

Most shocking, the Operation destroyed several HIV/AIDS orphanages where the children, who had lost both parents and had no family caretakers, also were living with HIV/AIDS.

In response to an international outcry, the U.N. Secretary General appointed a Special Envoy to assess the situation and report on ways to address the conditions of those affected.

The Special Envoy reported that the Zimbabwe government's purported effort to clamp down on illegal dwellings and illicit activities, was carried out in an indiscriminate and unjustified manner and with disregard for national and international law.

She called for bringing those immediately responsible to account and for immediate reparations to those who had lost property and their livelihood.

Mr. Speaker, on top of this grave injury to his people, Mugabe lashed out recently at U.S. Ambassador Christopher Dell, who simply told the truth about the regime in power. Ambassador Dell stated the simple fact that Zimbabwe's current crisis is due to economic mismanagement and corrupt rule.

Mr. Speaker, we must reinforce Ambassador Dell's message by passing this resolution today.

This resolution sends a clear message to President Mugabe and his tyrannical government that we will speak out against his ruling party's harsh abuse of its citizens and condemn any actions that harm innocent people.

Mr. Speaker, before I close, I want to commend our U.S. AID staff members for their efforts to provide emergency shelter, food, clothing, blankets, and medicine to Mugabe's victims of "Operation Throw out the Trash." The Mission Director, Paul Weisenfeld, and his team, worked around the clock with local partners to provide relief for the affected people.

Mr. Speaker, I urge my colleagues to support this resolution.

Mr. Speaker, I want to express my deep appreciation to my good friend and distinguished colleague, Pearl-Alice Marsh, for the extraordinary job she has done in connection with this issue.

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

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

The SPEAKER pro tempore (Mr. REICHERT). The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the resolution, H. Res. 409, as amended.

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. LANTOS. 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 question will be postponed.

PROVIDING THAT HAMAS AND OTHER TERRORIST ORGANIZATIONS SHOULD NOT PARTICIPATE IN ELECTIONS HELD BY PALESTINIAN AUTHORITY

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 575), providing that Hamas and other terrorist organizations should not participate in elections held by the Palestinian Authority, and for other purposes, as amended.

The Clerk read as follows:

H. RES. 575

Whereas the foundation for the Israeli-Palestinian peace process was Palestinian recognition of Israel's right to exist and a solemn obligation to end terrorism and violence;

Whereas the removal of all Israeli presence in Gaza signifies an end to Israeli responsibility there and a shift in security responsibility of Gaza to the Palestinian Authority;

Whereas Israel's evacuation of Gaza affords the Palestinian Authority, now the responsible governing authority in Gaza, the opportunity to demonstrate its ability to govern, to establish the rule of law, to end corruption, and thereby to demonstrate that it is a partner for peace;

Whereas Palestinian Authority President Mahmoud Abbas has repeatedly called for the establishment of "One Authority, One Law, and One Gun";

Whereas since the withdrawal of Israeli military forces, the Palestinian Authority has taken few steps to establish rule of law in Gaza;

Whereas Hamas, Islamic Jihad, the al-Aqsa Martyrs' Brigade, and other terrorist organizations have vowed to continue terrorism against Israeli civilians, seek the destruction of the State of Israel, and employ violence and terror in fulfillment of that aim;

Whereas the inclusion of Hamas, or any other terrorist group on the State Department list of foreign terrorist organizations, into the Palestinian structure could be construed as an implicit endorsement of their anti-American and anti-Israeli terrorist ideology;

Whereas the first provision of the Road Map to Middle East Peace calls for the Palestinians to dismantle the terrorist infrastructure;

Whereas these terrorist organizations, including Hamas and Islamic Jihad, operate virtually without interference from the Palestinian Authority;

Whereas Hamas has announced its intention to run in Palestinian legislative elections scheduled for January 2006;

Whereas Abbas has indicated his willingness to see Hamas participate in the elections without first calling for it to disband its militia or for it to renounce its goal of destroying the State of Israel;

Whereas the United States has clearly stated that armed militias attached to political parties are incompatible with democratic societies;

Whereas President Bush has stated that Hamas "seeks to end dissent in every form, to control every aspect of life . . . the terrorists are preparing a future of oppression and misery";

Whereas the forces of freedom must continue to keep an untiring vigil against the enemies of rising democracies; and

Whereas the United States has a long-standing policy of not dealing or negotiating with terrorists: Now, therefore, be it

Resolved, That the House of Representatives—

(1) reaffirms its commitment to the safety and security of the democratic State of Israel;

(2) asserts that terrorist organizations, such as Hamas, should not be permitted to participate in Palestinian elections until such organizations recognize Israel's right to exist as a Jewish state, cease incitement, condemn terrorism, and permanently disarm and dismantle their terrorist infrastructure;

(3) calls on the Palestinian Authority President Abbas before the election to declare openly his intention to take action to dismantle the terrorist organizations;

