

following a cult of personality, and threatens international security through the reckless use of its nuclear weapons program. President Bush was clearly correct in labeling North Korea as a nation as part of the "axis of evil."

An estimated 150,000 to 200,000 political prisoners in North Korea are held in camps where they are subjected to torture, forced labor, starvation, and execution. Prisoners in these camps include thousands who attempted to flee the country to avoid starvation, but were returned to North Korea, regrettably, by the Chinese. Eye witnesses from these camps have testified before a hearing that the gentleman from Iowa (Chairman LEACH) held on the subcommittee and told us horrific stories of savage torture, forced abortions, and persecution of Christians. Mothers have seen their newborn children killed right in front of their very eyes by North Korean prison guards.

Madam Speaker, H.R. 4011 also provides additional support and protection for the courageous North Koreans who have been able to escape by clarifying that North Koreans are eligible to apply for U.S. refugee and asylum consideration, and designating North Koreans who have been persecuted or mistreated by the North Koreans as a priority 2 group of special humanitarian concern to the United States. H.R. 4011 also underscores China's obligation to provide UNHCR with access to North Koreans in China and urges the UNHCR to assert its right to arbitration with China in an effort to secure access to North Koreans in China.

This is a very, very important human rights bill. Again, I want to commend the chairman for his extraordinary leadership in bringing it to the body today.

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

In conclusion, let me just stress as strongly as I can that the regime in North Korea is one of the most difficult in the world. Economically, it is based upon the selling of weapons, the selling of drugs, and the selling of counterfeit money. We would like what is best for the North Korean people, that is, the possibility that this regime can come into this new century in a way that is acceptable in behavior to the international community and, therefore, in a manner that gives hope and prosperity to the North Korean people.

We would like a rogue state that, quite frankly, is partly a criminal state, to become a civilized community. But we have nothing in this bill that is aimed at doing anything except providing incentives for a regime to do better and for a society to be better off. With that emphasis on a humanitarian goal, not a geo-strategic one, a humanitarian one, we urge the greatest possible support from this body and for a new policy and a new kind of era for United States and North Korean relations.

Mr. ROYCE. Madam Speaker, I rise in support of H.R. 4011, the North Korea Human

Rights Act, of which I am an original cosponsor.

I would like to commend the gentleman from Iowa, Mr. LEACH, and thank the leadership for expeditiously bringing this bill to the floor.

Madam Speaker, the House passed this legislation unanimously in July. Last week, the other body passed this bill with minor changes. With its passage today, this important piece of legislation heads to the President's desk.

This legislation has been years in the making. In May 2002, the Asia Subcommittee held the first of our hearings that have focused on the humanitarian plight in North Korea. At this hearing and others, our committee heard testimony from North Korean defectors. As Chairman of the US-Republic of Korea Inter-parliamentary Exchange, I have led Congressional delegations to Seoul where we have met with defectors lucky enough to escape the regime of Kim Jong Il. Here we heard firsthand accounts of the brutal conditions that face the average North Korean—where the regime apports and withholds food based on perceived citizen loyalty to Kim Jong Il. These meetings and hearings have helped to lay the foundation for this legislation.

Madam Speaker, much has been made about the best way to approach North Korea, which poses a nuclear threat. I believe that there is a strong consensus to bring about change in North Korea. This legislation makes it clear that human rights conditions in North Korea should remain a key element in future negotiations between the United States, North Korea, and other concerned parties in Northeast Asia.

In order to ensure his survival, Kim Jong Il tries to keep an iron grip on all information in North Korea. U.S. backed Radio Free Asia is working to counter Kim Jong Il's propaganda, bringing objective news to the North Korean people. Surveys indicate that North Korean defectors are listening to RFA's broadcasts. A former North Korean military officer tells the story of one official shouting to another during a policy debate, "You . . . must listen to [the] radio coming from the outside world! Then you will know that we have been living like frogs in a well! [with blinders on]."

That is why this bill calls for an increase of radio broadcasts into North Korea to twelve hours per day. And because of the problem of access to suitable radios in North Korea, the legislation requests a report detailing the steps the U.S. government is taking to increase the availability of information inside North Korea—including the provision of radios. This should maximize North Koreans access to foreign broadcasts like Radio Free Asia. The stakes couldn't be higher. We are talking about helping to free people and by doing so, improving our security.

This legislation is a responsible initiative to promote human rights, refugee protection, and increased transparency in the delivery of humanitarian aid to the North Korean people. It deserves our support.

