

# VARIOUS BILLS AND RESOLUTIONS

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## MARKUP

BEFORE THE

### COMMITTEE ON FOREIGN AFFAIRS HOUSE OF REPRESENTATIVES

ONE HUNDRED TENTH CONGRESS

FIRST SESSION

ON

**H.R. 1400, H.R. 2844, H. Res. 121, H.R. 2798,  
H.R. 176, H.R. 2293, H.R. 2843, S. 377, H. Res. 208,  
H. Res. 287, H. Res. 294, H. Res. 378, H. Res. 380,  
H. Res. 426, H. Res. 427, H. Res. 467, H. Res. 482,  
H. Res. 497, H. Res. 500, H. Con. Res. 136,  
and H. Con. Res. 139**

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JUNE 26, 2007

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## VARIOUS BILLS AND RESOLUTIONS

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TUESDAY, JUNE 26, 2007

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FOREIGN AFFAIRS,  
*Washington, DC.*

The committee met, pursuant to notice, at 10:08 a.m. in room 2172, Rayburn House Office Building, Hon. Tom Lantos (chairman of the committee) presiding.

Chairman LANTOS. The meeting of the committee will come to order. Pursuant to notice, I call up the bill, H.R. 1400, the Iran Contra-Proliferation Act of 2007 for the purpose of markup and move its favorable recommendation to the House. The chair recognizes himself to explain this bill.

[H.R. 1400 follows:]

110TH CONGRESS  
1ST SESSION

# H. R. 1400

To enhance United States diplomatic efforts with respect to Iran by imposing additional economic sanctions against Iran, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 8, 2007

Mr. LANTOS (for himself, Ms. ROS-LEHTINEN, Mr. ACKERMAN, Mr. PENCE, Mr. SHERMAN, Mr. ROYCE, Mr. BERMAN, and Mr. SMITH of New Jersey) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Ways and Means, Financial Services, Oversight and Government Reform, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To enhance United States diplomatic efforts with respect to Iran by imposing additional economic sanctions against Iran, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Iran Counter-Proliferation Act of 2007”.

6 (b) TABLE OF CONTENTS.—The table of contents for  
7 this Act is as follows:

- Sec. 1. Short title and table of contents.
- Sec. 2. United States policy toward Iran.

TITLE I—SUPPORT FOR DIPLOMATIC EFFORTS RELATING TO  
PREVENTING IRAN FROM ACQUIRING NUCLEAR WEAPONS

- Sec. 101. Support for international diplomatic efforts.
- Sec. 102. Peaceful efforts by the United States.

TITLE II—ADDITIONAL BILATERAL SANCTIONS AGAINST IRAN

- Sec. 201. Application to subsidiaries.
- Sec. 202. Additional import sanctions against Iran.
- Sec. 203. Additional export sanctions against Iran.

TITLE III—AMENDMENTS TO THE IRAN SANCTIONS ACT OF 1996

- Sec. 301. Multilateral regime.
- Sec. 302. Mandatory sanctions.
- Sec. 303. United States efforts to prevent investment.
- Sec. 304. Clarification and expansion of definitions.
- Sec. 305. Removal of waiver authority.

TITLE IV—ADDITIONAL MEASURES

- Sec. 401. Additions to terrorism and other lists.
- Sec. 402. Increased capacity for efforts to combat unlawful or terrorist financing.
- Sec. 403. Exchange programs with the people of Iran.
- Sec. 404. Reducing contributions to the World Bank.
- Sec. 405. Restrictions on nuclear cooperation with countries assisting the nuclear program of Iran.
- Sec. 406. Elimination of certain tax incentives for oil companies investing in Iran.

TITLE V—MISCELLANEOUS PROVISIONS

- Sec. 501. Termination.

**1 SEC. 2. UNITED STATES POLICY TOWARD IRAN.**

2 (a) FINDINGS.—Congress finds the following:

3 (1) The prospect of the Islamic Republic of  
4 Iran achieving nuclear arms represents a grave  
5 threat to the United States and its allies in the Mid-  
6 dle East, Europe, and globally.

7 (2) The nature of this threat is manifold, rang-  
8 ing from the vastly enhanced political influence ex-  
9 tremist Iran would wield in its region, including the

1 ability to intimidate its neighbors, to, at its most  
2 nightmarish, the prospect that Iran would attack its  
3 neighbors and others with nuclear arms. This con-  
4 cern is illustrated by the statement of Hashemi  
5 Rafsanjani, former president of Iran and currently a  
6 prominent member of two of Iran’s most important  
7 decision-making bodies, of December 14, 2001, when  
8 he said that it “is not irrational to contemplate” the  
9 use of nuclear weapons.

10 (3) The theological nature of the Iranian re-  
11 gime creates a special urgency in addressing Iran’s  
12 efforts to acquire nuclear weapons.

13 (4) Iranian regime leaders have persistently de-  
14 nied Israel’s right to exist. Current President  
15 Mahmoud Ahmadinejad has called for Israel to be  
16 “wiped off the map”.

17 (5) The nature of the Iranian threat makes it  
18 critical that the United States and its allies do ev-  
19 erything possible—diplomatically, politically, and  
20 economically—to prevent Iran from acquiring nu-  
21 clear-arms capability and persuade the Iranian re-  
22 gime to halt its quest for nuclear arms.

23 (b) SENSE OF CONGRESS.—It is the sense of Con-  
24 gress that—

1           (1) Iranian President Ahmadinejad’s persistent  
2           denials of the Holocaust and his repeated assertions  
3           that Israel should be “wiped off the map” may con-  
4           stitute a violation of the Convention on the Preven-  
5           tion and Punishment of the Crime of Genocide and  
6           should be brought before an appropriate inter-  
7           national tribunal for the purpose of declaring Iran  
8           in breach of the Genocide Convention;

9           (2) the United States should increase use of its  
10          important role in the international financial sector to  
11          isolate Iran;

12          (3) Iran should be barred from entering the  
13          World Trade Organization (WTO) until all issues re-  
14          lated to its nuclear program are resolved;

15          (4) all future free trade agreements involving  
16          Iran should be conditioned on the requirement that  
17          the parties to such agreements pledge not to invest  
18          and not to allow companies based on its territory or  
19          controlled by its citizens to invest in Iran’s energy  
20          sector or otherwise to make significant investment in  
21          Iran;

22          (5) United Nations Security Council Resolution  
23          1737 (December 23, 2006), which was passed unani-  
24          mously and mandates an immediate and uncondi-  
25          tional suspension of Iran’s nuclear enrichment pro-

1       gram, represents a critical gain in the world-wide  
2       campaign to prevent Iran's acquisition of nuclear  
3       arms and should be fully respected by all nations;

4               (6) the United Nations Security Council should  
5       take further measures beyond Resolution 1737 to  
6       tighten sanctions on Iran, including preventing new  
7       investment in Iran's energy sector, as long as Iran  
8       fails to comply with the international community's  
9       demand to halt its nuclear enrichment campaign;

10              (7) the United States should encourage foreign  
11       governments to direct state owned entities to cease  
12       all investment in Iran's energy sector and all exports  
13       of refined petroleum products to Iran and to per-  
14       suade, and, where possible, require private entities  
15       based in their territories to cease all investment in  
16       Iran's energy sector and all exports of refined petro-  
17       leum products to Iran;

18              (8) moderate Arab states have a vital and per-  
19       haps existential interest in preventing Iran from ac-  
20       quiring nuclear arms, and therefore such states, par-  
21       ticularly those with large oil deposits, should use  
22       their economic leverage to dissuade other nations,  
23       including the Russian Federation and the People's  
24       Republic of China, from assisting Iran's nuclear pro-  
25       gram directly or indirectly and to persuade other na-

1 tions, including Russia and China, to be more forth-  
2 coming in supporting United Nations Security Coun-  
3 cil efforts to halt Iran's nuclear program;

4 (9) the United States should take all possible  
5 measures to discourage and, if possible, prevent for-  
6 eign banks from providing export credits to foreign  
7 entities seeking to invest in the Iranian energy sec-  
8 tor;

9 (10) the United States should oppose any fur-  
10 ther activity by the International Bank for Recon-  
11 struction and Development with respect to Iran, or  
12 the adoption of a new Country Assistance Strategy  
13 for Iran, including by seeking the cooperation of  
14 other countries;

15 (11) the United States should extend its pro-  
16 gram of discouraging foreign banks from accepting  
17 Iranian state banks as clients;

18 (12) the United States should prohibit all Ira-  
19 nian state banks from using the United States bank-  
20 ing system;

21 (13) United States federal pension plans should  
22 divest themselves of all non-United States companies  
23 investing more than \$20 million in Iran's energy  
24 sector;

1           (14) State and local government pension plans  
2           should divest themselves of all non-United States  
3           companies investing more than \$20 million in Iran's  
4           energy sector;

5           (15) the United States should designate the Is-  
6           lamic Revolutionary Guards Corps, which purveys  
7           terrorism throughout the Middle East and plays an  
8           important role in the Iranian economy, as a foreign  
9           terrorist organization under section 219 of the Im-  
10          migration and Nationality Act, place the Islamic  
11          Revolutionary Guards Corps on the list of specially  
12          designated global terrorists, and place the Islamic  
13          Revolutionary Guards Corps on the list of weapons  
14          of mass destruction proliferators and their sup-  
15          porters; and

16          (16) United States concerns regarding Iran are  
17          strictly the result of actions of the Government of  
18          Iran; and

19          (17) the American people have feelings of  
20          friendship for the Iranian people, regret that devel-  
21          opments of recent decades have created impediments  
22          to that friendship, and hold the Iranian people, their  
23          culture, and their ancient and rich history in the  
24          highest esteem.

1 **TITLE I—SUPPORT FOR DIPLO-**  
2 **MATIC EFFORTS RELATING**  
3 **TO PREVENTING IRAN FROM**  
4 **ACQUIRING NUCLEAR WEAP-**  
5 **ONS**

6 **SEC. 101. SUPPORT FOR INTERNATIONAL DIPLOMATIC EF-**  
7 **FORTS.**

8 It is the sense of Congress that—

9 (1) the United States should use diplomatic and  
10 economic means to resolve the Iranian nuclear prob-  
11 lem;

12 (2) the United States should continue to sup-  
13 port efforts in the International Atomic Energy  
14 Agency and the United Nations Security Council to  
15 bring about an end to Iran’s uranium enrichment  
16 program and its nuclear weapons program; and

17 (3)(A) United Nations Security Council Resolu-  
18 tion 1737 was a useful first step toward pressing  
19 Iran to end its nuclear weapons program; and

20 (B) in light of Iran’s continued defiance of the  
21 international community, the United Nations Secu-  
22 rity Council should adopt additional measures  
23 against Iran, including measures to prohibit invest-  
24 ments in Iran’s energy sector.

1 **SEC. 102. PEACEFUL EFFORTS BY THE UNITED STATES.**

2 Nothing in this Act shall be construed as authorizing  
3 the use of force or the use of the United States Armed  
4 Forces against Iran.

5 **TITLE II—ADDITIONAL BILAT-**  
6 **ERAL SANCTIONS AGAINST**  
7 **IRAN**

8 **SEC. 201. APPLICATION TO SUBSIDIARIES.**

9 (a) IN GENERAL.—In any case in which an entity en-  
10 gages in an act outside the United States which, if com-  
11 mitted in the United States or by a United States person,  
12 would violate Executive Order No. 12959 of May 6, 1995,  
13 Executive Order No. 13059 of August 19, 1997, or any  
14 other prohibition on transactions with respect to Iran that  
15 is imposed under the International Emergency Economic  
16 Powers Act (50 U.S.C. 1701 et seq.) and if that entity  
17 was created or availed of for the purpose of engaging in  
18 such an act, the parent company of that entity shall be  
19 subject to the penalties for such violation to the same ex-  
20 tent as if the parent company had engaged in that act.