(4) asserts that the inclusion of Hamas, or any other terrorist group on the Department of State's list of foreign terrorist organizations, in the Palestinian Authority's government will inevitably raise serious questions for the United States about the commitment of the Palestinian Authority and its leadership to making peace with Israel and will potentially undermine the ability of the United States to have a constructive relationship with, or provide further assistance to, the Palestinian Authority; and

(5) states its strong belief that, as underlined in every recent Israeli-Palestinian peace agreement, progress in the peace process requires sustained Palestinian effort to dismantle the terrorist infrastructure, and that delay in confronting that principal obligation only emboldens the opponents of peace and threatens its realization.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume. I rise in strong support of House Resolution 575, and I commend my distinguished colleague and friend, Congressman CANTOR, for introducing this resolution and Congressman MCCAUL for his efforts on this measure. I thank also the House leadership, Chairman HYDE and Ranking Member LANTOS of the International Relations Committee for helping to bring House Resolution 575 to the House floor today.

This resolution takes a united stand against the attempts of the murderous Islamic extremist organizations to hijack the elections that will be taking place within the Palestinian Authority.

Hamas, in particular, is inserting itself in the political process while fully maintaining and reportedly expanding its militant activities. That organization's continuing violence against Israel and its refusal to disarm has been a constant and incendiary impediment in the U.S. efforts to promote peace and security in the region.

Allowing a group with a track record like Hamas to obtain significant influence and legitimacy within the Palestinian Authority severely jeopardizes our goal of eliminating jihadist safe havens through preemptive democratic reform. Conversely, allowing these organizations to masquerade as political parties and abuse the political process would be a triumph for those who wish to spread fear and violence throughout the region.

The participation of Islamist jihadist organizations, such as Hamas, in Palestinian elections will destroy any hope for peace and security for Israel, or for peace, democratic governance, and economic growth and prosperity for the Palestinian people.

A mistake was already made this summer, my colleagues, by allowing Hezbollah, another military jihadist entity, to participate in the Lebanese elections. Despite Hezbollah's refusal to disarm their militias and dismantle their terrorist infrastructure in violation of U.N. Security Council Resolution 1559.

Hezbollah's participation this summer in Lebanon's first elections after Syrian military withdrawal was allowed despite its continued targeting of Israelis, including the recent violence on Israel's northern border. The U.S. must not allow a similar error with respect to Hamas in the upcoming Palestinian elections. The stakes are too high, and the negative consequences are far too ominous.

We must continue to raise our strong opposition to the participation of jihadist organizations in Palestinian elections. Their participation will run counter to both U.S. policy priorities and statements from the Palestinian leadership regarding political reform and the fight against worldwide terrorism.

For the sake of peace and security, and for the benefit of both the Palestinian and the Israeli people, we must leverage our influence to promote and support positive change within the Palestinian Authority and prevent Islamist extremist organizations like Hamas from hijacking the process.

Mr. Speaker, I yield the balance of my time to the gentleman from Texas (Mr. MCCAUL), and I ask unanimous consent that he be permitted to control the time as the author of the resolution.

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

There was no objection.

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

I want to commend my colleagues and friends, Mr. CANTOR and Mr. MENENDEZ, for introducing this important resolution.

Mr. Speaker, I would like to ask my colleagues on both sides to suspend disbelief for a moment and imagine that this body included not just Democrats

and Republicans but also representatives of an armed terrorist militia. Imagine that colleagues knew that those who opposed the militia's proposals might be killed as a result. It would certainly change the dynamics of this body just a bit, would it not, Mr. Speaker?

Well, that is exactly the circumstance that the Palestinian Legislative Council will face when it convenes after the January 25 elections, when Hamas, by current projections, is likely to hold over a quarter of the council seats.

Mr. Speaker, corruption of the legislative process is just one of many reasons that parties, so-called parties representing militias have no place in a Democratic system. When terrorist militias participate in elections, voters are intimidated. The concepts of the will of the majority and the rights of the minority are rendered meaningless.

Mr. Speaker, terrorist Hamas has no business participating in a Palestinian election that is supposed to advance the cause of peace; indeed, in a Palestinian election for a legislative body whose very basis is an Israeli-Palestinian agreement in which the Palestinians agreed to forswear all violence.

In fact, Hamas should be disqualified on two grounds: as a terrorist group and as a group that denies Israel's right to exist. And there is a third reason as well: Hamas is a fundamentalist jihadist organization that has nothing but contempt for democracy, though it is more than happy to exploit democracy for its own nefarious ends.

Mr. Speaker, the participation of Hamas in the January 25 Palestinian election now appears likely. Just today, Hamas submitted its list of candidates. But Hamas participation will be a mistake of historic proportions for the cause of Israeli Palestinian peace. The very first clause of the Middle East roadmap requires that the Palestinians dismantle all terrorist infrastructure.

