

turn around and seek U.S. taxpayer assistance through the U.S. Export-Import Bank, forcing middle-class families to pick up the tab. Companies that dodge U.S. taxes should not be rewarded with taxpayer subsidies through the Export-Import Bank.

Mr. Chairman, we are talking about substantial dollars here. Let me give my colleagues some examples of what I am talking about.

Tyco International, everybody will remember Tyco International, one of the poster children for corporate greed, saved \$400 million in U.S. taxes by reincorporating in Bermuda in 1997. What was the response of the Export-Import Bank to this deliberate attempt to avoid paying their fair share of taxes? What did they do when Tyco moved to Bermuda? Well, they gave Tyco \$115 million in assistance since 1998. That is absurd.

In 2002, Ingersoll-Rand saved up to \$60 million in U.S. taxes by reincorporating in Bermuda. Since 2002, this tax-dodging company received over \$370 million in subsidized loans, loan guarantees and other financial assistance from the Export-Import Bank.

In 2002, Nabors Industry saved \$10 million in taxes by reincorporating in Bermuda. Since that year, it has received over \$300 million in taxpayer-backed financial assistance through the Export-Import Bank.

Mr. Chairman, the time is now to say enough is enough. If corporations want to move to Bermuda and disown the United States, that is their right, but they do not have a right to then come back to the taxpayers of this country and ask the United States Congress and the Export-Import Bank to give them substantial sums of money.

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

Mr. KOLBE. Mr. Chairman, since I believe I will be the only one speaking here, I reserve my time.

Mr. SANDERS. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. ROHRBACHER).

Mr. ROHRBACHER. Mr. Chairman, I rise in support of this amendment.

Let me note that many of the companies that leave, and this is where I have a disagreement with the gentleman from Vermont (Mr. SANDERS), many of the companies that do leave our country leave because of high taxes, which I consider to be levels of taxation that are too high and levels of regulation that are too high in the United States of America.

We may have a fundamental disagreement on how high taxes should be and regulations should be on business, but where I do agree with the gentleman from Vermont (Mr. SANDERS) is that businessmen have to make a decision. They are a part of the American family, and we have got to make a decision if we are going to stay part of the American family based on the rules and regulations that we are judged by and have to live by because we are part of the process.

If an American company does decide that taxes and regulation are too high and decide to change their status so they are no longer being treated and taxed or regulated as a domestic company, they should not expect then to receive the benefits of a company that is an American company. This makes all the common sense in the world.

I think it is a travesty, as the gentleman from Vermont (Mr. SANDERS) has pointed out, there are some companies that have decided to leave this country and, thus, officially, in order not to pay the same tax load, then expect to receive and have received the benefit of such subsidies we are talking about tonight. This makes all the common sense in the world.

I would hope, however, that we would, number one, pass the Sanders amendment to make sure that companies that leave do not receive this subsidy, but, at the same time, I would hope that we pay close attention to our taxation and regulation policies that make it profitable or make the businessmen who are making these decisions feel it is profitable for them to leave this country.

We should want businesses to come here and do business because it is profitable, our taxes and regulations make it profitable for them to be here, create jobs, et cetera. In the meantime, let us not do the travesty of giving people subsidies who are not paying into the system and have gone overseas and changed their status in order to escape their tax obligation.

The CHAIRMAN. The Committee will rise informally.

The SPEAKER pro tempore (Mr. SIMPSON) assumed the Chair.

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Williams, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

#### FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2005

The Committee resumed its sitting.

Mr. SANDERS. Mr. Chairman, I yield 3 minutes to my friend, the gentleman from Texas (Mr. PAUL).

(Mr. PAUL asked and was given permission to revise and extend his remarks.)

Mr. PAUL. Mr. Chairman, the author of the amendment, and I am a coauthor of it, mentioned that it has a broad spectrum of individuals supporting it. He mentioned progressives and liberals and conservatives and moderates, but he forgot the libertarians.

Libertarians support this as well and for a precise reason. A free market libertarian does not believe in welfare for anybody, let alone the rich, and it is particularly gnawing to see the subsidies go to the very wealthy.

I am in strong support of this amendment, but, like the gentleman from California, I do not support this for the purpose of collecting more taxes, but I do think it is a message to us here that if we do not revise our tax system and our regulatory system we will prompt more and more business to leave this country.

So there are two issues here, but corporate welfare and subsidies should have no part in this. There is no room for it. It is wrong.

Also, the beneficiaries outside the corporations we should not forget either, because the biggest country that benefits from this is China. Why do we subsidize China? People who receive the goods get a benefit as well as the people who get to sell the goods get a benefit? China is on the books right now currently with \$5.9 billion in outstanding loans. They receive more than anybody else. So there is something wrong with a system like that.

There are two economic points that I want to make on this. When we do this and we allow tax credit and special deals for some corporations, we assume, and we will hear this in the defense of the Ex-Im Bank, and say look at the good that we do. But what they fail to ask is, where did it come from, who was denied the credit? The fact that we do not finance it does not mean it would not happen. It would happen.

What it does is it distorts the market and causes people to do the wrong thing, and some individuals do not get the credit is obviously the case, but what we need to do is to have a much more oriented free market. When we direct it this way, even those companies may do more than they ordinarily would, and that participates in the economic bubble that occurs, of course, for other reasons as well. Then there has to be corrections. But if one is in a powerful position in a place where they can qualify, and 80 percent of this goes to the very, very large companies, although there are a lot of companies that receive the big bucks, and big countries like China.

This is corporate welfare. It should be defeated; and, ultimately, if we believe in liberty and freedom, we ought to get rid of the Export-Import Bank.

Mr. SANDERS. Mr. Chairman, I yield 2½ minutes to the gentlewoman from Connecticut (Ms. DELAURO), who has actually been one of the leaders on this issue in the Congress.

□ 1930

Ms. DELAURO. Mr. Chairman, I am proud to join with this diverse group of Members who may not always agree on many things, but we do agree that taxpayer dollars should never be used to subsidize companies who have incorporated on paper overseas in order to avoid living up to their responsibilities to the United States of America.

Corporate expatriates cost our country \$5 billion in lost tax revenue. Any reasonable person might assume that

they would not also continue to benefit from government largess. But they are wrong, because these companies continue to receive billions of dollars in government contracts. I am pleased that the House finally passed, as part of the Homeland Security appropriation bill, my amendment to prevent that Department from contracting with corporate expatriates, one small step in an effort that is far from over.

Today's amendment is another important step in that effort. It will prohibit the Export-Import Bank from approving subsidized loans and loan guarantees to corporate expatriates. Unbelievably, five of the largest recipients of Export-Import Bank assistance since 2003 are corporate expatriates. In 2002, Ingersoll-Rand saved up to \$60 million in U.S. taxes by reincorporating in Bermuda. Since that time, they have received over \$370 million in subsidized loans, loan guarantees, and other financial assistance from the Export-Import Bank.

Ask any American, whether they be a Democrat, a Republican, an Independent or a Libertarian, they will tell you the same thing. This is an outrage. How can we explain this to the American people? How can we explain it to our constituents? Corporate expatriates put good corporate citizens, who stay in America and pay their taxes, at a permanent competitive disadvantage. In the end, that hurts American companies who do pay their taxes and who employ citizens all across this Nation.

We cannot afford to reward companies who shun their responsibilities of American citizenship at the expense of loyal American businesses and contractors. I urge my colleagues to support this amendment. Stop government subsidies of corporate expatriates. They have a choice. They can leave this country, and they cannot pay their taxes. We have a choice. We should set the standard, we should set the tone, we should set the obligation that if they are going to do that and not pay taxes in this country, then, in fact, they cannot feed at the public trough and get government contracts.

Mr. SANDERS. Mr. Chairman, I yield 2½ minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. Mr. Chairman, while I am a strong supporter of the Ex-Im Bank, I am voting for this amendment to prevent companies that dodge U.S. taxes from receiving U.S. taxpayer assistance. It is simple: we should not be providing taxpayer-funded assistance to corporations that set up shell headquarters offshore for the purpose of avoiding paying their fair share of U.S. taxes.

The Export-Import Bank should be screening companies it funds to prevent this type of abuse. And if it does not, we should. I have consistently been a vigorous backer of the Export-Import Bank's mission to provide funding for exports produced in the United States. The bank's loans have supported American companies and pro-

vided jobs in this country, in my district of New York, and in many others. But giving loans to corporations, to expatriates, is an abuse of a good program.

Not only are companies that evade U.S. taxes getting taxpayers' money, but they are taking away dollars that should be spent helping companies that pay their fair share of American taxes. And, of course, if we allow this, we are encouraging other companies to move their so-called headquarters to Bermuda to avoid taxes and abandon the American worker. This is exactly what Senator KERRY meant when he said that we must stop providing tax subsidies to Benedict Arnold CEOs.

Specifically, this amendment would prohibit the Ex-Im Bank from approving subsidized loans or loan guarantees for any company that sets up a sham headquarters offshore to dodge U.S. taxes.

Five of the top recipients of Ex-Im funding are corporations that have set up sham headquarters in Bermuda and the Cayman Islands to avoid paying U.S. taxes.

Mr. Chairman, I just want to cite one example, Ingersoll-Rand. They saved \$60 million in 2002 by formally incorporating in Bermuda, but they have received over \$370 million since 2003 in Ex-Im financial assistance. This is wrong. It is a gross abuse of a good program.

In the name of American workers and taxpayers, we should put a stop to it. I urge my colleagues to vote for American jobs, for American companies that are responsible, for American companies that pay their fair share, not those that dodge our country and their responsibilities to it. I urge a strong "yes" vote on this amendment.

Mr. SANDERS. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts (Mr. TIERNEY).

Mr. TIERNEY. Mr. Chairman, I thank the gentleman for yielding me this time, and I stand in strong support of the Sanders amendment in this matter. Our international tax rules provide far too many incentives for United States companies to move jobs and operations offshore.

It is a growing trend. Corporations that have built their successes through the protection of the United States laws and contracts in this country are increasingly giving up their citizenship to move offshore and avoid paying United States taxes. Not only are they doing that, but they are costing hard-working Americans their jobs and are grossly abusing loopholes in the current tax system. These corporations should not then be able to take advantage of the taxpayers' generosity through the Ex-Im Bank.

Particularly at a time when our country is at war and we are running record budget deficits, Congress should take a firm stand and prevent taxpayer money from increasing the bottom line for profitable corporations who shirk their responsibilities here at home.

The Ex-Im Bank is intended to finance American services and products, not the export of American jobs and resources. Mr. Chairman, I urge my colleagues to support this amendment.

Mr. SANDERS. Would the Chairman please tell us how much time is remaining.

The CHAIRMAN. The gentleman from Vermont has 3 minutes remaining.

Mr. SANDERS. Mr. Chairman, I yield 2 minutes to the gentleman from Mississippi (Mr. TAYLOR).

Mr. TAYLOR of Mississippi. Mr. Chairman, I hope that the fact that the gentleman from Arizona is so silent on this means he is going to jump up and support this amendment, because it makes such abundant sense.

I hear my colleagues saying why do we allow corporations to leave America, avoid paying taxes, and yet still receive all the benefits of being an American. It is because Congress lets them. It is time for Congress to close this door.

Right now there are 140,000 young Americans getting shot at every day in Iraq, paying their dues to be an American; and another 15,000 in Afghanistan paying their dues. As I have said a dozen times on this floor, those of us who are lucky enough not to have to fight this war, ought to be at least willing to pay for it. And those of us who are lucky enough to be Americans and enjoy all the privileges of being an American, such as this program, ought to be willing to pay the dues of being an American. And that is called paying taxes.

These folks cannot have it both ways, I would say to the gentleman from Arizona (Mr. KOLBE). If they want the Jamaican Coast Guard to come rescue them, let them be Jamaicans. If they want the Grand Cayman Navy SEALS to rescue their drilling rigs if they get boarded by terrorists, I say let the Grand Cayman Navy SEALS go rescue them, but not the U.S. Navy. And if they want a loan, a subsidized loan from a government, if they choose to be Jamaican or Bermudan, let them do so. But there is absolutely no reason for the taxpayers of this Nation, who pay their dues, whose kids serve in our military to subsidize these folks who want to play it both ways.

They do not want to pay their dues, but they want all the privileges of being an American. And I commend the gentleman for bringing this to the public's attention.

Mr. SANDERS. Mr. Chairman, I yield myself the balance of my time, to conclude the debate from our side, by asking for support for what really is a very commonsense amendment.

I think the gentleman from Mississippi (Mr. TAYLOR) said it all. If people want to go to the Cayman Islands, if they want to go to Bermuda, that is their right. No one is questioning their right. But they cannot abandon their country, go abroad, and then say, oh, yeah, by the way, I do not want to pay

my taxes, but I sure do want Washington to subsidize my business.

So I want to urge support for an amendment that has broad tripartisan support, support of the AFLCIO, the U.S. Business and Industry Council, the Teamsters, the United Steel Workers, Taxpayers for Common Sense, and Citizens Works.

This is an amendment that will tell corporate America that if they want the benefits that U.S. taxpayers provide to them, they cannot run away and avoid their taxes.

Mr. KOLBE. Mr. Chairman, I yield myself the balance of my time. This has been an interesting discussion from the other side. But contrary to what the gentleman from Mississippi may have thought I would do, I do, indeed, rise in opposition to this amendment.

First of all, let me begin by saying I do not condone companies relocating overseas for tax purposes, but I will come back to that in a minute.

This is an interesting issue we are dealing with here today. We had this in the full committee not long ago as it related to outsourcing, but here we are talking about supporting U.S. exports and jobs. With this amendment, we are talking about punishing companies that are creating jobs here in the United States. We are going to punish them because they are creating jobs here.

Mr. Chairman, I will not yield. The gentleman from Vermont had 20 minutes. I am not going to use but a fraction of that, so I want to get my thoughts in here and do them all together here.

This is absolutely ridiculous. Why in the world are we talking about punishing companies that are creating high-paying export jobs, and giving that away to foreign competition by eliminating Export-Import Bank financing? But that is exactly what the amendment would do. It hurts workers in this country. It hurts the economy in this country.

And yes, of course, it hurts the shareholders in this country. But most of all it hurts the workers, because this only goes to companies that are exporting. We are talking about companies that are creating jobs here in this country in order to export.

Now, the gentleman named some companies in particular in his argument. Ingersoll-Rand I heard. I think we heard Nabors Industries, Noble Drilling Corporation, Weatherford International. But this amendment would prohibit any Ex-Im Bank loan or guarantee to any U.S. company, any U.S. company that is registered offshore.

Now, I do not have any percentage of how much U.S. Export-Import Bank loans would be affected by this amendment, but characterizing Ex-Im loans as corporate welfare and a giveaway from U.S. taxpayers is certainly not correct. I am not sure why the sponsors of this amendment do not recognize that exports means U.S. jobs. It is the exact opposite of outsourcing.

The fiscal year 2005 funding for the Ex-Im Bank would support U.S. exports valued at \$12 billion. For every \$1 of taxpayer money invested in Ex-Im's program, there have been historical returns, and this is not just this year, there have been historical returns of \$15 in credit support for export transactions. Since Ex-Im Bank supports 85 percent of most transactions, this means that the actual export value is about 15 percent higher, raising the ratio to about \$18 in total value of exports supported by every \$1 we put into the Ex-Im program.

I do not think this is corporate welfare. The bank has an exceptional, I would say exceptional, repayment record, with losses running at 1.4 percent of disbursements over the 70-year history of the Ex-Im Bank. And while the Ex-Im Bank has done more and more each year for small businesses, even large companies cannot get private bank financing to go to some parts of the world or to compete with aggressive foreign financing.

While businesses may be able to exist without making that extra sale, Ex-Im Bank is here for that very reason, to keep U.S. exports strong, to hopefully grow them, and to help sustain U.S. jobs through exports. Eighty-six percent of the transactions of the Ex-Im Bank directly benefit small businesses, and that is because many small businesses benefit from the larger transactions of the bank.

□ 1945

Let me give a statistic that alone ought to cause Members to give pause about this amendment. Ex-Im Bank's top 13 users have over 35,000 suppliers in this country, most of which are small businesses. The reality is that small businesses benefit directly and indirectly from Ex-Im Bank-financed transactions.

By law, Ex-Im Bank finances only goods and services made here in the United States. Under this bill, if a U.S. company is cut off from using Ex-Im, the company would be confronted with either losing the export sale or being forced to use foreign financing and sourcing. In either case, the impact would be to reduce U.S. exports and jeopardize the jobs that are associated with those sales. Shutting off Ex-Im would remove one of the few government programs to help U.S. exporters and to keep export-related jobs here in the United States.

One more statistic. I have been able to find information on two of the companies that were mentioned.

Ingersoll-Rand has 28,000 employees here in the United States, not overseas. These are employees here in the U.S. Nabors Industries has 14,000 employees here in the United States. This amendment cuts off financing that helps to keep those jobs secure.

The U.S. Chamber of Commerce, which I know is not an organization that perhaps my colleague on the other side would put too much stock in, but

I think they made a very important point in the letter that they wrote about this a couple of days ago to the Speaker. They made this statement, and I quote:

Measures such as Representative SANDERS' amendment are poor substitutes for needed reforms of the U.S. Tax Code's archaic international provisions which currently put our corporations at a competitive disadvantage internationally and provide great incentive for them to leave this country.

That brings me back to my final point that I said at the beginning. The real issue here is the archaic Tax Code that the United States has. We are not even talking about 20th century. We are talking about 19th century. We have a Tax Code that is so archaic, we are virtually the only country in the world that taxes all income whether or not it has anything to do with being produced here in the United States. So, of course, it encourages companies to go offshore, to locate offshore their corporate headquarters. They are still paying the taxes on everything they make here in the United States, Ingersoll-Rand, Nabors, all of those pay the taxes on all the income that is made here in the United States, but they do not want to pay the taxes on a subsidiary they may have in South Africa or a subsidiary they may have in Japan or elsewhere, and so they locate their corporate headquarters offshore. It is because of the archaic Tax Code that the United States continues to have.

That is what we really need to be doing. That is what we really need to be reforming, is the Tax Code. We are in the 21st century, not the 19th century. That would make us more competitive in the world. Why do we have DaimlerChrysler and not ChryslerDaimler? We have DaimlerChrysler because of the Tax Codes of the United States. In order to avoid paying taxes on production done in Germany, it was necessary for them to become DaimlerChrysler, not ChryslerDaimler. Otherwise, they would have been paying taxes on everything they produced, every car they produced in Germany.

That is why this is so important that we continue to have Ex-Im Bank. It is a crutch, if you will, but it is something that we can do to help U.S. corporations export, and it helps American workers keep their jobs. Ex-Im Bank only goes to corporations for doing business producing here in the United States.

I urge my colleagues, in conclusion, to oppose this amendment. It hurts U.S. workers. It jeopardizes U.S. jobs. Now is not the time to further cut, to eliminate one of the few tools the U.S. Government has to support exports and export-related manufacturing jobs. I urge a "no" vote on this amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont (Mr. SANDERS).