21 (b) DEFINITIONS.—In this section—

22 (1) an entity is a “parent company” of another  
23 entity if it owns, directly or indirectly, more than 50  
24 percent of the equity interest in that other entity  
25 and is a United States person; and

1           (2) the term “entity” means a partnership, as-  
2           sociation, trust, joint venture, corporation, or other  
3           organization.

4 **SEC. 202. ADDITIONAL IMPORT SANCTIONS AGAINST IRAN.**

5           Effective 120 days after the date of the enactment  
6 of this Act—

7           (1) goods of Iranian origin that are otherwise  
8           authorized to be imported under section 560.534 of  
9           title 31, Code of Federal Regulations, as in effect on  
10          March 5, 2007, may not be imported into the United  
11          States; and

12          (2) activities otherwise authorized by section  
13          560.535 of title 31, Code of Federal Regulations, as  
14          in effect on March 5, 2007, are no longer author-  
15          ized.

16 **SEC. 203. ADDITIONAL EXPORT SANCTIONS AGAINST IRAN.**

17          Effective on the date of the enactment of this Act—

18          (1) Licenses to export or reexport goods, serv-  
19          ices, or technology relating to civil aviation that are  
20          otherwise authorized by section 560.528 of title 31,  
21          Code of Federal Regulations, as in effect on March  
22          5, 2007, may not be issued, and any such license  
23          issued before such date of enactment is no longer  
24          valid; and

1           (2) goods, services, or technology described in  
2 paragraph (1) may not be exported or reexported.

3 **TITLE III—AMENDMENTS TO**  
4 **THE IRAN SANCTIONS ACT OF**  
5 **1996**

6 **SEC. 301. MULTILATERAL REGIME.**

7 Section 4(b) of the Iran Sanctions Act of 1996 (50  
8 U.S.C. 1701 note) is amended to read as follows:

9       “(b) REPORTS TO CONGRESS.—Not later than 6  
10 months after the date of the enactment of the Iran  
11 Counter-Proliferation Act of 2007 and every six months  
12 thereafter, the President shall submit to the appropriate  
13 congressional committees a report regarding specific diplo-  
14 matic efforts undertaken pursuant to subsection (a), the  
15 results of those efforts, and a description of proposed dip-  
16 lomatic efforts pursuant to such subsection. Each report  
17 shall include—

18           “(1) a list of the countries that have agreed to  
19 undertake measures to further the objectives of sec-  
20 tion 3 with respect to Iran;

21           “(2) a description of those measures,  
22 including—

23                   “(A) government actions with respect to  
24 public or private entities (or their subsidiaries)

1 located in their territories, that are engaged in  
2 Iran;

3 “(B) any decisions by the governments of  
4 these countries to rescind or continue the provi-  
5 sion of credits, guarantees, or other govern-  
6 mental assistance to these entities; and

7 “(C) actions taken in international fora to  
8 further the objectives of section 3;

9 “(3) a list of the countries that have not agreed  
10 to undertake measures to further the objectives of  
11 section 3 with respect to Iran, and the reasons  
12 therefor; and

13 “(4) a description of any memorandums of un-  
14 derstanding, political understandings, or inter-  
15 national agreements to which the United States has  
16 acceded which affect implementation of this section  
17 or section 5(a).”.

18 **SEC. 302. MANDATORY SANCTIONS.**

19 Section 5(a) of the Iran Sanctions Act of 1996 (50  
20 U.S.C. 1701 note) is amended by striking “2 or more of  
21 the sanctions described in paragraphs (1) through (6) of  
22 section 6” and inserting “the sanction described in para-  
23 graph (5) of section 6 and, in addition, one or more of  
24 the sanctions described in paragraphs (1), (2), (3), (4),  
25 and (6) of such section”.

1 **SEC. 303. UNITED STATES EFFORTS TO PREVENT INVEST-**  
2 **MENT.**

3 Section 5 of the Iran Sanctions Act of 1996 is  
4 amended by adding the following new subsection at the  
5 end:

6 “(g) UNITED STATES EFFORTS TO ADDRESS  
7 PLANNED INVESTMENT.—

8 “(1) REPORTS ON INVESTMENT ACTIVITY.—Not  
9 later than January 30, 2008, and every 6 months  
10 thereafter, the President shall transmit to the Com-  
11 mittee on Foreign Affairs of the House of Rep-  
12 resentatives and the Committee on Foreign Rela-  
13 tions of the Senate a report on investment and pre-  
14 investment activity, by any person or entity, that  
15 could contribute to the enhancement of Iran’s ability  
16 to develop petroleum resources in Iran. For each  
17 such activity, the President shall provide a descrip-  
18 tion of the activity, any information regarding when  
19 actual investment may commence, and what steps  
20 the United States has taken to respond to such ac-  
21 tivity.

22 “(2) DEFINITION.—In this subsection—

23 “(A) the term ‘investment’ includes the ex-  
24 tension by a financial institution of credit or  
25 other financing to a person for that person’s in-  
26 vestment; and

1           “(B) the term ‘pre-investment activity’  
2           means any activity indicating an intent to make  
3           an investment, including a memorandum of un-  
4           derstanding among parties indicating such an  
5           intent.”

6 **SEC. 304. CLARIFICATION AND EXPANSION OF DEFINI-**  
7 **TIONS.**

8           (a) PERSON.—Section 14(13)(B) of the Iran Sanc-  
9 tions Act of 1996 (50 U.S.C. 1701 note) is amended—

10           (1) by inserting after “trust,” the following: “fi-  
11 nancial institution, insurer, underwriter, guarantor,  
12 any other business organization, including any for-  
13 eign subsidiaries of the foregoing;” and

14           (2) by inserting before the semicolon the fol-  
15 lowing: “, such as an export credit agency”.

16           (b) PETROLEUM RESOURCES.—Section 14(14) of the  
17 Iran Sanctions Act of 1996 (50 U.S.C. 1701 note) is  
18 amended by inserting after “petroleum” the second place  
19 it appears, the following: “, petroleum by-products, lique-  
20 fied natural gas, the sale of oil or liquefied natural gas  
21 tankers,”.

22 **SEC. 305. REMOVAL OF WAIVER AUTHORITY.**

23           (a) SIX-MONTH WAIVER AUTHORITY.—Section 4 of  
24 the Iran Sanctions Act of 1996 (50 U.S.C. 1701 note)  
25 is amended—

1 (1) in subsection (d)(1), by striking “except  
2 those with respect to which the President has exer-  
3 cised the waiver authority under subsection (c)”;

4 (2) by striking subsection (c); and

5 (3) by redesignating subsections (d), (e), and  
6 (f) as subsections (e), (d), and (e), respectively.

7 (b) GENERAL WAIVER AUTHORITY.—Section 9 of the  
8 Iran Sanctions Act of 1996 (50 U.S.C. 1701 note) is  
9 amended by striking subsection (c).

10 (c) CONSTRUCTION.—The amendments made by this  
11 section shall not be construed to affect any exercise of the  
12 authority of section 4(e) or section 9(c) of the Iran Sanc-  
13 tions Act of 1996 as in effect on the day before the date  
14 of the enactment of this Act.

## 15 **TITLE IV—ADDITIONAL** 16 **MEASURES**

### 17 **SEC. 401. ADDITIONS TO TERRORISM AND OTHER LISTS.**

18 (a) DETERMINATIONS AND REPORT.—Not later than  
19 120 days after the date of the enactment of this Act, the  
20 President shall—

21 (1) determine whether the Islamic Revolu-  
22 tionary Guards Corps should be—

23 (A) designated as a foreign terrorist orga-  
24 nization under section 219 of the Immigration  
25 and Nationality Act (8 U.S.C. 1189);

1 (B) placed on the list of specially des-  
2 ignated global terrorists; and

3 (C) placed on the list of weapons of mass  
4 destruction proliferators and their supporters;  
5 and

6 (2) report the determinations under paragraph  
7 (1) to the Committee on Foreign Affairs of the  
8 House of Representatives and the Committee on  
9 Foreign Relations of the Senate, including, if the  
10 President determines that such Corps should not be  
11 so designated or placed on either such list, the jus-  
12 tification for the President's determination.

13 (b) DEFINITIONS.—In this section—

14 (1) the term “specially designated global ter-  
15 rorist” means any person included on the Annex to  
16 Executive Order 13224, of September 23, 2001, and  
17 any other person identified under section 1 of that  
18 Executive order whose property and interests in  
19 property are blocked by that section; and

20 (2) the term “weapons of mass destruction  
21 proliferators and their supporters” means any per-  
22 son included on the Annex to Executive Order  
23 13382, of June 28, 2005, and any other person  
24 identified under section 1 of that Executive order

1 whose property and interests in property are blocked  
2 by that section.

3 **SEC. 402. INCREASED CAPACITY FOR EFFORTS TO COMBAT**  
4 **UNLAWFUL OR TERRORIST FINANCING.**

5 (a) FINDINGS.—The work of the Office of Terrorism  
6 and Financial Intelligence of the Department of Treasury,  
7 which includes the Office of Foreign Assets Control and  
8 the Financial Crimes Enforcement Center, is critical to  
9 ensuring that the international financial system is not  
10 used for purposes of supporting terrorism and developing  
11 weapons of mass destruction.

12 (b) AUTHORIZATION.—There is authorized for the  
13 Secretary of the Treasury \$59,466,000 for fiscal year  
14 2008 and such sums as may be necessary for each of the  
15 fiscal years 2009 and 2010 for the Office of Terrorism  
16 and Financial Intelligence.

17 (c) AUTHORIZATION AMENDMENT.—Section  
18 310(d)(1) of title 31, United States Code, is amended by  
19 striking “such sums as may be necessary for fiscal years  
20 2002, 2003, 2004, and 2005” and inserting “\$85,844,000  
21 for fiscal year 2008 and such sums as may be necessary  
22 for each of the fiscal years 2009 and 2010”.

1 **SEC. 403. EXCHANGE PROGRAMS WITH THE PEOPLE OF**  
2 **IRAN.**

3 (a) SENSE OF CONGRESS.—It is the sense of Con-  
4 gress that the United States should seek to enhance its  
5 friendship with the people of Iran, particularly by identi-  
6 fying young people of Iran to come to the United States  
7 under United States exchange programs.

8 (b) EXCHANGE PROGRAMS AUTHORIZED.—The  
9 President is authorized to carry out exchange programs  
10 with the people of Iran, particularly the young people of  
11 Iran. Such programs shall be carried out to the extent  
12 practicable in a manner consistent with the eligibility for  
13 assistance requirements specified in section 302(b) of the  
14 Iran Freedom Support Act (Public Law 109–293).

15 (c) AUTHORIZATION.—Of the amounts available for  
16 “Educational and Cultural Exchanges”, there is author-  
17 ized to be appropriated to the President to carry out this  
18 section \$10,000,000 for fiscal year 2008.

