

## THE PRESIDENT IS THE OBSTRUCTIONIST

(Mr. EMANUEL asked and was given permission to address the House for 1 minute.)

Mr. EMANUEL. Mr. Speaker, a few weeks ago the President said, "Those who obstruct reform, no matter what party they are in, will pay a political price."

Ironically, it is not the Democrats that are slowing Social Security reform, but the President's insistence on the privatization of Social Security. The privatization of Social Security has become the poison pill to progress.

In a world where retirements have become less, not more secure, people like the security that comes with Social Security, as the United Airlines employees have just told us. The American people have overwhelming rejected the President's proposal for privatization of Social Security. It is time to move on.

We Democrats have retirement security ideas, such as a 401(k) automatic enrollment, direct deposit of tax returns into 401(k)s, a 50-percent government match for savings. Republicans have ideas as well, and we are not all that far apart. But before we can move forward, privatization of Social Security has to come off the table, just like it was removed in 1983, that led to a 75-year security of Social Security.

We can choose to lead, or we can endlessly debate the privatization of Social Security, a plan the American people have already rejected. Let us not allow the President's privatization to stand in the way of progress.

## THE NEED FOR SENATOR DURBIN TO APOLOGIZE

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, two suspected terrorists were arrested last week for plotting to blow up a supermarket in California. If they are convicted and sent to Guantanamo, they will be greeted by U.S. soldiers who treat them humanely and provide Korans, prayer rugs and nutritious meals.

However, the Democrat whip Senator DURBIN this week slanderously compared U.S. soldiers serving honorably at Guantanamo to mass murderers Hitler, Stalin, and Pol Pot. His statements were irresponsible, disrespectful and, most of all, dangerous.

By likening American troops to brutal tyrants who killed millions of innocent civilians and misrepresenting the vital mission at Guantanamo, the Democrat whip Senator DURBIN has put our soldiers and the American people at risk. His dangerous political diatribe will only embolden terrorists who seek to justify their determined war against our citizens at home and abroad.

Senator DURBIN should apologize to U.S. soldiers and American families for

his smear and slander. As terrorists plot to infiltrate our country and murder innocent civilians, American leaders should not embolden their horrific agenda.

In conclusion, God bless our troops, and we will never forget September 11.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair advises Members that remarks in debate may not engage in personalities toward Members of the Senate.

## SUPPORT H.J. RES. 55, WITHDRAWING U.S. TROOPS FROM IRAQ

(Mr. KUCINICH asked and was given permission to address the House for 1 minute.)

Mr. KUCINICH. Mr. Speaker, yesterday a bipartisan coalition of Members of Congress introduced H.J. Res. 55, which is a binding congressional resolution calling on President Bush to begin withdrawing the United States Armed Forces from Iraq on or before October 1, 2006.

This bipartisan binding resolution is entitled Homeward Bound, and it is about bringing our troops home. I would like to cite some provisions of the statement of policy which is in H.J. Res. 55. It says that it is the policy of the United States to announce, not later than December 31, 2005, a plan for the withdrawal of all U.S. forces from Iraq.

And, second, it is our policy to turn over all military operations in Iraq to the elected Government of Iraq, and provide for the prompt and orderly withdrawal of all U.S. Armed Forces from Iraq; and, finally, to initiate such a withdrawal as soon as possible, but not later than October 1, 2006.

Support H.J. Res. 55. Thank you.

## ELECTION DAY IN IRAN

(Mr. KIRK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KIRK. Mr. Speaker, today is election day in Iran. As cochair of the Iran Study Group, with my colleague the gentleman from New Jersey (Mr. ANDREWS), we saw 1,000 people stand for the Presidency of Iran. But the Guardian Council only allowed eight candidates to actually run.

We expect that Rafsanjani will win this election today, and when we do, with less than half of the Iranian people voting, he will have a choice before him and his nation: whether to continue Iran's policy of lying to the U.N. about its nuclear weapon program, of supporting terror, and continuing a policy of economic isolation and stagnation, or rejoining the international community and spurring economic growth in a new Iran as part of a world-

wide community that does not support terror.

Mr. Speaker, we hope, we hope, that the new Iranian Government chooses wisely.

## SUPPORTING CHAIRMAN SENSENBRENNER

(Mr. PENCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PENCE. Mr. Speaker, 1 week ago the House Committee on the Judiciary convened a memorable hearing on the PATRIOT Act. Members of the Democratic minority called the hearing. All of the witnesses at the hearing opposed the PATRIOT Act, and, in fact, broadly opposed administration action. Since I was there, I can say with authority, throughout a contentious hearing the Chairman, the gentleman from Wisconsin (Mr. SENSENBRENNER), was tough, fair and respectful to Members and witnesses regardless of their point of view.

Now, some have called the hearing undemocratic. Well, there were hard issues, strong disagreements, but they were debated under the rules fairly administered. Undemocratic? Hardly. This was democracy at work.

I commend the chairman, the gentleman from Wisconsin (Mr. SENSENBRENNER) for his leadership of the Committee on the Judiciary and am proud to serve on it.

## COMMUNICATION FROM CONSTITUENT REPRESENTATIVE OF HON. DEVIN NUNES

The SPEAKER pro tempore laid before the House the following communication from Marjorie Risi, Constituent Representative of the Honorable DEVIN NUNES, Member of Congress:

JUNE 15, 2005.

Hon. J. DENNIS HASTERT,  
*Speaker, House of Representatives,  
Washington, DC.*

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena, issued by the Superior Court for Fresno County, California, for testimony in a criminal case.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

MARJORIE RISI,  
*Constituent Representative.*

## HENRY J. HYDE UNITED NATIONS REFORM ACT OF 2005

The SPEAKER pro tempore (Mr. BONNER). Pursuant to House Resolution 319 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for further consideration of the bill, H.R. 2745.

□ 0913

## IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for further consideration of the bill (H.R. 2745) to reform the United Nations, and for other purposes, with Mr. LAHOOD (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the committee of the Whole rose on Thursday, June 16, 2005, amendment No. 3 printed in Subpart C of Part 1 of House Report 109-132 by the gentleman from Massachusetts (Mr. MARKEY) had been disposed of.

It is now in order to debate the subject of human rights.

Pursuant to House Resolution 319, the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. LANTOS) each will control 10 minutes.

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

Mr. SMITH of New Jersey. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from Florida (Ms. HARRIS).

Ms. HARRIS. Mr. Chairman, I rise today in support of the Henry J. Hyde United Nations Reform Act. We have seen in recent years a steady stream of reports detailing mismanagement, corruption and outright abuse of the U.N. operations, from the Oil-for-Food Scandal in Saddam Hussein's Iraq, to reports of U.N. peacekeepers raping children in Bosnia and Sudan, to reports of nepotism, cronyism, and financial irregularities in the U.N. missions around the world.

We have seen clearly evidence of mismanagement and corruption, fraud and abuse in this institution. The U.N. Reform Act was developed to address these failings by streamlining U.N. programs, restoring accountability, setting clear budget and operational priorities. These are baseline reforms that many U.N. supporters agree have been needed for years, and that can be achieved within a reasonable time-frame to restore the U.N.'s functionality and credibility.

To drive the process of reform, this bill sets forth a strong enforcement mechanism by withholding 50 percent of U.S. dues if these reforms are not instituted by 2007. With this enforcement mechanism we can ensure that the U.N. lives up to the ideals it was founded to advance six decades ago.

I would like to take this opportunity to thank Chairman HYDE for his leadership, for his wisdom and for his statesmanship in developing this legislative package to bring a new era of oversight and accountability to the U.N.

Mr. LANTOS. Mr. Chairman, I yield to the distinguished Democratic whip as much time as he might consume.

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

Mr. HOYER. Mr. Chairman, I thank the distinguished gentleman from Cali-

fornia (Mr. LANTOS) for yielding me the time.

Mr. Chairman, the question before this House today is not whether the United Nations should be reformed, but how the institution must be reformed. Virtually every Member of the House agrees with this proposition. If the U.N. is going to retain its credibility, it must implement meaningful reform in areas such as budgeting, oversight, and accountability, and certainly peacekeeping and human rights.

We, of course, are not alone in this assessment. The administration agrees. The congressionally established Task Force on the United Nations, which just issued its report on reform this week, agrees. Even top officials of the United Nations agree that reform is needed, and Secretary General Kofi Annan has issued a broad reform agenda.

It is well established, Mr. Chairman, that the U.N. suffers under poor management, low staff morale, and a lack of accountability and professional ethics. Even worse, the organization has been wracked by scandal; for example, revelations of corruption in the Food-for-Oil program in Iraq, and evidence that U.N. peacekeepers sexually abused women and children that they were sent to protect.

However, administrative incompetence and even corruption pale in comparison to the United Nations's failure to act to prevent genocide, most recently in Rwanda, Bosnia and Kosovo, and, yes, even as we speak in Darfur, Sudan.

Let no one be mistaken, Mr. Chairman, I believe the United States' national security interests are served and strengthened by our active participation in international organizations, including the United Nations, but, Mr. Chairman, we must not flinch from asking, can an organization established to promote tolerance, human rights and the peaceful resolution of disputes long survive when its members cannot summon the will to stop the slaughter of innocent men, women and children, or to enforce resolutions adopted overwhelmingly to achieve international stability and security?

The answer, I think, is self-evident. Specifically, I believe the U.N. ideal is undermined when members refuse to act against an international outlaw such as Saddam Hussein, who flagrantly flouts his obligations under countless Security Council resolutions.

Frankly, Mr. Chairman, we are mired in a war in Iraq, where the United States is bearing the overwhelming burden to act against an international lawbreaker against whom the United Nations unanimously passed 17 resolutions in 12½ years saying that he was in violation of the obligations imposed upon him by the United Nations, and which they, in a united way, agreed he had not complied with. As I have stated before, the member states of the United Nations must respond to such defiance with more than mere words. They must respond with action.

Now, Mr. Chairman, I appreciate the motivation of Chairman HYDE's bill; however, I disagree with its method, an enforcement mechanism that would mandate a 50 percent cut in the United States contribution to the U.N. should the legislation's 39 proposed reforms not be implemented. As Under Secretary of State Nicholas Burns of this administration told the Washington Post, this approach would undermine American credibility at the United Nations; it would undermine our, meaning the United States' effectiveness.

In contrast, the Democratic substitute offered by Mr. LANTOS is far superior. It maintains, Mr. Chairman, the link between achieving U.N. reforms and withholding a portion of the United States assessed dues; however, critically importantly, it gives the Secretary discretion to make such cuts, rather than mandating them.

As an aside, let me say, Mr. Chairman, that I believe that as long as we are a member of the U.N., we have an obligation, a duty, it is in our interest, to pay our fair share. Importantly as well, the substitute provides the Secretary with a waiver to the requirement to veto all new peacekeeping missions or to expand existing missions. To do otherwise, in my opinion, would be a significant mistake.

