

countries serve where the practice of stoning women to death is legal and practiced. This is just one more example of the absurdity of many of these international organizations, pretending to be something totally different from what they are.

□ 1430

Stoning women to death and serving on the International Commission for Human Rights are incompatible activities, and it is high time we focus on bringing some reality to international organizations.

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

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

Let me just echo the words of the distinguished gentleman from California (Mr. LANTOS), the ranking member of the Committee on International Relations. It is indeed ironic that Sudan, a country that uses stoning, should serve on the Human Rights Committee of the United Nations. It is even more ironic that Libya should be the current chairman of that committee.

Mr. Speaker, in 1999, along with Colin Powell, I had the opportunity and the privilege of coleading an election-monitoring team to Nigeria for its first democratic elections there in over a decade. After years of military rule, we observed a fair and free election; to wit, firsthand those exercising the simple virtues of democracy was truly inspiring. Along with other election monitors, I came away with great hope for Nigeria's future.

Unfortunately, in the last 3 years, Sharia criminal law has swept through the northern half of Nigeria. The chief prosecutor of a Katsina state in northern Nigeria has even called Sharia law a "dividend of democracy."

Mr. Speaker, since that election, 10,000 Nigerians have died in religiously inspired rioting across that country. Nigeria seems to be on the verge of being torn apart along Muslim-Christian lines. Besides being barbaric and being a gross abuse of human rights, stoning is fueling this religious divide, undermining Nigeria's democratic prospects. Stoning is not a "dividend" of any type of democracy that I know many Nigerians are struggling to establish.

Nigeria is but one country of concern for us. It was only after September 11 that the American public began to learn about the brutal living conditions for women under the Taliban, including being subject to public stonings. Afghanistan remains a fragile state. Many parts of Afghanistan are struggling with the questions of how to govern. This resolution is our message that stoning should have no role in today's Afghanistan, or anywhere else in today's age.

It is important for this body to bring attention to this abysmal practice. This resolution deserves strong support of all Members here.

Ms. SCHAKOWSKY. Mr. Speaker, I rise today in support of H. Con. Res. 26 to con-

demn execution by stoning as a gross violation of human rights. I want to commend my colleague, Congresswoman BETTY MCCOLLUM for raising awareness of this issue by introducing this resolution. I oppose the death penalty in any instance, and I certainly oppose the cruelty of death by stoning.

Execution by stoning is particularly cruel and discriminatory in that it is often used to punish women for adultery, even in cases where women are victims of coerced prostitution or rape. Women around the world, as well as in the United States, continue to experience horrendous acts of physical and sexual violence against them. It is absolutely unacceptable that some governments would then sanction death as a punishment for being a victim of such violence. Unfortunately, this continues to be the case in some countries.

The United States has a moral obligation to speak out against violence, intolerance, hate, and discrimination throughout the world. Without clear, strong condemnation and action from the United States and all people of conscience, these violations of fundamental human rights will continue to occur.

I urge my colleagues to support this resolution and to take a stand against all human rights abuses.

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

The SPEAKER pro tempore (Mr. TERRY). The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 26.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. ROYCE. 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.

#### NICARAGUA PROPERTY DISPUTE SETTLEMENT ACT OF 2003

Mr. BALLENGER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 868) to amend section 527 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 to require that certain claims for expropriation by the Government of Nicaragua meet certain requirements for purposes of the prohibition on foreign assistance to that government.

The Clerk read as follows:

H.R. 868

*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 "Nicaragua Property Dispute Settlement Act of 2003".

##### SEC. 2. CERTAIN CLAIMS FOR EXPROPRIATION BY THE GOVERNMENT OF NICARAGUA.

Section 527 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 2370a) is amended by adding at the end the following new subsection:

"(i) CERTAIN CLAIMS FOR EXPROPRIATION BY GOVERNMENT OF NICARAGUA.—(1) Any action of the types set forth in subparagraphs (A), (B), and (C) of subsection (a)(1) that was taken by the Government of Nicaragua during the period beginning on January 1, 1956, and ending on January 9, 2002, shall not be considered in implementing the prohibition under subsection (a) unless the action has been presented in accordance with the procedure set forth in paragraph (2)

"(2) An action shall be deemed presented for purposes of paragraph (1) if it is—

"(A) in writing; and

"(B) received by the Department of State on or before 120 days after the date specified in paragraph (3) at—

"(i) the headquarters of the Department of State in Washington, D.C.; or

"(ii) the Embassy of the United States of America to Nicaragua.

"(3) The date to which paragraph (2) refers is a date after the enactment of this subsection that is specified by the Secretary of State, in the Secretary's discretion, in a notice published in the Federal Register."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. BALLENGER) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina (Mr. BALLENGER).

