

during the preceding year, including descriptions of—

“(A) acts of physical violence against, or harassment of Jewish people, and acts of violence against, or vandalism of Jewish community institutions, including schools, synagogues, and cemeteries;

“(B) instances of propaganda in government and nongovernment media that attempt to justify or promote racial hatred or incite acts of violence against Jewish people;

“(C) the actions, if any, taken by the government of the country to respond to such violence and attacks or to eliminate such propaganda or incitement;

“(D) the actions taken by such government to enact and enforce laws relating to the protection of the right to religious freedom of Jewish people; and

“(E) the efforts of such government to promote anti-bias and tolerance education;”;

(2) after the fourth sentence of section 502B(b) (22 U.S.C. 2304(b)), by inserting the following new sentence: “Wherever applicable, a description of the nature and extent of acts of anti-Semitism and anti-Semitic incitement that occur, including the descriptions of such acts required under section 116(d)(8).”.

(b) INCLUSION IN ANNUAL REPORT ON INTERNATIONAL RELIGIOUS FREEDOM.—Section 102(b)(1)(A) of the International Religious Freedom Act of 1998 (22 U.S.C. 6412(b)(1)(A)) is amended—

(1) in clause (ii), by striking “and” at the end;

(2) in clause (iii), by striking the period at the end and inserting “; and”; and

(3) by adding after clause (iii) the following new clause:

“(iv) wherever applicable, an assessment and description of the nature and extent of acts of anti-Semitism and anti-Semitic incitement that occur in that country during the preceding year, including—

“(I) acts of physical violence against, or harassment of, Jewish people, acts of violence against, or vandalism of, Jewish community institutions, and instances of propaganda in government and nongovernment media that incite such acts; and

“(II) the actions taken by the government of that country to respond to such violence and attacks or to eliminate such propaganda or incitement, to enact and enforce laws relating to the protection of the right to religious freedom of Jewish people, and to promote anti-bias and tolerance education.”.

(c) EFFECTIVE DATE OF INCLUSIONS.—The amendments made by subsections (a) and (b) shall apply beginning with the first report under sections 116(d) and 502B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d) and 2304(b)) and section 102(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6312(b)) submitted more than 180 days after the date of the enactment of this Act.

Mr. SMITH of Michigan (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

The amendment was agreed to.

Mr. SMITH of New Jersey. Mr. Speaker, I am very pleased that today our amended version of S. 2292, the Global Anti-Semitism Review Act of 2004, is on the floor of the House for consideration. Senator VOINOVICH is to be commended for introducing and securing successful passage of S. 2292, as he is a tireless ally in our efforts to eradicate anti-Semi-

tism. In support of his efforts, I introduced the House version, H.R. 4214, in April.

Realizing now is the time to act, Senator VOINOVICH, Congressman LANTOS and myself have since discussed ways to further strengthen the Global Anti-Semitism Review Act. Working in concert, we amended the text to add mechanisms to improve and strengthen the ability of our government to combat the evil of anti-Semitism.

The amended version, Mr. Speaker, maintains the State Department report on global anti-Semitism envisioned by Senator VOINOVICH. This report will set a benchmark as to the individual records of countries around the globe. The report, due for release no later than November 15, 2004, will examine the number of acts of physical violence against Jews or vandalism of Jewish community institutions and government responses to such actions. In addition, the report will detail steps taken by governments to protect the religious freedoms of Jewish people and describe governmental efforts to promote anti-bias and tolerance education.

Recognizing the role of media in encouraging anti-Semitic acts, the amended version also adds coverage of propaganda in government and nongovernment media that attempt to incite acts of violence against Jews. The importance of this issue was hammered home by James Tisch, Chairman of the Conference of Presidents of Major American Jewish Organizations, at a Helsinki Commission hearing on governmental responses to anti-Semitism in the OSCE region. He said: “[T]he Arab man in the street . . . doesn’t stand a chance of being anything but [fiercely anti-Semitic], considering the barrage of hatred and venom about Jews to which he is constantly exposed. This river of lies flows from his leaders, his newspapers and his television set. The Arab media and the governments that sponsor and tolerate this flood of poison are to blame. This isn’t about politics; it’s about an ocean of hatred.”