The Republican bill provides no waiver. In effect, it would block the United States from supporting any new peacekeeping mission, including involvement in a crisis like the one in Darfur, until peacekeeping reforms are completed.

Very frankly, the victims of genocide cannot wait for a recalcitrant United Nations to accomplish those reforms until such time as we act to save lives, prevent dislocation, and maintain the safety and human rights of the inhabitants of some country.

Finally, Mr. Chairman, this substitute directs the Secretary of State to withhold 10 percent of our contributions to the U.N.'s peacekeeping budget when the U.N. fails to suspend the membership and act against a member which is engaged in or acquiescing in genocide.

Again, Mr. Chairman, none of us questions the necessity of U.N. reform. Reform is not optional, it is imperative. The underlying bill, however, is an unproductive and harmful response to real problems.

The Democratic substitute, the substitute offered by the ranking Democrat, the gentleman from California (Mr. LANTOS), gives us our best opportunity to strengthen and revitalize the U.N., and I urge my colleagues in a bipartisan way, on both sides of the aisle, liberals and conservatives, concerned about both the reform of the United Nations, but also the effective operation of an international organization, our best hope to maintain international law and order, to protect human rights and redeem the promises made when we created the organization we know as the United Nations.

And I thank my friend for yielding the time, supporting this substitute, and I urge all of my colleagues to do the same.

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

Mr. Chairman, the Henry J. Hyde U.N. Reform Act of 2005 is, without a doubt, tough but necessary medicine designed to effectuate systematic and sustainable reforms at the United Nations bureaucracies, its missions, and programs. It is serious and refuses to accept business as usual. And nowhere is the need for massive reform more compelling than in the realm of human rights.

Over the years we have heard calls for reform. Time and again they have fallen on deaf ears. In a bizarre rendition of George Orwell's Animal Farm, countries which severely violate human rights of their own citizens are members in good standing at the U.N. Human Rights Commission and as such sit as judge and jury of human rights conditions around the world. ECOSOC, the United Nations body which appoints states to the Human Rights Commission, facilitates this cruel hoax, which guarantees dysfunction at the human rights body, and allows violators and violating countries to continue to be placed on the Commission with no accountability whatsoever because of its secret voting procedures.

Even U.N. officials have admitted the Commission is not doing its job. A U.N. high-level panel in December of 2004 concluded that the UNCHR's credibility and professionalism has been undermined due to the active undermining of the work of the Commission by members with poor human rights records.

In March, U.N. Secretary Kofi Annan told the Commission, and I quote him, "unless we remake our human rights machinery, we may be unable to renew public confidence in the United Nations."

Indeed, Mr. Chairman, in March I was in Geneva for the Human Rights Commission for the umpteenth time. I first started going back when Armando Valladares, that great human rights leader in Cuba, was appointed as our ambassador by Ronald Reagan. And I had seen over these many years that that body has gone from bad to worse. There was no resolution, for example, this year on Zimbabwe, called an outpost of tyranny by Secretary Rice. There was no resolution on Turkmenistan, the most repressive of the 55 countries of the OSCE, whose government bulldozes mosques, tortures Christians and closes rural hospitals. And there is no resolution on the People's Republic of China, despite the fact that they have an egregious human rights record and routinely torture and maim, especially those who are political dissidents, and those who practice their faith, whether it be Christian, Jewish, Tibet or the Muslims. China persecutes all of those individuals,

by the tens of thousands, including the Falun Gong, and yet there was no resolution on China.

Resolutions, I am happy to say, against Belarus and Cuba were approved, but that was because President Bush himself and Rudy Boschwitz, who led our delegation, and Ambassador Moley and others did a Herculean job of getting countries that were likely not to support them to do so, but it took their personal lobbying. It was not about their human rights records, it was about trying to motivate these countries to do the work that they should have done otherwise.

Even the U.N. High Commissioner for Human Rights, Louise Arbour, a former Supreme Court Justice from Canada, told me in a conversation I had in Geneva just a few weeks ago that she believes the atmosphere at the Commission on Human Rights is surreal, her word, and that there is, quote, no intellectual engagement or serious consideration on the issues.

The current model is ill-suited to the task, she noted, in which the Commission is both the adjudicator and the implementor of human rights. She said, and I quote her again, the process needs to reinvent itself, and that is precisely what Congressman HYDE is trying to do with this, very strong language, very strong piece of legislation; to finally say, time to put away the games and speak truth to power, especially to these dictatorships.

I would just point out to my colleagues anecdotally that the Commission on Human Rights so often turns human rights on its head.

Bob Fu, the president of China Aid Association, and a victim of the Chinese gulag himself, who testified before my subcommittee in April, is just one more example of the hypocrisy of that body. Mr. Fu was physically expelled from the Commission when the Chinese delegation objected and said they felt threatened by the electric shock device that Mr. Fu was showing at a demonstration on how China mistreats and tortures its prisoners. His credentials were taken away, and he was given the boot.

But it is not just the Commission on Human Rights that is broken; other human rights bodies that deal with human rights have also strayed from their core mandates and have failed to act against severe human rights violators.

Mr. Chairman, despite almost universal acknowledgment of the problems which exist at the U.N. human rights system, there has been little reform; lots of lip service, lots of we will do it next week, we will do it next year; nothing tangible. In fact, it has actually gotten worse over these many years.

It is clear more pressure is needed, and the Henry J. Hyde U.N. Reform Act of 2005 is intended to end this deplorable state of affairs.

□ 0930

The legislation mandates that the U.N. adopt criteria for membership on

any human rights body. It should be a no-brainer, but this legislation stipulates that countries which fail to uphold the Universal Declaration of Human Rights should be ineligible for membership. You would think that would be a given. Well, it is not. This legislation tries to ensure that it is a given.

Likewise, countries that are subject to sanction by the Security Council, countries that are subjected to country-specific human rights resolutions, or countries that violate the principles of the human rights bodies they aspire to join would be ineligible for membership.

In addition to the other criteria, the bill mandates that no human rights body has a standing agenda item that relates only to one country or region. We all know what that is all about. Every time I have been over in Geneva, and I know the gentleman from California (Mr. LANTOS) and others have been concerned about this as well, there is a whole agenda item that focuses on Israel. And the Israel bashing is unconscionable, while China and other countries get by scott-free.

We had to fight to ensure that Sudan, as the killing and maiming was occurring in Darfur, was even on the agenda. Then there was this attempt made by a number of countries including Sudan and Cuba to water down the language.

Genocide is being committed, and they are worrying about upsetting the apple cart and using language that might cause somebody in Khartoum to be upset.

H.R. 2745 also mandates that the Economic and Social Council, ECOSOC, abolish secret voting, which is an outrage. That is one of the things that ensures that these violator states, these rogue states, get on to the Commission on Human Rights.

Finally, Mr. Chairman, I do believe that in the Hyde bill there is very strong support for the work of the U.N. High Commissioner for Human Rights and the need to strengthen and expand its authority to go into regions where human rights monitors are most needed, such as Darfur and eastern Congo.

I strongly urge my colleagues to support this bill and to enact the human rights reform contained in this legislation. We need a United Nations which speaks strongly and clearly for the universal respect for and observance of fundamental human rights and the dignity and worth of each and every human person, and equal rights of men and women as a foundation for freedom and justice in the world.

More high-sounding words will not help the U.N. reform itself. We need the strength of this legislation to do it, and we have a responsibility to do it as the largest donor and as a world leader in the realm of human rights.

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

Mr. LANTOS. Mr. Chairman, how much time remains?

The Acting CHAIRMAN (Mr. LAHOOD). The gentleman from California (Mr. LANTOS) has 2 minutes remaining.

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

Mr. Chairman, let me first commend the gentleman from Illinois (Chairman HYDE) for crafting particularly powerful provisions with respect to the human rights issue. Let me pay tribute to my friend, the gentleman from New Jersey (Mr. SMITH), an indefatigable fighter for human rights, for his powerful statement; and let me identify myself with his comments. And let me commend the Democratic whip, the gentleman from Maryland (Mr. HOYER), for his strong statement on the bill and on the human rights aspects of it.

Probably no issue relating to human rights is as hypocritical as the performance of the U.N. in recent years. The hypocrisy of the U.N. has reached astronomical proportions when it comes to human rights. The leading advocate of human rights, the United States, is excluded from the Human Rights Commission. The most outrageous violators of human rights are placed in positions of power within the Human Rights Commission. And if it would not be so serious, it would be a ludicrous theater of the absurd as we watch the so-called U.N. Human Rights Commission protect human rights violators and attack champions of human rights.

The gentleman from Illinois (Chairman HYDE) and I stand shoulder to shoulder in our determination to improve the human rights mechanism of the United Nations. We feel that this hypocritical performance of recent years must come to an end. And it is absolutely mandatory that the current Human Rights Commission be abolished and a new human rights entity composed only of countries that respect human rights be created.

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

The Acting CHAIRMAN. All time has expired.

It is now in order to consider amendment No. 1 printed in Subpart D of Part 1 in House Report 109-132.

PART 1, SUBPART D AMENDMENT NO. 1 OFFERED BY MR. ROYCE

Mr. ROYCE. Mr. Chairman, I offer an amendment.

The Acting Chairman. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part 1, Subpart D amendment No. 1 offered by Mr. ROYCE:

In section 201(b) (relating to human rights reforms at the United Nations), add at the end the following new paragraph:

(6) The practice of considering in the principal body in the United Nations for the promotion and protection of human rights country specific resolutions relating to human rights abuses perpetrated by the government of a Member State within such Member State shall not be eliminated.

In section 601(a)(3)(A), strike "39" and insert "40".

In section 601(a)(3)(B)(i), redesignate subclauses (XIII) and (XIV) as subclauses (XIV) and (XV), respectively, and insert after subclause (XII) the following new subclause:

(XIII) Section 201(b)(6).

The Acting CHAIRMAN. Pursuant to House Resolution 319, the gentleman from California (Mr. ROYCE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California (Mr. ROYCE).

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

Mr. Chairman, as has been discussed today, the United Nations is in need of widespread reform. And one area where the United Nations has egregiously failed is its appalling human rights record and its appalling Commission on Human Rights. If this issue were not so serious, it would really be laughable.

The promotion and protection of human rights has been a core task of the United Nations since its founding in 1945. Yet over the years, the Commission on Human Rights has gone from, in fact, being a protector of human rights to an accomplice of dictators throughout the world.

Some of the worst violators of human rights work through their regional blocs to gain nomination and election to this commission in order to protect themselves and their allies from criticism.

This April our ambassador to the U.N. in Geneva said of the process, "The inmates are very close to being in charge of the asylum."

