Largent
Latham
LaTourette
Lazio
Leach
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Molinari
Moran (KS)
Morella
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (PA)
Petri
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Redmond
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stump
Sununu
Talent
Tauzin
Taylor (NC)
Thomas
Thornberry
Tiahrt
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NAYS—200

Abercrombie
Ackerman
Allen
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson
Clay
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Fattah
Fazio
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gonzalez
Goode
Gordon
Green
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hinchey
Hinojosa
Holden
Hooley
Hoyer
Jackson (IL)
Jackson-Lee (TX)
John
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McIntyre
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pickett
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Sherman
Sisisky
Skaggs
Skelton
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson
Thune
Thurman
Tierney
Torres
Towns
Traficant
Turner
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn

NOT VOTING—13

Andrews
Clayton
Dunn
Farr
Hefner
Hilliard
Jefferson
Lantos
Lewis (CA)
McDade
Pickering
Schiff
Yates

☐ 1437

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 1469, 1997 EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR RECOVERY FROM NATURAL DISASTERS, AND FOR OVERSEAS PEACEKEEPING EFFORTS, INCLUDING THOSE IN BOSNIA

Mr. LIVINGSTON. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight, June 4, 1997, to file a conference report on the bill (H.R. 1469) making emergency supplemental appropriations for recovery from natural disasters, and for overseas peacekeeping efforts, including those in Bosnia, for the fiscal year ending September 30, 1997, and for other purposes.

Mr. Speaker, I would say that this has been cleared by the minority.

The SPEAKER pro tempore (Mr. GOODLATTE). Is there objection to the request of the gentleman from Louisiana?

Mr. OBEY. Mr. Speaker, reserving the right to object, I would simply say that the gentleman is correct. This motion is supported on this side of the aisle as well.

I would simply ask the gentleman if he could tell us when it is the intention of the majority side of the aisle to take this bill up on the floor?

Mr. LIVINGSTON. If the gentleman will yield, I appreciate the gentleman giving me the opportunity to point out that within the next few minutes, we hope to wrap up the conference report and have it available for presentation to the Committee on Rules and to the House tomorrow afternoon. It would be my intention to bring it up so the House could pass it, and hopefully the Senate will do likewise tomorrow so that we could send it to the President tomorrow evening.

Mr. OBEY. Mr. Speaker, further reserving the right to object, let me simply say that I would have no objection to this procedure on this side of the aisle, although what I would greatly prefer is for us to strip out the irrelevant riders which are going to cause the President to veto this bill. I think it would be a much faster approach and the relief would be gotten to the portions of the country who need it if we were immediately to strip those riders out that we know the President will veto the bill over. This way we are simply going to be back next week doing what we should have done straight and clean this week. But if that is the best we can do, it is the best that can be done.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 1998 AND 1999

The SPEAKER pro tempore. Pursuant to House Resolution 159 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 1757.

☐ 1440

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1757) to consolidate international affairs agencies, to authorize appropriations for the Department of State and related agencies for fiscal years 1998 and 1999, and for other purposes, with Mr. HANSEN in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from New York [Mr. GILMAN] and the gentleman from Indiana [Mr. HAMILTON] each will control 30 minutes.

The Chair recognizes the gentleman from New York [Mr. GILMAN].

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

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

Mr. GILMAN. Mr. Chairman, I rise in support of H.R. 1757, the Foreign Relations Authorization Act for fiscal years 1998 and 1999. The bill before the House today includes a basic reauthorization of the operations of the Department of State and related agencies and the consolidation of some of those foreign affairs agencies.

This bill is the product of significant oversight and a bipartisan effort. By way of this bill, support is provided for our Government's activities abroad, to include U.S. embassies, American citizen services, passport and visa issuance, and international broadcasting programs such as Radio Free Asia and broadcasting to Cuba. In addition, it funds United States-Mexico and United States-Canada commissions that are tasked with matters dealing with fisheries, with sewage disposal, and other border issues.

We included most of the administration's legislative requests. However, in

adherence to concerns of the Committee on Ways and Means and the Committee on the Budget, a few of those provisions have been deleted from this bill.

The bill authorizes $6.1 billion for fiscal year 1998 and fiscal year 1999, and is $200 million below the President's request. Funding for a strong U.S. presence abroad is in our vital national interest and provides the platform for a myriad of U.S. overseas interests. Specifically, we need to have a robust diplomatic presence abroad to help us develop markets, to help us maintain stability, to protect our friends in the still dangerous world, and to put into effect the humanitarian instincts of our American people.

Mr. Chairman, this bill incorporates the President's decision to consolidate the U.S. Information Agency and the Arms Control and Disarmament Agency into the State Department. In the 104th Congress our Overseas Interests Act included such a consolidation plan, but it was vetoed by the President. Now the President is supporting consolidation. This bill locks in that agreement. This consolidation is the first step to reforming the international affairs apparatus to meet the changed post-cold-war world.

Accordingly, Mr. Chairman, I urge my colleagues to support this measure to ensure efficiencies and more effectiveness of our foreign affairs agencies.

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

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

Mr. Chairman, the State Department authorization bill before us is generally satisfactory on overall funding levels. It authorizes $6.115 billion for fiscal year 1998, and that is very close to the administration's request.

□ 1445

That is the most positive statement I can make about this bill. From my standpoint, and more importantly, of course, from the standpoint of the administration, there are very serious problems with the bill. These problems are at least three. One is micromanagement, two is some bad policy provisions, and three are some earmarks. But above all it seems to me the chief problem with the bill is its language on reorganization.

Mr. Chairman, the Committee on Rules decided to make in order as part of the text of the bill the reorganization amendment of the gentleman from New York [Mr. GILMAN]. In terms of substance, I have already been critical of that in terms of process in the rules debate, but in terms of substance the Gilman provision on reorganization I think is exactly the wrong approach. What the Gilman provision does is to mandate that the administration must submit a reorganization plan by mid-August and then in large measure dictates what must be in that plan. That provision micromanages how reorganization must occur, mandating the job requirements, for example, of an Under Secretary and 6 of the 20 Assistant Secretaries. That provision spells out a specific list of personnel who will be transferred or separated.

Mr. Chairman, I think the administration has made clear that it opposes the Gilman provision of reorganization because it intrudes on the ability of the Executive to organize itself and to carry out the President's responsibility to conduct American foreign policy.

I quote from the administration's view: ''The administration strongly opposes a Gilman-sponsored amendment that would mandate many of the details on how to implement such a complex reorganization, thereby prejudging how the foreign affairs agencies are to be restructured.''

That Gilman amendment, of course, is now part of the bill text, and the administration has also made clear that this amendment alone, if included in the bill, would lead the President's senior advisers to recommend a veto of the bill.

Thus, I intend to offer an amendment to correct the problems that I see in the provision that the gentleman from New York [Mr. GILMAN] has on reorganization. My amendment takes a different approach. It respects, I believe, and preserves the prerogatives of both the President and the Congress. It mandates that the President submit a reorganization plan to Congress within 120 days, gives the Congress 120 days to evaluate that plan, to suggest changes, and then vote against it under expedited procedures, if in fact the Congress opposes the plan. The approach of the amendment I intend to offer is to let the Executive take the lead in organizing its own affairs.

Mr. Chairman, in my view Congress should be reluctant to tell the Executive how to arrange the furniture and the flow charts. We should let the Executive organize itself. We are an equal partner in Government, but our responsibility is to hold the President to standards and evaluate results, not dictate organization, at least in most instances.

The administration supports my amendment; I think it opposes the underlying text of the Gilman provisions. And I want to emphasize that if the Gilman provisions on reorganization remain in the bill, I will oppose the bill, and I think the President's advisers will recommend a veto.

One of the second concerns relates to a similar problem, and that is the example of micromanagement in the bill quite apart from the reorganization amendment. It mandates a new Ambassador for counter terrorism, calls for the appointment of a special envoy to Tibet, a step that could significantly complicate management of the vitally important United States-China relationship. It creates a new Assistant Secretary for Human Resources. I think that will complicate personnel management. It mandates a specific set of qualifications for Assistant Secretary for diplomatic security. It restructures the Population, Refugees and Migration Bureau and sets a ceiling on the number of foreign service officers at the State Department, USIA and AID. The administration opposes all of these provisions because they seriously intrude on the executive branch's ability to administer its programs.

I am also concerned about several of the policies mandated in the bill. I do believe that these can probably be worked out in conference, but I want to identify them at least. One relates to Jerusalem, and I know it is a very popular provision. The bill authorizes $100 million from the State's building account to move the United States Embassy to Jerusalem and requires that all United States publications identify Jerusalem as Israel's capital.

Contrary to the position taken by American Presidents for several decades, this provision prejudices the United States position on the final status of Jerusalem, a status that can be resolved, of course, only through very difficult negotiations by the parties.

This provision is unacceptable to the administration, as it is to me. It has the potential to do very serious damage to the Middle East process, which I am sure none of us want to do.

The provision also takes money away from other building projects to fund a project that the administration does not request.

A second policy provision relates to Cuba. The bill calls for 3 new reports on Cuba, including one on title IV of the Helms-Burton Act. The purpose of these provisions overall I think is to tighten the noose on Cuba. The administration is now trying to resolve very tough problems with our allies that have resulted because of the package of Helms-Burton. The Cuba provisions in this bill I think move us in the wrong direction. They will only further irritate relations with our closest friends and trading partners at a very delicate time.

Finally, let me indicate that though the funding levels are generally satisfactory, there are still problems in earmarks. The migration and refugee assistance account was funded at $53 million above the administration's request. That comes at the expense of foreign assistance funding. We may overfund one category today, but important foreign assistance programs will pay the price in another bill later. The money all comes out of the same pot eventually, the international affairs or 150 account.

I also am uneasy with a number of earmarks in the voluntary international organizations account. Of $200 million requested, $18 million is earmarked, $14 million of it for programs the administration did not request.

The micromanagement, the policy provisions and the earmarks of the bill I think are problems, major problems, but I think they can probably be

worked out in conference committee. I do want to emphasize, however, that the reorganization provisions in this bill are a poison pill. They are certainly veto bait for the President, and on the basis of that provision alone, if it is included in the bill, I will vote against the bill.

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

Mr. GILMAN. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey [Mr. SMITH], the chairman of the Subcommittee on International Operations and Human Rights who has done a remarkable job and a great deal of work in bringing this measure to the floor at this time.

Mr. SMITH of New Jersey. Mr. Chairman, I thank my good friend, the gentleman from New York [Mr. GILMAN], for yielding this time to me.

Mr. Chairman, I am pleased to recommend passage of H.R. 1757, and I hope that the House will adopt an important amendment that I will offer later on during consideration of this bill dealing with the pro life issue. I am also pleased to note that Division B of the bill was H.R. 1253, the Foreign Relations Authorization Act for fiscal years 1998 and 1999, which I introduced earlier this year and which was marked up by our Subcommittee on International Operations and Human Rights. The plan to couple this bill with the foreign aid bill was aimed at expediting consideration of both bills over on the Senate side. Now that they are decoupled again, the Foreign Relations Authorization Act is proceeding separately, with another bill being attached to it which we will consider very shortly.

Although I know many of my Democratic colleagues are unhappy with the procedural steps that have led to the consideration of this bill, and I share some of their frustration, believe me, I do believe that the substance of Division B is a solid, thoughtful product, and the result of bipartisan cooperation.

In it, we fund most of our programs at or near the administration's request, but in some cases we shift some priorities in an effort to ensure that American foreign policy reflects American values. On a few items of compelling importance, such as refugee protection, the World Food Program, assistance to torture victims, and combating international child labor, the bill provides modest increases over and above the administration request.

I fully support the language encouraging the United States Government to press the Turkish Government to permit true freedom of religion. Of premier concern is the continued closure of the Halki Theological School, which is a clear violation of international treaties to which Turkey has been a signatory, including but not limited to the Helsinki Final Act, the Treaty of Lausanne, the 1968 Protocol, and the Charter of Paris. The Turkish Government should allow the Theological School, which was closed by that government more than 25 years ago, to reopen and have unhindered training for the Orthodox Christian leadership. Full religious liberty does not exist when a religious group is not allowed to develop or openly train its leadership. We cannot stand by and simply observe this policy of gradual strangulation by the Turkish Government, but must make every effort to encourage Ankara to recognize the right of the Ecumenical Patriarchate to train its own leaders, consistent with Turkey's international commitments. In addition, the Turkish Government should work to ensure the security of the Ecumenical Patriarchate and the property belonging to the Patriarchate.

PROPERTY RESTITUTION (SEC. 1716)

Mr. Speaker, the committee adopted the language pertaining to the issue of wrongly confiscated foreign properties, which I had offered as an amendment. This language stemmed from a hearing the Commission on Security and Cooperation in Europe—which I chaired in the 104th Congress—convened last July. At that hearing, Under Secretary of Commerce Stuart Eizenstat and Chairwoman of the Foreign Claims Settlement Commission Delissa Ridgway outlined the maze of programs and procedures which govern property claims in Central and Eastern Europe today. Section 1716 acknowledges the especially compelling plight of Holocaust survivors in Central and Eastern Europe, who were often denied compensation for their suffering at the end of the war. We call on governments in this region to stop discriminating in their restitution or compensation laws on the basis of citizenship or residency—provisions that, in one particularly egregious case—the Czech Republic—appear designed to exclude Americans from this process.

DEPLOYMENT OF DEMOCRACY IN THE REPUBLIC OF SERBIA (SEC. 1714)

Section 1714 makes two critical points regarding democratization in Serbia. First, the language notes that even ethnic Serbs are denied basic human rights by the Milosevic regime, even though he claims to speak in their name. This fact was emphasized at a Helsinki Commission hearing last December, where representatives of opposition political parties, the alternative workers movement and the independent media in Serbia presented testimony regarding the regime's attempt to deny the will of the people as expressed at the ballot box. A meeting the Helsinki Commission had with Serbian student protesters in January confirmed that the people in the streets at that time did not just want election results recognized; they wanted the promise of a democratic future. Mr. Speaker, they deserve our support for that. The second point made in this section is that, while the United States decided—rightly or wrongly—to end Milosevic's isolation and deal with him directly in Dayton to end the Bosnian conflict, we recognize that genuine peace and true regional stability rests not in making a deal with a dictator, but in the establishment of a democratic society. The Helsinki Commission first raised this point at the conclusion of a fact-finding mission to Serbia and Montenegro organized 1 year ago.

Section 1714 supports the development of democratic institutions and civil society in Serbia, especially in regard to free media and the rule of law. We would also link normalization of United States relations with Belgrade to free and fair elections, the recognition of those results, and the toleration of democratic development. There are other critical issues linked to normalization, like cooperation with the International Tribunal for war crimes in the Hague and progress in Kosovo, and the language appropriately alludes to this fact.

I know my good friend from Indiana noted that these additions were not asked for, but I remind Members that it was a bipartisan bill that asked for more money to combat the scourge of child labor. This bill gives $10 million each year to the International Program on the Elimination of Child Labor of the International Labor Organization to try to combat this terrible exploitation of children for their labor.

Like the subcommittee that produced it, the Foreign Relations Authorization Act is not only about international operations, but also about human rights. Every structural and fiscal decision has been taken with an eye toward preserving core humanitarian programs, saving lives and promoting the just interests of the American people.

While providing adequate funding for foreign relations programs, the bill also attempts to improve efficiency, transparency, and accountability in these programs. It reforms the State Department retirement and personnel programs to prevent double dipping and restores the power of the Secretary of State to terminate the employment of convicted felons, a power that had been inexplicably curtailed by an administrative grievance board.

H.R. 1757 also requires the State Department to report to the Congress on its efforts to get the government of Vietnam to cooperate on unresolved POW–MIA issues and on the deplorable human rights situation in that country, which includes the imprisonment not only of political dissidents but also of Buddhists, Catholic priests, and Protestant ministers. The Department would also be required to report on the progress of efforts to resolve claims by United States firms against the government of Saudi Arabia, claims that should have been resolved a long, long time ago, and it would put an end to the outrageous practice of requiring United States citizens to pay for a 900 number when they want to know why the Department is late in processing their passports.

I want to say a word or two about the provisions to streamline and reform our foreign policy agencies. Mr. Chairman, this bill reduces the number of agencies by two. Just as important, it does so in a way that would not only increase efficiency and reduce costs but, importantly, will preserve the vital functions of these agencies.

In particular, the provisions of the bill were designed to preserve the independence of our international freedom broadcasting services and other functions of public diplomacy that are performed by the U.S. Information Agency. We do not simply turn Radio Free Asia and Radio Marti over to the State Department so the country desks can do whatever they want on a short-term basis to promote what they think is

important. By preserving the independence of these institutions within a new and distinct division of the State Department, we ensure that they will continue to reflect long-term American interests and values by supporting freedom and democracy around the world.

Finally, Mr. Chairman, let me say a word or two about the pro life amendment that I will offer at the appropriate time during consideration of this bill. This amendment will clarify and will clearly define U.S. policy with respect to abortion around the world, particularly with respect to forced abortion.

First, it will enact a positive law—the Mexico City policy—which prohibits United States population assistance funds from going to foreign organizations that perform or actively promote abortion as a method of family planning overseas.

Second, it will prohibit contributions to UNFPA, UN Population Fund, unless it ceases its support for the coercive population control program in the People's Republic of China. Again, Mr. Chairman, this is an amendment that will ensure that the U.S. foreign policy really does reflect American values.

Mr. Chairman, we need to support human rights across the board, including the rights of unborn children and of women who are brutalized by forced abortion. We can make a strong statement here that American foreign policy must reflect those values.

Mr. HAMILTON. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Connecticut [Mr. GEJDENSON].

Mr. GEJDENSON. Mr. Chairman, I would like to take one moment to simply object to the process, and I know that it is hard for people to think the process is important. We have a legislative process here that has been completely abdicated and given to the Committee on Rules in a process that the Politburo would have envied.

There was an effort to put together a piece of legislation that in a bipartisan manner would reflect the sentiments often spoken of in this Chamber that foreign policy debate is something we try to do in a bipartisan manner, that politics stops at our borders, but apparently that is not the case under this Committee on Rules and under this majority Republican Congress.

□ 1500

What we have is a complete rupture of the legislative process without hearings, without debate. All the many days of work of the committee was abdicated when word came down from the Committee on Rules that they were going to decide how this is made up.

The next step, which is probably even worse, is what they try to do. What they try to do in this process is change the way the President of the United States and the State Department and USAID and other organizations work out their responsibilities. They try to do it in a manner that dictates the terms in which AID and others will relate to one another. Now I think if there has been a program that has been helpful to our foreign policy interests and to our economic interests, it is USAID.

The countries that were previously our largest recipients of grain and other assistance are today the largest purchasers of American agricultural products, helping our balance of trade.

I think that what we ought to do is what the Hamilton proposal does, and that is to give the President the ability to make efficiencies occur that he, the Executive, sees are necessary, but not simply to try to constrain him into a process that may have nothing to do with the reality of how this White House, State Department, AID work together.

What we have here is an opportunity for people on both sides of the aisle to join together to reject the process that we have been forced into here today, and to reject the substance as well. There will be other amendments that are even more damaging that we will debate later, but even without those it is clear that the best course of action for this House, from a substantive point of view and from a procedural point of view, is to reject this legislation and force the Committee on Rules to bring to the floor the assistance legislation and State Department legislation that the committee passed.

Mr. GILMAN. Mr. Chairman, I yield 3 minutes to the gentlewoman from Florida [Ms. ROS-LEHTINEN], a member of the Subcommittee on International Economic Policy and Trade.

Ms. ROS-LEHTINEN. Mr. Chairman, I rise in strong support of the bill introduced by the gentleman from New York [Mr. GILMAN], our distinguished colleague and the chairman of the Committee on International Relations, and everyone's friend.

The impact and ramifications of this bill, Mr. Chairman, are wide-ranging. However, I would like to focus on a particular provision which would guarantee that the integrity and purpose of U.S. foreign policy and related laws passed by our legislative body are not being compromised.

The measure I am referring to is one which establishes reporting requirements on the implementation of title IV of the Helms-Burton law.

As the evidence clearly demonstrates, the Castro dictatorship in Cuba is, without a doubt, an enemy of the United States and presents a threat to the security of the American people. It is a terrorist regime that has repeatedly exported violence to other countries in our hemisphere. It attempts to undermine our stability by its involvement and support for the illicit narcotics trade. It serves to ridicule the U.S. Government by being the last bastion of communism in the U.S.'s own backyard, and it is rated by our own State Department as well as the Inter-American Commission on Human Rights as the worst human rights violator in our hemisphere.

It is thus imperative for us in the United States Congress to stand firm by our policy of isolating this pariah state and not allow feel-good promises from our allies to diminish our resolve, and we must lead our allies in making sure that we are no longer in violation of U.S. laws by passing weak and inconsistent implementation of Helms-Burton.

The provision in this bill does what we set out to do when we passed the law. The fact is supported by the attacks that it has attracted from senior officials from the Castro regime who, over sheer desperation over the ramifications of the passage of this bill, felt compelled to hold an internationally broadcast press conference this past Friday to use their propaganda machine to attack this and other measures. They are certainly doubtful about the commitment of this administration to implement Helms-Burton to its full extent.

The periodic written reports required by our provision provide a more thorough documentation and will allow us to track the progress of the implementation of our laws over time. It ensures transparency in the process, it ensures the full force of the Libertad Act.

Until we see concrete actions from our European allies and others who choose to negotiate with Castro and thereby extend the suffering and the oppression of the Cuban people at the hands of this brutal dictator, this Congress must stand firm and refuse to allow our laws to be weakened for the purpose of appeasing our allies.

As we have stated on numerous occasions, diplomacy does not mean surrender. For this and many other reasons, Mr. Chairman, it is imperative for the passage of this bill that we include this provision.

Furthermore, as we have emphasized during committee consideration, we have seen how Helms-Burton has yet to be implemented. I urge my colleagues to support passage of this bill.

Mr. HAMILTON. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from California [Mr. BERMAN].

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

If the situation were not so tragic, it would be humorous. We are watching the Republican majority with the presentation of this bill snatch defeat out of the jaws of victory on two of the issues they have fought the most for over the past 2½ years. First is the foreign aid authorization bill. After 3½ or 4 days of relatively amiable discourse, reasonably intelligent debate, a bipartisan consensus was formed that passed out an authorization bill that supported much of the administration's key priorities and at the same time dealt with many of the strong concerns of the Republican majority on the committee, a vote that included every single Democratic member of that committee and the vast majority of the Republican members of that committee,

in marked contrast to the way the process had transpired 2 years before, a process which produced veto and veto and veto and no law.

From that bill, which by the way, lest my colleagues think this was tilted too much to the minority or too much to the administration, that bill, which came out of committee, was referenced in the letter signed by Henry Kissinger, James Baker, General Colin L. Powell, George Shultz, Lawrence Eagleburger, Brent Scowcroft, and Alexander Haig, key national security advisors and Secretaries of State for the last three Republican administrations.

What they said to the chairman of that committee who worked hard to produce this bipartisan majority was: ''We commend you,'' and I am talking here about seven key Republican Secretaries of States and national security advisors.

''We commend you and your committee colleagues for having the courage to authorize adequate funding for the international affairs programs of the U.S. Government. We realize that funding these programs is rarely popular, but there are times when our political leaders, whether in the Congress or the Executive, must do what is best for the country, no matter what the popular view. This is one of those times. This post-Cold War era is a time of great opportunity. It is also a time, if we act irresponsibly, that can lay the groundwork for instability and conflict for generations to come. Without American leadership in the years ahead, instability and conflict are certain. A creative U.S. foreign policy demands an efficient and effective foreign affairs establishment. H.R. 1486,'' the bill that we passed out of committee, not the bill we are considering now, ''will give us that instrument.'' Henry Kissinger, James Baker, Colin Powell, George Shultz, Lawrence Eagleburger, Brent Scowcroft, Alexander Haig.

Instead, we have a truncated bill that removes all of the authorizations in the foreign assistance program, much of the language dealing with critical issues like how we should be dealing with the former republics of the Soviet Union, what we should be doing in terms of development assistance in Africa that authorized the funding for our key priorities in the Middle East, including support for Israel and support for Egypt and the other countries in that region. And we are left with a bare-bones State Department authorization bill, a bill that unilaterally was changed by the Republican leadership that I can only believe did not want to see a bill that had too much Democratic support for fear that somewhere, someone would come and attack it just for that reason.

This is not the way to move ahead on a bipartisan foreign policy. But this is not the only area where they snatched defeat from the jaws of victory. For 2 years the Republican priority has been to reorganize our foreign relations agencies. Many of us opposed them on that over the past 2 years. The administration opposed them.

Finally, and I think my colleagues can perhaps fairly say kicking and screaming, the administration turns around, agrees to merge two of its international relations agencies, the USIA and the arms control and disarmament agency into the State Department to require the Agency for International Development to report to the Secretary of State, not to the President, to cover all of the major priorities that the Republicans in both the House and the Senate had been screaming about.

So what did the Republican majority try to do? Instead of letting that process, which has been announced and developed, take fold, work with the administration to do the necessarily implementing legislation, unilaterally the Republicans are proposing a substitute in this bare-bones bill that no longer has any of the bipartisan elements that caused us to all support the bill in the beginning, to ram through a unilateral partisan, never-before-seen in a committee anywhere proposal to reorganize on their terms. That will defeat the reorganization effort, that will cause the administration to back off, that will cause this bill to become veto bait once again.

So both in terms of the bipartisanship on the aid and the achievements in the reorganization, everything is at risk. I think it is a terrible mistake and I urge that the bill be defeated.

Mr. Chairman, I include for the RECORD the letter referenced earlier in my remarks.

MAY 20, 1997.

Hon. BENJAMIN A. GILMAN,
Chairman, Committee on International Relations, U.S. House of Representatives.

DEAR BEN: We are writing to express our support for the bill your Committee has reported, H.R. 1486, the ''Foreign Policy Reform Act''.

We commend you and your Committee colleagues for having the courage to authorize adequate funding for the international affairs programs of the U.S. Government. We realize that funding these programs is rarely popular. But there are times when our political leaders, whether in the Congress or the Executive, must do what is best for the country no matter what the popular view. This is one of those times. This post Cold-War era is a time of great opportunity; it is also a time—if we act irresponsibly—that can lay the ground work for instability and conflict for generations to come. Without American leadership in the years ahead instability and conflict are certain. A creative U.S. foreign policy demands an efficient and effective foreign affairs establishment. HR 1486 will give us that instrument.

We also support your intention to amend your bill on the House floor to abolish two agencies, the Arms Control and Disarmament Agency and the U.S. Information Agency, and to consolidate the functions of the these agencies, as well as some functions of the Agency for International Development, into the Department of State. Reorganization and streamlining of our foreign affairs agencies is long overdue.

With your continued leadership, we can build on America's victory in the Cold War and make sure that in the next century our nation does not repeat past mistakes. We must learn from history.

Sincerely,

HENRY KISSINGER.
GEORGE P. SHULTZ.
ALEXANDER M. HAIG, JR.
JAMES A. BAKER, III.
LAWRENCE EAGLEBURGER.
GENERAL COLIN POWELL.
BRENT SCOWCROFT.

Mr. GILMAN. Mr. Chairman, I yield 2 minutes to the gentleman from Florida [Mr. DIAZ-BALART], a distinguished member of the House Committee on Rules.

Mr. DIAZ-BALART. Mr. Chairman, I thank the chairman for yielding me this time, and I commend the gentleman for all the hard work on this legislation. I think it is unfortunate that our friends on the other side of the aisle are not looking very much at bipartisan measures that are included in the legislation before us.

For example, my distinguished colleague, the gentlewoman from Florida [Ms. ROS-LEHTINEN], inserted a very important provision in this legislation, especially at this time of negotiations between the United States and the European Union with regard to our sanctions policy against the Cuban dictatorship, a dictatorship that is in its last stages. There is no doubt that sovereignty will soon be returned to the people of Cuba. The dictatorship will not last long, and the day where the Cuban people will finally have self-determination and freedom will soon arrive, and especially at this moment when the United States and the European Union are negotiating because of a very unwise challenge by the European Union with regard to our policy at the World Trade Organization.

It is very important that the measure that the gentlewoman from Florida [Ms. ROS-LEHTINEN] included in this legislation that she referred to previously to insist upon full compliance with title IV of the Helms-Burton law be passed, and it is in here, Mr. Chairman. The gentleman from New Jersey [Mr. MENENDEZ], a very distinguished friend from the other side of the aisle, has included a very important provision as well.

We need to stop the nuclear power plants that Castro is trying to complete from being completed. It was outrageous when we found out that the International Atomic Energy Commission was actually using U.S. taxpayer funds to assist Castro in the completion of those plants. That is prohibited in this legislation, Mr. Chairman. It is an important piece of legislation. It has bipartisan aspects to it. These measures have been supported on a bipartisan basis, and it is unfortunate that our colleagues have reacted in this way.

Mr. HAMILTON. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. CAPPS], a distinguished member of the committee.

Mr. CAPPS. Mr. Chairman, when I came to Congress not very many weeks ago, I promised the people I represent

that I would do what I could to work in a bipartisan fashion to help restore the bond of trust between the people and those of us who represent them here in Washington.

Mr. Chairman, I have now changed my resolve. The example that I have cited over and over again is the fine way that the Committee on International Relations has worked under the able direction of the gentleman from New York [Mr. GILMAN], the way we have worked together to produce bills on which there was a bipartisan agreement.

For me, watching this for the first time at this close range, participating in it for the first time, it was democracy in action. The debate was spirited, opposing points of view were vigorously expressed, and we came to agreements that could stand because we trusted the process and the process itself was trustworthy.

□ 1515

I would come home week after week to California and tell the people that I represent that I was participating in a Jeffersonian exercise of which I was very proud. We were creating foreign policy in a bipartisan manner, very effective foreign policy.

Because of the way we did it, the bill that came from the committee was a bill that both the President and the Congress, Democrats and Republicans, could agree on. In my judgment, the original bill contained sufficient funding. It included sound policy on family planning. It avoided highly contentious action on U.N. funding and agency reorganization. It even included a compromise that I was pleased to work out with the gentleman from New Jersey [Mr. SMITH]. Now we have something very different that makes something of a mockery of the legislative process and, in my judgment, violates Democratic principles.

I was asked to restore the bond of trust. I must say, Mr. Chairman, that in this instance I do not trust the process. I am going to vote against the bill, and wish so much that we could vote on the bill on which the committee had come to agreement.

Mr. GILMAN. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Tennessee [Mr. DUNCAN].

Mr. DUNCAN. Mr. Chairman, I rise in support of this legislation and the improvements it makes in the operation of our State Department. I especially appreciate the chairman of the Committee on International Relations for yielding me this time, and for including a provision regarding diplomatic immunity in this bill.

This provision is taken almost word for word from H.R. 1622, a bill introduced by the gentleman from California [Mr. DREIER] and myself in the House and Senator COVERDELL in the other body.

This bill grew in part out of the tragic death of a 16-year-old girl in the Washington, DC area who was killed by a drunken driver who happened to be a diplomat from the Republic of Georgia. This diplomat could have escaped prosecution, as many others have, even when people have been killed, had diplomatic immunity not been waived.

Foreign diplomats who commit felony offenses on U.S. soil should be prosecuted for those crimes. If U.S. diplomats commit felony offenses overseas, they should be prosecuted. Specifically, this bill urges the State Department to pursue waivers of diplomatic immunity when foreign diplomats commit serious crimes in the United States.

In addition, if a foreign government of a diplomat who commits a crime will not agree to waive immunity, then that government will be encouraged to prosecute the criminal for the same offense in its own courts. This language will encourage the State Department to hold diplomats accountable for crimes committed in the United States.

I welcome all people of all nationalities into this country, but at the same time, I do not think that diplomats should have the right to come here and kill or commit other serious crimes against U.S. citizens without expecting punishment.

Again, Mr. Chairman, I would like to thank the chairman and the other members of the Committee on International Relations for recognizing this problem and acting to correct it, and including this provision in the legislation. I urge passage of this bill, and I once again commend the chairman for the diligent way in which he has worked to try to accommodate all interests in this legislation.

Mr. GILMAN. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Pennsylvania [Mr. FOX], a member of the committee.

Mr. FOX of Pennsylvania. Mr. Chairman, I rise to support the bill. Chairman GILMAN has done an outstanding job in bringing both sides of the aisle together in a bill that is going to achieve, I believe, the kinds of reforms that Congress has set out to do, to make sure that we streamline Government and making sure that in this budget we get our money's worth.

I might say as one of the highlights: the Embassy move of the United States to Jerusalem, the capital of Israel, which is included within this legislation. I remember from the 104th Congress this was an initiative that was begun then to do what was right to make sure the United States has our Embassy in the capital of Israel, just like we have our Embassy in the capital of every other country.

I think it is also important to point out that this legislation makes some very important points with regard to Cuba. It puts more controls on the Castro dictatorship. Just like the fact that a representative and spokesperson for Fidel Castro spoke out against this legislation, which should give us reason, as well, to vote for the bill.

I think it is also important to have my colleagues on both sides of the aisle realize that this legislation sensibly funds refugee programs around the world. So here we have a bill that deserves the support, I believe, of Members, Republican, Democrat, Independent, regardless of your States.

We here in the United States are doing what is right across the world. This legislation is the right bill at home, which I think has taken into account the hearings we have had before the Committee on International Relations and also respects the wishes of most of all our Members, if not all the Members, who had input on the bill.

I would urge all our colleagues to support it, and again thank the chairman, the gentleman from New York [Mr. GILMAN] and the gentleman from Indiana [Mr. HAMILTON], the ranking member, for their leadership and what they have done to bring this bill to this point.

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

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

Mr. Chairman, I would just like to urge our colleagues to consider fully supporting this measure, even though they may have some reservations for one portion of the bill or another. I think overall, this State Department reauthorization is so essential to our foreign policy. There are a number of important measures which will enhance our State Department's ability to conduct foreign policy. While we would have liked to have seen an undivided bill, I want to assure my colleagues that we will be going to bat with our leadership to try to have the foreign aid measure follow the adoption of this bill.

Mr. LANTOS. Mr. Chairman, I rise today to express my strong opposition to House Resolution 159, the rule for the consideration of H.R. 1757, the Foreign Relations Authorization Act, and H.R. 1758, European Security Act. I want to associate myself in particular with the outstanding remarks that were made earlier in this debate by our distinguished colleague from Indiana, Mr. HAMILTON, the ranking Democratic member of the International Relations Committee.

First, Mr. Chairman, the rule being proposed by the Rules Committee today is a mindboggling travesty of the procedures of this House. Almost since the very beginning of this Congress, as the ranking Democratic member of the Subcommittee on International Operations and Human Rights, I have worked and my staff have worked with the chairman of the subcommittee, our distinguished colleague Mr. SMITH of New Jersey and his staff. We resolved a number of difficult issues in a spirit of bipartisanship and cooperation that I have welcomed. We worked out a good Foreign Relations authorization bill—it included provisions that involved compromise and accommodation that were carefully and thoroughly worked through with the administration and with other members of the subcommittee and the committee. The bill was considered by the full International Relations Committee where it was seriously and thoughtfully considered over a number of days. The final bill—

H.R. 1486, the Foreign Policy Reform Act—was the bipartisan product of that effort.

When H.R. 1486 was considered by the Committee on Rules, the committee essentially rewrote the bill. All of this was done without hearings, without the involvement of the members of the International Relations Committee, against the previously expressed views of the chairman of the International Relations Committee, and in the back room, out of the view of the Members of this House.

Mr. Chairman, if the standing committees of this House are so irrelevant, so unimportant, that their efforts are totally ignored, perhaps we should save money by simply abolishing all of the standing committees of the House. Then all of our decisions can be made for us by the Committee on Rules. My first concern then, Mr. Speaker, is that the rule for the consideration of these bills today is a total travesty of fairness and the normal procedures of this House.

The second reason for my opposition to this rule, Mr. Chairman, is that the rule also provides for a closed rule for the consideration of H.R. 1758, the so-called ''European Security Act.'' This is likewise an astounding provision. During the present Congress, the Committee on International Relations has not even so much as held a hearing on the principal issues with which this legislation deals: NATO enlargement, the Treaty on Conventional Forces in Europe, and the Anti-Ballistic Missile Treaty. It is an egregious violation of House procedures to prohibit amendments to this amendment which has never been considered by the International Relations Committee and Members have never had the opportunity to consider this important legislation.

I have strongly advocated that Romania should be one of the countries invited to join NATO in the first round of expansion later this year. H.R. 1758, the European Security Act, as it is now written, does not call for the immediate admission of Romania. I would like to offer a sense-of-the-Congress provision that urges the inclusion of Romania in NATO when invitations are extended to other countries later this year. Unfortunately, I will not even have the opportunity to raise this important issue upon the floor when we consider this bill.

Mr. Chairman, I have been delighted and impressed with the progress that the Government has made in moving Romania toward a Democratic political system which recognizes and copes with ethnic diversity and in moving Romania toward a market-oriented economic system. The Romanians have worked to resolve differences with their neighbors, most particularly with Hungary, with whom there have been longstanding historical differences. The Romanian people clearly desire to be admitted to membership in NATO, and I strongly believe that Romania should be considered and accepted for NATO membership in the first round of expansion.

The third reason for my opposition to this legislation, Mr. Speaker, is that we are being asked today to begin immediate consideration of these new bills: H.R. 1757 and H.R. 1758. Both of these bills were introduced in the House only very late yesterday, after H.R. 1486 was, in effect, rejected by the Rules Committee. We are told that the rule for the consideration of H.R. 1757 is an ''open'' rule. Mr. Speaker, the ''open'' portion of the rule applies to a bill that has been available to Members only since late last night. None of us were aware that a new bill was being offered in place of the bipartisan legislation approved earlier by the International Relations Committee until today, just a few hours before it is being brought up for consideration. We have had so little time to review and examine this bill, and to draft amendments to fit with the text of the new bill, that the ''open rule'' is virtually meaningless. Two weeks ago, the Rules Committee issued a call for amendments to the Foreign Relations authorization legislation, which we were told would have to be printed in the RECORD before they could be considered. Now we have a totally new bill that is being considered under a supposedly ''open'' rule, but, in fact, the limited time to review it provides no opportunity for serious, thoughtful consideration of these important issues.

Mr. Chairman, the fourth reason I will oppose this legislation is the highhanded way in which the Committee on Rules has altered, changed, and inserted Chairman GILMAN's language on the reorganization of foreign affairs agencies. This is reform language that was not considered by the International Relations Committee. It is language that is inappropriate and premature, because the Department of State and other foreign affairs agencies are now in the process of working out the realignment of the structure of the agencies responsible for the conduct of our Nation's foreign policy. The Gilman language is opposed by the administration, and if it remains in the bill, this legislation will be vetoed by the President.

The new bill also drops four budget-related provisions which were included in the bipartisan legislation reported out by the International Relations Committee. Another provision dropped from this new bill was the so-called ''Lautenberg'' language regarding the definition of refugee status. Again, this provision was included in the bipartisan original legislation that was reported out of the International Relations Committee.

In summary, Mr. Chairman, the rule we are considering today replaces a bill that had been developed over a long period of time with a great deal of consultation and compromise. It had bipartisan support in the International Relations Committee and among the Members of this House which had the support of the administration. Now, in place of this bipartisan bill, we will now consider a partisan bill that has not had any opportunity for thoughtful input or hearings and which has virtually no chance of being signed by the President in anything like the form in which it is now being considered by the House today.

Mr. Chairman, I originally intended to offer an amendment to H.R. 1486. In good faith, I submitted that amendment for publication in the RECORD. I will not offer that amendment, Mr. Speaker, and I oppose adoption of the rule, and I will oppose the adoption of the bill that is being considered by the House today if, after the amendment process, the bill is anywhere close to its present form.

Mr. Chairman, I strongly urge my colleagues to vote against this unfortunate and unfair rule. I also urge my colleagues to vote against H.R. 1757 and H.R. 1758 unless they are substantially amended. This is not the way that the House of Representatives should exercise its important role and responsibilities in the organization, structure and conduct of U.S. foreign policy.

Mr. BILIRAKIS. Mr. Chairman, I rise today to express my support for a provision in H.R. 1757, the Foreign Relations Authorization Act for Fiscal Year 1997, which addresses my concerns about the Ecumenical Patriarchate in Instanbul—Constantinople, Turkey. I want to thank Chairman BEN GILMAN for his assistance on this important matter.

The Ecumenical Patriarchate, founded in 38 AD, is the locale where the New Testament was codified and where the Nicene Creed was first written. Today, the Ecumenical Patriarchate is the spiritual center for more than 300 million orthodox Christians worldwide but it is not given the right to function properly as the headquarters of the Orthodox Church.

In recent years, there have been successive terrorist attempts to desecrate and destroy the premises of the Patriarchate. On September 30, 1996, a hand grenade was thrown into the headquarters of the Patriarchate. The explosion damaged the Patriarchal Cathedral and blew out the windows of the sleeping quarters. On May 28, 1994, three powerful bombs were found and diffused by Turkish security forces, only minutes before they were set to detonate. On March 30, 1994, two firebombs were hurled into the Patriarchate. This is an issue of religious freedom which is taken very seriously by all orthodox Christians, including more than 5 million living in the United States.

Specifically, H.R. 1757 encourages the United States to use its influence as a permanent member of the U.N. Security Council to suggest that the Turkish Government should: One, recognize the Ecumenical Patriarchate and its nonpolitical, religious mission; two, encourage the continued maintenance of the institution's physical security needs, as provided for under Turkish law and international law, including but not limited to, the Treaty of Lausanne, the 1968 Protocol, the Helsinki Final Act of 1975, and the Charter of Paris; three, encourage the proper protection and safety of the Ecumenical Patriarchate personnel; and four, reopen the Ecumenical Patriarchate's Halki Patriarchal School of Theology.

The language in H.R. 1757 closely parallels House Concurrent Resolution 6, legislation that I have introduced in the House. My bill directs the United States to use its influence with the Turkish Government to provide for the proper protection and continued livelihood of the Patriarchate and all othodox faithful residing in Turkey.

My legislation also requires the administration to report annually to Congress on the progress of these efforts. In addition, it calls upon the Turkish Government to do everything possible to find and punish the perpetrators of any provocative and terrorist acts against the Patriarchate. I am pleased that language regarding the protection and continued livelihood of the Ecumenical Patriarchate, as well as language calling for the reopening of the Halki Patriarchal School of Theology, has been included in the bill.

It is imperative that people everywhere have the ability to freely and without fear of threat or intimidation practice and express their religious convictions. As a free and compassionate people, we cannot allow acts of violence against the Orthodox Church. The provisions in H.R. 1757 are an important first step in achieving the proper protection of the Patriarchate. Again, I want to commend Chairman GILMAN for his efforts to protect the Patriarchate. I will continue to work with him on this important issue as this legislation is considered by the Congress.

The CHAIRMAN. All time has expired.

Pursuant to the rule, the bill shall be considered under the 5-minute rule by title, and each title shall be considered as read.

The chairman of the Committee of the Whole may postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment, and may reduce to not less than 5 minutes the time for voting by electronic device on any postponed question that immediately follows another vote by electronic device without intervening business, provided that the time for voting by electronic device on the first in any series of questions shall not be less than 15 minutes.

The Clerk will designate section 1.

The text of section 1 is as follows:

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Foreign Relations Authorization Act, Fiscal Years 1998 and 1999''.

The CHAIRMAN. Are there any amendments to section 1?

The Clerk will designate section 2.

The text of section 2 is as follows:

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into 2 divisions as follows:

(1) Division A—Consolidation of foreign affairs agencies.

(2) Division B—State Department and Related Agencies Authorization Act.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

The CHAIRMAN. Are there any amendments to section 2?

The Clerk will designate title I.

The text of title I is as follows:

DIVISION A—CONSOLIDATION OF FOREIGN AFFAIRS AGENCIES

TITLE I—GENERAL PROVISIONS

SEC. 101. SHORT TITLE.

This division may be cited as the ''Foreign Affairs Agencies Consolidation Act of 1997''.

SEC. 102. CONGRESSIONAL FINDINGS.

Congress makes the following findings:

(1) With the end of the Cold War, the international challenges facing the United States have changed, but the fundamental national interests of the United States have not. The security, economic, and humanitarian interests of the United States require continued United States engagement in international affairs. The leading role of the United States in world affairs will be as important in the twenty-first century as it has been in the twentieth.

(2) The United States budget deficit requires that the foreign as well as the domestic programs and activities of the United States be carefully reviewed for potential savings. Wherever possible, foreign programs and activities must be streamlined, managed more efficiently, and adapted to the requirements of the post-Cold War era.

(3) In order to downsize the foreign programs and activities of the United States without jeopardizing United States interests, strong and effective leadership will be required. As the official principally responsible for the conduct of foreign policy, the Secretary of State must have the authority to allocate efficiently the resources within the international affairs budget. As a first step in the downsizing process, the proliferation of foreign affairs agencies that occurred during the Cold War must be reversed, and functions of these agencies must be restored to the Secretary of State.

(4) A streamlined and reorganized foreign affairs structure under the strengthened leadership of the Secretary of State can more effectively promote the international interests of the United States in the next century than the existing structure.

(5) The new foreign affairs structure should be one that will maintain the quality and integrity of the public diplomacy and arms control functions now performed by the United States Information Agency and the Arms Control and Disarmament Agency.

SEC. 103. PURPOSES.

The purposes of this division are—

(1) to consolidate and reinvent the foreign affairs agencies of the United States within the Department of State;

(2) to assist congressional efforts to balance the Federal budget and reduce the Federal debt;

(3) to provide for the reorganization of the Department of State to maximize the efficient use of resources, eliminate redundancy in functions, effect budget savings, and improve the management of the Department of State;

(4) to ensure that the United States maintains adequate representation abroad within budgetary restraints;

(5) to ensure that programs critical to the promotion of United States national interests be maintained;

(6) to encourage United States foreign affairs agencies to maintain a high percentage of the best qualified, most competent United States citizens serving in the United States Government while downsizing significantly the total number of people employed by such agencies;

(7) to strengthen—

(A) the coordination of United States foreign policy; and

(B) the leading role of the Secretary of State in the formulation and articulation of United States foreign policy;

(8) to abolish the United States Arms Control and Disarmament Agency, the United States Information Agency, the United States International Development Cooperation Agency, and consolidate the functions of these agencies into the Department of State while preserving the quality and integrity of these functions; and

(9) to consolidate some functions of the Agency for International Development into the Department of State.

SEC. 104. DEFINITIONS.

The following terms have the following meanings for the purposes of this division:

(1) The term ''ACDA'' means the United States Arms Control and Disarmament Agency.

(2) The term ''AID'' means the Agency for International Development.

(3) The term ''appropriate congressional committees'' means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

(4) The term ''Department'' means the Department of State.

(5) The term ''Federal agency'' has the meaning given to the term ''agency'' by section 551(1) of title 5, United States Code.

(6) The term ''function'' means any duty, obligation, power, authority, responsibility, right, privilege, activity, or program.

(7) The term ''office'' includes any office, administration, agency, institute, unit, organizational entity, or component thereof.

(8) The term ''Secretary'' means the Secretary of State.

(9) The term ''USIA'' means the United States Information Agency.

The CHAIRMAN. Are there any amendments to title I?

AMENDMENT OFFERED BY MR. HAMILTON

Mr. HAMILTON. Mr. Chairman, I offer an amendment, and I ask unanimous consent that I be permitted to offer the amendment at this point in the bill.

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

There was no objection.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. HAMILTON:

Strike Title I through Title VI of Division A and sections 1301 through 1306, 1321, and 1707 of Division B and insert the following new title (and conform the table of contents accordingly, and make other appropriate conforming amendments).

TITLE I—REINVENTION OF THE FOREIGN AFFAIRS AGENCIES

SEC. 101. SHORT TITLE.

This Title may be cited as the ''Foreign Affairs Agencies Reinvention Act of 1997''.

SEC. 102. REINVENTION OF THE FOREIGN AFFAIRS AGENCIES.

The Congress of the United States makes the following findings:

(1) With the end of the Cold War, the international challenges facing the United States have changed, but the fundamental national interests of the United States have not. The security, economic and humanitarian interests of the United States require continued American engagement in international affairs. The leading role of the United States in world affairs will be as important in the twenty-first century as it has been in the twentieth.

(2) In this context, the United States has an historic opportunity to continue the reinvention of the agencies primarily responsible for implementing the Nation's foreign policies.

(3) The continuing reinvention of the foreign affairs agencies, the Department of State, the Arms Control and Disarmament Agency, the United States Information Agency, the International Development and Cooperation Agency and the United States Agency for International Development, must ensure that these agencies can effectively confront the new and pressing challenges of the post Cold War world.

(4) The reinvention of the foreign affairs agencies recognizes the fact that arms control and nonproliferation, sustainable development, and public diplomacy are now more central than ever to the success of United States foreign policy. Any integration of these agencies should preserve the unique skills and capabilities of each of the agencies in a reinvented Department of State.

(5) A streamlined, reorganized and more flexible foreign affairs structure under the strengthened leadership of the Secretary of State can more effectively promote the international interests of the United States and enhance the United States' ability to meet the growing foreign policy challenges during the next century.

SEC. 103. PURPOSES.

The purposes of this title are—

(1) to provide for the reinvention of the Department of State to enable it better to incorporate additional functions and agencies, manage new responsibilities, and make the Department more effective and efficient and better able to defend American interests and promote American values abroad;

(2) to integrate certain agencies and certain functions of other agencies of the Untied States into the reinvented Department of State; and

(3) to strengthen—

(A) the coordination of United States foreign policy; and

(B) the leading role of the Secretary of State in the formulation and articulation of United States foreign policy.

SEC. 104. DEFINITIONS.

For the purpose of this title—

(1) ''agency'' means the Department of State, the Arms Control and Disarmament Agency, the United States Information Agency, the International Development Cooperation Agency, and the Agency for International Development;

(2) ''reorganization'' means integration, transfer, consolidation, coordination, authorization, or abolition, referred to in section 1805 of this title; and

(3) ''officer'' is not limited by section 2104 of Title 5 of the United States Code.

SEC. 105. REORGANIZATION PLAN FOR REINVENTING THE FOREIGN AFFAIRS AGENCIES

(a) No later than 120 days after the enactment of this Act, the President shall submit to the Congress a reorganization plan for the foreign affairs agencies specifying the reorganization of the Department of State, the Arms Control and Disarmament Agency, the United States Information Agency, the International Development and Cooperation Agency, and the Agency for International Development. Such plan may provide for—

(1) the transfer of the whole or a part of an agency, or of the whole or a part of the functions thereof, to the jurisdiction and control of the Department of State;

(2) the abolition of all or a part of the functions of an agency, except that no enforcement function or statutory program shall be abolished by the plan;

(3) the consolidation or coordination of the whole or a part of an agency, or the whole or a part of the functions thereof, with the whole or a part of another agency or the functions thereof;

(4) the consolidation or coordination of a part of an agency or the functions thereof with another part of the same agency or the functions thereof;

(5) the authorization of an officer to delegate any of the officer's functions; or

(6) the abolition of the whole or a part of an agency which agency or part does not have or on the taking effect of the plan will not have, any functions.

(b) Such plan shall provide that—

(1) with respect to the Department of State, the Department shall undertake a new round of internal reinvention to incorporate new organizations and to manage new responsibilities;

(2) with respect to the Arms Control and Disarmament Agency—

(A) within one year of the effective date of the reorganization plan for the foreign affairs agencies, the Arms Control and Disarmament Agency shall be fully integrated with the Department of State by merging both agencies' related arms control and nonproliferation functions;

(B) the positions of the Director of the Arms Control and Disarmament Agency and the Under Secretary of State for Arms Control and International Security Affairs shall be merged as the Under Secretary/Senior Advisor to the President and the Secretary of State, which will be able to communicate with the President through the Secretary of State;

(C) the Arms Control and Disarmament Agency's unique advocacy role shall be preserved and the policy process supporting those efforts will be strengthened through additional interagency responsibilities; and

(D) along with the Arms Control and Disarmament Agency's technical and policy expertise, its verification, compliance, and legal functions shall be preserved;

(3) with respect to the Untied States Information Agency—

(A) within two years from the effective date of the reorganization plan for the foreign affairs agencies, the United States Information Agency and the Department of State shall be integrated;

(B) a new Under Secretary for Public Diplomacy shall be established; and

(C) the distinctiveness and editorial integrity of the broadcast entities shall be respected; and

(4) with respect to the United States Agency for International Development—

(A) the Agency shall remain a distinct agency, but shall share certain administrative functions with the Department of State and report to and be under the direct authority and foreign policy guidance of the Secretary of State;

(B) within two years from the effective date of the reorganization plan for the foreign affairs agencies, its press office and certain administrative functions shall be integrated with the Department of State; and

(C) the International Development Cooperation Agency shall be abolished.

(c) SUBMISSION OF REORGANIZATION PLAN.—The President shall have the reorganization plan for the foreign affairs agencies delivered to both Houses on the same day and to each House while it is in session. If either House is out of session at the end of the 120 days after the enactment of this Act, the plan shall be submitted to the first day thereafter when both Houses are in session. The President's message shall include an implementation section which shall (1) describe in detail (A) the actions necessary or planned to complete the reorganization, (B) the anticipated nature and substance of any orders, directives, and other administrative and operational actions which are expected to be required for completing or implementing the reorganization, and (C) any preliminary actions which have been taken in the implementation process, and (2) contain a projected timetable for completion of the implementation process. The President shall also submit such further background or other information as the Congress may require for its consideration of the plan.

(d) Any time during the period of 60 calendar days after the date on which the plan is transmitted to it, but before any joint resolution described in section 1809 has been ordered reported in either House, the President may make amendments or modifications to the plan, consistent with sections 1805–1807 of this title, which modifications or revisions shall thereafter be treated as a part of the reorganization plan originally transmitted

and shall not affect in any way the time limits otherwise provided for in this title.

SEC. 106. ADDITIONAL CONTENTS OF REORGANIZATION PLAN.

A reorganization plan for the foreign affairs agencies transmitted by the President under section 1805 of this title—

(1) may provide for the appointment and pay of one or more officers of any agency, including the appointment of additional Under Secretaries and Assistant Secretaries (not to exceed the number, respectively of officers authorized at Executive Levels III and IV of the transferring agencies), if the President finds, and in his message transmitting the plan declares, that by reason of a reorganization made by the plan the provisions are necessary;

(2) shall provide for the transfer or other disposition of the records, property and personnel affected by a reorganization;

(3) shall provide for the transfer of such unexpended balances of appropriations, and of other funds, available for use in connection with a function or agency affected by reorganization, as the President considers necessary by reason of the reorganization for use in connection with the functions affected by the reorganization, or for the use of the agency which shall have the functions after the reorganization plan is effective;

(4) shall provide for terminating the affairs of an agency abolished;

(5) may provide that the provisions of law applicable to a transferring agency remain applicable only to transferred functions of that agency; and

(6) shall designate which provisions of law requiring the establishment of specified positions are no longer effective.

If the reorganization plan for the foreign affairs agencies transmitted by the President contains provisions required by paragraph (3) of this section, such plan shall provide for the transfer of unexpended balances only if such balances are used for the purposes for which the appropriation was originally made or for the purpose of reorganization.

SEC. 107. LIMITATION ON POWERS.

The reorganization plan for the foreign affairs agencies submitted under this title may not provide for, and a reorganization under this title may not have the effect of—

(1) creating a new executive department or renaming an existing executive department, or abolishing or transferring an executive department or all the functions thereof;

(2) authorizing an agency to exercise a function which is not expressly authorized by law at the time the plan is transmitted to Congress; or

(3) creating a new agency which is not a component or part of an existing agency.