Mr. Speaker, we must push all governments to ensure their media are not adding fuel to the fire of anti-Semitism. By including coverage of domestic media, we make the one time global report on anti-Semitism more complete by exposing the source of an enormous amount of anti-Semitic vitriol.

The amended version of S. 2292 is stronger in other ways, foremost by mandating the creation of the Office to Monitor and Combat Anti-Semitism in the State Department and creating the position of Special Envoy for Monitoring and Combating Anti-Semitism. A point person specifically tasked with focusing on anti-Semitism will increase our ability to respond quickly and effectively when incidents arise. In addition, the Special Envoy can be double-hatted with another position, thereby giving the Department flexibility in its appointment. The office will also be involved in the drafting of the appropriate sections of the human rights and religious freedom reports. Considering anti-Semitism plagues all regions of the world, this special office will ensure that the United States resolutely denounces acts of anti-Semitism whenever and wherever they occur.

Concerning State Department reports, our amended version of S. 2292 will establish standards for the reporting on anti-Semitism when appropriate in the human rights and religious freedom reports. While our embassy

staff labor tirelessly to ensure the human rights and religious freedom reports accurately cover the issue of anti-Semitism, I was concerned with the unevenness of reporting. The amendment will standardize coverage in the two reports, requiring the examination of: physical violence against Jews or vandalism of Jewish community institutions; propaganda in government and nongovernment media that attempt to incite acts of violence against Jews; governmental responses to violence or propaganda; governmental actions to enact and enforce laws relating to the protection of religious freedom of Jews; and governmental efforts to promote anti-bias and tolerance education.

By setting forth criteria for the Department, it will aid our embassies in more thoroughly covering the issue of anti-Semitism and ensure it receives the attention it deserves.

Again, I want to thank our leadership for making passage of this bill a priority. Their steadfast support, as well as the unwavering support from the Bush Administration, has greatly aided our efforts to fight anti-Semitism across the globe.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### RESOLUTION OF THE ETHIOPIA-ERITREA BORDER DISPUTE ACT OF 2003

Mr. SMITH of Michigan. Mr. Speaker, I ask unanimous consent that the Committee on International Relations be discharged from further consideration of the bill (H.R. 2760) to limit United States assistance for Ethiopia and Eritrea if those countries are not in compliance with the terms and conditions of agreements entered into by the two countries to end hostilities and provide for a demarcation of the border between the two countries, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 2760

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 “Resolution of the Ethiopia-Eritrea Border Dispute Act of 2003”.

#### SEC. 2. DEFINITIONS.

In this Act:

(1) ALGIERS AGREEMENTS.—The term “Algiers Agreements” means the Cessation of Hostilities Agreements and the Comprehensive Peace Agreement.

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

(3) CESSATION OF HOSTILITIES AGREEMENT.—The term “Cessation of Hostilities Agreement” means the Agreement on the Cessation of Hostilities signed on June 18, 2000, in Algiers, Algeria, by the Government of Ethiopia and the Government of Eritrea that

established a temporary demilitarized security zone within Eritrea to be enforced by the United Nations Peacekeeping Mission in Ethiopia and Eritrea (UNMEE).

(4) **COMPREHENSIVE PEACE AGREEMENT.**—The term “Comprehensive Peace Agreement” means the agreement signed on December 12, 2000, in Algiers, Algeria, by the Government of Ethiopia and the Government of Eritrea, under the auspices of the Organization of African Unity (OAU), that provided for an end to military hostilities between the two countries, assurances by the countries to refrain from the threat or use of force against each other, and established a neutral Boundary Commission to delimit and demarcate the border between the two countries.

(5) **ECONOMIC ASSISTANCE.**—The term “economic assistance” means—

(A) assistance under chapter 1 of part I of the Foreign Assistance Act of 1961 (relating to development assistance); and

(B) assistance under chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to economic support fund assistance).

