Anderson

Doug Anderson, General Counsel

Hearing/Briefing Title: Foreign Relations Authorization Act for Fiscal Year 2012, H.R. 2583

Date: 7/20/11 & 7/21/11

Present	Member
X	Ileana Ros-Lehtinen, FL
X	Christopher Smith, NJ
X	Dan Burton, IN
X	Elton Gallegly, CA
X	Dana Rohrabacher, CA
X	Donald Manzullo, IL
X	Edward R. Royce, CA
X	Steve Chabot, OH
X	Ron Paul, TX
X	Mike Pence, IN
X	Joe Wilson, SC
X	Connie Mack, FL
X	Jeff Fortenberry, NE
X	Michael McCaul, TX
X	Ted Poe, TX
X	Gus M. Bilirakis, FL
X	Jean Schmidt, OH
X	Bill Johnson, OH
X	David Rivera, FL
X	Mike Kelly, PA
X	Tim Griffin, AK
X	Tom Marino, PA
X	Jeff Duncan, SC
X	Ann Marie Buerkle, NY
X	Renee Ellmers, NC
N/A	Robert Turner, NY

Present	Member
X	Howard L. Berman, CA
X	Gary L. Ackerman, NY
X	Eni F.H. Faleomavaega, AS
X	Donald M. Payne, NJ
X	Brad Sherman, CA
X	Eliot Engel, NY
X	Gregory Meeks, NY
X	Russ Carnahan, MO
X	Albio Sires, NJ
X	Gerry Connolly, VA
X	Ted Deutch, FL
X	Dennis Cardoza, CA
X	Ben Chandler, KY
X	Brian Higgins, NY
X	Allyson Schwartz, PA
X	Chris Murphy, CT
X	Frederica Wilson, FL
X	Karen Bass, CA
X	William Keating, MA
X	David Cicilline, RI

Ranking Member Howard L. Berman
Statement for the Record on H.R. 2583
Foreign Relations Authorization Act for fiscal year 2012
July 20, 2011

As part of the en-bloc amendment, the Committee adopted the Chairman's amendment to strike Section 996(b) of the bill, which required reporting on military activities undertaken pursuant to the Authorization for the Use of Military Force (AUMF) of 2001. I understand this amendment may have been necessitated by inter-committee dynamics, and I appreciate the efforts of the Chairman to work with the House Armed Services Committee (HASC) to find a compromise. But I remain extremely concerned that this Committee has minimal visibility into operations conducted by the Department of Defense (DoD) pursuant to the AUMF – despite the fact that the AUMF itself is primarily within our purview.

The Foreign Affairs Committee is charged with drafting and, concomitantly, interpreting the scope of the AUMF. It is our responsibility to determine whether a military activity falls within the scope of the authorization, and, equally important, to evaluate the foreign policy impact of a military activity. Yet, since the 1990's, our Committee has increasingly ceded this jurisdiction to HASC. The latest example of this erosion in our authority was the Committee's failure to assert jurisdiction over an amendment to the fiscal year 2012 National Defense Authorization Act (NDAA) which altered the AUMF of 2001 -- a provision that was unquestionably in our jurisdiction. While I understand the argument that Congress needs to give legal authority to the Department of Defense for counterterrorism operations globally under the AUMF, it is critical that this Committee have an understanding of what our military actually does under this AUMF.

The AUMF of 2001 is different than other authorizations for use of force. For example, in contrast to the AUMF in 2002, which authorized military action solely against Iraq, the 2001 AUMF has served as the legal basis for a series of interventions abroad. Each intervention requires a specific analysis of the foreign policy impact and the legal justification for the strike – the responsibility of this committee under Rule X of the House Rules.

How can the Foreign Affairs Committee evaluate whether an activity falls under the AUMF, or examine the foreign policy impact of such an activity, if we don't know exactly what DoD is doing in the first place? This is a troubling development, and one that severely narrows this Committee's Rule X jurisdiction, to the point of being absurd. I am committed to working with the Chairman and House leadership to ensure we get the information necessary to conduct oversight under the AUMF, and I look forward to progress in this area.

The en-bloc amendment also included a provision aimed at bolstering intellectual property (IP) protection abroad where the problem of piracy and counterfeiting is particularly acute.

Protecting IP will enhance our efforts to create high quality jobs that grow the U.S. and world economy. IP-dependent industries in the U.S. (driven by American innovation, creativity and technical invention) account for more than $5 trillion of the gross domestic product, are the source of more than half of all U.S. exports, and represent 40 percent of economic growth.

To continue this trend, our government must do all it can to address the growing problem of IP theft world-wide, which threatens competitiveness, jobs, and public health and safety in the U.S. and around the world.

This amendment advances IP enforcement as a key component of U.S. foreign policy by authorizing new IP attachés to serve at key U.S. embassies and diplomatic missions in countries that are not meeting their international obligations to protect IP. These attachés will be responsible for developing effective and coordinated IP strategies utilizing embassy, diplomatic, and enforcement resources, and for coordinating with foreign governments, rights holders, the Secretary of State, and the White House IP enforcement coordinator.

Specifically, the amendment requires that the Secretary of State make available adequate resources at diplomatic missions to address intellectual property (IP) enforcement issues. It also requires that the Secretary of State to appoint at least one intellectual property attache to serve in each geographic region covered by a regional bureau of the Department of State in order to

facilitate greater and more effective communication between the embassies and Washington on intellectual property enforcement issues.

This amendment is not a silver bullet to address piracy, but it will begin to put a dent in a problem that affects hundreds of thousands of American jobs and threatens our future as the foundation of global creativity.

