

Mr. CALLAHAN. 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. HASTINGS of Washington) having assumed the chair, Mr. THORNBERRY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2159), making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1998, and for other purposes, had come to no resolution thereon.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 695

Mr. BUNNING. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 695.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky? There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 695

Mr. HEFLEY. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 695.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado? There was no objection.

EXPRESSING SENSE OF CONGRESS REGARDING TERRORIST BOMBING IN JERUSALEM

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, House Concurrent Resolution 133.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York [Mr. GILMAN] that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 133, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were— yeas 427, nays 1, not voting 6, as follows:

[Roll No. 348]  
YEAS—427

Abercrombie	Barrett (WI)	Blumenauer
Ackerman	Bartlett	Blunt
Aderholt	Barton	Boehler
Allen	Bass	Boehner
Andrews	Bateman	Bonilla
Archer	Becerra	Bonior
Armey	Bentsen	Bono
Bachus	Bereuter	Borski
Baesler	Berman	Boswell
Baker	Berry	Boucher
Baldacci	Bilbray	Boyd
Ballenger	Bilirakis	Brady
Barcia	Bishop	Brown (CA)
Barr	Blagojevich	Brown (FL)
Barrett (NE)	Bliley	Brown (OH)

Bryant	Gillmor	Markey
Bunning	Gilman	Martinez
Burr	Goode	Mascara
Burton	Goodlatte	Matsui
Buyer	Goodling	McCarthy (MO)
Callahan	Gordon	McCarthy (NY)
Calvert	Goss	McCollum
Camp	Graham	McCrary
Campbell	Granger	McDade
Canady	Green	McDermott
Cannon	Greenwood	McGovern
Capps	Gutierrez	McHale
Cardin	Gutknecht	McHugh
Carson	Hall (OH)	McInnis
Castle	Hall (TX)	McIntosh
Chabot	Hamilton	McIntyre
Chambliss	Hansen	McKeon
Chenoweth	Harman	McKinney
Christensen	Hastert	McNulty
Clay	Hastings (FL)	Meehan
Clayton	Hastings (WA)	Meek
Clement	Hayworth	Menendez
Clyburn	Hefley	Metcalfe
Coble	Hefner	Mica
Coburn	Herger	Millender-
Collins	Hill	McDonald
Combust	Hillery	Miller (CA)
Condit	Hilliard	Miller (FL)
Conyers	Hinchee	Minge
Cook	Hinojosa	Mink
Cooksey	Hobson	Moakley
Costello	Hoekstra	Molinari
Cox	Holden	Mollohan
Coyne	Hooley	Moran (KS)
Cramer	Horn	Moran (VA)
Crane	Hostettler	Morella
Crapo	Houghton	Murtha
Cubin	Hoyer	Myrick
Cummings	Hulshof	Nadler
Cunningham	Hunter	Neal
Danner	Hutchinson	Neumann
Davis (FL)	Hyde	Ney
Davis (IL)	Inglis	Northup
Davis (VA)	Istook	Norwood
Deal	Jackson (IL)	Nussle
DeFazio	Jackson-Lee	Oberstar
DeGette	(TX)	Obey
Delahunt	Jefferson	Olver
DeLauro	Jenkins	Ortiz
DeLay	John	Owens
Dellums	Johnson (CT)	Oxley
Deutsch	Johnson (WI)	Packard
Diaz-Balart	Johnson, E. B.	Pallone
Dickey	Johnson, Sam	Pappas
Dicks	Jones	Parker
Dingell	Kanjorski	Pascarella
Dixon	Kaptur	Pastor
Doggett	Kasich	Paxon
Dooley	Kelly	Payne
Doolittle	Kennedy (MA)	Pease
Doyle	Kennedy (RI)	Pelosi
Dreier	Kennelly	Peterson (MN)
Duncan	Kildee	Peterson (PA)
Dunn	Kilpatrick	Petri
Edwards	Kim	Pickering
Ehlers	Kind (WI)	Pickett
Ehrlich	King (NY)	Pitts
Emerson	Kingston	Pombo
Engel	Kleczka	Pomeroy
English	Klink	Porter
Ensign	Klug	Portman
Eshoo	Knollenberg	Poshard
Etheridge	Kolbe	Price (NC)
Evans	Kucinich	Pryce (OH)
Everett	LaFalce	Quinn
Ewing	LaHood	Radanovich
Farr	Lampson	Rahall
Fattah	Lantos	Ramstad
Fawell	Largent	Rangel
Fazio	Latham	Redmond
Filner	LaTourette	Regula
Flake	Lazio	Reyes
Foglietta	Leach	Riggs
Foley	Levin	Riley
Ford	Lewis (CA)	Rivers
Fowler	Lewis (GA)	Rodriguez
Fox	Lewis (KY)	Roemer
Frank (MA)	Linder	Rogan
Franks (NJ)	Lipinski	Rogers
Frelinghuysen	Livingston	Rohrabacher
Frost	LoBiondo	Ros-Lehtinen
Furse	Lofgren	Rothman
Gallegly	Lowey	Roukema
Ganske	Lucas	Roybal-Allard
Gejdenson	Luther	Royce
Gekas	Maloney (CT)	Rush
Gephardt	Maloney (NY)	Ryun
Gibbons	Manton	Sabo
Gilchrest	Manzullo	Salmon

Sanchez	Smith, Adam	Torres
Sanders	Smith, Linda	Towns
Sandlin	Snowbarger	Trafficant
Sanford	Snyder	Turner
Sawyer	Solomon	Upton
Saxton	Souder	Velazquez
Scarborough	Spence	Vento
Schaefer, Dan	Spratt	Visclosky
Schaffer, Bob	Stabenow	Walsh
Schumer	Stokes	Wamp
Scott	Stenholm	Waters
Sensenbrenner	Stokes	Watkins
Serrano	Strickland	Watt (NC)
Sessions	Stump	Watts (OK)
Shadegg	Stupak	Waxman
Shaw	Sununu	Weldon (FL)
Shays	Talent	Weldon (PA)
Sherman	Tanner	Weller
Shimkus	Tauscher	Wexler
Shuster	Tauzin	Weygand
Sisisky	Taylor (MS)	White
Skaggs	Taylor (NC)	Whitfield
Skeen	Thomas	Wicker
Skelton	Thompson	Wise
Slaughter	Thornberry	Wolf
Smith (MI)	Thune	Woolsey
Smith (NJ)	Thurman	Wynn
Smith (OR)	Tiahrt	Yates
Smith (TX)	Tierney	Young (FL)

NAYS—1

Paul  
NOT VOTING—6

Forbes	Nethercutt	Stark
Gonzalez	Schiff	Young (AK)

□ 2126

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 695

Mr. EVERETT. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 695.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Is there objection to the request of the gentleman from Alabama?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1577

Mr. HILL. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1577.

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

There was no objection.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 1998

The SPEAKER pro tempore. Pursuant to the order of the House of Thursday, July 24, 1997, and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2159.

□ 2130

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 further consideration of the bill (H.R. 2159) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1998, and for other purposes, with Mr. THORBERRY in the chair.

The Clerk read the title of the bill.

□ 2130

The CHAIRMAN. When the Committee of the Whole rose earlier today, the amendment offered by the gentleman from Texas [Mr. PAUL] had been disposed of and the bill has been read through Page 30, Line 3.

Mr. CALLAHAN. Mr. Chairman, I ask unanimous consent that the Amendment No. 1 by the gentleman from New Jersey [Mr. SMITH] provided for under the rule and debatable for 40 minutes and Amendment No. 2 by the gentleman from New York [Mr. GILMAN] provided for by the order of the House of July 24 and debatable for 40 minutes, to title V, and Amendment No. 19 by the gentleman from California [Mr. TORRES], Amendment No. 1 by the gentleman from Massachusetts [Mr. KENNEDY], Amendment No. 30 by the gentleman from Massachusetts [Mr. KENNEDY], and Amendment Nos. 17 and 18 by the gentleman from California [Mr. TORRES] will be in order at a later time during the reading of the bill notwithstanding that title V may be closed.

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

There was no objection.

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

Mr. Chairman, there will be no more recorded votes tonight. We will set aside all amendments dealing with Population Planning and the School of Americas until tomorrow. We will continue to offer amendments tonight and debate them and roll votes on all amendments that require a vote until tomorrow.

I expect we will be working tonight on this bill until about 10:30 or so, and I urge the Members to stay and offer amendments that were not included in the unanimous-consent request tonight.

Ms. HARMAN. Mr. Chairman, I move to strike the last word, and I rise for the purpose of engaging in a colloquy with my friend and colleague the gentleman from Alabama [Mr. CALLAHAN], chairman of the Subcommittee on Foreign Operations, Export Financing and Related Programs.

I want to commend the committee for including in the foreign operations appropriations bill language conditioning the availability of the funds appropriated for Russia on the certification that Russia has ceased providing assistance to Iran's nuclear and ballistic missile programs.

As my colleague is aware, in the very fluid Russian environment of today certain entities may be engaging in proliferation of ballistic missile tech-

nology without the consent of the Russian Government. The bill, as currently formulated, sends a strong message to the Russian Government about its own transactions with Iran, but it is vague on what the United States reaction will be if nongovernmental entities engage in proliferation.

I seek to ensure that in further deliberations in conference and in committee my colleague will explore effective means to prevent Russian entities from engaging in further missile technology trade with Iran, whether they operate with the authorization of the Russian Government or without.

For this purpose as well, Senator KYL and I have introduced a bipartisan concurrent resolution expressing the sense of Congress that proliferation by Russian Governmental and nongovernmental entities must stop. Our resolution calls on the President to impose sanctions if Russia does not halt these activities and to take further action regarding our cooperation with Russia.

Let me clarify finally that the resolution offered by Senator KYL and me is not intended to affect the Cooperative Threat Reduction program, which I fully support, but we need to be clear that those individuals who proliferate will be penalized with the tools the U.S. has available.

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

Ms. HARMAN. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, I fully agree with the gentlewoman from California's concerns regarding media reports of Russian missile transfers to Iran. This is an extremely serious issue, and she is right to draw attention to it. Her earlier discussions with the committee on this issue were greatly appreciated. The committee has focused on this issue under the leadership of the gentleman from California [Mr. PACKARD], and the bill before us contains very tough language on this subject. Last year's public law contained language prohibiting aid to the Government of Russia unless it terminated nuclear transfers to Iran, along with an "important to the national security interest" waiver which the administration has regularly used. This year the committee bill prohibits aid to the Government of Russia if it cooperates with Iran in the nuclear and missile areas. The waiver was raised to vital national security interests, which is a very high standard. If the President does use it, only 50 percent of the funds can be made available. This is very tough language, which reflects the House view, and this is an extremely serious problem.

Mr. Chairman, I appreciate the gentlewoman's leadership and her attention to this issue.

Ms. HARMAN. Mr. Chairman, I thank the gentleman from Alabama for his support and pledge to work with him, the committee and the full House and the other body to ensure that this activity is corrected.

Mr. EWING. Mr. Chairman, I move to strike the last word. I would like to engage in a colloquy with the gentleman from Alabama [Mr. CALLAHAN].

Mr. Chairman, I have filed an amendment to H.R. 2159 to cut funding for Peru under the international military education and training program unless the President reports to Congress that the Government of Peru is working to provide timely, open and fair legal proceedings against American citizens held in jail in Peru. This is done as a result of the unconscionable treatment of Jennifer Davis who has been held for 8 months in a Peruvian prison without any of her proper due process rights.

I will not offer that amendment because it is my understanding it would be ruled in violation of legislating on appropriations rule. However, this amendment was adopted in the Senate, and I strongly encourage the chairman to agree to this amendment during conference with the Senate.

I would like to thank the gentleman for including report language in H.R. 2159 at my request, which expresses the concern of the committee about the fate of American citizens being imprisoned in Peru. This language, coupled with the amendment I just mentioned, should send a strong message to Peru that the United States Congress is finding it more and more difficult to justify sending foreign aid to Peru when that country fails to respect the basic human rights to timely and fair legal actions.

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

Mr. EWING. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, I share the gentleman's concerns on this very important issue, and I appreciate the gentleman drawing it to the committee's attention. Because of his concerns and concerns voiced by other Members, we have included specific language on this issue in our report. I can assure the gentleman we will consider this issue in conference and we will work closely with the gentleman in conveying our concerns to the State Department and to the government of Peru.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

#### FOREIGN MILITARY FINANCING PROGRAM

For expenses necessary for grants to enable the President to carry out the provisions of section 23 of the Arms Export Control Act, \$3,259,250,000: *Provided*, That funds appropriated by this paragraph that are made available for Israel and Egypt shall be made available only as grants: *Provided further*, That the funds appropriated by this paragraph for Israel shall be disbursed within thirty days of enactment of this Act or by October 31, 1997, whichever is later: *Provided further*, That to the extent that the Government of Israel requests that funds be used for such purposes, grants made available for Israel by this paragraph shall, as agreed by Israel and the United States, be available for advanced weapons systems, of which not less than \$475,000,000 shall be available for the procurement in Israel of defense articles and defense services, including research and development: *Provided further*, That funds made

available under this paragraph shall be non-repayable notwithstanding any requirement in section 23 of the Arms Export Control Act: *Provided further*, That none of the funds made available under this heading shall be available for any non-NATO country participating in the Partnership for Peace Program except through the regular notification procedures of the Committees on Appropriations.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of direct loans authorized by section 23 of the Arms Export Control Act as follows: cost of direct loans, \$60,000,000: *Provided*, That these funds are available to subsidize gross obligations for the principal amount of direct loans of not to exceed \$657,000,000: *Provided further*, That the rate of interest charged on such loans shall be not less than the current average market yield on outstanding marketable obligations of the United States of comparable maturities: *Provided further*, That funds appropriated under this heading shall be made available for Greece and Turkey only on a loan basis, and the principal amount of direct loans for each country shall not exceed the following: \$105,000,000 only for Greece and \$150,000,000 only for Turkey.

None of the funds made available under this heading shall be available to finance the procurement of defense articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act unless the foreign country proposing to make such procurements has first signed an agreement with the United States Government specifying the conditions under which such procurements may be financed with such funds: *Provided*, That all country and funding level increases in allocations shall be submitted through the regular notification procedures of section 515 of this Act: *Provided further*, That funds made available under this heading shall be obligated upon apportionment in accordance with paragraph (5)(C) of title 31, United States Code, section 1501(a): *Provided further*, That none of the funds appropriated under this heading shall be available for Sudan and Liberia: *Provided further*, That funds made available under this heading may be used, notwithstanding any other provision of law, for activities related to the clearance of landmines and unexploded ordnance, and may include activities implemented through nongovernmental and international organizations: *Provided further*, That only those countries for which assistance was justified for the "Foreign Military Sales Financing Program" in the fiscal year 1989 congressional presentation for security assistance programs may utilize funds made available under this heading for procurement of defense articles, defense services or design and construction services that are not sold by the United States Government under the Arms Export Control Act: *Provided further*, That, subject to the regular notification procedures of the Committees on Appropriations, funds made available under this heading for the cost of direct loans may also be used to supplement the funds available under this heading for grants, and funds made available under this heading for grants may also be used to supplement the funds available under this heading for the cost of direct loans: *Provided further*, That funds appropriated under this heading shall be expended at the minimum rate necessary to make timely payment for defense articles and services: *Provided further*, That not more than \$23,250,000 of the funds appropriated under this heading may be obligated for necessary expenses, including the purchase of passenger motor vehicles for replacement only for use outside of the United States, for the general costs of administering military assistance and sales:

*Provided further*, That none of the funds appropriated under this heading shall be available for Guatemala: *Provided further*, That not more than \$350,000,000 of funds realized pursuant to section 21(e)(1)(A) of the Arms Export Control Act may be obligated for expenses incurred by the Department of Defense during fiscal year 1998 pursuant to section 43(b) of the Arms Export Control Act, except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations.

#### PEACEKEEPING OPERATIONS

For necessary expenses to carry out the provisions of section 551 of the Foreign Assistance Act of 1961, \$77,500,000: *Provided*, That none of the funds appropriated under this paragraph shall be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

#### TITLE IV—MULTILATERAL ECONOMIC ASSISTANCE

##### FUNDS APPROPRIATED TO THE PRESIDENT

##### INTERNATIONAL FINANCIAL INSTITUTIONS

##### CONTRIBUTION TO THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

For payment to the International Bank for Reconstruction and Development by the Secretary of the Treasury, for the United States contribution to the Global Environment Facility (GEF), \$35,000,000, to remain available until September 30, 1999.

##### CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

For payment to the International Development Association by the Secretary of the Treasury, \$606,000,000, for the United States contribution to the eleventh replenishment, to remain available until expended: *Provided*, That none of the funds may be obligated until the Secretary of the Treasury certifies to the Committees on Appropriations that procurement restrictions applicable to the United States under the terms of the Interim Trust Fund have been lifted and that the total unobligated balance available for open competition has been released.

##### CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT BANK

For payment to the Inter-American Development Bank by the Secretary of the Treasury, for the United States share of the paid-in share portion of the increase in capital stock, \$25,610,667, and for the United States share of the increase in the resources of the Fund for Special Operations, \$20,835,000, to remain available until expended.

##### LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the Inter-American Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed \$1,503,718,910.

##### CONTRIBUTION TO THE ASIAN DEVELOPMENT BANK

For payment to the Asian Development Bank by the Secretary of the Treasury for the United States share of the paid-in portion of the increase in capital stock, \$13,221,596, to remain available until expended.

##### LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the Asian Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed \$647,858,204.

##### CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

For the United States contribution by the Secretary of the Treasury to the increases in resources of the Asian Development Fund, as authorized by the Asian Development Bank Act, as amended (Public Law 89-369), \$100,000,000, to remain available until expended.

##### CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

For the United States contribution by the Secretary of the Treasury to the increase in resources of the African Development Fund, \$25,000,000, to remain available until expended.

##### CONTRIBUTION TO THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT

For payment to the European Bank for Reconstruction and Development by the Secretary of the Treasury, \$35,778,717, for the United States share of the paid-in portion of the increase in capital stock, to remain available until expended.

##### LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the European Bank for Reconstruction and Development may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed \$123,237,803.

##### NORTH AMERICAN DEVELOPMENT BANK

For payment to the North American Development Bank by the Secretary of the Treasury, for the United States share of the paid-in portion of the capital stock, \$56,500,000, to remain available until expended.

##### LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the North American Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of the capital stock of the North American Development Bank in an amount not to exceed \$318,750,000.

##### INTERNATIONAL ORGANIZATIONS AND PROGRAMS

For necessary expenses to carry out the provisions of section 301 of the Foreign Assistance Act of 1961, and of section 2 of the United Nations Environment Program Participation Act of 1973, \$194,000,000: *Provided*, That none of the funds appropriated under this heading shall be made available for the United Nations Fund for Science and Technology: *Provided further*, That none of the funds appropriated under this heading that are made available to the United Nations Population Fund (UNFPA) shall be made available for activities in the People's Republic of China: *Provided further*, That not more than \$25,000,000 of the funds appropriated under this heading may be made available to the UNFPA: *Provided further*, That not more than one-half of this amount may be provided to UNFPA before March 1, 1998, and that no later than February 15, 1998, the Secretary of State shall submit a report to the Committees on Appropriations indicating the amount UNFPA is budgeting for the People's Republic of China in 1998: *Provided further*, That any amount UNFPA plans to spend in the People's Republic of China in 1998 shall be deducted from the amount of funds provided to UNFPA after March 1, 1998, pursuant to the previous provisos: *Provided further*, That with respect to any funds appropriated under this heading that are made available to UNFPA, UNFPA shall be required to maintain such funds in a separate account and not commingle them with any other funds: *Provided further*, That none of the funds appropriated under this

heading may be made available to the Korean Peninsula Energy Development Organization (KEDO) or the International Atomic Energy Agency (IAEA): *Provided further*, That none of the funds appropriated under this heading may be made available to the United Nations development group or any similar organization.