(6) **MILITARY ASSISTANCE AND ARMS TRANSFERS.**—The term “military assistance and arms transfers” means—

(A) assistance under chapter 2 of part II of the Foreign Assistance Act of 1961 (relating to military assistance), including the transfer of excess defense articles under section 516 of that Act;

(B) assistance under chapter 5 of part II of the Foreign Assistance Act of 1961 (relating to international military education and training or “IMET”), including military education and training for civilian personnel under section 541 of that Act (commonly referred to as “Expanded IMET”); and

(C) assistance under the “Foreign Military Financing” Program under section 23 of the Arms Export Control Act and the transfer of defense articles, defense services, design and construction services, or any other defense-related training under that Act.

### SEC. 3. FINDINGS.

Congress makes the following findings:

(1) On May 6, 1998, a conflict erupted between Ethiopia and Eritrea, two of the world’s poorest countries.

(2) The two-year war claimed 100,000 lives, displaced more than 1,000,000 people, cost Ethiopia more than \$2,900,000,000, and caused a 62 percent decline in food production in Eritrea.

(3) Millions of dollars were diverted from much needed development projects into military activities and weapons procurements at a time when severe drought threatened a famine in both Ethiopia and Eritrea, as bad as the famine in 1984 in those countries, putting more than 13,000,000 lives at risk.

(4) On June 18, 2000, Prime Minister Meles Zenawi of the Federal Democratic Republic of Ethiopia and President Issaias Afewerki of the State of Eritrea signed the Cessation of Hostilities Agreement in Algiers, Algeria. On December 12, 2000, the two countries also signed the Comprehensive Peace Agreement in Algiers under the auspices of the Organization of African Unity (OAU) and in the presence of United Nations Secretary General Kofi Annan and President Abdel-Aziz Bouteflika of Algeria.

(5) Article 4.2 of the Comprehensive Peace Agreement states the following: “The parties agree that a neutral Boundary Commission composed of five members shall be established with a mandate to delimit and demarcate the colonial treaty border [between the two countries] based on pertinent colonial treaties (1900, 1902 and 1908) and applicable international law.”

(6) Article 4.15 of the Comprehensive Peace Agreement states the following: “The parties agree that the delimitation and demarcation

determinations of the Commission shall be final and binding. Each party shall respect the border so determined, as well as territorial integrity and sovereignty of the other party.”

(7)(A) The President of the United Nations Security Council, on behalf of the Security Council, confirmed the Security Council’s endorsement of the terms and conditions of the Algiers Agreements, with special reference to the neutral Boundary Commission described in Article 4.2 of the Comprehensive Peace Agreement and its mandate.

(B) In addition, the Security Council reaffirmed its support for the Algiers Agreements in United Nations Security Council Resolution 1308 (July 17, 2000), 1312 (July 31, 2000), 1320 (September 15, 2000), 1344 (March 15, 2001), 1369 (September 14, 2001), 1398 (March 15, 2002), 1430 (August 14, 2002), 1434 (September 6, 2002), and 1466 (March 14, 2003).

(8) On April 13, 2002, the neutral Boundary Commission announced its “Delimitation Decision”, reiterating that both parties had agreed that it would be “final and binding”.

(9) Following the decision of the Boundary Commission that the heavily disputed town of Badme would be zoned to the Eritrean side of the new border, Foreign Minister Seyoum Mesfin of Ethiopia announced on April 15, 2003, that “[n]o-one expects the [G]overnment of Ethiopia to accept these mistakes committed by the Commission”. Further, the Ethiopian Ministry of Information released a statement accusing the Boundary Commission of an “unfair tendency” in implementing the border ruling and “misinterpreting” the Algiers Agreements.

(10) In his March 6, 2003, “Progress Report” to the United Nations Security Council, Secretary General Kofi Annan reported that Prime Minister Zenawi of Ethiopia had expressed to his Special Representative, Legwaila Joseph Legwaila, that “if its concerns were not adequately addressed Ethiopia might eventually reject the demarcation-related decisions of the Commission”.