SEC. 108. REFERRAL OF PLAN AND JURISDICTION OVER RESOLUTIONS.

The reorganization plan for the foreign affairs agencies submitted pursuant to this title and any resolution with respect to such plan shall be referred to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House (and all joint resolutions with respect to such plan shall be referred to the same committee) by the President of the Senate or the Speaker of the House of Representatives, as the case may be.

SEC. 109. EFFECTIVE DATE, DISAPPROVAL AND PUBLICATION OF REORGANIZATION PLAN FOR THE FOREIGN AFFAIRS AGENCIES.

(a) Except as provided under subsection (b) of this section, a reorganization plan shall be effective upon such date as the President shall determine to be appropriate and announce by notice published in the Federal Register, which date may be not earlier than 120 calendar days after the President has submitted the reorganization plan for the foreign affairs agencies, and such plan shall become effective then only if the Congress does not enact prior to that date a joint resolution disapproving of the plan.

(b) INTRODUCTION AND REFERRAL.—

(1) IN GENERAL.—Any legislative recommendation referred to in subsection (a) shall be considered in the House of Representatives and Senate under this subsection. Any such recommendation submitted to Congress shall be introduced by the majority leader (or the leader's designee) in each House (by request and not later than 3 days after the date of receipt by Congress of the recommendation) as a bill.

(2) REFERRAL.—That bill shall be referred on the date of introduction to the appropriate committee (or committees) in accordance with rules of the respective House.

(3) DISCHARGE DEADLINE.—If any committee to which the bill is referred does not report the bill by the end of the 10-day period beginning on the date the bill was referred to the committee, the committee shall be automatically discharged from further consideration of the bill as of the end of such period.

(4) FLOOR CONSIDERATION.—

(A) HOUSE OF REPRESENTATIVES.—For the purpose of expediting consideration and passage of a measure reported or discharged under this subsection, it shall be in order for the Committee on Rules of the House of Representatives to report a privileged resolution providing for the consideration of the bill. Any such resolution, if it makes in order any amendments to the bill, shall make in order an amendment consisting of the legislative recommendation.

(B) SENATE.—Any joint resolution disapproving the reorganization plan for the foreign affairs agencies shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976.

(5) NO RECOMMITTAL.—It shall not be in order to move to recommit the bill.

(6) FINAL PASSAGE.—A vote on final passage of the bill shall be taken in a House not later than the end of the 10-day period beginning on the date on which the motion to proceed to its consideration in that House has been approved.

(7) SPECIAL RULES.—If the House of Representatives approves a bill and the Senate approves a bill the text of which is identical to the text of the bill approved by the House of Representatives, the Senate is deemed to have approved the bill approved by the House of Representatives, effective on the later of—

(A) the date of approval of a bill in the Senate, or

(B) the date the Senate receives a message from the House of Representatives announcing that the House has passed the bill.

(8) NOT INCLUDING CERTAIN DAYS.—Days on which a House of Congress is not in session because of an adjournment of more than 3 days shall be excluded in the computation of any number of days in a period under this subsection with respect to that House.

(c) Under provisions contained in a reorganization plan for the foreign affairs agencies, any provision thereof may be effective at a time later than the date on which the plan otherwise is effective.

(d) A reorganization plan for the foreign affairs agencies which is effective shall be printed (1) in the Statutes at Large in the same volume as the public laws and (2) in the Federal Register.

SEC. 110. EFFECT ON OTHER LAWS AND PENDING LEGAL PROCEEDINGS.

(a) A statute enacted, and a regulation or other action made, prescribed, issued, granted, or performed in respect of or by an agency or function affected by a reorganization under this chapter, before the effective date of the reorganization, has, except to the extent rescinded, modified, superseded, or made inapplicable by or under authority of law or by the abolition of a function, or otherwise by operation of the reorganization plan for the foreign affairs agencies under this title, the same effect as if the reorganization had not been made. However, if the statute, regulation, or other action has vested the functions in the agency from which it is removed under the reorganization plan, the function to the extent to which it is to be exercised after the plan becomes effective, shall be deemed as vested in the agency under which the function is placed by the plan.

(b) For the purpose of subsection (a) of this section, ''regulation or other action'' means a regulation, rule, order, policy, determination, directive, authorization, permit, privilege, requirement, designation, or other action.

(c) A suit, action, or other proceeding lawfully commenced by or against the head of an agency or other officer of the United States, in his official capacity or in relation to the discharge of his official duties, does not abate by reason of the taking effect or a reorganization plan under this title. On motion or supplemental petition filed at any time within twelve months after the reorganization plan takes effect, showing a necessity for a survival of the suit, action or other proceeding to obtain a settlement of the questions involved, the court may allow the suit, action, or other proceeding to be maintained by or against the successor of the head or officer under the reorganization effected by the plan, or if there is no successor, against such agency or officer as the President designates.

Mr. HAMILTON (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. HAMILTON. Mr. Chairman, the President announced in April that he intended to consolidate several foreign affairs agencies, and his statement on the topic anticipated that the administration would take 120 days to develop and introduce a reorganization and consolidation plan, and the legislative authorities to carry out that plan.

I understand the administration has a variety of task forces now in operation. I believe the President is entitled to and is in the best position to organize the executive branch as he sees fit. He has already indicated that he is going to put USIA and ACTA into the State Department, and have AID report to the Secretary of State, so that is really not at issue here at any point.

I think our job in the Congress is to give the President some flexibility as to how he organizes his own executive branch, and not to micromanage the process, and then our job is to focus on results rather than on structure. Let us give the President the opportunity to present his reorganization plan, and if we are not satisfied with it in some respect, then I think it is appropriate for the Congress to act. In that way I think we retain and respect the powers of both the executive branch and the Congress.

The problem with the underlying bill is the reorganization proposal is never considered by the committee. I am very much aware that Chairman GILMAN views his reorganization proposals as reflecting the President's announcement. I also believe, however, that that is not how the President's advisers view the language.

I believe the underlying language in this bill takes a very extreme micromanagement approach, and allows the Congress to dictate to the President how he should organize the agencies that implement U.S. foreign policy. I believe it is the President's prerogative to decide how to arrange his agencies to implement that policy.

My amendment takes a very different approach. It mandates that the President provide and implement a reorganization plan within a specific time frame. It gives him the authority he needs to accomplish that task. My amendment will require the President to submit his plan within 120 days after the bill becomes law. He must submit a reorganization plan that would provide an outline of how and which agencies, offices, and functions will be reorganized; that ACTA and USIA and parts of AID would be integrated into the State Department, pursuant to the President's announcement, and that the merged agency's unique role in foreign policy would be preserved.

My amendment then provides that the Congress would have at least 120 days to consider the plan, suggest changes, and finally vote against it under expedited procedures if it does not fit the bill. What my amendment does not do is it does not mandate particular positions. It does not play favorites among agencies and offices. It does not tie the President's hands in finding the most effective way to protect the United States' national interest and to protect costs. It does not try to guess, without adequate information, how to change current law and micromanage what are essentially administrative solutions.

I think the underlying bill really does hinder the reorganization process. I know that is not the intent of the chairman, the gentleman from New York [Mr. GILMAN], but I do believe that is the effect of his language. So Mr. Chairman, I urge support for my amendment as a preferable option to the reorganization promoted in the underlying bill.

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

Mr. Chairman, it is surprising that we are once again debating the question of reorganizing the foreign affairs structure of our Government and abolishing agencies that have outlived their usefulness.

☐ 1530

Permit me to review the history of this reorganization issue. Two years ago we brought before this Chamber a bill entitled H.R. 1561, to abolish the Arms Control and Disarmament Agency, the U.S. Information Agency, and the Agency for International Development. Not a single amendment was offered to the reorganization provisions of that bill. That bill passed this House. It was modified in the conference committee to mandate abolition of only one of those agencies, and subsequently the House passed the conference report.

However, Mr. Chairman, the President vetoed H.R. 1561, objecting to the abolition of any of these agencies. It was not just that he objected to the way we abolished these agencies; he stated in his veto message that he did not want to abolish them at all. The President stated, and I quote from his veto message of April 16, 1996, ''the bill proceeds in an improvident fashion, mandating the abolition of at least one of three important foreign affairs agencies, even though each agency has a distinct and important mission that warrants a separate existence.''

Now, Mr. Chairman, 1 year later the President has appeared to have changed his mind. On April 18 of this year, he seemed to embrace the very idea he vetoed 1 year before. According to the administration's press releases, under the President's proposal, two of the agencies that we had sought to abolish previously in H.R. 1561 were now to be abolished. Under that proposal there was to be a 120-day planning period. No later than 1 year after the conclusion of that planning period, the Arms Control and Disarmament Agency was to be abolished and merged into the State Department. And no later than 2 years after the conclusion of that planning board, the U.S. Information Agency was to be abolished and merged into the State Department.

Also, part of the Agency for International Development was to be merged into the State Department after 2 years.

Mr. Chairman, I will include the White House and State Department press releases on the President's proposals in the RECORD at the appropriate point.

Mr. Chairman, I thought this was a pretty good proposal. It closely tracked what we had tried to do in H.R. 1561. So I reduce the President's proposal to legislative language, and it is before us today. It is division A of this bill. And my language has been endorsed by the experts. I have a letter signed by Colin Powell, Henry Kissinger, James Baker, Lawrence Eagleburger, George Shultz, Alexander Haig, and Brent Scowcroft endorsing our approach to reorganization.

The administration says they do not like my language. They say they need more flexibility to reorganize than my language allows. They would prefer a different approach, the approach that our distinguished colleague, the gentleman from Indiana [Mr. HAMILTON], has offered as a substitute for my language.

So, what is this flexibility that the administration says it needs, and what does the Hamilton amendment actually say? One thing the Hamilton amendment does not say is that any agencies are to be abolished. The word abolished does not appear anywhere in his amendment. All that the Hamilton amendment states is that the President is to submit a plan providing for the integration of the Arms Control Agency and USIA into the State Department.

So the Hamilton amendment does make it possible to move the agencies wholesale under the State Department umbrella without abolishing anything at all.

The second thing that the Hamilton amendment does not do is to set a final date by which reorganization must occur. The Hamilton amendment says that the first agency is to be abolished 1 year after the plan's effective date. But his amendment does not specify that date. The President sets the date and he can set it whenever he wants. He can set it next year or 10 years from now. In fact, according to what I read, he does not have to set it at all. He can do nothing and the reorganization plan would never take effect.

The CHAIRMAN. The time of the gentleman from New York [Mr. GILMAN] has expired.

(By unanimous consent, Mr. GILMAN was allowed to proceed for 1 additional minute.)

Mr. GILMAN. Mr. Chairman, the third problem with the Hamilton amendment is that it provides no protection at all for vital functions of the agencies that are to be abolished. For example, international public diplomacy which is carried out by USIA is extremely important. We spend a lot of money to support it. We do not want it to be abused. We do not want all the resources of the USIA to be redirected to bombard the American people with propaganda in support of the administration or any administration's foreign policy, and we do not want to spend U.S. taxpayer's money churning out propaganda to influence U.S. public opinion.

My reorganization language contains protection for the integrity of public diplomacy. We preserve the broadcasting board of governors to make certain that the Voice of America and Radio Free Europe and Radio Marti are not turned into mouthpieces for whoever happens to be running U.S. foreign policy. The Hamilton amendment, I submit, contains no such protections.

In closing, the bottom line on the Hamilton amendment is this: Do we want real reorganization of the foreign agencies or do we want reorganization? Let us hold the President to his word and insist on real reorganization and vote down the Hamilton amendment.

Mr. HAMILTON. Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

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

There was no objection.

Mr. HAMILTON. Mr. Chairman, let me say in response to the comments of the gentleman from New York [Mr. GILMAN] that I do not think really here at issue is whether or not certain agencies are going to be abolished. The President has already said that he is going to incorporate two of these agencies into the State Department. We really are arguing about words here. The President uses the word incorporate. The chairman wants to use the word abolish. We can use either word, it seems to me; the result is the same. We are not going to have a USIA. We are not going to have an ACDA. They are going to be subsumed in the Department of State, and AID, too, is going to go through radical change.

Second, I think there is a very tight time frame in the Hamilton amendment. We require the President to submit to Congress in 120 days his bill for reorganization, and then the Congress has 120 days after that to act. So I think we are on a very tight time frame, and we are on a time frame which is consistent with what the President has indicated that he is going to do.

At the end of the day here, the important point is this. My proposal will mean that, if it is adopted, we have an opportunity for this bill to become law. If the Gilman language stays in the bill because the President objects to it, we are spinning our wheels. It is not going to become law.

So if Members want a law with respect to reorganization that protects the President's prerogatives, protects the prerogatives of the U.S. Congress, then the Hamilton language is preferable. If Members want to make rhetorical remarks about abolishing these agencies and get that language in here, then we are going to make a political point but we are not going to have a law because the administration is not going to accept it.

If we are really serious about reorganization, we are going to have to cooperate with the President of the United States. The President of the United States says through his top advisors that the Gilman language is unacceptable. Do we want reorganization or do we not? The Republicans, the majority cannot dictate reorganization, and they will defeat reorganization if they insist upon the language of the Gilman amendment. That is what this comes down to in the end. If Members want reorganization, they have to deal with the President. He is the President and he has said that the Gilman language, or his advisors have said the Gilman language is unacceptable.

Mr. GILMAN. Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

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

There was no objection.

Mr. GILMAN. Mr. Chairman, I would like to submit to the distinguished minority member of our committee that our staff has been trying to work with the administration to try to work out the kind of flexibility that the President has been requesting, but we have found it very difficult because we have been essentially stonewalled on what we have been trying to do. That is, to come to terms on a proposition that would be workable. We want to do essentially both what the administration and our committee wants to do, what the President is suggesting, but when we try to get to terms on how we are going to do it, we have found it has been extremely difficult. We intend to continue to try to work with the administration right through to conference on this measure, providing it gets through the House and through the Senate. I want to assure my colleagues that we will try our best to try to find an agreeable method of meeting the administration's objections.

Mr. SMITH of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. GILMAN. I yield to the gentleman from New Jersey.

Mr. SMITH of New Jersey. Mr. Chairman, I just want to echo my statement earlier during general debate that I do think that Division A is a very responsible attempt to try to reform our State Department. As a matter of fact, I chair the subcommittee that oversees this. We have held hearings. We have looked at it very closely. My concern is that, if we wait for the President to come up with something and we basically surrender all of our prerogatives to the executive branch, then they come back and then—like the base closings legislation, the BRACC—we have an ability to overturn it; but the chances are slim to none that that will happen, for a variety of reasons.

Here we have a responsible piece of legislation that tries. Glitches, if there are any, can be worked out in conference. It is a work in progress. But, for example, it protects the freedom broadcasting capabilities of USIA at the same time that it introduces economies of scale which will eliminate some duplication.

I come to this somewhat reluctantly. Last Congress I felt that—especially concerning USIA, but with ACDA as well—perhaps consolidation was not the right course to take. But now, upon reflection and looking at an ever-shrinking pie in terms of the amount of money that is available, this seems to be a very responsible move. I hope, with all due respect to my good friend from Indiana, that Members will vote down his amendment and go with the underlying bill.

Mr. GILMAN. Mr. Chairman, I thank the gentleman from New Jersey [Mr. SMITH] for his supportive arguments.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. HAMILTON].

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

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

The CHAIRMAN. Pursuant to House Resolution 159, further proceedings on the amendment offered by the gentleman from Indiana [Mr. HAMILTON] will be postponed.

The CHAIRMAN. Are there further amendments to title I?

If not, the Clerk will designate title II.

The text of title II is as follows:

TITLE II—UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY

CHAPTER 1—GENERAL PROVISIONS

SEC. 201. EFFECTIVE DATE.

This title, and the amendments made by this title, shall take effect on the earlier of—

(1) August 17, 1998; or

(2) the date of abolition of the United States Arms Control and Disarmament Agency pursuant to the reorganization plan described in section 601.

CHAPTER 2—ABOLITION OF UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY AND TRANSFER OF FUNCTIONS

SEC. 211. ABOLITION OF UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY.

The United States Arms Control and Disarmament Agency is abolished.

SEC. 212. TRANSFER OF FUNCTIONS TO SECRETARY OF STATE.

There are transferred to the Secretary of State all functions of the Director of the United States Arms Control and Disarmament Agency and all functions of the United States Arms Control and Disarmament Agency and any office or component of such agency under any statute, reorganization plan, Executive order, or other provision of law as of the day before the effective date of this title, except as otherwise provided in this division.

SEC. 213. UNDER SECRETARY FOR ARMS CONTROL AND INTERNATIONAL SECURITY.

(a) ESTABLISHMENT OF UNDER SECRETARY FOR ARMS CONTROL AND INTERNATIONAL SECURITY.—Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amended in subsection (b)—

(1) by striking ''There'' and inserting the following:

''(1) IN GENERAL.—There''; and

(2) by adding at the end the following:

''(2) UNDER SECRETARY FOR ARMS CONTROL AND INTERNATIONAL SECURITY.—There shall be in the Department of State, among the Under Secretaries authorized by paragraph (1), an Under Secretary for Arms Control and International Security who shall assist the Secretary and the Deputy Secretary in matters related to arms control and international security policy.''.

(b) PARTICIPATION IN MEETINGS OF NATIONAL SECURITY COUNCIL.—Section 101 of the National Security Act of 1947 (50 U.S.C. 402) is amended by adding at the end the following new subsection:

''(i) The Under Secretary for Arms Control and International Security may, in the role of advisor to the National Security Council on arms control and disarmament matters, and subject to the direction of the President, attend and participate in meetings of the National Security Council.''.

SEC. 214. ASSISTANT SECRETARY FOR ARMS TRANSFER AND EXPORT CONTROL POLICY; ASSISTANT SECRETARY FOR ARMS CONTROL AND NONPROLIFERATION.

Section 1(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(c)) is amended by adding at the end the following new paragraphs:

''(3) ASSISTANT SECRETARY OF STATE FOR ARMS TRANSFER AND EXPORT CONTROL POLICY.—There shall be in the Department of State an Assistant Secretary for Arms Transfer and Export Control Policy who shall report to the Under Secretary for Arms Control and International Security.

''(4) ASSISTANT SECRETARY OF STATE FOR ARMS CONTROL AND NONPROLIFERATION.—There shall be in the Department of State an Assistant Secretary for Arms Control and Nonproliferation who shall report to the Under Secretary for Arms Control and International Security.''.

SEC. 215. REPEAL RELATING TO INSPECTOR GENERAL FOR UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY.

Section 50 of the Arms Control and Disarmament Act (22 U.S.C. 2593a), relating to the ACDA Inspector General, is repealed.

CHAPTER 3—CONFORMING AMENDMENTS

SEC. 221. REFERENCES.

Any reference in any statute, reorganization plan, Executive order, regulation, agreement, determination, or other official document or proceeding to—

(1) the Director of the United States Arms Control and Disarmament Agency, or any other officer or employee of the United States Arms Control and Disarmament Agency, shall be deemed to refer to the Secretary of State; and

(2) the United States Arms Control and Disarmament Agency shall be deemed to refer to the Department of State.

SEC. 222. REPEAL OF ESTABLISHMENT OF ACDA.

Section 21 of the Arms Control and Disarmament Act (22 U.S.C. 2561; relating to the establishment of ACDA) is repealed.

SEC. 223. REPEAL OF POSITIONS AND OFFICES.

The following sections of the Arms Control and Disarmament Act are repealed:

(1) Section 22 (22 U.S.C. 2562; relating to the Director).

(2) Section 23 (22 U.S.C. 2563; relating to the Deputy Director).

(3) Section 24 (22 U.S.C. 2564; relating to Assistant Directors).

(4) Section 25 (22 U.S.C. 2565; relating to bureaus, offices, and divisions).

SEC. 224. AUTHORITIES OF SECRETARY OF STATE.

(a) IN GENERAL.—(1) Except as provided in paragraph (2), the Arms Control and Disarmament Act (22 U.S.C. 2551 et seq.) is amended by striking ''Agency'' and ''Director'' each place it appears and inserting ''Department'' and ''Secretary'', respectively.

(2) No amendment shall be made under paragraph (1) to references to the On-Site Inspection Agency or to the Director of Central Intelligence.

(b) PURPOSE.—Section 2 of such Act (22 U.S.C. 2551) is amended—

(1) by striking the second, fourth, fifth, and sixth sentences; and

(2) in the seventh sentence—

(A) by striking ''It'' and all that follows through ''State,'' and inserting ''The Department of State shall have the authority''; and

(B) by striking ''primary''.

(c) DEFINITIONS.—Section 3 of such Act (22 U.S.C. 2552) is amended by striking paragraph (c) and inserting the following:

''(c) The term 'Department' means the Department of State.

''(d) The term 'Secretary' means the Secretary of State.''.

(d) SCIENTIFIC AND POLICY ADVISORY COMMITTEE.—Section 26(b) of such Act (22 U.S.C. 2566(b)) is amended by striking '', the Secretary of State, and the Director'' and inserting ''and the Secretary of State''.

(e) PRESIDENTIAL SPECIAL REPRESENTATIVES.—Section 27 of such Act (22 U.S.C. 2567) is amended by striking '', acting through the Director''.

(f) PROGRAM FOR VISITING SCHOLARS.—Section 28 of such Act (22 U.S.C. 2568) is amended—

(1) in the second sentence, by striking ''Agency's activities'' and inserting ''Department's arms control, nonproliferation, and disarmament activities''; and

(2) in the fourth sentence, by striking '', and all former Directors of the Agency''.

(g) POLICY FORMULATION.—Section 33(a) of such Act (22 U.S.C. 2573(a)) is amended by striking ''shall prepare for the President, the Secretary of State,'' and inserting ''shall prepare for the President''.

(h) NEGOTIATION MANAGEMENT.—Section 34 of such Act (22 U.S.C. 2574) is amended—

(1) in subsection (a), by striking ''the President and the Secretary of State'' and inserting ''the President''; and

(2) by striking subsection (b).

(i) VERIFICATION OF COMPLIANCE.—Section 37(d) of such Act (22 U.S.C. 2577(d)) is amended by striking ''Director's designee'' and inserting ''Secretary's designee''.

(j) GENERAL AUTHORITY.—Section 41 of such Act (22 U.S.C. 2581) is repealed.

(k) SECURITY REQUIREMENTS.—Section 45 of such Act (22 U.S.C. 2585) is amended—

(1) by striking subsections (a), (b), and (d); and

(2) by striking ''(c)'' before ''The Atomic Energy Commission''.

(l) USE OF FUNDS.—Section 48 of such Act (22 U.S.C. 2588) is repealed.

(m) ANNUAL REPORT.—Section 51(a) of such Act (22 U.S.C. 2593a(a)) is amended by striking ''the Secretary of State,''.

(n) REQUIREMENT FOR AUTHORIZATION OF APPROPRIATIONS.—Section 53 of such Act (22 U.S.C. 2593c) is repealed.

(o) ON-SITE INSPECTION AGENCY.—Section 61 of such Act (22 U.S.C. 2595) is amended—

(1) in paragraph (1), by striking ''United States Arms Control and Disarmament Agency is'' and inserting ''Department of State and the Department of Defense are respectively''; and

(2) in paragraph (7), by striking ''the United States Arms Control and Disarmament Agency and''.

SEC. 225. CONFORMING AMENDMENTS.

(a) ARMS EXPORT CONTROL ACT.—The Arms Export Control Act is amended—

(1) in section 36(b)(1)(D) (22 U.S.C. 2776(b)(1)(D)), by striking ''Director of the Arms Control and Disarmament Agency in consultation with the Secretary of State and'' and inserting ''Secretary of State in consultation with'';

(2) in section 38(a)(2) (22 U.S.C. 2778(a)(2))—

(A) in the first sentence, by striking ''Director of the United States Arms Control and Disarmament Agency, taking into account the Director's'' and inserting ''Secretary of State, taking into account the Secretary's''; and

(B) in the second sentence, by striking ''The Director of the Arms Control and Disarmament Agency is authorized, whenever the Director'' and inserting ''The Secretary of State is authorized, whenever the Secretary'';

(3) in section 42(a) (22 U.S.C. 2791(a))—

(A) in paragraph (1)(C), by striking ''Director of the United States Arms Control and Disarmament Agency'' and inserting ''Secretary of State''; and

(B) in paragraph (2)—

(i) in the first sentence, by striking ''Director of the United States Arms Control and Disarmament Agency'' and inserting ''Secretary of State''; and

(ii) in the second sentence, by striking ''Director of the Arms Control and Disarmament Agency is authorized, whenever the Director'' and inserting ''Secretary of State is authorized, whenever the Secretary'';

(4) in section 71(a) (22 U.S.C. 2797(a)), by striking '', the Director of the Arms Control and Disarmament Agency,'' and inserting ''Secretary of State'';

(5) in section 71(b)(1) (22 U.S.C. 2797(b)(1)), by striking ''Director of the United States Arms Control and Disarmament Agency'' and inserting ''Secretary of State'';

(6) in section 71(b)(2) (22 U.S.C. 2797(b)(2))—

(A) by striking ''Director of the United States Arms Control and Disarmament Agency'' and inserting ''Secretary of State''; and

(B) by striking ''or the Director'';

(7) in section 71(c) (22 U.S.C. 2797(c)), by striking ''Director of the United States Arms Control and Disarmament Agency,'' and inserting ''Secretary of State''; and

(8) in section 73(d) (22 U.S.C. 2797b(d)), by striking '', the Secretary of Commerce, and the Director of the United States Arms Control and Disarmament Agency'' and inserting ''and the Secretary of Commerce''.

(b) UNITED STATES INSTITUTE OF PEACE ACT.—Section 1706(b) of the United States Institute of Peace Act (22 U.S.C. 4605(b)) is amended—

(1) by striking out paragraph (3);

(2) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively; and

(3) in paragraph (4) (as redesignated by paragraph (2)), by striking ''Eleven'' and inserting ''Twelve''.

(c) ATOMIC ENERGY ACT OF 1954.—The Atomic Energy Act of 1954 is amended—

(1) in section 57 b. (42 U.S.C. 2077(b))—

(A) in the first sentence, by striking ''the Arms Control and Disarmament Agency,''; and

(B) in the second sentence, by striking ''the Director of the Arms Control and Disarmament Agency,''; and

(2) in section 123 (42 U.S.C. 2153)—

(A) in subsection a. (in the text below paragraph (9))—

(i) by striking ''and in consultation with the Director of the Arms Control and Disarmament Agency ('the Director')''; and

(ii) by striking ''and the Director'' and inserting ''and the Secretary of Defense'';

(B) in subsection d., in the first proviso, by striking ''Director of the Arms Control and Disarmament Agency'' and inserting ''Secretary of Defense''; and

(C) in the first undesignated paragraph following subsection d., by striking ''the Arms Control and Disarmament Agency,''.

(d) NUCLEAR NON-PROLIFERATION ACT OF 1978.—The Nuclear Non-Proliferation Act of 1978 is amended—

(1) in section 4, by striking paragraph (2);

(2) in section 102, by striking ''the Secretary of State, and the Director of the Arms Control and Disarmament Agency'' and inserting ''and the Secretary of State''; and

(3) in section 602(c), by striking ''the Arms Control and Disarmament Agency,''.

(e) TITLE 5, UNITED STATES CODE.—Title 5, United States Code, is amended—

(1) in section 5313, by striking ''Director of the United States Arms Control and Disarmament Agency.'';

(2) in section 5314, by striking ''Deputy Director of the United States Arms Control and Disarmament Agency.'';

(3) in section 5315—

(A) by striking ''Assistant Directors, United States Arms Control and Disarmament Agency (4).''; and

(B) by striking ''Special Representatives of the President for arms control, nonproliferation, and disarmament matters, United States Arms Control and Disarmament Agency'', and inserting ''Special Representatives of the President for arms control, nonproliferation, and disarmament matters, Department of State''; and

(4) in section 5316, by striking ''General Counsel of the United States Arms Control and Disarmament Agency.''.

The CHAIRMAN. Are there amendments to title II?

The Clerk will designate title III.

The text of title III is as follows:

TITLE III—UNITED STATES INFORMATION AGENCY

CHAPTER 1—GENERAL PROVISIONS

SEC. 301. EFFECTIVE DATE.

This title, and the amendments made by this title, shall take effect on the earlier of—

(1) August 17, 1999; or

(2) the date of abolition of the United States Information Agency pursuant to the reorganization plan described in section 601.

CHAPTER 2—ABOLITION OF UNITED STATES INFORMATION AGENCY AND TRANSFER OF FUNCTIONS

SEC. 311. ABOLITION OF UNITED STATES INFORMATION AGENCY.

The United States Information Agency is abolished.

SEC. 312. TRANSFER OF FUNCTIONS.

(a) TRANSFER TO SECRETARY OF STATE.—There are transferred to the Secretary of State all functions of the Director of the United States Information Agency and all functions of the United States Information Agency and any office or component of such agency under any statute, reorganization plan, Executive order, or other provision of law as of the day before the effective date of this title, except as otherwise provided in this division.

(b) PRESERVING THE INDEPENDENCE OF INTERNATIONAL BROADCASTING.—The Broadcasting Board of Governors and the Director of the International Broadcasting Bureau shall continue to have the responsibilities set forth in title III of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6201 et seq.), except that, as further set forth in chapter 3 of this title, references in that Act to the United States Information Agency shall be deemed to refer to the Department of State, and references to the Director of the United States Information Agency shall be deemed to refer to the Under Secretary of the State for Public Diplomacy.

SEC. 313. UNDER SECRETARY OF STATE FOR PUBLIC DIPLOMACY.

Section 1(b) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(b)) is amended—

(1) by inserting ''(1)'' before ''There''; and

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

''(2) UNDER SECRETARY FOR PUBLIC DIPLOMACY.—There shall be in the Department of State, among the Under Secretaries authorized by paragraph (1), an Under Secretary for Public Diplomacy who shall have responsibility to assist the Secretary and the Deputy Secretary in the supervision and implementation of United States public diplomacy policies, personnel, and activities, including international educational and cultural exchange programs, information, and international broadcasting. The Under Secretary for Public Diplomacy shall be responsible for ensuring as provided in 501 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1461) and section 208 of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (22 U.S.C. 1461–1a), and except as expressly exempted in those Acts, that no program material produced under authority of the United States Information and Exchange Act of 1948 shall be disseminated within the United States and that no funds authorized to be appropriated for public diplomacy activities shall be used to influence public opinion in the United States.''.

SEC. 314. ASSISTANT SECRETARY FOR INTERNATIONAL EXCHANGES; ASSISTANT SECRETARY FOR INTERNATIONAL INFORMATION PROGRAMS.

Section 1(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(c)), as amended by this Act, is further amended by adding at the end the following new paragraphs:

''(5) ASSISTANT SECRETARY OF STATE FOR INTERNATIONAL EXCHANGES.—There shall be in the Department of State an Assistant Secretary for International Exchanges who shall report to the Under Secretary for Public Diplomacy.

''(6) ASSISTANT SECRETARY OF STATE FOR INTERNATIONAL INFORMATION PROGRAMS.—There shall be in the Department of State an Assistant Secretary for International Information Programs who shall report to the Under Secretary for Public Diplomacy.''

SEC. 315. ABOLITION OF OFFICE OF INSPECTOR GENERAL OF UNITED STATES INFORMATION AGENCY AND TRANSFER OF FUNCTIONS.

(a) ABOLITION OF OFFICE.—The Office of Inspector General of the United States Information Agency is abolished.

(b) AMENDMENTS TO INSPECTOR GENERAL ACT OF 1978.—Section 11 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in paragraph (1), by striking '', the Office of Personnel Management or the United States Information Agency'' and inserting ''or the Office of Personnel Management''; and

(2) in paragraph (2), by striking ''the United States Information Agency,''.

(c) EXECUTIVE SCHEDULE.—Section 5315 of title 5, United States Code, is amended by striking the following:

''Inspector General, United States Information Agency.''.

(d) AMENDMENTS TO PUBLIC LAW 103–236.—Subsections (i) and (j) of section 308 of Public Law 103–236 are amended by striking ''Inspector General of the United States Information Agency'' each place it appears and inserting ''Inspector General for the Department of State''.

(e) TRANSFER OF FUNCTIONS.—There are transferred to the Office of the Inspector General of the Department of State the functions that the Office of Inspector General of the United States Information Agency exercised before the effective date of this title (including all related functions of the Inspector General of the United States Information Agency).

(f) TRANSFER AND ALLOCATIONS OF APPROPRIATIONS AND PERSONNEL.—The Director of the Office of Management and Budget, in consultation with the Secretary of State, is authorized to make such incidental dispositions of personnel, assets, liabilities, grants, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds held, used, arising from, available to, or to be made available in connection with such functions, as may be necessary to carry out the provisions of this section.

CHAPTER 3—CONFORMING AMENDMENTS

SEC. 321. REFERENCES IN LAW.

Any reference in any statute, reorganization plan, Executive order, regulation, agreement, determination, or other official document or proceeding to—

(1) the Director of the United States Information Agency or the Director of the International Communication Agency shall be deemed to refer to the Secretary of State; and

(2) the United States Information Agency, USIA, or the International Communication Agency shall be deemed to refer to the Department of State.

SEC. 322. AMENDMENTS TO TITLE 5, UNITED STATES CODE.

Title 5, United States Code, is amended—

(1) in section 5313, by striking ''Director of the United States Information Agency.'';

(2) in section 5315, by striking ''Deputy Director of the United States Information Agency.''; and

(3) in section 5316, by striking ''Deputy Director, Policy and Plans, United States Information Agency.'' and striking ''Associate Director (Policy and Plans), United States Information Agency.''.

SEC. 323. AMENDMENTS TO UNITED STATES INFORMATION AND EDUCATIONAL EXCHANGE ACT OF 1948.

(a) REFERENCES IN SECTION.—Except as specifically provided in this section, whenever in this section an amendment or repeal is expressed as an amendment or repeal of a provision, the reference shall be deemed to be made to the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1431 et seq.).

(b) IN GENERAL.—Except as otherwise provided in this section, the Act (other than section 604 and subsections (a) and (c) of section 701) is amended—

(1) by striking ''United States Information Agency'' each place it appears and inserting ''Department of State'';

(2) by striking ''Director of the United States Information Agency'' each place it appears and inserting ''Secretary of State'';

(3) by striking ''Director'' each place it appears and inserting ''Secretary of State'';

(4) by striking ''USIA'' each place it appears and inserting ''Department of State''; and

(5) by striking ''Agency'' each place it appears and inserting ''Department of State''.

(c) SATELLITE AND TELEVISION BROADCASTS.—Section 505 (22 U.S.C. 1464a) is amended—

(1) by striking ''Director of the United States Information Agency'' each of the three places it appears and inserting ''Secretary of State'';

(2) in subsection (b), by striking ''To be effective, the United States Information Agency'' and inserting ''To be effective in carrying out this subsection, the Department of State'';

(3) by striking ''USIA–TV'' each place it appears and inserting ''DEPARTMENT OF STATE–TV''; and

(4) by striking subsection (e).

(d) NONDISCRETIONARY PERSONNEL COSTS AND CURRENCY FLUCTUATIONS.—Section 704 (22 U.S.C. 1477b) is amended—

(1) in subsection (b), by inserting after ''authorized by law'' the following: ''in connection with carrying out the informational and educational exchange functions of the Department''; and

(2) in subsection (c), by striking ''United States Information Agency'' each place it appears and inserting ''Department of State in carrying out the informational and educational exchange functions of the Department''.

(e) REPROGRAMMING NOTIFICATIONS.—Section 705 (22 U.S.C. 1477c) is amended by striking ''United States Information Agency'' each place it appears and inserting ''Department of State in carrying out its informational and educational exchange functions''.

(f) AUTHORITIES OF THE SECRETARY.—Section 801(3) (22 U.S.C. 1471(3)) is amended by striking all ''if the sufficiency'' and all that follows and inserting ''if the Secretary determines that title to such real property or interests is sufficient;''.

(g) REPEAL OF THE USIA SEAL.—Section 807 (22 U.S.C. 1475b) is repealed.

(h) ACTING ASSOCIATE DIRECTORS.—Section 808 (22 U.S.C. 1475c) is repealed.

(i) DEBT COLLECTION.—Section 811 (22 U.S.C. 1475f) is amended by inserting ''informational and educational exchange'' before ''activities'' each place it appears.

(j) OVERSEAS POSTS.—Section 812 (22 U.S.C. 1475g) is amended by striking ''United States Information Agency post'' each place it appears and inserting ''informational and educational exchange post of the Department of State''.

(k) DEFINITION.—Section 4 (22 U.S.C. 1433) is amended by adding at the end the following:

''(4) 'informational and educational exchange functions', with respect to the Department of State, refers to functions exercised by the United States Information Agency before the effective date of title III of the Foreign Affairs Agencies Consolidation Act of 1997.''.

SEC. 324. AMENDMENTS TO MUTUAL EDUCATIONAL AND CULTURAL EXCHANGE ACT OF 1961 (FULBRIGHT-HAYS ACT).

(a) REFERENCES IN SECTION.—Except as specifically provided in this section, whenever in this section an amendment or repeal is expressed as an amendment or repeal of a provision, the reference shall be deemed to be made to the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2451 et seq.).

(b) IN GENERAL.—The Act (22 U.S.C. 2451 et seq.) is amended by striking ''Director of the International Communication Agency'' each place it appears and inserting ''Secretary of State''.

(c) PROGRAM AUTHORITIES.—(1) Section 102(a) (22 U.S.C. 2452(a)) is amended by striking ''President'' each place it appears and inserting ''Secretary of State''.

(2) Section 102(b) (22 U.S.C. 2452(b)) is amended by striking ''President'' and inserting ''Secretary of State (except, in the case of paragraphs (6) and (10), the President)''.

(d) INTERNATIONAL AGREEMENTS.—Section 103 (22 U.S.C. 2453) is amended by striking ''President'' each place it appears and inserting ''Secretary of State''.

(e) PERSONNEL BENEFITS.—Section 104(d) (22 U.S.C. 2454(d)) is amended by striking ''President'' each place it appears and inserting ''Secretary of State''.

(f) FOREIGN STUDENT COUNSELING.—Section 104(e)(3) (22 U.S.C. 2454(e)(3)) is amended by striking ''President'' and inserting ''Secretary of State''.

(g) PUBLICITY AND PROMOTION OVERSEAS.—Section 104(e)(4) (22 U.S.C. 2454(e)(4)) is amended by striking ''President'' and inserting ''Secretary of State''.

(h) USE OF FUNDS.—Section 105(e) (22 U.S.C. 2455(e)) is amended by striking ''President'' each place it appears and inserting ''Secretary of State''.

(i) REPEAL OF AUTHORITY FOR ABOLISHED ADVISORY COMMITTEE.—Section 106(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2456(c)) is repealed.

(j) BUREAU OF EDUCATIONAL AND CULTURAL AFFAIRS.—

(1) IN GENERAL.—Section 112 (22 U.S.C. 2460) is amended—

(A) in subsection (a) by striking the first sentence; and

(B) by striking ''Bureau'' each place it appears and inserting ''Department of State''.

(2) IMPLEMENTATION OF PROGRAMS.—Section 112(c) (22 U.S.C. 2460(c)) is amended by striking ''President'' each place it appears and inserting ''Secretary of State''.

SEC. 325. INTERNATIONAL BROADCASTING ACTIVITIES.

(a) IN GENERAL.—(1) Except as otherwise provided in paragraph (2), title III of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236) is amended—

(A) by striking ''Director of the United States Information Agency'' or ''Director'' each place it appears and inserting ''Under Secretary of State for Public Diplomacy'';

(B) by striking all references to ''United States Information Agency'' that were not stricken in subparagraph (A) and inserting ''Department of State'';

(C) in section 305(a)(1), by inserting ''(including activities of the Voice of America previously carried out by the United States Information Agency)'' after ''this title'';

(D) in section 305(b), by striking ''Agency's'' each place it appears and inserting ''Department's''; and

(E) by striking ''Bureau'' each place it appears and inserting ''Office''.

(2) Title III of such Act is amended—

(A) in section 304(c)—

(i) by striking ''Director's'' and inserting ''Under Secretary's''; and

(ii) in the fifth sentence, by striking ''Director of the United States Information Agency, the acting Director of the agency'' and inserting ''Under Secretary of State for Public Diplomacy, the acting Under Secretary'';

(B) in sections 305(b) and 307(b)(1), by striking ''Director of the Bureau'' each place it appears and inserting ''Director of the Office''; and

(C) in section 310(d), by striking ''Director on the date of enactment of this Act, to the extent that the Director'' and inserting ''Under Secretary on the effective date of title III of the Foreign Affairs Agencies Consolidation Act of 1996, to the extent that the Under Secretary''.

(b) CONFORMING AMENDMENT TO TITLE 5.—Section 5315 of title 5, United States Code, is amended by striking ''Director of the International Broadcasting Bureau, the United States Information Agency'' and inserting ''Director of the International Broadcasting Office, the Department of State''.

SEC. 326. TELEVISION BROADCASTING TO CUBA.

(a) AUTHORITY.—Section 243(a) of the Television Broadcasting to Cuba Act (as contained in part D of title II of Public Law 101–246) (22 U.S.C. 1465bb(a)) is amended by striking ''United States Information Agency (hereafter in this part referred to as the 'Agency')'' and inserting ''Department of State (hereafter in this title referred to as the 'Department')''.

(b) TELEVISION MARTI SERVICE.—Section 244 of such Act (22 U.S.C. 1465cc) is amended—

(1) in subsection (a)—

(A) by amending the first sentence to read as follows: ''The Secretary of State shall administer within the Voice of America the Television Marti Service.''; and

(B) in the third sentence, by striking ''Director of the United States Information Agency'' and inserting ''Secretary of State'';

(2) in subsection (b)—

(A) in the subsection heading, by striking ''USIA'' and inserting ''Department of State'';

(B) by striking ''Agency facilities'' and inserting ''Department facilities''; and

(C) by striking ''United States Information Agency Television Service'' and inserting ''Department of State Television Service''; and

(3) in subsection (c)—

(A) by striking ''USIA AUTHORITY.—The Agency'' and inserting ''SECRETARY OF STATE AUTHORITY.—The Secretary of State''; and

(B) by striking ''Agency'' the second place it appears and inserting ''Secretary of State''.

(c) ASSISTANCE FROM OTHER GOVERNMENT AGENCIES.—Section 246 of such Act (22 U.S.C. 1465dd) is amended—

(1) by striking ''United States Information Agency'' and inserting ''Department of State''; and

(2) by striking ''the Agency'' and inserting ''the Department''.

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 247(a) of such Act (22 U.S.C. 1465ee(a)) is repealed.

SEC. 327. RADIO BROADCASTING TO CUBA.

(a) FUNCTIONS OF THE DEPARTMENT OF STATE.—Section 3 of the Radio Broadcasting to Cuba Act (22 U.S.C. 1465a) is amended—

(1) in the section heading, by striking ''UNITED STATES INFORMATION AGENCY'' and inserting ''DEPARTMENT OF STATE'';

(2) in subsection (a), by striking ''United States Information Agency (hereafter in this Act referred to as the 'Agency')'' and inserting ''Department of State (hereafter in this Act referred to as the 'Department')'';

(3) by striking subsection (d); and

(4) in subsection (f), by striking ''Director of the United States Information Agency'' and inserting ''Secretary of State''.

(b) CUBA SERVICE.—Section 4 of such Act (22 U.S.C. 1465b) is amended—

(1) by amending the first sentence to read as follows: ''The Secretary of State shall administer within the Voice of America the Cuba Service (hereafter in this section referred to as the 'Service').''; and

(2) in the third sentence, by striking ''Director of the United States Information Agency'' and inserting ''Secretary of State''.

(c) ASSISTANCE FROM OTHER GOVERNMENT AGENCIES.—Section 6 of such Act (22 U.S.C. 1465d) is amended—

(1) in subsection (a)—

(A) by striking ''United States Information Agency'' and inserting ''Department of State''; and

(B) by striking ''the Agency'' and inserting ''the Department''; and

(2) in subsection (b)—

(A) by striking ''The Agency'' and inserting ''The Department''; and

(B) by striking ''the Agency'' and inserting ''the Secretary of State''.

(d) FACILITY COMPENSATION.—Section 7 of such Act (22 U.S.C. 1465e) is amended—

(1) in subsection (b), by striking ''the Agency'' and inserting ''the Department''; and

(2) in subsection (d), by striking ''Agency'' and inserting ''Department''.

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 8 of such Act (22 U.S.C. 1465f) is amended—

(1) by striking subsections (a) and (b) and inserting the following:

''(a) The amount obligated by the Department of State each fiscal year to carry out this Act shall be sufficient to maintain broadcasts to Cuba under this Act at rates no less than the fiscal year 1985 level of obligations by the former United States Information Agency for such broadcasts.''; and

(2) by redesignating subsection (c) as subsection (b).

SEC. 328. NATIONAL ENDOWMENT FOR DEMOCRACY.

(a) GRANTS.—Section 503 of Public Law 98–164, as amended (22 U.S.C. 4412) is amended—

(1) in subsection (a)—

(A) by striking ''Director of the United States Information Agency'' and inserting ''Secretary of State'';

(B) by striking ''the Agency'' and inserting ''the Department of State''; and

(C) by striking ''the Director'' and inserting ''the Secretary of State''; and

(2) in subsection (b), by striking ''United States Information Agency'' and inserting ''Department of State''.

(b) AUDITS.—Section 504(g) of such Act (22 U.S.C. 4413(g)) is amended by striking ''United States Information Agency'' and inserting ''Department of State''.

(c) FREEDOM OF INFORMATION.—Section 506 of such Act (22 U.S.C. 4415) is amended—

(1) in subsection (b)—

(A) by striking ''Director'' each of the three places it appears and inserting ''Secretary''; and

(B) by striking ''of the United States Information Agency'' and inserting ''of State''; and

(2) in subsection (c)—

(A) in the subsection heading by striking ''USIA'' and inserting ''DEPARTMENT OF STATE'';

(B) by striking ''Director'' each of the three places it appears and inserting ''Secretary'';

(C) by striking ''of the United States Information Agency'' and inserting ''of State''; and

(D) by striking ''United States Information Agency'' and inserting ''Department of State''.

SEC. 329. UNITED STATES SCHOLARSHIP PROGRAM FOR DEVELOPING COUNTRIES.

(a) PROGRAM AUTHORITY.—Section 603 of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (22 U.S.C. 4703) is amended by striking ''United States Information Agency'' and inserting ''Department of State''.

(b) GUIDELINES.—Section 604(11) of such Act (22 U.S.C. 4704(11)) is amended by striking ''United States Information Agency'' and inserting ''Department of State''.

(c) POLICY REGARDING OTHER INTERNATIONAL EDUCATIONAL PROGRAMS.—Section 606(b) of such Act (22 U.S.C. 4706(b)) is amended—

(1) in the subsection heading, by striking ''USIA'' and inserting ''STATE DEPARTMENT''; and

(2) by striking ''Director of the United States Information Agency'' and inserting ''Secretary of State''.

(d) GENERAL AUTHORITIES.—Section 609(e) of such Act (22 U.S.C. 4709(e)) is amended by striking ''United States Information Agency'' and inserting ''Department of State''.

SEC. 330. FASCELL FELLOWSHIP BOARD.

Section 1003(b) of the Fascell Fellowship Act (22 U.S.C. 4902(b)) is amended—

(1) in the text above paragraph (1), by striking ''9 members'' and inserting ''8 members'';

(2) by striking paragraph (3); and

(3) by redesignating paragraph (4) as paragraph (3).

SEC. 331. NATIONAL SECURITY EDUCATION BOARD.

Section 803 of the Intelligence Authorization Act, Fiscal Year 1992 (50 U.S.C. 1903(b)) is amended—

(1) in subsection (b)—

(A) by striking paragraph (6); and

(B) by redesignating paragraph (7) as paragraph (6); and

(2) in subsection (c), by striking ''subsection (b)(7)'' and inserting ''subsection (b)(6)''.

SEC. 332. CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN NORTH AND SOUTH.

Section 208 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2075) is amended by striking ''Director of the United States Information Agency'' each place it appears and inserting ''Secretary of State''.

SEC. 333. CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN EAST AND WEST.

(a) DUTIES.—Section 703 of the Mutual Security Act of 1960 (22 U.S.C. 2055) is amended—

(1) in the text above paragraph (1), by striking ''Director of the United States Information Agency'' (hereinafter referred to as the 'Director')'' and inserting ''Secretary of State (hereinafter referred to as the 'Secretary')''; and

(2) in paragraph (1), by striking ''establishment and''.

(b) ADMINISTRATION.—Section 704 of such Act (22 U.S.C. 2056) is amended—

(1) by striking ''Director of the United States Information Agency'' and inserting ''Secretary of State''; and

(2) by striking ''Director'' each place it appears and inserting ''Secretary''.

SEC. 334. MISSION OF DEPARTMENT OF STATE.

Section 202 of the Foreign Relations Authorization Act, Fiscal Year 1979 (22 U.S.C. 1461–1) is amended—

(1) in the first sentence, by striking ''mission of the United States Information Agency'' and inserting ''mission of the Department of State in carrying out its information, educational, and cultural functions'';

(2) in the second sentence, in the text above paragraph (1), by striking ''United States Information Agency'' and inserting ''Department of State'';

(3) in paragraph (1)(B), by striking ''Agency'' and inserting ''Department''; and

(4) in paragraph (5), by striking ''mission of the Agency'' and inserting ''mission described in this section''.

SEC. 335. CONSOLIDATION OF ADMINISTRATIVE SERVICES.

Section 23(a) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2695(a)) is amended—

(1) by striking ''(including'' and all that follows through ''Agency)''; and

(2) by striking ''other such agencies'' and inserting ''other Federal agencies''.

SEC. 336. GRANTS.

Section 212 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 1475h) is amended—

(1) in subsection (a), by striking ''United States Information Agency'' and inserting ''Department of State, in carrying out its international information, educational, and cultural functions,'';

(2) in subsection (b), by striking ''United States Information Agency'' and inserting ''Department of State'';

(3) in subsection (c)—

(A) in paragraph (1), by striking ''United States Information Agency shall substantially comply with United States Information Agency'' and inserting ''Department of State, in carrying out its international information, educational, and cultural functions, shall substantially comply with Department of State''; and

(B) in paragraph (2), by striking ''United States Information Agency'' and inserting ''Department of State''; and

(C) in paragraphs (2) and (3), by striking ''Agency'' each of the two places it appears and inserting ''Department''; and

(4) by striking subsection (d).

SEC. 337. BAN ON DOMESTIC ACTIVITIES.

Section 208 of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (22 U.S.C. 1461–1a) is amended—

(1) by striking out ''United States Information Agency'' each of the two places it appears and inserting ''Department of State''; and

(2) by inserting ''in carrying out international information, educational, and cultural activities comparable to those previously administered by the United States Information Agency'' before ''shall be distributed''.

SEC. 338. CONFORMING REPEAL TO ARMS CONTROL AND DISARMAMENT ACT.

Section 34(b) of the Arms Control and Disarmament Act (22 U.S.C. 2574(b)) is repealed.

SEC. 339. REPEAL RELATING TO PROCUREMENT OF LEGAL SERVICES.

Section 26(b) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2698(b)) is repealed.

SEC. 340. REPEAL RELATING TO PAYMENT OF SUBSISTENCE EXPENSES.

Section 32 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2704) is amended by striking the second sentence.

SEC. 341. CONFORMING AMENDMENT TO SEED ACT.

Section 2(c) of the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5401(c)) is amended in paragraph (17) by striking ''United States Information Agency'' and inserting ''Department of State''.

SEC. 342. INTERNATIONAL CULTURAL AND TRADE CENTER COMMISSION.

Section 7(c)(1) of the Federal Triangle Development Act (40 U.S.C. 1106(c)(1)) is amended—

(1) in the text above subparagraph (A), by striking ''15 members'' and inserting ''14 members'';

(2) by striking subparagraph (F); and

(3) by redesignating subparagraphs (G) through (J) as subparagraphs (F) through (I), respectively.

SEC. 343. OTHER LAWS REFERENCED IN REORGANIZATION PLAN NO. 2 OF 1977.

(a) IMMIGRATION AND NATIONALITY ACT.—(1) Section 101(a)(15)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(J)) is amended by striking ''Director of the United States Information Agency'' and inserting ''Secretary of State''.

(2) Section 212(e) of such Act (8 U.S.C. 1182(e)) is amended—

(A) by striking ''Director of the United States Information Agency'' and inserting ''Secretary of State''; and

(B) by striking ''Director'' each place it appears and inserting ''Secretary''.

(b) ARTS AND ARTIFACTS INDEMNITY ACT.—Section 3(a) of the Arts and Artifacts Indemnity Act (20 U.S.C. 972(a)) is amended by striking out ''Director of the United States Information Agency'' and inserting in lieu thereof ''Secretary of State''.

(c) NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES ACT OF 1965.—Section 9(b) of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 958(b)) is amended by striking out ''a member designated by the Director of the United States Information Agency,'' and inserting in lieu thereof ''a member designated by the Secretary of State,''.

(d) WOODROW WILSON MEMORIAL ACT OF 1968.—Section 3(b) of the Woodrow Wilson Memorial Act of 1968 (20 U.S.C. 80f(b)) is amended—

(1) in the matter preceding paragraph (1), by striking out ''19 members'' and inserting in lieu thereof ''18 members'';

(2) by striking out paragraph (7); and

(3) by redesignating paragraphs (8), (9), and (10) as paragraphs (7), (8), and (9), respectively.

(e) PUBLIC LAW 95–86.—Title V of the Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriations Act, 1978 (Public Law 95–86) is amended in the third proviso of the paragraph ''SALARIES AND EXPENSES'' under the heading ''UNITED STATES INFORMATION AGENCY'' (22 U.S.C. 1461b) by striking out ''the United States Information Agency is authorized,'' and inserting in lieu thereof ''the Secretary of State may,''.

(f) ACT OF JULY 9, 1949.—The Act of July 9, 1949 (63 Stat. 408; chapter 301; 22 U.S.C. 2681 et seq.) is repealed.

SEC. 344. EXCHANGE PROGRAM WITH COUNTRIES IN TRANSITION FROM TOTALITARIANISM TO DEMOCRACY.

Section 602 of the National and Community Service Act of 1990 (22 U.S.C. 2452a) is amended—

(1) in the second sentence of subsection (a), by striking ''United States Information Agency'' and inserting ''Department of State''; and

(2) in subsection (b)—

(A) by striking ''appropriations account of the United States Information Agency'' and inserting ''appropriate appropriations account of the Department of State''; and

(B) by striking ''and the United States Information Agency''.

SEC. 345. EDMUND S. MUSKIE FELLOWSHIP PROGRAM.

Section 227 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452 note) is amended—

(1) in subsection (b), by striking ''United States Information Agency'' and inserting ''Department of State''; and

(2) by striking subsection (d).

SEC. 346. IMPLEMENTATION OF CONVENTION ON CULTURAL PROPERTY.

Title III of the Convention on Cultural Property Implementation Act (19 U.S.C. 2601 et seq.) is amended by striking ''Director of the United States Information Agency'' each place it appears and inserting ''Secretary of State''.

SEC. 347. MIKE MANSFIELD FELLOWSHIPS.

Part C of title II of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6101 et seq.) is amended—

(1) by striking ''Director of the United States Information Agency'' each place it appears and inserting ''Secretary of State''; and

(2) by striking ''United States Information Agency'' each place it appears and inserting ''Department of State''.