If that is what Abu Mazen wants to do, he is going about it in an entirely wrong way. With Hamas inside the legislative chicken coop in huge numbers, supported there in the cause of violence and gun-bearing by numerous other factions from Abu Mazen's own Fatah party, it will be more difficult than ever for Abu Mazen and the Palestinian authority to take the necessary action to dismantle Hamas' terrorist infrastructure, much less to convince it and other terrorist groups to disarm peacefully.

I deeply regret that Abu Mazen has welcomed Hamas' unconditional participation in the upcoming Palestinian elections. In passing this resolution, we will call on Abu Mazen to reverse course at the eleventh hour to prevent Hamas from participating and thereby try to help these elections prepare the ground for meaningful post-election peacemaking.

But, Mr. Speaker, even if Abu Mazen does not heed our advice, this resolu-

tion sends a powerful message to all the Palestinian people. The United States will have no interest in dealing with a Palestinian government that includes Hamas. Abu Mazen and his colleagues will have to keep that in mind when they form their cabinet.

Moreover, the inclusion of Hamas representatives in the government of the Palestinian Authority will have a profound effect on the attitude of the United States, both our government and the American people, toward Palestinians.

□ 2300

It will inform every decision that this body makes regarding any issue related to the Palestinians, including economic assistance. I urge Abu Mazen in the strongest terms to reconsider his decision to welcome Hamas participation in Palestinian elections. I urge all of my colleagues to support Middle East peace and to fight terrorism by voting for this important resolution.

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

Mr. MCCAUL of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of this resolution to express the idea that democracy and terrorism are not compatible and that statesmen and terrorists cannot coexist. I want to thank Mr. CANTOR and Ms. ROS-LEHTINEN for their assistance and hard work in bringing this important resolution to the floor. I would also like to thank Mr. MENENDEZ, Mr. LANTOS, Ms. BERKLEY, and Mr. WEXLER for their partnership on this issue.

We have come here today in a very bipartisan fashion in order to deliver a message to Mr. Abbas and to all other developing democracies in the rest of the world.

The future of Palestinian democracy cannot include terrorists and religious fanatics. The first step of President Bush's road map to peace calls for the disarming of Hamas and other terrorist organizations, as well as the dismantling of the terrorist infrastructure. The Palestinian people will have a future only if their leaders begin to take responsibility for the well-being of their citizens, and they must end their obsession with the destruction of the State of Israel.

Democratic parties cannot control armed militias. If the Palestinians wish to have a democratic country, Hamas must lay down its arms, and it must renounce the use of terrorism and violence, and it must recognize Israel's right to exist; or they must know that this Congress will not be a friend to their government. Terrorist organizations do not have a place in a peaceful political process.

It is not unprecedented in recent history for a terrorist organization to lay down its arms, to renounce its violent ways, and then to be accepted into a legitimate democratic government. The IRA has accomplished this, and Hamas

has had the opportunity to do this. But instead, they have repeatedly vowed to continue bloody terrorist acts against innocent Israeli citizens and stated their intentions to seek the destruction of the State of Israel.

President Abbas himself has called for the Palestinian Authority to act with one authority, one law, and one gun. But actions speak louder than words, and this upcoming election is the test for him and for Palestinian democracy.

The Palestinian government has not taken the necessary steps to accomplish this goal, and President Abbas' apparent willingness to allow Hamas to participate without preconditions is disheartening.

The United States has a longstanding policy of not dealing with or making concessions to terrorists. We do not negotiate, we do not trade with, and we do not fund terrorists. Therefore, there is no diplomacy to be had with terrorists, and the Palestinian Authority will be a terrorist government if Hamas candidates are elected.

And what if members of terrorist organizations are elected? Should American taxpayers be forced to send foreign aid to the hands of these terrorists? Should we be giving them an opportunity to divert American foreign aid directly into the hands of terrorists who have pledged to kill innocent civilians? The answer is no.

This resolution is a message to President Abbas. If the Palestinian Authority is determined to continue and allow Hamas to participate as planned, then this government will have to take a new look at our relationship with the Palestinian government.

I urge my colleagues to support emerging democracies in the Middle East and to support this important resolution.

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

Mr. LANTOS. Mr. Speaker, I yield 4 minutes to the gentlewoman from Nevada (Ms. BERKLEY), a co-author of this resolution, my dear friend and distinguished colleague.

Ms. BERKLEY. Mr. Speaker, I thank Mr. LANTOS for his leadership on this and so many other issues.

I rise tonight in strong support of H. Res. 575, a resolution that expresses the sense of the House that Hamas should not be permitted to participate in Palestinian elections, and I urge its immediate passage.

I would also like to thank my colleagues who helped author this resolution and move it expeditiously to the floor: Mr. CANTOR, Mr. MENENDEZ, Ms. ROS-LEHTINEN, Mr. McCAUL, and Mr. WEXLER.

The goal of this resolution is to send a strong and unambiguous message to Abu Mazen that Hamas and the other terrorist groups should not be allowed to participate in the upcoming Palestinian elections. They should be prohibited from participating in the government and the Palestinian Authority

should take affirmative steps to disarm and dismantle them. When Abu Mazen was elected, he pledged to root out terrorism and end corruption in the Palestinian Authority. To say he has not lived up to his pledge would be a decided understatement.