At the markup, I offered an amendment to Section 805 of the bill that would reauthorize U.S. antiboycott law and make it permanent law. In the interests of brevity, I did not make my complete statement at that time; instead, it is included below.

"Madam Chairman, Section 805 of the underlying bill contains hortatory language to encourage the President to vigorously oppose the Arab League boycott of Israel and to encourage Arab states to normalize their trade relations with Israel.

We all support these sentiments and I commend the Chair for including them in her bill. However, there is an equally important antiboycott issue that we should address: the lack of a permanent and legally-sound statutory provision to combat the Arab League's secondary boycott, aimed at companies that do business with Israel. In fact, it is urgent that we do so.

In 1977, Congress made it illegal for U.S. companies to cooperate with the Arab League's secondary boycott and imposed civil and criminal penalties for violations. Those provisions were added to the Export Administration Act (EAA) and the enforcement was assigned to the Bureau of Industry and Security which also administers our dual-use export controls.

The EAA expired in 1994 and, with the exception of one 12-month period in 2000-2001, the antiboycott law has been kept in effect by a series of Executive Orders issued under International Emergency Economic Powers Act (IEEPA), the President's emergency authority. The President's annual declaration of emergency for export controls and antiboycott describes the national emergency as the failure of Congress to act.

The use of IEEPA to continue the EAA – for antiboycott and export controls – has been challenged in a series of lawsuits. Over the past decade, two of those lawsuits reached the federal appeals courts and were decided in the government's favor by split decisions. There is a risk that someday the government will lose.

The Arab League continues to try to pressure U.S. firms into cooperating with their boycott. In FY 2010 alone, U.S. firms reported 950 demands from governments to comply. The Bureau of Industry and Security counseled 1,020 U.S. firms on what their legal obligations are to resist. In FY 2010, BIS closed 14 cases against violators, up from 3 in the previous year. However, it is the preventive counseling, plus the threat of heavy penalties, that are deterring U.S. firms from complying with the secondary boycott.

My amendment would reauthorize the U.S. antiboycott law and make it permanent law. It incorporates the thrust of the hortatory language now in Section 805 as "findings" in a new statute. The findings urge the President to vigorously oppose both the primary and the secondary boycotts by foreign governments. In furtherance of that goal, my amendment would give the President the authority to restrict or prohibit U.S. firms from participating in a primary boycott imposed by a foreign government against a U.S. person or a country friendly to the U.S., as well as the long-standing prohibition on cooperating with a foreign government-imposed secondary boycott. This would be an important new tool to use in seeking an end to the Arab League boycott – a goal that we all share.

As with the antiboycott provisions of Title II of the 1977 EAA, my amendment applies – explicitly - only to boycotts imposed by foreign governments. It does not apply to restrictive trade actions or boycotts by private individuals or private groups, either in the U.S. or in other countries. In particular, the amendment does not apply to U.S. persons who refuse to trade with or invest in entities in another country, or while engaged in intrastate or interstate commerce within the U.S. Moreover, it only authorizes regulation of conduct by U.S. persons or persons in U.S. territory who are taking actions in furtherance of foreign government-imposed boycotts that

the U.S. government determines are against U.S. foreign policy. Finally this amendment does not apply to foreign citizens in foreign countries.

It is important to note that under the current legal situation, in which the President has invoked IEEPA as the statutory authority for the antiboycott regulations, there is no restriction on the President's scope of authority to restrict U.S. persons' participation in a boycott. IEEPA grants the President blanket authority to regulate international commerce and finance by U.S. persons, as long as he declares a "national emergency". A President could go beyond the scope of Title II of the 1977 EAA and broaden the regulation of U.S. persons in any boycott. Therefore, enactment of my amendment would re-impose statutory restrictions on the scope of Presidential authority and once again limit the President's authority to only foreign government-imposed boycotts.

And, of course, this amendment in no way affects a U.S. citizen's exercise of First Amendment rights to free speech and advocacy.

Finally, the amendment would update the penalties under the antiboycott law to reflect the current civil and criminal penalties that are now temporarily applied to antiboycott violations under IEEPA. Civil fines are authorized up to $250,000 per violation, plus authority to cancel export licenses and to deny a violator's right to export from the U.S. Criminal violations – i.e. "knowing" violations – would be punished by fines up to $1 million and up to 20 years in prison."

In addition, I want to offer some brief comments on the Fortenberry amendment related to sex selection abortion, which the Committee adopted by voice vote. Sex selection is a troubling and pervasive practice. Governments in some countries have undertaken measures to halt the practice of sex selection, but governments and civil society also need to address deeply rooted gender discrimination against women and girls which lies at the heart of sex selection.

The June 14, 2011 statement issued by the Office of the High Commissioner for Human

Rights (OHCHR), United Nations Population Fund (UNFPA), United Nations Children's Fund (UNICEF), UN Women and the World Health Organization (WHO) reaffirms the commitment of United Nations agencies to encourage and support efforts by member states, international and national organizations, civil society and communities to uphold the rights of girls and women, and to address the multiple manifestations of gender discrimination, including the problem of imbalanced sex ratios caused by sex selection.

The interagency statement highlights the public health and human rights dimensions of sex selection and provides recommendations on how best to take effective action. As outlined in the statement, the tradition of patrilineal inheritance in many societies coupled with a reliance on boys to provide economic support, to ensure security in old age, and to perform death rites are part of a set of social norms that place greater value on sons than daughters.

According to the statement, a general trend towards declining family size, sometimes fostered by stringent policies restricting the number of children people are allowed to have, is reinforcing a deeply rooted preference for male offspring. As a result, women are often under immense family and societal pressure to produce sons. Failure to do so may lead to violence, rejection by the marital family, or even death. Women may feel pressure to continue becoming pregnant until a boy is born, thus putting their health and their life at risk.