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

The SPEAKER pro tempore (Mrs. BLACKBURN). The question is on the motion offered by the gentleman from Iowa (Mr. LEACH) that the House suspend the rules and concur in the Senate amendment to H.R. 4011.

The question was taken; and (two-thirds having voted in favor thereof)

the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

URGING GOVERNMENT OF UKRAINE TO ENSURE DEMOCRATIC, TRANSPARENT, AND FAIR ELECTIONS PROCESS FOR PRESIDENTIAL ELECTION ON OCTOBER 31, 2004

Mrs. JO ANN DAVIS of Virginia. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 415) urging the Government of Ukraine to ensure a democratic, transparent, and fair election process for the presidential election on October 31, 2004, as amended.

The Clerk read as follows:

H. CON. RES. 415

Whereas the establishment of a democratic, transparent, and fair election process for the 2004 presidential election in Ukraine and of a genuinely democratic political system are prerequisites for that country's full integration into the Western community of nations as an equal member, including into organizations such as the North Atlantic Treaty Organization (NATO);

Whereas the Government of Ukraine has accepted numerous specific commitments governing the conduct of elections as a participating State of the Organization for Security and Cooperation in Europe (OSCE), including provisions of the Copenhagen Document;

Whereas the election on October 31, 2004, of Ukraine's next president will provide an unambiguous test of the extent of the Ukrainian authorities' commitment to implement these standards and build a democratic society based on free elections and the rule of law;

Whereas this election takes place against the backdrop of previous elections that did not fully meet international standards and of disturbing trends in the current pre-election environment;

Whereas it is the duty of government and public authorities at all levels to act in a manner consistent with all laws and regulations governing election procedures and to ensure free and fair elections throughout the entire country, including preventing activities aimed at undermining the free exercise of political rights;

Whereas a genuinely free and fair election requires a period of political campaigning conducted in an environment in which neither administrative action nor violence, intimidation, or detention hinder the parties, political associations, and the candidates from presenting their views and qualifications to the citizenry, including organizing supporters, conducting public meetings and events throughout the country, and enjoying unimpeded access to television, radio, print, and Internet media on a non-discriminatory basis;

Whereas a genuinely free and fair election requires that citizens be guaranteed the right and effective opportunity to exercise their civil and political rights, including the right to vote and the right to seek and acquire information upon which to make an informed vote, free from intimidation, undue influence, attempts at vote buying, threats of political retribution, or other forms of coercion by national or local authorities or others;

Whereas a genuinely free and fair election requires government and public authorities

to ensure that candidates and political parties enjoy equal treatment before the law and that government resources are not employed to the advantage of individual candidates or political parties;

Whereas a genuinely free and fair election requires the full transparency of laws and regulations governing elections, multiparty representation on election commissions, and unobstructed access by candidates, political parties, and domestic and international observers to all election procedures, including voting and vote-counting in all areas of the country;

Whereas increasing control and manipulation of the media by national and local officials and others acting at their behest raise grave concerns regarding the commitment of the Ukrainian authorities to free and fair elections;

Whereas efforts by the national authorities to limit access to international broadcasting, including Radio Liberty and the Voice of America, represent an unacceptable infringement on the right of the Ukrainian people to independent information;

Whereas efforts by national and local officials and others acting at their behest to impose obstacles to free assembly, free speech, and a free and fair political campaign have taken place in Donetsk, Sumy, and elsewhere in Ukraine without condemnation or remedial action by the Ukrainian Government;

Whereas numerous substantial irregularities have taken place in recent Ukrainian parliamentary by-elections in the Donetsk region and in mayoral elections in Mukacheve, Romny, and Krasnyi Luch; and

Whereas the intimidation and violence during the April 18, 2004, mayoral election in Mukacheve, Ukraine, represent a deliberate attack on the democratic process: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) acknowledges and welcomes the strong relationship formed between the United States and Ukraine since the restoration of Ukraine's independence in 1991;

(2) recognizes that a precondition for the full integration of Ukraine into the Western community of nations, including as an equal member in institutions such as the North Atlantic Treaty Organization (NATO), is its establishment of a genuinely democratic political system;

(3) expresses its strong and continuing support for the efforts of the Ukrainian people to establish a full democracy, the rule of law, and respect for human rights in Ukraine;

(4) urges the Government of Ukraine to guarantee freedom of association and assembly, including the right of candidates, members of political parties, and others to freely assemble, to organize and conduct public events, and to exercise these and other rights free from intimidation or harassment by local or national officials or others acting at their behest;