I believe Yasser Arafat did a tremendous disservice to the Palestinian people; and I believe that if Abu Mazen does not step up soon, lead his people and do what he has promised to do, that he will also be doing a tremendous disservice to the Palestinian people.

The very first step of the road map to peace is not only the denunciation of terrorism. That is the easy part. It is the dismantling and the disarming of the terrorist infrastructure and terrorist organizations. Abu Mazen has yet to take this essential first step.

No one disputes that Hamas is a terrorist organization. It has conducted numerous suicide bombings inside Israel and is responsible for the death of countless innocent people. Hamas does not accept Israel's right to exist and has never accepted the peace process. They this week announced, I am sorry to say, they vowed to end the truce they negotiated with Israel and vowed it will end by the end of this year.

Instead of striking out against Hamas and instead of stepping up to the plate and disarming the terrorists and dismantling their terrorist organizations, Abu Mazen's latest strategy is to try to co-opt them and bring the terrorist organization Hamas into his government. Allowing terrorist organizations to participate in the election process will not see them wake up the day after the election, embrace each other, sing Kumbaya and strive for peace and recognition of Israel. Instead, it will give them a dangerous foothold in the Palestinian Authority within which they can operate and further embolden those who support terrorism and the destruction of the State of Israel.

Hamas' participation in the election can only continue a long-running cycle of violence and terror. It undercuts the ability of the Palestinian government to engage in true democratic reforms and further strengthens the enemies of Israel and those who oppose peace. Hamas and other terrorist groups should be banned from the upcoming elections and from any future role in government until and unless they recognize Israel's right to exist as a Jewish state, cease all forms of incitement and violence, condemn terrorism, and dismantle their terrorist infrastructures.

Mr. McCAUL of Texas. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. Mr. Speaker, I thank the gentleman from Texas for his leadership on this issue, as well as the leadership of the gentleman from Florida, the chairwoman of the Middle East Subcommittee. And I also want to rec-

ognize the continued leadership on so many issues of import that the gentleman from California (Mr. LANTOS) has displayed. I also thank the cosponsor of the resolution, the gentleman from New Jersey (Mr. MENENDEZ), as well as the gentlewoman from Nevada who just spoke, and Mr. WEXLER.

I believe that this bipartisan display of support here for H. Res. 575 is no accident. It is an important resolution that demonstrates the unity of this House against what is going on currently in the Palestinian Authority vis-a-vis Hamas and other terrorist organizations.

The Palestinian people will elect a new parliament on January 25, 2006. But even before they choose their elected representatives, they must make another choice. That choice is whether to keep their allegiance with a terrorist past or to begin a new path towards peace.

When he was elected president, Abu Mazen was presented with a historic opportunity to change the direction of the Palestinian Authority from one of terror that existed under Yasser Arafat to one of peace.

But at every turn, he has refused to take the necessary steps to eliminate the terrorist infrastructure that results in the killing of so many innocent men, women and children on the streets of Israel. Now, with an election around the corner, rather than use all of the force he has at his disposal to get rid of the terrorists, Abu Mazen is giving Hamas and other terrorist groups legitimacy by allowing them to participate in the Palestinian elections.

Mr. Abbas has an opportunity right now to make a genuine gesture for peace, ban Hamas and other terrorist groups once and for all from the electoral process in the Palestinian Authority.

To understand the true nature of Hamas, one only needs to look at recent headlines. On Sunday, it was reported in the media that Hamas leaders and leaders from other terrorist groups met with Iran's foreign minister and in the resulting days escalated their terrorist attacks against Israel. Let us not forget that Iran's president recently called for Israel to be wiped off the map. Later he suggested that Israel be moved to Europe and called the Holocaust a myth.

Let us not forget that Hamas is on the State Department's list of terrorist organizations. It has never recognized Israel's right to exist, and it has now displayed an alliance with murderers, thugs, and developers of weapons of mass destruction. The bottom line: Hamas' entry into a Palestinian government would provide a veil of legitimacy to the terrorists.

As President Bush has said so often to the nations of the world, you are either with us or you are against us. In the United States we do not tolerate the terrorists or those who support them. This standard should and does apply to the Palestinian Authority.

It is an understatement to say there is nothing constructive that can come from Hamas' participation in Palestinian elections. In the strongest way possible, this Congress will speak out; and I urge my colleagues to insist that Hamas and other terrorists be banned from the Palestinian elections.

Mr. LANTOS. Mr. Speaker, I am very pleased to yield 6 minutes to the gentleman from New Jersey (Mr. MENENDEZ), the distinguished chairman of the Democratic Caucus, who will soon move over to the other body to continue his good works.

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

Mr. MENENDEZ. Mr. Speaker, I thank my distinguished friend from California who I have had the privilege of serving with on the International Relations Committee.