SEC. 348. UNITED STATES ADVISORY COMMITTEE FOR PUBLIC DIPLOMACY.

Section 604 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1469) is amended—

(1) in subsection (c)(1)—

(A) by striking ''the Director of the United States Information Agency,''; and

(B) by striking ''Director or the Agency, and shall appraise the effectiveness of policies and programs of the Agency'' and inserting ''Secretary of State or the Department of State, and shall appraise the effectiveness of the information, educational, and cultural policies and programs of the Department'';

(2) in subsection (c)(2), in the first sentence—

(A) by striking ''the Secretary of State, and the Director of the United States Information Agency'' and inserting '', and the Secretary of State'';

(B) by striking ''Agency'' the first place it appears and inserting ''Department of State''; and

(C) by striking ''Director for effectuating the purposes of the Agency'' and inserting ''Secretary for effectuating the information, educational, and cultural functions of the Department'';

(3) in subsection (c)(3), by striking ''programs conducted by the Agency'' and inserting ''information, educational, and cultural programs conducted by the Department of State''; and

(4) in subsection (c)(4), by striking ''Director of the United States Information Agency'' and inserting ''Secretary of State''.

The CHAIRMAN. Are there amendments to title III?

The Clerk will designate title IV.

The text of title IV is as follows:

TITLE IV—UNITED STATES INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

CHAPTER 1—GENERAL PROVISIONS

SEC. 401. EFFECTIVE DATE.

This title, and the amendments made by this title, shall take effect on the earlier of—

(1) August 17, 1998; or

(2) the date of abolition of the United States International Development Cooperation Agency pursuant to the reorganization plan described in section 601.

CHAPTER 2—ABOLITION OF INTERNATIONAL DEVELOPMENT COOPERATION AGENCY AND TRANSFER OF FUNCTIONS

SEC. 411. ABOLITION OF UNITED STATES INTERNATIONAL DEVELOPMENT COOPERATION AGENCY.

(a) IN GENERAL.—The United States International Development Cooperation Agency is abolished.

(b) OPIC.—Subsection (a) shall not be interpreted to apply to the Overseas Private Investment Corporation.

SEC. 412. TRANSFER OF FUNCTIONS.

There are transferred to the Secretary of State all functions of the Director of the United States International Development Cooperation Agency and all functions of the United States International Development Cooperation Agency (other than the functions with respect to the Overseas Private Investment Corporation) and any office or component of such agencies under any statute, reorganization plan, Executive order, or other provision of law before the effective date of this title, except as otherwise provided in this division.

CHAPTER 3—CONFORMING AMENDMENTS

SEC. 421. REFERENCES.

Any reference in any statute, reorganization plan, Executive order, regulation, agreement, determination, or other official document or proceeding to—

(1) the Director or any other officer or employee of the United States International Development Cooperation Agency (IDCA) shall be deemed to refer to the Secretary of State; or

(2) the United States International Development Cooperation Agency (IDCA) shall be deemed to refer to the Department of State.

The CHAIRMAN. Are there amendments to title IV?

The Clerk will designate title V.

The text of title V is as follows:

TITLE V—AGENCY FOR INTERNATIONAL DEVELOPMENT

CHAPTER 1—GENERAL PROVISIONS

SEC. 501. EFFECTIVE DATE.

This title, and the amendments made by this title, shall take effect on the earlier of—

(1) August 17, 1999; or

(2) the date of reorganization of the Agency for International Development pursuant to the reorganization plan described in section 601.

CHAPTER 2—REORGANIZATION OF AGENCY FOR INTERNATIONAL DEVELOPMENT AND TRANSFER OF FUNCTIONS

SEC. 511. REORGANIZATION OF AGENCY FOR INTERNATIONAL DEVELOPMENT.

(a) IN GENERAL.—The Agency for International Development shall be reorganized in accordance with this division and the reorganization plan transmitted pursuant to section 601.

(b) FUNCTIONS TO BE TRANSFERRED.—The reorganization of the Agency for International Development shall provide, at a minimum, for the transfer to and consolidation with the Department of State of the following functions of the agency:

(1) Non-specialized procurement.

(2) Travel and transportation.

(3) Facilities management.

(4) Security operations.

(5) Press affairs.

The CHAIRMAN. Are there amendments to title V?

The Clerk will designate title VI.

The text of title VI is as follows:

TITLE VI—TRANSITION

CHAPTER 1—REORGANIZATION PLAN

SEC. 601. REORGANIZATION PLAN.

(a) SUBMISSION OF PLAN.—Not later than August 17, 1997, or the date of the enactment of this Act, whichever occurs later, the President shall, in consultation with the Secretary and the heads of the agencies under subsection (b), transmit to the appropriate congressional committees a reorganization plan providing for—

(1) with respect to the United States Arms Control and Disarmament Agency, the United States Information Agency, and the United States International Development Cooperation Agency, the abolition of each agency in accordance with this division;

(2) with respect to the Agency for International Development, the consolidation and streamlining of the agency and the transfer of certain functions of the agency to the Department in accordance with this division;

(3) the termination of functions of each agency that would be redundant if transferred to the Department, and the separation from service of employees of each such agency or of the Department not otherwise provided for in the plan;

(4) the transfer to the Department of the functions and personnel of each agency consistent with the provisions of this division; and

(5) the consolidation, reorganization, and streamlining of the Department upon the transfer of such functions and personnel in order to carry out such functions.

(b) COVERED AGENCIES.—The agencies under this subsection are the following:

(A) The United States Arms Control and Disarmament Agency.

(B) The United States Information Agency.

(C) The United States International Development Cooperation Agency.

(D) The Agency for International Development.

(c) PLAN ELEMENTS.—The plan transmitted under subsection (a) shall—

(1) identify the functions of each agency that will be transferred to the Department under the plan;

(2) identify the personnel and positions of each agency (including civil service personnel, Foreign Service personnel, and detailees) that will be transferred to the Department, separated from service with such agency, or eliminated under the plan, and set forth a schedule for such transfers, separations, and terminations;

(3) identify the personnel and positions of the Department (including civil service personnel, Foreign Service personnel, and detailees) that will be transferred within the Department, separated from service with the Department, or eliminated under the plan, and set forth a schedule for such transfers, separations, and terminations;

(4) specify the consolidations and reorganization of functions of the Department that will be required under the plan in order to permit the Department to carry out the functions transferred to the Department under the plan;

(5) specify the funds available to each agency that will be transferred to the Department as a result of the transfer of functions of such agency to the Department;

(6) specify the proposed allocations within the Department of unexpended funds transferred in connection with the transfer of functions under the plan; and

(7) specify the proposed disposition of the property, facilities, contracts, records, and other assets and liabilities of each such agency in connection with the transfer of the functions of the agency to the Department.

(d) REORGANIZATION PLAN OF AGENCY FOR INTERNATIONAL DEVELOPMENT.—In addition to applicable provisions of subsection (c), the reorganization plan transmitted under this section for the Agency for International Development —

(1) shall provide for the transfer to and consolidation within the Department of the functions of the agency set forth in section 511; and

(2) may provide for additional consolidation, reorganization, and streamlining of the agency, including—

(A) the termination of functions and reductions in personnel of the agency;

(B) the transfer of functions of the agency (including personnel operations other than personnel management, financial operations, and legal affairs), and the personnel associated with such functions, to the Department; and

(C) the consolidation, reorganization, and streamlining of the Department upon the transfer of such functions and personnel in order to carry out the functions transferred.

(e) MODIFICATION OF PLAN.—The President may, on the basis of consultations with the appropriate congressional committees, modify or revise the plan transmitted under subsection (a).

(f) EFFECTIVE DATE.—(1) The reorganization plan described in this section, including any modifications or revisions of the plan under subsection (e), shall become effective on the earlier of—

(A)(i) August 17, 1998 with respect to the Arms Control and Disarmament Agency and the United States International Development Cooperation Agency; and

(ii) August 17, 1999, with respect to the United States Information Agency and the Agency for International Development, or

(B) such date as the President shall determine to be appropriate and announce by notice published in the Federal Register, which date may be not earlier than 60 calendar days (excluding any day on which either House of Congress is not in session because of an adjournment sine die or because of an adjournment of more than 3 days to a day certain) after the President has transmitted the reorganization plan to the appropriate congressional committees pursuant to subsection (a).

(2) Paragraph (1) shall apply notwithstanding section 905(b) of title 5, United States Code.

CHAPTER 2—REORGANIZATION AUTHORITY

SEC. 611. REORGANIZATION AUTHORITY.

(a) IN GENERAL.—The Secretary is authorized, subject to the requirements of this division, to allocate or reallocate any function transferred to the Department under any title of this division among the officers of the Department, and to establish, consolidate, alter, or discontinue such organizational entities within the Department as may be necessary or appropriate to carry out any reorganization under this division, but the authority of the Secretary under this section does not extend to—

(1) the abolition of organizational entities or officers established by this Act or any other Act; or

(2) the alteration of the delegation of functions to any specific organizational entity or officer required by this Act or any other Act.

(b) REQUIREMENTS AND LIMITATIONS ON REORGANIZATION PLAN.—The reorganization plan under section 601 may not have the effect of—

(1) creating a new executive department;

(2) continuing a function beyond the period authorized by law for its exercise or beyond the time when it would have terminated if the reorganization had not been made;

(3) authorizing an agency to exercise a function which is not authorized by law at the time the plan is transmitted to Congress;

(4) creating a new agency which is not a component or part of an existing executive department or independent agency; or

(5) increasing the term of an office beyond that provided by law for the office.

SEC. 612. TRANSFER AND ALLOCATION OF APPROPRIATIONS AND PERSONNEL.

(a) IN GENERAL.—Except as otherwise provided in this Act, the personnel employed in connection with, and the assets, liabilities, contracts, property, records, and unexpended balance of appropriations, authorizations, allocations, and other funds employed, held, used, arising from, available to, or to be made available in connection with the functions and offices, or portions thereof transferred by any title of this division, subject to section 1531 of title 31, United States Code, shall be transferred to the Secretary for appropriate allocation.

(b) LIMITATION ON USE OF TRANSFERRED FUNDS.—Unexpended and unobligated funds transferred pursuant to any title of this division shall be used only for the purposes for which the funds were originally authorized and appropriated.

(c) AUTHORIZED STRENGTH OF THE FOREIGN SERVICE.—When an agency is abolished under this division, the limitations for fiscal years 1998 and 1999 under section 1321 of this Act on the members of the Foreign Service authorized to be employed by such agency shall be added to the limitations under such section which apply to the Department.

SEC. 613. INCIDENTAL TRANSFERS.

The Director of the Office of Management and Budget, in consultation with the Secretary, is authorized to make such incidental dispositions of personnel, assets, liabilities, grants, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds held, used, arising from, available to, or to be made available in connection with such functions, as may be necessary to carry out the provisions of any title of this division. The Director of the Office of Management and Budget, in consultation with the Secretary, shall provide for the termination of the affairs of all entities terminated by this division and for such further measures and dispositions as may be necessary to effectuate the purposes of any title of this division.

SEC. 614. EFFECT ON PERSONNEL.

(a) EXECUTIVE SCHEDULE POSITIONS.—Except as otherwise provided in this division, any person who, on the day preceding the date of the abolition of an agency the functions of which are transferred under any title of this division, held a position compensated in accordance with the Executive Schedule prescribed in chapter 53 of title 5, United States Code, and who, without a break in service, is appointed in the Department to a position having duties comparable to the duties performed immediately preceding such appointment shall continue to be compensated in such new position at not less than the rate provided for such previous position, for the duration of the service of such person in such new position.

(b) TREATMENT OF APPOINTED POSITIONS.—(1) Positions whose incumbents are appointed by the President, by and with the advice and consent of the Senate, the functions of which are transferred by any title of this division, shall terminate on the effective date of that title.

(2) An individual holding an office immediately prior to the abolition or transfer of the office by a title of this division—

(A) who was appointed to the office by the President, by and with the advice and consent of the Senate; and

(B) who performs duties substantially similar to the duties of an office proposed to be created under the reorganization plan submitted under section 601,

may, in the discretion of the Secretary, assume the duties of such new office, and shall not be required to be reappointed by reason of the abolition or transfer of the individual's previous office.

(c) EXCEPTED SERVICE.—(1) Subject to paragraph (2), in the case of employees occupying positions in the excepted service or the Senior Executive Service, any appointment authority established pursuant to law or regulations of the Office of Personnel Management for filling such positions shall be transferred.

(2) The Department may decline a transfer of authority under paragraph (1) (and the employees appointed pursuant thereto) to the extent that such authority relates to positions excepted from the competitive service because of their confidential, policy-making, policy-determining, or policy-advocating character, and noncareer positions in the Senior Executive Service (within the meaning of section 3132(a)(7) of title 5, United States Code).

(d) EMPLOYEE BENEFIT PROGRAMS.—(1) Any employee accepting employment with the Department as a result of a transfer pursuant to any title of this division may retain for 1 year after the date such transfer occurs membership in any employee benefit program of the former agency, including insurance, to which such employee belongs on the date of the enactment of this Act if—

(A) the employee does not elect to give up the benefit or membership in the program; and

(B) the benefit or program is continued by the Secretary.

(2) The difference in the costs between the benefits which would have been provided by such agency or entity and those provided by this section shall be paid by the Secretary. If any employee elects to give up membership in a health insurance program or the health insurance program is not continued by the Secretary, the employee shall be permitted to select an alternate Federal health insurance program within 30 days of such election or notice, without regard to any other regularly scheduled open season.

(e) SENIOR EXECUTIVE SERVICE.—Any employee in the career Senior Executive Service who is transferred pursuant to any title of this division shall be placed in a position at the Department which is comparable to the position the employee held in the agency.

(f) ASSIGNMENTS.—(1) Transferring employees shall be provided reasonable notice of new positions and assignments prior to their transfer pursuant to any title of this division.

(2) Foreign Service personnel transferred to the Department pursuant to any title of this division shall be eligible for any assignment open to Foreign Service personnel within the Department for which such transferred personnel are qualified.

(g) TREATMENT OF PERSONNEL EMPLOYED IN TERMINATED FUNCTIONS.—The provisions of this subsection shall apply with respect to officers and employees in the competitive service, or employed under an established merit system in the excepted service, whose

employment is terminated as a result of the abolition of the agency or the reorganization and consolidation of functions of the Department under any title of this division:

(1) Under such regulations as the Office of Personnel Management may prescribe, the head of any agency in the executive branch may appoint in the competitive service any person who is certified by the head of the former agency as having served satisfactorily in the competitive service in the former agency and who passes such examination as the Office of Personnel Management may prescribe. Any person so appointed shall, upon completion of the prescribed probationary period, acquire a competitive status.

(2) The head of any agency in the executive branch having an established merit system in the excepted service may appoint in such service any person who is certified by the head of the former agency as having served satisfactorily in the former agency and who passes such examination as the head of such agency in the executive branch may prescribe.

(3) Any appointment under this subsection shall be made within a period of one year after completion of the appointee's service.

(4) Any law, Executive order, or regulation which would disqualify an applicant for appointment in the competitive service or in the excepted service concerned shall also disqualify an applicant for appointment under this subsection.

(5) Any rights or benefits created by this subsection are in addition to rights and benefits otherwise provided by law.

SEC. 615. TRANSITION FUND.

(a) ESTABLISHMENT.—There is hereby established on the books of the Treasury an account to be known as the ''Foreign Affairs Reorganization Transition Fund''.

(b) PURPOSE.—The purpose of the account is to provide funds for the orderly transfer of functions and personnel to the Department as a result of the implementation of this division and for payment of other costs associated with the consolidation of foreign affairs agencies under this division.

(c) DEPOSITS.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), there shall be deposited into the account the following:

(A) Funds appropriated to the account.

(B) Funds transferred to the account by the Secretary from funds that are transferred to the Secretary by the head of an agency under subsection (d).

(C) Funds transferred to the account by the Secretary from funds that are transferred to the Department together with the transfer of functions to the Department under this division and that are not required by the Secretary in order to carry out the functions.

(D) Funds transferred to the account by the Secretary from any unobligated funds that are appropriated or otherwise made available to the Department.

(2) LIMITATION ON TRANSFER OF CERTAIN DEPARTMENT FUNDS.—The Secretary may transfer funds to the account under subparagraph (C) of paragraph (1) only if the Secretary determines that the amount of funds deposited in the account pursuant to subparagraphs (A) and (B) of that paragraph is inadequate to pay the costs of carrying out this division.

(3) LIMITATION ON TRANSFER OF UNOBLIGATED FUNDS OF DEPARTMENT.—The Secretary may transfer funds to the account under subparagraph (D) of paragraph (1) only if the Secretary determines that the amount of funds deposited in the account pursuant to subparagraphs (A), (B), and (C) of that paragraph is inadequate to pay the costs of carrying out this division.

(d) TRANSFER OF FUNDS TO SECRETARY.—The head of an agency abolished under this division shall transfer to the Secretary the amount, if any, of the unobligated funds appropriated or otherwise made available to the agency for functions of the agency that are abolished under this division which funds are not required to carry out the functions of the agency as a result of the abolishment of the functions under this division.

(e) USE OF FUNDS.—

(1) IN GENERAL.—Notwithstanding any other provision of law and subject to paragraph (2), the Secretary shall use sums in the account for payment of the costs of carrying out this division, including costs relating to the consolidation of functions of the Department and the termination of employees of the Department.

(2) LIMITATION ON USE OF FUNDS.—

(A) Except as provided in subparagraph (B), the Secretary may not use sums in the account for payment of the costs described in paragraph (1) unless the appropriate congressional committees are notified 15 days in advance of such use in accordance with procedures applicable to reprogramming notifications under section 34 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2706).

(B) EXCEPTION.—Subparagraph (A) does not apply to the following uses of sums in the account:

(i) For payment of the cost of any severance payments required to be paid by the Secretary to employees of the Department, but only if the cost of such payments is less than $10,000,000.

(ii) For transfer to the head of an agency to be abolished under this division for payment of the cost of any severance payments required to be paid to employees of the agency, but only if the total amount transferred with respect to the agency is less than $40,000,000.

(iii) For payment of the cost of any improvements of the information management systems of the Department that are carried out as a result of the abolishment of agencies under this division, but only if the cost of such improvements is less than $15,000,000.

(iv) For payment of the cost of the physical relocation of fixtures, materials, and other resources from an agency to be abolished under this division to the Department or of such relocation within the Department, but only if the cost of such relocation is less than $10,000,000.

(3) AVAILABILITY WITHOUT FISCAL YEAR LIMITATION.—Funds in the account shall be available for the payment of costs under paragraph (1) without fiscal year limitation.

(f) TREATMENT OF UNOBLIGATED BALANCES.—

(1) IN GENERAL.—Subject to paragraph (2), unobligated funds, if any, which remain in the account after the payment of the costs described in subsection (e)(1) shall be transferred to the Department and shall be available to the Secretary for purposes of carrying out the functions of the Department.

(2) NOTIFICATION.—The Secretary may not transfer funds in the account to the Department under paragraph (1) unless the appropriate congressional committees are notified in advance of such transfer in accordance with the procedures applicable to reprogramming notifications under section 34 of the State Department Basic Authorities Act of 1956.

(g) REPORT ON ACCOUNT.—Not later than October 1, 1998, the Secretary shall transmit to the appropriate congressional committees a report containing an accounting of—

(1) the expenditures from the account established under this section; and

(2) in the event of any transfer of funds to the Department under subsection (f), the functions for which the funds so transferred were expended.

(h) TERMINATION OF AUTHORITY TO USE ACCOUNT.—The Secretary may not obligate funds in the account after September 30, 1999.

SEC. 616. SAVINGS PROVISIONS.

(a) CONTINUING LEGAL FORCE AND EFFECT.—All orders, determinations, rules, regulations, permits, agreements, grants, contracts, certificates, licenses, registrations, privileges, and other administrative actions—

(1) that have been issued, made, granted, or allowed to become effective by the President, any Federal agency or official thereof, or by a court of competent jurisdiction, in the performance of functions that are transferred under any title of this division; and

(2) that are in effect at the time such title takes effect, or were final before the effective date of such title and are to become effective on or after the effective date of such title,

shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked in accordance with law by the President, the Secretary, or other authorized official, a court of competent jurisdiction, or by operation of law.

(b) PENDING PROCEEDINGS.—(1) The provisions of any title of this division shall not affect any proceedings, including notices of proposed rulemaking, or any application for any license, permit, certificate, or financial assistance pending on the effective date of any title of this division before any department, agency, commission, or component thereof, functions of which are transferred by any title of this division. Such proceedings and applications, to the extent that they relate to functions so transferred, shall be continued.

(2) Orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this division had not been enacted. Orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or revoked by the Secretary, by a court of competent jurisdiction, or by operation of law.

(3) Nothing in this division shall be deemed to prohibit the discontinuance or modification of any such proceeding under the same terms and conditions and to the same extent that such proceeding could have been discontinued or modified if this division had not been enacted.

(4) The Secretary is authorized to promulgate regulations providing for the orderly transfer of proceedings continued under this subsection to the Department.

(c) NO EFFECT ON JUDICIAL PROCEEDINGS.—Except as provided in subsection (e)—

(1) the provisions of this division shall not affect suits commenced prior to the effective date of this Act, and

(2) in all such suits, proceedings shall be had, appeals taken, and judgments rendered in the same manner and effect as if this division had not been enacted.

(d) NON-ABATEMENT OF PROCEEDINGS.—No suit, action, or other proceeding commenced by or against any officer in the official capacity of such individual as an officer of any department or agency, functions of which are transferred by any title of this division, shall abate by reason of the enactment of this division. No cause of action by or against any department or agency, functions of which are transferred by any title of this division, or by or against any officer thereof in the official capacity of such officer shall abate by reason of the enactment of this division.

(e) CONTINUATION OF PROCEEDING WITH SUBSTITUTION OF PARTIES.—If, before the date on

which any title of this division takes effect, any department or agency, or officer thereof in the official capacity of such officer, is a party to a suit, and under this division any function of such department, agency, or officer is transferred to the Secretary or any other official of the Department, then such suit shall be continued with the Secretary or other appropriate official of the Department substituted or added as a party.

(f) REVIEWABILITY OF ORDERS AND ACTIONS UNDER TRANSFERRED FUNCTIONS.—Orders and actions of the Secretary in the exercise of functions transferred under any title of this division shall be subject to judicial review to the same extent and in the same manner as if such orders and actions had been by the agency or office, or part thereof, exercising such functions immediately preceding their transfer. Any statutory requirements relating to notice, hearings, action upon the record, or administrative review that apply to any function transferred by any title of this division shall apply to the exercise of such function by the Secretary.

SEC. 617. PROPERTY AND FACILITIES.

The Secretary shall review the property and facilities transferred to the Department under this division to determine whether such property and facilities are required by the Department.

SEC. 618. AUTHORITY OF SECRETARY OF STATE TO FACILITATE TRANSITION.

Prior to, or after, any transfer of a function under any title of this division, the Secretary is authorized to utilize—

(1) the services of such officers, employees, and other personnel of an agency with respect to functions that will be or have been transferred to the Department by any title of this division; and

(2) funds appropriated to such functions for such period of time as may reasonably be needed to facilitate the orderly implementation of any title of this division.

SEC. 619. RECOMMENDATIONS FOR ADDITIONAL CONFORMING AMENDMENTS.

Congress urges the President, in consultation with the Secretary and the heads of other appropriate agencies, to develop and submit to Congress recommendations for such additional technical and conforming amendments to the laws of the United States as may be appropriate to reflect the changes made by this division.

SEC. 620. FINAL REPORT.

Not later than October 1, 1998, the President, in consultation with the Secretary of the Treasury and the Director of the Office of Management and Budget shall submit to the appropriate congressional committees a report which provides a final accounting of the finances and operations of the agencies abolished under this division.

SEC. 621. TRANSFER OF FUNCTION.

Any determination as to whether a transfer of function, carried out under this Act, constitutes a transfer of function for purposes of subchapter I of chapter 35 of title 5, United States Code, shall be made without regard to whether or not the function involved is identical to functions already being performed by the receiving agency.

SEC. 622. SEVERABILITY.

If a provision of this division or its application to any person or circumstance is held invalid, neither the remainder of this division nor the application of the provision to other persons or circumstances shall be affected.

The CHAIRMAN. Are there amendments to title VI?

The Clerk will designate title X.

The text of title X is as follows:

DIVISION B—STATE DEPARTMENT AND RELATED AGENCIES AUTHORIZATION ACT

TITLE X—GENERAL PROVISIONS

SEC. 1001. SHORT TITLE.

This division may be cited as the ''State Department and Related Agencies Authorization Act, Fiscal Years 1998 and 1999'' and shall be effective for all purposes as if enacted as a separate Act.

SEC. 1002. STATEMENT OF HISTORY OF LEGISLATION.

This division consists of H.R. 1253, the Foreign Relations Authorization Act, Fiscal Years 1998 and 1999, which was introduced by Representative Smith of New Jersey on April 9, 1997, and amended and reported by the Subcommittee on International Operations and Human Rights of the Committee on International Relations on April 10, 1997.

SEC. 1003. DEFINITIONS.

The following terms have the following meanings for the purposes of this division:

(1) The term ''AID'' means the Agency for International Development.

(2) The term ''ACDA'' means the United States Arms Control and Disarmament Agency.

(3) The term ''appropriate congressional committees'' means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

(4) The term ''Department'' means the Department of State.

(5) The term ''Federal agency'' has the meaning given to the term ''agency'' by section 551(1) of title 5, United States Code.

(6) The term ''Secretary'' means the Secretary of State.

(7) The term ''USIA'' means the United States Information Agency.

The CHAIRMAN. Are there any amendments to title X?

The Clerk will designate title XI.

The text of title XI is as follows:

TITLE XI—AUTHORIZATION OF APPROPRIATIONS FOR DEPARTMENT OF STATE AND CERTAIN INTERNATIONAL AFFAIRS FUNCTIONS AND ACTIVITIES

SEC. 1101. ADMINISTRATION OF FOREIGN AFFAIRS.

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

(1) DIPLOMATIC AND CONSULAR PROGRAMS.—For ''Diplomatic and Consular Programs'', of the Department of State $1,291,977,000 for the fiscal year 1998 and $1,291,977,000 for the fiscal year 1999.

(2) SALARIES AND EXPENSES.—

(A) AUTHORIZATION OF APPROPRIATIONS.—For ''Salaries and Expenses'', of the Department of State $363,513,000 for the fiscal year 1998 and $363,513,000 for the fiscal year 1999.

(B) LIMITATIONS.—Of the amounts authorized to be appropriated by subparagraph (A) $2,000,000 for fiscal year 1998 and $2,000,000 for fiscal year 1999 are authorized to be appropriated only for the recruitment of minorities for careers in the Foreign Service and international affairs.

(3) CAPITAL INVESTMENT FUND.—For ''Capital Investment Fund'', of the Department of State $64,600,000 for the fiscal year 1998 and $64,600,000 for the fiscal year 1999.

(4) SECURITY AND MAINTENANCE OF BUILDINGS ABROAD.—For ''Security and Maintenance of Buildings Abroad'', $373,081,000 for the fiscal year 1998 and $373,081,000 for the fiscal year 1999.

(5) REPRESENTATION ALLOWANCES.—For ''Representation Allowances'', $4,300,000 for the fiscal year 1998 and $4,300,000 for the fiscal year 1999.

(6) EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE.—For ''Emergencies in the Diplomatic and Consular Service'', $5,500,000 for the fiscal 1998 and $5,500,000 for the fiscal year 1999.

(7) OFFICE OF THE INSPECTOR GENERAL.—For ''Office of the Inspector General'', $28,300,000 for the fiscal year 1998 and $28,300,000 for the fiscal year 1999.

(8) PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN.—For ''Payment to the American Institute in Taiwan'', $14,490,000 for the fiscal year 1998 and $14,490,000 for the fiscal year 1999.

(9) PROTECTION OF FOREIGN MISSIONS AND OFFICIALS.—For ''Protection of Foreign Missions and Officials'', $7,900,000 for the fiscal year 1998 and $7,900,000 for the fiscal year 1999.

(10) REPATRIATION LOANS.—For ''Repatriation Loans'', $1,200,000 for the fiscal year 1998 and $1,200,000 for the fiscal year 1999, for administrative expenses.

SEC. 1102. INTERNATIONAL ORGANIZATIONS, PROGRAMS, AND CONFERENCES.

(a) ASSESSED CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.—There are authorized to be appropriated for ''Contributions to International Organizations'', $960,389,000 for the fiscal year 1998 and $987,590,000 for the fiscal year 1999 for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international organizations and to carry out other authorities in law consistent with such purposes.

(b) VOLUNTARY CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for ''Voluntary Contributions to International Organizations'', $199,725,000 for the fiscal year 1998 and $199,725,000 for the fiscal year 1999.

(2) LIMITATIONS.—

(A) WORLD FOOD PROGRAM.—Of the amounts authorized to be appropriated under paragraph (1), $5,000,000 for the fiscal year 1998 and $5,000,000 for the fiscal year 1999 are authorized to be appropriated only for a United States contribution to the World Food Program.

(B) UNITED NATIONS VOLUNTARY FUND FOR VICTIMS OF TORTURE.—Of the amount authorized to be appropriated under paragraph (1), $3,000,000 for the fiscal year 1998 and $3,000,000 for the fiscal year 1999 are authorized to be appropriated only for a United States contribution to the United Nations Voluntary Fund for Victims of Torture.

(C) INTERNATIONAL PROGRAM ON THE ELIMINATION OF CHILD LABOR.—Of the amounts authorized to be appropriated under paragraph (1), $10,000,000 for the fiscal year 1998 and $10,000,000 for the fiscal year 1999 are authorized to be appropriated only for a United States contribution to the International Labor Organization for the activities of the International Program on the Elimination of Child Labor.

(3) AVAILABILITY OF FUNDS.—Amounts authorized to be appropriated under paragraph (1) are authorized to remain available until expended.

(c) ASSESSED CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES.—There are authorized to be appropriated for ''Contributions for International Peacekeeping Activities'', $240,000,000 for the fiscal year 1998 and $240,000,000 for the fiscal year 1999 for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs

of the United States with respect to international peacekeeping activities and to carry out other authorities in law consistent with such purposes.

(d) VOLUNTARY CONTRIBUTIONS TO PEACEKEEPING OPERATIONS.—There are authorized to be appropriated for ''Peacekeeping Operations'', $87,600,000 for the fiscal year 1998 and $67,000,000 for the fiscal year 1999 for the Department of State to carry out section 551 of Public Law 87–195.

(e) INTERNATIONAL CONFERENCES AND CONTINGENCIES.—There are authorized to be appropriated for ''International Conferences and Contingencies'', $3,000,000 for the fiscal year 1998 and $3,000,000 for the fiscal year 1999 for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international conferences and contingencies and to carry out other authorities in law consistent with such purposes.

(f) FOREIGN CURRENCY EXCHANGE RATES.—In addition to amounts otherwise authorized to be appropriated by subsections (a) and (b) of this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 1998 and 1999 to offset adverse fluctuations in foreign currency exchange rates. Amounts appropriated under this subsection shall be available for obligation and expenditure only to the extent that the Director of the Office of Management and Budget determines and certifies to Congress that such amounts are necessary due to such fluctuations.

(g) LIMITATION ON UNITED STATES VOLUNTARY CONTRIBUTIONS TO UNITED NATIONS DEVELOPMENT PROGRAM.—

(1) Of the amounts made available for fiscal years 1998 and 1999 for United States voluntary contributions to the United Nations Development Program an amount equal to the amount the United Nations Development Program will spend in Burma during each fiscal year shall be withheld unless during such fiscal year, the President submits to the appropriate congressional committees the certification described in paragraph (2).

(2) The certification referred to in paragraph (1) is a certification by the President that all programs and activities of the United Nations Development Program (including United Nations Development Program—Administered Funds) in Burma—

(A) are focused on eliminating human suffering and addressing the needs of the poor;

(B) are undertaken only through international or private voluntary organizations that have been deemed independent of the State Law and Order Restoration Council (SLORC), after consultation with the leadership of the National League for Democracy and the leadership of the National Coalition Government of the Union of Burma;

(C) provide no financial, political, or military benefit to the SLORC; and

(D) are carried out only after consultation with the leadership of the National League for Democracy and the leadership of the National Coalition Government of the Union of Burma.

SEC. 1103. INTERNATIONAL COMMISSIONS.

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

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

(A) for ''Salaries and Expenses'' $18,490,000 for the fiscal year 1998 and $18,490,000 for the fiscal year 1999; and

(B) for ''Construction'' $6,493,000 for the fiscal year 1998 and $6,493,000 for the fiscal year 1999.

(2) INTERNATIONAL BOUNDARY COMMISSION, UNITED STATES AND CANADA.—For ''International Boundary Commission, United States and Canada'', $785,000 for the fiscal year 1998 and $785,000 for the fiscal year 1999.

(3) INTERNATIONAL JOINT COMMISSION.—For ''International Joint Commission'', $3,225,000 for the fiscal year 1998 and $3,225,000 for the fiscal year 1999.

(4) INTERNATIONAL FISHERIES COMMISSIONS.—For ''International Fisheries Commissions'', $14,549,000 for the fiscal year 1998 and $14,549,000 for the fiscal year 1999.

SEC. 1104. MIGRATION AND REFUGEE ASSISTANCE.

(a) MIGRATION AND REFUGEE ASSISTANCE.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for ''Migration and Refugee Assistance'' for authorized activities, $623,000,000 for the fiscal year 1998 and $623,000,000 for the fiscal year 1999.

(2) LIMITATION REGARDING TIBETAN REFUGEES IN INDIA AND NEPAL.—Of the amounts authorized to be appropriated in paragraph (1), $1,000,000 for the fiscal year 1998 and $1,000,000 for the fiscal year 1999 are authorized to be available only for humanitarian assistance, including but not limited to food, medicine, clothing, and medical and vocational training, to Tibetan refugees in India and Nepal who have fled Chinese-occupied Tibet.

(b) REFUGEES RESETTLING IN ISRAEL.—There are authorized to be appropriated $80,000,000 for the fiscal year 1998 and $80,000,000 for the fiscal year 1999 for assistance for refugees resettling in Israel from other countries.

(c) HUMANITARIAN ASSISTANCE FOR DISPLACED BURMESE.—There are authorized to be appropriated $1,500,000 for the fiscal year 1998 and $1,500,000 for the fiscal year 1999 for humanitarian assistance, including but not limited to food, medicine, clothing, and medical and vocational training, to persons displaced as a result of civil conflict in Burma, including persons still within Burma.

(d) AVAILABILITY OF FUNDS.—Funds appropriated pursuant to this section are authorized to be available until expended.

SEC. 1105. ASIA FOUNDATION.

There are authorized to be appropriated for ''Asia Foundation'', $10,000,000 for the fiscal year 1998 and $10,000,000 for the fiscal year 1999 for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to Asia Foundation and to carry out other authorities in law consistent with such purposes.

SEC. 1106. UNITED STATES INFORMATIONAL, EDUCATIONAL, AND CULTURAL PROGRAMS.

The following amounts are authorized to be appropriated to carry out international information activities and educational and cultural exchange programs under the United States Information and Educational Exchange Act of 1948, the Mutual Educational and Cultural Exchange Act of 1961, Reorganization Plan Number 2 of 1977, the United States International Broadcasting Act of 1994, the Radio Broadcasting to Cuba Act, the Television Broadcasting to Cuba Act, the Board for International Broadcasting Act, the North/South Center Act of 1991, the National Endowment for Democracy Act, and to carry out other authorities in law consistent with such purposes:

(1) SALARIES AND EXPENSES.—For ''Salaries and Expenses'', $434,097,000 for the fiscal year 1998 and $434,097,000 for the fiscal year 1999.

(2) TECHNOLOGY FUND.—For ''Technology Fund'' for the United States Information Agency, $6,350,000 for the fiscal year 1998 and $6,350,000 for the fiscal year 1999.

(3) EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.—

(A) FULBRIGHT ACADEMIC EXCHANGE PROGRAMS.—For the ''Fulbright Academic Exchange Programs'', $94,236,000 for the fiscal year 1998 and $94,236,000 for the fiscal year 1999.

(B) SOUTH PACIFIC EXCHANGES.—For the ''South Pacific Exchanges'', $500,000 for the fiscal year 1998 and $500,000 for the fiscal year 1999.

(C) EAST TIMORESE SCHOLARSHIPS.—For the ''East Timorese Scholarships'', $500,000 for the fiscal year 1998 and $500,000 for the fiscal year 1999.

(D) TIBETAN EXCHANGES.—For the ''Educational and Cultural Exchanges with Tibet'' under section 236 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236), $500,000 for the fiscal year 1998 and $500,000 for the fiscal year 1999.

(E) OTHER PROGRAMS.—For ''Hubert H. Humphrey Fellowship Program'', ''Edmund S. Muskie Fellowship Program'', ''International Visitors Program'', ''Mike Mansfield Fellowship Program'', ''Claude and Mildred Pepper Scholarship Program of the Washington Workshops Foundation'', ''Citizen Exchange Programs'', ''Congress-Bundestag Exchange Program'', ''Newly Independent States and Eastern Europe Training'', and ''Institute for Representative Government'', $97,995,000 for the fiscal year 1998 and $97,995,000 for the fiscal year 1999.

(4) INTERNATIONAL BROADCASTING ACTIVITIES.—

(A) AUTHORIZATION OF APPROPRIATIONS.—For ''International Broadcasting Activities'', $334,655,000 for the fiscal year 1998, and $334,655,000 for the fiscal year 1999.

(B) ALLOCATION.—Of the amounts authorized to be appropriated under subparagraph (A), the Director of the United States Information Agency and the Board of Broadcasting Governors shall seek to ensure that the amounts made available for broadcasting to nations whose people do not fully enjoy freedom of expression do not decline in proportion to the amounts made available for broadcasting to other nations.

(5) RADIO CONSTRUCTION.—For ''Radio Construction'', $30,000,000 for the fiscal year 1998, and $30,000,000 for the fiscal year 1999.

(6) RADIO FREE ASIA.—For ''Radio Free Asia'', $10,000,000 for the fiscal year 1998 and $10,000,000 for the fiscal year 1999.

(7) BROADCASTING TO CUBA.—For ''Broadcasting to Cuba'', $22,095,000 for the fiscal year 1998 and $22,095,000 for the fiscal year 1999.

(8) CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN EAST AND WEST.—For ''Center for Cultural and Technical Interchange between East and West'', $10,000,000 for the fiscal year 1998 and $10,000,000 for the fiscal year 1999.

(9) NATIONAL ENDOWMENT FOR DEMOCRACY.—For ''National Endowment for Democracy'', $30,000,000 for the fiscal year 1998 and $30,000,000 for the fiscal year 1999.

(10) CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN NORTH AND SOUTH.—For ''Center for Cultural and Technical Interchange between North and South'' $2,000,000 for the fiscal year 1998 and $2,000,000 for the fiscal year 1999.

SEC. 1107. UNITED STATES ARMS CONTROL AND DISARMAMENT.

There are authorized to be appropriated to carry out the purposes of the Arms Control and Disarmament Act—

(1) $44,000,000 for the fiscal year 1998 and $44,000,000 for the fiscal year 1999; and

(2) such sums as may be necessary for each of the fiscal years 1998 and 1999 for increases in salary, pay, retirement, other employee benefits authorized by law, and to offset adverse fluctuations in foreign currency exchange rates.

AMENDMENTS OFFERED BY MR. GILMAN

Mr. GILMAN. Mr. Chairman, I offer amendments and I ask unanimous consent that they be considered en bloc.

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

Mr. HAMILTON. Mr. Chairman, reserving the right to object, I do not know that I will object, but I want to find out what is happening here. The chairman is offering an en bloc amendment. Could he specify for us what is included in that, please?

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

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

Mr. GILMAN. Mr. Chairman, I think we have given copies of that to the ranking member a few moments ago. It has to do with the fee provisions in the bill.

□ 1545

Mr. HAMILTON. Mr. Chairman, I wonder if the gentleman would explain the en bloc amendment.

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

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

Mr. GILMAN. Mr. Chairman, this en bloc amendment fixes a provision of the bill that is essentially technical in nature. It is required by an understanding that we reached with the chairman of the Committee on Ways and Means.

There are two provisions in the original bill, H.R. 1486, that were inserted at the request of the administration to put into effect its fee reform provision. We lowered certain authorizations which were to be offset by these fees. Both of these provisions, however, were within the jurisdiction of the Committee on Ways and Means and that committee has objected to their presence in our bill. Accordingly, this amendment takes care of their concerns by raising the authorization levels back to their original levels and by restoring the status quo in other respects.

This amendment also strikes an earmark of $5 million for passport information services but inserts a requirement that such information be provided for fee. This change, which was inserted in the amendment at the request of the gentleman from New Jersey [Mr. SMITH], avoids an earmarking problem with the Committee on Appropriations but addresses a concern he has been most forthright in addressing, the issue of charging Americans fees to find out the status of their passport applications.

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

Mr. HAMILTON. Mr. Chairman, further reserving the right to object, do I understand this amendment removes the authority for the State Department to retain about $455 million in passport fees and adds that to the State's operating account?

Mr. GILMAN. Mr. Chairman, if the gentleman will continue to yield, that is correct and it increases the authorization.

Mr. HAMILTON. And it prohibits the State Department from collecting an estimated $75 to $100 million in visa fees; is that correct?

Mr. GILMAN. That is correct, and also increases the fees.

Mr. HAMILTON. Yes, I understand.

Mr. Chairman, I do not want to oppose the amendment because I understand some change is needed. I would ask the chairman, however, if he would be willing to work further with us and with the Department of State as the bill moves along and to consider it in conference and other fora?

Mr. GILMAN. I would be pleased to do that.

Mr. HAMILTON. Mr. Chairman, with that assurance, I do not oppose the amendment, and I withdraw my reservation of objection.

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

There was no objection.

The CHAIRMAN. The Clerk will report the amendments.

The Clerk read as follows:

Amendments offered by Mr. GILMAN:

Page 84, line 5, strike ''$1,291,977,000'' and insert ''$1,746,977,000''.

Page 84, line 6, strike ''$1,291,977,000'' and insert ''$1,746,977,000''.

Strike line 7 on page 110 and all that follows through line 17 on page 112.

Page 84, line 4, insert ''(A) AUTHORIZATION OF APPROPRIATIONS.—'' before ''For''.

Page 84, after line 7 insert the following:

(B) PASSPORT INFORMATION SERVICES.—The Secretary of State shall provide passport information without charge to citizens of the United States, including—

(i) information about who is eligible to receive a United States passport and how and where to apply;

(ii) information about the status of pending applications; and

(iii) names, addresses, and telephone numbers of State and Federal officials who are authorized to provide passport information in cooperation with the Department of State.

Page 112, strike line 18 and all that follows through line 7 on page 114 and insert the following:

SEC. 1208. SURCHARGE FOR PROCESSING CERTAIN MACHINE READABLE VISAS.

Section 140(a) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236) is amended—

(1) in paragraph (2) by striking ''providing consular services.'' and inserting ''the Department of State's border security program, including the costs of installation and operation of the machine readable visa and automated name-check process, improving the quality and security of the United States passport, passport and visa fraud investigations, and the technological infrastructure to support the programs referred to in this sentence.'';

(2) by striking the first sentence of paragraph (3) and inserting ''For fiscal years 1998 and 1999, fees deposited under the authority of paragraph (2) may not exceed $140,000,000 in each fiscal year and, notwithstanding paragraph (2), such fees shall be available only to the extent provided in advance in appropriations Acts.''; and

(3) by striking paragraph (5).

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

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

The CHAIRMAN. The question is on the amendments offered by the gentleman from New York [Mr. GILMAN].

The amendments were agreed to.

Mr. MORAN of Virginia. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to speak against this bill and against the underlying policies and assumptions that are included in it and, by implication, in favor of the Hamilton amendment that has been offered but not voted on as yet.

Mr. Chairman, there are good reasons why the President will veto this bill if the language of the gentleman from New York is included in it, and they are substantive reasons.

Mr. Chairman, this is an attempt to get some notches in the belt of the Republican Party, which apparently is still intent on showing that they can beat up on the Federal Government, that they can eliminate agencies, that they can eliminate functions and that, by implication, what the Government is doing is wrong and ought to be in the word of the chairman ''abolished.'' The fact is that in this case what the Government is doing is terribly important and should be supported.

The language of the gentleman from New York is an attempt to micromanage our foreign policy and would specify that several agencies be abolished. Their functions would be transferred over to the State Department, but in many ways the esprit de corps, the achievements, the mission, the effectiveness of these agencies would be badly damaged at best and at worst, last forever.

One of the agencies that I am talking about is the agency that provides aid to underdeveloped and developing countries.

The Agency for International Development has shown tremendous progress in expanding the global economy and in creating customers for our American companies and products by enabling people to come up with the means to purchase our products and to enhance their quality of life. Most of their aid is returned to our country many times over, not to mention the basic humanitarian functions that they perform for people suffering in the threes of hunger, poverty, and desperation.

Another agency that this bill would attempt to abolish is the Arms Control and Disarmament Agency. Of all functions within the Government to want to abolish, an agency that is addressing terrorism, that is addressing the proliferation of nuclear weapons, chemical and biological warfare, the most immediate, real threats to our well-being

should be the last one we would want to disband. This agency has been extremely effective in addressing those threats, and yet, for some reason, the Republican Party wants to make another notch on its belt by abolishing this essential agency.

Likewise, the U.S. Information Agency, which is the antidote we have for the kind of propaganda that has led to the worst violence that has occurred in modern times. It was in large part the State-controlled media in Yugoslavia that spurred people into unbridled aggression: that motivated the Serbs to attack the Bosnian people with fierce brutality. This aggression was spurred on by the kind of propaganda that can occur when we do not have a professional, unbiased source of news that the U.S. Information Agency provides.

Likewise with the slaughtering that occurred in Rwanda. Again, these kinds of things happen because we do not have adequate resources to put into the U.S. Information Agency and the Voice of America. I cannot imagine that the American people would want us to be abolishing these agencies with such an effective track record and such a needed role to perform around the world.

This bill is more of this gun-slinging mentality where we are willing to shoot innocent victims purely to get another notch in our belt. Targeting and scoring hits on innocent, effective Government agencies purely for political purposes is wrong. It is irresponsible, and it is dangerous.

But even going beyond this irresponsible motivation, this bill attempts to micromanage. It specifies what a very complex, indispensable Government function, particular undersecretaries, and assistant secretaries, stay and which go, and where they go.

Mr. Chairman, this bill should not be supported. The Hamilton amendment is a better approach, and I urge Members to support the Hamilton amendment and oppose this bill.

AMENDMENT OFFERED BY MR. SKAGGS

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

The Clerk read as follows:

Amendment offered by Mr. SKAGGS:

Page 97, line 1, insert ''(A) AUTHORIZATION OF APPROPRIATIONS'' before ''For''.

Page 97, after line 3, insert the following:

(B) LIMITATION.—Of the amounts authorized to be appropriated under subparagraph (A), no funds shall be used for television broadcasting to Cuba after October 1, 1997.

Mr. SKAGGS. Mr. Chairman, my amendment would bar continued TV Marti broadcasts to Cuba after the end of this fiscal year, when moneys appropriated for that purpose would end.

This amendment is not about Cuba, not about Castro; it is an amendment that would cut waste, eliminate an absolutely failed program, and save the American taxpayers millions of dollars every year.

TV Marti, part of the USIA, is a Federal program begun in 1989 that attempts to broadcast television programs to Cuba in the early morning hours. I support the USIA's efforts to get unbiased news coverage to Cuba. I support Radio Marti's attempts to do that. TV Marti is simply another story. It is not accomplishing that purpose. Virtually no one in Cuba has seen, is seeing, or will see TV Marti broadcasts.

The Government has already wasted over $100 million on this failed experiment. Let us not put good money after bad. Let us end this experiment at the end of this fiscal year. We will save over $9 million next year and countless millions in the outyears after that by passing this amendment.

Last year the House appropriations bill ended appropriations for TV Marti and this House went along with the appropriations recommendation. It was only because the other body restored funding that we still have to deal with this.

I have a stack of reports here, Mr. Chairman, every one of which shows that TV Marti has no significant audience in Cuba. This spring, when the USIA Director Joseph Duffy testified before the Appropriations Subcommittee, I asked him if TV Marti signals were being received in Cuba. His answer was simply no.

In 1995, the Committee on Appropriations investigations staff said that four different surveys ''all produced discouraging results with respect to TV Marti viewership.'' In 1994, the advisory panel said that jamming prevents TV Marti signals from being received by any substantial number of Cubans. In 1993, the Advisory Commission on Public Diplomacy said that TV Marti is not cost effective and should be closed down.

Now, we will hear that we were in the midst of switching from a VHF signal, which is effectively jammed, to UHF, and that broadcasts will be started soon there. But, Mr. Chairman, that will not make any difference, I am sad to say, because it is even easier to jam the UHF signal than it is to jam this VHF signal. The National Association of Broadcasters says, ''A UHF signal can be jammed using little more than a 100-watt transmitter and an off-the-shelf Radio Shack type antenna.''

Again, according to the appropriations investigative staff, ''The U.S. Government officials confirm that Cuba already has jamming capability and private sector representatives state that Cuba can easily jam any UHF station.''

This program simply does not meet the standards under the International Broadcasting Act, which says that broadcasting shall be designed to effectively reach a significant audience.

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

Mr. SKAGGS. I yield to the gentleman from Indiana.

Mr. HAMILTON. Mr. Chairman, I want to congratulate the distinguished gentleman from Colorado for offering this amendment and I just pose this question.

I have been informed that we have spent as a government over $100 million on these broadcasts that the Cuban people do not see. Is that the gentleman's understanding?

Mr. SKAGGS. I believe it now totals $106 million through last fiscal year.

Mr. HAMILTON. If the gentleman will continue to yield, that is $106 million now being spent for no purpose whatsoever. The Cuban people do not see it, and that seems to me quite a waste of the taxpayers' money, and I certainly commend the gentleman for seeking to strike it.

Mr. SKAGGS. Mr. Chairman, reclaiming my time, I thank the gentleman for his support on my amendment.

We will hear, I am sure, that somehow doing the right thing by the U.S. taxpayer is going to be a propaganda victory for Fidel Castro. I have to tell my colleagues that I think he gets a propaganda victory every day we waste our money on this. And in fact the Cuban Government exploits this idiocy on the part of the United States by pointing out to its own people that we are being so foolish as to continue to pour money down this television rathole.

□ 1600

It is a classic example, Mr. Chairman, of a wasteful program that ought to be put out of its misery. Again, my amendment would save over $9 million in fiscal 1998. It would give this House a chance to stop the waste of money that has already totaled over $100 million.

We all know the kind of budget stress that we are under in trying to get the deficit to zero. We simply do not have this kind of money to pour into a completely pointless program. It could put 22,000 additional kids in Head Start, pay for Medicare, for several thousand beneficiaries—any number of useful purposes.

AMENDMENT OFFERED BY MR. DIAZ-BALART TO THE AMENDMENT OFFERED BY MR. SKAGGS

Mr. DIAZ-BALART. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. DIAZ-BALART to the amendment offered by Mr. SKAGGS:

Strike ''1997.'' and insert ''1997, if the President certifies that continued funding is not in the national interest of the United States.''.

Mr. DIAZ-BALART. Mr. Chairman, I think it is quite curious that the distinguished gentleman from Colorado [Mr. SKAGGS] began his remarks by saying this is not about Cuba and this is not about Castro. It is very much about Cuba, about Castro, and about the oppression that the Cuban people have to live day in and day out at the hands of the dictatorship and that denial, the attempt to deny information to the Cuban people that is so primary in the agenda of the Cuban dictatorship.

The gentleman from Colorado must have forgotten that, in 1994, in this Congress, we paid for this report, Mr. Chairman, this report, two volumes,

and we had an agreement that we would support the creation of this panel and that the panel would be asked, after its creation, some very clear questions and would have to report not only to the administration but then that the director of the USIA would have to report to Congress based on this report.

Mr. Chairman, I will at this time refer precisely to the recommendations and the findings of the panel, and specifically of Joseph Duffey, the director of the U.S. Information Agency, with regard to the very systematic and deep study that was engaged in; and here it is, two volumes by the panel, that we in this Congress created in 1994 to look at this issue.

Mr. Duffey, the Director of the USIA, states in his letter to Congress:

> I hereby submit my findings and recommendations regarding the report of the advisory panel on Radio Marti and Television Marti,

specifically with regard to Television Marti, which is what today the gentleman from Colorado [Mr. SKAGGS] seeks to kill. Other times, very often, he has sought to kill Radio Marti as well.

Mr. SKAGGS. Mr. Chairman, will the gentleman yield? The gentleman has misrepresented my position.

Mr. DIAZ-BALART. Mr. Chairman, that is not correct, I have not misrepresented his position. At other times, the gentleman from Colorado has sought to kill both Radio and Television Marti. Today he is targeting Television Marti.

Let us see what the report, after we spent the money to create this panel, let us see what the findings and recommendations were of Mr. Duffey of USIA with regard to the panel that we set up in this Congress and that we agreed to set up objectively and of distinguished membership.

One, the best interests of the United States are being served by maintaining television broadcasting to Cuba.

Two, maintaining television broadcasting to Cuba is technically sound and effective.

Three, Television Marti broadcasting is consistently being received by a sufficient Cuban audience to warrant its continuation.

This is the report of Mr. Duffey, findings and recommendations based on the panel created by Congress; and here are the two volumes. But, no, it is not enough for the gentleman from Colorado. Year after year after year my colleague rushes to this floor with his mission not to increase the receptivity, the reception, of Television Marti or Radio Marti for the Cuban people, not to ask Castro for elections, not to ask Castro to permit the Cuban people to get news, but to kill this program, which is meant to get objective news to the Cuban people. That is the reality of the effort year after year after year by the gentleman from Colorado (Mr. SKAGGS].

During the height of the cold war, Mr. Chairman, during the height of the cold war, at times the Soviets were able to achieve 97, 98, 99 percent effectiveness in their blocking of Radio Liberty and Radio Free Europe. What would have been the position, what would have happened if the attitude maintained by our distinguished colleague from Colorado would have prevailed at that time in Congress? Oh, the Soviet Union is jamming Radio Free Europe. The Soviet Union is achieving 99 percent jamming of Radio Liberty. So we will throw in the towel, we will give up.

As my colleague even mentioned, we are in the midst, Mr. Chairman, of going to UHF, which will increase receptivity. But my point is this, we will go to UHF and we will increase receptivity despite the fact that Mr. Duffey, his recommendations, and pursuant to this two-volume report, I have mentioned they are clear enough with regard to the viability of the existing program of Television Marti.

But I maintain the following: The American thing to do is, if we do not increase receptivity sufficiently by the steps that we are taking now, then we will take further steps. Just like Mr. Aristide's voice was able to get to the Haitian people because they flew a C–130, we will do that with Cuba. We will not throw in the towel. We will not surrender. That is not the American way.

Approve my amendment and defeat the amendment of the gentleman from Colorado [Mr. SKAGGS].

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

Mr. Chairman, the amendment offered by the gentleman from Colorado [Mr. SKAGGS) I think is a step backward in a struggle for democracy in Cuba, and I urge my colleagues to oppose the amendment.