TITLE V—GENERAL PROVISIONS  
OBLIGATIONS DURING LAST MONTH OF  
AVAILABILITY

SEC. 501. Except for the appropriations entitled "International Disaster Assistance", and "United States Emergency Refugee and Migration Assistance Fund", not more than 15 per centum of any appropriation item made available by this Act shall be obligated during the last month of availability.

PROHIBITION OF BILATERAL FUNDING FOR  
INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 502. Notwithstanding section 614 of the Foreign Assistance Act of 1961, as amended, none of the funds contained in title II of this Act may be used to carry out the provisions of section 209(d) of the Foreign Assistance Act of 1961.

LIMITATION ON RESIDENCE EXPENSES

SEC. 503. Of the funds appropriated or made available pursuant to this Act, not to exceed \$126,500 shall be for official residence expenses of the Agency for International Development during the current fiscal year: *Provided*, That appropriate steps shall be taken to assure that, to the maximum extent possible, United States-owned foreign currencies are utilized in lieu of dollars.

LIMITATION ON EXPENSES

SEC. 504. Of the funds appropriated or made available pursuant to this Act, not to exceed \$5,000 shall be for entertainment expenses of the Agency for International Development during the current fiscal year.

LIMITATION ON REPRESENTATIONAL  
ALLOWANCES

SEC. 505. Of the funds appropriated or made available pursuant to this Act, not to exceed \$95,000 shall be available for representation allowances for the Agency for International Development during the current fiscal year: *Provided*, That appropriate steps shall be taken to assure that, to the maximum extent possible, United States-owned foreign currencies are utilized in lieu of dollars: *Provided further*, That of the funds made available by this Act for general costs of administering military assistance and sales under the heading "Foreign Military Financing Program", not to exceed \$2,000 shall be available for entertainment expenses and not to exceed \$50,000 shall be available for representation allowances: *Provided further*, That of the funds made available by this Act under the heading "International Military Education and Training", not to exceed \$50,000 shall be available for entertainment allowances: *Provided further*, That of the funds made available by this Act for the Inter-American Foundation, not to exceed \$2,000 shall be available for entertainment and representation allowances: *Provided further*, That of the funds made available by this Act for the Peace Corps, not to exceed a total of \$4,000 shall be available for entertainment expenses: *Provided further*, That of the funds made available by this Act under the heading "Trade and Development Agency", not to exceed \$2,000 shall be available for representation and entertainment allowances.

PROHIBITION ON FINANCING NUCLEAR GOODS

SEC. 506. None of the funds appropriated or made available (other than funds for "Non-proliferation, Anti-terrorism, Demining and Related Programs") pursuant to this Act, for carrying out the Foreign Assistance Act of

1961, may be used, except for purposes of nuclear safety, to finance the export of nuclear equipment, fuel, or technology.

PROHIBITION AGAINST DIRECT FUNDING FOR  
CERTAIN COUNTRIES

SEC. 507. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance directly any assistance or reparations to Cuba, Iraq, Libya, North Korea, Iran, Sudan, or Syria: *Provided*, That for purposes of this section, the prohibition on obligations or expenditures shall include direct loans, credits, insurance and guarantees of the Export-Import Bank or its agents.

MILITARY COUPS

SEC. 508. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance directly any assistance to any country whose duly elected Head of Government is deposed by military coup or decree: *Provided*, That assistance may be resumed to such country if the President determines and reports to the Committees on Appropriations that subsequent to the termination of assistance a democratically elected government has taken office.

PARLIAMENTARY INQUIRY

Mr. BEREUTER. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. BEREUTER. Mr. Chairman, would it be appropriate now for the gentleman to offer an amendment to title V?

The CHAIRMAN. Only to the section being read within title V.

Mr. CALLAHAN. Mr. Chairman, I ask unanimous consent that the remainder of title V of the bill through page 93, line 15 be considered as read and printed in the RECORD and open to amendment at any point.

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

Mr. DINGELL. Reserving the right to object, Mr. Chairman, what is the request?

The CHAIRMAN. The request by the gentleman from Alabama is that the remainder of title V of the bill through page 93, line 15 be considered as read, printed in the RECORD and open to amendment at any point.

Is there objection to the request of the gentleman from Alabama?

Mr. DINGELL. Further reserving the right to object, Mr. Chairman, as I understood, it opens up the bill through page 93, line 15; is that correct?

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

Mr. DINGELL. I yield to the gentleman from Alabama.

Mr. CALLAHAN. On page 93 through line 15, yes.

Mr. DINGELL. Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

The text of the bill from page 42, line 3 through page 93, line 15 is as follows:

TRANSFERS BETWEEN ACCOUNTS

SEC. 509. None of the funds made available by this Act may be obligated under an appro-

priation account to which they were not appropriated, except for transfers specifically provided for in this Act, unless the President, prior to the exercise of any authority contained in the Foreign Assistance Act of 1961 to transfer funds, consults with and provides a written policy justification to the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

DEOBLIGATION/REOBLIGATION AUTHORITY

SEC. 510. (a) Amounts certified pursuant to section 1311 of the Supplemental Appropriations Act, 1955, as having been obligated against appropriations heretofore made under the authority of the Foreign Assistance Act of 1961 for the same general purpose as any of the headings under title II of this Act are, if deobligated, hereby continued available for the same period as the respective appropriations under such headings or until September 30, 1998, whichever is later, and for the same general purpose, and for countries within the same region as originally obligated: *Provided*, That the Appropriations Committees of both Houses of the Congress are notified fifteen days in advance of the reobligation of such funds in accordance with regular notification procedures of the Committees on Appropriations.

(b) Obligated balances of funds appropriated to carry out section 23 of the Arms Export Control Act as of the end of the fiscal year immediately preceding the current fiscal year are, if deobligated, hereby continued available during the current fiscal year for the same purpose under any authority applicable to such appropriations under this Act: *Provided*, That the authority of this subsection may not be used in fiscal year 1998.

AVAILABILITY OF FUNDS

SEC. 511. No part of any appropriation contained in this Act shall remain available for obligation after the expiration of the current fiscal year unless expressly so provided in this Act: *Provided*, That funds appropriated for the purposes of chapters 1, 8, and 11 of part I, section 667, and chapter 4 of part II of the Foreign Assistance Act of 1961, as amended, and funds provided under the heading "Assistance for Eastern Europe and the Baltic States", shall remain available until expended if such funds are initially obligated before the expiration of their respective periods of availability contained in this Act: *Provided further*, That, notwithstanding any other provision of this Act, any funds made available for the purposes of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 which are allocated for cash disbursements in order to address balance of payments or economic policy reform objectives, shall remain available until expended: *Provided further*, That the report required by section 653(a) of the Foreign Assistance Act of 1961 shall designate for each country, to the extent known at the time of submission of such report, those funds allocated for cash disbursement for balance of payment and economic policy reform purposes.

LIMITATION ON ASSISTANCE TO COUNTRIES IN  
DEFAULT

SEC. 512. No part of any appropriation contained in this Act shall be used to furnish assistance to any country which is in default during a period in excess of one calendar year in payment to the United States of principal or interest on any loan made to such country by the United States pursuant to a program for which funds are appropriated under this Act: *Provided*, That this section and section 620(q) of the Foreign Assistance Act of 1961 shall not apply to funds

made available in this Act or during the current fiscal year for Nicaragua and Liberia, and for any narcotics-related assistance for Colombia, Bolivia, and Peru authorized by the Foreign Assistance Act of 1961 or the Arms Export Control Act.

#### COMMERCE AND TRADE

SEC. 513. (a) None of the funds appropriated or made available pursuant to this Act for direct assistance and none of the funds otherwise made available pursuant to this Act to the Export-Import Bank and the Overseas Private Investment Corporation shall be obligated or expended to finance any loan, any assistance or any other financial commitments for establishing or expanding production of any commodity for export by any country other than the United States, if the commodity is likely to be in surplus on world markets at the time the resulting productive capacity is expected to become operative and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity: *Provided*, That such prohibition shall not apply to the Export-Import Bank if in the judgment of its Board of Directors the benefits to industry and employment in the United States are likely to outweigh the injury to United States producers of the same, similar, or competing commodity, and the Chairman of the Board so notifies the Committees on Appropriations.

(b) None of the funds appropriated by this or any other Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 shall be available for any testing or breeding feasibility study, variety improvement or introduction, consultancy, publication, conference, or training in connection with the growth or production in a foreign country of an agricultural commodity for export which would compete with a similar commodity grown or produced in the United States: *Provided*, That this subsection shall not prohibit—

(1) activities designed to increase food security in developing countries where such activities will not have a significant impact in the export of agricultural commodities of the United States; or

(2) research activities intended primarily to benefit American producers.

#### SURPLUS COMMODITIES

SEC. 514. The Secretary of the Treasury shall instruct the United States Executive Directors of the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the International Monetary Fund, the Asian Development Bank, the Inter-American Investment Corporation, the North American Development Bank, the European Bank for Reconstruction and Development, the African Development Bank, and the African Development Fund to use the voice and vote of the United States to oppose any assistance by these institutions, using funds appropriated or made available pursuant to this Act, for the production or extraction of any commodity or mineral for export, if it is in surplus on world markets and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity.

#### NOTIFICATION REQUIREMENTS

SEC. 515. For the purposes of providing the Executive Branch with the necessary administrative flexibility, none of the funds made available under this Act for "Child Survival and Disease Programs Fund", "Development Assistance", "International organizations and programs", "Trade and Development Agency", "International narcotics control",

"Assistance for Eastern Europe and the Baltic States", "Assistance for the New Independent States of the Former Soviet Union", "Economic Support Fund", "Peacekeeping operations", "Operating expenses of the Agency for International Development", "Operating expenses of the Agency for International Development Office of Inspector General", "Nonproliferation, anti-terrorism, demining and related programs", "Foreign Military Financing Program", "International military education and training", "Inter-American Foundation", "African Development Foundation", "Peace Corps", "Migration and refugee assistance", shall be available for obligation for activities, programs, projects, type of materiel assistance, countries, or other operations not justified or in excess of the amount justified to the Appropriations Committees for obligation under any of these specific headings unless the Appropriations Committees of both Houses of Congress are previously notified fifteen days in advance: *Provided*, That the President shall not enter into any commitment of funds appropriated for the purposes of section 23 of the Arms Export Control Act for the provision of major defense equipment, other than conventional ammunition, or other major defense items defined to be aircraft, ships, missiles, or combat vehicles, not previously justified to Congress or 20 per centum in excess of the quantities justified to Congress unless the Committees on Appropriations are notified fifteen days in advance of such commitment: *Provided further*, That this section shall not apply to any reprogramming for an activity, program, or project under chapter 1 of part I of the Foreign Assistance Act of 1961 of less than 10 per centum of the amount previously justified to the Congress for obligation for such activity, program, or project for the current fiscal year: *Provided further*, That the requirements of this section or any similar provision of this Act or any other Act, including any prior Act requiring notification in accordance with the regular notification procedures of the Committees on Appropriations, may be waived if failure to do so would pose a substantial risk to human health or welfare: *Provided further*, That in case of any such waiver, notification to the Congress, or the appropriate congressional committees, shall be provided as early as practicable, but in no event later than three days after taking the action to which such notification requirement was applicable, in the context of the circumstances necessitating such waiver: *Provided further*, That any notification provided pursuant to such a waiver shall contain an explanation of the emergency circumstances.

Drawdowns made pursuant to section 506(a)(2) of the Foreign Assistance Act of 1961 shall be subject to the regular notification procedures of the Committees on Appropriations.

#### LIMITATION ON AVAILABILITY OF FUNDS FOR INTERNATIONAL ORGANIZATIONS AND PROGRAMS

SEC. 516. Notwithstanding any other provision of law or of this Act, none of the funds provided for "International Organizations and Programs" shall be available for the United States proportionate share, in accordance with section 307(c) of the Foreign Assistance Act of 1961, for any programs identified in section 307, or for Libya, Iran, or, at the discretion of the President, Communist countries listed in section 620(f) of the Foreign Assistance Act of 1961, as amended: *Provided*, That, subject to the regular notification procedures of the Committees on Appropriations, funds appropriated under this Act or any previously enacted Act making appropriations for foreign operations, export financing, and related pro-

grams, which are returned or not made available for organizations and programs because of the implementation of this section or any similar provision of law, shall remain available for obligation through September 30, 1999.

#### ECONOMIC SUPPORT FUND ASSISTANCE FOR ISRAEL

SEC. 517. The Congress finds that progress on the peace process in the Middle East is vitally important to United States security interests in the region. The Congress recognizes that, in fulfilling its obligations under the Treaty of Peace Between the Arab Republic of Egypt and the State of Israel, done at Washington on March 26, 1979, Israel incurred severe economic burdens. Furthermore, the Congress recognizes that an economically and militarily secure Israel serves the security interests of the United States, for a secure Israel is an Israel which has the incentive and confidence to continue pursuing the peace process. Therefore, the Congress declares that, subject to the availability of appropriations, it is the policy and the intention of the United States that the funds provided in annual appropriations for the Economic Support Fund which are allocated to Israel shall not be less than the annual debt repayment (interest and principal) from Israel to the United States Government in recognition that such a principle serves United States interests in the region.

#### PROHIBITION ON FUNDING FOR ABORTIONS AND INVOLUNTARY STERILIZATION

SEC. 518. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of abortions as a method of family planning or to motivate or coerce any person to practice abortions. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of involuntary sterilization as a method of family planning or to coerce or provide any financial incentive to any person to undergo sterilizations. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for any biomedical research which relates in whole or in part, to methods of, or the performance of, abortions or involuntary sterilization as a means of family planning. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be obligated or expended for any country or organization if the President certifies that the use of these funds by any such country or organization would violate any of the above provisions related to abortions and involuntary sterilizations: *Provided*, That none of the funds made available under this Act may be used to lobby for or against abortion.

#### AUTHORIZATION FOR POPULATION PLANNING

SEC. 518A. Not to exceed \$385,000,000 of the funds appropriated in title II of this Act may be made available for population planning activities or other population assistance.

#### REPORTING REQUIREMENT

SEC. 519. The President shall submit to the Committees on Appropriations the reports required by section 25(a)(1) of the Arms Export Control Act.

#### SPECIAL NOTIFICATION REQUIREMENTS

SEC. 520. None of the funds appropriated in this Act shall be obligated or expended for Colombia, Haiti, Liberia, Pakistan, Panama, Peru, Russia, Serbia, Sudan, or the Democratic Republic of Congo except as provided through the regular notification procedures of the Committees on Appropriations.

#### DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

SEC. 521. For the purpose of this Act, "program, project, and activity" shall be defined

at the Appropriations Act account level and shall include all Appropriations and Authorizations Acts earmarks, ceilings, and limitations with the exception that for the following accounts: Economic Support Fund and Foreign Military Financing Program, "program, project, and activity" shall also be considered to include country, regional, and central program level funding within each such account; for the development assistance accounts of the Agency for International Development "program, project, and activity" shall also be considered to include central program level funding, either as (1) justified to the Congress, or (2) allocated by the executive branch in accordance with a report, to be provided to the Committees on Appropriations within thirty days of enactment of this Act, as required by section 653(a) of the Foreign Assistance Act of 1961.

#### CHILD SURVIVAL AND AIDS ACTIVITIES

SEC. 522. Up to \$8,000,000 of the funds made available by this Act for assistance for family planning, health, child survival, and AIDS, may be used to reimburse United States Government agencies, agencies of State governments, institutions of higher learning, and private and voluntary organizations for the full cost of individuals (including for the personal services of such individuals) detailed or assigned to, or contracted by, as the case may be, the Agency for International Development for the purpose of carrying out family planning activities, child survival activities, and activities relating to research on, and the treatment and control of acquired immune deficiency syndrome in developing countries: *Provided*, That funds appropriated by this Act that are made available for child survival activities or activities relating to research on, and the treatment and control of, acquired immune deficiency syndrome may be made available notwithstanding any provision of law that restricts assistance to foreign countries: *Provided further*, That funds appropriated by this Act that are made available for family planning activities may be made available notwithstanding section 512 of this Act and section 620(q) of the Foreign Assistance Act of 1961.

#### PROHIBITION AGAINST INDIRECT FUNDING TO CERTAIN COUNTRIES

SEC. 523. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated to finance indirectly any assistance or reparations to Cuba, Iraq, Libya, Iran, Syria, North Korea, or the People's Republic of China, unless the President of the United States certifies that the withholding of these funds is contrary to the national interest of the United States.

#### RECIPROCAL LEASING

SEC. 524. Section 61(a) of the Arms Export Control Act is amended by striking out "1997" and inserting in lieu thereof "1998".

#### NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

SEC. 525. Prior to providing excess Department of Defense articles in accordance with section 516(a) of the Foreign Assistance Act of 1961, the Department of Defense shall notify the Committees on Appropriations to the same extent and under the same conditions as are other committees pursuant to subsection (c) of that section: *Provided*, That before issuing a letter of offer to sell excess defense articles under the Arms Export Control Act, the Department of Defense shall notify the Committees on Appropriations in accordance with the regular notification procedures of such Committees: *Provided further*, That such Committees shall also be informed of the original acquisition cost of such defense articles.

#### AUTHORIZATION REQUIREMENT

SEC. 526. Funds appropriated by this Act may be obligated and expended subject to

section 10 of Public Law 91-672 and section 15 of the State Department Basic Authorities Act of 1956.

#### PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST COUNTRIES

SEC. 527. (a) Notwithstanding any other provision of law, funds appropriated for bilateral assistance under any heading of this Act and funds appropriated under any such heading in a provision of law enacted prior to enactment of this Act, shall not be made available to any country which the President determines—

(1) grants sanctuary from prosecution to any individual or group which has committed an act of international terrorism, or

(2) otherwise supports international terrorism.

(b) The President may waive the application of subsection (a) to a country if the President determines that national security or humanitarian reasons justify such waiver. The President shall publish each waiver in the Federal Register and, at least fifteen days before the waiver takes effect, shall notify the Committees on Appropriations of the waiver (including the justification for the waiver) in accordance with the regular notification procedures of the Committees on Appropriations.

#### COMMERCIAL LEASING OF DEFENSE ARTICLES

SEC. 528. Notwithstanding any other provision of law, and subject to the regular notification procedures of the Committees on Appropriations, the authority of section 23(a) of the Arms Export Control Act may be used to provide financing to Israel, Egypt and NATO and major non-NATO allies for the procurement by leasing (including leasing with an option to purchase) of defense articles from United States commercial suppliers, not including Major Defense Equipment (other than helicopters and other types of aircraft having possible civilian application), if the President determines that there are compelling foreign policy or national security reasons for those defense articles being provided by commercial lease rather than by government-to-government sale under such Act.

#### COMPETITIVE INSURANCE

SEC. 528A. All Agency for International Development contracts and solicitations, and subcontracts entered into under such contracts, shall include a clause requiring that United States insurance companies have a fair opportunity to bid for insurance when such insurance is necessary or appropriate.

#### STINGERS IN THE PERSIAN GULF REGION

SEC. 529. Except as provided in section 581 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990, the United States may not sell or otherwise make available any Stingers to any country bordering the Persian Gulf under the Arms Export Control Act or chapter 2 of part II of the Foreign Assistance Act of 1961.