##### GENERAL LEAVE

Mr. BALLENGER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, section 527 of the "Foreign Relations Authorization Act, fiscal years 1994 and 1995," sanctions or stops certain U.S. bilateral assistance and U.S. support for assistance from International Financial Institutions for a government of a country that has confiscated a U.S. citizen's property. Nicaragua sadly falls amongst these rules of section 527, but has received Presidential waivers of the sanctions every year since the legislation was enacted.

American citizens have had nearly 12 years to come forward to file property claims with the American embassy. This bill amends section 527 to afford American citizens a reasonable opportunity to file a claim with the American embassy in Managua.

Any American citizen who has not yet filed a property claim with the American embassy will have 120 days after the notice is published in the Federal Register to do so. Any claims already on file or that are filed within the 120-day period can continue to be considered by the State Department in making its annual determination as to whether to apply the waiver or the sanctions authorized under section 527.

This bill would not, however, prevent American citizens from filing property

claims after the 120-day period and seeking help from the American embassy in Managua to engage on their behalf with the Government of Nicaragua regarding their claim.

At the same time, the bill sets a date certain that the Nicaraguan government can look to as an end date for registering new property cases for the purpose of the prohibition on assistance currently in law. This will provide important encouragement for the government of President Enrique Bolanos, who is an ally of the United States. Nicaragua is one of the poorest countries in the Western Hemisphere and continued American assistance to Nicaragua is vitally important.

Mr. Speaker, the Government of Nicaragua has incurred \$236 million in debt to pay these claims. The Bush administration supports the bill. I also want to thank my friend, the gentleman from Massachusetts (Mr. DELAHUNT), for cosponsoring this bill with me. I urge my colleagues to support this resolution.

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

Mr. LANTOS. Mr. Speaker, I rise in support of this resolution, and I yield myself such time as I may consume.

Mr. Speaker, I first would like to applaud the gentleman from Illinois (Mr. HYDE), the chairman of the Committee on International Relations, for expediting consideration of this very important bill in support of President Enrique Bolanos and his administration. I also want to acknowledge the two cosponsors of this bill, the gentleman from North Carolina (Mr. BALLENGER) and the gentleman from Massachusetts (Mr. DELAHUNT), my good friend, who has been one of our leaders on all Western Hemisphere affairs.

Mr. Speaker, the world last year witnessed the constitutional and peaceful transfer of power in Nicaragua from one democratically elected president to another. The inauguration of President Bolanos thus represented the further consolidation of democracy in Nicaragua after many decades of authoritarian rule.

Since his inauguration, President Bolanos and his administration have struggled to reinvigorate the Nicaraguan economy, create jobs, reduce widespread poverty, and battle institutionalized corruption. Although the task is daunting, as Nicaragua remains to this day the second poorest country in the Western Hemisphere after despairingly devastated Haiti, it is not insurmountable with the help of allies like the United States.

H.R. 868 reflects our commitment to assisting Nicaragua in meeting its many challenges in a couple of ways. First, the Nicaragua Property Dispute Settlement Act enables us to bolster the efforts of the Nicaraguan administration to address the claims of U.S. citizens who have had property expropriated by previous Nicaraguan administrations. Equally importantly, our

legislation signals our strong support for the new administration as it attempts to purge Nicaraguan institutions of cronyism and corruption.

As we consider H.R. 868, I am confident that President Bolanos is as resolved as we are to strengthen the ties between our two countries by working together on issues of common concern like voting patterns at the United Nations.

I encourage all of my colleagues to support this bill.

Mr. LANTOS. Mr. Speaker, I am delighted to yield such time as he may consume to the gentleman from Massachusetts (Mr. DELAHUNT), my good friend and distinguished colleague.

Mr. DELAHUNT. Mr. Speaker, I thank the gentleman from California (Mr. LANTOS) for yielding me this time.

Mr. Speaker, a constituent once asked if minor pieces of legislation that we consider on the suspension calendar actually matter, particularly those that concern foreign nations. My response was that it is important to remember, especially in this era of the Internet and instant communication and CNN, that what might appear to be trivial to us is seen quite differently elsewhere and can have significant long-lasting effects. This bill, for example.

While to some it may seem to be an obscure piece of legislation dealing with a tiny, impoverished nation, one that is not on the Security Council, and given the challenges that we face with the war against terrorism and imminent invasion of Iraq, a distressed economy, a health care crisis, it might even seem to be an afterthought. But it is not an afterthought for the people of Nicaragua, and it should not be an afterthought for the United States. In fact, this bill has the potential to be critically important for Nicaragua's future, for Central America's future and, ultimately, for our own future.