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

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

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

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

I am pleased to yield to my good friend from Connecticut (Ms. DELAURO) who chooses to comment on a very important area of the bill.

Ms. DELAURO. I thank the gentleman from New York for yielding.

Mr. Speaker, I would like to engage in a colloquy with the chairman and ranking member. I appreciate their work in crafting this bill. It is a good bill, and I will support it. I understand that the bill is a delicate balance, negotiated down to the last dollar. It is a good example of bipartisanship and what we can accomplish when Members of both parties work together.

Mr. Chairman, I would like to add my voice to those who support increased funding for the Child Survival and Maternal Health programs. Currently, 30,000 children under the age of 5 die every day, more than 10 million per year, from easily preventable or treatable diseases each year. Millions of children die in their first month or even year of life from malnutrition, diarrhea, pneumonia, malaria, and other common childhood diseases. Such high rates of child mortality have a devastating impact on families and communities in countries around the world.

These 10 million deaths are not inevitable. The health conditions that often prove fatal for young children can be treated and prevented with inexpensive interventions that have proven to be effective. Millions of children today are already benefiting from these interventions, many as a result of programs implemented by USAID or the United Nations Children's Fund, using the resources provided by the Child Survival and Maternal Health Fund.

In 2000, the United States joined 188 other member nations of the United Nations pledging to reduce child deaths worldwide by two-thirds and maternal deaths by three-fourths before 2015. An increase in the Child Survival Account will help us get there.

As the chairman and ranking member know, I had considered offering an amendment that would have raised funding for this account. At the request of the gentleman from Arizona and the gentlewoman from New York, I did not offer it, but I want to say that the child survival programs are critical to our Nation's leadership on global health issues, and I would urge them to support the highest possible allocation for child health programs as this bill moves through the rest of the legislative process.

I thank them for the opportunity to engage in this colloquy.

Mrs. LOWEY. Mr. Chairman, I want to thank my good colleague from Connecticut for her discussion on this very important subject; and certainly as the chairman and I were crafting this bill, we acknowledge how important these issues are. I want to assure the gentlewoman that if there were more money to distribute, a good deal more would have gone to that very important effort. As we work towards conference, if we can possibly find some additional funds, we certainly will heed her important remarks.

Mr. Chairman, I am pleased to yield to the gentleman from Arizona (Mr. KOLBE).

Mr. KOLBE. I thank the gentlewoman for yielding.

I certainly thank the gentlewoman from Connecticut for talking about this issue. As the gentlewoman knows, both the gentlewoman from New York and I feel very strongly about the Child Survival and Health Account and the good work that is done by this account in helping save children's lives and families and the poor people around the world. The vaccination programs, the health programs, the clinics, the education programs that are run through this are extraordinarily important.

I quite agree with the gentlewoman from Connecticut. Everything we can do to increase the amount in this account is certainly something that we intend to do. I appreciate her bringing it to our attention. We will do everything that we can to try to increase this account.

Ms. DELAURO. I thank the gentleman.

AMENDMENT OFFERED BY MR. DEAL OF GEORGIA

Mr. DEAL of Georgia. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. DEAL of Georgia:

At the end of the bill (before the short title), insert the following:

GOVERNMENTS THAT HAVE FAILED TO PERMIT  
CERTAIN EXTRADITIONS

SEC. 576. None of the funds made available in this Act may be used to provide assistance to the government of any country with which the United States has an extradition treaty and which has failed to permit the extradition to the United States, for trial or sentencing in the United States, of individuals accused of committing criminal offenses for which the maximum penalty is life imprisonment without the possibility of parole, or a lesser term of imprisonment.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Georgia (Mr. DEAL) and the gentleman from Arizona (Mr. KOLBE) each will control 10 minutes.

The Chair recognizes the gentleman from Georgia (Mr. DEAL).

Mr. DEAL of Georgia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is an amendment that provides as follows: that none of the funds made available in this act

may be used to provide assistance to the government of any country with which the United States has an extradition treaty and which has failed to permit the extradition to the United States for trial or sentencing in the United States of individuals accused of committing criminal offenses for which the maximum penalty is life imprisonment without the possibility of parole or a lesser term of imprisonment.

This is foreign operations appropriations. Normally, most of the discussions that we have relate to activities that occur in other countries and the amount of money that we are going to send from taxpayers in this country to another country. The heart of this amendment, however, relates to things that are happening here in our own country.

The classic example that I would cite to this body to illustrate the magnitude of this problem occurred a little over 2 years ago when Los Angeles County Sheriff's Deputy David March pulled over a Mexican national named Armando Garcia, a twice-deported illegal alien who had been convicted of drug activities and who had currently two outstanding warrants for attempted murder. Garcia knew that if he were arrested, he would probably be deported for a third time and perhaps go to prison. As Officer March approached the automobile, Garcia pulled a handgun and shot Officer March; and as he lay on the ground, Garcia exited his vehicle and shot Officer March again to make sure that he was dead. Garcia then immediately fled to Mexico where he apparently remains free today.

Several months after this incident occurred, the Supreme Court of Mexico ruled that they would not allow extradition for anyone who faced imprisonment of life without the possibility of parole. Most extradition treaties that we have around the world already exclude the extradition of individuals who would face capital punishment. In the State of California in this case, the mandatory or optional sentence would be life without parole or the death penalty for the killing of a police officer in the line of duty. So what we have is a police officer who has been executed by a foreign national in our country who has now fled back to his home country, who cannot be brought back to trial in this country for that murder and who will not be tried in his own country for that murder.

That is an outrage. It is an outrage for this Congress to continue to send the tax dollars of Deputy David March's widow to a country that refuses to bring her husband's murderer to justice. This is an example that has occurred in our relationship with Mexico, but there are numerous similar examples with other countries around the world.

I think it is time that this Congress faced up to this ever-growing problem, because I am told that there are hundreds of other families in this country

whose loved ones have been murdered and who likewise cannot have those murderers brought to justice.

Mr. Chairman, I yield such time as he may consume to the gentleman from Georgia (Mr. NORWOOD).

Mr. NORWOOD. Mr. Chairman, I appreciate the gentleman from Georgia bringing this amendment tonight. I am a little distressed that it needs to be an amendment, frankly. This is a problem that must and has to be dealt with.

I am happy that this amendment does deal with any country that will not extradite nationals to the U.S., but I am particularly concerned about the one I know of particularly from Mexico, David March, one that a lot of us have been concerned about, frankly, for a long time. We do not really understand why the United States Government does not deal with this.

At the first of the year, we had written the President and asked why in the world do we not deal with a problem like this, the extradition back into our country. We really do have a formal agreement with them for extradition. It was not something that I could understand why you would put a family through this.

The White House sends it to the State Department, the State Department works overnight and gets us an answer back 6 months later to say that, gosh, we're sorry we can't help with that. President Fox is not in the judiciary in Mexico. We couldn't possibly bother him because he is in the executive branch.

None of that makes any sense to me, but what does make sense to me is that we tell any country but in this case and in particular we tell Mexico that if you want to be our friend, act like our friend. If you do not want to be our friend, there has to be some penalties; and in this case and in this bill we simply say that we are not going to fund the Mexican government. Is it \$40 million a year, I believe, that we send down there or there is \$40 million in this bill? You just do not get that this year.

I know we are going to hear a lot of concerns about that. I really need to ask the gentleman from Georgia a question or two, if I may, about the effects of this bill and the \$40 million. I am told, and I think I am told correctly, that Mexico, that country, sends more illegal drugs into this country than any other. Of course, that does not sound very friendly to me, as if they are real friends, but the fact that they do send so many drugs into our country, we have to send them \$40 million or we cannot possibly stop. That may not be the best use of \$40 million, but I would like to hear your response to that, the maker of the amendment, why this is or is not such a bad thing.

Mr. DEAL of Georgia. Mr. Chairman, will the gentleman yield?

Mr. NORWOOD. I yield to the gentleman from Georgia.

Mr. DEAL of Georgia. In response to the gentleman's inquiry, I think it is

certainly an appropriate inquiry. I would suggest that if we really want to stop the flow of drugs from Mexico, rather than sending that \$40 million there, we could use it on our border to beef up our DEA, our Customs and others to try to stop it here.

The real irony of the argument that we cannot deal with the lack of extradition is that, first of all, if we really want to deal with Mexican drug problems, under the current status of affairs if a Mexican drug dealer comes to our country and in the process of his illegal activity of selling drugs in our country he kills either an officer or a private citizen and then returns back to his own country, a drug dealer cannot be brought to justice because Mexico will not allow it.

□ 2000

That to me is the greatest irony of all. I would suggest that if we really want to do something about the Mexican drug traffic, I understand their cartels are the leading distributors and manufacturers of drugs in our own country. So I would suggest that we can use the money better here at home.

Mr. NORWOOD. Mr. Chairman, reclaiming my time, so the gentleman is telling me that when Mexico does not cooperate with us on a treaty that we have with them, we are not going to send them that \$40 million to try to stop the illicit drug trade, but we could use that \$40 million, for example, in other places to stop that illicit drug trade.

Does the gentleman have any idea, and I do not know, the 40 millions of dollars we were sending down to Mexico in the past to work with International Narcotics Control, are they doing any good? Do we have any proof that that money is working?

Mr. DEAL of Georgia. Mr. Chairman, if the gentleman would continue to yield, I am sure there are arguments that can be made that it does some good, but Mexico continues to be the main source of illegal drugs into this country. And if we are doing something, it has not been as effective as it should have been.

Mr. NORWOOD. Mr. Chairman, reclaiming my time, if, in fact, Mexico was sending us 5,000 metric tons of marijuana, 50 metric tons of amphetamine, and 10 metric tons of heroin, we are not doing really good stopping it with that \$40 million. I will tell the gentleman that. Maybe we need to tell them if they do not want to work with us in sending murderers back to our justice system, perhaps we need to keep our \$40 million and put it in American hands to stop the illegal traffic.

Mr. DEAL of Georgia. Mr. Chairman, may I inquire how much time is left on my side.

The CHAIRMAN. The gentleman from Georgia (Mr. DEAL) has 1 minute remaining.

Mr. DEAL of Georgia. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. SOUDER).

(Mr. SOUDER asked and was given permission to revise and extend his remarks.)

Mr. SOUDER. Mr. Chairman, I believe that Mexico is making very tiny progress, but a little progress. But there are not very many ways to address this. And the gentleman from Georgia (Mr. DEAL), both as vice chairman of the Criminal Justice, Drug Policy and Human Resources Subcommittee and in general, has been very active in bringing awareness to this subject.

We held a hearing, and we need to understand that it was not just Deputy Sheriff March who was killed. The Los Angeles County District Attorney told us at that hearing over 200 murder suspects in Los Angeles County alone have fled to Mexico.

We have to address this question. It is tough enough with the death penalty; but if we cannot even do life imprisonment, how in the world are we going to enforce our law in the United States, and how can we not have a double standard, actually a triple standard, on our citizens? They can get the death penalty. They can get life in prison. But if they can get across the border, there will be no penalty. It is a travesty, and we have to figure out some way to make this stick.

And I appreciate the gentleman's leadership. We need to continue to work at this and make sure that the government of Mexico understands this cannot stand. This has to change, or we will be out of control on our borders as we see murderers flee across and we cannot get them back.

I rise in support of the Deal Amendment. On October 1 of last year, the Subcommittee on Criminal Justice, Drug Policy, and Human Resources addressed the status of the extradition process, an area of growing concern for lawmakers and law enforcement officials throughout the U.S.

The most significant problem with the extradition process today is the conditions imposed by foreign nations on extradition. This problem is not new. For many decades now, certain nations that ban the death penalty within their own borders have refused to extradite any criminal who could face the death penalty in the U.S. Other countries refuse to extradite any fugitive who was convicted in absentia. Prosecutors in the U.S. have generally dealt with this problem by agreeing to seek life imprisonment instead of the death penalty, or by agreeing to hold a retrial.

In October 2001, however, the Mexican Supreme Court issued a decision banning the extradition of anyone facing life imprisonment without the possibility of parole, on the grounds that the Mexican constitution gives all criminals the right to be rehabilitated and reintegrated into society. Thus, no matter how heinous the crime or how dangerous the criminal, Mexico will refuse to extradite anyone facing life imprisonment—which in most of our states is the minimum punishment for first degree murder. If Mexican authorities officially refuse an extradition request, they will then proceed to prosecute the fugitive under their own law—which often results in much lesser penalties. American prosecutors thus face a

dilemma. They must either agree to charge a murderer with manslaughter or another lesser offense that does not match the seriousness of the crime; or they must trust to the Mexican justice system. Many prosecutors have simply refused to request extradition under such conditions preferring to hope that the fugitive will sneak back into the U.S. and be apprehended.

The case of Deputy Sheriff David March illustrates this problem. Deputy March, a seven-year veteran of the Los Angeles County Sheriff's Department, was murdered while making a routine traffic stop in April 2002. His suspected killer, Armando Garcia, a Mexican national and violent drug dealer who had been deported three times from the U.S., immediately fled to Mexico. Mexican authorities have refused to extradite Garcia, on the grounds that he faces, at a minimum, life imprisonment.

This is indeed not an isolated case; the Los Angeles district attorney's office estimates that over 200 murder suspects in Los Angeles County alone have fled to Mexico. In response, several Members of Congress have offered legislation calling for changes to the existing extradition treaty.

Other issues surrounding the extradition process must also be examined by Congress. For example, in March 2002 the Justice Department's Inspector General released a report criticizing the Criminal Division's Office of International Affairs, the main Justice Department agency responsible for extradition matters, for its management of extradition cases. Questions have also been raised about how vigorously other federal agencies with potential influence are pursuing extradition cases.

It is important the concerns Mr. DEAL raises be addressed at the highest level of the government. We need to send a signal to the Government of Mexico and other nations that cop-killing drug dealers must be extradited to the United States for prosecution.

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

I certainly will not take the 10 minutes. Let me just quickly make a couple of comments.

I appreciate the comments that have been made here by the gentleman from Georgia, the other gentleman from Georgia, and the gentleman from Indiana here. I share the outrage that people feel about somebody who is a murderer of a law enforcement officer in this country getting away to a country like Mexico and then being able to escape justice. That should not happen. We have extradition treaties with a number of countries; and almost all of them in many cases, I should say, since most other countries prohibit death penalties, they do prohibit extradition if death is an option as a penalty.

But this is a new wrinkle. This is a new wrinkle that was put in by the supreme court in Mexico, which ruled that if an individual faces life in prison without possibility of parole, that is equivalent, apparently is what the supreme court said, and I have not read the complete ruling. I am a little sympathetic to the government of Mexico, which I do not think anticipated this. They certainly did not suggest to us or to the State Department that they anticipated this ruling by the supreme

court, and I think they are willing and trying to work with us to resolve that.

We want to see that all crimes that are committed on our soil are brought to justice. We want to see them brought to justice particularly when it is a law enforcement officer who is the victim of this kind of terrible crime. So I intend to work with the gentleman to encourage the State Department to make every possible effort in these cases.

But before I close, let me just make one other comment, that is, I think there is a danger here of mixing some apples and oranges here when we talk about this punishment of Mexico and then we talk about whether or not they are having any effect in solving the drug problem. I would point out that this bill also contains \$731 million for the Andean Counter-Drug Initiative, that is, Colombia, Peru, Bolivia, Ecuador. Those are the countries where most of the raw materials for our drugs that are consumed in this country come from. But I am sure that the three gentlemen that have spoken here would not suggest we would today cut off that money because we have not been effective. That argument has been made by some on this floor, and I do not think it is a good argument. We should do that. The \$40 million that we provide to INL, the international narcotics force that we have overseas, goes largely in Mexico to support the helicopter program, that is, to maintain and supply the helicopters that are used both in chasing down drug smugglers, that is, in small planes, and in eradication efforts.

So I think it is money that is probably well spent, and I would suggest it is not money we would really want to cut off here. And with that I appreciate the gentleman's comments.

Mr. DEAL of Georgia. Mr. Chairman, will the gentleman yield?

Mr. KOLBE. I yield to the gentleman from Georgia.

Mr. DEAL of Georgia. Mr. Chairman, I thank the gentleman for yielding to me.

I will tell the chairman I am prepared to withdraw the amendment. I will, however, say that even though I do support our efforts to interdict drugs overseas, that until those governments recognize that when someone comes into our country either legally or illegally, kills a law enforcement officer or any other citizen, or engages in major drug trafficking in our own country that under the provisions of their own laws or constitutions it prohibits them from being prosecuted for it that they have to understand if they want to be a partner in these efforts, that is the first step they should begin to take to show their good faith.

I would suggest if they want to show good faith, they should allow the murderer of Officer March to be brought to justice in the United States.

I do thank the gentleman for his indulgence. I would urge him to press this issue forward as we go forward

with further funding issues. And I, quite frankly, would urge our administration to reexamine the extradition treaty not only with Mexico but with any other country that throws up these impediments. It is a double insult to the American public to have someone come into our country, kill our law enforcement officers or our citizens, and then be able to escape back to their own country and not be brought to justice.

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

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

There was no objection.

Mr. KOLBE. Mr. Chairman, I move to strike the last word, and I yield to the gentleman from Texas (Mr. PAUL).

(Mr. PAUL asked and was given permission to revise and extend his remarks.)

Mr. PAUL. Mr. Chairman, I thank the gentleman for yielding to me.

I appreciate the opportunity to spend 5 minutes on an issue that I wanted to bring up in the form of an amendment, and that deals with the \$300 million that will be going to Pakistan. And I call this to attention because I think it is a very unwise expenditure. But I want to make my case for this in the context of overall foreign policy.

Essentially for 100 years, we have accepted the foreign policy of Woodrow Wilson. It is a flawed idealism that we should, and it is our responsibility to, make the world safe for democracy. That did not just exist for World War I, which led to a peace treaty which caused a lot of problems leading up to World War II; but those notions are well engrained in the current neoconservative approach to foreign policy and the policy that this administration follows. But I do not think it is in the best interests of our country to follow this.

The advice of the Founders was that we should be more balanced in our approach and not favoring special nations, not giving money or weapons or getting involved in any alliances with the different nations of the world and we would all be better off for it.

I believe that this policy is a failure and has been very costly. If we think about the last 100 years how many lives were lost, how much blood has been spilled, how many dollars have been spent in this effort to make the world safe for democracy, the world is probably as unsafe now as it has ever been. And here we are. We are proposing that we send \$300 million under this policy to Pakistan.

We are in Iraq to promote democracy, but here we send money to a military dictator who overthrew an elected government. And there just seems to be a tremendous inconsistency here. There was a military coup in 1999. There is the strong possibility that Osama bin Laden may well be in Pakistan. And to actually send money there, we are prohibited from really

going in there and looking for Osama bin Laden; so we give the government of Pakistan money in the hopes that they will be helpful to us.