(11) The independent Boundary Commission has investigated, reviewed, and rejected Ethiopia’s claims with respect to the village of Badme, and in a report issued on March 12, 2003, stated that, based on the boundary line from the 1902 treaty between the two countries that was used as the reference under the terms of the Algiers Agreements, the evidence submitted by the Government of Ethiopia to support its claim was “inadequate and inconsistent” and the Commission “cannot allow one party to claim a territorial right, to insist on adjustments of parts of the boundary with that party finds disadvantageous”.

### SEC. 4. SENSE OF CONGRESS.

It is the sense of Congress that both Ethiopia and Eritrea should take all appropriate actions to implement the Algiers Agreements, including by accepting the “Delimitation Decision” issued by the neutral Boundary Commission on April 13, 2002, with respect to the boundary between the two countries.

### SEC. 5. DECLARATIONS OF POLICY.

Congress makes the following declarations:

(1) Congress expresses its support for the Boundary Commission established by the Comprehensive Peace Agreement and calls on the international community to continue to support the United Nations trust fund established to facilitate the process of demarcation between Ethiopia and Eritrea and the economic and social transition of affected communities to new borders determined by the Commission.

(2) Congress further declares that it shall be the policy of the United States to limit United States assistance for Ethiopia or Eritrea if either such country is not in compli-

ance with, or is not taking significant steps to comply with, the terms and conditions of the Algiers Agreements.

(3) Congress strongly condemns recent statements by senior Ethiopian officials criticizing the Boundary Commission’s decision and calls on the Government of Ethiopia to immediately end its intransigence and fully cooperate with the Commission.

### SEC. 6. LIMITATIONS ON UNITED STATES ASSISTANCE.

(a) **LIMITATION ON ECONOMIC ASSISTANCE.**—Economic assistance may only be provided for Ethiopia or Eritrea for any period of time for which the President determines that Ethiopia or Eritrea (as the case may be) is in compliance with, or is taking significant steps to comply with, the terms and conditions of the Algiers Agreements.

(b) **LIMITATION ON MILITARY ASSISTANCE AND ARMS TRANSFERS.**—Military assistance and arms transfers may only be provided for Ethiopia or Eritrea for any period of time for which the President determines that Ethiopia or Eritrea (as the case may be) is in compliance with, or is taking significant steps to comply with, the terms and conditions of the Algiers Agreements.

(c) **EXCEPTIONS.**—The limitation on assistance under subsections (a) and (b) shall not apply with respect to humanitarian assistance (such as food or medical assistance), peacekeeping assistance, counterterrorism initiatives, assistance to protect or promote human rights, and assistance to prevent, treat, and control HIV/AIDS.

(d) **WAIVER.**—The President may waive the application of subsection (a) or (b) with respect to Ethiopia or Eritrea if the President determines that it is in the national security interests of the United States to do so.

### SEC. 7. REPORTS.

Until the date on which the border demarcation between Ethiopia and Eritrea is finalized, the President shall prepare and transmit on a regular basis to the appropriate congressional committees a report that contains a description of progress being made toward such demarcation, including the extent to which Ethiopia and Eritrea are in compliance with, or are taking significant steps to comply with, the terms and conditions of the Algiers Agreements.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. SMITH OF MICHIGAN

Mr. SMITH of Michigan. Mr. Speaker, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. SMITH of Michigan:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Resolution of the Ethiopia-Eritrea Border Dispute Act of 2004”.

#### SEC. 2. DEFINITIONS.

In this Act:

(1) **ALGIERS AGREEMENTS.**—The term “Algiers Agreements” means the Cessation of Hostilities Agreement and the Comprehensive Peace Agreement.

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

(3) **CESSATION OF HOSTILITIES AGREEMENT.**—The term “Cessation of Hostilities Agreement” means the Agreement on the Cessation of Hostilities signed on June 18, 2000, in Algiers, Algeria, by the Government of Ethiopia and the Government of Eritrea that

established a temporary demilitarized security zone within Eritrea to be enforced by the United Nations Peacekeeping Mission in Ethiopia and Eritrea (UNMEE).