Mr. Chairman, I support this second-degree amendment offered by the gentleman from Florida [Mr. DIAZ-BALART), which will give the President the flexibility that he must have to decide if and when to adjust the strategy of our Cuba broadcasting. Our pro-democracy efforts in Cuba are at a critical point. Accordingly, I agree that it is vital that we let the President assess the importance of TV Marti to our overall strategy in communicating with the Cuban people.

Mr. SKAGGS. Mr. Chairman, I oppose the amendment offered by the gentleman from Florida. Mr. Chairman, let me first correct the RECORD. It is very important I think to be precise in the way we characterize each other's positions on these very volatile issues.

I have opposed TV Marti consistently over the years, as the gentleman suggested, because it is simply a waste of money. I would very much like it if Castro would stop the jamming so that we could get good information into Cuba. Unfortunately, that is not going to happen. We do not have to respond to that by continuing to waste over $100 million of American taxpayers' funds.

I also want to make it clear that I have supported Radio Marti consistently, just wanting to make sure that it lives up to Voice of America standards. And the characterization of the gentleman from Florida to the contrary is simply not accurate.

But let us go to the principal point here. The 1994 appropriations bill report set up the advisory panel and directed that that panel report back to Congress as to whether TV Marti was being received by any substantial audience in Cuba. That was its mission.

The report advised Congress ''Cuban Government jamming prevents those broadcasts from being received by any substantial number of Cubans.'' In other words, the answer was no.

And based upon the understanding that was incorporated in that fiscal 1993 appropriations bill, that should have been the end of the discussion. But, no, because of the extraordinary and I think inappropriate influence on U.S. Government policy that has been brought to bear on this issue, the administration sought to end-run the clear direction of Congress and came back with this fig leaf idea of going to UHF and see if that works.

That was used, in fact, to undermine, end-run, and basically avoid the very purposes for which the advisory panel was created. So we are now stuck with spending millions and millions more on the UHF experiment, which is as doomed to failure as was the VHF program that has been broadcasting.

There is simply no need for any exercise of discretion by the President or anyone else. The facts are clear. That is why the Committee on Appropriations by an overwhelming vote last year recommended to the House that there be no funding this year for TV Marti. Let us stop kidding ourselves.

I wish the position of the gentleman from Florida [Mr. DIAZ-BALART] about this particular program were correct, that we had some prayer of getting a signal into Cuba. We do not. Let us admit it. Let us stop wasting this money.

Mr. GEJDENSON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to ask the gentleman from Colorado [Mr. SKAGGS] just a few questions on this issue. I think universally we would like to see a democratic government in Cuba, we would like to see free elections, and I think the real debate here is how to get there.

We have had one policy for over 30 years now, but particularly to this point I guess my question is, is there an estimate of how many people in Cuba watch any of these productions?

Mr. SKAGGS. Well, if the gentleman would yield, the United States interest section in Cuba and our own Committee on Appropriation's investigative staff have all tried to find someone who has seen more than a split second of a TV Marti broadcast before the jamming kicks in. Sadly, I do not know of

anyone who has seen anything like a full TV Marti broadcast for other than a nanosecond.

Mr. GEJDENSON. If the gentleman would, how much money have we spent on this program?

Mr. SKAGGS. If the gentleman would yield, so far we have spent a total of $106 million broadcasting this TV signal essentially in a black hole.

Mr. GEJDENSON. How much money was that again?

Mr. SKAGGS. $106 million since 1989.

Mr. GEJDENSON. As a result of that, we cannot come up with anybody who has ever watched an entire program?

Mr. SKAGGS. If the gentleman would yield, that is my understanding, based upon various investigations that have been conducted by agencies of the executive and legislative branches of this Government.

Mr. GEJDENSON. Mr. Chairman, reclaiming my time, I think the problem we have here is there has become a process where we come committed to continuing policies that theoretically put pressure on Fidel Castro to bring about a democratic government.

I understand the pressure of communities who want to see their loved ones living within a country that has democratic institutions. My parents fled the Soviet Union, survived Nazi Germany. We all have a strong feeling about that.

In the case of Cuba, what seems to happen, however, is rather than finding programs that are effective in achieving democratic goals and democratic progress, we find ourselves with a policy that seems to somehow protect Castro from change. If anything helped bring down the Berlin wall, it was contact with Westerners, it was that confrontation with the success of our democratic institutions and contrasted to the failure of the old Soviet system.

I would think that Fidel Castro gets up and thanks God, if he believes in God, every day that we have this embargo on him and that we continue these programs. It gives him the excuse why his revolution is not producing benefits for its citizens any longer.

I understand the heart-felt desire of Members in this Congress and in our communities who are of Cuban-American heritage who want to see democracy there. I would ask them to join us for policies that would have a real impact on dislodging the non-democratic government in Cuba. That is the policy I think we ought to undertake, not just squandering dollars that, even worse than the squandering of dollars, give us the illusion that we are taking some action here.

Mr. SMITH of New Jersey. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in very strong opposition to the Skaggs amendment and in support of the Diaz-Balart substitute amendment. The Skaggs amendment is aimed at the heart of what is sometimes called surrogate broadcasting. An even better term for it is ''freedom broadcasting.'' We are sending the message of freedom to people who live in countries where this message is not permitted to be carried by domestic radio or television stations.

□ 1615

The Skaggs amendment would eliminate TV Marti. It would deprive Cubans of not only vital information about the free world but also of the hope that comes with knowing that a free world does care. The Diaz-Balart substitute guarantees fiscal responsibility without compromising our commitment to freedom.

If the President wants to certify, as his substitute would so state, let the President certify that and live with the consequences of denying this very important surrogate broadcasting to the people of Cuba. Eliminating or crippling freedom broadcasting to Cuba, as the Skaggs amendment would do, would send exactly the wrong message at exactly the wrong time.

The Castro dictatorship is at an all-time low, both in domestic support and international prestige. Like the two recent Clinton-Castro immigration agreements, the silencing of TV Marti would provide new hope for the Castro dictatorship and a fresh dose of despair to those who struggle for human rights in Cuba. The argument that TV Marti is technologically inadequate and that we should therefore not fund it is destined to be a self-fulfilling prophecy.

The Subcommittee on International Operations and Human Rights which I chair has examined this question in public hearings over the last 3 years. We have discovered, in effect, that it is too soon to evaluate the success of TV Marti because the Clinton administration has not yet tried to make TV Marti work. The reason TV Marti does not reach more Cubans has less to do with technology and more to do with administrative timidity or perhaps a willful resistance to congressional mandate.

Right now, because of jamming by the Castro regime, TV Marti is received primarily by those who live outside of Havana. It can also be received by government officials and by the Communist party elite who have access to satellite TV. It is important to let them know that the world is watching them and hopefully holding them to some account. But there is no question that we can do better. The technology is there for UHF broadcasting which would be far more difficult for the censors to jam, and would enable TV Marti to reach millions of more people.

I think the gentleman from Florida [Mr. DIAZ-BALART] made a very good point a moment ago. Had we during the 1970's and 1980's because of Russian jamming stood up and said, ''Let's just eliminate the program,'' we would have given Brezhnev and all his predecessors a real shot in the arm as they clamped down on human rights and freedom in the Soviet Union.

Let me just say that the Diaz-Balart substitute would discontinue TV Marti if and only if the President certifies that its continuation is not in the national interest. Again, the ball would be in the President's court. I support that, and I would ask Members to go against the underlying amendment offered by the gentleman from Colorado [Mr. SKAGGS].

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

Mr. SMITH of New Jersey. I yield to the gentleman from Connecticut.

Mr. GEJDENSON. I would just ask my friend, and I know he is earnest in this without any question, but does he have any evidence that the general population of Cuba to any significant degree or to what degree it might be able to view these? I think we have been broadcasting now for 7 years about.

Mr. SMITH of New Jersey. Joe Duffy back in 1994 in a letter to the gentleman from Florida [Mr. DIAZ-BALART] stated, and I quote, ''TV Marti broadcasting is consistently being received by a sufficient Cuban audience to warrant its continuation.''

Havana, without question, is being heavily jammed. But outside of that area more people are able to pick it up. Plus areas near to Cuba—other islands and other countries—can also pick it up.

Mr. GEJDENSON. I think Mr. Duffy has changed his position on that, and in more recent testimony before the Committee on Appropriations felt that nobody was hearing it. I think whatever happens here today, I would hope we could join together. If we look at the kind of policies we had to deal with the Soviet Union and the East Bloc, it was a much more dynamic policy than the one we have executed here, and I think, for whatever reasons, was much more successful. I think we have to engage in a much more dynamic policy with Cuba to have an opportunity to have a united impact.

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

Mr. SMITH of New Jersey. I yield to the gentleman from California.

Mr. DREIER. I thank the gentleman for yielding. My dear friend the gentleman from Connecticut is right on target. That is exactly what the Diaz-Balart amendment does here. We should be able to come together. The goal of the amendment is to come together with both the legislative branch and the executive branch in fact recognizing the importance of this issue. The President has to certify that it is in the national security interest to keep or to not keep Television Marti. That is why I think that this is the very responsible, evenhanded way to get the two branches of government involved.

The CHAIRMAN. The time of the gentleman from New Jersey [Mr. SMITH] has expired.

(On request of Mr. DREIER, and by unanimous consent, Mr. SMITH of New Jersey was allowed to proceed for 2 additional minutes.)

Mr. SMITH of New Jersey. Mr. Chairman, I yield to my friend the gentleman from Connecticut.

Mr. GEJDENSON. Mr. Chairman, I guess I would say one thing having been through both Democratic and Republican Presidents, of both parties, I have seen them able to certify almost anything or not certify almost anything they chose to certify or not certify. The other thing is what we are dealing with here, and not questioning anybody, is a political hot potato. If the White House shuts it down, then that becomes obviously significant political fodder. I think in a bipartisan way, and again my hopes for this amendment are not great, but we ought to move past this and engage a much more dynamic policy. Nothing will hurt Castro more than having Cuban-Americans who are successful going back to Cuba and giving a contrast to the life there.

Mr. SMITH of New Jersey. Reclaiming my time, Mr. Chairman, just let me remind Members that we still have not had a full test, or any test really, of the UHF situation. We have asked Dr. Duffy and many people within the administration: ''Why the delay? They have been talking about it for years. Now we are told that, sometime in October, the UHF program should be up and running. Hopefully we will then have a better gauge as to whether or not we are reaching a significant number of people.

Mr. DREIER. If the gentleman will yield further, I would like to say to my friend the gentleman from Colorado that I am very sympathetic, in fact the gentleman from Connecticut and I, a few weeks ago we were in Santa Fe, NM, and talked about the issue of Cuba. We were meeting with Mexican government officials. My friend the gentleman from Florida with whom I sit on the Committee on Rules knows that I also am sympathetic with this. But it seems to me that without undermining the goal that is set forth by the Skaggs amendment, the gentleman from Florida [Mr. DIAZ-BALART] is simply trying to in fact bring both sides into the question. The gentleman from Connecticut [Mr. GEJDENSON] says this is a political hot potato. It may be. Why should the hot potato simply be here in the Congress without letting the President, who obviously has gotten very involved, having signed the Helms-Burton legislation, he should be part of this process.

The CHAIRMAN. The time of the gentleman from New Jersey [Mr. SMITH] has again expired.

(On request of Mr. DREIER, and by unanimous consent, Mr. SMITH of New Jersey was allowed to proceed for 2 additional minutes.)

Mr. SMITH of New Jersey. Mr. Chairman, I continue to yield to my friend the gentleman from California.

Mr. DREIER. I thank the gentleman for continuing to yield.

Mr. Chairman, the fact of the matter is the cost imposed on Fidel Castro of trying to block this program is the equivalent of 400,000 barrels just for Havana alone. If we go back and look at the height of the cold war, the Soviet Union was able to block 99 percent of the programming that went from Radio Free Europe into the Soviet Union. I think that we ought to think long and hard before we take this kind of action from the Congress, and I say that as one who believes that getting our western values into countries throughout the world is clearly the best way possible for us to undermine political repression, but I think that this two-tiered approach with both the legislative and executive branch's involvement is the most responsible approach for us to take.

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

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

Mr. MENENDEZ. Mr. Chairman, I do not think there is any Member of this House, including my dear colleagues from Florida, that still have family in Cuba, but I do. So when people talk about some of these issues, they talk in the abstract. I deal with the reality.

Every time I get up in this well and speak about issues that affect the people of Cuba, my family gets visited by Castro's rapid response brigade. My communications with them, which I always asked them never to let anyone know that they were my family, so in fact they would not be confronted with the realities they are confronted with today, being harassed, being denied employment opportunities, but they told me, ''We're not going to deny you, and we don't intend for you to stop speaking out.''

The fact of the matter is my distinguished colleague from Connecticut raises a point of view which I disagree with but respect. However, the facts are quite different. The reality is that the regime in Cuba has only changed out of necessity, necessity created by the loss of the Soviet Union's aid, $6 billion a year, at which time the Cuban people did not receive more food on the plates of Cuban families but developed the third largest military in the entire Western Hemisphere after the United States and Brazil per capita.

Now that that money is gone, and with the legislation that we have passed, 3 dramatic things have happened. That third largest army has been reduced, important to the people in Cuba, important to the people in the hemisphere. More money should be going to Cuban families to put food on their table, but is not because the regime continues to use whatever resources they have to oppress people.

Second, the American dollar, the most hated symbol of the revolution, is now freely traded in Cuba and accepted, again out of necessity, not desire.

And, third, the fact of the matter is that the international investment that some herald which has made no real change in democracy in Cuba, from Canada, from Mexico, from Spain and every place else, the fact of the matter is that is now accepted for the last several years again out of necessity. Necessity, not desire. So in fact the changes that we have seen, limited as they are, are changes that come from necessity, the necessity that we have created in our legislation.

Now I want to speak to the Skaggs amendment, which I oppose, and the Diaz-Balart amendment, which I support. I cannot understand Democrats who would not give the President the flexibility in foreign policy that they decry does not exist in the underlying bill. That is the reality. They do not want to give the President flexibility in foreign policy that they decry in the underlying bill. That in essence is what the Diaz-Balart amendment would do.

The President has spoken clearly about the need to support the vital broadcasting services to Cuba of both Radio and Television Marti. In a letter to me the President stated, and I quote, ''By strongly supporting Radio and TV Marti, I want to send a clear signal to those everywhere who struggle against tyranny. Radio and TV Marti make genuine contributions to the cause of human rights and democracy in the hemisphere. Both help promote short and long-term U.S. foreign policy goals.'' That is the President of the United States.

Those of us with a strong interest in this issue agreed to a compromise which established having an advisory panel on Radio and TV Marti in the last Congress. The panel members were agreeable to all the parties involved, I believe, including the gentleman from Colorado [Mr. SKAGGS].

The panel was charged with assessing and reporting on the purposes, policies and practices of radio and TV broadcasting to Cuba. In fact, it was done so we could avoid the political hot potato that some have alleged exists, so we could take it out of the realm of politics, so we gave it to an independent panel.

What did that panel come and say? Their verdict was very clear. They said now more than ever we must retain intact the services of both Radio and Television Marti. I encourage the Members to seek out the executive summary of the advisory panel's report.

Let me underscore some of the more salient conclusions of the report. It said, ''Cuban Government officials and elites regularly listen to Radio Marti and tune into TV Marti. When we want to speak to that elite, when we want them to make a change in their government, this is a direct way of communicating with them, a way to create peaceful change in Cuba.''

Our United States interest section in Cuba, which thousands of average Cubans go into every day, they have the opportunity to see all of the programming of Television Marti that is done in the lobby as people try to get visas.

The CHAIRMAN. The time of the gentleman from New Jersey [Mr. MENENDEZ] has expired.

(By unanimous consent, Mr. MENENDEZ was allowed to proceed for 2 additional minutes.)

Mr. MENENDEZ. Mr. Chairman, it is not lack of interest of the Cuban people but the jamming which has prevented it, and we have means to circumvent that. The fact of the matter is that if in fact we move to the UHF opportunity, broadcasting to Cuba would neither interfere with Cuban broadcasting nor United States stations. The Cuban Government would have no present jamming capacity on a UHF process. These broadcasts could occur at any time. And it is both technically feasible and cost effective to switch TV Marti to UHF.

The fact of the matter is we have an opportunity for peaceful diplomacy to the people of Cuba. The same messages that we used to use in Radio Free Europe, Radio Liberty, those are the types of messages we want to send to TV Marti. We have never accepted another country's jamming of our surrogate broadcasting to be a reason to stop that broadcasting. We should not do it in the case of Television Marti.

Mr. Chairman, I urge my colleagues to give the President of the United States the opportunity to truly pursue his foreign policy goals. If he believes, as he said to me in that letter and has said time and time again, that it is in the national interests of the United States to do so, he should be given that opportunity.

It is a fair compromise on this issue. We have had an independent panel. They said we need the surrogate broadcasting. We should not let this regime undermine our efforts. I urge my colleagues to support the Diaz-Balart amendment.

□ 1615

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

Mr. MENENDEZ. I yield to the gentleman from Colorado.

Mr. SKAGGS. Mr. Chairman, the gentleman again invokes the panel's report. The panel was commissioned to find out whether anybody saw the signal. They then went beyond that commission to come up with this completely uncharged idea of going to UHF. I am sure the gentleman is aware that the technical experts with our own broadcasters say UHF is going to be easier to join than VHF.

Mr. MENENDEZ. Reclaiming my time, Mr. Chairman, that is not the understanding I have.

Ms. ROS-LEHTINEN. Mr. Chairman, I move to strike the requisite number of words.

I rise in strong support of the Diaz-Balart amendment that requires the President to keep TV Marti operating if the President finds that it is in the national interest of the United States to do so. Radio and TV Marti have been invaluable tools to break through the information monopoly that the Castro dictatorship uses as a weapon of repression against the people of Cuba. Without the Marti's broadcast the Cuban people would not have a source of independent objective news that they would turn to in order to learn more about world events and about the sad reality inside Cuba. The Cuban people need TV Marti.

The Castro regime was once again condemned just a few weeks ago by the international journalist groups for its repression of independent journalists who seek to report only the truth about the regime's repression. Over and over we hear from these journalists and other dissidents inside Cuba about the invaluable service that Radio and TV Marti provide to the Cuban population for being a prime source of objective news coverage. These are the same independent journalists who are being brutally harassed daily by the Castro regime. Many are subjected to the so-called repudiation acts, which are nothing more than State-sponsored mobs who attack their homes. Others end up in prison merely for reporting the truth about the dictatorship in Cuba.

TV Marti is supported by the U.S. Information Agency, including its director, Joseph Duffey, who has been a strong proponent of its pro-freedom, pro-democracy broadcast. USIA is working on changing the TV Marti signal from VHF to UHF so that its power is increased into the island and Castro's attempts at jamming its signal be further prohibited.

For the Cuban people the TV broadcasts are a window to the outside world denied to it by the Castro regime. Without Radio and TV Marti, the Cuban people would never have known about the brutal attack by Castro's thugs to the 13th of March tugboat where over 40 Cuban refugees, mostly women and children, were indiscriminately murdered at sea in Cuban territory. Without the TV and Radio Marti broadcast, the Cuban people would be ignorant of the repression of the regime against the church through the expulsion of priests and the harassment of those who merely seek to worship in their religion. Without radio and TV broadcasts, Mr. Chairman, Cubans would have no clue about the disaster of the Cuban economy and about the exploitation by foreign companies of the Cuban workers and the subjugation of independent trade unions under Castro's slave economy. Without Radio and TV Marti's message of hope, the suffering people of the island would be ignorant of the efforts in this Congress to help them in their struggle to break the shackles of tyranny that has enslaved Cuba sadly for over 38 years.

I do not believe this Congress is prepared to strip away that small window of reality and that small ray of hope for the Cuban people, nor are we willing to grant a propaganda victory to Fidel Castro by eliminating this valuable service. The Radio and TV Marti broadcasts have made a real difference in Cuba, just like other worldwide services have done, like Radio Free Europe and Radio Liberty in the former iron curtain of Eastern Europe. Let us not let the suffering people of Cuba down, Mr. Chairman. Let us support this message of freedom broadcast daily by TV Marti. I strongly support the Diaz-Balart TV Marti amendment, and I hope that my colleagues will as well.

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

The Skaggs amendment is clearly the wrong message at the wrong time. We are seeing specific things almost on a weekly basis occurring in Cuba which show the problems that the Castro regime is having. Internal leadership in terms of fighting the regime, demonstrations where people are literally putting their lives at risk on a weekly basis at the present time. To stop what we are doing now, to make a U-turn, to make a 90-degree turn in terms of the policies at the present time just does not make any sense at all.

Let me focus in also on several specifics. One is the issue of the UHF ability which has not yet been tested. It is an ability in terms of having more people access to the station than exist today, but the message regardless is, I am sure that any of my colleagues who are supporting this amendment as they have spoken so eloquently already are not supportive of the Castro regime, are not supportive of his goals, are not supportive of his actions, but at the same time there is no question that changing the existence of both Radio and TV Marti would, in fact, support him in those goals. And I think the lesson of American foreign policy over this century has been not that we have looked at policies because they are easy, but because they are hard.

It will not be easy, it has not been easy to change the Castro dictatorship, but I think that the specific things that we can see on the ground are proving that the dictatorship's days are numbered, and I think this Congress in its greatest hours will be able to say that we were part of that in terms of the pressure that we have done through a variety of actions, including existence of Television Marti.

Mr. SERRANO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as my colleagues know, a lot of very honorable people have gotten up to speak today, and I mean that sincerely. My only problem with some of their comments is I really cannot believe they believe what they are saying. This is at the minimum a major waste of money. Last time I checked, nothing had really changed. TV Marti was seen a couple of times in Cuba over the last many years, and one night all we broadcasted was Popeye cartoons.

Mr. Chairman, Popeye cartoons in English may not be the message that we are paying for to get across. I could question the choice of cartoons; Tom and Jerry, the Cartoon Channel, might have been a better choice. But here is the problem:

We were told some time ago that the reason we had to keep TV Marti was because it was going to change the attitude of the Cuban people that informed them of what goes on in this country and our desire to inform them of what goes on in their country. Now, of course, they have their own television, and now we have CNN there so I do not understand why we need TV Marti.

And then last year or the year before, if my colleagues will recall, at a major cost, which we still do not really know how much it costs, but it was a lot of money, we were told that if we move Radio and TV Marti's offices to Miami, somehow it would be closer and the signal would be better or the quality of the work would be better or the employee pool would be better. I do not know what would be better, but we did it, and here we are again with the same situation: Nothing is working.

Now we are told it is UHF. Now that is interesting. UHF versus VHF versus cable channels; come on, this is a waste of time. What are we going to do? Now next year, when we fail again at it, we are going to say we now broadcast in 3-dimensional color and stereophonic sound, the message will get across. The fact of life is that this is another example of a miserable, misguided and totally improper policy on the part of this country.

Mr. Chairman, if we really want to get closer to the Cuban people, why do we not do what we did with the Soviet Union and other people? We never stopped listening to their classical music. We never stopped sending them our jazz and our rock and roll. We never stopped watching their artists perform here. But with Cuba our desire is to totally isolate them, isolate them until they come here begging for mercy and screaming Uncle Sam.

Mr. Chairman, it is not working, and now we heard the gentleman from Florida, a dear friend of ours, say that the regime, as he calls it, moments are dwindling down to a few. I have been hearing this for 38 years, so I do not know what the few is that we are talking about.

My colleagues, the Skaggs amendment, which I speak on behalf of and in favor of, is a good amendment. It is a fiscally sound amendment. The gentleman from Colorado has to be commended for the fact that year after year he is courageous enough to stand on this floor, suspecting what the outcome of the vote may be, as others do, but knowing that this is the right thing to do, to say that TV Marti is a waste of time, a waste of dollars, and a bad policy.

Now anyone who is in the TV business or who understands electronics will tell us that this approach serves no purpose because if indeed the Government in Cuba wants to jam the signal, some people have told me that we could jam the UHF signal much easier than we can any other signal. So we are just buying into it.

Now, like I said before, we moved the offices to Miami, and that did not work. I do not think we will be able to move them next year to Havana so that we can get a closer signal into the island.

Please, if we sound somewhat sarcastic, it is because this is ridiculous. But I would urge very much for my colleagues to defeat this amendment and to bring back some sanity to this policy.

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

Mr. SERRANO. I yield to the gentleman from New Jersey.

Mr. MENENDEZ. Just a point about CNN.

Of course the gentleman understands that for CNN one needs a satellite, and satellite dishes are illegal in Cuba, and therefore the average Cuban cannot see a satellite transmission of CNN because they do not have satellite dishes.

Mr. SERRANO. That is not true, and I am sorry to say that. CNN happens to have been seen in Cuba year after year after year. It is that way that the Cuban people get information about us.

No. 2, as the gentleman knows, before CNN could go to Cuba, it had to get an OK from certain segments of the Cuban/American community that they are doing——

Mr. MENENDEZ. If the gentleman would yield so I can deal with his comment, the fact of the matter is in the fine hotels of Cuba, in which people who are Cubans cannot go to, yes, a satellite opportunity is there, and those who may work there receive it, but the average Cuban cannot.

The CHAIRMAN. The time of the gentleman from New York [Mr. SERRANO] has expired.

(On request of Mr. SKAGGS, and by unanimous consent, Mr. SERRANO was allowed to proceed for an additional minute.)

Mr. SERRANO. Mr. Chairman, my comment to the gentleman from New Jersey is that no matter how we strike it, the fact of life is that CNN is seen, has been seen and will be seen much more than TV Marti, and it is wasted money, American dollars, is seen at this moment. And second, since we are talking about fiscal austerity in this House, CNN is probably financed. TV Marti comes out of my tax dollars and my constituents' tax dollars, and I know the gentleman can make a better argument for some expenditures rather than TV Marti.

Ms. ROS-LEHTINEN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman from New York [Mr. SERRANO] has expired.

(On request of Ms. ROS-LEHTINEN, and by unanimous consent, Mr. SERRANO was allowed to proceed for 2 additional minutes.)

Ms. ROS-LEHTINEN. Mr. Chairman, will the gentleman yield?

Mr. SERRANO. I yield to the gentlewoman from Florida.

Ms. ROS-LEHTINEN. Mr. Chairman, my colleague brings up CNN, which is totally ludicrous because the Cuban people are denied the basic food by the Castro regime, he saves that for the tourists. CNN is broadcast in the tourist hotels which by law the Cuban people cannot use. They cannot use those pools, they cannot use the beaches by law. My colleague is speaking about a broadcast that does not reach the Cuban people, but I think the gentleman would be interested in knowing how the journalists, including CNN, are treated in Cuba and this just came through the wire today, and I will read it, the Reuter story.

Communist-ruled Cuba, whose own media is state-controlled, has introduced new regulations for foreign media, including a stipulation that accredited foreign journalists must be objective in their reporting. And this is by Foreign Minister Roberto Robaina, one of Castro's thugs. So he has now a form for these foreign journalists to fill out, and I say to the gentleman who supports freedom for journalist to please speak about this.

I would love to yield to my distinguished colleague to have him react to how the Cuban regime treats journalists in Cuba.

Mr. SERRANO. It is my time, and first of all it is nice to hear the gentlewoman quote statements that she has no facts to back up. The last one, well I am sure CNN will deal with that issue and I am very confident that CNN will get their way in doing what they have to do. That is why they are there, that is why the community in Miami accepted CNN and the Government accepted CNN, the fact that CNN will be unbiased and will report properly, and I have no problems with CNN telling me what is going on in Cuba because it will tell me what is bad about Cuba, but I suspect for the first time CNN may tell me there are some good things in Cuba which we have never been told by any of the Miami journalists.

Ms. ROS-LEHTINEN. Mr. Chairman, will the gentleman yield?

Mr. SERRANO. I yield to the gentlewoman from Florida.

Ms. ROS-LEHTINEN. Would the gentleman please react to this new directive by Castro's thug, Mr. Robaina, who wants new regulations for foreign media?

☐ 1645

Mr. SERRANO. Well, we have regulations about how the media behaves in this country.

Ms. ROS-LEHTINEN. Oh, so we are similar to Castro's Cuba, I see.

Mr. SERRANO. Mr. Chairman, we are not. The Foreign Minister has made a statement, I am sure CNN will deal with it. I will be the first one to say that CNN has all the rights available to them.

Mr. TAYLOR of Mississippi. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, in about 45 minutes I will be going back to the Committee on National Security, where we will be

putting together the personnel portion of the national defense bill for next year. I will hear the gentleman from Indiana [Mr. BUYER], the chairman of the committee, say that we cannot fulfill the pledge to our military retirees that they will be given health care for life, a pledge that was made to them on the day they enlisted and a pledge that was actually in Army recruiting brochures all the way into 1993, because we do not have enough money.

My colleague from Indiana will say that we cannot fund the youth challenge program run by the National Guard that takes high school dropouts, who in all probability would have ended up in the prison system, runs them through a 20-week boot camp-like environment in a number of States across the Nation, and has a 99-percent success ratio of taking these kids who would have gone to prison and getting them in school, getting them a GED, getting them a job, and in many instances they join the Armed Forces. Some of them do all three: Become a reservist, go to school, and get a job upon graduation. A 99-percent success ratio. That will be cut by $30 million because my Republican colleague will say we do not have enough money.

There will be 13,000 U.S. marines, airmen, soldiers, and sailors who this year will be able to apply for and receive food stamps because they do not make enough money from the pay that we give them, and yet they will only get a 2.8-percent increase. Now, if one is a Congressman or a President, 2.8 percent of one's salary is a lot of money. But if you are an E–1 or an E–2 or an E–3 or an E–4, and over half of all of the United States marines are E–4 or below, 2.8-percent of the very small salary you have is a minuscule pay raise. It is about $20 or $30 a month. This is an additional box of Pampers for one of your children.

Mr. Chairman, we are going to be told we cannot help our own, but we can spend $10 million to broadcast a signal that is jammed, going into a country that has daily trade relations with Mexico, the same folks who a couple of years ago my colleagues on the other side said we should open our borders to through NAFTA, the same folks my colleagues on the other side said we ought to send our factories to through NAFTA.

If I recall, just about 2 years ago right now on this same House floor we heard people denounce great programs like ''Sesame Street,'' great programs like ''Mr. Rogers,'' about the only thing on television that is worthwhile for a child to watch, saying that the Government should not be in the business of educating children through television. Well, heck, if we are not about educating American kids through television, what on Earth are we doing trying to broadcast a signal to another country that has free relations with Mexico to the south of us, with Canada to the north of us, that is jammed, at the expense of $10 million a year.

If my colleagues do not know what to do with that $10 million, I have a bunch of high school dropouts that I can keep out of prison and make good soldiers out of. I have a bunch of military retirees that we can fulfill the promise of lifelong health care with that money. And I have about 13,000 U.S. marines, U.S. airmen, U.S. Navy personnel, U.S. Army personnel, that we could pay them a slightly better wage with that money, rather than the pittance and the food stamp-eligible wages they are getting now.

The gentleman from Colorado [Mr. SKAGGS] is merely saying that in a time when we are trying to reduce Federal spending, should we not prioritize what we have left on Americans? When my Republican colleagues say that there are some things that Government should not do because the private sector could do it better, well, maybe this is one of them, because obviously what we are doing as a nation is not working. And $10 million is a heck of a lot of money, could help a heck of a lot of young people stay out of prison, help a heck of a lot of military retirees get the health care that they deserve, or pay those fine young sailors who are at sea 180 days a year, fine young airmen who are away from their families a minimum of 120 days a year, or fine young soldiers who are away from their families a minimum of 160 days a year. Support the Skaggs amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. DIAZ-BALART] to the amendment offered by the gentleman from Colorado [Mr. SKAGGS].

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

RECORDED VOTE

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

A recorded vote was ordered.

ANNOUNCEMENT BY THE CHAIRMAN

Pursuant to House Resolution 159 and clause 2 of rule XXIII, the Chair announces that he may reduce to not less than 5 minutes the time for any electronic vote, if ordered, on the amendment offered by the gentleman from Colorado [Mr. SKAGGS], and on the amendment offered by the gentleman from Indiana [Mr. HAMILTON] on which further proceedings were postponed.

The vote was taken by electronic device, and there were—ayes 271, noes 155, not voting 8, as follows:

[Roll No. 159]

YEAS—271

Ackerman	Bereuter	Brady
Aderholt	Berry	Brown (FL)
Archer	Bilbray	Bryant
Armey	Bilirakis	Bunning
Bachus	Bishop	Burr
Baker	Blagojevich	Burton
Ballenger	Bliley	Buyer
Barr	Blunt	Callahan
Barrett (NE)	Boehner	Calvert
Barton	Bonilla	Camp
Bass	Bono	Campbell
Bateman	Boswell	Canady
Bentsen	Boyd	Cannon
Castle	Hostettler	Pease
Chabot	Houghton	Peterson (MN)
Chambliss	Hoyer	Peterson (PA)
Chenoweth	Hulshof	Pitts
Clement	Hunter	Pombo
Coburn	Hutchinson	Porter
Collins	Hyde	Portman
Combest	Inglis	Pryce (OH)
Condit	Istook	Quinn
Cook	Jackson-Lee (TX)	Radanovich
Cooksey	Jenkins	Ramstad
Cox	John	Redmond
Coyne	Johnson (CT)	Reyes
Crane	Johnson, E. B.	Riggs
Crapo	Johnson, Sam	Riley
Cubin	Jones	Rogan
Cunningham	Kaptur	Rogers
Davis (FL)	Kasich	Rohrabacher
Davis (IL)	Kelly	Ros-Lehtinen
Davis (VA)	Kennedy (RI)	Rothman
DeLay	Kim	Roukema
Deutsch	King (NY)	Royce
Diaz-Balart	Kingston	Ryun
Dickey	Klink	Salmon
Doolittle	Klug	Sanford
Doyle	Knollenberg	Saxton
Dreier	Kolbe	Scarborough
Duncan	Kucinich	Schaefer, Dan
Dunn	LaHood	Schaffer, Bob
Edwards	Largent	Sessions
Ehlers	Latham	Shadegg
Ehrlich	LaTourette	Shaw
Emerson	Lazio	Shays
Engel	Leach	Sherman
English	Levin	Sisisky
Ensign	Lewis (CA)	Skeen
Everett	Lewis (KY)	Skelton
Ewing	Linder	Smith (MI)
Fawell	Lipinski	Smith (NJ)
Foley	Livingston	Smith (OR)
Forbes	LoBiondo	Smith (TX)
Ford	Lucas	Smith, Linda
Fowler	Maloney (NY)	Snowbarger
Fox	Manton	Snyder
Franks (NJ)	Manzullo	Solomon
Frelinghuysen	Mascara	Souder
Frost	McCarthy (NY)	Spence
Gallegly	McCollum	Spratt
Gekas	McCrery	Stabenow
Gephardt	McDade	Stearns
Gibbons	McHugh	Strickland
Gilchrest	McInnis	Stump
Gillmor	McIntosh	Stupak
Gilman	McKeon	Sununu
Goodlatte	McNulty	Talent
Goodling	Meek	Tauzin
Gordon	Menendez	Taylor (NC)
Goss	Metcalf	Thomas
Graham	Mica	Thornberry
Granger	Miller (FL)	Thune
Green	Molinari	Tiahrt
Greenwood	Moran (KS)	Traficant
Gutierrez	Murtha	Walsh
Gutknecht	Myrick	Wamp
Hall (OH)	Nethercutt	Watkins
Hansen	Ney	Watts (OK)
Hastert	Northup	Weldon (FL)
Hastings (FL)	Norwood	Weldon (PA)
Hastings (WA)	Nussle	Weller
Hayworth	Ortiz	Wexler
Hefley	Oxley	White
Herger	Packard	Wicker
Hill	Pallone	Wise
Hilleary	Pappas	Wolf
Hinojosa	Pascrell	Wynn
Hobson	Pastor	Young (AK)
Holden	Paxon	Young (FL)
Horn		

NAYS—155

Abercrombie	Christensen	Doggett
Allen	Clay	Dooley
Baesler	Clayton	Eshoo
Baldacci	Clyburn	Etheridge
Barcia	Coble	Evans
Barrett (WI)	Conyers	Fattah
Bartlett	Costello	Filner
Becerra	Cramer	Flake
Berman	Cummings	Foglietta
Blumenauer	Danner	Frank (MA)
Boehlert	Deal	Furse
Bonior	DeFazio	Ganske
Borski	DeGette	Gejdenson
Boucher	Delahunt	Gonzalez
Brown (CA)	DeLauro	Goode
Brown (OH)	Dellums	Hall (TX)
Capps	Dicks	Hamilton
Cardin	Dingell	Harman
Carson	Dixon	Hefner

Hilliard
Hinchey
Hoekstra
Hooley
Jackson (IL)
Johnson (WI)
Kanjorski
Kennedy (MA)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
LaFalce
Lampson
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Markey
Martinez
Matsui
McCarthy (MO)
McDermott
McGovern
McHale
McIntyre
McKinney
Meehan
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Nadler
Neal
Neumann
Oberstar
Obey
Olver
Owens
Parker
Paul
Payne
Pelosi
Petri
Pickett
Poshard
Price (NC)
Rahall
Rangel
Regula
Rivers
Rodriguez
Roemer
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Shimkus
Shuster
Skaggs
Slaughter
Smith, Adam
Stark
Stenholm
Stokes
Tanner
Tauscher
Taylor (MS)
Thompson
Thurman
Tierney
Torres
Towns
Turner
Upton
Velázquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weygand
Whitfield
Woolsey
Yates

NOT VOTING—8

Andrews
Farr
Fazio
Jefferson
Lantos
Pickering
Pomeroy
Schiff

☐ 1713

Messrs. CHRISTENSEN, HALL of Texas, STENHOLM, BARTLETT of Maryland, HOEKSTRA, NADLER, and TIERNEY changed their vote from ''aye'' to ''no.''

Mr. WYNN, Mr. PALLONE, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. HOLDEN changed their vote from ''no'' to ''aye.''

So the amendment to the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado [Mr. SKAGGS], as amended.

The amendment, as amended, was agreed to.

AMENDMENT OFFERED BY MR. HAMILTON

The CHAIRMAN. The pending business is the request for a recorded vote on the amendment offered by the gentleman from Indiana [Mr. HAMILTON] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 202, noes 224, not voting 8, as follows:

[Roll No. 160]

AYES—202

Abercrombie
Ackerman
Allen
Baesler
Baldacci
Barcia
Barrett (WI)
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Fattah
Fazio
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gonzalez
Goode
Gordon
Green
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Hoyer
Jackson (IL)
Jackson-Lee (TX)
John
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Leach
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McIntyre
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pickett
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Sherman
Sisisky
Skaggs
Skelton
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson
Thurman
Tierney
Torres
Towns
Turner
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn
Yates

NOES—224

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Crapo
Cubin
Cunningham
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
Manzullo
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Molinari
Moran (KS)
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (PA)
Petri
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Redmond
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stump
Sununu
Talent
Tauzin
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NOT VOTING—8

Andrews
Becerra
Farr
Jefferson
Lantos
Martinez
Pickering
Schiff

☐ 1723

Mrs. KELLY and Mr. CALLAHAN changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. Are there further amendments to title XI?

AMENDMENT OFFERED BY MR. SMITH OF NEW JERSEY

Mr. SMITH of New Jersey. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of New Jersey:

Page 96, lines 8 and 9, strike $334,655,000'' both places it appears and insert ''$344,655,000'' and ''$341,655,000'' respectively.

Page 96, lines 21 and 22, strike ''30,000,000'' both places it appears and insert ''40,000,000'' and ''33,000,000'' respectively.

Page 96, lines 24 and 25, strike ''10,000,000'' both places it appears and insert ''$30,000,000''.

Add at the end of Title XI:

SEC. .

(a) It is the sense of Congress that the United States broadcasting through Radio Free Asia and Voice of America increase to continuous, 24-hour broadcasting in Mandarin, Cantonese, Tibetan, and that broadcasting in additional Chinese dialects be increased.

(b) Within 90 days of enactment of this Act, the President shall report to the Congress on a plan to achieve continuous broadcasting in Asia.

Mr. SMITH of New Jersey (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. SMITH of New Jersey. Mr. Chairman, this amendment—which I believe should have and will get the support of a very large, bipartisan number of Members of this House—would boost the amount of money for Radio Free Asia by $40 million to provide for 24-hour broadcasting. That is the hope here.

We will soon be voting on the very contentious issue of most-favored-nation status for China. There are many, many good Members who care deeply about human rights in China who will take a different position than I take, and others like me who believe that we ought to link MFN to human rights. This amendment is something on which we can come together and have a consensus. This is an area, with regard to human rights and freedom broadcasting, where I believe we can all come together and say: Let us be absolutely serious about getting the message of freedom into China and into some of the other countries where freedom does not flourish.

As I think Members know, Radio Free Asia was authorized in 1994. It was finally up and running as of last year. We have provided $10 million per year in the bill for new broadcasting to China, Vietnam, Korea, Tibet, and Burma. And soon, I am happy to say, we will be in Laos and Cambodia as well. These efforts are very, very popular among those who care about democracy.

This new money would allow, as I indicated earlier, 24-hour-a-day broadcasting. Currently we are only broadcasting 8 hours a day. And again this is surrogate broadcasting. This is giving people information about what is going on in their own country. We all know that under the Communist dictatorship in China, and in some of these other countries, the flow of information is largely circumscribed by the government. This amendment gives us an opportunity to get the information into the country. Surrogate broadcasting has been very successful where it has been used.

□ 1730

Now, let us be deadly serious about Radio Free Asia. This amendment has the strong support of many, including the Speaker. After his recent trip to China, he came back very much energized about this Congress doing more. We ought to do more. This amendment will do that.

In terms of where the money comes from, our bill is about $200 million below the administration request. That is where the money comes from. So we are meeting our targets there. Matter of fact, I, along with some of the Members on the other side of the aisle, would like to see some of the other accounts beefed up—and I am looking at the gentleman from California, [Mr. BERMAN] because we have worked together on some of these issues in the past, and we will do so again as we move to conference. So this amendment would be fully funded.

Having said that, I do hope we will have broad bipartisan support for this.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. SMITH].

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to title XI?

If not, the Clerk will designate title XII.

The text of title XII is as follows:

TITLE XII—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

CHAPTER 1—AUTHORITIES AND ACTIVITIES

SEC. 1201. REVISION OF DEPARTMENT OF STATE REWARDS PROGRAM.

(a) IN GENERAL.—Section 36 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708) is amended to read as follows:

"SEC. 36. DEPARTMENT OF STATE REWARDS PROGRAM.

''(a) ESTABLISHMENT.—(1) There is established a program for the payment of rewards to carry out the purposes of this section.

''(2) The rewards program established by this section shall be administered by the Secretary of State, in consultation, where appropriate, with the Attorney General.

''(b) PURPOSE.—(1) The rewards program established by this section shall be designed to assist in the prevention of acts of international terrorism, international narcotics trafficking, and other related criminal acts.

''(2) At the sole discretion of the Secretary of State and in consultation, as appropriate, with the Attorney General, the Secretary may pay a reward to any individual who furnishes information leading to—

''(A) the arrest or conviction in any country of any individual for the commission of an act of international terrorism against a United States person or United States property;

''(B) the arrest or conviction in any country of any individual conspiring or attempting to commit an act of international terrorism against a United States person or United States property;

''(C) the arrest or conviction in any country of any individual for committing, primarily outside the territorial jurisdiction of the United States, any narcotics-related offense if that offense involves or is a significant part of conduct that involves—

''(i) a violation of United States narcotics laws and which is such that the individual would be a major violator of such laws; or

''(ii) the killing or kidnapping of—

''(I) any officer, employee, or contract employee of the United States Government while such individual is engaged in official duties, or on account of that individual's official duties, in connection with the enforcement of United States narcotics laws or the implementing of United States narcotics control objectives; or

''(II) a member of the immediate family of any such individual on account of that individual's official duties, in connection with the enforcement of United States narcotics laws or the implementing of United States narcotics control objectives; or

''(iii) an attempt or conspiracy to commit any of the acts described in clause (i) or (ii); or

''(D) the arrest or conviction in any country of any individual aiding or abetting in the commission of an act described in subparagraphs (A) through (C); or

''(E) the prevention, frustration, or favorable resolution of an act described in subparagraphs (A) through (C).

''(c) COORDINATION.—(1) To ensure that the payment of rewards pursuant to this section does not duplicate or interfere with the payment of informants or the obtaining of evidence or information, as authorized to the Department of Justice, the offering, administration, and payment of rewards under this section, including procedures for—

''(A) identifying individuals, organizations, and offenses with respect to which rewards will be offered;

''(B) the publication of rewards;

''(C) offering of joint rewards with foreign governments;

''(D) the receipt and analysis of data; and

''(E) the payment and approval of payment,

shall be governed by procedures developed by the Secretary of State, in consultation with the Attorney General.

''(2) Before making a reward under this section in a matter over which there is Federal criminal jurisdiction, the Secretary of State shall advise and consult with the Attorney General.

''(d) FUNDING.—(1) There is authorized to be appropriated to the Department of State from time to time such amounts as may be necessary to carry out the purposes of this section, notwithstanding section 102 of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (Public Law 99–93).

''(2) No amount of funds may be appropriated which, when added to the amounts previously appropriated but not yet obligated, would cause such amounts to exceed $15,000,000.

''(3) To the maximum extent practicable, funds made available to carry out this section should be distributed equally for the purpose of preventing acts of international terrorism and for the purpose of preventing international narcotics trafficking.

''(4) Amounts appropriated to carry out the purposes of this section shall remain available until expended.

''(e) LIMITATION AND CERTIFICATION.—(1) A reward under this section may not exceed $2,000,000.

''(2) A reward under this section of more than $100,000 may not be made without the approval of the President or the Secretary of State.

''(3) Any reward granted under this section shall be approved and certified for payment by the Secretary of State.

''(4) The authority of paragraph (2) may not be delegated to any other officer or employee of the United States Government.

''(5) If the Secretary determines that the identity of the recipient of a reward or of the members of the recipient's immediate family must be protected, the Secretary may take such measures in connection with the payment of the reward as he considers necessary to effect such protection.

''(f) INELIGIBILITY.—An officer or employee of any governmental entity who, while in the performance of his or her official duties, furnishes information described in subsection (b) shall not be eligible for a reward under this section.

''(g) REPORTS.—(1) Not later than 30 days after paying any reward under this section, the Secretary of State shall submit a report to the appropriate congressional committees with respect to such reward. The report, which may be submitted on a classified basis if necessary, shall specify the amount of the reward paid, to whom the reward was paid, and the acts with respect to which the reward was paid. The report shall also discuss the significance of the information for which the reward was paid in dealing with those acts.

''(2) Not later than 60 days after the end of each fiscal year, the Secretary of State shall submit an annual report to the appropriate congressional committees with respect to the operation of the rewards program authorized by this section. Such report shall provide information on the total amounts expended during such fiscal year to carry out the purposes of this section, including amounts spent to publicize the availability of rewards.

''(h) PUBLICATION REGARDING REWARDS OFFERED BY FOREIGN GOVERNMENTS.—Notwithstanding any other provision of this section, at the sole discretion of the Secretary of State the resources of the rewards program authorized by this section, shall be available for the publication of rewards offered by foreign governments regarding acts of international terrorism which do not involve United States persons or property or a violation of the narcotics laws of the United States.

''(i) DEFINITIONS.—As used in this section—

''(1) the term 'appropriate congressional committees' means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate;

''(2) the term 'act of international terrorism' includes, but is not limited to—

''(A) any act substantially contributing to the acquisition of unsafeguarded special nuclear material (as defined in section 830(8) of the Nuclear Proliferation Prevention Act of 1994) or any nuclear explosive device (as defined in section 830(4) of that Act) by an individual, group, or non-nuclear weapon state (as defined in section 830(5) of that Act); and

''(B) any act, as determined by the Secretary of State, which materially supports the conduct of international terrorism, including the counterfeiting of United States currency or the illegal use of other monetary instruments by an individual, group, or country supporting international terrorism as determined for purposes of section 6(j) of the Export Administration Act of 1979;

''(3) the term 'United States narcotics laws' means the laws of the United States for the prevention and control of illicit traffic in controlled substances (as such term is defined for purposes of the Controlled Substances Act); and

''(4) the term 'member of the immediate family' includes—

''(A) a spouse, parent, brother, sister, or child of the individual;

''(B) a person to whom the individual stands in loco parentis; and

''(C) any other person living in the individual's household and related to the individual by blood or marriage.

''(j) DETERMINATIONS OF THE SECRETARY.—A determination made by the Secretary of State under this section shall be final and conclusive and shall not be subject to judicial review.''.

(b) USE OF EARNINGS FROM FROZEN ASSETS FOR PROGRAM.—

(1) AMOUNTS TO BE MADE AVAILABLE.—Up to 2 percent of the earnings accruing, during periods beginning October 1, 1998, on all assets of foreign countries blocked by the President pursuant to the International Emergency Powers Act (50 U.S.C. 1701 and following) shall be available, subject to appropriations Acts, to carry out section 36 of the State Department Basic Authorities Act, as amended by this section, except that the limitation contained in subsection (d)(2) of such section shall not apply to amounts made available under this paragraph.

(2) CONTROL OF FUNDS BY THE PRESIDENT.—The President is authorized and directed to take possession and exercise full control of so much of the earnings described in paragraph (1) as are made available under such paragraph.

SEC. 1202. CAPITAL INVESTMENT FUND.

Section 135 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 2684a) is amended—

(1) in subsection (a) by inserting ''and enhancement'' after ''procurement'';

(2) in subsection (c) by striking ''are authorized to'' and inserting ''shall'';

(3) in subsection (d) by striking ''for expenditure to procure capital equipment and information technology'' and inserting in lieu thereof ''for purposes of subsection (a)''; and

(4) by amending subsection (e) to read as follows:

''(e) REPROGRAMMING PROCEDURES.—Funds credited to the Capital Investment Fund shall not be available for obligation or expenditure except in compliance with the procedures applicable to reprogrammings under section 34 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2710).''.

SEC. 1203. REDUCTION OF REPORTING.

(a) REPORT ON FOREIGN SERVICE PERSONNEL IN EACH AGENCY.—Section 601(c)(4) of the Foreign Service Act of 1980 (22 U.S.C. 4001(c)(4)) is repealed.

(b) REPORT ON PARTICIPATION BY U.S. MILITARY PERSONNEL ABROAD IN U.S. ELECTIONS.—Section 101(b)(6) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff(b)(6)) is amended by striking ''of voter participation'' and inserting ''of uniformed services voter participation, a general assessment of overseas nonmilitary participation,''.

(c) COUNTRY REPORTS ON ECONOMIC POLICY AND TRADE PRACTICES.—Section 2202 of the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 4711) is repealed.

(d) ANNUAL REPORT ON SOCIAL AND ECONOMIC GROWTH.—Section 574 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1996 (Public Law 104–107) is repealed.

(e) REPORT.—Section 308 of the Chemical and Biological Weapons and Warfare Elimination Act of 1991 (22 U.S.C. 5606) is repealed.

SEC. 1204. CONTRACTING FOR LOCAL GUARDS SERVICES OVERSEAS.

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

(1) by amending paragraph (3) to read as follows:

''(3) in evaluating proposals for such contracts, award contracts to the technically acceptable firm offering the lowest evaluated price, except that proposals of United States persons and qualified United States joint venture persons (as defined in subsection (d)) shall be evaluated by reducing the bid price by 5 percent;'';

(2) by inserting ''and'' at the end of paragraph (5);

(3) by striking ''; and'' at the end of paragraph (6) and inserting a period; and

(4) by striking paragraph (7).

SEC. 1205. PREADJUDICATION OF CLAIMS.

Section 4(a) of the International Claims Settlement Act (22 U.S.C. 1623(a)) is amended—

(1) in the first sentence by striking ''1948, or'' and inserting ''1948,'';

(2) by inserting before the period at the end of the first sentence '', or included in a category of claims against a foreign government which is referred to the Commission by the Secretary of State''; and

(3) in paragraph (1) by striking ''the applicable'' and inserting ''any applicable''.

SEC. 1206. EXPENSES RELATING TO CERTAIN INTERNATIONAL CLAIMS AND PROCEEDINGS.

(a) RECOVERY OF CERTAIN EXPENSES.—The Department of State Appropriation Act of 1937 (49 Stat. 1321, 22 U.S.C. 2661) is amended in the fifth undesignated paragraph under the heading entitled ''INTERNATIONAL FISHERIES COMMISSION'' by striking ''extraordinary''.

(b) PROCUREMENT OF SERVICES.—Section 38(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2710(c)) is amended in the first sentence by inserting ''personal and'' before ''other support services''.

SEC. 1207. ESTABLISHMENT OF FEE ACCOUNT AND PROVIDING FOR PASSPORT INFORMATION SERVICES.

(a) DISPOSITION OF FEES.—Amounts collected by the Department of State pursuant to section 281 of the Immigration and Nationality Act (8 U.S.C. 1351), section 1 of the Passport Act of June 4, 1920 (22 U.S.C. 214), section 16 of the Act of August 18, 1856 (22 U.S.C. 4219), and section 9701 of title 31, United States Code, shall be deposited in a special fund of the Treasury.

(b) USE OF FUNDS.—Subject to subsections (d) and (e), amounts collected and deposited in the special fund in the Treasury pursuant to subsection (a) shall be available to the extent and in such amounts as are provided in advance in appropriations Acts for the following purposes:

(1) To pay all necessary expenses of the Department of State and the Foreign Service, including expenses authorized by the State Department Basic Authorities Act of 1956.

(2) Representation to certain international organizations in which the United States participates pursuant to treaties ratified pursuant to the advice and consent of the Senate or specific Acts of Congress.

(3) Acquisition by exchange or purchase of passenger motor vehicles as authorized by section 1343 of title 31, United States Code, section 201(c) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 481(c)), and section 7 of the State Department Basic Authorities Act (22 U.S.C. 2674).

(4) Expenses of general administration of the Department of State.

(5) To carry out the Foreign Service Buildings Act of 1926 (22 U.S.C. 292–300) and the Diplomatic Security Construction Program as authorized by title IV of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4851).

(c) AVAILABILITY OF FUNDS.—Amounts collected and deposited in the special fund pursuant to subsection (a) are authorized to remain available until expended.

(d) LIMITATION.—For any fiscal year, any amount deposited in the special fund under subsection (a) that exceeds $455,000,000 is authorized to be made available only if a notification is submitted in compliance with the procedures applicable to a reprogramming of funds under section 34 of the State Department Basic Authorities Act of 1956.

(e) PASSPORT INFORMATION SERVICES.—For each of the fiscal years 1998 and 1999, $5,000,000 of the amounts available in the fund shall be available only for the purpose of providing passport information without charge to citizens of the United States, including—

(1) information about who is eligible to receive a United States passport and how and where to apply;

(2) information about the status of pending applications; and

(3) names, addresses, and telephone numbers of State and Federal officials who are authorized to provide passport information in cooperation with the Department of State.

SEC. 1208. ESTABLISHMENT OF MACHINE READABLE FEE ACCOUNT.

Section 140(a) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236) is amended—

(1) by redesignating paragraph (4) as paragraph (6);

(2) by striking paragraph (5);

(3) by striking paragraphs (2) and (3) and inserting the following:

''(2) Amounts collected under the authority of paragraph (1) shall be deposited in a special fund of the Treasury.

''(3) Subject to paragraph (5), fees deposited in the special fund pursuant to paragraph (2) shall be available to the extent and in such amounts as are provided in advance in appropriations Acts for costs of the Department of State's border security program, including the costs of—

''(A) installation and operation of the machine readable visa and automated name-check process;

''(B) improving the quality and security of the United States passport;

''(C) passport and visa fraud investigations; and

''(D) the technological infrastructure to support and operate the programs referred to in subparagraphs (A) through (C).