There is quite a bit of difference between the foreign policy of neutrality and friendship with everyone versus giving money and support to everyone. And if we look at our history, it has not worked very well. We have in the past given money to both sides of a lot of wars, and right now we try to be friends and we give money in support to both India and Pakistan. I do not bring this amendment up here to be pro either one or anti either one. I want to have a pro-American foreign policy and not say, well, I want to punish Pakistan and help India or vice versa.

We have helped people who have been arch enemies for years. Take Greece and Turkey. We helped both sides. But not only do we help both sides of a lot of these fights that have been going on for a long time, we literally help our enemies. Just think of the support we gave Osama bin Laden when he was fighting the Russians in Afghanistan and just think of our alliance with Saddam Hussein in the 1980s when we did provide him with a lot of destructive weapons. That type of policy does not add up. It does not make a lot of sense. It is not in our best interests, and my suggestion here is hopefully somewhere along the way, we will take a serious look at this and redirect our foreign policy.

But, specifically, is it a wise expenditure to put \$300 million into the government of Pakistan with the pretense that we are promoting democracy by supporting a military dictator at the same time our young men are dying in Iraq promoting democracy? It does not add up, and it suggests that there are other motives for some of these expenditures and some of our motivations around the world.

In the past we have been arch enemies of Libya, but now we have decided they will be our friends. And I am not against that in particular, but I am against giving them subsidies and helping them out.

There is such a difference between neutrality and friendship and that of giving weapons and arms and promoting antagonisms.

AMENDMENT NO. 6 OFFERED BY MR. NETHERCUTT

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. NETHERCUTT:

At the end of the bill (before the short title), insert the following:

LIMITATION ON ECONOMIC SUPPORT FUND ASSISTANCE FOR CERTAIN FOREIGN GOVERNMENTS THAT ARE PARTIES TO THE INTERNATIONAL CRIMINAL COURT

SEC. \_\_\_\_\_. None of the funds made available in this Act in title II under the heading "ECONOMIC SUPPORT FUND" may be used to

provide assistance to the government of a country that is a party to the International Criminal Court and has not entered into an agreement with the United States pursuant to Article 98 of the Rome Statute preventing the International Criminal Court from proceeding against United States personnel present in such country.

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

The Chair recognizes the gentleman from Washington (Mr. NETHERCUTT).

□ 2015

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

Mr. Chairman, I also want to say congratulations to the chairman of the subcommittee. He has done a fine job and has worked very hard to get this bill through. As a Member of the Committee on Appropriations, I will support this bill.

I do want to have a discussion about this amendment, because, 2 years ago, we enacted the Armed Service Members Protection Act as part of the fiscal year 2002 Supplemental Appropriations Act. ASPA was a response to the International Criminal Court entering into force, creating the very real possibility of unconstitutional, extraterritorial and politically motivated prosecutions against military service members. The U.S. is not a party to the ICC, but our troops could face prosecution under the treaty.

As a result, the administration has understandably been very concerned about committing troops to support U.N. peacekeeping operations around the world without some assurance that our troops would not face ICC prosecution. For the last 2 years, we have operated under Security Council resolutions blocking ICC prosecutions.

Unfortunately, 3 weeks ago, lacking the support of the Security Council, the U.S. was forced to drop its request for a third extension of this waiver, meaning that our troops are now subject to ICC jurisdiction. At the end of June, the administration pulled out of two small peacekeeping missions because of this concern.

ASPA created a powerful tool for protecting our troops by prohibiting military assistance to countries that had not signed bilateral Article 98 agreements with the United States, agreeing not to surrender U.S. nationals to the ICC. The Act also included all of the necessary waivers to protect the President's foreign policy prerogatives.

My amendment today would simply give the President an additional tool to protect our troops by prohibiting Economic Support Funding as well as military assistance to the government of countries that are both parties to the ICC and have not signed Article 98 agreements.

This distinction is important because traditional development assistance

through ESF typically is administered by a USAID contract to an NGO. Such assistance would not be restricted. Similarly, funding for the international Fund for Ireland and the Walsh Visa Program could continue, as funding goes to non-governmental entities.

I want to see the U.S. engaged around the world supporting international efforts to keep the peace. That is our responsibility and obligation as a superpower. But we should not have to risk the unconstitutional prosecution of our troops in the process.

A vote for my amendment is a vote for continued U.S. engagement and the continued protection of our personnel deployed around the world in support of multilateral peacekeeping efforts.

Signing an Article 98 agreement, as 90 other nations have done, is not too much to expect from nations receiving millions of dollars in U.S. assistance. We have an obligation to protect our Armed Forces from unconstitutional extraterritorial prosecution.

Moreover, this amendment sends a powerful message to the world community that when we commit U.S. troops overseas we will insist that they be protected by Article 98 agreements, if the Security Council will not do its part.

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

The CHAIRMAN. Does the gentleman from Arizona (Mr. KOLBE) claim the time in opposition?

Mr. KOLBE. Mr. Chairman, I do.

The CHAIRMAN. The gentleman from Arizona (Mr. KOLBE) is recognized for 5 minutes.

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

Mr. Chairman, let me just say that I agree with the motivations of this amendment, but I absolutely have to oppose the substance of it. The reason I do so is because I think it is going to accomplish exactly the opposite of the intent of this amendment.

Proponents of this amendment are, as the gentleman suggested, upset at opposition the U.S. faced at the United Nations Security Council in getting an extension of a U.S. exemption under the jurisdiction of the ICC. We were successful for some time in getting that, but now it has failed because we have faced a public relations nightmare in the United Nations and elsewhere around the world.

Do we have a right to be angry and upset and outraged that we have not gotten this extension? Yes, I think we should be; and we should continue to press for an extension.

Many times this Chamber has supported the American Servicemembers Protections Act, and I have been among its strongest supporters. I believe it is crucial that the U.S. negotiate Article 98 agreements with as many countries as possible to prevent the possibility that they may be tried in an international criminal court, with little or no political accountability.

However, conditioning ESF assistance and cutting it off to nations that do not sign Article 98 agreements is not, in my opinion, the right response. It is a very, very heavy hand to the problem.

We have conditioned foreign assistance through FMF and IMF accounts to encourage countries to sign Article 98 agreements. The result of this amendment, if it were to pass, would be to cut off all aid to some of these countries: Jordan, at \$250 million; Kenya, at \$25 million; Lebanon, at \$32 million; Ecuador, at \$13 million; Cyprus, at \$13.5 million.

I believe most of us believe trying to get a Cyprus agreement is very important. I think all of us believe that Jordan is extraordinarily important in our war against terrorism. But it would cut off our ESF assistance and I think it would do extraordinary damage to our relationship with Jordan. How are we going to explain to them what we are really trying to do in getting them to cooperate in the war on terrorism?

At a time when we are fighting the war on terrorism, reducing this tool of diplomatic influence is not a good idea. Nothing would make the opponents of the U.S. in the Security Council and the U.N. General Assembly happier than if we were to do that. They do not like us using foreign assistance to support U.S. strategic interests. So if we were to cut it off, it makes them happy on two accounts: It will have denied the U.S. the exemption in the first instance, and it will have reduced our influence around the world.

So I urge my colleagues to vote no on this amendment. If we accept it, the U.S. will be hamstringing itself, placing a straitjacket on its diplomatic tools, when we have a lot of U.S. national security objectives that must carry the same or equal weight as securing Article 98 agreements. I urge a "no" vote on this.

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

Mr. NETHERCUTT. Mr. Chairman, I yield myself 30 seconds just to point out that ASPA exempts Jordan, and my argument to the chairman would be that we can exempt Jordan in conference. If this amendment passes, we can exempt Jordan in conference, as I would agree we should.

Mr. Chairman, I am happy to yield 1 minute to the gentleman from Texas (Mr. DELAY), the majority leader.

Mr. DELAY. Mr. Chairman, I thank the gentleman for yielding me time.

Let me see if I have got this straight: The United Nations has created an International Criminal Court, a shady amalgam of every bad idea ever cooked up for world government.

The United States, its President, this Congress and the American people has categorically, unequivocally and completely rejected the ICC and its insistence on threatening the American people with prosecution. We reject its laughable legitimacy, we reject its U.N.-American denial of civil rights,

and we reject its anti-American politics. And yet the ICC still asserts jurisdiction over the American people, including American soldiers fighting the war on terror and still salivates at the prospect of prosecuting one of us for anything the U.N. does not like.

Now, some nations who receive economic support from the United States may use the money we give them to arrest and hand over American citizens to the U.N.'s kangaroo court?

I do not think so.

President Bush has shown great leadership by removing the United States from the treaty creating the ICC, and Congress has passed legislation, the American Servicemembers Protection Act, to ensure our soldiers and peacekeepers around the world are protected from prosecution in it. Federal law now requires all countries who seek American military assistance sign an agreement assuring us they will not hand over our soldiers to the ICC; and, since its enactment, more than 90 countries have signed such an agreement.

The ASPA has proven to be a valuable tool in the war on terror, and the Nethercutt amendment takes that leverage to the next step, making American economic support contingent on a promise not to turn over our troops to the ICC. The Nethercutt amendment will forestall any attempt by a foreign country that receives American economic aid to arrest and extradite American soldiers to Kofi Annan's kangaroo court.

Now, let us be real clear: The ICC presents a clear and present danger to the war on terror and Americans who are fighting it all over the world. The United Nations just last month refused to extend protection from the ICC to American troops abroad. This was at once an ominous sign of things to come and an urgent call for Congress to do its duty and protect our men and women in uniform.

That is exactly what this vote is. If you want to go home to your constituents and tell them that you think that their tax dollars should go to foreign countries who allow American soldiers to be imprisoned and shipped off to Brussels without their constitutional rights, then, by all means, vote no on the Nethercutt amendment.

If, however, you think American troops should retain their human and constitutional rights even when they step on foreign soil and if you think American economic support should only go to countries who guarantee such protection for our soldiers, then stand with the American people, the President and the men and women winning the war on terror and vote yes.

The CHAIRMAN. The gentleman from Washington (Mr. NETHERCUTT) has 30 seconds remaining and the gentleman from Arizona (Mr. KOLBE) has 2 minutes remaining.

Mr. KOLBE. Mr. Chairman, I yield 1¼ minutes to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Chairman, I rise in opposition to the amendment. The gen-

tleman's amendment and all the discussion may sound good, but it would have a sweeping and potentially devastating impact. It would cut off, and I want to make it clear, if you read this amendment, it would cut off economic assistance to a long list of countries in the Middle East and Asia of vital strategic importance to the United States in fighting the war on terrorism, and that includes Jordan, Indonesia, Turkey and Cyprus. It would end economic assistance to South Africa, as well as a number of other African countries such as Angola, Ethiopia, Kenya and Sudan. The amendment would also cut assistance to Peru, Mexico and Ecuador, where U.S. counter-drug programs are attempting to stem the flow of narcotics to our country.

I could go on. But, in conclusion, I would like to make one final point: The American Servicemembers Protection Act of 2002 prohibits military assistance to countries that have not entered into Article 98 agreements with the United States. Although I opposed the bill, it became a law. But that bill, however, gave the President waiver authority for national security reasons. He has exercised that waiver for at least 16 countries so far. The Nethercutt amendment does not even allow the President that waiver authority and would result in the immediate cessation of economic assistance to many of the important allies to which I referred.

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

Mr. Chairman, I listened to the arguments on both sides. I think the most compelling argument is that if these countries want to receive money from the United States, it is simple: Sign an Article 98 agreement, and then you can receive the money.

But in these very dangerous times in which we find ourselves, I think the bottom line is we have to protect our American servicemen and women overseas on peacekeeping missions.

It worked in one case. I am informed Eritrea has agreed to sign an Article 98 agreement as we decided to remove our peacekeeping force from that country. So it works, and this is a logical and appropriate conclusion for us to take as a country.

I urge adoption of the amendment.

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

Mr. Chairman, let me, in conclusion, just say that the majority leader made the point that we should be protecting our servicemen, and he is absolutely correct. And he made the point that we have provisions in the law that says countries cannot get military financing or military support if they do not give us an exemption to Article 98. But he also pointed out that we have an exemption in there. We have an ability that the President can have a waive for those countries.

This takes it, as the majority leader said, another step to economic support, and there is no waiver in there. This



means one of our key allies, and I keep coming back to Jordan, because I think Jordan is absolutely one of our key allies in this fight against terrorism, that we would have to cut off all the economic assistance to Jordan, because, for whatever reason, they have seen it in a different way and they have chosen, at least at this point, not to give us this exemption. I do not see how that helps us in the war against terrorism.

I hope we will defeat the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington (Mr. NETHERCUTT).

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

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

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

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

Page 12, line 10, insert after the dollar figure the following: “(increased by \$5,000,000)”.

Page 18, line 22, insert after the dollar figure the following: “(reduced by \$5,000,000)”.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas (Ms. JACKSON-LEE).

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

Mr. Chairman, as I start, I want to acknowledge the very hard work and I believe a commitment of the chairman of this committee to the point that I am about to make, as well as the historic commitment of the ranking member, because I have worked with her over the years on this question of sustainable development, the opportunity for many who are undernourished and struck by famine to sustain themselves.

□ 2030

Many of my colleagues are aware of the relationship of my congressional district to Congressman Mickey Leland. Many of my colleagues knew of his passion and commitment to Ethiopia and the famines that occurred in the 1980s. In fact, Mickey Leland lost his life in 1989 when he died on the side of an Ethiopian mountain trying to carry food resources to the famine-stricken individuals in Ethiopia. Ethiopia, along with other sub-Saharan nations in Africa, have suffered famine

now for many, many cycles since his tragic death.

What we see here is an example of a farmer in sub-Saharan Africa trying to survive. He is not asking for food; but as we look at this arid background, he is working with a sickle, if you will, dealing with lack of irrigation, all representing the crisis of famine in sub-Saharan Africa.

So each time we have a cycle of a drought, lack of water, what we will find is teams and teams of teeming groups of Ethiopians and others going to feeding stations simply to survive.

In my most recent visit to Ethiopia, the cycle of drought and famine were again very present. We went into many parts of the country and visited enormous, large sites of families who had left their farming sites because they could not farm, there was no water, there were no tools, and they were not able to survive. They simply were in sickness-infested feeding camps with volunteers and USAID workers and others doing the very best that they could; but they kept coming, because we have not been able to provide the necessary resources for sustainable development.

This amendment is small in nature, but it is \$5 million being put into the development assistance to help those in sub-Saharan Africa. It is to help them with small-scale irrigation, water and drainage, postharvest storage, crop intensification, crop and livestock diversification, and rural infrastructure such as in the special program for food security of the food and agriculture organization of the United States.

It is shameful that we have not authorized the Foreign Assistance Act of 1961 since 1987. So these dollars will simply help put life, water in the ground, irrigation resources, so that we can follow that old admonition that if we give a person a fish, they eat for a day; if we give them a rod, a fishing rod, they eat for a very long time.

We realize that through the FAO our distinguished colleague, Eva Clayton, has been working with the FAO now, and we realize that part of the problem is a lack of infrastructure. Constraints to agricultural development in Africa, says the President, and the continent's poor agriculture performance is water. Africa uses only 4 percent of its renewable water reserve for irrigation as compared to 17 percent in Asia. Only 7 percent of Africa's arable land is irrigated, against 37 percent in Asia. We need to have USAID have a separate and enhanced resource for food security. It is important to note that we can make a difference, and this amendment simply attempts to do so.

So I would ask my colleagues to take a hard look at this farmer in this picture. He represents and is symbolic of many others throughout the various countries in sub-Saharan Africa. My colleagues will find out that famine goes hand in hand with the drastic conditions of drought. Drought comes in a very frequent time frame in this area.

In speaking with the President of Ethiopia, speaking with USAID, they declared that Ethiopia, for example, only had \$4 million set aside to help a farmer farm better, to get more enhanced farming skills and tools, to irrigate the water. So I believe that this mere attempt to respond to FAO, the works of Tony Hill, the chairman and president, and our colleague, Eva Clayton, and in the memory of Mickey Leland to realize that sustaining the farmers will help to stamp out hunger.

I would hope that we would be prepared to support such an amendment.

Mr. Chairman, let me conclude by simply saying Ethiopia's famine threat continues to increase. I simply hope that we will find in our hearts the ability to support this amendment in order to save lives.

Mr. Chairman, I rise to support the current bill and to applaud Chairman KOLBE and Ranking Member LOWEY for their hard work and leadership in crafting an effective piece of legislation. However, in making appropriations for the entire Nation, it is virtually impossible to have a complete assessment or to profess a complete breadth of knowledge of the regions that need the most assistance—because this is an ever-changing issue.

I have an amendment at the desk. Again, I rise to support the current bill and offer an amendment that speaks to the problems of sustainable development and subsistence farming in Africa and other needy regions. I urge that \$5 million be appropriated for agricultural development in sub-Saharan Africa and taken from the Economic Support Fund found in Title II.

Funds requested in this amendment to be administered by USAID are clearly authorized under the Foreign Assistance Act of 1961.

This money would not only provide assistance to needy farmers and villages, but it would also strengthen infrastructure and encourage sustainable growth.

Mr. Chairman, developing and developed countries around the world are experiencing food shortages. There are an estimated 842 million undernourished persons, 798 million of which live in developing countries, 34 million of which live in countries in transition and 10 million of which live in industrialized countries.

Africa is undeniably the hardest hit of all continents, which claims 24 of the 34 countries experiencing food emergencies. The sub-Saharan African region, though, is facing the brunt of this crisis with some 207 million people in 1999–2001. That amounts to nearly 26 percent of the population facing inadequate access to nutritious food supplies.

Those living in poor, rural areas are the most vulnerable. They comprise 70 percent of the continent's population and are the most in need of agricultural development because their livelihoods are depending on agriculture.

Small farmers produce the food that feeds the men, women, babies, and the elders living in the small villages scattered across the arid landscape of Africa. If we neglect Africa's rural population, we neglect Africa's backbone. If we provide these farmers with the necessary resources to shore up inefficient and antiquated infrastructure we open the door to alleviating a host of other problems that plague almost ¾ of Africa's population.

My proposal would allow for the development of small-scale irrigation, water and drainage, post-harvest storage, crop intensification,

crop and livestock diversification, and rural infrastructure. Such improvements to infrastructure would encourage sustainable development and lead to a decrease in food shortage in the short and long run.

Right now, only 7 percent of arable land is irrigated, and groups like FAO is working with governments and U.N. and NGO partners to protect and restore agriculture-based livelihoods in crisis countries through the supply of essential inputs, including improved seeds, tools, fertilizer, veterinary medicines and vaccines, livestock feeds and irrigation, fishing and agro-processing equipment, as well as through crop and livestock pest and disease control campaigns, the immediate rehabilitation of essential agricultural infrastructure, and putting in place natural disaster prevention mechanisms.