#### DEBT-FOR-DEVELOPMENT

SEC. 530. In order to enhance the continued participation of nongovernmental organizations in economic assistance activities under the Foreign Assistance Act of 1961, including endowments, debt-for-development and debt-for-nature exchanges, a nongovernmental organization which is a grantee or contractor of the Agency for International Development may place in interest bearing accounts funds made available under this Act or prior Acts or local currencies which accrue to that organization as a result of economic assistance provided under title II of this Act and any interest earned on such investment shall be used for the purpose for which the assistance was provided to that organization.

#### SEPARATE ACCOUNTS

SEC. 531. (a) SEPARATE ACCOUNTS FOR LOCAL CURRENCIES.—(1) If assistance is fur-

nished to the government of a foreign country under chapters 1 and 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 under agreements which result in the generation of local currencies of that country, the Administrator of the Agency for International Development shall—

(A) require that local currencies be deposited in a separate account established by that government;

(B) enter into an agreement with that government which sets forth—

(i) the amount of the local currencies to be generated, and

(ii) the terms and conditions under which the currencies so deposited may be utilized, consistent with this section; and

(C) establish by agreement with that government the responsibilities of the Agency for International Development and that government to monitor and account for deposits into and disbursements from the separate account.

(2) USES OF LOCAL CURRENCIES.—As may be agreed upon with the foreign government, local currencies deposited in a separate account pursuant to subsection (a), or an equivalent amount of local currencies, shall be used only—

(A) to carry out chapters 1 or 10 of part I or chapter 4 of part II (as the case may be), for such purposes as—

(i) project and sector assistance activities, or

(ii) debt and deficit financing; or

(B) for the administrative requirements of the United States Government.

(3) PROGRAMMING ACCOUNTABILITY.—The Agency for International Development shall take all necessary steps to ensure that the equivalent of the local currencies disbursed pursuant to subsection (a)(2)(A) from the separate account established pursuant to subsection (a)(1) are used for the purposes agreed upon pursuant to subsection (a)(2).

(4) TERMINATION OF ASSISTANCE PROGRAMS.—Upon termination of assistance to a country under chapters 1 or 10 of part I or chapter 4 of part II (as the case may be), any unencumbered balances of funds which remain in a separate account established pursuant to subsection (a) shall be disposed of for such purposes as may be agreed to by the government of that country and the United States Government.

(5) CONFORMING AMENDMENTS.—The provisions of this subsection shall supersede the tenth and eleventh provisos contained under the heading "Sub-Saharan Africa, Development Assistance" as included in the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989 and sections 531(d) and 609 of the Foreign Assistance Act of 1961.

(6) REPORTING REQUIREMENT.—The Administrator of the Agency for International Development shall report on an annual basis as part of the justification documents submitted to the Committees on Appropriations on the use of local currencies for the administrative requirements of the United States Government as authorized in subsection (a)(2)(B), and such report shall include the amount of local currency (and United States dollar equivalent) used and/or to be used for such purpose in each applicable country.

(b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—(1) If assistance is made available to the government of a foreign country, under chapters 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961, as cash transfer assistance or as nonproject sector assistance, that country shall be required to maintain such funds in a separate account and not commingle them with any other funds.

(2) APPLICABILITY OF OTHER PROVISIONS OF LAW.—Such funds may be obligated and expended notwithstanding provisions of law

which are inconsistent with the nature of this assistance including provisions which are referenced in the Joint Explanatory Statement of the Committee of Conference accompanying House Joint Resolution 648 (H. Report No. 98-1159).

(3) NOTIFICATION.—At least fifteen days prior to obligating any such cash transfer or nonproject sector assistance, the President shall submit a notification through the regular notification procedures of the Committees on Appropriations, which shall include a detailed description of how the funds proposed to be made available will be used, with a discussion of the United States interests that will be served by the assistance (including, as appropriate, a description of the economic policy reforms that will be promoted by such assistance).

(4) EXEMPTION.—Nonproject sector assistance funds may be exempt from the requirements of subsection (b)(1) only through the notification procedures of the Committees on Appropriations.

#### COMPENSATION FOR UNITED STATES EXECUTIVE DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 532. (a) No funds appropriated by this Act may be made as payment to any international financial institution while the United States Executive Director to such institution is compensated by the institution at a rate which, together with whatever compensation such Director receives from the United States, is in excess of the rate provided for an individual occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, or while any alternate United States Director to such institution is compensated by the institution at a rate in excess of the rate provided for an individual occupying a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(b) For purposes of this section, "international financial institutions" are: the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, the Asian Development Fund, the African Development Bank, the African Development Fund, the International Monetary Fund, the North American Development Bank, and the European Bank for Reconstruction and Development.

#### COMPLIANCE WITH UNITED NATIONS SANCTIONS AGAINST IRAQ

SEC. 533. None of the funds appropriated or otherwise made available pursuant to this Act to carry out the Foreign Assistance Act of 1961 (including title IV of chapter 2 of part I, relating to the Overseas Private Investment Corporation) or the Arms Export Control Act may be used to provide assistance to any country that is not in compliance with the United Nations Security Council sanctions against Iraq unless the President determines and so certifies to the Congress that—

(1) such assistance is in the national interest of the United States;

(2) such assistance will directly benefit the needy people in that country; or

(3) the assistance to be provided will be humanitarian assistance for foreign nationals who have fled Iraq and Kuwait.

#### COMPETITIVE PRICING FOR SALES OF DEFENSE ARTICLES

SEC. 534. Direct costs associated with meeting a foreign customer's additional or unique requirements will continue to be allowable under contracts under section 22(d) of the Arms Export Control Act. Loadings applicable to such direct costs shall be permitted at the same rates applicable to procurement of like items purchased by the Department of Defense for its own use.

#### EXTENSION OF AUTHORITY TO OBLIGATE FUNDS TO CLOSE THE SPECIAL DEFENSE ACQUISITION FUND

SEC. 535. Title III of Public Law 103-306 is amended under the heading "Special Defense Acquisition Fund" by striking "1998" and inserting "2000".

#### CASH FLOW FINANCING

SEC. 536. For each country that has been approved for cash flow financing (as defined in section 25(d) of the Arms Export Control Act, as added by section 112(b) of Public Law 99-83) under the Foreign Military Financing Program, any Letter of Offer and Acceptance or other purchase agreement, or any amendment thereto, for a procurement in excess of \$100,000,000 that is to be financed in whole or in part with funds made available under this Act shall be submitted through the regular notification procedures to the Committees on Appropriations.

#### AUTHORITIES FOR THE PEACE CORPS, THE INTER-AMERICAN FOUNDATION AND THE AFRICAN DEVELOPMENT FOUNDATION

SEC. 537. Unless expressly provided to the contrary, provisions of this or any other Act, including provisions contained in prior Acts authorizing or making appropriations for foreign operations, export financing, and related programs, shall not be construed to prohibit activities authorized by or conducted under the Peace Corps Act, the Inter-American Foundation Act, or the African Development Foundation Act. The appropriate agency shall promptly report to the Committees on Appropriations whenever it is conducting activities or is proposing to conduct activities in a country for which assistance is prohibited.

#### IMPACT ON JOBS IN THE UNITED STATES

SEC. 538. None of the funds appropriated by this Act may be obligated or expended to provide—

(a) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States if such incentive or inducement is likely to reduce the number of employees of such business enterprise in the United States because United States production is being replaced by such enterprise outside the United States;

(b) assistance for the purpose of establishing or developing in a foreign country any export processing zone or designated area in which the tax, tariff, labor, environment, and safety laws of that country do not apply, in part or in whole, to activities carried out within that zone or area, unless the President determines and certifies that such assistance is not likely to cause a loss of jobs within the United States; or

(c) assistance for any project or activity that contributes to the violation of internationally recognized workers rights, as defined in section 502(a)(4) of the Trade Act of 1974, of workers in the recipient country, including any designated zone or area in that country: *Provided*, That in recognition that the application of this subsection should be commensurate with the level of development of the recipient country and sector, the provisions of this subsection shall not preclude assistance for the informal sector in such country, micro and small-scale enterprise, and smallholder agriculture.

#### RESTRICTIONS ON THE TERMINATION OF SANCTIONS AGAINST SERBIA AND MONTENEGRO

SEC. 539. (a) RESTRICTIONS.—Notwithstanding any other provision of law, no sanction, prohibition, or requirement described in section 1511 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103-160), with respect to Serbia or

Montenegro, may cease to be effective, unless—

(1) the President first submits to the Congress a certification described in subsection (b); and

(2) the requirements of section 1511 of that Act are met.

(b) CERTIFICATION.—A certification described in this subsection is a certification that—

(1) there is substantial progress toward—

(A) the realization of a separate identity for Kosova and the right of the people of Kosova to govern themselves; or

(B) the creation of an international protectorate for Kosova;

(2) there is substantial improvement in the human rights situation in Kosova;

(3) international human rights observers are allowed to return to Kosova; and

(4) the elected government of Kosova is permitted to meet and carry out its legitimate mandate as elected representatives of the people of Kosova.

(c) WAIVER AUTHORITY.—The President may waive the application in whole or in part, of subsection (a) if the President certifies to the Congress that the President has determined that the waiver is necessary to meet emergency humanitarian needs or to achieve a negotiated settlement of the conflict in Bosnia and Herzegovina that is acceptable to the parties.

#### SPECIAL AUTHORITIES

SEC. 540. (a) Funds appropriated in title II of this Act that are made available for Afghanistan, Lebanon, and Cambodia, and for victims of war, displaced children, displaced Burmese, humanitarian assistance for Romania, and humanitarian assistance for the peoples of Bosnia and Herzegovina, Croatia, and Kosova, may be made available notwithstanding any other provision of law: *Provided*, That any such funds that are made available for Cambodia shall be subject to the provisions of section 531(e) of the Foreign Assistance Act of 1961 and section 906 of the International Security and Development Cooperation Act of 1985.

(b) Funds appropriated by this Act to carry out the provisions of sections 103 through 106 of the Foreign Assistance Act of 1961 may be used, notwithstanding any other provision of law, for the purpose of supporting tropical forestry and energy programs aimed at reducing emissions of greenhouse gases, and for the purpose of supporting biodiversity conservation activities: *Provided*, That such assistance shall be subject to sections 116, 502B, and 620A of the Foreign Assistance Act of 1961.

(c) The Agency for International Development may employ personal services contractors, notwithstanding any other provision of law, for the purpose of administering programs for the West Bank and Gaza.

#### POLICY ON TERMINATING THE ARAB LEAGUE BOYCOTT OF ISRAEL

SEC. 541. It is the sense of the Congress that—

(1) the Arab League countries should immediately and publicly renounce the primary boycott of Israel and the secondary and tertiary boycott of American firms that have commercial ties with Israel; and

(2) the decision by the Arab League in 1997 to reinstate the boycott against Israel was deeply troubling and disappointing; and

(3) the Arab League should immediately rescind its decision on the boycott and its members should develop normal relations with their neighbor Israel; and

(4) the President should—

(A) take more concrete steps to encourage vigorously Arab League countries to renounce publicly the primary boycotts of Israel and the secondary and tertiary boycotts

of American firms that have commercial relations with Israel as a confidence-building measure;

(B) take into consideration the participation of any recipient country in the primary boycott of Israel and the secondary and tertiary boycotts of American firms that have commercial relations with Israel when determining whether to sell weapons to said country;

(C) report to Congress on the specific steps being taken by the President to bring about a public renunciation of the Arab primary boycott of Israel and the secondary and tertiary boycotts of American firms that have commercial relations with Israel and to expand the process of normalizing ties between Arab League countries and Israel; and

(D) encourage the allies and trading partners of the United States to enact laws prohibiting businesses from complying with the boycott and penalizing businesses that do comply.

#### ANTI-NARCOTICS ACTIVITIES

SEC. 542. (a) Of the funds appropriated or otherwise made available by this Act for "Economic Support Fund", assistance may be provided to strengthen the administration of justice in countries in Latin America and the Caribbean and in other regions consistent with the provisions of section 534(b) of the Foreign Assistance Act of 1961, except that programs to enhance protection of participants in judicial cases may be conducted notwithstanding section 660 of that Act.

(b) Funds made available pursuant to this section may be made available notwithstanding section 534(c) and the second and third sentences of section 534(e) of the Foreign Assistance Act of 1961. Funds made available pursuant to subsection (a) for Bolivia, Colombia and Peru may be made available notwithstanding section 534(c) and the second sentence of section 534(e) of the Foreign Assistance Act of 1961.

#### ELIGIBILITY FOR ASSISTANCE

SEC. 543. (a) ASSISTANCE THROUGH NON-GOVERNMENTAL ORGANIZATIONS.—Restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance in support of programs of nongovernmental organizations from funds appropriated by this Act to carry out the provisions of chapters 1 and 10 and 11 of part I, and chapter 4 of part II, of the Foreign Assistance Act of 1961: *Provided*, That the President shall take into consideration, in any case in which a restriction on assistance would be applicable but for this subsection, whether assistance in support of programs of nongovernmental organizations is in the national interest of the United States: *Provided further*, That before using the authority of this subsection to furnish assistance in support of programs of nongovernmental organizations, the President shall notify the Committees on Appropriations under the regular notification procedures of those committees, including a description of the program to be assisted, the assistance to be provided, and the reasons for furnishing such assistance: *Provided further*, That nothing in this subsection shall be construed to alter any existing statutory prohibitions against abortion or involuntary sterilizations contained in this or any other Act.

(b) PUBLIC LAW 480.—During fiscal year 1998, restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance under the Agricultural Trade Development and Assistance Act of 1954: *Provided*, That none of the funds appropriated to carry out title I of such Act and made available pursuant to this subsection may be obligated or expended except as provided through the

regular notification procedures of the Committees on Appropriations.

(c) EXCEPTION.—This section shall not apply—

(1) with respect to section 620A of the Foreign Assistance Act or any comparable provision of law prohibiting assistance to countries that support international terrorism; or

(2) with respect to section 116 of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to countries that violate internationally recognized human rights.

#### EARMARKS

SEC. 544. (a) Funds appropriated by this Act which are earmarked may be reprogrammed for other programs within the same account notwithstanding the earmark if compliance with the earmark is made impossible by operation of any provision of this or any other Act or, with respect to a country with which the United States has an agreement providing the United States with base rights or base access in that country, if the President determines that the recipient for which funds are earmarked has significantly reduced its military or economic cooperation with the United States since enactment of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991; however, before exercising the authority of this subsection with regard to a base rights or base access country which has significantly reduced its military or economic cooperation with the United States, the President shall consult with, and shall provide a written policy justification to the Committees on Appropriations: *Provided*, That any such reprogramming shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That assistance that is reprogrammed pursuant to this subsection shall be made available under the same terms and conditions as originally provided.

(b) In addition to the authority contained in subsection (a), the original period of availability of funds appropriated by this Act and administered by the Agency for International Development that are earmarked for particular programs or activities by this or any other Act shall be extended for an additional fiscal year if the Administrator of such agency determines and reports promptly to the Committees on Appropriations that the termination of assistance to a country or a significant change in circumstances makes it unlikely that such earmarked funds can be obligated during the original period of availability: *Provided*, That such earmarked funds that are continued available for an additional fiscal year shall be obligated only for the purpose of such earmark.

#### CEILINGS AND EARMARKS

SEC. 545. Ceilings and earmarks contained in this Act shall not be applicable to funds or authorities appropriated or otherwise made available by any subsequent Act unless such Act specifically so directs.

#### PROHIBITION ON PUBLICITY OR PROPAGANDA

SEC. 546. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not authorized before the date of enactment of this Act by the Congress: *Provided*, That not to exceed \$500,000 may be made available to carry out the provisions of section 316 of Public Law 96-533.

#### USE OF AMERICAN RESOURCES

SEC. 547. To the maximum extent possible, assistance provided under this Act should make full use of American resources, including commodities, products, and services.

#### PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS

SEC. 548. None of the funds appropriated or made available pursuant to this Act for carrying out the Foreign Assistance Act of 1961, may be used to pay in whole or in part any assessments, arrearages, or dues of any member of the United Nations.

#### CONSULTING SERVICES

SEC. 549. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order pursuant to existing law.

#### PRIVATE VOLUNTARY ORGANIZATIONS—DOCUMENTATION

SEC. 550. None of the funds appropriated or made available pursuant to this Act shall be available to a private voluntary organization which fails to provide upon timely request any document, file, or record necessary to the auditing requirements of the Agency for International Development.

#### PROHIBITION ON ASSISTANCE TO FOREIGN GOVERNMENTS THAT EXPORT LETHAL MILITARY EQUIPMENT TO COUNTRIES SUPPORTING INTERNATIONAL TERRORISM

SEC. 551. (a) None of the funds appropriated or otherwise made available by this Act may be available to any foreign government which provides lethal military equipment to a country the government of which the Secretary of State has determined is a terrorist government for purposes of section 40(d) of the Arms Export Control Act. The prohibition under this section with respect to a foreign government shall terminate 12 months after that government ceases to provide such military equipment. This section applies with respect to lethal military equipment provided under a contract entered into after April 24, 1996.

(b) Assistance restricted by subsection (a) or any other similar provision of law, may be furnished if the President determines that furnishing such assistance is important to the national interests of the United States.

(c) Whenever the waiver of subsection (b) is exercised, the President shall submit to the appropriate congressional committees a report with respect to the furnishing of such assistance. Any such report shall include a detailed explanation of the assistance estimated to be provided, including the estimated dollar amount of such assistance, and an explanation of how the assistance furthers United States national interests.

#### WITHHOLDING OF ASSISTANCE FOR PARKING FINES OWED BY FOREIGN COUNTRIES

SEC. 552. (a) IN GENERAL.—Of the funds made available for a foreign country under part I of the Foreign Assistance Act of 1961, an amount equivalent to 110 percent of the total unpaid fully adjudicated parking fines and penalties owed to the District of Columbia by such country as of the date of enactment of this Act shall be withheld from obligation for such country until the Secretary of State certifies and reports in writing to the appropriate congressional committees that such fines and penalties are fully paid to the government of the District of Columbia.

(b) DEFINITION.—For purposes of this section, the term "appropriate congressional committees" means the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on International Relations and the Committee on Appropriations of the House of Representatives.



LIMITATION ON ASSISTANCE FOR THE PLO FOR  
THE WEST BANK AND GAZA

SEC. 553. None of the funds appropriated by this Act may be obligated for assistance for the Palestine Liberation Organization for the West Bank and Gaza unless the President has exercised the authority under section 604(a) of the Middle East Peace Facilitation Act of 1995 (title VI of Public Law 104-107) or any other legislation to suspend or make inapplicable section 307 of the Foreign Assistance Act of 1961 and that suspension is still in effect: *Provided*, That if the President fails to make the certification under section 604(b)(2) of the Middle East Peace Facilitation Act of 1995 or to suspend the prohibition under other legislation, funds appropriated by this Act may not be obligated for assistance for the Palestine Liberation Organization for the West Bank and Gaza.

EXPORT FINANCING TRANSFER AUTHORITIES

SEC. 554. Not to exceed 5 percent of any appropriation other than for administrative expenses made available for fiscal year 1998 for programs under title I of this Act may be transferred between such appropriations for use for any of the purposes, programs and activities for which the funds in such receiving account may be used, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 25 percent by any such transfer: *Provided*, That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

WAR CRIMES TRIBUNALS

SEC. 555. If the President determines that doing so will contribute to a just resolution of charges regarding genocide or other violations of international humanitarian law, the President may direct a drawdown pursuant to section 552(c) of the Foreign Assistance Act of 1961, as amended, of up to \$25,000,000 of commodities and services for the United Nations War Crimes Tribunal established with regard to the former Yugoslavia by the United Nations Security Council or such other tribunals or commissions as the Council may establish to deal with such violations, without regard to the ceiling limitation contained in paragraph (2) thereof: *Provided*, That the determination required under this section shall be in lieu of any determinations otherwise required under section 552(c): *Provided further*, That 60 days after the date of enactment of this Act, and every 180 days thereafter, the Secretary of State shall submit a report to the Committees on Appropriations describing the steps the United States Government is taking to collect information regarding allegations of genocide or other violations of international law in the former Yugoslavia and to furnish that information to the United Nations War Crimes Tribunal for the former Yugoslavia.