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Mr. Speaker, first I want to thank Mr. CANTOR for his work on this resolution, my counterpart on it, and his efforts to bring the resolution to the floor. I also want to thank Mr. LANTOS, Mr. MCCAUL, Ms. ROS-LEHTINEN and Mr. WEXLER, among all the others. There is an enormous number of bipartisan supporters of this resolution which speaks volumes, I think, about where the Congress stands.

We are here today to send a clear message to the Palestinian Authority that terrorism and democracy do not mix. Today we are here to send a clear message to President Abbas and to Hamas before the Palestinian elections on January 25. If Hamas and other terrorist organizations participate in the upcoming legislative elections, without first disarming and renouncing terrorism and their goal of eliminating the State of Israel, they will undermine Palestinian democracy and the Palestinian Authority's relationship with the United States of America.

As Mahatma Gandhi once said, "The spirit of democracy cannot be established in the midst of terrorism, whether governmental or popular."

That is why we are simply asking the Palestinians to join democracies around the world in taking a stand against hatred and terrorism. In fact, the Palestinian Authority's own election law would disqualify groups like Hamas from participating. These groups, who espouse racism, terrorism, intolerance and hatred, have no place in democratic elections.

When I met with President Abbas a few months ago, I made it clear to him that we hoped that he would deal with this issue before the elections. I gave him a letter signed by nearly 300 Members of the House of Representatives, which I wrote with Representative PRYCE, from the House leadership and the International Relations Committee, urging him to take immediate action. Yet we have only to look at the recent suicide bombing in Netanya, which killed five people and wounded

at least 30 others, to see that President Abbas has not taken the necessary steps to dismantle the terrorist organizations.

And while President Abbas has taken some steps to quell incitement and has condemned terrorist attacks, I believe that his failure to fully confront Hamas will only hurt him in the future and will threaten Palestinian democracy.

Let me be clear, I simply do not believe that Hamas should be given the ability to use democracy to carry out terrorism.

President Abbas has asked Hamas to respect one authority, one law and one gun. But Hamas has refused to accept that policy. Hamas leaders have even vowed to turn the Palestinian Authority forces into a "resistance force" against Israel.

That is why I am deeply concerned that President Abbas is allowing Hamas to participate in elections. Perhaps he is hoping that, by buying time now, he will be able to disarm them later. But a policy of hoping will not work.

Look at Hezbollah. Hezbollah, a terrorist group funded by Iran and waiting right across Israel's northern border, took part in elections in Lebanon. Now they are armed with political power, as well as guns, and they have used their seats in parliament to avoid disarming.

I can think of no clearer example of the danger of a state run by those who support terrorism and espouse violence and anti-Semitism than the country of Iran. The Iranian president has spewed anti-Semitism and hatred in his calls for the destruction of the state of Israel and his denial of the Holocaust. Meanwhile, his government continues to defy the world with its dangerous nuclear programs.

It is all too clear what President Abbas must do: He should take responsibility as leader of the Palestinian people and demonstrate that the Palestinian Authority can establish the rule of law. That is why we are urging Mr. Abbas to confront Hamas and fully dismantle the terrorist network. Otherwise, we risk more violence, more terror and more Israeli and Palestinian blood. We risk jeopardizing a nascent Palestinian democracy. We risk too much.

Today this Congress needs to send a clear message to Hamas that you cannot manipulate democracy to carry out terrorism.

Today this Congress sends a clear message to President Abbas that we support true democracy for the Palestinian people. Today this Congress needs to send a clear message to Israel that the United States will never waiver, and we will never falter in our support for our historic ally. We will never waiver nor falter in our support for Israeli democracy, and we will never waiver or falter in our fight against terrorism, anti-Semitism, hatred and violence.

As we vote for this resolution, the United States is proud to stand with Israel and the Israeli people.

Mr. LANTOS. Mr. Speaker I yield 2 minutes to the gentleman from Ohio (Mr. KUCINICH).

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

Mr. KUCINICH. Mr. Speaker, I want to join with my colleagues in standing up in support of the state of Israel and in demanding that the Palestinian Authority do everything it can to set aside all the statements made by people within its sphere that would call for the destruction of Israel. And they must take action to stop terrorists and their infrastructure.

I would just like to respectfully suggest, however, that this resolution, as well intended as it is, has the potential to have an impact that would be contrary to what you are hoping for. Let me state how, that Congress passing this resolution could actually have a reverse effect in the streets of the Palestinian Authority and end up actually engendering more support for Hamas. I think that, as we are approaching the midnight hour and coming close to the 15th of December, the date when the elections are taking place in Iraq, it is kind of ironic that we are in this situation of, on one hand, encouraging the broadest participation in the Iraqi elections of people in some cases who have been shooting at our own soldiers and, on the other hand, saying that, in the Palestinian Authority, we are going to start to say, well, these groups cannot participate. No matter how much we object, and I do object, to their attacks on Israel; I would just again like to respectfully suggest that all of us who are here in support of a peaceful resolution of the conflict that is taking place in the Middle East, that maybe have a third way that we could proceed other than this resolution.