''(4) Amounts deposited pursuant to paragraph (2) shall remain available for obligation until expended.

''(5) For any fiscal year, any amount collected pursuant to the authority of paragraph (1) that exceeds $140,000,000 is authorized to be made available only if a notification is submitted in compliance with the procedures applicable to a reprogramming of funds under section 34 of the State Department Basic Authorities Act of 1956.''.

SEC. 1209. RETENTION OF ADDITIONAL DEFENSE TRADE CONTROLS REGISTRATION FEES.

Section 45(a) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2717(a)) is amended—

(1) by striking ''$700,000 of the'' and inserting ''all'';

(2) at the end of paragraph (1) by striking ''and'';

(3) in paragraph (2)—

(A) by striking ''functions'' and inserting ''functions, including compliance and enforcement activities,''; and

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

(4) by adding at the end the following new paragraph (3):

''(3) the enhancement of defense trade export compliance and enforcement activities to include compliance audits of United States and foreign parties, the conduct of administrative proceedings, end-use monitoring of direct commercial arms sales and transfer, and cooperation in criminal proceedings related to defense trade export controls.''.

SEC. 1210. TRAINING.

(a) INSTITUTE FOR TRAINING.—Section 701 of the Foreign Service Act of 1980 (22 U.S.C. 4021) is amended—

(1) by redesignating subsection (d)(4) as subsection (g); and

(2) by inserting after paragraph (3) of subsection (d) the following new subsections:

''(e)(1) The Secretary of State may, in the discretion of the Secretary, provide appropriate training and related services through the institution to employees of United States companies engaged in business abroad, and to the families of such employees.

''(2) In the case of any company under contract to provide services to the Department of State, the Secretary of State is authorized to provide job-related training and related services to any company employee who is performing such services.

''(3) Training under this subsection shall be on a reimbursable or advance-of-funds basis. Such reimbursements or advances shall be credited to the currently available applicable appropriation account.

''(4) Training and related services under this subsection is authorized only to the extent that it will not interfere with the institution's primary mission of training employees of the Department and of other agencies in the field of foreign relations.

''(f)(1) The Secretary of State is authorized to provide on a reimbursable basis training programs to Members of Congress or the judiciary.

''(2) Congressional staff members and employees of the judiciary may participate on a reimbursable, space-available basis in training programs offered by the institution.

''(3) Reimbursements collected under this subsection shall be credited to the currently available applicable appropriation account.

''(4) Training under this subsection is authorized only to the extent that it will not interfere with the institution's primary mission of training employees of the Department of State and of other agencies in the field of foreign relations.''.

(b) FEES FOR USE OF NATIONAL FOREIGN AFFAIRS TRAINING CENTER.—The State Department Basic Authorities Act of 1956 (22 U.S.C. 2669 et seq.) is amended by adding after section 52 the following new section:

''SEC. 53. FEES FOR USE OF THE NATIONAL FOREIGN AFFAIRS TRAINING CENTER.

''The Secretary is authorized to charge a fee for use of the National Foreign Affairs Training Center Facility of the Department of State. Funds collected under the authority of this section, including reimbursements, surcharges, and fees, shall be deposited as an offsetting collection to any Department of State appropriation to recover the costs of such use and shall remain available for obligation until expended.''.

SEC. 1211. FEE FOR USE OF DIPLOMATIC RECEPTION ROOMS.

The State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a et seq.) is amended by adding after section 53 (as added by section 1210(b)) the following new section:

''SEC. 54. FEE FOR USE OF DIPLOMATIC RECEPTION ROOMS.

''The Secretary of State is authorized to charge a fee for use of the diplomatic reception rooms of the Department of State. Amounts collected under the authority of this section (including any reimbursements and surcharges) shall be deposited as an offsetting collection to any Department of State appropriation to recover the costs of such use and shall remain available for obligation until expended.''.

SEC. 1212. FEES FOR COMMERCIAL SERVICES.

Section 52 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2724) is amended in subsection (b) by adding at the end the following: ''Funds deposited under this subsection shall remain available for obligation until expended.''.

SEC. 1213. BUDGET PRESENTATION DOCUMENTS.

The Secretary of State shall include in the annual Congressional Presentation Document and the Budget in Brief, a detailed accounting of the total collections received by the Department of State from all sources, including fee collections. Reporting on total collections shall also include the previous year's collection and the projected expenditures from all collections accounts.

SEC. 1214. GRANTS TO OVERSEAS EDUCATIONAL FACILITIES.

Section 29 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2701) is amended by adding at the end the following: ''Notwithstanding any other provision of law, where the children of United States citizen employees of an agency of the United States Government who are stationed outside the United States attend educational facilities assisted by the Department of State under this section, such agency is authorized to make grants to, or otherwise to reimburse or credit with advance payment, the Department of State for funds used in providing assistance to such educational facilities.''.

SEC. 1215. GRANTS TO REMEDY INTERNATIONAL CHILD ABDUCTIONS.

(a) GRANT AUTHORITY.—Section 7 of the International Child Abduction Remedies Act (42 U.S.C. 11606; Public Law 100–300) is amended by adding at the end the following new subsection:

''(e) GRANT AUTHORITY.—The United States Central Authority is authorized to make grants to, or enter into contracts or agreements with, any individual, corporation, other Federal, State, or local agency, or private entity or organization in the United States for purposes of accomplishing its responsibilities under the convention and this Act.''.

CHAPTER 2—CONSULAR AUTHORITIES OF THE DEPARTMENT OF STATE

SEC. 1241. USE OF CERTAIN PASSPORT PROCESSING FEES FOR ENHANCED PASSPORT SERVICES.

For each of the fiscal years 1998 and 1999, of the fees collected for expedited passport processing and deposited to an offsetting collection pursuant to the Department of State and Related Agencies Appropriations Act for Fiscal Year 1995 (Public Law 103–317; 22 U.S.C. 214), 30 percent shall be available only for enhancing passport services for United States citizens, improving the integrity and efficiency of the passport issuance process, improving the secure nature of the United States passport, investigating passport fraud, and deterring entry into the United States by terrorists, drug traffickers, or other criminals.

SEC. 1242. CONSULAR OFFICERS.

(a) PERSONS AUTHORIZED TO ISSUE REPORTS OF BIRTH ABROAD.—Section 33 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2705) is amended in paragraph (2) by inserting ''(or any United States citizen employee of the Department of State designated by the Secretary of State to adjudicate nationality abroad pursuant to such regulations as the Secretary may prescribe)'' after ''consular officer''.

(b) PROVISIONS APPLICABLE TO CONSULAR OFFICERS.—Section 1689 of the Revised Statutes of the United States (22 U.S.C. 4191), is amended by inserting ''and to such other United States citizen employees of the Department of State as may be designated by the Secretary of State pursuant to such regulations as the Secretary may prescribe'' after ''such officers''.

(c) PERSONS AUTHORIZED TO AUTHENTICATE FOREIGN DOCUMENTS.—Section 3492(c) of title 18, United States Code, is amended by adding at the end the following: ''For purposes of this section and sections 3493 through 3496 of this title, a consular officer shall include any United States citizen employee of the Department of State designated to perform notarial functions pursuant to section 24 of the Act of August 18, 1856 (Rev. Stat. 1750, 22 U.S.C. 4221).''.

(d) PERSONS AUTHORIZED TO ADMINISTER OATHS.—Section 115 of title 35, United States Code, is amended by adding at the end the following: ''For purposes of this section a consular officer shall include any United States citizen employee of the Department of State designated to perform notarial functions pursuant to section 24 of the Act of August 18, 1856 (Rev. Stat. 1750, 22 U.S.C. 4221).''.

SEC. 1243. REPEAL OF OUTDATED CONSULAR RECEIPT REQUIREMENTS.

Sections 1726, 1727, and 1728 of the Revised Statutes of the United States (22 U.S.C. 4212, 4213, and 4214) (concerning accounting for consular fees) are repealed.

SEC. 1244. ELIMINATION OF DUPLICATE PUBLICATION REQUIREMENTS.

(a) FEDERAL REGISTER PUBLICATION OF TRAVEL ADVISORIES.—Section 44908(a) of title 49, United States Code, is amended—

(1) by striking paragraph (2); and

(2) by redesignating paragraph (3) as paragraph (2).

(b) PUBLICATION IN THE FEDERAL REGISTER OF TRAVEL ADVISORIES CONCERNING SECURITY AT FOREIGN PORTS.—Section 908(a) of the International Maritime and Port Security Act of 1986 (Public Law 99–399; 100 Stat. 891; 46 U.S.C. App. 1804(a)) is amended by striking the second sentence.

CHAPTER 3—REFUGEES AND MIGRATION

SEC. 1261. REPORT TO CONGRESS CONCERNING CUBAN EMIGRATION POLICIES.

Beginning 3 months after the date of the enactment of this Act and every subsequent 6 months, the Secretary of State shall include in the monthly report to Congress entitled ''Update on Monitoring of Cuban Migrant Returnees'' additional information concerning the methods employed by the Government of Cuba to enforce the United States-Cuba agreement of September 1994 to restrict the emigration of the Cuban people from Cuba to the United States and the treatment by the Government of Cuba of persons who have returned to Cuba pursuant to the United States-Cuba agreement of May 1995.

SEC. 1262. REPROGRAMMING OF MIGRATION AND REFUGEE ASSISTANCE FUNDS.

Section 34 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2706) is amended by adding at the end the following new subsection:

''(c) EMERGENCY WAIVER OF NOTIFICATION REQUIREMENT.—The Secretary of State may waive the notification requirement of subsection (a), if the Secretary determines that failure to do so would pose a substantial risk to human health or welfare. In the case of any waiver under this subsection, notification to the appropriate congressional committees shall be provided as soon as practicable, but not later than 3 days after taking the action to which the notification requirement was applicable, and shall contain an explanation of the emergency circumstances.''.

The CHAIRMAN. Are there any amendments to title XII?

AMENDMENT OFFERED BY MR. BACHUS

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

The Clerk read as follows:

Amendment offered by Mr. BACHUS:

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

SEC. 1221. REPORT ON OVERSEAS SURPLUS PROPERTIES.

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

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

Mr. BACHUS. Mr. Chairman, I have heard my colleagues here today talk about saving $10 million and saving $30 million and making priorities, and I commend them for that. This amendment will save the taxpayers of the United States, the American people, as much as a half a billion dollars. We are not talking about $10 million, we are not talking about $20 million.

Mr. Chairman, today our Government, the State Department, owns over 1 billion, well, actually, over $10 billion, and I keep missing that, it is more than that, it is $100 billion in property overseas. Of that, as much as $1 billion is considered to be excess surplus property. This includes an orange grove in Morocco that is being used by the King of Morocco; it includes a $12 million mansion in Bermuda that our State Department says is ostentatious, to use their own inspector general's words; in Tanzania they have closed our post there but we still own the property. A billion dollars' worth of surplus property out there.

Now, this Congress has sort of dabbled in this. They have tried to address this and they have asked the State Department to form a panel to make some recommendations, but I would say to this body that we do not need a recommendation on this $467 million that the State Department 2 years ago already told this Congress was unneeded, unnecessary surplus land.

What my amendment does, it says that by March 1 they will list all of this land and that they will start selling this surplus property and that those savings will go into the deficit.

Now, there may be some Member here that says, well, if they sell this surplus, unnecessary, unused property, why do we not let them keep the money. I would say that that would be giving them money that they do not need. They come before this Congress, and if they need $4 million to build a building in Germany, then they ask for an appropriation. Last year we gave the State Department over $400 million to build new buildings and to buy property in foreign countries and we are appropriating a like amount this year.

This is surplus property. This is property that should go back to the deficit. It ought to be used by Americans. It ought to be used here at home. We do not need an orange grove used by the King of Morocco, we do not need a $12 million mansion that the State Department says is unneeded and is a luxury we cannot afford in these days of a budget crisis. We need to really set our priorities. We need to get serious about this.

When we talk about our soldiers, our enlisted men that may not get a 2.8-percent raise, we are talking about millions of dollars, but here we are talking about saving $1 billion. I would much rather sell some land that this Government owns in Bangkok, which is not being used, that they have had for 8 or 9 years, and give that money for something worthy; either return it to the taxpayers, pay it on the deficit or apply it to things that the American people really need.

I can continue to go down this list. I can continue to cite examples, but I would say this to the Members. We asked the GAO to review this thing 2 years ago and to report back to us, and they have come back and in this report they have said that the State Department, by their own admission, has 460 million dollars' worth of surplus land and property.

Mr. SMITH of New Jersey. Mr. Chairman, I reluctantly rise in opposition to the amendment, and let me say that I have a deep respect for the gentleman from Alabama [Mr. BACHUS] and I think he does a service in bringing this issue to the floor.

I chair the subcommittee that oversees the State Department and we have held a hearing in which I have asked a number of questions that go right to the heart of this issue of these excess properties. I do believe that the Department of State should be more aggressive in the disposition of those properties that are either excessive or no longer needed.

This provision is not necessary, however, because of the actions taken in the conference report for Commerce, Justice, and State Department appropriations for fiscal year 1997, in which the Department was directed to professionalize their asset management. The Department has set up a real estate advisory committee, bringing additional expertise on asset management, and the Department is committed to funding capital projects with assets from those sales.

I would also point out, and I believe this very strongly, that changing the current law to have proceeds revert to the Treasury might act, however unwittingly, as a disincentive to the Department to dispose of those assets. So we would have an unintentional consequence as a result.

Furthermore, the proceeds are used for facility maintenance, improvement, buildings and purchasing. This reduces the need for additional appropriations for this purpose.

I appreciate again what the gentleman is attempting to do, and I would like to assure them that our subcommittee will be vigorous in its oversight. And just raising this issue again on this floor, and his amendment may indeed win, but even if he does not, he has done a service in bringing this issue and bringing some scrutiny and light to the issue.

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

Mr. SMITH of New Jersey. I yield to the gentleman from Alabama.

Mr. BACHUS. Mr. Chairman, let me point out to this body that the State Department has been urged by this Congress to sell this property for 10 years, and from 1990 to 1995 they only sold about $150 million worth of property. The biggest piece of property that they sold, which was a $49 million piece of property in Singapore, they only sold because the Singapore government needed it for a road and actually condemned that land and compelled that sale. A $49 million piece of property in Singapore that our embassy did not need.

A residence costing $92 million in Japan, which we are using as a residence for one of our mission members over there. Ninety-two million. How do we say to the American people that we are housing some of our foreign operations people, that we are using a $92 million piece of property to house someone in the foreign ministry, yet we turn down requests for $10 million and $20 million here?

The GAO said in that case that for $4 million, well, they actually said that they could convert property they already had for a residence for this gentleman, and yet he is still there.

I would just simply say to the gentleman from New Jersey, and I identify with what he is saying, but I think what I am saying, and in Jerry McGuire's words, to the American people, either show me the money, show me the savings, or start another panel or start another committee or study this thing a little more. This is obviously a luxury the American people do not want, they cannot afford, they have never requested, and it is time for action.

It is time for a yes vote on my amendment, and it will save, I would say, a billion dollars that will go to deficit reduction, money that the taxpayers will not have to use to pay their hard-earned taxes in to go to pay interest on the deficit.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama [Mr. BACHUS].

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

Mr. SMITH of New Jersey. Mr. Chairman, I demand a recorded vote, and pending that, I make a point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 159, further proceedings on the amendment offered by the gentleman from Alabama [Mr. BACHUS] will be postponed.

The point of no quorum is considered withdrawn.

The CHAIRMAN. Are there further amendments to title XII?

AMENDMENT OFFERED BY MR. HEFLEY

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

The Clerk read as follows:

Amendment offered by Mr. HEFLEY:

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

SEC. 1221. NOTIFICATION OF CRIMES COMMITTED BY DIPLOMATS.

Title II of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4301 et seq.; commonly referred to as the ''Foreign Missions Act'') is amended by inserting after section 204A the following:

''SEC. 204B. CRIMES COMMITTED BY DIPLOMATS.

''(a) RECORDS.—(1) The Secretary of State shall develop and maintain records on each incident in which an individual with immunity from the criminal jurisdiction of the United States under the Vienna Convention who the Secretary reasonably believes has committed a serious criminal offense within the United States which was not subject to the criminal jurisdiction of the United States. Each such record shall include—

''(A) the identity of such individual;

''(B) the nature of the offense committed by such individual, including whether against property or persons;

''(C) whether such offense involved reckless driving or driving while intoxicated; and

''(D) the number and nature of all other criminal offenses committed in the United States by such individual.

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

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

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

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

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

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

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

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

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

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

Mr. HEFLEY (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. HEFLEY. Mr. Chairman, today, I rise to offer an amendment to H.R. 1757, the Foreign Relations Authorization Act, that would help stop what happened on January 3, 1997, when a Georgian diplomat caused a horrible five-car crash at DuPont Circle that killed Miss Joviane Waltrick.

As I am sure all of us remember, late in the evening of January 3, a Ford Taurus, which police say was traveling up to 80 miles an hour, plowed into an intersection in DuPont Circle here in this town and caused a fatal car accident. A 16-year-old, Joviane Waltrick, died when a car hit by the Taurus catapulted into her Volkswagen. The accident was caused by this Georgian diplomat who could have escaped prosecution because he enjoyed diplomatic immunity. But Georgia's President took the unusual step and courageous step of waiving the diplomatic immunity.

When this happened, my immediate reaction was that, by golly, when we have capital crimes, serious crimes in this country, committed by diplomats, we ought to be able to prosecute those serious crimes. They should not be able to get off. But I found out it was much more complicated than that when we got into it to try to decide how to handle it.

☐ 1745

And besides, there is a Vienna Convention which deals with this with other nations, and so we could not handle it quite that way. So we did not want to violate that Vienna Convention.

Currently, there is an informal agreement between the State Department and local community police forces, and under this agreement, the local law enforcement agencies are to inform the State Department of every incident involving a diplomat. Often local police do inform the State Department and action is taken.

Last year, 10 diplomats had their driver's licenses suspended. During the past 4 years, eight diplomats have been expelled for repeated drunk driving. But often, as was in the case of this Georgian diplomat who caused the death of Ms. Waltrick, the State Department is not informed.

According to the State Department, the Georgian diplomat had prior instances with local police forces, which included running red lights and driving in excess of 80 miles per hour. I think there was some drunken driving. But through this whole informal agreement that broke down was that the State Department never knew of this diplomat's infractions until after the accident when the State Department started asking local law enforcement officials about him after the crash. Had they known, this might never have happened.

In brief, my amendment would formalize the relationship between the State Department and the local police forces by having the local police forces report instances involving diplomats to the State Department; and, in turn, it would have the State Department notifying the offending embassy or mission of the offending diplomat's behavior.

Probably the most important aspect of my amendment is that it would have the State Deparment take the necessary steps to educate local law enforcement officials as to the extent of immunity diplomats have, and would have the State Department encourage

local law enforcement officials to fully investigate, charge, and prosecute, where they are able to under the Vienna Convention, any diplomat who commits a serious criminal offense within the United States.

Mr. Chairman, this simply formalizes what we are doing already, and there is a breakdown in what we are doing already. We can save some lives, I think, and we can keep more people from getting off when they commit serious crimes in our country.

Mr. GILMAN. Mr. Chairman, will the gentleman from Colorado yield?

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

Mr. GILMAN. Mr. Chairman, I think my colleague has proposed a worthy amendment. The committee accepts the amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado [Mr. HEFLEY].

The amendment was agreed to.

The CHAIRMAN. Are there any other amendments to title XII?

AMENDMENTS OFFERED BY MR. GILMAN

Mr. GILMAN. Mr. Chairman, I offer several amendments and I ask unanimous consent that they be considered en bloc.

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

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. GILMAN:

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

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

Page 121, after line 17, insert the following:

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

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

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

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

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

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

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

SECTION 1321—AUTHORIZED STRENGTH OF THE FOREIGN SERVICE

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

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

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

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

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

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

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

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

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

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

Strike section 1712 and insert the following:

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

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

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

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

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

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

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

Mr. GILMAN (during the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read and printed in the RECORD.

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

There was no objection.

Mr. GILMAN. Mr. Chairman, the amendments that I have proposed have been cleared on both sides. There is an amendment by the gentleman from California [Mr. BERMAN] to allow non-Foreign Service Government employees who are U.S. citizens to perform consular functions.

There is a technical amendment to the provisions setting out qualifications for the position of Assistant Secretary for Diplomatic Security. There is an amendment to change the authorized strength of the Foreign Service. There is an amendment by the gentleman from California [Mr. LANTOS] to change the provision concerning return of persons to places they may be subject to torture. There is a technical amendment to language in the bill relative to the ecumenical patriarchate in Istanbul, Turkey. There is a technical amendment by the gentleman from New Jersey [Mr. SMITH].

Mr. Chairman, that is the extent of the en bloc amendments, and I ask that they be adopted.

Mr. HAMILTON. Mr. Chairman, we accept the en bloc amendments.

The CHAIRMAN. The question is on the amendments offered by the gentleman from New York [Mr. GILMAN].

The amendments were agreed to.

The CHAIRMAN. Are there any other amendments to title XII?

The Clerk will designate title XIII.

The text of title XIII is as follows:

TITLE XIII—ORGANIZATION OF THE DEPARTMENT OF STATE; DEPARTMENT OF STATE PERSONNEL; THE FOREIGN SERVICE

CHAPTER 1—ORGANIZATION OF THE DEPARTMENT OF STATE

SEC. 1301. COORDINATOR FOR COUNTERTERRORISM.

(a) ESTABLISHMENT.—Section 1(e) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(e)) is amended—

(1) by striking ''In'' and inserting the following:

''(1) In''; and

(2) by inserting at the end the following:

''(2) COORDINATOR FOR COUNTERTERRORISM.—

''(A) There shall be within the office of the Secretary of State a Coordinator for Counterterrorism (hereafter in this paragraph referred to as the 'Coordinator') who shall be appointed by the President, by and with the advice and consent of the Senate.

''(B)(i) The Coordinator shall perform such duties and exercise such power as the Secretary of State shall prescribe.

''(ii) The principal duty of the Coordinator shall be the overall supervision (including policy oversight of resources) of international counterterrorism activities. The Coordinator shall be the principal adviser to the Secretary of State on international counterterrorism matters. The Coordinator shall be the principal counterterrorism official within the senior management of the Department of State and shall report directly to the Secretary of State.

''(C) The Coordinator shall have the rank and status of Ambassador-at-Large. The Coordinator shall be compensated at the annual rate of basic pay in effect for a position at level IV of the Executive Schedule under section 5314 of title 5, United States Code, or, if the Coordinator is appointed from the Foreign Service, the annual rate of pay which the individual last received under the Foreign Service Schedule, whichever is greater.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 161 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236) is amended by striking subsection (e).

(c) TRANSITION PROVISION.—The individual serving as Coordinator for Counterterrorism of the Department of State on the day before the effective date of this division may continue to serve in that position.

SEC. 1302. ELIMINATION OF STATUTORY ESTABLISHMENT OF CERTAIN POSITIONS OF THE DEPARTMENT OF STATE.

(a) ASSISTANT SECRETARY OF STATE FOR SOUTH ASIAN AFFAIRS.—Section 122 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2652b) is repealed.

(b) DEPUTY ASSISTANT SECRETARY OF STATE FOR BURDENSHARING.—Section 161 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 2651a note) is amended by striking subsection (f).

(c) ASSISTANT SECRETARY FOR OCEANS AND INTERNATIONAL ENVIRONMENTAL AND SCIENTIFIC AFFAIRS.—Section 9 of the Department of State Appropriations Authorization Act of 1973 (22 U.S.C. 2655a) is repealed.

SEC. 1303. ESTABLISHMENT OF ASSISTANT SECRETARY OF STATE FOR HUMAN RESOURCES.

Section 1(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(c)) is amended by adding after paragraph (2) the following new paragraph:

''(3) ASSISTANT SECRETARY FOR HUMAN RESOURCES.—There shall be in the Department of State an Assistant Secretary for Human Resources who shall be responsible to the Secretary of State for matters relating to human resources including the implementation of personnel policies and programs within the Department of State and international affairs functions and activities carried out through the Department of State. The Assistant Secretary shall have substantial professional qualifications in the field of human resource policy and management.''.

SEC. 1304. ESTABLISHMENT OF ASSISTANT SECRETARY OF STATE FOR DIPLOMATIC SECURITY.

Section 1(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(c)) as amended by section 1303 is further amended by adding after paragraph (3) the following new paragraph:

''(4) ASSISTANT SECRETARY FOR DIPLOMATIC SECURITY.—There shall be in the Department of State an Assistant Secretary for Diplomatic Security who shall be responsible to the Secretary of State for matters relating to diplomatic security. The Assistant Secretary shall have substantial professional qualifications in the field of Federal law enforcement, intelligence, or security.''.

SEC. 1305. SPECIAL ENVOY FOR TIBET.

(a) UNITED STATES SPECIAL ENVOY FOR TIBET.—The President should appoint within the Department of State a United States Special Envoy for Tibet, who shall hold office at the pleasure of the President.

(b) RANK.—A United States Special Envoy for Tibet appointed under subsection (a) shall have the personal rank of ambassador and shall be appointed by and with the advice and consent of the Senate.

(c) SPECIAL FUNCTIONS.—The United States Special Envoy for Tibet should be authorized and encouraged—

(1) to promote substantive negotiations between the Dalai Lama or his representatives and senior members of the Government of the People's Republic of China;

(2) to promote good relations between the Dalai Lama and his representatives and the United States Government, including meeting with members or representatives of the Tibetan government-in-exile; and

(3) to travel regularly throughout Tibet and Tibetan refugee settlements.

(d) DUTIES AND RESPONSIBILITIES.—The United States Special Envoy for Tibet should—

(1) consult with the Congress on policies relevant to Tibet and the future and welfare of all Tibetan people;

(2) coordinate United States Government policies, programs, and projects concerning Tibet; and

(3) report to the Secretary of State regarding the matters described in section 536(a)(2) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236).

SEC. 1306. RESPONSIBILITIES FOR BUREAU CHARGED WITH REFUGEE ASSISTANCE.

The Bureau of Migration and Refugee Assistance shall be the bureau within the Department of State with principal responsibility for assisting the Secretary in carrying out the Migration and Refugee Assistance Act of 1962 and shall not be charged with responsibility for assisting the Secretary in matters relating to family planning or population policy.

CHAPTER 2—PERSONNEL OF THE DEPARTMENT OF STATE; THE FOREIGN SERVICE

SEC. 1321. AUTHORIZED STRENGTH OF THE FOREIGN SERVICE.

(a) END FISCAL YEAR 1998 LEVELS.—The number of members of the Foreign Service authorized to be employed as of September 30, 1998—

(1) for the Department of State, shall not exceed 8,700, of whom not more than 750 shall be members of the Senior Foreign Service;

(2) for the United States Information Agency, shall not exceed 1,000, of whom not more than 140 shall be members of the Senior Foreign Service; and

(3) for the Agency for International Development, not to exceed 1070, of whom not more than 140 shall be members of the Senior Foreign Service.

(b) END FISCAL YEAR 1999 LEVELS.—The number of members of the Foreign Service authorized to be employed as of September 30, 1999—

(1) for the Department of State, shall not exceed 8,800, of whom not more than 750 shall be members of the Senior Foreign Service;

(2) for the United States Information Agency, not to exceed 1,000 of whom not more than 140 shall be members of the Senior Foreign Service; and

(3) for the Agency for International Development, not to exceed 1065 of whom not more than 135 shall be members of the Senior Foreign Service.

(c) DEFINITION.—For the purposes of this section, the term ''members of the Foreign Service'' is used within the meaning of such term under section 103 of the Foreign Service Act of 1980 (22 U.S.C 3903), except that such term does not include—

(1) members of the Service under paragraphs (6) and (7) of such section;

(2) members of the Service serving under temporary resident appointments abroad;

(3) members of the Service employed on less than a full-time basis;

(4) members of the Service subject to involuntary separation in cases in which such separation has been suspended pursuant to section 1106(8) of the Foreign Service Act of 1980; and

(5) members of the Service serving under non-career limited appointments.

(d) WAIVER AUTHORITY.—(1) Subject to paragraph (2), the President may waive any limitation under subsection (a) or (b) to the extent that such waiver is necessary to carry on the foreign affairs functions of the United States.

(2) Not less than 15 days before the President exercises a waiver under paragraph (1), such agency head shall notify the Chairman of the Committee on Foreign Relations of the Senate and the Chairman of the Committee on International Relations of the House of Representatives. Such notice shall include an explanation of the circumstances and necessity for such waiver.

SEC. 1322. NONOVERTIME DIFFERENTIAL PAY.

Title 5 of the United States Code is amended—

(1) in section 5544(a), by inserting after the fourth sentence the following new sentence: ''For employees serving outside the United States in areas where Sunday is a routine workday and another day of the week is officially recognized as the day of rest and worship, the Secretary of State may designate the officially recognized day of rest and worship as the day with respect to which the preceding sentence shall apply instead of Sunday.''; and

(2) at the end of section 5546(a), by adding the following new sentence: ''For employees serving outside the United States in areas where Sunday is a routine workday and another day of the week is officially recognized as the day of rest and worship, the Secretary of State may designate the officially recognized day of rest and worship as the day with respect to which the preceding sentence shall apply instead of Sunday.''.

SEC. 1323. AUTHORITY OF SECRETARY TO SEPARATE CONVICTED FELONS FROM SERVICE.

Section 610(a)(2) of the Foreign Service Act of 1980 (22 U.S.C. 4010(a)(2)) is amended in the first sentence by striking ''A member'' and inserting ''Except in the case of an individual who has been convicted of a crime for which a sentence of imprisonment of more than 1 year may be imposed, a member''.

SEC. 1324. CAREER COUNSELING.

(a) IN GENERAL.—Section 706(a) of the Foreign Service Act of 1980 (22 U.S.C. 4026(a)) is amended by adding at the end the following sentence: ''Career counseling and related services provided pursuant to this Act shall not be construed to permit an assignment to training or to another assignment that consists primarily of paid time to conduct a job search and without other substantive duties, except that career members of the Service who upon their separation are not eligible to receive an immediate annuity and have not been assigned to a post in the United States during the 12 months prior to their separation from the Service may be permitted up to 2 months of paid time to conduct a job search.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall be effective 180 days after the date of the enactment of this Act.

SEC. 1325. REPORT CONCERNING MINORITIES AND THE FOREIGN SERVICE.

The Secretary of State shall annually submit a report to the Congress concerning minorities and the Foreign Service officer corps. In addition to such other information as is relevant to this issue, the report shall include the following data (reported in terms of real numbers and percentages and not as ratios):

(1) The numbers and percentages of all minorities taking the written foreign service examination.

(2) The numbers and percentages of all minorities successfully completing and passing the written foreign service examination.

(3) The numbers and percentages of all minorities successfully completing and passing the oral foreign service examination.

(4) The numbers and percentages of all minorities entering the junior officers class of the Foreign Service.

(5) The numbers and percentages of all minorities in the Foreign Service officer corps.

(6) The numbers and percentages of all minority Foreign Service officers at each grade, particularly at the senior levels in policy directive positions.

(7) The numbers of and percentages of minorities promoted at each grade of the Foreign Service officer corps.

SEC. 1326. RETIREMENT BENEFITS FOR INVOLUNTARY SEPARATION.

(a) BENEFITS.—Section 609 of the Foreign Service Act of 1980 (22 U.S.C. 4009) is amended—

(1) in subsection (a)(2)(A) by inserting ''or any other applicable provision of chapter 84 of title 5, United States Code,'' after ''section 811,'';

(2) in subsection (a) by inserting ''or section 855, as appropriate'' after ''section 806''; and

(3) in subsection (b)(2)—

(A) by inserting ''(A) for those participants in the Foreign Service Retirement and Disability System,'' before ''a refund''; and

(B) by inserting before the period at the end ''; and (B) for those participants in the Foreign Service Pension System, benefits as provided in section 851''.

(4) in subsection (b) in the matter following paragraph (2) by inserting ''(for participants in the Foreign Service Retirement and Disability System) or age 62 (for participants in the Foreign Service Pension System)'' after ''age 60''.

(b) ENTITLEMENT TO ANNUITY.—Section 855(b) of the Foreign Service Act of 1980 (22 U.S.C. 4071d(b)) is amended—

(1) in paragraph (1) by inserting ''611,'' after ''608,'';

(2) in paragraph (1) by inserting ''and for participants in the Foreign Service Pension System'' after ''for participants in the Foreign Service Retirement and Disability System''; and

(3) in paragraph (3) by striking ''or 610'' and inserting ''610, or 611''.

(c) EFFECTIVE DATES.—

(1) Except as provided in paragraph (2), the amendments made by this section shall take effect on the date of the enactment of this Act.

(2) The amendments made by paragraphs (2) and (3) of subsection (a) and paragraphs (1) and (3) of subsection (b) shall apply with respect to any actions taken under section 611 of the Foreign Service Act of 1980 after January 1, 1996.

SEC. 1327. AVAILABILITY PAY FOR CERTAIN CRIMINAL INVESTIGATORS WITHIN THE DIPLOMATIC SECURITY SERVICE.

(a) IN GENERAL.—Section 5545a of title 5, United States Code, is amended by adding at the end the following:

''(k)(1) For purposes of this section, the term 'criminal investigator' includes an officer occupying a position under title II of Public Law 99–399 if—

''(A) subject to subparagraph (C), such officer meets the definition of such term under paragraph (2) of subsection (a) (applied disregarding the parenthetical matter before subparagraph (A) thereof);

''(B) the primary duties of the position held by such officer consist of performing—

''(i) protective functions; or

''(ii) criminal investigations; and

''(C) such officer satisfies the requirements of subsection (d) without taking into account any hours described in paragraph (2)(B) thereof.

''(2) In applying subsection (h) with respect to an officer under this subsection—

''(A) any reference in such subsection to 'basic pay' shall be considered to include amounts designated as 'salary';

''(B) paragraph (2)(A) of such subsection shall be considered to include (in addition to the provisions of law specified therein) sections 609(b)(1), 805, 806, and 856 of the Foreign Service Act of 1980; and

''(C) paragraph (2)(B) of such subsection shall be applied by substituting for 'Office of Personnel Management' the following: 'Office of Personnel Management or the Secretary of State (to the extent that matters exclusively within the jurisdiction of the Secretary are concerned)'.''.

(b) IMPLEMENTATION.—Not later than the date on which the amendments made by this section take effect, each special agent of the Diplomatic Security Service who satisfies the requirements of subsection (k)(1) of section 5545a of title 5, United States Code, as amended by this section, and the appropriate supervisory officer, to be designated by the Secretary of State, shall make an initial certification to the Secretary of State that the special agent is expected to meet the requirements of subsection (d) of such section 5545a. The Secretary of State may prescribe procedures necessary to administer this subsection.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—(1) Paragraph (2) of section 5545a(a) of title 5, United States Code, is amended (in the matter before subparagraph (A)) by striking ''Public Law 99–399)'' and inserting ''Public Law 99–399, subject to subsection (k))''.

(2) Section 5542(e) of such title is amended by striking ''title 18, United States Code,'' and inserting ''title 18 or section 37(a)(3) of the State Department Basic Authorities Act of 1956,''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the first day of the first applicable pay period—

(1) which begins on or after the 90th day following the date of the enactment of this Act; and

(2) on which date all regulations necessary to carry out such amendments are (in the judgment of the Director of the Office of Personnel Management and the Secretary of State) in effect.

SEC. 1328. LABOR MANAGEMENT RELATIONS.

Section 1017(e)(2) of the Foreign Service Act of 1980 (22 U.S.C. 4117(e)(2)) is amended to read as follows:

''(2) For the purposes of paragraph (1)(A)(ii) and paragraph (1)(B), the term 'management official' does not include chiefs of mission, principal officers or their deputies, administrative and personnel officers abroad, or individuals described in section 1002(12)(B), (C), and (D) who are not involved in the administration of this chapter or in the formulation of the personnel policies and programs of the Department.''.

SEC. 1329. OFFICE OF THE INSPECTOR GENERAL.

(a) PROCEDURES.—Section 209(c) of the Foreign Service Act of 1980 (22 U.S.C. 3929(c)) is amended by adding after paragraph (3) the following new paragraphs:

''(4) In the case of a formal interview where an employee is the likely subject or target of an Inspector General criminal investigation, the Inspector General shall make all best efforts to provide the employee with notice of the full range of his or her rights, including the right to retain counsel and the right to remain silent, as well as the identification of those attending the interview.

''(5) In carrying out the duties and responsibilities established under this section, the Inspector General shall develop and provide to employees—

''(A) information detailing their rights to counsel; and

''(B) guidelines describing in general terms the policies and procedures of the Office of Inspector General with respect to individuals under investigation, other than matters exempt from disclosure under other provisions of law.''.

(b) REPORT.—Not later than April 30, 1998, the Inspector General of the Department of State shall submit a report to the appropriate congressional committees which includes the following information:

(1) Detailed descriptions of the internal guidance developed or used by the Office of the Inspector General with respect to public disclosure of any information related to an ongoing investigation of any employee or official of the Department of State, the United States Information Agency, or the Arms Control and Disarmament Agency.

(2) Detailed descriptions of those instances for the year ending December 31, 1997, in which any disclosure of information to the public by an employee of the Office of Inspector General about an ongoing investigation occurred, including details on the recipient of the information, the date of the disclosure, and the internal clearance process for the disclosure.

AMENDMENT OFFERED BY MR. GOSS

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

The Clerk read as follows:

Amendment offered by Mr. GOSS:

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

Mr. GOSS. Mr. Chairman, during the considering by the Committee on House International Relations of this bill, language was adopted which would have significant and unfortunate consequences for the future of the Office of Inspector General at the State Department, and potentially for all other inspectors general in the Federal Government. This proposal could greatly limit the IG's ability to conduct effective oversight and departmental investigations, and it is a serious matter.

While this proposal was slightly modified and approved, I understand, before it was adopted by HIRC, this proposed legislation will undermine important oversight law that IG's across the Government have performed since the enactment of the Inspector General Act of 1978, almost 20 years ago.

My amendment is quite simple. It strikes the provision, section 1329, in its entirety. I understand and I can sympathize with the interest of some Members in sending a warning shot across the bow of the Inspector General so as to ensure the treatment of all government employees must be fair

and evenhanded. That is certainly a proposition I stand for. I would suggest that the debate so far on this has been a message sent and a message already received down at the Department of State. So I think that the genesis of this and the author's intent has in large part been taken care of.

But I have got real trouble with the attempted fix that is actually in the bill now, and I believe it must be stricken. For the benefit of Members who may not have had a chance focus on this provision, I would like to briefly outline several problems with the inspector general proposal in this bill.

The language in the bill that the Goss amendment strikes is language that imposes significant and unprecedented limitations on the role and investigation prerogatives of the State Department's Inspector General. It places State Department's Inspector General outside of standard Federal law enforcement policies and procedures and severely undermines the State IG's ability to carry out investigative functions.

Why in the world would we want to do that in this day and age?

Letters that I received from the Inspectors General, Department of Defense, Justice, Commerce and Energy, and the CIA express the gravest possible concern about this proposal. I am also informed that the Director of OMB is opposed to the proposal.

If implemented, this legislation would, in my view, create a dangerous precedent which could undermine the investigative and oversight capabilities of IG's throughout the Government, not just in State. It is my understanding that no other IG office in the Government is currently subject to the restrictions that are envisioned by this bill.

Understandably, the various IG's fear that this proposal is the proverbial foot in the door toward undermining their investigative and oversight role. Again, why we would want to do that?

The bill language would significantly diminish the State Inspector General's ability to hold the departmental employees accountable for criminal wrongdoing. I do not think that is a good proposition. This provision would appear to require the State Inspector General to provide special privileges to employees during the course of a criminal investigation that are inconsistent with the rest of the Federal law enforcement community. They are privileges enjoyed by no one else as in the bill now.

This could result in anomalous situations, such as potentially requiring the State IG to provide advice on rights to counsel to individuals in undercover investigations and otherwise disclose the existence of and possibly interfere with sensitive ongoing investigations. Not a good idea.

Is there already a remedy for overaggressive IG procedures in place? The answer is yes; there is. Under current authority, any individual being interviewed by State's IG can already assert his or her right to counsel. Moreover, all State Department employees are routinely provided a written summary of their rights in an OIG investigative process.

But, in fact, State employees involved in interviews with the IG already have a right to know who is in the room. What is going on here? And if they do not like what is happening, they can vote with their feet, they can simply leave.

In my view, this language imposes a further reporting requirement on State's Inspector General that is unwarranted and unnecessary. This proposal would require State's IG to prepare and submit a report to the relevant committees providing detailed descriptions of any instances in which any disclosure of information to the public by an employee of the Office of Inspector General about an ongoing investigation occurred.

My understanding is the State IG makes no such disclosure of information to the public about any ongoing investigations. And it is thoroughly appropriate given an individual's privacy concern that would be at stake. So they are doing the right thing already.

I am informed that the only disclosures that the State IG actually makes concerning ongoing investigations are to the Secretary of State, which is understandable, the Deputy Secretary of State, as is appropriate, the Department of Justice and other cooperating law enforcement officials if, in fact, there is an investigation going on.

I would, therefore, ask Members to support my amendment to strike this language and ensure that we do not inadvertently defang the inspectors general, the people's watchdogs within the executive branch, especially when there is a good remedy already in place for State employees who find themselves in noncustodial formal interviews by the IG.

In other words, this is not necessary and it is debilitating for the investigative process. It is well-intentioned. I understand that. I have the greatest respect for the author. I have offered to work with the author. I think we can find a much better solution. But I think it is very important that we take this damaging language out of this bill as it now stands. Therefore, I urge strong support for my amendment.

Mr. Chairman, I include for the RECORD the letters I referred to previously.

INSPECTOR GENERAL,
CENTRAL INTELLIGENCE AGENCY,
Washington, DC, June 3, 1997.

Hon. PORTER GOSS,
Chairman, House Permanent Select Committee on Intelligence, the Capitol, Washington, DC.

DEAR CHAIRMAN GOSS: I am writing to express my concern about an amendment to Section 209(c) of the Foreign Service Act of 1980 (22 U.S.C. Section 3929) that has been included in the Foreign Policy Reform Act of 1997. Section 1329 of the Foreign Policy Reform Act would require the State Department Inspector General (IG) to provide special, vaguely-worded rights to employees during the course of a criminal investigation that are inconsistent with the practices of the rest of the federal law enforcement community. This amendment would have the effect of placing the State IG outside of standard federal law enforcement policies and procedures and, as such, could undermine the authority of the IG to carry out her statutory investigative functions.

I am very concerned that such an amendment would be a dangerous precedent that subsequently could be made applicable to other IG offices, including the IG at the Central Intelligence Agency. In effect, it grants to employees of the State Department rights that no other citizen of the United States in similar circumstances has during the conduct of a criminal investigation. I know of no justification for treating State Department employees differently.

This amendment is at odds with existing case law and policies and procedures set forth by the Department of Justice (DOJ). My office generally follows DOJ policy and procedures during the course of criminal investigations and it has been our experience during the course of joint investigations with the State IG that the State IG has also followed such policy and procedures. Because the proposed amendment would establish different standards for the State IG than for all other IGs, it could impede the ability of my office to conduct effective joint investigations with State IG.

I respectfully request your attention to my concerns as the Foreign Policy Reform Act moves forward for consideration on the House floor.

Sincerely,

(For Frederick P. Hitz,
Inspector General).

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF THE INSPECTOR GENERAL,
June 3, 1997.

Hon. PORTER GOSS,
Chairman, House Permanent Select Committee on Intelligence, Capitol Building, Washington, DC.

DEAR CHAIRMAN GOSS: the purpose of this letter is to express the grave concerns of the Inspector General community about an amendment that has been included in the State Department authorization bill concerning the investigative functions of the Inspector General for the State Department, Arms Control and Disarmament Agency and the United States Information Agency. Congressman Hamilton's proposal would amend Section 209(c) of the Foreign Service Act of 1980 (22 U.S.C. Section 3929) to provide special rights to employees during the course of a criminal investigation that are inconsistent with the practices of the rest of the federal law enforcement community. Even as revised during the House International Relations Committee mark-up, this provision would have the effect of placing the State IG outside of standard federal law enforcement policies and procedures and, as such, would severely undermine the authority of the State Department/ACDA/USIA's Inspector General to carry out her statutory investigative functions. As a result, the ability of this Inspector General's office to hold individuals accountable for criminal wrongdoing would be significantly diminished.

In effect, this provision, by mandating advice of certain rights in situations not recognized by case law or Justice Department policy, is granting to employees of the State Department, the Arms Control and Disarmament Agency and the United States Information Agency, rights that no other citizen of the United States has during the conduct of a criminal investigation. This is especially troublesome given the large number of

Presidential appointees and other senior-level officials in the Department of State and the perception of special treatment which could arise as a result of such legislation.

Our concern about this legislation is that it not only impedes the ability of one Office of Inspector General to conduct criminal investigations in accordance with community-wide law enforcement standards in the agencies that fall within her jurisdiction, but also is at odds with existing case law. As such, this proposal sets a dangerous precedent that could have an adverse impact on other Inspectors General throughout the government. The OIG community conducts investigations pursuant to standards established as a result of judicial decisions handed down by the Supreme Court and the Federal appeals courts, as well as policies and procedures adopted by the U.S. Department of Justice. The proposed legislation would require different standards for the State/ACDA/USIA OIG than those applicable to other law enforcement entities including other OIGs. Consistency of investigative standards is imperative to a well-functioning federal investigative effort. Passage of this amendment would seriously impede effectively and timely criminal investigations.

We respectfully request your attention to our concerns as the State Department authorization bill moves forward for consideration on the House floor.

Sincerely,

MICHAEL R. BROMWICH,
Inspector General, U.S. Department of Justice.
FRANK DEGEORGE,
Inspector General, U.S. Department of Commerce.
ELEANOR HILL,
Inspector General, U.S. Department of Defense.

DEPARTMENT OF ENERGY,
Washington, DC, June 3, 1997.

Hon. PORTER J. GOSS,
Chairman, Permanent Select Committee on Intelligence, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The purpose of this letter is to express concerns about an amendment that has been included in the State Department authorization bill concerning the investigative functions of the Inspector General for the State Department, Arms Control and Disarmament Agency and the Untied States Information Agency. Congressman Hamilton's proposal would amend Section 209(c) of the Foreign Service Act of 1980 (22 U.S.C. Section 3929). Even as revised during the House International Relations Committee mark-up, this provision appears to place the State Department's Office of Inspector General (OIG) outside of standard Federal law enforcement policies and procedures.

The standards followed on advice of rights by the OIG's are governed by Department of Justice policy applicable to all Federal law enforcement officers. OIG's also routinely obtain guidance from the Department of Justice concerning investigative strategies. The proposed legislation would require different standards for the State OIG than those applicable to all other law enforcement entities. We are concerned about the potential impact of this amendment on effective and timely criminal investigations.

Sincerely,

JOHN C. LAYTON,
Inspector General.

Mr. HAMILTON. Mr. Chairman, I rise in opposition to the amendment. First of all, let me state my appreciation to the gentleman from Florida [Mr. GOSS] for his general approach to this. I do want to work with him to try to resolve what I think is a fairly difficult issue here, and I am open to working with him for language that will be appropriate in the conference.

I do feel I have to oppose the amendment, and I would like simply to explain why we put this language in the underlying bill. The provision at issue here does several things. It requires the IG of the State Department to make all best efforts to provide adequate notice to individuals under investigation about the full range of their rights as well as the identification of those persons attending the interview.

It requires the inspector general to provide information to individuals under investigation on their rights to counsel and to provide guidelines to those individuals on the IG policies and procedures with respect to such investigations. Finally, it requires the IG to submit to Congress a one-time report on its internal press guidance and how that guidelines has been followed in specific individual cases in the previous year.

This amendment was put forward in the committee and adopted because of the concerns that several of us have about what we think is the lack of attention by the Office of the Inspector General in the State Department, not other inspector generals, just the State Department, what we think has been a lack of attention by that office to the due process rights of individuals under investigation.

We have had several complaints about the investigative conduct of the office, complaints made by, I might say, both Democratic and Republican political appointees as well as complaints by career officers. I do not want to limit the IG's authority.

What this amendment seeks to do is to provide individuals with some information and some degree of protection where such authority is used with a heavy hand. Let me try to be specific here. I do not want to mention names. But a Republican appointee was caught up in an IG investigation involving a search of the President's passport records. The individual appeared voluntarily for the interview with the IG staff, only to find a criminal prosecutor from the Justice Department in the room and conducting the interview. The individual did not have an attorney with him or with her.

□ 1800

The individual was given an opportunity to review the findings of the IG, but only for 30 minutes, before the IG office released the findings to the press.

On another occasion, this one involving a Democratic appointee, the IG's office again gave no notice of the type of interview to which the individual would be subjected. The IG's office confirmed to the press that an investigation was ongoing and that the matter had been referred to the Department of Justice for criminal prosecution.

From the standpoint of an individual, this is a pretty scary setting. They are under investigation by the IG. They walk into the room, and they find a criminal prosecutor there. They do not have the advantage of right to counsel. That is a very intimidating circumstance.

We are not asking here for any restrictions on the powers of the inspector general to investigate. I do not want to restrict them. I am just trying to ensure that individuals gain due process and have protection from heavy-handed use of the inspector general's powers.

I think the issue is clear here, and I know the gentleman from Florida will work in good faith to try to come up with language, as will I. But I do think it is important to keep this language in the bill so that we can send a very strong message that we do not approve or like the manner in which the State Department Inspector General has been exercising his powers, and that some restraint thereon is necessary.

Mr. SMITH of New Jersey. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I do sympathize with the point raised by my good friend, the gentleman from Florida [Mr. GOSS]. But we looked very carefully at those points, the points that he has raised in debate today, in the committee; and the gentleman from Indiana compromised, I think rather extensively, to meet many of the objections that were being raised.

I would submit, and I think we all will agree with this, that nobody wants to hobble law enforcement. But all the bill does, and I hope Members will take the time to read the section, all the bill does is to ensure basic due process in IG investigations.

Specifically, this provision as it now reads in the current bill erects a firewall between routine IG administrative investigations and criminal investigations. I really do believe, and I believe it very strongly, that a person is entitled to know whether or not he or she is the target of a criminal investigation. This provision does not guarantee that they will know, but as the language in the bill says it, to make all best efforts to provide employees with notice of the full range of his or her rights and then it goes on from there.

I reluctantly rise in opposition to the amendment, and I do ask that Members vote to retain this language that was a carefully crafted compromise during markup in the committee.

Mr. COX of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I too have great sympathy for the amendment being offered on the floor and great respect for its author, but I must oppose the amendment, and I must do so because it is unprecedented and in its effect very damaging.

We have received letters from the inspector general of other departments, the Departments of Defense, Energy, Justice, Commerce, and the Central Intelligence Agency, expressing the strongest possible concern that this proposal creates a dangerous precedent which could undermine the investigative and oversight capabilities of IG's throughout the Government. It is important for us to recognize that no other IG office in the entire Federal Government is subject to the restrictions that this language would impose.

Other departments of the Clinton administration fear that this amendment is a proverbial foot in the door that will undermine their authorities. The bill language would place the State Department's inspector general outside of standard Federal law enforcement policies and procedures and severely undermine the State Department IG's abilities to carry out its investigative function. It would significantly diminish the State Department inspector general's ability to hold departmental employees accountable for criminal wrongdoing.

The bill language imposes a reporting requirement on the State Department's inspector general that is itself unwarranted and unnecessary. It would require the State Department's IG to prepare and submit a report to the relevant committees providing detailed descriptions of any instances in which any disclosure of information to the public by an employee of the office of inspector general about an ongoing investigation occurred.

I mentioned at the outset that I have great respect for the author of this language. I also have great respect for the author of this amendment, and I think they both intend to achieve the same result, which is that our agencies, and in this case the State Department, will operate free of internal corruption. But it would be unwise, it seems to me, in the extreme to impose requirements on the inspector general's office that frustrate the IG's ability to get to the bottom of corruption within the Federal Government.

The bill language, I want to emphasize once again, imposes requirements on the State Department's IG that are not applicable to any other agency's IG. Why we are on a rifle shot basis, on an ad hoc basis trying to change the rule just for the State Department, rather than making sure that we are consistently affording people due process, escapes me.

It is possible, by the way, to afford people something that we call due process, that is itself a procedural frustration of all of our rights. All of us here have rights. Taxpayers, for example, have a right to be protected from fraud and corruption within the State Department.

Let us assume for the sake of argument that the constable blundered in this case, and I want to point out that the IG is not the constable, the IG is not a prosecutor, the IG is not criminal law enforcement. But let us assume that the IG made a mistake and that the IG behaved improperly in this instance. Is that of itself a reason to make sure that we frustrate every future IG investigation, or is it instead a reason to take this matter up in the context of the events that occurred with that particular department and find out why, if someone's rights were abused, that took place?

I want to commend the author of this amendment, because he has done a good job in focusing on what I think is the language surely to give rise to the law of unintended consequences. I think he has quite properly gone after the reporting requirements, the diminution in the IG's authority, the frustration of legitimate investigations of wrongdoing by Federal employees. For that reason, I strongly support the Goss amendment to the Foreign Relations Authorization Act.

Mr. PAUL. Mr. Chairman, I move to strike the requisite number of words, and I yield to the gentleman from Florida [Mr. GOSS].

Mr. GOSS. I thank the distinguished gentleman for yielding.

Mr. Chairman, I wanted to point out a couple of things have been said that I think Members need to understand. We are not talking about due process. We are talking about way beyond due process here. Due process is guaranteed. This is not an issue of due process. This is a provision of special privilege for a narrow group of government employees that is entirely unwarranted and will in fact hamper investigation by those who are charged with the heavy responsibility of investigating wrongdoing in the Department of State. Who would want to stand behind the proposition that we want to slacken our efforts, defang our watchdogs and just basically cast a blind eye to the fact that there might be some wrongdoing in this day and age? That is not what the constituency of America is asking us to do.

I am not an investigator, and my distinguished colleague from New Jersey, whose opinion I have great respect for and I have every reason to believe, has come to a conclusion that he firmly believes but based on the wrong information. Let me tell my colleagues what the people who are charged with this responsibility are saying. They are saying that passage of this amendment would seriously impede effectively and timely criminal investigations. I am not making that up. I am quoting from a letter signed by Michael Bromwich, inspector general of the Department of Justice; Frank DeGeorge, inspector general of the Department of Commerce; and Eleanor Hill, inspector general of the Department of Defense. These are people charged with the heavy responsibility who have said for the record publicly that if we do not remove the language that is in the bill and we do not pass the Goss amendment, that we are seriously impeding effectively and timely criminal investigations.

I do not want my name associated with anything that is going to impede effective and timely investigations. Again, I am not an investigator, but I will take the say-so from the people who are in charge of the job. The people who are in charge of doing that job feel that this is going to hurt their ability. I would suggest to my colleague and close friend, for whom I have huge respect as he well knows, the gentleman from Indiana [Mr. HAMILTON], that if there is a problem with the inspector general's power, that we look at all of them and we do it appropriately and in a deliberate way. I certainly do not think it is a perfect system but I certainly feel that going piecemeal after one on what seems to be sort of a payback motive, these guys were overeager, so let's show them that we've got the muscle, I do not think that is the right way to make good legislation.

