

they opted not for nationalism, isolation and corruption, but for democracy, tolerance and economic progress. They had enough of the past; they wanted to move forward. This was reflected in the strong turnout for the parliamentary and presidential elections held earlier this year, and in the results of those elections.

Croatia has now been accepted as a member of NATO's Partnership for Peace. It is moving forward in its quest to be integrated fully into European affairs. The prospects for the return of displaced Serbs originally from Croatia has increased, along with cooperation with the International Tribunal prosecuting war crimes and the international community's regional efforts as a whole.

As I have been critical of developments in Croatia in the past, now I must join those who welcome the progress that has fully been made. We should, of course, monitor the situation closely, to make sure the promises made by the new Croatian leadership are kept. At the same time, we should also encourage Croatia by acknowledging positive movement when we see it.

Mr. GEJDENSON. Mr. Speaker, I rise in support of H. Con. Res. 251, a resolution commending the Republic of Croatia for the conduct of its Parliamentary and Presidential elections, introduced by my colleague on the International Relations Committee, Mr. RADANOVICH of California. I am proud to be a cosponsor of this important resolution.

This resolution commends the Republic of Croatia for the conduct of its recent parliamentary and presidential elections and calls for the United States to support Croatian efforts on compliance with the Dayton Peace Accords. It also supports membership for Croatia in the North Atlantic Treaty Organization's Partnership for Peace (PFP) program and its accession into the World Trade Organization.

Recent developments regarding Croatia's membership in PFP underscore the good timing of this resolution. Last Wednesday, NATO approved Croatia's bid to join the PFP program, a move strongly supported by the United States. NATO Secretary General Lord Robertson explained "Croatia has now become an example for its neighbors and an inspiration for moderate forces throughout the region. By promoting peace and stability in the Balkans, Croatia has won its place in the Euro-Atlantic family."

The results of recent elections in Croatia have been described as some of the best news to emerge from the Balkans since the Dayton Accords were signed four years ago. The first elections to follow the death of long-time leader Franco Tudjman saw Croatians turn out in large numbers to elect reformers promising to steer Croatia towards a more moderate, internationalist path. U.S. policymakers are optimistic that positive ripples from the wake of this election will bode well for American interests throughout the region.

Many observers saw the elections as a measuring stick as to how weary Croatians had grown with economic stagnation, authoritarian leadership, and perceived corruption within the hardline ruling party, the HDZ. Nonetheless, the sweeping change of the political landscape surprised even many of those who has expressed optimism in advance of elections. A new reform-minded, western-leaning coalition headed by Ivica Racan scored a comprehensive victory in the January 3rd par-

liamentary elections—securing 71 seats while the HDZ won just 40. On the heels of the parliamentary election, the February 7th race for President saw Stipe Mesic prevail in a battle of two reformers. During the campaign, Mesic had promised that he would "be the opposite of Tudjman in everything. Where he was autocratic I shall be democratic. Where he was nationalist, I'll be pro European."

It is now apparent that many Croats who had supported Tudjman's unyielding leadership after the dissolution of the former Yugoslavia and the fierce battle between Croatia and Serbia that ensued, now voted to signal the end of that era. Fueling this need for change was a growing resentment among the Croatian people towards a corrupt HDZ party perceived to be more interested in patronage and insider deals than managing an economy where export had stagnated and a \$9 billion external debt had accumulated.

In addition to an improving bilateral climate with Zagreb, we hope that the change of government in Croatia may create a dynamic for change in the region. On the issue of Bosnia Herzegovina, both major candidates for President campaigned for reducing political and economic support for ethnic Croats in Bosnia. Recalcitrant Bosnian Croats, sustained by HDZ hardliners in Zagreb, both reflected and reinforced hostility in the Serb and Bosnian communities. This change in outlook from Zagreb, coupled with a more independent Republika Srpska drifting from a financially strapped Belgrade and growing international pressure on the Bosnian Muslim government to reform may combine to create a dynamic in Bosnia where the definition of progress is not simply the absence of war but active trust and cooperation between ethnic groups.

This resolution has support from a broad bipartisan coalition, from the Administration, and from leading Croatian-American groups such as the National Federation of Croatian Americans.

I urge my colleagues to support this resolution.