Mr. Chairman, the U.N.'s human rights mechanisms frankly are broken. Unless the United Nations recasts its human rights body, it may be unable to renew any level of public confidence. The Hyde bill takes several well-overdue steps to ensure that a future U.N. human rights body does not become the farce that today's is. Under the Hyde legislation, the United Nations would adopt the foundational principle that countries that fail to uphold the universal declaration of human rights would be ineligible for membership in that body as well as those who have been sanctioned by the Security Council.

This amendment would add another important reform in the area of human rights. The amendment simply states that country-specific resolutions shall not be eliminated within the human rights body. And this provision would be subject to the certification and withholding process of the underlying bill.

The amendment's purpose is to thwart attempts to eliminate country-specific resolutions within the Commission on Human Rights or any other future human rights bodies.

Believe it or not, in the recent past, several countries have informally advanced the idea of eliminating these resolutions which highlight the abuses of individual countries. The "naming and shaming process," as it is called, is one of the most effective ways at the

U.N. to pressure countries to curtail human rights abuses. Were it to be eliminated, we might as well shut down the human rights body all together, which is exactly what the violator countries would like to have us do.

This issue was brought earlier this year before the Subcommittee on Africa, Global Human Rights and International Operations of which I serve as vice chair. Deputy Assistant Secretary of International Organizations Mark Lagon testified before the subcommittee that "there has been a disturbing trend against which we have fought for developing countries to turn away from country-specific resolutions that single out and place under international scrutiny those countries with the worst of human rights records. Even more pernicious," he says, "some countries argue for the elimination of all country-specific resolutions," and there is a growing consensus among states that practice these abuses, "except those targeted at Israel under Item 8, the only agenda item devoted exclusively to one country." That is what they want to maintain while eliminating all other country-specific resolutions.

The sad reality is that there are countries out there that are working to eliminate what should be the core function of any U.N. human rights body, naming the human rights violators. Unlike this year where there was no resolution on Zimbabwe and no resolution on Sudan, there would not even be the possibility of bringing up a resolution focused on a specific country. Just when you thought it could not get worse. Again, it would be laughable if it were not so serious.

That is why this amendment is important. Some argue that the naming and shaming is too blunt an instrument. Instead, they prefer what they call "quiet diplomacy." More often than not, silent diplomacy is the best friend of states who violate human rights.

When I meet with those who have been beaten and tortured for attempting to stand for election in Zimbabwe or victims of the Janjaweed in Darfur, Sudan, many tell me how much words of support and condemnation from the world mean to them and those in their country who are fighting for freedom.

This important leverage of naming and shaming must be kept if there is hope of reviving the United Nations' standing on human rights. I urge the passage of this amendment.

Mr. LANTOS. Mr. Chairman, I ask unanimous consent to claim the time in opposition to the amendment.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

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

Mr. Chairman, let me first commend my good friend, the gentleman from California (Mr. ROYCE), for his extremely valuable amendment, which of

course we are prepared to accept with the exception of the 50 percent penalty provision which applies to all of the amendments that we accept during our presentation of the Lantos-Shay substitute in which we will deal with the penalty provisions.

Without being able to single out perpetrators of human rights violations, the Human Rights Commission and its work is useless.

Mr. CHAIRMAN. I yield the balance of my time to the gentleman from California (Mr. SCHIFF), the distinguished member of the Committee on International Relations.

Mr. SCHIFF. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, from a distance, the United Nations headquarters gleams, its signature glass tower dominating the East River skyline of Midtown Manhattan. But a closer look reveals evidence of decades of neglect. Sandbags and tar paper dot the roof to plug leaks. The Under Secretary-General for Management's office shows signs of water damage. Asbestos hangs from ceilings. The buildings furniture and fixtures clearly date from the early 1960s.

The crumbling infrastructure of the headquarters is a metaphor for the state of the United Nations itself. Conceived in the waning days of World War II, the U.N. is a mid-20th century institution in a 21st-century world. While the U.N. was designed to prevent war between nations, it has been called upon with increasing frequency to stop intrastate conflict and solve the challenges of failed states and terrorism. In this new undertaking, the U.N.'s performance has been unremarkable.

In early March, I visited the United Nations and met with members of the U.S. mission and high-level officials of the Secretariat to discuss the ongoing reform of the world body and to assess the state of the relationship between the U.S. and the U.N. I came away impressed with the urgent need for reforms that I hope will lead to a more effective United Nations.

We need to strengthen the U.N.'s capacity to quickly and effectively deploy peacekeepers to halt and prevent genocides and other forms of intrastate and ethnic violence that have become prevalent in the post-Cold War period.

We need to end the obscene irony of having Libya and Sudan sit in judgment of human rights practices of others. We need to stop member states of the U.N. from dominating the agenda with innumerable attacks on our democratic ally Israel as a means of deflecting attention from the appalling lack of economic opportunity and political freedom in many parts of the world.

As by far the largest contributor in the U.N., this country has a huge stake in the success of these reform efforts. But even as we work to correct the U.N.'s problems, we cannot lose sight of the fact that the U.N. serves so many of our national security interests. U.N. peacekeepers instead of

American troops are stationed in numerous hot spots around the globe from Haiti to the Middle East to the Congo. The U.N. helped structure and manage the recent Iraqi elections that were an important milestone.

The U.N. has coordinated the global response for Asian tsunami relief for nearly 6 months. It played a vital role in Afghanistan's transformation from a medieval theocracy to a nascent democracy. And the U.N. has also been a key player in the creation of the nation of East Timor.

U.N. experts have been instrumental in coordinating international efforts to fight diseases that in this age of jet travel move across borders and between continents easily and often with devastating results. These are significant contributions to America's national security, and we cannot discount their importance.

We must push the U.N. to change, but I have deep misgivings about the legislation introduced by my distinguished colleague, the gentleman from Illinois (Mr. HYDE). And as an aside, Mr. Chairman, we use the word "distinguished" here very readily, perfunctorily. It is an honorific. It is occasionally a soporific. But in the case of our chairman, the gentleman from Illinois (Mr. HYDE), I mean the word in all its sincerity. I think there is no chairman and indeed no ranking member held in higher regard by the members of the committee than our chairman, the gentleman from Illinois (Mr. HYDE), and our ranking member, the gentleman from California (Mr. LANTOS).

Mr. Chairman, I feel honored to serve in the same Congress with the chairman.

I believe the bill that we are considering today is too focused on unilaterally punishing the U.N. rather than using our prestige and diplomatic leverage to achieve reforms. If the idea is to use reform as a way to strengthen the U.N., I do not believe this is the right approach.

My misgivings are shared by the administration and by a bipartisan group of former U.S. ambassadors to the U.N. including Richard Holbrooke, Tom Pickering, and Jeane Kirkpatrick. Yesterday, Under Secretary of State Nicholas Burns said the bill would undermine the credibility of the U.S. at the U.N.

I will be supporting the substitute, Mr. Chairman, authored by our ranking member, the gentleman from California (Mr. LANTOS).

In conclusion, I believe the substitute is a sensible and tough approach that will help us push a reform agenda and give us the flexibility to choose not to use punitive measures if our Secretary deems it is in the national interest.

The Acting CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from California (Mr. ROYCE).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Mr. ROYCE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California (Mr. ROYCE) will be postponed.

It is now in order to consider amendment No. 2 printed in subpart D of part 1 of House Report 109-132.

PART 1, SUBPART D AMENDMENT NO. 2 OFFERED BY MR. FORTENBERRY

Mr. FORTENBERRY. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part 1, Subpart D amendment No. 2 offered by Mr. FORTENBERRY:

In title I, add at the end the following new section (and conform the table of contents accordingly):

**SECTION 110. GENOCIDE AND THE UNITED NATIONS.**

(a) UNITED STATES ACTION.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to make every effort to ensure the formal adoption and implementation of mechanisms to—

(1) suspend the membership of a Member State if it is determined that the government of such Member State is engaged in or complicit in, either by commission or omission, acts of genocide, ethnic cleansing, or crimes against humanity;

(2) impose an arms and trade embargo and travel restrictions on, and freeze the assets of, all groups and individuals responsible for committing or allowing such acts of genocide, ethnic cleansing, or crimes against humanity to occur;

(3) deploy a United Nations peacekeeping operation or authorize and support the deployment of a peacekeeping operation from an international or regional organization to the Member State with a mandate to stop such acts of genocide, ethnic cleansing, or crimes against humanity;

(4) deploy monitors from the United Nations High Commissioner for Refugees to the area in the Member State where such acts of genocide, ethnic cleansing, or crimes against humanity are occurring; and

(5) authorize the establishment of an international commission of inquiry into such acts of genocide, ethnic cleansing, or crimes against humanity.

(b) CERTIFICATION.—In accordance with section 601, a certification shall be required that certifies that the mechanisms described in subsection (a) have been adopted and implemented.

In section 601(a)(1), insert "section 110," after "104(e)."

In section 601(a)(3)(A), strike "39" and insert "40".

In section 601(a)(3)(A), strike "ten" and insert "11".

The Acting CHAIRMAN. Pursuant to House Resolution 319, the gentleman from Nebraska (Mr. FORTENBERRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Nebraska (Mr. FORTENBERRY).

Mr. FORTENBERRY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, when a government of a member state of the United Nations

is engaged in or complicit in acts of genocide, war crimes or crimes against humanity, other member states must not stand idly by.

The U.N. is given the authority and mechanisms to discipline such members in article 5 of its charter; yet it often fails to do so.

This amendment explicitly directs the U.S. permanent representative to use the voice, vote, and influence of the United States to make every effort to see that member states are held accountable. This accountability would include the following actions:

One, suspending the membership of a member state if it is determined that the member state's government is engaged in or complicit in, either by omission or commission, acts of genocide, ethnic cleansing, or crimes against humanity;

Two, imposing an arms and trade embargo, travel restrictions, and asset freeze upon groups or individuals responsible for such acts;

Three, deploying a U.N. peacekeeping operation or authorize and support the deployment of a peacekeeping operation from an international or regional organization;

Four, deploying monitors from the United Nations High Commissioner for Refugees to the area where such acts are occurring;

Five, authorizing the establishment of an international commission of inquiry into such acts.

Mr. Chairman, as an active member of the United Nations, America has a responsibility to help strengthen this important body for worldwide deliberation. The spirit of the United Nations is undermined when it fails to address blatant disregard for its own charter. Its very character and effectiveness are weakened. Those governments engaged in crimes against humanity should not maintain their full rights and privileges at the U.N.

Finally, Mr. Chairman, I would like to thank the gentleman from Illinois (Chairman HYDE) and the gentleman from California (Mr. LANTOS) for their important leadership on the issue of U.N. reform, and the chairman, as well as his staff in particular, for working with me on this important issue of genocide.

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

Mr. LANTOS. Mr. Chairman, I ask unanimous consent to claim the time in opposition to the amendment, as I am not opposed to the amendment.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

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

Mr. Chairman, I want to commend my friend from Nebraska (Mr. FORTENBERRY) for his very useful amendment. In substance we are in agreement with the amendment; but as I will point out when we offer our substitute, the punitive portions are particularly absurd in this instance.