(5) urges the Government of Ukraine to meet its Organization for Security and Cooperation in Europe (OSCE) commitments on democratic elections and to address issues previously identified by the Office of Democratic Institutions and Human Rights (ODIHR) of the OSCE in its final reports on the 2002 parliamentary elections and the 1999 presidential elections, such as illegal interference by public authorities in the campaign and a high degree of bias in the media;

(6) urges the Ukrainian authorities to ensure—

(A) the full transparency of election procedures before, during, and after the 2004 presidential elections;

(B) free access for Ukrainian and international election observers;

(C) multiparty representation on all election commissions;

(D) unimpeded access by all parties and candidates to print, radio, television, and Internet media on a non-discriminatory basis;

(E) freedom of candidates, members of opposition parties, and independent media organizations from intimidation or harassment by government officials at all levels via selective tax audits and other regulatory procedures, and in the case of media, license revocations and libel suits, among other measures;

(F) a transparent process for complaint and appeals through electoral commissions and within the court system that provides timely and effective remedies; and

(G) vigorous prosecution of any individual or organization responsible for violations of election laws or regulations, including the application of appropriate administrative or criminal penalties;

(7) further calls upon the Government of Ukraine to guarantee election monitors from the ODIHR, other participating States of the OSCE, Ukrainian political parties, candidates' representatives, nongovernmental organizations, and other private institutions and organizations, both foreign and domestic, unobstructed access to all aspects of the election process, including unimpeded access to public campaign events, candidates, news media, voting, and post-election tabulation of results and processing of election challenges and complaints;

(8) strongly encourages the President to fully employ the diplomatic and other resources of the Government of the United States to ensure that the election laws and procedures of Ukraine are faithfully adhered to by all local and national officials, by others acting at their behest, and by all candidates and parties, during and subsequent to the presidential campaign and election-day voting;

(9) strongly encourages the President to clearly communicate to the Government of Ukraine, to all parties and candidates, and to the people of Ukraine the high importance attached by the Government of the United States to this presidential campaign as a central factor in determining the future relationship between the two countries; and

(10) pledges its enduring support and assistance to the Ukrainian people's establishment of a fully free and open democratic system, their creation of a prosperous free market economy, their establishment of a secure independence and freedom from coercion, and their country's assumption of its rightful place as a full and equal member of the Western community of democracies.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Virginia (Mrs. JO ANN DAVIS) and the gentleman from Florida (Mr. WEXLER) each will control 20 minutes.

The Chair recognizes the gentlewoman from Virginia (Mrs. JO ANN DAVIS).

GENERAL LEAVE

Mrs. JO ANN DAVIS of Virginia. Madam 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 concurrent resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

Mrs. JO ANN DAVIS of Virginia. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H. Con. Res. 415 regarding free and fair elections in Ukraine. I want to commend the gentleman from Illinois (Chairman HYDE) for introducing this important and timely resolution and thank the ranking Democrat of the full committee, the gentleman from California (Mr. LANTOS), for his strong support.

On October 31, the people of Ukraine will go to the polls to participate in an election for their next president. The development of a strong democracy in Ukraine has been slow and difficult over the past 13 years by any measure. However, no issue will be more important to Ukraine's future standing with the West than the strength of its democracy. Therefore, this election, in many ways represents a historic opportunity for the people of Ukraine to decide whether or not democracy can flourish in this important nation.

Ukraine has an obvious need to maintain positive relations with its neighbor, Russia. But with its resources and economic potential, Ukraine can and should be an important element in the further stabilization of Europe. However, its long-term commitment to democracy is the only way Ukraine can become a full partner with the democracies of the Euro-Atlantic community. Because of the importance of relations between Ukraine and the West, Ukraine has been reassured time and again that the door to the West remains open. This month will be a crucial test of whether the Ukrainian people and their government are willing to make the effort to walk through that door.

Regrettably, recent statements and actions by some in the current political leadership have raised concerns in the international community and in this Congress about whether this election will be open and fair. Based on problems witnessed in the past elections in Ukraine, I believe it is important that Ukraine's leaders understand that this election will be regarded as a litmus test of Ukraine's commitment to democracy and to its future in Europe.

It seems incomprehensible to me that with the rocky relationship the West has had at times with the outgoing leadership in Kiev, that either of the major candidates running for election would want his victory tainted by an unfair electoral process, biased media coverage, and even thuggery.