LANDMINES

SEC. 556. Notwithstanding any other provision of law, demining equipment available to the Agency for International Development and the Department of State and used in support of the clearing of landmines and unexploded ordnance for humanitarian purposes may be disposed of on a grant basis in foreign countries, subject to such terms and conditions as the President may prescribe.

RESTRICTIONS CONCERNING THE PALESTINIAN  
AUTHORITY

SEC. 557. None of the funds appropriated by this Act may be obligated or expended to create in any part of Jerusalem a new office of any department or agency of the United States Government for the purpose of conducting official United States Government business with the Palestinian Authority over Gaza and Jericho or any successor Palestin-

ian governing entity provided for in the Israel-PLO Declaration of Principles: *Provided*, That this restriction shall not apply to the acquisition of additional space for the existing Consulate General in Jerusalem: *Provided further*, That meetings between officers and employees of the United States and officials of the Palestinian Authority, or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles, for the purpose of conducting official United States Government business with such authority should continue to take place in locations other than Jerusalem. As has been true in the past, officers and employees of the United States Government may continue to meet in Jerusalem on other subjects with Palestinians (including those who now occupy positions in the Palestinian Authority), have social contacts, and have incidental discussions.

PROHIBITION OF PAYMENT OF CERTAIN  
EXPENSES

SEC. 558. None of the funds appropriated or otherwise made available by this Act under the heading "INTERNATIONAL MILITARY EDUCATION AND TRAINING" or "FOREIGN MILITARY FINANCING PROGRAM" for Informational Program activities may be obligated or expended to pay for—

- (1) alcoholic beverages;
- (2) food (other than food provided at a military installation) not provided in conjunction with Informational Program trips where students do not stay at a military installation; or
- (3) entertainment expenses for activities that are substantially of a recreational character, including entrance fees at sporting events and amusement parks.

EQUITABLE ALLOCATION OF FUNDS

SEC. 559. Not more than 18 percent of the funds appropriated by this Act to carry out the provisions of sections 103 through 106 and chapter 4 of part II of the Foreign Assistance Act of 1961, that are made available for Latin America and the Caribbean region may be made available, through bilateral and Latin America and the Caribbean regional programs, to provide assistance for any country in such region.

PURCHASE OF AMERICAN-MADE EQUIPMENT AND  
PRODUCTS

SEC. 560. (a) SENSE OF CONGRESS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

LIMITATION OF FUNDS FOR NORTH AMERICAN  
DEVELOPMENT BANK

SEC. 561. None of the Funds appropriated in this Act under the heading "North American Development Bank" and made available for the Community Adjustment and Investment Program shall be used for purposes other than those set out in the binational agreement establishing the Bank.

INTERNATIONAL DEVELOPMENT ASSOCIATION

SEC. 562. In order to pay for the United States contribution to the eleventh replenishment of the resources of the International Development Association, there are authorized to be appropriated, without fiscal year limitation, \$606,000,000 for payment by the Secretary of the Treasury.

SPECIAL DEBT RELIEF FOR THE POOREST

SEC. 563. (a) AUTHORITY TO REDUCE DEBT.—The President may reduce amounts owed to

the United States (or any agency of the United States) by an eligible country as a result of—

(1) guarantees issued under sections 221 and 222 of the Foreign Assistance Act of 1961; or

(2) credits extended or guarantees issued under the Arms Export Control Act.

(b) LIMITATIONS.—

(1) The authority provided by subsection (a) may be exercised only to implement multilateral official debt relief and referendum agreements, commonly referred to as "Paris Club Agreed Minutes".

(2) The authority provided by subsection (a) may be exercised only in such amounts or to such extent as is provided in advance by appropriations Acts.

(3) The authority provided by subsection (a) may be exercised only with respect to countries with heavy debt burdens that are eligible to borrow from the International Development Association, but not from the International Bank for Reconstruction and Development, commonly referred to as "IDA-only" countries.

(c) CONDITIONS.—The authority provided by subsection (a) may be exercised only with respect to a country whose government—

- (1) does not have an excessive level of military expenditures;
- (2) has not repeatedly provided support for acts of international terrorism;
- (3) is not failing to cooperate on international narcotics control matters;
- (4) (including its military or other security forces) does not engage in a consistent pattern of gross violations of internationally recognized human rights; and
- (5) is not ineligible for assistance because of the application of section 527 of the Foreign Relations Authorization Act, fiscal years 1994 and 1995.

(d) AVAILABILITY OF FUNDS.—The authority provided by subsection (a) may be used only with regard to funds appropriated by this Act under the heading "Debt restructuring".

(e) CERTAIN PROHIBITIONS INAPPLICABLE.—A reduction of debt pursuant to subsection (a) shall not be considered assistance for purposes of any provision of law limiting assistance to a country. The authority provided by subsection (a) may be exercised notwithstanding section 620(r) of the Foreign Assistance Act of 1961.

AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR  
SALES

SEC. 564. (a) LOANS ELIGIBLE FOR SALE, REDUCTION, OR CANCELLATION.—

(1) AUTHORITY TO SELL, REDUCE, OR CANCEL CERTAIN LOANS.—Notwithstanding any other provision of law, the President may, in accordance with this section, sell to any eligible purchaser any concessional loan or portion thereof made before January 1, 1995, pursuant to the Foreign Assistance Act of 1961, to the government of any eligible country as defined in section 702(6) of that Act or on receipt of payment from an eligible purchaser, reduce or cancel such loan or portion thereof, only for the purpose of facilitating—

(A) debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps; or

(B) a debt buyback by an eligible country of its own qualified debt, only if the eligible country uses an additional amount of the local currency of the eligible country, equal to not less than 40 percent of the price paid for such debt by such eligible country, or the difference between the price paid for such debt and the face value of such debt, to support activities that link conservation and sustainable use of natural resources with local community development, and child survival and other child development, in a manner consistent with sections 707 through 710 of the Foreign Assistance Act of 1961, if the

sale, reduction, or cancellation would not contravene any term or condition of any prior agreement relating to such loan.

(2) **TERMS AND CONDITIONS.**—Notwithstanding any other provision of law, the President shall, in accordance with this section, establish the terms and conditions under which loans may be sold, reduced, or canceled pursuant to this section.

(3) **ADMINISTRATION.**—The Facility, as defined in section 702(8) of the Foreign Assistance Act of 1961, shall notify the administrator of the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961 of purchasers that the President has determined to be eligible, and shall direct such agency to carry out the sale, reduction, or cancellation of a loan pursuant to this section. Such agency shall make an adjustment in its accounts to reflect the sale, reduction, or cancellation.

(4) **LIMITATION.**—The authorities of this subsection shall be available only to the extent that appropriations for the cost of the modification, as defined in section 502 of the Congressional Budget Act of 1974, are made in advance.

(b) **DEPOSIT OF PROCEEDS.**—The proceeds from the sale, reduction, or cancellation of any loan sold, reduced, or canceled pursuant to this section shall be deposited in the United States Government account or accounts established for the repayment of such loan.

(c) **ELIGIBLE PURCHASERS.**—A loan may be sold pursuant to subsection (a)(1)(A) only to a purchaser who presents plans satisfactory to the President for using the loan for the purpose of engaging in debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps.

(d) **DEBTOR CONSULTATIONS.**—Before the sale to any eligible purchaser, or any reduction or cancellation pursuant to this section, of any loan made to an eligible country, the President should consult with the country concerning the amount of loans to be sold, reduced, or canceled and their uses for debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps.

(e) **AVAILABILITY OF FUNDS.**—The authority provided by subsection (a) may be used only with regard to funds appropriated by this Act under the heading "Debt restructuring".

#### GUATEMALA

**SEC. 565.** (a) Funds provided in this Act may be made available for the Guatemalan military forces, and the restriction on Guatemala under the heading "Foreign Military Financing Program" shall not apply, only if the President determines and certifies to the Congress that the Guatemalan military is cooperating fully with efforts to resolve human rights abuses which elements of the Guatemalan military forces are alleged to have committed, ordered or attempted to thwart the investigation of, and to implement the peace settlement.

(b) The prohibition contained in subsection (a) shall not apply to funds made available to implement a ceasefire or peace agreement.

(c) Any funds made available pursuant to subsections (a) or (b) shall be subject to the regular notification procedures of the Committees on Appropriations.

#### SANCTIONS AGAINST COUNTRIES HARBORING WAR CRIMINALS

**SEC. 566.** (a) **BILATERAL ASSISTANCE.**—The President is authorized to withhold funds appropriated by this Act under the Foreign Assistance Act of 1961 or the Arms Export Control Act for any country described in subsection (c).

(b) **MULTILATERAL ASSISTANCE.**—The Secretary of the Treasury should instruct the United States executive directors of the international financial institutions to work in opposition to, and vote against, any ex-

pression by such institutions of financing or financial or technical assistance to any country described in subsection (c).

(c) **SANCTIONED COUNTRIES.**—A country described in this subsection is a country the government of which knowingly grants sanctuary to persons in its territory for the purpose of evading prosecution, where such persons—

(1) have been indicted by the International Criminal Tribunal for the former Yugoslavia, the International Criminal Tribunal for Rwanda, or any other international tribunal with similar standing under international law, or

(2) have been indicted for war crimes or crimes against humanity committed during the period beginning March 23, 1933 and ending on May 8, 1945 under the direction of, or in association with—

(A) the Nazi government of Germany;

(B) any government in any area occupied by the military forces of the Nazi government of Germany;

(C) any government which was established with the assistance or cooperation of the Nazi government; or

(D) any government which was an ally of the Nazi government of Germany.

#### LIMITATION ON ASSISTANCE FOR HAITI

**SEC. 567.** (a) **LIMITATION.**—None of the funds appropriated or otherwise made available by this Act, may be provided to the Government of Haiti until the President reports to Congress that—

(1) the Government is conducting thorough investigations of extrajudicial and political killings that have taken place in Haiti since February 12, 1996; and

(2) the Government has completed privatization of (or placed under long-term private management contract) at least three major public enterprises.

(b) Nothing in this section shall be construed to restrict the provision of humanitarian, law enforcement, antinarcotics, or electoral assistance.

(c) The President may waive the requirements of this section on a semiannual basis if he determines and certifies to the appropriate committees of Congress that it is in the national interest of the United States.

#### REQUIREMENT FOR DISCLOSURE OF FOREIGN AID IN REPORT OF SECRETARY OF STATE

**SEC. 568.** (a) **FOREIGN AID REPORTING REQUIREMENT.**—In addition to the voting practices of a foreign country, the report required to be submitted to Congress under section 406(a) of the Foreign Relations Authorization Act, fiscal years 1990 and 1991 (22 U.S.C. 2414a), shall include a side-by-side comparison of individual countries' overall support for the United States at the United Nations and the amount of United States assistance provided to such country in fiscal year 1997.

(b) **UNITED STATES ASSISTANCE.**—For purposes of this section, the term "United States assistance" has the meaning given the term in section 481(e)(4) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(e)(4)).

#### RESTRICTIONS ON VOLUNTARY CONTRIBUTIONS TO UNITED NATIONS AGENCIES

**SEC. 569.** (a) **PROHIBITION ON VOLUNTARY CONTRIBUTIONS FOR THE UNITED NATIONS.**—None of the funds appropriated or otherwise made available by this Act may be made available to pay any voluntary contribution of the United States to the United Nations (including the United Nations Development Program) if the United Nations implements or imposes any taxation on any United States persons.

(b) **CERTIFICATION REQUIRED FOR DISBURSEMENT OF FUNDS.**—None of the funds appropriated or otherwise made available under

this Act may be made available to pay any voluntary contribution of the United States to the United Nations (including the United Nations Development Program) unless the President certifies to the Congress 15 days in advance of such payment that the United Nations is not engaged in any effort to implement or impose any taxation on United States persons in order to raise revenue for the United Nations or any of its specialized agencies.

(c) **DEFINITIONS.**—As used in this section the term "United States person" refers to—

(1) a natural person who is a citizen or national of the United States; or

(2) a corporation, partnership, or other legal entity organized under the United States or any State, territory, possession, or district of the United States.

#### NORTH KOREA

**SEC. 570.** Ninety days after the date of enactment of this Act, and every 180 days thereafter, the Secretary of State, in consultation with the Secretary of Defense, shall provide a report in a classified or unclassified form to the Committee on Appropriations including the following information:

(a) a best estimate on fuel used by the military forces of the Democratic People's Republic of Korea (DPRK);

(b) the deployment position and military training and activities of the DPRK forces and best estimate of the associated costs of these activities;

(c) steps taken to reduce the DPRK level of forces; and

(d) cooperation, training, or exchanges of information, technology or personnel between the DPRK and any other nation supporting the development or deployment of a ballistic missile capability.

The CHAIRMAN. Are there amendments to this portion of the bill?

AMENDMENT NO. 53 OFFERED BY MR. BEREUTER

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

The Clerk read as follows:

Amendment No. 53 offered by Mr. BEREUTER:

At the end of the bill, insert after the last section—preceding the short title—the following new section:

**SEC. .** (a) None of the funds appropriated in this Act may be made available directly to the Government of Cambodia.

Mr. BEREUTER. Mr. Chairman, this Member rises today as the chairman of the Subcommittee on Asia and the Pacific to offer an amendment to this legislation concerning provision of United States assistance to the Government of Cambodia. This Member's amendment would terminate United States foreign assistance to the Government of Cambodia, but is designed to allow continued humanitarian assistance to flow to humanitarian nongovernmental organizations and pro-democracy funds to flow through the National Endowment for Democracy. It would, however, prevent development assistance from going to the tyrants who have seized power in Phnom Penh.

Mr. Chairman, the 4-year-old experiment with democracy in Cambodia is in dire straits, and a tyrant has seized power through the force of arms, intimidation, terror, and summary executions. Few people have experienced as much pain, suffering, and terror as the people of Cambodia have over the

last 30 years. Ravaged by the war in Indochina, bled white by the genocidal regime of Pol Pot and the Khmer Rouge, and subjugated by a Communist government fronted by the leader of the coup d'etat, Hun Sen, a former member of the Khmer Rouge himself, Cambodia and the United States find themselves on all too familiar ground.

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After nearly \$3 billion in aid and assistance in the first democratic elections in the history of this country, Cambodians are again facing the domination of a ruthless tyrant who murders his opponents, terrorizes the population, and profits from narco-trafficking and corruption. Yet, Hun Sen claims that he respects the rule of law and the wishes of the people, who roundly rejected him and his party at the polls, and tells the international community that supplies over 40 percent of the Cambodian budget to mind its own business and to stay out of Cambodian affairs.

Mr. Chairman, the United States continually urges other nations to respect the rule of law, but in the case of Cambodia the Clinton administration is demonstrating that it will ignore a law that is inconvenient. Section 508 of the Foreign Operations Export Financing and Related Programs Appropriations Act of 1997 terminates U.S. assistance to any country whose duly-elected head of government is deposed by a military coup until such time that the President determines that a democratically-elected government has taken office.

The Clinton administration has refused to observe this law regarding Cambodia, claiming that what has happened earlier this month was not really a coup. This Member regrets to say that our articulate, plain-speaking Secretary of State does not at this point seem to have the word "coup" in her vocabulary when it comes to Cambodia.

At a hearing of the Subcommittee on Asia and the Pacific 2 weeks ago on the Cambodian crisis, the State Department witness stated that if the administration actually obeyed the law it would close off too many options for U.S. foreign policy. This Member submits that the administration does not have the option to ignore the provisions of Section 508.

Mr. Chairman, this amendment seeks to cut off all direct U.S. assistance to the Government of Cambodia. The U.S. cannot give any support, political, material, or otherwise, to the illegal regime of Hun Sen. This Member would also like to commend the efforts of the chairman of the Committee on International Relations, the gentleman from New York [Mr. GILMAN] and the ranking member of that committee, the gentleman from Indiana [Mr. HAMILTON] for joining this Member in leading the effort in the House to address the Cambodian crisis.

This Member would also like to commend the gentleman from California

[Mr. ROHRABACHER], the gentleman from Iowa [Mr. LEACH], and the ranking minority member of the Subcommittee on Asia and the Pacific, the gentleman from California [Mr. BERMAN] for their efforts on this issue.

With their support, this Chamber passed House Resolution 195 on Cambodia on Monday, which, among other things, expressed the sense of the House that such aid should be cut off to Hun Sen's regime by the invocation of Section 508. Therefore, this amendment is appropriate.

Mr. Chairman, I urge support of this amendment which prohibits aid to the Government of Cambodia.

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

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

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

Mr. Chairman, I rise in strong support of this amendment to end aid to the Government of Cambodia offered by our distinguished chairman of the Subcommittee on Asia and the Pacific, the gentleman from Nebraska [Mr. BEREUTER].

This timely amendment rightfully cuts off direct aid to the Cambodian Government, which just underwent a violent coup d'etat at the hands of the former Khmer Rouge tyrant, Hun Sen. This unconstitutional act by Hun Sen and his cronies has resulted in the murder of tens of opposition leaders, the arrest of hundreds, and the fleeing of thousands, all of this at a time when the future of Cambodia looked bright.

The United States and this body must show the kind of leadership the world expects of us, and take decisive actions against this illegal and unacceptable forcible removal of the democratically elected Government in Cambodia. Cutting off aid to an assistance-hungry government like Cambodia is an appropriate response and the amendment of the gentleman from Nebraska [Mr. BEREUTER] does just that.

Accordingly, I urge my colleagues to support the amendment of the distinguished gentleman from Nebraska.

Ms. LOFGREN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I share the concern that has just been expressed by the chairman of the subcommittee and the chairman of the full committee about the outrages that are currently going on in Cambodia. Just this week, we read in the Washington Post accounts of what has gone on. These were confirmed by numerous reports of torture, Hun Sen's forces capturing individuals, gouging out the eyes of people who they were interrogating, and then killing them; cases of bodies found with hands tied behind their backs, bullets in the head, fingernails pulled out, tongues yanked from mouths with pliers before the murder was done.

This is the kind of outrage that occurred during the regime of Pol Pot. I hope that our country can act with a great deal of strength this time to prevent the Holocaust from growing.

Mr. Chairman, I feel a personal stake in this in a sense because of the number of individuals I have met in this country, Cambodian Government officials, who have since been murdered. I think of those young individuals who were democrats with a small d, and they have now given their lives for democracy. We need to stand up for them.

I appreciate the amendment being offered by the chairman of the subcommittee. However, I am mindful, I do not know if the gentleman from California [Mr. ROHRABACHER] intends to offer his amendment.

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

Ms. LOFGREN. I yield to the gentleman from California.

Mr. ROHRABACHER. Mr. Chairman, I do plan to offer my amendment when given the opportunity. It is very similar to that of the gentleman from Nebraska [Mr. BEREUTER], but it goes a little further. I am supporting the amendment offered by the gentleman from Nebraska, but I will be offering mine as well.

Ms. LOFGREN. Reclaiming my time, Mr. Chairman, I understand what the gentleman is doing, but in this case I think that the amendment offered by the gentleman from California [Mr. ROHRABACHER] to the amendment which takes this step a little farther really merits our attention.