Letter From Americans for Peace Now:

Later today H. Res. 575 is scheduled to come to a vote on the House floor. This resolution deals with the participation of Hamas in the upcoming Palestinian parliamentary elections, scheduled for January 25, 2006. Americans for Peace Now (APN) rejects terror and has consistently called on President Abbas and the Palestinian Authority to undertake meaningful, sustained action to stop terrorists and destroy terrorist infrastructure. APN agrees that the Palestinian Authority must establish "One Authority, One Law, and One Gun."

However, APN believes that this resolution misses the point on both democracy and Hamas.

APN urges Members, whether or not they vote for the resolution, to speak out during the floor debate and to submit statements for the record drawing attention to the problems with this resolution.

Nobody (except the terrorists) is happy with the prospect of Hamas and other terrorist organizations participating in Palestinian elections. Likewise, few people are happy that Hizballah is an active participant in Lebanon's political process, including a longstanding presence in its parliament and government. Likewise, few people are happy with the participation of armed militias in elections in Iraq.

In the cases of Lebanon and Iraq, however, the decision has been to “not allow the perfect to be the enemy of the good.” The goal of eradicating terror and consolidating weapons in the hands of the legal government remains, but the elections were applauded and the process of democratization was not put on hold. Nobody argued that eradicating terror and establishing “one gun” should, in these cases, be a prerequisite for democratic elections, or threatened that if it was not made a prerequisite, the U.S. relationship with the resulting democratically elected body—and U.S. assistance to its people—would suffer.

President Abbas is trying to do in the territories what the U.S. has encouraged the government to do in Iraq: absorb militias into the official armed forces in order to make them accountable to official command and control.

Israel spent nearly three decades trying to defeat Hamas through military means alone, and failed. Since coming to power less than a year ago, President Abbas has made a very public commitment to take on Hamas and other terrorist organizations after elections—a strategy based on the reasonable assertion that, backed by a democratically-elected parliament, he will have the strength and credibility to move forward with this difficult task. He should be held to this commitment.

The reduction of terror against Israeli citizens requires the containment and eventual dismantling of militias, including Hamas. Israeli General (Ret.) Ephraim Sneh, who served as military governor of the West Bank and Deputy Defense Minister of Israel, recently stated:

“Under current conditions in the Palestinian territories, especially given the Palestinian government’s weakness, political containment should precede the dismantling of Hamas’s military infrastructure. The urgent objective is to defeat it in the next parliamentary elections. Steps that could strengthen it in the elections should be strictly avoided. Attempts to postpone the elections yet again, or to prevent Hamas’s participation, or Israeli disruption of the elections as ‘punishment’ for the participation of Hamas, will strengthen Hamas in the Palestinian street instead of weakening it. The short time left before the elections must be used to empower all who oppose Hamas, first and foremost the supporters of the elected Palestinian president, Mahmoud Abbas.” (Washington Post, October 19, 2005)

In the countdown to the elections, for the sake of democracy and peace in the Middle East—vital components to Israel’s security—the focus should be on strengthening Palestinian moderates, including President Abbas. Actions that risk elevating the status of Hamas and other extremists should be avoided.

After the January 25th election, Israel, the Bush Administration, and the international community—as well as the Palestinian people—should hold President Abbas to his commitment, and hold him accountable if he fails to take action.

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

Mr. MCCAUL of Texas. Mr. Speaker, I yield myself as much time as I may consume.

In closing, I would submit that we all would like to see a peaceful resolution to this. There are many ways to build a democracy. We encourage statesmen to explore all of them and to find the one that will benefit their people the

most. However, to allow terrorists and murderers to participate and allowing political parties who control armed militias to gain phony legitimacy through elections is not productive and will ultimately lead their country off the path to democracy. Furthermore, it will force us to reassess our relationship with the Palestinian Authority.

I strongly urge President Abbas to heed this warning, and I strongly urge my colleagues to vote for this resolution.

Mr. HIGGINS. Mr. Speaker, I rise today in support of H. Res. 575, a resolution that renews our commitment to the security of the State of Israel. Israel has long been a friend and ally to the United States. As our two nations enter the 21st century, we must continue to work together against violence and terrorism and in support of peace. A crucial part of the peace process is the emergence of a democratic Palestinian Government that denounces and combats terrorism, and respects the boundaries and sovereignty of all of its neighbors, including Israel.

This cannot happen if Hamas participates in the January 25, 2006 elections held by the Palestinian Authority. PA. H. Res. 575 would make it clear to PA President Abbas that Congress strongly disapproves of Hamas’s inclusion in the elections and would have a difficult time working with the PA should Hamas delegates be elected.