Mr. GILMAN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PEASE). 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, H. Con. Res. 251, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

#### CONGRESSIONAL OVERSIGHT OF NUCLEAR TRANSFERS TO NORTH KOREA ACT OF 2000

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4251) to amend the North Korea Threat Reduction Act of 1999 to enhance congressional oversight of nuclear transfers to North Korea, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4251

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Congressional Oversight of Nuclear Transfers to North Korea Act of 2000".

#### SEC. 2. ENHANCEMENT OF CONGRESSIONAL OVERSIGHT OF NUCLEAR TRANSFERS TO NORTH KOREA.

(a) ESTABLISHING REQUIREMENT FOR CONGRESSIONAL ACTION BY JOINT RESOLUTION.—The North Korea Threat Reduction Act of 1999 (subtitle B of title VIII of division A of H.R. 3427, as enacted into law by section 1000(a)(7) of Public Law 106-113, and as contained in appendix G to such Public Law) is amended in section 822(a)—

(1) by redesignating paragraphs (1) through (7) as subparagraphs (A) through (G), respectively, and by indenting each such subparagraph 2 ems to the right;

(2) by striking "until the President" and inserting "until—

"(1) the President"; and

(3) at the end of subparagraph (G) (as redesignated in paragraph (1)) by striking the period and inserting "; and

"(2) a joint resolution described in section 823 is enacted into law pursuant to the provisions of such section."

(b) DESCRIPTION AND PROCEDURES FOR JOINT RESOLUTION.—The North Korea Threat Reduction Act of 1999 is amended—

(1) by redesignating section 823 as section 824; and

(2) by inserting after section 822 the following new section:

#### "SEC. 823. JOINT RESOLUTION PURSUANT TO SECTION 822(a)(2).

"(a) TERMS OF JOINT RESOLUTION.—For purposes of section 822(a)(2), the term 'joint resolution' means only a joint resolution of the two Houses of Congress—

"(1) the matter after the resolving clause of which is as follows: 'That the Congress hereby concurs in the determination and report of the President relating to compliance by North Korea with certain international obligations transmitted pursuant to section 822(a)(1) of the North Korea Threat Reduction Act of 1999.';

"(2) which does not have a preamble; and

"(3) the title of which is as follows: 'Joint Resolution relating to compliance by North Korea with certain international obligations pursuant to the North Korea Threat Reduction Act of 1999.'"

"(b) CONGRESSIONAL REVIEW PROCEDURES.—

"(1) RULEMAKING.—The provisions of this section are enacted by the Congress—

"(A) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and, as such, shall be considered as part of the rules of either House and shall supersede other rules only to the extent they are inconsistent therewith; and

"(B) with full recognition of the constitutional right of either House to change the rules so far as they relate to the procedures of that House at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

"(2) INTRODUCTION AND REFERRAL.—

"(A) INTRODUCTION.—A joint resolution described in subsection (a)—

"(i) shall be introduced in the House of Representatives by the majority leader or minority leader or by a Member of the House of Representatives designated by the majority leader or minority leader; and

"(ii) shall be introduced in the Senate by the majority leader or minority leader or a Member of the Senate designated by the majority leader or minority leader.

“(B) REFERRAL.—The joint resolution shall be referred to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

“(3) DISCHARGE OF COMMITTEES.—If a committee to which a joint resolution described in subsection (a) is referred has not reported such joint resolution by the end of 30 days beginning on the date of its introduction, such committee shall be discharged from further consideration of such joint resolution, and such joint resolution shall be placed on the appropriate calendar of the House involved.

“(4) FLOOR CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.—

“(A) IN GENERAL.—On or after the third calendar day (excluding Saturdays, Sundays, or legal holidays, except when the House of Representatives is in session on such a day) after the date on which the committee to which a joint resolution described in subsection (a) is referred has reported, or has been discharged from further consideration of, such a joint resolution, it shall be in order for any Member of the House to move to proceed to the consideration of the joint resolution. A Member of the House may make the motion only on the day after the calendar day on which the Member announces to the House the Member's intention to do so. Such motion is privileged and is not debatable. The motion is not subject to amendment or to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the House shall immediately proceed to consideration of the joint resolution which shall remain the unfinished business until disposed of.