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

Mr. PAUL. I yield to the gentleman from Indiana.

Mr. HAMILTON. I thank the gentleman for yielding. I really think the language that the gentleman has quoted from our respected inspector general in other departments is quite exaggerated. What we are doing here is asking the IG to make the best efforts to provide adequate notice to individuals about their rights, including their right to counsel. That is the core of my amendment. That is all we are doing. We are just saying, please give these individuals information about the circumstances they are going to be in. We are not restricting in any way the inspector general's right to look into these matters and to investigate. The gentleman is quite right that an inspector general needs broad powers, but it is also true that individuals have rights, too, and they surely must be entitled to the right to know what is going on and who is going to be present in that room and why they are there.

Mr. GOSS. In fact, all the individual has to do is ask. They have the right to ask and they have the right to get the right answer, but remember that we are talking about investigations here. We are not talking about people who are arrested. There is not a question of rights. This is a question of special privilege and this is an investigation.

Mr. COX of California. Mr. Chairman, will the gentleman yield?

Mr. PAUL. I yield to the gentleman from California.

Mr. COX of California. In this matter, I think we need to pay especial attention to what the Clinton administration Justice Department inspector general is telling us and the U.S. Department of Justice, office of the inspector general has provided us with very explicit advice on this language in the bill.

The CHAIRMAN. The time of the gentleman from Texas [Mr. PAUL] has expired.

(On request of Mr. GOSS, and by unanimous consent, Mr. PAUL was allowed to proceed for 1 additional minute.)

Mr. PAUL. Mr. Chairman, I continue to yield to the gentleman from California.

Mr. COX of California. The U.S. Department of Justice Office of inspector general has told us that the language in the bill would grant special rights to employees of the Department of State that are inconsistent with the practices of the rest of the Federal law enforcement community. It would place the State Department inspector general outside of standard Federal law enforcement policies and procedures. It would make it very, very difficult, and to quote the letter from the Department of Justice, it would significantly diminish the inspector general's office ability to hold individuals accountable for criminal wrongdoing.

To put it quite simply, we are making it easier for the criminals if we pass this in a way that is inconsistent not only with what inspectors general do but what Federal law enforcement does, what criminal law enforcement does.

□ 1815

These are rights that do not exist for anyone else but for us taxpaying citizens.

Mr. GILMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the amendment offered by the able gentleman from Florida [Mr. GOSS] would strike the amendment that I agreed to in committee offered by the gentleman from Indiana [Mr. HAMILTON]. That amendment was a compromise between the original amendment provided to our staff by the staff of the gentleman from Indiana that was the subject of discussions that included the State Department Office of Inspector General.

Because of that compromise I would ordinarily be reluctant to agree to strike the language, but I will do so in this case because of the new and impassioned request that we have now received from representatives of the inspector general's community who are concerned that this represents a foot in the door for wholesale changes in their actions. The gentleman from Florida [Mr. GOSS] has discussed that correspondence in full.

I would like to say to the gentleman from Indiana that I was concerned by some of his assertions relative to the actions of the State Department Office of Inspector General. I think his assertions and their implications should be the subject of oversight, and that appropriate action, and I do not rule out legislation, should be pursued at that point.

But given the fact that the assertions have been marshaled by the gentleman from Indiana only relatively recently, and the nature of the protest from the inspector general community, I am persuaded that the legislation at this point is unwarranted. Accordingly, I urge support for the Goss amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. GOSS].

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

Mr. GOSS. Mr. Chairman, I demand a recorded vote, and pending that I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 159, further proceedings on the amendment offered by the gentleman from Florida [Mr. Goss] will be postponed.

The point of no quorum is considered withdrawn.

Are there further amendments to title XIII?

The Clerk will designate title XIV.

The text of title XIV is as follows:

TITLE XIV—UNITED STATES PUBLIC DIPLOMACY: AUTHORITIES AND ACTIVITIES FOR UNITED STATES INFORMATIONAL, EDUCATIONAL, AND CULTURAL PROGRAMS

SEC. 1401. EXTENSION OF AU PAIR PROGRAMS.

Section 1(b) of the Act entitled ''An Act to extend au pair programs.'' (Public Law 104–72; 109 Stat. 1065(b)) is amended by striking '', through fiscal year 1997''.

SEC. 1402. RETENTION OF INTEREST.

Notwithstanding any other provision of law, with the approval of the National Endowment for Democracy, grant funds made available by the National Endowment for Democracy may be deposited in interest-bearing accounts pending disbursement and any interest which accrues may be retained by the grantee without returning such interest to the Treasury of the United States and interest earned by be obligated and expended for the purposes for which the grant was made without further appropriation.

SEC. 1403. CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN NORTH AND SOUTH.

Section 208(e) of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2075(e)) is amended by striking ''$10,000,000'' and inserting ''$4,000,000''.

SEC. 1404. USE OF SELECTED PROGRAM FEES.

Section 810 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1475e) is amended by inserting ''educational advising and counseling, exchange visitor program services, advertising sold by the Voice of America, receipts from cooperating international organizations and from the privatization of VOA Europe,'' after ''library services,''.

SEC. 1405. MUSKIE FELLOWSHIP PROGRAM.

(a) GUIDELINES.—Section 227(c)(5) of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452 note) is amended—

(1) in the first sentence by inserting ''journalism and communications, education administration, public policy, library and information science,'' after ''business administration,''; and

(2) in the second sentence by inserting ''journalism and communications, education administration, public policy, library and information science,'' after ''business administration,''.

(b) REDESIGNATION OF SOVIET UNION.—Section 227 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452 note) is amended—

(1) by striking ''Soviet Union'' each place it appears and inserting ''Independent States of the Former Soviet Union''; and

(2) in the section heading by inserting ''**INDEPENDENT STATES OF THE FORMER**'' after ''**FROM THE**''.

SEC. 1406. WORKING GROUP ON UNITED STATES GOVERNMENT SPONSORED INTERNATIONAL EXCHANGES AND TRAINING.

Section 112 of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2460) is amended by adding at the end the following new subsection:

''(g) WORKING GROUP ON UNITED STATES GOVERNMENT SPONSORED INTERNATIONAL EXCHANGES AND TRAINING.—(1) In order to carry out the purposes of subsection (f) and to improve the coordination, efficiency, and effectiveness of United States Government sponsored international exchanges and training, there is established within the United States Information Agency a senior-level interagency working group to be known as the Working Group on United States Government Sponsored International Exchanges and Training (hereinafter in this section referred to as 'the Working Group').

''(2) For purposes of this subsection, the term 'Government sponsored international exchanges and training' means the movement of people between countries to promote the sharing of ideas, to develop skills, and to foster mutual understanding and cooperation, financed wholly or in part, directly or indirectly, with United States Government funds.

''(3) The Working Group shall be composed as follows:

''(A) The Associate Director for Educational and Cultural Affairs of the United States Information Agency, who shall act as Chair.

''(B) A senior representative designated by the Secretary of State.

''(C) A senior representative designated by the Secretary of Defense.

''(D) A senior representative designated by the Secretary of Education.

''(E) A senior representative designated by the Attorney General.

''(F) A senior representative designated by the Administrator of the Agency for International Development.

''(G) Senior representatives of other departments and agencies as the Chair determines to be appropriate.

''(4) Representatives of the National Security Adviser and the Director of the Office of Management and Budget may participate in the Working Group at the discretion of the adviser and the director, respectively.

''(5) The Working Group shall be supported by an interagency staff office established in the Bureau of Educational and Cultural Affairs of the United States Information Agency.

''(6) The Working Group shall have the following purposes and responsibilities:

''(A) To collect, analyze, and report data provided by all United States Government departments and agencies conducting international exchanges and training programs.

''(B) To promote greater understanding and cooperation among concerned United States Government departments and agencies of common issues and challenges in conducting international exchanges and training programs, including through the establishment of a clearinghouse for information on international exchange and training activities in the governmental and nongovernmental sectors.

''(C) In order to achieve the most efficient and cost-effective use of Federal resources, to identify administrative and programmatic duplication and overlap of activities by the various United States Government departments and agencies involved in Government

sponsored international exchange and training programs, to identify how each Government sponsored international exchange and training program promotes United States foreign policy, and to report thereon.

''(D) Not later than 1 year after the date of the enactment of the Foreign Relations Authorization Act, Fiscal Years 1998 and 1999, to develop and thereafter assess, annually, a coordinated and cost-effective strategy for all United States Government sponsored international exchange and training programs, and to issue a report on such strategy. This strategy will include an action plan for consolidating United States Government sponsored international exchange and training programs with the objective of achieving a minimum 10 percent cost saving through consolidation or the elimination of duplication.

''(E) Not later than 2 years after the date of the enactment of the Foreign Relations Authorization Act, Fiscal Years 1998 and 1999, to develop recommendations on common performance measures for all United States Government sponsored international exchange and training programs, and to issue a report.

''(F) To conduct a survey of private sector international exchange activities and develop strategies for expanding public and private partnerships in, and leveraging private sector support for, United States Government sponsored international exchange and training activities.

''(G) Not later than 6 months after the date of the enactment of the Foreign Relations Authorization Act, Fiscal Years 1998 and 1999, to report on the feasibility of transferring funds and program management for the ATLAS and/or the Mandela Fellows programs in South Africa from the Agency for International Development to the United States Information Agency. The report shall include an assessment of the capabilities of the South African Fulbright Commission to manage such programs and the cost advantages of consolidating such programs under one entity.

''(7) All reports prepared by the Working Group shall be submitted to the President, through the Director of the United States Information Agency.

''(8) The Working Group shall meet at least on a quarterly basis.

''(9) All decisions of the Working Group shall be by majority vote of the members present and voting.

''(10) The members of the Working Group shall serve without additional compensation for their service on the Working Group. Any expenses incurred by a member of the Working Group in connection with service on the Working Group shall be compensated by that member's department or agency.

''(11) With respect to any report promulgated pursuant to paragraph (6), a member may submit dissenting views to be submitted as part of the report of the Working Group.''.

SEC. 1407. EDUCATIONAL AND CULTURAL EXCHANGES AND SCHOLARSHIPS FOR TIBETANS AND BURMESE.

(a) ESTABLISHMENT OF EDUCATIONAL AND CULTURAL EXCHANGE FOR TIBETANS.—The Director of the United States Information Agency shall establish programs of educational and cultural exchange between the United States and the people of Tibet. Such programs shall include opportunities for training and, as the Director considers appropriate, may include the assignment of personnel and resources abroad.

(b) SCHOLARSHIPS FOR TIBETANS AND BURMESE.—

(1) IN GENERAL.—For each of the fiscal years 1998 and 1999, at least 30 scholarships shall be made available to Tibetan students and professionals who are outside Tibet, and at least 15 scholarships shall be made available to Burmese students and professionals who are outside Burma.

(2) WAIVER.—Paragraph (1) shall not apply to the extent that the Director of the United States Information Agency determines that there are not enough qualified students to fulfill such allocation requirement.

(3) SCHOLARSHIP DEFINED.—For the purposes of this section, the term ''scholarship'' means an amount to be used for full or partial support of tuition and fees to attend an educational institution, and may include fees, books, and supplies, equipment required for courses at an educational institution, living expenses at a United States educational institution, and travel expenses to and from, and within, the United States.

SEC. 1408. UNITED STATES-JAPAN COMMISSION.

(a) RELIEF FROM RESTRICTION OF INTERCHANGEABILITY OF FUNDS.—

(1) Section 6(4) of the Japan-United States Friendship Act (22 U.S.C. 2905(4)) is amended by striking ''needed, except'' and all that follows through ''United States'' and inserting ''needed''.

(2) The second sentence of section 7(b) of the Japan-United States Friendship Act (22 U.S.C. 2906(b)) is amended to read as follows: ''Such investment may be made only in interest-bearing obligations of the United States, in obligations guaranteed as to both principal and interest by the United States, in interest-bearing obligations of Japan, or in obligations guaranteed as to both principal and interest by Japan.''.

(b) REVISION OF NAME OF COMMISSION.—

(1) After the date of the enactment of this Act, the Japan-United States Friendship Commission shall be designated as the ''United States-Japan Commission''. Any reference in any provision of law, Executive order, regulation, delegation of authority, or other document to the Japan-United States Friendship Commission shall be considered to be a reference to the United States-Japan Commission.

(2) The heading of section 4 of the Japan-United States Friendship Act (22 U.S.C. 2903) is amended to read as follows:

''UNITED STATES-JAPAN COMMISSION''.

(3) The Japan-United States Friendship Act is amended by striking ''Japan-United States Friendship Commission'' each place such term appears and inserting ''United States-Japan Commission''.

(c) REVISION OF NAME OF TRUST FUND.—

(1) After the date of the enactment of this Act, the Japan-United States Friendship Trust Fund shall be designated as the ''United States-Japan Trust Fund''. Any reference in any provision of law, Executive order, regulation, delegation of authority, or other document to the Japan-United States Friendship Trust Fund shall be considered to be a reference to the United States-Japan Trust Fund.

(2) Section 3(a) of the Japan-United States Friendship Act (22 U.S.C. 2902(a)) is amended by striking ''Japan-United States Friendship Trust Fund'' and inserting ''United States-Japan Trust Fund''.

SEC. 1409. SURROGATE BROADCASTING STUDIES.

(a) RADIO FREE AFRICA.—Not later than 6 months after the date of the enactment of this Act, the United States Information Agency and the Board of Broadcasting Governors should conduct and complete a study of the appropriateness, feasibility, and projected costs of providing surrogate broadcasting service to Africa and transmit the results of the study to the appropriate congressional committees.

(b) RADIO FREE IRAN.—Not later than 6 months after the date of the enactment of this Act, the United States Information Agency and the Board of Broadcasting Governors should conduct and complete a study of the appropriateness, feasibility, and projected costs of a Radio Free Europe/Radio Liberty broadcasting service to Iran and transmit the results of the study to the appropriate congressional committees.

SEC. 1410. AUTHORITY TO ADMINISTER SUMMER TRAVEL/WORK PROGRAMS.

The Director of the United States Information Agency is authorized to administer summer travel/work programs without regard to preplacement requirements.

SEC. 1411. PERMANENT ADMINISTRATIVE AUTHORITIES REGARDING APPROPRIATIONS.

Section 701(f) of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1476(f)) is amended by striking paragraph (4).

SEC. 1412. AUTHORITIES OF THE BROADCASTING BOARD OF GOVERNORS.

(a) AUTHORITIES.—Section 305(a)(1) of the United States International Broadcasting Act of 1994 (22 U.S.C. 6204(a)(1)) is amended by striking ''direct and''.

(b) DIRECTOR OF THE BUREAU.—The first sentence of section 307(b)(1) of the United States International Broadcasting Act of 1994 (22 U.S.C. 6206(b)(1)) is amended to read as follows: ''The Director of the Bureau shall be appointed by the Board with the concurrence of the Director of the United States Information Agency.''.

(c) RESPONSIBILITIES OF THE DIRECTOR.—Section 307 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6206) is amended by adding at the end the following new subsection:

''(c) RESPONSIBILITIES OF THE DIRECTOR.—The Director shall organize and chair a coordinating committee to examine long-term strategies for the future of international broadcasting, including the use of new technologies, further consolidation of broadcast services, and consolidation of currently existing public affairs and legislative relations functions in the various international broadcasting entities. The coordinating committee shall include representatives of RFA, RFE/RL, the Broadcasting Board of Governors, and, as appropriate, from the Office of Cuba Broadcasting, the Voice of America, and WorldNet.''.

(d) RADIO BROADCASTING TO CUBA.—Section 4 of the Radio Broadcasting to Cuba Act (22 U.S.C. 1465b) is amended by striking ''of the Voice of America'' and inserting ''of the International Broadcasting Bureau''.

(e) TELEVISION BROADCASTING TO CUBA.—Section 244(a) of the Television Broadcasting to Cuba Act (22 U.S.C. 1465cc(a)) is amended in the third sentence by striking ''of the Voice of America'' and inserting ''of the International Broadcasting Bureau''.

The CHAIRMAN. Are there amendments to title XIV?

The Clerk will designate title XV.

The text of title XV is as follows:

TITLE XV—INTERNATIONAL ORGANIZATIONS; UNITED NATIONS AND RELATED AGENCIES

CHAPTER 1—GENERAL PROVISIONS

SEC. 1501. SERVICE IN INTERNATIONAL ORGANIZATIONS.

(a) IN GENERAL.—Section 3582(b) of title 5, United States Code, is amended by striking all after the first sentence and inserting the following: ''On reemployment, he is entitled to the rate of basic pay to which he would have been entitled had he remained in the civil service. On reemployment, the agency shall restore his sick leave account, by credit or charge, to its status at the time of transfer. The period of separation caused by his employment with the international organization and the period necessary to effect

reemployment are deemed creditable service for all appropriate civil service employment purposes. This subsection does not apply to a congressional employee.''.

(b) APPLICATION.—The amendment made by subsection (a) shall apply with respect transfers which take effect on or after the date of the enactment of this Act.

SEC. 1502. ORGANIZATION OF AMERICAN STATES.

Taking into consideration the long-term commitment by the United States to the affairs of this hemisphere and the need to build further upon the linkages between the United States and its neighbors, it is the sense of the Congress that the Secretary of State should make every effort to pay the United States assessed funding levels for the Organization of American States, which is uniquely dependent on United States contributions and is continuing fundamental reforms in its structure and its agenda.

CHAPTER 2—UNITED NATIONS AND RELATED AGENCIES

SEC. 1521. REFORM IN BUDGET DECISIONMAKING PROCEDURES OF THE UNITED NATIONS AND ITS SPECIALIZED AGENCIES.

(a) ASSESSED CONTRIBUTIONS.—Of amounts authorized to be appropriated for ''Assessed Contributions to International Organizations'' by this Act, the President may withhold 20 percent of the funds appropriated for the United States assessed contribution to the United Nations or to any of its specialized agencies for any calendar year if the Secretary of State determines that the United Nations or any such agency has failed to implement or to continue to implement consensus-based decisionmaking procedures on budgetary matters which assure that sufficient attention is paid to the views of the United States and other member states that are the major financial contributors to such assessed budgets.

(b) NOTICE TO CONGRESS.—The President shall notify the Congress when a decision is made to withhold any share of the United States assessed contribution to the United Nations or its specialized agencies pursuant to subsection (a) and shall notify the Congress when the decision is made to pay any previously withheld assessed contribution. A notification under this subsection shall include appropriate consultation between the President (or the President's representative) and the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

(c) CONTRIBUTIONS FOR PRIOR YEARS.—Subject to the availability of appropriations, payment of assessed contributions for prior years may be made to the United Nations or any of its specialized agencies notwithstanding subsection (a) if such payment would further United States interests in that organization.

(d) REPORT TO CONGRESS.—Not later than February 1 of each year, the President shall submit to the appropriate congressional committees a report concerning the amount of United States assessed contributions paid to the United Nations and each of its specialized agencies during the preceding calendar year.

SEC. 1522. REPORTS ON EFFORTS TO PROMOTE FULL EQUALITY AT THE UNITED NATIONS FOR ISRAEL.

(a) CONGRESSIONAL STATEMENT.—It is the sense of the Congress that the United States must help promote an end to the persistent inequity experienced by Israel in the United Nations whereby Israel is the only longstanding member of the organization to be denied acceptance into any of the United Nation's regional blocs.

(b) REPORTS TO CONGRESS.—Not later than 90 days after the date of the enactment of this Act and on a quarterly basis thereafter, the Secretary of State shall submit to the appropriate congressional committees a report which includes the following information (in classified or unclassified form as appropriate):

(1) Actions taken by representatives of the United States to encourage the nations of the Western Europe and Others Group (WEOG) to accept Israel into their regional bloc.

(2) Efforts undertaken by the Secretary General of the United Nations to secure Israel's full and equal participation in that body.

(3) Specific responses received by the Secretary of State from each of the nations of the Western Europe and Others Group (WEOG) on their position concerning Israel's acceptance into their organization.

(4) Other measures being undertaken, and which will be undertaken, to ensure and promote Israel's full and equal participation in the United Nations.

SEC. 1523. UNITED NATIONS POPULATION FUND.

(a) LIMITATION.—Subject to subsections (b), (c), and (d)(2), of the amounts made available for each of the fiscal years 1998 and 1999 to carry out part I of the Foreign Assistance Act of 1961, not more than $25,000,000 shall be available for each such fiscal year for the United Nations Population Fund.

(b) PROHIBITION ON USE OF FUNDS IN CHINA.—None of the funds made available under this section shall be made available for a country program in the People's Republic of China.

(c) CONDITIONS ON AVAILABILITY OF FUNDS.—

(1) Not more than one-half of the amount made available to the United Nations Population Fund under this section may be provided to the Fund before March 1 of the fiscal year for which funds are made available.

(2) Amounts made available for each of the fiscal years 1998 and 1999 under part I of the Foreign Assistance Act of 1961 for the United Nations Population Fund may not be made available to the Fund unless—

(A) the Fund maintains amounts made available to the Fund under this section in an account separate from accounts of the Fund for other funds; and

(B) the Fund does not commingle amounts made available to the Fund under this section with other funds.

(d) REPORTS.—

(1) Not later than February 15, 1998, and February 15, 1999, the Secretary of State shall submit a report to the appropriate congressional committees indicating the amount of funds that the United Nations Population Fund is budgeting for the year in which the report is submitted for a country program in the People's Republic of China.

(2) If a report under paragraph (1) indicates that the United Nations Population Fund plans to spend China country program funds in the People's Republic of China in the year covered by the report, then the amount of such funds that the Fund plans to spend in the People's Republic of China shall be deducted from the funds made available to the Fund after March 1 for obligation for the remainder of the fiscal year in which the report is submitted.

SEC. 1524. CONTINUED EXTENSION OF PRIVILEGES, EXEMPTIONS, AND IMMUNITIES OF THE INTERNATIONAL ORGANIZATIONS IMMUNITIES ACT TO UNIDO.

Section 12 of the International Organizations Immunities Act (22 U.S.C. 288f–2) is amended by inserting ''and the United Nations Industrial Development Organization'' after ''International Labor Organization''.

The CHAIRMAN. Are there amendments to title XV?

AMENDMENT OFFERED BY MR. PAUL

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

The Clerk read as follows:

Amendment offered by Mr. PAUL:

After chapter 2 of title XV (relating to international organizations; United Nations and related agencies) insert the following new chapter:

CHAPTER 3—AMERICAN SOVEREIGNTY RESTORATION ACT

SEC. 1531. SHORT TITLE.

This chapter may be cited as the ''American Sovereignty Restoration Act of 1997''.

SEC. 1532. REPEAL OF UNITED NATIONS PARTICIPATION ACT.

(a) REPEAL.—The United Nations Participation Act of 1945 (Public Law 79–264) is repealed.

(b) CLOSURE OF UNITED STATES MISSION TO UNITED NATIONS.—Effective within 120 days after the date of the enactment of this Act, the United States Mission to the United Nations shall be closed. Any remaining functions of such office shall not be carried out.

(c) NOTICE.—The Secretary of State shall notify the United Nations of the withdrawal of the United States from the United Nations as of the date of the enactment of this Act.

SEC. 1533. REPEAL OF UNITED NATIONS HEADQUARTERS AGREEMENT ACT.

(a) REPEAL.—The United Nations Headquarters Agreement Act (Public Law 80–357) is repealed.

(b) WITHDRAWAL.—Effective on the date of the enactment of this Act, the United States withdraws from the agreement between the United States and the United Nations regarding the headquarters of the United Nations (signed at Lake Success, New York, on June 26, 1947, which was brought into effect by the United Nations Headquarters Agreement Act).

(c) NOTICE.—The Secretary of State shall notify the United Nations that the United States has unilaterally withdrawn from the agreement between the United States of America and the United Nations regarding the headquarters of the United Nations as of the date of the enactment of this Act.

SEC. 1534. UNITED STATES ASSESSED AND VOLUNTARY CONTRIBUTIONS TO THE UNITED NATIONS.

(a) TERMINATION.—No funds are authorized to be appropriated or otherwise made available for assessed or voluntary contributions of the United States to the United Nations.

(b) APPLICATION.—The provisions of this section shall apply to all agencies of the United Nations, including independent or voluntary agencies.

SEC. 1535. UNITED NATIONS PEACEKEEPING OPERATIONS.

(a) TERMINATION.—No funds are authorized to be appropriated or otherwise made available for any United States contribution to any United Nations military operation.

(b) TERMINATIONS OF UNITED STATES PARTICIPATION IN UNITED NATIONS PEACEKEEPING OPERATIONS.—No funds may be obligated or expended to support the participation of any member of the Armed Forces of the United States as part of any United Nations military or peacekeeping operation or force. No member of the Armed Forces of the United States may serve under the command of the United Nations.

SEC. 1536. WITHDRAWAL OF UNITED NATIONS PRESENCE IN FACILITIES OF THE GOVERNMENT OF THE UNITED STATES AND REPEAL OF DIPLOMATIC IMMUNITY.

(a) WITHDRAWAL FROM UNITED STATES GOVERNMENT PROPERTY.—The United Nations (including any affiliated agency of the United Nations) shall not occupy or use any property or facility of the United States Government.

(b) DIPLOMATIC IMMUNITY.—No officer or employee of the United Nations or any representative, officer, or employee of any mission to the United Nations of any foreign government shall be entitled to enjoy the privileges and immunities of the Vienna Convention on Diplomatic Relations of April 18, 1961, nor may any such privileges and immunities be extended to any such individual.

SEC. 1537. REPEAL OF UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION ACT.

(a) REPEAL.—The Act entitled ''An Act providing for membership and participation by the United States in the United Nations Educational, Scientific, and Cultural Organization, and authorizing an appropriation therefor'' approved July 30, 1946 (Public Law 79–565) is repealed.

(b) NOTICE.—The Secretary of State shall notify the United Nations that the United States has withdrawn from membership in the United Nations Educational, Scientific, and Cultural Organization as of the date of the enactment of this Act.

SEC. 1538. REPEAL OF UNITED NATIONS ENVIRONMENT PROGRAM PARTICIPATION ACT OF 1973.

(a) REPEAL.—The United Nations Environment Program Participation Act of 1973 is repealed.

(b) NOTICE.—The Secretary of State shall notify the United Nations that the United States has withdrawn from membership in the United Nations Environment Program Participation as of the date of the enactment of this Act.

Mr. PAUL (during the reading). Mr. Chairman, I ask unanimous consent the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. PAUL. Mr. Chairman, this amendment is not complex; it is very simple. If it is passed, we would get out of the United Nations, and there is a lot of people in this country who do not believe the United Nations has served us well and believe we should not be in the United Nations, and I think that we should consider this very seriously today.

The American people, many now are concerned that our sovereignty is being attacked in many ways; one by the United Nations membership in the United Nations. Today we have, of course, the IMF and the World Bank that we have been involved in a long time, and just recently we had joined the World Trade Organization, which is another international government agency and government body that usurps our rights and our privileges and interferes with our legislative process, especially in the area of environmentalism and labor law.

Our Constitution does not give us the authority to sell our sovereignty to an international government body, and even under the treaty provisions of the Constitution it is not permissible. The treaty provision does not allow us, for instance, to undermine the Bill of Rights. Therefore, giving up our national sovereignty through a treaty, an agreement to serve or participate in the United Nations, is not legitimate.

The movement we have seen here in the last several years has been toward managed trade. It has been managed trade in the name of free trade. But instead of free trade we get more government organizations and more international controls over our lives.

We have seen in the last several decades loss of American lives serving under the UN banner. The American people are now sick and tired of seeing U.S. troops serving under foreign commanders under the UN banner. We were humiliated in Somalia as dead American troops were dragged through the street, and it is time we question this, whether this is to our benefit. Our national sovereignty is not served.

Just recently the President gave a speech at the graduation ceremony at West Point. He says in the years ahead it means that one could be asked to put their life on the line for a new NATO member just as today one can be called upon to defend the freedom of our allies in Western Europe. That is not part of the American system.

Yes, we are obligated to provide a strong national defense, but there is no way that the American taxpayer is obligated to make an attempt to provide freedom throughout the world and defend everybody that has a problem. The whole notion that we can be the peacemaker where there have been wars going on for thousands of years is preposterous. This is one way for us to get very much involved in battles that we do not need to be involved.

I see our involvement in the United Nations and placing of troops around the world as a threat to our national security. We are low on funds, and we are spending way too much money. Since 1945, we have spent over a hundred or nearly $100 billion in UN efforts.

Some would say is that not wonderful? Look at what we have done. We have the Soviet Union has disintegrated over this type of policy and working through the UN, but that is not the reason the UN disintegrated, or the Soviet Union disintegrated. It is because they had bad economic policy and it was destined that they would disintegrate. We cannot be the peacemaker.

And there is another reason why we get so much involved with these UN organizations and UN functions, and that has to do with the many corporations that have influence with policy here. So when we go into Bosnia and we send troops there or send troops into Haiti, sure enough there are some very wealthy American corporations who are bound to get their contracts to go in, and they can very frequently be the strongest lobbyists for our intervention in these countries around the world.

Some argue that we are the only superpower left and therefore we must fill the gap. I think that is a very good argument for starting to bring our legions home. How long do we have to police the world? Will we ever come to our senses? Are we going to drive ourselves into a bankruptcy before we come to our senses and decide that maybe we have extended ourselves too far?

We have recently seen that under treaties by international treaties and UN treaties that even our parks are marked by UN functionaries; that is, there is an influence in the management and supervision coming from the United Nations. This is not permissible under our Constitution.

Mr. HASTINGS of Florida. Mr. Chairman, most respectfully I rise to oppose the gentleman's amendment, and I share with him a recent travel with reference to the actions of the United Nations.

The chairman of the Subcommittee on Africa [Mr. ROYCE], along with the ranking member of that committee, the gentleman from New Jersey [Mr. MENENDEZ], myself and three other Members of the House of Representatives were just in South Africa and in Angola and in Zaire and in Zimbabwe. We needed to get to Zaire, and we were ferried there on a United Nations airplane. While there we saw United Nations efforts ongoing, and I remind the gentleman from Texas to not give the impression that only United States troops are involved in our methods of the United Nations, but the largest United Nations contingent in the world today is in Angola, and they have saved millions of lives and have kept the peace, at least momentarily, in that country.

I need not carry my colleague around the world, but this amendment in the final analysis would require, as the gentleman says, the United States to withdraw from the UN how much does he feel that we should contribute to peacekeeping efforts? How much should we be involved in ensuring that the vital interests of the United States around the world are protected?

I am glad the gentleman from Texas [Mr. PAUL] offered the amendment because it offers us the opportunity for a real debate on the United Nations. This amendment clarifies that debate. Simply put, do we stay in the UN and work to reform it, or do we just get out? And that is sort of really in the final analysis an isolationist view, getting out of this world as this economy globalizes. I would hope that some Members of this body remember and recognize that for all of its warts the United Nations does also serve important United States interests around the world.

Many of us often express doubts about the United Nations, but at the end of the day every United States President has decided that United States participation in the United Nations is in the interests of the United States, and I might add every means every since its inception. I believe that the United Nations is indispensable as one of many tools of United States foreign policy. As the only superpower, and my colleague so rightly points that out, the United States will be called upon more and more often to intervene in conflicts around the world to protect

our vital interests. Unless we want to carry this burden alone, my distinguished colleague, and I do not think we can or should, we must be prepared to shift some of the responsibilities, as well as the costs, to other nations.

Do I favor a reformed United Nations? You bet. And have I told all persons with whom I have come in contact, including the Secretary of State of this great country, that? Yes, I have. I believe this means we must help to strengthen institutions such as the United Nations so that it can take the lead in peacekeeping operations and the United States can benefit from burden sharing. I hear that term used often.

Mr. Chairman, I would like to note that other United Nations programs also serve the United States interests. The World Health Organization, for example, led in the successful fight to eradicate smallpox from the face of the Earth and are busying themselves now working throughout the world in a variety of disease containment circumstances.

The International Atomic Energy Agency helps enforce crucial safeguards on nuclear materials. The International Civil Action Organization helps maintain safe air travel. Our payments to these agencies help to build a better and safer world.

Should we, as I say, work for major reforms in the United Nations? Yes. This amendment prejudges that question by saying we should just get out, wash our hands and turn our backs on the world.

I urge all Members to vote against the amendment offered by the gentleman from Texas [Mr. PAUL].

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

Mr. HASTINGS of Florida. I yield to the gentleman from Texas.

Mr. PAUL. Mr. Chairman, the gentleman points out that every President since the inception of the UN has supported the UN, but I might suggest that every President prior to that supported a foreign policy which was considered non-interventionist, pro-American, and that should be taken into consideration as well.

Mr. SMITH of New Jersey. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in opposition to the amendment, and again with all deference and respect for my good friend, the gentleman from Texas [Mr. PAUL] I do rise against his amendment. I think it would deny us an opportunity to promote world peace and do some of the things that we have been doing so well and not so well at times through the United Nations.

Let me just say that if his amendment were passed, we would no longer be participating in the UN Children's Fund, and there is $100 million in this bill targeted to UNICEF. UNICEF has been part of the global effort to eradicate preventable diseases that affect children, like pertussis, polio, tetanus, diptheria and other menacing diseases, measles, and it seems to me that if we were to take that money away, we would see more children die from these preventable diseases. The UN is not perfect, the UN Children's Fund is not perfect, but at least it gives us an opportunity to protect children and to tangibly stop mortality and morbidity among these victims of these diseases.

Refugees. The UN High Commission of Refugees tells us that they have some 26 million people of interest to the UNHCR. We would no longer and much of our money again that is in this bill, we have $704 million for refugee assistance goes to the UNHCR that provides the camps and the safe havens, if my colleagues will, for those who are escaping tyranny or other devastating situations in their countries.

The UNHCR again is not perfect, it has many flaws. I am one of its chief critics. But it does provide a very valuable humanitarian assistance that will be lost.

The ILO is another UN sponsored agency, the International Labor Organization. We have $20 million that is earmarked or put a designation for that money. When we marked up, it was part of my original draft bill to eradicate the exploitation of children around the world. We had 2 hearings in the subcommittee last year on this issue of the exploitation of kids, child labor.

We even heard from some of those who were in the news regarding it. We heard from a girl from Honduras who had been through the mill and exploited by her employer. The ILO has action plans in countries that work, that help to eradicate and sensitize government officials. To get us out of the ILO, I think, would be a mistake.

□ 1830

Peacekeeping; again, if we look at UNPROFOR, if we look at some of the peacekeeping missions that have gone awry, including Somalia, it gives a black mark to what the Blue Helmets do, but they have had many successful interventions. Had it not been for the U.N. peacekeepers, many, many people, civilians, would have been dead, and those long-term missions continue. We have combatants and people who would be at each other had it not been for the fact that these people interposed themselves to separate these warring factions.

The U.N. Security Council continues to provide us a way of mobilizing world support as we did in operation Desert Shield and Desert Storm to mobilize the world against the tyranny of Saddam Hussein. That became an international action because we had the capability to use the U.N. to make it a unified effort.

There are consensus-breakers. And my subcommittee oversees, I say to my friend, the U.N., and nobody criticizes them more than I do. They have had recent conferences like the recent conference in Cairo and Beijing where some very egregious policies were being promoted and foisted on the developing world. These are consensus-breakers. The gay agenda, the abortion rights agenda, the developing world does not want it. And there will be amendments later on today that I will offer that will say specific agencies, like U.N. Population Fund, get out of China where we have co-managed and been part of the coercion of women to have forced abortions and forced sterilizations, that is where the U.N. goes awry. We ought to target our opposition to those that commit these very serious crimes.

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

Mr. SMITH of New Jersey. I yield to the gentleman from Texas.

Mr. PAUL. Mr. Chairman, the gentleman mentioned the UNICEF program, $100 million. It is well motivated and I think the intentions are very good, and my colleague does admit that sometimes the consequences are not exactly what we want. But the question is, do we have this authority to take money from poor people in this country and make these attempts to do these social programs overseas. I do not see the authority, and I do not think the programs work that well.

The gentleman mentioned fighting the Persian Gulf war. We were serving oil interests there. I mean we went in there for that, oil interests. They said it was our oil, it was not our oil. But now, who is paying the cost? Thousands, 34,000, 40,000, 50,000 Americans now suffer from gulf war syndrome. So I would say there is a much higher cost than anybody realizes and we cannot ignore that.

Mr. SMITH of New Jersey. Mr. Chairman, I appreciate the gentleman making those points.

On UNICEF, I myself on a number of occasions have talked to leadership people, including Carol Bellamy, who is director of UNICEF.

The CHAIRMAN. The time of the gentleman from New Jersey [Mr. SMITH] has expired.

(By unanimous consent, Mr. SMITH of New Jersey was allowed to proceed for 3 additional minutes.)

Mr. SMITH of New Jersey. Mr. Chairman, I have asked her and relayed a message that there is a growing concern in Congress, among the American people that, if they move in or evolve into some kind of abortion promotion, which some of their people would like to see, it is over. We will find other ways of using our money to advance the child survival revolution. We need to continue, I think, to give those messages in a very real way, and I will offer the amendment on the floor, if anything, to curtail that funding and make sure that it is given to other child survival programs throughout the world.

Mr. HASTINGS of Florida. Mr. Chairman, will the gentleman yield?

Mr. SMITH of New Jersey. I yield to the gentleman from Florida.

Mr. HASTINGS of Florida. Mr. Chairman, I offer a segue off of what the

gentleman from New Jersey [Mr. SMITH] said, and refer to the assertions of the gentleman from Texas [Mr. PAUL] with reference to oil and Desert Storm and carry him back to my remarks regarding Angola, which we just visited under the aegis of the gentleman from California [Mr. ROYCE], chairman of the Subcommittee on Africa.

I would say to my colleague from Texas [Mr. PAUL] that we get 7 percent of our oil in the United States from Angola. The U.N. peacekeeping mission there does not have one American soldier involved at all, and that helps us to maintain that level of civility.

I thank the gentleman for yielding.

Mr. SMITH of New Jersey. Let me conclude, and again, there are consensus-breakers, and I think the diplomats and the leaders of the U.N. need to be on notice that, if they continue the social engineering, one, they will not get their arrearages; and, secondly, the efforts that the gentleman from Texas is undertaking will gain support among the American people, and I think at some point there will be an effort to take us out of it and to severely restrict our funding to it. But right now I think we ought to try to reform it.

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

Mr. SMITH of New Jersey. I yield to the gentleman from Texas.

Mr. PAUL. Mr. Chairman, I certainly will support some of these reforms, especially in curtailing some of these funds going to abortion. Certainly that would be repugnant to me. But still, I go back to the issue of the cost. Yes, we want to do good, but can we do this by harming poor people in this country, because when we tax and take money from this country, we really do contribute to problems in this country, unemployment, inflation, deficits; and this is all part of the picture.

So can we morally justify injuring our people here at home with the pretense that we are doing good overseas?

Mr. SMITH of New Jersey. Mr. Chairman, if I could reclaim my time, the bottom line is, it is a very modest commitment. When we juxtapose foreign aid to the rest of the budget, it is about 1 percent, it is not very much. We are talking about, and I believe we ought to be our brother's and sister's keeper. There are times when we need to become involved. And when there is a humanitarian crisis, it behooves us to be out there first and foremost with all of the possible medicines, foods and the like.

Mr. PAUL. Mr. Chairman, if the gentleman would continue to yield, I certainly agree that we should have concern. If we left more money in the hands and pockets of the American people, they would be charitable, and I do believe we would help them. I believe when we take money from poor people, put it in the hands of government and give it to another government, that is when we get into trouble. If we left more money in the hands of the American people and allowed them to be charitable, I believe the outcome would be much better.

Mr. GILMAN. Mr. Chairman, I move to strike the requisite number of words.

I rise in opposition to the gentleman's proposal. He certainly has made a lot of strong arguments that we recognize. However, I just want to remind the gentleman from Texas [Mr. PAUL] that there is a test force at work to try to put severe conditions into reforming the United Nations, to make it more effective, to make it more cost-effective as well.

We will have a separate bill on the U.N. arrearages coming up very shortly, and we will have an opportunity to debate that at that time. But in that bill I hope the gentleman will watch closely for the conditions that we are trying to impose on the United Nations to do some of the things the gentleman is concerned about, to make certain there is not going to be waste and that there is going to be a more effective administration.

I think this amendment could harm our vital interests. If we can keep people talking to each other and keep them apprised of some of the problems around the world, we are going to save them from going into hostile action, that would cost us even more than the U.N. problems are costing us today. I hope that the distinguished gentleman will bear that in mind as he looks forward to what we can do about reforming the United Nations.

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

Mr. GILMAN. I yield to the gentleman from Connecticut.

Mr. SHAYS. Mr. Chairman, I appreciate the gentleman yielding to me. I rise in strong opposition to this amendment. I do not serve on the Committee on International Relations, and I have deferred in the past to debates on these issues. However, sincere as I believe my colleague from Texas is, I think he is absolutely dead wrong. I would just say that I believe in the sincerity of the amendment; I just think it is dead wrong.

As a former Peace Corps volunteer, I do not want to live in these United States the way I lived and saw the absolute abject poverty that exists around the world. There is no poverty close to the kind of poverty we see in Africa and other areas of the world. We need the United Nations. We need not be the world's policeman, we need not be the world's peacemaker; we need to join with others in sharing that responsibility.

I was here during the awful tragedy in Somalia, and that was not the fault of the United Nations; that was the fault of our own policy and how we carried it out. I agree with those who say the United Nations needs to be more efficient, the United Nations needs to be more effective. We need to be active partners in the United Nations. Frankly, we need to pay our debts to the United Nations and be the world leaders that we should be and set the example we should. I thank the gentleman for yielding.

The CHAIRMAN. The gentleman from New York controls the time.

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

Mr. GILMAN. I yield to the gentleman from Texas.

Mr. PAUL. Mr. Chairman, I have no false illusions about the amendment, but I think it is very important to talk about these issues, because I do believe that I am on the right track when it comes to what is authorized in the Constitution and, also, what is very popular with a lot of Americans. I think that is important. People have a hard time when they see money going to programs like this, they have a great deal of trouble accepting it.

The end of this will come, not because I say so or not because my amendment will pass, but all great nations finally fall when they get too stretched out financially and in their foreign policy and in their military, and we are vulnerable to that. We have great deficits, bigger than are admitted, and we are on a course. We have not really attacked the budget, we are not cutting back.

It was suggested earlier that this was just a small amount. Well, every bill is just a small amount when we look at a $1.7 trillion budget; so it is a small amount, but it continues to add up. Eventually great nations fall when they overextend. I fear for that, I fear for America, because I believe we are on the wrong track.

I do not believe we should be the policeman of the world. I do not believe the programs have been all that successful, and we should do our very best to debate this. If nothing else, maybe some of the reforms will do some good if we do not have my way now. But someday we will, because we are going to run out of money.

Mr. GILMAN. Mr. Chairman, I thank the gentleman for his remarks.

Mr. GEJDENSON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, we are in a situation where with the dissolution of the Soviet Union, some people in this country, some Members of Congress, feel as if we can crawl back into a continental shell and ignore the rest of the globe. The reality is, unlike at any time in history before today, this economy and the survival of America as a leader of the world is dependent on our international involvement. When we look at the jobs that are produced as a result of trade globally, it is because of America's foreign policy leadership that we have markets in the world unmatched by any other country.

The U.N. is an instrument of America's interest. We have a control in that body unlike most international organizations that give us veto power. The question is whether or not this country is better off dealing with the crises and

problems that challenge the world community through an organization that debates the issues, or should we leave all of our debates to the battlefield? The U.N. is an institution important to America's national interests. People who care about our future economy and our security and the values that we believe in ought to support the U.N. We ought to try to make it as efficient as possible, but there is no question that America's interests lie in a United Nations that is efficient, that is strong, and that deals with the challenges we face in a multilateral manner.

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

Mr. GEJDENSON. I yield to the gentleman from Texas.

Mr. PAUL. Yes, I am concerned about the same things. I want peace and security for our country. That is our number one responsibility here, not to socialize the world and run a welfare state. But a policy of neutrality has been more consistent with that of peace throughout our history and throughout the history of the world. It is when we are interventionists, when we impose our will on other people; that is how America gets a black eye.

Mr. GEJDENSON. Mr. Chairman, reclaiming my time, there was a time we were neutral through World War II until Pearl Harbor brought us into that war. I cannot tell my colleague what would have happened if the League of Nations had survived and this country had stayed active politically in the world, whether we could have avoided the horrors of World War II. But there is no question in my mind that, if we withdraw from the United Nations, it will increase the likelihood that America's men and women will fall on battlefields and face challenges economic and military that we can avoid when we have a place to have a dialogue.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, in listening to the debate, I think that there is something that the Paul amendment clearly misses. It misses the very pivotal roll that the United Nations plays in the concept of peace.

In listening to the distinguished gentleman from Florida [Mr. HASTINGS], a member of the Committee on International Relations, let me join him in acknowledging on a recent visit to southern Africa how vital the United Nations was in bringing about democracy to southern Africa, how vital the United Nations was in protecting life and limb and human rights, and how vital the United Nations was in bringing parties together that could not speak.

Therefore, I would simply say that, albeit well-intended, the United Nations is a body where disparate voices can be heard. It is a body where rising and growing and important African nations have a stake, along with other members of this world family.

□ 1845

The United Nations is a place where China meets India, where South America meets African nations, where the United States and Canada draw together, where the European nations come together. There is not one other body that brings all of the world's countries together. It is unlike the European Union, it is unlike the OAU. It is certainly unlike the organization that deals with South America and Latin America. It is unlike any other organization. So it would be unlike us to thwart the actions of the United Nations in bringing peace now and tomorrow.

I would ask that this amendment be defeated because I think it is important to recognize what the United Nations stands for. It stands for drawing individuals together, and it stands for an opportunity for dialogue for those who could not dialogue otherwise.

Mr. ENGEL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I must rise to oppose the amendment. In fact, I think it is preposterous to even think at this stage of the game, in 1997, that we would even consider such an amendment to pull the U.S. out of the U.N. We ought to take the U.N., after the struggle to defeat the Soviet Union and to defeat communism, and we were successful, we ought to take the United Nations and utilize the United Nations to help further United States' interests, to help further United States' foreign policy.

When I was a member of the Committee on International Relations and Madeleine Albright was the U.N. rep, she came and said that. I agreed with her 100 percent. Now, now that the fight against the Soviet Union has been won, the Cold War has been won, the U.S. has emerged as the world's last remaining superpower, are we going to just take that and throw it all away?

We claim in this body that we want the world to emulate the United States. We want other nations to have free market economies. We want other nations to practice democracy. We say we want to promote democracy all over the world. What better ways to do it than through an international body like the United Nations?

As my friend and colleague from Florida said, yes, the U.N. needs to be reformed, the U.N. needs to be changed, the U.N. needs to tighten its belt. There are lots of things the U.N. needs to do. But will the U.N. do it if the United States, the leader of the world, is not part and parcel of that driving force? I would say no.

I would say, furthermore, that it is an embarrassment that the United States owes more than $1 billion in dues, in arrearages, to the U.N. That is an embarrassment. That undermines the United States' effectiveness and leadership in the United Nations, because it is very difficult for us to say to nations of the world what we think they ought to do when we are the biggest deadbeats, unfortunately, in the United Nations.

So rather than pull out of the United Nations, I think what we should do is pay our U.N. dues, pay the money we owe, and make sure that the U.N. reforms itself. Mr. Chairman, I think that the United States, as the last remaining superpower on this Earth, has an obligation not to the world but to ourselves.

Is the world not safer if democracy prevails with the United States there as a strong force in the U.N.? Is the world not safer if free market economies begin to flourish across the globe with the United States as part of the U.N., being the most influential member in the U.N.?

I can tell the Members, in countries that I have visited, they are literally begging us for a little bit of assistance. A little bit of aid would go a long, long way. I think the direction that this Congress has been taking is a wrong direction. We ought to be expanding foreign aid. It helps the United States. Three quarters of the aid that we send or give to other countries is put back into the United States in the purchase of goods and services, American goods and services. So we help ourselves and we help the world, and we make sure that democracy flourishes and free market economies flourish.

Pulling us out would be just absolutely preposterous, and would be terrible not only for the world but for the United States. We need to lead. We do not need to recoil. We do not need to be isolationists. The world is shrinking, and I believe that the United States continues and should continue to play a vital role in ensuring that democracy and free market economy is spread.

Again, it is in furtherance of our own self-interest. Now that the Soviet Union is no longer around, we can grab the bull by the horns. We can shape the United Nations. We can shape the world in terms of what we would like to see. That is done with a strong U.S. presence, not with U.S. removal from the United Nations. So I believe this is just the absolute wrong direction in which we ought to move. I really think that this is, frankly, one of the silliest things I have seen since I have been in Congress.

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

Mr. ENGEL. I yield to the gentleman from Texas.

Mr. PAUL. Mr. Chairman, the gentleman mentioned that the Soviet Union disintegration might be attributed to the United Nations, but quite frankly, it was because the U.N. did not deal with them as much as others. Think about the first episode of the U.N. troops going into Korea. We still have a dictator in North Korea, we have a government in South Korea that we protect that is not necessarily civil libertarian. Yet that is as a result of U.N. action. The Soviet system collapsed because they had a failed economic system.

I would like to just mention, and I feel very lonely here in the Congress, but take a look at this. This is a stack of petitions, thousands of petitions by the American people who disagree with our policy and would like us to at least address it, and not call it silly.

Mr. ENGLE. Mr. Chairman, reclaiming my time, I was one of the Democrats that broke with my party and supported President Bush in the Persian Gulf war. And because we had the United Nations and other people, we were very, very effective.

The CHAIRMAN. The time of the gentleman from New York [Mr. ENGEL] has expired.

(By unanimous consent, Mr. ENGEL was allowed to proceed for 30 additional seconds.)

Mr. ENGEL. Mr. Chairman, I supported President Bush in Operation Desert Storm. I think that was one of the times we utilized the United Nations, and we utilized the international community to further U.S. foreign policy interests. It was good for this country and it was good for the world. I want to say that we can do that again, and we can do that again if the United States is a vital force in the United Nations, not pulling out of the United Nations. That would be the opposite thing we ought to do.

Mr. PAUL. If the gentleman will continue to yield, let me point out that authority came from the United Nations.

Mrs. LOWEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment. I rise in strong opposition to this amendment. With all respect for my colleague, I think we have an obligation as Members of Congress to lead. I understand that there are constituents of the gentleman's and perhaps constituents of mine who are concerned with daily life. They are worried about how they are going to pay the bills, they are worried about how they are going to send their youngsters to college, they are worried about how they are going to pay the mortgage. These occupations consume them.

But as Members of Congress, I think we have a responsibility to explain to those constituents that the United States plays a key role in this world, and we are the leaders of the free world. For those of us who have an opportunity to see the important works of the United Nations, we have to speak out loudly and clearly that by raising the economic standard, by raising the standard of living of people in countries that many of our constituents have never visited, we are helping ourselves here in the United States.

Mr. Chairman, I feel very strongly that we have to pay our U.N. dues. We have to pay our arrearages. We have been a leader in the United Nations, and the fact that we have not paid our dues and have not met our responsibility does harm to our position in the United Nations.

When we look at the programs of, for example, the United Nations development program, and we see that this program has a real impact in many of the areas of the world in health care, in education, in giving people the opportunity to work and get a job and raise their standard of living, this helps us. Ignorance breeds violence too often in distant corners of the world.

Therefore, I think we have to explain to our constituents that if we give a person in Kenya, for example, or Botswana the opportunity to create a job for themselves, sometimes $300 to a microcredit program helps a woman stand tall, and this supports a whole family. This can support a whole community. We have an obligation, Mr. Chairman, to help educate our constituents.

Now, the United Nations is not perfect. There are many things that I would agree with my colleague on. We have to work, work with the new Secretary General, to make sure that these areas are reformed. But I would ask my colleagues to oppose this amendment, and in fact, take a strong position to support the United Nations and to make sure that the United States can stand tall and fulfill our responsibilities as a leader in the world by paying our arrearages.

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

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

Mr. PAUL. Mr. Chairman, I share the gentlewoman's desire for the United States to be a leader. It is just that my concept of leadership is different. We have troops in 100 countries of the world. That does not have very much to do with our national security. I am for neutrality. I want to be friends with everybody. Some say this is an isolationist viewpoint. It has nothing to do with isolationism, if we combine it with free trade.

This whole notion that we are isolating and drawing back, yes, we would like to draw some of our troops back, maybe because we are not authorized, it is not part of our national security, we do not have the funds, and it gets us into trouble. Those are the reasons why the American people are sick and tired of all this adventurism overseas.

Mr. HASTINGS of Florida. Mr. Chairman, will the gentlewoman yield?

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

Mr. HASTINGS of Florida. Mr. Chairman, I would say to the gentleman from Texas [Mr. PAUL], my distinguished colleague, those 100 countries the gentleman asserts we have troops in are not all under the aegis of the United Nations. Many of those are our bilateral responsibilities, and some are unilateral.

Mrs. LOWEY. Mr. Chairman, reclaiming my time, I would say to the gentleman from Texas [Mr. PAUL], again I would like to respectfully disagree. It has been our policy that educating the populations of the world, spreading democracy, has been in the interests of the United States. I would like to close by saying that it is in the interest of our country, of our constituents, that we do what we can to strengthen the United States, to invest in world peace. Hopefully this will keep our community safe here at home.

I would like to work with the gentleman to invest in our communities at home, to help our families be strengthened through education and through housing and health care programs. But in order to keep our constituents safe at home, we have a responsibility, in my judgment, to strengthen our role in the United Nations, to be sure that we have a United Nations that can continue to work for world peace. That is in the interest of our constituents here at home.

Mr. PAUL. If the gentlewoman will continue to yield, Mr. Chairman, I think a lot of American people want to feel secure. That is obviously part of our responsibility. But a lot of people in this country now would feel more secure if they could keep more of their own money and we were not so adventurous.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. PAUL].

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

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

The CHAIRMAN. Pursuant to House Resolution 159, further proceedings on the amendment offered by the gentleman from Texas [Mr. PAUL] will be postponed.

□ 1900

The CHAIRMAN. Are there further amendments to title XV?

AMENDMENT OFFERED BY MR. STEARNS

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

The Clerk read as follows:

Amendment offered by Mr. STEARNS: Page 156, line 12, strike ''Secretary of State'' and insert ''Congress''.

Mr. STEARNS. Mr. Chairman, I have in my hand the actual bill, H.R. 1757. If my colleagues are interested, on page 156, I am just going to read what it says in the one word we are substituting.

Of amounts authorized to be appropriated for ''Assessed Contributions to International Organizations'' by this act, the President may withhold 20 percent of the funds appropriated for the United States assessed contribution to the United Nations or any of its specialized agencies for any calendar year if the Secretary of State.

My colleagues, all my amendment does is delete the words ''Secretary of State'' and put in the word ''Congress'' so that if the Congress determines that the United Nations or any such agency has failed to implement or to continue to implement consensus-based decisionmaking procedures on budgetary matters which ensure that sufficient attention is paid to the views of the

United States and other member states that are the major financial contributors to such assessed budgets.

Mr. Chairman, I have a very simple two-line amendment which deletes the words ''Secretary of State'' and puts in the word ''Congress.'' Members might ask, why should we have Congress instead of the Secretary of State? I believe that Congress has been the central driving force to reform the United Nations. Both colleagues on this side of the aisle and this side of the aisle have made that a clarion call.

This section as it is ignores Congress' concern and wishes to administer some type of reform. We bring Congress into the mix here. By inserting the word ''Congress,'' the amendment would allow Congress to play a critical role in overseeing the pace of reform on budgetary and fiscal matters at the United Nations.