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

Ms. LOFGREN. I yield to the gentleman from Nebraska.

Mr. BEREUTER. Mr. Chairman, I like the intent of what the gentleman is attempting to do, but I would like to tell the gentlewoman that we cannot cut off aid through the multilateral development organizations. All we can do is direct our executive director to those multilateral development organizations what he or she should do in attempting to cause those organizations to stop aiding Cambodia.

I do not, therefore, think that the gentleman's amendment is implementable when it comes to the multilateral development banks. That is why I believe, while well-intended, what he attempts to do, at least with the MDBs, is not possible. I thank the gentlewoman for yielding.

Ms. LOFGREN. Certainly. Mr. Chairman, I will let the gentleman defend his own amendment, rather than doing it for him. But I would just say that opinions differ.

I really feel in this case, given the dependency that Cambodia has on the international community, including the United States, for their very survival, that the opportunity to greatly influence events there is present, and it may not always be present.

I would like to further state that as we move forward in this effort, we must make sure that our partners, our international partners throughout the world who have also provided aid, stand with us in isolating this lawless government from funds.

I would further say, as we move forward hoping for elections that I would strongly urge must be supervised once again by the United Nations or the international community, we must gain a guarantee that the winner of the election actually gets to take power this time. I think it was a very serious mistake that we failed to do that last time that has helped create this problem.

Mr. Chairman, with that, I do not know if the gentleman from California [Mr. ROHRBACHER] would like to defend his amendment for the comments made that this is beyond our jurisdiction.

Mr. CALLAHAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the pending amendment would cut off funds for Cambodia. Normally I would oppose such an amendment as an infringement upon the President's prerogatives to conduct foreign policy. However, in Cambodia, we have in effect a military coup.

Section 508 of our bill is a longstanding provision that prohibits assistance to a country if a duly-elected head of government is deposed by a military coup or decree. Normally this would be automatically invoked for a situation like Cambodia. However, in Cambodia, we have had one Prime Minister deposing another Prime Minister. Although technically this is not a coup, it has had the same effect.

The United States has a sizable assistance program to Cambodia. I would not support any assistance to the government of a country whose new leader has had at least 40 of his political opponents executed. Clearly, despite our best efforts and those of the international community, democracy does not exist in Cambodia. So I support the gentleman's amendment and ask that it be adopted.

Ms. PELOSI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the gentleman's amendment. I will not take the full 5 minutes. Mr. Chairman, for the information of our colleagues who may have just tuned in, the United States has cut off all assistance for Cambodia for 30 days following the July 5 incident in Cambodia. All assistance programs that have any connection to the government of Cambodia have been suspended.

Decisions on resumption or reconfiguring of aid are yet to be made, and depend on many factors. Indeed, as reports of atrocities continue to come in, it becomes more difficult to resume support for the current government for reasons that have been mentioned.

I particularly want to commend my colleague, the gentlewoman from California [Ms. LOFGREN], for her interest and leadership on this issue. She and I are both blessed with a Cambodian-American population, are familiar with the situation in Cambodia, and there is a great deal of interest there. I am so

pleased she was here to add her support to the amendment offered by the gentleman from Nebraska [Mr. BEREUTER].

It is indeed tragic that the enormous international effort to lift Cambodia from its misery has apparently been usurped, and I therefore recommend that we accept the amendment offered by the gentleman from Nebraska [Mr. BEREUTER].

However, I do think we should continue to assess the situation, because the gentleman's amendment specifically prohibits assistance to the Government of Cambodia. I assume that other forms of assistance through nongovernmental organizations engaged in humanitarian or democracy-building programs would not be prohibited.

The Cambodian people have endured years of suffering under a repressive regime, and they voted in 1993 to bring non-Communist parties to power. As our colleague pointed out, we did not have a clear winner, maybe that was part of the problem, a clear resolution of the election.

We should continue to assess the situation as we move forward on the bill. I, too, will be supporting the Rohrabacher amendment but urge my colleagues now to support the Bereuter amendment.

Mr. ROHRBACHER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I do have an amendment that I will be offering after we hopefully get done with the amendment offered by the gentleman from Nebraska [Mr. BEREUTER]. I certainly appreciate the sincerity of the attempt of the gentleman from Nebraska. I sometimes am known as somebody who tries to push things a little bit further, and I think that my amendment, while better, while pushing things a little bit further, should be adopted, but that does not mean that I am opposing the amendment offered by the gentleman from Nebraska [Mr. BEREUTER].

I, in fact, support the amendment, but I would say it needs to be strengthened, because in the gentleman's amendment we have a situation where the amendment states that funds, it says, "None of the funds appropriated in this act shall be made available directly to the Government of Cambodia."

That use of the word "directly" weakens the bill considerably as compared to what I would do. When we are sending a message to the Government of Cambodia, we want to make sure they know that even if they are trying to get money through the back door, we are not supportive of money going through the back door to this murderous regime.

Also it has been argued by the gentleman from Nebraska [Mr. BEREUTER] that my bill would affect the money or would not affect the money, although we are attempting to, that will be going to Cambodia through the International Development Association and the IMF and the Asian Development

Bank, and other lending and financial institutions that are supported by American taxpayers.

We may not be able to mandate that money, but we are making our case as the elected representatives of the United States Government to those agencies through this legislation. We are making a statement to those individuals who are making those decisions in these financial institutions that they should not be using that money to provide loans or guarantees for loans to this murderous regime in Cambodia.

So I would ask my fellow colleagues to support the Bereuter amendment, but I would also ask them to support my amendment, which makes that statement, we do not want people investing in Cambodia until democracy is restored. We certainly do not want to guarantee the loans of American businesses doing that.

Ms. LOFGREN. Mr. Chairman, will the gentleman yield?

Mr. ROHRBACHER. I yield to the gentlewoman from California.

□ 2200

Ms. LOFGREN. Mr. Chairman, I wanted to ask a clarification question. It is my understanding that the gentleman's amendment would, while doing all that he says, still permit the standard humanitarian aid; is that correct?

Mr. ROHRBACHER. Mr. Chairman, that is correct. My amendment does not prevent us from giving money to the nongovernmental organizations and to other humanitarian efforts. It just prevents us from giving any money to the government directly or indirectly. While, as I say, the Bereuter amendment does make a statement in a positive direction, I think we should go a lot further.

The fact is the Government of Cambodia now is controlled by a murderous man named Hun Sen who is in alliance with drug lords, a man who has got blood all the way up to his elbows, who was a Khmer Rouge trigger man, who overthrew an elected government that we struggled so long and hard to put in place back in 1993.

Many Members of this body have visited Cambodia and supported the United Nations operation back in 1993 and now we have this dictator, this gangster trying to undo what was done. We need to send a strong message immediately. This is the vehicle to do so. The Bereuter amendment sends a message. It is a positive message. It is a message we need to send. I think it needs to be a little stronger, so I support the Bereuter amendment but will also be offering by own amendment shortly.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska [Mr. BEREUTER]. The question was taken; and the Chairman announced that the noes appeared to have it.

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

The CHAIRMAN. Pursuant to the order of the House of Thursday, July

24, 1997, further proceedings on the amendment offered by the gentleman from Nebraska [Mr. BEREUTER] will be postponed.

AMENDMENT OFFERED BY MR. SAXTON

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 printed in House Report 105-184 offered by Mr. SAXTON:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

LIMITATION ON ASSISTANCE TO THE P.L.O. AND THE PALESTINIAN AUTHORITY

SEC. 572. (a) SENSE OF THE CONGRESS.—It is the sense of the Congress that the Palestine Liberation Organization (hereafter the "P.L.O.") should do far more to demonstrate an irrevocable denunciation of terrorism and to ensure a peaceful settlement of the Middle East dispute, and in particular it should—

(1) submit to the Palestinian Council for formal approval the necessary changes to those specific articles of the Palestinian National Charter which deny Israel's right to exist or support the use of violence;

(2) to the maximum extent possible, preempt acts of terror, discipline violators, publicly condemn all terrorist acts, actively work to dismantle other terrorist organizations, and contribute to stemming the violence that has resulted in the deaths of over 230 Israeli and United States citizens since the signing of the Declaration of Principles on Interim Self-Government Arrangements (hereafter the "Declaration of Principles") on September 13, 1993, at the White House;

(3) prohibit participation in the P.L.O. or the Palestinian Authority or its successors of any groups or individuals which promote or commit acts of terrorism;

(4) cease all anti-Israel rhetoric, which potentially undermines the peace process;

(5) confiscate all unlicensed weapons and restrict the issuance of licenses to those with legitimate need;

(6) transfer and cooperate in transfer proceedings relating to any person accused by Israel or the United States of having committed acts of terrorism against Israeli or United States nationals; and

(7) respect civil liberties, human rights and democratic norms as applied equally to all persons regardless of ethnic, religious, or national origin.

(b) LIMITATION ON ASSISTANCE.—

(1) IN GENERAL.—Notwithstanding any other provision of law, funds appropriated or otherwise made available by this Act may be obligated for assistance to the P.L.O. or the Palestinian Authority only for the period beginning 3 months after the date of the enactment of this Act and for 6 months thereafter, and only if—

(A) the President has exercised the authority under section 604(a) of the Middle East Peace Facilitation Act of 1995 (title VI of Public Law 104-107) or any other legislation to suspend or make inapplicable section 307 of the Foreign Assistance Act of 1961 and that suspension is still in effect; and

(B) in addition to the requirements contained in such Act or other legislation, the President prepares and transmits to the Congress a report described in paragraph (2).

(2) REPORT.—A report described in this paragraph is a report containing the following:

(A) A description of all efforts being made to apprehend, prosecute, or have extradited to the United States Mohammad Deif (alleg-

edly responsible for the death of Nachshon Wachsman, a United States citizen), Amjad Hinawi (allegedly responsible for the death of David Boim, a United States citizen), Abu Abbas (responsible for the death of Leon Klinghoffer, a United States citizen), Amid al-Iindi (allegedly responsible for death of David Berger, a United States citizen), and Nafez Mahmoud Sabih (who helped plan the February 1996 attack on a Jerusalem bus in which Jewish Theological Seminary students Sara Duker and Matthew Eisenfeld, both United States citizens, were murdered).

(B) An official, updated, and revised copy of the Palestinian National Charter (Covenant) showing which specific articles have been rescinded by the decision taken on April 24, 1996 by the P.L.O. Executive Committee.

(C) A description of all actions being taken by the Palestinian Authority to eradicate and prevent the use of the map of Israel to represent "Palestine".

(D) A certification that the Palestinian Authority has established a court system that respects due process requirements, including the right to a lawyer, the right to confront witnesses, the right to be informed of the charges under which one is accused, and the right to a jury trial.

(E) A certification that the Palestinian Authority has established humane prison conditions.

(F) A certification that the Palestinian Authority has taken all measures to rescind the death penalty imposed for the sale of land to Jews, has eliminated the practice of incarcerating real estate agents for the sale of land to Jews or Israelis, and has actively sought the perpetrators of such actions.

The CHAIRMAN. Pursuant to the order of House of Thursday, July 24, 1997, the gentleman from New Jersey [Mr. SAXTON] and a Member opposed, the gentleman from Alabama [Mr. CALLAHAN], each will control 5 minutes.

Mr. CALLAHAN. Mr. Chairman, I ask unanimous consent that 3½ minutes of my time be yielded to the gentleman from California [Ms. PELOSI] and that she be allowed to further yield time.

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

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. SAXTON].

Mr. SAXTON. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. GILMAN], chairman of the authorization committee.

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

Mr. GILMAN. Mr. Chairman, I rise in support of the Saxton amendment and wish to thank the gentleman from New Jersey for his steadfast support and commitment for true peace in the Middle East.

Mr. Chairman, I rise in support of the Saxton amendment, and wish to thank the gentleman from New Jersey for his steadfast support and commitment for true peace in the Middle East.

Mr. SAXTON's amendment comes on a tragic, but ironically, auspicious day, when as we have seen, the lack of PLO security cooperation with Israel has cost the lives and limbs of many innocent Israelis.

The amendment expresses the sense of the Congress that the PLO/PA would have to take action on the covenant, truly fight against terrorism, truly confiscate weapons, and follow through on commitments to transfer prisoners to Israel, according to the Oslo Accords.

The sense of the Congress language also insists that Arafat and the PA cease incitement toward violence, and improve the abysmal human rights situation in the areas under Palestinian control.

According to Mr. SAXTON's amendment, assistance would be available only for the period beginning 3 months after enactment and for 6 months thereafter only if the President certifies the PLO on critical issues of concern to all Americans.

Once the certification is made, Congress would have to approve the report by joint resolution. The report must describe all efforts taken by the Palestinian Authority to arrest, prosecute or extradite Palestinian killers of American citizens; specify which articles of the covenant have indeed been rescinded; and describe all actions taken by PLO/PA to eradicate and cease usage of a map of all Israel (from 1948 to the present) shown as the State of Palestine. The report must also certify that a Palestinian court system respectful of human rights has been established and due process upheld, that humane prison conditions exist, and that the PA has taken all measures to rescind the death penalty for land sales to Jews or Israelis.

Mr. Chairman, earlier today I noted during consideration of House Concurrent Resolution 133 that the explosions in Jerusalem today are the culmination of a lack of Palestinian security cooperation that goes back a long way. Mr. SAXTON's amendment is the correct response at this time.

Accordingly, I urge support for the Saxton amendment.

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

This is an amendment which suspends aid, direct aid to the Palestinian Authority. It has been drafted with cooperation of the gentleman from New York [Mr. GILMAN], the gentleman from New York [Mr. ENGEL], the gentleman from Pennsylvania [Mr. FOX], the gentleman from New York [Mr. NADLER], and the gentleman from New York [Mr. FORBES], which obviously makes it a bipartisan amendment.

At the conclusion of the 90-day suspension period, if certain conditions are met and attested to by the United States administration, then aid could resume. I believe this is an absolutely necessary amendment given the events of the past six months or so. I know there are others who wish to speak on this.

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

Ms. PELOSI. Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan [Mr. DINGELL].

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

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

Mr. Chairman, I rise to speak for peace in the Middle East. Lasting viable peace, with

justice for all the people in the area, Jew, Arab, Christian, or of whatever race or religion.

Mr. Chairman, I oppose the amendment offered by the gentleman from New Jersey [Mr. SAXTON], because I do not believe it serves the interests of the Israelis, the Palestinians, or the United States.

Since 1993, our Government has tried mightily to achieve a lasting peace which will allow Israelis, Palestinians, and all Arabs to live with greater security and dignity. In almost 4 years, the Middle East peace process has had many positive developments. Unfortunately, most of the progress has slowed in the past 18 months, the result of provocations, charges and countercharges issued on both sides of the negotiating table. The situation has degenerated so much that not only has the Oslo schedule fallen behind; discussions have virtually stopped, and the United States is being thwarted in its effort to serve as mediator in concert with European and Middle Eastern allies.

The Saxon amendment implicitly lays blame for the recent difficulties squarely upon the Palestinians. Does the Palestinian Authority have some serious problems with civil administration, human rights, and controlling extremism? It certainly does. However, these problems are not unique to Mr. Arafat's government, and American policy has been predicated on the assumption that tightly controlled foreign assistance should be a tool that helps solve these problems while promoting a final accord with the Israelis.

The administration strongly opposes this amendment. In addition to finding it counterproductive to achieving peace, the State Department has concluded that it would go well beyond reasonable limits in imposing new restrictions on Palestinian assistance without meeting the minimal criteria of reason and fair play.

Over the past 10 days, there has been a quiet resumption of talks aimed at jumpstarting the peace process. The amendment offered by the gentleman from New Jersey would place these efforts in jeopardy, as well as risk another flareup of passions and violence in Israeli and Palestinian neighborhoods.

There are several problems with the amendment. First, it is not balanced. If signed into law, our Government would be unable to provide financial assistance to the Palestinian people for 3 months. Worse yet, United States aid could resume assistance to the Palestinians only if Congress votes to approve a report on the Palestinians which would be submitted by the administration. Unlike other limitations on aid this body has approved in the past, this amendment allows no Presidential waiver, even if the President finds it to be in our national security interest.

No disruption in aid to Israel is contemplated, and there should not be a disruption. However, it is not fair or consistent to tie the State Department's hands on only one side of a very sensitive negotiation. If foreign aid is going to be used as a bargaining chip to achieve our goals on foreign policy, human rights, judicial process, or prison conditions, we must apply a single fair standard to all. This amendment would do just the opposite.

Mr. Chairman, I also am very concerned about the other standards this amendment would apply only to the Palestinian Authority. These provisions include:

A prohibition on any speech which could be somehow deemed anti-Israel if it is believed that such speech undermines the peace process. It is not clear how a violation would be handled, by whom the violation would be judged, or just what constitutes a statement which is anti-Israel. What if Palestinians were to say in negotiations that they question Israel's right to hold all of Jerusalem? What if a Palestinian were to make allegations of unfair treatment under Israeli law? The lack of a clear definition is very troublesome. If such a provision was ever imposed upon our citizens, it would be swiftly condemned as unconstitutional.

A requirement that our Government to certify the viability and fairness of the Palestinian court system. There is no doubt that the nascent Palestinian Authority must continue to pursue a more consistent application of justice. But in the interest of balance, the 1996 State Department Human Rights Report mentions many abuses within the Israeli justice system. The Saxon amendment would not seek a review of these problems.

Rather than turn our backs on the Middle East peace process, Congress should be providing additional tools to the State Department to provide the elusive breakthrough.

The United States has acted boldly in the pursuit of Middle East peace. The Middle East Peace Facilitation Act of 1993, which allows our Government to recognize the Palestinians, work with them, and provide them the help they need to establish security and work for a peaceful existence with Israel, will expire on August 12. Rather than completely obstructing our administration at this most crucial stage by punishing only the Palestinians, I believe it is in our own best interest to extend the Middle East Peace Facilitation Act [MEPFA] for another 180 days so we do not risk the loss of peace—or worse yet—the resumption of war. I am therefore, introducing a bill with the Gentleman from West Virginia [Mr. RAHALL] to extend MEPFA. I urge my colleagues to cosponsor this bill, and if at all possible, for this body to extend MEPFA before we leave for the August recess.

Have no doubt, there are many in Middle East who are paying attention to us this evening. Almost two months ago, this House approved a resolution, House Concurrent Resolution 60, which reasserted the view of this body that Jerusalem should be the exclusive territory of Israel. That action was viewed in the Middle East as a preemptive strike against the successful completion of final status negotiations laid out in the Oslo accords. The result was to spark additional violence and bloodshed, placing in further jeopardy even the modest level of trust which is necessary for an agreement.

A vote for this amendment not only will hurt the Palestinians; it will send the message that this Government no longer cares whether or not a secure peace is achieved. I urge the Palestinian and Israeli people to try to show additional restraint, and know that they still have many friends in America who care more about peace and security for both races.

Let us not jeopardize the peace, let us not jeopardize the long and hard efforts of the United States to bring the parties together in negotiations leading to a peaceful resolution of a long and terrible struggle which has cost thousands of lives.

The events of today, the bombing are terrible, they deserve condemnation of all right

thinking human beings. The events of today must not be repeated, but the Saxon amendment rather than reducing the incentives for this kind of terrible action, provides more pressure for violence and terrorism. It provides the kind of frustration, anger and outrage that invites violence and murder.

Do not remove the tools this nation needs to bring about peaceful negotiations, leading to peace in the Middle East which will bless all the people there.

I urge the House to reject the Saxon amendment. Its adoption leads us away from peace and hope.