In addition, members of the House International Relations Subcommittee on Africa have recognized the importance of the issues to be addressed by this proposal.

We must help these people whose lives depend on the fruits of subsistence farming. Furthermore, these farmers are severely undertrained and lack proper irrigation technologies and other resources to create more arable land options. Therefore, Mr. Chairman, for the reasons stated above, I ask that my colleagues support the Jackson-Lee Amendment.

In conclusion, Mr. Chairman, I would like to add the following for the RECORD:

#### BACKGROUND ON ETHIOPIA

Over 80 percent of Ethiopia's 57 million people live in rural areas, where most of them are engaged in subsistence farming or pastoralism. Altitudes in Ethiopia vary greatly. The lowlands are characterized by dry, sometimes drought-stricken, areas occupied mainly by nomadic or semi-nomadic pastoralists. In the mid-altitude areas such crops as maize, cotton, sorghum and legumes grow. The high-altitude areas are most suited to wheat, barley and coffee cultivation. The staple cereal crop in Ethiopia—teff—grows in mid- to high-altitude areas as does chat which is grown for commercial as well as domestic use. Ethiopia has the highest cattle population in Africa, with large herds providing status to their owners.

Since the 1970s, Ethiopia has been periodically struck by drought, and many areas consistently suffer from erratic and unpredictable rainfall. Pressure on the land is very high, with an average landholding per household in mid- to high-altitude areas of only about 0.2 to 0.6 hectares. Households are typically large with an average of seven members. The use of family planning is not yet widespread in the country, and in rural areas, especially in Muslim communities, early marriage is very common. Girls are often married or committed to marriage at between eight and 12 years of age. Health facilities are limited and sparse and many people die of preventable diseases such as malaria, cholera and typhoid as well as malnutrition.

PRESENTATION BY THE DIRECTOR-GENERAL OF THE FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS (FAO) TO THE U.S. CONGRESSIONAL BLACK CAUCUS, CONGRESSIONAL HUNGER CENTRE, HUMAN RIGHTS CAUCUS, INTERNATIONAL RELATIONS COMMITTEE AND SUBCOMMITTEE ON AFRICA, JUNE 16, 2004

#### FOOD SECURITY, WATER AND AGRICULTURAL PRODUCTIVITY IN AFRICA

I wish to thank you all for your interest in Africa's food security. I am especially grateful to the Congressional Black Caucus and

the Congressional Hunger Centre for organizing this Roundtable discussion, and for inviting me to give this presentation. I am greatly honoured to be here.

Honourable Members of the House, Ladies and Gentlemen

1. Current food security situation in Africa  
FAO estimates that there are about 842 million persons in the world today that are undernourished, 798 million in the developing countries, 34 million in countries in transition and 10 million in industrialized countries. Progress in cutting the incidence of hunger remains painfully slow. At the current rate of progress, the World Food Summit's objective of halving the number of hungry by 2015 will only be achieved in 2150.

While Asia is home to the largest number of the hungry people in the world, it is Africa that has the highest prevalence of hunger—26 percent, some 207 million people in 1999-2001.

In Africa, agriculture accounts for 17 percent of GDP, 57 percent of employment and 10 percent of export earnings. Over 70 percent of the continent's poor live in rural areas, and are primarily dependent upon agriculture for their livelihoods. And yet Africa is the only region in the world in which average per capita food production has been constantly falling for the past 40 years. If current trends persist, the number of undernourished persons on the continent will increase between now and 2015, in contrast to the other developing regions.

In the coming decades, Africa will have to feed a population that is expected to increase from 832 million people in 2002 to over 1800 million in 2050. Because hunger is concentrated mostly in rural areas, growth in small-farm agriculture must be a central element of any effective food security programme. It will have to raise agricultural productivity if it is to meet this challenge.

2. Constraints to agricultural development in Africa

The continent's countries suffer the consequences of variability of output, relatively low yields and heavy dependence on the export of primary commodities, in a context of low elasticity of supply and high volatility of price. Africa's agriculture is undercapitalized, underperforming and uncompetitive. There are many reasons for this. There is, for example, the insignificant use of modern inputs, with only 22 kg of fertilizer applied to each hectare of arable land compared to 144 kg in Asia. The level is even lower in sub-Saharan Africa, which uses 10 kg per hectare.

The seeds that spurred the success of the Green Revolution in Asia and in Latin America are barely used in Africa.

Another factor strongly influencing the continent's poor agricultural performance is water. Africa uses only 4 percent of its renewable water reserves for irrigation as compared to 17 percent in Asia. Only 7 percent of Africa's arable land is irrigated against 37 percent in Asia. Yields from irrigated crops are three times higher than yields from rainfed crops, but agricultural activity on 93 percent of Africa's arable land is dependent on extremely erratic rainfall and therefore seriously exposed to the risk of drought. Eighty percent of food emergencies are linked to water, especially water stress.

The serious shortage of rural infrastructure (rural roads, storage, processing and transport facilities and markets) place present-day Africa on a par with India in the 1950s. This inadequacy of water control and lack of infrastructure constitute the structural limitations that largely explain why Africa's agriculture is unproductive and uncompetitive.

During the past ten years, Africa's fish production has stalled and per capita fish

supply has only diminished. Apparent supply has dropped from 9 to 7 kg per person per year. At the world level, fish supplies are increasingly sourced from aquaculture, which now accounts for almost 30 percent of global output, but in Africa aquaculture's contribution is insignificant.

Diseases (in particular malaria and HIV/AIDS) and natural disasters, such as droughts, floods, windstorms, earthquakes, livestock epidemics and locust outbreaks exacerbate the food insecurity.

Conflicts and food insecurity are closely related. The proportion of food emergencies that are man-made has increased over time. Indeed, conflict and economic problems were cited as the main cause of more than 35 percent of food emergencies between 1992 and 2003, as compared to around 15 percent in the period from 1986 to 1991. More than half of the countries where undernourishment is most prevalent experienced conflict during the 1990s.

3. Spotlight on the crisis countries

As I speak, 35 countries in the world are experiencing serious food emergencies, 24 in Africa, where a large number of people depend on food assistance.

The food situation in Eritrea, Somalia and pastoral areas of Ethiopia and Kenya is of particular concern. In Southern Africa, prospects for the 2004 cereal crops are generally unfavourable due to prevailing drought conditions. In Sudan, the civil conflict in Darfur has resulted in the displacement of over a million people, and access to food has been sharply curtailed. In West Africa, internally displaced people and refugees continue to need food assistance in Côte d'Ivoire, Guinea, Liberia and Sierra Leone where.

FAO is working with governments and UN and NGO partners to protect and restore agriculture-based livelihoods in crisis countries through the supply of essential inputs, including improved seeds, tools, fertilizer, veterinary medicines and vaccines, livestock feeds and irrigation, fishing and agro-processing equipment, as well as through crop and livestock pest and disease control campaigns, the immediate rehabilitation of essential agricultural infrastructure, and putting in place natural disaster prevention mechanisms.

FAO, in collaboration with UNICEF and WFP, has embarked upon an innovative global programme starting in selected countries in Africa to protect and improve food and nutrition security among populations heavily affected by the HIV/AIDS epidemic. In the vast majority of cases, good nutrition is the only treatment available to people living with HIV/AIDS; even when anti-retroviral medicine is available, a good diet is essential for making the drugs most effective.

4. Water and infrastructure development: key elements

Getting rid of hunger in Africa and elsewhere in the world does not depend on any leap in technology. In the short-term, the focus must be on solutions which lie largely within the reach of Africa's small-scale farmers, including small-scale irrigation, water harvesting, soil conservation and tillage practices which cut rainfall run-off and maximize moisture retention in the soil and short-maturing crop varieties which fit well within the rainy season.

Successful examples exist in countries implementing the FAO's Special Programme for Food Security, an initiative launched in 1994 and now operational in 101 countries (42 in Africa), which aims at assisting mainly low-income food-deficit countries to improve their household and national food security through reduction of year-to-year variability in agricultural production and improvement of people's income and employment, and thus access to food.

It is estimated that the WFS objective cannot be attained without new water control over 16 million hectares and an upgrading of 4 million hectares distributed throughout all African countries. With an average cost of US\$ 2,500 per hectare, it should be possible to rapidly double the irrigated area to 14 percent.

The programme of water control and management needs to be supplemented with a package of investment covering also other areas of rural infrastructure. Mobilizing local labour for these infrastructural works should make it possible to cover 40 percent of the cost.

5. Agriculture and food security under NEPAD and AGOA

Africa has the capacity to enhance agriculture and ensure food security. But this requires that political commitment translates into coherent and effective programmes. Agriculture is one of the priorities of the New Partnership for Africa's Development (NEPAD), a vision and strategic framework for Africa's renewal, conceived and led by African countries. At their Summit in July 2003, the Heads of State and Government of the African Union adopted the Maputo Declaration on Agriculture and Food Security in Africa, under which they called for the urgent implementation of the Comprehensive Africa Agriculture Development Programme (CAADP), prepared by the NEPAD Secretariat with FAO assistance of FAO; and agreed to allocate at least 10 percent of their national budgets, within five years, to agriculture and rural development.

African governments must now implement this decision; they also need to see that agriculture receives an appropriate allocation of resources from poverty reduction and debt alleviation programmes and programmes of the 9th and successive European Development Funds, as well as from the concessional funds of the World Bank and the African Development Bank, in particular.

Apart from the formulation of the CAADP, FAO has also assisted African countries in updating national strategies for food security and agricultural development towards 2015, and preparing National Medium-Term Investment Programmes and bankable projects. The CAADP foresees a total investment of US\$ 251 billion for the period up to 2015. While the resources must come primarily from the national budgets, the developed countries and the international development community must invest in and support these countries.

As African countries make the required agricultural development investment and appropriate policy reforms, fair and open trade opportunities are essential. The value of African agricultural products, including forestry products, entering the US market duty-free under the (US) African Growth and Opportunity Act (AGOA) amounted to US\$ 122 million in 2003 up from \$60 million in 2001, corresponding to about 10 percent of total African agricultural exports to the US in 2003.

Although the value of African agricultural exports to the US under AGOA is small and has grown only modestly, it is reported to have significant impact in certain parts of Africa and holds promise for other areas.

6. The International Alliance Against Hunger

The right of everyone to have access to safe and nutritious food is affirmed in the opening statement of the Rome Declaration on World Food Security. We do not have an excuse for delaying action; off-the-shelf technologies to increase food and agricultural production under different agroecological systems are widely available. The WFS Plan of Action has provided the road map for reducing and eventually eradicating hunger.

What is needed most is political commitment, especially at the national level, to give the problem the priority it deserves supported by a vibrant and strong International Alliance Against Hunger (IAAH), as called for by the World Food Summit: five years later (WFS.fy1) in 2002. World leaders explicitly recognised at both World Food Summit in 1996 and the WFS.fy1 that, while the responsibility for national food security lies with the national governments, the battle against hunger and poverty can only be won in partnership with civil society, the NGOs, the private sector, bilateral donors and international organizations.

The International Alliance Against Hunger builds on the many existing initiatives and institutions that are already successfully engaged within their respective mandates in the fight against hunger and poverty and offers a framework for all of them to join forces in giving the hungry a stronger voice and responding to it. One of the objectives of the IAAH is to advocate greater resource flows into developing countries' agriculture. In the context of the Anti-Hunger Programme, unveiled at the World Food Summit: five years later, FAO estimates that, world-wide, some USD 24 billion per year is required to achieve the World Food Summit goal of halving the number of hungry people by 2015: USD 8 billion for food aid and commercial loans, USD 8 billion from developing countries, and another USD 8 billion through concessional loans from international financing institutions and bilateral assistance from developed countries, which themselves provided US\$ 318 billion to support their farmers in 2002.

On the occasion of World Food Day 2003, the Rome-based food and agriculture agencies—FAO, IFAD, WFP and IPGRI—together with NGOs, issued an important joint statement to promote the International Alliance Against Hunger. We agreed to join forces, and to bring on board other partners, to eliminate the scourge of hunger. So far, about 78 countries have created or indicated their interest in creating national alliances. The United States "Alliance to End Hunger", bringing together Bread for the World, Second Harvest, advocacy groups, foundations and the private sector, was among the first alliances to be organized internationally. The US Alliance is reportedly ready to assist National Alliances in Africa.

In Africa, there are 26 National Alliances Against Hunger. Burkina Faso and Cameroon, for example, have very vibrant alliances.

7. What the US Congress and National Parliaments can do to address world hunger

Both developed and developing countries have a stake and self-interest in ensuring that the world is free of hunger. Hunger has moral, economic and security dimensions. While hunger reduction alone will not eradicate terrorism, enhancing human dignity, ensuring better health and enabling people to have greater freedom of choice will reduce risks of extremism. Greater global stability is clearly in the interest of all people, rich and poor alike.

What can the US Congress and Parliaments do to address world hunger?

First, understand the breadth of issues affecting hunger; there is no silver bullet, but there are several affordable tools available that can make a huge difference to the scale of the global hunger problem.

Secondly, ensure that there is a generous response by the US Government, National Governments and civil society to the calls for assistance of developing countries which are strongly committed to eradicating hunger by allowing them to produce food efficiently for their own consumption and for export.

Thirdly, create better trading conditions by opening up markets for farm produce from developing countries, especially for commodities which depend on heavy labour inputs, such as cotton and sugar.

Fourthly, help African countries build their capacity to improve the quality and safety of their food products, thus allowing them to be more competitive.

The problem of hunger in Africa is immense and deeply rooted in history, but it is also solvable within our lifetime if we put our collective minds to it. We know what to do to end hunger. Many positive examples exist throughout Africa which show how rural livelihoods and nutrition can be improved. Countries like Mozambique have succeeded in turning the tide against hunger. In May 2002, President Alhaji Kabba of Sierra Leone pledged to eradicate hunger within his current 5-year term of office, and set in motion a comprehensive food security programme providing very practical training to farmers, with assistance from FAO and major donors.

What is needed now is to move with boldness from successful pilot programmes to broader food security programmes on a scale commensurate with the size of the food insecurity problem.

I appreciate this opportunity to begin a dialogue on this important subject and look forward to your comments and observation.

Mr. KOLBE. Mr. Chairman, I rise reluctantly in opposition to this amendment, and I yield myself such time as I may consume.

Mr. Chairman, I will not take the 5 minutes. Let me just say that the substance of the amendment really does not accomplish, as I think the gentlewoman knows, does not accomplish what she would hope to do, because if we read the amendment, it adds money in one spot and takes it out of the other spot. So it really has no impact at all on the amount of funding that would go to sub-Saharan Africa.

The gentlewoman wants to increase the amount of money from development assistance for sub-Saharan Africa. I think by and large we do very well in this bill on sub-Saharan Africa. It is a balanced bill. I think we have some very good increases there. Many of the things that the gentlewoman talks about that I fully subscribe to about the need for greater water resources, for helping farming in those areas, those are the things that we support and that are done in our legislation.

But I think that this would not be the right amendment, since it simply does not do what the gentlewoman would try to accomplish. So I would hope that she would withdraw her amendment; if not, I hope that we will defeat this amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

Mr. KOLBE. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, this does place \$5 million into developmental assistance, and I think that with the statement on the record, it makes it very clear that it can be used for sustainable development.

Mr. KOLBE. Mr. Chairman, reclaiming my time, I would just point out that the \$5 million that goes into development assistance comes out of

ESF, which also does the same kinds of things. So the Economic Stabilization Fund does the same kinds of things. So it really is just transferring it from one hand to the other, doing the same kinds of programs.

Mr. Chairman, I oppose this amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Ms. JACKSON-LEE).

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

Ms. JACKSON-LEE of Texas. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas (Ms. JACKSON-LEE) will be postponed.

AMENDMENT OFFERED BY MR. WEINER

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. WEINER:

At the end of the bill (before the short title), insert the following:

PROHIBITION AGAINST DIRECT FUNDING FOR SAUDI ARABIA

SEC. \_\_\_\_\_. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance any assistance to Saudi Arabia.

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

The Chair recognizes the gentleman from New York (Mr. WEINER).

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

My amendment is a simple one. It simply says that no money in this bill shall go to the Kingdom of Saudi Arabia. To many of those watching this debate, they would be surprised to learn that any money goes to Saudi Arabia at all. It should not, and there are reasons it should not.

First of all, the Saudis are shielding known terrorists. This is not a theory of mine; this is a fact. Just yesterday, the person who was standing to the right of Osama bin Laden as he presented a chilling videotape shot after September 11 showed up at a Saudi airport and gave credit to the Saudi Government for taking him in and offering him amnesty for his crimes. "Thank God, thank God," he said. "I called the embassy and we were very well received."

Saudi security forces allowed kidnapers to escape after killing 16 Westerners at a Khobar residential compound on May 29 of this year. Al Qaeda terrorists who kidnapped and killed American contractor Paul Johnson say they used official police uniforms and vehicles received from sympathetic Saudi police. Saudi Prince Abdullah re-

sponded with a 1-month amnesty for any terrorist who surrendered voluntarily.

In an October of last year interview in "The Voice of Jihad," Abu Hajjer, an al Qaeda member ranking high on Saudi Arabia's most wanted list, commented with the following quote: "It is true that we must use the country of Saudi Arabia, because it is the primary source of funds for most Jihad movements. It has some degree of security and freedom of movement." This is what members of al Qaeda say about Saudi Arabia.

The Saudis have famously also failed to crack down on terror. Last October when I offered a similar amendment, I heard some of the opponents say, oh, they are getting their act together. As of last month, not a single arrest or prosecution had come from the U.S.-Saudi Joint Terrorist Financing Task Force, which is supposed to cut down on the financing of terror coming out of Saudi; not a single one.

Since September 11, not a single Saudi donor of funds to terrorist groups has been publicly punished, despite Ambassador Bandar's assertion that Saudi Arabia would "prosecute the guilty to the fullest extent of the law." Since September 11, not a single one.

Last month's report by the Council of Foreign Relations on Terrorist Financing says: "Saudi Arabia has not fully implemented its new laws and regulations and, because of that, opportunities for the witting or unwitting financing of terrorism persists."

This is not some fringe element of Congress; this is the Council on Foreign Relations.

The Saudis finally are exploiting Wahabism. This is not even a question that the Saudis dispute. In March of 2002, an official Saudi magazine, *Ain al-Yaqeen*, wrote that the royal family wholly or partly funded some 210 Islamic centers, 1,500 mosques, 202 colleges, and 2,000 schools in countries without Muslim majorities to spread Wahabism.

So why is there any money in this bill going to the Saudis at all? Why is this amendment even necessary?

The most telling is from the President's own budget request. In the President's budget request, they explain why it is necessary to keep a small amount of money for the Saudis in our budget, with taxpayer dollars. Here is what it says. The modest amount of IMET funds requested permit the Saudi Government to purchase military training in the United States at a considerably lower cost than is charged countries that are not eligible. And get this: it says, the President, while Saudi Arabia controls the world's largest oil reserve, it faces increasing budget pressure.