Any permanent member of the Security Council can veto U.N. action. Assuming that China would veto action in the instance described by my friend from Nebraska, the United Nations would not be able to mount the action called for, yet we would penalize the U.N. for a veto by a member state. That is why the automaticity of the 50 percent withholding is simply illogical. It makes no sense.

The substance of the gentleman's amendment is sound and valid. We have no objections to it, and I want to commend him for his initiative.

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

The Acting CHAIRMAN. The gentleman from Nebraska (Mr. FORTENBERRY) has 3 minutes remaining.

Mr. HYDE. Mr. Chairman, I will accept the amendment.

Mr. FORTENBERRY. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Nebraska (Mr. FORTENBERRY).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Mr. FORTENBERRY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Nebraska (Mr. FORTENBERRY) will be postponed.

It is now in order to debate the subject of the Oil-for-Food program. The gentleman from California (Mr. ROYCE) and the gentleman from California (Mr. LANTOS) each will control 10 minutes.

The gentleman from California (Mr. ROYCE) is recognized.

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

Mr. Chairman, I think every Member in this House agrees that the United Nations needs reform, and I believe that frankly reform at the U.N. is imperative.

The substitute bill that our esteemed ranking member, the gentleman from California (Mr. LANTOS), has offered in our markup in many, many ways mirrors the bill we are considering today. It endorses many of the same reforms that the Hyde bill also endorses. But there is a fundamental difference between the two bills, and that goes to the issue of what mechanism do we employ to try to bring about the type of reforms both bills endorse.

Now, the substitute that was offered in committee and will be offered on the floor authorizes the Secretary of State to push for reforms. The Hyde bill is tougher. It requires that reforms be made or U.S. dues are partially withheld. The majority of members on the Committee on International Relations consider that the leverage of dues is the necessary mechanism, and I believe the only mechanism, with a chance of actually bringing about these needed reforms.

Some have suggested that the bill here has too strong a pill in it. This is tough treatment. But I would ask Members to remember that reforming the United Nations is a tough game. Without strong leverage, I am afraid that the Secretary of State's voice would be lost in the din of voices at the U.N. that have resisted reform for years and years.

The Oil-for-Food scandal is the exclamation point when we speak about the need for U.N. reform. I think it is safe to say that we would not be here today promoting broad reform across the U.N. were it not for the magnitude of the malfeasance and graft in the Oil-for-Food program.

It was this scandal that propelled many to take a hard look at the United Nations. The portion of this bill that addresses the U.N.'s systemic weaknesses in its current oversight efforts is particularly welcome. The bipartisan Gingrich-Mitchell report released this week found that "despite the effort of a few member states, the United Nations remains lacking in oversight and accountability."

The underlying bill mandates the creation of a well-funded independent oversight board with the authority to initiate investigations into mismanagement and wrongdoing. It establishes procedures to protect U.N. employees or contractors who report allegations of misconduct; and it establishes policies to end single-bid contracts.

Mr. Chairman, the Committee on International Relations has been investigating the United Nations Oil-for-Food program since March of 2004. In this Congress, the committee has established the Subcommittee on Oversight and Investigations, chaired by my colleague, the gentleman from California (Mr. ROHRABACHER), on which I serve, which has looked deep into this scandal.

The U.N. Oil-for-Food program was established in December of 1996 to provide relief to Iraqi people who were facing hardships as a result of U.N. sanctions which were imposed on Baghdad after the 1990 invasion of Kuwait. Under the program, Iraq was permitted to sell oil to purchase food and medicine and humanitarian supplies. We entrusted the U.N. to contain a dictator who had used WMD on his own people and invaded a neighboring country.

By accepting oil for food, we put great trust in the U.N. and it failed. Lax oversight and corruption enabled Saddam's regime to raise billions in illicit revenue by requiring its trading partners to pay kickbacks in exchange for doing business in Iraq.

The seriousness of the Oil-for-Food's corruption cannot be underweighted. This program centered on issues of war and peace. Saddam Hussein's regime manipulated this program which helped the Iraqi dictator stay in power. Our country went to war in Iraq which has come at great cost in American lives and treasure. Those who did not

support this policy put even greater faith in Oil-for-Food.

With Oil-for-Food, we are not talking about run-of-the-mill waste and fraud that is standard at the U.N. We are talking about corruption of a program that seriously impacted our vital national interests, interests vital enough to send our servicemen and -women to Iraq.

The issues surrounding the Oil-for-Food program brings into question the ability of the United Nations to conduct a containment-oriented sanctions regime.

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

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

Mr. Chairman, first I want to pay tribute to the leadership of the gentleman from Illinois (Chairman HYDE) on the Oil-for-Food investigation. I also want to recognize the work of my friend, the gentleman from California (Mr. ROHRABACHER), and the ranking member on the investigations committee, my good friend, the gentleman from Massachusetts (Mr. DELAHUNT).

It is now clear that the U.N.'s management of that program was plagued by sloppy administration which led to a failure to detect solicited bribes, collusion with contractors, interference with auditors who were assigned to ferret out abuse.

Even more sickening than these U.N. failings was the behavior of some member states such as France and Russia who jumped at the chance to participate in Saddam's crimes against the international community.

□ 1000

To win Russian support for lifting U.N. sanctions, Saddam granted one-third of the Oil-for-Food contracts, worth some \$10 billion, to Russian firms. He also appears to have directed bribes in the form of tradable oil vouchers to key officials on Putin's staff, his former Chief of Staff Alexander Voloshin, and to Russian political parties and politicians, including the fascist Vladimir Zhirinovsky.

With respect to the amendments we are about to debate, we consider generally the amendments acceptable, but the withholding of U.N. dues on an automatic basis makes them in some cases unenforceable, and, in other cases, disproportionate to the events under discussion. We feel strongly that the United Nations must clean up its act if it is to continue to receive the support of the American people and this Congress.

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

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

Mr. Chairman, let me explain some of the difficulty we face here in the way in which this sanctions regime broke down. Because of the need to maintain consensus within the Security Council and the broader membership in the United Nations, somehow the United

Nations inevitably seems to become neutral or perhaps even sympathetic to the very regime being sanctioned, in this case it was Saddam Hussein's regime, and that neutrality inevitably led to loopholes in the program that Saddam Hussein was able to effectively exploit.

When the Committee on International Relations began to look into the Oil-for-Food scandal, I stated that support for similar U.N. administrative programs will be zero unless the United Nations is forthcoming with information needed to investigate this scandal, and that the withholding of this information was a scandal in itself.

We all agree that the credibility of the United Nations is on the line. As reports continue to come to light, and they come to light even this week, they seem to offer more questions than answers. Wherever this investigation leads, the seriousness of this issue cannot be discounted.

Some have argued that U.N. Secretary General Kofi Annan is making reforms, so why push him? The fact is that the Secretary General needs help. For one, he is a lame duck due to his necessity of leaving office in 2006. He may not realize it, he may not even appreciate it, frankly, but this bill will give Secretary General Annan the leverage he needs to make reform in his limited time left, should he choose to use it. Nothing focuses a bureaucracy like a threatened budget cut. Sometimes strong medicine is what is needed. This is needed.

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

Mr. LANTOS. Mr. Chairman, I am delighted to yield 3 minutes to my good friend, the distinguished gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I rise in opposition to the underlying bill, H.R. 2745. I also believe that these two amendments are probably superfluous. But, broadly speaking, clearly the Oil-for-Food scandal is a problem. It needs serious attention.

I think all of us in this House agree that the U.N. is in need of serious, ambitious reform, but the underlying bill seeks to achieve that reform by assuming once again that the United States can dictate to the rest of the world. The United Nations does need to clean up its act, and it has already begun to do so. It is establishing a Management Performance Board to monitor senior managers, appointing the top U.S. State Department finance expert as the U.N.'s new management chief, and consolidating a comprehensive antifraud and corruption policy, in part based on a recent model developed by the World Bank. These are just a few of the many actions the U.N. is taking.

In short, the organization's top bureaucrats are pressing for reform, and they need to, because the world is watching. But this U.N. Reform Act ignores this reality. It is self-destructive

in its isolationism. In shifting funds from assessed to voluntary contributions, the Hyde bill attempts to legislate for the world by circumventing the General Assembly, where budgetary matters must be approved by consensus. Measures such as these breed resentment and weaken our credibility. At a time when the U.S. public image abroad is already suffering, member states do not need a new excuse to think of the U.S. as a bully.

The Hyde bill would halt the expansion or creation of new peacekeeping missions if the U.N. does not meet a very unrealistic time line for reform. Such a move would signal a U.S. disengagement from the world's problems, including the worst humanitarian crisis of our time, the genocide in the Sudan, and it would make the U.S. appear narrowly focused on our pocketbook, rather than grave humanitarian concerns. I would add, the Oil-for-Food scandal is not one where the U.S. has perfectly clean hands.

We have several golden opportunities these next few months to make the world safer and to fight global poverty. We have the G-8 meeting in Scotland in July and the U.N. General Assembly summit in New York City in September. The U.S. should be showing leadership regarding the proposed Peacebuilding Commission, which the administration supports, and increasing the effectiveness and amount of aid. The Hyde bill is an unfortunate distraction that detracts from U.S. leadership and undermines the potential of the U.N.

There is a price to be paid for putting the U.S. at odds with some of our closest allies. Our allies and other nations are going to be less willing to cooperate with the U.S. on antiterrorism or other efforts if the U.S. continues to refuse to be a global team player.

For those reasons, I urge my colleagues to support the Lantos-Shays substitute, which removes these harmful provisions.

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

Mr. Chairman, most Americans probably do not realize it, but most other governments, friends and foes alike, put great stock in the United Nations, for better or for worse, and for this reason the U.N. impacts the United States very significantly. That is why in this era of great challenges, of great threats to our security, we must do all we can to shake the U.N. from the deep failings described by the Gingrich-Mitchell report and referenced in this legislation. That is why I am supporting this bill and asking my colleagues to do the same.

Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. HYDE), our distinguished chairman.

Mr. HYDE. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I just wanted to respond to the last speaker who used the words "bully" and "legislating for the world." The litany of reforms which we

deem essential in our legislation is mirrored in the Lantos bill, so if I am a bully, he is a bully. Actually, neither of us are bullies. We are a couple of nice guys. But these changes that are necessary, we all agree. The only difference is how to implement them.

So I thought I would just make that comment.

Mr. LANTOS. Mr. Chairman, I am delighted to yield the balance of my time to the gentleman from Massachusetts (Mr. DELAHUNT).

The Acting CHAIRMAN (Mr. LAHOOD). The gentleman from Massachusetts is recognized for 4½ minutes.

Mr. DELAHUNT. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I think it is important to note that the former Speaker of this institution Mr. Gingrich considers that this is a moment where reform is attainable without the necessity of mandatory, automatic withholding of United Nations dues.