“(B) DEBATE.—Debate on a joint resolution described in subsection (a), and on all debatable motions and appeals in connection therewith, shall be limited to not more than two hours, which shall be divided equally between those favoring and those opposing the joint resolution. An amendment to the joint resolution is not in order. A motion further to limit debate is in order and is not debatable. A motion to table, a motion to postpone, or a motion to recommit the joint resolution is not in order. A motion to reconsider the vote by which the joint resolution is agreed to or disagreed to is not in order.

“(C) APPEALS.—Appeals from the decisions of the Chair to the procedure relating to a joint resolution described in subsection (a) shall be decided without debate.

“(5) FLOOR CONSIDERATION IN THE SENATE.—Any joint resolution described in subsection (a) shall be considered in the Senate in accordance with the provisions of section 601(b)(4) of the International Security Assistance and Arms Export Control Act of 1976.

“(6) CONSIDERATION BY THE OTHER HOUSE.—If, before the passage by one House of a joint resolution of that House described in subsection (a), that House receives from the other House a joint resolution described in subsection (a), then the following procedures shall apply:

“(A) The joint resolution of the other House shall not be referred to a committee and may not be considered in the House receiving it except in the case of final passage as provided in subparagraph (B)(ii).

“(B) With respect to a joint resolution described in subsection (a) of the House receiving the joint resolution—

“(i) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

“(ii) the vote on final passage shall be on the joint resolution of the other House.

“(C) Upon disposition of the joint resolution received from the other House, it shall

no longer be in order to consider the joint resolution that originated in the receiving House.

“(7) COMPUTATION OF DAYS.—In the computation of the period of 30 days referred to in paragraph (3), there shall be excluded the days on which either House of Congress is not in session because of an adjournment of more than three days to a day certain or because of an adjournment of the Congress sine die.”

### SEC. 3. EXPANSION OF RESTRICTIONS ON NUCLEAR COOPERATION WITH NORTH KOREA.

Section 822(a) of the North Korea Threat Reduction Act of 1999 is amended by striking “such agreement,” both places it appears and inserting in both places “such agreement (or that are controlled under the Export Trigger List of the Nuclear Suppliers Group).”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. GILMAN) and the gentleman from California (Ms. LEE) each will control 20 minutes.

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

#### GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 4251.

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

There was no objection.

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

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

Mr. GILMAN. Mr. Speaker, I am pleased that the distinguished gentleman from Massachusetts (Mr. MARKEY) has joined with me to offer bipartisan legislation regarding U.S. nuclear cooperation with North Korea pursuant to the 1994 Agreed Framework between our Nation and North Korea. Our bill is designed to make certain that no transfers of U.S. nuclear equipment or technology to North Korea takes place pursuant to that agreement without careful review by the Congress and without the full support of the Congress.

Along with other distinguished cosponsors, including the gentleman from Nebraska (Mr. BEREUTER), chairman of our Subcommittee on Asia and the Pacific, and the gentleman from California (Mr. COX), chairman of our Republican Policy Committee, as well as the gentleman from Ohio (Mr. KUCINICH), our former colleague on the Committee on International Relations, we introduced H.R. 4251, entitled the Congressional Oversight of Nuclear Transfers to North Korea Act of 2000. We introduced that on April 12.

But this proposal is not a new one. For all practical purposes, this bill already has passed the House of Representatives. On July 21 of last year, the gentleman from Massachusetts (Mr. MARKEY) and I offered an amendment to the Foreign Relations Author-

ization Act requiring the President to certify to the Congress that North Korea has fulfilled all of its obligations under the Agreed Framework before a nuclear cooperation agreement between our Nation and North Korea can enter into effect.

Without such a nuclear cooperation agreement, key nuclear components could not be transferred to North Korea from the United States as contemplated by the Agreed Framework. The Gilman-Markey amendment further required that Congress enact a joint resolution concurring in the President's certification before such a nuclear cooperation can enter into effect. Our amendment was approved by a wide margin with strong support on both sides of the aisle.

We later negotiated with the administration over our amendment in the conference committee on the Foreign Relations Authorization Act, and we reached an agreement with the administration over the language of the certification. Our certification requirement was enacted into law late last year as the North Korea Threat Reduction Act of 2000.

We were less successful, however, with regard to our proposed requirement that the Congress enact a joint resolution concurring in the President's certification. The administration resisted our idea that Congress should have a role with the President in evaluating North Korea's compliance with the Agreed Framework. They noted in particular that the language of our amendment last year did not include expedited procedures that would ensure that such a joint resolution would actually be considered on the floor of both Houses of the Congress. Without such expedited procedures, they argued such a resolution could be filibustered in the Senate or bottled up in the committee in the House.