In December 2003, Israeli Prime Minister Ariel Sharon announced that Israel would unilaterally withdraw from the Gaza Strip; that evacuation was completed on August 23, 2005. Prime Minister Sharon has taken tremendous steps, and incurred great risk, to encourage peace through the disengagement plan.

PA President Abbas, however, has not followed up on his role in disarming terrorist groups and helping to secure peace. Additionally, Hamas, a U.S. designated terrorist organization that calls for the destruction of Israel, wants to participate in Palestinian parliamentary elections. Hamas is directly responsible for over 200 attacks in Israel and the killing of American citizens. Hamas participation in PA elections violates existing Israeli-Palestinian agreements and undermines internationally supported efforts to establish a stable, democratic and non-violent Palestinian state.

There is wide international precedent for democratic countries to ban extremist and violent political parties from participating in elections until they have disavowed such views or renounced violence. Under the road map peace plan, backed by the quartet—the United States, Russia, the European Union and the United Nations—the PA is required to launch “sustained, targeted, and effective operations aimed at confronting all those engaged in terror” and to begin the “dismantlement of terrorist capabilities and infrastructure.” Instead of taking such action, the PA has invited Hamas to participate in the elections with no requirement to disarm. This poses a direct threat to establishing a stable Palestinian state and a peaceful Middle East.

Mr. Speaker, Secretary of State Condoleezza Rice has said “Hamas is a terror organization and it has to be disbanded, both for the sake of peace and security in the Middle East and for the sake of the proper functioning of the Palestinian Authority.” I oppose

Hamas’s participation in the upcoming election as it would legitimize a known terror network. The PA leadership needs to disarm and gain control of Hamas and other terror networks. A party running on a platform calling for Israel’s destruction is innately an advocate of violence. Further, a party that would use force for political leverage is a threat to the democratic process. That is why, Mr. Speaker, I will vote in favor of H. Res. 575 today and I urge my colleagues to join me in this front of the war on terror.

Mr. CARDIN. Mr. Speaker, I rise in support and as a cosponsor of H. Res. 575, which states that Hamas and other terrorist organizations should not participate in upcoming January 2006 legislative elections held by the Palestinian Authority. The aims and principles of Hamas, Palestinian Islamic Jihad, and other terrorist groups are incompatible with the democratic process. Hamas has continually called for the destruction of Israel by any means, and their involvement in elections puts the road map process for peace in the Middle East in jeopardy.

The foundation of the peace process was based upon the Palestinian Authority’s acknowledgment of Israel’s right to exist as a sovereign nation and their duty to end terrorist attacks from Palestinian soil. The first stage of the road map process calls on the Palestinian Authority to disarm all terrorist groups and their infrastructure. I am extremely disappointed that Palestinian President Mahmoud Abbas has made such limited progress in dismantling the terrorist infrastructure in the Palestinian territories.

The Palestinian Authority has the ability to dismantle terrorist groups, as their security forces dwarf the size of the Hamas militia by nearly 10 times. A recent survey indicates that the vast majority of the Palestinian people support an immediate end to all forms of violence. The Palestinian Authority has a unique opportunity under a new President to renounce all forms of terrorism, and move towards securing a lasting peace settlement in the Middle East.

Just as the United States will not negotiate with terrorists, neither will Israel. Should members of Hamas become part of the Palestinian Government, the United States would have to reassess its financial assistance to, and its diplomatic relations with, the Palestinians.

I welcome competitive elections in the Palestinian Authority. However, no functioning democracies permit terrorist organizations to participate in elections. Germany, Italy, Turkey and many other nations all prohibit any terrorist groups from participating in elections. In Iraq and Afghanistan, members of the former Ba’ath Party and the Taliban must renounce any links or support for the former regimes. Egypt and Jordan do not support the existence of Hamas or other terrorist organizations. I call for President Abbas to dismantle the terrorist organizations in the Palestinian territories and to meet his obligations under the Israeli-Palestinian peace process.

Mr. SHAYS. Mr. Speaker, I rise as a cosponsor and strong supporter of this resolution and urge its swift passage.

Some will argue violence perpetrated by Hamas is only undertaken by the militant wing of the organization and that its political arm can otherwise be a legitimate player in Palestinian politics. I reject that argument. We have seen nations throughout recent history require

organizations that formerly endorsed violence to formally renounce such tactics before participating in electoral politics. President Abbas should insist upon such action before allowing Hamas to participate in the upcoming legislative elections.

Secretary Rice stated recently that participants in a democratic political process cannot simultaneously keep an option on politics and an option on violence. Unfortunately, that is the case we now see unfolding in the Palestinian territories.

I support the establishment of a Palestinian state that can live side by side in peace and security with Israel and its other neighbors in the Middle East. How, though, will the United States be able to deal honestly and in good faith with a government composed of unrepentant members of an organization that advocates terror and the dissolution of our greatest ally in the Middle East—Israel? And perhaps more importantly, how will the Palestinian Government ever be able to negotiate with Israel?