Nations have an obligation under human rights laws to respect, protect and fulfill the human rights of women and girls. More than 180 nations are signatories to the 1994 Programme of Action of the International Conference on Population and Development, which committed states to "eliminate all forms of discrimination against the girl child and the root causes of son preference, which result in harmful and unethical practices regarding female infanticide and prenatal sex selection."

According to the statement, States have an obligation, consistent with their laws, to ensure that these injustices are addressed without exposing women to the risk of death or serious injury by denying them access to needed services, including safe abortion. Such an outcome would

represent a further violation of their rights to life and health as guaranteed in international human rights treaties, and committed to in international development agreements.

Finally, the interagency statement calls on countries to develop and promote policies -- in areas such as inheritance laws, dowries, and financial and other social protection in old age -- to address the root causes of the inequalities that drive sex selection.

Statement for the Record of the Honorable Karen R. Bass
Committee on Foreign Affairs, U.S. House of Representatives
Mark Up: "State Authorization"
07/20/11

Thank you, Madame Chair. I have two amendments with the clerk.

The first is a bipartisan amendment introduced with Representative Tom Marino. This amendment will establish a State Department code of conduct to counter human trafficking.

The victims of human trafficking have many faces. Men, women, and children are all vulnerable to this crime. The State Department has estimated that approximately 600,000 to 800,000 victims are trafficked annually across international borders worldwide and approximately half of these victims are younger than 18 years old. Approximately 15,000 foreign nationals are trafficked into the U.S. every year. Whether trapped in situations of forced labor, sexual trafficking, or involuntary servitude, these victims are deprived of basic human rights and dignity.

The code of conduct established through this amendment will help to ensure that the State Department is not only working to stop trafficking throughout the world, but is also taking proactive steps to ensure that the internal State policies and Department employees are equipped to stop trafficking as well.

During the development code of conduct, the State Department will explore and evaluate its current prevention and protection strategies as well as pledge to strengthen its practices. For example, the Department will outline necessary steps to ensure that State Department contractors and subcontractors do not engage in human trafficking. The code may include provisions such as equipping State personnel with the tools necessary to recognize and report human trafficking effectively and establishing points of contact at each U.S. consulate to assist trafficking victims.

Inter-Country Adoption

My second bi-partisan amendment is co-sponsored by Representative Gus Bilirakis (pronounced Bill-uh-rackis) and supported by Representative Joe Wilson.

As the co-Chair of the Congressional Caucus on Adoption and co-Chair of the Congressional Caucus on Foster Care, I have a keen interest in ensuring that children are given what every child needs and deserves – loving parents and a strong and stable home. This amendment will help us achieve this goal.

The amendment asks the State Department to create a strategy for inter-country adoption, addressing the specific challenges in countries that have ratified

the Hague Convention on Protection of Children and Co-operation in Respect of Inter-Country Adoption as well as those who have not.

Inter-country adoption can be a complex and difficult process. Fortunately, the Hague Convention established important standards and safeguards to protect inter-country adoptions. The Convention provides a roadmap for the Department of State to verify and recognize inter-country adoptions, accredit adoption agencies, promote transparency between nations, and prevent the abduction of children.

Unfortunately, not every country has agreed to the provisions outlined by the Hague Convention and, in turn, many families and children are put in dangerous situations. In fact, adoptions from Russia, South Korea, and Guatemala have all been in the headlines recent years for unfortunate circumstances including child abuse, abandonment, and death. An overarching inter-country adoption strategy will help to protect our children from these horrendous situations by strengthening procedural safeguards during the adoption process. The amendment will help to streamline and coordinate the various domestic laws that make inter-country adoptions even more challenging.

I urge my colleagues to support both of my amendments today – the Trafficking Code of Conduct as well as the Inter-Country Adoption Strategy.

Statement for the Record of the Honorable Russ Carnahan
Committee on Foreign Affairs, U.S. House of Representatives
Hearing: "Markup of HR 2583, Foreign Relations Authorization Act"
Wednesday July 20, 2011
Berman Amendment #582 to Title IV, Striking Mexico City Language

Madame Chairman, I would like to offer my strong support for the Ranking Member's amendment to strike the provision known as the Mexico City Policy or global gag rule.

As caregivers and oftentimes vital bread earners in many developing countries, women's health, education, and overall advancement, are vital to their communities and lasting human progress. MDG goals 3, 4, and 5 on gender equality and maternal and child health reflect the urgency of supporting women as a fundamental component of our development and stabilization strategies. Yet, the global gag rule contained in this bill reduces access to family planning and reproductive healthcare, harming the lives of women and girls around the world.

If there was ever question to the need for this assistance, the evidence is clear: A woman dies from complications in childbirth every minute, over half a million each year. For every woman who dies, at least 30 suffer injuries and often permanent disability. And the spread of HIV/AIDS is compounded by lack of contraceptives. Voluntary family planning helps prevent maternal and child deaths, unintended pregnancies, unsafe abortions, and the spread of HIV/AIDS and other sexually transmitted infections.

It's important to consider what this means for families who depend on mothers as caregivers, for local economies that rely on the work of women as farmers and entrepreneurs, and for communities who benefit from their contributions as change agents and peace-builders. This is about saving lives; it's about global prosperity and our own security interests.

The global gag rule imposes harmful restrictions on foreign assistance that goes far beyond our domestic laws governing family planning. This destructive policy comes in spite of the Helms amendment, which routinely bars U.S. funding for abortion services. More disturbing still are the undeniable statistics that restricting access to family planning actually translates to an increase in abortions worldwide.