This is why the United States taxpayer is providing funds to Saudi Arabia. Well, they are not going to after tonight if we vote "yes" on the Crowley-Israel-Berkley-Weiner amendment.

Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. CROWLEY).

(Mr. CROWLEY asked and was given permission to revise and extend his remarks.)

Mr. CROWLEY. Mr. Chairman, I want to thank my good friend and colleague, the gentleman from New York (Mr. WEINER), for being one of the leaders on this most critical issue.

For too long, the United States has been sending foreign assistance and aid to a country that, quite frankly, has not been honest or trustworthy. Time and again, the Saudis have shown that they are not our allies in the war on terror. In fact, they are soft on al Qaeda terrorists operating in Saudi Arabia. Their efforts to prosecute terrorists have been fruitless and devious, and their financing of terror groups has been all but well documented.

Saudi blood money does not only threaten the United States, but it also threatens our good friend and ally, the State of Israel. More than 50 percent, 50 percent of Hamas funding comes from Saudi Arabia, as Ambassador Dore Gold testified in the House Committee on International Relations.

The Saudis impede American efforts in fighting our war on terror. They have denied U.S. officials access to several suspects in custody, including one Saudi who had knowledge of extensive plans to inject poison gas into the New York City subway system.

The Saudi connection to al Qaeda is undeniable. In fact, al Qaeda has an implicit deal, an implicit deal with the Saudi royal family to desist from violence in the kingdom in exchange for Saudi financing.

These inexcusable actions by the Saudi Government make them unworthy of any foreign assistance or aid from our country. As the U.S. is deeply engaged in this global war on terror, we need all the honest allies we can get; and, quite frankly, we simply are not getting that out of this government in Saudi Arabia.

I thank the gentleman from New York for offering this amendment on keeping the foreign aid from Saudi Arabia.

Mr. WEINER. Mr. Chairman, I yield 3 minutes to the gentlewoman from Nevada (Ms. BERKLEY).

Ms. BERKLEY. Mr. Chairman, I especially want to thank the gentleman from New York (Mr. WEINER) for introducing this amendment which I have supported year after year. I rise in strong support of this amendment.

The very idea that we are giving any funding to the Saudi kingdom with all of its oil, with all of its wealth, is nothing short of astounding. It boggles my mind. Not only is this a regime that allows terrorism to exist, they have exploited it worldwide. Not only have they exploited terrorism, they are the leading financiers of terrorism. The thought that one cent of American money is being spent in Saudi Arabia is an insult to the memory of those who

died in the attack on this Nation of 9/11.

□ 2045

Let us never forget that 15 of the 19 hijackers were Saudi nationals. Knowing this, knowing this fact, did the Saudi Government express one word of remorse, of regret to the families of the 9/11 victims? Not one word.

The Saudis are constantly declaring to the United States that they are our partners in peace. Partners in peace? Are we talking about the same Saudis that support and encourage and finance terrorism, the same Saudis that exude racist and anti-Semitic hatred, the same Saudis that allowed terrorists to escape after killing 16 westerners at a Khobar resident tower compound, the same that have the worst record on the planet when it comes to religious intolerance and discrimination? These are our partners in peace?

The Saudis claim that they are vigorously prosecuting and persecuting terrorists. Who are they kidding? Saudi efforts to prosecute terrorists are inept at best and, more accurately, practically nonexistent.

Since 9/11 not a single Saudi donor of funds to terrorist groups has been punished, not a single one. Is supporting the Saudi royal family the best use of American taxpayer dollars? Absolutely not. I do not want my taxpayer dollars going to the Saudis, and I do not want anyone else's. Let us pass this and send a strong message to our so-called partners in peace that they are with us, or they are against us.

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

Mr. Chairman, I am the only speaker on this side, so I will speak at the end.

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

Mr. WEINER. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. ISRAEL).

Mr. ISRAEL. Mr. Chairman, I thank the gentleman for yielding me this time and for his leadership on this vitally important amendment.

Mr. Chairman, after 9/11, the President of the United States came to this Chamber, stood behind where I am standing now, and said that there is a line in the sand. He said the line divides democracy and dictatorship, liberty and tyranny, education, indoctrination, schools that teach kids how to put things together and schools that teach kids how to blow things up, balloons versus bullets.

This amendment, very simply, enforces that line in the sand. It is absolutely unfathomable to me, Mr. Chairman, that we would even contemplate rewarding a regime with U.S. tax dollars that blame Zionists for the May 1 attacks on a Saudi oil facility that killed two Americans, that blame the West for the attacks on our country on 9/11 and that went so far as to blame the Barbie doll for undermining values around the world, calling the Barbie doll a Zionist conspiracy.

Mr. Chairman, now faced with a terrorist threat in Saudi Arabia, a terrorist threat that confronts all of us around the world, the Saudi regime's response to that threat is to boldly say we will offer a one-month pass, we will offer a one-month amnesty to those people who are plotting and planning our demise, a regime that continues to fund madrassahs around the world that teach the most virulent hatred without any sense of modernity.

Mr. Chairman, it was the President who drew that line in the sand. This amendment enforces that line in the sand. We should not be giving U.S. tax dollars to a regime that has not demonstrated consistently and credibly that they are with us in the global war on terror, and that is why I support and urge all of my colleagues to support this amendment.

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

Mr. Chairman, as I conclude, and the hour is getting late and there are no further speakers on my side, I just want to once again clarify the record of the Saudis.

Every time we have this discussion in this Chamber, we hear about how the Saudis have changed their ways, that they finally decided they do not want to fund terror, they do not want to export terror, they do not want to be terrorists themselves, that if only we in the House of Representatives allow them a few more years of funding, a few more years chasing the fantasy that there are moderate friends in that region, that maybe things would turn around.

Well, the gentleman that is sitting here talking to Osama bin Laden shortly after September 11, it would be just great if somehow we can capture that guy, that guy who is laughing on the tape while Osama bin Laden took credit for the heinous acts of September 11.

Well, this is a picture from yesterday's newspaper at a Saudi Arabian airport of that fellow being wheeled into Saudi Arabia under an amnesty program by the Saudis.

If we think for a moment that U.S. authorities are going to have a chance to interview this person, think again. We learned from the explosion at the Khobar Towers years ago, when to this day the FBI has not been granted access to the crime scene, that we do not get Saudi cooperation. We learned from the Council of Foreign Relations, who just put out a report, that we do not get cooperation cutting down on the funding that the Saudis provide for terror.

So this person, the right hand to Osama bin Laden, is now somewhere in Saudi Arabia, our so-called ally that we with taxpayer dollars are funding in this bill.

Frankly, it is inexplicable. It is inexplicable. You can no longer live by the fantasy that somehow they are going to be helpful, that we are going to solve the problems of the Middle East if only we embrace the Saudis. We can no longer follow that fantasy thinking.

Every year when I bring this amendment up, I hear the same protests from the distinguished chairman and those that support the Saudi regime. They say, this is the wrong time, things are getting better, things are getting better. Sure it has been hundreds of years of exporting terrorism, but now it is getting better. We are right on the precipice. If only we give them a few more dollars in taxpayer funds, things will get a little bit better. It is not happening.

According to the United States Government, not a single arrest has come as a result of this vaunted U.S.-Saudi task force on the financing of terrorism; and this person, who is no doubt involved in the attacks of my city on September 11, the attacks in Pennsylvania and here in Washington, is now in the possession of what he calls his family in Saudi Arabia.

It is not a coincidence that 15 of the 19 hijackers on September 11 came from Saudi Arabia. It is not a coincidence that, according to the State Department, more than half of every single dollar for terrorists comes from Saudi Arabia. It is not a coincidence, because that is what the Saudi government is all about.

What is remarkable is that we keep going along with it. We provide funding, we embrace them, and we do not seem to learn.

Let us make this the year that we finally say not a single taxpayer dollar will go to Saudi Arabia in this bill. Let us take the explanation in the budget request that this will allow them to save money on military training, because, "While Saudi Arabia controls the world's largest oil reserve, it faces increasing budget pressure."

It is hard to even read with a straight face. Vote yes on the Weiner-Crowley-Israel-Berkley amendment. Finally end funding of U.S. tax dollars to Saudi Arabia.

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

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

Mr. Chairman, I will not use the full time, but I do rise in opposition to the pending amendment. It is the wrong amendment. Especially, it is the wrong amendment at the wrong time.

I am a little bit reminded of the earlier amendment that we had by the gentleman from California (Mr. LANTOS), where I rose to say the timing could not be worse for this sort of amendment, and I think in this case the timing is very bad for this amendment.

There is no question that elements of the Saudi government in the past have not been helpful to the United States in the global war on terrorism, but I do not think anyone can deny that, with the targeting of the Saudi Government by Osama bin Laden, it now knows and understands that it is a prime target of international terrorism as well.

The government of Saudi Arabia has greatly increased its efforts to root out

terrorism. It has greatly increased its cooperation in intelligence matters and others with the United States.

During the current fiscal year, the United States has been involved in training security services of Saudi Arabia to meet the threat to both them and to us, and that gets us to the heart of what we are talking about. By declaring them a terrorist state, we cut off the aid. The gentleman from New York has said, let us cut off every single dollar. Well, it is precious few dollars we provide here. It is \$1 million in one account and \$25,000 in another. A million dollars is spent through the Antiterrorism Assistance Program funded in this bill to provide courses in such areas as terrorist crime scene investigation, explosive incident countermeasures, investigation of terrorist organizations.

These are the things that our law enforcement specialties do and do very well, and we are in Saudi Arabia helping to train them or to bring them here in order to train them in just exactly these kinds of techniques, of how to go after a bomb investigation, how to do the counterintelligence kinds of work that has to be done.

It seems to me, given the targeting that has been done in Saudi Arabia of some Americans, as well as other European individuals and assets, that it is in our interest to have a Saudi Arabian police force, law enforcement agencies that are trained in these very special kinds of techniques.

I would argue that these small sums are well spent. The more that we can engage the security services of Saudi Arabia, the more that we can build a relationship between our antiterrorist organizations and those of the Saudi Government.

Now, the other amount that we provide is a very small sum of \$25,000 through the International Military Education and Training Program, or IMET as it is called, to help train and increase military contacts with the Saudi military. Some would say, why not charge the Saudi government for this training? But, in fact, that is precisely what we do. By providing the relatively modest sum of \$25,000, which allows for the training of one single officer in this country for one program, we allow them access to the program. The results in Saudi Arabia is that Saudi Arabia has spent \$13 million of its own funds here in the United States to train over 400 students at U.S. military schools. This is training that exposes Saudi officers to U.S. military doctrines, to training regimes, to assistance and most importantly, yes, to U.S. values.

In the global war on terrorism, now is not the time for us to turn away from the cooperation and the efforts that we are getting with the government of Saudi Arabia. Yes, albeit belatedly, but they have turned to us for assistance and cooperation, and I think we all understand we need all of the friends and allies that we can get.

This may not be the perfect ally. I would acknowledge freely that it is not. But I do think in these areas where this funding is involved we are getting some very substantial cooperation from the Saudis. To reduce or eliminate this funding by putting them on the list of terrorist states seems to be absolutely counterproductive to everything that we are trying to do.

I would acknowledge that the Saudi Arabian government has been remiss in the past in its commitment to combating terrorism, but I think, as I said a moment ago, that is changing, and I think we need to encourage that change, not discourage it.

The administration does strongly oppose this amendment, and I would ask that a letter from Assistant Secretary William Burns in opposition to this amendment be placed in the RECORD at this point.

UNITED STATES  
DEPARTMENT OF STATE,  
Washington, DC.

Hon. JIM KOLBE,  
*Chairman, Subcommittee on Foreign Operations, Export Financing and Related Agencies, Committee on Appropriations, House of Representatives.*

DEAR MR. CHAIRMAN: It is our understanding that the United States House of Representatives is considering a provision to the fiscal year 2005 Foreign Operations, Export Financing and Related Programs Appropriations bill which would add the Kingdom of Saudi Arabia to Section 507, the list of countries prohibited from receiving direct assistance from the United States.

Saudi Arabia was among the first countries to condemn the September 2001 attacks and has worked closely with the United States since then in the global war against terrorism. Since the May 2003 al-Qaeda bombings in Riyadh, our cooperation with Saudi law enforcement and intelligence agencies has been increasingly effective and mutually beneficial. Saudi Arabia is now taking aggressive steps to combat terrorists at home, and to choke off financing for terrorist entities being channeled through charities overseas.

The Administration strongly opposes efforts to add the Kingdom of Saudi Arabia to this list of state sponsors of terrorism and urges that the House reject the amendment offered by Representative Weiner, which would severely undermine our counterterrorism cooperation with Saudi Arabia at precisely the moment when it is moving to a new level of effectiveness. This amendment would also undermine our important interests in cooperation with Saudi Arabia on other critical issues in the region, including the stabilization of Iraq and the pursuit of Palestinian-Israeli peace.

We would appreciate your support in defeating Representative Weiner's amendment.

Sincerely,  
WILLIAM J. BURNS,  
*Assistant Secretary of State.*

The adoption of this amendment would only hearten those who seek to drive a wedge between the United States and Arab regimes that are cooperating with us on the war on terrorism, and for that reason alone, I urge the defeat of this amendment.

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

Mr. KOLBE. I yield to the gentleman from New York.

Mr. WEINER. Mr. Chairman, it is for the purpose of a question. The gentleman talked about how the cooperation helps us in the war on terror. The Council on Foreign Relations issued a report recently that said that we are not getting that cooperation. The FBI has said that they are not getting cooperation in investigating crimes against U.S. citizens. Where does the gentleman derive the idea that we are getting cooperation with this money?

Mr. KOLBE. Well, I think if one talks to U.S. law enforcement agencies they will find that we are getting cooperation. We are not getting as full cooperation as we would like, it is not perfect cooperation, but that could certainly be said of a lot of other countries that we are providing assistance to.

I think there is no doubt that we have been getting cooperation, particularly on sharing of intelligence information with the Saudi Arabian government. So I do believe that we are getting that kind of cooperation.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. WEINER).

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

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

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

□ 2100

Mr. KOLBE. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Arizona (Mr. KOLBE) is recognized for 5 minutes.

Mr. KOLBE. Mr. Chairman, I yield to the gentleman from Virginia (Mr. TOM DAVIS) for purposes of a colloquy.

Mr. TOM DAVIS of Virginia. Mr. Chairman, this appropriations bill includes an authorizing provision that would allow the inspector general from the Coalition Provisional Authority to continue to oversee the rebuilding effort in Iraq. This provision is within the jurisdiction of the Committee on International Relations and the Committee on Government Reform, and I want to thank the gentleman from Arizona (Mr. KOLBE) for his interest in this issue.

The Committee on Government Reform will hold its fourth hearing overseeing the rebuilding of Iraq next Thursday. My committee has made this oversight a priority. As part of the overall oversight of the \$18.6 billion of the supplemental funds, we created the CPA Inspector General. I have met with the CPA IG. I believe with his help, we can expect the thorough oversight we need from his office.

My committee has jurisdiction over inspectors general, and because of our

staff expertise we work closely with other committees and the executive branch to make sure that the various IGs have the tools to conduct the mission that the public expects of them. The inspectors general for DOD, USAID, the Department of State and the CPA, with the help of the Office of Management and Budget and my committee's oversight, have negotiated a memorandum of agreement to maintain appropriate oversight over the rebuilding efforts in Iraq. There is also a similar provision in the Senate Defense authorization bill that addresses the continuing oversight of the Iraqi rebuilding effort.

I will work with all involved to address the issue from the authorization side. I would ask the gentleman from Arizona (Mr. KOLBE) if he would work with the Committee on Government Reform, the Committee on International Relations, and the Committee on Armed Services to ensure that our efforts are coordinated and built constructively on the existing agreement.

Mr. KOLBE. Reclaiming my time, I thank the gentleman from Virginia (Mr. TOM DAVIS), the chairman of the Committee on Government Reform, for his comments here tonight and for the work that he has done with the inspectors general.

Let me just say that, as he pointed out, the inspector general here for what was then the CPA, or Coalition Provisional Authority, was created as part of the legislation last year which authorized the large expenditure in the supplemental for the rebuilding of Iraq. And what we have done in this legislation is not something new, but simply to move it over as we have moved all the funding, as we moved all the programs from CPA over to the State Department. We have moved this jurisdiction over there.

Now, the gentleman from Virginia is absolutely correct in saying his committee not only has jurisdiction but has done yeoman's work in providing oversight. The hearings they have held have, I think, effectively brought attention to the problems we have had, particularly with the contracting in our rebuilding of Afghanistan and Iraq. And I really appreciate the work his subcommittee has done. So my answer is an unequivocal, yes, to the gentleman from Virginia that we will work with him as we proceed with this bill to make sure that we build constructively on the existing agreement that we have.

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

I would like to engage in colloquy with the chairman of the Subcommittee on Foreign Operations, my good friend, the gentleman from Arizona (Mr. KOLBE).

As my colleagues may be aware, the administration is expected to announce soon that for the third year in a row it will deny U.S. funding for the life-saving programs of the United Nations Population Fund. In my view, the ad-

ministration's justification for this denial is flimsy at best. UNFPA has a long-standing program in China which aims to help introduce voluntary family planning into that country and change China's destructive and coercive one-child policy. The basis of denying UNFPA our support is precisely this: UNFPA is being punished for working within the Chinese government to change a policy we all agree is wrong.

Contrary to assurances from the administration and the leadership of this House since 2002 that the decision to de-fund UNFPA would not negatively affect the U.S. commitment to international family planning programs, the funding Congress originally intended for UNFPA has not all gone to support USAID's bilateral family planning program. A significant portion of it has been diverted to combat trafficking.

While I certainly do not take issue with anti-trafficking programs, I would urge the administration to request adequate funding for this priority instead of relying on transfers of funding that should have gone to UNFPA. It is our understanding that the administration will propose to Congress the UNFPA's fiscal year 2004 funding be diverted for anti-trafficking programs instead of going to support USAID's family planning programs.

I certainly hope that we can include language in the conference report indicating that the FY 2004 money meant for UNFPA can only be used for bilateral family planning programs. I would like to ask the chairman if he agrees with this sentiment, and if he will support such an effort.

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

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

Mr. KOLBE. I thank the gentlewoman for yielding. Let me say I share the disappointment that the gentlewoman has that we have been unable to reach a resolution of this issue with regards to the funding and the use of funds by the UNFPA. I feel very strongly, as the gentlewoman does herself, that we should continue to invest in multilateral efforts to improve the health of women and families in the developing world. And that is exactly what the programs of UNFPA go for.

I have been a long-time supporter of family planning programs and specifically of the United Nations Family Planning Agency. I feel that the administration's position has hurt our efforts to support valuable life-saving programs. Nonetheless, that is a position that has been taken, and that is the reality of where we are.