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Why would the next President of Ukraine want to spend the next 5 years under a cloud of legitimacy?

Many visitors to Ukraine, including several from this House over the past few months, have raised the issue of free and fair elections. All have been reassured by President Kuchma, Prime Minister Yanukovich, Foreign Minister

Gryshchenko, and Speaker of the Parliament, Lytvyn, that every effort will be made to meet the government's commitment for a free and fair election. I am afraid, however, that in many instances thus far, the rhetoric has not been matched by the actions.

At the Subcommittee on Europe markup of this resolution in June, our former subcommittee chairman, Doug Bereuter, noted that they would hold those government officials to their word. We know that Ukraine's leaders have heard our message, but we are concerned that some of them are not taking that message seriously.

H. Con. Res. 415 notes the importance of the presidential election to the success of Ukraine's transition to democracy. The resolution addresses reports of government harassment of those who support opposition candidates and of threats and violence against opposition leaders and their families. It speaks to allegations of harassment of independent media in Ukraine and about allegations of possible outright election fraud.

The resolution stresses how important it will be for President Kuchma and other senior officials to take active steps to ensure that the kinds of foul play seen in past elections do not become the norm during the remainder of this presidential election.

Finally, the manager's amendment which has been included also includes language calling on the United States Government to ensure that all of Ukraine's election laws are being followed by the presidential candidates and those working on their behalf.

Mr. Speaker, we in the Congress remain committed to assisting Ukraine in building a stable, democratic and prosperous nation. What better way for President Kuchma to leave office than to ensure that the people of Ukraine have a free and fair choice as to who will lead them over the next 5 years?

We hope the elections in just a few weeks' time will prove that Ukraine too shares these same goals.

I urge adoption of this resolution.

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

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

Mr. Speaker, I rise in strong support of this resolution. Mr. Speaker, I want to thank my friends and colleagues, the gentleman from California (Mr. LANTOS), the gentleman from Illinois (Mr. HYDE), the gentleman from New Jersey (Mr. SMITH) and Doug Bereuter for sponsoring this important resolution, as well as the gentlewoman from Virginia (Mrs. JO ANN DAVIS).

Mr. Speaker, this resolution reaffirms U.S. Congressional support for the democratic aspirations of the Ukrainian people and the establishment of a genuine democracy in Ukraine. Given the importance of Ukraine to the stability of southeastern Europe and the strong ties between the Ukrainian and American people, we must make every effort to

put the relationship between our two nations on a strong and democratic footing.

Unfortunately, the conduct of the previous parliamentary and presidential elections in Ukraine was judged to be flawed by the Organization for Security and Cooperation in Europe. We in Congress had hoped that the Government of Ukraine had learned from its past mistakes, but all the evidence collected so far about the conduct of this year's presidential campaign points otherwise.

As the Ukrainian presidential election approaches in just 3 weeks, the prospect for the election to be free and fair seems bleak.

Despite high-level protests by the United States government and the Congress over the continued manipulation and control of the media by national and local Ukrainian officials, these violations have continued unabated and raise grave concerns regarding the commitment of the Ukrainian Government to free and fair elections.

I am also uneasy about the efforts of the Government of the Russian Federation to tilt the election in favor of the presidential candidate from the ruling party.

Mr. Speaker, Ukraine has been a country at the crossroads for the past 12 years. This election will show the world whether the Ukrainian Government is committed to democracy and the rule of law. It will also serve as an indicator of the Ukraine's readiness to become a valuable member of the Western community of democracies.

Congressional consideration of this resolution today, just 3 weeks before the presidential election, sends an important message to the Ukrainian electorate and the Ukrainian political elite that the U.S. Congress cares deeply about the political future of Ukraine.

Mr. Speaker, the United States seeks a strong and lasting relationship with Ukraine. Ukraine has already shown its good will by joining coalition forces in Iraq. However, history has shown that the most enduring and fruitful alliances can be sustained between genuine democracies which share the same values and aspirations.

I would like to express my sincere hope that Ukraine will succeed in conducting a democratic and fair election. Ukraine will then be on a firm path of becoming a full-fledged member of Europe.

I strongly urge my colleagues to support this resolution.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield as much time as he may consume to my colleague the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, I am very pleased that the House moved to the timely consideration of H. Con. Res. 415, which calls upon the government of Ukraine to ensure a democratic, transparent and fair election process for that country's presidential elections that are about to take place on October 31. As chairman

of the Helsinki Commission, I join the gentleman from Illinois (Chairman HYDE) in sponsoring this important resolution. H. Con. Res. 415 makes clear the expectation that Ukrainian authorities should, consistent with their own laws and international agreements, ensure an election process that enables all of the candidates to compete on a level playing field.