(4) **COMPREHENSIVE PEACE AGREEMENT.**—The term “Comprehensive Peace Agreement” means the agreement signed on December 12, 2000, in Algiers, Algeria, by the Government of Ethiopia and the Government of Eritrea, under the auspices of the Organization of African Unity (OAU), that provided for an end to military hostilities between the two countries, assurances by the countries to refrain from the threat or use of force against each other, and established a neutral Boundary Commission to delimit and demarcate the border between the two countries.

(5) **ECONOMIC ASSISTANCE.**—The term “economic assistance” means—

(A) assistance under chapter 1 of part I of the Foreign Assistance Act of 1961 (relating to development assistance); and

(B) assistance under chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to economic support fund assistance).

(6) **MILITARY ASSISTANCE AND ARMS TRANSFERS.**—The term “military assistance and arms transfers” means—

(A) assistance under chapter 2 of part II of the Foreign Assistance Act of 1961 (relating to military assistance), including the transfer of excess defense articles under section 516 of that Act;

(B) assistance under chapter 5 of part II of the Foreign Assistance Act of 1961 (relating to international military education and training or “IMET”), including military education and training for civilian personnel under section 541 of that Act (commonly referred to as “Expanded IMET”); and

(C) assistance under the “Foreign Military Financing” Program under section 23 of the Arms Export Control Act and the transfer of defense articles, defense services, design and construction services, or any other defense-related training under that Act.

### SEC. 3. FINDINGS.

Congress makes the following findings:

(1) On May 6, 1998, a conflict erupted between Ethiopia and Eritrea, two of the world’s poorest countries.

(2) The two-year war claimed 100,000 lives, displaced more than 1,000,000 people, cost Ethiopia more than \$2,900,000,000, and caused a 62 percent decline in food production in Eritrea.

(3) Millions of dollars were diverted from much needed development projects into military activities and weapons procurements at a time when severe drought threatened a famine in both Ethiopia and Eritrea, as bad as the famine in 1984 in those countries, putting more than 13,000,000 lives at risk.

(4) On June 18, 2000, Prime Minister Meles Zenawi of the Federal Democratic Republic of Ethiopia and President Isaias Afewerki of the State of Eritrea signed the Cessation of Hostilities Agreement in Algiers, Algeria. On December 12, 2000, the two countries also signed the Comprehensive Peace Agreement in Algiers under the auspices of the Organization of African Unity (OAU) and in the presence of United Nations Secretary General Kofi Annan and President Abdel-Aziz Bouteflika of Algeria.

(5) Article 4.2 of the Comprehensive Peace Agreement states the following: “The parties agree that a neutral Boundary Commission composed of five members shall be established with a mandate to delimit and demarcate the colonial treaty border [between the two countries] based on pertinent colonial treaties (1900, 1902 and 1908) and applicable international law.”

(6) Article 4.15 of the Comprehensive Peace Agreement states the following: “The parties agree that the delimitation and demarcation

determinations of the Commission shall be final and binding. Each party shall respect the border so determined, as well as territorial integrity and sovereignty of the other party.”

(7)(A) The President of the United Nations Security Council, on behalf of the Security Council, confirmed the Security Council’s endorsement of the terms and conditions of the Algiers Agreements, with special reference to the neutral Boundary Commission described in Article 4.2 of the Comprehensive Peace Agreement and its mandate.

(B) In addition, the Security Council reaffirmed its support for the Algiers Agreements in United Nations Security Council Resolutions 1312 (July 31, 2000), 1320 (September 15, 2000), 1344 (March 15, 2001), 1369 (September 14, 2001), 1398 (March 15, 2002), 1430 (August 14, 2002), 1434 (September 6, 2002), 1466 (March 14, 2003), 1507 (September 12, 2003), 1531 (March 12, 2004), and 1560 (September 14, 2004).

(8) On April 13, 2002, the neutral Boundary Commission announced its “Delimitation Decision”, reiterating that both parties had agreed that it would be “final and binding”.