As we take this bill to conference, however, if there continues to be no resolution of the U.S. contribution to UNFPA, I want the gentlewoman to know I will be happy to work with her in an effort to make sure that the increased resources that would not be available to UNFPA are set aside for bilateral family planning programs.

Mrs. LOWEY. I thank the chairman and I look forward to working with him.

AMENDMENT OFFERED BY MR. SCHIFF

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SCHIFF:  
At the end of the bill (before the short title), insert the following:

PROHIBITION ON USE OF FUNDS FOR CERTAIN PURPOSES

SEC. 576. None of the funds made available in this Act may be used by the Government of Turkey to engage in contravention of section 1913 of title 18, United States Code, (relating to lobbying with appropriated monies), with respect to H. Res. 193, Reaffirming support of the Convention on the Prevention and Punishment of the Crime of Genocide and anticipating the 15th anniversary of the enactment of the Genocide Convention Implementation Act of 1987 (the Proxmire Act) on November 4, 2003.

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

Mr. KOLBE. Mr. Chairman, I reserve a point of order on this amendment, and I claim the time in opposition.

The CHAIRMAN. The gentleman reserves a point of order.

The gentleman from California is recognized for 5 minutes on his amendment.

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

Mr. Chairman, I want to begin by congratulating the gentleman from Arizona (Mr. KOLBE) and the ranking member, the gentlewoman from New York (Mrs. LOWEY), for their outstanding work on the bill. I think they both have done a great job in advancing America's foreign policy priorities at an especially difficult time in our history.

I was particularly please to see the committee wisely provides \$65 million in economic aid for Armenia, \$3 million more than the administration's request, and that the committee wisely restored the parity in security assistance between Armenia and Azerbaijan by funding military aid and education assistance to both Armenia and Azerbaijan at \$6 million.

Today, I offer a simple amendment that will honor the 1½ million Armenians who perished in the Armenian Genocide of 1915–1923. I consider this a sacred obligation, to ensure that the men, women and children who perished at the hands of the Ottoman Empire are not lost to history and that this Congress not fund shameful efforts to deny that the genocide occurred.

Time is the ally of those who would deny or change history. Such has it been, regrettably, by those who would continue to deny the undeniable facts of the murder of 1½ million people, the first genocide of last century.

My amendment tonight seeks only to prohibit the use of funds to lobby

against H. Res. 193, the resolution which includes a reference to the Armenian Genocide and reaffirms the support of Congress for the genocide convention and commemorates the anniversary of our becoming a party to this landmark legislation. It will not deprive countries of funding that they need for legitimate purposes, but no appropriations under this bill or any other bill should be used by other governments to lobby this Congress against legislation, and particularly legislation that reaffirms our commitment to the convention on genocide and the recognition of the victims of the Armenian Genocide as well as the victims of many other genocides in the history of mankind.

Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Chairman, I rise today in support of the amendment offered by the gentleman from California (Mr. SCHIFF).

It is time for the United States to properly recognize the Armenian Genocide, which is fully documented in the U.S. Archives and through an overwhelming body of firsthand governmental and diplomatic evidence.

Despite the overwhelming evidence, the Turkish government and its paid lobbyists have through threats and blackmail sought to prevent the United States from properly commemorating the Armenian Genocide. Morally it is wrong for the American people to be complicit in the Turkish government's efforts to deny the suffering and death of 1.5 million people. I would also like to point out that Turkey's recognition of the Armenian Genocide would represent a meaningful step towards its acceptance into the European family of nations.

Finally, Mr. Chairman, it is time for this body to stop defending and funding a government that continues to deny its own history and refuses to break with the pattern of intolerance established by past Turkish governments which dealt with minority issues by committing genocide against Armenians, massacring and driving Greeks from its shores, restricting the rights of Christians to worship, and denying the existence of its Kurdish citizens.

I would like to add that I am joined in my support of this amendment by the gentleman from New York (Mr. CROWLEY).

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

The CHAIRMAN. Does the gentleman from Arizona (Mr. KOLBE) wish to make his point of order?

Mr. KOLBE. Mr. Chairman, I will not make a point of order on the amendment. I will conclude the debate.

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

Mr. SCHIFF. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman from California (Mr. SCHIFF) has 2 minutes remaining.

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

Among historians there is no dispute about what happened to the Armenian people. There is no dispute that it was genocide. Thousands of pages of documents sit in our National Archives, newspapers of the day were replete with stories about the murder of Armenians: "Appeal To Turkey To Stop Massacres," headlined the New York Times on April 28, 1915, just as the killing began.

On October 7 of that year, the Times reported that 800,000 Armenians had been slain in cold blood in Asia Minor. In mid-December of 1915, the Times spoke of a million Armenians killed or in exile.

In 1948, in the shadow of the Holocaust, the international community responded to Nazi Germany's methodically orchestrated acts of genocide by approving the Convention on the Prevention and Punishment of the Crime of Genocide. It confirms that genocide is a crime under international law and defines genocide as actions committed with intent to destroy a nation, ethnic, racial or religious group.

The United States under President Truman was the first nation to sign the convention. Last year marked the 15th anniversary of President Reagan signing the Genocide Convention Implementation Act.

Just over a year ago, I introduced H. Res. 193 with my colleagues, the gentleman from California (Mr. RADANOVICH), the gentleman from New Jersey (Mr. PALLONE), the gentleman from Michigan (Mr. KNOLLENBERG), and other Members of this House. This should have been an easy resolution for all of us now to support on the House floor. Genocide is the most abhorrent crime known to human kind; and, unfortunately, it is happening in the Sudan as we speak.

The reason we have not yet succeeded in passing this resolution is simple. The government of Turkey refuses to acknowledge the genocide, and the strongest nation on Earth fears their reaction if we do.

110 of my colleagues have co-sponsored this resolution, and I expect it would pass overwhelmingly if given the chance. At the very least we should not fund efforts to silence our voices.

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

The CHAIRMAN. The gentleman from Arizona (Mr. KOLBE) is recognized for 5 minutes.

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

Mr. Chairman, this is most unfortunate. We have just been handed this amendment. It is a completely new amendment, quite different than the one we had seen before. So we do not really know what the implications of this are. I am trying to read it and think it through.

I am inclined to accept this and deal with its ramifications in the full committee. Looking at it, let me say that

it appears by saying relating to lobbying with appropriated monies, but not having any way of making that determination as to what that is, it does not have any real impact. Nonetheless, I understand the symbolism of this, and I am concerned about that in terms of our ally, Turkey. But I am prepared to accept this amendment at this time. And as I said, we will deal with its implications and ramifications at a later time.

Mr. CROWLEY. Mr. Chairman, I rise in support of the amendment offered by my friend and colleague from California ADAM SCHIFF.

This is an amendment to ensure that we never forget the struggles of the Armenian people or that we never forget . . .

Ever since I was elected to the State Assembly and now in Congress, I have been a strong supporter of the Armenian American community.

However, my strong support is not only because I represent a large Armenian community in Queens but also because I see the strategic importance of Caucasus region for the United States.

The contributions of the Armenian community to this great city cannot be fully appreciated quantitatively.

It can only be realized by those who walk the streets of New York every day.

I had the opportunity to travel to Armenia last summer.

Through meetings and discussions with elected officials and even regular citizens, I have a clearer understanding of Armenia's needs and challenges.

I believe that as a nation Armenia is growing and with the support of the United States and the Diasporan Armenian community—Armenia will be able to overcome the economic and security challenges in the region.

I have continuously supported and encouraged closer ties between the United States and Armenia because of the strategic position and also because of the similar values of democracy and freedom.

The thorny path to liberty is a concept with which the people of Armenia have been forced to contend for many years.

From the Armenian Genocide, to the republic's absorption into the Soviet Union, to the current struggle for Nagorno (NA-GORNO)—Karabakh (KAR-AH-BAH), the path has not always been smooth.

I am pleased to say that the nation of Armenia does not need to travel that thorny path alone.

I am proud to stand alongside them in an effort to reach their goals.

I assure you, it will never be forgotten.

Armenia remains a major focus in American foreign policy.

The United States recognizes the need to cultivate and support the development of Armenia.

The United States has looked to Armenia to take the lead in bringing peace and prosperity to the Caucasus.

The people of Armenia have overcome tremendous obstacles on the path to liberty.

But again we can never forget the genocide and we must commemorate it.

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

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



The amendment was agreed to.

□ 2115

The CHAIRMAN. Are there other amendments?

Mr. KOLBE. Mr. Chairman I move to strike the last word. I do so for the purposes of yielding to the gentlewoman from New Mexico for the purpose of a colloquy.

Mrs. WILSON of New Mexico. Mr. Chairman, will the gentleman yield?

Mr. KOLBE. I yield to the gentleman from New Mexico.

Mrs. WILSON of New Mexico. Mr. Chairman, I thank the gentleman very much for yielding to me.

I appreciate the gentleman's willingness to enter into a colloquy with me, and I wanted to commend him for all his work on funding for global efforts to fight tuberculosis. This bill will allocate \$185 million for infectious diseases, including tuberculosis, from the United States Agency For International Development, \$46 million more than the President requested. This is in addition to the roughly \$68 million for TB in the Global Fund and \$17.5 million from other accounts. In a bill where several other programs received cuts in funding, I appreciate the gentleman's efforts to continue our commitment to combat global TB at a level at least equal to last year.

I am concerned about funding for the Global TB Drug Facility. The United States contributed \$3 million to the Global TB Drug Facility last year and would do so again next year in this bill. The STOP TB partnership, which includes 50 world organizations, including the WHO, recommended a commitment by the U.S. of \$50 million each year to reach the most people possible. The Global TB Drug Facility has successfully treated 3 million people in three years for tuberculosis. Funds from the facility can successfully treat tuberculosis for just \$10 per person.

I would ask that the gentleman from Arizona and the gentleman from Ohio (Mr. BROWN) who has worked with me so hard on tuberculosis issues work together as this bill goes to conference to try to increase the funding for the Global TB Drug Facility to try to help get vital medicines out to the people who need them most.

Mr. KOLBE. Reclaiming my time, Mr. Chairman, I want to thank the gentlewoman from New Mexico for her statements and concern that she has expressed, along with the gentleman from Ohio, about the impact of tuberculosis worldwide. It is one of the world's worst killers, causing up to 2 million deaths every year.

Our foreign assistance has a strong emphasis on programs to fight this disease. Our bilateral TB programs lead the world in helping developing countries set up treatment and pharmaceutical management systems. Supporting the Global TB Drug Facility is another important component of our strategy. Through the GDF, the U.S. helps populations in need around the

world gain access to life-saving tuberculosis drugs.

I would be happy to work with the gentlewoman from New Mexico and other colleagues on this important issue as we move into the conference, and I thank the gentlewoman for bringing this to our attention.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. If there are no further amendments, pursuant to clause 6 of rule XVIII proceedings will now resume on those amendments on which further proceedings were postponed, in the following order: amendment by Mr. BUYER of Indiana; amendment by Mr. SANDERS of Vermont; amendment No. 6 by Mr. NETHERCUTT of Washington; amendment by Ms. JACKSON-LEE of Texas; amendment by Mr. WEINER of New York.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. BUYER

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 243, noes 161, not voting 29, as follows:

[Roll No. 385]

AYES—243

- |               |                 |               |
|---------------|-----------------|---------------|
| Akin          | Carson (OK)     | Frost         |
| Alexander     | Carter          | Galgely       |
| Andrews       | Castle          | Garrett (NJ)  |
| Bachus        | Chabot          | Gerlach       |
| Baird         | Chandler        | Gibbons       |
| Baker         | Chocola         | Gilchrest     |
| Ballenger     | Coble           | Gillmor       |
| Barrett (SC)  | Cole            | Gingrey       |
| Bartlett (MD) | Cooper          | Goode         |
| Barton (TX)   | Costello        | Goodlatte     |
| Bass          | Cox             | Gordon        |
| Beauprez      | Crane           | Goss          |
| Bereuter      | Cubin           | Granger       |
| Biggert       | Culberson       | Graves        |
| Bilirakis     | Cunningham      | Green (TX)    |
| Bishop (UT)   | Davis (TN)      | Green (WI)    |
| Blackburn     | Davis, Jo Ann   | Gutknecht     |
| Blunt         | Davis, Tom      | Hall          |
| Boehlert      | DeFazio         | Harris        |
| Boehner       | DeLay           | Hart          |
| Bonilla       | DeMint          | Hastings (WA) |
| Bono          | Diaz-Balart, M. | Hayworth      |
| Boozman       | Dicks           | Hefley        |
| Boyd          | Doolittle       | Hensarling    |
| Bradley (NH)  | Dreier          | Herger        |
| Brady (TX)    | Duncan          | Herseth       |
| Brown (SC)    | Dunn            | Hobson        |
| Brown-Waite,  | Edwards         | Hoekstra      |
| Ginny         | Ehlers          | Holden        |
| Burgess       | Emerson         | Hostettler    |
| Burns         | English         | Hulshof       |
| Burr          | Everett         | Hunter        |
| Burton (IN)   | Feeney          | Hyde          |
| Buyer         | Ferguson        | Issa          |
| Calvert       | Flake           | Istook        |
| Camp          | Foley           | Johnson (CT)  |
| Cannon        | Forbes          | Johnson (IL)  |
| Cantor        | Fossella        | Johnson, Sam  |
| Capito        | Franks (AZ)     | Jones (NC)    |

- |              |               |             |
|--------------|---------------|-------------|
| Keller       | Norwood       | Shimkus     |
| Kelly        | Nunes         | Shuster     |
| Kennedy (MN) | Nussle        | Simmons     |
| Kind         | Osborne       | Simpson     |
| King (IA)    | Ose           | Skelton     |
| King (NY)    | Otter         | Smith (MI)  |
| Kingston     | Oxley         | Smith (NJ)  |
| Kirk         | Paul          | Smith (TX)  |
| Kline        | Pearce        | Smith (WA)  |
| Knollenberg  | Pence         | Souder      |
| Kolbe        | Peterson (MN) | Spratt      |
| LaHood       | Peterson (PA) | Stearns     |
| Larsen (WA)  | Petri         | Sullivan    |
| Latham       | Pickering     | Sweeney     |
| LaTourette   | Pitts         | Tancred     |
| Leach        | Platts        | Tanner      |
| Lewis (CA)   | Pombo         | Tauzin      |
| Lewis (KY)   | Pomeroy       | Taylor (MS) |
| Linder       | Porter        | Taylor (NC) |
| Lipinski     | Portman       | Terry       |
| LoBiondo     | Pryce (OH)    | Thomas      |
| Lucas (OK)   | Putnam        | Thornberry  |
| Manzullo     | Ramstad       | Tiahrt      |
| Marshall     | Regula        | Tiberi      |
| Matheson     | Rehberg       | Toomey      |
| McCotter     | Renzi         | Turner (OH) |
| McCrery      | Reynolds      | Turner (TX) |
| McHugh       | Rogers (AL)   | Upton       |
| McIntyre     | Rogers (KY)   | Vitter      |
| McKeon       | Rogers (MI)   | Walden (OR) |
| McNulty      | Rohrabacher   | Walsh       |
| Mica         | Ros-Lehtinen  | Wamp        |
| Miller (FL)  | Royce         | Weldon (FL) |
| Miller (MI)  | Ryan (WI)     | Weldon (PA) |
| Miller, Gary | Sandin        | Weller      |
| Moran (KS)   | Saxton        | Whitfield   |
| Murphy       | Schrock       | Wicker      |
| Musgrave     | Sensenbrenner | Wilson (NM) |
| Myrick       | Sessions      | Wilson (SC) |
| Nethercutt   | Shadegg       | Wolf        |
| Neugebauer   | Shaw          | Young (AK)  |
| Ney          | Shays         |             |
| Northup      | Sherwood      |             |

NOES—161

- |                |                |                  |
|----------------|----------------|------------------|
| Abercrombie    | Hinchey        | Napolitano       |
| Ackerman       | Hinojosa       | Neal (MA)        |
| Allen          | Hoefel         | Oberstar         |
| Baca           | Holt           | Obey             |
| Baldwin        | Honda          | Olver            |
| Becerra        | Hooley (OR)    | Ortiz            |
| Bell           | Hoyer          | Owens            |
| Berkley        | Inslee         | Pallone          |
| Berman         | Israel         | Pascrell         |
| Berry          | Jackson (IL)   | Pastor           |
| Bishop (GA)    | Jackson-Lee    | Payne            |
| Bishop (NY)    | (TX)           | Pelosi           |
| Blumenauer     | John           | Price (NC)       |
| Boswell        | Johnson, E. B. | Rahall           |
| Boucher        | Jones (OH)     | Rangel           |
| Brady (PA)     | Kanjorski      | Reyes            |
| Brown (OH)     | Kennedy (RI)   | Rodriguez        |
| Brown, Corrine | Kildee         | Ross             |
| Capps          | Kilpatrick     | Rothman          |
| Capuano        | Kleczka        | Ruppersberger    |
| Cardin         | Kucinich       | Rush             |
| Cardoza        | Lampson        | Ryan (OH)        |
| Case           | Langevin       | Sabo             |
| Clay           | Lantos         | Sánchez, Linda   |
| Clyburn        | Larson (CT)    | T.               |
| Conyers        | Lee            | Sanchez, Loretta |
| Crowley        | Levin          | Sanders          |
| Cummings       | Lewis (GA)     | Schakowsky       |
| Davis (AL)     | Lofgren        | Schiff           |
| Davis (CA)     | Lowey          | Scott (GA)       |
| Davis (FL)     | Lucas (KY)     | Scott (VA)       |
| Davis (IL)     | Lynch          | Serrano          |
| DeGette        | Maloney        | Sherman          |
| Delahunt       | Markey         | Slaughter        |
| DeLauro        | Matsui         | Snyder           |
| Dingell        | McCarthy (NY)  | Solis            |
| Doyle          | McColum        | Stark            |
| Emanuel        | McDermott      | Strickland       |
| Engel          | McGovern       | Stupak           |
| Eshoo          | Meehan         | Tauscher         |
| Etheridge      | Meek (FL)      | Thompson (CA)    |
| Evans          | Meeks (NY)     | Thompson (MS)    |
| Farr           | Menendez       | Tierney          |
| Fattah         | Michaud        | Towns            |
| Filner         | Millender      | Udall (CO)       |
| Frank (MA)     | McDonald       | Udall (NM)       |
| Gephardt       | Miller (NC)    | Van Hollen       |
| Gonzalez       | Miller, George | Velázquez        |
| Grijalva       | Mollohan       | Visclosky        |
| Gutierrez      | Moore          | Waters           |
| Harman         | Moran (VA)     | Watson           |
| Hastings (FL)  | Murtha         | Watt             |
| Hill           | Nadler         |                  |

Waxman	Wexler	Wu	Gingrey	Matsui	Ruppersberger	Oxley	Schrock	Thomas
Weiner	Woolsey	Wynn	Gonzalez	McCarthy (NY)	Rush	Pearce	Sessions	Thornberry
NOT VOTING—29								
Aderholt	Dooley (CA)	Majette	Goode	McCollum	Ryan (OH)	Pence	Shadegg	Tiahrt
Bonner	Ford	McCarthy (MO)	Gordon	McCotter	Sabo	Pitts	Shimkus	Toomey
Carson (IN)	Frelinghuysen	McInnis	Green (TX)	McDermott	Sánchez, Linda	Pombo	Simpson	Turner (OH)
Collins	Greenwood	Quinn	Green (WI)	McGovern	T.	Pomeroy	Smith (MI)	Vitter
Cramer	Hayes	Radanovich	Harman	McHugh	Sanchez, Loretta	Portman	Smith (TX)	Walden (OR)
Crenshaw	Houghton	Royalb-Allard	Gutknecht	McIntyre	Sanders	Putnam	Souder	Walsh
Deal (GA)	Isakson	Ryun (KS)	Hastings (FL)	McNulty	Sandlin	Rehberg	Sullivan	Weldon (FL)
Deutsch	Jefferson	Stenholt	Hayworth	Meehan	Saxton	Reynolds	Sweeney	Weller
Diaz-Balart, L.	Jenkins	Young (FL)	Herseth	Meek (FL)	Schakowsky	Rogers (AL)	Tauzin	Wicker
Doggett	Kaptur		Hill	Menendez	Schiff	Ryan (WI)	Terry	Wilson (SC)

## ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are reminded there are 2 minutes remaining in this vote.

□ 2143

Messrs. TIERNEY, MURTHA and BACA changed their vote from "aye" to "no."