It has never been our intention, Mr. Speaker, to allow procedural maneuvers in either House to block implementation of the Agreed Framework. What we want is to make certain that the issue of North Korea's compliance with its obligations will be fully considered in both Houses, and that both Chambers will be able to express themselves on the subject by majority vote.

Because expedited procedures can help ensure that the majority of each chamber will be heard, we have always favored including them in our legislation.

Mr. Speaker, H.R. 4251 amends the North Korea Threat Reduction Act to require that Congress concur in any certification submitted by the President pursuant to that Act before a nuclear cooperation agreement between our Nation and North Korea can enter into effect. To meet the concerns expressed last year, our bill includes expedited procedures for consideration in both the House and Senate of a joint resolution concurring in the President's certification.

We worked with the gentleman from Connecticut (Mr. GEJDENSON), our distinguished Ranking Democratic Member on the Committee on International Relations, to refine the expedited procedures while this bill was before our committee. After it was approved by our committee, we received the very able assistance from the Committee on Rules in further perfecting the expedited procedures. The amendment that we have before us today reflects that very helpful contribution.

I want to thank not only the gentleman from Connecticut (Mr. GEJDENSON), but also the gentleman from California (Mr. DREIER), chairman of the Committee on Rules, and the gentleman from Massachusetts (Mr. MOAKLEY), Ranking Democratic Member for their support in developing this very fine product that we have before us today.

The text before us, Mr. Speaker, has been developed with bipartisan input from two very important committees. The only possible reason that any Member could have for objecting to it is the belief that Congress is incapable of fairly evaluating whether North Korea has complied with its international obligations. I would be surprised if any Member of this body had such a concern.

Most presidents, of course, would prefer for Congress to abdicate to them all responsibilities relating to foreign affairs. But, Mr. Speaker, we were elected by our constituents to represent them, and we cannot do that by ceding our constitutional responsibilities to the Executive Branch.

This legislation is designed to help us, in this body, to exercise responsibilities we were elected to carry out. We hope and expect that it will once again receive strong bipartisan support.

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

Ms. LEE. Mr. Speaker, I yield myself such time as I may consume, and I rise in strong support of this bill.

In 1994, the United States and North Korea signed the Agreed Framework under which North Korea was obligated to freeze its activities at several nuclear related sites subject to international on-site inspection.

These sites included an operating nuclear reactor that the North Koreans had built themselves, a nuclear reprocessing plant suitable for producing plutonium for nuclear weapons from this reactor's fuel, and two larger nuclear reactors under construction.

In exchange for North Korea's freeze, the United States was obligated to provide low-grade heating oil and create an international consortium to construct two civil power reactors to replace the two reactors that North Korea had been building.

International inspectors continue to verify that activity at these North Korean nuclear sites remain frozen. The Agreed Framework has successfully ensured that they cannot contribute to a North Korean nuclear weapon program

so long as the Agreed Framework is in force.

However, I am concerned that the United States and its allies cannot be assured at this point that North Korea is not surreptitiously seeking to develop nuclear weapons.

We must be vigilant that North Korea fully and completely meets all of its nonproliferation obligations under the Agreed Framework, the Treaty on Nonproliferation of Nuclear Weapons, and its obligations to allow inspections of its activities by the International Atomic Energy Agency.

This bill will require congressional review and approval of any nuclear cooperation with North Korea. Such cooperation will be necessary to complete the two civil nuclear power reactors now being built in fulfillment of the Agreed Framework agreement between the United States and North Korea.

This bill is a significant improvement over last year's version. Under the previous Gilman-Markey amendment, one committee chair or Chamber leader could have prevented consideration of the joint resolution approving the President's certification that North Korea is living up to its nonproliferation obligations. The version before the House today contains expedited procedures ensuring that there will be a vote on the joint resolution in both Houses.

Mr. Speaker, the Agreed Framework is clearly in our national security interest of the United States and our allies in the region. A nuclear-armed North Korea would be a serious threat to all of us. So long as North Korea is meeting its obligations under the Agreed Framework, and those nuclear facilities are shut down, it is strongly in the United States' national interest to live up to our side of the bargain and support the construction of these two reactors.