I thank Ranking Member Berman for offering this important amendment, and I urge my colleagues' support.

Carnahan Amendment to Title IX, Section 911, on Iraq Security Forces Training Contracts

Madame Chairman, I urge my colleagues to support this amendment, which conditions funding for Iraqi Security Forces training on assurance from the Secretary of State that sufficient management and oversight mechanisms on contracts are in place.

The proper accounting of U.S. funds and programs in Iraq is vital to the transition's effectiveness and is especially poignant as Americans across this country face ongoing economic hardships. I offered this amendment because we have a responsibility to our civilian and military personnel and the American tax payers to ensure that U.S. resources are being effectively and efficiently utilized in Iraq, particularly as the State Department takes on a role that is unprecedented in size and scope.

Training and equipping the Iraqi Security Forces is a critical component of our overall strategy to ensure a successful transition out of Iraq; in fact, serious concerns remain that the security forces are not prepared to address likely challenges as the U.S. draws down, especially burgeoning sectarian violence. Unfortunately, however, instances of mismanagement and lacking oversight over State's large training contracts has put significant sums of funding at risk and profoundly impacts Iraq's stability moving forward.

Throughout hearings on this committee's oversight panel, we have consistently heard issues of contracting mismanagement to the tune of billions of unaccounted for dollars. The safety of our personnel, the integrity of tax payer dollars, and the safeguarding of our overall strategic interests depend on the effectiveness of our management and oversight institutions.

Thank you, Madam Chairman, and I urge my colleagues to support this amendment.

Statement for the Record of the Honorable Russ Carnahan
Committee on Foreign Affairs, U.S. House of Representatives
Hearing: "Markup of HR 2583, Foreign Relations Authorization Act"
Wednesday July 20, 2011
Carnahan/Payne Amendment #28 to Title VIII, Section 8XX (Offered En bloc) on female exchange program

Madame Chairman, I offer this amendment with Congressman Payne, and I urge my colleagues to support our provision which authorizes an exchange program to increase the substantive involvement of women legislators and civil society leaders in politics and decision-making processes. This amendment helps elevate women's inclusion in decision-making structures as fundamental components of democratic governance, stability, and economic growth.

The evidence is clear: everyone benefits when women have an equal voice. They bring an important perspective to policy and play instrumental roles in reconstruction and peace-building efforts. More equal gender representation is shown to increase transparent and democratic governance.

In recent years, progress has been made, yet women still occupy less than 19% of seats in national parliaments on average worldwide. While many legislative bodies implement quota systems to increase this number, their involvement in policy formation is oftentimes delegitimized by limiting access to positions of seniority. Iraqi women, who comprise one-fourth of the parliament, have protested this very trend. As South Sudan embarks on its journey as a new nation, the level of inclusion will have a real impact on the strength of democracy and representative government moving forward. This amendment would improve women legislator's strength and effectiveness, through meaningful exchanges.

Women also comprise a significant portion of civil society, particularly in conflict affected regions; they work to bridge common divides, support the wellbeing of minority groups, and promote community interests through entrepreneurship and collaborative partnerships. During civil war in Liberia, Christian and Muslim women came together to reinvigorate stalled peace talks.

In Afghanistan, women civil society groups are fighting to have a substantive role in the reconciliation and reintegration process. And in the Democratic Republic of the Congo, where sexual and gender-based violence is rampant, women have been working to rebuild, resettle, and open dialogue. This amendment expands on the processes and organizations already in place to help elevate the role they can play in moving countries out of conflict and towards sustained peace and development.

There is no doubt that women continue to face broad challenges from discrimination and violence to lack of legal rights and opportunities. What is also clear, however, is they are one of the most important untapped agents of change. I am offering this amendment, along with Congressman Payne, with the hopes of realizing the full potential of women and girls around the world. A similar provision was indeed supported by both Democrats and Republicans on this committee's authorization bill last Congress, and I urge my colleagues to once again support this amendment.

Questions/Statement for the Record of the Honorable Ted Deutch
Committee on Foreign Affairs, U.S. House of Representatives
Hearing: "Foreign Relations Authorization Act of 2012 Mark Up"
July 21, 2011

Statement on Amendment Deutch 28.

Madam Chairman, this amendment affirms the commitment of this Congress to ensuring justice for victims of the Holocaust. The amendment clarifies US policy to demand property restitution for real property confiscated during the Holocaust.

In 2008, the Prague Conference on Holocaust Era Assets convened as a forum to address restitution issues in Central and Eastern Europe. What resulted from this conference was a set of Guidelines and Best Practices for the restitution of immoveable property signed onto by over 40 countries, and the Terezin Declaration, a nonbinding set of guiding principles aimed at faster, more open and transparent restitution of art, private and communal property taken by force or under duress during the Holocaust. Of the signatory countries, many have taken concrete steps addressing restitution.

I, along with several of my colleagues on this committee, were in Lithuania just two weeks ago following the passage of property restitution legislation. We commend the government of Lithuania for its commitment to addressing the rights of survivors and their heirs and preserving the legacy of its once vibrant Jewish

community. We further commend Lithuania for immediately releasing a million dollars to help its ailing survivor population.

However, many countries are falling short on the commitments made in Prague. Madam Chairman, for years the United States government has played a key role in encouraging countries to enact restitution laws for both private and communal property through the Office of Holocaust Issues in the State Department. This amendment makes clear our commitment to the simple, transparent, and timely resolution of restitution issues in Europe. Properly addressing Holocaust Era property restitution should be a priority for our allies who share our values of democracy and freedom.