Mr. KIRK, Ms. DUNN, and Messrs. ALEXANDER, LEWIS of California, SPRATT, and BEREUTER changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Ms. MCCARTHY of Missouri. Mr. Chairman, during rollcall vote No. 385, the Buyer Amendment, I was unavoidably detained. Had I been present, I would have voted "no."

## AMENDMENT OFFERED BY MR. SANDERS

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 270, noes 132, not voting 31, as follows:

[Roll No. 386]

AYES—270

Abercrombie	Brown-Waite,	Davis, Jo Ann
Ackerman	Ginny	DeFazio
Alexander	Burns	DeGette
Allen	Burton (IN)	Delahunt
Andrews	Camp	DeLauro
Baca	Capito	Dicks
Bachus	Capuano	Dingell
Baird	Cardin	Doyle
Baldwin	Cardoza	Duncan
Bass	Carson (OK)	Edwards
Becerra	Case	Emanuel
Bell	Chabot	Emerson
Berkley	Chandler	Engel
Berman	Clay	English
Berry	Clyburn	Eshoo
Bilirakis	Coble	Etheridge
Bishop (GA)	Conyers	Evans
Bishop (NY)	Cooper	Farr
Boehlert	Costello	Fattah
Boswell	Cox	Ferguson
Boucher	Cummings	Filner
Boyd	Cunningham	Frank (MA)
Bradley (NH)	Davis (AL)	Frost
Brady (PA)	Davis (CA)	Galleghy
Brown (OH)	Davis (FL)	Gephardt
Brown, Corrine	Davis (IL)	Gerlach
	Davis (TN)	Gillmor

Goode	McCarthy (NY)	Ruppersberger
Gordon	McCollum	Rush
Green (TX)	McCotter	Ryan (OH)
Green (WI)	McDermott	Sabo
Grijalva	McGovern	Sánchez, Linda
Gutiérrez	McHugh	T.
Gutknecht	McIntyre	Sanchez, Loretta
Harman	McNulty	Sanders
Hastings (FL)	Meehan	Sandlin
Hayworth	Meek (FL)	Saxton
Herseth	Menendez	Schakowsky
Hill	Mica	Schiff
Hinchee	Michaud	Scott (GA)
Hinojosa	Millender-	Scott (VA)
Hoeffel	McDonald	Sensenbrenner
Holden	Miller (MI)	Serrano
Holt	Miller (NC)	Shaw
Honda	Miller, George	Shays
Hookey (OR)	Mollohan	Sherman
Hostettler	Moore	Sherwood
Hoyer	Moran (VA)	Shuster
Hunter	Murphy	Simmons
Hyde	Murtha	Skelton
Inslie	Nadler	Slaughter
Israel	Napolitano	Smith (NJ)
Issa	Neal (MA)	Smith (WA)
Jackson (IL)	Nethercutt	Snyder
Jackson-Lee	Ney	Solis
(TX)	Northup	Spratt
John	Norwood	Stark
Johnson (CT)	Oberstar	Stearns
Johnson, E. B.	Obey	Strickland
Jones (NC)	Oliver	Stupak
Jones (OH)	Ortiz	Tancredo
Kanjorski	Ose	Tanner
Keller	Owens	Tauscher
Kennedy (RI)	Pallone	Taylor (MS)
Kildee	Pascrell	Taylor (NC)
Kilpatrick	Pastor	Thompson (CA)
Kind	Paul	Thompson (MS)
King (NY)	Payne	Tiberi
Kleczka	Pelosi	Tierney
Kucinich	Peterson (MN)	Towns
Lampson	Peterson (PA)	Turner (TX)
Langevin	Petri	Udall (CO)
Lantos	Pickering	Udall (NM)
Larsen (WA)	Platts	Upton
Larson (CT)	Porter	Van Hollen
LaTourrette	Price (NC)	Velázquez
Lee	Pryce (OH)	Visclosky
Levin	Rahall	Wamp
Lewis (GA)	Ramstad	Waters
Lipinski	Rangel	Watt
LoBiondo	Regula	Waxman
Lofgren	Renzi	Weiner
Lowe	Reyes	Weldon (PA)
Lucas (KY)	Rodriguez	Wexler
Lynch	Rogers (KY)	Whitfield
Maloney	Rogers (MI)	Wilson (NM)
Manzullo	Rohrabacher	Wolf
Markey	Ros-Lehtinen	Woolsey
Marshall	Ross	Wu
Matheson	Rothman	Wynn
	Royce	Young (AK)

## NOES—132

Aderholt	Crowley
Akin	Cubin
Baker	Culberson
Ballenger	Davis, Tom
Barrett (SC)	DeLay
Bartlett (MD)	DeMint
Barton (TX)	Diaz-Balart, M.
Beauprez	Doolittle
Bereuter	Dreier
Biggart	Dunn
Bishop (UT)	Ehlers
Blackburn	Everett
Blumenauer	Feeney
Blunt	Flake
Boehner	Foley
Bonilla	Forbes
Bono	Fossella
Boozman	Franks (AZ)
Brady (TX)	Garrett (NJ)
Brown (SC)	Gibbons
Burgess	Gilchrest
Burr	Goodlatte
Buyer	Goss
Calvert	Granger
Cannon	Graves
Cantor	Hall
Carter	Harris
Castle	Hart
Chocola	Hastings (WA)
Cole	Hefley
Crane	Hensarling
Crenshaw	Herger

Hobson
Hoekstra
Hulshof
Istook
Johnson (IL)
Johnson, Sam
Kelly
King (IA)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Latham
Leach
Lewis (CA)
Lewis (KY)
Linder
Lucas (OK)
McCrary
McKeon
Miller (FL)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Nunes
Nussle
Osborne
Otter

## NOT VOTING—31

Bonner	Frelinghuysen	McInnis
Capps	Greenwood	Meeks (NY)
Carson (IN)	Hayes	Quinn
Collins	Houghton	Radanovich
Cramer	Isakson	Royalb-Allard
Deal (GA)	Jefferson	Ryun (KS)
Deutsch	Jenkins	Stenholt
Diaz-Balart, L.	Kaptur	Watson
Doggett	Kennedy (MN)	Young (FL)
Dooley (CA)	Majette	
Ford	McCarthy (MO)	

## ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are reminded that 2 minutes remain in this vote.

□ 2150

Mr. TAYLOR of North Carolina and Mr. GINGREY changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Ms. MCCARTHY of Missouri. Mr. Chairman, during rollcall vote No. 386, the Sanders Amendment, I was unavoidably detained. Had I been present, I would have voted "aye."

Mrs. CAPPS. Mr. Chairman, on rollcall vote No. 386, had I been present, I would have voted "aye."

## AMENDMENT NO. 6 OFFERED BY MR.

## NETHERCUTT

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 241, noes 166, not voting 26, as follows:

[Roll No. 387]

AYES—241

Aderholt	Boehner	Calvert
Akin	Bonilla	Camp
Alexander	Bono	Cannon
Bachus	Boozman	Cantor
Baker	Boswell	Capito
Ballenger	Boyd	Carson (OK)
Barrett (SC)	Bradley (NH)	Carter
Bartlett (MD)	Brady (TX)	Castle
Barton (TX)	Brown (SC)	Chabot
Bass	Brown-Waite,	Chandler
Beauprez	Ginny	Chocola
Bilirakis	Burgess	Coble
Bishop (UT)	Burns	Cole
Blackburn	Burr	Costello
Blunt	Burton (IN)	Cox
Boehlert	Buyer	Crane

Crenshaw  
Cubin  
Culberson  
Cunningham  
Davis (TN)  
Davis, Jo Ann  
Davis, Tom  
DeFazio  
DeLay  
DeMint  
Diaz-Balart, M.  
Doolittle  
Duncan  
Dunn  
Edwards  
Emerson  
English  
Everett  
Feeney  
Ferguson  
Flake  
Foley  
Forbes  
Fossella  
Franks (AZ)  
Frost  
Gallegly  
Garrett (NJ)  
Gerlach  
Gibbons  
Gilchrest  
Gillmor  
Gingrey  
Goode  
Goodlatte  
Granger  
Graves  
Green (TX)  
Green (WI)  
Gutknecht  
Hall  
Harris  
Hart  
Hastings (WA)  
Hayworth  
Hefley  
Hensarling  
Herger  
Herseth  
Hobson  
Hoekstra  
Holden  
Hooley (OR)  
Hostettler  
Hulshof  
Hunter  
Hyde  
Israel  
Issa  
Istook  
John  
Johnson (CT)  
Johnson (IL)  
Johnson, Sam  
Jones (NC)

Kanjorski  
Keller  
Kelly  
Kennedy (MN)  
King (IA)  
King (NY)  
Kingston  
Kline  
LaHood  
Langevin  
LaTourette  
Leach  
Lewis (CA)  
Lewis (KY)  
Linder  
LoBiondo  
Lucas (OK)  
Lynch  
Manzullo  
Marshall  
Matheson  
Matsui  
McCarthy (NY)  
McCotter  
McCrery  
McHugh  
McIntyre  
McKeon  
McNulty  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Moore  
Moran (KS)  
Murphy  
Murtha  
Musgrave  
Myrick  
Nethercutt  
Neugebauer  
Ney  
Northup  
Norwood  
Nunes  
Nussle  
Ortiz  
Osborne  
Ose  
Otter  
Oxley  
Pascarell  
Paul  
Pearce  
Pence  
Peterson (MN)  
Peterson (PA)  
Petri  
Pickering  
Pitts  
Platts  
Pombo  
Pomeroy  
Porter  
Portman

NOES—166

Abercrombie  
Ackerman  
Allen  
Andrews  
Baca  
Baird  
Baldwin  
Becerra  
Bell  
Bereuter  
Berkley  
Berman  
Berry  
Biggert  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Boucher  
Brady (PA)  
Brown (OH)  
Brown, Corrine  
Capps  
Capuano  
Cardin  
Cardoza  
Case  
Clay  
Clyburn  
Conyers  
Cooper  
Crowley  
Cummings

Davis (AL)  
Davis (CA)  
Davis (FL)  
Davis (IL)  
DeGette  
Delahunt  
DeLauro  
Dicks  
Dingell  
Doyle  
Dreier  
Ehlers  
Emanuel  
Engel  
Eshoo  
Etheridge  
Evans  
Farr  
Fattah  
Filner  
Ford  
Frank (MA)  
Gephardt  
Gonzalez  
Gordon  
Goss  
Grijalva  
Gutierrez  
Harman  
Hastings (FL)  
Hill  
Hinchey

Hinojosa  
Hoeffel  
Holt  
Honda  
Hoyer  
Inslee  
Jackson (IL)  
Jackson-Lee  
(TX)  
Johnson, E. B.  
Jones (OH)  
Kennedy (RI)  
Kildee  
Kilpatrick  
Kind  
Kirk  
Kleczka  
Knollenberg  
Kolbe  
Kucinich  
Lampson  
Lantos  
Larsen (WA)  
Larson (CT)  
Latham  
Lee  
Levin  
Lewis (GA)  
Lipinski  
Lofgren  
Lowey  
Lucas (KY)

Maloney  
Markey  
McCollum  
McDermott  
McGovern  
Meehan  
Meek (FL)  
Meeks (NY)  
Menendez  
Michaud  
Millender-  
McDonald  
Miller (NC)  
Miller, George  
Mollohan  
Moran (VA)  
Nadler  
Napolitano  
Neal (MA)  
Oberstar  
Obey  
Olver  
Owens  
Pallone  
Pastor

Payne  
Pelosi  
Price (NC)  
Rahall  
Rangel  
Rodriguez  
Rothman  
Ruppersberger  
Rush  
Ryan (OH)  
Sabo  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sanders  
Schakowsky  
Schiff  
Scott (GA)  
Scott (VA)  
Serrano  
Sherman  
Slaughter  
Smith (WA)  
Snyder  
Solis

NOT VOTING—26

Bonner  
Carson (IN)  
Collins  
Cramer  
Deal (GA)  
Deutsch  
Diaz-Balart, L.  
Doggett  
Dooley (CA)

Frelinghuysen  
Greenwood  
Hayes  
Houghton  
Isakson  
Jefferson  
Jenkins  
Kaptur  
Majette

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are reminded that 2 minutes remain in this vote.

□ 2158

Mr. CALVERT and Mr. ROSS changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Ms. McCARTHY of Missouri. Mr. Chairman, during rollcall vote No. 387, the Nethercutt Amendment, I was unavoidably detained. Had I been present, I would have voted “no.”

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 164, noes 243, not voting 26, as follows:

[Roll No. 388]

AYES—164

Abercrombie  
Ackerman  
Alexander  
Allen  
Baca  
Baldwin  
Becerra  
Bell  
Berkley  
Berman

Bishop (GA)  
Boswell  
Boucher  
Brady (PA)  
Brown (OH)  
Brown, Corrine  
Capps  
Capuano  
Cardoza  
Carson (OK)

Chandler  
Clay  
Clyburn  
Conyers  
Cooper  
Costello  
Crowley  
Cummings  
Davis (AL)  
Davis (CA)

Davis (FL)  
Davis (IL)  
Davis (TN)  
DeFazio  
DeGette  
Delahunt  
DeLauro  
Dicks  
Dingell  
Doyle  
Edwards  
Engel  
Etheridge  
Evans  
Fattah  
Filner  
Ford  
Frost  
Gephardt  
Gonzalez  
Green (TX)  
Grijalva  
Harman  
Hastings (FL)  
Herseth  
Hinchey  
Hinojosa  
Hoeffel  
Holt  
Honda  
Hooley (OR)  
Hostettler  
Hoyer  
Inslee  
Israel  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
Johnson, E. B.  
Jones (NC)  
Jones (OH)  
Kennedy (RI)  
Kildee  
Kilpatrick  
Kind

Kleczka  
Kucinich  
Lampson  
Langevin  
Lantos  
Larsen (WA)  
Larson (CT)  
Lee  
Levin  
Lofgren  
Lucas (KY)  
Lynch  
Maloney  
Markey  
Marshall  
Matheson  
Matsui  
McCarthy (NY)  
McCollum  
McDermott  
McGovern  
McIntyre  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Michaud  
Millender-  
McDonald  
Miller (NC)  
Miller, George  
Mollohan  
Moore  
Moran (VA)  
Nadler  
Napolitano  
Neal (MA)  
Oberstar  
Oliver  
Ortiz  
Owens  
Pallone  
Pascarell  
Pastor  
Payne  
Pelosi

Price (NC)  
Rahall  
Rangel  
Reyes  
Rodriguez  
Ross  
Rush  
Ryan (OH)  
Sánchez, Linda  
T.  
Sanders  
Schakowsky  
Schiff  
Scott (GA)  
Scott (VA)  
Sherman  
Slaughter  
Smith (WA)  
Snyder  
Solis  
Stark  
Strickland  
Tancredo  
Tanner  
Tauscher  
Taylor (MS)  
Thompson (MS)  
Tierney  
Towns  
Turner (TX)  
Udall (CO)  
Udall (NM)  
Van Hollen  
Velázquez  
Watson  
Watt  
Waxman  
Weiner  
Wexler  
Woolsey  
Wu  
Wynn

NOES—243

Aderholt  
Akin  
Andrews  
Bachus  
Baird  
Baker  
Ballenger  
Barrett (SC)  
Bartlett (MD)  
Barton (TX)  
Bass  
Beauprez  
Bereuter  
Berry  
Biggert  
Bilirakis  
Bishop (NY)  
Bishop (UT)  
Blackburn  
Blumenauer  
Blunt  
Boehlert  
Boehner  
Bonilla  
Bono  
Boozman  
Boyd  
Bradley (NH)  
Brady (TX)  
Brown (SC)  
Brown-Waite,  
Ginny  
Burgess  
Burns  
Burr  
Burton (IN)  
Buyer  
Calvert  
Camp  
Cannon  
Cantor  
Capito  
Cardin  
Carter  
Case  
Castle  
Chabot  
Choccola  
Coble  
Cole  
Cox

Crane  
Crenshaw  
Cubin  
Culberson  
Cunningham  
Davis, Jo Ann  
Davis, Tom  
DeLay  
DeMint  
Diaz-Balart, M.  
Doolittle  
Dreier  
Duncan  
Dunn  
Ehlers  
Emanuel  
Emerson  
English  
Eshoo  
Everett  
Farr  
Feeney  
Ferguson  
Flake  
Foley  
Forbes  
Fossella  
Frank (MA)  
Franks (AZ)  
Gallegly  
Garrett (NJ)  
Gerlach  
Gibbons  
Gilchrest  
Gillmor  
Gingrey  
Goode  
Goodlatte  
Gordon  
Goss  
Granger  
Graves  
Green (WI)  
Gutknecht  
Hall  
Harris  
Hart  
Hastings (WA)  
Hayworth  
Hefley  
Hensarling

Herger  
Hill  
Hobson  
Hoekstra  
Holden  
Hulshof  
Hunter  
Hyde  
Issa  
Istook  
John  
Johnson (CT)  
Johnson (IL)  
Johnson, Sam  
Kanjorski  
Keller  
Kelly  
Kennedy (MN)  
King (IA)  
King (NY)  
Kingston  
Kirk  
Kline  
Knollenberg  
Kolbe  
LaHood  
Latham  
LaTourette  
Leach  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Linder  
Lipinski  
LoBiondo  
Lowe  
Lucas (OK)  
Manzullo  
McCotter  
McCrery  
McHugh  
McKeon  
Menendez  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Moran (KS)  
Murphy  
Murtha  
Musgrave