This bill today places a serious responsibility on the shoulders of a future Congress. When the time comes for a decision on whether to move forward with the provision of two nuclear reactors to North Korea, Members of Congress must deliberate coolly, objectively, and without partisan rancor. If the Agreed Framework ultimately comes apart with all the potential devastating consequences for peace and stability in the region, then it must happen because the North Koreans did not live up to their obligations, not because the United States walked away from the agreement.

I urge my colleagues to support this bill.

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

Mr. GILMAN. Mr. Speaker, I am pleased to yield 3 minutes to the distinguished gentleman from Nebraska (Mr. BEREUTER), chairman of our Subcommittee on Asia and the Pacific.

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

Mr. BEREUTER. Mr. Speaker, I thank the gentleman from New York (Chairman GILMAN) for yielding me this time.

I rise in strong support of H.R. 4251, which was offered by the gentleman from New York (Chairman GILMAN). Essentially and importantly, H.R. 4251 addresses concerns raised when the North Korean nuclear issue was debated during last year's consideration of the Embassy Security Act of 1999. At that time, language was overwhelmingly approved that required Presidential certification and a positive vote on this body and by the other body before a nuclear cooperation agreement with North Korea could go into effect. Without such a Presidential certification and positive congressional vote, key nuclear technology could not be sold or transferred to North Korea.

When this measure was debated in July of last year, it was approved by a vote of 305 to 120. At that time, the gentleman from Connecticut (Mr. GEJDENSON) and the gentleman from New York (Mr. ACKERMAN) raised a concern that either legislative body might stall the process by refusing to schedule a vote.

H.R. 4251, as the gentlewoman from California (Ms. LEE) has mentioned, seeks to, and I think does adequately, address this concern by establishing an expedited procedure for consideration of a joint resolution concurring in the President's certification. This is an attempt to alleviate the legitimate concerns raised when this matter was last debated.

Mr. Speaker, former Secretary of Defense William Perry was tasked by the President with devising a strategy for responding to the North Korean threat. Few individuals have garnered greater respect than Secretary Perry as he served as the Secretary of Defense. He is an outstanding public servant and has made a major contribution to U.S. national security in so many ways, including what he has done with respect to the North Korean threat.

□ 1600

Dr. Perry proposed a blueprint for two alternative paths of U.S.-North Korea relations. If North Korea chooses the path of peace, the United States would be willing to provide improved political and economic relations, including, presumably, the technology for two light-water reactors. But, if North Korea chooses the path of confrontation under the Perry initiative, the United States and our allies must be prepared to meet force with force and deny Pyongyang any political or military advantage.

It certainly is not yet clear which path North Korea has taken. The DPRK's missile development program, its history of a covert program for nuclear weapons development, and its extraordinarily blatant terrorist activities are among the many reasons for suspicion, caution, and maximum verification. If North Korea does

choose the path of confrontation, this body should be prepared to abandon the nuclear cooperation agreement, and the Congress needs to reduce any ambiguity about that point.

Mr. Speaker, in closing, H.R. 4251 ensures that this body will have a voice in that determination. It is a responsible measure, and I urge support for the resolution offered by the distinguished chairman.

Ms. LEE. Mr. Speaker, I yield 6 minutes to the gentleman from Massachusetts (Mr. MARKEY), whose work has been very sustained and consistent on this issue.

Mr. MARKEY. Mr. Speaker, I thank the gentlewoman from California (Ms. LEE) for generously yielding me this time, and I stand here proudly as the lead Democratic cosponsor with the distinguished chairman of the Committee on International Relations, the gentleman from New York (Mr. GILMAN).

I, of course, would also like to thank the ranking Democrat on the committee, the gentleman from Connecticut (Mr. GEJDENSON), for his sustained interest in and support for this legislation.

The reason that we are here today is that North Korea's record on nuclear and ballistic missile proliferation is nothing short of abysmal. This secretive, Stalinist, rogue regime has, over the last decade, refused to carry out its obligations under the Nuclear Nonproliferation Treaty and other accords it has signed. In fact, in 1993, North Korea threatened to withdraw from the NPT and stopped international inspections of its nuclear weapons programs. It has constructed nuclear reactors and a plutonium reprocessing plant at a site called Yongbyon. As a result of these activities, U.S. and foreign intelligence assessments have reportedly concluded that North Korea probably has acquired enough weapons-grade plutonium to manufacture from one to three nuclear bombs. At the same time, North Korea has been testing and developing ballistic missiles that may soon be capable of reaching as far away as the western United States. In addition, North Korea is believed to be a major exporter of ballistic missile technology and components to countries like Iran and Pakistan, increasing the security risk in those regions of the world.