(9) Following the decision of the Boundary Commission that the heavily disputed town of Badme would be zoned to the Eritrean side of the new border, Foreign Minister Seyoum Mesfin of Ethiopia announced on April 15, 2003, that “[n]o-one expects the [G]overnment of Ethiopia to accept these mistakes committed by the Commission”. Further, the Ethiopian Ministry of Information released a statement accusing the Boundary Commission of an “unfair tendency” in implementing the border ruling and “misinterpreting” the Algiers Agreements.

(10) In his March 6, 2003, “Progress Report” to the United Nations Security Council, Secretary General Kofi Annan reported that Prime Minister Zenawi of Ethiopia had expressed to his Special Representative, Legwaila Joseph Legwaila, that “if its concerns were not properly addressed Ethiopia might eventually reject the demarcation-related decisions of the Commission”.

(11) On September 19, 2003, Prime Minister Zenawi wrote to United Nations Secretary General Kofi Annan and stated: “As the Commission’s decisions could inevitably lead the two countries into another round of fratricidal war, the Security Council has an obligation, arising out of the UN Charter, to avert such a threat to regional peace and stability.”

(12) On October 3, 2003, the United Nations Security Council wrote to Prime Minister Zenawi and stated: “The members of the Security Council therefore wish to convey to you their deep regret at the intention of the government of Ethiopia not to accept the entirety of the delimitation and demarcation decision as decided by the boundary commission. They note in particular, that Ethiopia has committed itself under the Algiers Agreements to accept the boundary decision as final and binding.”

(13)(A) In an attempt to resolve the continued impasse, United Nations Secretary General Kofi Annan offered his good offices to the two parties and appointed Mr. Lloyd Axworthy, former Minister for Foreign Affairs of Canada, to serve as his Special Envoy for Ethiopia and Eritrea on January 29, 2004.

(B) Despite the assurances of the United Nations Secretary General, including in his Progress Reports of March 6, 2004, and July 7, 2004, that the appointment of the Special Envoy was “not intended to establish an alternative mechanism to the Boundary Commission or to renegotiate its final and binding decision”, President Isaias of Eritrea has refused to meet with the Special Envoy or otherwise engage in political dialogue aimed at resolving the current impasse.

(14) In his July 7, 2004, “Progress Report” to the United Nations Security Council, Secretary General Kofi Annan reported that the Ethiopian Ministry of Foreign Affairs continues to reiterate its position that “the current demarcation line would disrupt the lives of border communities and lead to future conflict”.

(15) In that same report, Secretary General Annan reminded both governments that they themselves “entrusted the Boundary Commission with the entire demarcation process, drew up its mandate and selected its Commissioners” and called upon the Government of Ethiopia to “unequivocally restate its acceptance of the Boundary Commission’s decision, appoint field liaison officers, and pay its dues to and otherwise cooperate fully and expeditiously with the Commission”.

### SEC. 4. SENSE OF CONGRESS.

It is the sense of Congress that Ethiopia and Eritrea—

(1) should take all appropriate actions to implement the Algiers Agreements, including by accepting the “Delimitation Decision” issued by the neutral Boundary Commission on April 13, 2002, with respect to the boundary between the two countries; and

(2) should fully cooperate with the United Nations Special Envoy for Ethiopia-Eritrea, Lloyd Axworthy, whose mandate is the implementation of the Algiers Agreements, the Delimitation Decision of the Boundary Commission, and the relevant resolutions and decisions of the United Nations Security Council.

### SEC. 5. DECLARATIONS OF POLICY.

Congress makes the following declarations:

(1) Congress expresses its support for the Boundary Commission established by the Comprehensive Peace Agreement and calls on the international community to continue to support the United Nations trust fund established to facilitate the process of demarcation between Ethiopia and Eritrea and the economic and social transition of affected communities to new borders determined by the Commission.

(2) Congress further declares that it shall be the policy of the United States to limit United States assistance for Ethiopia or Eritrea if either such country is not in compliance with, or is not taking significant steps to comply with, the terms and conditions of the Algiers Agreements.

(3) Congress strongly condemns statements by senior Ethiopian officials criticizing the Boundary Commission’s decision and calls on the Government of Ethiopia to immediately and unconditionally fulfill its commitments under the Algiers Agreements, publicly accept the Boundary Commission’s decision, and fully cooperate with the implementation of such decision.