I am privileged to represent one of the largest survivor populations in this country. I've seen these men and women struggle to maintain a quality of life and live out their days with dignity. There are thousands of survivors across the world who deserve the same respect. Under the umbrella of the World Jewish Restitution Organization, funds from property restitution help provide vital services directly to

survivors.

While no amount of legislating can make up for the millions who were forcibly removed from their homes and businesses through intimidation and violence and who suffered the most vile atrocities at the hands of the Nazi regime, we can *at the very least* make clear that the United States Congress is committed to preserving the dignity of those who survived and the legacy of those who perished.

I urge your support on this amendment.

Questions/Statement for the Record of the Honorable Ted Deutch
Committee on Foreign Affairs, U.S. House of Representatives
Hearing: "Foreign Relations Authorization Act of 2012"
July 21, 2011

Statement on Deutch Amendment 30.

My amendment would urge the Chinese government, which has ownership interest in the companies that manufactured and exported contaminated drywall to the United States between 2001 through 2009, to have the companies meet with representatives of the United States government, including representatives of the U.S. Consumer Product Safety Commission on remedying homeowners that have contaminated drywall in their homes. In addition, my amendment would urge the Chinese government to have the companies that manufactured and exported contaminated drywall to submit to jurisdiction in U.S. federal courts and comply with any decisions issued by the courts in cases brought by homeowners with contaminated drywall.

Thousands of homeowners in my District and in thirty-eight states and the District of Columbia, Puerto Rico, and American Samoa have been victims of contaminated drywall from China that was imported into the U.S. This drywall has caused and continues to cause destruction and damage to homes by corroding wires and damaging household appliances, including air conditioning systems, lighting, and telecommunications. Homeowners and their families also have

suffered serious health problems. Contaminated drywall has rendered many homes uninhabitable.

In these difficult economic times, many families are forced to make tough decisions of whether to continue paying to constantly replace and repair essential appliances in their homes that have been damaged by Chinese drywall; or whether to continue paying the mortgage on their home that has been rendered uninhabitable by tainted Chinese drywall while living in another home. Such situations are putting enormous strain on tight family budgets. This has forced some families to make the extraordinary decision to abandon their home with tainted Chinese drywall, stop paying the mortgage on the home, and suffer tremendous harm to their credit score.

Soon after it was reported that contaminated Chinese drywall was causing serious health and structural problems in homes, the Consumer Product Safety Commission contracted several scientific studies which have identified the Chinese companies that manufactured the defective drywall that has high emissions of hydrogen sulfide. Moreover, a study conducted by the Sandia National Laboratories in New Mexico has found that the contaminated Chinese drywall has a corrosive effect on fire alarm devices, electrical distribution components, and gas service piping and fire suppression sprinkler systems. Based on these findings, the

CPSC recently issued a revised *Remediation Protocol for Homes with Problem Drywall*. Despite these scientific findings and updated remediation protocols, assistance for homeowners with contaminated Chinese drywall has largely been elusive. And the Chinese companies that manufactured contaminated drywall have avoided liability.

Many lawsuits have been filed by homeowners with contaminated Chinese drywall. Yet, no Chinese manufacturer has agreed to be under the jurisdiction of the U.S. federal courts considering these cases. Instead, many of these cases are being resolved by shouldering smaller U.S. building companies with the burden to remediate homes with Chinese drywall, rather than the Chinese companies that manufactured the defective product. This is wrong and it is well past time that we urge the Chinese government, which has ownership interests in the companies that manufactured the defective drywall, to submit to the jurisdiction of our courts and assist in home remediation efforts.

CPSC also has established its first overseas office in China. On numerous occasions, the CPSC has attempted to convene a meeting with the companies that manufactured contaminated Chinese drywall to discuss possible solutions to assist homeowners with remediating their homes. However, these requests for a meeting have been to no avail. As long as the Chinese companies that manufactured

contaminated drywall refuse to meet with representatives of the U.S. government, it will be impossible to make homeowners with defective drywall whole.

For far too long, homeowners with contaminated Chinese drywall have had their lives turned upside down with no resolution in sight. While several recent court decisions have provided some assistance to homeowners, a resolution for homeowners should ultimately come from the companies in China that manufactured the contaminated drywall. For these reasons I urge support of my amendment

Madam Chairman, I'd like to recognize my co-chair of the Congressional Drywall Caucus, Congressman Scott Rigell for his support of this amendment.

Thank you, and I yield back the balance of my time.

Questions/Statement for the Record of the Honorable Ted Deutch
Committee on Foreign Affairs, U.S. House of Representatives
Hearing: "Foreign Relations Authorization Act of 2012 Mark-Up"
July 21, 2011

Statement on Deutch Amendment 31.

Madam Chairman, just three weeks ago we marked the fifth anniversary of the abduction of Israeli soldier Staff Sergeant Gilad Shalit from inside Israel's borders by the terrorist organization Hamas.

For five years, Hamas has violated international human rights conventions by denying Shalit contact with his family and visits by the International Red Cross.

Hamas for the past five years has continually refused to engage in meaningful negotiations on Gilad's release with independent mediators, and made outrageous demands of the Israeli government only to repudiate any proposed deals.

If Hamas is determined to pursue unity with the Palestinian Authority, the immediate release of Gilad Shalit must be included in any previously stated conditions for recognition by the Quartet.

In January of 2006, the Quartet released a set of principles to which any Palestinian government must abide. These stated principles include non-violence, recognition of Israel, and acceptance of previous agreements and obligations, including the "Road Map".

Earlier this month, the Quartet showed its commitment to securing Gilad's release in its July 5th statement in which it called for an end to the deplorable five-year detention of Gilad Shalit.