In an effort to halt North Korea's progress towards a full-blown nuclear weapons and ballistic missile capacity, the Clinton administration negotiated an agreed framework with North Korea in 1994, which provided a package of benefits in return for a freeze on North Korea's nuclear program and acceptance of nonproliferation requirements. One key component of this benefits package was a United States promise to facilitate the delivery of two light-water nuclear reactors to North Korea, which were intended to replace two nuclear weapons production reactors then under construction in North Korea.

H.R. 4251 would require an affirmative vote of approval before any nuclear cooperation agreement between the United States and North Korea that allows the sale of these reactors to go forward.

This amendment builds on an effort begun last year by the gentleman from New York (Mr. GILMAN) and myself. Last July 21, the House voted 305 to 120 to pass the Gilman-Markey amendment to the State Department authorization bill, which required the President to make certain nonproliferation certifications regarding North Korea's compliance with various international agreements regarding nuclear nonproliferation; that is, the NPT and the 1994 Agreed Framework; and the Congress to pass a joint resolution approving an agreement for cooperation with North Korea before U.S. nuclear facilities technologies or materials can be exported to North Korea.

The specific certifications required under the Gilman-Markey amendment were drawn from the terms of the 1994 Agreed Framework. All our amendment required is for the President to certify that the North Koreans have actually complied with the specific nuclear nonproliferation commitments they made under the Agreed Framework and other international agreements they have signed to terminate their efforts to enrich uranium, reprocess spent fuel, or otherwise acquire, test or deploy nuclear weapons.

Now, there was one part of the Gilman-Markey amendment as it passed the House that the Senate was not willing to accept. That was the requirement for an affirmative vote of approval by the Congress before a nuclear cooperation agreement could become effective for North Korea. Under current law, nuclear cooperation agreements take effect within 90 days of their formal submission by the President unless Congress has, within that time period, passed a joint resolution of disapproval. While this process theoretically provides an opportunity to review and block a nuclear cooperation agreement, in practice the Congress has never, in its history, passed a joint resolution disapproving a nuclear cooperation agreement. That is never, my colleagues. Never. Indeed, most of the time, Congress never even votes on these agreements, as the State Department, the U.S. nuclear industry and their supporters can usually run out the clock and thereby allow an agreement to take effect without any congressional vote, even though there are nonproliferation considerations that should have been debated on the floor of Congress.

H.R. 4251 assures that Congress will have a strong voice in ensuring that any future U.S.-North Korea nuclear cooperation agreement is fully consistent with our national security and nuclear nonproliferation interests. It does so by requiring a joint resolution of approval to be adopted by the Congress before any such agreement goes into effect.

I am pleased that the bill also included expedited procedures to assure timely Congressional action on any approval resolution brought forth in the future with respect to North Korea. The gentlewoman from Connecticut had raised the issue of possible delaying tactics, particularly in the Senate, during last year's debate over this provision. By providing expedited procedures for consideration of an approval resolution, we should help assure that a vote actually occurs on any North Korea nuclear cooperation agreement.

I think this is a good bill. I think the gentleman from New York (Mr. GILMAN) has provided enormously important national leadership on this question. Without question it has now arisen to the top of our national security concerns of our Nation, and I hope this resolution receives unanimous support here today.

Ms. LEE. Mr. Speaker, I just want to thank the chairman, the gentleman from Connecticut (Mr. GEJDENSON), and the gentleman from Massachusetts (Mr. MARKEY) for working in a bipartisan fashion in bringing this resolution to the floor.

Mr. HALL of Ohio. Mr. Speaker, I rise today to express my opposition to H.R. 4251. This bill sounds good on its face, and it might make us feel like we're striking a blow against North Korea, but I believe its passage today is a mistake.

First, if this bill becomes law, it will make it virtually impossible for the United States to keep the commitments we made in the 1994 Agreed Framework. That was the deal designed to end North Korea's nuclear program. Slowly but surely, and despite its critics' dire warnings, it is succeeding.