Ms. PELOSI. Mr. Chairman, I yield 30 seconds to the gentleman from New York [Mr. NADLER].

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

Mr. NADLER. Mr. Chairman, there can be no peace in the Middle East unless both sides show through both words and deeds that they are sincere in their quest for peace. Israel has shown that sincerity. The Palestinian Authority has not. They sentence Palestinians to death for doing business with Jews. They turn a blind eye or give a green light to acts of terrorism. They think they have a right to play the violence card whenever negotiations are not proceeding to their liking. That is not the path to peace. It is the path of Munich and Ma'alot. We should not stand for it, and I support this amendment.

Mr. Chairman, I rise in support of the Saxon amendment which will cut off direct funds for the Palestinian Authority for 90 days until the PA begins meeting its obligations under the Oslo Peace Accords.

Let there be no question in anyone's mind, the purpose of this amendment is to advance the cause of peace. But, there can be no peace in the Middle East unless both sides show through both words and deeds that they are sincere in this quest for peace.

Israel has more than shown her sincerity and commitment to peace.

Unfortunately, the leaders of the Palestinian Authority have yet to truly commit to peace. They sentence Palestinians to death for doing business with Jews. They turn a blind eye, or even give a green light, to acts of vicious terrorism. They think they have a right to play the violence card whenever the negotiations aren't proceeding to their liking.

Well that's not the path of peace. It's the path of Munich and Ma'alot, and we shouldn't stand for it.

Just yesterday, the 25th of Tammuz, another bomb went off in Jerusalem's Mahaneh Yehuda market, killing 13 innocent civilians and wounding 168.

If the PLO is serious about peace, let them demonstrate their sincerity. Peace means cracking down on the murderers in their midst. Peace means an end to stirring up hatred against their Jewish neighbors with blood libels. Peace means a halt to death sentences against Palestinians who do business with Jews.

Mr. Chairman, I share the heartfelt yearning of the Israeli people for a lasting peace in the Middle East. But the Israelis can't make peace alone. The PLO must join in, or there will be no peace.

We should send Arafat a message. We should vote resoundingly for the Saxton amendment.

Mr. SAXTON. Mr. Chairman, I yield 30 seconds to the gentleman from New York [Mr. ENGEL].

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

Mr. ENGEL. Mr. Chairman, I rise in strong support of the amendment. Certainly the events of today have shown us that we need to have an amendment. What this simply does is it suspends aid to the Palestinian Authority for 90 days at which point the President has to certify that certain compliance is being met. I think it is fair and it is reasonable. If peace is going to exist, both sides have to fulfill commitments. Mr. Arafat and the Palestinian Authority cannot turn a blind eye to terrorism. They must make sure that terrorism is controlled by cooperation with the Israelis. This is a good step in that direction.

Ms. PELOSI. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from West Virginia [Mr. RAHALL].

Mr. RAHALL. Mr. Chairman, I thank the distinguished ranking member for yielding me the time.

I do rise in opposition to the pending Saxton amendment. I have no illusions as to what the outcome of this vote would be, if such were called, especially in the climate that we exist today and after the most horrendous and stupid acts of the last 24 hours. But, Mr. Chairman, it is important to realize that the Middle East Peace Facilitation Act is a tool which the President uses to conduct foreign policy. We have one Commander in Chief, one individual in charge of this foreign policy.

In this case it is a means the President uses to stay in touch with both chairman Arafat and the Palestinian people so that he can make the appropriate timely reports to Congress. The collapse of peace talks 4 months ago was because of mutual distrust, recriminations, and provocations. The Saxton amendment will only add to this distrust, recriminations, and provocations.

It continues to be imperative that the U.S. role is allowed to be evenhanded, as an honest broker's role should be. Placing additional restrictions only on aid to the Palestinian Authority, only on such aid, fails the test of balance and fairness, because we all know that as the Secretary of State has said, failure to comply with stipulations in the Oslo accords is not confined to just Palestinians.

Press reports indicate that there is documentation that Israel has been found in violation of the Oslo accords as well, a total number of 34 times. And I have such a list of Israeli violations of the Oslo accords as well.

So there have been violations on both sides.

It is not necessary for the Congress to point fingers only at one side.

The White House is strongly opposed to this amendment because it goes way beyond reasonable limits. It imposes new restrictions on Palestinian aid and new requirements on the President. A vote today to cut off aid will stamp out what little economic progress the Palestinians have achieved for a majority of their impoverished and innocent citizens. Even Prime Minister Netanyahu knows this is true. He is quoted as saying this, and it is quoted in a letter to Members of Congress by Americans for Peace Now, and I quote, it is necessary for PLO aid to continue. That is the current Prime Minister Benjamin Netanyahu, urging that aid to the Palestinians continue. His predecessors, Prime Minister Peres and Prime Minister Rabin both are on record as urging continuation of this aid as well.

While there are certainly practices and acts by the Palestinian Authority which are reprehensible and there are serious problems and they should cease, this amendment is not the way to go about it nor to get such a cessation. We can either bolster our government's efforts to achieve a lasting peace in a balanced manner or we can extinguish that hope perhaps for all time by adoption of this amendment.

If we were to extinguish that hope at this most precarious time, then only escalating violence, bloodshed and death may rise from the passage of the Saxton amendment. Given the remarks of our Secretary of State, Madeleine Albright, who I commend for her courageous decisions, not only in regard to Lebanon recently but in the region as a whole, it should be perfectly clear to Members of this House that passage of the Saxton amendment is dangerous and liable to cause further violence in both neighborhoods in the Middle East.

I rise and urge my colleagues to defeat the Saxton amendment.

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

I would like to respond to the gentleman from West Virginia by saying that to me at least and I think to most other Members of the House, the status quo in Israel and in the Middle East is unacceptable. And inasmuch as we have the responsibility to oversee at least the expenditure of American taxpayers' dollars, it seems to me that what we ought to be doing is to try to find a way to change the dynamic that exists currently in the Middle East to make peace a possibility.

Obviously not only the events of the last 24 hours but the events of the last several months have borne out full well that peace is not at hand in the Middle East. And to the extent that we can affect that, I think we should do that. To me the status quo is not acceptable and I believe that this is a step in the right direction.

I will include for the RECORD, Mr. Chairman, today's article from the Washington Post, Palestinian panel charges widespread corruption by Arafat's entire cabinet, as well as an arti-

cle from the Washington Times, Arafat's cabinet should be dissolved, lawmakers from Palestine report.

Up to \$340 million, half of the Palestinian Authority budget, is estimated to have been misspent or embezzled. Obviously these are very serious charges and during this 90-day period these matters can be looked into as well.

The essence of this amendment, Mr. Chairman, is to provide for an opportunity for our administration to submit various information to this House relative to the Palestinian Council which changes those specific articles of the Palestinian national charter which deny Israel's right to exist or support violence. We also ask to the maximum extent possible to preempt acts of terror, discipline violators, publicly condemn acts of terror and dismantle terrorist organizations.

All of these things were agreed to in the Oslo accords and, of course, agreed to on the lawn of the White House between the Israeli leader and Yasser Arafat. So to the extent that we can effect change in the Middle East, to the extent that we can promote peace by changing the dynamic of the situation there, which obviously is unacceptable to the great majority of the Members of this House, I believe that we should do so. I also believe, Mr. Chairman, that that is a primary reason that agreement has been reached on this amendment.

Mr. Chairman, I include for the RECORD the articles to which I referred:

[From the Washington Post, July 30, 1997]

PALESTINIAN PANEL CHARGES WIDESPREAD CORRUPTION BY ARAFAT'S ENTIRE CABINET

(By Said Ghazali)

RAMALLAH, WEST BANK.—A Palestinian legislative panel today reported wide-ranging corruption—including diversion of foreign aid donations—in all 18 Palestinian ministries. It urged Palestinian leader Yasser Arafat to fire his entire cabinet and called for three ministers to be put on trial.

The panel was formed in response to an official comptroller's report that found \$326 million of the Palestinian self-rule administration's \$800 million annual budget had been squandered through corruption or mismanagement. While the panel has no legal authority, its report puts Arafat on the spot—compelling him either to repudiate his political allies or face rising public anger over financial abuses.

The Palestinian leader quickly sought to cast the report in a positive light. His spokesman, Marwan Kanafani, praised it and said it provides "a strong basis" for cabinet revisions that Arafat was already planning.

Legislators and some members of Arafat's own administration, however, faulted the panel for failing to investigate whether Arafat played a role in any wrongdoing. "The mismanagement starts from the top—way up on top," declared Husam Khader, a legislator from Nablus.

The five-member investigating panel was made up of members of Arafat's Fatah party and independent members of the legislative council, which has been locked in a power struggle with Arafat over its role as an elected lawmaking body.

Although the report does not fault Arafat personally, analysts say it could jeopardize

his standing should he fail to act on it. The panel's findings come at a time of increased anger among Palestinians over brazen shows of wealth by government officials, including the purchase of huge villas and numerous expensive cars.

The report declared that the cabinet had failed to follow up reports of mismanagement, and it urged Arafat to replace it with one "made up of technocrats and qualified people." It also recommended criminal trials for three cabinet ministers, including Nabil Shaath, the chief negotiator in peace talks with Israel, who is accused of charging his home telephone and electric bills to the government.

Among other allegations in the report are: Information Minister Yasser Abed Rabbo used \$7,500 in ministry funds to pay for central heating at his home; Transportation Minister Ali Qawasmeh accepted bribes to license cars that did not meet road standards; Civil Affairs Minister Jamal Tarifi allowed illegal exemptions from customs duties for more than 4,300 cars, including a Jaguar for his father; Tarifi's Civil Affairs Ministry and Shaath's Planning Ministry misappropriated funds from unnamed foreign donors.

Besides Shaath, the panel called for putting Tarifi and Qawasmeh on trial. Both strongly denied wrongdoing. Shaath accused the panel of being "out of touch with reality" and said it never approached his ministry for information.

Agriculture Minister Jawad Saleh criticized investigators for stopping short of Arafat's office. "The report is important because it is a first attempt by the legislative council to look into offenses by officials," Saleh said. "But it is not comprehensive and . . . does not deal with sensitive issues like security organizations and the office of the president. I blame the president."

Arafat's administration has been buffeted by other recent allegations of corruption and mismanagement. In June, attorney general Khaled Kidrah stepped down after being accused of pocketing bail money and taking bribes from prisoners.

International donors have pledged \$1.5 billion to Arafat's three-year-old administration, including \$225 million from the United States. But far less has actually been delivered, in part because of concerns about lack of accountability.

**ARAFAT'S CABINET SHOULD BE DISSOLVED,  
LAWMAKERS REPORT—INQUIRY PANEL FINDS  
RAMPANT CORRUPTION**

(By Julian Borger)

JERUSALEM.—Yasser Arafat's Cabinet is so riddled with corruption that it should be dissolved and some of its ministers put on trial, a Palestinian parliamentary inquiry reported yesterday.

The report was the latest in a series to lambaste the Palestinian leadership for the flaunting of luxury cars and villas, nepotism and bribe-taking amid the poverty of the West Bank and Gaza.

Up to \$340 million, half the Palestinian Authority's budget, is estimated to have been misspent or embezzled.

Sa'di al-Krunz, one of the report's authors, said half of the Palestinian Cabinet was implicated in misappropriation of funds. "There are others who do nothing wrong, but on the other hand they do nothing good," he said. "They are old or they do not know about the ministries they are in charge of."

The allegations come at a time when the confidence of major donors is wearing thin and Mr. Arafat desperately needs Western support in his negotiations with the Israelis, due to restart in the next few days.

The latest report was read at an open session of the Palestinian Legislative Council

(PLC) by members of a special investigative committee. It called on Mr. Arafat to "dissolve the Cabinet and form a new Cabinet made up of technocrats and qualified people."

"The president of the authority should issue his instructions to punish violators against whom there has been proof of guilt and to punish them immediately and to take them to court in order to restore confidence between the Palestinian Authority and its people," the report said.

The committee's findings singled out Civil Affairs Minister Jamil al-Tarifi, Planning Minister Nabil Shaath and Transport Minister Ali Kawasmeh as the worst offenders. Mr. Shaath is the Palestinians' leading negotiator in talks with the Israeli government.

Mr. Al-Krunz said his committee had come across several cases in which foreign aid had been misappropriated by ministers or senior officials to buy themselves cars or expand and decorate their houses.

"When they knew we have discovered these things, they have tried to give the money back," he said.

Another report earlier this month, commissioned by Mr. Arafat himself, came to similar conclusions and called on the Palestinian leader to "put his house in order."

In May, a 600-page audit of the Palestinian Authority found more than \$340 million had been "mismanaged or squandered" in 1996. At the time, Mr. Arafat promised to take stern action against culprits but warned that he would not allow anyone to "kill the embryonic dream, our Palestinian Authority, our last step towards an embryonic state."

The PLC's report is not legally binding on Mr. Arafat, who frequently ignores the council's proceedings and resolutions. However, he is reportedly planning a Cabinet shakeup, which may take recent allegations into account.

Since its creation in 1994, Mr. Arafat's Palestinian Authority has received about \$1.5 billion in foreign aid.

Mr. Chairman, I yield 10 seconds to the gentleman from New Jersey [Mr. PAPPAS].

Mr. PAPPAS. Mr. Chairman, I want to commend the gentleman from New Jersey for offering this amendment and stand in strong support of it.

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

I would just like to say in closing my part of the debate that there are many Americans who have watched and prayed about the peace process in the Middle East. Everyone that I know wants it to work. The fact of the matter is, it is not working.

For the concerns of those of us who believe that the agreements are not being lived up to, in spite of everyone's best intentions, this amendment will provide an opportunity during a 90-day period for the President of the United States to take a close look at whatever violations have been alleged and then certify as to whether or not these in fact have been violations and then if necessary and if appropriate and if the House decides further that it is appropriate, then obviously aid to the PA will begin.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. SAXTON].

The amendment was agreed to.

□ 2215

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

Mr. Chairman, I ask the gentleman from Alabama if he would join with me in a colloquy.

Mr. Chairman, the gentleman from Indiana [Mr. SOUDER] had a proposal to earmark \$50 million of INL moneys to purchase four Blackhawk utility helicopters for the Colombian National Police as well as provide a maintenance and support package in order to further the war against drugs, in this case specifically heroin.

Without this added lift capacity the UH-60's will provide the Colombian National Police, they cannot eradicate opium at the high elevation of the Andes Mountains. Colombian heroin is killing our kids. It does not require precursor chemicals, it does not require big labs, and it is nearly impossible to interdict since it comes in deadly one-kilo packages, one at a time and one carrier at a time.

Mr. Chairman, the Colombian National Police have been awarded the Human Rights Watch seal of approval for their respect for human rights and I would ask if the chairman would give me the assurance that he will work with me and others to ensure that this issue is raised in conference; and we are looking for an earmark of \$50 million, if that is possible, made available for this purpose.

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

Mr. HASTERT. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, I will be happy to work with the gentleman on this important issue, and I will personally raise this issue in conference and press for support of the acquisition of these helicopters for the government of Colombia's national police to fight narcotics.

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

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

Mr. GILMAN. Mr. Chairman, I thank the gentleman for yielding to me, and I wanted to associate myself with the remarks of the gentleman from Illinois [Mr. HASTERT], a dedicated drug fighter. I cannot think of a more appropriate use of State INL money than for utility helicopters for the courageous, dedicated Colombian National Police.

They are professional law enforcement officers who sorely need this equipment to fight drugs at their source, especially the opium crops in the Andes, opium from which heroin is derived and which is nearly impossible to interdict in small quantities, for example, one kilo at a time in which it is trafficked.

Eradicating it in the high Andes in the opium stage is the key to combating the new heroin crisis which we are facing from Colombia today, and I urge my colleagues to support the gentleman's proposal.

Ms. PELOSI. Mr. Chairman, will the gentleman yield?



Mr. HASTERT. I yield to the gentlewoman from California.

Ms. PELOSI. Mr. Chairman, I am pleased that the gentleman will yield. However, he may not be happy when he hears what I say.

The distinguished chief deputy majority whip knows the high esteem in which I hold him, so I very regretfully oppose the provision for an additional \$50 million for the Blackhawk helicopters. Despite the chairman's remarks, I would not be supportive of that in conference.

I very strongly opposed the rule that left the language on human rights unprotected with respect to narcotics-related assistance, and have serious concerns about that entire issue, and regretfully oppose the \$50 million for the Blackhawks.

Mr. HASTERT. Mr. Chairman, reclaiming my time, I thank the gentlewoman for her comments, but I disagree with her.

And, Mr. Chairman, I submit for the RECORD the endorsement of the Human Rights Watch for the Colombian National Police and the work that they do, and would just remind the gentlewoman from California that heroin, which these helicopters would be used to eradicate, is in the high Andes. There is no other way to get there. They cannot get in there with the Huey helicopters the Colombia police use today, and this, in fact, is their only access to get into that area.

I would certainly think that this is a credible thing, and appreciate the chairman engaging in this colloquy.

Ms. PELOSI. Mr. Chairman, will the gentleman yield?

Mr. HASTERT. I yield to the gentlewoman from California.

Ms. PELOSI. Mr. Chairman, I want to associate myself with the remarks of the gentleman. When I spoke earlier on the point of order on removing the language from the bill, I made the distinction between the Colombian military and the national police. Indeed, I do not oppose the support that we give to the Colombian police in the fight against narcotics.

Mr. HASTERT. Mr. Chairman, reclaiming my time, I would just remind the gentlewoman from California that this is the Colombian National Police.

Ms. PELOSI. Mr. Chairman, if the gentleman will continue to yield, I understand that. That is why I was saying that I agree with the gentleman on the characterization he made about the police. It was not about them, it was about the Blackhawks.

Mr. HASTERT. Mr. Chairman, the extraneous materials I referred to are submitted for the RECORD in support of this colloquy, as follows:

Date: 07/16/97.

Time: 02:28:07 pm

To: International Relations, John Mackey.

Fax No: 2022252035.

DEAR JOHN: This is a statement we made today in Colombia regarding US military aid to fight drugs. In it, we state very clearly that we are not opposing aid to the Anti-Narcotics Police because of their good human

rights record, but continue to oppose aid to the Army (point 7).

Mark can probably parse out the Spanish for a quick read, but I'd be happy to give you the exact wording in English if you need it.

You're fully welcome to refer to this as the HRW "Seal of Approval" for police aid, if you wish. Hang onto it—it doesn't come often!

Best,

ROBIN KIRK,  
Research Associate.

The UH-60L Blackhawk "Utility" Helicopter will provide the Colombian National Police with:

1. Increased range.
2. Increased speed.
3. Increased lift capability.
4. Increased operational hours.
5. A demonstrated capability to operate in the higher altitudes of the Andean mountain range to eradicate opium poppies.
6. Improved crew survivability in high threat environments.

The overall superiority of the UH-60L Blackhawk helicopter vs. the UH-1H 'Huey' helicopter is without question. The 'Huey' is today an almost obsolete airframe in comparison to the "Blackhawk".

H.R. 2159

OFFERED BY: MR. SOUDER

AMENDMENT NO. 74: Page 16, line 25, after "\$625,000,000" insert "(decreased by \$50,000,000)".

Page 23, line 26, after "\$230,000,000" insert "(increased by \$50,000,000)".

H.R. 2159

OFFERED BY: MR. SOUDER

AMENDMENT NO. 75: Page 24, line 16, insert before the period the following: "Provided further, That not less than \$50,000,000 shall be available only for the procurement in the United States of four UH-60 Blackhawk utility helicopters, including maintenance and support for such helicopter, to be made available to the DANTI anti-narcotics unit of the Colombian National Police for the purpose of carrying out counternarcotics activities".