As the gentleman from North Carolina (Mr. BALLENGER) indicated, Nicaragua, after Haiti, is the second poorest nation in the hemisphere. It was battered by years of war. It is a place where the magnitude of corruption by the political leadership has been enormous, especially recent ones. Now Nicaragua finally has a president in Enrique Bolanos, an honest man who genuinely wants to make a difference. This bill can help him and that fragile democracy that he presides over.

As the gentleman from California (Mr. LANTOS) and the gentleman from North Carolina (Mr. BALLENGER) have indicated, current U.S. law prevents us from providing certain kinds of foreign aid to countries that have seized the property of American citizens. Never mind that these seizures occurred under previous governments. Never mind that some of these claimants were not U.S. citizens at the time of the seizures, which I believe violates international law; but that is a debate for another day. This legislation changes that.

As the chairman of the subcommittee indicated, after a certain period of time, new claims will no longer prevent Nicaragua from receiving U.S. aid and will not prevent the United States Government from assisting our fellow citizens who seek and deserve justice, and it will not end the Government of Nicaragua's responsibility to settle these claims. But this bill will do much to nurture Nicaragua's efforts to develop its democracy; and it will encourage a new spirit of respect and cooperation between that impoverished nation and the United States.

Mr. Speaker, I want to commend my friend, my colleague, my chairman, the gentleman from North Carolina (Mr. BALLENGER), for introducing this bill. It is just more evidence of his attention to this hemisphere and his love for its people. He and I do not always agree on how to deal with all of our neighbors, but we do agree that they deserve far more of our attention, and our respect. So I am grateful to him for inviting me to cosponsor this important piece of legislation.

□ 1445

Mr. Speaker, it is my hope that the passage of this legislation is followed quickly by an increased program of U.S. assistance to Nicaragua, particularly to develop its judicial system and strengthen its legislative body. While I have full confidence in President Bolanos, it is the development of strong democratic institutions that will allow democracy to prosper and flourish in Nicaragua.

Reports speak of a reconstruction program for Iraq in excess of \$100 billion. For far too long we have failed to adequately engage in our own neighborhood. We cannot continue to ignore our neighbors in Central America, the Caribbean, and South America. To do so, we do so at our own risk.

Once upon a time, Nicaragua was front and center in our policy debates. That war that many in this Chamber spent enormous time and effort on this floor debating and discussing has faded from our memories, and Nicaragua has receded from the spotlight. However, this modest bill, in a rather nuanced and subtle way, will help Nicaragua move closer to the democracy its people so justly deserve and desire. I urge my colleagues to support it.

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

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

The SPEAKER pro tempore (Mr. TERRY). The question is on the motion offered by the gentleman from North Carolina (Mr. BALLENGER) that the House suspend the rules and pass the bill, H.R. 868.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. BALLENGER. 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.

**URGING PASSAGE OF RESOLUTION ADDRESSING HUMAN RIGHTS ABUSES IN NORTH KOREA AT 59TH SESSION OF UNITED NATIONS COMMISSION ON HUMAN RIGHTS**

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 109) urging passage of a resolution addressing human rights abuses in North Korea at the 59th session of the United Nations Commission on Human Rights, and calling on the Government of North Korea to respect and protect the human rights of its citizens, as amended.

The Clerk read as follows:

**H. RES. 109**

Whereas the Democratic People's Republic of Korea (in this preamble referred to as "North Korea") is, in the words of the United States Department of State, "a dictatorship under the absolute rule of the Korean Workers' Party" that "prohibits freedom of speech, the press, assembly, and association . . . [and] restricts freedom of religion, citizens' movements, and worker rights";

Whereas according to the State Department, "[t]he [North Korean] Penal Code is Draconian, stipulating capital punishment and confiscation of assets for a wide variety of 'crimes against the revolution,' including defection, attempted defection, slander of the policies of the party or State, listening to foreign broadcasts, writing 'reactionary' letters, and possessing reactionary printed matter";

Whereas, as noted in the State Department Country Reports on Human Rights Practices, the North Korean regime executes political prisoners, opponents of the regime, some repatriated defectors, some members of underground churches, and others, sometimes at public meetings attended by workers, students, and school children;

Whereas the North Korean regime subjects all its citizens to systematic, intensive political and ideological indoctrination in support of the cult of personality glorifying Kim Jong Il and the late Kim Il Sung which, in the words of the State Department, "approaches the level of a state religion";

Whereas the North Korean regime divides its population into categories, based on perceived loyalty to the Party and the leadership, which determine access to employment, higher education, place of residence, medical facilities, and other resources;

Whereas the North Korean regime attempts to control all information, artistic expression, and academic works inside North Korea and strictly curtails freedom of speech;

Whereas the Government of North Korea holds an estimated 150,000 to 200,000 political prisoners in camps that its State Security Agency manages through the use of forced labor, beatings, torture, and executions, and in which many prisoners also die from disease, starvation, and exposure;