This amendment would urge the Administration to encourage the adoption of the immediate release of Gilad Shalit as an additional Quartet principle for engagement with any Palestinian government.

If the Quartet is committed to moving direct negotiations forward, they must also demand that the Palestinian Authority joins the call for Hamas to free Staff Sergeant Shalit. Negotiations with any potential government that includes a terrorist organization who refuses to abide by international conventions cannot proceed.

I urge the adoption of this amendment, and I yield back the balance of my time.

Questions/Statement for the Record of the Honorable Ted Deutch
Committee on Foreign Affairs, U.S. House of Representatives
Hearing: "Foreign Relations Authorization Act of 2012 Mark-Up"
July 21, 2011

Statement on Berman Amendment 39.

I rise in strong support of the Berman (Berman-Deutch) amendment.

The Berman amendment would help provide the resources State needs to deal with this global threat to US innovation. With over 60 percent of US exports coming from our IP-industries, it is simple common sense that IP protection should be a substantial focus for our foreign service as well. The addition of dedicated staff in key embassies and having region-focused staff assigned to IP protection will ensure that America's universally strongest export will get the attention it needs.

Having returned from Russia earlier this July, I have had the opportunity to see firsthand the challenges our embassies face in combating IP crimes abroad. As one example of this global problem and the need for greater global coordination to combat it, I was discussing the problem of rogue websites with Elvira Nabiullina, Russia's Minister of Economic Development. She noted to me that even if Russia chooses to take action

against websites that enable downloading of illegal content, those websites will just pick up and open in another country. And so, the 'game' of chasing down these pirates starts over but in a country with even more lax regulation and enforcement. This is the exact reason that State needs to have dedicated IP attachés who are able to follow this kind of international evasion and have the expertise to be able to work meaningfully with the individual countries where pirates are hiding.

Whether it is a medical researcher trying to cure disease, a software developer working from a small home office, a musician hoping to become the next big hit, or a father of three with a great new idea - American innovation creates jobs and improves lives across the globe.

But just as anyone can create the next big business from a simple idea, anyone can steal that idea. Our global marketplace and especially the global reach of the Internet, means that IP theft can span borders. And, if we expect to make serious progress in IP protection, we need to have a strong global approach.

I would like to thank Ranking Member Berman for drafting this amendment, and I urge its adoption.

Statement for the Record of the Honorable Eni F.H. Faleomavaega
Committee on Foreign Affairs, U.S. House of Representatives
Hearing: "H.R. 2583, The Foreign Relations Authorization Act FY 2012"
July 20 and 21, 2011

Madam Chair:

I move to strike the last word, and offer an amendment to eliminate the Sense of Congress relating to restrictions on religious freedom in Vietnam

This Sense of Congress is redundant, as will be my remarks today.

A resolution containing almost the same language was introduced on January 6, 2009. A nearly identical provision, which was also flawed, passed the House last year as part of H.R. 2410 and, again, in the format of H. Res. 20.

Each of these resolutions was passed without the courtesy of input from the Asia Pacific Subcommittee. Had the authors discussed the matter with the Subcommittee or our U.S. Ambassador to Vietnam they would have learned that the Vietnam presented in this Sense of Congress is not the Vietnam of actuality.

The language put forward in this bill mischaracterizes Vietnam. I have personally met with Vietnam's leaders in Hanoi and worshipped in parishes among the people, and I can assure my colleagues that there is a strong commitment on the part of the Vietnamese Government to respect and facilitate religious freedom.

While Vietnam recognizes it has work to do, so do we. We can begin by telling the whole truth, rather than cherry-picking bits of truth. This is why I ask that my full statement be entered for the record so that for historical purposes future readers will have a clearer understanding about Vietnam and the progress it has made.

In submitting my full statement, I ask, why are we doing this again? This flawed verbage has already been passed by the House on more than one occasion and it was my sincere hope that at some point my colleagues would want to set the record straight rather than perpetuate the falsehood about religion in Vietnam.

While I realize that we represent separate branches of government, I believe Ambassador Michalak, who served in Vietnam for the past three years, was in a better position than any of us to know where Vietnam stands in its progress regarding religious freedom.

Ambassador Michalak, in his remarks at the Human Rights Day Event held at the U.S. Embassy and American Center in Vietnam on December 9, 2010, stated:

Another area where over the past three years I have seen strong improvements is religious freedom where individuals are now largely free to practice their deeply felt convictions. Pagodas, churches, temples and mosques throughout Vietnam are full. Improvements include increased religious participation, large-scale religious gatherings -- some with more than 100,000 participants, growing numbers of registered and recognized religious organizations, increasing number of new churches and pagodas, and bigger involvement of religious groups in charitable activities. President Nguyen Minh Triet also met with Pope Benedict XVI at the Vatican, and Vietnam and the Holy See agreed to a Vatican appointment of a non-resident Representative for Vietnam as a first step toward the establishment of full diplomatic relations.

Ambassador Michalak also expressed some concerns, which I also share. He stated: *However, some significant problems remain including occasional harassment and excessive use of force by local government officials against religious groups in some outlying locations. Specifically, there were several problematic high-profile incidents over the past year including where the authorities used excessive force against Catholic parishioners in land disputes outside of Hanoi at Dong Chiem parish and outside of Danang at Con Dau parish. These incidents call into question Vietnam's commitment to the rule of law and hurt Vietnam's otherwise positive image on religious freedom. Registration of Protestant congregations also remains slow and cumbersome in some areas of the country, particularly in the Northwest Highlands.*

Even so, the U.S. Department of State has not found that these incidents rise to the level of listing Vietnam as Country of Particular Concern and I am confident that while recognizing and understanding the concerns reflected in the Resolution, the State Department will make a determination on CPC designation in keeping with the statutory requirements of the International Religious Freedom Act rather than in response to consideration, or passage, of this verbage by this Committee.