19 **SEC. 404. REDUCING CONTRIBUTIONS TO THE WORLD**  
20 **BANK.**

21 The President of the United States shall reduce the  
22 total amount otherwise payable on behalf of the United  
23 States to the International Bank for Reconstruction and  
24 Development for each fiscal year by the percentage rep-  
25 resented by—

1 (1) the total of the amounts provided by the  
2 Bank to entities in Iran, or for projects and activi-  
3 ties in Iran, in the then preceding fiscal year; di-  
4 vided by

5 (2) the total of the amounts provided by the  
6 Bank to all entities, or for all projects and activities,  
7 in the then preceding fiscal year.

8 **SEC. 405. RESTRICTIONS ON NUCLEAR COOPERATION WITH**  
9 **COUNTRIES ASSISTING THE NUCLEAR PRO-**  
10 **GRAM OF IRAN.**

11 (a) IN GENERAL.—Notwithstanding any other provi-  
12 sion of law or any international agreement, no agreement  
13 for cooperation between the United States and the govern-  
14 ment of any country that is assisting the nuclear program  
15 of Iran or transferring advanced conventional weapons or  
16 missiles to Iran may be submitted to the President or to  
17 Congress pursuant to section 123 of the Atomic Energy  
18 Act of 1954 (42 U.S.C. 2153), no such agreement may  
19 enter into force with such country, no license may be  
20 issued for export directly or indirectly to such country of  
21 any nuclear material, facilities, components, or other  
22 goods, services, or technology that would be subject to  
23 such agreement, and no approval may be given for the  
24 transfer or retransfer directly or indirectly to such country  
25 of any nuclear material, facilities, components, or other

1 goods, services, or technology that would be subject to  
2 such agreement, until the President determines and re-  
3 ports to the Committee on Foreign Relations of the Senate  
4 and the Committee on International Relations of the  
5 House of Representatives that—

6 (1) Iran has ceased its efforts to design, devel-  
7 op, or acquire a nuclear explosive device or related  
8 materials or technology; or

9 (2) the government of the country that is as-  
10 sisting the nuclear program of Iran or transferring  
11 advanced conventional weapons or missiles to Iran—

12 (A) has suspended all nuclear assistance to  
13 Iran and all transfers of advanced conventional  
14 weapons and missiles to Iran; and

15 (B) is committed to maintaining that sus-  
16 pension until Iran has implemented measures  
17 that would permit the President to make the  
18 determination described in paragraph (1).

19 (b) CONSTRUCTION.—The restrictions in subsection  
20 (a)—

21 (1) shall apply in addition to all other applica-  
22 ble procedures, requirements, and restrictions con-  
23 tained in the Atomic Energy Act of 1954 and other  
24 laws; and

1           (2) shall not be construed as affecting the valid-  
2           ity of agreements for cooperation that are in effect  
3           on the date of the enactment of this Act.

4           (c) DEFINITIONS.—In this section:

5           (1) AGREEMENT FOR COOPERATION.—The term  
6           “agreement for cooperation” has the meaning given  
7           that term in section 11 b. of the Atomic Energy Act  
8           of 1954 (42 U.S.C. 2014(b)).

9           (2) ASSISTING THE NUCLEAR PROGRAM OF  
10          IRAN.—The term “assisting the nuclear program of  
11          Iran” means the intentional transfer to Iran by a  
12          government, or by a person subject to the jurisdic-  
13          tion of a government with the knowledge and acqui-  
14          escence of that government, of goods, services, or  
15          technology listed on the Nuclear Suppliers Group  
16          Guidelines for the Export of Nuclear Material,  
17          Equipment and Technology (published by the Inter-  
18          national Atomic Energy Agency as Information Cir-  
19          cular INFCIRC/254/Rev. 3/Part 1, and subsequent  
20          revisions) or Guidelines for Transfers of Nuclear-Re-  
21          lated Dual-Use Equipment, Material, and Related  
22          Technology (published by the International Atomic  
23          Energy Agency as Information Circular INFCIR/  
24          254/Rev. 3/Part 2, and subsequent revisions).

1           (3) COUNTRY THAT IS ASSISTING THE NU-  
2 CLEAR PROGRAM OF IRAN OR TRANSFERRING AD-  
3 VANCED CONVENTIONAL WEAPONS OR MISSILES TO  
4 IRAN.—The term “country that is assisting the nu-  
5 clear program of Iran or transferring advanced con-  
6 ventional weapons or missiles to Iran” means—

7                   (A) Russia; and

8                   (B) any other country determined by the  
9 President to be assisting the nuclear program  
10 of Iran or transferring advanced conventional  
11 weapons or missiles to Iran.

12           (4) TRANSFERRING ADVANCED CONVENTIONAL  
13 WEAPONS OR MISSILES TO IRAN.—The term “trans-  
14 ferring advanced conventional weapons or missiles to  
15 Iran” means the intentional transfer to Iran by a  
16 government, or by a person subject to the jurisdic-  
17 tion of a government with the knowledge and acqui-  
18 escence of that government, of goods, services, or  
19 technology listed on—

20                   (A) the Wassenaar Arrangement list of  
21 Dual Use Goods and Technologies and Muni-  
22 tions list of July 12, 1996, and subsequent revi-  
23 sions; or

1 (B) the Missile Technology Control Regime  
2 Equipment and Technology Annex of June 11,  
3 1996, and subsequent revisions.

4 **SEC. 406. ELIMINATION OF CERTAIN TAX INCENTIVES FOR**  
5 **OIL COMPANIES INVESTING IN IRAN.**

6 (a) IN GENERAL.—Subsection (h) of section 167 of  
7 the Internal Revenue Code of 1986 (relating to amortiza-  
8 tion of geological and geophysical expenditures) is amend-  
9 ed by adding at the end the following new paragraph:

10 “(6) DENIAL WHEN IRAN SANCTIONS IN EF-  
11 FECT.—

12 “(A) IN GENERAL.—If sanctions are im-  
13 posed under section 5(a) of the Iran Sanctions  
14 Act of 1996 (relating to sanctions with respect  
15 to the development of petroleum resources of  
16 Iran) on any member of an expanded affiliated  
17 group the common parent of which is a foreign  
18 corporation, paragraph (1) shall not apply to  
19 any expense paid or incurred by any such mem-  
20 ber in any period during which the sanctions  
21 are in effect.

22 “(B) EXPANDED AFFILIATED GROUP.—  
23 For purposes of subparagraph (A), the term  
24 ‘expanded affiliated group’ means an affiliated

1 group as defined in section 1504(a),  
2 determined—

3 “(i) by substituting ‘more than 50  
4 percent’ for ‘at least 80 percent’ each place  
5 it appears, and

6 “(ii) without regard to paragraphs  
7 (2), (3), and (4) of section 1504(b).”.

8 (b) EFFECTIVE DATE.—The amendment made by  
9 subsection (a) shall apply to expense paid or incurred on  
10 or after January 1, 2007.

## 11 **TITLE V—MISCELLANEOUS** 12 **PROVISIONS**

### 13 **SEC. 501. TERMINATION.**

14 (a) TERMINATION.—The restrictions provided in sec-  
15 tions 203, 404, and 405 shall no longer have force or ef-  
16 fect with respect to Iran if the President determines and  
17 certifies to the appropriate congressional committees that  
18 Iran—

19 (1) has ceased its efforts to design, develop,  
20 manufacture, or acquire—

21 (A) a nuclear explosive device or related  
22 materials and technology;

23 (B) chemical and biological weapons; and

24 (C) ballistic missiles and ballistic missile  
25 launch technology;

1           (2) has been removed from the list of countries  
2           the governments of which have been determined, for  
3           purposes of section 6(j) of the Export Administra-  
4           tion Act of 1979 (50 U.S.C. 2405(j)) to have repeat-  
5           edly provided support for acts of international ter-  
6           rorism; and

7           (3) poses no significant threat to United States  
8           national security, interests, or allies.

9           (b) DEFINITION.—In subsection (a), the term “ap-  
10          propriate congressional committees” means the Com-  
11          mittee on Foreign Affairs of the House of Representatives  
12          and the Committee on Foreign Relations of the Senate.

○

Chairman LANTOS. For decades to come, the world's preeminent historians will analyze the Iraq War and its manifold impact. But one impact is already clear: When dealing with a looming threat to international peace and security, Congress will insist that all, and I mean all, diplomatic and economic remedies be pursued before military action is considered.

We are far from having exhausted all diplomatic and economic options for stopping Tehran's headlong pursuit of nuclear weapons, but diplomacy vis-à-vis Iran does not stand a chance unless it is backed by strong international sanctions against the regime in Tehran.

Iran's theocracy must understand that it cannot pursue a nuclear weapons program without sacrificing the political and economic future of the Iranian people. That is why I introduced H.R. 1400, the Iran Counter-Proliferation Act of 2007. It was my great pleasure to work with my good friend, the ranking Republican member of the committee, Ileana Ros-Lehtinen, in crafting this far-reaching bill.

The objective of this legislation is twofold: To prevent Iran from securing nuclear arms and the means to produce them and to ensure that we achieve this all-important goal in a peaceful manner.

My legislation will increase exponentially the economic pressure on Iran and empower our diplomatic efforts by strengthening the Iran Sanctions Act. It will put an end to the administration's ability to waive sanctions against foreign companies which invest in Iran's energy industry.

Until now, abusing its waiver authority and other flexibility in the law, the Executive Branch has never sanctioned any foreign oil company that invested in Iran. Those halcyon days for the oil industry are over. The corporate barons running giant oil companies, who have cravenly turned a blind eye to Iran's development of nuclear weapons, have come to assume that the Iran Sanctions Act will never be implemented. This charade will come to a long-overdue end this morning.

Our legislation goal is well beyond the waiver issue. If a nation aids Iran's nuclear program, it will not be able to have a nuclear cooperation agreement with the United States. Import sanctions will be reimposed on all Iranian exports to the United States.

As most of us remember, the Clinton administration lifted sanctions on Iranian carpets and other exports in a gesture of unsuccessful goodwill and in an effort to encourage a more forthcoming attitude from Tehran. But with innocent Americans now sitting in Iran's most notorious cells while the Iranian Government brazenly continues its relentless pursuit of nuclear arms, it is self-evident that Tehran is not going to be responsive, so our goodwill gesture will be revoked.

My legislation also calls on the President to declare the Iranian Revolutionary Guard Corps a terrorist group. The Revolutionary Guard trains terrorists throughout the Middle East, including in Iraq and in Lebanon. The Revolutionary Guard, which is a major base of support for Mahmoud Ahmadinejad, owns huge economic enterprises in Iran. Foreign banks will think twice about dealing with these enterprises once the Revolutionary Guard is declared a terrorist organization.

H.R. 1400 also enhances the importance of the Treasury Department's Office of Terrorism and Financial Intelligence by authorizing additional funds for Fiscal Year 2008 to conduct their most important work.

Our legislation makes it clear that our dispute is only with the Government of Iran, not with its people and not with the glorious civilization the Iranian people have built over many centuries. Accordingly, we have authorized funds for programs to enhance United States-Iranian friendship, especially by organizing exchange programs for young Iranians.

Some Europeans will complain about this bill, as they complained when Iran sanctions legislation was first passed in 1996. They will point out that Secretary of State Albright essentially agreed not to impose Iran-related sanctions against the European Union in 1998, but 1998 is a long time ago. In that year, many European leaders were still holding out the false hope that Iran's nuclear efforts were strictly geared toward peaceful energy use.

By now, every single European leader fully understands and acknowledges that Iran is hell bent on acquire nuclear weapons. So it is time for Europeans' actions to catch up with their perceptions. It is time for Europe to cease investing in Iran's energy industry, and our legislation will facilitate that result.

Before it is too late, we must try to persuade others to join us in increasing the diplomatic and economic pressure on Iran, and, where necessary, we must give them incentives to do so. Our goal must be zero foreign investment. Let me repeat this: Zero foreign investment in Iran's energy sector. That is the only formula that can prevent Iran's acquisition of nuclear weapons.

That is why I introduced this bill. That is why some 300 colleagues, on a bipartisan basis, including most members of this committee, are co-sponsoring it, and that is why I ask all of my colleagues in Congress to join in that support.

I now yield to the ranking member, who is not only the co-sponsor of this legislation but has been a tireless and indefatigable fighter for legislative and other actions to try to turn Iran from its deadly, dangerous course. Indeed, H.R. 1400 builds on her successful efforts to extend the Iran Sanctions Act, which I was honored to support. Ms. Ros-Lehtinen.

Ms. ROS-LEHTINEN. Thank you so much, Mr. Chairman, and I would like to express my strong support for your bill, H.R. 1400, the "Iran Counter-Proliferation Act of 2007." I am proud to be your Republican lead co-sponsor of this legislation. I am honored with the positive working relationship that you and I have, Mr. Chairman, and our staffs who work so closely in a bipartisan manner. Thank you for that.

This bill, as you pointed out, Mr. Chairman, builds upon existing law to bring pressure on a regime that has been waging war against the United States since 1979, when Iranian militants overran our United States Embassy in Tehran and held our diplomats hostage for over a year. I would like to highlight just briefly some of the most important parts of your legislation.

It contains provisions reinforcing the application of penalties, under the Iran Sanctions Act, to subsidiaries of United States parent companies that invest in the energy infrastructure of Iran.

The bill before us, as with H.R. 957, as the chairman pointed out, legislation I introduced and which was passed by our committee 2 months ago, expands sanctions to apply to a financial institution, insurer, underwriter, guarantor, any other business organization, including any foreign subsidiaries of the foregoing. It includes sense of the Congress language stating that the United States should seek to prevent foreign banks from providing export credits to foreign entities seeking to invest in the energy sector of Iran.

By expanding coverage to petroleum byproducts and liquefied natural gas, H.R. 1400 also extends the scope of the sanctions to include the sale of oil or liquefied natural gas tankers. H.R. 1400 expands the sanctions to be enforced against certain Iranian entities tied to terrorist activities and builds upon current law by mandating restrictions on nuclear cooperation with countries that are helping Iran with its nuclear program.

Finally, I want to highlight what the chairman has said. This bill speaks directly to the people of Iran. The regime in Iran is currently stepping up its repression of even the slightest perceived opposition in universities, in the press, among human rights advocates. Prompted by this crackdown, H.R. 1400 contains a sense of Congress language expressing the desire and the support of the American people for the aspirations of the Iranian people.

This builds upon the Iran Freedom Support Act, funding for the promotion of democracy in Iran. The Iranian people are our allies, and we are theirs.

Mr. Chairman, thank you for your ongoing and steady leadership on this issue. I strongly urge my colleagues to support adoption of your bill and also render my strong support for the amendment that will be offered by Mr. Ackerman of New York. Thank you, Mr. Chairman.

Chairman LANTOS. Thank you very much.

I have a series of perfecting amendments at the desk, which all of the members have before them. If you could pass those out, please. I ask unanimous consent that they be considered en bloc, and they be considered as read. The clerk will designate the amendments.

Ms. RUSH. Amendment to H.R. 1400 offered by Mr. Lantos of California. "Page 3, line 16,——"

Chairman LANTOS. Without objection, the amendments will be considered en bloc and will be considered as read, and the chair is recognized for 5 minutes to explain the amendments.

[The amendment of Chairman Lantos follows:]

**AMENDMENT TO H.R. 1400**  
**OFFERED BY MR. LANTOS OF CALIFORNIA**

Page 3, line 16, insert before the period at the end the following: “and the Government of Iran has displayed inflammatory symbols that express similar intent”.

Page 4, beginning line 15, strike “involving Iran” and insert “entered into by the United States”.

Page 7, line 15, strike “and” after the semicolon.

Page 9, line 9, strike “In any case” and insert “Except as provided in subsection (b), in any case”.

Page 9, beginning line 21, insert the following new subsection:

1       (b) EXCEPTION.—Subsection (a) shall not apply to  
2 any act related to a contract or other obligation of any  
3 entity if such contract or obligation was entered into be-  
4 fore the acquisition of such entity by the parent company  
5 unless such parent company acquired such entity knowing  
6 or having reason to know that such contract or other obli-  
7 gation existed or such contract or other obligation is ex-  
8 panded to cover additional activities beyond the terms of

1 such contract or other obligation as it existed at the time  
2 of such acquisition.

Page 9, line 21, strike “(b)” and insert “(c)”.

Page 14, line 19, strike “petroleum by-products”  
and insert “petroleum refining capacity”.

Page 14, line 20, insert “tankers” after “oil”.

Page 16, beginning line 13, insert the following new  
subsection:

3 (b) EXTENSION OF AUTHORITY.—The President may  
4 block all property and interests in property of the fol-  
5 lowing persons, to the same extent as property and inter-  
6 ests in property of a foreign person determined to have  
7 committed acts of terrorism for purposes of Executive  
8 Order 13224 of September 21, 2001 (50 U.S.C. 1701  
9 note) may be blocked:

10 (1) Persons who assist or provide financial, finan-  
11 cial, or technological support for, or financial or  
12 other services to or in support of, the International  
13 Revolutionary Guards Corps (IRGC) or entities  
14 owned or effectively controlled by the IRGC.

15 (2) Persons otherwise associated with the IRGC  
16 or entities referred to in paragraph (1).

Page 16, line 13, strike “(b)” and insert “(c)”.

Chairman LANTOS. The amendments before you are, for the most part, minor clarifying or technical in nature. Two amendments have most substantive content. The first would create an exception to Section 201 of the bill, which applies United States sanctions to parents of foreign subsidiaries that do business with Iran. Under this exception, if a United States company acquires a company and does not know, and has no reason to know, that such company had a business relationship with an Iranian entity, that company would not have to choose between United States sanctions and Iranian penalties for breaking the contract.

In addition, the en bloc amendment ensures that the President has authority to block assets of any entity that provides support to the Iranian Revolutionary Guards.

Does anyone wish to be recognized to speak on the amendment?

Mr. SHERMAN. Mr. Chairman?

Chairman LANTOS. Mr. Sherman.

Mr. SHERMAN. Thank you. I really have comments more about the general bill than the amendment, but we went through opening statements so quickly, I would like to use this time to address the bill.

Chairman LANTOS. Please.

Mr. SHERMAN. It is an excellent bill. It is a necessary bill. I also serve on the Financial Services Committee, and that committee has jurisdiction over some aspects of our effort to put pressure on the Iranian Government to end its proliferation program, and I would like to report to this committee a recent exchange in front of that committee.

We had before us the secretary of the treasury, who told us that he had worked hard to make sure that Wolfowitz got a fair hearing, or fought hard to keep Wolfowitz's job, that he had made phone calls to other ministers around the world, but when it came to preventing the World Bank from making loans to Iran or disbursing the loan funds, the Treasury Department had done nothing except cast a vote against the World Bank loans, which they are obligated to do by law.

Second, the Treasury Department has blocked two Iranian banks from doing business through the Fed, through U-turn transactions, but refuses to block the other Iranian banks.

Finally, I guess I should not have commented adversely about how the Treasury Department had followed the law in a minimalist way with regard to the World Bank because when it comes to the Iran Sanctions Act and sanctioning foreign oil companies that do business with Iran and invest over \$20 million in its oil sector, first, the Clinton administration and now the Bush administration, in a much greater way, simply refuses to follow the law.

Both before this committee and before the Financial Services Committee, administration officials have failed to identify a single company in the world that is doing more than \$20 million of investment in the Iranian oil sector, even though our own Congressional Research Service is able to identify over a dozen very major transactions.

So we wage foreign policy with the President we have, not the President perhaps that we wish we had or a President willing to

follow the law, and I look forward not only to passing this law but to having a President who believes that he has to follow the law.

I should just mention the secretary of the treasury. When I brought this up and asked why no list had been provided by the administration, his response was that he thought that imposing sanctions on foreign-based oil companies was bad public policy, and, therefore, the administration had no obligation or reason to follow the statutes passed by Congress and signed by the President, which is an interesting constitutional view. I yield back.

Chairman LANTOS. I want to thank my friend for his very valuable comments. I would like to add a couple of words.

If, in fact, the administration will block these economic measures, it will be driven to taking military action, which, as chairman of this committee, and I believe most members of this committee firmly oppose, I am appalled by the failure of the secretary of the treasury to use his considerable power to move Iran in a desirable direction by peaceful economic means.

Anybody else who wishes to be recognized on the amendment?

Mr. KLEIN. Mr. Chairman?

Chairman LANTOS. Mr. Klein.

Mr. KLEIN. Thank you, Mr. Chairman, and thank you very much for your leadership on this issue. This is a very important piece of legislation which I greatly support, and I thank the ranking member as well.

The specific question I have is, in the amendment, it provides that if a company acquired a subsidiary that had an active contract in this energy sector, is there any type of strategy that we are using in this legislation which would discourage—obviously, a contract is a contract, but if it is a major piece of business, and we want to continue the strategy of disincentivizing businesses from participating in the energy sector, what is it that we can do, either through this language or other language, that can disincentivize businesses from continuing this type of business?

Chairman LANTOS. I thank my friend for his very excellent questions.

We have gone to the ultimate legal limits of what is feasible in this legislation. I understand what you are driving at, and I share your sentiment, but there is nothing within the legal framework under which we operate that any stronger language could have been devised.

Ms. ROS-LEHTINEN. Mr. Chairman, if you would yield to me.

Chairman LANTOS. Yes.

Ms. ROS-LEHTINEN. Thank you. The Ackerman Amendment will further put some teeth into that worry that we all share by having it apply to executives as well. I think they get the message. Some of them seek to not hear it.

Chairman LANTOS. I thank my friend. I also want to express publicly my appreciation to Chairman Frank of the Financial Services Committee for his excellent cooperation in this whole arena and, in our attempt to reach the desired results by peaceful economic sanctions and not by military action.

If there are no further comments from any member of the committee, I will put the question on the amendment. All in favor say aye.

[A chorus of ayes.]

Chairman LANTOS. All opposed, say nay.

[No response.]

Chairman LANTOS. The ayes have it.

Are there any other amendments?

Mr. ACKERMAN. Mr. Chairman?

Chairman LANTOS. Mr. Ackerman.

Mr. ACKERMAN. Thank you, Mr. Chairman, and thank you for your excellent piece of legislation, and I do have an amendment at the desk.

Chairman LANTOS. The clerk will report the amendment.

Ms. RUSH. Amendment to H.R. 1400 offered by Mr. Ackerman of New York. "Insert the following after Section 302——"

Mr. ACKERMAN. I ask unanimous consent that the amendment be considered as read.

Chairman LANTOS. No objection. The gentleman is asked to proceed to explain his amendment.

[The amendment of Mr. Ackerman follows:]

**AMENDMENT TO H.R. 1400**  
**OFFERED BY MR. ACKERMAN OF NEW YORK**

Insert the following after section 302 and redesignate the succeeding section accordingly:

1 **SEC. 303. AUTHORITY TO IMPOSE SANCTIONS ON PRIN-**  
 2 **CIPAL EXECUTIVE OFFICERS.**

3 Section 5 of the Iran Sanctions act of 1996 (50  
 4 U.S.C. 1701 note) is amended by adding at the end the  
 5 following:

6 “(g) **AUTHORITY TO IMPOSE SANCTIONS ON PRIN-**  
 7 **CIPAL EXECUTIVE OFFICERS.—**

8 “(1) **SANCTIONS UNDER SECTION 6.—**In addi-  
 9 tion to the sanctions imposed under subsection (a),  
 10 the President may impose any of the sanctions  
 11 under section 6 on the principal executive officer or  
 12 officers of any sanctioned person, or on persons per-  
 13 forming similar functions as such officer or officers.  
 14 The President shall include on the list published  
 15 under subsection (d) the name of any person on  
 16 whom sanctions are imposed under this paragraph.

17 “(2) **ADDITIONAL SANCTIONS.—**In addition to  
 18 the sanctions imposed under paragraph (1), the  
 19 President may block the property of any person de-

1 scribed in paragraph (1), and prohibit transactions  
2 in such property, to the same extent as the property  
3 of a foreign person determined to have committed  
4 acts of terrorism for purposes of Executive Order  
5 13224 of September 23, 2001 (50 U.S.C. 1701  
6 note).”.

Page 13, line 6, strike “(g)” and insert “(h)”.

Mr. ACKERMAN. Thank you, Mr. Chairman. My amendment builds upon the bipartisan principle established by Congress in the Sarbanes-Oxley Act of 2002 that corporate decisions and corporate acts cannot be legally and morally disassociated from the men and women who make them. Incorporation is a legal mechanism to limit financial liability. It is not, and should not, ever be thought of as a form of blanket immunity for shameful decisions or illegal acts.

Large-scale investing in Iran's petroleum sector is both. For those capable of the sensation, it is shameful, and for those who, by nationality or investment decision, fall under the jurisdiction of American laws, it is illegal. Those who have invested in Iran's petroleum sector may have done so because of the definition of the word "persons," covered by the Iran Sanctions Act, does not point explicitly to corporate officers or provide penalties when they are responsible for investment decisions that pump desperately needed money into Iran's petroleum sector.

My amendment will close this loophole. My amendment will give the President the discretion to block the personal assets in the United States of a corporate officer responsible for a sanctionable investment in Iran and to name them as a sanctionable person in the Federal Register.

Iran is a terrorist state. It is the world's leading terrorist state. Investment in Iran's petroleum sector enables that country to pursue nuclear weapons, to arm insurgents fighting American troops, and to underwrite Hezbollah and Hamas. Foreign investment in Iran equals money for terrorism and attacks on Americans. Let me repeat that for the business community and their lawyers: Foreign investment in Iran equals money for terrorism and attacks on American troops. You cannot invest with Al Capone without underwriting gangsterism. You cannot invest in Iran by investing in terrorism.

It is hard to make the intent of Congress more plain than the Iran Sanctions Act. If there are any business interests that are still pondering a large-scale investment in Iran's petroleum sector, here is some free advice: Do not do it. Do not even think of doing it. Do not do it today. Do not do it tomorrow. Do not do it ever.

It is obvious, as the Iran Sanctions Act is, that too many businesses have made the calculation that profit seeking in Iran matters more than human lives or to the security of their own nations. Investment in Iran does not happen by accident or by magic. As the author, C.S. Lewis warned, such decisions are "conceived and ordered, moved, seconded, carried, and admitted in clean, carpeted, warmed, well-lighted offices by quiet men with white collars and cut fingernails and smooth-shaven cheeks who do not need to raise their voice."

Mr. Chairman, the corporate executives who have signed the contracts and issued the orders to invest in Iran's oil sector have effectively signed death warrants for those who have been murdered by Hamas and Hezbollah. For the sake of wealth, they have chosen to underwrite Iran's request for nuclear weapons. They may refuse to accept this responsibility, but it lies with them nonetheless.

Our experience with the Iran Sanctions Act has shown that we cannot rely on the business community to always do the right

thing. My strong belief is that if we grab them hard by their own swollen wallets, their hearts and minds will very quickly follow. I yield back the balance of my time.

Chairman LANTOS. I want to thank my friend for his excellent amendment which I firmly and enthusiastically support. Are there any comments on this amendment? If not, the question occurs on the amendment of the gentleman from New York. All in favor will say aye.

[A chorus of ayes.]

Chairman LANTOS. All opposed will say no. The amendment is approved. Are there any other amendments?

[No response.]

Chairman LANTOS. If not, the question occurs on the motion to report the bill favorably, as amended. All in favor say aye.

[A chorus of ayes.]

Chairman LANTOS. All opposed, say no.

[A chorus of noes.]

Chairman LANTOS. I request a rollcall vote.

Ms. RUSH. Chairman Lantos?

Chairman LANTOS. Aye.

Ms. RUSH. Chairman Lantos votes yes. Mr. Berman?

Mr. BERMAN. Aye.

Ms. RUSH. Mr. Berman votes yes. Mr. Ackerman?

Mr. ACKERMAN. Aye.

Ms. RUSH. Mr. Ackerman votes yes. Mr. Faleomavaega?

Mr. FALEOMAVAEGA. Yes.

Ms. RUSH. Mr. Faleomavaega votes yes. Mr. Payne?

Mr. PAYNE. Yes.

Ms. RUSH. Mr. Payne votes yes. Mr. Sherman?

Mr. SHERMAN. Yes.

Ms. RUSH. Mr. Sherman votes yes. Mr. Wexler?

[No response.]

Ms. RUSH. Mr. Engel?

[No response.]

Ms. RUSH. Mr. Delahunt?

[No response.]

Ms. RUSH. Mr. Meeks?

[No response.]

Ms. RUSH. Ms. Watson?

Ms. WATSON. Yes.

Ms. RUSH. Ms. Watson votes yes. Mr. Smith of Washington?

Mr. SMITH OF WASHINGTON. Mr. Smith of Washington votes yes.

Mr. Carnahan?

[No response.]

Ms. RUSH. Mr. Tanner?

[No response.]

Ms. RUSH. Mr. Green?

Mr. GREEN. Yes.

Ms. RUSH. Mr. Green votes yes. Ms. Woolsey?

Ms. WOOLSEY. Yes.

Ms. RUSH. Ms. Woolsey votes yes. Ms. Jackson Lee?

[No response.]

Ms. RUSH. Mr. Hinojosa?

Mr. HINOJOSA. Yes.

Ms. RUSH. Mr. Hinojosa votes yes. Mr. Crowley?  
 [No response.]  
 Ms. RUSH. Mr. Wu?  
 [No response.]  
 Ms. RUSH. Mr. Miller?  
 Mr. MILLER. Yes.  
 Ms. RUSH. Mr. Miller votes yes. Ms. Sánchez?  
 Ms. SÁNCHEZ. Yes.  
 Ms. RUSH. Ms. Sánchez votes yes. Mr. Scott?  
 Mr. SCOTT. Yes.  
 Ms. RUSH. Mr. Scott votes yes. Mr. Costa?  
 Mr. COSTA. Aye.  
 Ms. RUSH. Mr. Costa votes yes. Mr. Sires?  
 Mr. SIRES. Yes.  
 Ms. RUSH. Mr. Sires votes yes. Ms. Giffords?  
 Ms. GIFFORDS. Yes.  
 Ms. RUSH. Ms. Giffords votes yes. Mr. Klein?  
 Mr. KLEIN. Yes.  
 Ms. RUSH. Mr. Klein votes yes. Ms. Ros-Lehtinen?  
 Ms. ROS-LEHTINEN. Yes.  
 Ms. RUSH. Ms. Ros-Lehtinen votes yes. Mr. Smith of New Jersey?  
 Mr. SMITH OF NEW JERSEY. Mr. Smith of New Jersey votes yes.  
 Mr. Burton?  
 [No response.]  
 Ms. RUSH. Mr. Gallegly?  
 Mr. GALLEGLY. Aye.  
 Ms. RUSH. Mr. Gallegly votes yes. Mr. Rohrabacher?  
 Mr. ROHRABACHER. Yes.  
 Ms. RUSH. Mr. Rohrabacher votes yes. Mr. Manzullo?  
 Mr. MANZULLO. Yes.  
 Ms. RUSH. Mr. Manzullo votes yes. Mr. Royce?  
 [No response.]  
 Ms. RUSH. Mr. Chabot?  
 Mr. CHABOT. Yes.  
 Ms. RUSH. Mr. Chabot votes yes. Mr. Tancredo?  
 Mr. TANCREDO. Yes.  
 Ms. RUSH. Mr. Tancredo votes yes. Mr. Paul?  
 [No response.]  
 Ms. RUSH. Mr. Flake?  
 Mr. FLAKE. No.  
 Ms. RUSH. Mr. Flake votes no. Mrs. Davis?  
 [No response.]  
 Ms. RUSH. Mr. Pence?  
 Mr. PENCE. Yes.  
 Ms. RUSH. Mr. Pence votes yes. Mr. Wilson?  
 [No response.]  
 Ms. RUSH. Mr. Boozman?  
 Mr. BOOZMAN. Yes.  
 Ms. RUSH. Mr. Boozman votes yes. Mr. Barrett?  
 Mr. BARRETT. Yes.  
 Ms. RUSH. Mr. Barrett votes yes. Mr. Mack?  
 [No response.]  
 Ms. RUSH. Mr. Fortenberry?  
 [No response.]

Ms. RUSH. Mr. McCaul?

Mr. McCAUL. Yes.

Ms. RUSH. Mr. McCaul votes yes. Mr. Poe?

Mr. POE. Yes.

Ms. RUSH. Mr. Poe votes yes. Mr. Inglis?

Mr. INGLIS. Aye.

Ms. RUSH. Mr. Inglis votes yes. Mr. Fortuño?

Mr. FORTUÑO. Aye.

Ms. RUSH. Mr. Fortuño votes yes. Mr. Bilirakis?

Mr. BILIRAKIS. Yes.

Ms. RUSH. Mr. Bilirakis votes yes.

Chairman LANTOS. Are there any members who have not yet been recorded? Ms. Jackson Lee?

Ms. JACKSON LEE. Yes.

Ms. RUSH. Ms. Jackson Lee votes yes.

Chairman LANTOS. Are there any other members who wish to be recorded?

Ms. RUSH. Mr. Wu?

Mr. WU. Aye.

Ms. RUSH. Mr. Wu votes yes.

Chairman LANTOS. Are there any other members who wish to be recorded?

[No response.]

Chairman LANTOS. If not, the clerk will report.

Ms. RUSH. On this vote, there are——

Chairman LANTOS. There is one more vote. Mr. Delahunt?

Ms. RUSH. He is not recorded.

Mr. DELAHUNT. Yes.

Ms. RUSH. Mr. Delahunt votes yes.

Chairman LANTOS. Mr. Delahunt, after hesitation, votes yes. Mr. Wilson?

Mr. WILSON. Yes.

Ms. RUSH. Mr. Wilson votes yes.

Chairman LANTOS. Any other colleagues who wish to be recorded?

[No response.]

Chairman LANTOS. The clerk will now——

Ms. RUSH. On this vote, there are 37 yeases and one no.

Chairman LANTOS. The ayes have it, and the motion to report favorably is adopted. Without objection, the bill will be reported as a single amendment in the nature of a substitute incorporating the amendments adopted by the committee, and the staff is directed to make any technical and conforming amendments.

Do you wish to be recognized, Mr. Flake?

Mr. FLAKE. Yes.

Chairman LANTOS. You are recognized.

Mr. FLAKE. Thank you, Mr. Chairman. I intended to speak before the vote. I just wanted to explain my “no” vote. I am loathe to vote for economic sanctions under any circumstances. I think it is often a blunt instrument. But I can be persuaded to.

In this case, I think that it is unlikely that unilateral sanctions like this will have an effect, and I think it will be less likely to achieve the type of multilateral sanctions that we would need with this vote. I think that we can only be successful in persuading Iran

if there is a more broad-based, multilateral effort with the Europeans, and I think that that is less likely to occur after this vote.

Mr. BERMAN. Would the gentleman yield?

Mr. FLAKE. I would.

Mr. BERMAN. This, of course, is a very interesting question, the effectiveness of individual sanctions, but I would just point out to the gentleman, yesterday's *Financial Times* reports that Japan's private sector has responded to signals from Washington by restricting loans to Iran and rejecting an Iranian request to pay for oil imports in currencies other than dollars, banking and official sources say. A senior banker said three banks—Bank of Tokyo, Mitsubishi, Misouho, and Sumatomo Mitsui—had informed the Iranian authorities in April they would not conduct any new business in Iran.

Particularly, the banking sanctions that have been imposed have had ripple effects that have disrupted Iran's ability to gather investments in its energy sector. This is just one additional piece of confirmation of the effectiveness of that particular unilateral sanction.

Mr. FLAKE. I thank the gentleman for his comments. I hope he is correct, and I hope that that is the case with other allies. I fear that we have had examples in the past where that has not been the case, that moving too far ahead makes it less likely to gather the support that we need. So I just wanted to note that for the record.

Chairman LANTOS. We appreciate the gentleman's explanation. Let me comment on the gentleman's explanation by saying that it is self-evident to all of us that multilateral sanctions are far more desirable than unilateral sanctions. We have been unable to obtain multilateral sanctions and to hold out the ideal as the only avenue, when it clearly cannot be attained, is an admission of failure.

Unilateral sanctions by the United States have been effective in many instances. We all would prefer multilateral sanctions. Members of this committee have no control over what sanctions, if any, Japan or Germany or Italy will adopt. The only thing we control is our own votes and our own sanctions. I want to thank the gentleman for his explanation.

Mr. ROHRABACHER. Mr. Chairman?

Mr. SMITH OF WASHINGTON. Mr. Chairman?

Chairman LANTOS. Mr. Smith.

Mr. SMITH OF WASHINGTON. Yes. Thank you. I just wanted a quick comment on this because I am with Mr. Flake on the reluctance to endorse unilateral sanctions. I think it is something we need to work on. I think this is, however, a special case for one of the reasons that the chairman mentioned and for some others.

It is not like we have not been trying for a long time to get multilateral sanctions on this piece. It is not one of these things where we took a relatively obscure issue and leapt first without trying to get the international community on board. We have been trying with the international community to no success. The effort at multilateral sanctions has been made.

Second, this particular piece, as Mr. Berman points out, puts pressure on foreign corporations to ramp up the sanctions on Iran.

So it goes beyond the unilateral. The unilateral in this case has been in place since 1979. We are trying to expand it.

Lastly, as one who is steadfastly opposed to military action against Iran because I do not think it would work or be effective, and also steadfastly opposed to Iran developing a nuclear weapon, if you have those two positions, you have to be willing to do something. Economic sanctions is the something, and this bill puts greater pressure to achieve those economic sanctions broadly.

So I share the reluctance to just willy-nilly go after unilateral economic sanctions. I do think Congress has done that too much in many instances. I do not think this is one. Thank you, Mr. Chairman.

Chairman LANTOS. I thank the gentleman for his comment. The gentleman from California, Mr. Rohrabacher.

Mr. ROHRABACHER. Thank you, Mr. Chairman, and I think someone needs to stand up for the principle of unilateral action at this point.

First of all, let me compliment you, Mr. Chairman, for making our positions real. There is so much hyperbole that comes with this job, where people are suggesting that they are taking a tough stand when there is nothing there. It is very easy to have a bunch of verbiage when there is actually no substance to a position.

You are making our position on Iran real. You are saying there needs to be something, and that is what this bill is all about. I applaud you and all of those who have been involved in this. This will send a real message rather than the message to the Iranians that we are just speaking so much word confetti.

In terms of unilateral action, I do not believe that the United States should be hamstrung by always having to go to the political leaders of other countries, who may lack courage and may lack the same moral guidelines that we have, and expect that we are not going to act unless they do.

The United States of America is composed of every race, religion, and ethnic background that compose this world, and we have a special role to play. It is called "a leadership role." We will lead the way on some of these issues and not have others follow us. Other times, people will not follow us until we do lead the way, but we should never say, "We are not going to act unless we can get a consensus among the political forces in other societies." So unilateral action is certainly justified in this case and, I think, in many cases.

Chairman LANTOS. I thank the gentleman.

Ms. ROS-LEHTINEN. Would the gentleman yield?

Chairman LANTOS. I am pleased to yield to the ranking member.

Ms. ROS-LEHTINEN. Thank you, Mr. Chairman. Thank you, and I would like to point out to our members that thanks to the United States leadership on imposing sanctions on Iran's energy sector, we have spurred U.N. sanctions, as well as EU sanctions. So sometimes being alone just means that we are alone for just a little bit, and then others will join us in that fight. Thank you, Mr. Chairman.

Chairman LANTOS. Thank you. Any other colleague?

Mr. WU. Mr. Chairman?

Chairman LANTOS. Mr. Wu.

Mr. WU. Thank you, Mr. Chairman. I want to speak strongly in favor of taking either unilateral or multilateral sanctions when necessary, when the situation warrants.

I find it troubling that there seems to be a prevailing opinion, in intellectual circles or academic circles or political circles, that sanctions do not work, and if you do not think that sanctions work, I suggest you ask Nelson Mandela how he feels and some of the other folks who stood up for him in the sixties, seventies, and eighties. They were at the tip of the spear, and we imposed sanctions, hopefully multilaterally, but if we had to, unilaterally, and sometimes unilateral sanctions can be turned into multilateral sanctions, multilateral sanctions being more effective, but unilateral sanctions either being effective or, at least, redeeming our moral leadership.

I think that this particular era of our history is a departure from the American norm, and I hope that we will not toss over our values for things that pretend to be hard-headed economics but are nothing more than a countervailing set of values and one which, I think, are inconsistent with historic core American values. Thank you, Mr. Chairman. I yield back.

Mr. MANZULLO. Regular order. Mr. Chairman, we have already voted. We will be here all day on this.

Chairman LANTOS. Well, I believe that colleagues who wish to express themselves on this most important principle should have the right to do so, and I choose to recognize them. Mr. Faleomavaega?

Mr. FALEOMAVAEGA. Mr. Chairman, thank you. I want to also commend you and our senior ranking member for sponsorship of this important legislation, and I do want to commend also the gentleman from Arizona for raising the issue, the question of sanctions. As my good friend from Oregon stated earlier, sanctions is a mixed bag. We have put sanctions on Burma for 100 years now, and still nothing seems to come out of it.

However, the question of apartheid in South Africa, which Mr. Wu had alluded to earlier about Nelson Mandela, and we had to put pressure on western democracies because they were the biggest investors in South Africa, and sanctions was one of the key elements on how we finally were able to overcome the question of racism and bigotry and what happened in that part of the world.

So I think it is a mixed bag, but we see that it has been successful in some places and also been a failure. So we have not neglected it, and I think the question of sanctions can be a positive force if we look at it that way. Thank you, Mr. Chairman.

Chairman LANTOS. Thank you. Mr. Green?

Mr. GREEN. Mr. Chairman, I was expressing concerned that we had the debate, but it is the prerogative of the chair to recognize people to make a statement after we have had the vote, so I will yield back my time.

Ms. JACKSON LEE. Mr. Chairman?

Chairman LANTOS. Ms. Jackson Lee.

Ms. JACKSON LEE. I thank the chairman very much, and I thank the indulgence of our members, and I also thank Mr. Flake of Arizona for raising the point.

Mr. Chairman, I think we are moving in the right direction. I would have hoped that a multilateral commitment on helping to raise the level of authority or opportunity for the Iranian Resistance Movement would be possible, and I hope, in the course of this singular move of sanctions, it is a signal of empowering the Iranian resistance, which, for so long, has been declared terrorist.

I think we can find a substantial body of politick in Iran that really wants to change the leadership of the government. They do not want an attack by the United States, and it certainly is one of the strongest opponents of the Iraq War. I want to make it very clear that my vote does not sanction any military threat to Iran as long as they pose no military threat directly to the United States.

But I think this is a positive step forward, and I hope that this encourages the intellectual, democratic, and political thought of opposition in Iran, for that will be the most positive step of moving a government that does not listen, is not interested in the world arena, continues to insist on the nonexistence of Israel or any other sovereign nation, then this is an appropriate step to move forward for the people of the United States that recognize that a country that does not want to be part of the world family needs to be sanctioned. With that, Mr. Chairman, I thank you, as I voted aye for this legislation. I yield back.

Chairman LANTOS. I thank my friend. The gentleman from Indiana, Mr. Burton.

Mr. BURTON. Thank you very much, Mr. Chairman, for you and the ranking Republican for sponsoring this legislation. I would just like to make a brief comment on my colleague who just spoke.

Obviously, we do not want any more wars. It is absolutely essential that we do everything we can to maintain peace. But the one thing that, I think, needs to be taken into consideration is the intentions of Iran long term. Their goal is to control and to change the entire Middle East, in my opinion.

They are working on an IBCM program, which means that they would have the ability, if they completed that, to hit part of the United States. They are working on an intermediate-range program, as well as a short-range program. They are working on nuclear development. They have got I do not know how many machines over there that are developing the nuclear weapons to do the job.

Now, while I think this is a great piece of legislation, I think we all ought to realize that, at some point in the future, if Iran does not realize, you know, that the rest of the world is really, really opposed to this, we may have to take some action to stop them from developing the delivery system and a nuclear weapons system. That is something, in my opinion, that we should not rule out right now. We should let Iran know that we are willing to do whatever is necessary to protect the United States and our friends and stability in the Middle East. I think it is extremely important that they get that message.

So when my colleagues say, "You know, we are not going to take any military action down the road," I understand. Nobody wants war, but, at the same time, I do not want any nuclear weapons blowing up in this country and killing a lot of people. I yield back my time.

Chairman LANTOS. Thank you. Mr. Ackerman?

Mr. ACKERMAN. I thank the chairman for allowing this absolutely fascinating discussion, especially that so many members have participated and, even more interestingly enough, that it is taking place after the vote. I do not know that we have ever had so much participation of people explaining themselves.

I do just want to observe that had this discussion, as informative as it is, taken place prior to the vote, the vote would have possibly been a little bit more informative, but the result would have been no different, as the gentleman from Arizona, who initiated the discussion, has absented himself from the new procedure of the Legislative Branch, issuing obater dictums. I yield back the balance of my time.

Chairman LANTOS. Mr. Smith of New Jersey.

Mr. SMITH OF NEW JERSEY. Thank you very much, Mr. Chairman. Just let me say that, in the face of such hostility by Iran and potential hostility, it seems to me that sanctions are the most prudent course. We want sanctions, not bullets, and war should always be seen as the absolute last resort.