Whereas according to eyewitness testimony provided to the Committee on International Relations of the House of Representatives by camp survivors, camp inmates have been used as sources of slave

labor for the production of export goods, as targets for martial arts practice, and as experimental victims in the testing of chemical and biological poisons;

Whereas according to eyewitness testimony provided to the Committee on International Relations by a camp survivor, female camp prisoners are not permitted to have children and their newborn babies are routinely and brutally killed by camp authorities;

Whereas according to the State Department "[g]enuine religious freedom does not exist" in North Korea and, in the words of the United States Commission on International Religious Freedom, "[t]he North Korean state severely represses public and private religious activities";

Whereas the United States Commission on International Religious Freedom has highlighted "reports that [North Korean] officials have arrested, imprisoned, tortured, and sometimes executed North Korean citizens who were found to have ties with overseas Christian evangelical groups operating across the border in China, as well as those who engaged in such unauthorized religious activities as public religious expression and persuasion";

Whereas according to eyewitness testimony provided to the Committee on International Relations in May 2002, a North Korean prison camp survivor witnessed a group of Christian prisoners being tortured to death in 1990 for refusing to repudiate their faith;

Whereas more than 1,000,000 North Koreans are estimated to have died of starvation since 1995 because of the failure of the centralized agricultural system operated by the Government of North Korea;

Whereas the risk of starvation and the threat of persecution in North Korea have caused many thousands of North Koreans to flee their homeland, primarily into the People's Republic of China;

Whereas the Governments of the People's Republic of China and North Korea have been conducting aggressive campaigns to locate North Koreans who are in the People's Republic of China without permission and to forcibly return them to North Korea;

Whereas North Koreans who seek asylum while in the People's Republic of China are routinely imprisoned and tortured, and in some cases killed, after they are returned to North Korea; and

Whereas the 59th session of the United Nations Commission on Human Rights is scheduled to be held in Geneva, Switzerland from March 17 to April 25, 2003; Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) urges the Secretary of State to support efforts to draft, introduce, and pass a resolution addressing human rights abuses in North Korea at the 59th session of the United Nations Commission on Human Rights;

(2) urges all members of the United Nations Commission on Human Rights to support a resolution addressing human rights abuses in North Korea at the 59th session of the United Nations Commission on Human Rights; and

(3) calls on the Government of the Democratic People's Republic of Korea to respect and protect the human rights of its citizens, such as those recognized in the Universal Declaration of Human Rights.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of this resolution.

I thank our cosponsors for being a part of this, including the gentleman from Virginia (Mr. WOLF), the gentleman from Pennsylvania (Mr. PITTS), the gentleman from Florida (Mr. LINCOLN DIAZ-BALART), the gentleman from Ohio (Mr. CHABOT), the gentleman from Florida (Ms. ROSELEHTINEN), the gentleman from Nebraska (Mr. BEREUTER), the gentleman from Pennsylvania (Mr. HOEFFEL), the gentleman from Florida (Mr. WEXLER), the gentleman from Massachusetts (Mr. MARKEY), the gentlewoman from Guam (Ms. BORDALLO), the gentleman from Iowa (Mr. LEACH), the gentleman from American Samoa (Mr. FALEOMAVAEGA), the gentleman from California (Mr. GALLEGLY), and the gentleman from Tennessee (Mr. WAMP), a good cross-section of Members, a bipartisan group, supporting House Resolution 109.

Mr. Speaker, the Government of North Korea is an historical anachronism, a totalitarianist Stalinist regime under the control of the Korean Workers Party, the so-called Dear Leader, or Kim Jong-Il, a man who demands god-like reverence and enjoys a decadent, opulent lifestyle while hundreds of thousands of children and their parents starve to death.

His regime, his dictatorship, Mr. Speaker, is one of the worst systematic abusers of human rights in the world today. Inside North Korea, there are no genuine freedoms of speech, religion, or assembly. The penal code imposes a penalty of death for a wide variety of crimes against the revolution, including defection, attempted defection, slander of party policy, listening to foreign broadcasts, and imagine that, one listens to a radio show and one can be charged with crimes against the revolution, and writing letters or possessing printed material that is considered reactionary.

The regime maintains an extensive system, Mr. Speaker, of political prison camps that hold an estimated 200,000 prisoners, including entire families of those suspected of disloyalty toward the dictatorship.

As confirmed by eyewitness testimony presented before the Committee on International Relations last year, camp conditions are horrific. Starvation, overwork, and disease kill most of the camp inmates. Others are used as targets for martial arts practice or as guinea pigs for lethal tests of chemical weapons.

Christians are tortured to death for refusing to renounce their faith in one who is greater than the Dear Leader. Female prisoners are not allowed to bear additional children, and their newborns are routinely and brutally killed before their eyes, usually by smothering or having their necks broken.