Despite isolated incidents which all of us oppose, Vietnam is a multi-religion country with all major religions present including Buddhism, Christianity, Protestantism and Islam. Vietnam boasts the second largest Christian population in Southeast Asia. Vietnam has approximately 22.3 million religious followers, accounting for one fifth of the population and over 25,000 religious worship establishments.

According to Vietnam, so far the government has recognized 15 new religious organizations including 7 Protestant denominations, making the total of recognized religions 32. The State has assisted the publication of the Bible in 4 ethnic minority languages including Bana, Ede, Giarai and H'Mong, and facilitated the construction and reconstruction of over 1,500 religious establishments.

Vietnam has 4 Buddhist Academies, 32 Buddhist schools, hundreds of classes on Buddhism, 6 grand seminaries and one Protectionist Seminary. 1,177 religious leaders are actively participating in social management.

Vietnam Episcopal Council officials attended Ad-limina at the Vatican. Thousands of Catholic followers in Vietnam joined a range of activities to celebrate the 2010 Jubilee Year including 300 years of the presence of Catholicism and 50 years of the establishment of Catholic hierarchy in the country. In June 2010, Vietnam and the Vatican agreed to promote the process of establishing diplomatic relations and the Pope agreed to appoint a "non-resident representative" of the Holy See for Vietnam.

The training and education of religious dignitaries and priests have been maintained and expanded. Throughout the country, there are around 17,000 seminarians and Buddhist monks and nuns are enrolled in religious training courses. The Vietnam Buddhist has 4 Buddhist Academies, of which the scale and training quality are being raised.

Thousands of Buddhist nuns and monks also gathered for the Great Buddhist Festival to mark the 1000th anniversary of Thang Long-Hanoi from July 27 to August 2, and Vietnam is actively preparing for the Summit of World Buddhism at the end of the year 2010.

In February 2009, the improvement of religious freedom in Vietnam was acknowledged by Vatican Undersecretary of State Monsignor Pietro Parolin, the Pope's Envoy, during his visit to Vietnam, more than a month after H. Res. 20 was drafted and introduced. While I am no expert on Catholic relations with the Vietnamese government, I do believe we should seriously consider Monsignor Parolin's views since he is better positioned to speak for and on behalf of the Catholic Church rather than Members of Congress whose information from third-parties may be distorted. For example, it is my understanding that some of the claims laid out in this Sense of Congress about the Catholic Church stem from land disputes and not religious disputes at all.

Regardless, the Catholic Church is moving forward in establishing better relations with Vietnam, as are the Buddhists, although this Sense of Congress also mischaracterizes Vietnam's relationship with the Buddhists by singling out isolated incidents. This said, Vietnam recognizes it has work to do, and Vietnam is trying to improve its record on all fronts.

Last year, I was in Hanoi where I met with H.E. Mr. Nguyen Van Son, Chairman of the Foreign Affairs Committee, National Assembly of the Socialist Republic of Viet Nam, and H.E. Mr. Ngo Quang Xuan, Vice-Chairman of the Foreign Affairs Committee, National Assembly of the Socialist Republic of Viet Nam. We had serious discussions about religious freedom and I can assure my colleagues that there is a strong commitment on the part of the Vietnamese Government to respect and facilitate religious freedom, and the central government is working with the local government to bring about change.

Having visited Vietnam five times during my tenure as Chairman of the Subcommittee on Asia, the Pacific and the Global Environment, I have also personally worshipped in parishes with local Vietnamese and, in the case of my own Church, I can a verify that the Government of Viet Nam has been very supportive of efforts of The Church of Jesus Christ of Latter-day Saints as it seeks to establish official recognition in accordance with the laws of the land.

As a Member of The Church of Jesus-Christ of Latter-day Saints (LDS), I am always reluctant to oppose any Resolution dealing with religious freedom because The Church of Jesus

Christ of Latter-day Saints is the only religion in the United States against which an Extermination Order was issued sanctioning mass removal or death against American citizens. The Extermination Order was a military order signed by Missouri Governor Lilburn W. Boggs on October 27, 1838 directing that the Mormons be driven from the state or exterminated.

On June 25, 1976, after some 138 years, Governor Christopher S. Bond, who is now a U.S. Senator, issued an executive order rescinding the Extermination Order, recognizing its legal invalidity and formally apologizing on behalf of the state of Missouri for the suffering it had caused the Latter-day Saints, and I thank Senator Bond for this.

Knowing the history of the LDS Church and the short-term and long-term consequences this forced exile of over 10,000 Later-day Saints had on those before and yet to come, I am firmly rooted in the belief that each of us should be allowed to claim the privilege of worshiping Almighty God according to the dictates of our own conscience, and allow all men the same privilege, let them worship how, where, or what they may.

So, while I agree in principle with speaking up for religious freedom and respect my colleagues who authored, co-sponsored, and who will vote in favor of this Sense of Congress, in the case of this language which does not fairly portray Vietnam, I must oppose. Last year, the U.S. celebrated 15 years of diplomatic relations with Vietnam. As one who served during the Vietnam War at the height of the Tet Offensive, I know we've come a long way and that language like this doesn't serve to move us forward but may have the opposite effect when we fail to acknowledge sincere and measurable progress.