(4) Congress recognizes the acceptance by the Government of Eritrea of the Boundary Commission’s decision as final and binding, but condemns the Government of Eritrea’s continued refusal to take advantage of the good offices offered by the United Nations Secretary General, to work with Special Envoy Lloyd Axworthy, or to otherwise engage in dialogue aimed at resolving the current impasse, and calls on the President of Eritrea to do so without further delay.

### SEC. 6. LIMITATIONS ON UNITED STATES ASSISTANCE.

(a) **LIMITATION ON ECONOMIC ASSISTANCE.**—Economic assistance may only be provided for Ethiopia or Eritrea for any period of time for which the President determines that Ethiopia or Eritrea (as the case may be) is in compliance with, or is taking significant steps to comply with, the terms and conditions of the Algiers Agreements.

(b) **LIMITATION ON MILITARY ASSISTANCE AND ARMS TRANSFERS.**—Military assistance

and arms transfers may only be provided for Ethiopia or Eritrea for any period of time for which the President determines that Ethiopia or Eritrea (as the case may be) is in compliance with, or is taking significant steps to comply with, the terms and conditions of the Algiers Agreements.

(c) EXCEPTIONS.—The limitation on assistance under subsections (a) and (b) shall not apply with respect to humanitarian assistance (such as food or medical assistance), assistance to protect or promote human rights, and assistance to prevent, treat, and control HIV/AIDS.

(d) WAIVER.—The President may waive the application of subsection (a) or (b) with respect to Ethiopia or Eritrea, particularly for the provision of peacekeeping assistance or counterterrorism assistance, if the President determines and certifies to the appropriate congressional committees that it is in the national interests of the United States to do so.

#### SEC. 7. INTEGRATION AND BORDER DEVELOPMENT INITIATIVE.

(a) ASSISTANCE.—After the date on which the border demarcation between Ethiopia and Eritrea is finalized (consistent with the decision of the Boundary Commission established by the Comprehensive Peace Agreement), the President shall establish and carry out an initiative in conjunction with the Governments of Ethiopia and Eritrea under which assistance is provided to reduce the adverse humanitarian impacts on the populations of the border region, prevent conflict which might result from the demarcation process, and further social and economic development projects that are identified and evaluated by local authorities to establish sustainable integration, development, and trade at the border region.

(b) PROJECT EXAMPLES.—Examples of development projects referred to in subsection (a) are—

(1) startup initiatives, including farming projects, to promote community economic development and the free flow of trade across the border between the two countries;

(2) generous compensation packages for families displaced by the border demarcation and support for relocation;

(3) effective mechanisms for managing movement of persons across the border between the two countries;

(4) an increase in the supply of basic services in the border region, including water, sanitation, housing, health care, and education; and

(5) support for local efforts to reinforce peace and reconciliation in the border region.

#### SEC. 8. REPORT.

Until the date on which the border demarcation between Ethiopia and Eritrea is finalized, the President shall prepare and transmit on a regular basis to the appropriate congressional committees a report that contains a description of progress being made toward such demarcation, including the extent to which Ethiopia and Eritrea are in compliance with, or are taking significant steps to comply with, the terms and conditions of the Algiers Agreements, and are otherwise cooperating with internationally-sanctioned efforts to resolve the current impasse.

Mr. SMITH of Michigan (during the reading). Mr. Speaker, I ask unanimous consent that the amendment in the nature of a substitute be considered as read and printed in the RECORD.

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

The amendment in the nature of a substitute was agreed to.

Mr. LANTOS. Mr. Speaker, I want to thank the Chairman of the Committee on International Relations, my good friend from Illinois, for agreeing to move this important legislation forward. With passage of this legislation, Congress will further encourage the end to a long, protracted dispute between these two desperately poor nations.

In July 2003, after considerable deliberation, I introduced this legislation to let the Eritrean and Ethiopian governments know that the international community's patience with this costly border dispute could not go on forever. Mr. Speaker, Ethiopia and Eritrea fought an unnecessary and bloody two-year war beginning in May 1998, which claimed 100,000 lives and displaced more than 1,000,000 people. The damage of the war was exacerbated by a preventable food crisis that left nearly 12 million people at risk of starvation.