This bill would block delivery of key components to the light-water reactors now under construction by a South Korean firm. Those components are not the core reactors, whose installation will come only when the United States, South Korea and Japan are confident that North Korea no longer poses a nuclear threat. Instead, the affected items are more basic components that would be denied much sooner, and at a critical moment in this process of eliminating North Korea's nuclear capabilities.

My second objection is that our timing is terrible. For the first time since the Korean nation was split in two, a summit has been scheduled between the leaders of the North and South. Hopes are high that President Kim Dae Jung and General Kim Jong Il will make progress toward peace, or at least a more permanent end to the tense stand-off that has blighted Korea's history for 50 years.

In less than a month, South Korea's elected president—a national hero known for his courage in pressing for human rights—will meet with North Korea's new leader—a man who has broken his predecessors' tradition of isolation and hostility by reaching out to the United States and other nations.

The North-South summit is an historic initiative that our country should support. Instead, by this vote we risk signaling to Koreans in both nations that they cannot trust the United States to keep our solemn commitments. With 37,000 Americans stationed along one of the world's most dangerous borders, ending the

Korean War—or even lessening the hostile situation—should be our country's highest priority. This bill will take us further from that goal.

Mr. Speaker, our allies in South Korea have grave concerns about this bill. Few of us expect it to win Senate passage or, if it does, the President's approval. Passage of this bill today puts a successful strategy in jeopardy, and does so at what may well be a turning point in history. I urge my colleagues to vote no on the bill.

Ms. LEE. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. GILMAN. Mr. Speaker, I too want to thank the gentleman from Massachusetts (Mr. MARKEY) for his supportive remarks and his diligent work on this matter.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PEASE). The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and pass the bill, H.R. 4251, as amended.

The question was taken.

Mr. GILMAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### IMPACT AID REAUTHORIZATION ACT OF 2000

Mr. GOODLING. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3616) to reauthorize the impact aid program under the Elementary and Secondary Education Act of 1965, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3616

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Impact Aid Reauthorization Act of 2000".

#### SEC. 2. PURPOSE.

Section 8001 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701) is amended—

(1) in the matter preceding paragraph (1)—  
(A) by inserting after "educational services to federally connected children" the following: "in a manner that promotes control by local educational agencies with little or no Federal or State involvement"; and

(B) by inserting after "certain activities of the Federal Government" the following: "such as activities to fulfill the responsibilities of the Federal Government with respect to Indian tribes and activities under section 514 of the Soldiers' and Sailors' Civil Relief Act of 1940 (50 U.S.C. App. 574).";

(2) in paragraph (4), by adding "or" at the end;

(3) by striking paragraph (5);

(4) by redesignating paragraph (6) as paragraph (5); and

(5) in paragraph (5) (as redesignated), by inserting before the period at the end the fol-

lowing: "and because of the difficulty of raising local revenue through bond referendums for capital projects due to the inability to tax Federal property".

#### SEC. 3. PAYMENTS RELATING TO FEDERAL ACQUISITION OF REAL PROPERTY.

(a) FISCAL YEAR REQUIREMENT.—Section 8002(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(a)) is amended in the matter preceding paragraph (1) by striking "1999" and inserting "2005".

(b) AMOUNT.—

(1) INSUFFICIENT FUNDS.—Section 8002(b)(1)(B) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(b)(1)(B)) is amended by striking "shall ratably reduce the payment to each eligible local educational agency" and inserting "shall calculate the payment for each eligible local educational agency in accordance with subsection (h)".

(2) MAXIMUM AMOUNT.—Section 8002(b)(1)(C) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(b)(1)(C)) is amended by adding at the end before the period the following: "or the maximum amount that such agency is eligible to receive for such fiscal year under this section, whichever is greater".

(c) PAYMENTS WITH RESPECT TO FISCAL YEARS IN WHICH INSUFFICIENT FUNDS ARE APPROPRIATED.—Section 8002(h) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(h)) is amended to read as follows:

"(h) PAYMENTS WITH RESPECT TO FISCAL YEARS IN WHICH INSUFFICIENT FUNDS ARE APPROPRIATED.—For any fiscal year for which the amount appropriated under section 8014(a) is insufficient to pay to each local educational agency the full amount determined under subsection (b), the Secretary shall make payments to each local educational agency under this section as follows:

"(1) FOUNDATION PAYMENTS FOR PRE-1995 RECIPIENTS.—

"(A) IN GENERAL.—The Secretary shall first make a foundation payment to each local educational agency that is eligible to receive a payment under this section for the fiscal year involved and was eligible to receive a payment under section 2 of the Act of September 30, 1950 (Public Law 874, 81st Congress) (as such section was in effect on the day preceding the date of the enactment of the Improving America's Schools Act of 1994) for any of the fiscal years 1989 through 1994.