Myrick	Renzi	Stupak	Burton (IN)	Hoyer	Pascrell	King (IA)	Obey	Skelton
Nethercutt	Reynolds	Sullivan	Capps	Inslee	Paul	King (NY)	Osborne	Smith (MI)
Neugebauer	Rogers (AL)	Sweeney	Capuano	Israel	Payne	Kingston	Oxley	Smith (TX)
Ney	Rogers (KY)	Tauzin	Cardin	Jackson (IL)	Pelosi	Kleczka	Pastor	Snyder
Northup	Rogers (MI)	Taylor (NC)	Cardoza	Jackson-Lee	Platts	Kline	Pearce	Spratt
Norwood	Rohrabacher	Terry	Carson (OK)	(TX)	Porter	Knollenberg	Pence	Sullivan
Nunes	Ros-Lehtinen	Thomas	Case	Jefferson	Ramstad	Kolbe	Peterson (MN)	Sweeney
Nussle	Rothman	Thompson (CA)	Chabot	John	Rangel	Kucinich	Peterson (PA)	Tauzin
Obey	Royce	Thornberry	Chandler	Johnson (IL)	Renzi	LaHood	Petri	Taylor (MS)
Osborne	Ruppersberger	Tiahrt	Clay	Jones (NC)	Reyes	Latham	Pickering	Taylor (NC)
Ose	Ryan (WI)	Tiberi	Coble	Jones (OH)	Rodriguez	LaTourette	Pitts	Thomas
Otter	Sabo	Toomey	Cooper	Keller	Rogers (AL)	Lewis (CA)	Pombo	Thompson (MS)
Oxley	Sanchez, Loretta	Turner (OH)	Costello	Kelly	Rohrabacher	Lewis (KY)	Pomeroy	Thornberry
Paul	Saxton	Upton	Crowley	Kennedy (RI)	Ros-Lehtinen	Lucas (KY)	Portman	Tiahrt
Pearce	Schrock	Visclosky	Cubin	Kirk	Ross	Lucas (OK)	Price (NC)	Tiberi
Pence	Sensenbrenner	Vitter	Cummings	Lampson	Rothman	McCrery	Pryce (OH)	Turner (OH)
Peterson (MN)	Serrano	Walden (OR)	Davis (AL)	Langevin	Rush	McHugh	Putnam	Turner (TX)
Peterson (PA)	Sessions	Walsh	Davis (CA)	Lantos	Royce	McKeon	Rahall	Upton
Petri	Shadegg	Walsh	Davis (FL)	Larsen (WA)	Ryan (OH)	Mica	Regula	Visclosky
Pickering	Shaw	Wamp	Davis (IL)	Larson (CT)	Ryan (WI)	Miller (FL)	Rehberg	Walsh
Pitts	Shays	Waters	Davis (TN)	Leach	Sabo	Miller (MI)	Reynolds	Watt
Platts	Sherwood	Weldon (FL)	Davis, Jo Ann	Lee	Sánchez, Linda	Miller, Gary	Rogers (KY)	Weldon (FL)
Pombo	Shimkus	Weldon (PA)	DeFazio	Levin	T.	Mollohan	Rogers (MI)	Weldon (PA)
Pomeroy	Shuster	Weller	DeGette	Lewis (GA)	Sanchez, Loretta	Moran (KS)	Ruppersberger	Weller
Porter	Simmons	Whitfield	Delahunt	Linder	Sanders	Moran (VA)	Sandin	Whitfield
Portman	Simpson	Wicker	DeLauro	Lipinski	Schakowsky	Murphy	Saxton	Wicker
Pryce (OH)	Smith (MI)	Wilson (NM)	Dicks	LoBiondo	Schiff	Murtha	Schrock	Wilson (NM)
Putnam	Smith (NJ)	Wilson (SC)	Duncan	Lofgren	Scott (GA)	Myrick	Sessions	Wilson (SC)
Ramstad	Smith (TX)	Wolf	Edwards	Lowe	Scott (VA)	Nethercutt	Shadegg	Wolf
Regula	Souder	Young (AK)	Emanuel	Lynch	Sensenbrenner	Ney	Shays	Woolsey
Rehberg	Stearns		Emerson	Maloney	Serrano	Northup	Sherwood	Young (AK)
			Engel	Manzullo	Shaw	Nunes	Shimkus	
			Eshoo	Markey	Sherman	Nussle	Simpson	
			Evans	Marshall	Shuster			
			Everett	Matheson	Simmons			
			Gutierrez	Farr	Slaughter			
			Quinn	Matsui	Smith (NJ)			
			Radanovich	McCarthy (NY)	Smith (WA)			
			Roybal-Allard	McCollum	Solis			
			Rybn (KS)	McCotter	Souder			
			Stenholm	McDermott	Stark			
			Young (FL)	McGovern	Stearns			
				McIntyre	Strickland			
				McNulty	Stupak			
				Meehan	Tancredo			
				Meeke (FL)	Tanner			
				Meeks (NY)	Tauscher			
				Menendez	Terry			
				Michaud	Thompson (CA)			
				Millender-	Tierney			
				McDonald	Toomey			
				Miller (NC)	Towns			
				Miller, George	Udall (CO)			
				Moore	Udall (NM)			
				Musgrave	Van Hollen			
				Nadler	Velázquez			
				Napolitano	Walden (OR)			
				Neal (MA)	Wamp			
				Neugebauer	Waters			
				Norwood	Watson			
				Oberstar	Waxman			
				Olver	Weiner			
				Ortiz	Wexler			
				Ose	Wu			
				Otter	Wynn			
				Owens				
				Pallone				

## NOT VOTING—26

Bonner	Frelinghuysen	McCarthy (MO)
Carson (IN)	Greenwood	McInnis
Collins	Gutierrez	Quinn
Cramer	Hayes	Radanovich
Deal (GA)	Houghton	Roybal-Allard
Deutsch	Isakson	Ryun (KS)
Diaz-Balart, L.	Jenkins	Stenholm
Doggett	Kaptur	Young (FL)
Dooley (CA)	Majette	

## ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members have 2 minutes remaining in this vote.

□ 2204

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. MCCARTHY of Missouri. Mr. Chairman, during rollcall vote No. 388, the Jackson-Lee amendment, I was unavoidably detained. Had I been present, I would have voted "aye."

## AMENDMENT OFFERED BY MR. WEINER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. WEINER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 217, noes 191, not voting 25, as follows:

[Roll No. 389]

AYES—217

Abercrombie	Bartlett (MD)	Bishop (NY)
Ackerman	Becerra	Blumenauer
Alexander	Bell	Boswell
Andrews	Berkley	Boyd
Baca	Berman	Brown (OH)
Baird	Berry	Brown, Corrine
Baker	Bilirakis	Brown-Waite,
Barrett (SC)	Bishop (GA)	Ginny

Cantor	Gerlach
Capito	Gibbons
Carter	Gilchrest
Castle	Gillmor
Chocola	Gingrey
Clyburn	Goss
Cole	Granger
Conyers	Green (WI)
Cox	Gutknecht
Crane	Hall
Crenshaw	Harris
Culberson	Hart
Cunningham	Hastings (WA)
Davis, Tom	Hefley
DeLay	Hensarling
DeMint	Herger
Diaz-Balart, M.	Hobson
Dingell	Hoekstra
Doolittle	Hulshof
Doyle	Hunter
Dreier	Hyde
Dunn	Issa
Ehlers	Istook
English	Johnson (CT)
Etheridge	Johnson, E. B.
Fattah	Johnson, Sam
Burns	Kanjorski
Burr	Kennedy (MN)
Buyer	Foley
Calvert	Fossella
Camp	Frost
Cannon	Gallegly

## NOES—191

Aderholt	Cantor	Gerlach
Akin	Capito	Gibbons
Allen	Carter	Gilchrest
Bachus	Castle	Gillmor
Baldwin	Chocola	Gingrey
Ballenger	Clyburn	Goss
Barton (TX)	Cole	Granger
Bass	Conyers	Green (WI)
Beauprez	Cox	Gutknecht
Bereuter	Crane	Hall
Biggart	Crenshaw	Harris
Bishop (UT)	Culberson	Hart
Blackburn	Cunningham	Hastings (WA)
Blunt	Davis, Tom	Hefley
Boehert	DeLay	Hensarling
Boehner	DeMint	Herger
Bonilla	Diaz-Balart, M.	Hobson
Bono	Dingell	Hoekstra
Boozman	Doolittle	Hulshof
Boucher	Doyle	Hunter
Bradley (NH)	Dreier	Hyde
Brady (PA)	Dunn	Issa
Brady (TX)	Ehlers	Istook
Brown (SC)	English	Johnson (CT)
Burgess	Etheridge	Johnson, E. B.
Burns	Fattah	Johnson, Sam
Burr	Burns	Kanjorski
Buyer	Burr	Kennedy (MN)
Calvert	Buyer	Foley
Camp	Calvert	Fossella
Cannon	Camp	Frost
	Cannon	Gallegly

## NOT VOTING—25

Bonner	Frelinghuysen	McInnis
Carson (IN)	Greenwood	Quinn
Collins	Hayes	Radanovich
Cramer	Houghton	Roybal-Allard
Deal (GA)	Isakson	Ryun (KS)
Deutsch	Jenkins	Stenholm
Diaz-Balart, L.	Kaptur	Young (FL)
Doggett	Majette	
Dooley (CA)	McCarthy (MO)	

## ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised 2 minutes remain in this vote.

□ 2218

Mr. SWEENEY and Mr. LEWIS of Kentucky changed their vote from "aye" to "no."

Messrs. PASCARELL, BLUMENAUER, BOYD and UDALL of Colorado, Ms. WATERS and Mrs. CAPPS changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Ms. MCCARTHY of Missouri. Mr. Chairman, during rollcall vote No. 389, the Weiner Amendment, I was unavoidably detained. Had I been present, I would have voted "aye."

The CHAIRMAN. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. TERRY) having assumed the chair, Mr. THORNBERRY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4818) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2005, and for other purposes, pursuant to House Resolution 715, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 365, nays 41, not voting 27, as follows:

[Roll No. 390]

YEAS—365

Abercrombie	Crowley	Honda
Ackerman	Culberson	Hooley (OR)
Aderholt	Cummings	Hoyer
Alexander	Cunningham	Hunter
Allen	Davis (AL)	Hyde
Andrews	Davis (CA)	Inslee
Baca	Davis (FL)	Israel
Bachus	Davis (IL)	Issa
Baird	Davis (TN)	Istook
Baker	Davis, Tom	Jackson (IL)
Baldwin	DeGette	Jackson-Lee
Ballenger	DeLahunt	(TX)
Barrett (SC)	DeLauro	Jefferson
Barton (TX)	DeLay	John
Bass	DeMint	Johnson (CT)
Beauprez	Diaz-Balart, M.	Johnson (IL)
Becerra	Dicks	Johnson, E. B.
Bell	Dingell	Johnson, Sam
Bereuter	Doolittle	Jones (OH)
Berkley	Doyle	Kanjorski
Berman	Dreier	Kelly
Biggart	Dunn	Kennedy (MN)
Bilirakis	Edwards	Kennedy (RI)
Bishop (GA)	Ehlers	Kildee
Bishop (NY)	Emanuel	Kilpatrick
Bishop (UT)	Emerson	Kind
Blackburn	Engel	King (IA)
Blumenauer	English	King (NY)
Blunt	Eshoo	Kingston
Boehlert	Etheridge	Kirk
Boehner	Evans	Kleczka
Bonilla	Everett	Kline
Bono	Farr	Knollenberg
Boozman	Fattah	Kolbe
Boswell	Ferguson	LaHood
Boucher	Filner	Lampson
Boyd	Foley	Langevin
Bradley (NH)	Forbes	Lantos
Brady (PA)	Ford	Larsen (WA)
Brady (TX)	Fossella	Larson (CT)
Brown (OH)	Frank (MA)	Latham
Brown (SC)	Frost	LaTourette
Brown, Corrine	Galleghy	Leach
Burgess	Garrett (NJ)	Lee
Burns	Gephardt	Levin
Burr	Gerlach	Lewis (CA)
Burton (IN)	Gilchrest	Lewis (GA)
Buyer	Gillmor	Lewis (KY)
Calvert	Gingrey	Linder
Camp	Gonzalez	Lipinski
Cannon	Gordon	LoBiondo
Cantor	Goss	Lofgren
Capito	Granger	Lowe
Capps	Green (TX)	Lucas (KY)
Capuano	Green (WI)	Lynch
Cardin	Grijalva	Maloney
Cardoza	Gutierrez	Manzullo
Carson (OK)	Hall	Markey
Carter	Harman	Marshall
Case	Harris	Matheson
Castle	Hart	Matsui
Chabot	Hastings (FL)	McCarthy (NY)
Chandler	Hastings (WA)	McCollum
Chocoma	Hayworth	McCotter
Clay	Hensarling	McCree
Clyburn	Herseth	McDermott
Coble	Hill	McGovern
Cole	Hinchey	McHugh
Conyers	Hinojosa	McIntyre
Cooper	Hobson	McKeon
Costello	Hoeffel	McNulty
Cox	Hoekstra	Meehan
Crane	Holden	Meek (FL)
Crenshaw	Holt	Meeks (NY)

Menendez	Pryce (OH)	Solis
Mica	Putnam	Souder
Michaud	Ramstad	Spratt
Millender-	Rangel	Stark
McDonald	Regula	Strickland
Miller (MI)	Rehberg	Sullivan
Miller (NC)	Renzi	Sweeney
Miller, Gary	Reyes	Tauscher
Mollohan	Reynolds	Tauzin
Moore	Rodriguez	Taylor (NC)
Moran (VA)	Rogers (AL)	Terry
Murphy	Rogers (KY)	Thomas
Murtha	Rogers (MI)	Thompson (CA)
Musgrave	Ros-Lehtinen	Thompson (MS)
Myrick	Ross	Thornberry
Nadler	Rothman	Tiahrt
Napolitano	Ruppersberger	Tiberi
Neal (MA)	Rush	Tierney
Nethercutt	Ryan (OH)	Towns
Neugebauer	Ryan (WI)	Turner (OH)
Ney	Sabo	Turner (TX)
Northup	Sánchez, Linda	Udall (CO)
Nunes	T.	Udall (NM)
Nussle	Sanchez, Loretta	Upton
Oberstar	Sanders	Van Hollen
Obey	Sandlin	Velázquez
Oliver	Saxton	Visclosky
Ortiz	Schakowsky	Vitter
Osborne	Schiff	Walden (OR)
Ose	Schrock	Walsh
Owens	Scott (GA)	Wamp
Oxley	Scott (VA)	Waters
Pallone	Serrano	Watson
Pascarell	Sessions	Watt
Pastor	Shadegg	Waxman
Payne	Shaw	Weiner
Pearce	Shays	Weldon (FL)
Pelosi	Sherman	Weldon (PA)
Pence	Sherwood	Weller
Peterson (MN)	Shimkus	Wexler
Peterson (PA)	Shuster	Wicker
Petri	Simmons	Wilson (NM)
Pickering	Simpson	Wilson (SC)
Pitts	Skelton	Wolf
Platts	Slaughter	Woolsey
Pomeroy	Smith (NJ)	Wu
Porter	Smith (TX)	Wynn
Portman	Smith (WA)	Young (AK)
Price (NC)	Snyder	

NAYS—41

Akin	Graves	Paul
Bartlett (MD)	Gutknecht	Pombo
Berry	Hefley	Rahall
Brown-Waite,	Herger	Rohrabacher
Ginny	Hostettler	Royce
Cubin	Hulshof	Sensenbrenner
Davis, Jo Ann	Jones (NC)	Smith (MI)
DeFazio	Keller	Stearns
Duncan	Kucinich	Stupak
Flake	Lucas (OK)	Tancredo
Franks (AZ)	Miller (FL)	Tanner
Gibbons	Moran (KS)	Taylor (MS)
Goode	Norwood	Toomey
Goodlatte	Otter	Whitfield

NOT VOTING—27

Bonner	Feeny	McCarthy (MO)
Carson (IN)	Frelinghuysen	McInnis
Collins	Greenwood	Miller, George
Cramer	Hayes	Quinn
Deal (GA)	Houghton	Radanovich
Deutsch	Isakson	Roybal-Allard
Diaz-Balart, L.	Jenkins	Ryun (KS)
Doggett	Kaptur	Stenholm
Dooley (CA)	Majette	Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
The SPEAKER pro tempore (Mr. TERRY) (during the vote). Members are advised 2 minutes remain in this vote.

□ 2236

Mr. GRAVES changed his vote from “yea” to “nay.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. MCCARTHY of Missouri. Mr. Speaker, during rollcall vote No. 390, the Foreign Operations Appropriations, H.R. 4818, Final Passage, I was unavoidably detained. Had I been present, I would have voted “yea.”

REQUESTING THE SENATE TO RETURN TO THE HOUSE OF REPRESENTATIVES H.R. 4766

Mr. BONILLA. Mr. Speaker, I offer a privileged resolution (H. Res. 719) requesting the Senate to return to the House of Representatives the bill H.R. 4766, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 719

*Resolved*, That the Senate is requested to return to the House of Representatives the bill (H.R. 4766) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2005, and for other purposes.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AGREEING TO REQUEST OF SENATE TO RETURN H.R. 1303

The SPEAKER pro tempore. Without objection, the request of the Senate to return the bill (H.R. 1303) to amend the E-Government Act of 2002 with respect to rulemaking authority of the judicial conference is agreed to.

There was no objection.

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, I yield to my friend, the gentleman from Texas (Mr. DELAY), the majority leader, for the purposes of informing us of next week’s schedule.

Mr. DELAY. Mr. Speaker, I thank the distinguished whip, the gentleman from Maryland (Mr. HOYER), for yielding to me.

Mr. Speaker, the House will convene on Monday at 12:30 p.m. for morning hour and 2 p.m. for legislative business. We will consider several measures under suspension of the rules. A final list of these measures will be sent to Members’ offices by the end of the week. Any votes on these measures will be rolled until after 6:30 p.m.

On Tuesday and the balance of the week, we expect to consider additional legislation under suspension of the rules. We also plan to consider several bills under a rule: the fiscal year 2005 District of Columbia appropriations bill; H.R. 4837, the fiscal year 2005 Military Construction appropriations bill; H.R. 4842, the U.S.-Morocco Free Trade Agreement; H.R. 3574, the Stock Option Accounting Reform Act; and H.R. 3313, the Marriage Protection Act.

Finally, I would like to note that we are expecting a very busy week heading into the August recess. Members should expect to work some late nights and possibly into Friday evening as we resolve these important pieces of legislation.

I thank the gentleman for yielding, and will be happy to answer any questions he may have.