Let me read an excerpt from a press conference that the former Speaker held back on April 15 of this year: ‘I know of no occasion where there has been as wide an agreement that the U.N. has to be reformed. I know of no occasion where we have had a Secretary General as open and direct as Kofi Annan has been the last 2 months about the need for reform. And I think the very reason that Senator Mitchell and I were willing to chair this particular project is our belief that this could be a remarkable moment to get some significant things done that will give the world a more transparent, a more accountable and a more effective United Nations.’

Mr. Chairman, I think what is particularly important about the Gingrich-Mitchell task force report is that it does not recommend the automatic withholding of dues. Presumably they agree with those eight former United States Ambassadors to the United Nations, individuals like Jeane Kirkpatrick, who is an icon to many who are of the politically conservative persuasion. And this is what those eight former U.S. Ambassadors had to say, that the base bill would ‘create resentment, build animosity and actually strengthen opponents of reform.’

Do we just simply want to ignore their warnings? Do we want to proceed in a manner that is going to defeat what is clearly a consensus in this institution about the need for reform? This is being practical. This is about an effort to secure a more effective, more transparent organization.

The stars are aligned, I would suggest. Yes, as Speaker Gingrich says, this is a propitious moment for reform, and we, I would suggest, could very well derail that effort.

I would like to just make a brief observation about the Oil-for-Food program, and I see my friend, the Chair of my subcommittee, here. Let me suggest that the base bill, and even the substitute for that matter, does not ad-

dress, if you will, a fundamental problem that very well may be inherent in the institution, because, as I have said over and over and over again, we can reform the Secretariat. I do not think that is a difficult chore. But we ignore the fact that it was the Security Council, the Security Council itself.

Mr. Chairman, I yield the balance of my time to the gentleman from California (Mr. ROHRABACHER), the chairman of the Subcommittee on Oversight and Investigations.

Mr. ROHRABACHER. Mr. Chairman, I would agree with my colleague and friend that this is a moment, a rare moment, when we actually have an opportunity to get something done that needs to be done. Unfortunately, what we hear from the other side of the aisle is let us pass this opportunity up by not making the demands that we are making contingent upon anything that we do.

In other words, we are now going to make our demands for accountability, make our demands for reforms, which we have done in the base bill, but if these reforms are not implemented, if the United Nations continues in its incompetent and corrupt way, as in the past, there is going to be no penalty for it. If that is the case, what will happen is we will have surely passed up this historic moment to bring true reform to an international organization.

#### □ 1015

I would suggest that those who think that withholding our dues and the threat of withholding our dues is wrong, because Mr. Gingrich, by the way, supports the withholding of the dues as a tactic, if they are opposed to withholding dues or any other form of implementation, they are not for reform. This requires more than simple talk.

The Acting CHAIRMAN (Mr. LAHOOD). It is now in order to consider amendment No. 1 printed in Subpart E of Part 1 of House Report 109-132.

#### PART 1, SUBPART E AMENDMENT NO. 1 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part 1, Subpart E amendment No. 1 offered by Mr. FLAKE:

At the end of section 104, insert the following new subsection:

(f) CERTIFICATION OF UNITED NATIONS CO-OPERATION RELATING TO OIL-FOR-FOOD PROGRAM.—

(1) ACTIONS.—In accordance with section 601, a certification shall be required that certifies that the following actions relating to the oil-for-food program have been taken by the United Nations:

(A) The United Nations Secretary General has authorized the release to a law enforcement authority of any Member State (upon request by the permanent representative to the United Nations of such Member State on behalf of such law enforcement authority) or to a national legislative authority authentic copies of any document in the possession of

the United Nations, including any document in the possession of a person who was engaged on a contract basis to provide goods or services to the United Nations, that in the judgment of such requesting law enforcement authority or national legislative authority directly or indirectly concerns the oil-for-food program or a sanction imposed on Iraq related to the oil-for-food program.

(B) The United Nations has waived any immunity enjoyed by any United Nations official from the judicial process in the United States for any civil or criminal acts or omissions under Federal or State law that may have transpired within the jurisdiction of the United States in connection with the oil-for-food program.

(2) DEFINITION.—As used in this subsection, the term ‘oil-for-food program’ means the program established and administered pursuant to United Nations Security Council Resolution 986 (April 14, 1995) and subsequent United Nations resolutions to permit the sale of petroleum products exported from Iraq and to use the revenue generated from such sale for humanitarian assistance.

In section 601(a)(1), strike ‘104(e)’ and insert ‘104(f)’.

In section 601(a)(3)(A), strike ‘39’ and insert ‘41’.

In section 601(a)(3)(A), strike ‘ten’ and insert ‘11’.

The Acting CHAIRMAN. Pursuant to House Resolution 319, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today to offer an amendment to the Hyde U.N. Reform Act. I appreciate the work that the chairman has done on this important topic and the work of the entire committee and staff.

I lived in the country of Namibia April 1989 through April of 1990. I worked with government officials and the future leaders of that country as it sought full implementation of U.N. Resolution 435. This experience gave me a firsthand witness of how effective the U.N. can be in ushering in democracy and helping a country in its peaceful and successful emergence from the authority of another country.

Several years later, after the fall of Saddam Hussein’s regime, I traveled to Iraq with my colleague, the gentleman from Indiana (Mr. PENCE). While we were there, we saw the indulgences of Saddam, his sons, and his friends in the form of palaces and rooms full of booze, paintings, fine china, luxury furniture, and more. Several of these palaces were built and outfitted when the U.N. was supposed to be monitoring the sale of oil in exchange for food and medicine for the Iraqi people.

Sure, the lot of some Iraqis improved marginally under the Oil-for-Food program, but they were the lucky ones, and their conditions went from destitute to impoverished. We cannot characterize Saddam’s agreement to the program as being driven by a genuine concern for Iraqis. His intention was malicious at the outset. He only agreed to the program after he was satisfied that he would be able to manipulate it.

My point is that I have seen the U.N. work, but, more often and more recently, I have seen it fail miserably. I will not recount the list of scandals, because it is too long. We have heard all about them already.

Let me just touch on a couple of points in the Oil-for-Food scandal, however, because that is the catalyst for the reform we are talking about today.

The GAO estimates that more than \$10 billion of illegal transactions took place under the program. In January of last year, an Iraqi newspaper published a list of about 270 foreign officials, business people, and political entities that have benefited from the scheme, and many of those officials are from countries opposed to U.S. interests. Russia alone received more than \$1 billion worth of oil vouchers.

Benon Sevan, the leader, the senior official responsible for the administration of the program, solicited and received on behalf of a third party several million barrels of allocations of oil. The U.N.'s own investigations under Paul Volcker have stated that Saddam's actions "seriously undermined the integrity of the United Nations."

The son of the Secretary General was employed by a contracting firm up until the time that the firm won a contract from the U.N. for the program. The Volcker Committee reported that "Kojo Annan actively participated in efforts by Cotecna to conceal the continuing relationship with him."

Just this week we are hearing about questionable communications between the Secretary General and that same contracting firm. Two of the senior investigators on the U.N.'s self-appointed investigation led by Paul Volcker recently resigned on principle and said that the inquiry downplayed Annan's role in the corruption in an interim report released in March. So now, the U.N.'s own investigation is under question.

We need effective investigations into this scandal, truly independent inquiries. We also need to serve justice where necessary and where possible under our law.

In the last Congress and once again in this Congress, I introduced the Oil-for-Food Accountability Act with co-sponsors from both parties. I believe around 70 at last count. This amendment that I am introducing today contains provisions of that bill.

Specifically, this amendment would create a certification of U.N. cooperation that, one, requires the U.N. to provide documentary evidence to member states investigating the Oil-for-Food program; and, two, to waive privileges and immunities of any U.N. employee charged with a crime associated with the program.

Mr. Chairman, this scandal is far too big and too connected to the U.N. to not include these amendments as part of an underlying bill to reform the U.N. I urge support of the amendment.

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

Mr. LANTOS. Mr. Chairman, I ask unanimous consent to claim the time in opposition.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

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

Mr. Chairman, as in other instances, we have no substantive complaint about the gentleman's amendment. We believe the automaticity of the punitive provisions are counterproductive, and we will deal with that later on.

Mr. Chairman, I yield 3½ minutes to the gentlewoman from California (Ms. LEE) to address this issue.

Ms. LEE. Mr. Chairman, first let me thank my friend, the gentleman from California (Mr. LANTOS), and I want to thank him for helping really to make some sense out of this entire U.N. reform effort with his substitute.

I rise in opposition to the deeply flawed Hyde bill and in support of the Lantos substitute.

I am glad that we are having this debate on the floor today. I think it is a very healthy debate. I do not think anyone will argue with the fact that the United Nations is in need of reform, but I question the end goal of this overall process with regard to the Hyde legislation.

Is the effort real reform, or is it the Republican leadership's, and I think it is, a very cynical attempt to maybe begin to send the message that we would like to help dismantle or, even worse, begin to pull back or withdraw from the United Nations. I say this because it seems very much in line with public statements of the administration's nominee for the United Nations Ambassador, Under Secretary John Bolton.

As many have observed, the nomination hearings have shown just how much disdain Under Secretary Bolton has for the United Nations and the U.N. system. What message does this send to our allies when such a nomination is made?

Mr. Chairman, it is no secret that many of my colleagues on the other side are vocal critics of the United Nations, but I think the Hyde bill turns criticism really into contempt. It ensures that we return to arrears with the United Nations by requiring withholding of our dues for any one of a number of inflexible reasons. In effect, it is my belief that the Hyde bill sets up any U.N. reform effort to, quite frankly, fail. There simply is no reason to link much-needed U.N. reforms with the withholding of dues in such a drastic fashion.

Mr. Chairman, we should work to reform the United Nations, but, at the same time, also work to support the important programs and the initiatives at the U.N. The fact is, Mr. Chairman, contrary to Under Secretary Bolton's assertions, the U.N. has made a dif-

ference in keeping the peace and in diffusing conflicts and easing regional tension. But there is more that needs to be done. The Lantos substitute acknowledges this.

Our efforts should be working with our friends to promote peace and security throughout the world. The fact is, Mr. Chairman, the United Nations is needed now more than ever. How can our commitment to peace and democracy be taken seriously when the administration's nominee has been quoted as saying such things as, "The Secretariat building in New York has 38 stories. If you lost 10 stories today, it would not make a bit of difference." Or, "If I were redoing the Security Council today, I'd have one permanent member because that is the real reflection of the distribution of power in the world."

It is a dangerous and cynical message to be sending on the 60th anniversary of the founding of the United Nations. I find it incredible, Mr. Chairman. It is very incredible that at the time when we have nuclear weapons and weapons of mass destruction pointed in all directions, that we would simply be looking to pull back from the family of nations. It is simply a terrible message to be sending to the rest of the world. In an interdependent world like ours, international organizations like the United Nations should be recognized as an indispensable partner not only in the administration's stated policy of spreading democracy throughout the world, but also in helping us in securing our national security goals.