Let me make this clear, particularly to my colleagues on the other side, this amendment does not force the President to comply. It is very simple. We are not saying the President has to comply. It just says it would give the President the option of withholding 20 percent of the funds for any calendar year and allows Congress to participate, to get involved. Since Congress is appropriating the money, giving the money to the United Nations, why not have Congress come back and, working through our committee here, determine that the United Nations is indeed adhering to implementing fiscal and budgetary reform? And then we could have a House vote recommending to the President that we withhold this 20 percent.

So if my colleagues believe as elected Representatives from their districts that they want to be involved with this decision when the President decides to withhold 20 percent of the appropriated funds, the funds that belong to their districts, their taxpayers, then they should vote yes for my amendment. It is a very simple amendment.

Mr. GILMAN. Mr. Chairman, I rise in opposition to the intent of our good colleague, the gentleman from Florida [Mr. STEARNS], who has been offering this amendment.

I would like to point out though that the amendment is actually redundant. By virtue of its role in the authorization and appropriations process, the Congress is already empowered to do what the gentleman from Florida [Mr. STEARNS] is attempting to do in the amendment; namely, to assess the degree to which the U.N. is satisfactorily pursuing reform measures. The Congress is readily able to make that assessment at the time we authorize and appropriate funds for U.N. contributions.

It is also important to note and to provide to the Secretary of State the discretion to make this kind of an assessment in the periods between when the Congress appropriates and the administration actually pays our contributions so that at that point in time U.N. performance can be fully judged.

I would like to remind our good colleague, the gentleman from Florida [Mr. STEARNS], that while we are aware that the U.N. is faced with a number of problems, there is a task force at work right now, a leadership task force, to try to determine what our accurate assessment should be, to make certain that certain conditions will be imposed before we pay arrearages and determine a proper formula for payment of arrearages.

I want to commend the gentleman for focusing attention, once again, on the problems we are having with the U.N., but I would urge him to consider the fact that we already in the Congress are empowered to do what the gentleman is attempting to do by this amendment.

Mr. STEARNS. Mr. Chairman, I ask unanimous consent to strike the last word.

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

There was no objection.

Mr. STEARNS. Mr. Chairman, I appreciate what my colleague has just said. Both he and I read from the same document, and I certainly appreciate what he has to say.

I think, since he has been more intimately involved with this, I can appreciate what he is saying. Somehow, when I read it, I did not read there that it was that clear. So the insertion of the word ''Congress'' instead of ''Secretary of State,'' of course, is very simple and is not thwarting the President from doing what he wants.

When we go down to the paragraph that I believe he is citing here, which I think is line 19, ''Notice to Congress, the President shall notify the Congress when a decision is made to withhold any share of the United States assessed contribution and shall notify the Congress when the decision is made to pay any; a notification shall include appropriate consultation between the President and the President's representative.'' It is basically just a notification. There is no reaction from the Congress. There is no feeling that the Congress is involved.

It is just the President and the Secretary of State making a decision to withhold 20 percent of the funds, and I think it would be nice to have Congress involved and actually have a vote on it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. STEARNS].

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

Mr. GILMAN. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to House Resolution 159, further proceedings on the amendment offered by the gentleman from Florida [Mr. STEARNS] will be postponed.

The point of order no quorum is considered withdrawn.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 159, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

The amendment offered by the gentleman from Alabama [Mr. BACHUS]; the amendment offered by the gentleman from Florida [Mr. GOSS]; the amendment offered by the gentleman from Texas [Mr. PAUL]; and the amendment offered by the gentleman from Florida [Mr. STEARNS].

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

PARLIAMENTARY INQUIRY

Mr. BACHUS. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BACHUS. Mr. Chairman, the voice vote was yes on my amendment, and I did not request a recorded vote and am not requesting a recorded vote.

The CHAIRMAN. The aye voice vote could still prevail at the time that the amendment comes up if a recorded vote is not ordered.

AMENDMENT OFFERED BY MR. BACHUS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Alabama [Mr. BACHUS] on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated 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 277, noes 146, not voting 11, as follows:

[Roll No. 161]

AYES—277

Abercrombie	Calvert	Dickey
Aderholt	Camp	Doggett
Archer	Campbell	Doolittle
Bachus	Canady	Doyle
Baesler	Cannon	Dreier
Baker	Carson	Duncan
Baldacci	Chabot	Dunn
Ballenger	Chambliss	Edwards
Barcia	Chenoweth	Ehlers
Barr	Christensen	Ehrlich
Barrett (NE)	Coble	Emerson
Barrett (WI)	Coburn	English
Bartlett	Collins	Ensign
Barton	Combest	Eshoo
Bass	Condit	Etheridge
Berry	Cook	Evans
Bilbray	Cooksey	Everett
Bilirakis	Costello	Ewing
Bishop	Cox	Fawell
Bliley	Cramer	Foley
Blunt	Crane	Forbes
Boehner	Crapo	Fowler
Bonilla	Cubin	Fox
Bono	Cummings	Frank (MA)
Boswell	Cunningham	Franks (NJ)
Boyd	Danner	Frelinghuysen
Brady	Davis (VA)	Gallegly
Bryant	Deal	Ganske
Bunning	DeFazio	Gibbons
Burr	DeLay	Goodlatte
Callahan	Diaz-Balart	Goodling

Gordon
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (TX)
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Hulshof
Hutchinson
Hyde
Inglis
Istook
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (RI)
Kildee
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Lampson
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lucas
Luther
Maloney (NY)
Manzullo
Mascara
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
Meehan
Metcalf
Mica
Miller (FL)
Minge
Molinari
Moran (KS)
Myrick
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Obey
Ortiz
Packard
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickett
Pitts
Pombo
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Redmond
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Ryun
Salmon
Sanchez
Sandlin
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Sisisky
Skeen
Skelton
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tierney
Traficant
Turner
Upton
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Weygand
White
Whitfield
Wicker
Wolf
Young (FL)

NOES—146

Ackerman
Allen
Armey
Bateman
Becerra
Bentsen
Bereuter
Berman
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boucher
Brown (CA)
Brown (FL)
Brown (OH)
Burton
Capps
Cardin
Castle
Clay
Clayton
Clement
Clyburn
Conyers
Coyne
Davis (FL)
Davis (IL)
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Dooley
Engel
Fazio
Filner
Flake
Foglietta
Ford
Frost
Furse
Gejdenson
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Gutierrez
Hall (OH)
Hamilton
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Houghton
Hoyer
Hunter
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Kennedy (MA)
Kennelly
Kilpatrick
Kolbe
Kucinich
LaFalce
LaHood
Lazio
Leach
Levin
Lewis (GA)
Lofgren
Lowey
Maloney (CT)
Manton
Markey
Martinez
Matsui
McDermott
McGovern
McKinney
McNulty
Meek
Menendez
Millender-McDonald
Miller (CA)
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Oberstar
Olver
Owens
Oxley
Pallone
Payne
Pelosi
Pomeroy
Porter
Rahall
Rangel
Regula
Reyes
Rogers
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Scott
Serrano
Sherman
Skaggs
Slaughter
Smith (MI)
Smith (NJ)
Smith, Adam
Snyder
Spratt
Stark
Stokes
Taylor (NC)
Thompson
Torres
Towns
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Wise
Woolsey
Wynn
Yates
Young (AK)

NOT VOTING—11

Andrews
Buyer
Farr
Fattah
Goode
Jefferson
Lantos
Pickering
Royce
Schiff
Watkins

□ 1932

Mr. SPRATT, Mr. VENTO, and Mrs. KENNELLY of Connecticut changed their vote from ''aye'' to ''no.''

Messrs. BUNNING, MCHALE, DIAZ-BALART, JOHN, SHAYS, GREENWOOD, PACKARD, BARCIA, STUPAK, SHIMKUS, Mrs. KELLY, and Ms. ROS-LEHTINEN changed their vote from ''no'' to ''aye''.

So the amendment was agreed to.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to House Resolution 159, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each of the other amendments on which the Chair has postponed further proceedings.

AMENDMENT OFFERED BY MR. GOSS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Florida [Mr. GOSS] on which further proceedings were postponed on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 214, noes 211, not voting 9, as follows:

[Roll No. 162]

AYES—214

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady
Bryant
Bunning
Burr
Burton
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Crapo
Cubin
Cunningham
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Ensign
Eshoo
Everett
Ewing
Fawell
Foley
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Granger
Greenwood
Gutknecht
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Molinari
Moran (KS)
Morella
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (PA)
Petri
Pitts
Pombo
Porter
Portman
Pryce (OH)
Ramstad
Redmond
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Skeen
Smith (MI)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stump
Sununu
Talent
Tauzin
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Young (AK)
Young (FL)

NOES—211

Abercrombie
Ackerman
Allen
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Ehrlich
Engel
Etheridge
Evans
Fazio
Filner
Flake
Foglietta
Forbes
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gonzalez
Gordon
Graham
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Hostettler
Houghton
Hoyer
Jackson (IL)
Jackson-Lee (TX)
John
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McIntyre
McKinney
McNulty
Meehan
Meek

Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pickett
Pomeroy
Poshard
Price (NC)
Quinn
Radanovich
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Sherman
Sisisky
Skaggs
Skelton
Slaughter
Smith (NJ)
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson
Thurman
Tierney
Torres
Towns
Turner
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wicker
Wise
Wolf
Woolsey
Wynn
Yates

NOT VOTING—9

Andrews
Buyer
Farr
Fattah
Goode
Jefferson
Lantos
Pickering
Schiff

☐ 1946

Mr. DAVIS of Virginia and Mr. WOLF changed their vote from ''aye'' to ''no.''

Messrs. LIVINGSTON, DUNCAN, HANSEN, CASTLE, HORN, PEASE, RIGGS, and ENSIGN, Mrs. LINDA SMITH of Washington, and Ms. GRANGER changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. PAUL

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Texas [Mr. PAUL] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated 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 54, noes 369, not voting 11, as follows:

[Roll No. 163]

AYES—54

Aderholt
Barr
Bartlett
Bonilla
Burton
Chenoweth
Coburn
Combest
Crane
Crapo
Cubin
Cunningham
DeLay
Dickey
Doolittle
Duncan
Ensign
Everett
Foley
Gibbons
Hall (TX)
Hefley
Hulshof
Hunter
Istook
Johnson, Sam
Jones
Kingston
Largent
Linder
Lucas
Manzullo
McIntosh
Moran (KS)
Nethercutt
Ney
Paul
Pombo
Riley
Rohrabacher
Ros-Lehtinen
Ryun
Salmon
Scarborough
Schaefer, Dan
Schaffer, Bob
Sessions
Shadegg
Solomon
Stump
Taylor (MS)
Wamp
Weldon (FL)
Young (AK)

NOES—369

Abercrombie
Ackerman
Allen
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Collins
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Ewing
Fawell
Fazio
Filner
Flake
Foglietta
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hutchinson
Hyde
Inglis
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Molinari
Mollohan
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Neumann
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickett
Pitts
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schumer
Scott
Sensenbrenner
Serrano
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (FL)

NOT VOTING—11

Andrews
Berman
Buyer
Farr
Fattah
Goode
Jefferson
Lantos
Pickering
Royce
Schiff

☐ 1956

Mr. LIVINGSTON and Mr. WHITFIELD changed their vote from ''aye'' to ''no.''

Mr. BURTON of Indiana and Mr. WAMP changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. BERMAN. Mr. Chairman, I missed the vote on rollcall No. 163, the Paul of Texas amendment. Had I been present, I would have voted ''no.''

AMENDMENT OFFERED BY MR. STEARNS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Florida [Mr. STEARNS] on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated 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 176, noes 244, not voting 14, as follows:

[Roll No. 164]

AYES—176

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehner
Bono
Brady
Bryant
Bunning
Burr
Burton
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey

Cox
Cramer
Crane
Crapo
Cubin
Cunningham
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Foley
Fowler
Fox
Franks (NJ)
Gallegly
Gekas
Gibbons
Goodlatte
Goodling
Goss
Graham
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hutchinson
Inglis
Istook
Jenkins
Johnson, Sam
Jones
Kasich
Kelly
Kim
Kingston
Klug
Largent
Lewis (KY)
Linder
LoBiondo
Lucas
Manzullo
McCollum
McInnis
McKeon
Metcalf
Mica
Miller (FL)
Moran (KS)
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Pappas
Parker
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Pitts
Pombo
Radanovich
Redmond
Riley
Rogan
Rohrabacher
Ros-Lehtinen
Royce
Ryun
Salmon
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Talent
Tauzin
Taylor (MS)
Taylor (NC)
Thornberry
Thune
Tiahrt
Traficant
Upton
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NOES—244

Ackerman
Allen
Baesler
Baldacci
Barrett (NE)
Barrett (WI)
Bateman
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Boehlert
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson
Castle
Chabot
Clay
Clayton
Clement
Clyburn
Conyers
Costello
Coyne
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Dicks
Dixon
Doggett
Dooley
Doyle
Ehlers
Engel
Eshoo
Etheridge
Evans
Fawell
Fazio
Filner
Flake
Foglietta
Forbes
Ford
Frank (MA)
Frelinghuysen
Frost
Furse
Ganske
Gejdenson
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Gordon
Granger
Green
Greenwood
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Horn
Houghton
Hoyer
Hyde
Jackson (IL)
Jackson-Lee (TX)
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Livingston
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Molinari
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Neal
Northup
Oberstar
Obey
Olver
Owens
Packard
Pallone
Pascrell
Pastor
Payne
Pelosi
Petri
Pickett
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes
Riggs
Rivers
Rodriguez
Roemer
Rogers
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schumer
Scott
Serrano
Shaw
Shays
Sherman
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stokes
Strickland
Stupak
Tanner
Tauscher
Thomas
Thompson
Thurman
Tierney
Torres
Towns
Turner
Velazquez
Vento
Visclosky
Walsh
Watt (NC)
Waxman
Wexler
Weygand
White
Wise
Woolsey
Wynn
Yates

NOT VOTING—14

Abercrombie
Andrews
Buyer
Dingell
Farr
Fattah
Goode
Jefferson
Lantos
McIntosh
Ortiz
Pickering
Schiff
Waters

□ 2007

Mr. SANFORD changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

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

Mr. Chairman, on behalf of the majority leader, I would like to announce that we have taken the last rollcall vote of the evening. We will continue on the bill and roll any other votes that we have that are ordered until tomorrow morning.

AMENDMENTS OFFERED BY MR. GILMAN

Mr. GILMAN. Mr. Chairman, I offer amendments, and I ask unanimous consent that they be considered en bloc. The amendments are as follows:

Ewing No. 3, calling on Peru to expedite legal procedures; Jackson-Lee No. 37, State Department to monitor human rights in Ethiopia; Kennedy No. 20, special envoys to promote mutual disarmament; Kim No. 44, SOC re no transfer of nuclear waste from Taiwan to North Korea; Pallone No. 70, sense of Congress regarding U.S.-Indian relations; Pallone No. 73, sense of Congress for the protection of the Belarussian sovereignty; Rohrabacher No. 1, sense of Congress supporting Taiwan in the WTO; Vento No. 34, State Department report on Hmong and Laos refugees; Traficant, Buy America; Menendez, withholding assistance to countries that provide nuclear fuel to Cuba; Menendez, availability of amounts for Libertad and the Cuban Democracy Act; and Gejdenson, regarding the Wassenaar agreement.

Mr. Chairman, I ask unanimous consent that these amendments be considered en bloc.

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

There was no objection.

The CHAIRMAN. The Clerk will report the amendments.

The Clerk read as follows:

Amendments offered by Mr. GILMAN:

AMENDMENT TO H.R. 1757, AS REPORTED OFFERED BY MR. EWING OF ILLINOIS

At the end of title XVII (relating to foreign policy provision) add the following (and conform the table of contents accordingly):

SEC. 1717. SENSE OF THE CONGRESS REGARDING UNITED STATES CITIZENS HELD IN PRISONS IN PERU.

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

(1) The Government of Peru has made substantial progress in the effort to restrict the flow of illicit drugs from Peru to the United States.

(2) The Government of Peru has cooperated greatly with the United States Government to stop individuals and organizations seeking to transport illicit drugs from Peru to the United States and to jail such drug exporters.

(3) Any individual engaging in such exporting of illicit drugs and convicted in a court of law should face stiff penalties.

(4) Any such individual should also have a right to timely legal procedures.

(5) Two United States citizens, Jennifer Davis and Krista Barnes, were arrested in Peru on September 25, 1996, for attempting to transport illicit drugs from Peru to the United States.

(6) Ms. Davis and Ms. Barnes have admitted their guilt upon arrest and to an investigative judge.

(7) Ms. Davis and Ms. Barnes have volunteered to cooperate fully with Peruvian judicial authorities in naming individuals responsible for drug trafficking and several have been arrested.

(8) More than seven months after their arrest, Ms. Davis and Ms. Barnes have not yet been formally charged with a crime.

(9) Peruvian domestic law mandates that formal charges be brought within four to six months after arrest.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that the Government of Peru should respect the rights of prisoners to timely legal procedures, including the rights of all United States citizens held in prisons in Peru.

___

AMENDMENT TO H.R. 1757, AS REPORTED OFFERED BY MR. KENNEDY OF MASSACHUSETTS

At the end of title XVII, insert the following:

SEC. 1717. SPECIAL ENVOYS FOR MUTUAL DISARMAMENT.

The President shall instruct the United States Ambassador to the United Nations to support in the Security Council, the General Assembly, and other United Nations bodies, resolutions and other efforts to—

(1) appoint special envoys for conflict prevention to organize and conduct, in cooperation with appropriate multilateral institutions, mutual disarmament talks in every region of the world in which all nations would participate, and to report to international financial institutions on the degree of cooperation of governments with these talks;

(2) commit each member state to agree to meet with its regional special envoy within 3 months of appointment to deliver and discuss its proposal for regional (and, where appropriate, international) confidence-building measures, including mutual reductions in the size, proximity, and technological sophistication of its and other nations' armed forces, that would lead to significant cuts in threat levels and military spending; and

(3) commit each member state to agree to continue meeting with the special envoy and such regional bodies and states as the special envoy shall suggest to complete negotiations on such confidence-building measures, with the goal of making significant cuts in military spending by the year 2000.

AMENDMENT TO H.R. 1757, AS REPORTED
OFFERED BY MR. KIM OF CALIFORNIA

At the end of title XVII (relating to foreign policy provisions) insert the following new section:

SEC. 1717. SENSE OF CONGRESS RELATING TO THE TRANSFER OF NUCLER WASTE FROM TAIWAN TO NORTH KOREA.

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

(1) The Republic of China on Taiwan (Taiwan) is considering transferring low-level nuclear waste to the Democratic People's Republic of Korea (North Korea) and paying North Korea an amount in excess of $220,000,000 to accept the nuclear waste.

(2) The transfer of nuclear waste across international boundaries creates worldwide environmental safety concerns.

(3) North Korea rejected the request of the International Atomic Energy Agency (IAEA) to inspect 2 nuclear facilities at Yongbyon in March 1993, in violation of Article III of the Treaty on the Non-Proliferation of Nuclear Weapons, to which North Korea is a signatory.

(4) North Korea has historically been unwilling to allow any third party investigators to inspect its nuclear waste storage facilities.

(5) The failure of North Korea to store nuclear waste safely raises environmental concerns on the Korean peninsula.

(6) The United States has in excess of 37,000 military personnel, plus their families, on the Korean peninsula.

(7) The current North Korean regime has been linked to numerous terrorist activities, including the bombing in 1987 of a Korean Airline aircraft, and the bombing in 1983 in Rangoon, Burma, which killed 4 South Korean Government and 13 diplomatic officials.

(8) North Korea continues to be listed by the United States Department of State as a state supporting international terrorism.

(9) The several hundred million dollars of hard currency generated by this transaction could be used by the militarist regime in North Korea to continue their reign of terror over their own people and the sovereign nations of the Pacific Rim.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the Government of Taiwan should refrain from issuing an export license for the transfer of nuclear waste to North Korea until all parties on the Korean peninsula can be assured that—

(1) North Korea can safely handle this nuclear waste;

(2) North Korea will submit to independent third party inspection of their nuclear storage facilities; and

(3) North Korea indicates a willingness to comply with the commitments it made in the ''Agreed Framework'', entered into in 1994 between North Korea, South Korea, Japan, and the United States, relating to nuclear materials and facilities in North Korea, and meet International Atomic Energy Agency safeguards with respect to North Korea's nuclear program.

AMENDMENT TO H.R. 1757, AS REPORTED
OFFERED BY MR. PALLONE OF NEW JERSEY

At the end of title XVII (relating to foreign policy provisions) insert the following new section:

SEC. 1717. CONGRESSIONAL STATEMENT REGARDING PRIME MINISTER GUJRAL OF INDIA.

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

(1) Prime Minister Gujral of India has recently received a vote of confidence from the Indian parliament.

(2) Prime Minister Gujral is committed to strengthening ties between the United States and India through the continuation of free market reforms and initiatives.

(3) The Gujral government is on the verge of passing a budget package that will carry forward economic reforms initiated in 1991 that have opened India to foreign investment and trade.

(4) Prime Minister Gujral has made it a priority to improve relations with Pakistan and has recently met with the Prime Minister of Pakistan, Nawaz Sharif, to better relations between the two countries.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the Clinton Administration should support and work closely with Indian Prime Minister Gujral in strengthening relations between the United States and India and improving relations in the South Asia region.

AMENDMENT TO H.R. 1757, AS REPORTED
OFFERED BY MR. PALLONE OF NEW JERSEY

At the end of title XVII (relating to foreign policy provisions) insert the following new section:

SEC. 1717. SENSE OF CONGRESS REGARDING THE SOVEREIGNTY OF BELARUS.

It is the sense of the Congress that the President should strongly urge the Government of President Aleksandr Lukashenka of the Republic of Belarus to defend the sovereignty of Belarus, maintain its independence from the Russian Federation, abide by the provisions of the Helsinki Accords and the constitution of the Republic of Belarus and guarantee freedom of the press, allow for the flowering of the Belarusan language and culture, and enforce the separation of powers.

AMENDMENT TO H.R. 1757, AS REPORTED OFFERED BY MR. ROHRABACHER OF CALIFORNIA

At the end of title XVII (relating to foreign policy provisions) insert the following new section:

SEC. 1717. CONGRESSIONAL STATEMENT REGARDING THE ACCESSION OF TAIWAN TO THE WORLD TRADE ORGANIZATION.

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

(1) The people of the United States and the people of the Republic of China on Taiwan have long enjoyed extensive ties.

(2) Taiwan is currently the 8th largest trading partner of the United States, and exports from the United States to Taiwan total more than $18,000,000 annually, substantially more than the United States exports to the People's Republic of China.

(3) The executive branch has committed publicly to support Taiwan's bid to join the World Trade Organization and has declared that the United States will not oppose this bid solely on the grounds that the People's Republic of China, which also seeks membership in the World Trade Organization, is not yet eligible because of its unacceptable trade practices.

(4) The United States and Taiwan have concluded discussions on a variety of outstanding trade issues that remain unresolved with the People's Republic of China and that are necessary for the United States to support Taiwan's membership in the World Trade Organization.

(5) The reversion of control over Hong Kong—a member of the World Trade Organization—to the People's Republic of China, scheduled by treaty to occur on July 1, 1997, will, in many respects, afford to the People's Republic of China the practical benefit of membership in the World Trade Organization for the substantial portion of its trade in goods—despite the fact that the trade practices of the People's Republic of China currently fall far short of what the United States expects for membership in the World Trade Organization.

(6) The executive branch has announced its interest in the admission of the People's Republic of China to the World Trade Organization; the fundamental sense of fairness of the people of the United States warrants the United States Government's support for Taiwan's relatively more meritorious application for membership in the World Trade Organization.

(7) It is in the economic interest of United States consumers and exporters for Taiwan to complete the requirements for accession to the World Trade Organization at the earliest possible moment.

(b) CONGRESSIONAL STATEMENT.—The Congress favors public support by officials of the Department of State for the accession of Taiwan to the World Trade Organization.

AMENDMENT TO H.R. 1757, AS REPORTED
OFFERED BY MR. VENTO OF MINNESOTA

At the end of title XVII insert the following new section:

SEC. 1717. REPORTS AND POLICY CONCERNING HUMAN RIGHTS VIOLATIONS IN LAOS.

Within 180 days after the date of the enactment of this Act, the Secretary of State shall report to the appropriate congressional committees on the allegations of persecution and abuse of the Hmong and Laotian refugees who have returned to Laos. The report shall include:

(1) A full investigation, including full documentation of individual cases of persecution, of the Lao Government's treatment of Hmong and Laotian refugees who have returned to Laos.

(2) The steps the State Department will take to continue to monitor any systematic human rights violations by the Government of Laos.

(3) The actions which the State Department will take to ensure the cessation of human rights violations.

AMENDMENT TO H.R. 1757 OFFERED BY MR. MENENDEZ

At the end of the bill add the following (and conform the table of contents accordingly):

TITLE . WITHHOLDING OF ASSISTANCE TO COUNTRIES THAT PROVIDE NUCLEAR FUEL TO CUBA

(a) IN GENERAL.—Section 620 of the Foreign Assistance Act of 1961 (22 U.S.C. 2370), as amended by this Act, is further amended by adding at the end the following:

''(y)(1) Except as provided in paragraph (2), the President shall withhold from amounts made available under this Act or any other Act and allocated for a country for a fiscal year an amount equal to the aggregate value of nuclear fuel and related assistance and credits provided by that country, or any entity of that country, to Cuba during the preceding fiscal year.

''(2) The requirement to withhold assistance for a country for a fiscal year under paragraph (1) shall not apply if Cuba—

''(A) has ratified the Treaty on the Non-Proliferation of Nuclear Weapons (21 UST 483) or the Treaty of Tlatelelco, and Cuba is in compliance with the requirements of either such Treaty;

''(B) has negotiated and is in compliance with full-scope safeguards of the International Atomic Energy Agency not later than two years after ratification by Cuba of such Treaty; and

''(C) incorporates and is in compliance with internationally accepted nuclear safety standards.

''(3) The Secretary of State shall prepare and submit to the Congress each year a report containing a description of the amount of nuclear fuel and related assistance and credits provided by any country, or any entity of a country, to Cuba during the preceding year, including the terms of each transfer of such fuel, assistance, or credits.''.

(b) EFFECTIVE DATE.—Section 620(y) of the Foreign Assistance Act of 1961, as added by subsection (a), shall apply with respect to assistance provided in fiscal years beginning on or after the date of the enactment of this Act.

AMENDMENT OFFERED BY MR. MENENDEZ

At the end of bill add the following (and conform the table of contents accordingly):

Title . AVAILABILITY OF AMOUNTS FOR CUBAN LIBERTY AND DEMOCRATIC SOLIDARITY ACT OF 1996 AND THE CUBAN DEMOCRACY ACT OF 1992

Not less than $2,000,000 shall be made available under Chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346; relating to economic support fund), for fiscal years 1998 to 1999 to carry out the programs and activities under the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6021 et. seq.) and the Cuban Democracy Act of 1992 (22 U.S.C. 2001 et. seq.)

AMENDMENT TO H.R. 1757 OFFERED BY MR. GEJDENSON OF CONNECTICUT

Add the following new title to the end of the bill (and adjust the table of contents accordingly)

Title

It is the sense of Congress and the President of the United States should attempt to achieve the foreign policy goal of an international arms sales code of conduct with all Wassenaar Arrangement countries. The purpose of this goal shall be to achieve an agreement on restricting or prohibiting arms transfers to countries that:

(1) Do not respect democratic processes and the rule of law;

(2) Do not adhere to internationally-recognized norms on human rights; or

(3) Are engaged in acts of armed aggression.

AMENDMENT TO H.R. 1757 Offered by Mr. Traficant of Ohio

At the end of the bill add the following (and conform the table of contents accordingly):

DIVISION C—BUY-AMERICAN REQUIREMENTS

SEC. 2001. BUY-AMERICAN REQUIREMENTS.

(A) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available in this Act may be expended by an entity unless the entity agrees that is expending the funds the entity will consistent with International Trade Agreements implemented in U.S. Law, comply with the Buy American Act (41 U.S.C. 10a–10c).

(b) SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.—

(1) PURCHASE OF AMERICAN-MADE REQUIREMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

(c) PROBATION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label hearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

Mr. GILMAN (during the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read and printed in the RECORD.

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

Mr. BEREUTER. Mr. Chairman, reserving the right to object, under the reservation I would ask our chairman, the gentleman from New York (Mr. GILMAN], if he would describe what the Pallone amendment on Indian-American relations is about.

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

Mr. BEREUTER. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, I would just take this moment on the gentleman's reservation, important reservation, to thank the chairman, the gentleman from New York [Mr. GILMAN], for his support for the inclusion of the amendment dealing with the Hmong and State Department report on that and the human rights and abuses and allegations that are going on, and I very much appreciate the chairman's support for that amendment, the ranking member's support. It is an important amendment to me and to the constituency I represent and to the people of Laos.

Mr. Chairman, I have an amendment at the desk, amendment No. 8, as filed in the RECORD on May 14, 1997, with revisions as filed in the Committee on Rules, and it is being included in the en bloc amendment. I appreciate this cooperation and thank Chairman GILMAN and Representative HAMILTON for their help. This amendment will require the State Department to report to Congress on the allegations of persecution and abuse of Hmong and Laotian refugees who have repatriated to Laos following the Southeast Asia conflict. Such an extraordinary State Department analysis is urgently needed because of the current and continued reports which allege serious human rights violations, persecution, and loss of life being experienced by the Hmong in Laos—in years past and today.

The Hmong fought on the side of the United States in special guerrilla units during the Vietnam war at great sacrifice to themselves, their families, and their entire community. After the war, many of the Hmong who did survive the battlefields of their homeland were welcomed to the United States, while 10,000 Hmong remained in the refugee camps in Thailand until the closure of the camps in recent years. There have been continuous allegations of persecution and abuse of the Hmong who repatriated to Laos. In recent months, press reports describe bone-chilling nighttime massacres of Hmong villagers, including children.

The United States must thoroughly investigate these allegations promptly. Hmong families are reported to be threatened daily under the Communist government in Laos, and our Nation, the United States, is the only nation with the clout and resources to stop this persecution. The State Department's own ''Country Report on Human Rights Practices for 1996'' reads: ''There continued to be allegations that the Government has detained three Hmong males since 1992, because of their association with the U.S. Government prior to 1975. The Lao Government has thus far not responded directly to repeated inquiries about these allegations.'' According to reports, there is only a mere sampling of the thousands of allegations of violent political persecution suffered by the Hmong which have been resolved.

The language in my amendment would require the State Department to report to Congress on the Lao Government's treatment of Hmong and Laotian refugees who have returned to Laos. This report should include the steps the State Department will take to continue to monitor any systematic human rights violations by the government of Laos. The purpose of this amendment is to ensure that the State Department is fully engaged and committed to the vigilant investigation of human rights violations in Laos.

This amendment is a reasonable requirement and isn't unduly burdensome on the Department of State and would help address in an orderly manner concerns raised by other Members of Congress, the media, and human rights organizations. The public light shed on this issue would help ensure adherence to recognition of universal human rights. I am pleased by the bipartisan support for this amendment and hope to continue to gain bipartisan support so that this vento proviso becomes law.

Over the years, I have worked to help the Hmong who resettled in the United States and believe that we certainly must not turn our backs on those who repatriated to Laos. I would like to thank the Chairman GILMAN, Representative HAMILTON, and Representative SOLOMON for their support and affording me the opportunity to have this amendment acted upon on the Floor. I urge my colleagues to support the en bloc amendment.

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

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

Mr. GILMAN. With regard to the Pallone amendment, it is H.R. 1486. It is a congressional statement regarding Prime Minister Gujral of India. The Congress makes the following findings:

That the Prime Minister has recently received a vote of confidence from the Indian parliament;

Prime Minister Gujral is committed to strengthening ties between our Nation and India through the continuation of free market reforms and initiatives;

The Gujral government is on the verge of passing a budget package that will carry forward economic reforms initiated in 1991 and will help India reform investment and trade;

Prime Minister Gujral has made it a priority to improve relations with Pakistan and has recently met with the Prime Minister of Pakistan, Nawaz Sharif, to better relations between the two nations.

It is a sense of Congress that the Clinton administration should support and work closely with Indian Prime Minister Gujral in strengthening relations between the United States and India and improving relations in the south Asian region.

Mr. BEREUTER. Mr. Chairman, I do thank the gentleman under my reservation for yielding me this information. I want to commend the gentleman from New Jersey for his initiative.

Mr. Chairman, I withdraw my reservation of objection.

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

Ms. JACKSON-LEE of Texas. Mr. Chairman, reserving the right to object, I would like to inquire of the gentleman whether or not the Jackson-Lee amendment dealing with the Ethiopian human rights has been included in the en bloc amendment?

□ 2015

Mr. GILMAN. Mr. Chairman, would the gentlewoman repeat her question?

Ms. JACKSON-LEE of Texas. Mr. Chairman, I would like to ask the gentleman from New York [Mr. GILMAN], and as I am asking I am going to thank him as well, but I am trying to determine whether the Jackson-Lee amendment dealing with monitoring human rights in Ethiopia has been included.

As the chairman of the committee recognizes, Ethiopia does not have an independent judicial system, and as well has found that it has mutilated female genitals and also has found many individuals incarcerated for their political views. So I am very concerned that the State Department monitors the human rights activities in Ethiopia, and I would like to know if that amendment is included in the en bloc that we are now discussing at this point.

Mr. GILMAN. Mr. Chairman, if the gentlewoman would yield, I would say in response that the amendment, as reported and offered by the gentlewoman from Texas [Ms. JACKSON-LEE], assistance for Ethiopia, the Department of State should closely monitor and take into account human rights progress in Ethiopia as it obligates fiscal year 1997 funds for Ethiopia authorized to be appropriated by this act.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentleman for his response to that. I was concerned, Mr. Chairman, that that was not included.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I would like to offer this amendment to H.R. 1757, the State Department Authorization legislation that the House is considering. It is critical to the development of beneficial relations between our Nation and other countries around the world that we clearly communicate our interests.

According to the State Department, Ethiopia's Government limits freedom of association and refuses to register several nongovernmental organization. Societal discrimination and violence against women and abuse of children remains to be a problem; the aberrant act of female genital mutilation is nearly universal.

The Government has encouraged the efforts of domestic and international nongovernment organizations that focus on children's social, health, and legal issues. However, with daunting development challenges and severely limited resources, direct government support beyond efforts to provide improved health care and basic education remain limited.

Societal abuse against young girls continue to be a serious problem. Almost all girls undergo some form of female genital mutilation, which is widely condemned by international health, experts as damaging to both physical and psychological health. Clitorectomies are typically performed 7 days after birth and the excision of the labia and infibulation, the most extreme and dangerous form of female genital mutilation, can occur any time between the age of 8 and the onset of puberty. Female genital mutilation is not specifically prohibited. Early childhood marriage is common in rural areas, with girls as young as age 9 being party to arranged marriages. The maternal mortality rate is extremely high, due in part to food taboos for pregnant women, early marriage, and birth complications related to female genital mutilation.

The Constitution states that all persons are equal before the law. The law provides that all persons should have equal and effective protection without discrimination on grounds of race, color, sex, language, religion, political or other opinion, national or social origin, wealth, birth, or other status. The Government, however, has not yet put fully into place mechanisms for effective enforcement of these protections.

Equality for women is not applied in practice. Domestic violence, including wife beating and rape, are pervasive social problems.

The Government of Ethiopia has taken a number of steps to improve its human rights practices, but serious problems as you can imagine remain. The Government restricts freedom of the press and detained or imprisoned 14 journalists in 1996. At year's end, most were accused or convicted of inciting ethnic hatred or publishing false information in violation of the 1992 Press Law.

The Constitution and both the Criminal and Civil Codes prohibit arbitrary arrest and detention, but the Government does not always respect these rights in practice. Nationwide, thousands of alleged suspects remain in detention without charge or trial at the close of 1996. Most often these detections resulted from the severe shortage and limited training of judges, prosecutors, and attorneys.

Ethiopia does not have an independent justice system. Judges and Public Prosecutors have been discharged if their judgment is not according to political conveniences.

I know that the United States can not totally relieve the suffering of people in all nations. However, we can offer a carrot and stick approach in our appropriations to those nations in order to effectively communicate our concerns regarding policies which are inconsistent with our own interest and values.

Ethiopia has shown a willingness to respond to the concerns of the United States regarding human rights, and I believe that this amendment to the State Department Authorization is needed to encourage greater strides in human rights and democratic activity in that country. The United States should not abandon an opportunity to increase human rights in Ethiopia and save lives.

This amendment would add an additional section to division B under title XVII of the Foreign Relations Authorization Act for fiscal years 1998 and 1999. The amendment states that the Department of State should closely monitor and take into account human rights progress in Ethiopia.

I urge my colleagues to support my amendment.

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

Ms. JACKSON-LEE of Texas. Further reserving the right to object, I yield to the gentleman from Maryland.

Mr. CUMMINGS. Mr. Chairman, I want to thank the gentlewoman from Texas for yielding.

Almost exactly 6 years ago the brutal Mengistu regime in Ethiopia, notorious for having one of the bleakest human rights records on the continent, fell. At that time there was much hope that the country was finally entering a period of democracy and respect for human rights.

Sadly, the government continues to divide the nation's peoples into ethnic-based enclaves, each purposely pitted against the other, with the goal of facilitating the dictatorial regime. This ploy has endangered the Ethiopian people with the inevitable consequence of civil war, with repercussions far worse than the tragedies that transpired in Bosnia and Rwanda.

Until the current government took over, Ethiopia was one of a few stable democratic countries in the sub-Saharan Africa. Now, all the democratically hostile countries surrounding Ethiopia, such as Sudan, Somalia, Iraq and Iran, are seeking to exploit the chaotic situation in the country by exerting their negative influences, and therefore I support the gentlewoman's amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentleman from New York [Mr. GILMAN] very much for confirming that this is accepted, and I withdraw my reservation of objection.

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

There was no objection.

Mr. GILMAN. Mr. Chairman, I thank the gentlewoman for offering this important amendment.

The CHAIRMAN. The gentleman from New York [Mr. GILMAN] is recognized for 5 minutes in support of his en bloc amendment.

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

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

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentleman. It

seems in our effort to work together, and I thank the gentleman so very much, that we had to comply with the opening language of this legislation.

I would like to make a technical amendment to insert the fiscal year 1997 and fiscal year 1998 on the Jackson-Lee amendment in the en bloc amendment.

Mr. GILMAN. Mr. Chairman, we are pleased to accept the technical amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I ask unanimous consent to make the aforementioned technical changes.

Mr. GILMAN. Mr. Chairman, we recognize the technical amendment and address it.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentleman very much.

The CHAIRMAN. The Chair would say to the gentlewoman, the modification has to be in writing.

Ms. JACKSON-LEE of Texas. I thank the Chairman.

Mr. GILMAN. Mr. Chairman, I yield to the gentleman from Florida [Mr. STEARNS].

Mr. STEARNS. Mr. Chairman, the gentleman's amendment has been accepted en bloc, then?

Mr. GILMAN. The gentleman is correct.

Mr. STEARNS. Mr. Chairman, I have an amendment at the desk.

The CHAIRMAN. There is an amendment pending.

Mr. PALLONE. Mr. Chairman, I move to strike the last word on the en bloc amendment.

The CHAIRMAN. The gentleman from New York [Mr. GILMAN] is controlling the time.

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

Mr. GILMAN. I yield to the gentleman from New Jersey.

Mr. PALLONE. Mr. Chairman, I just wanted to thank the chairman of the full committee, the gentleman from New York [Mr. GILMAN], as well as the chairman of the subcommittee, the gentleman from Nebraska [Mr. BEREUTER] and the ranking members for including my two amendments as part of the en bloc amendment.

Just very briefly, if I could comment on the two amendments. One that was already mentioned by the gentleman from Nebraska directs the Clinton administration to work closely with Indian Prime Minister Gujral in strengthening relations with the U.S., protecting U.S. interests in South Asia, and creating peace and stability in the region.

I just believe that this is important, because U.S. relations in South Asia are at the critical point, and I think it is imperative that we recognize and support the ''Gujral Doctrine'' which basically has been an instrument to bring peace between the various nations in South Asia.

I think many of us know that after three wars and 50 years of tense relations, India and Pakistan have finally agreed to work together to promote peace and economic prosperity, not only through bilateral relations, but also through other countries in South Asia.

The main reason for this amendment was to basically indicate U.S. support for the Gujral Doctrine which says that these countries should work together, not only diplomatically and to avoid possible conflict, but also economically and in terms of their trade.

The other en bloc amendment relates to democracy, sovereignty and human rights in Belarus. Again, I want to thank the chairman and the ranking member.

This amendment expresses the sense of Congress that our President should strongly urge the government of President Lukashenka of the Republic of Belarus to defend the sovereignty of Belarus, maintain its independence from the Russian Federation, abide by the provisions of the Helsinki Accords, as well as Belarus's own constitution, and guarantee freedom of the press, enforce separation of powers and allow for the Belarusan language and culture to flourish.

That may all seem very simple and something that any nation would normally do and any president would normally do. But as I think most of us know, the recently installed parliament of Belarus approved an integration deal with Russia last week, and this parliament was created after a preferential referendum last year and has been criticized as being a rubber stamp for the hard-line President Lukashenka.

Many opposition leaders in Belarus, as well as Western observers, believe that last year's referendum was illegitimate. Essentially what we have in Belarus is an effort to suppress the Belarusan language and culture and to integrate it almost in terms of one nation ultimately with Russia.

What we are saying in this amendment is that that is not the way that Belarus should go. The Belarusan-American community feels very strongly that this integration deal is not the way to go and is a sellout of Belarusan national interests.

Again, I want to thank the chairman and others who have been supportive in including this in the en bloc amendment.

Mr. GILMAN. Mr. Chairman, I thank the gentleman for his supporting comments.

MODIFICATION OFFERED BY MS. JACKSON-LEE TO THE AMENDMENTS OFFERED BY MR. GILMAN

Ms. JACKSON-LEE of Texas. Mr. Chairman, I ask unanimous consent to replace the Jackson-Lee amendment that was accepted graciously by the gentleman from New York [Mr. GILMAN] in the en bloc with a technical change substitute amendment.

The CHAIRMAN pro tempore (Mr. DICKEY). The Clerk will report the modification.

The Clerk read as follows:

Modification offered by Ms. JACKSON-LEE of Texas to the amendments offered by Mr. GILMAN:

In lieu of the matter proposed to be included in the en bloc amendment, insert the following:

At the end of title XVII insert the following new section:

SEC. 1717. ASSISTANCE FOR ETHIOPIA.

The Department of State should closely monitor and take into account human rights progress in Ethiopia as it obligates fiscal year 1998 and 1999 funds for Ethiopia authorized to be appropriated by this Act.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

Mrs. HARMAN. Mr. Chairman, I rise today in strong support of the amendment offered by my colleague, Mr. EWING of Illinois, expressing the sense of Congress that the Government of Peru should respect the rights of prisoners to timely legal procedures.

I take particular interest in this amendment because of the problems one of my constituents, Ms. Krista Barnes, has had with the Peruvian judicial system. Ms. Barnes and a friend, Jennifer Davis, allegedly accepted an offer of a free trip to Peru in exchange for smuggling cocaine into that country. They were arrested in Lima, Peru on September 25, 1996.

Mr. Chairman, Krista Barnes and her friend may have made a huge mistake. If they broke the law, I do not in any way advocate excusing them from the consequences. But they do deserve, at the least, a fair and speedy trial. Even after fully cooperating with Peruvian authorities, and providing information leading to additional arrests, they still have not been charged with a crime, let alone granted a trial. It has been more than 8 months since Krista Barnes and Jennifer Davis were taken into custody. Peruvian domestic law requires that formal charges be brought within 4 to 6 months after arrest.

This amendment strikes the right balance by pointing out the substantial and important progress the Peruvian Government has made in restricting the flow of illegal drugs between our two countries, and by stating the importance of strict penalties for convicted drug smugglers. But it also makes clear just how important to America it is that her partners in the War on Drugs respect the rule of law and grant fair and speedy dispensation of justice to prisoners. I strongly urge my colleagues to support the Ewing amendment.

Mr. KIM. Mr. Chairman, this amendment is a sense of Congress. It asks Taiwan to reconsider its proposed deal to pay North Korea $220 million to store 200,000 barrels of Taiwanese nuclear waste in North Korea.

There are several reasons to oppose this deal.

First: If the current deal goes through, it would set a precedent for the buying and selling of nuclear waste on the open market, just like any other world commodity. But this isn't any normal commodity.

The ramifications of this deal are very serious: It will be promoting the unregulated, international transfer of nuclear waste across international boundaries, without monitoring or safeguards.

Second: North Korea transporting this waste—unsupervised—across the open seas should frighten us all.

What assurances do we have that North Korea will take proper safety precautions?

Remember the ecological disaster that resulted from the Exxon Valdez accident? And that was just an oil spill. An accident during the transportation of this radioactive material could be much worse.

Third: What assurances do we have that North Korea will safely store this waste? They have never opened their storage facilities for international inspection. Never.

At a minimum, this deal should require a 3d party inspection by an independent organization like the IAEA.

All we know is that North Korea plans to dump the waste into abandoned mines along the DMZ.

What if the material leaks into the water table or air? That would be an environmental nightmare.

The United States has 37,000 troops on the Korean Peninsula, many right along the DMZ. They would be among the first to be exposed in the event of an accident.

In addition, Seoul, a city of over 10 million people—including tens of thousands of U.S. civilians—is only 24 miles from the DMZ.

This scares me, Mr. Chairman.

Fifth: The rogue regime in North Korea could use this waste as a political pawn with which to hold the South hostage.

Sixth: We have no idea what the North Koreans will do with the $220 million in hard currency they will receive in this deal.

Will the Communist dictatorship in North Korea continue to bolster their aggressive million man army threatening our young men and women in the Pacific Rim?

Will they build more missiles to point at us?

Mr. Chairman, my amendment simply expresses the Sense of Congress that Taiwan should stop this deal until all of these serious environmental, safety and security concerns are satisfactorily addressed.

I urge my colleagues to support this reasonable amendment.

Mr. ROHRABACHER. Mr. Chairman, my amendment which is included in the en block amendment would put Congress on record in support of the effort by Taiwan to be admitted to the World Trade Organization. Taiwan, which has a democratically elected government, is currently the eighth largest trading partner of the United States. Taiwan has a population of 20 million people compared to 1.2 billion in China. However, exports from Taiwan substantially total more than U.S. exports to the Communists People's Republic of China, which has surpassed Japan in holding the largest annual trade imbalance with the United States. The executive branch has announced an interest in the admission of the People's Republic of China to the World Trade Organization. It is not only a matter of fundamental fairness, that democratic Taiwan also be admitted. The administration has, in fact, also indicated an interest in Taiwan's admission. This afternoon both the State Department and the Office of the U.S. Trade Representative expressed support for my amendment. It is in the economic interest of United States consumers and exporters for Taiwan to complete the requirements for admission to the World Trade Organization at the earliest possible moment.

The CHAIRMAN. The question is on the amendments, as modified, offered by the gentleman from New York [Mr. GILMAN].

The amendments, as modified, were agreed to.

AMENDMENT OFFERED BY MR. STEARNS

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

The Clerk read as follows:

Amendment offered by Mr. STEARNS:

At the end of title XVII (relating to foreign policy provisions) insert the following new section:

SEC. 1717. STUDY OF THE UNITED NATIONS.

It is the sense of the Congress that the President and the Permanent Representative of the United States to the United Nations should strongly encourage the United Nations to establish a commission to study, report, promptly, concerning—

(1) establishing a new location for the headquarters for the United Nations; and

(2) to establish the United Nations as a part-time body.

Mr. STEARNS. Mr. Chairman, this is truly an historic amendment that I wish my colleagues would consider carefully. The United Nations has been located in New York City for 51 years. Why not have a new location for the United Nations? I am not sure the delegation from New York would agree, but if they will think about it, that property is very valuable, and it does not hurt for the United Nations to look at alternative locations.

In addition, my amendment asks the United Nations for a study of ways to simplify, ways to move their body into a part-time, evolving United Nations.

I pulled up on the web page, Mr. Chairman, the list of locations and system organizations that are part of the U.N., and it just goes on A through Z here, of all of the different locations that are just sort of reporting back to New York City.

My point is that we need to bring the United Nations into a new location, to try and simplify it and look for ways to bring down the cost. Obviously it could be put in parts of the United States where the cost is not so high, or it could be put in Europe, it could be put in Asia. But I think after 51 years it is time to look at putting the United Nations in a new location.

The current structure of the United Nations does not reflect the real world. Many corporations, after 51 years in one location, look at cost-saving devices and look at ways to move their headquarters somewhere else. In fact, in New York City there are a lot of corporate headquarters that move to Stanford, Connecticut, or Greenwich, Connecticut, or Omaha, Nebraska. Why cannot the United Nations look at the possibility of relocating itself?

The world we live in today is much different than the post-World War II era that led to the creation of the United Nations. It has a monstrous bureaucracy, and I think we need to start the process of downsizing the United Nations just like we have downsized the United States Government.

In 1994, we had a revolution here where we tried to change things, and we did. We created savings and we instituted new reforms here. We need the United Nations to come on board and start their reforms too.

Individual States do it, countries do it, corporations do it. It is time the United Nations started to reflect the global changes and the need to institute reforms and to relocate the United Nations.

So it is a very simple amendment here. I am sure the chairman might not necessarily agree about the relocation. I am not asking for it to go to Florida. I am just asking for the United Nations to put up a commission and say look, we are going to look at it. It is not a big deal here.

Why can we not have new thinking at the United Nations, instead of having all of these delegates file into the United Nations year in and year out? I think we would not see these 131,000 parking tickets which were issued by the New York City police to U.N. diplomatic and consular vehicles, and none of them were paid. So maybe now is the time to look at this bureaucracy.

Mr. Chairman, I am asking the United Nations to start the first step, to go ahead and establish preliminary plans to relocate the United Nations to another country, or perhaps they might think another location within the United States.

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

Mr. STEARNS. I yield to the gentleman from Nebraska.

Mr. BEREUTER. Mr. Chairman, I notice that the gentleman mentioned Omaha, Nebraska, and I just wanted to tell him there is no ground swell of support for the United Nations being located in Omaha, but I thank the gentleman.

Mr. STEARNS. Mr. Chairman, I think that probably confirms that Omaha, Nebraska is out the window for the site location, but I would say that perhaps there are places in Europe or places in other parts of the world that might welcome the United Nations.

□ 2030

I think the gentleman's point might be well taken. I am sure they feel the same way in Ocala, Florida, which is my home State, and other parts of central Florida. We do not want to see the United Nations certainly in New York City anymore. We would like to see it relocated, but more importantly, we would like to see the United Nations move in the direction corporations are doing today by downsizing; and like we see here in Congress and the Senate and the House, while we are downsizing and trying to make the government more efficient and less expensive, why not have the United Nations do the same thing?

That is the gist of my amendment. I urge my colleagues to support it when we vote on it tomorrow, Mr. Chairman.

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

Mr. Chairman, I want to oppose the amendment. Having been born and raised in Omaha, Nebraska, I, too, picked up on that suggestion. Maybe if Omaha does not want it, Lincoln

might; I do not know. That is beyond the bounds of this.

Mr. Chairman, first of all, I question the sense-of-Congress kind of ruling. I am new at this business, but I think those are very difficult kinds of petitions to deal with. As a general rule, the sense-of-Congress language, I think, is problematic. I would oppose this amendment on those grounds. I am not enthusiastic about the proposal. I certainly do not accept that the United Nations should be a part-time body. I think it has so much more to do than can be done as a part-time institution.

I wonder if the gentleman has asked the New York delegation how they feel about moving the United Nations away from New York. I am not at all sure that this would be a positive development. It seems to me that the United Nations has headquarters in New York, with major presences in Geneva and elsewhere around the world, and that is the way it ought to be. I am going to oppose this amendment on those grounds and still other grounds.

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

Mr. CAPPS. I yield to the gentleman from Florida.

Mr. STEARNS. Mr. Chairman, there are some Members of Congress from New York that would perhaps like to see it leave New York City.

The second point is that the sense of Congress is the only avenue we have available to try and put in place a feeling that the United Nations should look at another location. The United Nations does not have to be forever in New York City. So I think the fact that the United Nations could set up a commission to look at alternative selection sites is not an unreasonable sense of Congress, if you will, because that is the only avenue we have under this bill without it not being germane. This is the only way I could do it.

We do sense of Congresses on the House floor all the time. It is not something that is new. I think the Members should realize that we have probably done 30 sense of Congresses in the last 60 days, so it is not a new type of parliamentary procedure, it is not a new type of procedure.

Towards the idea of a United Nations as a part-time body, the United Nations should look at some of their agencies that could be part-time. They do not have to have every agency which is in this Web site that I have listed, which is line after line of different agencies; not every one of those has to be full time, 365 days, 52 weeks a year.

I would urge my colleague to reconsider, and say basically that he is optimistic that the United Nations would find another location, and that they could do a commission report, and it would be a harmless yet an exploratory, an exploratory way for the United Nations to see is it the best value for taxpayers and for people from other countries to support the United Nations and to continue in New York City?

Obviously that real estate is very, very valuable. There obviously could be other places where the United Nations could go that would be less expensive. Every corporation in America, every corporation in this country, looks at cost-saving ways to bring the cost down, and likewise the United Nations could do the same thing by looking at an alternative location. I thank the gentleman for yielding, for his courtesy.

Mr. CAPPS. Mr. Chairman, I think the amendment would have more force if the initiative had come from the United Nations itself. But I simply oppose the amendment.

Mr. ENGEL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am from New York and represent a district in New York City, Bronx, New York, and am from Westchester, New York, just north of the city. I can tell the Members that we in New York are very proud of the United Nations. We are very proud to have it in New York. New York is a wonderful city.

By the way, I must say that the latest crime statistics have come out and New York is now the safest city in the country of any city of 1 million population or more, and we are very proud of that. Part of what makes New York New York is the United Nations. New York certainly is a very international city. It is a city of which we are proud. We are very happy to have the United Nations there.

The United Nations pumps $3 billion a year into the New York economy. That is a lot of money; 20,000 jobs in the U.N. into the New York economy. That is a lot of money. New York, being the largest city in this country, it is the financial center of this country, and it is near the national center of the country.

I can tell the Members that my friend, the gentleman from Florida, is very wrong in terms of this amendment. I think that the people of New York, New York City, and the metropolitan area of New York, which includes parts of New Jersey and Connecticut, I think overwhelmingly we are very proud of the United Nations and very proud to have the United Nations in New York.

That does not mean there are not disputes from time to time. We have been having some disputes involving parking and diplomats parking in New York. But disputes will come up from time to time. It does not mean that we do not want the U.N. It does not mean we should even consider not having the U.N. in New York.

Mr. Chairman, I really rise to oppose this amendment. We have agencies that want to leave the United Nations in New York. In Bonn, for instance, the Germans have been very active in trying to pull different U.N. agencies out of New York. The UNDP, the United Nations Developmental Program, Bonn has a lot of empty office space and a lot of empty space because the Germans are relocating their capital to Berlin. They have offered the U.N. all kinds of incentives to try to lure different departments and agencies away from New York and away from the United States. We resist it because we do not want them to move again because of the jobs, and the fact that money is pumped into the New York economy.

