

to the good people trapped in corrupt political systems to do what we can to help root out and get rid of this corruption.

Under this bill, if the President certifies that a country's business climate is not conducive for U.S. businesses, that country will, in effect, be put on probation. The country would continue to receive U.S. foreign aid through that end of the fiscal year, but aid would be cut off on the first day of the next fiscal year unless the President certifies the country is making significant progress in implementing the specified economic indicators and is committed to recognizing the involvement of U.S. business.

My bill also includes the customary waiver authority where the national interests of the United States are at stake. For countries certified as hostile to or not conducive for U.S. business, aid can continue if the President determines it is in the national security interest of the United States. However, the determination expires after six months unless the President determines its continuation is important to our national security interest.

I also included a provision which would allow aid to continue to meet urgent humanitarian needs, including food, medicine, disaster and refugee relief, to support democratic political reform and rule of law activities, and to create private sector and non-governmental organizations that are independent of government control, or to develop a free market economic system.

Instead of jumping on the bandwagon to pump millions of additional American tax dollars into countries which are hostile to U.S. businesses and investors, we should be working to root out the kinds of bribery and corruption that have an overall chilling effect on much needed foreign investment. Left unchecked, such corruption will continue to undermine fledgling democracies worldwide and further impede moves toward a genuine free market economy. I believe the legislation I am introducing today is a critical step this direction, and I urge my colleagues to support its passage.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 988

*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 "International Anti-Corruption Act of 2001".

#### SEC. 2. LIMITATIONS ON FOREIGN ASSISTANCE.

##### (a) REPORT AND CERTIFICATION.—

(1) IN GENERAL.—Not later than March 1 of each year, the President shall submit to the appropriate committees a certification described in paragraph (2) and a report for each country that received foreign assistance under part I of the Foreign Assistance Act of 1961 during the fiscal year. The report shall

describe the extent to which each such country is making progress with respect to the following economic indicators:

(A) Implementation of comprehensive economic reform, based on market principles, private ownership, equitable treatment of foreign private investment, adoption of a legal and policy framework necessary for such reform, protection of intellectual property rights, and respect for contracts.

(B) Elimination of corrupt trade practices by private persons and government officials.

(C) Moving toward integration into the world economy.

(2) CERTIFICATION.—The certification described in this paragraph means a certification as to whether, based on the economic indicators described in subparagraphs (A) through (C) of paragraph (1), each country is—

(A) conducive to United States business;

(B) not conducive to United States business; or

(C) hostile to United States business.

(b) LIMITATIONS ON ASSISTANCE.—

(1) COUNTRIES HOSTILE TO UNITED STATES BUSINESS.—

(A) GENERAL LIMITATION.—Beginning on the date the certification described in subsection (a) is submitted—

(i) none of the funds made available for assistance under part I of the Foreign Assistance Act of 1961 (including unobligated balances of prior appropriations) may be made available for the government of a country that is certified as hostile to United States business pursuant to such subsection (a); and

(ii) the Secretary of the Treasury shall instruct the United States Executive Director of each multilateral development bank to vote against any loan or other utilization of the funds of such institution to or by any country with respect to which a certification described in clause (i) has been made.

(B) DURATION OF LIMITATIONS.—Except as provided in subsection (c), the limitations described in clauses (i) and (ii) of subparagraph (A) shall apply with respect to a country that is certified as hostile to United States business pursuant to subsection (a) until the President certifies to the appropriate committees that the country is making significant progress in implementing the economic indicators described in subsection (a)(1) and is no longer hostile to United States business.

(2) COUNTRIES NOT CONDUCTIVE TO UNITED STATES BUSINESS.—

(A) PROBATIONARY PERIOD.—A country that is certified as not conducive to United States business pursuant to subsection (a), shall be considered to be on probation beginning on the date of such certification.

(B) REQUIRED IMPROVEMENT.—Unless the President certifies to the appropriate committees that the country is making significant progress in implementing the economic indicators described in subsection (a) and is committed to being conducive to United States business, beginning on the first day of the fiscal year following the fiscal year in which a country is certified as not conducive to United States business pursuant to subsection (a)(2)—

(i) none of the funds made available for assistance under part I of the Foreign Assistance Act of 1961 (including unobligated balances of prior appropriations) may be made available for the government of such country; and

(ii) the Secretary of the Treasury shall instruct the United States Executive Director of each multilateral development bank to vote against any loan or other utilization of the funds of such institution to or by any country with respect to which a certification described in subparagraph (A) has been made.

(C) DURATION OF LIMITATIONS.—Except as provided in subsection (c), the limitations described in clauses (i) and (ii) of subparagraph (B) shall apply with respect to a country that is certified as not conducive to United States business pursuant to subsection (a) until the President certifies to the appropriate committees that the country is making significant progress in implementing the economic indicators described in subsection (a)(1) and is conducive to United States business.