International attention, Mr. Speaker, is now rightly focused on ensuring free, fair, open and transparent presidential elections on October 31, with a second round likely on November 21. These elections are critically important to the future of Ukraine, yet we see on a daily basis an election campaign that seriously calls into question Ukraine's commitment to OSCE principles.

Without exaggeration, Ukraine is facing a critical election, a choice not only between Euro-Atlantic integration versus reintegration into the former Soviet Eurasian space, but a choice between further development toward a European-style democracy, such as in Poland or Hungary, versus the increasingly authoritarian system that prevails in Russia today.

Unfortunately, the pre-election environment in Ukraine gives great cause for concern. Ukrainian voters clearly are not receiving balanced and objective information about all of the candidates in the race. Ukraine's state-owned television channels are heavily biased against the democratic opposition candidate, Viktor Yushchenko, who is leading in the polls nevertheless.

Independent media providing Ukrainians with objective information about the campaign, including channel 5, are being shut down in various regions. Journalists who do not follow the secret instructions from the presidential administration, it is called *temnyky*, are harassed and even fired. Given the stakes in these elections, Mr. Speaker, we should not be surprised that the ruling regime has launched an all-out campaign against the free media and against the opposition, the most recent of numerous examples being the highly suspicious poisoning of Viktor Yushchenko.

In addition, numerous obstacles to a free and fair political campaign have been placed by the national authorities, including intimidation of citizens, candidates and campaigns, the harassment of citizen expressions of political views, and the illegal use of State resources to promote the candidacy of Prime Minister Viktor Yanukovich.

Equal conditions for candidates, including unimpeded access to media, and an end to the intimidation and harassment of candidates and citizens must be provided during the remainder of the presidential campaign and will be key in determining whether or not the Ukrainian presidential elections will be judged as free and fair by the OSCE and the international community.

The elections will be a watershed for the future direction of that country.

Ukraine has tremendous potential. An independent, democratic Ukraine where the rule of law prevails is vital to the security and stability of Europe. Ukrainian authorities need to radically improve the election environment, however, if there is to be hope for these elections to meet those standards.

Mr. Speaker, this resolution urges the Ukrainian government to guarantee freedom of association and assembly, and it is not guaranteed now; ensure full transparency of the election process; free access for Ukrainian and international election observers; and unimpeded access by all candidates to the media on a nondiscriminatory basis.

I urge all Members to support this.

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

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MURPHY). The question is on the motion offered by the gentlewoman from Virginia (Mrs. JO ANN DAVIS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 415, as amended.

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

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF S. 878, CREATING ADDITIONAL FEDERAL COURT JUDGESHIPS

Mr. SESSIONS (during consideration of H. Con. Res. 415) from the Committee on Rules, submitted a privileged report (Rept. No. 108-723) on the resolution (H. Res. 814) providing for consideration of the bill (S. 878) to authorize an additional permanent judgeship in the district of Idaho, and for other purposes, which was referred to the House Calendar and ordered to be printed.

BELARUS DEMOCRACY ACT OF 2004

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 854) to provide for the promotion of democracy, human rights, and rule of law in the Republic of Belarus and for the consolidation and strengthening of Belarus sovereignty and independence, as amended.

The Clerk read as follows:

H.R. 854

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 "Belarus Democracy Act of 2004".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The United States supports the promotion of democracy, respect for human rights, and the rule of law in the Republic of Belarus consistent with its commitments as a participating state of the Organization for Security and Cooperation in Europe (OSCE).

(2) The United States has a vital interest in the independence and sovereignty of the Republic of Belarus and its integration into the European community of democracies.

(3) In November 1996, Lukashenka orchestrated an illegal and unconstitutional referendum that enabled him to impose a new constitution, abolish the duly-elected parliament, the 13th Supreme Soviet, install a largely powerless National Assembly, and extend his term of office to 2001.

(4) Democratic forces in Belarus have organized peaceful demonstrations against the Lukashenka regime in cities and towns throughout Belarus which led to beatings, mass arrests, and extended incarcerations.

(5) Victor Gonchar, Anatoly Krasovsky, and Yuri Zakharenka, who have been leaders and supporters of the democratic forces in Belarus, and Dmitry Zavadsky, a journalist known for his critical reporting in Belarus, have disappeared and are presumed dead.