So please support the Lantos amendment. It does achieve what we need to do with regard to United Nations reform rather than trying to blackmail in pursuit of political interests.

Mr. FLAKE. Mr. Chairman, before yielding the balance of my time to the distinguished chairman, let me just point out, if this is contempt, the only difference, because the Lantos substitute is the same substance, is that this maybe is contempt with teeth as opposed to toothless contempt. It is the same bill.

Mr. Chairman, I yield the balance of my time to the distinguished chairman, the gentleman from Illinois (Mr. HYDE).

Mr. HYDE. Mr. Chairman, I simply want to say, in response to my friend, the gentlewoman from California (Ms. LEE), that contempt is not animating our legislation, and I really question the wisdom of penetrating motives, which seems to be a habit with some people. Blackmail was another phrase used. We have a difference of opinion on how to implement the same reforms. That is what we are talking about, what will be effective and what will not.

I do not think we need to question or ascribe contempt for the U.N. We are trying to make the U.N. work. When you pay \$442 million a year, you ought to have something to say about how the place operates.

Years ago there was a phenomenon called the Stockholm Syndrome, and I will tell my colleagues about the Stockholm Syndrome later, then.

The Acting CHAIRMAN. The gentleman from California has 1 minute remaining.

Mr. LANTOS. Mr. Chairman, I yield the balance of the time to the gentleman from Massachusetts (Mr. DELAHUNT).

Mr. DELAHUNT. Mr. Chairman, I just want to respond to the observation of the gentleman from California (Mr. ROHRABACHER) and comment regarding the former Speaker in terms of the issue of withholding. It was yesterday that Mr. Gingrich said, and I am quoting again from reports of his statement, "Withholding should not be our first resort, but should remain as our last resort." I would submit that this is precisely the logic that is put forth in the Lantos substitute.

One further comment, and I am not going to speak of the Stockholm Syndrome, but with all due respect to my dear friend, the gentleman from Arizona (Mr. FLAKE), his amendment is dangerous because he very well might be jeopardizing investigations, criminal investigations that are ongoing now, because we know what happens when this institution receives information. It appears in the press.

Mr. HYDE. Mr. Chairman, will the gentleman yield?

The Acting CHAIRMAN. The gentleman's time has expired.

Mr. LANTOS. Mr. Chairman, I ask unanimous consent that the gentleman from Illinois (Chairman HYDE) be allowed to make his statement.

The Acting CHAIRMAN. A request to extend controlled debate on an amendment must be congruent with the terms of the order of the House. How much time is the gentleman asking for?

Mr. LANTOS. As much time as he requires.

The Acting CHAIRMAN. The Chair would ask the gentleman to be a little more specific.

Mr. LANTOS. I could not be more specific, Mr. Chairman.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The Acting CHAIRMAN. The gentleman from Illinois (Mr. HYDE) and the gentleman from Arizona (Mr. FLAKE) each will be recognized for 2 minutes.

Mr. HYDE. Well, I will not abuse the privilege.

Let us get the whole story out on Mr. Gingrich, what he says about withholding. On Wednesday, at the press conference held with himself and Senator Mitchell, Mr. Gingrich stated that he "supports Mr. HYDE's efforts," so that ought to be put into the mix.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona (Mr. FLAKE) will be postponed.

It is now in order to consider amendment No. 2 printed in Subpart E of Part 1, House Report 109-132.

□ 1030

PART 1, SUBPART E AMENDMENT NO. 2 OFFERED BY MR. BARTON OF TEXAS

Mr. BARTON of Texas. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN (Mr. LAHOOD). The Clerk will designate the amendment.

The text of the amendment is as follows:

Part 1, Subpart E, amendment No. 2 offered by Mr. BARTON of Texas:

In section 104(a), add at the end the following new paragraph:

(7)(A) The IOB shall review the Final Report of the Independent Inquiry Committee (IIC) into the United Nations Oil for Food Program (OFF). The IOB's review should focus on the adequacy of the IIC's Final Report or any subsequent reports of the IIC or of any possible successor to the IIC. The IOB's review of the IIC's Final Report should address the Final Report's treatment of and adequacy in the following areas:

(i) OFF's operations from inception through the transfer of power from the Coalition Provisional Authority to the interim Iraqi government;

(ii) claims of oil smuggling, illegal surcharges on oil and commissions on commodity contracts, illegal kick-backs, use of oil allocations to influence foreign government officials and international people of influence, and use of funds for military purposes;

(iii) the involvement, directly or indirectly, of any entity, bureau, division, department, specialized agency, or employee (including the Secretary General) of the United Nations, including any employee of the specialized agencies of the United Nations or any employee or officer of the Secretariat;

(iv) the IIC's findings, discovery and use of evidence, and investigation practices; and

(v) the extent of cooperation by the United Nations with requests by Congress for testimony, interviews, documents, correspondence, reports, memoranda, books, papers, accounts, or records related to the Oil for Food Program.

(B) Subsequent to the IOB's review, the IOB shall determine in a written report whether the IIC investigation is incomplete or inadequate in any respects and whether any additional investigation is justified. If the IOB determines that additional investigation is warranted, it shall appoint, in accordance with paragraph (5), a special investigator and staff consisting of individuals who are not employees of the United Nations and to identify specific areas within the OFF to investigate.

The Acting CHAIRMAN. Pursuant to House Resolution 319, the gentleman from Texas (Mr. BARTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas (Mr. BARTON).

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, first I want to comment favorably on how refreshing it is to come to the floor and be exposed to the civility of the debate between the gentleman from California (Mr. LANTOS) and our distinguished chairman, the gentleman from Illinois (Mr. HYDE). It shows the Congress at its best in terms of debating the high issues before our country. And I want to compliment both gentlemen for their civility and their decorum in this debate.

I also want to thank the gentleman from Illinois (Mr. HYDE), the distinguished chairman of the Committee on International Relations, for his leadership on this issue, his dedication to trying to find a solution that reforms the United Nations and puts that body back in the realm that it originally was right after World War II when it was the epitome of world cooperation and hope for the future. Unfortunately, its image has been tarnished, and justifiably so.

My amendment deals with one of the blights on the United Nations, and this is their ill-fated Oil-for-Food program. I was the first subcommittee chairman to hold an investigation on that program back in the mid-1990s under the Clinton administration. The gentleman from Texas (Mr. HALL) and I, on a bipartisan basis at the time, since he was a member of the Democratic Party, held several hearings in the Committee on Energy and Commerce Subcommittee on Oversight and Investigations. We could see even back then that it was a program headed for disaster.

In the last several years, my committee, the Committee on Energy and Commerce, in addition to the gentleman from Illinois (Mr. HYDE's) committee and the Committee on Government Reform, have launched independent investigations into the Oil-for-Food program, and I have to tell you that the United Nations does not cooperate.

I can tell you of an incident that happened just this week. The Subcommittee on Oversight and Investigations of the Committee on Energy and Commerce is going to hold a hearing in the near future in which we try to bring to light some more of the corruption in that program. We have not deposed, but we have interviewed a U.N. employee who wants to testify, volunteers to testify, on the record. So I had my chief of staff call Paul Volcker, distinguished former Chairman of the Federal Reserve System, and ask Mr. Volcker if this particular individual could testify. Mr. Volcker said he could not. Here is the person appointed by the U.N. to get to the bottom of the corruption in the Oil-for-Food program, distinguished former Chairman of the Federal Reserve System of the United States of America, and he refused to let an employee of the U.N.,

who wanted to testify, testify before a committee of the Congress of the United States. I think that is inexcusable.

So what my amendment would do, if accepted, and my understanding is that the gentleman from Illinois (Mr. HYDE) would accept it, and I hope that the gentleman from California (Mr. LANTOS) would also accept it, would simply say that this independent oversight board that the base bill creates has to conduct a thorough investigation of Mr. Volcker's investigation and any successor investigations, and it sets out some guidelines, the most important of which is that the U.N. has to cooperate with congressional committees and their request for testimony, interviews, documents, correspondence, memoranda, books, papers, accounts and records related to the Oil-for-Food program; and if they do not, then we can require, again under the auspices, under the base bill of the oversight board, that an independent committee has to be appointed that is made up not of U.N. officials, not of U.N. employees.

That is all the amendment does. It attempts to get to the bottom of the Oil-for-Food scandal by requiring that they cooperate with the various congressional committee investigations underway, and if they do not, that we have to appoint another board outside the U.N. to get the investigation on track.

I hope that we accept this on a voice vote by unanimous consent. I am told that it is going to be supported by the gentleman from Illinois (Mr. HYDE), and I strongly appreciate his support.

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

Mr. LANTOS. Mr. Chairman, I ask unanimous consent to claim the time in opposition.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LANTOS. Mr. Chairman, I want to command my friend from Texas (Mr. BARTON) for a very useful amendment, which we will be pleased to accept on this side.

Mr. Chairman, I am delighted to yield 3½ minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise as well to reflect on the words of the gentleman from California (Mr. SCHIFF), a distinguished friend, as I heard him this morning acknowledging the relationship, but also the excellence between the gentleman from Illinois (Chairman HYDE) and the gentleman from California (Ranking Member LANTOS) and referring to the gentleman from Illinois (Chairman HYDE) as one of the more outstanding Members of this body. And I associate myself with those words and thank the gentleman from Illinois (Chairman HYDE) for his service and as well his leadership on a number of issues.

I think this question of U.N. reform is a difficult question, and I think it is

an important question. I am reminded of my history and my childhood. My history tells me that President Wilson's effort at the League of Nations, if it had succeeded, we might have had a better life, and we might not have had World War II and the tragedy of the Holocaust. But it failed.

And so we come now to the United Nations, almost 60 years old. And I am reminded of Ralph Bunche, one of the first African Americans to serve at the United Nations and to be nominated for the Nobel Peace Prize, how proud so many of us were as we read that in history, knowing that the United Nations was reflective of the world's diversity and its concerns and its policies. So I think the United States is better off because the United Nations exists.

And the Lantos substitute, in essence, captures that spirit, the spirit of the necessity of reform, but yet that we are better off because the United Nations exists. It appropriately gives the right kind of stick, and that stick, Mr. Chairman, deals with providing the guidelines, the regulations, the standards, the moral compass, but it gives the Secretary of State, the chief diplomat of the United States, the discretion to withhold funds, and so that Secretary of State can engage on the world forum and speak with their fellow foreign ministers and discuss a world that would be better off with peace.

In addition, I am gratified that the Lantos amendment thoughtfully does not give an automatic cut-off of new U.N. peacekeeping missions. How many of us are reflecting on our life and wish that we had been in a place, in a position to go into Rwanda and save the million lives? The U.N. did not act. The world did not act as we would have preferred it to act. The peacekeepers could not stop the violence. And so reforms are necessary, but we know that peacekeeping is necessary.