AMENDMENT OFFERED BY MR. MCGOVERN

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 printed in House Report 105-184 offered by Mr. MCGOVERN:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SENSE OF THE CONGRESS RELATING TO INTERNATIONAL ADOPTION LAWS AND PRACTICES OF PARAGUAY

SEC. 572. It is the sense of the Congress that the President and the Secretary of State should use all opportunities and means to express directly to all appropriate officials of the Government of Paraguay that—

(1) the United States respects and supports the commitment of the Government of Paraguay to reform its laws and practices regarding international adoptions;

(2) the pending international adoption cases filed by United States families at or prior to the establishment by the Government of Paraguay of a moratorium on international adoptions, including the 11 adoption cases commonly referred to as the "window of opportunity" adoption cases, should be allowed to continue and complete the adoption process in a fair, unbiased, and timely fashion;

(3) such United States adoption cases should be determined on the basis of the two key tenets for international adoption in Paraguay, namely the fitness of the petitioning family to be parents and what is in the best interests and welfare of the child; and

(4) any international adoption reform legislation approved by the Government of Paraguay should allow such United States adoption cases to complete the adoption process.

The CHAIRMAN. Pursuant to the order of the House of Thursday, July 24, 1997, the gentleman from Massachusetts [Mr. MCGOVERN] and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts [Mr. MCGOVERN].

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

Mr. Chairman, an urgent situation confronts American families attempting to adopt children from Paraguay. In September 1995 the Government of Paraguay imposed a moratorium on all international adoptions so that it might reform its laws and regulations and clean up the corruption that had so plagued the system.

Many U.S. families were caught in various stages of the adoption process at the time the moratorium was imposed. It has been 23 months since the moratorium was imposed, and over three dozen American families still find their petitions for international adoptions pending.

While our Embassy personnel in Paraguay have been sympathetic to these families, not once has the Paraguayan Government heard from our highest officials about the right of these United States families to receive fair, timely due process. Not once have they expressed concern for the welfare of these children. This amendment seeks to ensure that such communication take place.

Let me be very clear, Mr. Chairman. This amendment means no disrespect for Paraguay and, indeed, expresses support for its reform process. This amendment is aimed at moving the highest officials of our own Government to speak out on behalf of these families and to do it quickly, before all hope is lost.

One of these families caught in the moratorium, Donald and Elaine Berube, live in Seekonk, MA, and hope to adopt a little girl. Three years ago they successfully adopted a little boy from Paraguay. They want to provide him with a baby sister of similar heritage.

Since they were familiar with the Paraguayan adoption process, and had already been approved once as desirable parents by the Paraguayan courts, they chose to return to Paraguay in 1995 and file for the adoption of a little girl. A few months later the moratorium was imposed, and for the Berubes, the judicial process in Paraguay turned into an emotional nightmare.

Like all the American families, the Berubes have struggled to have their case proceed through the Paraguayan

courts in a fair and unbiased manner. They have always acted in a manner respectful of the Paraguayan system, and in return they have been subjected to delays, arbitrary rulings, appeals and what often appears to be anti-American bias and prejudice on the part of the Paraguayan press, courts, and some of the judges.

After reviewing their case and others, it appears to me that the Berubes and all of these families have been subjected to special scrutiny, with government attorneys and judges searching for every and any reason to deny these cases the possibility of proceeding.

For nearly 2 years the Berubes have bonded with the little girl they hope to adopt. They are deeply concerned about her health and her welfare. At 20 months she weighs less than 17 pounds, a victim of neglect she has experienced at the hands of the Paraguayan state and agencies. I firmly believe that without the direct involvement of United States officials at the very highest levels, these cases will proceed no further and all these children will be doomed to lives of neglect.

Mr. Chairman, these children need families, they need love, and they need a healthy environment where they will be well-nourished physically, emotionally, and spiritually.

I hope this amendment will be viewed by all Members of the House as non-controversial. I urge my colleagues to support it, and I would also like to thank the chairman, the gentleman from Alabama [Mr. CALLAHAN] for his support and generosity in allowing this issue to come forward for debate.

Mr. Chairman, I yield the balance of my time to the gentleman from Wisconsin Mr. JAY JOHNSON.

Mr. JOHNSON of Wisconsin. Mr. Chairman, I rise tonight in support of the McGovern amendment, in support of the children of Paraguay and the families in my district and across the United States, like those in Mr. McGovern's district, like those in my district and many other places who are trying to adopt these children.

The Jandourek and Pappas families in my district have experienced firsthand similar trials and hardships in trying to adopt children from Paraguay.

The Pappas family has been trying to adopt a young girl from Paraguay since May 1995. They have faced roadblocks from agents, lawyers, and the courts, claiming irregularities in the case. They may not be able to adopt. I am told the young girl they are trying to adopt has just turned 3 years old. Almost 3 years of waiting, not knowing about her future.

The Jandourek family has experienced similar difficulties. They are just beginning their efforts.

Mr. Chairman, I urge my colleagues to support this amendment and help address some of the difficulties that not only families in Wisconsin are having, but the difficulties families across the United States are experiencing in

trying to adopt children from Paraguay. These families have waited long enough. I ask for my colleagues' support of adopting families and the children of Paraguay. Adopt the McGovern amendment.

Mr. MATSUI. Mr. Chairman, I rise in strong support of the McGovern amendment. I believe it is critical that the Congress make its voice heard on the difficult situation facing a number of American families attempting to adopt children in Paraguay.

Among these families are Richard and Donna Moser, who reside in my district. Some 26 months ago, in May 1995, the Mosers began their efforts to adopt a Paraguayan child. On September 18 of that year, the Government of Paraguay imposed a moratorium on international adoptions in order to reform its laws in this area. Like other families with adoption cases pending when the moratorium took effect, the Mosers have since faced a seemingly endless series of hurdles and delays in their efforts to complete the adoption process.

The language of this amendment makes it quite clear that no Member of this body is questioning the absolutely legitimate efforts of the Paraguayan Government to reform its laws governing international adoptions. The supporters of this amendment are merely asking that cases initiated prior to the moratorium, including the so-called window of opportunity cases, will be allowed to proceed without delay under the current legal situation and within the provisions of any forthcoming new adoption law in Paraguay.

As my colleagues can imagine, the families who have persevered through the very halting and uncertain process since the moratorium was announced have made tremendous commitments of their time and emotional energies. They have a right to expect a reasonable, comprehensible adoption process. The children these families seek to adopt face great hardships in Paraguay. They too deserve to have fairness prevail here.

By passing this amendment, the Congress is making a plea to the Government of Paraguay on behalf of this very limited group of families seeking the right to finish a process that they could not possibly have anticipated would be so terribly arbitrary when they chose this path. I believe we are also sending a message to the U.S. State Department that this issue merits and requires the highest level of attention. I urge my colleagues to join in making this greatly needed statement.

Mr. SAXTON. Mr. Chairman, I rise in strong support of the amendment offered today by my colleague from Massachusetts, Mr. MCGOVERN. I would like to thank Mr. MCGOVERN for offering this amendment and I would like to thank Chairman CALLAHAN for his strong support for allowing this amendment to come to the floor.

This amendment will help families in America who have sought international adoptions from Paraguay.

Let me take a quick moment to express how important this is, especially to the children waiting to be adopted. A family from Berlin, NJ, Lori and Ira Bussison have been working to adopt a child named Alex since his birth almost 3 years ago.

Despite the fact that Alex's biological father abandoned his mother during her pregnancy and his biological mother placed the child up

for adoption immediately after giving birth, the Paraguayan court system refuses to let this adoption to become finalized.

While Lori and Ira remain hopeful, each time it seems like Alex will be allowed to come to America with his new parents, the family is told of another unknown technicality preventing this adoption from becoming finalized.

Recently, Lori spend 3 months living with young Alex in a hotel, thinking the adoption case would soon be finalized. Heartbreakingly, when it became apparent that the court system would continue to stall, Lori, financially drained, had to return to America without Alex yet again.

We must look at the best interest of the family and especially the children. A boy like Alex deserves loving parents like Lori and Ira. Passage of this amendment will show that the U.S. Congress cares about these families and is willing to do its part in finalizing these adoption cases.

I strongly support the McGovern amendment.

Mr. PAPPAS. Mr. Chairman, I rise in support of the McGovern amendment. In my own district, a physician and his wife, fully qualified to love and support a child, having been waiting for almost 2 years for the process to be finalized so they can bring their adopted son home to New Jersey. During this time, one or the other of these parents has been in Paraguay with the child to nurture and care for him, causing great disruption and expense to their family in New Jersey.

Inappropriate and frustrating delays coupled with procrastination by officials in Paraguay have turned the joyful and rewarding experience of adopting a child into a problem of enormous and unnecessary proportions. I would hope that the Government of the United States, and the Government of Paraguay working together will be able to quickly work through the maze of regulations and make it possible for all the children waiting to finally be welcomed by loving families. Let's stop being bystanders, and become an active part of the process which will help these adoptions be complete.

I would like to thank the gentleman from Massachusetts on his leadership on this issue and I urge every Member to support this amendment. Let's prove we are a family-friendly Congress and Nation and support adoption of children in Paraguay.

I thank the chairman and I yield back the balance of my time.

Mr. TIERNEY. Mr. Chairman, I thank my good friend and colleague from Massachusetts for offering this amendment. Mr. Chairman, I have tremendous respect for countries such as Paraguay that make significant efforts to improve their government. I understand that Paraguay is making strong efforts to reform its adoption laws.

However, there are instances when their judicial system seems not to be providing objective due process to international adoptions despite the fact that applicants are doing everything in their power to pursue these applications legally.

Mr. Chairman, I have a constituent named Maria Saiz who has been trying desperately for 2 years to adopt a little girl named Sara. She has done everything possible and legal in her control and still receives unfounded excuses for why the process has not gone forward favorably.

I am happy to report now that the case has been re-routed to the lower courts for further processing, but we have no guarantee of how that will result.

Mr. Chairman, this amendment strongly articulates the respect that the United States has for Paraguay's efforts to reform its laws, but at the same time, it sends a clear message that the courts should fairly determine these United States adoption cases based on the fitness of the petitioners as parents and the best interest of the child only.

We must participate in these efforts with the hope that soon these children can be adopted by loving parents. I urge my colleagues to vote for the McGovern amendment and I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. MCGOVERN].

The amendment was agreed to.

Mr. LAZIO of New York. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I had prepared an amendment to reduce foreign aid to Egypt, but I will suspend that for a moment.

I have serious concern about the objectives and the part Egypt has been playing in terms of its constructive role in the peace process in the Middle East. Egypt, as we know, has been historically a partner in the pursuit of peace in the Middle East, but its recent actions have run contrary to our interests.

First, Egypt openly advocated for Libya, a well-known terrorist state. It urged the U.N. Security Council to accept Libya's request to try the Pan Am 103 bombing suspects in front of an international tribunal. That is opposed to the United States policy.

Second, Egypt is openly encouraging cutbacks to the economic and trade sanctions imposed on Libya in 1992. Egypt permitted Colonel Qaddafi to fly into Egypt and attend an Arab League summit in Cairo, in open violation of the United Nations ban on Libyan air travel. Terrorists will never respond to sanctions such as isolation if our allies assist Colonel Qaddafi in participating in such a pivotal meeting.

Third, Egypt acted as host of the June 1996 Arab League summit. That meeting provided a platform for Arab leaders opposed to peace to threaten the halt of normalization of relations between Israel and the Arab countries wanting peace.

Fourth, Egypt, as the leading Arab country, has taken an inappropriately active role in lobbying other Arab States to slow the normalization of their ties with Israel. Over the last few years, Cairo has hosted several meetings with one common aim: The isolation of Israel. Egypt even supported the renewal of the boycott of Israel at the April 1997 meeting of the Arab League.

Fifth, in March of this year, Egypt was the only country to block an important United States proposal. We were trying to bypass the U.N. Security Council condemnation of Israel's

construction of a Jewish neighborhood in Har Homa. Once again, Egypt's position directly conflicted with our Nation's policy.

And, finally, earlier this month Egypt led an effort to propose a U.N. resolution that threatened Israel's participation in the U.N. General Assembly. This is one of a series of resolutions introduced this year which attempts to isolate Israel and slow the peace process in the Middle East.

To say the least, Egypt's efforts to create momentum and revitalize negotiations between Israel and the Palestinians have not been consistent. Egyptian public statements that call into question the peace process encourage radical Palestinians to harden their Hebron negotiating position.

For example, last October, when violence erupted in the West Bank, President Mubarak was the only leader to decline the President's invitation to attend a summit in Washington. That summit put the peace process back on track and reduced the violence in Israel.

While Egypt has been, and certainly may remain a strong ally in the Middle East, recent actions undercutting their support for peace are alarming. Reducing foreign aid to them will emphasize that the United States Congress expects Egypt to play a constructive and positive role in the Middle East, a role which ensures security for Israel and durable peace and prosperity for the entire region.

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

Mr. LAZIO of New York. I yield to the gentleman from New York.

Mr. GILMAN. Mr. Chairman, I thank the gentleman for yielding to me, and I want to take the opportunity to thank the gentleman from New York for expressing his concern about Egypt and its relationship with our Nation and with Israel, and its involvement in the Middle East peace process and other regional concerns of critical United States interest.

During consideration of our foreign aid bill, our House Committee on International Relations included language which spoke to the growing disappointment among Members of Congress regarding Egypt's activities in a broadening spectrum of issue areas, some of which the gentleman has already recited here tonight.

That language reiterated that Egypt's assistance, of which \$1.3 billion is military assistance and \$850 million is economic assistance, is based upon its implementation of the Camp David Accords, notably establishing relationships with Israel that are normal to states at peace with each other, and found Egypt's fulfillment of these obligations disappointing.

□ 2230

Many Members of Congress believe that future assistance to Egypt should, therefore, be predicated on Egypt's full implementation of its campaign obliga-

tions and promotion of peace with Israel and other critical United States interests.

And while I have been informed that the gentleman from New York [Mr. LAZIO] may consider withdrawing his amendment, he can be certain that we share many of his concerns that our Committee on International Relations will continue to closely monitor Egypt's performance on a wide variety of issues that he raised. And I thank the gentleman from New York [Mr. LAZIO] for raising these issues before us this evening.

Mr. LAZIO of New York. Mr. Chairman, reclaiming my time, I thank the gentleman from New York [Mr. GILMAN], the distinguished chairman of the Committee on International Relations, and based on the gentleman's representations, I will not offer this amendment.

But I do want to reiterate the strong concerns that many Members of Congress have, including this Member, about Egypt's actions and the lack of engaging in a constructive role in the Middle East and that the foreign aid account should not be considered sacrosanct when it comes to considering this issue.

AMENDMENT NO. 73 OFFERED BY MR. MENENDEZ

Mr. MENENDEZ. Mr. Speaker, I offer an amendment.

The CHAIRMAN. Is the amendment printed in the RECORD?

Mr. MENENDEZ. Yes, Mr. Chairman, it is.

The Clerk read as follows:

Amendment No. 73 offered by Mr. MENENDEZ:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. 572. None of the funds appropriated or otherwise made available by this Act under the heading "NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS" that are made available for the International Atomic Energy Agency shall be made available for programs and projects of such Agency in Cuba.

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

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

There was no objection.

Mr. MENENDEZ. Mr. Chairman, my amendment seeks to limit the use of U.S. taxpayer dollars to the International Atomic Energy Agency for programs and projects in Cuba. Over the next 3 years, Cuba will receive more than \$1.7 million from the IAEA, even though Cuba has continuously refused to sign the Treaty on Non-Proliferation of Nuclear Weapons, ratify the Treaty of Tlatelolco, negotiate full-scope safeguards or incorporate internationally accepted nuclear safety standards.

In addition to those glaring aberrations, the Castro dictatorship has decided that a dangerous Soviet-era nuclear plant in Juragua, near Cienfuegos, Cuba, should be completed and operated. Already the IAEA has provided

nearly \$700,000 to Cuba to support the Juragua Nuclear Power Plant.

A letter to me from President Clinton stated that:

The United States opposes the construction of the Juragua nuclear power plant because of our concerns about Cuba's ability to ensure the safe operation of the facility and because of Cuba's refusal to sign the Nuclear Non-proliferation Treaty or ratify the Treaty of Tlatelolco.

The State Department, the Nuclear Regulatory Commission, and the Department of Energy have also expressed concerns about the construction and operation of Cuba's proposed nuclear reactors.

Dr. Edward Purvis, who headed the United States Department of Energy's investigation of Cuba's reactors has this to say:

An accident in the Cuban VVER-440 is probable. It is just a question of when. I don't know if they are the most dangerous reactors in the world, but they are the most dangerous reactors anywhere close to the United States.

In a report to Congress, the General Accounting Office outlined concerns among nuclear energy experts about deficiencies in the Cienfuegos nuclear plant project. They included: A lack in Cuba both of a nuclear regulatory scheme and an adequate infrastructure to ensure the plant's safe operation, maintenance, and adequate training of program operators.

Reports by a former technician from Cuba who, by examining with x rays, weld sites believed to be part of the auxiliary plumbing system for the plant, found that 10 to 15 percent of those were defective. This technician, Mr. Jose Oro, was quoted as saying, "The operation of this reactor will be criminal. The construction was being performed in a completely negligent manner."

According to the U.S. Geological Survey, the Caribbean plate, where this reactor sits, is in fact subject to seismic risks to Cuba in the reactor cite and may produce large to moderate earthquakes and in fact may produce large to moderate earthquakes. In fact, on May 25, 1992, the Caribbean plate produced an earthquake numbering 7 on the Richter scale.

Finally, I would like members who are from the State of Texas, Louisiana, Arkansas, Mississippi, Alabama, Florida, Georgia, Tennessee, South Carolina, North Carolina, Maryland, Virginia, and here in Washington, DC, to consider the following: We are talking about in those States over 80 million Americans, Mr. Chairman, almost one in three Americans to my right on this chart.

According to a study by the National Oceanic and Atmospheric Administration, summer winds could carry radioactive pollutants from a nuclear accident at the power plant throughout all of Florida and parts of the States on the gulf coast as far as Texas and northern winds could carry the pollutants as far northeast as Virginia and Washington, DC. Many more states would be affected in the time.

So we should point out that this is not a question of nuclear safety where we might be interested in supporting the IAEA here, because there is at present no nuclear material at the Juragua power plant. But what the IAEA is doing is preserving the plant so that construction can be renewed at a point in time in which Cuba acquires sufficient financing a plant that we have said that we do not want a plant, that the President has said he is concerned about a plant, that the GAO says that does not make any sense and is a risk and that the National Oceanic and Atmospheric Administration says is a risk.

So the question is whether or not you believe that the United States taxpayer dollars should be supporting the preservation of this dangerous plant with our tax dollars, particularly whether Cuba will likely never have the resources to complete it and if it did would pose a very serious national security threat to the United States.

I believe it is in our national interest not to be having resources go in this way. If there was a plant that was up and running and a plant that we said did not pose a threat to us, yes, let us have the IAEA produce the opportunity for oversight but let us not give them money to mothball a plant that we never want to see take place in the first place.

I hope that the committee will accept the amendment, and certainly I ask my colleagues to support it.

Ms. PELOSI. Mr. Chairman, I move to strike the last word.

Mr. Chairman, our distinguished colleague, the gentleman from New Jersey [Mr. MENENDEZ] said at the end of his remarks that he understands that the committee will accept the amendment, and that is my understanding as well. But I would like to just take a moment to put a couple of observations on the RECORD without commenting on the Committee's rule.