(6) Former Belarus Government officials have come forward with credible allegations and evidence that top officials of the Lukashenka regime were involved in the disappearances.

(7) The Belarusian authorities have mounted a major systematic crackdown on civil society through the closure, harassment, and repression of nongovernmental organizations, and independent trade unions.

(8) The Belarusian authorities actively suppress freedom of speech and expression, including engaging in systematic reprisals against independent media.

(9) The Lukashenka regime has reversed the revival of Belarusian language and culture, including through the closure of the National Humanities Lyceum, the last remaining high school where classes were taught in the Belarusian language.

(10) The Lukashenka regime harasses the autocephalic Belarusian Orthodox Church, the Roman Catholic Church, the Jewish community, the Hindu Lights of Kalyasa community, evangelical Protestant churches (such as Baptist and Pentecostal groups), and other minority religious groups.

(11) The Law on Religious Freedom and Religious Organizations, passed by the National Assembly and signed by Lukashenka on October 31, 2002, establishes one of the most repressive legal regimes in the OSCE region, severely limiting religious freedom and placing excessively burdensome government controls on religious practice.

(12) The parliamentary elections of October 15, 2000, and the presidential election of September 9, 2001, were determined to be fundamentally unfair and nondemocratic.

(13) The Government of Belarus has made no substantive progress in addressing criteria established by the OSCE in 2000, ending repression and the climate of fear, permitting a functioning independent media, ensuring transparency of the elections process, and strengthening of the functions of parliament.

SEC. 3. ASSISTANCE TO PROMOTE DEMOCRACY AND CIVIL SOCIETY IN BELARUS.

(a) PURPOSES OF ASSISTANCE.—The assistance under this section shall be available for the following purposes:

(1) To assist the people of the Republic of Belarus in regaining their freedom and to enable them to join the European community of democracies.

(2) To encourage free and fair presidential, parliamentary, and local elections in

Belarus, conducted in a manner consistent with internationally accepted standards and under the supervision of internationally recognized observers.

(3) To assist in restoring and strengthening institutions of democratic governance in Belarus.

(b) AUTHORIZATION FOR ASSISTANCE.—To carry out the purposes of subsection (a), the President is authorized to furnish assistance and other support for the activities described in subsection (c), to be provided primarily for indigenous Belarusian groups that are committed to the support of democratic processes.

(c) ACTIVITIES SUPPORTED.—Activities that may be supported by assistance under subsection (b) include—

(1) the observation of elections and the promotion of free and fair electoral processes;

(2) development of democratic political parties;

(3) radio and television broadcasting to and within Belarus;

(4) the development of nongovernmental organizations promoting democracy and supporting human rights;

(5) the development of independent media working within Belarus and from locations outside the country and supported by nonstate-controlled printing facilities;

(6) international exchanges and advanced professional training programs for leaders and members of the democratic forces in skill areas central to the development of civil society; and

(7) other activities consistent with the purposes of this Act.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to the President to carry out this section such sums as may be necessary for each of the fiscal years 2005 and 2006.

(2) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to the authorization of appropriations under paragraph (1) are authorized to remain available until expended.

SEC. 4. RADIO BROADCASTING TO BELARUS.

(a) PURPOSE.—It is the purpose of this section to authorize increased support for United States Government and surrogate radio broadcasting to the Republic of Belarus that will facilitate the unhindered dissemination of information.

(b) AUTHORIZATION OF APPROPRIATIONS.—In addition to such sums as are otherwise authorized to be appropriated, there are authorized to be appropriated such sums as may be necessary for fiscal year 2005 and each subsequent fiscal year for radio broadcasting to the people of Belarus in languages spoken in Belarus.

SEC. 5. SENSE OF CONGRESS RELATING TO SANCTIONS AGAINST BELARUS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the sanctions described in subsection (c) should apply with respect to the Republic of Belarus until the President determines and certifies to the appropriate congressional committees that the Government of Belarus 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) The release of individuals in Belarus who have been jailed based on political or religious beliefs.

(2) The withdrawal of politically motivated legal charges against all opposition figures and independent journalists in Belarus.

(3) A full accounting of the disappearances of opposition leaders and journalists in Belarus, including Victor Gonchar, Anatoly Krasovsky, Yuri Zakharenka, and Dmitry Zavadsky, and the prosecution of those individuals who are responsible for their disappearances.