

(i) by amending subsection (a) to read as follows:

“(a) IN GENERAL.—Except as provided in subsection (b), whoever knowingly violates or conspires to or attempts to violate any provision of this Act or any license, order, or regulation issued under this Act—

“(1) except in the case of an individual, shall be fined not more than \$500,000 or 5 times the value of any exports involved, whichever is greater; and

“(2) in the case of an individual, shall be fined not more than \$250,000 or 5 times the value of any exports involved, whichever is greater, or imprisoned not more than 5 years, or both.”;

(ii) in subsection (b)—

(I) in paragraphs (1)(A) and (2)(A), by striking “five times” and inserting “10 times”;

(II) in paragraph (1)(B), by striking “\$250,000” and inserting “\$500,000”; and

(III) in paragraph (2)(B), by striking “\$250,000, or imprisoned not more than 5 years” and inserting “\$500,000, or imprisoned not more than 10 years”;

(iii) in subsection (c)(1)—

(I) by striking “\$10,000” and inserting “\$250,000”; and

(II) by striking “except that the civil penalty” and all that follows through the end of the paragraph and inserting “except that the civil penalty for a violation of the regulations issued pursuant to section 8 may not exceed \$50,000.”; and

(iv) in subsection (h)(1), by striking “or section 38 of the Arms Export Control Act (22 U.S.C. 2778)” and inserting “section 38 of the Arms Export Control Act (22 U.S.C. 2778), section 16 of the Trading with the Enemy Act (50 U.S.C. 16), or, to the extent the violation involves the export of goods or technology controlled under this or any other Act or defense articles or defense services controlled under the Arms Export Control Act, section 371 of title 18, United States Code.”.

(B) The penalties in effect on the day before the date of enactment of this Act for violations of the Export Administration Regulations, as continued in effect under the International Emergency Economic Powers Act, shall continue to apply in the case of any penalty assessed for, or violations based on, voluntary disclosures of information made by a person before such date of enactment.

(2) The authorities set forth in section 12(a) of the Export Administration Act of 1979 may be exercised in carrying out the regulations continued pursuant to the International Emergency Economic Powers Act.

(3) The provisions of sections 12(c) and 13 of the Export Administration Act of 1979 shall apply in carrying out the regulations continued pursuant to the International Emergency Economic Powers Act.

(4) The continuation of the provisions of the Export Administration Regulations pursuant to the International Emergency Economic Powers Act shall not be construed as not having satisfied the requirements of that Act.

### SEC. 3. APPLICABILITY.

Paragraphs (2), (3), and (4) of section 2 shall be applied as if enacted on August 20, 1994.

### SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Department of Commerce to carry out the Export Administration Act of 1979, as continued in effect under the International Emergency Economic Powers Act, \$72,000,000 for fiscal year 2001.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. GILMAN) and the gentleman from North Dakota (Mr. POMEROY) 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. 5239, as amended.

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 I may consume.

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

Mr. GILMAN. Mr. Speaker, I rise in strong support of H.R. 5239, the Export Administration Modification and Clarification Act of 2000, that will strengthen the enforcement of our export control system by increasing the penalties against those who would knowingly violate its regulations and provisions.

This bipartisan measure was approved by voice vote last week by the Committee on International Relations.

H.R. 5239 is virtually identical to a provision, H.R. 973, a security assistance bill, which passed the House in June of last year also with bipartisan support. Since the Export Administration Act, or EAA, lapsed in August of 1994, the Administration has used the authorities in the International Emergency Economic Powers Act to administer our export control system. But in some key areas, the administration has less authority under HEEPA than under the EAA of 1979.

For example, the penalties for violations of the Export Administration Regulations that occur under IEEPA, both criminal and civil, are substantially lower than those available for violations that occur under the EAA. Even these penalties are too low, having been eroded by inflation over the last 20 years.

This measure that we are introducing today significantly increases the penalties available to our enforcement authorities at the Bureau of Export Administration in the Department of Commerce. It also ensures that the Department can maintain its ability to protect from public disclosure information concerning export license applications, the licenses themselves, and related export enforcement information.

In view of the lapse of the EAA over the past 5½ years, the Department is coming under mounting legal challenges and is currently defending against two separate lawsuits seeking public release of export licensing information subject to the confidentiality provisions of section 12(c) of the EAA.

The text includes a technical and perfecting amendment which, one, adds a reference to the Department of Commerce's authority to deny export privileges for those persons providing false statements and export control cases; and, two, removes a provision providing for the retroactive application of higher penalties in certain instances.

Accordingly, I urge my colleagues to support the passage of this bill.

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

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

Mr. Speaker, we see this matter very much as the gentleman from New York (Chairman GILMAN) has outlined. The Export Administration Act has been the principle authority for the regulation in the export of dual-use items from the United States. When this bill lapsed in August of 1994, the President invoked the International Emergency Economic Powers Act and other authorities to continue the export control system, including the Export Administration Regulations.

Now, there has been a recent court ruling that calls into question whether or not the government can essentially hide behind emergency powers to revive an expired law. This calls into question the Commerce Department's ability to keep sensitive export information provided by exporters from public disclosure using the EAA's confidentiality provision.

We have got to pass this law to make sure that they can keep the information confidential so that the exporters will fully use the Commerce Department's assistance in exporting our products.

We have got a record trade-in balance. We need to export more. We need to pass this law as an important part of making certain that the Commerce Department is there to provide as much assistance as possible in moving products overseas.

For that reason, we fully concur that this is passed.

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

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

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 pass the bill, H.R. 5239, as amended.

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

A motion to reconsider was laid on the table.

□

### SERBIA DEMOCRATIZATION ACT OF 2000

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1064) to authorize a coordinated program to promote the development of democracy in Serbia and Montenegro, as amended.

The Clerk read as follows:

H.R. 1064

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

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the “Serbia Democratization Act of 2000”.

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

- Sec. 1. Short title; table of contents.  
Sec. 2. Definitions.

**TITLE I—SUPPORT FOR THE  
DEMOCRATIC FORCES**

- Sec. 101. Findings and policy.  
Sec. 102. Assistance to promote democracy and civil society in Yugoslavia.  
Sec. 103. Authority for radio and television broadcasting.  
Sec. 104. Development of political contacts relating to the Republic of Serbia and the Republic of Montenegro.

**TITLE II—ASSISTANCE TO THE VICTIMS  
OF OPPRESSION**

- Sec. 201. Findings.  
Sec. 202. Sense of Congress.  
Sec. 203. Assistance.

**TITLE III—“OUTER WALL” SANCTIONS**

- Sec. 301. “Outer Wall” sanctions.  
Sec. 302. International financial institutions not in compliance with “Outer Wall” sanctions.

**TITLE IV—OTHER MEASURES AGAINST  
YUGOSLAVIA**

- Sec. 401. Blocking assets in the United States.  
Sec. 402. Suspension of entry into the United States.  
Sec. 403. Prohibition on strategic exports to Yugoslavia.  
Sec. 404. Prohibition on loans and investment.  
Sec. 405. Prohibition of military-to-military cooperation.  
Sec. 406. Multilateral sanctions.  
Sec. 407. Exemptions.  
Sec. 408. Waiver; termination of measures against Yugoslavia.  
Sec. 409. Statutory construction.