My colleagues, I understand your preference to shut down the IAEA's activity in Cuba. As we know, that is not necessarily achievable by simply cutting off U.S. participation. The IAEA functions as an international body with contributions from many sources, and consequently its program decisions are not made by the United States alone.

I do not necessarily disagree with the gentleman from New Jersey [Mr. MENENDEZ] on the issue of renewing the construction of the power plant in Cuba. I oppose that in fact, and the U.S. opposes that. In fact, the United States has regularly pleaded with our allies not to help Cuba revive this project. So far, that effort has succeeded.

Unilateral efforts such as this pose a problem for us in achieving our credibility in achieving our goal in these multilateral, multinational bodies. I am concerned, therefore, how this action would affect our credibility with the IAEA on other matters. For years

the United States, at the urging of Congress, fought with other nations who were attempting to exclude Israel from IAEA.

Our point was that an international organization was unfair to single out one country for discriminatory treatment. This amendment puts us in a position of doing that. We are presently depending on the work of the IAEA to be the eyes and ears of the world when it comes to monitoring the activities of North Korea, Iraq, and other countries that we might not consider to be within the realm of countries that are operating in a way with respect for their citizens. We are counting on the IAEA to be the eyes and ears, as I said, with respect to nuclear programs.

The U.S. has a vital stake in this ongoing work, and we should not jeopardize that. That is why I want to put on the RECORD my concern for passing unilateral prohibitions such as this one. It puts us in an uncomfortable position when comes to influencing IAEA or countries like North Korea, where vital U.S. interests are also at stake.

So, as I say, I am not disagreeing with the gentleman from New Jersey [Mr. MENENDEZ] on the substance of his amendment, but I do in terms of my responsibilities to the subcommittee and our other activities want to put some of these concerns on the RECORD.

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

Ms. PELOSI. I yield to the gentleman from New Jersey.

Mr. MENENDEZ. Mr. Chairman, I appreciate the statements of the gentlewoman from California [Ms. PELOSI] and I appreciate her support, notwithstanding her concerns. I just want to address her concerns and say that it is my understanding that in all years except one, actually this was written into the law up to 1994, and subsequently to that, we have sought through amendments to do what in fact we are doing here again tonight; and that has not in any way created a difficulty for us as a country with the IAEA.

As a matter of fact, we made contributions to what they call a special account that in fact is directly for this purpose. So I think that we will continue to have a good relationship with the IAEA, we will continue to make sure that they provide for nuclear safeguards and in many places throughout the world in which they do excellent work, but still send a very clear message that we do not want this power plant.

I appreciate the concerns of the gentlewoman from California [Ms. PELOSI].

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. MENENDEZ].

The amendment was agreed to.

AMENDMENT NO. 12 OFFERED BY MR. ROHRBACHER

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

The CHAIRMAN. Has the amendment been printed in the RECORD?

Mr. ROHRABACHER. Yes, Mr. Chairman, it has.

The Clerk read as follows:

Amendment No. 12 offered by Mr. ROHRABACHER:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

PROHIBITION OF ASSISTANCE TO CAMBODIA

SEC. . (a) None of the funds appropriated in this Act may be made available to the Government of Cambodia.

(b) None of the funds appropriated in this Act for the International Development Association, the International Monetary Fund, or the Asian Development Bank may be used for any loan to the Government of Cambodia.

Mr. ROHRABACHER (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 California?

There was no objection.

Mr. ROHRABACHER. Mr. Chairman, the amendment that I am offering is a second amendment we have had tonight on Cambodia. It is a bit tougher than the last amendment. Although I appreciate the efforts of the gentleman from Nebraska [Mr. BEREUTER] in the last amendment.

The reason why my amendment is a bit tougher than the last one is that it puts the United States Congress on record as supporting the denial of any funds that are appropriated by this act for international lending institutions, such as International Monetary Fund and Asian Development Bank.

This measure is essential. Because, while direct United States foreign aid is a small portion of the Cambodian regimes, and we are now talking about a rogue Cambodian regime, international donations account for half of that government's revenues. It is essential that the dictator, the strongman there, Hun Sen, realize that American representatives to these lending institutions are being directed by Congress to press for withholding of these funds. Even if the prohibition of these funds is not immediately possible, at least our people will be making the case. And if abuses in Cambodia continues, the U.S. position will be strengthened.

Thus, I would ask my colleagues to join me in supporting this amendment, which, as I say, is a bit tougher and sends a message that we are not going to permit aid to come through the back door to this gangster that shot his way into power and who has brutally murdered his opposition. We are taking a tough stand on Cambodia, and that is exactly what we should do, to send a message that we want a return to democracy and we are not going to be supportive of that regime until the regime goes back on track toward a Democratic election in May.

Ms. LOFGREN. Mr. Chairman, will the gentleman yield?

Mr. ROHRABACHER. I yield to the gentlewoman from California.

Ms. LOFGREN. Mr. Chairman, I thank the gentleman from California [Mr. ROHRABACHER] for yielding.

Mr. Chairman, I rise in support of the Rohrabacher amendment. I really believe that on both sides of the aisle we are of one mind on the outrage that is going on in Cambodia. We want to take a strong stand. I appreciate the Bereuter amendment, and I support this further step.

I understand, I am not a member of this committee, that the Bereuter amendment, comments on it might be technically correct. But I think this takes a stand, as my colleague has noted, the international community, in addition to this Congress, needs to stand up for human rights and for democracy and against a repeat of the killing fields in Cambodia.

In addition to this, I hope that our administration is listening tonight so that they may take those steps necessary to rally around the international community, our allies that are also contributing that half of revenue into Cambodia. We need to act internationally to prevent an even greater disaster that has yet occurred and to insist that civility be returned to Cambodia, that democracy exist in that country, and that we will stand by those Cambodians who have risked their lives and their families and the lives of their families in behalf of freedom.

□ 2245

Mr. ROHRABACHER. Reclaiming my time, I appreciate the efforts of the gentleman from Nebraska [Mr. BEREUTER], I appreciate the support of others on the committee. This is a truly bipartisan effort as are most of the human rights efforts made in this Congress, and ever increasingly made in this Congress.

My bill is a bit tougher than the other amendment that has been offered regarding American support to Cambodia. It is tougher because it puts Congress on record of supporting the denial of U.S. funds appropriated in this act for international lending institutions, such as the International Monetary Fund and the Asian Development Bank. This measure is essential because while direct United States foreign aid is a small portion of the regime's funding, international donations account for half of the Government of Cambodia's revenues. It is essential that Hun Sen realize that American representatives to these lending institutions will press for withholding of these funds, even if the prohibition of these funds is not immediately possible. If abuses in Cambodia continue the United States position will be strengthened.

This provision was requested by exiled members of the elected Cambodian Government, by many members of the Cambodian-American community and in consultation with Steven Solarz, the Clinton administration's special envoy for Cambodia.

It is my intention that funding be restored after a democratic government constituted through the framework of the 1991 Paris accords is restored, including: the return of all elected members of government and leaders of democratic opposition parties currently in exile to safely campaign for a free and fair election; the disbanding of all private armies

and militias; the creation of national election laws and an independent judiciary system; and certification by the President that adequate safeguards are in place to assure free and fair elections, including penalty provisions for any further abuses.

Ms. PELOSI. Mr. Chairman, will the gentleman yield?

Mr. ROHRABACHER. I yield to the gentlewoman from California.

Ms. PELOSI. Because the hour is late, I thank the gentleman for yielding, and I thank him for his leadership on this important issue. I once again reiterate my support for the gentleman's amendment. I thank the gentlewoman from California for her leadership as well.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. ROHRABACHER].

The amendment was agreed to.

Mr. FOX of Pennsylvania. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to engage the chairman's assistance for NATO expansion. It is my understanding that this bill contains funds for new countries to join NATO at the invitation of the organization this summer in Madrid.

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

Mr. FOX of Pennsylvania. I yield to the gentleman from Alabama.

Mr. CALLAHAN. The answer is yes.

Mr. FOX of Pennsylvania. Under this provision, Mr. Chairman, are the funding levels adequate for these new countries to join NATO and to maintain NATO standards, in the gentleman's opinion?

Mr. CALLAHAN. The answer is once again yes.

Mr. FOX of Pennsylvania. Further, Mr. Chairman, do we have the chairman's assurance that he will support and protect this provision in conference and do everything in his power to follow through from the Madrid conference and make sure that these same new countries will be asked to join and will be helped in maintaining complete NATO standards?

Mr. CALLAHAN. Yes.

Mr. FOX of Pennsylvania. Mr. Chairman, I thank the gentleman from Alabama [Mr. CALLAHAN] very much. As the chairman of the committee, I want to thank the gentleman for his leadership, for the time and assistance he has given to this and other issues important to our country in our international relations. I would like to add that I wholeheartedly support this program and will take all measures necessary to see that we do invite the nations chosen in Madrid to join NATO at the earliest possible date and that we continue to invite new NATO members in the future.

Mr. COX of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the administration's stated intention in funding KEDO was to gain international monitoring and supervision of North Korea's nuclear

program and specifically to assist in preventing North Korea from developing nuclear weapons. A further goal of the Clinton administration's support for KEDO was to require North Korea to submit to third-party inspection of its nuclear facilities, to provide an accounting for its plutonium stocks, particularly any highly enriched weapons-grade plutonium, and to minimize the future production of weapons-grade plutonium from its nuclear power plants. I would ask the chairman whether that is the committee's understanding.

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

Mr. COX of California. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Yes, that is my understanding, and I think the committee as well, that these were the stated intentions of the administration when they requested funding for KEDO.

Mr. COX of California. I thank the chairman. I wonder if I might inquire whether it is the chairman's further understanding that KEDO is assuming substantial debts with some estimates that these debts total over \$40 million?

Mr. CALLAHAN. Yes, I am very much concerned about the reports that KEDO has been accruing large debts to support the purchase of heavy fuel oil for North Korea which are well above the funds made available by appropriations by the Congress for this purpose. The information that the gentleman has furnished me is very disturbing to me.

Mr. COX of California. I thank the chairman once again.

Mr. Chairman, an amendment to strike the funding in the bill for KEDO was made in order. My amendment was prompted by reports that North Korea has in fact developed nuclear weapons, that it has thus far failed to permit third-party inspections of its nuclear facilities adequate to account for its stocks of highly enriched weapons-grade plutonium and that KEDO has sought to borrow funds in excess of its direct international funding. Since the committee's inclusion of KEDO funding is premised on the administration's representations about these very matters, I once again inquire, will the chairman be willing to revisit the provision of this bill at a future date if the reports to which I have referred prove to be true?

Mr. CALLAHAN. The committee's understanding is that the administration's intention in funding KEDO is to deter North Korea's production of nuclear weapons. If it is confirmed that North Korea has in fact developed nuclear weapons and is continuing to do so, or that North Korea has failed to account to the international community for its plutonium stocks, or that KEDO is engaged in borrowings not anticipated by our original agreement to provide financial support, then yes, I think the committee would indeed wish to revisit our support, because the United States should not provide even

indirect support for North Korea's energy programs under such circumstances.

Mr. COX of California. Mr. Chairman, in light of the committee's intention to terminate U.S. funding of KEDO if the original premises are no longer valid, my amendment is rendered unnecessary, and I would withdraw it.

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

Mr. COX of California. I yield to the gentleman from Nebraska.

Mr. BEREUTER. I thank the gentleman for yielding. I want to compliment him and the chairman on the understanding they have reached. As the chairman of the authorizing subcommittee, I certainly agree with the premises of the gentleman's comments and colloquy from the chairman. I commend the gentleman on it.

Mr. COX of California. I wish in turn to recognize the efforts of the chairman on this very subject and I look forward to working with the gentleman.

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

Mr. COX of California. I yield to the gentleman from New York.

Mr. GILMAN. I thank the gentleman from California for bringing this matter to our attention. While I certainly support food aid to North Korea that the gentleman initially was concerned about, and as long as it is adequately monitored I share the gentleman's concerns about KEDO and will raise this in our Committee on International Relations. I would not support an amendment cutting off food aid but would support the gentleman's concerns about KEDO. I commend the gentleman for raising the issue.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to enter into a colloquy with the gentleman from Alabama [Mr. CALLAHAN] and the gentleman from California [Ms. PELOSI]. I would like to thank the gentleman from Alabama [Mr. CALLAHAN] and the distinguished ranking member for engaging me in this very important colloquy. According to the State Department, Ethiopia's government limits freedom of association and refuses to register several nongovernmental organizations. Societal discriminations and violence against women and abuse of children remain problems. The apparent act of female genital mutilation is nearly universal. Domestic violence including wife beating and rape are pervasive social problems. Nationwide, thousands of criminal suspects remain in detention without charge or trial at the close of 1996. Most often these detentions resulted from the severe shortage and limited training of judges, prosecutors and attorneys.

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

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Alabama.

Mr. CALLAHAN. Mr. Chairman, I would like to thank the gentleman

from Texas for once again bringing this very important matter to the attention of the Subcommittee on Foreign Operations, Export Financing and Related Programs of the Committee on Appropriations.

Human rights is important around the world, but it is especially important in Africa. We need to closely monitor Ethiopia's human rights record. I would be very happy to work closely with the gentleman to make certain the State Department pursues this issue aggressively and the Government of Ethiopia responds to your concerns.

Ms. JACKSON-LEE of Texas. I thank the gentleman for his kindness and recognizing the very important issue that this is.

Ms. PELOSI. Mr. Chairman, will the gentleman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from California, the ranking member who has a distinguished record on human rights.

Ms. PELOSI. Mr. Chairman, I thank the gentleman for yielding. I want to join our distinguished chairman in thanking the gentleman from Texas for her leadership in bringing this matter to the subcommittee's attention and will join our chairman in working with her to monitor the State Department's actions on this. I again commend the gentleman for her leadership on this issue.

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

Ms. JACKSON-LEE of Texas. I yield to the gentleman from New York and thank the gentleman because we worked so closely together during the authorization period. I thank him for his leadership.

Mr. GILMAN. I thank the gentleman from Texas for her longtime interest in Ethiopia and African issues in general. Africa receives far less attention from this body than it deserves. However, I wanted to make certain that we recognize the gentleman's efforts on behalf of Ethiopia. The Agency for International Development does take into account human rights issues when it decides on the level of assistance for Ethiopia as it does for other nations in Africa and elsewhere. Ethiopia, of course, does not have a perfect record on human rights issues, but many of its neighbors in Africa and other regions have far worse records and we are not singling them out.

The gentleman's raising this issue before this body is worthy of our attention. I want to assure the gentleman our committee will continue to monitor the events in Ethiopia. I thank the gentleman for her concern.

Ms. JACKSON-LEE of Texas. I thank the gentleman very much. He is very right. Africa must rise very high on our barometer screen and we must recognize the importance of improving their human rights position.

Again I would like to thank both the chairman and the distinguished ranking member. I bring this to the attention of the Subcommittee on Foreign

Operations, Export Financing and Related Programs of the Committee on Appropriations and the whole House because I think we must be concerned about how countries treat their citizens if we are doling out the public's money every year. The American people need to know that 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. For example, I am particularly interested and concerned about Ethiopia's treatment toward women. It is true that clitoridectomies are typically performed 7 days after birth and excision of the labia and the infibulation are the most dangerous and extreme.

Again I would like to urge the Congress to monitor the human rights record of Ethiopia as it relates to obligating funds for fiscal years 1998 and 1999, and I think collectively we can improve all conditions in Africa and particularly improve conditions in Ethiopia.

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

Mr. Chairman, I want to thank the chairman, the ranking member and all the staff here this evening for their indulgence. I would like to engage the chairman in a colloquy on two issues.

Mr. Chairman, I would like to thank first of all the gentleman from Alabama [Mr. CALLAHAN] and the subcommittee for its recommendations with respect to international agricultural assistance. This Member is pleased that the committee report recommends continued support for a number of collaborative research support programs and calls for increased support for the agricultural development assistance in USAID's budget. However this Member would request that the chairman of the Appropriations Subcommittee enter into a colloquy to further clarify this matter.

Mr. Chairman, the committee report specifically mentions support for six collaborative research support programs. Certainly all of the CRSP programs make major contributions in helping agrarian-based nations develop their economies and increase their readiness for private investment through their contributions in human resource development, education, training, health and nutrition and in improving the human capital capacity of agricultural research and development institutions.

Mr. Chairman, in addition to the six CRSPs specifically mentioned in the committee report, is it also the committee's intention to support the sorghum millet CRSP and the integrated pest management CRSP in their efforts to promote sustainable agricultural practices in the developing world?

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

Mr. BEREUTER. I yield to the gentleman from Alabama.

Mr. CALLAHAN. The response is yes, it is our intention.

Mr. BEREUTER. I thank the gentleman very much. I want to thank the gentleman for his clarification.

On the second matter, Mr. Chairman, I would like to comment on the report of the distinguished Commission on International Trade Development and Cooperation which calls for a funding level of at least \$500 million for international agriculture and rural development programs in the USAID appropriation for fiscal year 1998. It seems like a reasonable goal to me, given the importance of the programs to the development of future markets for our U.S. farmers and the need to reverse the decline in these programs at USAID in recent years.

Does the gentleman agree that there has been a relative decline in funds for this important program and that a target of \$500 million or a relevant percentage increase in funding would be appropriate over the next several years?

Mr. CALLAHAN. Yes, I do agree that agricultural decline has been too much and that we should work together to establish an appropriate goal consistent with other priorities.

Mr. BEREUTER. Mr. Chairman, that is all I can ask. I do appreciate the distinguished gentleman for his cooperation on this effort and for his effort tonight in general.

□ 2300

Mr. CALLAHAN. Mr. Chairman, I am sure you will be pleased to hear that we are going to rise.

We thank our entire staff for their patience and their understanding and cooperation that we have received, and I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore [Mr. PEASE] having assumed the chair, Mr. THORBERRY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2159), making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1998, and for other purposes, had come to no resolution thereon.

#### EXTENDING ORDER OF THE HOUSE OF MAY 7, 1997, THROUGH SEPTEMBER 10, 1997

Mr. FOX of Pennsylvania. Mr. Speaker, I ask unanimous consent that the order of the House of May 7, 1997, as extended on July 15, 1997, be further extended through Wednesday, September 10, 1997.

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

There was no objection.

#### SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of Jan-

uary 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon [Mr. DEFAZIO] is recognized for 5 minutes.

[Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri [Mr. BLUNT] is recognized for 5 minutes.

[Mr. BLUNT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Louisiana [Mr. JEFFERSON] is recognized for 5 minutes.

[Mr. JEFFERSON addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington [Mr. METCALF] is recognized for 5 minutes.

[Mr. METCALF addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. STRICKLAND] is recognized for 5 minutes.

[Mr. STRICKLAND addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

#### THE LAST TIME THERE WAS A BALANCED FEDERAL BUDGET

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut [Mr. SHAYS] is recognized for 5 minutes.

Mr. SHAYS. Mr. Speaker, I want to kind of catch my breath and to say to you after the budget agreement was passed in this Chamber I went back to my office, and on the back of my chair was this statement. It was from any staff, and I would like to read it.

It said:

The last time there was a balanced federal budget only four members of your staff were alive. You and your wife Betsy were teaching in the Peace Corps in the Fiji Islands. Your press secretary still had training wheels. Your chief of staff was drinking out of a bottle. Your scheduler had just graduated from high school. Your assistant manager was still using a typewriter. Half a million people were enjoying Woodstock, and John Kasich was probably one them. Richard Nixon was President. Neil Armstrong became the first man to walk on the moon. The Academy Award winner was Midnight Cowboy. The song of the year was Jesus Is Coming Soon. And Newt was getting his Ph.D. We have a lot to look forward to, and we will all benefit from the good work of this House.