(c) EXCEPTIONS.—

(1) NATIONAL SECURITY INTEREST.—Subsection (b) shall not apply with respect to a country described in subsection (b) (1) or (2) if the President determines with respect to such country that making such funds available is important to the national security interest of the United States. Any such determination shall cease to be effective 6 months after being made unless the President determines that its continuation is important to the national security interest of the United States.

(2) OTHER EXCEPTIONS.—Subsection (b) shall not apply with respect to—

(A) assistance to meet urgent humanitarian needs (including providing food, medicine, disaster, and refugee relief);

(B) democratic political reform and rule of law activities;

(C) the creation of private sector and non-governmental organizations that are independent of government control; and

(D) the development of a free market economic system.

#### SEC. 3. TOLL-FREE NUMBER.

The Secretary of Commerce shall make available a toll-free telephone number for reporting by members of the public and United States businesses on the progress that countries receiving foreign assistance are making in implementing the economic indicators described in section 2(a)(1). The information obtained from the toll-free telephone reporting shall be included in the report required by section 2(a).

#### SEC. 4. DEFINITIONS.

In this Act:

(1) APPROPRIATE COMMITTEES.—The term "appropriate committees" means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

(2) MULTILATERAL DEVELOPMENT BANK.—The term "multilateral development bank" means the International Bank for Reconstruction and Development, the International Development Association, and the European Bank for Reconstruction and Development.

#### STATEMENTS ON SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLUTION 45—EXPRESSING THE SENSE OF CONGRESS THAT THE HUMANE METHODS OF SLAUGHTER ACT OF 1958 SHOULD BE FULLY ENFORCED SO AS TO PREVENT NEEDLESS SUFFERING OF ANIMALS

Mr. FITZGERALD (for himself, Mr. LEAHY, and Mr. AKAKA) submitted the following concurrent resolution; which was referred to the Committee on Agriculture, Nutrition, and Forestry:

S. CON. RES. 45

Whereas public demand for passage of Public Law 85-765 (commonly known as the "Humane Methods of Slaughter Act of 1958") (7

U.S.C. 1901 et seq.) was so great that when President Eisenhower was asked at a press conference if he would sign the bill, he replied, "If I went by mail, I'd think no one was interested in anything but humane slaughter";

Whereas the Act requires that animals be rendered insensible to pain when they are slaughtered;

Whereas on April 10, 2001, a Washington Post front page article reported that enforcement records, interviews, videos, and worker affidavits describe repeated violations of the Act and that the Federal Government took no action against a company that was cited 22 times in 1998 for violations of the Act;

Whereas the article asserted that in 1998, the Secretary of Agriculture stopped tracking the number of humane-slaughter violations;

Whereas the article concluded that scientific evidence shows tangible economic benefits when animals are treated well;

Whereas the United States Animal Health Association passed a resolution at an October 1998 meeting to encourage strong enforcement of the Act and reiterated support for the resolution at a meeting in 2000; and

Whereas it is the responsibility of the Secretary of Agriculture to enforce the Act fully: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring),*

#### SECTION 1. HUMANE METHODS OF ANIMAL SLAUGHTER.

It is the sense of Congress that—

(1) the Secretary of Agriculture should—

(A) resume tracking the number of violations of Public Law 85-765 (7 U.S.C. 1901 et seq.) and report the results and relevant trends annually to Congress; and

(B) fully enforce Public Law 85-765 by ensuring that humane methods in the slaughter of livestock—

(i) prevent needless suffering;

(ii) result in safer and better working conditions for persons engaged in the slaughtering of livestock;

(iii) bring about improvement of products and economies in slaughtering operations; and

(iv) produce other benefits for producers, processors, and consumers that tend to expedite an orderly flow of livestock and livestock products in interstate and foreign commerce; and

(2) it should be the policy of the United States that the slaughtering of livestock and the handling of livestock in connection with slaughter shall be carried out only by humane methods.

Mr. FITZGERALD. Mr. President, I rise today to submit a resolution expressing the sense of the Congress that the Humane Methods of Slaughter Act of 1958 should be fully enforced to prevent the needless suffering of animals.

On April 10, 2001, the Washington Post printed a front page story entitled "They Die Piece by Piece." This graphic article asserted that the United States Department of Agriculture was not appropriately enforcing the Humane Slaughter Act. In response, I am introducing this resolution that encourages the Secretary of Agriculture to fully enforce current law including the Humane Slaughter Act of 1958, as amended by the Federal Meat Inspection Act in 1978.

The Humane Slaughter Act simply requires that animals be rendered insensible to pain before they are harvested. However, apparently this law is

not being enforced in some instances. For example, the Washington Post article reported that "enforcement records, interviews, videos and worker affidavits describe repeated violations of the Humane Slaughter Act" and "the government took no action against a Texas beef company that was cited 22 times in 1998 for violations that include chopping hooves off live cattle."