**TITLE V—MISCELLANEOUS PROVISIONS**

- Sec. 501. International Criminal Tribunal for the former Yugoslavia.  
Sec. 502. Sense of Congress with respect to ethnic Hungarians of Vojvodina.  
Sec. 503. Ownership and use of diplomatic and consular properties.  
Sec. 504. Transition assistance.

**SEC. 2. DEFINITIONS.**

In this Act:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

(2) **COMMERCIAL EXPORT.**—The term “commercial export” means the sale of an agricultural commodity, medicine, or medical equipment by a United States seller to a foreign buyer in exchange for cash payment on market terms without benefit of concessionary financing, export subsidies, government or government-backed credits or other nonmarket financing arrangements.

(3) **INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA OR TRIBUNAL.**—The term “International Criminal Tribunal for the former Yugoslavia” or the “Tribunal” means the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia Since 1991, as established by United Nations Security Council Resolution 827 of May 25, 1993.

(4) **YUGOSLAVIA.**—The term “Yugoslavia” means the so-called Federal Republic of Yugoslavia (Serbia and Montenegro), and the

term “Government of Yugoslavia” means the central government of Yugoslavia.

**TITLE I—SUPPORT FOR THE DEMOCRATIC  
FORCES**

**SEC. 101. FINDINGS AND POLICY.**

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

(1) The President of Yugoslavia, Slobodan Milosevic, has consistently engaged in undemocratic methods of governing.

(2) Yugoslavia has passed and implemented a law strictly limiting freedom of the press and has acted to intimidate and prevent independent media from operating inside Yugoslavia.

(3) Although the Yugoslav and Serbian constitutions provide for the right of citizens to change their government, citizens of Serbia in practice are prevented from exercising that right by the Milosevic regime’s domination of the mass media and manipulation of the electoral process.

(4) The Yugoslav and Serbian governments have orchestrated attacks on academics at institutes and universities throughout the country in an effort to prevent the dissemination of opinions that differ from official state propaganda.

(5) The Yugoslav and Serbian governments hinder the formation of nonviolent, democratic opposition through restrictions on freedom of assembly and association.

(6) The Yugoslav and Serbian governments use control and intimidation to control the judiciary and manipulate the country’s legal framework to suit the regime’s immediate political interests.

(7) The Government of Serbia and the Government of Yugoslavia, under the direction of President Milosevic, have obstructed the efforts of the Government of Montenegro to pursue democratic and free-market policies.

(8) At great risk, the Government of Montenegro has withstood efforts by President Milosevic to interfere with its government.

(9) The people of Serbia who do not endorse the undemocratic actions of the Milosevic government should not be the target of criticism that is rightly directed at the Milosevic regime.

(b) **POLICY; SENSE OF CONGRESS.**—

(1) **POLICY.**—It is the policy of the United States to encourage the development of a government in Yugoslavia based on democratic principles and the rule of law and that respects internationally recognized human rights.

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

(A) the United States should actively support the democratic forces in Yugoslavia, including political parties and independent trade unions, to develop a legitimate and viable alternative to the Milosevic regime;

(B) all United States Government officials, including individuals from the private sector acting on behalf of the United States Government, should meet regularly with representatives of democratic forces in Yugoslavia and minimize to the extent practicable any direct contacts with officials of the Yugoslav or Serbian governments, and not meet with any individual indicted by the International Criminal Tribunal for the former Yugoslavia, particularly President Slobodan Milosevic; and

(C) the United States should emphasize to all political leaders in Yugoslavia the importance of respecting internationally recognized human rights for all individuals residing in Yugoslavia.

**SEC. 102. ASSISTANCE TO PROMOTE DEMOCRACY  
AND CIVIL SOCIETY IN YUGOSLAVIA.**

(a) **ASSISTANCE FOR THE SERBIAN DEMOCRATIC FORCES.**—

(1) **PURPOSE OF ASSISTANCE.**—The purpose of assistance under this subsection is to pro-

mote and strengthen institutions of democratic government and the growth of an independent civil society in Serbia, including ethnic tolerance and respect for internationally recognized human rights.

(2) **AUTHORIZATION FOR ASSISTANCE.**—To carry out the purpose of paragraph (1), the President is authorized to furnish assistance and other support for the activities described in paragraph (3).

(3) **ACTIVITIES SUPPORTED.**—Activities that may be supported by assistance under paragraph (2) include the following:

(A) Democracy building.

(B) The development of nongovernmental organizations.

(C) The development of independent Serbian media.

(D) The development of the rule of law, to include a strong, independent judiciary, the impartial administration of justice, and transparency in political practices.

(E) International exchanges and advanced professional training programs in skill areas central to the development of civil society and a market economy.

(F) The development of all elements of the democratic process, including political parties and the ability to administer free and fair elections.

(G) The development of local governance.

(H) The development of a free-market economy.

(4) **AUTHORIZATION OF APPROPRIATIONS.**—

(A) **IN GENERAL.**—There is authorized to be appropriated to the President \$50,000,000 for the period beginning October 1, 2000, and ending September 30, 2001, to be made available for activities in support of the democratization of the Republic of Serbia (excluding Kosovo) pursuant to this subsection.

(B) **AVAILABILITY OF FUNDS.**—Amounts appropriated pursuant to subparagraph (A) are authorized to remain available until expended.

(b) **PROHIBITION ON ASSISTANCE TO GOVERNMENT OF YUGOSLAVIA OR OF SERBIA.**—In carrying out subsection (a), the President should take all necessary steps to ensure that no funds or other assistance is provided to the Government of Yugoslavia or to the Government of Serbia, except for purposes permitted under this title.

(c) **ASSISTANCE TO GOVERNMENT OF MONTENEGRO.**—

(1) **IN GENERAL.**—The President may provide assistance to the Government of Montenegro, unless the President determines, and so reports to the appropriate congressional committees, that the leadership of the Government of Montenegro is not committed to, or is not taking steps to promote, democratic principles, the rule of law, or respect for internationally recognized human rights.

(2) **AUTHORIZATION OF APPROPRIATIONS.**—Unless the President makes the determination, and so reports to the appropriate congressional committees, under paragraph (1), there is authorized to be appropriated to the President \$55,000,000 for the period beginning October 1, 2000, and ending September 30, 2001, to be made available for activities for or in the Republic of Montenegro for purposes described in subsection (a), as well as to support ongoing political and economic reforms, and economic stabilization in support of democratization.

**SEC. 103. AUTHORITY FOR RADIO AND TELEVISION BROADCASTING.**

(a) **IN GENERAL.**—The Broadcasting Board of Governors shall further the open communication of information and ideas through the increased use of radio and television broadcasting to Yugoslavia in both the Serbo-Croatian and Albanian languages.

(b) **IMPLEMENTATION.**—Radio and television broadcasting under subsection (a) shall be carried out by the Voice of America and, in

addition, radio broadcasting under that subsection shall be carried out by RFE/RL, Incorporated. Subsection (a) shall be carried out in accordance with all the respective Voice of America and RFE/RL, Incorporated, standards to ensure that radio and television broadcasting to Yugoslavia serves as a consistently reliable and authoritative source of accurate, objective, and comprehensive news.

(c) **STATUTORY CONSTRUCTION.**—The implementation of subsection (a) may not be construed as a replacement for the strengthening of indigenous independent media called for in section 102(a)(3)(C). To the maximum extent practicable, the two efforts (strengthening independent media and increasing broadcasts into Serbia) shall be carried out in such a way that they mutually support each other.

**SEC. 104. DEVELOPMENT OF POLITICAL CONTACTS RELATING TO THE REPUBLIC OF SERBIA AND THE REPUBLIC OF MONTENEGRO.**

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that political contacts between United States officials and those individuals who, in an official or unofficial capacity, represent a genuine desire for democratic governance in the Republic of Serbia and the Republic of Montenegro should be developed through regular and well publicized meetings.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary of State \$350,000 for fiscal year 2001 for a voluntary contribution to the Organization for Security and Cooperation in Europe (OSCE) and the OSCE Parliamentary Assembly—

(1) to facilitate contacts by those who, in an official or unofficial capacity, represent a genuine desire for democratic governance in the Republic of Serbia and the Republic of Montenegro, with their counterparts in other countries; and

(2) to encourage the development of a multilateral effort to promote democracy in the Republic of Serbia and the Republic of Montenegro.

**TITLE II—ASSISTANCE TO THE VICTIMS OF OPPRESSION**

**SEC. 201. FINDINGS.**

Congress finds the following:

(1) Beginning in February 1998 and ending in June 1999, the armed forces of Yugoslavia and the Serbian Interior Ministry police force engaged in a brutal crackdown against the ethnic Albanian population in Kosovo.

(2) As a result of the attack by Yugoslav and Serbian forces against the Albanian population of Kosovo, more than 10,000 individuals were killed and 1,500,000 individuals were displaced from their homes.

(3) The majority of the individuals displaced by the conflict in Kosovo was left homeless or was forced to find temporary shelter in Kosovo or outside the country.

(4) The activities of the Yugoslav armed forces and the police force of the Serbian Interior Ministry resulted in the widespread destruction of agricultural crops, livestock, and property, as well as the poisoning of wells and water supplies, and the looting of humanitarian goods provided by the international community.

**SEC. 202. SENSE OF CONGRESS.**

It is the sense of Congress that—

(1) the Government of Yugoslavia and the Government of Serbia bear responsibility to the victims of the conflict in Kosovo, including refugees and internally displaced persons, and for property damage in Kosovo;

(2) under the direction of President Milosevic, neither the Government of Yugoslavia nor the Government of Serbia provided the resources to assist innocent, civilian victims of oppression in Kosovo; and

(3) because neither the Government of Yugoslavia nor the Government of Serbia fulfilled the responsibilities of a sovereign government toward the people in Kosovo, the international community offers the only recourse for humanitarian assistance to victims of oppression in Kosovo.

**SEC. 203. ASSISTANCE.**

(a) **AUTHORITY.**—The President is authorized to furnish assistance under section 491 of the Foreign Assistance Act of 1961 (22 U.S.C. 2292) and the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601 et seq.), as appropriate, for—

(1) relief, rehabilitation, and reconstruction in Kosovo; and

(2) refugees and persons displaced by the conflict in Kosovo.

(b) **PROHIBITION.**—No assistance may be provided under this section to any organization that has been designated as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

(c) **USE OF ECONOMIC SUPPORT FUNDS.**—Any funds that have been allocated under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.) for assistance described in subsection (a) may be used in accordance with the authority of that subsection.

**TITLE III—"OUTER WALL" SANCTIONS**

**SEC. 301. "OUTER WALL" SANCTIONS.**

(a) **APPLICATION OF MEASURES.**—The sanctions described in subsections (c) through (g) shall apply with respect to Yugoslavia until the President determines and certifies to the appropriate congressional committees that the Government of Yugoslavia has made significant progress in meeting the conditions described in subsection (b).

(b) **CONDITIONS.**—The conditions referred to in subsection (a) are the following:

(1) Agreement on a lasting settlement in Kosovo.

(2) Compliance with the General Framework Agreement for Peace in Bosnia and Herzegovina.

(3) Implementation of internal democratic reform.

(4) Settlement of all succession issues with the other republics that emerged from the break-up of the Socialist Federal Republic of Yugoslavia.

(5) Cooperation with the International Criminal Tribunal for the former Yugoslavia, including the transfer to The Hague of all individuals in Yugoslavia indicted by the Tribunal.

(c) **INTERNATIONAL FINANCIAL INSTITUTIONS.**—The Secretary of the Treasury shall instruct the United States executive directors of the international financial institutions to oppose, and vote against, any extension by those institutions of any financial assistance (including any technical assistance or grant) of any kind to the Government of Yugoslavia.

(d) **ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE.**—The Secretary of State should instruct the United States Ambassador to the Organization for Security and Cooperation in Europe (OSCE) to oppose and block any consensus to allow the participation of Yugoslavia in the OSCE or any organization affiliated with the OSCE.

(e) **UNITED NATIONS.**—The Secretary of State should instruct the United States Permanent Representative to the United Nations—

(1) to oppose and vote against any resolution in the United Nations Security Council to admit Yugoslavia to the United Nations or any organization affiliated with the United Nations; and

(2) to actively oppose and, if necessary, veto any proposal to allow Yugoslavia to as-

sume the membership of the former Socialist Federal Republic of Yugoslavia in the United Nations General Assembly or any other organization affiliated with the United Nations.

(f) **NATO.**—The Secretary of State should instruct the United States Permanent Representative to the North Atlantic Council to oppose and vote against the extension to Yugoslavia of membership or participation in the Partnership for Peace program or any other organization affiliated with NATO.

(g) **SOUTHEAST EUROPEAN COOPERATION INITIATIVE.**—The Secretary of State should instruct the United States Representatives to the Southeast European Cooperation Initiative (SECI) to actively oppose the participation of Yugoslavia in SECI.

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

(1) the President should not restore full diplomatic relations with Yugoslavia until the President has determined and so reported to the appropriate congressional committees that the Government of Yugoslavia has met the conditions described in subsection (b); and

(2) the President should encourage all other European countries to diminish their level of diplomatic relations with Yugoslavia.

(i) **INTERNATIONAL FINANCIAL INSTITUTION DEFINED.**—In this section, the term "international financial institution" includes the International Monetary Fund, the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Multilateral Investment Guaranty Agency, and the European Bank for Reconstruction and Development.

**SEC. 302. INTERNATIONAL FINANCIAL INSTITUTIONS NOT IN COMPLIANCE WITH "OUTER WALL" SANCTIONS.**

It is the sense of Congress that, if any international financial institution (as defined in section 301(i)) approves a loan or other financial assistance to the Government of Yugoslavia over the opposition of the United States, then the Secretary of the Treasury should withhold from payment of the United States share of any increase in the paid-in capital of such institution an amount equal to the amount of the loan or other assistance.

**TITLE IV—OTHER MEASURES AGAINST YUGOSLAVIA**

**SEC. 401. BLOCKING ASSETS IN THE UNITED STATES.**

(a) **BLOCKING OF ASSETS.**—All property and interests in property, including all commercial, industrial, or public utility undertakings or entities, of or in the name of the Government of Serbia or the Government of Yugoslavia that are in the United States, that come within the United States, or that are or come within the possession or control of United States persons, including their overseas branches, are blocked.

(b) **PROHIBITED TRANSFERS.**—Payments or transfers of any property or any transactions involving the transfer of anything of economic value by any United States person to the Government of Serbia, the Government of Yugoslavia, or any person or entity acting for or on behalf of, or owned or controlled, directly or indirectly, by any of those governments, persons, or entities, are prohibited.

(c) **EXERCISE OF AUTHORITIES.**—The Secretary of the Treasury, in consultation with the Secretary of State, shall take such actions, including the promulgation of regulations, orders, directives, rulings, instructions, and licenses, and employ all powers granted to the President by the International Emergency Economic Powers Act,

as may be necessary to carry out the purposes of this section, including, but not limited to, taking such steps as may be necessary to continue in effect the measures contained in Executive Order No. 13088 of June 9, 1998, and Executive Order No. 13121 of April 30, 1999, and any rule, regulation, license, or order issued thereunder.

(d) PAYMENT OF EXPENSES.—All expenses incident to the blocking and maintenance of property blocked under subsection (a) shall be charged to the owners or operators of such property, and expenses shall not be paid for from blocked funds.

(e) PROHIBITIONS.—The following are prohibited:

(1) Any transaction within the United States or by a United States person relating to any vessel in which a majority or controlling interest is held by a person or entity in, or operating from, Serbia, regardless of the flag under which the vessel sails.

(2)(A) The exportation to Serbia or to any entity operated from Serbia or owned and controlled by the Government of Serbia or the Government of Yugoslavia, directly or indirectly, of any goods, software technology, or services, either—

(i) from the United States;

(ii) requiring the issuance of a license by a Federal agency; or

(iii) involving the use of United States registered vessels or aircraft.

(B) Any activity that promotes or is intended to promote exportation described in subparagraph (A).

(3)(A) Any dealing by a United States person in—

(i) property exported from Serbia; or

(ii) property intended for exportation from Serbia to any country or exportation to Serbia from any country.

(B) Any activity of any kind that promotes or is intended to promote any dealing described in subparagraph (A).

(4) The performance by any United States person of any contract, including a financing contract, in support of an industrial, commercial, public utility, or governmental project in Serbia.

(f) EXCEPTIONS.—Nothing in this section shall apply to—

(1) assistance provided under section 102 or section 203 of this Act; or

(2) information or informational materials described in section 203(b)(3) of the International Emergency Economic Powers Act.

(g) DEFINITION.—In this section, the term "United States person" means any United States citizen, any alien lawfully admitted for permanent residence within the United States, any entity organized under the laws of the United States (including foreign branches), or any person in the United States.

#### SEC. 402. SUSPENSION OF ENTRY INTO THE UNITED STATES.

(a) PROHIBITION.—The President shall use his authority under section 212(f) of the Immigration and Nationality Act (8 U.S.C. 1182(f)) to suspend the entry into the United States of any alien who—

(1) holds a position in the senior leadership of the Government of Yugoslavia or the Government of Serbia; or

(2) is a spouse, minor child, or agent of a person inadmissible under paragraph (1).

(b) SENIOR LEADERSHIP DEFINED.—In subsection (a)(1), the term "senior leadership"—

(1) includes—

(A) the President, Prime Minister, Deputy Prime Ministers, and government ministers of Yugoslavia;

(B) the Governor of the National Bank of Yugoslavia; and

(C) the President, Prime Minister, Deputy Prime Ministers, and government ministers of the Republic of Serbia; and

(2) does not include the President, Prime Minister, Deputy Prime Ministers, and government ministers of the Republic of Montenegro.

#### SEC. 403. PROHIBITION ON STRATEGIC EXPORTS TO YUGOSLAVIA.

(a) PROHIBITION.—No computers, computer software, or goods or technology intended to manufacture or service computers may be exported to or for use by the Government of Yugoslavia or by the Government of Serbia, or by any of the following entities of either government:

(1) The military.

(2) The police.

(3) The prison system.

(4) The national security agencies.

(b) STATUTORY CONSTRUCTION.—Nothing in this section shall prevent the issuance of licenses to ensure the safety of civil aviation and safe operation of United States-origin commercial passenger aircraft and to ensure the safety of ocean-going maritime traffic in international waters.

#### SEC. 404. PROHIBITION ON LOANS AND INVESTMENT.

(a) UNITED STATES GOVERNMENT FINANCING.—No loan, credit guarantee, insurance, financing, or other similar financial assistance may be extended by any agency of the United States Government (including the Export-Import Bank and the Overseas Private Investment Corporation) to the Government of Yugoslavia or the Government of Serbia.

(b) TRADE AND DEVELOPMENT AGENCY.—No funds made available by law may be available for activities of the Trade and Development Agency in or for Serbia.

(c) THIRD COUNTRY ACTION.—The Secretary of State is urged to encourage all other countries, particularly European countries, to suspend any of their own programs providing support similar to that described in subsection (a) or (b) to the Government of Yugoslavia or the Government of Serbia, including by rescheduling repayment of the indebtedness of either government under more favorable conditions.

(d) PROHIBITION ON PRIVATE CREDITS.—

(1) IN GENERAL.—Except as provided in paragraph (2), no national of the United States may make or approve any loan or other extension of credit, directly or indirectly, to the Government of Yugoslavia or to the Government of Serbia or to any corporation, partnership, or other organization that is owned or controlled by either the Government of Yugoslavia or the Government of Serbia.

(2) EXCEPTION.—Paragraph (1) shall not apply to a loan or extension of credit for any housing, education, or humanitarian benefit to assist the victims of oppression in Kosovo.

#### SEC. 405. PROHIBITION OF MILITARY-TO-MILITARY COOPERATION.

The United States Government (including any agency or entity of the United States) shall not provide assistance under the Foreign Assistance Act of 1961 or the Arms Export Control Act (including the provision of Foreign Military Financing under section 23 of the Arms Export Control Act or international military education and training under chapter 5 of part II of the Foreign Assistance Act of 1961) or provide any defense articles or defense services under those Acts, to the armed forces of the Government of Yugoslavia or of the Government of Serbia.

#### SEC. 406. MULTILATERAL SANCTIONS.

It is the sense of Congress that the President should continue to seek to coordinate with other countries, particularly European countries, a comprehensive, multilateral strategy to further the purposes of this title, including, as appropriate, encouraging other countries to take measures similar to those described in this title.

#### SEC. 407. EXEMPTIONS.

(a) EXEMPTION FOR KOSOVO.—None of the restrictions imposed by this Act shall apply with respect to Kosovo, including with respect to governmental entities or administering authorities or the people of Kosovo.

(b) EXEMPTION FOR MONTENEGRO.—None of the restrictions imposed by this Act shall apply with respect to Montenegro, including with respect to governmental entities of Montenegro, unless the President determines and so certifies to the appropriate congressional committees that the leadership of the Government of Montenegro is not committed to, or is not taking steps to promote, democratic principles, the rule of law, or respect for internationally recognized human rights.

#### SEC. 408. WAIVER; TERMINATION OF MEASURES AGAINST YUGOSLAVIA.

(a) GENERAL WAIVER AUTHORITY.—Except as provided in subsection (b), the requirement to impose any measure under this Act may be waived for successive periods not to exceed 12 months each, and the President may provide assistance in furtherance of this Act notwithstanding any other provision of law, if the President determines and so certifies to the appropriate congressional committees in writing 15 days in advance of the implementation of any such waiver that—

(1) it is important to the national interest of the United States; or

(2) significant progress has been made in Yugoslavia in establishing a government based on democratic principles and the rule of law, and that respects internationally recognized human rights.

(b) EXCEPTION.—The President may implement the waiver under subsection (a) for successive periods not to exceed 3 months each without the 15 day advance notification under that subsection—

(1) if the President determines that exceptional circumstances require the implementation of such waiver; and

(2) the President immediately notifies the appropriate congressional committees of his determination.

(c) TERMINATION OF RESTRICTIONS.—The restrictions imposed by this title shall be terminated if the President determines and so certifies to the appropriate congressional committees that the Government of Yugoslavia is a government that is committed to democratic principles and the rule of law, and that respects internationally recognized human rights.

#### SEC. 409. STATUTORY CONSTRUCTION.

(a) IN GENERAL.—None of the restrictions or prohibitions contained in this Act shall be construed to limit humanitarian assistance (including the provision of food and medicine), or the commercial export of agricultural commodities or medicine and medical equipment, to Yugoslavia.

(b) SPECIAL RULE.—Nothing in subsection (a) shall be construed to permit the export of an agricultural commodity or medicine that could contribute to the development of a chemical or biological weapon.

#### TITLE V—MISCELLANEOUS PROVISIONS

#### SEC. 501. INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA.

(a) FINDINGS.—Congress finds the following:

(1) United Nations Security Council Resolution 827, which was adopted May 25, 1993, established the International Criminal Tribunal for the former Yugoslavia to prosecute persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia since January 1, 1991.

(2) United Nations Security Council Resolution 827 requires full cooperation by all countries with the Tribunal, including the obligation of countries to comply with requests of the Tribunal for assistance or orders.

(3) The Government of Yugoslavia has disregarded its international obligations with regard to the Tribunal, including its obligation to transfer or facilitate the transfer to the Tribunal of any person on the territory of Yugoslavia who has been indicted for war crimes or other crimes against humanity under the jurisdiction of the Tribunal.

(4) The Government of Yugoslavia publicly rejected the Tribunal's jurisdiction over events in Kosovo and has impeded the investigation of representatives from the Tribunal, including denying those representatives visas for entry into Yugoslavia, in their efforts to gather information about alleged crimes against humanity in Kosovo under the jurisdiction of the Tribunal.

(5) The Tribunal has indicted President Slobodan Milosevic for—

(A) crimes against humanity, specifically murder, deportations, and persecutions; and

(B) violations of the laws and customs of war.

(b) **POLICY.**—It shall be the policy of the United States to support fully and completely the investigation of President Slobodan Milosevic by the International Criminal Tribunal for the former Yugoslavia for genocide, crimes against humanity, war crimes, and grave breaches of the Geneva Convention.

(c) **SENSE OF CONGRESS.**—Subject to subsection (b), it is the sense of Congress that the United States Government should gather all information that the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4))) collects or has collected to support an investigation of President Slobodan Milosevic for genocide, crimes against humanity, war crimes, and grave breaches of the Geneva Convention by the International Criminal Tribunal for the former Yugoslavia (ICTY) and that the Department of State should provide all appropriate information to the Office of the Prosecutor of the ICTY under procedures established by the Director of Central Intelligence that are necessary to ensure adequate protection of intelligence sources and methods.

(d) **REPORT TO CONGRESS.**—Not less than 180 days after the date of enactment of this Act, and every 180 days thereafter for the succeeding 5-year period, the President shall submit a report, in classified form if necessary, to the appropriate congressional committees that describes the information that was provided by the Department of State to the Office of the Prosecutor of the International Criminal Tribunal for the former Yugoslavia for the purposes of subsection (c).

#### **SEC. 502. SENSE OF CONGRESS WITH RESPECT TO ETHNIC HUNGARIANS OF VOJVODINA.**

(a) **FINDINGS.**—Congress finds that—

(1) approximately 350,000 ethnic Hungarians, as well as several other minority populations, reside in the province of Vojvodina, part of Serbia, in traditional settlements in existence for centuries;

(2) this community has taken no side in any of the Balkan conflicts since 1990, but has maintained a consistent position of non-violence, while seeking to protect its existence through the meager opportunities afforded under the existing political system;

(3) the Serbian leadership deprived Vojvodina of its autonomous status at the same time as it did the same to the province of Kosovo;

(4) this population is subject to continuous harassment, intimidation, and threatening suggestions that they leave the land of their ancestors; and

(5) during the past 10 years this form of ethnic cleansing has already driven 50,000 ethnic Hungarians and members of other mi-

nority communities out of the province of Vojvodina.

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

(1) condemn harassment, threats, and intimidation against any ethnic group in Yugoslavia as the usual precursor of violent ethnic cleansing;

(2) express deep concern over the reports on recent threats, intimidation, and even violent incidents against the ethnic Hungarian inhabitants of the province of Vojvodina;

(3) call on the Secretary of State to regularly monitor the situation of the Hungarian ethnic group in Vojvodina; and

(4) call on the NATO allies of the United States, during any negotiation on the future status of Kosovo, also to pay substantial attention to establishing satisfactory guarantees for the rights of the people of Vojvodina, and, in particular, of the ethnic minorities in the province.

#### **SEC. 503. OWNERSHIP AND USE OF DIPLOMATIC AND CONSULAR PROPERTIES.**

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

(1) The international judicial system, as currently structured, lacks fully effective remedies for the wrongful confiscation of property and for unjust enrichment from the use of wrongfully confiscated property by governments and private entities at the expense of the rightful owners of the property.

(2) Since the dissolution of the Socialist Federal Republic of Yugoslavia until March and June 1999, when the United States Government took custody, the Government of Yugoslavia exclusively used, and benefited from the use of, properties located in the United States that were owned by the Socialist Federal Republic of Yugoslavia.

(3) Until the United States Government took custody, the Governments of Bosnia and Herzegovina, Croatia, the Former Yugoslav Republic of Macedonia, and Slovenia were blocked by the Government of Yugoslavia from using, or benefiting from the use of, any property located in the United States that was previously owned by the Socialist Federal Republic of Yugoslavia.

(4) The occupation and use by officials of Yugoslavia of that property without prompt, adequate, and effective compensation under the applicable principles of international law to the Governments of Bosnia and Herzegovina, Croatia, the Former Yugoslav Republic of Macedonia, and Slovenia is unjust and unreasonable.

(b) **POLICY ON NEGOTIATIONS REGARDING PROPERTIES.**—It is the policy of the United States to insist that the Government of Yugoslavia has a responsibility to, and should, actively and cooperatively engage in good faith negotiations with the Governments of Bosnia and Herzegovina, Croatia, the Former Yugoslav Republic of Macedonia, and Slovenia for resolution of the outstanding property issues resulting from the dissolution of the Socialist Federal Republic of Yugoslavia, including the disposition of the following properties located in the United States:

(1) 2222 Decatur Street, NW, Washington, DC.

(2) 2410 California Street, NW, Washington, DC.

(3) 1907 Quincy Street, NW, Washington, DC.

(4) 3600 Edmonds Street, NW, Washington, DC.

(5) 2221 R Street, NW, Washington, DC.

(6) 854 Fifth Avenue, New York, NY.

(7) 730 Park Avenue, New York, NY.

(c) **SENSE OF CONGRESS ON RETURN OF PROPERTIES.**—It is the sense of Congress that, if the Government of Yugoslavia refuses to engage in good faith negotiations on the status

of the properties listed in subsection (b), the President should take steps to ensure that the interests of the Governments of Bosnia and Herzegovina, Croatia, the Former Yugoslav Republic of Macedonia, and Slovenia are protected in accordance with international law.

#### **SEC. 504. TRANSITION ASSISTANCE.**

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that once the regime of President Slobodan Milosevic has been replaced by a government that is committed to democratic principles and the rule of law, and that respects internationally recognized human rights, the President of the United States should support the transition to democracy in Yugoslavia by providing immediate and substantial assistance, including facilitating its integration into international organizations.

(b) **AUTHORIZATION OF ASSISTANCE.**—The President is authorized to furnish assistance to Yugoslavia if he determines, and so certifies to the appropriate congressional committees that the Government of Yugoslavia is committed to democratic principles and the rule of law and respects internationally recognized human rights.

(c) **REPORT TO CONGRESS.**—

(1) **DEVELOPMENT OF PLAN.**—The President shall develop a plan for providing assistance to Yugoslavia in accordance with this section. Such assistance would be provided at such time as the President determines that the Government of Yugoslavia is committed to democratic principles and the rule of law and respects internationally recognized human rights.

(2) **STRATEGY.**—The plan developed under paragraph (1) shall include a strategy for distributing assistance to Yugoslavia under the plan.

(3) **DIPLOMATIC EFFORTS.**—The President shall take the necessary steps—

(A) to seek to obtain the agreement of other countries and international financial institutions and other multilateral organizations to provide assistance to Yugoslavia after the President determines that the Government of Yugoslavia is committed to democratic principles, the rule of law, and that respects internationally recognized human rights; and

(B) to work with such countries, institutions, and organizations to coordinate all such assistance programs.

(4) **COMMUNICATION OF PLAN.**—The President shall take the necessary steps to communicate to the people of Yugoslavia the plan for assistance developed under this section.

(5) **REPORT.**—Not later than 120 days after the date of enactment of this Act, the President shall transmit to the appropriate congressional committees a report describing in detail the plan required to be developed by paragraph (1).

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from New York (Mr. GILMAN) and the gentleman from North Dakota (Mr. POMEROY) 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. 1064, as amended.

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 I may consume.

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

Mr. GILMAN. Mr. Speaker, I am pleased to rise in strong support of H.R. 1064, a bill introduced by the gentleman from New Jersey (Mr. SMITH). It is intended to ensure that the democratic opposition in Serbia continues to have the active support of the United States, regardless of the outcome of the election held in that country yesterday.

The people of Serbia need to know that our Nation does not wish to have antagonistic relations with their country. They need to know, instead, that our Nation is simply opposed to the kinds of policies that their nation has pursued under the leadership of Slobodan Milosevic.

They also need to know that the United States supports the cause of true democracy in Serbia, just as it does in the rest of Europe, and that Serbia is a European nation, a European country, and deserves a place at the European table once it has started down the road of real democracy, real reform, and real respect for human rights.

Regrettably, Yugoslav President Milosevic has proven himself a master of manipulation of Serbian patriotism and of Serbian nationalist fears.

Mr. Milosevic employed the ethnic distrust and unrest that surrounded the break-up of the former Communist Yugoslav Federation in the early years of the last decade to portray himself as a protector of Serbian rights.

Today Serbia lies in shambles, and its people face a future that promises nothing better. Milosevic lingers on, surrounded by a web of corruption, mysterious murders, political manipulation, and state repression.

After yet another series of manipulative steps, Mr. Milosevic set the groundwork for holding onto his power for another term as Yugoslav president in the election held yesterday, an election it is feared he has rigged to ensure an outcome in his favor.

Mr. Speaker, our Nation is closely monitoring this election. It will shine a spotlight on any evidence of election fraud carried out by Mr. Milosevic and his supporters.

This bill makes it clear that, regardless of the outcome of yesterday's election, our Nation has not given up on and will not give up on the freedom of the nation of Serbia and the effort to create a real and true democracy in Serbia. Mr. Speaker, this bill's passage should make that clear to the Serbian people.

Accordingly, I urge our colleagues to join in supporting this measure.

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

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

Mr. Speaker, I rise in strong support of this bill. I want to commend the gentleman from New York (Chairman GILMAN); the gentleman from New Jer-

sey (Mr. SMITH), the chairman of the Subcommittee on International Operations and Human Rights, for moving this legislation forward.

It is clear that Slobodan Milosevic is not part of the solution in the Balkans but, rather, is the problem. Milosevic has started, and lost, four wars this past decade, with Slovenia, with Croatia, Bosnia and Herzegovina, and finally with NATO over Kosovo.

He may now be preparing his fifth war, this time against Montenegro and its democratic reformist government.

Milosevic has run an authoritarian state, suppressing dissent, threatening his opponents, purging the army and police, and manipulating the electronic media to misinform the Serbian public.

But in spite of all of that, yesterday's dramatic election results from Belgrade show the Serbian people have had quite enough of Slobodan Milosevic. It is clear from the independent and opposition sources that the democratic opposition of Serbia has won a decisive victory.

The Center for Free Election and Democracy has reported that Serbia's democratic opposition has won 58 percent of the votes cast as compared to 32 percent for Milosevic.

Milosevic should respect the wishes of the Serbian people and step down; no manipulating or manufacturing of ballots from Kosovo or Montenegro, no fiddling with the constitution to stay in power through next summer, no desperate moves of violence against Montenegro, Kosovo, or citizens of Serbia.

□ 1730

In order to bring stability to southeast Europe and unlock the economic potential of the region, Milosevic must relinquish power to a new democratic government in Serbia. I spent a summer in Serbia when I was in college. I lived with a family, and I care about these people and look forward to them moving to the post-Milosevic nightmare period into hope for the future.

This act supports the democratic opposition by authorizing \$50 million for promoting democracy and civil society in Serbia and \$55 million for assisting the government of Montenegro. It also authorizes increased broadcasting to Yugoslavia by the Voice of America and by Radio Free Europe and Radio Liberty.

The act's strength is that it follows the strong and effective policy crafted by the administration and the demonstrated will of the Serbian people themselves as evidenced by yesterday's vote.

The legislation codifies the so-called outer wall of sanctions against Yugoslavia by multilateral organizations, including international financial institutions. It also authorizes other measures against Yugoslavia, including blocking Yugoslavia's assets in the United States; prohibiting the issuance of visas and admission to the United States; and prohibiting strategic exports to Yugoslavia, loans and invest-

ment, and military-to-military cooperation.

It is important to note that yesterday's encouraging election results from Serbia do not negate the need for this legislation. Milosevic may not relinquish control, making support for democratic forces, nongovernmental organizations, and free media even more vital.

Even if a peaceful transition were to somehow occur, as one recently took place in neighboring Croatia, a new government and independent media would desperately need international support in a nation that has known authoritarianism and corruption for far too long. And so, Mr. Speaker, I urge my colleagues to support H.R. 1064.

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

Mr. GILMAN. Mr. Speaker, I yield 6 minutes to the gentleman from New Jersey (Mr. SMITH), chairman of our Subcommittee on International Operations and Human Rights.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman from New York for yielding me this time and for his work in helping to bring this legislation to the floor today.

Mr. Speaker, as we wait to see if opposition candidate Vojislav Kostunica will be allowed to secure the election, which by all accounts he seems to have secured and won, it is important for this Congress to support those seeking democratic change in Serbia as well as those undertaking democratic change in Montenegro. This bill does just that.

Introduced by myself and several other cosponsors in February of 1999, and updated in light of events since that time, the bill before us today includes language to which the Senate has already agreed by unanimous consent. The State Department has been thoroughly consulted, and its requested changes as well have been incorporated into the text. Throughout there has been a bipartisan effort to craft this legislation.

In short, the bill authorizes the provision of democratic assistance to those in Serbia who are struggling for change. It also calls for maintaining sanctions on Serbia until such time that democratic change is indeed underway, allowing at the same time the flexibility to respond quickly to positive developments if and when they occur. Reflective of another resolution, H. Con. Res. 118, which I introduced last year, the bill supports the efforts of the International Criminal Tribunal for the former Yugoslavia to bring those responsible for war crimes and crimes against humanity, including Slobodan Milosevic, to justice.

The reasons for this bill are clear, Mr. Speaker. In addition to news accounts and presentations in other committees and other venues, the Helsinki Commission, which I chair, has held numerous hearings on the efforts of the regime of Slobodan Milosevic to stomp out democracy and to stay in power.

The Commission has held three hearings specifically on this issue and one additional hearing specifically on the threat Milosevic presents to Montenegro. Of course, in the many, many hearings the commission has held on Bosnia and Kosovo over the years, witnesses testify to the role of Milosevic in instigating, if not orchestrating, conflict and war.

Mr. Speaker, the regime of Milosevic has resorted to increasingly repressive measures, as we all know, to stay in power in light of the elections that were held yesterday in the Yugoslav Federation, of which Serbia and Montenegro are a part. Journalist Miroslav Filipovic received, for example, a 7-year sentence for reporting the truth about Yugoslav and Serbian atrocities in Kosovo. The very courageous Natasa Kandic, of the Humanitarian Law Fund, faces similar charges for documenting these atrocities. Ivan Stambolic, an early mentor but now a leading and credible critic of Slobodon Milosevic, was literally abducted from the streets of Belgrade. Authorities have raided the headquarters of the Center For Free Elections and Democracy, a civic, domestic monitoring organization; and members of the student movement Otpor regularly face arrest, detention and physical harassment. Political opposition candidates have been similarly threatened, harassed, and physically attacked.

As news reports regularly indicate, Milosevic may also be considering violent action to bring Montenegro, which has embarked on a democratic path and distanced itself from Belgrade, back under his control. Signs that he is instigating trouble there are certainly evident.

It is too early for the results of the elections to be known fully. However, this bill allows us the flexibility to react to those results. Assistance for transition is authorized, allowing a quick reaction to positive developments. Sanctions can also be eased, if needed. On the other hand, few hold hope that Milosevic will simply relinquish power. A struggle for democracy may only now just be starting and not ending.

The human rights violations I have highlighted, Mr. Speaker, are also mere examples of deeply rooted institutionalized repression. Universities and the media are restricted by Draconian laws from encouraging the free debate of ideas upon which societies thrive. National laws and the federal constitution have been drafted and re-drafted to orchestrate the continued power of Slobodon Milosevic. The military has been purged, as we all know, of many high-ranking professionals unwilling to do Milosevic's dirty work, and the place is a virtual military force of its own designed to tackle internal enemies who are in fact trying to save Serbia from this tyrant.

Paramilitary groups merge with criminal gangs in the pervasive corruption which now exists. Sophisticated

and constant propaganda has been designed over the last decade to warp the minds of the people into believing this regime has defended the interests of Serbs in Serbia and throughout former Yugoslavia. As a result, even if a democratic change were to begin in Serbia, which we all hope and pray for, the assistance authorized in this bill is needed to overcome the legacy of Milosevic. His influence over the decade has been so strong that it will take considerable effort to bring Serbia back to where it should be.

Bringing democratic change to Serbia and supporting the change already taking place in Montenegro is without question in the U.S. national interest. We may differ in our positions regarding the decision to use American forces in the Balkans either for peacekeeping or peacemaking. Nothing, however, could better create the conditions for regional stability which would allow our forces to come home with their mission accomplished than a Serbia on the road to democratic recovery.

There is, however, an even stronger interest. Indeed, there is a fundamental right of the people of Serbia themselves to democratic governance. They deserve to have the same rights and freedoms, as well as the opportunity for a prosperous future, that is enjoyed by so many other Europeans and by our fellow Americans.

The people of America, of Europe, the people of Serbia all have a strong mutual interest in ending Milosevic's reign of hatred and thuggery. This bill advances that cause.

Mr. POMEROY. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise today in strong support of this legislation offered by my colleagues, the gentleman from New Jersey (Mr. SMITH) and the gentleman from Maryland (Mr. HOYER). I salute them both.

The findings contained in this legislation are historic and astonishing. Last year, many of us in this House went to Macedonia and Albania and saw the refugee camps. I carry with me in my pocket at all times, along with my copy of the Constitution, I might add, a picture of a young boy, Valdrin Ferizaj, 8 years old, who tugged at my pants in a refugee camp where there were 35,000 refugees, which was only supposed to hold 10,000. He spoke to me in a language I could not understand. And someone translated, "He is asking you, Mr. Congressman, where is his mother and father." I have tried to find them since coming back, and I will continue.

It is a landmark day in Yugoslavia. Early results from that election are showing that opposition candidate Vojislav Kostunica will win the first round elections against Slobodon Milosevic. Not surprisingly, Mr. Milosevic's camp is disputing the

claims. But we have been through this, have we not?

The Milosevic camp is disputing these preliminary results and are calling for a second round. But we who are witnesses to the death, to the destruction, to the displacement, and to the deception caused by this man, which is documented and well-known, can only hope that this murderous leader is indeed defeated.

As was earlier stated by both leaders, and soon to be the other sponsor of the bill, because of America's involvement in the Balkans, we will have a vested interest in helping democratic change, in all of Yugoslav. And in the parts of Yugoslav, this region in southeastern Europe, is in critical need of security and stability.

There is a ray of hope here today, Mr. Speaker, and I stand in hope that we will really understand healthy results this evening and tomorrow morning.

Mr. POMEROY. Mr. Speaker, I yield 5 minutes to the gentleman from Maryland (Mr. HOYER), and just wish to additionally commend the gentleman from New Jersey (Mr. PASCRELL) for his impassioned and very insightful comments.

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding me this time, and I thank the gentleman from New York (Mr. GILMAN) for bringing this resolution, along with the minority, to the floor.

Mr. Speaker, I rise in strong support of H.R. 1064 and urge my colleagues to support it. I am an original cosponsor of this bill, offered by my friend, the gentleman from New Jersey (Mr. SMITH), the chairman of the Helsinki Commission. As he has noted, whatever our views on the American involvement in the Balkans, we all have a common interest in bringing democratic change to Serbia, which will enhance long-term stability in the region, allow our troops in Kosovo and Bosnia to return home sooner, with their mission accomplished, and preclude the need for further intervention to thwart Slobodon Milosevic's aggression.