Today, 20 years after the 1984 Ethiopian famine, both Ethiopians and Eritreans rely increasingly on food aid abroad while their governments spend hundreds of millions of dollars on weapons. In 2000, Ethiopia and Eritrea signed a comprehensive peace agreement in Algiers. The agreement established a neutral Boundary Commission and the parties agreed that the decision of the Commission is final and binding.

In April 2002, the Boundary Commission announced its Delimitation Decision, placing the heavily disputed town of Badme in Eritrea. Both nations initially accepted the ruling, although Ethiopia later rejected the Commission's ruling. Ethiopia's refusal to accept the decision of the Boundary Commission has delayed demarcation of the boundary and is costing the international community millions of dollars because of the delay.

To date, more than \$600 million have been spent to keep U.N. peacekeeping troops in a 25-kilometer-wide temporary security zone between the two countries. Meanwhile, the people of both nations are starving. In Eritrea, the 2004 donor appeal included a request for nearly \$150 million to meet their food requirements for this year alone. Meanwhile, 13 million Ethiopians will meet none of their food needs in the 2004–05 production year, increasing to 14 million in 2005–06 and reaching an estimated 17.3 million by 2007–2008.

Mr. Speaker, over the past decade, the United States has provided \$1.8 billion in foreign assistance to Ethiopia and another \$333 million to Eritrea. So, why is the international community being asked to spend one-half a billion dollars to keep Ethiopia and Eritrea from attacking each other while their people starve? Mr. Speaker, what is wrong with this picture? And why, after agreeing to the Boundary Commission's decision, has Ethiopia continued its refusal to comply with its own binding commitment?

U.N. Secretary General Kofi Annan appointed Lloyd Axworthy, the former Canadian foreign minister, as his Special Envoy and charged him with reinforcing international efforts to settle the dispute and move the process forward. While I deeply disagree with the position taken by President Meles of Ethiopia, I want to commend him for extending the courtesy of meeting with the Special Envoy during his visit to Ethiopia.

On the other hand, I cannot express the extent of my dismay and disappointment that President Issaias of Eritrea refused to meet the Special Envoy, illustrating his own inflexi-

bility and disdain for international efforts. There were no preconditions for meeting Mr. Axworthy, and only a diplomatic courtesy was expected.

Mr. Speaker, it is an outrage that these two countries whose citizens live on the very edge of survival cannot end their belligerent relationship, settle their dispute, and get on with addressing the critical economic, social, and political needs of their people. Instead of developing the great agricultural potential of Ethiopia and exploiting Eritrea's strategic port, these two countries find themselves permanently locked in a dispute and ultimately, appealing again to the international community for humanitarian help.

Mr. Speaker, H.R. 2760 sends a very clear message to both countries—abide by the Algiers Agreement and respect international diplomatic efforts and the United States will work to build economic prosperity and peace in the border areas. However, if either country fails to abide by the Algiers Agreement or refuses to cooperate with the Special Envoy, there should be consequences.

The amendment offered by the gentleman from Michigan, Mr. SMITH, and myself updates the resolution and has been agreed by both sides of the aisle. I want to thank my good friend from Michigan for assistance in this matter.

Mr. Speaker, I urge all of my colleagues to vote in support of this bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. SMITH of Michigan. 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 H.R. 2760.

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

There was no objection.

#### CONFERENCE REPORT ON H.R. 1047, MISCELLANEOUS TRADE AND TECHNICAL CORRECTIONS ACT OF 2004

Mr. THOMAS submitted the following conference report and statement on the bill (H.R. 1047) to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, to make other technical amendments to the trade laws, and for other purposes:

(Conference report will be printed in Book II of the RECORD.)

Mr. THOMAS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report to accompany the bill (H.R. 1047) to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, to make other technical amendments to the trade laws, and for other purposes, and that the conference report be considered as having been read.

The Clerk read the title of the conference report.