We should be proud of the United Nations. We should be proud of the fact that New York is the international capital of the world because the United Nations is there, and I just think that this moving the U.N. or pulling out of the U.N., as there was an amendment before which was soundly defeated, is all part and parcel of an undercurrent of U.N. bashing, or international engagement bashing.

I think that is wrong. I think that the United States needs to be engaged in the world. We are the last remaining superpower. I think it is a feather in our cap to have the United Nations in the United States. It is certainly a feather in New York's cap to have the United Nations in New York. From the point it was formed back in 1945, at the end of the Second World War, New York has been the seat of the United Nations. It has been a good seat of the United Nations. It has been a good fit to have the United Nations in New York.

I can say that I probably speak for the entire New York State delegation, 31 of us, Democrats and Republicans, we are proud to have the U.N. in New York. We want the U.N. to stay in New York. On our license plates, New York license plates, we have the Statue of Liberty, and of course the big three in New York City has always been the Statue of Liberty, the Empire State Building, and the United Nations. We can talk about others, the World Trade Center and others as well. But the U.N. is part and parcel of New York, and New York is part and parcel of the U.N.

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

Mr. ENGEL. I yield to the gentleman from Florida.

Mr. STEARNS. Mr. Chairman, I appreciate the gentleman's courtesy in yielding. I understand the gentleman's sympathy, being a Member of Congress from New York, and perhaps some people feel like the gentleman does, too. But obviously there are 49 other States. The cost and the amount of expense that is incurred in New York City certainly could be brought down by relocating the United Nations elsewhere.

A lot of corporations have been in New York City and they have relocated because they found it less expensive. So while the gentleman might be partisan in this matter, but we are trying to think in terms of the other 49 States who realize that perhaps there is a way to bring the cost down for the United Nations by relocating it, by having a commission try to, shall we say, reform the United Nations, and finding areas where we can make it part time.

This is not U.N. bashing, this is an attempt, like we are doing here in Congress, to reform the process, to reform the United Nations and to make it more effective. Does the gentleman not think after 51 years the United Nations needs some type of reform?

Mr. ENGEL. Reclaiming my time, Mr. Chairman, let me say, as I mentioned before when I spoke against the amendment offered by the gentleman from Texas [Mr. PAUL], I think the United Nations is in great need of reform. I think that the new Secretary General is embarking on a period of reform, and heaven knows, we need reform and we demand reform in the U.N., and we must have reform.

But I do not think moving it out of New York City has anything to do with reform. I wonder how expensive it would be to even consider moving it out of New York. I think if something is working, it is part and parcel of the fabric of New York, we ought to keep it. Let me just say that I do not think we want to move the U.N. out of New York any more than we want to move Disney World out of Florida. I do not know if it is the gentleman's district, but I think he would probably resist it.

Mr. SERRANO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think the gentleman from Florida is mixing mangoes with papayas here, because there is a feeling by some folks that the U.N. should not exist or that the U.N. should be reformed, or that the U.N. should be downsized. But that should not be a reason for taking the U.N. out of the United States or the U.N. out of New York.

I come from a district where we fear on a daily basis the loss of the New York Yankees moving out of State, or maybe if the gentleman succeeds at this, they may move out of the country. I just cannot understand why this desire all of a sudden to bash the U.N. and bash it in a way, in a way which says that the way to deal with this is to have them move out of New York.

I do not want to believe that this is a New York bashing bill, a proposal, because I know the gentleman better than that. I have great respect for him. But I think we have to just look very briefly at some history.

There is a reason why the U.N. is in New York. The decision was made based on a couple of things. Obviously, the land was donated by one of the families in the United States. The construction took place with a lot of help from private capital. But there was a desire, and I think a great statement made by that organization, that it wanted to go to the freest and most democratic country on earth, and that in there it wanted to be situated in an international city which was known as a melting pot in this country and definitely throughout the world. So there was a reason why the U.N. was put in New York. That reason still remains a very valid reason today.

Today New York City continues to be a place that attracts people from all over the world to live, to visit, to set up businesses. The U.N. being in New York is very much a part of what the U.N. is supposed to be about.

I understand that the gentleman is one of a group that feels that the U.N. should disappear. Try doing that. Some of us may oppose the gentleman, but try doing that. In the meantime, leave it in New York unless he wants it in Florida. If that is the point, then please make that.

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

Mr. SERRANO. I yield to the gentleman from Florida.

Mr. STEARNS. Mr. Chairman, I thank my colleague for yielding to me.

The gentleman and I both know that he had a football team, the Giants, that left New York and went to New Jersey. The New York Jets have left. Other athletic teams have left New York City. A lot of corporations have left. We are not saying in this amendment that it has to leave. We are asking the United Nations to study it, just to look at alternative locations that would be less expensive.

All we are saying is set up a commission to look at it somewhere down the line, maybe 50 years from now, 20 years from now, 5 years from now. Somewhere down the line it might be advisable for the United Nations to put itself in a new location. That is all we are asking.

The contrast the gentleman from New York [Mr. ENGEL] says between Disney World and the United Nations, Disney World and the United Nations, maybe some colleagues might think they are synonymous. They are not. Disney World is a for-profit operation. The United Nations is a not-for-profit operation. It is totally different. But I appreciate the gentleman giving me the time.

Mr. SERRANO. Mr. Chairman, reclaiming my time, the gentleman has not obviously looked at the fact that the U.N. pumps a lot of money into the United States economy, because New York City is that kind of a national and international town where any money that is pumped into that economy in fact has ramifications throughout the Nation. That is a fact of life.

To say that it should move out because the Giants moved out, first of all, I think it is very unfair to remind me that the Giants and the Jets moved out and the Nets moved out, and the Yankees are thinking of moving out. I have not recovered from the Dodgers moving out or the Giants moving out.

Granted, if the gentleman can get me the Dodgers back, I will trade the U.N., but for now, for now let us leave the U.N. in New York.

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

Mr. SERRANO. I yield to the gentleman from New Jersey.

□ 2045

Mr. PALLONE. Mr. Chairman, I just wanted to say, which I think is very obvious, my other colleague from New York pointed out, $3 billion into the local economy. Let me just say as a resident and representing New Jersey, I know that a significant amount of that money also comes to our State. I am sure it goes to Connecticut. I am sure there are people that fly down to Miami or other places in Florida and spend their vacation.

The bottom line is that the U.N. is a good deal for the United States in terms of having its center located here in New York in this country. It makes no sense, by any rational sense of the imagination, why we would want it to move out. We still have to pay dues. We still have to do the other things to be part of the organization. Why not have it here where the people are spending all this money in our local economies and, as the gentleman said, not only in New York but in a lot of other States.

The CHAIRMAN pro tempore [Mr. DICKEY]. The time of the gentleman from New York [Mr. SERRANO] has expired.

The question is on the amendment offered by the gentleman from Florida [Mr. STEARNS].

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

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

The CHAIRMAN pro tempore. Pursuant to House Resolution 159, further proceedings on the amendment offered by the gentleman from Florida [Mr. STEARNS] will be postponed.

Mr. GILMAN. Mr. Chairman, I ask unanimous consent that the Stearns amendment just considered be made part of title XVII rather than title XV as originally noted.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN pro tempore. Are there further amendments to title XV?

AMENDMENT OFFERED BY MR. SNOWBARGER

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

The Clerk read as follows:

Amendment offered by Mr. SNOWBARGER:

After chapter 2 of title XV (relating to international organizations; United Nations and related agencies) insert the following new chapter:

CHAPTER 3—UNITED NATIONS ACCOUNTABILITY ACT OF 1997

SEC. 1531. SHORT TITLE.

This chapter may be cited as the ''United Nations Accountability Act of 1997''.

SEC. 1532. PROHIBITION OF PAYMENT OF ARREARAGES TO UNITED NATIONS.

Until a certification by the President of reforms in the United Nations under section 1533 is transmitted to the Congress and the certification is approved by the Congress through enactment of a joint resolution and, notwithstanding any other provision of law, funds appropriated or otherwise made available for any fiscal year under ''Contributions to International Organizations'', ''Contributions for International Peacekeeping'', or any other account shall not be available for

the payment of any assessed contribution of the United States for prior years to the United Nations.

SEC. 1533. CERTIFICATION BY THE PRESIDENT OF UNITED NATIONS REFORMS.

The certification referred to in section 1532 is a certification (with supporting documentation) by the President to the Congress that the United Nations has implemented all of the following reforms:

(1) ASSESSED PAYMENT REFORMULATION.—

(A) The assessed payment of the United States to the United Nations for each year has been lowered to 20 percent of the budget of the United Nations, or

(B) The United Nations has reformulated each member state's assessed level to reflect each state's share of the total world gross national product.

(2) CODE OF CONDUCT.—The United Nations has implemented a code of conduct for all employees of the United Nations. The code of conduct shall specify that no United Nations official, including the Secretary General, shall be permitted to engage in business activities outside the United Nations, or provide any relative with access to United Nations procurement contracts, or take bribes, directly or indirectly, from individuals or corporations doing business with the United Nations or from United Nations member states or their representatives.

(3) INSPECTOR GENERAL OF THE UNITED NATIONS.—The office of Inspector General of the United Nations has been strengthened as follows:

(A) The United Nations has a truly independent office of inspector general to conduct and supervise objective audits, inspections, and investigations relating to programs and operations of the United Nations. The office shall be financed under a separate line item in the budget of the United Nations and shall function independently of the Secretary General.

(B) The United Nations has an inspector general who is selected and elected by the General Assembly for a term of 3 years and whose appointment was made principally on the basis of the appointee's integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigation. The inspector general may be removed only for cause by the Secretary General with the approval of the General Assembly.

(C) The inspector general is authorized to—

(i) make investigations and reports relating to the administration of the programs and operations of the United Nations;

(ii) have access to all relevant records, documents, and other available materials relating to those programs and operations; and

(iii) have direct and prompt access to any official of the United Nations.

(D) The United Nations has fully implemented, and made available to all member states, procedures designed to protect the identity of, and prevent reprisals against, any employee of the United Nations making a complaint or disclosing information to, or cooperating in any investigation or inspection by, the inspector general.

(E) The United Nations has fully implemented procedures designed to ensure compliance with recommendations of the inspector general.

(F) The United Nations has required the inspector general to issue an annual report and has ensured that the annual report and all other relevant reports of the inspector general are made available to the member governments of the United Nations General Assembly without modification.

(G) The United Nations is committed to providing sufficient budgetary resources to ensure the effective operation of the office of the inspector general.

(4) EMPLOYEE PROTECTION.—The existing United Nations grievance system has been thoroughly reformed to permit United Nations employees to hire outside counsel for taking their grievances up the United Nations grievance ladder to the top United Nations grievance appeals level. It should also be made amply clear for civil lawyers and judges in each member state that United Nations officials' immunity from civil process applies only to actions performed in the strict fulfillment of United Nations official duties and never to abuses in violation of an extensive United Nations code of conduct, United Nations employees having the right and option in such cases any time to exit the United Nations grievance process and sue in a civil court.

(5) PROCUREMENT REFORMS.—

(A) The United Nations has implemented a system requiring at least 30 days prior notification for the submission of all qualified bid proposals on all United Nations procurement opportunities of more than $100,000 and a public announcement of the award of any contract of more than $100,000 (except in justified and documented emergencies).

(b) To the extent practicable, notifications and announcements under subparagraph (A) are made in the Commerce Business Daily.

(C) The procurement regulations of the United Nations prohibit punitive actions such as the suspension of contract eligibility for contractors who challenge contract awards or complain about delayed payments.

(6) WHISTLEBLOWER PROTECTION.—The United Nations has implemented whistleblower protection for employees of the United Nations that—

(A) protects employees who allege or report instances of fraud or mismanagement, and

(B) the independent Office of the Inspector General has reviewed the policies and regulations under subparagraph(A) and determined, in writing that they offer adequate safeguards against retaliation for such employees, and that the United Nations employee grievance system outlined in paragraph (4)(C)(ii) has been reformed and the reforms implemented.

(7) NO GROWTH BUDGET.—The United Nations has adopted a calendar year 2000–2001 biennial budget that requires no nominal growth, in dollars, in expenditures.

(8) DOWNSIZING.—The United Nations has continued to downsize the number of authorized employment positions, including a reduction of not less than 10 percent in the number of full-time permanent authorized employment positions from the number of such positions authorized on January 1, 1997. Acceptable downsizing may not include early detachment from United Nations service with full pay until retirement age is reached, nor may it include the hiring of consultants to replace employees detached early with full pay or those replaced by temporary employees on short-term contracts.

(9) SALARIES.—The United Nations has imposed a freeze on salaries of employees of the United Nations which allows only for annual increases not greater than any annual increase in the United States consumer price index.

(10) REPRESENTATION ON ADVISORY COMMITTEE ON ADMINISTRATIVE AND BUDGET QUESTIONS.—The 8 member states which are the highest contributors to the budget of the United Nations shall be permanent members of the Advisory Committee on Administrative and Budget Questions.

(11) ACCESS TO DOCUMENTS.—Require access by any member state of the United Nations Budget Committee (also known as the Fifth Committee) to any document concerning any United Nations program that involves expenditures.

(12) ANNUAL REAUTHORIZATION OF PEACEKEEPING MISSIONS.—The United Nations requires an annual review and reauthorization of any peace-keeping missions by the United Nations Security Council.

(13) REIMBURSEMENT FOR UNITED STATES DEPARTMENT OF DEFENSE PEACEKEEPING EXPENDITURES.—The United Nations and the United States have entered into an agreement that calls for United Nations reimbursement for any future voluntary contributors by the United States Department of Defense, whether they be financial, logistical, or material.

(14) UNITED STATES ARREARAGES.—The United Nations and the United States have mutually determined an amount that will satisfy any and all arrearages of the United States in assessed contributions for prior years.

(15) NOMINATIONS TO SECURITY COUNCIL.—All member states of the United States belong to a regional group that allows each member state to be nominated to the Security Council.

(16) UNITED NATIONS TAXES.—The United Nations has abandoned any effort to establish an international tax or any other international fee or assessment imposed by the United Nations (other than the assessed contributions of member states of the United Nations and associated organs).

(17) NONINTERFERENCE WITH RELIGIOUS BELIEF, CULTURE, OR TRADITION.—Neither the United Nations nor any affiliated agency or entity is engaged in any program or activity that threatens to interfere with the religion, moral values, culture, or traditions of any person or group, except insofar as is strictly necessary for the protection of fundamental and internationally recognized human rights.

Mr. SNOWBARGER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. SNOWBARGER. Mr. Chairman, it is very clear this evening that after the two amendments that have been offered, one by the gentleman from Florida [Mr. STEARNS] and one by the gentleman from Texas [Mr. PAUL], that we are not going to take the U.S. out of the U.N. and we will have the vote tomorrow but it is probably unlikely that we are taking the U.N. out of the U.S. With that in mind, I think we ought to look to a concern that Americans do have about the United Nations and look toward reform.

I heard a number of my colleagues on both sides of the aisle as we have gone through the debate today talk about the various reforms that are needed in the U.N. My amendment would require that Congress and the President agree that the United Nations has actually implemented certain reforms, that we would require. Those reforms pursuant to my amendment would be a lowering of the U.S. dues assessment from 25 to 20 percent or in the alternative to set assessments for each country's dues to reflect each country's share of the aggregate GDP.

It would also require that a code of conduct for U.N. employees be implemented which would prevent conflicts

of interest, bribes, giving access to friends and relatives to information in the U.N. It would also strengthen the U.N. inspector general's office giving him the power to investigate and oversee all aspects of the United Nations and making him independent of the Secretary General. The inspector general would be elected by the assembly as opposed to appointed by the Secretary General.

Also, we would propose that a grievance system be reformed to allow employees of the United Nations to hire outside counsel to assist them in and even allow them to sue in civil court for grievances against the United Nations. We would also ask that procurement reforms be implemented so that prior notification would be presented to the public on any procurements over $100,000 and also prohibiting punitive actions against contractors who challenge those contract awards. We would provide protection to whistle blowers who report fraud or mismanagement, we would require that no growth occur in the next biennial U.N. budget.

We would request that the U.N. reduce its employee force by 10 percent from the 1997 levels. We would also impose a salary freeze which would allow only for cost-of-living increases. We would propose that the eight top contributors to the United Nations be permanent members of the U.N. Committee on the Budget. Due to the administration's incompetence last year, the United States is not currently on that committee this year. We would also require member states to have access to all documents relating to expenditures. It seems incredible to me, but the U.N. currently does not allow its own members to have access to internal documents.

The U.N. would also be required to annually reauthorize all peacekeeping missions so we have an opportunity to review all of those missions. I understand in the last few years that they have gone to a 6-month or 1-year review. We think that ought to occur for all peacekeeping missions.

We would also in the amendment provide for a credit to the Department of Defense for contributions to peacekeeping missions against the U.S. assessment. The U.N. and the United States would have to come to an agreement that any payment that we would make under that agreement would completely satisfy any arrearage. The U.N. would have to abandon any efforts to impose an international tax or any other new international fee. All member states would belong to a regional group that would allow them to be on the Security Council and to nominate Security Council members. And also the U.N. would not engage in activity that would interfere with people's religion, culture, traditions, other than the interference needed to protect fundamental human rights.

The final provision of the bill would require that the President certify to Congress that these efforts have been made to reform the United Nations. Once the President has made that certification within 30 legislative days, the President's certification, there would be a vote of Congress that would approve or deny that.

Mr. Chairman, I have tried to combine the efforts of an awful lot of people in putting this amendment together.

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

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

Mr. GILMAN. Mr. Chairman, I want to commend the gentleman from Kansas [Mr. SNOWBARGER] for this thoughtful and very thorough amendment concerning reform of the U.N. I appreciate all the hard work that went into this effort, intensive work. We have drawn heavily from the contents of the Snowbarger amendment for a bill that I intend to offer in the near future with the support of our leadership. My bill, however, creates even more stringent conditions the U.N. must meet before we pay our arrears in full. I believe that, when it is introduced, the gentleman will agree that it fully meets all of his concerns as expressed in his very thoughtful amendment.

I would, therefore, request the gentleman to withdraw his measure today and await consideration of the bill that will be introduced very soon as a free-standing measure on U.N. reform.

The CHAIRMAN pro tempore. The time of the gentleman from Kansas [Mr. SNOWBARGER] has expired.

(By unanimous consent, Mr. SNOWBARGER was allowed to proceed for 1 additional minute.)

Mr. SNOWBARGER. Mr. Chairman, the Clinton administration and U.N. allies say that the American taxpayer ought to pay arrearages now and wait for reform later because the dues are legal obligations of our government. The obligations go both ways. Part of the bargain of the United Nations is that the United Nations should be efficient, responsible and accountable. As anyone who has dealt with a nonperforming contractor knows, withholding of payment is often the only way to get him to respond to your concerns.

To the chairman of the committee, although I am very reluctant to withdraw the amendment, I do understand that there has been quite a bit of work going on behind the scenes in trying to draft another bill. With the assurances from the chairman that that bill is in progress, I look forward to working with the chairman. I will withdraw my amendment.

Mr. GILMAN. Mr. Chairman, if the gentleman will continue to yield, I thank the gentleman. We have a leadership task force at work right now trying to define the conditions to define the correct amount that is due and trying to develop a formula for payment.

Mr. SNOWBARGER. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

The CHAIRMAN pro tempore. The amendment is withdrawn.

Are there further amendments to title XV?

AMENDMENT OFFERED BY MR. COBURN

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

The Clerk read as follows:

Amendment offered by Mr. COBURN:

At the end of title XV insert the following new section:

SEC. 1525. PROHIBITION ON FUNDING FOR UNESCO WORLD HERITAGE AND MAN AND BIOSPHERE PROGRAMS.

None of the funds authorized to be appropriated by this Act may be made available to the Man and Biosphere (MAB) Program or the World Heritage Program administered by the United Nations Educational, Scientific, and Cultural Organization (UNESCO).

Mr. COBURN (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. COBURN. Mr. Chairman, this is simply an amendment to clarify what our process is.

The World Heritage and Man and Biosphere program has never been authorized by this Congress. It has never been presented to any committee of this Congress. A quarter of a million dollars this last year was spend in the State Department's budget for this program. This amendment simply states that until this is authorized by a committee of Congress, that no moneys in this authorization will be spent for this.

I will not go into any detail. I plan on reserving my time, but it is my understanding that the chairman has accepted this amendment and that the minority will not object to it. Therefore, I would ask the chairman of the committee if that is his intention.

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

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

Mr. GILMAN. Mr. Chairman, we do not have any objections to accepting this amendment and would be pleased to accept the gentleman's amendment.

Mr. COBURN. Mr. Chairman, I wonder if the gentleman from California might confirm for the minority if that is their intention as well.

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

Mr. COBURN. I yield to the gentleman from California.

Mr. CAPPS. Mr. Chairman, I would like to note for the record that the administration opposes this amendment. We as a body will not object.

Mr. GILMAN. Mr. Chairman, I ask unanimous consent that, when the Committee has under consideration the Smith amendment, relative to restrictions to population activities, that debate on that amendment and all

amendments thereto be limited to one hour and 20 minutes divided and controlled as follows:

Twenty minutes to the gentleman from New Jersey [Mr. SMITH] or his designee; 20 minutes to the gentleman from California [Mr. CAMPBELL] or his designee; 20 minutes to the gentleman from Indiana [Mr. HAMILTON] or his designee; and 20 minutes to the gentleman from Michigan [Mr. BARCIA] or his designee.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Oklahoma [Mr. COBURN].

The amendment was agreed to.

The CHAIRMAN pro tempore. Are there further amendments to title XV?

The Clerk will designate title XVI.

The text of title XVI is as follows:

TITLE XVI—ARMS CONTROL AND DISARMAMENT AGENCY

SEC. 1601. COMPREHENSIVE COMPILATION OF ARMS CONTROL AND DISARMAMENT STUDIES.

Section 39 of the Arms Control and Disarmament Act (22 U.S.C. 2579) is repealed.

SEC. 1602. USE OF FUNDS.

Section 48 of the Arms Control and Disarmament Act (22 U.S.C. 2588) is amended by striking ''section 11 of the Act of March 1, 1919 (44 U.S.C. 111)'' and inserting ''any other act''.

The CHAIRMAN pro tempore. Are there any amendments to title XVI?

The Clerk will designate title XVII.

The text of title XVII is as follows:

TITLE XVII—FOREIGN POLICY PROVISIONS

SEC. 1701. UNITED STATES POLICY REGARDING THE INVOLUNTARY RETURN OF REFUGEES.

(a) IN GENERAL.—No funds authorized to be appropriated by this division shall be available to effect the involuntary return by the United States of any person to a country in which the person has a well founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion, except on grounds recognized as precluding protection as a refugee under the United Nations Convention Relating to the Status of Refugees of July 28, 1951, and the Protocol Relating to the Status of Refugees of January 31, 1967.

(b) MIGRATION AND REFUGEE ASSISTANCE.—No funds authorized to be appropriated by section 1104 of this Act or by section 2(c) of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601(c)) shall be available to effect the involuntary return of any person to any country unless the Secretary of State first notifies the appropriate congressional committees, except that in the case of an emergency involving a threat to human life the Secretary of State shall notify the appropriate congressional committees as soon as practicable.

(c) INVOLUNTARY RETURN DEFINED.—As used in this section, the term ''to effect the involuntary return'' means to require, by means of physical force or circumstances amounting to a threat thereof, a person to return to a country against the person's will, regardless of whether the person is physically present in the United States and regardless of whether the United States acts directly or through an agent.

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

(a) IN GENERAL.—The United States shall not expel, extradite, or otherwise effect the involuntary return of any person to a country in which there are reasonable grounds for believing the person would be in danger of subjection to torture.

(b) DEFINITIONS.—

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

(2) INVOLUNTARY RETURN.—As used in this section, the term ''effect the involuntary return'' means to take action by which it is reasonably foreseeable that a person will be required to return to a country against the person's will, regardless of whether such return is induced by physical force and regardless of whether the person is physically present in the United States.

SEC. 1703. REPORTS ON CLAIMS BY UNITED STATES FIRMS AGAINST THE GOVERNMENT OF SAUDI ARABIA.

(a) IN GENERAL.—Within 60 days after the date of the enactment of this Act and every 120 days thereafter, the Secretary of State, in coordination with the Secretary of Defense and the Secretary of Commerce, shall report to the appropriate congressional committees on specific actions taken by the Department of State, the Department of Defense, and the Department of Commerce toward progress in resolving the commercial disputes between United States firms and the Government of Saudi Arabia that are described in the June 30, 1993, report by the Secretary of Defense pursuant to section 9140(c) of the Department of Defense Appropriations Act, 1993 (Public Law 102–396), including the additional claims noticed by the Department of Commerce on page 2 of that report.

(b) TERMINATION.—Subsection (a) shall cease to have effect when the Secretary of State, in coordination with the Secretary of Defense and the Secretary of Commerce, certifies in writing to the appropriate congressional committees that the commercial disputes referred to in subsection (a) have been resolved satisfactorily.

SEC. 1704. HUMAN RIGHTS REPORTS.

Section 116(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n) is amended—

(1) by striking ''January 31'' and inserting ''February 25'';

(2) redesignating paragraphs (3), (4), and (5) as paragraphs (4), (5), and (6), respectively; and

(3) by inserting after paragraph (2) the following new paragraph (3):

''(3) the status of child labor practices in each country, including—

''(A) whether such country has adopted policies to protect children from exploitation in the workplace, including a prohibition of forced and bonded labor and policies regarding acceptable working conditions; and

''(B) the extent to which each country enforces such policies, including the adequacy of resources and oversight dedicated to such policies;''.

SEC. 1705. REPORTS ON DETERMINATIONS UNDER TITLE IV OF THE LIBERTAD ACT.

Section 401 of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6091) is amended by adding at the end the following:

''(e) REPORTS TO CONGRESS.—The Secretary of State shall, not later than 30 days after the date of the enactment of this subsection and every 3 months thereafter, submit to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate a report on the implementation of this section. Each report shall include—

''(1) an unclassified list, by economic sector, of the number of entities then under review pursuant to this section;

''(2) an unclassified list of all entities and a classified list of all individuals that the Secretary of State has determined to be subject to this section;

''(3) an unclassified list of all entities and a classified list of all individuals that the Secretary of State has determined are no longer subject to this section;

''(4) an explanation of the status of the review under way for the cases referred to in paragraph (1); and

''(5) an unclassified explanation of each determination of the Secretary of State under subsection (a) and each finding of the Secretary under subsection (c)—

''(A) since the date of the enactment of this Act, in the case of the first report under this subsection; and

''(B) in the preceding 3-month period, in the case of each subsequent report.''.

SEC. 1706. REPORTS AND POLICY CONCERNING DIPLOMATIC IMMUNITY.

(a) ANNUAL REPORT CONCERNING DIPLOMATIC IMMUNITY.—

(1) REPORT TO CONGRESS.—The Secretary of State shall prepare and submit to the Congress, annually, a report concerning diplomatic immunity entitled ''Report on Cases Involving Diplomatic Immunity''.

(2) CONTENT OF REPORT.—In addition to such other information as the Secretary of State may consider appropriate, the report under paragraph (1) shall include the following:

(A) The number of persons residing in the United States who enjoy full immunity from the criminal jurisdiction of the United States under laws extending diplomatic privileges and immunities.

(B) Each case involving an alien described in subparagraph (A) in which the appropriate authorities of a State, a political subdivision of a State, or the United States reported to the Department of State that the authority had reasonable cause to believe the alien committed a serious criminal offense within the United States.

(C) Each case in which the United States has certified that a person enjoys full immunity from the criminal jurisdiction of the United States under laws extending diplomatic privileges and immunities.

(D) The number of United States citizens who are residing in a receiving state and who enjoy full immunity from the criminal jurisdiction of such state under laws extending diplomatic privileges and immunities.

(E) Each case involving a United States citizen under subparagraph (D) in which the United States has been requested by the government of a receiving state to waive the immunity from criminal jurisdiction of the United States citizen.

(3) SERIOUS CRIMINAL OFFENSE DEFINED.—The term ''serious criminal offense'' means—

(A) any felony under Federal, State, or local law;

(B) any Federal, State, or local offense punishable by a term of imprisonment of more than 1 year;

(C) any crime of violence as defined for purposes of section 16 of title 18, United States Code; or

(D) driving under the influence of alcohol or drugs or driving while intoxicated if the

case involves personal injury to another individual.

(b) UNITED STATES POLICY CONCERNING REFORM OF DIPLOMATIC IMMUNITY.—It is the sense of the Congress that the Secretary of State should explore, in appropriate fora, whether states should enter into agreements and adopt legislation—

(1) to provide jurisdiction in the sending state to prosecute crimes committed in the receiving state by persons entitled to immunity from criminal jurisdiction under laws extending diplomatic privileges and immunities; and

(2) to provide that where there is probable cause to believe that an individual who is entitled to immunity from the criminal jurisdiction of the receiving state under laws extending diplomatic privileges and immunities committed a serious crime, the sending state will waive such immunity or the sending state will prosecute such individual.

SEC. 1707. CONGRESSIONAL STATEMENT WITH RESPECT TO EFFICIENCY IN THE CONDUCT OF FOREIGN POLICY.

It is the sense of the Congress that the Secretary, after consultation with the appropriate congressional committees, should submit a plan to the Congress to consolidate some or all of the functions currently performed by the Department of State, the agency for International Development, and the Arms Control and Disarmament Agency, in order to increase efficiency and accountability in the conduct of the foreign policy of the United States.

SEC. 1708. CONGRESSIONAL STATEMENT CONCERNING RADIO FREE EUROPE/ RADIO LIBERTY.

It is the sense of the Congress that Radio Free Europe/Radio Liberty should continue surrogate broadcasting beyond the year 2000 to countries whose people do not yet fully enjoy freedom of expression. Recent events in Serbia, Belarus, and Slovakia, among other nations, demonstrate that even after the end of communist rule in such nations, tyranny under other names still threatens the freedom of their peoples, and hence the stability of Europe and the national security interest of the United States. The Broadcasting Board of Governors should therefore continue to allocate sufficient funds to Radio Free Europe/Radio Liberty to continue broadcasting at current levels to target countries and to increase these levels in response to renewed threats to freedom.

SEC. 1709. PROGRAMS OR PROJECTS OF THE INTERNATIONAL ATOMIC ENERGY AGENCY IN CUBA.

(a) WITHHOLDING OF UNITED STATES PROPORTIONAL SHARE OF ASSISTANCE.—

(1) IN GENERAL.—Section 307(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2227(c)) is amended—

(A) by striking ''The limitations'' and inserting ''(1) Subject to paragraph (2), the limitations''; and

(B) by adding at the end the following:

''(2)(A) Except as provided in subparagraph (B), with respect to funds authorized to be appropriated by this chapter and available for the International Atomic Energy Agency, the limitations of subsection (a) shall apply to programs or projects of such Agency in Cuba.

''(B)(i) Subparagraph (A) shall not apply with respect to programs or projects of the International Atomic Energy Agency that provide for the discontinuation, dismantling, or safety inspection of nuclear facilities or related materials, or for inspections and similar activities designed to prevent the development of nuclear weapons by a country described in subsection (a).

''(ii) Clause (i) shall not apply with respect to the Juragua Nuclear Power Plant near Cienfuegos, Cuba, or the Pedro Pi Nuclear Research Center unless Cuba—

''(I) ratifies the Treaty on the Non-Proliferation of Nuclear Weapons (21 UST 483) or the Treaty for the Prohibition of Nuclear Weapons in Latin America (commonly known as the Treaty of Tlatelolco);

''(II) negotiates full-scope safeguards of the International Atomic Energy Agency not later than two years after ratification by Cuba of such Treaty; and

''(III) incorporates internationally accepted nuclear safety standards.''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on October 1, 1997, or the date of the enactment of this Act, whichever occurs later.

(b) OPPOSITION TO CERTAIN PROGRAMS OR PROJECTS.—The Secretary of State shall direct the United States representative to the International Atomic Energy Agency to oppose the following:

(1) Technical assistance programs or projects of the Agency at the Juragua Nuclear Power Plant near Cienfuegos, Cuba, and at the Pedro Pi Nuclear Research Center.

(2) Any other program or project of the Agency in Cuba that is, or could become, a threat to the security of the United States.

(c) REPORTING REQUIREMENTS.—

(1) REQUEST FOR IAEA REPORTS.—The Secretary of State shall direct the United States representative to the International Atomic Energy Agency to request the Director-General of the Agency to submit to the United States all reports prepared with respect to all programs or projects of the Agency that are of concern to the United States, including the programs or projects described in subsection (b).

(2) ANNUAL REPORTS TO THE CONGRESS.—Not later than 180 days after the date of the enactment of this Act, and on an annual basis thereafter, the Secretary of State, in consultation with the United States representative to the International Atomic Energy Agency, shall prepare and submit to the Congress a report containing a description of all programs or projects of the Agency in each country described in section 307(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2227(a)).

SEC. 1710. UNITED STATES POLICY WITH RESPECT TO JERUSALEM AS THE CAPITAL OF ISRAEL.

(a) LIMITATION.—Of the amounts authorized to be appropriated by section 1101(4) for ''Acquisition and Maintenance of Buildings Abroad'' $25,000,000 for the fiscal year 1998 and $75,000,000 for the fiscal year 1999 is authorized to be appropriated for the construction of a United States Embassy in Jerusalem, Israel.

(b) LIMITATION ON USE OF FUNDS FOR CONSULATE IN JERUSALEM.—None of the funds authorized to be appropriated by this division may be expended for the operation of a United States consulate or diplomatic facility in Jerusalem unless such consulate or diplomatic facility is under the supervision of the United States Ambassador to Israel.

(c) LIMITATION ON USE OF FUNDS FOR PUBLICATIONS.—None of the funds authorized to be appropriated by this division may be available for the publication of any official government document which lists countries and their capital cities unless the publication identifies Jerusalem as the capital of Israel.

(d) RECORD OF PLACE OF BIRTH.—For purposes of the registration of birth, certification of nationality, or issuance of a passport of a United States citizen born in the city of Jerusalem, upon request, the Secretary of State shall permit the place of birth to be recorded as Jerusalem, Israel.

SEC. 1711. REPORT ON COMPLIANCE WITH THE HAGUE CONVENTION ON INTERNATIONAL CHILD ABDUCTION.

Beginning 6 months after the date of the enactment of this Act and every 12 months thereafter during the fiscal years 1998 and 1999, the Secretary shall provide to the appropriate congressional committees a report on the compliance with the provisions of The Hague Convention on the Civil Aspects of International Child Abduction by the signatories to such convention. Each such report shall include the following information:

(1) The number of applications for the return of children submitted by United States citizens to the Central Authority for the United States that remain unresolved more than 18 months after the date of filing.

(2) A list of the countries to which children in unresolved applications described in paragraph (1) are alleged to have been abducted.

(3) A list of the countries that have demonstrated a pattern of noncompliance with the obligations of such convention with respect to applications for the return of children submitted by United States citizens to the Central Authority for the United States.

(4) Detailed information on each unresolved case described in paragraph (1) and on actions taken by the Department of State to resolve each such case.

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

It is the sense of the Congress that the United States—

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

(2) should encourage the continued maintenance of the institution's physical security needs, as provided for under Turkish and international law; and

(3) should use its good offices to encourage the reopening of the Ecumenical Patriarchate's Halki Patriarchal School of Theology.

SEC. 1713. RETURN OF HONG KONG TO PEOPLE'S REPUBLIC OF CHINA.

It is the sense of the Congress that—

(1) the return of Hong Kong to the People's Republic of China should be carried out in a peaceful manner, with respect for the rule of law and respect for human rights, freedom of speech, freedom of the press, freedom of association, freedom of movement; and

(2) these basic freedoms are not incompatible with the rich culture and history of the People's Republic of China.

SEC. 1714. DEVELOPMENT OF DEMOCRACY IN THE REPUBLIC OF SERBIA.

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

(1) The United States stands as a beacon of democracy and freedom in the world.

(2) A stable and democratic Republic of Serbia is important to the interests of the United States, the international community, and to peace in the Balkans.

(3) Democratic forces in the Republic of Serbia are beginning to emerge, notwithstanding the efforts of Europe's longest-standing communist dictator, Slobodan Milosevic.

(4) The Republic of Serbia completed municipal elections on November 17, 1996.

(5) In 14 of Serbia's 18 largest cities, and in a total of 42 major municipalities, candidates representing parties in opposition to the Socialist Party of President Milosevic and the Yugoslav United Left Party of his wife Mirjana Markovic won a majority of the votes cast.

(6) Socialist Party-controlled election commissions and government authorities thwarted the people's will by annulling free elections in the cities of Belgrade, Nis, Smederevska Palanka, and several other cities where opposition party candidates won fair elections.

(7) Countries belonging to the Organization for Security and Cooperation in Europe

(OSCE) on January 3, 1997, called upon President Milosevic and all the political forces in the Republic of Serbia to honor the people's will and honor the election results.

(8) Hundreds of thousands of Serbs marched in the streets of Belgrade on a daily basis from November 20, 1996, through February 1997, demanding the implementation of the election results and greater democracy in the country.

(9) The partial reinstatement of opposition party victories in January 1997 and the subsequent enactment by the Serbian legislature of a special law implementing the results of all the 1996 municipal elections does not atone for the Milosevic regime's trampling of rule of law, orderly succession of power, and freedom of speech and of assembly.

(10) The Serbian authorities have sought to continue to hinder the growth of a free and independent news media in the Republic of Serbia, in particular the broadcast news media, and harassed journalists performing their professional duties.

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

(1) the United States, the Organization for Security and Cooperation in Europe (OSCE), and the international community should continue to press the Government of the Republic of Serbia to ensure the implementation of free, fair, and honest presidential and parliamentary elections in 1997, and to fully abide by their outcome;

(2) the United States, the OSCE, the international community, nongovernmental organizations, and the private sector should continue to promote the building of democratic institutions and civic society in the Republic of Serbia, help strengthen the independent news media, and press for the Government of the Republic of Serbia to respect the rule of law; and

(3) the normalization of relations between the Federal Republic of Yugoslavia and the United States requires, among other things, that President Milosevic and the leadership of Serbia—

(A) ensure the implementation of free, fair, and honest presidential and parliamentary elections in 1997;

(B) abide by the outcome of such elections; and

(C) promote the building of democratic institutions, including strengthening the independent news media and respecting the rule of law.

SEC. 1715. RELATIONS WITH VIETNAM.

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

(1) the development of a cooperative bilateral relationship between the United States and the Socialist Republic of Vietnam should facilitate maximum progress toward resolving outstanding POW/MIA issues, promote the protection of human rights including universally recognized religious, political, and other freedoms, contribute to regional stability, and encourage continued development of mutually beneficial economic relations;

(2) the satisfactory resolution of United States concerns with respect to outstanding POW/MIA, human rights, and refugee issues is essential to the full normalization of relations between the United States and Vietnam;

(3) the United States should upgrade the priority afforded to the ongoing bilateral human rights dialog between the United States and Vietnam by requiring the Department of State to schedule the next dialog with Vietnam, and all subsequent dialogs, at a level no lower than that of Assistant Secretary of State;

(4) during any future negotiations regarding the provision of Overseas Private Investment Corporation insurance to American companies investing in Vietnam and the granting of Generalized System of Preference status for Vietnam, the United States Government should strictly hold the Government of Vietnam to internationally recognized worker rights standards, including the right of association, the right to organize and bargain collectively, and the prohibition on the use of any forced or compulsory labor; and

(5) the Department of State should consult with other governments to develop a coordinated multilateral strategy to encourage Vietnam to invite the United Nations Special Rapporteur on Religious Intolerance to visit Vietnam to carry out inquiries and make recommendations.

(b) REPORT TO CONGRESS.—In order to provide Congress with the necessary information by which to evaluate the relationship between the United States and Vietnam, the Secretary shall report to the appropriate congressional committees, not later than 90 days after the enactment of this Act and every 180 days thereafter during fiscal years 1998 and 1999, on the extent to which—

(1) the Government of the Socialist Republic of Vietnam is cooperating with the United States in providing the fullest possible accounting of all unresolved POW/MIA cases and the recovery and repatriation of American remains;

(2) the Government of the Socialist Republic of Vietnam has made progress toward the release of all political and religious prisoners, including but not limited to Catholic, Protestant, and Buddhist clergy;

(3) the Government of the Socialist Republic of Vietnam is cooperating with requests by the United States to obtain full and free access to persons of humanitarian interest to the United States for interviews under the Orderly Departure (ODP) and Resettlement Opportunities for Vietnamese Refugees (ROVR) programs, and in providing exit visas for such persons;

(4) the Government of the Socialist Republic of Vietnam has taken vigorous action to end extortion, bribery, and other corrupt practices in connection with such exit visas; and

(5) the Government of the United States is making vigorous efforts to interview and resettle former reeducation camp victims, their immediate families including, but not limited to, unmarried sons and daughters, former United States Government employees, and other persons eligible for the ODP program, and to give such persons the full benefit of all applicable United States laws including, but not limited to, sections 599D and 599E of the Foreign Operations, Export Financing, and Related Programs Appropriations Act of 1990 (Public Law 101–167).

SEC. 1716. STATEMENT CONCERNING RETURN OF OR COMPENSATION FOR WRONGLY CONFISCATED FOREIGN PROPERTIES.

The Congress—

(1) welcomes the efforts of many post-Communist countries to address the complex and difficult question of the status of plundered properties;

(2) urges countries which have not already done so to return plundered properties to their rightful owners or, as an alternative, pay compensation, in accordance with principles of justice and in a manner that is just, transparent, and fair;

(3) calls for the urgent return of property formerly belonging to Jewish communities as a means of redressing the particularly compelling problems of aging and destitute survivors of the Holocaust;

(4) calls on the Czech Republic, Latvia, Lithuania, Romania, Slovakia, and any other country with restrictions which require those whose properties have been wrongly plundered by Nazi or Communist regimes to reside in or have the citizenship of the country from which they now seek restitution or compensation to remove such restrictions from their restitution or compensation laws;

(5) calls upon foreign financial institutions, and the states having legal authority over their operation, that possess wrongfully and illegally obtained property confiscated from Holocaust victims, from residents of former Warsaw Pact states who were forbidden by Communist law from obtaining restitution of such property, and from states that were occupied by Nazi, Fascist, or Communist forces, to assist and to cooperate fully with efforts to restore this property to its rightful owners; and

(6) urges post-Communist countries to pass and effectively implement laws that provide for restitution of, or compensation for, plundered property.

The CHAIRMAN pro tempore. Are there any amendments to title XVII?

AMENDMENT OFFERED BY MR. SMITH OF NEW JERSEY

Mr. SMITH of New Jersey. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of New Jersey:

In Title 17, add the following new section (and conform the table of contents accordingly):

SEC. . REPORT ON BORDER CLOSURES OR ECONOMIC OR COMMERCIAL BLOCKADES AFFECTING THE INDEPENDENT STATES OF THE FORMER SOVIET UNION.

(a) REPORT.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act the President shall prepare and transmit to the Congress a report on any border closure or use of an economic or commercial blockade by or against any independent state of the former Soviet Union against any other country.

(2) CONTENTS OF REPORT.—Such report shall contain a description of the extent to extent to which such a closure or blockade restricts, directly or indirectly, the transport or delivery of United States humanitarian assistance, and whether such closure or blockade is considered to restrict, directly or indirectly, the transport or delivery of such assistance for purpose of section 6201 of the Foreign Assistance Act of 1961 (22 U.S.C. 2379).

(b) DEFINITION.—The term ''independent states of the former Soviet Union'' has the meaning given such term in section 3 of the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992 (22 U.S.C. 5801).

Mr. SMITH of New Jersey (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SMITH of New Jersey. Mr. Chairman, I think this amendment should be noncontroversial. It would require the President to report to Congress about any border closures or the use of an economic or commercial blockade by or against any of the new independent states against any other country.

The report would be due within 60 days of enactment of the bill. The

amendment stipulates that the report shall describe the extent to which such border closures or economic or commercial blockades impede or restrict directly or indirectly the delivery of U.S. humanitarian aid and whether the closure would be considered to be in violation of Humanitarian Aid Corridors Act. As we know, Mr. Chairman, the corridors law calls for the cutoff of U.S. assistance to countries that impede the delivery of U.S. humanitarian assistance to third countries.

The report would allow Congress and the State Department to have a clear mutual understanding of where violations or potential violations occur.

□ 2100

As a result of ethnic separatist conflicts in the territory of the former Soviet Union, especially in the Caucasus, various states have at times imposed border closures or blockades on neighboring states. These blockades or border closures hamper or make impossible the delivery of humanitarian assistance.

Among these blockades or embargoes are: Azerbaijan's blockade on Armenia and Nagorno-Karabagh, and Armenia's blockade of Nakhichevan, an Azerbaijani enclave separated from the rest of Azerbaijan by Armenian territory, and Russia's occasional blockading of Azerbaijan, claiming that Azerbaijan was helping Chechnya.

I would ask Members to support this. Again, I know there is good strong support for this on the other side. This would give us a clear picture again of what is truly going on and whether or not the Humanitarian Aid Corridors Act is being violated.

The CHAIRMAN pro tempore (Mr. DICKEY). The question is on the amendment offered by the gentleman from New Jersey [Mr. SMITH].

The amendment was agreed to.

The CHAIRMAN pro tempore. Are there further amendments to title XVII?

AMENDMENT OFFERED BY MR. PALLONE

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

The Clerk read as follows:

Amendment offered by Mr. PALLONE:

At the end of title XVII (relating to foreign policy provisions) insert the following new section:

SEC. 1717. SENSE OF CONGRESS REGARDING THE NAGORNO-KARABAGH CONFLICT.

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

(1) the United States should take a greater leadership role in working for a negotiated settlement of the Nagorno-Karabagh conflict; and

(2) the Secretary of State should consider the participation of the United States as a co-chair of the OSCE's Minsk Group a priority of the Department of State; and

(3) the United States reaffirms its neutrality in the conflict.

(b) CONGRESSIONAL STATEMENT—The congress urges the President and the Secretary of State to encourage direct talks between the parties to the Nagorno-Karabagh conflict.

Mr. PALLONE. Mr. Chairman, I am submitting this amendment on behalf of myself and my colleague, the gentleman from Michigan [Mr. KNOLLENBERG]. The provision reaffirms the current U.S. Government position of neutrality in working for a negotiated settlement to the conflict over Nagorno-Karabagh.

The U.S., as was mentioned in the amendment, is a cochair of the Organization for Security and Cooperation in Europe's Minsk Group, which is charged with negotiating a political solution to the Nagorno-Karabagh conflict. The amendment would also encourage direct talks between the parties to the conflict, Armenia, Nagorno-Karabagh and Azerbaijan.

As was mentioned when the amendment was read, part of the amendment is basically asking the U.S. to take a greater leadership role in working for a negotiated settlement of the conflict and, in particular, that the U.S.'s activities as cochair of the Minsk Group be a priority of the Department of State.

The U.S. has identified a resolution of the Nagorno-Karabagh conflict as a vital interest and we have actually appointed a U.S. special negotiator for this purpose. Although a cease-fire has mostly held for about 3 years in the area, the OSCE-brokered negotiations intended to produce a political settlement are deadlocked. Congress can help to jump-start the negotiating process by going on record in support of a negotiated settlement and reaffirming U.S. neutrality.

Mr. Chairman, I do not want to get into a lengthy historical discussion, but I did want to mention that the collapse of the Soviet Union allowed the formerly captive nations to have a rebirth of freedom. Unfortunately, the end of the Soviet Union also exposed problems created by the way borders were drawn during the Stalin era, setting the stage for subsequent ethnic conflicts.

In the case of Karabagh, historically populated by Armenians, as it still is today, but assigned to Azerbaijan, this is really a striking example of some of the problems that resulted from the lines that were drawn during the Stalinist era. While it is ultimately up to the parties directly involved to agree to a negotiated settlement, the power and the prestige of the United States counts for a great deal, and I believe that people listen to us and our influence can be of great help in moving forward on the peace process.

Mr. KNOLLENBERG. Mr. Chairman, I rise today in support of the Pallone amendment and urge my colleagues to join the gentleman from New Jersey [Mr. PALLONE] in supporting his amendment. This amendment will finally, we believe, bring peace and stability to this war torn region of the former Soviet Union.

The amendment that we are offering this evening would urge the President and the Secretary of State to take a greater leadership role in efforts to gain a negotiated settlement of the Nagorno-Karabagh conflict.

Armenia and Azerbaijan have spent the last decade entangled in conflict over the tiny enclave of Nagorno-Karabagh. This never-ending conflict has caused tremendous hardship and suffering, and despite continuing efforts by the OSCE's Minsk Group, resolution is still a long way off.

Like it or not, the U.S. is now cochair of the Minsk Group. And as the world's greatest power we must recognized our role as an important positive part of efforts to reach a negotiated settlement that would end the bloodshed.

As the State Department recently said, the U.S. must act as ''an unbiased mediator in this conflict and support a solution that is mutually acceptable to all parties.'' We must do so because only an agreed, not an imposed solution will be stable and will endure.

President Clinton also vowed that the U.S.'s consistent position of neutrality in the Nagorno-Karabagh conflict has not changed and will not change.

Lives are here on the line, Mr. Chairman, and we must continue to play an important supporting role in efforts to end this disastrous conflict once and for all.

I know there are a lot of people out there that may want to address other issues, like territorial integrity and the unfettered delivery of U.S. aid to the region. However, this is neither the time nor the place to debate these issues. Indeed, the Minsk Group is the only place to do it, and only with unbiased U.S. leadership can the Minsk Group become a productive forum for resolving such disputes.

Here is the bottom line. This amendment expresses Congress' desire to see the United States be an unbiased leader in resolving the Nagorno-Karabagh conflict, nothing more, nothing less. This is not a new position. The President has pledged neutrality and the State Department has pledged neutrality. It is time for Congress to follow suit.

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

Mr. KNOLLENBERG. I yield to the gentleman from Texas.

Mr. EDWARDS. Mr. Chairman, I want to thank the gentleman and I want to say while there may be personal differences of opinion on how to deal with this conflict, I want to support this amendment with the understanding of this colloquy.

It is my understanding that this amendment is designed to encourage the United States to become more actively involved in settling the Nagorno-Karabagh conflict and that nothing in the amendment is intended to change U.S. policy in this matter. I would ask the gentleman if that is correct.

Mr. KNOLLENBERG. Mr. Chairman, reclaiming my time, I appreciate the gentleman's question, and tell him that that is correct. I do not believe that this amendment changes current

U.S. policy in any way. In fact, what it does, it reaffirms a consistent U.S. policy as stated by both the President and the State Department. So that is a yes.

Mr. EDWARDS. Mr. Chairman, if the gentleman will continue to yield, with that understanding, I look forward to supporting the gentleman's amendment.

Mr. KNOLLENBERG. Mr. Chairman, reclaiming my time, I appreciate the gentleman's support and I appreciate the gentleman from New Jersey's work on this.

Mr. CAPPS. Mr. Speaker, I move to strike the requisite number of words.

Mr. Chairman, I also want to talk in support of the amendment. I believe the amendment states exactly what U.S. policy should be toward the conflict in Nagorno-Karabagh.

In my judgment, the United States should exert a leadership role in its new co-chairmanship of the Minsk Group talks to help try to bring the conflict between Armenia and Azerbaijan to an end. This is precisely what the Pallone-Knollenberg amendment advocates.

I commend the gentleman from New Jersey and the gentleman from Michigan and the gentleman from Texas and urge the adoption of the amendment.

Mr. VISCLOSKY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the amendment offered by my colleagues, the gentleman from New Jersey [Mr. PALLONE] and the gentleman from Michigan [Mr. KNOLLENBERG].

For years, Armenia and Azerbaijan have engaged in a tragic conflict over the status of the Nagorno-Karabagh region. While a cease-fire has been in place since 1994, there are still thousands of refugees and civilians who are desperately in need of our help.

I was disappointed that the committee rejected an amendment to the original foreign aid bill that would have encouraged U.S. humanitarian assistance to the Nagorno-Karabagh area. This amendment would have provided much needed assistance to the refugees and any civilians living in the area.

The Pallone-Knollenberg amendment does not address the issue of U.S. aid nor does it take sides in the conflict between Armenia or Azerbaijan. Instead, the amendment simply expresses the sense of the Congress that the United States Government should take a leadership role in bringing a resolution to the conflict.

The amendment also reaffirms the current neutral stance of the United States and encourages direct negotiations between the parties to the conflict. I support this amendment because there can be no better way to assist the war torn victims of this longstanding conflict than to help bring about a lasting peace in the region.

There is nothing wrong with the U.S. remaining neutral. It is wrong for us to stand on the sidelines doing nothing to bring about a permanent resolution to this war. The Clinton administration has taken the initiative in similar conflicts around the world, and there is no good reason why we should not do the same in Nagorno-Karabagh.

Mr. Chairman, the people of this region are in need of our help. The best thing that we can do for them right now is to vote for the Pallone-Knollenberg amendment. I strongly urge my colleagues to support it.

Mr. SMITH of New Jersey. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I will just take a minute or two to express my support for this resolution before the House.

I am a very strong supporter of Armenia, and I share the concern of the author of the amendment that Armenia and its neighbor, Azerbaijan, live in peace and harmony with each other. I would like to ask one question, if I could, of the sponsor of the amendment, my good friend from New Jersey, Mr. PALLONE.

Just so it is very clear, and I think one of the previous speakers said this, so there is no ambiguity about it, is it the gentleman's intent to change the current U.S. position in support of the territorial integrity of Azerbaijan through this amendment?

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

Mr. SMITH of New Jersey. I yield to the gentleman from New Jersey.

Mr. PALLONE. Mr. Chairman, I want to stress that the resolution states the U.S. reaffirms its neutrality in the conflict. What we have purposely done here is to craft language that would avoid the underlying issue of territorial integrity versus self-determination or some of the other principles that are now being discussed in the context of the negotiations.

So we purposely have not used any of those principles in crafting the language.

Mr. SMITH of New Jersey. Mr. Chairman, I think that is helpful, especially as the sensitive stage of negotiations is underway. So I do thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. PALLONE].

The amendment was agreed to.

Mr. SMITH of New Jersey. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. NETHERCUTT] having assumed the chair, Mr. DICKEY, Chairman pro tempore 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. 1757) to consolidate international affairs agencies, to authorize appropriations for the Department of State and related agencies for fiscal years 1998 and 1999, and for other purposes, had come to no resolution thereon.

CONFERENCE REPORT ON HOUSE CONCURRENT RESOLUTION 84, CONCURRENT RESOLUTION ON THE BUDGET, FISCAL YEAR 1998

Mr. HOBSON submitted the following conference report and statement on the concurrent resolution (H. Con. Res. 84) establishing the congressional budget for the U.S. Government for fiscal year 1998 and setting forth appropriate budgetary levels for fiscal years 1999, 2000, 2001, and 2002:

CONFERENCE REPORT (H. REPT. 105–116)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the concurrent resolution (H. Con. Res. 84), establishing the congressional budget for the United States Government for fiscal year 1998 and setting forth appropriate budgetary levels for fiscal years 1999, 2000, 2001, and 2002, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the resolution and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 1998.

(a) DECLARATION.—The Congress determines and declares that this resolution is the concurrent resolution on the budget for fiscal year 1998 including the appropriate budgetary levels for fiscal years 1999, 2000, 2001, and 2002 as required by section 301 of the Congressional Budget Act of 1974.

(b) TABLE OF CONTENTS.—The table of contents for this concurrent resolution is as follows: