which shall be debatable for 20 minutes;

an amendment by Ms. LEE regarding the U.S. fund to fight AIDS, tuberculosis, and malaria;

an amendment by Mr. SCHIFF regarding funding for the Human Rights and Democracy Fund;

an amendment by Mr. KING of Iowa regarding funding for the Global HIV/AIDS Initiative;

an amendment by Mr. BEAUPREZ regarding assistance to countries that refuse to extradite certain individuals;

an amendment by Mr. DEAL of Georgia regarding assistance to countries that refuse to extradite certain individuals;

an amendment by Mr. BONILLA regarding an Inspector General at the Export-Import Bank;

an amendment by Mr. WEINER or Mr. FERGUSON regarding limiting funds for Saudi Arabia;

an amendment by Mr. BRADLEY of New Hampshire regarding limiting funds for Romania;

an amendment by Mr. OTTER regarding assistance to the Palestinian Authority;

an amendment by Ms. MILLENDER-MCDONALD regarding funding for pediatric HIV/AIDS centers;

an amendment by Mr. SIMPSON regarding Export-Import Bank loans to China;

an amendment by Mr. GARRETT of New Jersey regarding Federal employee participation in overseas conferences;

an amendment by Ms. WATERS regarding sense of Congress on Haiti elections;

an amendment by Ms. JACKSON-LEE of Texas regarding employment of minors in the military of other countries;

an amendment by Ms. JACKSON-LEE of Texas regarding funding for Sudanese refugees in Chad;

an amendment by Ms. JACKSON-LEE of Texas regarding funding for water security improvements in Sub-Saharan Africa;

an amendment by Ms. JACKSON-LEE of Texas regarding funding for children in developing nations;

an amendment by Ms. LORETTA SANCHEZ of California regarding IMET funding for Vietnam;

an amendment by Mr. HEFLEY regarding an across-the-board cut;

an amendment by Mr. INSLEE regarding renewable energy;

an amendment by Mr. CAPUANO regarding Darfur;

and an amendment by Mr. KOLBE regarding funding levels.

Each such amendment may be offered only by the Member named in this request or a designee, or by the Member who caused it to be printed in the RECORD or a designee, shall be considered as read, shall not be subject to amendment except that the chairman and ranking minority member of the Committee on Appropriations and the Subcommittee on Foreign Operations, Export Financing, and Related Programs each may offer one pro forma amendment for the purpose of debate; and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

Except as otherwise specified, each amendment shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent. An amendment shall be considered to fit the description stated in this request if it addresses in whole or in part the object described.

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

Mr. OBEY. Mr. Speaker, reserving the right to object, I certainly will not object. I simply want to take this opportunity to explain to the House that what this timetable means is that if all of these amendments are indeed offered and debated to the full extent allowed under the unanimous consent request, we will be fortunate to be out of here by midnight tonight. That is how much time it will take, assuming that we have about one-third of these amendments that proceed to roll calls.

So for those Members who are asking what time we intend to get out tonight, I think it depends upon the zeal with which Members push forward with their amendments and with requiring recorded votes.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2006

The SPEAKER pro tempore. Pursuant to House Resolution 341 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. 3057.

□ 1638

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. 3057) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes, with Mr. THORNBERRY in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, the amendment offered by the gentleman from Pennsylvania (Mr. PITTS) had been disposed of and the bill was open for amendment from page 6, line 20, through page 12, line 9.

Pursuant to the order of the House of today, no further amendment to the bill may be offered except:

Pro forma amendments offered at any point in the reading by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate;

the amendment printed in the RECORD and numbered 4;

the amendment printed in the RECORD and numbered 6, which shall be debatable for 60 minutes;

an amendment by Mr. SANDERS regarding Export-Import Bank loans for nuclear power plants in China, which shall be debatable for 30 minutes;

an amendment by Ms. LEE regarding excess property transfers to Haiti, which shall be debatable for 20 minutes;

an amendment by Ms. LEE regarding the U.S. fund to fight AIDS, tuberculosis, and malaria;

an amendment by Mr. SCHIFF regarding funding for the Human Rights and Democracy Fund;

an amendment by Mr. KING of Iowa regarding funding for the Global HIV/AIDS Initiative;

an amendment by Mr. BEAUPREZ regarding assistance to countries that refuse to extradite certain individuals;

an amendment by Mr. DEAL of Georgia regarding assistance to countries that refuse to extradite certain individuals;

an amendment by Mr. BONILLA regarding an Inspector General at the Export-Import Bank;

an amendment by Mr. WEINER or Mr. FERGUSON regarding limiting funds for Saudi Arabia;

an amendment by Mr. BRADLEY of New Hampshire regarding limiting funds for Romania;

an amendment by Mr. OTTER regarding assistance to the Palestinian Authority;

an amendment by Ms. MILLENDER-MCDONALD regarding funding for pediatric HIV/AIDS centers;

an amendment by Mr. SIMPSON regarding Export-Import Bank loans to China;

an amendment by Mr. GARRETT of New Jersey regarding Federal employee participation in overseas conferences;

an amendment by Ms. WATERS regarding sense of Congress on Haiti elections;

an amendment by Ms. JACKSON-LEE of Texas regarding employment of minors in the military of other countries;

an amendment by Ms. JACKSON-LEE of Texas regarding funding for Sudanese refugees in Chad;

an amendment by Ms. JACKSON-LEE of Texas regarding funding for water security improvements in Sub-Saharan Africa;

an amendment by Ms. JACKSON-LEE of Texas regarding funding for children in developing nations;

an amendment by Ms. LORETTA SANCHEZ of California regarding IMET funding for Vietnam;

an amendment by Mr. HEFLEY regarding an across-the-board cut;

an amendment by Mr. INSLEE regarding renewable energy;

an amendment by Mr. CAPUANO regarding Darfur;

and an amendment by Mr. KOLBE regarding funding levels.

Each such amendment may be offered only by the Member named in the request or a designee, or by the Member who caused it to be printed in the RECORD or a designee, shall be considered as read, shall not be subject to amendment except that the chairman and ranking minority member of the Committee on Appropriations and the Subcommittee on Foreign Operations, Export Financing, and Related Programs each may offer one pro forma amendment for the purpose of debate; and shall not be subject to a demand for division of the question.

Except as otherwise specified, each amendment shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent.

AMENDMENT OFFERED BY MS. LEE

Ms. LEE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. LEE:

Page 12, after line 9, insert the following:

In addition to the amount provided in the preceding paragraph for a United States contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria, $600,000,000 for such purpose, to remain available until September 30, 2007: *Provided*, That such amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

Mr. KOLBE. Mr. Chairman, I reserve a point of order on the gentlewoman's amendment.

The CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from California (Ms. LEE) and a Member opposed will each control 5 minutes.

The Chair recognizes the gentlewoman from California (Ms. LEE).

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

Mr. Chairman, I want to first start by thanking the chairman, the gentleman from Arizona (Mr. KOLBE), and our ranking member of the Subcommittee on Foreign Operations, Export Financing and Related Programs, the gentlewoman from New York (Mrs. LOWEY), for their hard work on this bill and for making sure that it is a bipartisan bill. I also thank them for their very difficult work in establishing the priorities in terms of our foreign policy funding priorities. I know that every year they are given, I believe, an inadequate allocation and that they both wish that they could do more to meet our foreign assistance priorities.

But, Mr. Chairman, I am compelled to come to the floor today and offer this amendment because every year the global HIV/AIDS, tuberculosis and malaria pandemics kill over 6 million people combined. Just imagine that, over 6 million every year. That is more than the number of people who die from war, famine, terrorism or natural disasters each year combined. That is really quite mind-boggling. What is worse, each of these three diseases is completely, completely preventible and treatable; and in the case of tuberculosis and malaria, they can be completely cured.

So while we have begun to focus our efforts and funding with regard to this pandemic, I believe that we cannot afford to drag our feet and just let 6 million people die like this year after year. When do we draw the line and say enough is enough and we are going to escalate our efforts and put more resources into this pandemic?

We cannot in good conscience, Mr. Chairman, ignore this human tragedy that unfolds around us each and every day. We must act, and we must act in a bold fashion.

That is why today I am offering an amendment to add $600 million in emergency funding to the Global Fund to fight AIDS, tuberculosis and malaria, adding to the $400 million already in the bill, and bringing our total contribution to $1 billion.

Unfortunately, last week $100 million was actually cut from the Global Fund in the Labor-HHS bill by this body. The Global Fund is one of the most powerful tools that we have as an international community to combat these three diseases. In fact, we created the framework for the Global Fund back in 2000 with the passage of the Global Aids and Tuberculosis Relief Act of 2000, which was signed into law by President Clinton.

□ 1645

And we provided the very first contribution in 2001 to help attract further financing from other donor nations.

Today, the Global Fund is a model for what the future of international development may look like. Designed strictly as a financing instrument, the Global Fund seeks to attract, manage, leverage, and disburse funding to support locally-driven strategies to combat AIDS, tuberculosis, and malaria. To date, the Global Fund has approved $3.4 billion for over 300 grants in 127 countries.

However, this year the Global Fund faces one of its biggest challenges: renewing over the $1.8 billion in existing grant agreements and approving upwards of $1 billion in new contracts, and this is still not enough. With the renewing of these contracts, there is just not enough money.

Without increased support from the United States and other donor nations, the fund may be forced to cut back on funding new grants and, worse, may be forced to cut crucial funding for people already on anti-retroviral therapy. Mr. Chairman, that would quite frankly just be totally disastrous.

Around the world, momentum is building in support of increased funding for the Global Fund and other international development initiatives. Two weeks ago, France announced it that would double its Global Fund contribution through 2007. Last week, Japan pledged $5 billion in new funding to help Africa combat AIDS, TB, and malaria, with a sizable contribution going to the Global Fund. And, with the upcoming G–8 summit taking place in Scotland next week, and with the British Prime Minister's focus on a huge new development initiative for Africa, the United States can and must do more. By providing $600 million in emergency funding, my amendment would take that first step.

Mr. Chairman, because my amendment is an emergency spending request, it will exceed the foreign operations subcommittee's 302(b) allocation and, therefore, I know that that is subject to a point of order. But I would hope that given the gravity of the pandemic, that my colleagues would consider this as a moral effort, strictly a moral effort to those who desperately need our help. Given the magnitude of the deaths and the pain and the suffering caused by HIV/AIDS, TB, and malaria, and the devastation that these diseases leave behind, I would ask the Chair to reject the point of order.

POINT OF ORDER

Mr. KOLBE. Mr. Chairman, I make a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. KOLBE. Mr. Chairman, I appreciate the gentlewoman's commitment and passion, and I certainly share her commitment about the need to do something about HIV/AIDS. Nonetheless, Mr. Chairman, I must make a point of order against the amendment because it does propose to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part:

''An amendment to a general appropriation bill shall not be in order if changing existing law.''

The amendment does include an emergency designation and, as such, it constitutes legislation in violation of clause 2 of rule XXI.

I ask for a ruling of the Chair.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

Mrs. LOWEY. I wish to be heard on the point of order.

I want to thank the gentlewoman for her leadership on the issue. I am pleased that the gentleman from Arizona (Chairman KOLBE) and I were able to double the President's request for the Global Fund in the bill from $200 million to $400 million, and, as the gentlewoman probably knows, given the allocation, it was simply the best we could do.

However, I understand the urgency of the situation, and I look forward to working with the gentlewoman as we move the bill forward to continue to

meet our responsibilities, and then some, because of the tremendous, tremendous impact of HIV/AIDS in every part of this world.

The CHAIRMAN. The Chair is prepared to rule.

The Chair finds that this amendment includes an emergency designation. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

The Clerk will read.

The Clerk read as follows:

DEVELOPMENT ASSISTANCE

For necessary expenses of the United States Agency for International Development to carry out the provisions of sections 103, 105, 106, and subtitle A of title VI of chapter II, and chapter 10 of part I of the Foreign Assistance Act of 1961, $1,460,000,000, to remain available until September 30, 2007: *Provided*, That $214,000,000 should be allocated for trade capacity building, of which at least $20,000,000 shall be made available for labor and environmental capacity building activities relating to the free trade agreement with the countries of Central America and the Dominican Republic: *Provided further*, That $365,000,000 should be allocated for basic education: *Provided further*, That of the funds appropriated under this heading and managed by the United States Agency for International Development Bureau of Democracy, Conflict, and Humanitarian Assistance, not less than $15,000,000 shall be made available only for programs to improve women's leadership capacity in recipient countries: *Provided further*, That such funds may not be made available for construction: *Provided further*, That of the funds appropriated under this heading that are made available for assistance programs for displaced and orphaned children and victims of war, not to exceed $37,500, in addition to funds otherwise available for such purposes, may be used to monitor and provide oversight of such programs: *Provided further*, That funds appropriated under this heading should be made available for programs in sub-Saharan Africa to address sexual and gender-based violence: *Provided further*, That up to $15,000,000 should be made available for drinking water supply projects in east Africa.

INTERNATIONAL DISASTER AND FAMINE ASSISTANCE

For necessary expenses of the United States Agency for International Development to carry out the provisions of section 491 of the Foreign Assistance Act of 1961 for international disaster relief, rehabilitation, and reconstruction assistance, $356,000,000, to remain available until expended of which $20,000,000 should be for famine prevention and relief.

TRANSITION INITIATIVES

For necessary expenses for international disaster rehabilitation and reconstruction assistance pursuant to section 491 of the Foreign Assistance Act of 1961, $50,000,000, to remain available until expended, to support transition to democracy and to long-term development of countries in crisis: *Provided*, That such support may include assistance to develop, strengthen, or preserve democratic institutions and processes, revitalize basic infrastructure, and foster the peaceful resolution of conflict: *Provided further*, That the United States Agency for International Development shall submit a report to the Committees on Appropriations at least 5 days prior to beginning a new program of assistance: *Provided further*, That if the President determines that is important to the national interests of the United States to provide transition assistance in excess of the amount appropriated under this heading, up to $15,000,000 of the funds appropriated by this Act to carry out the provisions of part I of the Foreign Assistance Act of 1961 may be used for purposes of this heading and under the authorities applicable to funds appropriated under this heading: *Provided further*, That funds made available pursuant to the previous proviso shall be made available subject to prior consultation with the Committees on Appropriations.

DEVELOPMENT CREDIT AUTHORITY

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans and loan guarantees provided by the United States Agency for International Development, as authorized by sections 256 and 635 of the Foreign Assistance Act of 1961, up to $21,000,000, to remain available until September 30, 2008, may be derived by transfer from funds appropriated by this Act to carry out part I of such Act and under the heading ''Assistance for Eastern Europe and the Baltic States'': *Provided*, That such funds shall be made available only for micro and small enterprise programs, urban programs, and other programs which further the purposes of part I of the Act: *Provided further*, That such costs, including the cost of modifying such direct and guaranteed loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That funds made available by this paragraph may be used for the cost of modifying any such guaranteed loans under this Act or prior Acts, and funds used for such costs shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That the provisions of section 107A(d) (relating to general provisions applicable to the Development Credit Authority) of the Foreign Assistance Act of 1961, as contained in section 306 of H.R. 1486 as reported by the House Committee on International Relations on May 9, 1997, shall be applicable to direct loans and loan guarantees provided under this heading: *Provided further*, That these funds are available to subsidize total loan principal, any portion of which is to be guaranteed, of up to $700,000,000.

In addition, for administrative expenses to carry out credit programs administered by the United States Agency for International Development, $8,000,000, which may be transferred to and merged with the appropriation for Operating Expenses of the United States Agency for International Development: *Provided*, That funds made available under this paragraph shall remain available until September 30, 2007.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For payment to the ''Foreign Service Retirement and Disability Fund'', as authorized by the Foreign Service Act of 1980, $41,700,000.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, $630,000,000, of which up to $25,000,000 may remain available until September 30, 2007: *Provided*, That none of the funds appropriated under this heading and under the heading ''Capital Investment Fund'' may be made available to finance the construction (including architect and engineering services), purchase, or long-term lease of offices for use by the United States Agency for International Development, unless the Administrator has identified such proposed construction (including architect and engineering services), purchase, or long-term lease of offices in a report submitted to the Committees on Appropriations at least 15 days prior to the obligation of these funds for such purposes: *Provided further*, That the previous proviso shall not apply where the total cost of construction (including architect and engineering services), purchase, or long-term lease of offices does not exceed $1,000,000: *Provided further*, That contracts or agreements entered into with funds appropriated under this heading may entail commitments for the expenditure of such funds through fiscal year 2006: *Provided further*, That none of the funds in this Act may be used to open a new overseas mission of the United States Agency for International Development without the prior written notification of the Committees on Appropriations: *Provided further*, That the authority of sections 610 and 109 of the Foreign Assistance Act of 1961 may be exercised by the Secretary of State to transfer funds appropriated to carry out chapter 1 of part I of such Act to ''Operating Expenses of the United States Agency for International Development'' in accordance with the provisions of those sections.

CAPITAL INVESTMENT FUND

For necessary expenses for overseas construction and related costs, and for the procurement and enhancement of information technology and related capital investments, pursuant to section 667 of the Foreign Assistance Act of 1961, $77,700,000, to remain available until expended: *Provided*, That this amount is in addition to funds otherwise available for such purposes: *Provided further*, That funds appropriated under this heading shall be available for obligation only pursuant to the regular notification procedures of the Committees on Appropriations: *Provided further*, That of the amounts appropriated under this heading, not to exceed $55,800,000 may be made available for the purposes of implementing the Capital Security Cost Sharing Program: *Provided further*, That the Administrator of the United States Agency for International Development shall assess fair and reasonable rental payments for the use of space by employees of other United States Government agencies in buildings constructed using funds appropriated under this heading, and such rental payments shall be deposited into this account as an offsetting collection: *Provided further*, That the rental payments collected pursuant to the previous proviso and deposited as an offsetting collection shall be available for obligation only pursuant to the regular notification procedures of the Committees on Appropriations: *Provided further*, That the assignment of United States Government employees or contractors to space in buildings constructed using funds appropriated under this heading shall be subject to the concurrence of the Administrator of the United States Agency for International Development.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT OFFICE OF INSPECTOR GENERAL

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, $36,000,000, to remain available until September 30, 2007, which sum shall be available for the Office of the Inspector General of the United States Agency for International Development.

OTHER BILATERAL ECONOMIC ASSISTANCE

ECONOMIC SUPPORT FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of chapter 4 of part II, $2,558,525,000, to remain available until September 30, 2007: *Provided*, That of the funds appropriated under this heading, not less than $240,000,000 shall be available only for

Israel, which sum shall be available on a grant basis as a cash transfer and shall be disbursed within 30 days of the enactment of this Act: *Provided further*, That not less than $495,000,000 shall be available only for Egypt, which sum shall be provided on a grant basis, and of which sum cash transfer assistance shall be provided with the understanding that Egypt will undertake significant economic reforms which are additional to those which were undertaken in previous fiscal years: *Provided further*, That of the funds made available under this heading for Egypt, not less than $50,000,000 shall be used for programs to improve and promote democracy, governance, and human rights and not less than $50,000,000 shall be used for education programs: *Provided further*, That with respect to the provision of assistance for Egypt for democracy and governance activities, the organizations implementing such assistance and the specific nature of that assistance shall not be subject to the prior approval by the Government of Egypt: *Provided further*, That in exercising the authority to provide cash transfer assistance for Israel, the President shall ensure that the level of such assistance does not cause an adverse impact on the total level of nonmilitary exports from the United States to such country and that Israel enters into a side letter agreement in an amount proportional to the fiscal year 1999 agreement: *Provided further*, That of the funds appropriated under this heading, not less than $250,000,000 should be made available only for assistance for Jordan: *Provided further*, That $20,000,000 of the funds appropriated under this heading should be made available for Cyprus to be used only for scholarships, administrative support of the scholarship program, bicommunal projects, and measures aimed at reunification of the island and designed to reduce tensions and promote peace and cooperation between the two communities on Cyprus: *Provided further*, That $40,000,000 of the funds appropriated under this heading should be made available for assistance for Lebanon, of which not less than $6,000,000 should be made available for scholarships and direct support of American educational institutions in Lebanon: *Provided further*, That funds appropriated under this heading that are made available for a Middle East Financing Facility, Middle East Enterprise Fund, or any other similar entity in the Middle East shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That not more than $225,000,000 of the funds made available for assistance for Afghanistan under this heading may be obligated for such assistance until the Secretary of State certifies to the Committees on Appropriations, that the Government of Afghanistan at both the national and local level, is cooperating fully with United States funded poppy eradication and interdiction efforts in Afghanistan: *Provided further*, That with respect to funds appropriated under this heading in this Act or prior Acts making appropriations for foreign operations, export financing, and related programs, the responsibility for policy decisions and justifications for the use of such funds, including whether there will be a program for a country that uses those funds and the amount of each such program, shall be the responsibility of the Secretary of State and the Deputy Secretary of State and this responsibility shall not be delegated.

INTERNATIONAL FUND FOR IRELAND

For necessary expenses to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, $13,500,000, which shall be available for the United States contribution to the International Fund for Ireland and shall be made available in accordance with the provisions of the Anglo-Irish Agreement Support Act of 1986 (Public Law 99–415): *Provided*, That such amount shall be expended at the minimum rate necessary to make timely payment for projects and activities: *Provided further*, That funds made available under this heading shall remain available until September 30, 2007.

ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC STATES

(a) For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 and the Support for East European Democracy (SEED) Act of 1989, $357,000,000, to remain available until September 30, 2007, which shall be available, notwithstanding any other provision of law that restricts assistance to foreign countries and section 660 of the Foreign Assistance Act of 1961, for assistance and for related programs for Eastern Europe and the Baltic States.

(b) Funds appropriated under this heading shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act for the use of economic assistance.

(c) The provisions of section 529 of this Act shall apply to funds appropriated under this heading: *Provided*, That local currencies generated by, or converted from, funds appropriated by this Act and by previous appropriations Acts and made available for the economic revitalization program in Bosnia may be used in Eastern Europe and the Baltic States to carry out the provisions of the Foreign Assistance Act of 1961 and the Support for East European Democracy (SEED) Act of 1989.

(d) The President is authorized to withhold funds appropriated under this heading made available for economic revitalization programs in Bosnia and Herzegovina, if he determines and certifies to the Committees on Appropriations that the Federation of Bosnia and Herzegovina has not complied with article III of annex 1–A of the General Framework Agreement for Peace in Bosnia and Herzegovina concerning the withdrawal of foreign forces, and that intelligence cooperation on training, investigations, and related activities between state sponsors of terrorism and terrorist organizations and Bosnian officials has not been terminated.

ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION

(a) For necessary expenses to carry out the provisions of chapters 11 and 12 of part I of the Foreign Assistance Act of 1961 and the FREEDOM Support Act, for assistance for the Independent States of the former Soviet Union and for related programs, $477,000,000, to remain available until September 30, 2007: *Provided*, That the provisions of such chapters shall apply to funds appropriated by this paragraph: *Provided further*, That, notwithstanding any provision of the Freedom Support Act of 1992, funds appropriated under this heading in this Act or prior Acts making appropriations for foreign operations, export financing, and related programs, that are made available pursuant to the provisions of section 807 of Public Law 102–511 shall be subject to a 6 percent ceiling on administrative expenses.

(b) Of the funds appropriated under this heading, not less than $52,000,000 should be made available, in addition to funds otherwise available for such purposes, for assistance for child survival, environmental and reproductive health, and to combat HIV/AIDS, tuberculosis and other infectious diseases, and for related activities.

(c)(1) Of the funds appropriated under this heading that are allocated for assistance for the Government of the Russian Federation, 60 percent shall be withheld from obligation until the President determines and certifies in writing to the Committees on Appropriations that the Government of the Russian Federation—

(A) has terminated implementation of arrangements to provide Iran with technical expertise, training, technology, or equipment necessary to develop a nuclear reactor, related nuclear research facilities or programs, or ballistic missile capability; and

(B) is providing full access to international non-government organizations providing humanitarian relief to refugees and internally displaced persons in Chechnya.

(2) Paragraph (1) shall not apply to—

(A) assistance to combat infectious diseases, child survival activities, or assistance for victims of trafficking in persons; and

(B) activities authorized under title V (Nonproliferation and Disarmament Programs and Activities) of the FREEDOM Support Act.

(d) Section 907 of the FREEDOM Support Act shall not apply to—

(1) activities to support democracy or assistance under title V of the FREEDOM Support Act and section 1424 of Public Law 104–201 or non-proliferation assistance;

(2) any assistance provided by the Trade and Development Agency under section 661 of the Foreign Assistance Act of 1961 (22 U.S.C. 2421);

(3) any activity carried out by a member of the United States and Foreign Commercial Service while acting within his or her official capacity;

(4) any insurance, reinsurance, guarantee or other assistance provided by the Overseas Private Investment Corporation under title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2191 et seq.);

(5) any financing provided under the Export-Import Bank Act of 1945; or

(6) humanitarian assistance.

INDEPENDENT AGENCIES

INTER-AMERICAN FOUNDATION

For necessary expenses to carry out the functions of the Inter-American Foundation in accordance with the provisions of section 401 of the Foreign Assistance Act of 1969, $19,500,000, to remain available until September 30, 2007.

AFRICAN DEVELOPMENT FOUNDATION

For necessary expenses to carry out title V of the International Security and Development Cooperation Act of 1980, Public Law 96–533, $20,500,000, to remain available until September 30, 2007: *Provided*, That funds made available to grantees may be invested pending expenditure for project purposes when authorized by the board of directors of the Foundation: *Provided further*, That interest earned shall be used only for the purposes for which the grant was made: *Provided further*, That notwithstanding section 505(a)(2) of the African Development Foundation Act, in exceptional circumstances the board of directors of the Foundation may waive the $250,000 limitation contained in that section with respect to a project: *Provided further*, That the Foundation shall provide a report to the Committees on Appropriations after each time such waiver authority is exercised.

PEACE CORPS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of the Peace Corps Act (75 Stat. 612), including the purchase of not to exceed five passenger motor vehicles for administrative purposes for use outside of the United States, $325,000,000, to remain available until September 30, 2007: *Provided*, That none of the funds appropriated under this heading shall be used to pay for abortions: *Provided further*, That the Director may transfer to the Foreign Currency Fluctuations Account,

as authorized by 22 U.S.C. 2515, an amount not to exceed $2,000,000: *Provided further*, That funds transferred pursuant to the previous proviso may not be derived from amounts made available for Peace Corps overseas operations.

MILLENNIUM CHALLENGE CORPORATION

For necessary expenses for the ''Millennium Challenge Corporation'', $1,750,000,000 to remain available until expended: *Provided*, That of the funds appropriated under this heading, up to $75,000,000 may be available for administrative expenses of the Millennium Challenge Corporation: *Provided further*, That up to 10 percent of the funds appropriated under this heading may be made available to carry out the purposes of section 616 of the Millennium Challenge Act of 2003: *Provided further*, That none of the funds available to carry out section 616 of such Act may be made available until the Chief Executive Officer of the Millennium Challenge Corporation provides a report to the Committees on Appropriations listing the candidate countries that will be receiving assistance under section 616 of such Act, the level of assistance proposed for each such country, a description of the proposed programs, projects and activities, and the implementing agency or agencies of the United States Government: *Provided further*, That section 605(e)(4) of the Millennium Challenge Act of 2003 shall apply to funds appropriated under this heading: *Provided further*, That funds appropriated under this heading may be made available for a Millennium Challenge Compact entered into pursuant to section 609 of the Millennium Challenge Act of 2003 only if such Compact obligates, or contains a commitment to obligate subject to the availability of funds and the mutual agreement of the parties to the Compact to proceed, the entire amount of the United States Government funding anticipated for the duration of the Compact.

Mr. KOLBE (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 29, line 12, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. Are there any amendments to that section of the bill?

The Clerk will read.

The Clerk read as follows:

DEPARTMENT OF STATE

GLOBAL HIV/AIDS INITIATIVE

For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 for the prevention, treatment, and control of, and research on, HIV/AIDS, $1,920,000,000, to remain available until expended: *Provided*, That of the funds appropriated under this heading, not less than $200,000,000 shall be made available for a United States Contribution to the Global Fund to Fight AIDS, Turberculosis and Malaria (the ''Global Fund''), and shall be expended at the minimum rate necessary to make timely payment for projects and activities: *Provided further*, That not more than $12,000,000 of the funds appropriated under this heading may be made available for administrative expenses of the Office of the Coordinator of United States Government Activities to Combat HIV/AIDS Globally of the Department of State.

AMENDMENT OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. KING of Iowa:

Page 29, line 18, after the dollar amount, insert the following: ''(reduced by $1,000,000) (increased by $1,000,000)''.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Iowa (Mr. KING) and a Member opposed each will control 5 minutes.

Mrs. LOWEY. Mr. Chairman, reserving a point of order, I ask for clarification as to which of the two amendments the gentleman is offering to the House.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read the amendment.

The CHAIRMAN. The gentleman from Iowa (Mr. KING) is recognized for 5 minutes in support of his amendment.

Mr. KING of Iowa. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, to clarify that point of order, again, this is the amendment that takes $1 million out and puts $1 million back in, and it is for the purposes of raising the issue to discuss some of the things that I think we should be doing, particularly in Africa with regard to AIDS.

I recall back in this Chamber in January of 2003 when the President gave his State of the Union address. I had been reading the articles about ABC for AIDS prevention in Africa, and particularly and directly in Uganda, the ABC program being abstinence, being faithful, and, with a small ''c'' of using condoms in the event that abstinence and being faithful is not utilized.

As the President called for the $15 billion, 5-year AIDS initiative, I saw a standing ovation in here, and that standing ovation was started over in this region, and I want to give credit that it appeared to me to be a lot of the members of the Congressional Black Caucus that stood for that ovation. I stood too, because I had been getting a sense of how bad it was, and this is an international crisis. Millions of people are dying, and we do need to address this. We have a moral obligation to address the AIDS.

So I believe also in ABC. I continue to believe in abstinence, being faithful, and condoms as a last resort.

I went to Africa, Mr. Chairman, last July, late July and early August, visited Morocco, then Namibia, Botswana, and South Africa. In Morocco, the AIDS is less than 1 percent. When you get to Namibia and South Africa it is around 23 to 25 percent and, in Botswana, the HIV/AIDS infection rate is 38.8 percent. When you realize that four out of every 10 people you meet on the street are staring into a death sentence, you realize that something has to be done. Economically they have been destroyed.

As I went there, I asked the questions of the people who were implementing this multi-billion dollar policy, and it has become not an ABC policy, not a little ''c'' policy, it has been become a big ''C'' policy, a hand-out of condoms policy; when I asked, what you are doing to address the promiscuity, they told me, you do not change the culture. You cannot change the culture. Well, they are establishing a condom culture. If you can change it to a condom culture, you can promote the elimination of promiscuity and abstinence until marriage and monogamy after that.

The other question that I asked, and it is a question that Congress needs to ask is, are we saving more lives, or are we costing more lives, or are we putting people into maybe 30 more years of an active sex life, and are they going to use a condom right every time for the next 30 years, or are they going to infect more people. Some of the answers I got back was yes, condoms are the answer. They work 100 percent of the time according to the doctor from the CDC. I do not accept that. One of their other solutions was to delay the young ladies' sexual debut for perhaps another year, as if that made a statistical difference; and another one of those real good ideas was, and I say that facetiously, expedite the travel of trucks through the borders so that the prostitutes do not have as much opportunity to market themselves to the truck drivers. These were shallow approaches.

I think we need to put the drugs in there, the anti-retroviral drugs, we need to get the high-protein food there, and we need to keep people alive. I held some of those babies. We need to have a whole policy, one that is planned, an approach to save the maximum number of lives. One that puts the responsibility back on the individuals and changes the culture in that part of the world. That is the best thing we can do. I am asking that by next year we take a look at that, we get a report, and that is my initiative for this amendment.

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

Mr. KOLBE. Mr. Chairman, I claim the time in opposition, though I am not in opposition, and I yield myself such time as I may consume.

I have looked at this amendment and I think the gentleman has made some very good points. It does not change in any substantive way the bill, and I am prepared to accept the amendment.

Mrs. LOWEY. Mr. Chairman, if the gentleman will yield, I withdraw my reservation, because I understand from the chairman that this does not have any substantive changes being made in the bill. But I certainly think that the content of the gentleman's amendment deserves greater discussion at another time. The chairman and I were also in Botswana, we were also in South Africa, we were in Tanzania as well, and there is progress being made in some parts of the country, and some not. It is a tremendous challenge, but I think

it is simplistic to say that only one area deserves further funding, and that the ABC approach may not be as successful as one may think.

So I think we need to discuss this further, and I would like to enter into dialogue with the gentleman at another time.

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

Mr. KING of Iowa. Mr. Chairman, I would just like to say I appreciate the chairman's work on this, and the comments that I have heard, and I look forward to that dialogue.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. KING).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961, $437,400,000, to remain available until September 30, 2008: *Provided*, That during fiscal year 2006, the Department of State may also use the authority of section 608 of the Foreign Assistance Act of 1961, without regard to its restrictions, to receive excess property from an agency of the United States Government for the purpose of providing it to a foreign country under chapter 8 of part I of that Act subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That the Secretary of State shall provide to the Committees on Appropriations not later than 45 days after the date of the enactment of this Act and prior to the initial obligation of funds appropriated under this heading, a report on the proposed uses of all funds under this heading on a country-by-country basis for each proposed program, project, or activity: *Provided further*, That $10,000,000 of the funds appropriated under this heading should be made available for demand reduction programs: *Provided further*, That of the funds appropriated under this heading, not more than $33,484,000 may be available for administrative expenses.

Mrs. LOWEY. Mr. Chairman, I move to strike the last word, and I yield to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I appreciate the gentlewoman's courtesy and extend my appreciation to the Chair and Ranking Member for the work they have done. I feel, considering the modest allocation that they were given, they have managed to fashion a solid piece of legislation.

Ironically, we only give 0.16 percent of our Gross National Product to development assistance, even though ironically, most Americans think we give far more.

I wanted to make four brief points, if I could. I wanted to thank them for earmarking $50,000 for increasing access to clean water in Africa. We are going forward tomorrow in the Committee on International Relations to explore opportunities to increase this in terms of authorization, but I think we are making an important step in the right direction.

I also appreciate the report language explaining concern over USAID's urban programs.

Mr. Chairman, the CIA's Outlook 2015 that looked at threats to the United States pointed out that the rapid urbanization in the developing world was one of the top seven security concerns for our country. For the first time in human history, a majority of people live in cities, with a million people a week moving to cities in the developing world, a million new people a week in areas that are greatly stressed.

□ 1700

Yet despite this, our country's USAID investment in urban programs is in continued decline. I appreciate the committee's spotlighting this, and I hope that we can work together to reverse this unfortunate trend.

I appreciate the colloquy that occurred earlier on the Global Environmental Facility, the GEF, that has funded over 1,000 projects in 160 countries. I think these innovative approaches to environmental challenges that can be replicated elsewhere and financed on a larger scale by non-GEF sources is very important.

I appreciate the difficulty. I know we have got a long way to go with this bill. I appreciate your efforts and would do anything I could because every dollar that we spend on GEF leverages 15 in funding from other sources in some of the most vulnerable areas of our country.

I appreciate your work. I appreciate the courtesy in permitting me to speak on this. I opted not to offer up amendments because, frankly, I could not see ways to repackage what you have done. I hope in the future we will have more leverage, more running room. But in the meantime, I appreciate your efforts; and I will support the bill.

Mrs. LOWEY. Mr. Chairman, I want to thank my colleague for his comments on the bill. And I hope the gentleman will work, certainly, with the chairman and myself and many of us who would support increased funding to address the critical issues that the gentleman mentions.

However, within this allocation, the gentleman knows it was very difficult; and I feel very strongly that in terms of our international policies, nothing is more important than expanding our support in the country for all the important initiatives included in this bill and increasing the dollars that we can spend on them.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

ANDEAN COUNTERDRUG INITIATIVE

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961 to support counterdrug activities in the Andean region of South America, $734,500,000, to remain available until September 30, 2008: *Provided*, That in fiscal year 2006, funds available to the Department of State for assistance to the Government of Colombia shall be available to support a unified campaign against narcotics trafficking, against activities by organizations designated as terrorist organizations such as the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN), and the United Self-Defense Forces of Colombia (AUC), and to take actions to protect human health and welfare in emergency circumstances, including undertaking rescue operations: *Provided further*, That this authority shall cease to be effective if the Secretary of State has credible evidence that the Colombian Armed Forces are not conducting vigorous operations to restore government authority and respect for human rights in areas under the effective control of paramilitary and guerrilla organizations: *Provided further*, That the President shall ensure that if any helicopter procured with funds under this heading is used to aid or abet the operations of any illegal self-defense group or illegal security cooperative, such helicopter shall be immediately returned to the United States: *Provided further*, That the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall provide to the Committees on Appropriations not later than 45 days after the date of the enactment of this Act and prior to the initial obligation of funds appropriated under this heading, a report on the proposed uses of all funds under this heading on a country-by-country basis for each proposed program, project, or activity: *Provided further*, That funds made available in this Act for demobilization/reintegration of members of foreign terrorist organizations in Colombia shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: *Provided further*, That section 482(b) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated under this heading: *Provided further*, That assistance provided with funds appropriated under this heading that is made available notwithstanding section 482(b) of the Foreign Assistance Act of 1961 shall be made available subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That no United States Armed Forces personnel or United States civilian contractor employed by the United States will participate in any combat operation in connection with assistance made available by this Act for Colombia: *Provided further*, That of the funds appropriated under this heading, not more than $19,015,000 may be available for administrative expenses of the Department of State, and not more than $7,800,000 may be available, in addition to amounts otherwise available for such purposes, for administrative expenses of the United States Agency for International Development.

AMENDMENT NO. 6 OFFERED BY MR. MCGOVERN

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. MCGOVERN:

Page 31, line 7, after the dollar amount, insert the following: ''(reduced by $100,000,000)''.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Massachusetts (Mr. MCGOVERN) and the gentleman from Arizona (Mr. KOLBE) each will control 30 minutes.

The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I rise in strong support of the McGovern-McCollum-Moore amendment to cut military aid to Colombia by $100 million.

For the past several years, we have debated Colombia policy here in the House. We are always being told that things are getting better; but they are not getting better, Mr. Chairman.

This policy has failed as an antidrug policy. It has failed as a human rights policy, and it has failed to have any impact whatsoever in reducing the availability, price or purity of drugs in the streets of America. In fact, illegal drugs are cheaper today than they were 6 years ago and $4 billion ago. And yet we will hear again today from supporters of Plan Colombia that everything is just rosy in Colombia, that we are winning the drug war, and respect for human rights is flourishing. Not true, Mr. Chairman.

It makes no difference whether you are looking at the United Nations numbers, the U.S. Office of National Drug Control Policy numbers, the Colombian National Police, or the CIA's. It all adds up to the same picture. Compared to where we were in 1999, right before the start of Plan Colombia, coca cultivation in Colombia has declined by only 7 percent and in the Andean region by only 9 percent. And the growing of coca did not decrease at all in the year 2004.

On top of that, the U.N. and the Colombian National Police agree that opium growing in Colombia did not decrease at all in 2004.

You have to twist yourself into a pretzel to make something good out of these numbers. You do that by deliberately ignoring where we were 6 years ago before Plan Colombia and picking and choosing bits and pieces of statistics, like starting your comparisons in 2003. Well, that only works because you ignore the huge increases in coca production in 2000, 2001, and 2002.

But, ultimately, the most damning numbers come from our own Department of Justice, which states that cocaine remains readily available on the streets of America, with wholesale and retail prices for cocaine and heroin at an all-time low and purity at or near historic highs.

Congress was told that we had to support Plan Colombia. We had to pour billions and billions of U.S. tax dollars into the Colombian military to stop the surge of drugs in America.

Well, what a waste of money it has been. Six years ago, the Rand Corporation told us that every dollar we spent trying to wipe out coca in remote areas of Colombia would be 23 times more effective if we spent it right here at home on drug treatment, prevention, and education and on local law enforcement.

But Congress chose to ignore that good advice; and here we are, 6 years and $4 billion later. Now, we may have thought our policy was tough on drugs, but it sure was not very smart.

So how about human rights? Is Colombia's human rights situation any better today? Colombia is still the most dangerous country in the world to be a trade union leader. It is the second most dangerous place to be a religious pastor or lay leader.

The United Nations High Commissioner for Refugees calls the issue of Colombia's internally displaced a great humanitarian crisis second only to Sudan. Death threats against human rights defenders have increased significantly over the past 18 months.

Abuses by the Colombian military are on the rise and the armed forces commit crimes with impunity, with no high-level Colombian military officer ever having been successfully prosecuted for human rights crimes.

Even our own State Department has not been able to certify any human rights progress in Colombia since March because the situation is so untenable. But has Colombia tried to improve their human rights situation at all so that the State Department could have something, anything that will allow it to certify? Not at all.

But so much pressure from the Pentagon and the Colombian Government and even from some members of Congress is building on the State Department to go ahead and certify anyway that I hear that the State Department is likely to certify right after this Congress breaks for the Fourth of July recess.

But the most galling thing of all is this: while U.S. taxpayers have sent over $4 billion of their hard-earned money to Colombia over the past 6 years, the wealthy elites of Colombia have hardly contributed a dime. Out of a population of 42 million people, only 740,000 Colombians pay any income tax at all, and even that is a pitiful amount. So Colombians are not paying to fight their own war, and they are not paying to improve the conditions that keep so many of their own people in poverty.

It is time that this House stood up and decided to stop sending a blank check to Colombia, year after year. It is time that we demand real progress on human rights as a condition to our aid. It is time that we stop being a cheap date.

We are not walking away from Colombia. We are just sending a long overdue message that it is time to take a cold hard look at our current course and change it.

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

Mr. KOLBE. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Virginia (Mr. TOM DAVIS).

(Mr. TOM DAVIS of Virginia asked and was given permission to revise and extend his remarks.)

Mr. TOM DAVIS of Virginia. Mr. Chairman, I rise in opposition to any attempts to cut funding for the Andean Counterdrug Initiative. I think this is a time to reaffirm, not dismantle, our commitment to this program, to the people of Colombia and to American citizens who want illegal drugs off their streets.

How can we cut funding when we are seeing tremendous results in illegal crop eradication? Coca cultivation in Colombia has been reduced by 33 percent since 2002, and opium poppy cultivation dropped 52 percent in 2004 alone.

As a result of ACI funding, we have seen unprecedented levels of drug interdiction. And interdiction is what this amendment goes to, cutting $100 million.

From January to May of this year, 71.7 metric tons were seized from traffickers and destroyed before reaching our neighborhoods. Each week brings news of new seizures of cocaine and heroin, interdictions that are usually the result of U.S. supplied intelligence.

In fact, just last month, Colombian authorities seized 13.8 tons of cocaine worth about $350 million in what was one of the largest drug busts in history. Interdiction efforts like these would not be possible if the gentleman's amendment passes.

The Colombian Government is reestablishing state presence in areas where the country has lacked it for a century. Criminals who have remained at bay for years are being captured and extradited to the U.S. for prosecution. Colombia has extradited 271 Colombian citizens to the United States since August of 2002, mostly on narcotics related charges.

How do we justify pulling the plug on ACI funding when we are seeing record numbers of extraditions to the U.S. of FARC and drug cartel members?

In 2004 alone, more than 11,000 narcoterrorists were captured. More than 7,000 terrorists have deserted their organizations since President Uribe took office. Thousands of weapons and rounds of ammunition have been surrendered. The demobilization and reincorporation of illegal armed groups are part of a process that is providing stability to the entire region.

Colombians are finally beginning to feel safer. The murder rate dropped 14 percent in 2004. It has dropped 25 percent thus far this year.

Plan Colombia is working. I have been down there several times. I have seen firsthand just a month ago the devastation that drug production and trafficking has on that country. But to those who question our investment, I would ask them to visit Colombian soldiers who have lost their limbs or their eyesight or sustained permanent disabilities in their battle to return peace to their nation and keep drugs off American streets.

On a recent trip, we accompanied Colombian National Police to a manual eradication site in the mountains and helped them pull the coca crop from mountainous terrain that helicopters cannot reach. These are dedicated people giving up their lives to destroy the drug trade and rid their country of drugs and violence and prevent their illegal importation to the United States.

Our travels have shown how critical U.S. assistance is to their government.

Of course it is not all rosy and a lot of obstacles remain. But the Uribe administration is committed to this war.

I ask, Mr. Chairman, that now is the time not to turn our backs on the progress we are making. We cannot win this war on drug-supported terrorism without the proper tools.

I urge a ''no'' vote on the McGovern amendment.

Mr. MCGOVERN. Mr. Chairman, I want to assure the gentleman I have been to Colombia several times and have gone well beyond the areas that the embassy has recommended me to go, and I assure the gentleman things are quite bad.

Mr. Chairman, I yield 3 minutes to the gentlewoman from Minnesota (Ms. MCCOLLUM), the cosponsor of this amendment.

Ms. MCCOLLUM of Minnesota. Mr. Chairman, the McGovern amendment to cut $100 million from Plan Colombia is about accountability and sending the message that cutting deals with narcotic traffickers who pose as politicians will not be tolerated by the American taxpayer.

After 6 years and over $400 billion, Plan Colombia is not reducing the supply of cocaine on our streets. But it has succeeded in making cocaine in America cheaper, more available, and more potent than ever before.

The drug war in Colombia is failing, failing the people of Colombia and the American taxpayer. Spending another $735 million to stay the wrong course and to continue to finance failure is irresponsible.

Let us send a message to Colombia that there are no more blank checks in the American taxpayers' checkbook.

Unfortunately, Plan Colombia has not made the Colombian people safer. More than 2 million Colombians have been forced to flee their homes. Ninety percent of the violent crime, murders, and rapes go unpunished. Human rights abuses among Colombia's military and law enforcement are all too common.

These are deeply disturbing trends: cheaper cocaine on American streets, millions of innocent people fleeing for their lives, lawlessness. This is hardly what we would call good governance.

In return for the narcoterrorism and corruption, the American taxpayers are being asked to reward the Colombian Government.

Now, a law passed by Colombia's congress and supported by President Uribe provides immunity and protection for right wing death squads and narcoterrorists.

For ending their participation in death squads, Colombia will be giving virtual immunity and protection from extradition to narcotraffickers, many who are sought by the United States.

One paramilitary death squad, the AUC, earns 70 percent of its income from narcotics trafficking. And the AUC is listed as an official terrorist organization by the U.S. Government.

The AUC's leader, Diego Murillo, is described as a brutal paramilitarian warlord who made a fortune in the drug trade. Under the plan for disarmament supported by our allies in Bogota, Murillo and terrorists like him who have committed massacres, kidnappings, drug trafficking, and murders of elected officials received freedom from prosecution. They get to keep their possession of riches.

In Colombia, if crime pays, if drug trafficking pays and terrorism pays, let us not have the American taxpayer pay for it. Congress needs to cut funding to Plan Colombia and save the American taxpayers $100 million and send a message that Colombia cannot protect narcoterrorists with our tax dollars.

I strongly urge my colleagues to support the McGovern amendment.

□ 1715

The CHAIRMAN. Without objection, the gentleman from Illinois (Mr. KIRK) may yield time on behalf of the gentleman from Arizona (Mr. KOLBE).

There was no objection.

Mr. KIRK. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. ROGERS), a former FBI agent.

Mr. ROGERS of Michigan. Mr. Chairman, the amendment is well-intended but horribly misguided.

If you have spent time in Colombia, then you know that incredible progress is being made. This is absolutely the worst time to turn our backs on the great efforts that these folks are making against narco-terrorism, the FARC, the AUC, other militia groups. They are making progress.

Let me tell you a little bit about it. Kidnappings from 2002 to 2004 are down 52 percent. That is because they are on the offensive. President Uribe, 18 assassination attempts and maybe even climbing, has stood tall for democracy and said he will not tolerate the FARC, and the AUC, and narco-terrorist groups trying to control Colombia and sending death to America by cocaine paste and cocaine kilos and everything that we know is bad and killing our children in the streets of America.

We have a true partner who is willing to take and literally risk his life and his presidency to stop this in Colombia. This is the wrong time, Mr. Chairman.

Right now, we have three United States citizens hostage to the FARC. What message would we send to our friends in Colombia who are risking their lives to rescue these citizens from the FARC and other AUC groups by cutting this funding. This is not the time, Mr. Chairman.

This is the chance that we stand up and say, We are making progress. We will support an aggressive attitude toward narco-terrorist trafficking in not only Colombia, but all of Latin America and make that difference, not only for the three United States citizens that deserve our support, but every American who fights to keep drugs out of their family, out of their schools, out of their community.

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri (Mr. SKELTON), the ranking Democrat on the Committee on Armed Services.

Mr. SKELTON. Mr. Chairman, I thank the gentleman and I compliment my friend and colleague, the gentleman from Massachusetts (Mr. MCGOVERN) for this amendment, which is also co-sponsored by the gentlewoman from Minnesota (Ms. MCCOLLUM) and the gentleman from Kansas (Mr. MOORE).

This amendment is important because it will force this body to look hard at American policy in Colombia. Since Congress began funding support in Colombia under the Plan Colombia in fiscal year 2000, we have spent approximately $4.5 billion in counterdrug and military support. That is a lot of money, a lot of money under any circumstance, and it is certainly at a time when we are fighting two wars elsewhere.

Given the magnitude of what we have spent and the fact that Plan Colombia will expire this year, we should be asking some really tough questions. Such as, is the amount of money spent in line with the benefits to the United States and to our national security, and are the Colombians doing enough to provide for their own security?

Funding for Colombia was initiated in order to stem the flow of drugs to our country. Yet, the United Nations figures show that decreases in cultivation in Colombia have been more than matched elsewhere in that region. There has been no decrease in drugs coming into the United States.

Funding was also intended to promote peace in Colombia. Certainly on that front, there is some progress. I believe President Uribe is trying to do the very right thing for his country, and we should support his efforts, which we are. The question is whether we should support it at the cost at a time when our military and our foreign aid dollars, our defense dollars are spread so thin across the globe.

This amendment, Mr. Chairman, with this modest cut to overall aid to Colombia, should force a rethinking of our strategy in Colombia on whether we are achieving goals important to our own national security. At the same time, we need to ask whether the Colombians are doing all they can to provide for their own future security. Let me say that again. At the same time, we should ask whether the Colombians are doing all they can to provide for their own future security.

Their tax revenue continues to be at very low levels. Fewer than 750,000 Colombians contribute to their national defense through the tax base of a population of 42 million. Many Colombians with high school educations continue to avoid military service. The Colombians should be taking on more of a responsibility for their own effort. This amendment does not cut all funding for Colombia. Far from it. But it does send a clear signal that the American dollars invested are not yielding the results we need to.

At a time when we are engaged in two wars globally, we must even be more careful about where we are spending our resources, our dollars. We must urge our colleagues to support the amendment. I compliment the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. KIRK. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon (Mr. WALDEN).

Mr. WALDEN of Oregon. Mr. Chairman, I rise in opposition to this amendment. I believe it would undermine the efforts to eradicate production and trafficking of cocaine in Colombia which is the primary source of narcotics entering our Nation.

We have heard some level of debate today about is the amount of cocaine down coming into the United States or not? But the real issue is, how much higher would it be if we did not have this program in place?

Operations under the Andean Counterdrug Initiative have been instrumental in reducing the cultivation of coca 33 percent since 2002 and cultivation of poppies 52 percent last year.

Are those exactly the percentages and which years do you compare? The point is not the exact numbers. The point is the trend and the trend is that there is less being grown because we know we are eradicating it every year. If we are eradicating it, if we are ripping this stuff out, if we are spraying it, if we are making sure it is not growing, that is that much more is not available. That seems pretty obvious on its face.

But this program is doing more to help improve the stability of the country of Colombia and the people who live there, particularly the realm of violent crime in Colombia. Kidnappings are down 34.5 percent in 2004 and almost 61 percent through May of this year. Homicides are down. Terrorist attacks are down. Internal displacement of people, also down by more than 50 percent. Over 200 Columbian narco-traffickers have been extradited to the United States in the last 2 years, including the leader of the Cali Cartel, an important FARC commander, and an AUC commander.

The point is we are taking these narco-traffickers out of the business of trafficking in narcotics, of bringing this terrible stuff to our borders and to our people. This is a good program that has done well and we need to continue to fund it.

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

Mr. Chairman, I just want to respond to the gentleman who just spoke. Maybe he has not been reading the newspapers but the Colombian government just passed an amnesty law that gives narco-traffickers and the paramilitaries and people who have been guilty of crimes against humanity a get-out-of-jail-free card. That is one of the reasons why I am here today expressing my outrage.

Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. HONDA).

Mr. HONDA. Mr. Chairman, I rise today in strong support of the McGovern-McCollum-Moore amendment to H.R. 3057, the Foreign Operations bill for FY 2006. This amendment recognizes the critical problems that need to be addressed in Colombia.

Six years ago, Plan Colombia was implemented with the goal of reducing the flow of cocaine into the United States and to improve respect for human rights and the rule of law in Colombia. Based on the administration's own target indicators and data, the drug eradication effort in Colombia has been an across-the-board failure.

Plan Colombia has not significantly deterred coca cultivation, curbed cocaine availability, forced price increases or reduced cocaine use.

After 6 years and an investment of more than $4 billion in taxpayer dollars, net coca cultivation in Colombia is only 7 percent below the 1990 level. The total area under coca cultivation is estimated to be 36 percent higher than in 2000. Furthermore, reports indicate that cocaine remains readily available on the U.S. streets. The cocaine and heroine problems in the United States are more acute today than they were 6 years ago with lower prices, higher drug purity, and increased usage.

Tragically, what we have seen in the past 6 years is an increase of human rights abuses, including violations by the army, unchecked government collusion with abusive paramilitary forces and violence against trade union members. We cannot be seen as condoning the ongoing human rights abuses in Colombia. We must be seen the world over as defending human rights. By supporting the McGovern amendment, we would be sending a strong signal to the international community that, yes, the United States does indeed value human rights.

For genuine, lasting and positive changes in Colombia, the Colombian government and Colombian people must take an active role in initiating and sustaining those changes.

Plan Colombia is not working and given the inexcusable ongoing human rights violations and military abuses in Colombia, reducing the allocation for Plan Colombia by $100 million is not only the responsible thing to do with taxpayer dollars, it underscores our Nation's standing as an advocate of human rights. Vote yes on the McGovern amendment.

Mr. KIRK. Mr. Chairman, I yield 3 minutes to the gentleman from Indiana (Mr. BURTON), the distinguished chair of the Subcommittee on the Western Hemisphere.

Mr. BURTON of Indiana. Mr. Chairman, I have heard what they are against. What are you for?

We have got a drug problem that we are trying to deal with. Plan Colombia, according to the statistical data that has been quoted time and time and time again by my colleagues, and I am quoting a little bit about that, shows that we are making progress. You are against it, but what are you for?

I mean, we have got a war against drugs and you are standing here saying, okay, let us not do this, let us not do this, but the drug problem exists so what do you want to do about it?

Unless you have got some constructive alternative, I think you ought to take a hard look at what has been talked about here today by the colleagues on our side of the aisle.

Now, the gentleman from Indiana (Mr. SOUDER) sent out a ''Dear Colleague'' to my colleagues and I would like to read you a little bit about what is in his ''Dear Colleague.'' Aerial eradication has reduced coca cultivation by 33 percent. That is a plus. Reduced coca cultivation by 16 percent in the Andean region in 2003 and by an additional 5 percent in 2004. That is a plus.

Opium poppy cultivation in Colombia dropped 52 percent in 2004, the third straight year of decline. That is a plus. They have got alternative development programs. Since 2000 we have supported and they have supported more than 63,000 hectares of legal crops, some substitutions. That is a plus. Resulted in the manual eradication of 23,200 hectares of illicit crops, coca and opium. That is a plus.

Security. Police presence is extended to all 158 municipalities in Colombia that did not have any police protection before. That is a big plus.

Colombia has extradited 271 Colombian citizens to the U.S. since August of 2002, mostly on narcotics-related cases. Another plus.

Human rights. Kidnappings were down 34 percent in 2004 and a further 60.9 percent through May of this year. Another plus. Homicides are down 14.2 percent and another 22.3 percent through May of this year.

There were 137,315 newly displaced persons in 2004. That is a drop of 67.5 percent. Those are all pluses. Those are things that are being accomplished.

Yes, we still have problems. Yes, there are narcotics in America. Yes, they are coming into this country. But we are making progress. And what you folks want to do is stop the progress. So what is your alternative?

I do not hear anything but complaints. This is the wrong time and it is the wrong message to send to our allies, President Uribe, who is making progress down there. It is also the wrong signal to send to the surrounding countries that have to deal with this drug problem and the drug cartel.

I guess I am out of time, but I think the point has been made. Unless you have a constructive alternative, I suggest you do what the gentleman from Indiana (Mr. SOUDER) has suggested. Read his ''Dear Colleague.''

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

Mr. Chairman, let me respond to the gentleman. I believe we need a balanced policy. And some of us tried in the Committee on International Relations and in the Committee on Appropriations to make some modest changes in support of increased alternative development aid, but we were shut down on even those modest changes. Maybe the gentleman did not listen to my statistics.

Also, we have a critique of the letter of the gentleman from Indiana (Mr. SOUDER) that he sent to Members of Congress, and I think the gentleman would be interested to know that some of the figures that the gentleman from Indiana (Mr. SOUDER) has cited we believe are totally inaccurate.

Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. MEEKS).

□ 1730

Mr. MEEKS of New York. Mr. Chairman, I am rising in support of this amendment partly because my colleagues on the other side of the aisle refuse to include reasonable amendments that direct or redirect funds to help the most in need in Colombia. In fact, they refuse to move on to a more balanced policy on Colombia.

For example, Afro-Colombians comprise approximately 26 percent of Colombia's total population. Nevertheless, they are overrepresented amongst the poorest of the poor. Eighty-two percent of this disadvantaged minority lack even basic public services.

There are problems with this bill, and we should not continue to throw good money after bad. Plan Colombia had 5 or 6 years to prove itself, and what it has proven is that the plan has caused more harm than good. Eighty percent of U.S. assistance to Colombia goes to the military and police. We need a more balanced policy on Colombia.

Plan Colombia's aerial fumigation strategy has forced coca growers not to stop growing but to move their coca crops further west and north to Afro-Colombian and indigenous territories. Fumigation is ruining food crops, animals and livestock, while threatening the health and environment of Afro-Colombians, especially in the department of Choco.

In 2002, only two municipalities in the department of Choco registered some sort of coca crops. Today, all 31 municipalities in that region have coca crops. Plan Colombia is destroying the traditional cultures of Afro-Colombians and their communities while providing little or no alternative development aid.

Furthermore, a primary U.S. objective for Plan Colombia has been to prevent the flow of illegal drugs into the United States. In my district in southeastern Queens, New York, and on the streets of the United States of America, cocaine remains available today and at lower prices than ever and the levels of use are stable, if not rising.

Therefore, Mr. Chairman, I urge my colleagues to support this amendment, and I ask my colleagues in conference to support alternative development and social programs that work and can make our policy in Colombia more balanced and thereby giving the American people a better bang for their buck in Colombia.

Mr. KOLBE. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. KIRK), a distinguished member of the subcommittee.

Mr. KIRK. Mr. Chairman, this amendment will be defeated later on today because it would snatch defeat from the jaws of victory in Colombia. We see a close connection between narcotics and terrorism.

The people of Colombia saw that. When the Medellin cartel killed three major candidates for president, the people elected the last candidate left who wanted to fight the narcoterrorists. In their last election, the people of Colombia chose the candidate who took the hardest line against narcoterrorists, and after September 11, who could blame them?

President Uribe of Colombia has asked for our help, and so far, what has our assistance accomplished? Coca growing is down, kidnappings are down, terrorist attacks are down, opium growing is down, several hundred drug kingpins extradited to the United States, and desertions among terrorist groups are up.

In a recent poll, 73 percent of Colombians said they supported the U.S. assistance under Plan Colombia. We have seen narcoterrorists in Colombia offer training to other terror groups in other countries; and with these international links, we see Colombian drugs not only poisoning our kids but the profits from their sale are now supporting international terror.

If we give up on Colombia, a new narcoterrorist state will rise in our hemisphere, and when a narco-state took power in 1991 in Panama, it took the direct action of the U.S. military to restore democracy.

I think we should not give up on democracy in Colombia. We should listen to the voices of their people through their elected president and make sure that he and his team remain in power and that this stays as a Colombian struggle and is not surrendered to become a full blown American one.

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

Let me just respond to the gentleman, Mr. Chairman, if I can, by saying, if the Colombian people support this policy so much, then why is it that only 740,000 Colombians pay income tax in a country of 42 million people? That is a fact. That was stated in the Council on Foreign Relations report that came out last year.

Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. PAUL).

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

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

Mr. Chairman, I rise in strong support of this amendment. I would only ask my colleagues on this side of the aisle, where have all the conservatives gone? Where are the fiscal conservatives? A decade or so ago, the conservatives on this side of the aisle voted against all foreign aid. Now they are the champion of foreign aid.

We are running a national debt increase right now of nearly $600 billion a year, and the gentleman from this side of the aisle suggests that maybe we can spend $100 million less out of a budget that is over $20.3 billion, suggesting we could save $100 million, which sounds like pretty good sense, and all we hear are complaints about why we need this program.

One gentleman asked the question, what are we for if we are against this program down in Colombia, Plan Colombia? Well, I'll tell my colleagues what I am for. I am for the American taxpayer, and I will tell my colleagues one thing. I will bet them I am right on this. I will bet my colleagues, on either side of the aisle ever goes home and ever puts it into their campaign brochure and say, you know what, I voted $20 billion for foreign aid; and I know nobody over here will go home and brag about $100 million that they were able to vote against cutting from this side of the aisle. They will not do it.

I was here in 2000 when this debate was going on and strongly opposed it for various reasons, but I remember the pretext for Plan Colombia. The pretext was the drug war and this is what we have heard about today. The evidence is very flimsy. If there was any success on the drug war, production would be down and prices would be up. Production is up and prices are down, and that is an economic absolute.

So there has been nothing accomplished. There has been more production in other countries in the Andes, but the pretext there was only the drugs, but I remember so clearly in the year 2000 who lobbied for this bill.

Does anybody remember oil companies coming here to get their oil pipelines protected, and we still protect them? This is a little private army that we sent down there. We have 800 troops and advisers in Colombia and spending these huge sums of money.

Who else lobbied for Plan Colombia? Do my colleagues remember the debate on who would get to sell the helicopters? Would they be Black Hawks or Hueys?

Then we wonder where the lobby is from. It is not from the American people. I will bet my colleagues nobody wrote to anybody on this side and said please make sure you spend this $100 million dollars; this would be tragic if you would not spend it because it is doing so much good. That does not happen. It is the lobbying behind the scenes of the special interests whose interests are served by us being down there. It is part of this military industrial complex which exists, and I do not

believe it has had one ounce of success. I think it is a complete waste of money; and besides, just incidentally it is unconstitutional for us to do this.

Mr. KOLBE. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Arizona (Mr. HAYWORTH).

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

Mr. HAYWORTH. Mr. Chairman, I thank my colleague from Arizona for the time.

I rise in opposition to the amendment. I do not doubt the sincerity of proponents of the amendment on either side of the aisle. Many compelling questions have been asked.

In the final analysis, it is my firmly held conviction that what many maintain would be re-evaluation, that this immediate reduction would send the signal of retreat.

We have heard criticisms of the taxation policies of Colombia. We have heard criticisms based on different political ideologies in the United States; but in the final analysis, as we conduct a worldwide war on terror, I would remind all in this House we are not just talking about Islamic fascism. We are talking about the rise of narcoterror.

For that reason I oppose the amendment.

Mrs. LOWEY. Mr. Chairman, I move to strike the last word.

I want to commend the gentleman for offering this amendment, and I certainly agree with his intent, which is to minimize United States investment in failed counternarcotics programs.

For far too long, we have supported policies and funded programs in Colombia that simply do not work. Our counternarcotics programs in Colombia have long been an inefficient use of taxpayer dollars.

The data we have from the National Drug Intelligence Center at the Department of Justice with respect to the success of this program is negative. It shows that the program has not decreased the amount of cocaine coming into the United States. In fact, the quantity of cocaine on our streets is increasing, and the price is decreasing, making it all the more affordable and attractive to our youth.

The billions that we have put into Plan Colombia have not been effective in substantially decreasing the amount of coca being grown in Colombia either. After spending over $4 billion and spending nearly 6 years, have we even cut coca production in half? No. We have decreased by less than 7 percent the number of hectares of coca in Colombia.

It is becoming even more difficult and costly to eliminate each hectare of coca. The U.N., whose own surveys found a small decrease in Colombian coca in 2004, found that for every acre of coca reduced in 2004, 22.8 acres of coca had to be sprayed. This ratio has never been so high.

U.N. statistics indicate that the overall amount of coca grown in the Andes increased by 3 percent last year, led by substantial increases in Bolivia, 17 percent; Peru, 14 percent.

Finally, the failure of this program to solve the problem of coca production is all the more compounded by the heavy toll it imposes on the rural communities in Colombia that are already suffering from armed conflict. Continuing to fund it at such a high level is simply bad policy.

I am troubled by the fact that this amendment cuts $100 million from the foreign operations bill without adding it back for one of the many programs that could use it. The allocation with which the gentleman from Arizona (Chairman KOLBE) and I had to contend is already $2.5 billion short of the President's request; and with the increased needs we face around the world, to combat the HIV/AIDS virus and other diseases, fight hunger, improve child health and education, and promote peace and security in the Middle East and elsewhere around the globe, I am concerned that this amendment further reduces our funding in the bill.

Again, I support the gentleman for raising these important issues, and I thank him for all the time he has spent really understanding the issue, working on the issue and trying to stress how useless this funding really is in making a dent in the coca operation.

Mr. KOLBE. Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Mr. MICA), who is a member of the Task Force on Drugs.

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

I also had the privilege of chairing the Criminal Justice Drug Policy Subcommittee before the gentleman from Indiana (Mr. SOUDER) and inherited those responsibilities, actually, from the gentleman from Illinois (Mr. HASTERT), the Speaker of the House. All during that era, the Clinton era, we saw really the beginning of this incredible problem in Colombia.

During the 8 years of the Clinton administration, the other side of the aisle, even some of the folks that have spoken today, did everything they could to keep resources from going to Colombia; and when you do not have the resources to combat narcoterrorism, what happens?

I have a little map here, and it shows where the drugs come from. This is not a guessing game. We know from chemical analysis even the fields the cocaine and heroin came from.

So they blocked helicopters, they blocked assistance, they blocked eradication, interdiction, anything they could, because they did not want to harm the hair on a single leftist terrorist in that region.

□ 1745

But we are now trying to get a handle on that with the efforts of Speaker HASTERT, with this President.

They said Plan Colombia has not worked, when kidnappings are down a third in Colombia; they say it has not worked when murder is down a third; it has not worked when pipeline attacks from 2000, which were at 177 that year, to 20 last year. It has not worked?

Human rights? My colleague is concerned about human rights? Tens of thousands of people died, judges, legislators, thousands of police were slaughtered, and their human rights were not considered while you blocked aid and assistance.

We have a President of the United States who has a firm policy, we have a Speaker who has developed Plan Colombia and we are initiating that. We have success in that land because we have a President who is also getting the resources to another president, in Colombia, who has a tough stance against narco-terrorism.

The drugs in the United States are still killing our young people. We had over 26,000 people die, the silent deaths on our street. Our biggest social problem. This is where our few dollars and resources need to go, and that is where the drugs are, at their source, and we can eradicate them.

Talk to one mother or father who has had a child die of a drug overdose and you will see the worth of what we are doing here today. We know where these drugs are. We can eradicate them. And we can do that continuing Plan Colombia in an effective manner and not having the legs cut out from under us when we have made such great progress.

I urge defeat of the McGovern amendment. I urge defeat of attempts to again thwart the effort to stop drugs coming in across our borders.

Mr. MCGOVERN. Mr. Chairman, I yield 3 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Chairman, I thank the gentleman for yielding me this time and for his leadership on this important issue.

I rise in strong support of the McGovern-McCollum-Moore amendment to cut $100 million from the Andean counterdrug initiative account, which, by the way, still leaves $634.5 million in the account. I am not against helping create a more peaceful nation for the people of Colombia, and of course we want to reduce the flow of drugs to this country and the use of them by Americans, but I do not support throwing good money after bad in the quagmire that is our Colombia policy.

I wanted to read from an article today in the L.A. Times written by Sonni Efron, the headline being ''Drug War Fails to Dent U.S. Supply.''

''The Bush administration and congressional allies are gearing up to renew a plan for drug eradication in Latin America despite some grim news. The $5.4 billion spent on the plan since 2000 has made no dent in the availability of cocaine on American streets, and prices are at all-time lows. United Nations figures released this month show that coca cultivation in the Andean region increased by 2 percent in

2004 as declines in Colombia were swamped by massive increases in Peru and Bolivia. And the nonpartisan Congressional Research Service said last week that the antidrug effort has had 'no effect' on the price or purity of drugs in the United States. The findings have fueled skepticism in Congress where conservative groups have joined efforts to lobby against continued funding.''

Let me underscore that: ''Conservative groups have joined efforts to lobby against continued funding. The National Taxpayers Union calls the antidrug program a 'boondoggle.''' That is from The L.A. Times.

And the policy of fumigation is not only ineffective, but it is inhumane. The majority of small farm families whose crops are sprayed do not receive assistance to transition to food crops from either the Colombian or the U.S. Governments. They are given no incentive to change their behavior, no alternative to make a living that will help them survive.

There are areas in Colombia where massive spraying is occurring and little or no development aid is provided. Even legal crops in those areas are killed. They are subsistence crops, and there is nothing given to replace that loss for those families. This is inhumane and it is also remarkably ineffective. Sixty-two percent of the coca fields detected by the U.N. in Colombia in 2004 were new; evidence that fumigation, in the absence of alternatives, is not moving farmers away from planting coca.

If we want a long-term and effective plan, it has to be a new one. It is not enough to send a report to our constituents each year and detail how much we are spending to go fight drugs. And it is not a real success when we reduce coca in one country while cultivation soars in another. We need to show them results, and this plan has provided none.

So if you truly care, you are going to support the McGovern-McCollum-Moore amendment and send a message that we need a new approach.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I find this debate most interesting, especially the statement made by the previous speaker, the gentleman from Florida (Mr. MICA). It has been my experience on this floor through the years that the most baffling moments come not when we are talking about things we do not know, but when we are talking about things that we do know that ''ain't'' so.

I think the gentleman from Florida just illustrated what I mean. He stood here on the floor and suggested that somehow those of us on this side of the aisle who are skeptical about Plan Colombia had blocked all kinds of initiatives. He also suggested that this plan was a plan which had been forged into a successful program by President Bush and Speaker HASTERT.

Well, the fact is that I remember when Plan Colombia was first pushed through the Committee on Appropriations, because I opposed it vehemently. I thought, based on my experience in chairing the Subcommittee on Foreign Operations, for 10 years, that our drug interdiction programs were largely a flop. I know that I had officials from the Reagan administration tell me privately that we had intercepted less than 5 percent of the drugs that came across the southern borders from not just Mexico, but from elsewhere in this hemisphere.

I would ask what initiatives did we block? I wish we had blocked some, but what I remember is getting run over. And I was not run over by President Bush and Speaker HASTERT, I was run over by President Clinton and Speaker HASTERT. They were the two who pushed it down the throats of the Committee on Appropriations, each trying to compete with each other to show who was most zealous in their resistance to the drug problem.

So I would simply say I do not mind each of us rewriting a little history, if it is on purpose, but I hate to see history being rewritten by accident. That gets to be more than a little dangerous.

So I would simply suggest that on the merits, this program has had a long time to prove itself. In the end, the only way it could succeed is if you had a Colombian society that was determined to make it succeed, and that society has not been willing to do that. They have not been able to muster the forces necessary to deal with the problem effectively.

So we are left to ask what is ordinarily spoken of as a good conservative question, and that question would be: No matter how desirable this program is, does it work? And the answer is clear. This program has, at best, had only marginal success, very hard to see certainly, night or day. So I would simply suggest that with all of our challenges in the foreign aid area, even if we confine those challenges just to the Western Hemisphere, there are a lot of other places where we could more productively spend this money than we are in this initiative.

Mr. KOLBE. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa (Mr. LATHAM), a distinguished member of the Committee on Appropriations.

Mr. LATHAM. Mr. Chairman, I thank the chairman for yielding me this time, and first of all, I want to commend him and the ranking member for bringing this bill to the floor and for all their hard work. It is a very difficult bill, as we can see by the debate here.

Mr. Chairman, today I rise in strong opposition to the amendment offered by the gentleman from Massachusetts (Mr. MCGOVERN). The Andean Counterdrug Initiative is an important antidrug effort that supports Colombia and the countries in the Andean region. After years of steady increases, cocaine and heroin production in the Andean Region is decreasing. For the third straight year, from 2002 to 2004, the ACI has helped reduce coca production by 33 percent in Colombia and 21 percent in the region. Opium poppy cultivation in Colombia dropped 52 percent in the year 2004 alone. The total land under coca cultivation in Colombia decreased 7 percent in 2004, the fourth consecutive annual decrease.

The United States and our allies disrupted the transport of 248 metric tons of cocaine headed through the transit zone before it could reach U.S. shores in 2004 alone. The ACI has helped streamline extradition procedures resulting in over 250 extraditions to the U.S. since August of 2002, including FARC leader Simon Trinidad and ex-Cali cartel leaders.

Over 60,000 families have received alternative crop development assistance, and almost 1,000 infrastructure projects have been built using ACI funds. Even as detractors cite individual instances of human rights' abuses, overall kidnappings dropped by almost 35 percent in 2004 and fell another 60 percent through May of this year. Homicides are down 14 percent in 2004 and dropped another 22 percent since May of this year.

Mr. Chairman, I would urge the Members to strongly oppose this amendment which would very much harm our ability to fight this scourge in our country.

Mr. MCGOVERN. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. FARR).

Mr. FARR. Mr. Chairman, I rise with a great deal of concern about Colombia and in support of this amendment, because I think the facts I have heard here on the floor just misconstrue what is really going on down there.

We need to wake up and smell the coffee. The debate here should be about improving sales of Colombian coffee, not about the increased sales of Colombian coca. What was Plan Colombia has now become Plan K Street. What was supposed to help Colombians help themselves has now become Help American Corporations Stay in Business in Colombia. What should be money to eradicate the poverty that drives drugs in the first place has become a program to give Dyna Corporation $80 million, to give 16 U.S. contractors money to maintain Colombian helicopters and money to U.S. firms to own and fly the eradication aircraft. This is not about Plan Colombia anymore. This is about Plan K Street. Lockheed Martin got $9 million.

Congress Members here travel to Colombia almost monthly on what I have now called the Narcotourism Tour that American Congressmen like to have. They come home thinking that they have seen the problems in Colombia and that all we need to do is give more money. I am all for a real Plan Colombia, a plan that invests in Colombia, that lets Colombians do the jobs that Americans should be working themselves out of. For 5 years the same companies are doing the same things they have been doing; 5 years without

the Colombians owning those companies, without the Colombians doing that work.

It is time that we make a statement. Cut this $100 million, put it into alternative development, do something that helps Colombians help themselves so that we do not have to keep American corporations on the handout from American Congress Members to keep their businesses going in the guise of trying to eradicate drugs in Colombia. It is time to stop.

Mr. Chairman, it doesn't take an inside-the-beltway policy work to understand that the current policy towards Colombia is broken.

My district on the Central Coast of California is filled with compassionate people who closely follow US foreign policy towards our southern neighbors and they recognize that our current policy towards Colombia is broken.

They are well aware that only eradicating a farmer's crops and not providing for alternative livelihoods is not a sustainable solution to the coca growing problem in the Andean region.

US assistance to Colombia is reflective of this flawed policy: 80 percent of funds have gone for military assistance and been eaten up by coca eradication.

Only 20 percent of funds have gone to social and economic programs. These programs are what build local economies and communities and provide alternatives to coca production.

This distribution of assistance is not a recipe for permanent coca eradication. It's not a recipe for peace. It's a recipe for disaster.

And that disaster is reflected in the Administration's own figures for coca production. The White House Office of National Drug Control Policy statistics for 2004 show that, despite a record number of crops sprayed in Colombia, data shows that coca production remains ''statistically unchanged'' and the US street prices of cocaine and heroin are at or near all-time lows.

I'd like to quote a constituent and friend of mine, Bert Muhly, who has traveled extensively throughout Latin America for decades and has been a tireless advocate for the downtrodden throughout the Western Hemisphere.

Bert correctly states:

''Plan Colombia must be abandoned in favor of a Plan for Peace where the billions our government spends on shoring up the military establishment of countries of Latin America that are used to suppress the hopes of their people is diverted to programs that will alleviate poverty and give hope to the people within those countries.''

I was a Peace Corps Volunteer in Colombia in the 1960s and have visited Colombia many times since then. I have seen first hand that Colombians are resilient and bright people who desperately want peace.

Yet U.S. assistance and the Colombian government have not laid the ground work for peace.

The Colombian government has failed to focus on creating a rural development strategy to address the underlying causes of poverty.

With such a lop-sided policy that fails to invest in the innate capabilities of rural Colombians so that they can build a life for themselves that doesn't involve coca production, I am sad that my adopted country will remain stuck in this quagmire of civil war.

House rules prevent the $100 million from the McGovern-Moore-McCollum amendment to be reallocated to alternative development, which would be my preference. Absent that option, I strongly urge my colleagues to vote in support of this amendment which is a step in the right direction to encourage reform of U.S. policy in Colombia.

□ 1800

Mr. KOLBE. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois (Mr. WELLER), a member of the Committee on Ways and Means and also an individual who has spent a great deal of time in Central America and Latin America studying this issue.

Mr. WELLER. Mr. Chairman, I rise in strong opposition to this amendment offered by the gentleman from Massachusetts (Mr. MCGOVERN) and who I have great respect for, but disagree on some things, particularly this amendment. This amendment, I believe, would cut the rug out from under our democratically elected ally in Colombia.

Let us look at the facts. The facts are that Colombia is a democracy. The facts are that Colombia is our hemisphere's second oldest continuous democracy. The facts are that 90 percent of the cocaine and 50 percent of the heroin that comes into my home State of Illinois comes from the Andean region, particularly Colombia. The facts tell us that Colombian drugs in 2001 killed more Americans than the attack on the World Trade Center. The facts tell us that the criminal sale of narcotrafficking of drugs supports almost 30,000 terrorists, terrorists who are affiliated with two leftist terrorist groups, FARC and the ELN, and one right wing terrorist group, AUC.

I would note that these are terrorist groups that enslave child soldiers, sending children into battle against the democratically elected government of Colombia.

Today, 65 elected officials, judges, and a presidential candidate are held hostage. They are political prisoners, held by the FARC. These 65 political prisoners are the only political prisoners held in our hemisphere outside of Cuba, that brutal dictatorship.

We have a partner in President Uribe, and Colombia is making progress under Plan Colombia. Homicides are down, kidnappings are down, terror attacks are down, and 250 narcoterrorists and drug kingpins have been extradited to the United States for trial. Again, Plan Colombia is working.

When it comes to intercepting drugs this past year, 475 tons of drugs were eradicated or seized in 2004. I would note just this past week the Colombian Government was successful. In one drug bust, they seized 15 tons of street-quality cocaine, worth $400 million in Boston or Chicago. Again, progress is being made. Clearly, by voting ''yes'' for this amendment, Members pull the rug out from under the democratically elected government of Colombia.

I have worked with many friends on both sides of the aisle. We have talked about finding alternative crops to help the farmers in Colombia make money and have a profitable alternative to becoming cocaleros, and I am proud that through USAID our investments are paying off. Today, thousands of former cocaleros are now cafeteros, growing coffee for a more profitable market as coffee prices have increased in the past year. As part of that commitment, the United States joined the International Coffee Organization. Since then, prices have gone up $1 a pound.

Mr. Chairman, vote ''no'' on the McGovern amendment.

Mr. MCGOVERN. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, let us look at the facts. The facts are that illegal drugs are cheaper today than they were 6 years ago and $4 billion ago when we began Plan Colombia. The facts are that the elites in Colombia want us to bankroll this war. It remains an embarrassing fact that only 740,000 Colombians pay income tax in a country of 42 million. They are relying on us to bankroll this war.

Mr. Chairman, the other fact is that widespread impunity for human rights abusers is getting worse. It has been widely publicized in our newspapers about the new law that the Colombian Government has passed to grant immunity and to grant amnesty, for the most part, to individuals in the paramilitaries who are guilty of crimes again humanity, many of them involved in the drug trade, and they are doing that right before our eyes.

The facts are that the human rights situation is so bad that our own State Department has yet to certify human rights progress in Colombia. We are being drawn into a quagmire. The legal limit on the number of military and contractor personnel had to be increased in 2004 from 400 to 800 military, from 400 to 600 contractors.

Let us try to solve the problem of drug abuse, not just throw money at failing strategies. We need to invest in drug treatment and prevention here at home and in the Andes, in alternative development programs to help small farmers transition permanently from growing illicit drugs. But this policy has failed.

Mr. Chairman, the question was raised before what are we for. I include for the RECORD a statement of what we are for.

RETHINKING PLAN COLOMBIA

Low-cost: use U.S. leverage far more vigorously in support of human rights and the rule of law; support the recommendations of the United Nations High Commissioner for Human Rights for Colombia; insist upon the complete dismantlement of paramilitary forces and structures, within an effective legal framework for justice, truth, and reparations; make trade consistent with sustainable drug policy and human rights; encourage negotiations with the guerrillas for a just and lasting peace; encourage Colombia's elite to use more of its own resources to improve governance.

Fund by reducing security assistance: support a strong judiciary and an independent

human rights sector; expand alternative development within a comprehensive rural development strategy, and end aerial spraying; encourage the strengthening of civilian governance in rural areas, including local peacebuilding initiatives; increase and improve humanitarian assistance, and expand protection, to displaced persons and refugees; reduce U.S. demand for drugs through evidence-based prevention strategies and improved access to high-quality treatment.

Mr. KOLBE. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. Mr. Chairman, I thank the gentleman from Arizona (Mr. KOLBE) for yielding me this time. I rise in opposition to the McGovern amendment.

This amendment would take valuable resources away from a program that is working to help keep drugs off our streets. The Andean Counterdrug Initiative was established to eliminate the cultivation and production of cocaine and opium, build Andean law enforcement infrastructure, arrest and prosecute traffickers, and seize their assets. The more we can disrupt the production of the drugs that are smuggled into our country, the safer our citizens will be.

The Andean Counterdrug Initiative has provided resources necessary to fight the war on drugs where these drugs are grown and processed, and efforts to disrupt the drug trade are working.

Aerial eradication efforts in Colombia have been impressive: 127,000 hectares were sprayed in 2003; 136,000 in 2004; and 95,000 hectares, or nearly 250,000 acres, have already been sprayed in this year alone.

Efforts like these, which are supported by resources from the Andean Counterdrug Initiative, have reduced coca cultivation in Colombia by 33 percent. Opium poppy cultivation in Colombia dropped 52 percent in 2004, which represents the third straight year of decline.

Due to these types of efforts, traffickers have been forced to decentralize their crops of coca, which has worked to decrease the total amount of coca cultivation. Efforts to seize drugs in Colombia have also seen impressive strides with the help of this important program.

Mr. Chairman, 114 metric tons of cocaine were seized in 2003, 178 metric tons in 2004. Drugs seized in Colombia are drugs that do not make it to the United States. Now is not the time to reduce funding for such a successful program. I urge my colleagues to oppose this amendment.

Mr. MCGOVERN. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, if this policy is succeeding, why does cocaine remain readily available on U.S. streets at lower prices than ever, and the levels of use are stable if not rising? There is increased availability.

If this policy is such a success, why are there increased abuses by the army? Why are trade union murders on the rise? Murders of trade union leaders increased in 2004 over 2003.

Let us look at the facts here. The bottom line is that this policy has not succeeded. It is time for us to take a fresh look at it and to change course.

Mr. KOLBE. Mr. Chairman, I yield 1 minute to the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in strong opposition to the McGovern amendment. Assistance under Plan Colombia is not just about policies; it is about saving lives. It is about the countless judges and other innocent Colombians who have, throughout the years, perished under the violence of ruthless narcotrafficking networks.

It is about fighting a threat to stability and security in our own hemisphere and addressing the drug activity and the related criminal enterprises that create an environment where terrorist activities can blossom. It is about assisting our democratic allies in confronting a threat that gradually erodes the institutional framework necessary for the survival of these relatively new and fragile democracies. It is about going to the source of the problem and providing for the welfare of our children and our Nation's future.

Plan Colombia is working, and the funds appropriated in this legislation are vital for the continued success of this effort. If we truly care about the people of the Andean region, let us not abandon them. I ask my colleagues to vote ''no'' on the amendment.

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

Mr. KOLBE. Mr. Chairman, I yield 4 minutes to the gentleman from Indiana (Mr. SOUDER).

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

Mr. SOUDER. Mr. Chairman, first, let me make a couple of points clear. This amendment does not save a dime. It merely transfers money from counternarcotics efforts to other efforts. Those Members who act like it saves money are wrong.

Secondly, it is about kids and families in America. It is not about contractors; it is about the cocaine on our streets and what is the best way to deal with it.

Look, this is a tough problem. I am not going to admit that it is not a tough problem. Rape is a tough problem. Child abuse is a tough problem. Spouse abuse is a tough problem, but we do not say let us give up efforts; let us give in because we have not seen a drop in spouse abuse or child abuse; why do we not just surrender and give the fight up.

Our problem is difficult here. This is a map of Colombia. If you look at the map, the reason you hear passing statistics going on here is because basically our policies have pushed the narcoterrorists out into the jungle, instead of on the streets of Bogota where they are assassinating elected officials, terrorizing individuals, as reported in Garcia Marquez's book, ''Diary of a Kidnapping.'' We have pushed them into the jungle, so we have seen a tremendous drop in kidnappings and a tremendous drop in murders and blockades and all other types of things in the populist areas of this part of the country.

The fact is that now for the first time in modern history, every single city and town in this country has an elected official because he is not worried about being murdered.

I am all for alternative development. Alternative development, however, first requires you to get the guy from the FARC and the ultraparamilitary rightist groups away from them with a machine gun saying, plant palm heart and I will kill you. As you talk to the individuals, you can offer all of the incentives you want; but, quite frankly, they can make more money in coca. And as long as they are being terrorized and as long as they think they can make the money in coca and the terrorists think they can make money in coca, they are not going to let them do alternative development.

So we have to get control of the land. Just like in Afghanistan with heroin, it is fine for us to talk about alternative problems; but until you eradicate the heroin, it does not do any good to talk to them about planting a crop that will yield only about one-fifth the amount.

Now, I want to put a couple of other charts up here to show Members the depth of this problem. This is the eastern Pacific and western Atlantic. In this map from southwest Colombia in the eastern Pacific, you see the main trafficking routes. This is a Caribbean route, basically, going over to Yucatan.

The reason that is important is if you look at this map, the area we are trying to patrol in the eastern Pacific is basically as big as the continental United States. That does not even count the Caribbean.

Now, facts are stubborn things. In 1993, we cut 75 percent of the interdiction budget. What we saw was cocaine and heroin pour in from Colombia in that region to the point where after basically 10 years of effort, we have steadily reduced it back to where we were. It jumped 50 percent in 12 months when we cut the budget. We are now gradually working our way back down and trying to restabilize.

Let me conclude with this. This is not a Colombian problem; it is our problem. It is our addictions and Europe's addictions that have terrorized this 200-year-old democracy. Because we have not licked drug abuse in America, they have had 30,000 police killed. President Clinton, while initially he had bad policies in his administration, he is the one who came up with the Andean Counterdrug Initiative and came up with the Colombian Initiative, working with this Congress, because he realized it did not work to cut back.

It was terrorizing a legitimate democracy. An economy that has coffee, emeralds, oil, flowers, that had a flourishing middle class, that is an example of a country that fights for itself, where their police are dying. Unlike what it has taken in Afghanistan and Iraq to rebuild a police force, they had a police force. What they needed was helicopters, bullets, and communications systems. They needed help with their legal system and alternative development. They needed help with building roads into some of the rural areas where they had fled to. We provided that help to the Colombians.

This is a model of what we are trying to do in Iraq and Afghanistan; but it shows that when the terrorists can get drug money, whether it be in Afghanistan or Colombia, they are a threat to the stability, to the law and order, and to the people who want to follow the law. We need to stand behind them because it is our habit that has caused the problem.

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

Mr. Chairman, this amendment will not cripple our military support for Colombia. Currently, there is $332 million in the Andean Counterdrug Initiative for Colombia.

□ 1815

This amendment reduces that amount by $100 million. There is an additional $152 million for alternative development, human rights, and rule of law programs for Colombia in the ACI. We are not touching that money. There is another $90 million in military aid for Colombia in the FMF account in this bill. We are not touching that money. In the defense appropriations bill that we passed just a few weeks ago, there was another $165 million in military aid for Colombia.

And should this amendment prevail, I will be happy to work with the chairman, a gentleman I greatly admire, and the distinguished ranking member to ensure that the intent of this amendment is made clear in the final foreign operations conference report.

Mr. Chairman, we have heard some talk today about the new law passed in Colombia last week to demobilize the paramilitary forces. Maybe we should call the law up here what they are calling it in Colombia: the Impunity and Immunity law. It fails to establish any mechanisms that will ensure the dismantling of the paramilitaries' organizational structures or financial structures. Commanders who are major narco-traffickers and have committed crimes against humanity will get off with very limited, if any, sentences, probably spent under house arrest at their local hacienda, profits in hand.

Mr. Chairman, 6 years, over $4 billion. We are paying for Colombia's war. As I pointed out over and over in this debate, there are 42 million people who live in Colombia. Only 720,000 of them actually pay taxes. We are bankrolling this war. Maybe the elites in Colombia should put up some of their own money.

We need to send a strong message: We are not Colombia's piggy-bank. We cannot just keep writing blank checks. This policy has failed. It has failed. The availability of cocaine on the streets of the United States of America has never been more plentiful. The price has never been lower. This policy has not made a difference to any of the people in this country.

So I urge my colleagues to vote for the McGovern-McCollum-Moore amendment. Enough is enough.

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

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

I do rise in strong opposition to the gentleman's amendment. I think this is the wrong time to send the signal to the world that the United States Congress does not fully support President Bush in his fight against terrorism and narcotics in this hemisphere. I believe that the current mix of the ''hard side'' versus the ''soft side'' of programs in Colombia has been vital to our success. The aerial spraying eradication program enjoys strong public support in Colombia. Part of the support is due to the fact that we are offering alternatives to farmers who used to cultivate coca and poppy. Illicit cultivation is not now their only option.

The soft-side programs promoting alternatives is even more effective in Colombia due to the realization if they do not stop cultivation and take advantage of legal opportunities, their coca or poppy will be sprayed and they will not have anything available to them. The carrot-and-stick incentive structure has proven to be very effective in Colombia. I think we have gotten the mix right.

The political will of the Uribe government is part of the reason for our success. However, Colombia has provided more than just political will. In the last 3 years, it has doubled its portion of the GDP that is devoted to public security and democracy. The narco-terrorists they face are smart, well financed, and ruthless. Therefore, both the government of Colombia and the United States must keep up the pressure to end narco-terrorism in Colombia.

Our government has been a strong supporter of Colombia, and President Bush has confirmed to President Uribe our firm commitment to support Colombia in its efforts to combat narco-terrorism. Secretary Rice has also confirmed this commitment during a recent visit to Colombia.

We need to consolidate the many successes of Plan Colombia. There has been almost a 33 percent reduction in coca cultivation in Colombia since 2001 and a 72 percent drop in poppy cultivation. We need to ensure that this trend continues.

Our goals in Colombia are to eliminate narco-terrorism, promote respect for human rights, create economic alternatives and opportunities, respect for the rule of law, and achieving peace. Democracy is flourishing in this important ally and terrorism is being defeated. We cannot afford to lose the momentum.

I urge a ''no'' vote on this amendment.

Mr. LEACH. Mr. Chairman, at issue in the case of Colombia are priorities, but in a different sense than is usually assumed. The ''priority'' debate today is not about whether stemming the drug trade is appropriate, but the methodology of going about it. Military approaches fit war scenarios. Civil war is more problematic; criminal activities even more so. My concern is that when America enters into internal conflicts we change the nature of ongoing struggles as well as the motivations of various combatants. We become implicitly accountable for a panoply of policies of any side we back and accordingly answerable to the people for that side's allegiance or lack thereof to social fairness and the rule of law itself.

In this context, would it not be better to limit our military involvement in this struggling, divided country and focus our efforts instead on alternative crop production, democracy building programs and the effective prosecution of human rights abuses? And at home wouldn't we be better off emphasizing education to reduce the demand for drugs?

Military involvement simply carries too many seeds of counterproductivity as well as the prospect of escalation if policies at one level of engagement prove insufficient.

Accordingly, I support the amendment before us, not out of a conviction it is an adequate answer to a real dilemma for both of our societies, but out of a belief that more balanced social involvement holds a better prospect for more productive economic and social development in Colombia and hence more comprehensive drug curtailment through national law enforcement.

Mr. VAN HOLLEN. Mr. Chairman, today I rise in support of the McGovern, McCollum and Moore Amendment to the FY06 Foreign Operations Appropriations Bill that will reduce counter-narcotics and military funding to Colombia by $100 million. The U.S./Colombia campaign against drugs and terrorism is not working. Not only have efforts to reduce the production of cocaine in Colombia not been effective, funds from the program that should have been used to fight terrorism are instead being used by paramilitary groups to commit human rights abuses.

The U.S. has invested billions of dollars into Plan Colombia and successive programs since passing the FY 2000 budget. The Bush administration wants to continue this misguided policy with a request for $734 million in the FY06 Foreign Operations Appropriations request for the Andean Counter-drug Initiative.

One of the main objectives of Plan Colombia has been to prevent the flow of illegal drugs into the U.S. At the center of this effort has been the aerial spraying of herbicides on Colombia's coca crops. But U.S. and UN reports confirm that aerial spraying has not produced any appreciable reduction in coca production. In fact, cocaine production in Colombia may even have increased. According to the UN, 62 percent of Colombian coca fields detected in 2004 were new!

The lack of any appreciable reduction in production combined with an increase in production in countries such as Bolivia and Peru

has actually led to an increase of supply on the global market and a decrease in the cost of cocaine in the United States.

Mr. Chairman, I am also troubled by reports in the news that recently the Colombian Congress, while approving a law governing the disarmament of its country's death squads, at the same time, granted generous concessions to paramilitary commanders accused of human rights abuses. I am concerned that U.S. assistance is being used by Colombian security forces that operate in conjunction with paramilitary forces targeting social leaders with threats, disappearance, and execution. The U.S. should not provide assistance to governments that refuse to hold perpetrators accountable for human rights abuses.

Mr. Chairman, until I am convinced that the funds to Colombia are fixing the problem instead of making it worse, I cannot support full funding for aid to Colombia. That is why I support the McGovern, McCollum, Moore Amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. MCGOVERN).

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

Mr. MCGOVERN. 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 Massachusetts (Mr. MCGOVERN) will be postponed.

Mrs. LOWEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I yield to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Chairman, I thank the ranking member for yielding to me.

Mr. Chairman, the Foreign Operations appropriations bill is one of the best vehicles Congress has to address an issue of paramount importance, the Israeli-Palestinian conflict. This bill contains important Middle East provisions, but I believe we could have done better in our efforts to bring peace to these two long-suffering peoples.

I support our $2.3 billion package for Israel. Maintaining Israel's military superiority in the region is a prerequisite for any peace agreement, and I am pleased that the bill fulfills the President's request for an additional $150 million for the Palestinians. The President believes, as do I, that it is imperative to deliver U.S. assistance quickly to improve the Palestinians' quality of life and empower their democratically elected leadership. But I had hoped, Mr. Chairman, that the Committee on Appropriations could have seized this historic opportunity and provided direct funding to the Palestinian Authority. Instead, this bill prohibits direct funding and places excessive conditions and limitations on the aid package.

Of course, we must ensure transparency and accountability. But the requirements in this legislation continue to go far beyond what we ever demanded in the Arafat era. This strikes me as shortsighted. We should join with President Bush in strengthening President Abbas, especially in the face of a strong challenge from Hamas in the upcoming parliamentary elections.

As Israel and the Palestinian Authority prepare to implement the Israeli withdrawal from the Gaza, it is incumbent upon the United States to help both Prime Minister Sharon and President Abbas confront the extremists on each side who seek to derail this process. I hope, Mr. Chairman, that when this bill comes to the conference with the Senate, we can redirect some of our assistance directly to the Palestinian Authority. Fragile as it may be, a flicker of hope and optimism has been kindled in the Middle East. It may truly be our last hope, and what a tragedy it would be for Israel, for the Palestinians, and for America if we did not do everything in our power to bring an end to this conflict.

I thank, again, the ranking member for yielding to me.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

MIGRATION AND REFUGEE ASSISTANCE

For expenses, not otherwise provided for, necessary to enable the Secretary of State to provide, as authorized by law, a contribution to the International Committee of the Red Cross, assistance to refugees, including contributions to the International Organization for Migration and the United Nations High Commissioner for Refugees, and other activities to meet refugee and migration needs; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1980; allowances as authorized by sections 5921 through 5925 of title 5, United States Code; purchase and hire of passenger motor vehicles; and services as authorized by section 3109 of title 5, United States Code, $790,720,000, which shall remain available until expended: *Provided*, That not more than $22,000,000 may be available for administrative expenses: *Provided further*, That funds appropriated under this heading may be made available for a headquarters contribution to the International Committee of the Red Cross only if the Secretary of State determines (and so reports to the appropriate committees of Congress) that the Magen David Adom Society of Israel is not being denied participation in the activities of the International Red Cross and Red Crescent Movement.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

For necessary expenses to carry out the provisions of section 2(c) of the Migration and Refugee Assistance Act of 1962, as amended (22 U.S.C. 2601(c)), $30,000,000, to remain available until expended.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For necessary expenses for nonproliferation, anti-terrorism, demining and related programs and activities, $400,350,000, to carry out the provisions of chapter 8 of part II of the Foreign Assistance Act of 1961 for anti-terrorism assistance, chapter 9 of part II of the Foreign Assistance Act of 1961, section 504 of the FREEDOM Support Act, section 23 of the Arms Export Control Act or the Foreign Assistance Act of 1961 for demining activities, the clearance of unexploded ordnance, the destruction of small arms, and related activities, notwithstanding any other provision of law that restricts assistance to foreign countries, including activities implemented through nongovernmental and international organizations, and section 301 of the Foreign Assistance Act of 1961 for a voluntary contribution to the International Atomic Energy Agency (IAEA), and for a United States contribution to the Comprehensive Nuclear Test Ban Treaty Preparatory Commission: *Provided*, That of this amount not to exceed $37,500,000, to remain available until expended, may be made available for the Nonproliferation and Disarmament Fund, notwithstanding any other provision of law that restricts assistance to foreign countries, to promote bilateral and multilateral activities relating to nonproliferation and disarmament: *Provided further*, That such funds may also be used for such countries other than the Independent States of the former Soviet Union and international organizations when it is in the national security interest of the United States to do so: *Provided further*, That funds appropriated under this heading may be made available for the International Atomic Energy Agency only if the Secretary of State determines (and so reports to the Congress) that Israel is not being denied its right to participate in the activities of that Agency: *Provided further*, That of the funds made available for demining and related activities, not to exceed $705,000, in addition to funds otherwise available for such purposes, may be used for administrative expenses related to the operation and management of the demining program: *Provided further*, That funds appropriated under this heading that are available for ''Anti-terrorism Assistance'' and ''Export Control and Border Security'' shall remain available until September 30, 2007: *Provided further*, That funds appropriated under this heading shall be made available for programs and countries in the amounts contained in the table included in the report accompanying this Act: *Provided further*, That any proposed increases or decreases to the amounts contained in such table shall be subject to the regular notification procedures of the Committee on Appropriations and section 634A of the Foreign Assistance Act of 1961 and notifications shall be transmitted at least 15 days in advance of the obligation of funds.

AMENDMENT NO. 4 OFFERED BY MR. ROYCE

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. ROYCE:

Page 34, line 18, after the dollar amount, insert the following: ''(increased by $7,000,000) (reduced by $7,000,000)''.

The CHAIRMAN. Pursuant to the order of the House of today, 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.

This amendment seeks to direct $7 million in funding for the Small Arms/Light Weapons Destruction initiative that is housed within the Nonproliferation, Anti-Terrorism, Demining and Related programs account. That account is called the NADR account, and the entire NADR account is reduced by approximately 1.75 percent in order to

account for the increase in this Small Arms/Light Weapons Destruction initiative.

I am very pleased here to have worked with the gentleman from Arizona (Chairman KOLBE) and with the gentlewoman from New York (Mrs. LOWEY), ranking member, to craft an amendment that I believe is acceptable to both of them. Seven million dollars is the fiscal year 2005 enacted level for this activity.

And, Mr. Chairman, of growing concern to the United States are these shoulder-fired, anti-aircraft missiles, referred to as MANPADs, which have proliferated throughout the world, especially since the collapse of the Soviet Union. These are U.S.-made Stingers, they are British-made Blowpipes, and most of them are Russian-made SA–7s. According to one report, 6,000 shoulder-fired missiles are outside of government control. There are known black markets for these shoulder-fired missiles throughout Africa, throughout the Middle East, and in Asia. And for between about $5,000 and $30,000, a MANPAD can be acquired; a low cost relative to the damage they could inflict in human loss as well as economic and psychological damage. A successful attack with one of these shoulder-fired missiles against an airliner could halt aviation, and recently we had a study done by RAND, and they released this report that found that the total economic loss resulting from an attack could be in the billions of dollars.

The alarming news is that more than two dozen terrorist groups are believed to be in possession of these weapons. Several incidents have highlighted the danger that these weapons pose: the November, 2002, attempted missile attack on an Israeli commercial airliner in Mombassa, Kenya; the August, 2003 sting in which a man was arrested trying to sell Russian-made shoulder-fired missiles to FBI agents posing as terrorists. Also in 2003 we had the British government deploying approximately 450 troops at Heathrow Airport after intelligence indicated a possible al Qaeda plan to use these shoulder-fired missiles against their civilian flights. Al Qaeda training films recovered by allied forces in Afghanistan contained detailed instruction on how to use Russian-made shoulder-fired missiles.

Most observers recommend a multilayered approach to defend against possible terrorist attacks using these shoulder-fired missiles. An important piece of this strategy are U.S. efforts to take these deadly weapons out of play around the world. Last week the International Terrorism and Nonproliferation Subcommittee that I chair held a briefing with administration officials on the State Department's efforts to identify, secure, and then destroy these shoulder-fired antiaircraft missile stocks.

The Small Arms/Light Weapons Destruction initiative is one part of our effort against this threat. To reduce the number of shoulder-fired missiles that could fall into the hands of terrorists, we are providing bilateral assistance to foreign governments to identify and destroy their stocks in excess of their security needs as well as to improve security at their storage facilities. The State Department is now overseeing the destruction or pledges to destroy shoulder-fired missiles from Bosnia-Herzegovina, from Cambodia, Nigeria, Liberia, Serbia, and other countries. And most importantly, I think, since 2003, this program has destroyed over 10,500 of these shoulder-fired missiles.

Unfortunately, there is a lot of work left to be done. This amendment helps to continue this work. At little cost these efforts are helping to mitigate a critical threat to our security.

So I want to thank the chairman and I want to thank the ranking member for working with me on this amendment. They have a tough task on this bill, and I look forward to working with them on this legislation as it moves forward.

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

Mr. KOLBE. Mr. Chairman, I rise to claim the time in opposition, although I am not in opposition.

The CHAIRMAN. The gentleman from Arizona (Mr. KOLBE) is recognized for 5 minutes.

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

Mr. Chairman, I do rise to say that I think that the issue that has been raised by the gentleman from California is a very important one, and we do accept this amendment.

Mrs. LOWEY. Mr. Chairman, will the gentleman yield?

Mr. KOLBE. I yield to the gentlewoman from New York.

Mrs. LOWEY. Mr. Chairman, I thank the gentleman for yielding to me.

And I want to thank the gentleman for raising this issue today. I strongly support continued funding for programs to secure and destroy small arms and light weapons around the world, and I join my chairman in delightfully accepting the amendment.

Mr. KOLBE. Mr. Chairman, reclaiming my time, I would just say simply that the program is certainly a worthwhile one and we have no problem with it. We simply did not earmark specific dollars from this account for it. This would suggest that certain dollars are to be spent, and we do support what is being done.

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

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

The amendment was agreed to.

Mr. KOLBE. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 70, line 19 be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The text of the bill from page 36, line 16 through page 70, line 19 is as follows:

DEPARTMENT OF THE TREASURY

INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

For necessary expenses to carry out the provisions of section 129 of the Foreign Assistance Act of 1961, $20,000,000, to remain available until September 30, 2009, which shall be available notwithstanding any other provision of law that restricts assistance to foreign countries.

DEBT RESTRUCTURING

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of modifying loans and loan guarantees, as the President may determine, for which funds have been appropriated or otherwise made available for programs within the International Affairs Budget Function 150, including the cost of selling, reducing, or canceling amounts owed to the United States as a result of concessional loans made to eligible countries, pursuant to parts IV and V of the Foreign Assistance Act of 1961, of modifying concessional credit agreements with least developed countries, as authorized under section 411 of the Agricultural Trade Development and Assistance Act of 1954, as amended, of concessional loans, guarantees and credit agreements, as authorized under section 572 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989 (Public Law 100–461), and of canceling amounts owed, as a result of loans or guarantees made pursuant to the Export-Import Bank Act of 1945, by countries that are eligible for debt reduction pursuant to title V of H.R. 3425 as enacted into law by section 1000(a)(5) of Public Law 106–113, $65,000,000, to remain available until September 30, 2008: *Provided*, That not less than $20,000,000 of the funds appropriated under this heading shall be made available to carry out the provisions of part V of the Foreign Assistance Act of 1961: *Provided further*, That up to $45,000,000 of the funds appropriated under this heading may be used by the Secretary of the Treasury to pay to the Heavily Indebted Poor Countries (HIPC) Trust Fund administered by the International Bank for Reconstruction and Development amounts for the benefit of countries that are eligible for debt reduction pursuant to title V of H.R. 3425 as enacted into law by section 1000(a)(5) of Public Law 106–113: *Provided further*, That amounts paid to the HIPC Trust Fund may be used only to fund debt reduction under the enhanced HIPC initiative by—

(1) the Inter-American Development Bank;

(2) the African Development Fund;

(3) the African Development Bank; and

(4) the Central American Bank for Economic Integration:

Provided further, That funds may not be paid to the HIPC Trust Fund for the benefit of any country if the Secretary of State has credible evidence that the government of such country is engaged in a consistent pattern of gross violations of internationally recognized human rights or in military or civil conflict that undermines its ability to develop and implement measures to alleviate poverty and to devote adequate human and financial resources to that end: *Provided further*, That on the basis of final appropriations, the Secretary of the Treasury shall consult with the Committees on Appropriations concerning which countries and international financial institutions are expected to benefit from a United States contribution to the HIPC Trust Fund during the fiscal year: *Provided further*, That the Secretary of the Treasury shall inform the Committees on Appropriations not less than 15 days in

advance of the signature of an agreement by the United States to make payments to the HIPC Trust Fund of amounts for such countries and institutions: *Provided further,* That the Secretary of the Treasury may disburse funds designated for debt reduction through the HIPC Trust Fund only for the benefit of countries that—

(1) have committed, for a period of 24 months, not to accept new market-rate loans from the international financial institution receiving debt repayment as a result of such disbursement, other than loans made by such institutions to export-oriented commercial projects that generate foreign exchange which are generally referred to as ''enclave'' loans; and

(2) have documented and demonstrated their commitment to redirect their budgetary resources from international debt repayments to programs to alleviate poverty and promote economic growth that are additional to or expand upon those previously available for such purposes:

Provided further, That none of the funds made available under this heading in this or any other appropriations Act shall be made available for Sudan or Burma unless the Secretary of the Treasury determines and notifies the Committees on Appropriations that a democratically elected government has taken office.

TITLE III—MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL MILITARY EDUCATION AND TRAINING

For necessary expenses to carry out the provisions of section 541 of the Foreign Assistance Act of 1961, $86,744,000, of which up to $3,000,000 may remain available until expended: *Provided*, That the civilian personnel for whom military education and training may be provided under this heading may include civilians who are not members of a government whose participation would contribute to improved civil-military relations, civilian control of the military, or respect for human rights: *Provided further,* That funds appropriated under this heading for military education and training for Nigeria may only be provided through the regular notification procedures of the Committees on Appropriations.

FOREIGN MILITARY FINANCING PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for grants to enable the President to carry out the provisions of section 23 of the Arms Export Control Act, $4,442,300,000: *Provided*, That of the funds appropriated under this heading, not less than $2,280,000,000 shall be available for grants only for Israel, and not less than $1,300,000,000 shall be made available for grants only for Egypt: *Provided further,* That the funds appropriated by this paragraph for Israel shall be disbursed within 30 days of the enactment of this Act: *Provided further*, That to the extent that the Government of Israel requests that funds be used for such purposes, grants made available for Israel by this paragraph shall, as agreed by Israel and the United States, be available for advanced weapons systems, of which not less than $595,000,000 shall be available for the procurement in Israel of defense articles and defense services, including research and development: *Provided further*, That of the funds appropriated by this paragraph, $206,000,000 should be made available for assistance for Jordan: *Provided further,* That funds appropriated or otherwise made available by this paragraph shall be nonrepayable notwithstanding any requirement in section 23 of the Arms Export Control Act: *Provided further,* That funds made available under this paragraph shall be obligated upon apportionment in accordance with paragraph (5)(C) of title 31, United States Code, section 1501(a).

None of the funds made available under this heading shall be available to finance the procurement of defense articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act unless the foreign country proposing to make such procurements has first signed an agreement with the United States Government specifying the conditions under which such procurements may be financed with such funds: *Provided,* That all country and funding level increases in allocations shall be submitted through the regular notification procedures of section 515 of this Act: *Provided further,* That none of the funds appropriated under this heading shall be available for assistance for Sudan and Guatemala: *Provided further,* That funds made available under this heading may be used, notwithstanding any other provision of law that restricts assistance to foreign countries, for demining, the clearance of unexploded ordnance, and related activities, and may include activities implemented through nongovernmental and international organizations: *Provided further,* That only those countries for which assistance was justified for the ''Foreign Military Sales Financing Program'' in the fiscal year 1989 congressional presentation for security assistance programs may utilize funds made available under this heading for procurement of defense articles, defense services or design and construction services that are not sold by the United States Government under the Arms Export Control Act: *Provided further,* That funds appropriated under this heading shall be expended at the minimum rate necessary to make timely payment for defense articles and services: *Provided further,* That not more than $41,600,000 of the funds appropriated under this heading may be obligated for necessary expenses, including the purchase of passenger motor vehicles for replacement only for use outside of the United States, for the general costs of administering military assistance and sales: *Provided further*, That not more than $373,000,000 of funds realized pursuant to section 21(e)(1)(A) of the Arms Export Control Act may be obligated for expenses incurred by the Department of Defense during fiscal year 2006 pursuant to section 43(b) of the Arms Export Control Act, except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations: *Provided further,* That foreign military financing program funds estimated to be outlayed for Egypt during fiscal year 2006 shall be transferred to an interest bearing account for Egypt in the Federal Reserve Bank of New York within 30 days of enactment of this Act.

PEACEKEEPING OPERATIONS

For necessary expenses to carry out the provisions of section 551 of the Foreign Assistance Act of 1961, $177,800,000: *Provided,* That none of the funds appropriated under this heading shall be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

TITLE IV—MULTILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL FINANCIAL INSTITUTIONS

CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

For payment to the International Development Association by the Secretary of the Treasury, $950,000,000, to remain available until expended.

CONTRIBUTION TO THE MULTILATERAL INVESTMENT GUARANTEE AGENCY

For payment to the Multilateral Investment Guarantee Agency by the Secretary of the Treasury, $1,741,515, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the Multilateral Investment Guarantee Agency may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital in an amount not to exceed $8,126,527.

CONTRIBUTION TO THE INTER-AMERICAN INVESTMENT CORPORATION

For payment to the Inter-American Investment Corporation by the Secretary of the Treasury, $1,741,515, to remain available until expended.

CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS MULTILATERAL INVESTMENT FUND

For payment to the Enterprise for the Americas Multilateral Investment Fund by the Secretary of the Treasury, for the United States contribution to the fund, $1,741,515, to remain available until expended.

CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

For the United States contribution by the Secretary of the Treasury to the increase in resources of the Asian Development Fund, as authorized by the Asian Development Bank Act, as amended, $115,250,000, to remain available until expended.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

For payment to the African Development Bank by the Secretary of the Treasury, $5,638,350, for the United States paid-in share of the increase in capital stock, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the African Development Bank may subscribe without fiscal year limitation for the callable capital portion of the United States share of such capital stock in an amount not to exceed $88,333,855.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

For the United States contribution by the Secretary of the Treasury to the increase in resources of the African Development Fund, $135,700,000, to remain available until expended.

CONTRIBUTION TO THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT

For payment to the European Bank for Reconstruction and Development by the Secretary of the Treasury, $1,015,677 for the United States share of the paid-in portion of the increase in capital stock, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the European Bank for Reconstruction and Development may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed $2,249,888.

CONTRIBUTION TO THE INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT

For the United States contribution by the Secretary of the Treasury to increase the resources of the International Fund for Agricultural Development, $15,000,000, to remain available until expended.

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

For necessary expenses to carry out the provisions of section 301 of the Foreign Assistance Act of 1961, and of section 2 of the

United Nations Environment Program Participation Act of 1973, $328,958,000: *Provided*, That none of the funds appropriated under this heading may be made available to the International Atomic Energy Agency (IAEA).

TITLE V—GENERAL PROVISIONS

COMPENSATION FOR UNITED STATES EXECUTIVE DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 501. (a) No funds appropriated by this Act may be made as payment to any international financial institution while the United States Executive Director to such institution is compensated by the institution at a rate which, together with whatever compensation such Director receives from the United States, is in excess of the rate provided for an individual occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, or while any alternate United States Director to such institution is compensated by the institution at a rate in excess of the rate provided for an individual occupying a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(b) For purposes of this section ''international financial institutions'' are: the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, the Asian Development Fund, the African Development Bank, the African Development Fund, the International Monetary Fund, the North American Development Bank, and the European Bank for Reconstruction and Development.

RESTRICTIONS ON VOLUNTARY CONTRIBUTIONS TO UNITED NATIONS AGENCIES

SEC. 502. None of the funds appropriated by this Act may be made available to pay any voluntary contribution of the United States to the United Nations (including the United Nations Development Program) if the United Nations implements or imposes any taxation on any United States persons.

LIMITATION ON RESIDENCE EXPENSES

SEC. 503. Of the funds appropriated or made available pursuant to this Act, not to exceed $100,500 shall be for official residence expenses of the United States Agency for International Development during the current fiscal year: *Provided*, That appropriate steps shall be taken to assure that, to the maximum extent possible, United States-owned foreign currencies are utilized in lieu of dollars.

LIMITATION ON EXPENSES

SEC. 504. Of the funds appropriated or made available pursuant to this Act, not to exceed $5,000 shall be for entertainment expenses of the United States Agency for International Development during the current fiscal year.

LIMITATION ON REPRESENTATIONAL ALLOWANCES

SEC. 505. Of the funds appropriated or made available pursuant to this Act, not to exceed $125,000 shall be available for representation allowances for the United States Agency for International Development during the current fiscal year: *Provided*, That appropriate steps shall be taken to assure that, to the maximum extent possible, United States-owned foreign currencies are utilized in lieu of dollars: *Provided further*, That of the funds made available by this Act for general costs of administering military assistance and sales under the heading ''Foreign Military Financing Program'', not to exceed $4,000 shall be available for entertainment expenses and not to exceed $130,000 shall be available for representation allowances: *Provided further*, That of the funds made available by this Act under the heading ''International Military Education and Training'', not to exceed $55,000 shall be available for entertainment allowances: *Provided further*, That of the funds made available by this Act for the Inter-American Foundation, not to exceed $2,000 shall be available for entertainment and representation allowances: *Provided further*, That of the funds made available by this Act for the Peace Corps, not to exceed a total of $4,000 shall be available for entertainment expenses: *Provided further*, That of the funds made available by this Act under the heading ''Trade and Development Agency'', not to exceed $4,000 shall be available for representation and entertainment allowances: *Provided further*, That of the funds made available by this Act under the heading ''Millennium Challenge Corporation'', not to exceed $115,000 shall be available for representation and entertainment allowances.

PROHIBITION ON TAXATION OF UNITED STATES ASSISTANCE

SEC. 506. (a) PROHIBITION ON TAXATION.—None of the funds appropriated by this Act may be made available to provide assistance for a foreign country under a new bilateral agreement governing the terms and conditions under which such assistance is to be provided unless such agreement includes a provision stating that assistance provided by the United States shall be exempt from taxation, or reimbursed, by the foreign government, and the Secretary of State shall expeditiously seek to negotiate amendments to existing bilateral agreements, as necessary, to conform with this requirement.

(b) REIMBURSEMENT OF FOREIGN TAXES.—An amount equivalent to 200 percent of the total taxes assessed during fiscal year 2006 on funds appropriated by this Act by a foreign government or entity against commodities financed under United States assistance programs for which funds are appropriated by this Act, either directly or through grantees, contractors and subcontractors shall be withheld from obligation from funds appropriated for assistance for fiscal year 2007 and allocated for the central government of such country and for the West Bank and Gaza Program to the extent that the Secretary of State certifies and reports in writing to the Committees on Appropriations that such taxes have not been reimbursed to the Government of the United States.

(c) DE MINIMIS EXCEPTION.—Foreign taxes of a de minimis nature shall not be subject to the provisions of subsection (b).

(d) REPROGRAMMING OF FUNDS.—Funds withheld from obligation for each country or entity pursuant to subsection (b) shall be reprogrammed for assistance to countries which do not assess taxes on United States assistance or which have an effective arrangement that is providing substantial reimbursement of such taxes.

(e) DETERMINATIONS.—

(1) The provisions of this section shall not apply to any country or entity the Secretary of State determines—

(A) does not assess taxes on United States assistance or which has an effective arrangement that is providing substantial reimbursement of such taxes; or

(B) the foreign policy interests of the United States outweigh the policy of this section to ensure that United States assistance is not subject to taxation.

(2) The Secretary of State shall consult with the Committees on Appropriations at least 15 days prior to exercising the authority of this subsection with regard to any country or entity.

(f) IMPLEMENTATION.—The Secretary of State shall issue rules, regulations, or policy guidance, as appropriate, to implement the prohibition against the taxation of assistance contained in this section.

(g) DEFINITIONS.—As used in this section—

(1) the terms ''taxes'' and ''taxation'' refer to value added taxes and customs duties imposed on commodities financed with United States assistance for programs for which funds are appropriated by this Act; and

(2) the term ''bilateral agreement'' refers to a framework bilateral agreement between the Government of the United States and the government of the country receiving assistance that describes the privileges and immunities applicable to United States foreign assistance for such country generally, or an individual agreement between the Government of the United States and such government that describes, among other things, the treatment for tax purposes that will be accorded the United States assistance provided under that agreement.

PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN COUNTRIES

SEC. 507. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance directly any assistance or reparations to Cuba, Libya, North Korea, Iran, or Syria: *Provided*, That for purposes of this section, except with respect to Libya, the prohibition on obligations or expenditures shall include direct loans, credits, insurance and guarantees of the Export-Import Bank or its agents.

MILITARY COUPS

SEC. 508. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance directly any assistance to the government of any country whose duly elected head of government is deposed by military coup or decree: *Provided*, That assistance may be resumed to such government if the President determines and certifies to the Committees on Appropriations that subsequent to the termination of assistance a democratically elected government has taken office: *Provided further*, That the provisions of this section shall not apply to assistance to promote democratic elections or public participation in democratic processes: *Provided further*, That funds made available pursuant to the previous provisos shall be subject to the regular notification procedures of the Committees on Appropriations.

TRANSFERS

SEC. 509. (a)(1) LIMITATION ON TRANSFERS BETWEEN AGENCIES.—None of the funds made available by this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

(2) Notwithstanding paragraph (1), in addition to transfers made by, or authorized elsewhere in, this Act, funds appropriated by this Act to carry out the purposes of the Foreign Assistance Act of 1961 may be allocated or transferred to agencies of the United States Government pursuant to the provisions of sections 109, 610, and 632 of the Foreign Assistance Act of 1961.

(b) TRANSFERS BETWEEN ACCOUNTS.—None of the funds made available by this Act may be obligated under an appropriation account to which they were not appropriated, except for transfers specifically provided for in this Act, unless the President, not less than 5 days prior to the exercise of any authority contained in the Foreign Assistance Act of 1961 to transfer funds, consults with and provides a written policy justification to the Committees on Appropriations of the House of Representatives and the Senate.

(c) AUDIT OF INTER-AGENCY TRANSFERS.—Any agreement for the transfer or allocation

of funds appropriated by this Act, or prior Acts, entered into between the United States Agency for International Development and another agency of the United States Government under the authority of section 632(a) of the Foreign Assistance Act of 1961 or any comparable provision of law, shall expressly provide that the Office of the Inspector General for the agency receiving the transfer or allocation of such funds shall perform periodic program and financial audits of the use of such funds: *Provided*, That funds transferred under such authority may be made available for the cost of such audits.

COMMERCIAL LEASING OF DEFENSE ARTICLES

SEC. 510. Notwithstanding any other provision of law that restricts assistance to foreign countries, and subject to the regular notification procedures of the Committees on Appropriations, the authority of section 23(a) of the Arms Export Control Act may be used to provide financing to Israel, Egypt and NATO and major non-NATO allies for the procurement by leasing (including leasing with an option to purchase) of defense articles from United States commercial suppliers, not including Major Defense Equipment (other than helicopters and other types of aircraft having possible civilian application), if the President determines that there are compelling foreign policy or national security reasons for those defense articles being provided by commercial lease rather than by government-to-government sale under such Act.

AVAILABILITY OF FUNDS

SEC. 511. No part of any appropriation contained in this Act shall remain available for obligation after the expiration of the current fiscal year unless expressly so provided in this Act: *Provided*, That funds appropriated for the purposes of chapters 1, 8, 11, and 12 of part I, section 667, chapters 4, 6, 8, and 9 of part II of the Foreign Assistance Act of 1961, section 23 of the Arms Export Control Act, and funds provided under the heading ''Assistance for Eastern Europe and the Baltic States'', shall remain available for an additional 4 years from the date on which the availability of such funds would otherwise have expired, if such funds are initially obligated before the expiration of their respective periods of availability contained in this Act: *Provided further*, That, notwithstanding any other provision of this Act, any funds made available for the purposes of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 which are allocated or obligated for cash disbursements in order to address balance of payments or economic policy reform objectives, shall remain available until expended.

LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

SEC. 512. No part of any appropriation contained in this Act shall be used to furnish assistance to the government of any country which is in default during a period in excess of 1 calendar year in payment to the United States of principal or interest on any loan made to the government of such country by the United States pursuant to a program for which funds are appropriated under this Act unless the President determines, following consultations with the Committees on Appropriations, that assistance to such country is in the national interest of the United States.

COMMERCE AND TRADE

SEC. 513. (a) None of the funds appropriated or made available pursuant to this Act for direct assistance and none of the funds otherwise made available pursuant to this Act to the Export-Import Bank and the Overseas Private Investment Corporation shall be obligated or expended to finance any loan, any assistance or any other financial commitments for establishing or expanding production of any commodity for export by any country other than the United States, if the commodity is likely to be in surplus on world markets at the time the resulting productive capacity is expected to become operative and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity: *Provided*, That such prohibition shall not apply to the Export-Import Bank if in the judgment of its Board of Directors the benefits to industry and employment in the United States are likely to outweigh the injury to United States producers of the same, similar, or competing commodity, and the Chairman of the Board so notifies the Committees on Appropriations.

(b) None of the funds appropriated by this or any other Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 shall be available for any testing or breeding feasibility study, variety improvement or introduction, consultancy, publication, conference, or training in connection with the growth or production in a foreign country of an agricultural commodity for export which would compete with a similar commodity grown or produced in the United States: *Provided*, That this subsection shall not prohibit—

(1) activities designed to increase food security in developing countries where such activities will not have a significant impact on the export of agricultural commodities of the United States; or

(2) research activities intended primarily to benefit American producers.

SURPLUS COMMODITIES

SEC. 514. The Secretary of the Treasury shall instruct the United States Executive Directors of the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the International Monetary Fund, the Asian Development Bank, the Inter-American Investment Corporation, the North American Development Bank, the European Bank for Reconstruction and Development, the African Development Bank, and the African Development Fund to use the voice and vote of the United States to oppose any assistance by these institutions, using funds appropriated or made available pursuant to this Act, for the production or extraction of any commodity or mineral for export, if it is in surplus on world markets and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity.

NOTIFICATION REQUIREMENTS

SEC. 515. For the purposes of providing the executive branch with the necessary administrative flexibility, none of the funds made available under this Act for ''Child Survival and Health Programs Fund'', ''Development Assistance'', ''International Organizations and Programs'', ''Trade and Development Agency'', ''International Narcotics Control and Law Enforcement'', ''Andean Counterdrug Initiative'', ''Assistance for Eastern Europe and the Baltic States'', ''Assistance for the Independent States of the Former Soviet Union'', ''Economic Support Fund'', ''Global HIV/AIDS Initiative'', ''Peacekeeping Operations'', ''Capital Investment Fund'', ''Operating Expenses of the United States Agency for International Development'', ''Operating Expenses of the United States Agency for International Development Office of Inspector General'', ''Nonproliferation, Anti-terrorism, Demining and Related Programs'', ''Millennium Challenge Corporation'' (by country only), ''Foreign Military Financing Program'', ''International Military Education and Training'', ''Peace Corps'', and ''Migration and Refugee Assistance'', shall be available for obligation for activities, programs, projects, type of materiel assistance, countries, or other operations not justified or in excess of the amount justified to the Committees on Appropriations for obligation under any of these specific headings unless the Committees on Appropriations of both Houses of Congress are previously notified 15 days in advance: *Provided*, That the President shall not enter into any commitment of funds appropriated for the purposes of section 23 of the Arms Export Control Act for the provision of major defense equipment, other than conventional ammunition, or other major defense items defined to be aircraft, ships, missiles, or combat vehicles, not previously justified to Congress or 20 percent in excess of the quantities justified to Congress unless the Committees on Appropriations are notified 15 days in advance of such commitment: *Provided further*, That this section shall not apply to any reprogramming for an activity, program, or project for which funds are appropriated under title II of this Act of less than 10 percent of the amount previously justified to the Congress for obligation for such activity, program, or project for the current fiscal year: *Provided further*, That the requirements of this section or any similar provision of this Act or any other Act, including any prior Act requiring notification in accordance with the regular notification procedures of the Committees on Appropriations, may be waived if failure to do so would pose a substantial risk to human health or welfare: *Provided further*, That in case of any such waiver, notification to the Congress, or the appropriate congressional committees, shall be provided as early as practicable, but in no event later than 3 days after taking the action to which such notification requirement was applicable, in the context of the circumstances necessitating such waiver: *Provided further*, That any notification provided pursuant to such a waiver shall contain an explanation of the emergency circumstances.

LIMITATION ON AVAILABILITY OF FUNDS FOR INTERNATIONAL ORGANIZATIONS AND PROGRAMS

SEC. 516. Subject to the regular notification procedures of the Committees on Appropriations, funds appropriated under this Act or any previously enacted Act making appropriations for foreign operations, export financing, and related programs, which are returned or not made available for organizations and programs because of the implementation of section 307(a) of the Foreign Assistance Act of 1961, shall remain available for obligation until September 30, 2007.

INDEPENDENT STATES OF THE FORMER SOVIET UNION

SEC. 517. (a) None of the funds appropriated under the heading ''Assistance for the Independent States of the Former Soviet Union'' shall be made available for assistance for a government of an Independent State of the former Soviet Union—

(1) unless that government is making progress in implementing comprehensive economic reforms based on market principles, private ownership, respect for commercial contracts, and equitable treatment of foreign private investments; and

(2) if that government applies or transfers United States assistance to any entity for the purpose of expropriating or seizing ownership or control of assets, investments, or ventures.

Assistance may be furnished without regard to this subsection if the President determines that to do so is in the national interest.

(b) None of the funds appropriated under the heading ''Assistance for the Independent States of the Former Soviet Union'' shall be made available for assistance for a government of an Independent State of the former Soviet Union if that government directs any action in violation of the territorial integrity or national sovereignty of any other Independent State of the former Soviet Union, such as those violations included in the Helsinki Final Act: *Provided*, That such funds may be made available without regard to the restriction in this subsection if the President determines that to do so is in the national security interest of the United States.

(c) None of the funds appropriated under the heading ''Assistance for the Independent States of the Former Soviet Union'' shall be made available for any state to enhance its military capability: *Provided*, That this restriction does not apply to demilitarization, demining or nonproliferation programs.

(d) Funds appropriated under the heading ''Assistance for the Independent States of the Former Soviet Union'' for the Russian Federation, Armenia, Kazakhstan, and Uzbekistan shall be subject to the regular notification procedures of the Committees on Appropriations.

(e) Funds made available in this Act for assistance for the Independent States of the former Soviet Union shall be subject to the provisions of section 117 (relating to environment and natural resources) of the Foreign Assistance Act of 1961.

(f) In issuing new task orders, entering into contracts, or making grants, with funds appropriated in this Act or prior appropriations Acts under the heading ''Assistance for the Independent States of the Former Soviet Union'' and under comparable headings in prior appropriations Acts, for projects or activities that have as one of their primary purposes the fostering of private sector development, the Coordinator for United States Assistance to Europe and Eurasia and the implementing agency shall encourage the participation of and give significant weight to contractors and grantees who propose investing a significant amount of their own resources (including volunteer services and in-kind contributions) in such projects and activities.

PROHIBITION ON FUNDING FOR ABORTIONS AND INVOLUNTARY STERILIZATION

SEC. 518. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of abortions as a method of family planning or to motivate or coerce any person to practice abortions. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of involuntary sterilization as a method of family planning or to coerce or provide any financial incentive to any person to undergo sterilizations. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for any biomedical research which relates in whole or in part, to methods of, or the performance of, abortions or involuntary sterilization as a means of family planning. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be obligated or expended for any country or organization if the President certifies that the use of these funds by any such country or organization would violate any of the above provisions related to abortions and involuntary sterilizations.

EXPORT FINANCING TRANSFER AUTHORITIES

SEC. 519. Not to exceed 5 percent of any appropriation other than for administrative expenses made available for fiscal year 2006, for programs under title I of this Act may be transferred between such appropriations for use for any of the purposes, programs, and activities for which the funds in such receiving account may be used, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 25 percent by any such transfer: *Provided*, That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

SPECIAL NOTIFICATION REQUIREMENTS

SEC. 520. None of the funds appropriated by this Act shall be obligated or expended for Serbia, Sudan, Zimbabwe, or Pakistan, except as provided through the regular notification procedures of the Committees on Appropriations.

DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

SEC. 521. For the purpose of this Act ''program, project, and activity'' shall be defined at the appropriations Act account level and shall include all appropriations and authorizations Acts earmarks, ceilings, and limitations with the exception that for the following accounts: Economic Support Fund and Foreign Military Financing Program, ''program, project, and activity'' shall also be considered to include country, regional, and central program level funding within each such account; for the development assistance accounts of the United States Agency for International Development ''program, project, and activity'' shall also be considered to include central, country, regional, and program level funding, either as: (1) justified to the Congress; or (2) allocated by the executive branch in accordance with a report, to be provided to the Committees on Appropriations within 30 days of the enactment of this Act, as required by section 653(a) of the Foreign Assistance Act of 1961.

CHILD SURVIVAL AND HEALTH ACTIVITIES

SEC. 522. Up to $13,500,000 of the funds made available by this Act for assistance under the heading ''Child Survival and Health Programs Fund'', may be used to reimburse United States Government agencies, agencies of State governments, institutions of higher learning, and private and voluntary organizations for the full cost of individuals (including for the personal services of such individuals) detailed or assigned to, or contracted by, as the case may be, the United States Agency for International Development for the purpose of carrying out activities under that heading: *Provided*, That up to $3,500,000 of the funds made available by this Act for assistance under the heading ''Development Assistance'' may be used to reimburse such agencies, institutions, and organizations for such costs of such individuals carrying out other development assistance activities: *Provided further*, That funds appropriated by titles II and III of this Act that are made available for bilateral assistance for child survival activities or disease programs including activities relating to research on, and the prevention, treatment and control of, HIV/AIDS may be made available notwithstanding any provision of the Foreign Assistance Act of 1961 and any other provision of law that restricts assistance to foreign countries except for the provisions under the heading ''Child Survival and Health Programs Fund'' and the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (117 Stat. 711; 22 U.S.C. 7601 et seq.), as amended.

AFGHANISTAN

SEC. 523. Of the funds appropriated by titles II and III of this Act, not less than $954,000,000 should be made available for humanitarian, reconstruction, and related assistance for Afghanistan: *Provided*, That of the funds allocated for assistance for Afghanistan from this Act and other Acts making appropriations for foreign operations, export financing, and related programs for fiscal year 2006, not less than $50,000,000 should be made available to support programs that directly address the needs of Afghan women and girls.

NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

SEC. 524. Prior to providing excess Department of Defense articles in accordance with section 516(a) of the Foreign Assistance Act of 1961, the Department of Defense shall notify the Committees on Appropriations to the same extent and under the same conditions as are other committees pursuant to subsection (f) of that section: *Provided*, That before issuing a letter of offer to sell excess defense articles under the Arms Export Control Act, the Department of Defense shall notify the Committees on Appropriations in accordance with the regular notification procedures of such Committees if such defense articles are significant military equipment (as defined in section 47(9) of the Arms Export Control Act) or are valued (in terms of original acquisition cost) at $7,000,000 or more, or if notification is required elsewhere in this Act for the use of appropriated funds for specific countries that would receive such excess defense articles: *Provided further*, That such Committees shall also be informed of the original acquisition cost of such defense articles.

HIV/AIDS

SEC. 525. (a) Notwithstanding any other provision of this Act, 25 percent of the funds that are appropriated by this Act for a contribution to support the Global Fund to Fight AIDS, Tuberculosis and Malaria (the ''Global Fund'') shall be withheld from obligation to the Global Fund until the Secretary of State certifies to the Committees on Appropriations that the Global Fund—

(1) has established clear progress indicators upon which to determine the release of incremental disbursements;

(2) is releasing such incremental disbursements only if positive results have been attained based on those indicators; and

(3) is providing support and oversight to country-level entities, such as country coordinating mechanisms, principal recipients, and local Fund agents, to enable them to fulfill their mandates.

(b) The Secretary of State may waive paragraph (1) of this subsection if she determines and reports to the Committees on Appropriations that such waiver is important to the national interest of the United States.

The CHAIRMAN. Are there any amendments to this section of the bill?

If not, the Clerk will read.

The Clerk read as follows:

DEMOCRACY PROGRAMS

SEC. 526. (a) Not less than $27,000,000 of the funds appropriated by this Act under the heading ''Economic Support Fund'' should be allocated for the Human Rights and Democracy Fund: *Provided*, That up to $1,200,000 may be used for the Reagan/Fascell Democracy Fellows program.

(b) Notwithstanding any other provision of law that restricts assistance to foreign countries, up to $1,500,000 of the funds appropriated by this Act under the heading ''Economic Support Fund'' may be provided to make grants to educational, humanitarian, and nongovernmental organizations and individuals inside Iran and Syria to support the advancement of democracy and human rights in Iran and Syria, and such funds may be provided through the National Endowment for Democracy.

AMENDMENT OFFERED BY MR. SCHIFF

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SCHIFF:

Page 70, line 21, after the dollar amount, insert ''(increased by $9,000,000)''.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from California (Mr. SCHIFF) and a Member opposed each will control 5 minutes.

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

□ 1830

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

Mr. Chairman, the promotion of democracy has been one of the cornerstones of American foreign policy throughout the history of this Nation, but especially during the last century.

In his second inaugural address in January, President Bush committed this Nation ''to seek and support the growth of democratic movements and institutions in every nation and culture.'' In enunciating this goal, the President reiterated a long-standing core principle of American national security policy. Promotion of democracy is not just aspirational; political liberty and transparent government increase the chance that a nation will be economically successful and politically stable, a responsible member of the international community.

I have been concerned for several months now at proposed reductions in funding for a whole range of our democracy promotion programs, many of which were deeply cut in the President's budget request. In March of this year, several of my colleagues joined me in asking the Congress to more fully fund these efforts. I understand the difficult circumstances that confront us on this bill. This is a tough environment for appropriators, and I know that we have prioritized efforts to expand the circle of democracy in the Islamic world as part of the war on terror.

Unfortunately, though, other important democracy programs have suffered greatly. For example, the National Endowment for Democracy for which the President recommended an increase of $20 million over fiscal year 2005 levels was actually cut in the State Department bill that we passed this month. This and other similar cuts have made the job of promoting democracy more difficult for American policymakers and diplomats. I believe these cuts also endanger our national security by pulling needed resources out of countries and regions that are at critical stages in their political development.

Other programs funded through the foreign operations bill have also been cut dramatically. The Support for the East European Democracy Act, SEED, has been an important act in the ongoing transition to democracy of the countries of Central and Eastern Europe. In the current fiscal year, SEED received an appropriation of $396 million. For fiscal year 2006, President Bush requested $382 million, but the bill funds SEED at only $357 million.

Similarly, the Freedom Support Act has been central to our efforts to transform the states of the former Soviet Union. In the current fiscal year, FSA appropriations totaled $555 million. The President requested $482 million. But the bill provides for only $477 million.

One of our most flexible tools, the State Department's Human Rights and Democracy Fund, promotes democracy, human rights and civil society in countries and regions of strategic importance to the United States. HRDF funds are important tools by which the Department of State maintains pressure for universal human rights, democratic processes, and civil liberties in all countries.

These challenges will be addressed by funding programs that promote democratic reform and result in greater political pluralism and respect for fundamental freedoms in countries with significant Muslim populations, and that promote the protection and enforcement of legal rights and an independent judiciary, increase popular participation in government, and develop civil society in China. HRDF funds also support programs around the world that include political party building, promoting independent media and labor and worker rights, and supporting civil society and democratic institutions.

In the current fiscal year, HRDF is being funded at $36 million; but the bill pares that back to just $27 million, a 25 percent reduction.

My amendment is simple: it would increase the recommended funding level back to $36 million. It is a modest, but important, signal to the world that America's commitment to democracy in Eastern Europe, the former Soviet Union, Africa, and Asia remains a central pillar of American diplomacy and national security strategy.

When he asked Congress to declare war on Germany in 1917, President Woodrow Wilson told the Nation that ''the world must be made safe for democracy. Its peace must be planted upon the tested foundations of political liberty.''

In that war and in the other wars that this Nation has fought to preserve those ideals, we have paid a dear price. Our efforts to promote democracy hold forth the promise of widening the circle of freedom, while also reducing the prospect of failed states, terrorism and the horrific human rights abuses that so often require the intervention of American military force. Shortchanging these programs is shortsighted and dangerous.

Mr. Chairman, I want to thank the chairman and the ranking member for their interest and support in this amendment.

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

Mr. KOLBE. Mr. Chairman, though I am not in opposition, I will claim the time in opposition.

The Acting CHAIRMAN (Mr. HEFLEY). The gentleman from Arizona (Mr. KOLBE) is recognized for 5 minutes.

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

Mr. Chairman, I would just say the bill that we do have does provide that not less than $27 million of the funds appropriated under this section should be allocated for the Human Rights and the Democracy Fund. What the gentleman has been talking about I think is a very worthwhile program. The addition of the additional funds to that I think is worthwhile. For that reason, we would accept the amendment.

Mrs. LOWEY. Mr. Chairman, will the gentleman yield?

Mr. KOLBE. I yield to the gentlewoman from New York.

Mrs. LOWEY. Mr. Chairman, I, too, rise in support of the gentleman's amendment. Strengthening democracy and promoting human rights are at the heart of our national security strategy. The President has made these ideals central components of U.S. foreign policy.

The State Department's Human Rights and Democracy Fund focuses on the countries and regions of greatest strategic interest to the United States, supporting those who seek to bolster human rights and promote democracy in key areas of the world.

Unfortunately, the administration's request cut funding by $9 million below FY 2005 levels. This was in part because the administration requested increased funding for democracy programs through the National Endowment for Democracy in the Science-State-Justice-Commerce bill. However, the House did not grant the requested increases for NED; and, in fact, the SSJC appropriations bill cut funding for NED below the FY 2005 enacted levels.

I therefore am very pleased that the chairman will accept the gentleman's amendment so that we may ensure sufficient funding for democracy programs in the FY 2006 bill.

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

Mr. Chairman, I just want to thank the chairman and the ranking member again.

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

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

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

The amendment was agreed to.

Mr. KOLBE. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 132, line 13, be considered as read, printed in the RECORD and open to amendment at any point.

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

There was no objection.

The text of the bill from page 71, line 10, through page 132, line 13, is as follows:

PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST COUNTRIES

SEC. 527. (a) Funds appropriated for bilateral assistance under any heading of this Act and funds appropriated under any such heading in a provision of law enacted prior to the enactment of this Act, shall not be made available to any country which the President determines—

(1) grants sanctuary from prosecution to any individual or group which has committed an act of international terrorism; or

(2) otherwise supports international terrorism.

(b) The President may waive the application of subsection (a) to a country if the President determines that national security or humanitarian reasons justify such waiver. The President shall publish each waiver in the Federal Register and, at least 15 days before the waiver takes effect, shall notify the Committees on Appropriations of the waiver (including the justification for the waiver) in accordance with the regular notification procedures of the Committees on Appropriations.

DEBT-FOR-DEVELOPMENT

SEC. 528. In order to enhance the continued participation of nongovernmental organizations in debt-for-development and debt-for-nature exchanges, a nongovernmental organization which is a grantee or contractor of the United States Agency for International Development may place in interest bearing accounts local currencies which accrue to that organization as a result of economic assistance provided under title II of this Act and, subject to the regular notification procedures of the Committees on Appropriations, any interest earned on such investment shall be used for the purpose for which the assistance was provided to that organization.

SEPARATE ACCOUNTS

SEC. 529. (a) SEPARATE ACCOUNTS FOR LOCAL CURRENCIES.—(1) If assistance is furnished to the government of a foreign country under chapters 1 and 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 under agreements which result in the generation of local currencies of that country, the Administrator of the United States Agency for International Development shall—

(A) require that local currencies be deposited in a separate account established by that government;

(B) enter into an agreement with that government which sets forth—

(i) the amount of the local currencies to be generated; and

(ii) the terms and conditions under which the currencies so deposited may be utilized, consistent with this section; and

(C) establish by agreement with that government the responsibilities of the United States Agency for International Development and that government to monitor and account for deposits into and disbursements from the separate account.

(2) USES OF LOCAL CURRENCIES.—As may be agreed upon with the foreign government, local currencies deposited in a separate account pursuant to subsection (a), or an equivalent amount of local currencies, shall be used only—

(A) to carry out chapter 1 or 10 of part I or chapter 4 of part II (as the case may be), for such purposes as—

(i) project and sector assistance activities; or

(ii) debt and deficit financing; or

(B) for the administrative requirements of the United States Government.

(3) PROGRAMMING ACCOUNTABILITY.—The United States Agency for International Development shall take all necessary steps to ensure that the equivalent of the local currencies disbursed pursuant to subsection (a)(2)(A) from the separate account established pursuant to subsection (a)(1) are used for the purposes agreed upon pursuant to subsection (a)(2).

(4) TERMINATION OF ASSISTANCE PROGRAMS.—Upon termination of assistance to a country under chapter 1 or 10 of part I or chapter 4 of part II (as the case may be), any unencumbered balances of funds which remain in a separate account established pursuant to subsection (a) shall be disposed of for such purposes as may be agreed to by the government of that country and the United States Government.

(5) REPORTING REQUIREMENT.—The Administrator of the United States Agency for International Development shall report on an annual basis as part of the justification documents submitted to the Committees on Appropriations on the use of local currencies for the administrative requirements of the United States Government as authorized in subsection (a)(2)(B), and such report shall include the amount of local currency (and United States dollar equivalent) used and/or to be used for such purpose in each applicable country.

(b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—(1) If assistance is made available to the government of a foreign country, under chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961, as cash transfer assistance or as nonproject sector assistance, that country shall be required to maintain such funds in a separate account and not commingle them with any other funds.

(2) APPLICABILITY OF OTHER PROVISIONS OF LAW.—Such funds may be obligated and expended notwithstanding provisions of law which are inconsistent with the nature of this assistance including provisions which are referenced in the Joint Explanatory Statement of the Committee of Conference accompanying House Joint Resolution 648 (House Report No. 98–1159).

(3) NOTIFICATION.—At least 15 days prior to obligating any such cash transfer or nonproject sector assistance, the President shall submit a notification through the regular notification procedures of the Committees on Appropriations, which shall include a detailed description of how the funds proposed to be made available will be used, with a discussion of the United States interests that will be served by the assistance (including, as appropriate, a description of the economic policy reforms that will be promoted by such assistance).

(4) EXEMPTION.—Nonproject sector assistance funds may be exempt from the requirements of subsection (b)(1) only through the notification procedures of the Committees on Appropriations.

ENTERPRISE FUND RESTRICTIONS

SEC. 530. (a) Prior to the distribution of any assets resulting from any liquidation, dissolution, or winding up of an Enterprise Fund, in whole or in part, the President shall submit to the Committees on Appropriations, in accordance with the regular notification procedures of the Committees on Appropriations, a plan for the distribution of the assets of the Enterprise Fund.

(b) Funds made available by this Act for Enterprise Funds shall be expended at the minimum rate necessary to make timely payment for projects and activities.

FINANCIAL MARKET ASSISTANCE IN TRANSITION COUNTRIES

SEC. 531. Of the funds appropriated by this Act under the headings ''Trade and Development Agency'', ''Development Assistance'', ''Transition Initiatives'', ''Economic Support Fund'', ''International Affairs Technical Assistance'', ''Assistance for the Independent States of the Former Soviet Union'', ''Nonproliferation, Anti-terrorism, Demining and Related Programs'', and ''Assistance for Eastern Europe and Baltic States'', not less than $40,000,000 should be made available for building capital markets and financial systems in countries in transition.

AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN FOUNDATION AND AFRICAN DEVELOPMENT FOUNDATION

SEC. 532. Unless expressly provided to the contrary, provisions of this Act, and provisions contained in prior Acts authorizing or making appropriations for foreign operations, export financing, and related programs, shall not be construed to prohibit activities authorized by or conducted under the Peace Corps Act, the Inter-American Foundation Act or the African Development Foundation Act. The agency shall promptly report to the Committees on Appropriations whenever it is conducting activities or is proposing to conduct activities in a country for which assistance is prohibited.

IMPACT ON JOBS IN THE UNITED STATES

SEC. 533. None of the funds appropriated by this Act may be obligated or expended to provide—

(1) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States if such incentive or inducement is likely to reduce the number of employees of such business enterprise in the United States because United States production is being replaced by such enterprise outside the United States; or

(2) assistance for any program, project, or activity that contributes to the violation of internationally recognized workers rights, as defined in section 507(4) of the Trade Act of 1974, of workers in the recipient country, including any designated zone or area in that country: *Provided*, That the application of section 507(4)(D) and (E) of such Act should be commensurate with the level of development of the recipient country and sector, and shall not preclude assistance for the informal sector in such country, micro and small-scale enterprise, and smallholder agriculture.

SPECIAL AUTHORITIES

SEC. 534. (a) AFGHANISTAN, PAKISTAN, LEBANON, MONTENEGRO, VICTIMS OF WAR, DISPLACED CHILDREN, AND DISPLACED BURMESE.—Funds appropriated by this Act that are made available for assistance for Afghanistan may be made available notwithstanding section 512 of this Act or any similar provision of law and section 660 of the Foreign Assistance Act of 1961, and funds appropriated in titles I and II of this Act that are made available for Lebanon, Montenegro, Pakistan, and for victims of war, displaced children, and displaced Burmese, and to assist victims of trafficking in persons and, subject to the regular notification procedures of the Committees on Appropriations, to combat such trafficking, may be made available notwithstanding any other provision of law that restricts assistance to foreign countries and section 660 of the Foreign Assistance Act of 1961.

(b) TROPICAL FORESTRY AND BIODIVERSITY CONSERVATION ACTIVITIES.—Funds appropriated by this Act to carry out the provisions of sections 103 through 106, and chapter

4 of part II, of the Foreign Assistance Act of 1961 may be used, notwithstanding any other provision of law that restricts assistance to foreign countries and section 660 of the Foreign Assistance Act of 1961, for the purpose of supporting tropical forestry and biodiversity conservation activities and energy programs aimed at reducing greenhouse gas emissions: *Provided*, That such assistance shall be subject to sections 116, 502B, and 620A of the Foreign Assistance Act of 1961.

(c) PERSONAL SERVICES CONTRACTORS.—Funds appropriated by this Act to carry out chapter 1 of part I, chapter 4 of part II, and section 667 of the Foreign Assistance Act of 1961, and title II of the Agricultural Trade Development and Assistance Act of 1954, may be used by the United States Agency for International Development to employ up to 25 personal services contractors in the United States, for the purpose of providing direct, interim support for new or expanded overseas programs and activities managed by the agency until permanent direct hire personnel are hired and trained: *Provided*, That not more than 10 of such contractors shall be assigned to any bureau or office: *Provided further*, That such funds appropriated to carry out title II of the Agricultural Trade Development and Assistance Act of 1954, may be made available only for personal services contractors assigned to the Office of Food for Peace.

(d)(1) WAIVER.—The President may waive the provisions of section 1003 of Public Law 100–204 if the President determines and certifies in writing to the Speaker of the House of Representatives and the President pro tempore of the Senate that it is important to the national security interests of the United States.

(2) PERIOD OF APPLICATION OF WAIVER.—Any waiver pursuant to paragraph (1) shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

(e) SMALL BUSINESS.—In entering into multiple award indefinite-quantity contracts with funds appropriated by this Act, the United States Agency for International Development may provide an exception to the fair opportunity process for placing task orders under such contracts when the order is placed with any category of small or small disadvantaged business.

(f) CONTINGENCIES.—During fiscal year 2006, the President may use up to $45,000,000 under the authority of section 451 of the Foreign Assistance Act of 1961, notwithstanding the funding ceiling in section 451(a).

(g) RECONSTITUTING CIVILIAN POLICE AUTHORITY.—In providing assistance with funds appropriated by this Act under section 660(b)(6) of the Foreign Assistance Act of 1961, support for a nation emerging from instability may be deemed to mean support for regional, district, municipal, or other subnational entity emerging from instability, as well as a nation emerging from instability.

(h) WORLD FOOD PROGRAM.—Of the funds managed by the Bureau for Democracy, Conflict, and Humanitarian Assistance of the United States Agency for International Development, from this or any other Act, not less than $6,000,000 shall be made available as a general contribution to the World Food Program, notwithstanding any other provision of law that restricts assistance to foreign countries.

(i) NATIONAL ENDOWMENT FOR DEMOCRACY.—Funds appropriated by this Act that are provided to the National Endowment for Democracy may be provided notwithstanding any other provision of law or regulation that restricts assistance to foreign countries.

ARAB LEAGUE BOYCOTT OF ISRAEL

SEC. 535. It is the sense of the Congress that—

(1) the Arab League boycott of Israel, and the secondary boycott of American firms that have commercial ties with Israel, is an impediment to peace in the region and to United States investment and trade in the Middle East and North Africa;

(2) the Arab League boycott, which was regrettably reinstated in 1997, should be immediately and publicly terminated, and the Central Office for the Boycott of Israel immediately disbanded;

(3) all Arab League states should normalize relations with their neighbor Israel;

(4) the President and the Secretary of State should continue to vigorously oppose the Arab League boycott of Israel and find concrete steps to demonstrate that opposition by, for example, taking into consideration the participation of any recipient country in the boycott when determining to sell weapons to said country; and

(5) the President should report to Congress annually on specific steps being taken by the United States to encourage Arab League states to normalize their relations with Israel to bring about the termination of the Arab League boycott of Israel, including those to encourage allies and trading partners of the United States to enact laws prohibiting businesses from complying with the boycott and penalizing businesses that do comply.

ELIGIBILITY FOR ASSISTANCE

SEC. 536. (a) ASSISTANCE THROUGH NONGOVERNMENTAL ORGANIZATIONS.—Restrictions on assistance for foreign countries contained in this or any other Act shall not be construed to restrict assistance in support of programs of nongovernmental organizations from funds appropriated by this Act to carry out the provisions of chapters 1, 10, 11, and 12 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961, and from funds appropriated under the heading ''Assistance for Eastern Europe and the Baltic States'': *Provided*, That before using the authority of this subsection to furnish assistance in support of programs of nongovernmental organizations, the President shall notify the Committees on Appropriations under the regular notification procedures of those committees, including a description of the program to be assisted, the assistance to be provided, and the reasons for furnishing such assistance: *Provided further*, That nothing in this subsection shall be construed to alter any existing statutory prohibitions against abortion or involuntary sterilizations contained in this or any other Act.

(b) PUBLIC LAW 480.—During fiscal year 2006, restrictions on assistance to foreign countries contained in this or any other Act shall not be construed to restrict assistance under the Agricultural Trade Development and Assistance Act of 1954: *Provided*, That none of the funds appropriated to carry out title I of such Act and made available pursuant to this subsection may be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

(c) EXCEPTION.—This section shall not apply—

(1) with respect to section 620A of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to countries that support international terrorism; or

(2) with respect to section 116 of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to the government of a country that violates internationally recognized human rights.

RESERVATIONS OF FUNDS

SEC. 537. (a) Funds appropriated by this Act which are earmarked may be reprogrammed for other programs within the same account notwithstanding the earmark if compliance with the earmark is made impossible by operation of any provision of this Act or any other provision contained in prior Acts authorizing or making appropriations for foreign operations, export financing, and related programs: *Provided*, That any such reprogramming shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That assistance that is reprogrammed pursuant to this subsection shall be made available under the same terms and conditions as originally provided.

(b) In addition to the authority contained in subsection (a), the original period of availability of funds appropriated by this Act and administered by the United States Agency for International Development that are earmarked for particular programs or activities by this or any other Act shall be extended for an additional fiscal year if the Administrator of such agency determines and reports promptly to the Committees on Appropriations that the termination of assistance to a country or a significant change in circumstances makes it unlikely that such earmarked funds can be obligated during the original period of availability: *Provided*, That such earmarked funds that are continued available for an additional fiscal year shall be obligated only for the purpose of such earmark.

CEILINGS AND EARMARKS

SEC. 538. Ceilings and earmarks contained in this Act shall not be applicable to funds or authorities appropriated or otherwise made available by any subsequent Act unless such Act specifically so directs. Earmarks or minimum funding requirements contained in any other Act shall not be applicable to funds appropriated by this Act.

PROHIBITION ON PUBLICITY OR PROPAGANDA

SEC. 539. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not authorized before the date of the enactment of this Act by the Congress.

PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS

SEC. 540. None of the funds appropriated or made available pursuant to this Act for carrying out the Foreign Assistance Act of 1961, may be used to pay in whole or in part any assessments, arrearages, or dues of any member of the United Nations or, from funds appropriated by this Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961, the costs for participation of another country's delegation at international conferences held under the auspices of multilateral or international organizations.

NONGOVERNMENTAL ORGANIZATIONS—DOCUMENTATION

SEC. 541. None of the funds appropriated or made available pursuant to this Act shall be available to a nongovernmental organization which fails to provide upon timely request any document, file, or record necessary to the auditing requirements of the United States Agency for International Development.

PROHIBITION ON ASSISTANCE TO FOREIGN GOVERNMENTS THAT EXPORT LETHAL MILITARY EQUIPMENT TO COUNTRIES SUPPORTING INTERNATIONAL TERRORISM

SEC. 542. (a) None of the funds appropriated or otherwise made available by this Act may be available to any foreign government which provides lethal military equipment to a country the government of which the Secretary of State has determined is a terrorist government for purposes of section 6(j) of the Export Administration Act of 1979. The prohibition under this section with respect to a

foreign government shall terminate 12 months after that government ceases to provide such military equipment. This section applies with respect to lethal military equipment provided under a contract entered into after October 1, 1997.

(b) Assistance restricted by subsection (a) or any other similar provision of law, may be furnished if the President determines that furnishing such assistance is important to the national interests of the United States.

(c) Whenever the waiver authority of subsection (b) is exercised, the President shall submit to the appropriate congressional committees a report with respect to the furnishing of such assistance. Any such report shall include a detailed explanation of the assistance to be provided, including the estimated dollar amount of such assistance, and an explanation of how the assistance furthers United States national interests.

WITHHOLDING OF ASSISTANCE FOR PARKING FINES AND REAL PROPERTY TAXES OWED BY FOREIGN COUNTRIES

SEC. 543. (a) Subject to subsection (c), of the funds appropriated by this Act that are made available for assistance for a foreign country, an amount equal to 110 percent of the total amount of the unpaid fully adjudicated parking fines and penalties and unpaid property taxes owed by the central government of such country shall be withheld from obligation for assistance for the central government of such country until the Secretary of State submits a certification to the appropriate congressional committees stating that such parking fines and penalties and unpaid property taxes are fully paid.

(b) Funds withheld from obligation pursuant to subsection (a) may be made available for other programs or activities funded by this Act, after consultation with and subject to the regular notification procedures of the appropriate congressional committees, provided that no such funds shall be made available for assistance for the central government of a foreign country that has not paid the total amount of the fully adjudicated parking fines and penalties and unpaid property taxes owed by such country.

(c) Subsection (a) shall not include amounts that have been withheld under any other provision of law.

(d)(1) The Secretary of State may waive the requirements set forth in subsection (a) with respect to parking fines and penalties no sooner than 60 days from the date of enactment of this Act, or at any time with respect to a particular country, if the Secretary determines that it is in the national interests of the United States to do so.

(2) The Secretary of State may waive the requirements set forth in subsection (a) with respect to the unpaid property taxes if the Secretary of State determines that it is in the national interests of the United States to do so.

(e) Not later than 6 months after the initial exercise of the waiver authority in subsection (d), the Secretary of State, after consultations with the City of New York, shall submit a report to the Committees on Appropriations describing a strategy, including a timetable and steps currently being taken, to collect the parking fines and penalties and unpaid property taxes and interest owed by nations receiving foreign assistance under this Act.

(f) In this section:

(1) The term ''appropriate congressional committees'' means the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives.

(2) The term ''fully adjudicated'' includes circumstances in which the person to whom the vehicle is registered—

(A)(i) has not responded to the parking violation summons; or

(ii) has not followed the appropriate adjudication procedure to challenge the summons; and

(B) the period of time for payment of or challenge to the summons has lapsed.

(3) The term ''parking fines and penalties'' means parking fines and penalties—

(A) owed to—

(i) the District of Columbia; or

(ii) New York, New York; and

(B) incurred during the period April 1, 1997, through September 30, 2005.

(4) The term ''unpaid property taxes'' means the amount of unpaid taxes and interest determined to be owed by a foreign country on real property in the District of Columbia or New York, New York in a court order or judgment entered against such country by a court of the United States or any State or subdivision thereof.

LIMITATION ON ASSISTANCE FOR THE PLO FOR THE WEST BANK AND GAZA

SEC. 544. None of the funds appropriated by this Act may be obligated for assistance for the Palestine Liberation Organization for the West Bank and Gaza unless the President has exercised the authority under section 604(a) of the Middle East Peace Facilitation Act of 1995 (title VI of Public Law 104–107) or any other legislation to suspend or make inapplicable section 307 of the Foreign Assistance Act of 1961 and that suspension is still in effect: *Provided*, That if the President fails to make the certification under section 604(b)(2) of the Middle East Peace Facilitation Act of 1995 or to suspend the prohibition under other legislation, funds appropriated by this Act may not be obligated for assistance for the Palestine Liberation Organization for the West Bank and Gaza.

WAR CRIMES TRIBUNALS DRAWDOWN

SEC. 545. If the President determines that doing so will contribute to a just resolution of charges regarding genocide or other violations of international humanitarian law, the President may direct a drawdown pursuant to section 552(c) of the Foreign Assistance Act of 1961 of up to $30,000,000 of commodities and services for the United Nations War Crimes Tribunal established with regard to the former Yugoslavia by the United Nations Security Council or such other tribunals or commissions as the Council may establish or authorize to deal with such violations, without regard to the ceiling limitation contained in paragraph (2) thereof: *Provided*, That the determination required under this section shall be in lieu of any determinations otherwise required under section 552(c): *Provided further*, That the drawdown made under this section for any tribunal shall not be construed as an endorsement or precedent for the establishment of any standing or permanent international criminal tribunal or court: *Provided further*, That funds made available for tribunals other than Yugoslavia, Rwanda, or the Special Court for Sierra Leone shall be made available subject to the regular notification procedures of the Committees on Appropriations.

LANDMINES

SEC. 546. Notwithstanding any other provision of law that restricts assistance to foreign countries, demining equipment available to the United States Agency for International Development and the Department of State and used in support of the clearance of landmines and unexploded ordnance for humanitarian purposes may be disposed of on a grant basis in foreign countries, subject to such terms and conditions as the President may prescribe.

RESTRICTIONS CONCERNING THE PALESTINIAN AUTHORITY

SEC. 547. None of the funds appropriated by this Act may be obligated or expended to create in any part of Jerusalem a new office of any department or agency of the United States Government for the purpose of conducting official United States Government business with the Palestinian Authority over Gaza and Jericho or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles: *Provided*, That this restriction shall not apply to the acquisition of additional space for the existing Consulate General in Jerusalem: *Provided further*, That meetings between officers and employees of the United States and officials of the Palestinian Authority, or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles, for the purpose of conducting official United States Government business with such authority should continue to take place in locations other than Jerusalem. As has been true in the past, officers and employees of the United States Government may continue to meet in Jerusalem on other subjects with Palestinians (including those who now occupy positions in the Palestinian Authority), have social contacts, and have incidental discussions.

PROHIBITION OF PAYMENT OF CERTAIN EXPENSES

SEC. 548. None of the funds appropriated or otherwise made available by this Act under the heading ''International Military Education and Training'' or ''Foreign Military Financing Program'' for Informational Program activities or under the headings ''Child Survival and Health Programs Fund'', ''Development Assistance'', and ''Economic Support Fund'' may be obligated or expended to pay for—

(1) alcoholic beverages; or

(2) entertainment expenses for activities that are substantially of a recreational character, including but not limited to entrance fees at sporting events, theatrical and musical productions, and amusement parks.

HAITI

SEC. 549. The Government of Haiti shall be eligible to purchase defense articles and services under the Arms Export Control Act (22 U.S.C. 2751 et seq.), for the Coast Guard.

LIMITATION ON ASSISTANCE TO THE PALESTINIAN AUTHORITY

SEC. 550. (a) PROHIBITION OF FUNDS.—None of the funds appropriated by this Act to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961 may be obligated or expended with respect to providing funds to the Palestinian Authority.

(b) WAIVER.—The prohibition included in subsection (a) shall not apply if the President certifies in writing to the Speaker of the House of Representatives and the President pro tempore of the Senate that waiving such prohibition is important to the national security interests of the United States.

(c) PERIOD OF APPLICATION OF WAIVER.—Any waiver pursuant to subsection (b) shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

(d) REPORT.—Whenever the waiver authority pursuant to subsection (b) is exercised, the President shall submit a report to the Committees on Appropriations detailing the steps the Palestinian Authority has taken to arrest terrorists, confiscate weapons and dismantle the terrorist infrastructure. The report shall also include a description of how funds will be spent and the accounting procedures in place to ensure that they are properly disbursed.

LIMITATION ON ASSISTANCE TO SECURITY FORCES

SEC. 551. None of the funds made available by this Act may be provided to any unit of the security forces of a foreign country if the Secretary of State has credible evidence that such unit has committed gross violations of human rights, unless the Secretary determines and reports to the Committees on Appropriations that the government of such country is taking effective measures to bring the responsible members of the security forces unit to justice: *Provided*, That nothing in this section shall be construed to withhold funds made available by this Act from any unit of the security forces of a foreign country not credibly alleged to be involved in gross violations of human rights: *Provided further*, That in the event that funds are withheld from any unit pursuant to this section, the Secretary of State shall promptly inform the foreign government of the basis for such action and shall, to the maximum extent practicable, assist the foreign government in taking effective measures to bring the responsible members of the security forces to justice.

FOREIGN MILITARY TRAINING REPORT

SEC. 552. The annual foreign military training report required by section 656 of the Foreign Assistance Act of 1961 shall be submitted by the Secretary of Defense and the Secretary of State to the Committees on Appropriations of the House of Representatives and the Senate by the date specified in that section.

AUTHORIZATION REQUIREMENT

SEC. 553. Funds appropriated by this Act, except funds appropriated under the headings ''Trade and Development Agency'', ''Overseas Private Investment Corporation'', and ''Global HIV/AIDS Initiative'', may be obligated and expended notwithstanding section 10 of Public Law 91–672 and section 15 of the State Department Basic Authorities Act of 1956.

CAMBODIA

SEC. 554. The Secretary of the Treasury should instruct the United States executive directors of the international financial institutions to use the voice and vote of the United States to oppose loans to the Central Government of Cambodia, except loans to meet basic human needs.

PALESTINIAN STATEHOOD

SEC. 555. (a) LIMITATION ON ASSISTANCE.—None of the funds appropriated by this Act may be provided to support a Palestinian state unless the Secretary of State determines and certifies to the appropriate congressional committees that—

(1) a new leadership of a Palestinian governing entity has been democratically elected through credible and competitive elections;

(2) the elected governing entity of a new Palestinian state—

(A) has demonstrated a firm commitment to peaceful co-existence with the State of Israel;

(B) is taking appropriate measures to counter terrorism and terrorist financing in the West Bank and Gaza, including the dismantling of terrorist infrastructures;

(C) is establishing a new Palestinian security entity that is cooperative with appropriate Israeli and other appropriate security organizations; and

(3) the Palestinian Authority (or the governing body of a new Palestinian state) is working with other countries in the region to vigorously pursue efforts to establish a just, lasting, and comprehensive peace in the Middle East that will enable Israel and an independent Palestinian state to exist within the context of full and normal relationships, which should include—

(A) termination of all claims or states of belligerency;

(B) respect for and acknowledgement of the sovereignty, territorial integrity, and political independence of every state in the area through measures including the establishment of demilitarized zones;

(C) their right to live in peace within secure and recognized boundaries free from threats or acts of force;

(D) freedom of navigation through international waterways in the area; and

(E) a framework for achieving a just settlement of the refugee problem.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the newly-elected governing entity should enact a constitution assuring the rule of law, an independent judiciary, and respect for human rights for its citizens, and should enact other laws and regulations assuring transparent and accountable governance.

(c) WAIVER.—The President may waive subsection (a) if he determines that it is vital to the national security interests of the United States to do so.

(d) EXEMPTION.—The restriction in subsection (a) shall not apply to assistance intended to help reform the Palestinian Authority and affiliated institutions, or a newly-elected governing entity, in order to help meet the requirements of subsection (a), consistent with the provisions of section 550 of this Act (''Limitation on Assistance to the Palestinian Authority'').

COLOMBIA

SEC. 556. (a) DETERMINATION AND CERTIFICATION REQUIRED.—Funds appropriated by this Act that are available for assistance for the Colombian Armed Forces, may be made available as follows:

(1) Up to 75 percent of such funds may be obligated prior to a determination and certification by the Secretary of State pursuant to paragraph (2).

(2) Up to 12.5 percent of such funds may be obligated only after the Secretary of State certifies and reports to the appropriate congressional committees that:

(A) The Commander General of the Colombian Armed Forces is suspending from the Armed Forces those members, of whatever rank who, according to the Minister of Defense or the Procuraduria General de la Nacion, have been credibly alleged to have committed gross violations of human rights, including extra-judicial killings, or to have aided or abetted paramilitary organizations.

(B) The Colombian Government is vigorously investigating and prosecuting those members of the Colombian Armed Forces, of whatever rank, who have been credibly alleged to have committed gross violations of human rights, including extra-judicial killings, or to have aided or abetted paramilitary organizations, and is promptly punishing those members of the Colombian Armed Forces found to have committed such violations of human rights or to have aided or abetted paramilitary organizations.

(C) The Colombian Armed Forces have made substantial progress in cooperating with civilian prosecutors and judicial authorities in such cases (including providing requested information, such as the identity of persons suspended from the Armed Forces and the nature and cause of the suspension, and access to witnesses, relevant military documents, and other requested information).

(D) The Colombian Armed Forces have made substantial progress in severing links (including denying access to military intelligence, vehicles, and other equipment or supplies, and ceasing other forms of active or tacit cooperation) at the command, battalion, and brigade levels, with paramilitary organizations, especially in regions where these organizations have a significant presence.

(E) The Colombian Government is dismantling paramilitary leadership and financial networks by arresting commanders and financial backers, especially in regions where these networks have a significant presence.

(3) The balance of such funds may be obligated after July 31, 2006, if the Secretary of State certifies and reports to the appropriate congressional committees, after such date, that the Colombian Armed Forces are continuing to meet the conditions contained in paragraph (2) and are conducting vigorous operations to restore government authority and respect for human rights in areas under the effective control of paramilitary and guerrilla organizations.

(b) CONGRESSIONAL NOTIFICATION.—Funds made available by this Act for the Colombian Armed Forces shall be subject to the regular notification procedures of the Committees on Appropriations.

(c) CONSULTATIVE PROCESS.—Not later than 60 days after the date of enactment of this Act, and every 90 days thereafter until September 30, 2007, the Secretary of State shall consult with internationally recognized human rights organizations regarding progress in meeting the conditions contained in that subsection.

(d) DEFINITIONS.—In this section:

(1) AIDED OR ABETTED.—The term ''aided or abetted'' means to provide any support to paramilitary groups, including taking actions which allow, facilitate, or otherwise foster the activities of such groups.

(2) PARAMILITARY GROUPS.—The term ''paramilitary groups'' means illegal self-defense groups and illegal security cooperatives.

ILLEGAL ARMED GROUPS

SEC. 557. (a) DENIAL OF VISAS TO SUPPORTERS OF COLOMBIAN ILLEGAL ARMED GROUPS.—Subject to subsection (b), the Secretary of State shall not issue a visa to any alien who the Secretary determines, based on credible evidence—

(1) has willfully provided any support to the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN), or the United Self-Defense Forces of Colombia (AUC), including taking actions or failing to take actions which allow, facilitate, or otherwise foster the activities of such groups; or

(2) has committed, ordered, incited, assisted, or otherwise participated in the commission of gross violations of human rights, including extra-judicial killings, in Colombia.

(b) WAIVER.—Subsection (a) shall not apply if the Secretary of State determines and certifies to the appropriate congressional committees, on a case-by-case basis, that the issuance of a visa to the alien is necessary to support the peace process in Colombia or for urgent humanitarian reasons.

PROHIBITION ON ASSISTANCE TO THE PALESTINIAN BROADCASTING CORPORATION

SEC. 558. None of the funds appropriated or otherwise made available by this Act may be used to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.

WEST BANK AND GAZA PROGRAM

SEC. 559. (a) OVERSIGHT.—For fiscal year 2006, 30 days prior to the initial obligation of funds for the bilateral West Bank and Gaza Program, the Secretary of State shall certify to the appropriate committees of Congress that procedures have been established to assure the Comptroller General of the United

States will have access to appropriate United States financial information in order to review the uses of United States assistance for the Program funded under the heading ''Economic Support Fund'' for the West Bank and Gaza.

(b) VETTING.—Prior to the obligation of funds appropriated by this Act under the heading ''Economic Support Fund'' for assistance for the West Bank and Gaza, the Secretary of State shall take all appropriate steps to ensure that such assistance is not provided to or through any individual, private or government entity, or educational institution that the Secretary knows or has reason to believe advocates, plans, sponsors, engages in, or has engaged in, terrorist activity. The Secretary of State shall, as appropriate, establish procedures specifying the steps to be taken in carrying out this subsection and shall terminate assistance to any individual, entity, or educational institution which he has determined to be involved in or advocating terrorist activity.

(c) PROHIBITION.—None of the funds appropriated by this Act for assistance under the West Bank and Gaza program may be made available for the purpose of recognizing or otherwise honoring individuals who commit, or have committed, acts of terrorism.

(d) AUDITS.—

(1) The Administrator of the United States Agency for International Development shall ensure that Federal or non-Federal audits of all contractors and grantees, and significant subcontractors and subgrantees, under the West Bank and Gaza Program, are conducted at least on an annual basis to ensure, among other things, compliance with this section.

(2) Of the funds appropriated by this Act under the heading ''Economic Support Fund'' that are made available for assistance for the West Bank and Gaza, up to $1,000,000 may be used by the Office of the Inspector General of the United States Agency for International Development for audits, inspections, and other activities in furtherance of the requirements of this subsection. Such funds are in addition to funds otherwise available for such purposes.

(e) Subsequent to the certification specified in subsection (a), the Comptroller General of the United States shall conduct an audit and an investigation of the treatment, handling, and uses of all funds for the bilateral West Bank and Gaza Program in fiscal year 2006 under the heading ''Economic Support Fund''. The audit shall address—

(1) the extent to which such Program complies with the requirements of subsections (b) and (c), and

(2) an examination of all programs, projects, and activities carried out under such Program, including both obligations and expenditures.

CONTRIBUTIONS TO UNITED NATIONS POPULATION FUND

SEC. 560. (a) LIMITATIONS ON AMOUNT OF CONTRIBUTION.—Of the amounts made available under ''International Organizations and Programs'' and ''Child Survival and Health Programs Fund'' for fiscal year 2006, $34,000,000 shall be made available for the United Nations Population Fund (hereafter in this section referred to as the ''UNFPA''): *Provided*, That of this amount, not less than $25,000,000 shall be derived from funds appropriated under the heading ''International Organizations and Programs''.

(b) AVAILABILITY OF FUNDS.—Funds appropriated under the heading ''International Organizations and Programs'' in this Act that are available for UNFPA, that are not made available for UNFPA because of the operation of any provision of law, shall be transferred to ''Child Survival and Health Programs Fund'' and shall be made available for family planning, maternal, and reproductive health activities, subject to the regular notification procedures of the Committees on Appropriations.

(c) PROHIBITION ON USE OF FUNDS IN CHINA.—None of the funds made available under ''International Organizations and Programs'' may be made available for the UNFPA for a country program in the People's Republic of China.

(d) CONDITIONS ON AVAILABILITY OF FUNDS.—Amounts made available under ''International Organizations and Programs'' for fiscal year 2006 for the UNFPA may not be made available to UNFPA unless—

(1) the UNFPA maintains amounts made available to the UNFPA under this section in an account separate from other accounts of the UNFPA;

(2) the UNFPA does not commingle amounts made available to the UNFPA under this section with other sums; and

(3) the UNFPA does not fund abortions.

WAR CRIMINALS

SEC. 561. (a)(1) None of the funds appropriated or otherwise made available pursuant to this Act may be made available for assistance, and the Secretary of the Treasury shall instruct the United States executive directors to the international financial institutions to vote against any new project involving the extension by such institutions of any financial or technical assistance, to any country, entity, or municipality whose competent authorities have failed, as determined by the Secretary of State, to take necessary and significant steps to implement its international legal obligations to apprehend and transfer to the International Criminal Tribunal for the former Yugoslavia (the ''Tribunal'') all persons in their territory who have been indicted by the Tribunal and to otherwise cooperate with the Tribunal.

(2) The provisions of this subsection shall not apply to humanitarian assistance or assistance for democratization.

(b) The provisions of subsection (a) shall apply unless the Secretary of State determines and reports to the appropriate congressional committees that the competent authorities of such country, entity, or municipality are—

(1) cooperating with the Tribunal, including access for investigators to archives and witnesses, the provision of documents, and the surrender and transfer of indictees or assistance in their apprehension; and

(2) are acting consistently with the Dayton Accords.

(c) Not less than 10 days before any vote in an international financial institution regarding the extension of any new project involving financial or technical assistance or grants to any country or entity described in subsection (a), the Secretary of the Treasury, in consultation with the Secretary of State, shall provide to the Committees on Appropriations a written justification for the proposed assistance, including an explanation of the United States position regarding any such vote, as well as a description of the location of the proposed assistance by municipality, its purpose, and its intended beneficiaries.

(d) In carrying out this section, the Secretary of State, the Administrator of the United States Agency for International Development, and the Secretary of the Treasury shall consult with representatives of human rights organizations and all government agencies with relevant information to help prevent indicted war criminals from benefiting from any financial or technical assistance or grants provided to any country or entity described in subsection (a).

(e) The Secretary of State may waive the application of subsection (a) with respect to projects within a country, entity, or municipality upon a written determination to the Committees on Appropriations that such assistance directly supports the implementation of the Dayton Accords.

(f) DEFINITIONS.—As used in this section:

(1) COUNTRY.—The term ''country'' means Bosnia and Herzegovina, Croatia and Serbia.

(2) ENTITY.—The term ''entity'' refers to the Federation of Bosnia and Herzegovina, Kosovo, Montenegro and the Republika Srpska.

(3) MUNICIPALITY.—The term ''municipality'' means a city, town or other subdivision within a country or entity as defined herein.

(4) DAYTON ACCORDS.—The term ''Dayton Accords'' means the General Framework Agreement for Peace in Bosnia and Herzegovina, together with annexes relating thereto, done at Dayton, November 10 through 16, 1995.

USER FEES

SEC. 562. The Secretary of the Treasury shall instruct the United States Executive Director at each international financial institution (as defined in section 1701(c)(2) of the International Financial Institutions Act) and the International Monetary Fund to oppose any loan, grant, strategy or policy of these institutions that would require user fees or service charges on poor people for primary education or primary healthcare, including prevention and treatment efforts for HIV/AIDS, malaria, tuberculosis, and infant, child, and maternal well-being, in connection with the institutions' financing programs.

FUNDING FOR SERBIA

SEC. 563. (a) Funds appropriated by this Act may be made available for assistance for the central Government of Serbia after May 31, 2006, if the President has made the determination and certification contained in subsection (c).

(b) After May 31, 2006, the Secretary of the Treasury should instruct the United States executive directors to the international financial institutions to support loans and assistance to the Government of Serbia and Montenegro subject to the conditions in subsection (c): *Provided*, That section 576 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997, as amended, shall not apply to the provision of loans and assistance to the Government of Serbia and Montenegro through international financial institutions.

(c) The determination and certification referred to in subsection (a) is a determination by the President and a certification to the Committees on Appropriations that the Government of Serbia and Montenegro is—

(1) cooperating with the International Criminal Tribunal for the former Yugoslavia including access for investigators, the provision of documents, and the surrender and transfer of indictees or assistance in their apprehension, including making all practicable efforts to apprehend and transfer Ratko Mladic;

(2) taking steps that are consistent with the Dayton Accords to end Serbian financial, political, security and other support which has served to maintain separate Republika Srpska institutions; and

(3) taking steps to implement policies which reflect a respect for minority rights and the rule of law.

(d) This section shall not apply to Montenegro, Kosovo, humanitarian assistance or assistance to promote democracy.

COMMUNITY-BASED POLICE ASSISTANCE

SEC. 564. (a) AUTHORITY.—Funds made available by this Act to carry out the provisions of chapter 1 of part I and chapter 4 of

part II of the Foreign Assistance Act of 1961, may be used, notwithstanding section 660 of that Act, to enhance the effectiveness and accountability of civilian police authority through training and technical assistance in human rights, the rule of law, strategic planning, and through assistance to foster civilian police roles that support democratic governance including assistance for programs to prevent conflict, respond to disasters, address gender-based violence, and foster improved police relations with the communities they serve.

(b) NOTIFICATION.—Assistance provided under subsection (a) shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

SPECIAL DEBT RELIEF FOR THE POOREST

SEC. 565. (a) AUTHORITY TO REDUCE DEBT.—The President may reduce amounts owed to the United States (or any agency of the United States) by an eligible country as a result of—

(1) guarantees issued under sections 221 and 222 of the Foreign Assistance Act of 1961;

(2) credits extended or guarantees issued under the Arms Export Control Act; or

(3) any obligation or portion of such obligation, to pay for purchases of United States agricultural commodities guaranteed by the Commodity Credit Corporation under export credit guarantee programs authorized pursuant to section 5(f) of the Commodity Credit Corporation Charter Act of June 29, 1948, as amended, section 4(b) of the Food for Peace Act of 1966, as amended (Public Law 89–808), or section 202 of the Agricultural Trade Act of 1978, as amended (Public Law 95–501).

(b) LIMITATIONS.—

(1) The authority provided by subsection (a) may be exercised only to implement multilateral official debt relief and referendum agreements, commonly referred to as ''Paris Club Agreed Minutes''.

(2) The authority provided by subsection (a) may be exercised only in such amounts or to such extent as is provided in advance by appropriations Acts.

(3) The authority provided by subsection (a) may be exercised only with respect to countries with heavy debt burdens that are eligible to borrow from the International Development Association, but not from the International Bank for Reconstruction and Development, commonly referred to as ''IDA-only'' countries.

(c) CONDITIONS.—The authority provided by subsection (a) may be exercised only with respect to a country whose government—

(1) does not have an excessive level of military expenditures;

(2) has not repeatedly provided support for acts of international terrorism;

(3) is not failing to cooperate on international narcotics control matters;

(4) (including its military or other security forces) does not engage in a consistent pattern of gross violations of internationally recognized human rights; and

(5) is not ineligible for assistance because of the application of section 527 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995.

(d) AVAILABILITY OF FUNDS.—The authority provided by subsection (a) may be used only with regard to the funds appropriated by this Act under the heading ''Debt Restructuring''.

(e) CERTAIN PROHIBITIONS INAPPLICABLE.—A reduction of debt pursuant to subsection (a) shall not be considered assistance for the purposes of any provision of law limiting assistance to a country. The authority provided by subsection (a) may be exercised notwithstanding section 620(r) of the Foreign Assistance Act of 1961 or section 321 of the International Development and Food Assistance Act of 1975.

AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR SALES

SEC. 566. (a) LOANS ELIGIBLE FOR SALE, REDUCTION, OR CANCELLATION.—

(1) AUTHORITY TO SELL, REDUCE, OR CANCEL CERTAIN LOANS.—Notwithstanding any other provision of law that restricts assistance to foreign countries, the President may, in accordance with this section, sell to any eligible purchaser any concessional loan or portion thereof made before January 1, 1995, pursuant to the Foreign Assistance Act of 1961, to the government of any eligible country as defined in section 702(6) of that Act or on receipt of payment from an eligible purchaser, reduce or cancel such loan or portion thereof, only for the purpose of facilitating—

(A) debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps; or

(B) a debt buyback by an eligible country of its own qualified debt, only if the eligible country uses an additional amount of the local currency of the eligible country, equal to not less than 40 percent of the price paid for such debt by such eligible country, or the difference between the price paid for such debt and the face value of such debt, to support activities that link conservation and sustainable use of natural resources with local community development, and child survival and other child development, in a manner consistent with sections 707 through 710 of the Foreign Assistance Act of 1961, if the sale, reduction, or cancellation would not contravene any term or condition of any prior agreement relating to such loan.

(2) TERMS AND CONDITIONS.—Notwithstanding any other provision of law, the President shall, in accordance with this section, establish the terms and conditions under which loans may be sold, reduced, or canceled pursuant to this section.

(3) ADMINISTRATION.—The Facility, as defined in section 702(8) of the Foreign Assistance Act of 1961, shall notify the administrator of the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961 of purchasers that the President has determined to be eligible, and shall direct such agency to carry out the sale, reduction, or cancellation of a loan pursuant to this section. Such agency shall make adjustment in its accounts to reflect the sale, reduction, or cancellation.

(4) LIMITATION.—The authorities of this subsection shall be available only to the extent that appropriations for the cost of the modification, as defined in section 502 of the Congressional Budget Act of 1974, are made in advance.

(b) DEPOSIT OF PROCEEDS.—The proceeds from the sale, reduction, or cancellation of any loan sold, reduced, or canceled pursuant to this section shall be deposited in the United States Government account or accounts established for the repayment of such loan.

(c) ELIGIBLE PURCHASERS.—A loan may be sold pursuant to subsection (a)(1)(A) only to a purchaser who presents plans satisfactory to the President for using the loan for the purpose of engaging in debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps.

(d) DEBTOR CONSULTATIONS.—Before the sale to any eligible purchaser, or any reduction or cancellation pursuant to this section, of any loan made to an eligible country, the President should consult with the country concerning the amount of loans to be sold, reduced, or canceled and their uses for debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps.

(e) AVAILABILITY OF FUNDS.—The authority provided by subsection (a) may be used only with regard to funds appropriated by this Act under the heading ''Debt Restructuring''.

BASIC EDUCATION

SEC. 567. Of the funds appropriated by title II of this Act, not less than $465,000,000 shall be made available for basic education, of which not less than $250,000 shall be provided to the Comptroller General of the United States to prepare an analysis of United States funded international basic education programs: *Provided,* That the analysis, which should be submitted to the Committee within nine months of enactment of this Act, shall include, but not be limited to:

(1) the amount of funds provided for basic education by all United States Government agencies in fiscal years 2001, 2002, 2003, 2004, and 2005;

(2) a country-by-country and project-by-project breakdown of such funds;

(3) an analysis of host country contributions to education at the local, provincial, and federal level;

(4) the amount of funds, including loans, provided for basic education by other major bilateral donors and multilateral institutions, including United Nations agencies and the World Bank Group, including a historical view of such levels;

(5) an analysis of United States efforts to increase the commitment of other major bilateral donors and multilateral institutions to basic education;

(6) an analysis of how various United States Government agencies coordinate in the provision of such assistance, including how such coordination contributes to achievement of the Millennium Development Goals with respect to basic education;

(7) an analysis of the effect of the quadrupling of United States assistance for basic education since fiscal year 2001 on education programs in the developing world; and

(8) recommendations on the content and structure of United States assistance that would increase its effectiveness in promoting literary and numeracy.

RECONCILIATION PROGRAMS

SEC. 568. Of the funds appropriated under the heading ''Economic Support Fund'', not less than $15,000,000 should be made available to support reconciliation programs and activities which bring together individuals of different ethnic, religious, and political backgrounds from areas of civil conflict and war.

SUDAN

SEC. 569. (a) AVAILABILITY OF FUNDS.—Of the funds appropriated by title II of this Act, not less than $367,000,000 should be made available for assistance for Sudan.

(b) LIMITATION ON ASSISTANCE.—Subject to subsection (c):

(1) Notwithstanding section 501(a) of the International Malaria Control Act of 2000 (Public Law 106–570) or any other provision of law that restricts funds for foreign countries, none of the funds appropriated by this Act may be made available for assistance for the Government of Sudan.

(2) None of the funds appropriated by this Act may be made available for the cost, as defined in section 502, of the Congressional Budget Act of 1974, of modifying loans and loan guarantees held by the Government of Sudan, including the cost of selling, reducing, or canceling amounts owed to the United States, and modifying concessional loans, guarantees, and credit agreements.

(c) Subsection (b) shall not apply if the Secretary of State determines and certifies to the Committees on Appropriations that—

(1) the Government of Sudan has taken significant steps to disarm and disband government-supported militia groups in the Darfur region;

(2) the Government of Sudan and all government-supported militia groups are honoring their commitments made in the ceasefire agreement of April 8, 2004; and

(3) the Government of Sudan is allowing unimpeded access to Darfur to humanitarian aid organizations, the human rights investigation and humanitarian teams of the United Nations, including protection officers, and an international monitoring team that is based in Darfur and that has the support of the United States.

(d) EXCEPTIONS.—The provisions of subsection (b) shall not apply to—

(1) humanitarian assistance;

(2) assistance for Darfur and for areas outside the control of the Government of Sudan; and

(3) assistance to support implementation of the Comprehensive Peace Agreement.

(e) DEFINITIONS.—For the purposes of this Act and section 501 of Public Law 106–570, the terms ''Government of Sudan'', ''areas outside of control of the Government of Sudan'', and ''area in Sudan outside of control of the Government of Sudan'' shall have the same meaning and application as was the case immediately prior to June 5, 2004, and, Southern Kordofan/Nuba Mountains State, Blue Nile State and Abyei shall be deemed ''areas outside of control of the Government of Sudan''.

TRADE CAPACITY BUILDING

SEC. 570. Of the funds appropriated by this Act, under the headings ''Trade and Development Agency'', ''Development Assistance'', ''Transition Initiatives'', ''Economic Support Fund'', ''International Affairs Technical Assistance'', and ''International Organizations and Programs'', not less than $522,000,000 should be made available for trade capacity building assistance: *Provided*, That $20,000,000 of the funds appropriated in this Act under the heading ''Economic Support Fund'' shall be made available for labor and environmental capacity building activities relating to the free trade agreement with the countries of Central America and the Dominican Republic.

EXCESS DEFENSE ARTICLES FOR CENTRAL AND SOUTH EUROPEAN COUNTRIES AND CERTAIN OTHER COUNTRIES

SEC. 571. Notwithstanding section 516(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e)), during fiscal year 2006, funds available to the Department of Defense may be expended for crating, packing, handling, and transportation of excess defense articles transferred under the authority of section 516 of such Act to Albania, Afghanistan, Bulgaria, Croatia, Estonia, Former Yugoslavian Republic of Macedonia, Georgia, India, Iraq, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Mongolia, Pakistan, Romania, Slovakia, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan.

CUBA

SEC. 572. None of the funds appropriated by this Act under the heading ''International Narcotics Control and Law Enforcement'' may be made available for assistance to the Government of Cuba.

GENDER-BASED VIOLENCE TRAINING

SEC. 573. Programs funded under titles II and III of this Act that provide training for foreign police, judicial, and military officials, shall include instruction on how to address incidences and victims of gender-based violence: *Provided*, That the Secretary of State, in consultation with the Secretary of Defense, shall report to the Committee on Appropriations, no later than 180 days after enactment of this Act, how such instruction is being incorporated into programs funded under titles II and III of this Act.

LIMITATION ON ECONOMIC SUPPORT FUND ASSISTANCE FOR CERTAIN FOREIGN GOVERNMENTS THAT ARE PARTIES TO THE INTERNATIONAL CRIMINAL COURT

SEC. 574. (a) None of the funds made available in this Act in title II under the heading ''Economic Support Fund'' may be used to provide assistance to the government of a country that is a party to the International Criminal Court and has not entered into an agreement with the United States pursuant to Article 98 of the Rome Statute preventing the International Criminal Court from proceeding against United States personnel present in such country.

(b) The President may, with prior notice to Congress, waive the prohibition of subsection (a) with respect to a North Atlantic Treaty Organization (''NATO'') member country, a major non-NATO ally (including Australia, Egypt, Israel, Japan, Jordan, Argentina, the Republic of Korea, and New Zealand), Taiwan, or such other country as he may determine if he determines and reports to the appropriate congressional committees that it is important to the national interests of the United States to waive such prohibition.

(c) The President may, with prior notice to Congress, waive the prohibition of subsection (a) with respect to a particular country if he determines and reports to the appropriate congressional committees that such country has entered into an agreement with the United States pursuant to Article 98 of the Rome Statute preventing the International Criminal Court from proceeding against United States personnel present in such country.

(d) The prohibition of this section shall not apply to countries otherwise eligible for assistance under the Millennium Challenge Act of 2003, notwithstanding section 606(a)(2)(B) of such Act.

TIBET

SEC. 575. (a) The Secretary of the Treasury should instruct the United States executive director to each international financial institution to use the voice and vote of the United States to support projects in Tibet if such projects do not provide incentives for the migration and settlement of non-Tibetans into Tibet or facilitate the transfer of ownership of Tibetan land and natural resources to non-Tibetans; are based on a thorough needs-assessment; foster self-sufficiency of the Tibetan people and respect Tibetan culture and traditions; and are subject to effective monitoring.

(b) Notwithstanding any other provision of law that restricts assistance to foreign countries, not less than $4,000,000 of the funds appropriated by this Act under the heading ''Economic Support Fund'' should be made available to nongovernmental organizations to support activities which preserve cultural traditions and promote sustainable development and environmental conservation in Tibetan communities in the Tibetan Autonomous Region and in other Tibetan communities in China.

CENTRAL AMERICA

SEC. 576. Of the funds appropriated by this Act under the headings ''Child Survival and Health Programs Fund'' and ''Development Assistance'', not less than the amount of funds initially allocated pursuant to section 653(a) of the Foreign Assistance Act of 1961 for fiscal year 2005 should be made available for El Salvador, Guatemala, Nicaragua and Honduras.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT MANAGEMENT

SEC. 577. (a) AUTHORITY.—Up to $75,000,000 of the funds made available in this Act to carry out the provisions of part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading ''Assistance for Eastern Europe and the Baltic States'', may be used by the United States Agency for International Development (USAID) to hire and employ individuals in the United States and overseas on a limited appointment basis pursuant to the authority of sections 308 and 309 of the Foreign Service Act of 1980.

(b) RESTRICTIONS.—

(1) The number of individuals hired in any fiscal year pursuant to the authority contained in subsection (a) may not exceed 175.

(2) The authority to hire individuals contained in subsection (a) shall expire on September 30, 2008.

(c) CONDITIONS.—The authority of this section may only be used to the extent that an equivalent number of positions that are filled by personal services contractors or other nondirect-hire employees of USAID, who are compensated with funds appropriated to carry out part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading ''Assistance for Eastern Europe and the Baltic States'', are eliminated.

(d) PRIORITY SECTORS.—In exercising the authority of this section, primary emphasis shall be placed on enabling USAID to meet personnel positions in technical skill areas currently encumbered by contractor or other nondirect-hire personnel.

(e) CONSULTATIONS.—The USAID Administrator shall consult with the Committees on Appropriations at least on a quarterly basis concerning the implementation of this section.

(f) PROGRAM ACCOUNT CHARGED.—The account charged for the cost of an individual hired and employed under the authority of this section shall be the account to which such individual's responsibilities primarily relate. Funds made available to carry out this section may be transferred to and merged and consolidated with funds appropriated for ''Operating Expenses of the United States Agency for International Development''.

(g) DISASTER SURGE CAPACITY.—Funds appropriated by this Act to carry out part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading ''Assistance for Eastern Europe and the Baltic States'', may be used, in addition to funds otherwise available for such purposes, for the cost (including the support costs) of individuals detailed to or employed by the United States Agency for International Development whose primary responsibility is to carry out programs in response to natural disasters.

HIPC DEBT REDUCTION

SEC. 578. Section 501(b) of H.R. 3425, as enacted into law by section 1000(a)(5) of division B of Public Law 106–113 (113 Stat. 1501A–311), is amended by adding at the end the following new paragraph:

''(5) The Act of March 11, 1941 (chapter 11; 55 Stat. 31; 22 U.S.C. 411 et seq.; commonly known as the 'Lend-Lease Act').''

OPIC TRANSFER AUTHORITY

(INCLUDING TRANSFER OF FUNDS)

SEC. 579. Whenever the President determines that it is in furtherance of the purposes of the Foreign Assistance Act of 1961, up to a total of $20,000,000 of the funds appropriated under title II of this Act may be transferred to and merged with funds appropriated by this Act for the Overseas Private Investment Corporation Program Account, to be subject to the terms and conditions of that account: *Provided*, That such funds shall not be available for administrative expenses of the Overseas Private Investment Corporation: *Provided further*, That funds earmarked by this Act shall not be transferred pursuant

to this section: *Provided further*, That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

CONFLICT RESPONSE

(INCLUDING TRANSFER OF FUNDS)

SEC. 580. Whenever the Secretary of State determines that it is in the national interest of the United States, the Secretary is authorized to furnish reconstruction and stabilization assistance, on such terms and conditions as the Secretary may determine, for the purpose of preventing, responding to, or enabling transition from conflict or civil strife in foreign countries or regions: *Provided*, That the Secretary may transfer up to $100,000,000 among accounts of the Department of State and to other Federal agencies as necessary to carry out these authorities: *Provided further*, That pursuant to a determination by the Secretary of State that it is in the national interest of the United States to prevent or respond to conflict or civil strife in foreign countries or regions, or to enable transition from such strife assistance provided under this paragraph, as well as assistance provided with funds appropriated under titles II and III of this Act for countries subject to a determination made under this paragraph, may be used: *Provided further*, That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

RESCISSION

SEC. 581. Of the funds provided in title II of Public Law 108–447, under the heading ''Other Bilateral Economic Assistance, Economic Support Fund'', $64,000,000 is hereby rescinded.

ANTICORRUPTION PROVISIONS

SEC. 582. Twenty-five percent of the funds appropriated by this Act under the headings ''International Development Association'', shall be withheld from obligation until the Secretary of the Treasury certifies to the appropriate congressional committees that—

(a) World Bank procurement guidelines are applied to all procurement financed in whole or in part by a loan from the International Bank for Reconstruction and Development (IBRD) or a credit agreement or grant from the International Development Association (IDA);

(b) the World Bank proposal ''Increasing the Use of Country Systems in Procurement'' dated March 2005 has been withdrawn;

(c) the World Bank is maintaining a strong central procurement office staffed with senior experts who are designated to address commercial concerns, questions, and complaints regarding procurement procedures and payments under IDA and IBRD projects;

(d) thresholds for international competitive bidding are established to maximize international competitive bidding in accordance with sound procurement practices, including transparency, competition, and cost-effective results for the Borrowers;

(e) all tenders under the World Bank's national competitive bidding provisions are subject to the same advertisement requirements as tenders under international competitive bidding; and

(f) loan agreements are made public between the World Bank and the Borrowers.

The Acting CHAIRMAN. Are there any points of order?

POINT OF ORDER

Mr. JENKINS. Mr. Chairman, I have a point of order.

The Acting CHAIRMAN. The gentleman will state it.

Mr. JENKINS. Mr. Chairman, I make a point of order against what was left unprotected by H. Res. 341 in section 565 that begins on page 113, line 26, through page 114, line 10, for the reason that it violates rule XXI, clause 2, which prohibits legislative language in a general appropriations bill.

The Acting CHAIRMAN. Does any other Member wish to be heard on the point of order?

Mr. KOLBE. Mr. Chairman, I concede the point of order.

The Acting CHAIRMAN. The point of order is conceded and sustained. The provision is stricken from the bill.

AMENDMENT OFFERED BY MR. BEAUPREZ

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BEAUPREZ:

Page 132, after line 13, insert the following:

LIMITATION ON ASSISTANCE TO FOREIGN COUNTRIES THAT REFUSE TO EXTRADITE TO THE UNITED STATES ANY INDIVIDUAL ACCUSED IN THE UNITED STATES OF KILLING A LAW ENFORCEMENT OFFICER

SEC. ____. None of the funds made available in this Act for the Department of State may be used to provide assistance to any country the government of which has notified the Department of State of its refusal to extradite to the United States any individual accused in the United States of killing a law enforcement officer, as specified in a United States extradition request.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Colorado (Mr. BEAUPREZ) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado (Mr. BEAUPREZ).

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

Mr. Chairman, I want to first of all acknowledge the hard work and dedication of the chairman, the gentleman from Arizona (Mr. KOLBE), and the ranking member, the gentlewoman from New York (Mrs. LOWEY), for their dedication and the construction of a very, very good bill.

But I rise tonight with an amendment, and the intent of this amendment is very, very simple. It is to return cop killers back to the United States to stand trial in our country, the same country in which they committed their unthinkable crime.

The problem was brought to my attention last month after Denver Police Detective Donnie Young was allegedly executed by Raul Gomez-Garcia. After killing Detective Young and shooting and wounding his partner, Gomez-Garcia fled to Mexico, where he was tracked down and arrested weeks later. The Mexican Government now refuses to extradite him back to the U.S. if there is any chance he could spend life in prison without parole. Detective Young's widow and his two children now face the further tragedy of either partial justice or no justice at all being served to her husband's killer.

In another case, in 2002, a convicted felon who had been deported three times allegedly shot and killed a Los Angeles County sheriff following a routine traffic stop before fleeing to Mexico, where he remains today, essentially escaping justice.

The U.S. should not be forced to plea bargain with other countries in order to try criminals, especially cop killers, in our own courts. As a good neighbor, Mexico should live up to their end of our extradition treaty. Killing a police officer is one of the most egregious crimes, and we should have the right to seek justice for the families of the slain officers.

The U.S. is not obliged to give foreign aid, and we should not reward nations giving safe haven to cop killers. I ask my colleagues to vote for this commonsense amendment that will bring help and peace and justice to those who deserve it most.

Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. MCHENRY).

Mr. MCHENRY. Mr. Chairman, I certainly appreciate the gentleman's leadership in the State of Colorado and here in Washington, D.C. on this issue, about fighting to protect our law enforcement officers.

There is a growing problem in this Nation where criminals will commit violent crimes, including murdering law enforcement officers, and flee to nations that refuse to extradite to the United States those criminals because of our tough sentencing laws, including mandatory minimum sentences.

This amendment is simple: it will not allow taxpayer funds to go to nations that refuse to stand with us against the vile act of murdering law enforcement officers.

Law enforcement officers across this country are bravely fighting crime, responding to emergencies, and protecting our rights. We have an opportunity to stand up for them with this amendment here today. When countries do not extradite their criminals, it actually creates a twisted incentive to be even more violent in their crimes. The more violent the crime, the tougher the sentence here in the United States; and the tougher the sentence, the less likely they are to be subject to extradition.

The Beauprez-McHenry amendment will apply the pressure that usually gets the best results, and that is withholding tax dollars to those countries. I, for one, think it is prudent and just that we require nations to extradite cop killers before receiving aid through this appropriations process.

Again, I applaud my colleague, the gentleman from Colorado (Mr. BEAUPREZ). I certainly appreciate his representation of his constituents in Colorado, I thank him for his leadership and friendship, and I urge my colleagues to vote for the Beauprez-McHenry amendment when the time comes and protect our law enforcement officers across this Nation.

Mr. KOLBE. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from Arizona is recognized for 5 minutes.

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

Mr. Chairman, I do rise in strong opposition to the gentleman's amendment that would cut off assistance for U.S. programs in Mexico, and let us make it clear that Mexico is the country we are talking about today, no other.

The amendment is based on the wrong assumption that U.S. foreign assistance to Mexico is only in Mexico's national interests. I am here to say that the funding in this amendment prohibits the United States' national interest, so I would urge my colleagues to vote ''no''.

President Bush and his Office of National Drug Control Policy are fully supportive of the assistance we provide in this bill for the country of Mexico. The bulk of that assistance takes the form of international narcotics and law enforcement, roughly around $40 million. There is another $11 million in ESF funds that support democracy and the rule-of-law programs. Around $22 million supports child survival and development programs. All of these resources are central to the U.S. national interest.

This amendment could directly cut off $40 million in resources that are essential for our counternarcotics assistance, law enforcement assistance, and border securities. We do not, in other words, with this amendment, gain any kind of leverage over the country of Mexico.

I highlight the fact that this assistance is more for us than Mexico because the objective of this assistance is to increase U.S. national and border security, something I am acutely aware of, living along the border. Cutting off these funds would be very shortsighted and would serve to hurt U.S. interests, not the interests of Mexico.

For decades, the U.S.-Mexico relationship was one of acrimony, distrust, and a lack of good working relationship to meet the challenges of the enormous border relationship between our two countries.

Only with the passage of NAFTA, 10 years ago, were we able to write a new chapter in U.S.-Mexico relations. We started down a path of deeper cooperation in order to spur development in Mexico, secure our shared borders, and fight the flow of illegal drugs across our territories.

□ 1845

Passage of this amendment could have a devastating impact on that effort to stop the flow of drugs.

I would point out that Mexico has offered tremendous cooperation in improving border security and counterterrorism efforts. Let me cite just a couple of things. During the threat to aviation security at the end of 2003, Mexico worked closely with the U.S. Government canceling some flights, Air Mexico flights to Los Angeles and stepping up passenger screening. They stopped those flights in direct response to our request. At the commencement of the war in Iraq, the Government of Mexico implemented a plan and its military assumed a higher state of alert for potential targets of international terrorism, including key infrastructure sites and centers of tourism. Third, multilaterally, Mexico is party to all 12 United States conventions and protocols against terrorism and has hosted several conferences on security.

I believe this amendment would undermine the spirit of cooperation and the degree of cooperation that we have achieved, and I do not think this amendment reflects the priorities of the national interest of the United States. I would urge my colleagues to vote ''no'' on it.

Mrs. LOWEY. Mr. Chairman, will the gentleman yield?

Mr. KOLBE. I yield to the gentlewoman from New York.

Mrs. LOWEY. Mr. Chairman, I rise to associate myself with the comments of the chairman. I think that this amendment would be detrimental to the national security, and I urge my colleagues to defeat it.

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

Mr. BEAUPREZ. Mr. Chairman, I yield myself the remaining time.

I could not agree more with the chairman that this is more for the U.S. than it is for our neighbors. I also want to state for the record that I have enormous fondness for our neighbors to the south. I have 20 percent Hispanics in my district and many of them came from Mexico. One of my earliest childhood memories is of migrant workers sitting around our kitchen table at our farm, my mother cooking them lunch as they harvested our crops, thrashing the grain crop from our dairy farm. I have great fondness for them but, I also believe, as the gentleman stated, in the rule of law.

Let me quote Steve Cooley, the Los Angeles District Attorney. ''As you are aware, the Mexican Supreme Court unilaterally altered the Extradition Treaty in 2001.'' He goes on to say, ''This decision and its application to the Extradition Treaty between the United States and Mexico is clearly violative of the Treaty.''

That is what we are talking about tonight. We have a treaty in place. Good neighbors mean what they say and say what they mean, and live by treaties that are reached.

This amendment is all about just being honest and fair-dealing with good friends. We intend to be a good friend of Mexico and other nations around the globe. We will live by our treaties, and we ask that they live by theirs.

I urge my colleagues to support my amendment.

Mr. KOLBE. Mr. Chairman, I yield myself the remaining time.

I would just briefly close by citing just a few statistics on extraditions. I have had the privilege over the last 10 years now of serving as chairman of the U.S.-Mexico Interparliamentary meeting. I can remember when I first started attending 20 years ago, extradition was the issue that we are always talking about. We do not talk about that very much anymore, and the reason is very simple.

The first 14 years of the Extradition Treaty with Mexico, from 1980 to 1994, a total of 14 years, Mexico extradited eight, a total of eight fugitives to the United States. Between 1996 and 2000, Mexico extradited an annual average of 13 fugitives each year to the United States.

Mexico has extradited more fugitives every year between 1996 and 2000 than in the first 15 years of the Bilateral Extradition Treaty combined. In 2004 they extradited a record 34 fugitives to the U.S., up from the record numbers of 17 in 2001, a record number of 25 in 2002, and 31 in 2003. These include 19 Mexican nationals and 17 narcotics defendants.

So I think there is no question that Mexico is doing what they can do. Can there be more done? Can they do better? Do we have areas of disagreement? Yes, we do, and one of these issues is the matter of the length of term for which a person may be sentenced to prison. We are working with them on that.

But I would urge my colleagues that this amendment is certainly not going to help us get a cooperative attitude with Mexico if it were to pass. I urge its defeat.

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

The Acting CHAIRMAN (Mr. HEFLEY). The question is on the amendment offered by the gentleman from Colorado (Mr. BEAUPREZ).

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

Mr. BEAUPREZ. 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 Colorado (Mr. BEAUPREZ) will be postponed.

PARLIAMENTARY INQUIRY

Mr. WEINER. Mr. Chairman, I have a parliamentary inquiry.

The Acting CHAIRMAN. The gentleman will state it.

Mr. WEINER. Is this the appropriate place in the reading for a limiting amendment?

The Acting CHAIRMAN. The gentleman may offer his amendment.

AMENDMENT OFFERED BY MR. WEINER

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

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. WEINER:

At the end of the bill (before the short title), insert the following:

PROHIBITION AGAINST DIRECT FUNDING FOR SAUDI ARABIA

SEC. ___. None of the funds appropriated or otherwise made available pursuant to this

Act shall be obligated or expended to finance any assistance to Saudi Arabia.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from New York (Mr. WEINER) and the gentleman from Arizona (Mr. KOLBE) each will control 5 minutes.

The Chair recognizes the gentleman from New York (Mr. WEINER).

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

Mr. Chairman, perhaps the more appropriate question about this amendment is not why should we restrict any funds in this bill from going to the Nation of Saudi Arabia, but why should we allow any funds from this or any other budget to be going to Saudi Arabia.

There is not much in the bill, but there is $25,000 for the Saudis, the IMET program. More importantly, that money triggers allocations in future bills that permit the Saudis to buy U.S. arms at a discounted rate.

The administration, when they were asked to justify why we would give any money to a nation that exports terror, a nation that is getting almost $60 for a barrel of crude oil, here is what they say in their State Department budget justification: ''While Saudi Arabia controls the world's largest oil reserve, it faces an increasing budget pressure.''

So I guess one of the reasons we are providing aid to the Saudis is because of their budget pressures.

Frankly, we have heard a great deal over the course of years; in fact, the distinguished chairman of the subcommittee, who has done a terrific job on this bill in many ways, has argued in the past that the Saudis are doing better, they are doing better at cracking down on crime. But on May 28 of 2005, Syria arrested 300 Saudis trying to cross the border into Iraq to join the Jihad against the United States. I would say to my colleagues in the House that if you are relying on Syria to crack down on terrorism against Saudi Arabia, you know you have trouble.

Recently, a report in The Washington Post analyzed all of the Web sites where Jihadists brag about their so-called martyrdom, places where they list those who have given their lives so that they can blow up others, including our troops. They concluded that 70 percent of the homicide bombers on Islamic extremist Web sites are Saudis. Sixty-one percent of the Arab martyrs in Iraq are Saudis. This is just in recent months, in recent times since our last bill passed.

According to Ambassador Dory Gold, in testimony before a Subcommittee of the House Committee on International Relations in July of 2003, at least 50 percent of the funding for Hamas is Saudi blood money.

We all know the history of Osama bin Laden. When he left Saudi Arabia, he did so with, by some estimates, nearly $1 billion of Saudi blood money which was subsequently used, as we know, to attack my city, and others.

The time has come for us to say once again, just as we did last year in this bill, no aid to Saudi Arabia, no aid to a country that exports Wahabisim, no aid to a country that exports terrorism, no aid to a country that has been worse than uncooperative in our efforts to control worldwide oil prices.

There is no other way to view the Saudis except as our enemies, not as our friends. Nothing, I think, was more troubling for many of us than to see the President waiting in Crawford, Texas for over an hour while the Crown Prince came and then gave a lecture to our President on the way to fight terrorism.

The way we in the House should fight terrorism is to not provide any more aid to the Saudis, and my amendment would do that.

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

Mr. KOLBE. Mr. Chairman, I rise in opposition to the amendment, and I yield myself such time as I may consume.

This is another one of those amendments that is difficult to speak against, I suppose, because we all have our problems with the record in Saudi Arabia. But it is also one that when we look at it in the cold light, I think we recognize that it does not do what it says it is going to do, it is symbolic, and the symbolism comes down on the wrong side.

In the past there have been elements, certainly, of the Saudi Government that have not been helpful to the United States in its Global War on Terrorism but, in the past few years, the Government of Saudi Arabia has greatly increased its efforts to root out terrorism and has increased its cooperation with the United States Government.

Now, this bill provides a really very small sum of $25,000 to the International Military Education and Training program, or IMET, to help train and increase military contracts with the Saudi military. Some would say, what could you possibly do for $25,000, and why do we not charge the Saudi Government for this training? In fact, that is exactly what we do. By providing this sum of $25,000, about the cost of training one officer, we allow them access to the program, and this results in Saudi Arabia spending approximately $13 million of its own funds on an annual basis to train over 400 students at U.S. military schools. This training exposes Saudi officers to U.S. military doctrines, training regimes, systems and, most importantly, to U.S. values.

With the Global War on Terrorism, now is not the time to turn our backs on those who have albeit belatedly, turned to us for assistance and cooperation. We need all the friends and the allies that we can get in this fight against terrorism. There is no question that the Saudi Arabian government has been remiss in the past in its commitments to combating terrorism, but that is changing and, above all, we need to be encouraging the change, not discouraging it, which is precisely, of course, what this amendment would do.

So let us not drive a wedge between the United States and the Arab regimes that are cooperating with us on the War on Terrorism. I urge that we defeat this amendment.

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

Mrs. LOWEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the Weiner amendment. This provision was included in the fiscal year 2005 Foreign Operations bill, and I believe it should be included again.

This is a common sense amendment. It sends a message to Saudi Arabia that the United States is serious about reform.

We impatiently await Saudi Government efforts to eliminate anti-Semitic and anti-Israel propaganda from its state-controlled media. We are looking for democratic reforms in Saudi Arabia, including reforms that would allow the women of that country a voice in shaping their country.

We still have not seen Saudi Arabia disavow its propaganda campaign against Christians and Jews, a campaign that is alive and well here in our very own country, as Saudi-exported materials inciting hatred and prejudice are made available at Saudi-supported American mosques.

In short, it is all carrot these days and too little sticks. The Weiner amendment provides some incentive for change in Saudi Arabia. I urge my colleagues to support the amendment.

Mr. Chairman, I am happy to yield to the gentlewoman from Nevada (Ms. BERKLEY).

Ms. BERKLEY. Mr. Chairman, I thank the gentlewoman, and I want to thank the gentleman from New York (Mr. WEINER) for introducing this amendment yet again, which I have supported year after year. I rise in strong support of this amendment.

No one is born knowing how to hate; it needs to be taught. The Saudi Kingdom, our purported partner in peace, have turned teaching hatred into a perverted art form. Saudi textbooks, official publications of the Education Ministry, paint a hate-filled, distorted portrait of a world in which Israel does not exist, the 9/11 attacks were perpetrated by a worldwide Zionist conspiracy, and the protocols of the Elders of Zion is taught as history.

Saudi Arabia's religious beliefs have banned Barbie dolls, calling them Jewish toys that are offensive to Islam.

Last year, Saudi Crown Prince Abdullah was quoted as telling Saudi television that ''Zionists'' were behind the attack at the oil facility at Yanbu. The Crown Prince was also quoted as saying, ''Our country is targeted, you know who is behind all of this. It is Zionism.''

Fifteen of the 19 9/11 attackers were Saudi nationals; we all know that.

Knowing this, did the Saudi government express one word of remorse or regret to the families of the victims? No, not one word.

The Saudis and President Bush are constantly declaring to the United States that they are our partners in the War on Terrorism. We are talking about the same Saudis that support, encourage, and finance terrorism, the same Saudis that exude racist and anti-Semitic hatred, the same Saudis that have the worst record on the planet when it comes to religious intolerance, racial intolerance, and discrimination against women.

Our world will never be safe when children are taught hatred and disdain, when the terrorist mission of death and destruction is being funded by the Saudis.

It is unbelievable to me that we continue to pretend that they are our allies, and it is completely inexplicable that one penny of American taxpayer money is going to Saudi Arabia.

I do not want my taxpayer dollars going to the Saudis, and I do not want anyone else's. Let us pass this and send a strong message to our so-called partner in peace that either they are with us or they are against us. They cannot have it both ways, and neither can our administration.

Mrs. LOWEY. Mr. Chairman, I yield to the gentleman from New York (Mr. WEINER).

Mr. WEINER. Mr. Chairman, I want to respond to a couple of things that the chairman said.

For 3 years now, I have heard the argument for continued support for the Saudis as two somewhat contradictory positions. One, it is not a lot of money; and two, they are getting better.

Well, I think it is incumbent upon all of us, particularly in this bill when we are already short-funded, to justify why it is we provide any money at all if they are not an ally. If they are not espousing U.S. American views, if they are not improving democracy, what are they doing? I will tell you what they are doing, Mr. Chairman. They are traveling to Iraq and blowing up our troops.

□ 1900

That is not according to me; that is according to their own bragging Web sites and The Washington Post assessment about who they are. There is a dramatic increase in the amount of violence since we offered this bill last year, not a decline. There is a dramatic increase in the exporting of Wahabiism, not a decline. And there is no sign of greater cooperation. You know, a sign of great cooperation is not hiring a very expensive lobbyist here, running TV ads, running newspaper ads. A sign of cooperation is saying we are going to start cracking down on terror, not moving it out of our country into someone else's problem.

The problem that we face here, whether it is $25,000, $25 million or $25 billion, is we articulate our values in this bill. And our values are simply not to be supportive of the Saudi Arabian Government.

Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. FERGUSON).

Mr. FERGUSON. Mr. Chairman, I thank the gentleman for yielding time. I want to thank the chairman for his very good work on this bill. It is an excellent bill. I know they put an enormous amount of work into it, and I rise in support of this amendment because I think we can make it even better; and that is why I am joining the gentleman from New York in offering this amendment, the Weiner/Ferguson amendment; and I rise in strong support of the amendment.

The Kingdom of Saudi Arabia continues to be one of the largest financers of terrorism in the world. And the fact that this bill provides American dollars to this country for U.S.-subsidized military training is nothing short of astounding.

Our own government's reports chronicle Saudi Arabia's continuing human rights abuses, ongoing financing of terrorist groups, and exporting of terrorist ideologies. It is amazing that we are looking to Saudi Arabia, one of the wealthiest countries in the world, and giving them money out of our legislation. Now is not the time to reduce pressure on Saudi Arabia. Instead of rewarding the Saudi Government for financing terrorism and harboring terrorists, we should be holding them accountable for well-documented human rights abuses and terrorist connections.

I urge my colleagues to join me in supporting the Weiner/Ferguson amendment.

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

First of all, let me just say to the chairman and the ranking member, they have done an excellent job with a limited budget. But I think we should give them an extra $25,000 to work with by saying that we are not going to provide comfort to the Saudis, we are not going to provide aid, taxpayer aid to the Saudi Arabians.

This is not just the position of a bipartisan group here in Congress. The Council on Foreign Relations has said for years individuals and charities based in Saudi Arabia have been the most important source of funds for al Qaeda.

The 9/11 Commission said Saudi Arabia is ''a problematic ally in fighting Islamic extremism.'' Our own State Department says Hamas receives funding from ''private benefactors in Saudi Arabia.''

There is not probably an observer of the scene today that does not recognize that Saudi Arabia has done a very deft two-face game. They come here, they send us a moderate face. They have convinced, obviously, our State Department, who walks along almost in lock step with everything that they say.

We here in Congress should say we understand that we are going to start judging nations in the post-September 11 world by what they do, not by what they say. And what the Saudi Arabians have done is export Wahabiism to the United States, export terrorism to the troops in Iraq, and export terror all around the world.

Vote ''yes'' on the Weiner/Ferguson amendment. Let us finally put an end to it.

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

I just want to try to reiterate one argument and add a point on another argument that has just been made by the gentleman from the other side. First, on the issue of the funding, the financing of this program, I hope that the comments that I made have dispensed with that. For $25,000, in other words, the country has access to the program, they become a part of the IMET program, we get a $13 million payment from the country. So it is not as though we are giving money to the country of Saudi Arabia. It is a legal process that they have to do to access the program; and to do that we have to provide training for one officer, then they are able to provide training for the hundreds of other officers that come to the United States, and they pay fully for them.

And that money is here in the United States and stays here in the United States where these people are being trained. So I think that is a pretty good rate of return on the investment, $25,000 getting you $13 million. The foreign aid argument is untrue. It has nothing to do with whether Saudi Arabia is a rich country or not. It has to do with whether or not these countries should be getting any kind of training. And I think the kind of training that we give in the IMET program is exactly the kind of training we ought to be giving to military officers of other countries including Saudi Arabia.

And on the last point, the gentleman from New York made the suggestion that these people from Saudi, he said, where are they going. We know where they are going. They are going to Iraq and blowing up our troops. The implication that somehow the Saudi Government is involved in an official way in blowing up our troops in Iraq is an absolutely outrageous statement and has no basis in fact whatsoever. And so I would reject this statement.

And I think on this basis alone this amendment ought to be defeated because we should not be saying to the Saudi Government that we believe that somehow you are involved in blowing up troops in Iraq.

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

Mr. KOLBE. I yield to the gentleman from New York.

Mr. WEINER. Mr. Chairman, I just want to make it very clear that it has been the Saudi policy to export their worst troublemakers like bin Laden, like Wahabiism, so that the problem is not turned inward. That is their policy.

Mr. KOLBE. Mr. Chairman, reclaiming my time, the statement is made. The gentleman from New York has just confirmed what I thought. The statement is that the Saudi Government is officially involved in helping to kill American troops in Iraq. And I think that statement is an absolute outrage, and I do not think there is any basis of fact whatever for that.

I would urge my colleagues to defeat this amendment. It does not belong here. We should not do it. We should not be sending this kind of signal. I urge defeat of this amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. WEINER).

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

Mr. WEINER. 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 New York (Mr. WEINER) will be postponed.

AMENDMENT OFFERED BY MR. OTTER

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. OTTER:

Page 132, after line 13, insert the following:

LIMITATION ON ASSISTANCE FOR PALESTINIAN AUTHORITY AND THE PALESTINIAN PEOPLE

SEC. ____. (a) Notwithstanding any other provision of law—

(1) of the total amount of funds that are available in this Act for assistance for the Palestinian Authority (or any other Palestinian entity) or for the Palestinian people, not more than 25 percent of such amount may be obligated and expended during each quarter of fiscal year 2006; and

(2) none of the funds made available in this Act may be made available for assistance for the Palestinian Authority (or any other Palestinian entity) or for the Palestinian people during any quarter of fiscal year 2006 unless the Secretary of State determines that the Palestinian Authority has not provided support for acts of international terrorism during the three-month period preceding the first day of that quarter.

(b) In this section, the term ''quarter of fiscal year 2006'' means any three-month period beginning on—

(1) October 1, 2005;

(2) January 1, 2006;

(3) April 1, 2006; or

(4) July 1, 2006.

Mr. KOLBE. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIRMAN. The gentleman reserves a point of order.

Pursuant to the order of the House of today, the gentleman from Idaho (Mr. OTTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Idaho (Mr. OTTER).

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

I want to join with my other colleagues in congratulating both the chairman and the ranking member for having put together a foreign ops bill that certainly had to be an arduous task. But like the amendment that preceded me, I think that my amendment can improve on a near-perfect piece of legislation.

So, Mr. Chairman, I rise today to correct what I believe to be a fatal flaw in the way we administer our foreign aid. We cannot truly be effective, either domestically or in our role as the world leader on the world stage, when our foreign aid policy forces us to support our friends while we are indiscriminately doling out money to our and their enemies at the same time.

All the effort we put into promoting peace and cooperation is meaningless without requiring accountability from the recipients of our assistance. U.S. foreign aid should be based on a recipient's demonstrated willingness to support the ideals and the aspirations for their regions. When we provide aid to a country, we should be able to expect a marked change in that country's behavior in keeping with our and their goals.

Let me give you an example of what I am talking about here. When my children were younger, I gave them a monthly allowance. Unlike gifts that they got at Christmastime and holidays, this was money that they had to earn themselves. And this allowance came with certain strings attached. It came with an understanding that I could expect certain behavior from them. On occasion, they would forget our bargain, and their behavior would not reflect the expectations that I had set for them. But when they did not receive their allowance the next month, they were quick to fix the problem so that we could all then once again live peacefully together.

Foreign aid is like an allowance which the United States is neither obligated to offer nor give, and which does not come without strings attached. And yet we continue to act as if we are required to hand out money to nations and people who actively oppose the principles of democracy and peace. And this practice must end.

Today we have a golden opportunity to change the way we address the issue of foreign aid because of some important changes and changes in leadership of the Palestinian Authority. We have an opportunity to further the development for a partnership for peace between our countries. In light of the renewed request on foreign aid, we should act now to infuse any aid with common sense and accountability so that we can advance the realistic goals that the President has set for the Middle East.

My amendment, Mr. Chairman, is the first step. It states that no more than 25 percent of the funds appropriated to the Palestinian Authority or any other Palestinian entities will be available to the Palestinians during each financial quarter. What that means is that every quarter, the four quarters of the year, one fourth of the money in this bill that would otherwise go in one lump sum to the Palestinian Authority, but one fourth is all that will be able to be advanced to them during any one quarter. And then it will be advanced to them so long as we have the Secretary of State who will determine that the Palestinian Authority has not participated in or supported any acts of international terrorism during the previous 3 months.

In other words, our expectation is that they should quit killing people. They should quit creating acts of terrorism. And for that, we will pay them.

We know right now that those folks are being paid $25,000 a piece to wrap a bomb around themselves and go get on a bus in their so-called enemy's territory. And so that is why, with that expectation, then we make the payment.

The President is working to achieve lasting peace in this region, realistically and, I believe, in good faith; and I applaud his efforts. But if we are going to see a change in the Middle East, our approach to foreign aid must change as well. What better time than now to change our attitude and the way that we hand out foreign aid.

I encourage you to take advantage of this opportunity to assist in the peace process by making sure that our assistance carries with it the weight of our principles.

Mr. KOLBE. Mr. Chairman, if the gentleman will yield, I do not have any comments. I would make a point of order, though, if the gentleman is not prepared to withdraw his amendment.

Mr. OTTER. Mr. Chairman, I appreciate the chairman giving me the opportunity to make the point. One of these days, one of these years, perhaps during my lifetime in the United States House of Representatives, I will be able to frame this amendment so that it will not have a point of order successfully placed against it. And I thank the chairman for that opportunity to explain my amendment.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

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

There was no objection.

AMENDMENT OFFERED BY MR. SANDERS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SANDERS:

At the end of the bill (before the short title), insert the following:

TITLE VI—ADDITIONAL GENERAL PROVISIONS

PROHIBITION ON USE OF FUNDS BY THE EXPORT-IMPORT BANK OF THE UNITED STATES TO APPROVE AN APPLICATION FOR A LONG-TERM LOAN OR LOAN GUARANTEE WITH RESPECT TO A NUCLEAR PROJECT IN THE PEOPLE'S REPUBLIC OF CHINA

SEC. 601. None of the funds made available in this Act may be used by the Export-Import Bank of the United States to approve an

application for a long-term loan or loan guarantee with respect to a nuclear project in the People's Republic of China.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Vermont (Mr. SANDERS) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Vermont (Mr. SANDERS).

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

This tri-partisan amendment has widespread support across the ideological spectrum, from Democrats and Republicans, from progressives to conservatives. It is being cosponsored today by the gentleman from California (Mr. ROHRABACHER), the gentleman from Ohio (Mr. RYAN), the gentleman from Texas (Mr. PAUL), and the gentleman from Ohio (Mr. KUCINICH). It also is being supported by a number of leading national organizations including the National Taxpayers Union; Friends of the Earth; Citizens Against Government Waste; the Green Scissors Coalition; Taxpayers For Common Sense; and U.S. PIRG, the U.S. Public Interest Research Group.

Mr. Chairman, this amendment is simple and straightforward. It would prohibit the Export-Import Bank from providing corporate welfare for the construction of nuclear power plants in China.

Mr. Chairman, I think the rationale for supporting this amendment is obvious. At a time when we have a $7.7 trillion national debt and a record-breaking Federal deficit, it is not only absurd, but it is dangerous for the taxpayers of this country to be subsidizing the construction of nuclear power plants in China.

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Mr. Chairman, amazingly enough, the company involved here, Westinghouse Electric, which builds nuclear technology is owned by British National Fuels which itself is a company wholly owned by the British government. So we are dealing with the absurdity of American taxpayers who are in the midst of a record breaking deficit, subsidizing the British government, a nation which, to the best of my knowledge, is not made up of starving, desperate people in the developing world.

Mr. Chairman, there is no debate, but that when these four nuclear power plants will be built at a cost which involves an Export-Import loan of some $5 billion, that when these nuclear power plants will be built, the Chinese will own the technology. And a question that every Member of this Congress should be asking is, is it really in the best interest of the United States of America to provide advanced nuclear technology to China. Furthermore, the Chinese company which is building these four nuclear power plants, the Chinese national nuclear company has been tied to at least three instances of weapons proliferation involving Iran and Pakistan.

Mr. Chairman, I do not always agree with the National Taxpayers Union. But let me briefly summarize what they say in a letter that they sent to me today.

NTU has long advocated total elimination of taxpayer funding of the Export-Import Bank for the simple fact that American taxpayers should not be forced to subsidize the overseas operation of U.S. corporation or foreign governments. Considering the rapid pace of economic growth in China and its emergence as a strong force in the global business environment, it is particularly egregious to waste taxpayer dollars on such a project.

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

The CHAIRMAN. Does the gentleman from Arizona (Mr. KOLBE) seek to control the time in opposition?

Mr. KOLBE. Mr. Chairman, I do.

The CHAIRMAN. The gentleman from Arizona (Mr. KOLBE) is recognized for 15 minutes.

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

Mr. Chairman, I rise in strong opposition to the gentleman's amendment. As he said, this amendment would prohibit the Export-Import Bank from supporting the sale of nuclear power plant and technology in China.

It was 6 years ago in 1998 during the Clinton administration that the U.S. lifted the ban on the export of civilian nuclear power plants and fuel to China. After we became satisfied that China had met the conditions of the 1985 U.S.-China agreement on peaceful nuclear cooperation.

Last September the Secretary of Energy and the Secretary of Commerce expressed their support for increasing trade with China in nuclear energy technology and for the export of U.S. civilian nuclear power plants. In February of this year the Ex-Im Board of Directors approved a preliminary commitment of $5 million from Westinghouse Electric Company to enable it to make a bid on the design and construction of four 1,000 megawatt commercial power reactors on two sites in China.

These reactors will be the first in a series of 26 new commercial power plants planned for construction through the year 2020. So we are looking at a very large possible export in business for United States businesses. We are in heavy competition. Westinghouse is in heavy competition with companies from France and from Russia to provide the same or similar kind of technology. This order would create or sustain, according to Westinghouse, about 5,000 jobs; 5,000 jobs in the United States at Westinghouse and its American suppliers.

Because I have heard the gentleman from Vermont (Mr. SANDERS) on the floor railing against outsourcing and the China trade deficit, I thought, here is an opportunity for us to do something about that, to create jobs here at home for us to make sure that we are selling things to China. But this amendment of course would make it impossible for Westinghouse conduct this business while, other countries would get the kind of commitments that they need from the government to protect those kind of investments. We, the U.S. Government, would not be doing so for Westinghouse.

There can be no question about it. Prohibiting the Export-Import Bank from supporting this and future transactions is going to have a tremendously negative impact on U.S. exporters and U.S. employment. And it is going to send a signal to businesses that they better not be doing business in China. Nothing could be worse for us.

I strongly urge us to defeat this amendment.

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

Mr. SANDERS. Mr. Chairman, I yield 4 minutes to the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Chairman, I rise in strong support of this amendment. And with all due respect, we have been hearing this type of argument for 20 years. When are the American people going to demand that the Members of the United States Congress start watching out for the interests of the people of the United States and not some small group of elite Americans and international financiers who will make a profit off this in the short run, but in the long run will create the situation that we have found in China today and the situation we find ourselves in here.

For 20 years we have been told by trading and having economic relations with this monstrous dictatorship that we would see liberalization, that we would see a change in the policies that the Chinese government has towards its own people. What have we seen instead? It is the same massive dictatorship. This is the world's worst human rights abuser, and it is the last country in the world that we should be subsidizing American business in order to create business in that country.

The fact is we have seen jobs and businessmen in this country go to China because business leaders in this country will personally make a quick buck by betraying the American working people. That is what is happening here. How can we think they would do anything else?

This government, as we are hearing today, is subsidizing this. Now, when it comes to Westinghouse, when it comes to Westinghouse, this is not even an American company. And we are going to have the United States taxpayers subsidizing a British company in order to build a nuclear power plant or a series of nuclear power plants for communist China? This makes no sense at all. We should not be subsidizing it even if it was an American company.

What are the Chinese going to do when they get this technology from Westinghouse? I can tell you right now, it is certainly something that is

acknowledged in the business community, they will start building those plants and they will copy every piece of technology that we have spent, the American taxpayers have spent, developing the technology, and the Chinese will just take it and copy it. That is why today the greatest threat to our freedom, the greatest threat to America's prosperity is not radical Islam, although that is a challenge we have to face, but in the long run it is a China that is emerging on the scene that is belligerent to everything we stand for as a people.

The last thing we should be doing is building up their economy as we have been doing as a policy of this government for the last 20 years. And let me note, nuclear power plants? Has anyone looked at the proliferation record of the communist Chinese? Why do you think we are having a challenge right now to the world peace in Korea? Do you think the North Koreans just discovered all this technology on their own.

No, the fact is that the Chinese are the ones who are behind the nuclear development in Korea and the development of weapons that threaten Japan and the United States. The last thing we should be doing is helping them develop and perfect their technology that deals with nuclear energy.

This is, again, a no-brainer for me, but the American people need to find out whose side the Congress is on. The policies we have had to China in these last 20 years have created a Frankenstein monster that threatens not only the peace on the world, but threatens the prosperity of our people and the freedom of those who would seek freedom in China itself.

We have been cutting a deal with the devil and we are now coming to a point where everybody recognizes that threat, except perhaps the leadership, unfortunately, in the United States Congress.

So I would commend the gentleman from Vermont (Mr. SANDERS). I look forward to working with him on this.

Let us get the word out to the American people whose side we are on.

Mr. KOLBE. Mr. Chairman, I yield 4 minutes to the gentleman from Kansas (Mr. TIAHRT), a member of the Committee on Appropriations.

Mr. TIAHRT. Mr. Chairman, I thank the chairman for yielding me time. I appreciate the good job of leadership that he is providing on this issue.

I think a question seems to be resonating here and that is, who is going to look out for U.S. jobs? I think that is a very good question. Here we have on one side Westinghouse, who is working as an American company, a conglomerate, with other corporations trying to build some of the product to be able to export that product in order to create jobs here in America and provide something to China that they are going to get one way or another.

What are the options of that? Well, we can ignore the opportunities we have for American jobs. We can say, let us give the jobs to France. France is also bidding on this. Let France have the jobs.

We have a good example of how France is gaining ground on us in the aircraft industry. They have a government that is willing to do what is necessary in order to move the aerospace industry in France forward. And here we have an opportunity to move forward with the technology that we happen to have that other countries want. So we can either create the jobs here or we can allow them to be created in France. Or there is the other Russia company that is bidding on it as well. We could let the jobs be created in Russia.

So who is looking out for U.S. jobs? This supply of finance from the Export-Import Bank would meet all the guidelines that have been established and it would provide the funding for an American company to move forward and make jobs for here in America. And that is a good motive. But the overall question is, what is Congress going to do about United States jobs?

We hear a lot about outsourcing American jobs. Nobody ever stops to say, why are we outsourcing American jobs? We keep putting barriers in place for American jobs to be created. Here is a good example. We could have Westinghouse jobs or we could have French and Russian jobs. But it goes beyond that.

Congress has created barriers over the last generation that have driven this economy to a very difficult point. Our trade deficit was $670 billion last year. Our Federal deficit is going to be about $300 billion this year. And we are seeing the loss, the outsourcing of high-quality, high-paying jobs.

If you look at what we have done here in Congress, we have created barriers that have made it difficult for people who create jobs. Health care policy, driven largely by Medicaid and Medicare, is a socialist health care policy that has driven a whole lot of paperwork and a whole lot of unnecessary practices. For example, the Hospital Association in Kansas says for every hour of health care it takes an hour of paperwork to comply with it.

We have litigation here that drives up the cost of building products here. We have regulation that costs $8,000 for every American worker, 12 percent of every product driven up by Congress' rules, and that pushing jobs overseas.

Our tax policy ends up on the bottom line of our products. Our energy policy, that cannot to make law. We could create 700,000 American jobs but we cannot get an energy bill through the Senate. We have trade policy that is unenforced. When there is a violation of our trade policy, we do not get the proper support.

The one thing that we have a surplus of in this country that we do not export is lawsuits. The only way you export lawsuits is through trade policy. You have got to have a trade policy in place to do that.

We also need to improve our research and development and our lifelong learning, but we have got to protect American jobs and this is one way to do that.

I just want to finish this up by saying, we could do a lot in Congress to create an environment here in the U.S. that would keep and create jobs, but we put barrier after barrier in place, and here is one more opportunity for us to drive jobs to France, give the jobs to France.

Let's say no, let us not do it this time. Let us oppose this amendment. Let us support Westinghouse. Let us do something for an American company for once. Just because it has the name China as the destination for the product we shouldn't go into shock. That is not the point.

The point is American jobs, either you will have them in Westinghouse, or you will have them in Russia or you will have them in France. I say bring the jobs back to America. Let us remove these barriers that we have put in place. Let us create jobs in America. We can do it and we can do it today by defeating this amendment.

I thank the Chairman KOLBE for doing a fine job.

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

In another time and place, I would like to deal with many of the assertions made by my friend who just spoke, but now is not the time.

Mr. Chairman, I yield 3½ minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Chairman, I thank the gentleman from Vermont for yielding me time.

Why should the American taxpayers underwrite a British company to build nuclear power plants in China? That is exactly the transaction the Export-Import Bank has already given preliminary approval for. British Nuclear Fuel's U.S. division would receive loans of about $5 billion to build four nuclear power plants in China. Why should American taxpayers underwrite a British company to build nuclear power plants in China? According to the Export-Import Bank, ''The nuclear power plants are being purchased to meet the increased demand for power in the heavy industrialized region of the country.''

This is not the sort of transaction the Export-Import Bank, read American taxpayers, should be funding. First, the purpose of Export-Import Bank financing is to enable manufacturing sales to countries that are too poor to afford those U.S. goods without financing. But China has no shortage of U.S. dollars that they have earned mounting the largest trade deficit the United States has with any single country.

In the last 4 years alone, China added net $472 billion to its bank holding of U.S. dollars. Poor China. According to

the International Trade Agency, that is the amount by which Chinese exports to the U.S. exceeded Chinese imports from the U.S.

Mr. Chairman, when I was growing up in Cleveland, there was a myth that, if you dug a hole deep enough, you could get to China. Well, you know what, we have succeeded in doing that with our trade deficit; and we will keep digging this hole with this proposal unless the Sanders amendment passes.

China does not lack access to substantial amounts of U.S. currency to enable it to buy U.S.-manufactured nuclear power plants without a taxpayer subsidy. Yet the Export-Import Bank is subsidizing China to buy nuclear power plants.

Now, if anyone here doubts China's wealth and thinks that we have to help China further, consider that just this last week a Chinese oil company offered $16.5 billion to buy Unocal. If they have that kind of wealth to spend on energy, do my colleagues not think they can afford nuclear power plants without a taxpayer subsidy?

Some might say that the sale of nuclear power plants to China would improve the trade imbalance with China and is therefore, beneficial; but do not believe it. If U.S. taxpayers have to buy the nuclear power plant, that is what the Export-Import Bank financing is, then we give it to China, and that will not make a difference in the fundamental imbalance of trade.

Unless the Sanders amendment passes, American taxpayers will be giving a gift of at least $5 billion for nuclear power plants in China.

The applicant for the Ex-Im Bank funding is a wholly-owned division of a British conglomerate. For those watching the trade deficit, the U.S. is already in hock to Britain as well as China. In the last 4 years, the U.K. has accrued $27 billion in surpluses. The profits from the sale of the nuclear power plants to China will flow to Britain, not to the U.S.

If my colleagues think the American taxpayers should not be buying nuclear power plants for China, then vote for the Sanders amendment.

Mr. KOLBE. Mr. Chairman, I reserve the balance of my time to close. I am the only other speaker at the moment that is here.

Mr. SANDERS. Mr. Chairman, how much time remains for either side?

The CHAIRMAN. The gentleman from Vermont (Mr. SANDERS) has 3½ minutes, and the gentleman from Arizona (Mr. KOLBE) has 8 minutes remaining.

Mr. SANDERS. The gentleman from Arizona closes; is that correct?

The CHAIRMAN. The gentleman is correct.

Mr. SANDERS. Mr. Chairman, I yield myself the balance of the time.

The American middle class is shrinking, and one of the reasons that we are losing good-paying jobs is that corporation after corporation is throwing American workers out on the street and moving to countries like China where desperate people are paid 30 cents an hour, 20 cents an hour and go to jail when they stand up for their political rights or stand up for their right to form a union.

There is increasing concern by people from all walks of life that the economy of China, which is growing in leaps and bounds, is threatening the American standard of living. Whether it is blue collar jobs or white collar, information technology jobs, China is growing while our jobs are shrinking; and we are losing good-paying jobs and providing our young people with low-wage jobs, with minimal benefits.

If it makes sense to anybody in this country to be putting $5 billion of American taxpayer money at risk, to be subsidizing the development of nuclear power plants in China, providing them with the technology that can be used for military purposes, with a company that is owned by the British Government, if somebody got up here and proposed subsidies for a federally owned company, people on the other side would go ballistic; but it is okay to be subsidizing a nationalized company in Great Britain providing and building nuclear power plants in China.

I think that the time is long overdue that the United States Congress took a very hard look at Export-Import Bank in general. Over the years, what we have seen is they are providing huge subsidies to large corporations who are outsourcing American jobs. In this instance, they are providing a subsidy to a British company owned by their own government building nuclear power plants in China.

I think that is a very bad deal. I think the American people would be shocked if we allowed this to go through, and I hope that we can support this tri-partisan amendment.

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

Mr. KOLBE. Mr. Chairman, I yield myself such time as I may consume, and I will not take that much time to close this debate.

The gentleman from Vermont talked about outsourcing jobs and jobs being moved to other countries in order for them to get this business. The exact opposite is the case here.

If we do not support this kind of business, it is a legitimate thing for a government, I think, to have an export-import kind of relationship. Virtually every major country in the world does that. It is a way of saying, without putting at risk the taxpayers' dollars, and so far Ex-Im Bank has never cost the taxpayers' dollars, any real money in terms of lost loans that we have had to pay for as taxpayers, it is a way of us making sure that we get jobs here in the United States, of keeping businesses here in the United States, and that is exactly what this would do: high-paying technology jobs, high-paying engineering jobs, high paying work, design work that would be done by engineers and others to support the construction of nuclear power plants in China, a very large project.

What we are talking about here today is only the tip of the iceberg. We are talking about building a large number of these plants over many years. No doubt whoever wins the initial contract, it will be like doing cookie cutters after that. They will get the rest of them. So I think we are talking about something much, much larger than is shown here today.

It is for that reason that the State Department has strongly opposed this amendment, because they believe that it affects jobs that will result, and Westinghouse has said about the loss of 5,000 jobs if they are not able to get this contract. We think we have the technology to get it. We think we can get this contract, and we expect that we will win those jobs as a result of that.

I think it is ironic that even at a moment when my colleagues are talking about the weak economy or they are talking about the fact that we are losing jobs overseas because of the trade deficit that they want to create a larger trade deficit. They want to stop jobs from being created here at home. They want to stop American companies from exporting this kind of technology, all of which has been decided that it is safe and politically safe as well as technologically safe. They want us to stop us from exporting these kinds of jobs.

The last point I would make, Mr. Chairman, is that one of the reasons we want to do this, we should be so anxious that China increases its reliance on nuclear power, is that if they fail to do that, they are going to have to continue to use more and more fossil fuels, particularly petroleum; and we know it already is occurring. Virtually all of the incremental production in the world is being consumed by China which has a rapidly growing economy, and that is what is helping to drive up the price of oil in the world to the skyrocketing, the sky-high levels that it is today.

If we are not able to help with this kind of technology, China would perhaps have to go back to other kinds of fossil fuel-using plants. Not only does it have environmental degradation, but it obviously has enormous impact on the economy of the rest of the world.

For all of those reasons, this is a very bad amendment, ill designed, ill directed, and ill timed; and I urge its defeat.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont (Mr. SANDERS).

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

Mr. SANDERS. 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 Vermont (Mr. SANDERS) will be postponed.

AMENDMENT OFFERED BY MR. DEAL OF GEORGIA

Mr. DEAL of Georgia. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. DEAL of Georgia:

Page 132, insert the following after line 13:

GOVERNMENTS THAT HAVE FAILED TO PERMIT CERTAIN EXTRADITIONS

SEC. 583. None of the funds made available in this Act for the Department of State, other than funds provided under the heading ''INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT'', may be used to provide assistance to any country with whom the United States has an extradition treaty and whose government has notified the Department of State of its refusal to extradite to the United States any individual accused of committing a criminal offense for which the maximum penalty is life imprisonment without the possibility of parole, or a lesser term of imprisonment.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Georgia (Mr. DEAL) and the gentleman from Arizona (Mr. KOLBE) each will control 5 minutes.

The Chair recognizes the gentleman from Georgia (Mr. DEAL).

Mr. DEAL of Georgia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the amendment that I have at the desk relates to the growing problem of lack of extradition of criminals who committed violent offenses in the United States and then flee across our borders and are not able to be returned by way of extradition.

This is a growing problem. It is a problem for a country such as ours that now has an estimated 11 million people illegally in our country. Mexico to our south has become a point of refuge. Many of the individuals who are committing these offenses are committing them and immediately fleeing to their home country of Mexico.

Some are not quite so quick. Some are offenses such as the one we have heard in a previous amendment as it relates to the killing of a police officer in the line of duty, but it is a growing concern for all of the citizens of the States of this country and one that I think we need to begin to point a finger at.

This amendment says that if you refuse to extradite for an offense that would have a life imprisonment or less, then if funds flow through the State Department, those funds would be withheld if they are refusing to extradite.

Let me give my colleagues a scenario. Let us assume that you have two men who rape and brutally murder a 4-year-old child. One is a citizen of the United States. The other one is a citizen of Mexico who is illegally in the country. Both flee across the border to Mexico. The district attorney or the prosecutor in the circuit indicts them, and of course, in those kind of cases, they face either life imprisonment or, in some cases, capital punishment. Mexico will extradite the United States citizen back here. They will not extradite the Mexican citizen back unless the prosecutor agrees to lower the offense to a crime that would be less than a life sentence.

Now, that is a hypothetical case. I will allude to the facts as they now exist in my community in a few minutes.

Mr. Chairman, I yield 2 minutes to the gentleman from Iowa (Mr. KING), my colleague.

Mr. KING of Iowa. Mr. Chairman, I thank the gentleman from Georgia for yielding me time and for bringing this amendment to the floor.

This is a discussion and debate that this country needs to have, and it takes me back to about 6 weeks ago when the incident in Denver where the alleged shooter, Raul Gomez-Garcia, shot Officer Donny Young in the back of the head and killed him and wounded another officer. We suspected that he would abscond to the sanctuary of Mexico and he did, and the plea bargain has already taken place. I am not certain if he is back in the United States under that plea bargain; but this policy, this sanctuary policy that exists in Mexico is a policy that requires us to plea bargain down the crimes in this country and tells the shooters, you can shoot and run to Mexico.

I will pose a hypothetical situation, but it is one that could happen.

Just suppose Osama bin Laden was picked up by Mexican police in Mexico City. There is no way that Mexico extradites Osama bin Laden to the United States until we plea bargain that down to something less than life imprison, no capital punishment, no life in prison. Can my colleagues imagine sitting on the parole board for Osama bin Laden and having to release him into the streets of the United States of America because of a sanctuary policy that exists in the state of Mexico?

□ 1945

That is the leverage that is out there now, and we are paying for these countries in foreign operations money to alter the crime and punishment policy in the United States. That must stop. It can stop with the Deal amendment.

Mr. DEAL of Georgia. Mr. Chairman, I would inquire as to how much time remains for me.

The CHAIRMAN. The gentleman from Georgia has 1½ minutes remaining.

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

Mr. KOLBE. Mr. Chairman, I rise in opposition to the amendment, and yield myself such time as I may consume.

Mr. Chairman, we just dealt with another amendment that, in a similar way, tried to criticize at the country of Mexico for the problems that we have with extradition, and during that debate, I think I outlined what I think has been the rather substantial improvement in the cooperation that we have had with Mexico on this issue.

During the first 14 years of the extradition treaty with Mexico, from 1980 to 1994, Mexico extradited, a total of eight fugitives to the United States. In the next 4 years, they extradited an average each year of 13. But in the last 4 years, in 2001 they indicted 17; in 2002, 25; in 2003, 31; and in 2004, they extradited a record of 34 fugitives to the United States. So I think there is little doubt that we have great cooperation.

The problem I have with the amendment offered by the gentleman from Georgia is it is not at all clear to whom this applies. I asked the gentleman, and he is not sure. We have asked the Department of State, and they are not sure. I know what his intention is and the country he is trying to effect, but we do not know it does not apply to other countries. There may well be other countries that it applies to.

I cannot say, for example, with certainty that this would not require us to cut off all of our counternarcotics efforts in Colombia. I am not sure it would not have some impact on a country like that. It could have an impact in Afghanistan. I do not know. Nobody seems to know for sure what the impact of this might be.

So for that reason, Mr. Chairman, I would suggest, and until we have a much clearer idea of how this would impact, I would urge that we not adopt this amendment and that it be defeated.

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

Mr. DEAL of Georgia. Mr. Chairman, I yield myself such time as I may consume.

The amendment specifically excludes international narcotics control, and law enforcement money would not be subject to being withheld. That answers one of the concerns of the chairman. I do not know all the countries, but I can tell you some. Mexico, no sentence of life imprisonment or greater; Costa Rica, no sentence of more than 50 years; Spain, no life sentence; Venezuela, any sentence over 30 years; and Portugal, any sentence over 20 years.

Now, I gave the hypothetical of a 4-year-old girl raped and murdered and suspects fleeing over the border. In my county, this past weekend, a 4-year-old girl, about 3 feet tall, weighing less than 40 pounds, was brutally raped and murdered. The only suspect, the chief suspect, is now thought to have fled back across to Mexico. This is an individual who was deported from the United States less than 2 years ago and now is being sought again.

There is no way that our district attorney will be able to prosecute that case unless we agree that we are going to reduce it to substantially less than an American citizen would be charged with under the same circumstances.

I withdrew an amendment very similar to this last year in deference to the

chairman and upon the assurances that the State Department would work to change the situation as it relates to Mexico. There has been no change.

Mr. Chairman, they may say that they are proud of extraditing 30 individuals last year to the United States, but in any district attorney's office in Southern California alone, they can tell you of hundreds of murder cases where extradition has not been achieved. And so I urge the adoption of the amendment.

Mr. KOLBE. Mr. Chairman, I yield myself the balance of my time to close the debate.

Let me just note that we have just been advised by the State Department that this would affect Colombia. Of course, as the gentleman said, it does not affect the international narcotics control and law enforcement account, which is one of the big sums of money that goes to Colombia, but this would affect foreign military financing, FMF, for Colombia. It would cut off the money for IMET, the International Military Education Training programs. And it would affect the anti-terrorism programs that come under the NADR category. So it would have an enormous impact on our efforts in Colombia.

I think for that reason, I would certainly hope that this body would not accept this amendment, and I urge its defeat.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia (Mr. DEAL).

The question was taken; and the chairman announced that the noes appeared to have it.

Mr. DEAL of Georgia. 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 Georgia (Mr. DEAL) will be postponed.

AMENDMENT OFFERED BY MS. LEE

Ms. LEE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. LEE:

Page 132, after line 13, insert the following:

PROHIBITION ON CERTAIN INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT ASSISTANCE TO THE GOVERNMENT OF HAITI

SEC. ____. None of the funds made available in this Act under the heading ''INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT'' may be used to transfer excess property of an agency of the United States Government to the Government of Haiti.

The CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from California (Ms. LEE) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentlewoman from California (Ms. LEE).

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

The goal of the Lee-Conyers-Kilpatrick-Waters amendment is to limit the transfer of free guns and other defense articles to the Government of Haiti which have been used to wreak havoc on the Haitian people. Many in the general public and here in Congress have been under the misconception that there is an arms embargo to Haiti. However, since 2004, close to 3,000 weapons have been transferred to Haiti from the United States and, in all probability, have gone to arm the Haitian National Police force.

This amendment requires a limitation on all transfers of excess property to the Government of Haiti because they are using excess arms and ammunition from the United States to arm criminals in the Haitian National Police force. This amendment specifically would prohibit all arms transfers by the State Department in accordance with all relevant sections of current law.

This limitation is critical, Mr. Chairman, because the people of Haiti are not safe, and they remain targets of political violence, torture, and, in many cases, murder. Unfortunately, too often the perpetrators of this violence are the Haitian National Police. There have been numerous reports in the news and firsthand accounts of human rights' and faith-based groups who have traveled to Haiti and seen the hostile environment Haitians face.

The Haitian National Police are intimidating, murdering, and executing the poor and political opposition with weapons transferred from the United States to the Government of Haiti. This is simply unacceptable. The Government of Haiti has access to weapons for police training and security and have paid for defense articles out of their own budget without our government and this Congress' free transfer of arms and ammunition.

This amendment is basically about accountability and saving Haitians' lives. The United States must not be complicit in helping to arm criminals, and that is why I urge my colleagues to support the Lee-Conyers-Waters-Kilpatrick Haiti arms limitation amendment.

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

Mr. KOLBE. Mr. Chairman, I rise to claim the time in opposition, but I will not oppose the amendment. In fact, Mr. Chairman, I want to say that I would be prepared to accept this amendment, however, I think it is extremely important that we make it clear that we want to express that our congressional intent with this amendment is that this prohibition not extend to medical equipment or excess property that is used for humanitarian purposes.

I do not believe that is what the gentlewoman is intending to do. I know what she is trying to get at, but I think it is very important we make it very clear in our intent here that we are not trying to prevent the transfer of medical equipment and other kinds of property that would be used for humanitarian purposes.

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

Ms. LEE. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan (Mr. CONYERS), the co-chair of the Haiti task force.

Mr. CONYERS. Mr. Chairman, I appreciate the gentlewoman yielding me this time, and first of all, I want to assure the chairman that we are absolutely in agreement that medical equipment and supplies would not be affected by the reach of this amendment. I am glad the gentleman has put that in the RECORD, and I am sure we are all in total agreement.

Mr. Chairman, this amendment, the Lee-Lantos-Conyers-Waters-Kilpatrick amendment is something that we regret that we have to do. Haiti is in such a difficult situation, politically, economically, and socially, and it is so important that we try to stem the level of violence. That is the sole purpose of all of us coming together to work on this. I am so proud of the chairman for agreeing to accept this amendment, because it means that he sees and understands the underlying circumstances that have caused us to come together in the first place.

We need less violence. The election is coming up. How we are going to have an election there under these circumstances I am not even sure of. We have tried, some of us have tried to get it delayed, but we have not been successful. We need the United Nations to implement an effective disarmament program, because as long as there is as much a level of violence as we find there, we cannot even go down there.

So, please, let us support this amendment. I thank the Members on both sides that see the importance of it.

Mr. Chairman, Today I rise to support the Lee-Lantos-Conyers-Waters-Kilpatrick amendment which would preclude the State Department from transferring any ''excess arms'' that the State Department may have in its possession to the Government of Haiti and the Haitian National Police. Even though the United States has an arms embargo against Haiti, U.S. law grants authority to the President of the United States to provide weapons to Haiti, without any Congressional input, as long as these arms are identified as ''excess.'' Recently, it has come to the attention of Congress that last August, the President transferred over 4,000 arms and ammunition to the Government of Haiti. These arms included hundreds of .38 caliber, .45 caliber, and 9 mm guns as well as M–14 rifles and sub-machine guns.

Presently, the Country of Haiti is in the midst of a political, economic and humanitarian crisis. As a result, many resources, financial and otherwise are sorely needed. However, the sending of arms to further the perpetration the violence is not the prudent course of action.

Specifically, the Haitian National Police, on numerous occasions, have not been described not as ''law enforcement'' but instead as ''law breakers.'' Many incidents have been reported where the Haitian National police are accused

of harassing, beating and killing Haitian citizens, including innocent children.

Due to the many problems plaguing the Haitian National Police, the policy of transferring "excess" weapons to them is particularly unsettling. I believe it is important we stop the flow of weapons to Haiti and work with the U.N. to implement an effective disarmament program. As long as violence is the way, the people will suffer. The passage of this amendment is one of life and death and is critical to the well-being of region, of a country and of a people.

Ms. LEE. Mr. Chairman, I yield myself such time as I may consume, and I also want to thank the chairman for supporting this amendment, and I want to assure him that if we need to, in conference, make it explicit that no humanitarian assistance or excess property would be prohibited by this, we will definitely do that.

Mrs. LOWEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to thank my colleagues from California, the cochairs of the Haiti task force, for their important work on this issue. So many of us continue to look at the horrors that are occurring every day, and instead of being minimized, they seem to increase in intensity. In talking to friends who have been there recently, each day the violence gets more grim, and it affects the average person who just wants to go about their business living normally. That is impossible.

So I am very pleased that the chairman is accepting this amendment, and I hope that we can work closely with the Haiti task force to see if we can come up with some kind of positive recommendations that can have an impact on the lives of people.

So I thank my colleagues for introducing this amendment and I look forward to working closely with them so that perhaps the average family can look forward to a decent life one day soon.

Ms. LEE. Mr. Chairman, I yield myself the balance of my time, and I thank the gentlewoman from New York and the gentleman from Michigan for their support and their very clear statements.

Also, if there are no other requests for time, I want to, once again, thank our chairman for his support and clarify again that the point he raised is certainly a concern all of us have, and we will make sure that humanitarian types of excess property that we all care about in getting to Haiti is excluded from this provision.

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

Mr. KOLBE. Mr. Chairman, I yield myself the balance of my time and, again with the understanding that we are all in agreement that the intent of this prohibition is not to extend to medical equipment or other excess property used for humanitarian purposes, I accept this amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. LEE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BRADLEY OF NEW HAMPSHIRE

Mr. BRADLEY of New Hampshire. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BRADLEY of New Hampshire:

Page 132, after line 13, insert the following:

LIMITATION ON ASSISTANCE TO ROMANIA UNDER THE SUPPORT FOR EAST EUROPEAN DEMOCRACY (SEED) ACT OF 1989

SEC. ____. None of the funds appropriated in this Act under the heading ''ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC STATES'' may be obligated or expended for assistance to Romania under the Support for East European Democracy (SEED) Act of 1989.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from New Hampshire (Mr. BRADLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Hampshire (Mr. BRADLEY).

Mr. BRADLEY of New Hampshire. Mr. Chairman, I yield myself such time as I may consume.

First, let me begin by thanking the chairman of the committee as well as the ranking member, and the gentleman from Massachusetts (Mr. MCGOVERN) for cosponsoring this amendment with me.

It is not my intention to permanently withhold dollars that are appropriated under this bill from the country of Romania. It is my hope that by the time there is a committee of conference the issue that I will describe in just a moment will have been resolved.

□ 2000

That issue involves preapproved adoptions from the country of Romania.

A couple of years ago, I met a family in my home State of New Hampshire. The woman's name is Allyson Schaaf, and she had already adopted a Romanian baby and had a second child that had been approved by the Romanian authorities. She was one of about 200 Americans families that had their adoption cases already approved before a change in the law by Romania.

Under pressure by the European Union in order to gain acceptance to the European Union, Romania changed its adoption policy without releasing the 200-or-so adopted children that already had families assigned to them here in this country.

I have met with numerous Romanian officials, including the president of Romania, the prime minister and the ambassador on several occasions, and pressed the case not only for my constituent, Ms. Schaaf, but also for the other 200-or-so American families in this circumstance.

These are families that have invested love, time, energy, and all of the commitment to try to unite their families in this country. It is my hope that with this amendment that would withhold some of the money for Romania, that that will be the signal that will be necessary for the Romanians to deal with this situation, to release the 200-or-so cases that have been previously approved; and then by the time the conference committee has been formed, hopefully these adoptions will have gone forward, and this amendment will no longer be necessary.

Once again, I thank the minority ranking member and the chairman for working with me so hard to ensure that this amendment is the appropriate amendment in terms of the parliamentary procedure.

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

Mr. KOLBE. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN. The gentleman from Arizona is recognized for 5 minutes.

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

I will not be in opposition to the amendment for the purpose of this discussion, and I thank the gentleman from New Hampshire (Mr. BRADLEY) for bringing this amendment to the floor, and I thank him for his remarks. As the gentleman suggested, this is a very emotional issue which cuts deeply with a number of American families that have adoptions pending in Romania.

The development assistance accounts in our bill accounts for roughly $20 million for Romania. I want to make it very clear it is not my intent to limit assistance to Romania for the entire year. The assistance we provide is very important for local police forces, for HIV/AIDS prevention, and for fighting human trafficking, very much the kind of thing that the gentleman from New Hampshire (Mr. BRADLEY) would want us to fight against. It helps fight corruption and money laundering and builds an independent media.

I have been working with the Romanian Government to address this issue, but I know not a great deal has been accomplished in this regard. I think by adopting this amendment this evening, we are impressing both on the State Department and I hope the Romania government, which I hope will get this message, how important it is to continue to work toward a solution. This does send a very strong signal to the Romanian Government. I am pleased to accept the amendment, but I do expect to work with the ranking member and the gentleman to work and revisit this issue in conference with the Senate and to find a solution that will not involve cutting off aid to Romania.

Mrs. LOWEY. Mr. Chairman, will the gentleman yield?

Mr. KOLBE. I yield to the gentlewoman from New York.

Mrs. LOWEY. Mr. Chairman, I want to associate myself with the comments of the gentleman from Arizona (Mr. KOLBE), and I thank the gentleman from New Hampshire (Mr. BRADLEY) for clarifying the amendment. We understand the important purposes of our

aid to Romania, and I hope we can really make a change in the adoption policy. I look forward to working with the chairman.

Mr. BRADLEY of New Hampshire. Mr. Chairman, I yield myself the balance of my time.

I thank the gentlewoman from New York (Mrs. LOWEY) for her gracious support and the gentleman from Arizona (Mr. KOLBE) for his gracious support, and it is my hope that the 200-or-so families that have gone through the process, that they will be able, by us taking this action tonight, I hope we can help them expedite the process to unite their families into loving, caring homes in the United States.

I have met a couple of children adopted by American families, and it is a wonderful story. Anything that we can do to expedite that will be a significant step for those families. I thank both the ranking member and the chairman of the subcommittee.

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

Mr. KOLBE. Mr. Chairman, I urge an ''aye'' vote on the amendment, and I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Hampshire (Mr. BRADLEY).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. WATERS

Ms. WATERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. WATERS:

Page 132, after line 13, insert the following:

SENSE OF CONGRESS REGARDING NATIONAL ELECTIONS IN HAITI

SEC. ____. It is the sense of Congress that national elections should not be held in the Republic of Haiti until conditions have been established to ensure that the elections will be free and fair. Such conditions should include the following:

(1) The disarmament of all gangs and illegally armed groups.

(2) An end to kidnappings of civilians.

(3) Security for all United States citizens working in Haiti.

(4) The establishment of security throughout Haiti in order to enable all candidates to campaign for office safely.

(5) Plans to provide security at all polling places.

(6) Plans to ensure security for United States and international election monitors.

(7) Fair trials or release for all persons in Haiti who are being detained without trial.

(8) Respect for internationally recognized human rights.

Mr. KOLBE. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. Pursuant to the order of the House today, the gentlewoman from California (Ms. WATERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California (Ms. WATERS).

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

One week ago today, the Canadian Government issued a travel advisory for Haiti, warning its citizens not to travel to the island nation unless they have critical or compelling business or family reasons. The advisory was issued after a Montreal woman said she was kidnapped in Haiti and beaten and burned with candles until her family paid a ransom.

The U.S. State Department issued a similar travel warning on May 26, urging all U.S. citizens to leave Haiti. The travel warning was issued the day after unknown gunmen fired five rounds of bullets at a U.S. embassy van traveling in downtown Port-au-Prince.

On May 31, unknown gunmen shot a French official and stole his car while he was driving from Cap-Haitien to Port-au-Prince. The official died at a hospital in Port-au-Prince several hours later. At least seven people were killed the same day when armed men opened fire and started a fire that spread throughout an entire market in Port-au-Prince.

By mid-June, the Peace Corps had suspended its operations in Haiti and evacuated 16 Peace Corps volunteers. The same week, gunmen wounded two U.N. peacekeepers during a shootout in Cite Soleil.

Mr. Chairman, the violence in Haiti has been escalating over the past year. Kidnappings are now commonplace, and security is nonexistent. The interim government of Haiti has been unwilling, unable, incompetent, has not disarmed the gangs that roam, enforced the rule of law, or provide security to citizens and foreigners.

But the government is creating as many problems as those gangs that are roaming the streets. The Haitian National Police contribute to the violence through their use of force and summary executions. On February 28, 2005, during a large nonviolent march for democracy, police officers opened fire on unarmed demonstrators in broad daylight in the presence of international observers and media.

Many Haitians do not trust the U.N. peacekeepers who stood by and watched while the police fired on the demonstrators. Police officers are widely considered to be corrupt; and Amnesty International has expressed concerns about arbitrary arrests, ill-treatment in detention centers, and other human rights violations. There are an estimated 700 political prisoners in Haiti, and most of them have been detained illegally for months without formal charges.

This is not an atmosphere that is conducive to the organization of free and fair elections. Nevertheless, the interim government of Haiti is persisting in its plans to hold elections in October and November of this year. If elections are held under the current conditions, candidates will be afraid to campaign for office, and individual Haitians will be afraid to leave their homes to vote.

My amendment expresses a sense of Congress that national elections should not be held in the Republic of Haiti until conditions have been established to ensure that the elections will be free and fair.

The amendment specifies that conditions should include the following: the disarmament of all gangs and illegally armed groups; an end to kidnapping of civilians, security for all United States citizens working in Haiti; the establishment of security throughout Haiti in order to enable all candidates to campaign for office safely; plans to provide security at all polling places; plans to ensure security for United States and international election monitors; fair trials or release for all persons in Haiti who are being detained without trial; and respect for internationally recognized human rights.

Mr. Chairman, until all candidates for office can travel safely throughout Haiti, they cannot be expected to campaign for office. Until American citizens can travel to Haiti without risking their lives, they cannot be expected to monitor the Haitian elections. And until the people of Haiti can walk outside of their homes in peace, they cannot expect to vote.

Mr. Chairman, we are fiddling while Rome is burning. Haiti is in an absolute mess. The police officers, many of them are corrupt who were rebels, who were part of the coup d'etat, who were in exile before this interim government took over, are now executing members of the Lavalos Party, are basically killing folks who belong to the party that will likely prevail if there are elections. This violence must stop.

This Congress must send a message to CARICOM and everybody else that we will not support elections in this atmosphere. We should stop this madness and help to stabilize Haiti.

POINT OF ORDER

Mr. KOLBE. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part:

''An amendment to a general appropriation bill shall not be in order if changing existing law.''

The amendment proposes to state a legislative position.

Mr. Chairman, for that reason I would insist on the point of order.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

Ms. WATERS. Yes, Mr. Chairman.

I thank the gentleman from Arizona (Mr. KOLBE) for his interpretation of what I am attempting to do here. I do not know what law the gentleman is referring to. There is no law that would have us dictate when elections are to take place in Haiti. There is no law that we would be in violation of by not using our influence to make those elections happen.

As a matter of fact, Mr. Chairman, with all due respect, this is being driven by Mr. Noriega at the State Department because they have helped to create this chaos in Haiti with the removal of the democratically elected

president, and this democratically elected president will probably not be able to return to Haiti. That is not a problem. That is not something that anybody should worry about.

What we should be concerned about is why they are insisting on holding these elections in this atmosphere of violence, corruption, and complete chaos in Haiti. So I do not think the gentleman is referring to any law that he can reasonably point to that we are in violation of.

The CHAIRMAN. The Chair is prepared to rule on the point of order.

The amendment offered by the gentlewoman from California (Ms. WATERS) proposes to express a legislative sentiment of the Congress.

As such, the amendment constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained, and the amendment is not in order.

AMENDMENT OFFERED BY MR. GARRETT OF NEW JERSEY

Mr. GARRETT of New Jersey. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GARRETT of New Jersey:

Page 132, after line 13, insert the following:

LIMITATION ON FUNDS RELATING TO ATTENDANCE OF FEDERAL EMPLOYEES AT CONFERENCES OCCURRING OUTSIDE THE UNITED STATES

SEC. ___. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees of a Federal department or agency at any single conference occurring outside the United States.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from New Jersey (Mr. GARRETT) and a Member opposed each will control 5 minutes.

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

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

Members from either side of the aisle may disagree exactly how we got to the point we are, in general, and that is that our deficit is too high and that we spend too much money. But I think we can both agree on one thing, that we should work together to try to solve that problem.

I am offering, therefore, today what I consider is a commonsense approach to deal with a spending abuse. It is an approach that this House agreed to in similar legislation in the past.

In essence, it is a limitation on the number of Federal employees that may go overseas to international conferences. This has grown out of a growing tendency in the past by various administrations for sending various numbers to international conferences, spending upwards of millions of dollars. Back in 2004, for example, over 130 Federal employees attended an AIDS conference in Thailand.

□ 2015

Instead of spending all this money on sending personnel over there, instead we could have used it, in fact, to provide AIDS prevention and AIDS medicine; 216,000 newborns in Africa alone.

So this legislation grows out of a common problem in the past. Just sending too many people overseas, using taxpayers' dollars to do so.

Earlier in this session we had similar language which was approved by this House in the Interior bill, and I would encourage my colleagues on both sides of the aisle to approve it now in this legislation as well.

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

Mr. KOLBE. Mr. Chairman, I rise to claim the time in opposition.

The CHAIRMAN. The gentleman from Arizona (Mr. KOLBE) is recognized for 5 minutes.

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

I do not intend to oppose the amendment, but simply to say that I am willing to accept this amendment at this time and will revisit this and consider this, of course, in the conference.

But I appreciate the gentleman's bringing this issue to our attention, and I am prepared to accept the amendment.

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

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

I just want to take this time to thank the chairman for his work this time, as well as in the past, to visit this issue through the conference process. So I thank the gentleman for accepting this amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. GARRETT).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. CAPUANO

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. CAPUANO:

Page 132, after line 13, insert the following:

AUTHORIZATION TO USE ALL NECESSARY MEANS TO STOP GENOCIDE IN DARFUR, SUDAN

SEC. ___. Consistent with the Convention on the Prevention and Punishment of the Crime of Genocide, the President is authorized to use all necessary means to stop genocide in Darfur, Sudan.

Mr. KOLBE. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Massachusetts (Mr. CAPUANO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts (Mr. CAPUANO).

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

What this amendment does is it authorizes the President to use all necessary means to stop the genocide in Darfur, Sudan.

Before I start, I would like to comment very clearly that I know that the gentleman from Arizona has been very active on this issue and has been very supportive, understanding the rules and the difficulties they present. I respect the position he has to take tonight, but I also want to make it clear that I consider him a friend on this issue.

For those who do not know, the genocide in Darfur has been clearly documented. This Congress declared it a genocide in July of 2004. In September of 2004, Secretary of State Colin Powell stated: ''genocide has been committed in Darfur and that the government of Sudan and the Janjaweed bear responsibility.''

This Congress has passed enough money, I think it totals about over $400 million already, for the African Union Mission and the humanitarian relief in Sudan. We have done our job. The United States has supported financially and morally. The African Union has also stepped up. The African Union, in April of 2004, created a Cease-Fire Commission. They do not have the mandate to protect civilians, however, and that is the major problem. They do have 2,600 troops on the ground right now, but the job is not being done. In May they announced that they are going to send 7,700 troops to Darfur between July and September. NATO, the EU, and the United States are all supporting that effort.

Finally, the United Nations itself has taken action. Six resolutions have passed the Security Council to bring an end to the violence. Unfortunately, all of these efforts have failed to date. The violence has already claimed the lives of 400,000 people, and it is getting worse. For those who do not understand the concept of 400,000, that is the entire population of Oakland, California or Mesa, Arizona or Tulsa, Oklahoma or Omaha, Nebraska or Minneapolis, Minnesota. The violence has created 200,000 refugees and it has displaced 2 million people. That is the entire population of New Mexico.

What is going on in Sudan is a tragedy. The United States, I believe, has a moral obligation to step up and do whatever we can to stop this genocide. We have done it in other places for other reasons. We have failed to do it in other places for other reasons. We should not fail to do it here.

The government of Khartoum is a genocidal regime. They have demonstrated this policy again and again in every segment of their country. Reports of the fighting and the killing are getting worse, and this regime remains in power this whole time. We need to stand up and take some action.

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

POINT OF ORDER

Mr. KOLBE. Mr. Chairman, I make a point of order against the amendment, but before I do so, let me say to the gentleman that I fully concur with what he is attempting to do here. I have been to Darfur. I went with the gentleman from Illinois (Mr. JACKSON), and we have seen some of the terrible things going on there. There is no question about it. We need to do everything we can to stop this. And I believe that our legislation does do a lot of that. For one thing, we have $69 million in the legislation for the assistance to Darfur for humanitarian assistance as well as other moneys to implement the peace accords in the south.

But, Mr. Chairman, this is a very broad amendment, and for that reason I must make a point of order against the amendment because it does propose to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

That rule states in pertinent part that:

''An amendment to a general appropriation bill shall not be in order if changing existing law, modifies existing powers and duties.'' This does that, and for that reason it would not be in order.

I ask for a ruling from the Chair.

The CHAIRMAN. Does the gentlewoman from New York (Mrs. LOWEY) wish to be heard on the point of order?

Mrs. LOWEY. Yes, Mr. Chairman.

The CHAIRMAN. The gentlewoman is recognized.

Mrs. LOWEY. Mr. Chairman, I would like to thank my colleague from Massachusetts for spending some time to discuss the genocide that is currently occurring in Darfur. He and I understand that the administration does currently have the authorization to take steps, and with his help and with the help of the Chair, I hope we can continue to keep this issue on the tops of our agenda so that the world does not actually watch what is going on without taking all appropriate action, and I want to thank the gentleman.

The CHAIRMAN. The Chair finds that this amendment includes language conferring authority. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained and the amendment is not in order.

AMENDMENT OFFERED BY MR. BONILLA

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BONILLA:

At the end of the bill (before the short title), insert the following:

TITLE VI—ADDITIONAL GENERAL PROVISIONS

LIMITATION ON USE OF FUNDS BY THE EXPORT-IMPORT BANK OF THE UNITED STATES

SEC. 601. Of the amounts provided in title I, under the heading ''EXPORT-IMPORT BANK OF THE UNITED STATES—ADMINISTRATIVE EXPENSES'', not more than $66,200,000 may be expended while there is a vacancy in position of the head of the Office of Inspector General in the Export-Import Bank of the United States.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Texas (Mr. BONILLA) and a Member opposed each will control 5 minutes.

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

Mr. BONILLA. Mr. Chairman I yield myself such time as I may consume.

My amendment would do something very simple, and that is it would withhold 10 percent of administrative costs at the Ex-Im Bank until there is an Inspector General in place.

As we all know, Ex-Im Bank's mission is to assist in financing the export of U.S. goods and services to international markets. A by-product of this, of course, is the creation of U.S. jobs and the support of U.S. manufacturers. But all too often, it seems that the Ex-Im Bank is content to conduct operations in the shadows in a questionable manner. There appears to be a lack of official guidance in how credit worthiness is determined. There appears to be a lack of official guidance addressing the small business requirements that Congress has mandated. And more disturbing also is that we ask questions and we get no answers.

People empower us to keep an eye on these expenditures, and they are not being open with Members of Congress. All too simple questions sometimes that are set on basic policy either go unanswered or answered without any substantive information.

For example, in March of this year, I sent a letter to the Ex-Im Bank that, among other things, asked: ''Under what circumstances does EX-IM permit its employees to share information about an ongoing investigation with third parties? The bank has acknowledged that they received my letter. The Director of Legislative Affairs replied that my concerns have been forwarded to the Office of General Counsel, and the General Counsel's office has acknowledged receipt of the letter, but yet the questions remain unanswered. Obviously, their inability to answer basic questions on policy raises a concern that the bank may be operating subjectively and without internal policies or controls to prevent waste, fraud, or abuse.

This agency has existed far too long and with far too great an expense to the taxpayer to not have an Inspector General keeping an eye on it. It is time that this agency provide taxpayers with the assurance that their hard-earned tax dollars are being spent wisely. It is time the Ex-Im respects the role that this body plays in keeping an eye on them and an oversight on this agency, which is very important.

I ask the chairman for his support of this amendment.

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

Mr. KOLBE. Mr. Chairman, I rise to claim the time in opposition, but I will not oppose it.

The CHAIRMAN. The gentleman from Arizona (Mr. KOLBE) is recognized for 5 minutes.

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

Let me just say that I think the gentleman's amendment is one that we can accept. The administration has requested $1 million to pay for an Office of Inspector General at the U.S. Export-Import Bank in addition to the $73 million that they have for regular administrative expenses.

For the past few years, the committee has not recommended separate funding for an Inspector General because we felt the bank was small. It only had 400 employees. The bank uses a private accounting firm to audit its books so a main function of the proposed IG is already being met.

Nonetheless, I understand the frustration that the gentleman from Texas has shown here this evening and has expressed. The bank should be responsive to the needs of U.S. exporters; so I do not intend to oppose the amendment.

I do want to say, however, Mr. Chairman, to the gentleman from Texas that I am concerned about what might be the unintended side consequences of this amendment. The U.S. Export-Import Bank is not able to control the nomination and confirmation process of the Inspector General, as we know. That comes from the White House, the President; so they cannot have any control over that. And without doubt it would penalize U.S. exporters and the bank itself if there were a delay through no fault at the bank in nominating and confirming the Inspector General.

So I intend to work in conference to ensure that the bank is not unintentionally harmed with respect to the support that it gives to U.S. exporters, and I am sure that that would be the intention of the gentleman from Texas as well.

I urge support of this amendment.

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

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

I appreciate the chairman's support of my amendment and acknowledge his very thoughtful remarks. I would, however, point out that private accounting is not independent because they answer to the Ex-Im chairman and not the public. So, again, we are looking for answers. The public empowers us to keep an eye on how these funds are allocated, and they need to have the sun shine on them a little more, and the Inspector General would do that because obviously they are not being responsive at this time.

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

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

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. INSLEE

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. INSLEE:

At the end of the bill (before the short title), insert the following:

TITLE VI—ADDITIONAL GENERAL PROVISIONS

LIMITATION ON USE OF FUNDS BY THE EXPORT-IMPORT BANK

SEC. 601. Of the total amount made available in this Act to the Export-Import Bank of the United States for the extension of credit for transactions related to energy projects, the Bank shall use—

(1) not more than 95 percent for transactions related to fossil fuel projects; and

(2) not less than 5 percent for transactions related to renewable energy and energy efficiency projects.

Mr. KOLBE. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Washington (Mr. INSLEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington (Mr. INSLEE).

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

Our amendment seeks to improve our investment internationally in renewable energy sources and energy efficiency technologies. There is a certain irony that while this amendment comes to the floor of the House now, the President is addressing the Nation about the Iraq War right now, a war in the middle of an oil-producing region that the world is largely dependent upon to sustain its economy. The instability of that region in and of itself ought to point out the need to use the Export-Import Bank to encourage the development not of the fossil fuel energy sources but renewable energy sources and energy efficiency standards. So our amendment would simply say that we have to use at least 5 percent of our energy products in renewable energy projects so we do not have to remain dependent on fossil fuel.

A couple of things that have happened to indicate the wisdom of this: In the last couple of weeks, oil has topped $60 a barrel. And since dinosaurs went to die in the Mid East, that is where the oil is. We have to break our dependence on oil internationally from any source.

Secondly, we have seen the effort by the Chinese government-owned oil company to buy a domestic United States producer as a precursor, a predecessor, of future disputes over this resource that we are now largely dependent on. We need to break our addiction to oil. We need to get serious about renewable energy.

And the third fact that has happened in the last several weeks is that we have learned that the debate about global warming is over. Debating whether or not global warming is occurring in large part or significant part during human activity is like now debating gravity. And just two facts that I hope that some Members who may be listening tonight may consider: A picture here of a glacier in Antarctica over a several-month period, showing a block of ice breaking off the Antarctic, 26 miles by 11 miles in width, breaking off, a phenomenon that is now occurring with, if not regularity, more frequency now as an indication of global warming.

I noticed seeing in the newspaper yesterday tourism is booming in Alaska because tourists say they want to see Alaska before it melts. We are now seeing with our own eyes the symptoms of global warming across our hemisphere. We need to do something about it.

□ 2030

The science behind that, this is not just anecdotal. I would ask anyone when they think about energy sources to consider the fact that carbon dioxide now is at levels that we have never seen before in the history of the planet.

I refer you to a chart which shows the changes in CO2 levels and temperature levels that have occurred on the globe over the last several thousand years. This chart basically shows that while there have been changes in the last several hundred thousand years, we have never seen spikes of carbon dioxide, the major global warming gas, like we have now.

Here is the present. We show that our carbon dioxide levels, over 376,000 parts per million, are the highest ever in global history since we have been able to ascertain, even looking at the trapped air bubbles at historical levels thousands of feet down in the glaciers.

What we see is the prediction, Mr. Chairman, that if this Nation and the world does not become serious about renewable and clean energy, those levels will spike to unprecedented levels, up to 980,000 parts per million by 2100. In the next century, we will have carbon dioxide levels, by 2100, three times higher than they have ever been in the history of the world, at least for several hundred thousand years.

We have to get serious about this issue. Our amendment would be one small step. I would like to pass it tonight. We will not, because a point of order has been raised against it. But I hope this is one small moment when Members can think that the next time we have an opportunity to get serious about global warming or respond to the needs of our grandkids, do not let this happen to this great Earth.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

Mr. KOLBE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, let me just advise Members that might be listening that we are coming to the close of the end of the discussion here this evening and to the amendments, and I believe that we will be having votes in a very short period of time. I think the discussion that we have had here today, this evening, has been one that has been productive and I think has highlighted a number of the issues in foreign policy.

The foreign operations legislation appropriation bill is one which uniquely allows us to cover a broad range of foreign policy issues and allows the Congress of the United States to have its input on issues and give direction to the administration, as well as to other agencies, about how foreign policy should be conducted.

I think that some of the amendments which have been accepted here tonight have helped to strengthen the legislation that we have, and I think that the others that have not been accepted and will be voted on are ones that I hope will be defeated on the floor when it comes time to cast votes on these amendments.

So I would urge my colleagues to restrain themselves here at this late hour, and I believe that we can very quickly come to a conclusion on the bill and be able to conclude deliberations of this bill very quickly.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

Page 132, after line 13, insert the following:

LIMITATION ON USE OF FUNDS TO REDUCE OUTLAYS FOR THE RETURN OF DARFURIAN REFUGEES

SEC. . None of the funds made available in this Act may be used to return displaced persons from Chad to Sudan.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I ask unanimous consent that the text of my amendment be read.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

The CHAIRMAN. The Clerk will read the amendment.

The Clerk read the amendment.

Mr. KOLBE. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from Arizona reserves a point of order against the amendment.

Pursuant to the order of the House of today, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I thank the ranking member and the chairman. I want to acknowledge the work that the gentleman from Arizona (Mr. KOLBE) has done and the gentlewoman from New York (Mrs. LOWEY) has done on the Darfur crisis as relates to the refugees; and I hope that maybe as we discuss this matter, I can work with the distinguished gentleman and the distinguished gentlewoman on conference language that responds to my concern.

We originally had this amendment include the words ''not against their will.'' The reason, Mr. Chairman, is that in the time that I spent in Chad with the refugees that have been resettled in Chad, I saw that the crisis in Darfur and the surrounding border areas between Sudan and Chad still exist.

We have made great strides in providing resources to the region; but as I traveled to Chad and met with the leadership of Chad, they talked about the enormous challenges that they are presently having with their refugees and the refugees from Sudan and the need for resources. At the same time as I talked one on one to the refugees that were there, they expressed to me that the brutality was still going on.

Of course, in Chad we find that there is a lack of sufficient water, adequate medical supplies, and, of course, the possibility that the Janjaweed will come across the border and raid them at will. But at the same time, these refugees were frightened about the possibility of being returned to Sudan because the Government of Chad may be overwhelmed with the resources needed to protect them.

I believe, of course, that we can help provide the resources to Chad needed to protect those refugees, and the United Nations refugee resettlement effort was very much in force and very much an effective tool.

But as we know, the genocidal regime in Sudan has left 2.5 million people displaced and at least 380,000 people dead in Darfur. We also know that there is a continuing number of refugees that have come across the border.

Due to increasing violence, 15,000 innocent civilians continue to die each month. Genocide cannot continue on our watch. The United States must move forward towards an effective action against this terrible crime.

We are gratified that this Congress voted on a genocide initiative and declared that genocide was occurring. The United Nations, of course, has had a more difficult time dealing with that question. But we know that genocide has occurred. We know that these refugees are fleeing for a very important reason. The United Nations Secretary General has described the situation in Darfur as ''a little short of hell on Earth,'' and expert John Prendergast calls it ''Rwanda in slow motion.''

Under cover of a decade-long civil war that has claimed 2 million Sudanese lives, the government-backed Janjaweed continues their campaign to wipe out communities of African tribal farmers who live in the region.

I understand that there have been changes in the Sudanese Government. In Chad, I met with the Sudanese ambassador. I have met with the Sudanese ambassador, to the dismay of many here in the United States, trying to find common ground.

I want to applaud the work of the gentleman from New Jersey (Mr. PAYNE) and the Committee on International Relations and the Committee on Appropriations Subcommittee on Foreign Operations, Export Financing, and Related Programs, that has looked at this question and has fought it with great, great perseverance. The gentleman from Illinois (Mr. JACKSON) provided additional dollars.

But I want to make sure that any Darfurian refugee that is in Chad is not forced to leave for any economic reason. Of course, we need more dollars to help Chad, more support of the United Nations Commissioner on Human Rights and Refugees. But we also need to ensure that resources here by this appropriation do not force anyone to go back to a place where they do not want to go.

Some refugees may want to go back. When I met with them one on one, they talked about their cattle being destroyed, they talked about there being no place for them, their villages had been destroyed. We looked and spoke with the African Union at the aerial footage that would show how large villages had been destroyed, so there is not much for them to return to.

I want to be able to say that we are working at all ends, the declaration of genocide, the negotiations with Sudan to stop the violence and stop the devastating destruction of these individuals in Sudan and stop the fleeing from Sudan.

But now that we are in the predicament that we are in, which is 380,000, up to 400,000 and growing, refugees in Chad, we want to make sure that there is no fear, no, if you will, requirement, no demand, no shuttling. Refugees who do not want to go back, they should not have to go.

Let me say this as well: if you speak to the women and the children that I had a chance to speak to, I can only say that tears would come to your eyes, the raping, the brutalization, the fear, the apprehension. I would ask my colleagues to consider an amendment that simply wants to give to those who are in fear of their lives the opportunity not to return if they desire not to return.

Mr. Chairman, the amendment proposes to preclude the use of funds made available in this act to force repatriation of Darfurian refugees from the Republic of Chad back to Darfur, Sudan against their will. This act could be deemed authorized under Section 12 of the Sudan Peace Act as an effort to assist the African Union in its peacekeeping efforts; however, it could prove detrimental or deadly for many Darfurians.

I traveled to the Republic of Chad last April and saw the devastation and suffering firsthand by the Sudanese refugees. They lack sufficient water, adequate medical supplies, and protection from Janjaweed militia who raid them at will.

As many of you know, the genocidal regime in Sudan has left 2.5 million people displaced and at least 380,000 people dead in the Darfur. Due to increasing violence, 15,000 innocent civilians continue to die each month. Genocide cannot continue on our watch; the United States must move toward effective action against this most terrible crime. The United Nations Secretary General has described the situation in Darfur as ''little short of hell on earth.'' Expert John Prendergast calls it ''Rwanda in slow motion.'' Under cover of a decade-long civil war that has claimed 2 million Sudanese lives, government backed Janjaweed continue their campaign to wipe out communities of African tribal farmers who live in the region. The government-backed Janjaweed are razing villages, systematically raping women and young girls, abducting children, poisoning water supplies, and destroying sources of food. Unlike the recent tsunamis in Southeast Asia, the situation in Darfur is manmade and therefore can be addressed.

In my visit to the region, I had the opportunity to meet with Lt. General Ansu of the African Union, which is the single peacekeeping force supported by the United Nations. During the meeting, the general noted that there is nothing they can do pursuant to the current mandate. As a result, I recently co-signed a letter, along with other Congressional Black Caucus members, to the President of Nigeria, Mr. Obasanjo, asking him to use his influence as chairman of the African Union to change the mandate of the AU in Sudan. Additionally, I am also a co-sponsor of H.R. 1424, ''The Darfur Genocide Accountability Act of 2005.'' H.R. 1424, among other things, also calls for changing the mandate of the AU. While these are positive steps towards ending the genocide, they are clearly not enough.

In addition to my visit with Lt. General Ansu, I also had the opportunity to visit refugee camps and spoke with many of the refugees regarding what they have seen. According to them, many of the women and young girls have been raped, and many of the men have been violently murdered. Furthermore, water and food supplies have been completely destroyed making it impossible for many to survive.

The time has come for the United States to take a substantive role in curtailing this situation. I ask that my colleagues support the Jackson-Lee amendment.

Mr. KOLBE. Mr. Chairman, I understand the Parliamentarian has made a decision that this would be in order, and, therefore, I would withdraw my reservation.

Mr. Chairman, I claim the time in opposition.

The CHAIRMAN. The gentleman from Arizona is recognized for 5 minutes.

Mr. KOLBE. Mr. Chairman, I am not at all sure what the gentlewoman is attempting to accomplish here, what the purpose of offering this amendment is. The only funds that would be affected by this, the only funds that we have in the bill that affect refugees is that we provide for the UNHCR, that is, the United Nations High Commissioner on Refugees.

I think it is quite apparent that when it comes to Darfur and the Sudan, the UNHCR would not support any kind of program of resettlement of refugees that had been, not displaced, but they are refugees that go from one place to another. Refugees that fled from Sudan into Chad, they would not support any program of resettling them back in Sudan if there were not a comprehensive peace settlement that would allow them to be resettled.

The effect of the gentlewoman's amendment would be to stop assistance for such an important program if there was to be a peace settlement that was to be achieved and everybody in Darfur and Sudan were to agree on it. I cannot believe that is what the gentlewoman really intends, because what she would be doing is taking a terrible human tragedy and simply compounding it and making it a much worse human tragedy.

Mr. Chairman, I would hope the gentlewoman would reconsider this amendment, because I do not believe that its intent is what she intends to do. Let me just make it clear, it would limit all money going to UNHCR for resettlement if there were a peace agreement in Darfur. If there were a peace agreement, we would want nothing more than to be able to return those refugees from Chad back to Darfur. I cannot believe that is what the gentlewoman intended.

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

Mrs. LOWEY. Mr. Chairman, I move to strike the last word.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentlewoman yield?

Mrs. LOWEY. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the distinguished gentlewoman very much for yielding.

Mr. Chairman, if I might engage the distinguished gentleman from Arizona, I think the amendment can be interpreted in the way the gentleman has offered, but I think it can be interpreted in the way I have offered it. The problem is as we visited, first of all I want to thank Chad for what it has offered to the refugees and, of course, refugee resettlement efforts with the United Nations, where Chad is hosting the United Nations and welcoming them for the many refugee camps that are there.

But there is a terrible economic burden on Chad as well, and this is simply language that suggests that we are monitoring or ensuring that our funds are being used to, in fact, provide for those refugees who are in fear of their lives.

Now, I would be happy if the gentleman would work with me to include this in report language, so that we would have at least that protection from what might happen or what might be thought of or what might cause, if you will, some sort of pressure to return those refugees because of the economic imbalance. When we were there, though Chad was very hospitable, and all of us have gone to Chad and gone through Chad to go to Sudan, but if, for example, the financial burden became so extensive, then there might be some pressure, Mr. Chairman.

□ 2045

So I would hope that we find common ground to realize that it is a concern. I would not have brought it to the floor if it was not. I think it is an important point to make, that we understand the brutality that these refugees have experienced, and because they have experienced such devastation, we want to cross the T's and dot the I's.

So that was the explanation I wanted to make. If I can work to get a commitment on precise report language, which I think answers the concern, then I think that that is a way of addressing a definitive concern that I saw, and I think it is real, and I think my interpretation clarifies that it is not in any way undermining the funding for the U.N. Refugee Resettlement Program, but it is to make clear that even if there is an economic burden on the host country; in this instance, Chad, and again, I repeat, I thank them for their hospitality to these refugees. They should be, as we have supported their efforts, but there would not be that intent to resettle these refugees beyond the time of them wanting to go back, or for those who do not want to go back.

Mrs. LOWEY. Mr. Chairman, reclaiming my time, I know the chairman's clear concern and commitment to focus on the severe issues in Darfur, and I certainly would be delighted to work with the chairman to see if we can come up with some report language that would clarify the intent of the gentlewoman from Texas' concerns as expressed in this amendment.

Mr. KOLBE. Mr. Chairman, will the gentlewoman yield?

Mrs. LOWEY. I yield to the gentleman from Arizona.

Mr. KOLBE. Mr. Chairman, I understand then what the gentlewoman from Texas is suggesting. Certainly, none of us would want to require forced repatriation of people from Chad back to Sudan. That is certainly not what any of us would want. But this amendment, as it is drafted, would be overly broad and would simply not allow us to do any kind of program that would help to resettle refugees that have fled from Darfur to return them to their homes, and I know that is not what the gentlewoman desires.

So, therefore, I agree with the point she is making, and we are certainly willing to work with her when we get to conference and the statement of manager's intentions in conference to work on language that will make it clear that we would oppose any kind of forcible repatriation of refugees from one country to the other.

If that is acceptable, I would hope the gentlewoman would then withdraw this amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentlewoman yield?

Mrs. LOWEY. I yield to the gentlewoman from Texas for a concluding statement.

Ms. JACKSON-LEE of Texas. Mr. Chairman, let me try to understand the gentleman. I guess we differ whether it is overbroad, but I am welcoming of the gentleman's generous offer, in understanding that he would work with me on report language that helps us not have forced repatriation back to Sudan.

Mr. KOLBE. Mr. Chairman, if the gentlewoman from New York would continue to yield to me, the House report for the House bill is completed, but in conference, yes, we could work on language in conference.

Ms. JACKSON-LEE of Texas. Mr. Chairman, if the gentlewoman from New York would continue to yield, that is the clarity that I was trying to secure.

The CHAIRMAN. The time of the gentlewoman from New York (Mrs. LOWEY) has expired.

The gentleman from Arizona (Mr. KOLBE) has remaining time.

Mr. KOLBE. Mr. Chairman, I am completed with my remarks and I am prepared to yield back the balance of my time, if the gentlewoman is prepared to withdraw the amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

Mr. KOLBE. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, with that kind of offer and the understanding that the amendment was drafted to ensure that we did not have the forcing of refugees to return, I will look forward to working with the gentlewoman from New York (Mrs. LOWEY) and the gentleman from Arizona (Chairman KOLBE) to have language in conference on this matter.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

AMENDMENT OFFERED BY MR. HEFLEY

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HEFLEY:

Page 132, after line 13, insert the following:

REDUCTION IN TOTAL APPROPRIATIONS

SEC. ___. Total appropriations made in this Act (other than appropriations required to be made by a provision of law) are hereby reduced by $202,700,000.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Colorado (Mr. HEFLEY) and the gentleman from Arizona (Mr. KOLBE) each will control 5 minutes.

The Chair recognizes the gentleman from Colorado (Mr. HEFLEY).

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

Mr. Chairman, this is no surprise to anyone. I rise again today to offer an amendment to cut the level of funding in this appropriation bill by 1 percent, 1 cent on the dollar. This amounts to $202.7 million.

I have offered this kind of an amendment on a number of these bills, and it is because I feel so strongly about the need for us to come to a balanced budget which we once had, and we have gotten very far away from.

The committee has done a good job in the sense that the amount of this bill is $2.5 billion less than what the administration called for. However, it is still an increase of $750 million over last year's Foreign Operations budget.

My sense is that if you do not have the money, you do not spend more than last year. That is the situation we are in right now. I will not go into this whole thing; I simply encourage an ''aye'' vote on behalf of the amendment.

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

Mr. KOLBE. Mr. Chairman, I claim the time in opposition, and I yield myself such time as I may consume.

Mr. Chairman, the bill before us today already cuts the President's request, and the gentleman from Colorado has mentioned this; it cuts the President's request by $2.6 billion. That is 11 percent, and that is the largest cut in terms of any of the appropriation bills that we have had on the floor or will have on the floor this year.

We have cut all of the fat I think, and then some, from this bill. I am sure everybody can find something that they do not like, but there are a lot of programs that I think are very valuable that did not get funded in this because of the 11 percent cut over the President's request that we had, certainly things that the President thought were important and should be done.

I think if my colleagues were to peruse the bill, they would see that there is a $1.4 billion dollar cut from the President's account for the Millennium Challenge Corporation. That has been a priority of the President and mine in this bill. We have cut all of the new programs that the President requested. We zeroed out the Global Environmental Facility. We withheld 25 percent of the funds from the World Bank and conditioned funds of the Global Fund to fight HIV/AIDS until detailed reforms are met.

So this is a fiscally conservative bill of which I am very proud, and I ask my colleagues to oppose this amendment that is offered by the gentleman from Colorado (Mr. HEFLEY).

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

Mr. HEFLEY. Mr. Chairman, I want to express my appreciation for every one of the cuts that the gentleman from Arizona (Mr. KOLBE) mentioned, and they have done a good job where that is concerned, but I still hope we will get a positive vote on this amendment.

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

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. HEFLEY).

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

Mr. HEFLEY. 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 Colorado (Mr. HEFLEY) will be postponed.

AMENDMENT OFFERED BY MS. LORETTA SANCHEZ OF CALIFORNIA

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. LORETTA SANCHEZ of California:

Page 132, after line 13, insert the following:

LIMITATION ON INTERNATIONAL MILITARY EDUCATION AND TRAINING ASSISTANCE FOR VIETNAM

SEC. ____. None of the funds made available in this Act under the heading ''INTERNATIONAL MILITARY EDUCATION AND TRAINING'' may be used to provide assistance for Vietnam.

Mr. KOLBE. Mr. Chairman, I reserve a point of order, and I do so until we have had a chance to see the amendment.

The CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from California (Ms. LORETTA SANCHEZ) and the gentleman from Arizona (Mr. KOLBE) each will control 5 minutes.

The Chair recognizes the gentlewoman from California (Ms. LORETTA SANCHEZ).

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I yield myself such time as I may consume.

I intend to withdraw this amendment, and the gentleman from Arizona (Chairman KOLBE) has been kind enough to agree to engage in a colloquy with me on the issue of International Military Education and Training, or IMET, funding for Vietnam.

I strongly support the IMET program. Sitting on the Committee on Armed Services, I understand that it is a vital tool for furthering regional security cooperation and promoting United States interests overseas.

Vietnam held off on agreeing to participate in the IMET program for quite a while because they were concerned about scrutiny of their human rights record, and those concerns are well-founded. Vietnam is responsible for a broad range of human rights abuses, including the repression of ethnic minorities, detention and torture of political dissidents, and the repression of religious freedom.

The U.S. designated Vietnam as a ''Country of Particular Concern'' in 2004 because of its violations of religious freedoms. With this designation, Vietnam joins a club including Burma, China, Iran, and North Korea.

So, should the United States provide IMET for these countries? Why should Vietnam be any different?

The Vietnamese military has reportedly been involved in numerous cases of human rights violations, including violence and brutal suppression of the peaceful Montagnard people in demonstrations in April of 2004.

Providing humanitarian assistance to a country is one thing. Establishing trade relations is yet another. But military assistance such as IMET requires an even higher standard. Why would we want to establish military relations with a repressive regime, one in which our potential counterparts are directly involved in that repression? I think Vietnam should not be eligible for IMET assistance until it has demonstrated a willingness to treat all its citizens with the fundamental dignity and respect that they deserve.

Can the chairman provide me with assurances that Vietnam's human rights record and the record of its military in particular will be taken into consideration as part of Vietnam's eligibility for IMET funding?

Mr. KOLBE. Mr. Chairman, will the gentlewoman yield?

Ms. LORETTA SANCHEZ of California. I yield to the gentleman from Arizona.

Mr. KOLBE. Mr. Chairman, first, I withdraw the reservation of the point of order.

Mr. Chairman, let me just say that I appreciate the gentlewoman's concern about the human rights situation in Vietnam. I share those concerns, and I believe our foreign policy should stress its importance.

I can assure the gentlewoman that improved relations between the United States and Vietnam, particularly in the area of military relations, will not ignore our objectives for improved human rights protection in that country. However, I do not wish to make engagement through IMET contingent on a specific action by the Vietnamese. I think it could have very well the opposite effect if we were to do that.

One purpose of IMET funds is to provide English language instruction to the Vietnamese military. In a fundamental way, it thus serves as a tool to give the Vietnamese military exposure to U.S. instructors, to professionalism, to progressive ideas, and to the role of the military in civil society. IMET would promote mutual understanding and provide an additional context for the Vietnamese to understand how important it is for the United States to see improvements in human rights. Besides providing this context for understanding, I believe that IMET for Vietnam will help us address transnational issues such as counterterrorism and counternarcotics and contribute to greater security and regional stability in Southeast Asia.

I thank the gentlewoman for raising this issue and look forward to working with her in the future on this.

Ms. LORETTA SANCHEZ of California. Mr. Chairman, reclaiming my time, I thank the gentleman for his interest in the issue, and I am glad to hear that our policy towards Vietnam will not ignore human rights objectives. I sincerely appreciate the chairman taking the time with this important matter.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

Page 132, after line 13, insert the following:

LIMITATION ON MILITARY ASSISTANCE IN CONTRAVENTION OF THE CHILD SOLDIERS PROTOCOL TO THE CONVENTION ON THE RIGHTS OF THE CHILD

SEC. ____. None of the funds made available in this Act under the heading ''INTERNATIONAL MILITARY EDUCATION AND TRAINING'' or ''FOREIGN MILITARY FINANCING PROGRAM'' may used in contravention of the child soldiers protocol to the Convention on the Rights of the Child.

Mr. KOLBE. Mr. Chairman, I reserve a point of order on the gentlewoman's amendment.

The CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from Texas (Ms. JACKSON-LEE) and the gentleman from Arizona (Mr. KOLBE) each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

I have worked on this issue for a long time, and I hope to be able to withdraw this amendment and engage the chairman in a colloquy.

I think all of us are reminded of the terrible wars in Liberia, Sierra Leone, and Rwanda. And, in addition to the enormity of the loss of life, one of the most troubling and very sad aspects was the use of child soldiers. In fact, even now, there are programs on the continent of Africa to restore the childhood to these children, children who had guns instead of soccer balls or basketballs or baseballs; children who had guns instead of sitting in classrooms and learning about science and math and the study of the stars.

So, it is unfortunate that even today, in 2005, we find the fact that child soldiers are still utilized. They are utilized in places like Burma, in the Republic of the Congo, and other places where wars arise.

I would think in this day and time of terrorism, we know that child soldiers are being used as terrorists around the world.

On June 18, 2002, the U.S. Senate gave unanimous consent to U.S. ratification of the Child Soldiers Protocol which was the optional protocol to the convention on the rights of children on the involvement of children in armed conflict.

□ 2100

This decision meant that the United States would not put anyone under the age of 18 in combat, nor would we approve or sanction any such activity. However, despite that fact, there are many nations throughout the world that sign and ratify the protocol. The problem of children being put into combat situations is still prevalent in many regions of the world. Despite gains in awareness and better understanding of practical policies that can help reduce the use of children in war, the practice persists; and globally the number of child soldiers, about 300,000, is believed to remain fairly constant.

In some continued armed conflicts, child recruitment increased alarmingly. And I have cited some of the countries where they are being used to fight wars, boys and girls, which is enormously tragic. They have even been used as laborers and sexual slaves. We know that the governments of Burma, Burundi, the DRC, Liberia, and Sudan and other governments have used children to fight wars. Burma's National Army alone includes an estimated 70,000 child soldiers, which is nearly one quarter of the world's total and routinely sends children as young as 12 into battle against armed ethnic opposition groups.

Mr. Chairman, I would hope that this Congress would go on record in some manner. Even as this amendment may be subject to a point of order, I believe it was worthy of our discussion that we oppose the use of children as soldiers. We have certainly opposed violent conflicts around the world and we wish to promote peace; but we will do everything we can to ensure that our children of the world, the ones who can be leaders for peace if given half the chance, if given the chance to live in a free and open society where they can be children and learn to be the best that they can be, I would hope that these children would not be put to the test of fighting in battles.

Mr. Chairman, I rise today to support my Amendment to this Foreign Operations Appropriation bill, which states that none of the funds made available in this Act under the heading ''INTERNATIONAL MILITARY EDUCATION AND TRAINING'' or ''FOREIGN MILITARY FINANCING PROGRAM'' may be used in contravention of the child soldiers protocol to the Convention on the Rights of the Child. The nations known to use child soldiers do not deserve military assistance from our nation.

On June 18, 2002 the U.S. Senate gave unanimous consent to U.S. ratification of the child soldiers protocol, which was the optional protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. This decision meant that the United States would not put anyone under the age of eighteen in combat. However, despite that fact that many nations throughout the world signed and ratified the protocol, the problem of children being put into combat situations is still prevalent in many regions of the world. Despite gains in awareness and better understanding of practical policies that can help reduce the use of children in war, the practice persists and globally, the number of child soldiers—about 300,000—is believed to have remained fairly constant. In some continuing armed conflicts, child recruitment increased alarmingly. In Northern Uganda, abduction rates reached record levels in late 2002 and 2003 as over 8,000 boys and girls were forced by the Lord's Resistance Army to become soldiers, laborers, and sexual slaves. In the neighboring Democratic Republic of Congo (DRC), where all parties to the armed conflict recruit and use children, some as young as seven, the forced recruitment of children increased so dramatically in late 2002 and early 2003 that observers described the fighting forces as ''armies of children.''

However, it is not just non-governmental armed opposition groups who continue to use children to fight wars. Governments including those in Burma, Burundi, the DRC, Liberia, Sudan, and Ugandan have continued to recruit and use children in armed conflict. Burma's national army alone includes an estimated 70,000 child soldiers, which is nearly one-quarter of the world's total and routinely sends children as young as twelve into battle against armed ethnic opposition groups. Both Uganda and the DRC have ratified the optional protocol, but flout their obligations by using child soldiers. The Ugandan People's Defense Force has recruited children who escaped or were captured from the rebel Lord's Resistance Army, and has trained and deployed children recruited into local defense units. The government of DRC maintains children in its ranks despite a 2000 presidential decree calling for the demobilization of child soldiers.

While none of these nations are specifically targeted to receive any military assistance in this Appropriation, it is important that this amendment is passed so that a message against the use of child soldiers is sent throughout the world. Regardless of how unlikely it is that such funding may ever take place, we as a nation can not allow even the slightest possibility that taxpayer money may go to pay for military assistance to other nations who continue to use child soldiers. It is also important to note that these military assistance funds do not cover any humanitarian assistance, only funds under the International Military Education and Training and Foreign Military Financing Programs. It's a travesty that here in America we talk of holding our children above all else, but around the world children are being used as tools for war. I urge support for the Jackson-Lee Amendment to prohibit military assistance to nations that continue to use child soldiers.

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

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

Mr. Chairman, I continue to reserve my point of order. I hope this will not be necessary. I think the gentlewoman's concern is certainly a very real one. None of us want to see child

soldiers. None of us want to see this kind of child labor and abuses of children. And I would hope that this is a priority as far as I think the United States policy is concerned. I think the United Nations agencies, I think all of them have this as a policy. But I just would hope that the gentlewoman, we will continue to work with her on the right language here. But I hope the gentlewoman would withdraw this amendment.

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

Ms. JACKSON-LEE of Texas. Mr. Chairman, if I might, to the gentleman, I would simply say I would like to work with the Chair and the ranking member. Again, I would like to call on your good graces to look at language during conference and work with you and have the language that is appropriate and of course acceptable to all of us and acceptable to the Chair and the ranking member.

I do think that silence on child soldiers is not helpful because there is continued recruitment, and so I would like to withdraw the amendment. I would like to yield to the gentleman, just to say can we work together on it.

Mr. KOLBE. Mr. Chairman, if the gentlewoman will yield, she has the assurance of the chairman that we will work with her on language in conference that would address this issue. I obviously cannot commit with the Senate exactly how that language would be worded, but certainly we will take this issue to the Congress, and we will work on language in the report language for the conference.

Ms. JACKSON-LEE of Texas. Mr. Chairman, let me thank the chairman and let me ask and thank the chairman for his reservation of point of order. But let me thank him for entering into a discussion on this matter and allowing me to discuss it and bringing it to the attention of my colleagues.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: amendment No. 6 by the gentleman from Massachusetts (Mr. MCGOVERN), amendment by the gentleman from Colorado (Mr. BEAUPREZ), amendment by the gentleman New York (Mr. WEINER), amendment by the gentleman from Vermont (Mr. SANDERS), amendment by the gentleman from Georgia (Mr. DEAL), amendment by the gentleman from Colorado (Mr. HEFLEY).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 6 OFFERED BY MR. MCGOVERN

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. MCGOVERN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 189, noes 234, not voting 10, as follows:

[Roll No. 329]

AYES—189

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldwin
Barrow
Bartlett (MD)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Carnahan
Carson
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Duncan
Ehlers
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Feeney
Filner
Flake
Ford
Gordon
Green, Al
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (NC)
Jones (OH)
Kaptur
Kelly
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Markey
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McNulty
Meehan
Meek (FL)
Meeks (NY)
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Otter
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pitts
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Rohrabacher
Roybal-Allard
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Solis
Spratt
Stark
Strickland
Stupak
Tancredo
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—234

Aderholt
Akin
Alexander
Baca
Bachus
Baker
Barrett (SC)
Barton (TX)
Bass
Bean
Beauprez
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Cardoza
Carter
Case
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Cramer
Crenshaw
Crowley
Cubin
Culberson
Cunningham
Davis (FL)
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Drake
Dreier
Edwards
Emerson
English (PA)
Everett
Ferguson
Fitzpatrick (PA)
Foley
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Granger
Graves
Green (WI)
Green, Gene
Harris
Hart
Hastings (WA)
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Kanjorski
Keller
Kennedy (MN)
Kennedy (RI)
King (IA)
King (NY)
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Maloney
Manzullo
Marchant
Marshall
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Melancon
Menendez
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Oxley
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Rothman
Royce
Ruppersberger
Ryan (WI)
Ryun (KS)
Saxton
Schwarz (MI)
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Snyder
Sodrel
Souder
Stearns
Sullivan
Sweeney
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—10

Cox
Doolittle
Hayes
Hinojosa
Kingston
Lynch
McIntyre
McKinney
Ortiz
Ross

□ 2127

Mrs. NORTHUP and Messrs. BACA, KENNEDY of Rhode Island and HOSTETTLER changed their vote from ''aye'' to ''no.''

Mr. TANCREDO and Mr. THOMPSON of Mississippi changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. HINOJOSA. Mr. Chairman, on rollcall No. 329, had I been present, I would have voted ''aye.''

AMENDMENT OFFERED BY MR. BEAUPREZ

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. BEAUPREZ) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 327, noes 98, not voting 8, as follows:

[Roll No. 330]

AYES—327

Abercrombie
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Berkley
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costa
Costello
Cox
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cunningham
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
Delahunt
DeLay
Dent
Diaz-Balart, M.
Dicks
Doggett
Doyle
Drake
Duncan
Edwards
Emanuel
Emerson
Engel
English (PA)
Etheridge
Evans
Everett
Fattah
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinojosa
Hoekstra
Holden
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson-Lee (TX)
Jenkins
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kind
King (IA)
King (NY)
Kline
Kuhl (NY)
LaHood
Langevin
Lantos
Latham
LaTourette
Leach
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Markey
Marshall
Matheson
McCarthy
McCaul (TX)
McCotter
McHenry
McHugh
McKeon
McMorris
McNulty
Meehan
Meek (FL)
Melancon
Menendez
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Obey
Osborne
Otter
Owens
Pallone
Pascrell
Paul
Pearce
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Rothman
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Salazar
Saxton
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherman
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Snyder
Sodrel
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Tancredo
Tanner
Taylor (MS)
Taylor (NC)
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Van Hollen
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NOES—98

Ackerman
Baird
Baldwin
Becerra
Berman
Blumenauer
Boucher
Brown, Corrine
Capps
Conyers
Cummings
Davis (FL)
DeGette
DeLauro
Dingell
Dreier
Ehlers
Eshoo
Farr
Filner
Frank (MA)
Gillmor
Grijalva
Gutierrez
Harman
Hastings (FL)
Hinchey
Hobson
Holt
Honda
Hyde
Jackson (IL)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kildee
Kilpatrick (MI)
Kirk
Knollenberg
Kolbe
Kucinich
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (CA)
Lewis (GA)
Lowey
Maloney
Matsui
McCollum (MN)
McCrery
McDermott
McGovern
McKinney
Meeks (NY)
Millender-McDonald
Miller, George
Nadler
Napolitano
Oberstar
Olver
Oxley
Pastor
Payne
Pelosi
Peterson (PA)
Rogers (KY)
Roybal-Allard
Rush
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Scott (VA)
Serrano
Shays
Sherwood
Slaughter
Smith (WA)
Solis
Stark
Sweeney
Tauscher
Thomas
Tierney
Towns
Udall (CO)
Udall (NM)
Velázquez
Waters
Watson
Watt
Waxman
Wexler
Woolsey

NOT VOTING—8

Diaz-Balart, L.
Doolittle
Hayes
Kingston
Lynch
McIntyre
Ortiz
Ross

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised that 2 minutes remain in this vote.

□ 2136

Mr. CUMMINGS changed his vote from ''aye'' to ''no.''

Mr. SCHWARZ of Michigan, Ms. PRYCE of Ohio, Mr. ENGEL, Mrs. NORTHUP and Mr. JOHNSON of Illinois changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. WEINER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. WEINER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 293, noes 132, not voting 8, as follows:

[Roll No. 331]

AYES—293

Abercrombie
Ackerman
Akin
Alexander
Andrews
Baca
Bachus
Baird
Baker
Barrett (SC)
Barrow
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Bilirakis
Bishop (NY)
Blumenauer
Boehlert
Bono
Boozman
Boren
Boswell
Boyd
Brady (PA)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burton (IN)
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Conaway
Cooper
Costa
Costello
Cox
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
DeLauro
Dent
Dicks
Doggett
Doyle
Drake
Duncan
Edwards
Emanuel
Emerson
Engel
English (PA)
Eshoo
Evans
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gillmor
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Hastings (FL)
Hayworth
Hefley
Herger
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Jindal
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kaptur
Keller
Kennedy (RI)
Kildee
Kind
King (IA)
King (NY)
Kucinich
Kuhl (NY)
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McCotter
McGovern
McHenry
McNulty
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)

Miller (NC)
Miller, Gary
Miller, George
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Norwood
Olver
Osborne
Otter
Owens
Pallone
Pascrell
Paul
Payne
Pelosi
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Ramstad
Rangel
Renzi
Reyes
Rogers (AL)
Rohrabacher
Rothman
Roybal-Allard
Royce
Rush
Ryan (OH)
Ryun (KS)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shadegg
Shaw
Sherman
Shuster
Simmons
Slaughter
Smith (NJ)
Smith (WA)
Sodrel
Solis
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Tancredo
Tanner
Tauscher
Terry
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Westmoreland
Wexler
Whitfield
Woolsey
Wu
Wynn

NOES—132

Aderholt
Allen
Baldwin
Bartlett (MD)
Barton (TX)
Biggert
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Boucher
Boustany
Bradley (NH)
Brady (TX)
Burgess
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Cole (OK)
Conyers
Cramer
Crenshaw
Cunningham
Delahunt
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Dreier
Ehlers
Etheridge
Everett
Foley
Gilchrest
Gingrey
Granger
Harris
Hart
Hastings (WA)
Hensarling
Hobson
Hoekstra
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jefferson
Johnson (CT)
Kanjorski
Kelly
Kennedy (MN)
Kilpatrick (MI)
Kirk
Kline
Knollenberg
Kolbe
LaHood
Latham
Leach
Lewis (CA)
McCaul (TX)
McCrery
McDermott
McHugh
McKeon
McKinney
McMorris
Mica
Mollohan
Murphy
Murtha
Ney
Northup
Nunes
Nussle
Oberstar
Obey
Oxley
Pastor
Pearce
Peterson (PA)
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Regula
Rehberg
Reichert
Reynolds
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ruppersberger
Ryan (WI)
Sabo
Saxton
Schwarz (MI)
Sessions
Sherwood
Shimkus
Simpson
Skelton
Smith (TX)
Snyder
Stark
Sweeney
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Tiahrt
Turner
Upton
Walsh
Weller
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—8

Doolittle
Hayes
Kingston
McIntyre
Meehan
Ortiz
Ross
Shays

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 2144

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SANDERS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Vermont (Mr. SANDERS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 313, noes 114, not voting 6, as follows:

[Roll No. 332]

AYES—313

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bass
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boyd
Brady (PA)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Chabot
Chandler
Clay
Cleaver
Clyburn
Coble
Conyers
Costa
Costello
Cox
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doggett
Drake
Duncan
Emanuel
Emerson
Engel
English (PA)
Eshoo
Evans
Everett
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Gordon
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Harman
Harris
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hunter
Hyde
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Jindal
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
King (IA)
Kucinich
Langevin
Lantos
Larson (CT)
LaTourette
Leach
Lee
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas
Lynch
Mack
Maloney
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHenry
McHugh
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Musgrave
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Obey
Olver
Osborne
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Rahall
Ramstad
Rangel
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rothman
Roybal-Allard
Royce
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shadegg
Shaw
Sherman
Shuster
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Sodrel
Solis
Souder
Stark
Stearns
Strickland
Stupak
Tancredo
Tanner
Taylor (MS)
Taylor (NC)
Terry
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Westmoreland
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOES—114

Alexander
Bartlett (MD)
Barton (TX)
Beauprez
Biggert
Bilirakis
Bonilla
Boucher
Boustany
Bradley (NH)
Brady (TX)
Cannon
Cantor
Carter
Case
Castle
Chocola
Cole (OK)
Conaway
Cooper
Cramer
Crenshaw
Crowley
Cubin
Davis (KY)
Davis, Tom
DeLay
Dicks
Doyle
Dreier
Edwards
Ehlers
Etheridge
Feeney
Frelinghuysen
Gilchrest
Goodlatte
Granger
Graves
Hall
Hart
Hobson
Hoekstra
Hulshof
Inglis (SC)
Jefferson
Johnson (CT)
Keller
Kind
King (NY)
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Larsen (WA)
Latham
Levin
Lewis (CA)
Lofgren, Zoe
Lungren, Daniel E.
Manzullo
McCrery
McMorris
Meeks (NY)
Mica
Miller (MI)
Miller (NC)
Moran (KS)
Murphy
Murtha
Myrick
Oberstar
Otter
Oxley
Pearce
Peterson (PA)
Pomeroy
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Ros-Lehtinen
Ruppersberger
Ryan (WI)
Ryun (KS)
Schwarz (MI)
Sessions
Shays
Sherwood
Shimkus
Simpson
Smith (WA)
Snyder
Spratt
Sullivan
Sweeney
Tauscher
Thomas
Thornberry
Tiahrt
Upton
Wamp
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson (SC)

NOT VOTING—6

Doolittle
Hayes
Kingston
McIntyre
Ortiz
Ross

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are reminded there are 2 minutes remaining in this vote.

□ 2151

Mr. LEACH changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. DEAL OF GEORGIA

The CHAIRMAN. The pending business is the demand for a recorded vote

on the amendment offered by the gentleman from Georgia (Mr. DEAL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 294, noes 132, not voting 7, as follows:

[Roll No. 333]

AYES—294

Abercrombie
Aderholt
Akin
Alexander
Andrews
Baca
Bachus
Baird
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Berkley
Berry
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Boehlert
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Capito
Capps
Cardin
Cardoza
Carnahan
Case
Chabot
Chandler
Chocola
Clyburn
Coble
Cole (OK)
Conaway
Costa
Costello
Cox
Cramer
Crowley
Cubin
Cuellar
Culberson
Cunningham
Davis (CA)
Davis (TN)
Davis, Jo Ann
Deal (GA)
DeFazio
Dent
Dicks
Doggett
Doyle
Drake
Duncan
Edwards
Emerson
Engel
English (PA)
Eshoo
Everett
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Graves
Green (WI)
Green, Al
Green, Gene
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Holden
Honda
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kind
King (IA)
King (NY)
Kuhl (NY)
LaHood
Langevin
Lantos
LaTourette
Leach
Levin
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lucas
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Marshall
Matheson
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McHenry
McHugh
McKeon
McMorris
McNulty
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nussle
Osborne
Otter
Owens
Pallone
Paul
Pearce
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Reichert
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rothman
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Salazar
Sanders
Saxton
Schiff
Schwartz (PA)
Scott (GA)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherman
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (TX)
Sodrel
Spratt
Stearns
Strickland
Stupak
Sullivan
Tancredo
Tanner
Taylor (MS)
Taylor (NC)
Terry
Thompson (MS)
Tiahrt
Tiberi
Turner
Upton
Van Hollen
Visclosky
Walden (OR)
Wamp
Wasserman Schultz
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NOES—132

Ackerman
Allen
Baldwin
Becerra
Berman
Biggert
Blumenauer
Blunt
Bonilla
Boucher
Brown, Corrine
Butterfield
Cantor
Capuano
Carson
Carter
Castle
Clay
Cleaver
Conyers
Cooper
Crenshaw
Cummings
Davis (AL)
Davis (FL)
Davis (IL)
Davis (KY)
Davis, Tom
DeGette
Delahunt
DeLauro
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Dreier
Ehlers
Emanuel
Etheridge
Evans
Farr
Frank (MA)
Frelinghuysen
Gilchrest
Granger
Grijalva
Gutierrez
Hastings (FL)
Hobson
Hoekstra
Holt
Hooley
Jackson (IL)
Jefferson
Johnson, E. B.
Jones (OH)
Kilpatrick (MI)
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Larsen (WA)
Larson (CT)
Latham
Lee
Lewis (CA)
Lewis (GA)
Lowey
Maloney
Markey
Matsui
McCrery
McDermott
McGovern
McKinney
Meehan
Meek (FL)
Meeks (NY)
Miller, George
Nadler
Napolitano
Nunes
Oberstar
Obey
Olver
Oxley
Pascrell
Pastor
Payne
Pelosi
Peterson (PA)
Price (NC)
Pryce (OH)
Regula
Rehberg
Renzi
Ros-Lehtinen
Roybal-Allard
Rush
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Schwarz (MI)
Scott (VA)
Serrano
Shays
Sherwood
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Stark
Sweeney
Tauscher
Thomas
Thompson (CA)
Thornberry
Tierney
Towns
Udall (CO)
Udall (NM)
Velázquez
Walsh
Waters
Watson
Watt
Waxman
Wexler
Woolsey

NOT VOTING—7

Doolittle
Hayes
Jackson-Lee (TX)
Kingston
McIntyre
Ortiz
Ross

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are reminded 2 minutes remain in this vote.

□ 2158

Mrs. JOHNSON of Connecticut changed her vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Ms. MOORE of Wisconsin. Mr. Chairman, on rollcall No. 333, I inadvertently voted "aye" when I intended to vote "no." Please have the RECORD reflect that I would have voted "no."

AMENDMENT OFFERED BY MR. HEFLEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. HEFLEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 117, noes 309, not voting 7, as follows:

[Roll No. 334]

AYES—117

Akin
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Berry
Bilirakis
Bishop (UT)
Blackburn
Bonner
Bradley (NH)
Brady (TX)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Cannon
Cardoza
Chabot
Chocola
Coble
Costa
Costello
Cox
Cubin
Davis, Jo Ann
Deal (GA)
DeFazio
Diaz-Balart, M.
Duncan
Everett
Feeney
Flake
Forbes
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gibbons
Gohmert
Goode
Goodlatte
Graves
Green (WI)
Green, Gene
Gutknecht
Harris
Hart
Hayworth
Hefley
Hensarling
Herger
Hostettler
Hulshof
Inglis (SC)
Issa
Jenkins
Jindal
Johnson, Sam
Jones (NC)
Keller
Kennedy (MN)
King (IA)
Lewis (KY)
Linder
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCotter
McHenry
McMorris
McNulty
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Norwood
Otter
Paul
Pence
Peterson (MN)
Petri
Pitts
Platts
Poe
Pombo
Price (GA)
Radanovich
Rahall
Rogers (MI)
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Stearns
Tancredo
Tanner
Taylor (MS)
Terry
Tiberi
Upton
Walden (OR)
Westmoreland
Wilson (SC)

NOES—309

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baldwin
Barrow
Becerra
Berkley
Berman
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brown (OH)
Brown (SC)
Brown, Corrine
Butterfield
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cardin
Carnahan
Carson
Carter
Case
Castle
Chandler
Clay
Cleaver
Clyburn
Cole (OK)
Conaway
Conyers
Cooper
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Tom
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Dicks
Dingell
Doggett
Doyle
Drake
Dreier
Edwards

Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Foley
Ford
Fortenberry
Frank (MA)
Frelinghuysen
Gerlach
Gilchrest
Gillmor
Gingrey
Gonzalez
Gordon
Granger
Green, Al
Grijalva
Gutierrez
Hall
Harman
Hastings (FL)
Hastings (WA)
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hunter
Hyde
Inslee
Israel
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCrery
McDermott
McGovern
McHugh
McKeon
McKinney
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy
Murtha
Nadler
Napolitano
Neal (MA)
Ney
Northup
Nunes
Nussle
Oberstar
Obey
Olver
Osborne
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Peterson (PA)
Pickering
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shaw
Shays
Sherman
Sherwood
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Strickland
Stupak
Sullivan
Sweeney
Tauscher
Taylor (NC)
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walsh
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—7

Doolittle
Hayes
Kingston
McIntyre
Ortiz
Ross
Waters

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised 2 minutes remain in this vote.

□ 2204

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. LEWIS of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am not rising because it happens to be my 19th wedding anniversary.

Mr. Chairman, it is my privilege to express my great appreciation for the fantastic work done by the chairman and the ranking member on this bill, and for all of us to come together to recognize the birthday of the gentleman from Arizona (Mr. KOLBE).

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

Mr. LEWIS of California. I yield to the gentleman from Arizona.

Mr. KOLBE. It is a few more than 19, too.

Mr. LEWIS of California. Let us all join in extending happy birthday wishes to the gentleman.

The CHAIRMAN. The Clerk will read the last three lines of the bill.

The Clerk read as follows:

This Act may be cited as the ''Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006''.

Mr. KOLBE. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LATOURETTE) having assumed the chair, Mr. THORNBERRY, 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. 3057) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Pursuant to House Resolution 341, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 393, nays 32, not voting 8, as follows:

[Roll No. 335]

YEAS—393

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cox
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayworth
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Nunes
Nussle
Oberstar
Obey
Olver
Osborne
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)

Rogers (MI)	Shuster	Udall (NM)
Ros-Lehtinen	Simmons	Upton
Rothman	Simpson	Van Hollen
Roybal-Allard	Skelton	Velázquez
Royce	Slaughter	Visclosky
Ruppersberger	Smith (NJ)	Walden (OR)
Rush	Smith (TX)	Walsh
Ryan (OH)	Smith (WA)	Wamp
Ryan (WI)	Snyder	Wasserman Schultz
Sabo	Sodrel	Waters
Salazar	Solis	Watson
Sánchez, Linda T.	Souder	Watt
Sanchez, Loretta	Spratt	Waxman
Sanders	Strickland	Weiner
Saxton	Stupak	Weldon (FL)
Schakowsky	Sullivan	Weldon (PA)
Schiff	Sweeney	Weller
Schwartz (PA)	Tauscher	Westmoreland
Schwarz (MI)	Taylor (NC)	Wexler
Scott (GA)	Terry	Whitfield
Scott (VA)	Thomas	Wicker
Serrano	Thompson (CA)	Wilson (NM)
Sessions	Thompson (MS)	Wilson (SC)
Shadegg	Thornberry	Wolf
Shaw	Tiahrt	Woolsey
Shays	Tiberi	Wu
Sherman	Tierney	Wynn
Sherwood	Towns	Young (AK)
Shimkus	Turner	Young (FL)
	Udall (CO)	

NAYS—32

Bartlett (MD)	Hostettler	Pombo
Berry	Hulshof	Rahall
Cubin	Jenkins	Rohrabacher
Davis, Jo Ann	Jones (NC)	Ryun (KS)
Duncan	Keller	Sensenbrenner
Flake	Lucas	Stark
Franks (AZ)	Miller (FL)	Stearns
Gibbons	Norwood	Tancredo
Goode	Otter	Tanner
Goodlatte	Paul	Taylor (MS)
Hefley	Petri	

NOT VOTING—8

Doolittle	Lewis (CA)	Ortiz
Hayes	McIntyre	Ross
Kingston	Mollohan	

□ 2226

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. KILPATRICK of Michigan. Mr. Speaker, I was not present on votes held earlier this morning. Had I been present, I would have voted ''yea'' on H.R. 458, rollcall No. 324; and ''no'' on the previous question on H.R. 341, rollcall 325.

PERSONAL EXPLANATION

Mr. ETHERIDGE. Mr. Speaker, earlier today I joined local community leaders from my district on behalf of Fort Bragg, Pope Air Force Base, going to the BRAC hearing in Charlotte and thereby missed a number of rollcall votes.

Had I been present, I would have voted ''yes'' on rollcall votes 322, 323, and 324, and would have voted ''no'' on rollcall votes 325, 326, 327, and 328.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H. CON. RES. 140

Ms. KILPATRICK of Michigan. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H. Con. Res. 140.

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

There was no objection.

THE PRESIDENT'S SPEECH

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Mr. Speaker, tonight President Bush talked with America about the great struggle and the suffering that our country has endured since September 11. It is clear that these memories are seared for us of that horrific day, and our hearts break for the soldiers that we have lost and the families that they have left behind.

But the President reminded us that when tragedy struck, we pulled ourselves together; got to work, as we always do; and that we have taken this war to those who attacked us, to be sure that our children never suffer through another September 11.

We do not believe in appeasing terrorism. We do not believe in turning a blind eye as evil gathers, hoping it will strike someone else. We are Americans. It is not our way to let bullies and thugs intimidate and destroy what we and other free nations have worked so hard to build. That is why we are in Afghanistan and that is why we are in Iraq.

Mr. Speaker, the front lines of this war are on America's main streets. They are also in Kabul and Baghdad. We are in this together and we will win together.

□ 2230

PERSONAL EXPLANATION

Ms. JACKSON-LEE of Texas. Mr. Speaker, I was unavoidably detained and did not vote on the Deal amendment during consideration of H.R. 3057. Had I been present, I would have voted no.

A POOR AND FLAWED INTERPRETATION OF THE CONSTITUTION

(Ms. GINNY BROWN-WAITE of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, five U.S. Supreme Court Justices yesterday strained the credibility of the court, ignored America's founding principles and denigrated the importance of the Ten Commandments and the Judeo-Christian faith in American culture and history. Allowing Texas to display the Ten Commandments on State property but disallowing Kentucky courthouses from doing the same is a poor and flawed interpretation of the U.S. Constitution.

This schizophrenia departs from the clear intent of our Founding Fathers. The court must remember that the first amendment says we should have freedom of religion, not freedom from religion.

American government was founded on a belief and a faith in God and in doing what is right and just. I would hope that in future cases the court will interpret the U.S. Constitution with a less jaundiced eye and heed the original intent of our founders.

APPOINTMENT OF MEMBERS TO NATIONAL COUNCIL ON THE ARTS

The SPEAKER pro tempore (Mr. MCHENRY). Pursuant to the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 955(b) note), and the order of the House of January 4, 2005, the Chair announces the Speaker's appointment of the following Members of the House to the National Council on the Arts:

Mr. MCKEON, California;

Mr. TIBERI, Ohio.

COMMUNICATION FROM THE HON. NANCY PELOSI, DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from Nancy Pelosi, Democratic Leader:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE DEMOCRATIC LEADER,
Washington, DC, April 28, 2005.

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

DEAR MR. SPEAKER: Pursuant to the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 955(b) note), I hereby appoint Rep. Betty McCollum of Minnesota to the National Council On The Arts.

Best regards,

NANCY PELOSI.

APPOINTMENT OF MEMBER TO BOARD OF TRUSTEES, JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

The SPEAKER pro tempore. Pursuant to Section 2(a) of the National Cultural Center Act (20 U.S.C. 76h(a)), amended by Public Law 107–117, and the order of the House of January 4, 2005, the Chair announces the Speaker's appointment of the following Member of the House to the Board of Trustees of the John F. Kennedy Center for the Performing Arts:

Mr. KENNEDY, Rhode Island.

MAKING IN ORDER CALL OF PRIVATE CALENDAR ON TOMORROW

Mr. GINGREY. Mr. Speaker, I ask unanimous consent that the call of the Private Calendar be in order tomorrow.

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

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, and under a previous order