This is of profound concern to me because the United States should help the Palestinian Government get on its feet and should help it develop an infrastructure that well serves its people. Certainly the Israelis need a legitimate body with which they can negotiate. The bottom line is a Palestinian legislature with members representing Hamas is a weakened body that will be stymied by serious questions about its legitimacy.

The peace process requires a sustained Palestinian effort to dismantle the terrorist infrastructure. President Abbas can take a bold stand by insisting Hamas cease incitement, condemn terrorism, and permanently disarm and dismantle their terrorist infrastructure before participating in the January elections.

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

The SPEAKER pro tempore (Mr. REICHERT). The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, H. Res. 575, as amended.

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. McCAUL of Texas. 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 question will be postponed.

#### RECOGNIZING THE IMPORTANCE AND CREDIBILITY OF AN INDEPENDENT IRAQI JUDICIARY

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 534) recognizing the importance and credibility of an independent Iraqi judiciary in the formation of a new and democratic Iraq.

The Clerk read as follows:

H. RES. 534

Whereas the United States is supportive of a sovereign governing body in Iraq, including the current government as well as future

duly elected governments and appointed officials;

Whereas Iraq, as do all sovereign nations, has the duty and responsibility to indict, prosecute, and punish criminals within its jurisdiction;

Whereas the Iraqi Special Tribunal holds the sovereign power to prosecute criminals;

Whereas certain accused individuals have allegedly committed egregious crimes against humanity, genocide, and war crimes;

Whereas the people of a free and democratic Iraq deserve justice for the horrific crimes inflicted upon them; and

Whereas the Iraqi Special Tribunal is empaneled to bring swift and impartial justice for the people, victims, and the nation of Iraq; Now, therefore, be it

*Resolved*, That the House of Representatives fully supports an independent Iraqi judiciary and its efforts to serve the cause of justice in a free and democratic Iraq.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

#### GENERAL LEAVE

Ms. ROS-LEHTINEN. 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 resolution under consideration.

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

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, an independent judiciary is one of the hallmarks of good government and is an essential check on the power of judicial and legislative branches of the modern state. Indeed, a requirement for evenhanded justice is an element of natural law and is called for in the Bible and the Koran which require equal justice for the poor and the rich.

In the case of Iraq, it would have been simple for a kangaroo court of some sort to have convened, held a trial of such obvious violators as Saddam Hussein and then had them shot immediately. This has been the case in some uprisings, both in the Middle East and elsewhere, such as when Romania's regime fell. This is not the path that the Iraqis have chosen, and we should honor them for this choice. The trial of Saddam as it is being carried out stands in sharp contrast to the actions of the Hussein regime against its dissenters who were usually executed after some paperwork was completed but where there was no semblance of a fair trial.

The resolution before us expresses our support for an independent Iraqi judiciary. This judiciary may disappoint from time to time. That is the nature of independent judges, to make unpopular decisions based strictly on law. Adherence to the rule of law and the existence of an independent Iraqi judiciary will be a critical component

to the consolidation of Iraqi sovereignty and democratic governance, and I appreciate the efforts of the gentleman from Texas (Mr. BURGESS), the author of this resolution, who traveled to Iraq, met with the Iraqi judges and came away so deeply impressed that he decided to put forward this resolution tonight.

I also thank the chairman and the ranking member of the Committee on International Relations, who expedited its consideration on the floor, and to the House leadership for including it among the matters scheduled this week as we move to the end of the House session.

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

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

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

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

Mr. Speaker, as we meet today, Iraq has begun to conduct a historic election that will select a national government for the next four years. Under the Iraqi Constitution approved this past October, the government that emerges from these important elections will have tremendous responsibilities. It must fill in the many blanks left in the Constitution regarding a new social compact for the Iraqi people and the sharing of oil revenues among all ethnic groups.

The creation of a truly independent judiciary is one of the greatest and most important challenges that will face the new Iraqi government.

Mr. Speaker, as we all know, a political settlement that would create a stake by all ethnic groups in a unified, peaceful Iraq has to date eluded the major political factions in Iraq. In fact, Iraqi society is facing a convulsion of violent sectarian conflict and suffering from acts of desperate terrorism.

While the elections now underway may lead to a consolidation of the political gains that were made in October, the establishment of an independent judiciary is a critical precondition for preserving those gains.

Without an independent judiciary that all members of Iraqi society believe will adjudicate disputes fairly, there can be no real peace in Iraq.

Without an independent judiciary that stands up to the rest of the national government and defends the new constitution, there can be no real new social compact in Iraq.

And without an independent judiciary that respects the religious differences among its people, there can be no real trust of that compact.

Mr. Speaker, as we speak, the nascent Iraqi judiciary is trying Saddam Hussein for the horrors of his regime. Based upon his dramatic court appearances, Saddam is clearly living under the delusion that he can orchestrate a triumphal return by manipulating the court for his own political ends.

This effort will fail and we will see Saddam Hussein for what he is—a mass murderer guilty of crimes against humanity who never should have been accorded respect by anyone in the international community.