Let me also say to my colleagues, some of whom were not here for a number of years during the eighties and the nineties, that sanctions, especially when they are smart sanctions and judiciously applied, can very clearly lead to positive outcomes. Mention was made of Burma before. While Burma remains a junta, we do know that the Asean countries are now looking much more favorably to the United States position vis-à-vis Burma because we have stood with Aung San Suu Kyi and the other freedom democracy promoters in Burma, despite the fact that they have been incarcerated.

The same goes with trafficking and religious freedom. There were members who voted vigorously against us on both of those pieces of legislation because they had a sanctions component. We know, beyond any reasonable doubt now, that when they are applied—that is to say, the sanctions and the reporting requirements contained in both of those two laws—that countries have changed and have mitigated their trafficking proclivities and have, in many cases, on religious freedom, made changes very much to the better.

Let me also say that in the 1980s we risked super power confrontation with the U.S.S.R. by vigorously imposing, and ensuring that it was implemented, the Jackson-Vannick Amendment because we cared so much about Soviet Jewry that we were not going to take a walk on those who were being so mistreated by the KGB and others in the Soviet Union.

Finally, let me also say that when you look at Cuba, I would hope that we would apply consistency to a country where you have a dictatorship with approximately 400 political prisoners, many of whom are the best and the brightest and the bravest in Cuba, who now find themselves perhaps close to death, certainly their lives imperiled, because they are in the gulags in Fidel Castro's Cuba.

Sanctions work. They have to be consistent, and if no other country wants to join us, well, that is sad and remorseful, but, frankly, we have got to do it anyway. I was one of those who voted for sanctions against apartheid, despite the fact that the Reagan adminis-

tration was not against it, because I thought, in that case, like all of the other cases, human rights trump every other issue.

Chairman LANTOS. I thank the gentleman. The gentleman from New York, Mr. Crowley.

Mr. CROWLEY. I thank the chairman. Let me first express, I was not here for the vote. Had I been here, I want the record to reflect that I would have strongly voted in favor of H.R. 1400.

Mr. Chairman, I, too, believe that sanctions have been shown to work in the past and that I think we should use every diplomatic means available to us to prevent the use of force. I am not suggesting we need to do that in this case at this point, but I think that sanctions have been shown to work in the past, but they cannot work by the U.S. alone. We need to engage our allies and make sure, as in the case of South Africa, where the world was engaged, we brought about change. That is the way in which I think we can bring about change in Iran as well. With that, I yield back the balance of my time.

Chairman LANTOS. Thank you. I think, final comment, Mr. Sherman.

Mr. SHERMAN. Thank you, Mr. Chairman. There is no perfect way to deal with despotic regimes or hostile regimes. Appeasement and isolationism failed at Munich. Military action always involves casualties and often involves a failure to achieve our objectives.

As the gentleman from Oregon pointed out, sanctions worked in the case of South Africa. I would also point out that the Iran-Libya Sanctions Act is now the Iran Sanctions Act. We took out the L because Libya took out its nuclear program and is otherwise acting in a much better fashion.

It seems that it is easier for politicians here in Washington to send men into battle than it is to do battle with multinational corporations. Their level of power here in Washington is extreme, and it is about time for those of us who think that our foreign policy is important to stand up, even when it inconveniences these large corporations. I yield back.

Chairman LANTOS. I believe the final comment will be by Mr. Meeks.

Mr. MEEKS. Thank you, Mr. Chairman. Indeed, we are all very concerned in regards to Iran and its proliferation of weapons of mass destruction, and we need to stop it. I just want to just add my voice and to say, though, that we have got to be very sure that we do such in a multilateral way. I often hear talk about how it worked in South Africa, and it did, but it did only because there were multilateral sanctions of which, and I think the record should be clear, the United States was one of the last to come aboard.

The rest of the world moved ahead of us. The United States was the last. Because of the pressure from everyone else they joined in, and then it became the straw that broke the camel's back. So as we proceed here we must proceed and make sure that we are working very closely with our allies because only if we are working collectively with them can we make sure that we have the straw that breaks the camel's back because the goal here is to make sure that Iran does not continue its weapons of mass destruction.

The goal here is to make sure that the world unites against them as took place with South Africa, so that we can have the straw that

breaks the camel's back and breaks the regime of Iran as a result of world pressure not just pressure from the United States. Yield back.

Chairman LANTOS. Mr. Payne of New Jersey.

Mr. PAYNE. Yes, I, too, believe that as we are discussing what happened with sanctions in South Africa that it was interesting and ironic that it was Senator Lugar who cast the 67th vote that overrode the Reagan veto. It was the first time that a veto from President Reagan was overridden, and secondly, it was the first time Senator Lugar voted against his very close friend, President Reagan.

It is ironic that just last night Senator Lugar once again has questioned the path of the war in Iraq. All of this is I think connected, and I commend him for his statesmanship. He is still truly a great leader. Yield back.

Chairman LANTOS. I want to thank my friends from New Jersey. I want to thank all of my colleagues for their singularly valuable contributions. Pursuant to notice I call up the bill, H.R. 2844, the Food Security and Agricultural Development Act of 2007, for purposes of markup and move its favorable recommendation to the House.

[H.R. 2844 follows:]

.....  
(Original Signature of Member)

110TH CONGRESS  
1ST SESSION

**H. R. 2844**

To promote United States emergency and non-emergency food and other assistance programs, to promote United States agricultural export programs, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mr. LANTOS introduced the following bill, which was referred to the Committee on \_\_\_\_\_

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**A BILL**

To promote United States emergency and non-emergency food and other assistance programs, to promote United States agricultural export programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Food Security and Agricultural Development Act of  
6 2007”.

1 (b) TABLE OF CONTENTS.—The table of contents for  
 2 this title is as follows:

- Sec. 1. Short title and table of contents.
- Sec. 2. Findings and purposes.
- Sec. 3. Definitions.

TITLE I—UNITED STATES EMERGENCY AND NON-EMERGENCY  
 FOOD AND OTHER ASSISTANCE PROGRAMS

Subtitle A—Agricultural Trade Development and Assistance Act of 1954

- Sec. 101. United States policy.
- Sec. 102. General authority.
- Sec. 103. Provision of agricultural commodities.
- Sec. 104. Generation and use of currencies by private voluntary organizations and cooperatives.
- Sec. 105. Levels of assistance.
- Sec. 106. Food Aid Consultative Group.
- Sec. 107. Administration.
- Sec. 108. Assistance for stockpiling and rapid transportation, delivery, and distribution of shelf-stable prepackaged foods.
- Sec. 109. Administrative provisions.
- Sec. 110. Expiration date.
- Sec. 111. Authorization of appropriations.
- Sec. 112. Coordination and integration of foreign assistance programs.
- Sec. 113. Micronutrient fortification programs.
- Sec. 114. John Ogonowski and Doug Bereuter Farmer-to-Farmer Program.

Subtitle B—Related Statutes and Other Provisions

- Sec. 121. Bill Emerson Humanitarian Trust.
- Sec. 122. McGovern-Dole International Food for Education and Child Nutrition Program.
- Sec. 123. International disaster assistance under the Foreign Assistance Act of 1961.
- Sec. 124. Report on efforts to improve procurement planning.

TITLE II—UNITED STATES AGRICULTURAL EXPORT PROGRAMS

- Sec. 201. Export credit guarantee program.
- Sec. 202. Market access program.
- Sec. 203. Export enhancement program.
- Sec. 204. Assistance to address sanitary and phytosanitary barriers to trade.
- Sec. 205. Foreign market development cooperator program.
- Sec. 206. Emerging markets and facility guarantee loan program.
- Sec. 207. Food for Progress Act of 1985.

TITLE III—MISCELLANEOUS PROVISIONS

- Sec. 301. Technical assistance for specialty crops.
- Sec. 302. Support for sanitary and phytosanitary priorities of the United States within certain international organizations.
- Sec. 303. Technical assistance for the resolution of trade disputes.
- Sec. 304. Sense of Congress concerning the Global Crop Diversity Trust.
- Sec. 305. Technical and conforming amendments.

1 **SEC. 2. FINDINGS AND PURPOSES.**

2 (a) FINDINGS.—Congress makes the following find-  
3 ings:

4 (1) The United Nations Food and Agricultural  
5 Organization reports, that in 2006, an estimated  
6 850,000,000 people in the world, with 824,000,000  
7 in developing countries, were chronically hungry.

8 (2) The largest concentrations of the chron-  
9 ically hungry—an estimated 298,000,000 individ-  
10 uals—are in South Asia, with most of those individ-  
11 uals concentrated in India, where there are an esti-  
12 mated 212,000,000 undernourished individuals, and  
13 in sub-Saharan Africa, where there are an estimated  
14 206,000,000 hungry people.

15 (3) The number of food and humanitarian  
16 emergencies has doubled from an average of about  
17 15 per year in the 1980s to more than 30 per year  
18 since 2000, due in large part to increasing conflicts,  
19 poverty, and natural disasters around the world.  
20 Some emergencies are exacerbated by multiple  
21 shocks, such as civil wars, recurring droughts, and  
22 endemic disease, adding to their complexity and pro-  
23 tracting the crises for many years.

24 (4) The United Nations reports that progress is  
25 being made toward reaching the Millennium Devel-  
26 opment Goal of reducing the proportion of hungry

1 people in the world by half by 2015. In 1990, the  
2 proportion of people in the developing countries liv-  
3 ing with insufficient food was estimated to be 20  
4 percent. By 2003, that percentage declined to 17  
5 percent. However, from 1996 to 2006, the absolute  
6 number of hungry people increased from  
7 790,000,000 to 850,000,000.

8 (5) The number of hungry people in the most  
9 seriously affected regions of the world, namely South  
10 Asia and sub-Saharan Africa, is increasing. In sub-  
11 Saharan Africa, in 1990, there were an estimated  
12 169,000,000 chronically-hungry people; in 2003, the  
13 number of chronically-hungry people increased to  
14 206,000,000.

15 (6) The major United States Government re-  
16 sponse to reducing hunger in developing countries is  
17 to provide United States agricultural commodities as  
18 food assistance. In fiscal year 2006, the United  
19 States provided 3,000,000 metric tons of food valued  
20 at more than \$2,000,000,000 to meet emergency  
21 food needs and to support development projects in  
22 developing countries.

23 (7) In 2006, the United States provided food  
24 assistance to 65 countries, more than half of which  
25 were in sub-Saharan Africa. Approximately

1 \$1,200,000,000 or 60 percent of such assistance was  
2 provided as emergency food assistance. The United  
3 States Agency for International Development esti-  
4 mates that 50,000,000 to 70,000,000 people benefit  
5 from United States food assistance programs annu-  
6 ally.

7 (8)(A) Food assistance contributed by the  
8 United States Government has totaled more than  
9 \$73,000,000,000 since 1946. Over the last decade,  
10 the United States has been the single largest donor  
11 of international food assistance, with a large propor-  
12 tion of the assistance provided through the United  
13 Nations World Food Program and most of that as-  
14 sistance is for emergencies.

15 (B) The United States contributed more than  
16 52,000,000 tons of food assistance between 1996  
17 and 2005, more than half of the nearly 100,000,000  
18 tons of food assistance delivered worldwide in this  
19 period. In 2006, the United States contributed  
20 \$1,125,000,000 or about 40 percent of total donor  
21 contributions to the World Food Program in that  
22 year.

23 (9) Private voluntary organizations and co-  
24 operatives are critical implementing partners in  
25 United States food assistance programs. In addition

1 to assisting people whose lives and livelihoods are  
2 endangered due to crises, such organizations and co-  
3 operatives help communities that suffer from chronic  
4 hunger, delivering technical assistance and training  
5 and building local institutional capacity.