While the regulated industry may argue that problems highlighted in this article are not endemic of the entire meat processing industry, "a couple of rotten apples could ruin the whole basket." As the Washington Post article demonstrated, there are some operations that may need oversight to ensure that the entire meat industry does not get a "black eye."

Additionally, the Washington Post article pointed out that in 1998, the USDA stopped tracking the number of humane slaughter violations. USDA's Director of Slaughter Operations reportedly admitted "she didn't know if the number of violations was up or down." This is simply unacceptable. We cannot manage nor regulate what we do not monitor nor measure. Thus, the resolution asks the Secretary of Agriculture to reinstate tracking of violations and report these results and relevant trends to Congress annually.

This legislation is supported by the Society for Animal Protective Legislation, the Humane Society of the United States, and the Humane Farming Association. The resolution is sound public policy that enjoys bipartisan support. I thank my colleagues, Senators LEAHY and AKAKA, for joining me as original co-sponsors of this bill, and I encourage my Senate colleagues to join us in this endeavor.

I ask unanimous consent that a letter of support from the Humane Society of the United States be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE HUMANE SOCIETY  
OF THE UNITED STATES,  
Washington, DC, May 22, 2001.

DEAR SENATOR: On behalf of the Humane Society of the United States, the nation's largest animal protection organization with 7 million members and constituents, I am writing to express our support for the resolution, soon to be introduced by Senator Peter Fitzgerald, calling on USDA to enforce the Humane Slaughter Act. We urge you to co-sponsor Senator Fitzgerald's resolution.

On April 10, 2001, the Washington Post printed a front-page story entitled "They Die Piece by Piece." The disturbing investigative article revealed that the USDA is not currently enforcing the Humane Slaughter Act and that the Department has stopped tracking humane-slaughter violations. To address these failings, Senator Fitzgerald is introducing a resolution encouraging the Secretary of Agriculture to fully enforce the law. The resolution calls for enforcement of the Humane Slaughter Act of 1958 and asks that the Department resume tracking humane-slaughter violations and report its findings to Congress annually.

The Washington Post reported that prior to ending the tracking of humane-slaughter

violations in 1998, USDA records gave us a snapshot of the extraordinarily inhumane slaughter practices occurring at processing plants. For example:

USDA took no action against a Texas beef company that was cited 22 times in one year for violations such as chopping hooves off live cattle.

Inspectors at a livestock processing plant in Hawaii describe hogs walking and squealing after being stunned (a process meant to render animals unconscious) as many as four times.

Another Texas plant had 22 violations in 6 months, including live cattle dangling from an overhead chain.

Hogs are submersed in scalding water after being stunned to loosen their hides for skinning. This means that poorly stunned animals are scalded and drowned. Videotape from an Iowa pork plant shows hogs squealing and kicking as they are being lowered into the water.

Congress passed the Humane Slaughter Act in 1957. It should be enforced vigorously—now 40 years after enactment. To cosponsor this resolution calling for the enforcement of existing law on humane slaughter, please contact Terry Van Doren of Senator Fitzgerald's office (4-2854) or for more information, please contact Susan Solarz of HSUS (202/955-3664).

Sincerely,  
WAYNE PACELLE,  
Senior Vice President,  
Communications and Government Affairs.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON ARMED SERVICES

Mr. GREGG. Mr. President, I ask unanimous consent that the committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, June 5, 2001, at 9:30 a.m., in open session to consider the nominations of Mr. Douglas Jay Feith to be Under Secretary of Defense for Policy; Mr. Jack Dyer Crouch, II, to be Assistant Secretary of Defense for International Security Policy; and Mr. Peter W. Rodman, to be Assistant Secretary of Defense for International Security Affairs.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON FOREIGN RELATIONS

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, June 5, 2001 at 10 a.m. to hold a hearing as follows:

##### ANNUAL REPORT ON THE U.S. COMMISSION ON RELIGIOUS FREEDOM WITNESSES

Dr. Firuz Kazemzadeh, Former Vice-Chairman, U.S. Commission on International Religious Freedom; and Senior Advisor, National Spiritual Assembly, Alta Loma, CA.

Ms. Nina Shea, Commissioner, U.S. Commission on International Religious Freedom; and Director of the Center for Religious Freedom, Freedom House, Washington, DC.

Mr. Michael Young, Commissioner, U.S. Commission on International Religious Freedom; and Dean, George Washington University School of Law, Washington, DC.

Rabbi David Saperstein, Former Commissioner, U.S. Commission on International Religious Freedom; Director, Religious Action Center of Reform Judaism, Washington, DC.