On the matter of human rights, I hope we will also consider that the U.S. cannot assume the moral high ground when it comes to Vietnam. From 1961 to 1971, the U.S. sprayed more than 11 million gallons of Agent Orange in Vietnam, subjecting millions of innocent civilians to dioxin – a toxic known to be one of the deadliest chemicals made by man. Despite the suffering that has occurred ever since, there seems to be no real interest on the part of the U.S. to clean up the mess we left behind. Instead, we spend our time offering up language like this which fails to make anything right. I believe we can and should do better and this is why I oppose this Sense of Congress, and I ask that excerpts from the State Department's International Religious Freedom Report 2010 be included for the record.

In the State Department's International Religious Freedom Report 2010, it is noted that *"respect for religious freedom and practice improved in some regards,"* that *"the government took further steps to implement its 2004 Ordinance on Religion and Belief and supplemental decrees on religious policy issued in 2005."* The report also recognizes that the Vietnamese *"government also facilitated construction of new churches, prayer houses, pagodas, and training facilities for furthering the education of thousands of monks, priests, nuns, and pastors..."* permitting *"the expansion of religious organizations' charitable activities."* The Report also made note of the meeting between President Nguyen Minh Triet and Pope Benedict XVI at the Vatican. *"Vietnam and the Holy See agreed to a Vatican appointment of a non-resident Representative for Vietnam as a first step toward the establishment of full diplomatic relations."* The report further notes that *"new congregations were registered in many of the 64 provinces,*

and one new religious group and two Protestant denominations received national registration or recognition."

"The Catholic Church, Protestant congregations, and other smaller religious groups reported that their ability to gather and worship generally improved and that the government allowed registered religious groups to assign new clergy with limited restrictions. The government also permitted the Buddhist, Catholic, Cao Dai, Hoa Hao, and Protestant faiths to hold several historic large-scale religious services throughout the country, some with over 100,000 participants."

The State Department also confirmed the Vietnam's Government assertion that *"some ethnic minorities in the Central Highlands were operating a self-styled "Dega Church,"* which reportedly mixed religious practice with political activism and called for *"ethnic minority separatism."* Regarding the Con Dau incident, the report notes that the arrested six Catholic parishioners *"reportedly started a physical altercation with police."*

During the Vietnam - US Human Rights Dialogue on December 15, 2010, Assistant Secretary of State Michael Posner also noted progress made in religious freedom in Vietnam.

Regarding the matter of the East-West Center, I move to strike the last word, and offer an amendment to restore funding.

On February 11, 2011, the House Republican leadership put forward, H.R. 1, a continuing resolution which cut East-West Center funding from $23 million to $10.7 million. On the House Floor, Mr. Canseco offered an amendment to eliminate any and all funding for the East-West Center, and this amendment passed the House, as did H.R. 1.

However, H.R. 1 failed in the Senate. On April 15, 2011, the House and Senate later agreed, and the President signed into law, H.R. 1473, the continuing House Resolution which included $21 million in funding for the East-West Center for FY 11.

Given this back and forth, I was hopeful that the matter had been put to rest for 2012 but, regrettably, funding for the East-West Center has now been stripped out of the State Department Authorization bill.

While I agree that we need to cut the federal budget, I do not believe we should carelessly discard programs that are necessary to protecting U.S. interests. The East-West Center was established by the U.S. Congress in 1960. President Eisenhower signed the Mutual Security Act of 1960 which authorized its creation, only after the State Department conducted a study and reported back to Congress about the relevance of establishing the East-West Center.

President John Kennedy also signed an Act which appropriated additional funding, and every President since, both Republican and Democrat, have done the same. Why? Because the East-West Center promotes a better understanding among the people and nations of the United States, Asia and the Pacific and this understanding is critical to U.S. economic, political, social, and especially our strategic and military interests.

Since the EWC is not solely funded by the federal government but also receives the majority of its funding from private agencies, individuals, foundations and corporations, I agree that federal support can be scaled back.

But I do not support efforts to completely eliminate any and all federal funding, and I oppose this course of action. More than 50,000 people from the Asia Pacific region have participated in EWC programs including many who currently hold positions of leadership including heads of government, cabinet members, university and NGO presidents, corporate and media leaders.

The U.S. would do well to keep its seat at this table and for, this reason, I ask my colleagues to support my amendment which restores funding to the FY 2011 level as already agreed to by the House and Senate.

Statement for the Record of the Honorable Allyson Y. Schwartz
Committee on Foreign Affairs, U.S. House of Representatives
Hearing: "Markup of Foreign Relations Authorization Act"
July 14, 2011

Madame Chairman, I would like to voice my opposition to the amendment offered by Rep. Mack.

The amendment seeks to limit assistance to support the activities of the Global Climate Change Initiative (GCCI).

The goal of GCCI is to integrate climate change considerations into relevant foreign assistance through a full range of bilateral, multilateral, and private sector mechanisms to foster low-carbon growth, promote sustainable and resilient societies, and reduce emissions from deforestation and land degradation.

The GCCI is divided into three main initiatives: clean energy assistance, sustainable landscapes assistance, and adaptation assistance. All three of these initiatives are worth pursuing and protect the planet and the hundreds of millions of people who live in areas vulnerable to the adverse effects of climate change, including those living in coastal areas in Mr. Mack's southwest Florida district.

It's worth noting that most scientific estimates indicate that the Earth's temperature could increase anywhere between 3 to 10 degrees during the next century if left unchecked. Such an increase would impact temperature zones, rainfall patterns, and potentially cause sea levels to rise.

The effects of climate change are very real. Congress needs to act creatively in order to curtail greenhouse gas emissions, both domestically and internationally.

I urge my colleagues to reject this amendment. Should it be enacted and cripple GCCI, the U.S. will be missing an opportunity to ensure that those nations receiving foreign assistance do not further exacerbate climate change. As we try to mitigate our own contributions to climate change, we can't afford to pay for others to not do the same.

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