Those many Members of Congress who have gone into the refugee camps, as I have done in Chad, and seen that the only body that was there was a representative of the U.N. High Commission on Refugees, the only physical body that could get into help the starving people of Sudan.

And the Lantos amendment substitute has compassion and heart, and it has a strong voice and a strong stick. That is the balance of diplomacy that we need. That is why I ask my colleagues to support the Lantos substitute, because the United Nations makes the world better. It makes America better. And we, as leaders of the world and world peace, need to work with the United Nations, a strong United Nations and a reformed United Nations. Vote for the Lantos substitute.

I rise in strong support of the Lantos Substitute to United Nations Reform Act of 2005. The goal of reforming the United Nations to be a stronger and more effective organization is a worthy one, one which the Secretary-General is working towards, a goal which most na-

tions of the world are in favor of. This substitute amendment will help alter a bill that has a worthy goal, but which is flawed in its method of achieving those goals.

The Hyde bill on U.N. reform contains many serious flaws which if implemented would not be welcome by the international community. Peacekeeping is one such area where this bill contains deeply flawed logic. The Hyde bill points to peacekeeping reforms that everyone agrees are needed. These reforms are in fact endorsed by the U.N. Department of Peacekeeping Operations and in most cases, these reforms are already underway to address recent concerns raised about sexual exploitation and abuse in peacekeeping missions. However, the Hyde bill says that starting this fall, the United States must prevent the expansion of existing missions or the creation of any new U.N. peacekeeping missions until all specified reforms are completed and certified by the Secretary of State. The truth is that some of these requirements simply cannot be met by the fall. True reform takes time. Reforms will require careful implementation at the U.N. as well as by the 100-plus troop contributing countries, and in some cases will require additional U.N. staff and funding which of course is not provided by this legislation. And yet, the Hyde bill will likely prevent Security Council resolutions to enable the creation or expansion of important U.N. missions in places like Darfur in Sudan, Haiti, Congo and Afghanistan. We as the United States of America have always prided ourselves on helping those who cannot help themselves, on aiding those who are being massacred simply because of who they are, but now this bill seeks for our Nation to turn a blind eye to these people. We, as the 109th Congress cannot allow ourselves to be the ones who cut off assistance to these desperate people.

Not only does the Hyde bill take a wrong approach to peacekeeping, but it will also create great problems with the budget at the United Nations. The Hyde bill claims to "pursue a streamlined, efficient, and accountable regular assessed budget of the United Nations," yet in reality the approach taken by the bill will wreak havoc on the U.N. budget process and will result in the automatic withholding of U.S. financial obligations to the U.N. regular budget. This flawed bill attempts to shift funding for 18 specific programs from assessed contributions to voluntary contributions. To achieve these goals, the bill mandates the withholding of up to \$100 million in U.S. dues to the U.N. regular budget. While this idea may have merit, the U.S. should work with its allies to advance it through the Budget Committee at the U.N. instead of starting from the point of . withholding dues, which should be our Nation's last resort. Furthermore, the Hyde proposal links 50 percent of U.N. dues to a list of 39 conditions, not only at the U.N. Secretariat, but also at various U.N. specialized agencies over which the U.N. has no direct control. All of this will create a new U.S. debt at the U.N., since many of the conditions are so rigid and specific that they are not achievable. In the end, all that any of this will do is create resentment towards the United States in the international community. As the Washington Post editorialized, "This is like using a sledgehammer to drive a nail into an antique table: Even if you're aiming at the right nail, you're going to cause damage."

The Hyde bill also calls for certain steps supported by the U.N. and the U.S., such as

the strengthening of the U.N.'s oversight function, the creation of a Peacebuilding Commission, and reforms in U.N. peacekeeping. However, it calls for these reforms to be funded solely within existing resources. If the U.S. withholds dues as this bill calls for, even less funding will be available to support these reforms. This bill also calls for the creation of new positions in several departments, including the Office of Internal Oversight Services and the Department of Peacekeeping Operations, without allowing resources to fund these positions.

The Lantos substitute is a more constructive and cooperative approach to U.N. reform. This is not a time when the United States needs to be taking an aggressive approach against the United Nations and the international community. The Lantos bill gives the Administration much more flexibility to negotiate the reform proposals with other Member States, and references the withholding of dues as an option of the Administration rather than something that will occur automatically.

The Lantos substitute also waives certain provisions of the Hyde bill if it is in the national security interests of the United States. This is particularly important when it comes to the provisions on U.N. peacekeeping, since new or expanded missions may be necessary to support international peace and stability. We can not predict where or when we will have to mobilize the international community next and in this world of uncertainty we need to have flexibility instead of the rigid and overly harsh approach of the Hyde bill.

The Lantos substitute amendment does not completely alter the United Nations Reform Act. The Lantos substitute supports many of the same reforms as the Hyde bill—such as the inclusion of Israel as a full Member State at the U.N., a series of reforms to address recent problems in U.N. peacekeeping, overhaul of the U.N. Human Rights Commission, and administrative and management reforms necessary to make the U.N. more effective, transparent and accountable. Clearly, those who believe in the United Nations as a tool of international cooperation can get behind the Lantos substitute. We as a Nation, should all support the United Nations because it is a tool of international cooperation, an ideal to which we should all aspire.

Mr. LANTOS. Mr. Chairman, I yield the balance of our time to the gentleman from Massachusetts (Mr. DELAHUNT).

The Acting CHAIRMAN. The gentleman from Massachusetts has 90 seconds.

Mr. DELAHUNT. Mr. Chairman, I find it ironic that the Volcker action is supported by a former Attorney General of the United States, Dick Thornburgh, in a very thoughtful op ed piece, because he understands what investigations are about.

I would describe the amendment put forth by the gentleman from Texas (Mr. BARTON) as the tip-off amendment. Give the information so that in the course of an investigation, those who might be targets or subjects of an investigation know what you have and can anticipate the questions.

I would also comment, and I have never met Mr. Volcker, but I have read the reports to date. They have been ex-

tremely harsh and critical and underline the need for reform.

At the same time, a comment was made, and I think it has to be addressed. Everyone involved in the independent inquiry under the leadership of Mr. Volcker and the jurists from South Africa is not a United Nations employee. In fact, many of them are former career Federal prosecutors from our own Department of Justice. I had an opportunity to discuss this matter with them. They understand how to conduct an investigation. Let them conclude their investigation, and then I am sure they would be happy to disseminate any documents they might have.

The Acting CHAIRMAN. The gentleman from Texas has 30 seconds remaining.

Mr. BARTON of Texas. Mr. Chairman, I ask that we all vote for the amendment.

Mr. Chairman, I yield the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. BARTON).

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 1 printed in Part 2 of House Report 109-132.

PART 2, AMENDMENT NO. 1 OFFERED BY MR. CHABOT

Mr. CHABOT. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part 2, amendment No. 1 offered by Mr. CHABOT:

In title I (relating to the mission and budget of the United Nations), add at the end the following new section (and conform the table of contents accordingly):

**SEC. 110. ANTI-SEMITISM AND THE UNITED NATIONS.**

(a) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to make every effort to—

(1) ensure the issuance and implementation of a directive by the Secretary General or the Secretariat, as appropriate, that—

(A) requires all employees of the United Nations and its specialized agencies to officially and publicly condemn anti-Semitic statements made at any session of the United Nations or its specialized agencies, or at any other session sponsored by the United Nations;

(B) requires employees of the United Nations and its specialized agencies to be subject to punitive action, including immediate dismissal, for making anti-Semitic statements or references;

(C) proposes specific recommendations to the General Assembly for the establishment of mechanisms to hold accountable employees and officials of the United Nations and its specialized agencies, or Member States, that make such anti-Semitic statements or references in any forum of the United Nations or of its specialized agencies; and

(D) develops and implements education awareness programs about the Holocaust and anti-Semitism throughout the world, as part

of an effort to combat intolerance and hatred;

(2) work to secure the adoption of a resolution by the General Assembly that establishes the mechanisms described in paragraph (1)(C); and

(3) continue working toward further reduction of anti-Semitic language and anti-Israel resolutions in the United Nations and its specialized agencies.

(b) CERTIFICATION.—In accordance with section 601, a certification shall be required that certifies that the requirements described in subsection (a) have been satisfied.

In section 601(a)(1), insert “section 110,” after “104(e).”

In section 601(a)(3)(A), strike “39” and insert “40”.

In section 601(a)(3)(A), strike “ten” and insert “11”.

The Acting CHAIRMAN. Pursuant to House Resolution 319, the gentleman from Ohio (Mr. CHABOT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio (Mr. CHABOT).

Mr. CHABOT. Mr. Chairman, I yield myself such time as I might consume.

Mr. Chairman, first let me commend the gentleman from Illinois (Chairman HYDE), our most distinguished colleague, for his outstanding leadership in bringing this well-crafted and much-needed legislation to the floor.

Since being elected to Congress almost 11 years ago, I have had the distinct honor of serving on both of the committees that the gentleman from Illinois (Chairman HYDE) has led, first the Committee on the Judiciary, and now the Committee on International Relations. And I can sincerely say that I have not served with a more honorable and decent man. Thank you, Mr. Chairman, for your great service to our country.

I am pleased to be offering this amendment today with another distinguished and universally respected Member, the gentleman from California (Mr. LANTOS), the ranking member of the Committee on International Relations, and it is an honor to be doing this amendment with him.

I am pleased to be offering the amendment. Our amendment would add a new section to this legislation requiring the U.S. delegation to the U.N. to make every effort to officially and publicly condemn anti-Semitic statements made at any session of the United Nations. It requires U.N. employees to be subject to punitive actions, including immediate dismissal, for making anti-Semitic statements or references. It requires the development of educational awareness programs about the Holocaust and anti-Semitism throughout the world, and it requires a certification that these requirements have been carried out.

The United Nations has for some time been a breeding ground for the dissemination of anti-Semitic and anti-Israeli propaganda. It took 16 years to reverse a General Assembly resolution that declared Zionism to be a form of racism and racial discrimination. And it was only reversed after considerable pressure from the United States, coupled with Israel's decision to make its

participation in the Madrid Peace Conference conditional upon repeal of that resolution.

As noted in H. Res. 282, a bipartisan resolution introduced by the gentlewoman from Florida (Ms. ROSENSTEIN), the distinguished chairman of the Subcommittee on the Middle East and Central Asia, and adopted in this body last week, the U.N. Human Rights Commission took several months to correct in its record a statement by the Syrian Ambassador that Jews allegedly had killed non-Jewish children to make unleavened bread for Passover.

If that were not enough, the president of the U.N. Human Rights Commission in 1997 refused to challenge an assertion made by the Palestinian observer that the Government of Israel had injected 300 Palestinian children with the HIV virus. What an absurdity.