Clearly, democratic change in Serbia is the single most critically needed development in southeast Europe today. First and foremost, the people of Serbia deserve the same ability to exercise their human rights and fundamental freedoms that so many other Europeans enjoy. Secondly, it, more than anything else, would contribute to security in the region. Indeed, it would increase tremendously the chances for resolving conflicts and encouraging social reconciliation.

The gentleman from New Jersey (Mr. SMITH) and I have served together on the Helsinki Commission for a long time, over a decade and a half, and we have worked together to promote human rights in Europe and in other parts of the world, I might add.

□ 1745

Our efforts have been especially relevant in the Balkans, where Milosevic



and his regime have instigated conflict and orchestrated genocide to perpetuate their rule and enhance their power and privilege. The international community, Mr. Speaker, has been slow to respond and sometimes ineffective in the face of this threat to European stability. Only with the intervention of the United States has action been taken.

Since Kosovo, however, there is a more united view than ever between the United States, Europe and the international community as a whole that democratic change must come to Serbia. There is also a greater realization that the threat Serbia poses comes not from the Serb people. Let me repeat that. The threat comes not from the Serb people but from Milosevic and his henchmen. Indeed, the people of Serbia, and the people of Montenegro, who are in a Yugoslav federation with Serbia, have suffered far too long under Milosevic's repression. They, the Serbians, the Montenegrans, deserve to take their rightful place in the democratic community of Europe.

Mr. Speaker, national elections were held in Yugoslavia yesterday, as many have said. We do not yet know the final results and there are, as predicted, widespread allegations of fraud. Early reports indicate that the opposition is claiming first round victory with more than 50 percent of the vote. That in my opinion would be an extraordinarily happy circumstance. The Milosevic camp, not committed to democracy, committed to authoritarian rule, committed to attaining their ends by whatever means are necessary, are claiming that they are ahead 44 percent to 41 percent, indicating a need for a second round runoff. Nobody in the international community believes that representation.

It is widely believed that Milosevic simply will not concede. He has hinted that, as he has said, his term does not formally end until next year, giving him another 9 months or so entrenched in power and in perversion. Alternatively, he may simply turn up the level of fraud to ensure a second-round victory and crack down on whatever opposition might exist.

At this point, Mr. Speaker, we do not know what Serbia will be like, even in the near future, other than the fact that it will not be the same. It might change, we pray, drastically for the better or tragically for the worse. Either way, this bill sends the message that we are there for the people of Serbia. The alternative, to send no message at all, Mr. Speaker, is the message that Milosevic wants to hear.

I urge my colleagues to vote for H.R. 1064.

Mr. POMEROY. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. Mr. Speaker, I want to thank the gentleman from New York (Mr. GILMAN), the gentleman from New Jersey (Mr. SMITH), the gentleman from Maryland (Mr. HOYER),

and the gentleman from Connecticut (Mr. GEJDENSON) for bringing this measure before us this afternoon.

Mr. Speaker, the people of Serbia have spoken. They want change for their country and for their people. Our patience has certainly paid off. We have waited a long time for this.

Mr. Milosevic has declared war over and over again against his own people, in Serbia, in Croatia, in Bosnia, in Herzegovina, in Kosovo, and I have seen firsthand what Mr. Milosevic and his regime has done to his own people. It is time for the bloodshed to end, Mr. Speaker. It is time for Mr. Milosevic to relinquish power before more blood is shed.

Mr. Milosevic, your people are telling you they want no more persecution. They want no more refugees. Mr. Milosevic, they want no more death. Your people, Mr. Milosevic, have voted, and they have voted for life. Give them that life and relinquish power now.

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

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. RYAN of Wisconsin). 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. 1064, as amended.

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

A motion to reconsider was laid on the table.

□

#### PACIFIC CHARTER COMMISSION ACT OF 2000

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4899) to establish a commission to promote a consistent and coordinated foreign policy of the United States to ensure economic and military security in the Pacific region of Asia through the promotion of democracy, human rights, the rule of law, free trade, and open markets, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4899

*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 "Pacific Charter Commission Act of 2000".

#### SEC. 2. PURPOSES.

The purposes of this Act are—

(1) to promote a consistent and coordinated foreign policy of the United States to ensure economic and military security in the Asia-Pacific region;

(2) to support democratization, the rule of law, and human rights in the Asia-Pacific region;

(3) to promote United States exports to the Asia-Pacific region by advancing economic cooperation;

(4) to combat terrorism and the spread of illicit narcotics in the Asia-Pacific region; and

(5) to advocate an active role for the United States Government in diplomacy, security, and the furtherance of good governance and the rule of law in the Asia-Pacific region.

#### SEC. 3. ESTABLISHMENT OF COMMISSION.

There is established a commission to be known as the Pacific Charter Commission (hereafter in this Act referred to as the "Commission").

#### SEC. 4. DUTIES OF COMMISSION.

(a) DUTIES.—The Commission shall establish and carry out, either directly or through nongovernmental organizations, programs, projects, and activities to achieve the purposes described in section 2, including research and educational or legislative exchanges between the United States and countries in the Asia-Pacific region.

(b) MONITORING OF DEVELOPMENTS.—The Commission shall monitor developments in countries of the Asia-Pacific region with respect to United States foreign policy toward such countries, the status of democratization, the rule of law and human rights in the region, economic relations among the United States and such countries, and activities related to terrorism and the illicit narcotics trade.

(c) POLICY REVIEW AND RECOMMENDATIONS.—In carrying out this section, the Commission shall evaluate United States Government policies toward countries of the Asia-Pacific region and recommend options for policies of the United States Government with respect to such countries, with a particular emphasis on countries that are of importance to the foreign policy, economic, and military interests of the United States.

(d) CONTACTS WITH OTHER ENTITIES.—In performing the functions described in subsections (a) through (c), the Commission shall, as appropriate, seek out and maintain contacts with nongovernmental organizations, international organizations, and representatives of industry, including receiving reports and updates from such organizations and evaluating such reports.

(e) ANNUAL REPORT.—Not later than 18 months after the date of the enactment of this Act, and not later than the end of each 12-month period thereafter, the Commission shall prepare and submit to the President and the Congress a report that contains the findings of the Commission during the preceding 12-month period. Each such report shall contain—

(1) recommendations for legislative, executive, or other actions resulting from the evaluation of policies described in subsection (c); and

(2) a description of programs, projects, and activities of the Commission for the prior year; and

(3) a complete accounting of the expenditures made by the Commission during the prior year.

(f) CONGRESSIONAL HEARINGS ON ANNUAL REPORT.—The Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate, shall, not later than 45 days after the receipt by the Congress of the report referred to in subsection (c), hold hearings on the report, including any recommendations contained therein.

(g) ADVISORY COMMITTEES.—The Commission may establish such advisory committees as the Commission determines to be necessary to advise the Commission on policy matters relating to the Asia-Pacific region and to otherwise carry out this Act.

#### SEC. 5. MEMBERSHIP OF COMMISSION.

(a) COMPOSITION.—The Commission shall be composed of 7 members all of whom—