"(B) AMOUNT.—The amount of a payment under subparagraph (A) for a local educational agency shall be equal to 37 percent of the payment amount the local educational agency was eligible to receive under section 2 of the Act of September 30, 1950, for fiscal year 1994 (or if the local educational agency was not eligible to receive a payment under such section 2 for fiscal year 1994, the payment that local educational agency was eligible to receive under such section 2 for the most recent fiscal year preceding 1994).

"(C) INSUFFICIENT APPROPRIATIONS.—If the amount appropriated under section 8014(a) is insufficient to pay the full amount determined under this paragraph for all eligible local educational agencies for the fiscal year, then the Secretary shall ratably reduce the payment to each local educational agency under this paragraph.

"(2) PAYMENTS FOR 1995 RECIPIENTS.—

"(A) IN GENERAL.—From any amounts remaining after making payments under paragraph (1) for the fiscal year involved, the Secretary shall make a payment to each eligible local educational agency that received a payment under this section for fiscal year 1995.

"(B) AMOUNT.—The amount of a payment under subparagraph (A) for a local edu-

cational agency shall be determined as follows:

"(i) Calculate the difference between the amount appropriated to carry out this section for fiscal year 1995 and the total amount of foundation payments made under paragraph (1) for the fiscal year.

"(ii) Determine the percentage share for each local educational agency that received a payment under this section for fiscal year 1995 by dividing the assessed value of the Federal property of the local educational agency for fiscal year 1995 determined in accordance with subsection (b)(3), by the total national assessed value of the Federal property of all such local educational agencies for fiscal year 1995, as so determined.

"(iii) Multiply the percentage share described in clause (ii) for the local educational agency by the amount determined under clause (i).

"(3) SUBSECTION (i) RECIPIENTS.—From any funds remaining after making payments under paragraphs (1) and (2) for the fiscal year involved, the Secretary shall make payments in accordance with subsection (i).

"(4) REMAINING FUNDS.—From any funds remaining after making payments under paragraphs (1), (2), and (3) for the fiscal year involved—

"(A) the Secretary shall make a payment to each local educational agency that received a foundation payment under paragraph (1) for the fiscal year involved in an amount that bears the same relation to 25 percent of the remainder as the amount the local educational agency received under paragraph (1) for the fiscal year involved bears to the amount all local educational agencies received under paragraph (1) for the fiscal year involved; and

"(B) the Secretary shall make a payment to each local educational agency that is eligible to receive a payment under this section for the fiscal year involved in an amount that bears the same relation to 75 percent of the remainder as a percentage share determined for the local educational agency (in the same manner as percentage shares are determined for local educational agencies under paragraph (2)(B)(ii)) bears to the percentage share determined (in the same manner) for all local educational agencies eligible to receive a payment under this section for the fiscal year involved, except that for the purpose of calculating a local educational agency's assessed value of the Federal property, data from the most current fiscal year shall be used".

(d) SPECIAL PAYMENTS.—

(1) IN GENERAL.—Section 8002(i)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(i)(1)) is amended to read as follows:

"(1) IN GENERAL.—For any fiscal year beginning with fiscal year 2000 for which the amount appropriated to carry out this section exceeds the amount so appropriated for fiscal year 1996 and for which subsection (b)(1)(B) applies, the Secretary shall use the remainder described in subsection (h)(3) for the fiscal year involved (not to exceed the amount equal to the difference between (A) the amount appropriated to carry out this section for fiscal year 1997 and (B) the amount appropriated to carry out this section for fiscal year 1996) to increase the payment that would otherwise be made under this section to not more than 50 percent of the maximum amount determined under subsection (b) for any local educational agency described in paragraph (2)."

(2) CONFORMING AMENDMENT.—The heading of section 8002(i) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(i)) is amended by striking "PRIORITY" and inserting SPECIAL".