Speaking from experience, Mr. Chairman, I can assure my colleagues of the anti-Israel activity at the U.N. In 2001, I was honored to be nominated by President Bush to serve as one of the two congressional representatives to the U.N., along with the gentleman from American Samoa (Mr. FALEOMAVAEGA).

□ 1045

During the year-long appointment, I traveled back and forth from New York several times to meet with our ambassador at that time, John Negroponte, and our diplomatic delegation.

On one occasion, I went to New York to participate in a special summit on children. Throughout the conference, we discussed resolutions on childhood disease, HIV/AIDS, humanitarian assistance, child trafficking, and other critical issues. Throughout the final day, our delegation trudged through the minutiae of resolutions in committee and in plenary session. Aside from the occasional objection to a comma or a whereas from the Chinese or the French, the day passed uneventfully, or so I thought.

As I was getting ready to leave that evening, I learned from our diplomatic corps that the real battle was not fought in the committees or on the floor. It was fought behind the scenes as our American delegation successfully fought off an attempt from the Arab bloc to deny Israel its credentials to even participate in the children's summit. So much for the children.

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

Mr. LANTOS. Mr. Chairman, I rise to claim the time in opposition, even though I am proud to be a cosponsor of the amendment of my friend from Ohio.

The Acting CHAIRMAN (Mr. LAHOOD). Without objection, the gentleman from California (Mr. LANTOS) claims the time.

There was no objection.

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

For years, it has been a pathological preoccupation of the United Nations to

engage in isolating and persecuting the democratic State of Israel. Weeks before 9/11 in Durban, South Africa, an international conference was called under U.N. auspices to deal with the subject of racism and anti-Semitism; and a conference which was designed with noble goals turned into a lynching party, the target of it being the State of Israel.

I think the gentleman's amendment is long overdue; and the responsibility of our representative at the United Nations to oppose in any form anti-Semitism and the singling out of the State of Israel for persecution and denunciation is long overdue.

My expectation is that statements such as the ones we heard from Mr. Brahimi, Kofi Annan's representative to Iraq earlier this year, will no longer be heard or be allowed to be made.

I strongly urge my colleagues to support this amendment. It provides additional support for the one democratic state in the Middle East and prevents the recurrence of the upsurge of anti-Semitism which under Hitler led to the Holocaust in many countries of the world.

This is a singularly useful amendment, and I ask all of my colleagues to support it.

Mr. SMITH of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. LANTOS. I yield to the gentleman from New Jersey.

Mr. SMITH of New Jersey. Mr. Chairman, I thank my friend for yielding.

I want to thank the gentleman from Ohio (Mr. CHABOT) and the gentleman from California (Mr. LANTOS) for offering this very important amendment, which would hopefully lead to the creation of a code of conduct to ensure that U.N. employees and officials, as well as U.N. member states, reduce, hopefully eliminate absolutely, anti-Semitic language and anti-Semitic resolutions.

I point out to my colleagues, we have had an ongoing series of hearings in my subcommittee, as well as in the Commission on Security and Cooperation in Europe, concerning this spike in anti-Semitism that we have seen.

The first hearing we held was back in 1995, and then in 2002 we saw a particularly alarming spike in countries that make up the OSCE region, particularly in France and the Netherlands and some of these other countries.

Part of it is some of the hatred is being carried by emigres into their new home, that is to say, France and places like that; and as was pointed out by my colleague, some of the absolute, some of the most despicable, slanders against Jewish people are being carried uncontested.

We now, in the OSCE, have had three major summits. Last week in Spain in Cordoba at a summit, nations sent ambassadors and heads of states and foreign ministers to Spain, as we did in Vienna and as we did in Berlin last year, to look at what the best practices ought to be to try to end this scourge

of anti-Semitism; and very good action plans have been adopted.

The U.N. needs to take a page out of the OSCE and develop the kind of action plans and sensitivity to this terrible prejudice because, if left unchecked, it will fester and lay the seeds for acts of violence against Jews as well as desecration of cemeteries, as well as synagogues.

So let me finally say that last year, the gentleman from California (Mr. LANTOS), the gentleman from Illinois (Chairman HYDE), Senator VOINOVICH, and I all crafted the Global Anti-Semitism Review Act, which created an office within the State Department and also mandated that global reports be done. I urge Members to read those reports, one of which just came out earlier this year. It is a very, very disturbing read about this growing menace of anti-Semitism; and the U.N., rather than being a part of the solution, has for too often been part of the problem.

I thank the gentleman for yielding.

Mr. LANTOS. Mr. Chairman, I thank my friend for his comments.

The Acting CHAIRMAN. The gentleman's time has expired. The gentleman from Ohio (Mr. CHABOT) has 1 minute remaining.

Mr. CHABOT. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. DELAY), the majority leader of the House.

Mr. DELAY. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, there was a time 60 years ago, at the end of the war that took the lives of 30 million people, when the ancient sin of anti-Semitism seemed finally to have exhausted its appeal, even among the most hateful of men.

When it was hoped, at long last, that Jews could take their place among the other free peoples of the world, that they could rise from their unique experience in that war, live their lives and pursue their happiness free from the genocidal evil that haunted our race.

In the decades since, however, that hope has been ignored, undermined, and even attacked by two generations of U.N. bureaucrats and diplomats who remind one of Yeats's observation: "The best lack all conviction, while the worst are filled with passionate intensity."

The best, in this case, is the world's effete, elite diplomatic corps, among whom anti-Semitism is considered a harmless amusement, like smoking or bribery.

The worst, on the other hand, Mr. Chairman, are the leaders and legitimizers of a bloody cult, bent not only on the destruction of Israel but on the slaughter of the Jewish people.

Either in the interests of consensus or for more malicious ends, the institutions of the United Nations have become infected by a relentless hostility to Israel, Zionism, and Jews themselves.

The U.N., which could not bring itself to offer even the mildest rebuke to the

aggressors in three wars aimed at Israel's destruction or even against the campaigns of terror waged against Israeli civilians, has littered Lower Manhattan with its countless condemnations of Israel's self-defense.

The U.N., whose charter calls on all nations to "practice tolerance and live together in peace," for 2 decades declared that "Zionism is a form of racism."

The U.N. General Assembly has hosted countless forums for slander against Jews, like the charge that Israel had injected Palestinian children with the HIV virus, that contain no mention of the deceitfulness of the attacks.

In too many parts of the world, Mr. Chairman, including those parts which should be most sensitive to unchecked anti-Semitism, the U.N.'s tolerance of such hostility is dismissed as diplomatic necessity. It is, instead, diplomatic terrorism.

Hatred of Jews, unchecked, begets violence against Jews; and violence against any race of people ultimately leads to violence against all races of people.

The United Nations should know better than to allow its institutions to be poisoned by hatred.

Hopefully, this amendment by the gentleman from Ohio will help the U.N. learn that valuable lesson.

The Acting CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Ohio (Mr. CHABOT).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Mr. CHABOT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio (Mr. CHABOT) will be postponed.

Mr. SMITH of New Jersey. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. KING of Iowa) having assumed the chair, Mr. LAHOOD, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2745) to reform the United Nations, and for other purposes, had come to no resolution thereon.

PERMISSION TO OFFER AMENDMENT TO H.R. 2745, HENRY J. HYDE UNITED NATIONS REFORM ACT OF 2005, OUT OF THE SPECIFIED ORDER

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that, during further consideration of the bill, H.R. 2745, pursuant to House Resolution 319, the gentleman from Indiana (Mr. PENCE), or his designee, may

be permitted to offer the amendment numbered 5 in Part 2 of House Report 109-132 out of the specified order.

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

There was no objection.

#### HENRY J. HYDE UNITED NATIONS REFORM ACT OF 2005

The SPEAKER pro tempore. Pursuant to House Resolution 319 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2745.

□ 1057

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2745) to reform the United Nations, and for other purposes, with Mr. LAHOOD (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 1 printed in Part 2 of House Report 109-132 by the gentleman from Ohio (Mr. CHABOT) had been postponed.

Pursuant to the order of the House of today, it is now in order to consider amendment No. 5 printed in Part 2 of House Report 109-132.

#### PART 2 AMENDMENT NO. 5 OFFERED BY MR. PENCE

Mr. PENCE. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part 2 amendment No. 5 offered by Mr. PENCE:

In section 101, add at the end the following new subsections:

(e) SCALE OF ASSESSMENTS.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to make every effort to ensure that the difference between the scale of assessments for the five permanent members of the Security Council is not greater than five times that of any other permanent member of the Security Council.

(f) DENIAL OF USE OF VETO.—If the Secretary of State determines that a permanent member of the Security Council with veto power is not in compliance with the requirement described in subsection (e), the President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to make every effort to deny to such permanent member the use of the veto power of such permanent member until such time as such permanent member satisfies the requirement of such subsection.

The Acting CHAIRMAN. Pursuant to House Resolution 319, the gentleman from Indiana (Mr. PENCE) and a Member opposed each will control 5 minutes.

The gentleman from Indiana (Mr. PENCE) is recognized on his amendment.

Mr. PENCE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today with an amendment that I believe brings fairness and common sense to the United Nations and specifically to the administration of the Security Council.

The Security Council is tasked with some of the most difficult decisions in the United Nations. Of the 15 member states that serve on the council, only five have veto power. These nations are China, France, Russia, the United Kingdom, and the United States.

Mr. Chairman, let me say at the outset, I realize the United States has the largest economy in the world. We pay more in assessed dues to the United Nations than any other member state, but I do not believe that all nations are able to pay equally to the U.N. However, those member states, I would humbly offer today, that serve as permanent members on the Security Council with veto power should be assessed equally balanced dues to the United Nations.

Where I grew up down south of Highway 40 we have an old saying that you have got to pay to play; but that is not the way it really works at the United Nations, at least with regard to the veto power of the Security Council.

The United States, for instance, was assessed dues in the last year of approximately \$440 million, 22 percent of the U.N.'s total assessment. China, a country home to over 1 billion people, with a rapidly growing economy, was assessed dues of \$36.5 million or 2.1 percent of the U.N. assessment.

□ 1100

Let me say again, the United States' \$440 million, 22 percent of the U.N.'s assessment; and China, a voting member with veto power on the Security Council, paid just \$36 million, less than 10 percent, and with only 2.1 percent of the U.N.'s assessment.

The Pence amendment today would direct the President of the United States to have the United States' permanent representative to the U.N. use the voice vote and influence of the United States to make every effort to ensure that the difference between the scale of assessments of the five permanent members of the Security Council is not greater than five times that of any other permanent member of the Security Council.

In addition to that, if the Secretary of State determines a permanent member of the Council with veto power is not in compliance with that requirement, the President could direct the U.S. permanent representative of the U.N. to use his voice vote and influence to make every effort to deny such permanent member the use of veto power.

Not only does common sense and fairness argue for the Pence amendment, but there are serious issues that will come before the Security Council