6 (10)(A) Although the Farm Security and Rural  
7 Investment Act of 2002 (Public Law 107-171)  
8 called for increased levels of non-emergency food as-  
9 sistance in order to address chronic hunger needs  
10 and to have lasting impacts on vulnerable commu-  
11 nities, according to the Government Accountability  
12 Office, by 2006, non-emergency food assistance pro-  
13 grams were reduced to 42 percent of their 2001 lev-  
14 els.

15 (B) Implementing partner organizations report  
16 that due to these reductions, such organizations  
17 have been forced to close operations in countries  
18 that are prone to emergencies and with populations  
19 that suffer from chronic hunger. As a result of such  
20 reductions, there is little opportunity to develop new  
21 programs that address food insecurity in developing  
22 countries.

23 (11) Food assistance experts, advocates, and  
24 implementers have argued that distributing food  
25 commodities alone will not reduce food insecurity.

1 Food assistance needs to be combined with other  
2 non-food resources, such as assistance to promote  
3 agricultural development, economic growth, and as-  
4 sistance to support education, water, and health pro-  
5 grams, to ensure that food assistance has an impact  
6 on chronically-hungry people.

7 (12) Women play an essential role in promoting  
8 food security and production throughout the world.  
9 According to the United Nations Food and Agricul-  
10 tural Organization, rural women are responsible for  
11 half of the world's food production and produce be-  
12 tween 60 and 80 percent of the food in most devel-  
13 oping countries.

14 (b) PURPOSES.— The purposes of this Act are—

15 (1) to promote United States emergency and  
16 non-emergency food and other assistance programs  
17 as described in title I of this Act in an efficient and  
18 effective manner; and

19 (2) to promote United States agricultural ex-  
20 port programs as described in title II of this Act in  
21 an efficient and effective manner.

22 **SEC. 3. DEFINITIONS.**

23 In this Act:

1 (1) ADMINISTRATOR.—The term “Adminis-  
2 trator” means the Administrator of the United  
3 States Agency for International Development.

4 (2) APPROPRIATE CONGRESSIONAL COMMIT-  
5 TEES.—The term “appropriate congressional com-  
6 mittees” means—

7 (A) the Committee on Foreign Affairs and  
8 the Committee on Agriculture of the House of  
9 Representatives; and

10 (B) the Committee on Agriculture, Nutri-  
11 tion, and Forestry of the Senate.

12 (3) SECRETARY.—The term “Secretary” means  
13 the Secretary of Agriculture

14 **TITLE I—UNITED STATES EMER-**  
15 **GENCY AND NON-EMERGENCY**  
16 **FOOD AND OTHER ASSIST-**  
17 **ANCE PROGRAMS**

18 **Subtitle A—Agricultural Trade De-**  
19 **velopment and Assistance Act of**  
20 **1954**

21 **SEC. 101. UNITED STATES POLICY.**

22 Section 2 of the Agricultural Trade Development and  
23 Assistance Act of 1954 (7 U.S.C. 1691) is amended—

24 (1) in paragraph (1), by inserting “chronic” be-  
25 fore “world”.

1 (2) in paragraph (5), by striking “and” at the  
2 end;

3 (3) in paragraph (6), by striking the period at  
4 the end and inserting “; and”; and

5 (4) by adding at the end the following new  
6 paragraphs:

7 “(7) respond to emergency needs and food cri-  
8 ses;

9 “(8) implement an effective and efficient food  
10 assistance program that incorporates adequate re-  
11 sources for both emergency and non-emergency food  
12 assistance programs; and

13 “(9) provide adequate resources for non-emer-  
14 gency food assistance programs to address the  
15 causes of chronic hunger and food insecurity, to pro-  
16 tect the livelihoods and health of vulnerable popu-  
17 lations, and to promote participation in productive  
18 activities.”.

19 **SEC. 102. GENERAL AUTHORITY.**

20 (a) IN GENERAL.— Section 201 of the Agricultural  
21 Trade Development and Assistance Act of 1954 (7 U.S.C.  
22 1721) is amended—

23 (1) in paragraph (1), to read as follows:

24 “(1) address famine and food crises and re-  
25 spond to emergency food needs arising from man-

1 made disasters, such as policy-based disasters, eco-  
2 nomic shocks, and conflict or civil strife, and natural  
3 disasters.”;

4 (2) in paragraph (5), by striking “and” at the  
5 end;

6 (3) in paragraph (6), by striking the period at  
7 the end and inserting “; and”; and

8 (4) at the end by inserting the following new  
9 paragraph:

10 “(7) promote participation in educational, train-  
11 ing, and other productive activities.”.

12 (b) TECHNICAL AMENDMENTS.—Such section is fur-  
13 ther amended—

14 (1) by striking “The President” and inserting  
15 “(a) PROGRAM REQUIRED.—The President”; and

16 (2) by striking “Such program” and insert the  
17 following:

18 “(b) IMPLEMENTATION.—Such program”.

19 **SEC. 103. PROVISION OF AGRICULTURAL COMMODITIES.**

20 (a) SUPPORT FOR ELIGIBLE ORGANIZATIONS.—Sub-  
21 section (e)(1) of section 202 of the Agricultural Trade De-  
22 velopment and Assistance Act of 1954 (7 U.S.C. 1722)  
23 is amended—

24 (1) in the matter preceding subparagraph (A)—

1 (A) by striking “5 percent nor more than  
2 10 percent” and inserting “10 percent but not  
3 more than 12.5 percent” ; and

4 (B) by striking “to assist the organizations  
5 in” and inserting “to provide such organiza-  
6 tions financial assistance in order to”;

7 (2) in subparagraph (A)—

8 (A) by striking “establishing” and insert-  
9 ing “establish”; and

10 (B) by striking “and” at the end;

11 (3) in subparagraph (B)—

12 (A) by striking “meeting” and inserting  
13 “meet”;

14 (B) by striking “management, personnel  
15 and internal transportation and distribution  
16 costs” and inserting “management, operational,  
17 technical, personnel and other programming  
18 costs”;

19 (C) by striking the period at the end and  
20 inserting “; and”; and

21 (4) by adding at the end the following new sub-  
22 paragraph:

23 “(C) improve and implement methodologies  
24 for food assistance programs, including needs  
25 assessments and monitoring and evaluation.”.

1 (b) STREAMLINED PROGRAM MANAGEMENT.—Sub-  
2 section (h)(3)(B) of such section is amended by striking  
3 “Committee on International Relations” and inserting  
4 “Committee on Foreign Affairs”.

5 **SEC. 104. GENERATION AND USE OF CURRENCIES BY PRI-**  
6 **VATE VOLUNTARY ORGANIZATIONS AND CO-**  
7 **OPERATIVES.**

8 Subsection (b) of section 203 of the Agricultural  
9 Trade Development and Assistance Act of 1954 (7 U.S.C.  
10 1723) is amended by striking “1 or more recipient coun-  
11 tries” and inserting “in 1 or more recipient countries”.

12 **SEC. 105. LEVELS OF ASSISTANCE.**

13 Subsection (a) of section 204 of the Agricultural  
14 Trade Development and Assistance Act of 1954 (7 U.S.C.  
15 1724) is amended—

16 (1) in paragraph (1), by striking “2002  
17 through 2007” and inserting “2008 through 2012”;

18 (2) in paragraph (2), by striking “2002  
19 through 2007” and inserting “2008 through 2012”;

20 and

21 (3) in paragraph (3), by striking “International  
22 Relations” and inserting “Foreign Affairs”.

23 **SEC. 106. FOOD AID CONSULTATIVE GROUP.**

24 (a) SENSE OF CONGRESS ON INTEGRATED AND EF-  
25 FECTIVE FOOD ASSISTANCE.—Section 205 of the Agricul-

1 tural Trade Development and Assistance Act of 1954 (7  
2 U.S.C. 1725) is amended—

3 (1) by redesignating subsections (e) and (f) as  
4 subsections (f) and (g), respectively; and

5 (2) by inserting after subsection (d) the fol-  
6 lowing new subsection:

7 “(e) SENSE OF CONGRESS ON INTEGRATED AND EF-  
8 FECTIVE FOOD ASSISTANCE PROGRAM.—It is the sense  
9 of Congress that the Group should make every effort to  
10 develop a strategy to achieve a more integrated and effec-  
11 tive food assistance program.”.

12 (b) REPORT TO CONGRESS.—Such section is further  
13 amended—

14 (1) by redesignating subsections (f) and (g) (as  
15 redesignated by subsection (a)(1)) as subsections (g)  
16 and (h), respectively; and

17 (2) by inserting after subsection (e) (as added  
18 by subsection (a)(2)) the following new subsection:

19 “(f) REPORT TO CONGRESS.—

20 “(1) IN GENERAL.—Not later than 180 days  
21 after the date of the enactment of the Food Security  
22 and Agricultural Development Act of 2007, and an-  
23 nually thereafter until December 31, 2012, the Ad-  
24 ministrator of the United States Agency for Inter-  
25 national Development, in close consultation with the

1 Group, shall submit to the appropriate congressional  
2 committees a report on efforts taken by the United  
3 States Agency for International Development and  
4 the Department of Agriculture to develop a strategy  
5 under this section to achieve an integrated and effec-  
6 tive food assistance program.

7 “(2) APPROPRIATE CONGRESSIONAL COMMIT-  
8 TEES DEFINED.—In this subsection, the term ‘ap-  
9 propriate congressional committees’ means—

10 “(A) the Committee on Foreign Affairs  
11 and the Committee on Agriculture of the House  
12 of Representatives; and

13 “(B) the Committee on Agriculture, Nutri-  
14 tion, and Forestry of the Senate.”.

15 (c) TERMINATION.—Such section is further amended  
16 in subsection (h) (as redesignated by subsection (b)(1))  
17 by striking “2007” and inserting “2012”.

18 **SEC. 107. ADMINISTRATION.**

19 (a) PROPOSALS.—Subsection (a)(3) of section 207 of  
20 the Agricultural Trade Development and Assistance Act  
21 of 1954 (7 U.S.C. 1726a) is amended by striking “and  
22 the conditions that must be met for the approval of such  
23 proposal”.

24 (b) REGULATIONS.—Subsection (c) of such section is  
25 amended by striking paragraph (3).

1 (c) PROGRAM OVERSIGHT, MONITORING, AND EVAL-  
2 UATION.—Such section is further amended by adding at  
3 the end the following new subsection:

4 “(f) PROGRAM OVERSIGHT, MONITORING, AND EVAL-  
5 UATION.—

6 “(1) IN GENERAL.—The Administrator, in con-  
7 sultation with the Secretary, shall establish systems  
8 to improve, monitor, and evaluate the effectiveness  
9 and efficiency of assistance provided under this title  
10 in order to maximize the impact of such assistance.

11 “(2) REPORT TO CONGRESS.—Not later than  
12 180 days after the date of enactment of Food Secu-  
13 rity and Agricultural Development Act of 2007, the  
14 Administrator shall submit to the appropriate con-  
15 gressional committees a report on efforts undertaken  
16 to implement paragraph (1).

17 “(3) GOVERNMENT ACCOUNTABILITY OFFICE.—  
18 Not later than 270 days after the date of the sub-  
19 mission of the report under paragraph (2), the  
20 Comptroller General of the United States shall sub-  
21 mit to the appropriate congressional committees a  
22 report that—

23 “(A) reviews and comments on the report  
24 under paragraph (2); and

1           “(B) provides recommendations regarding  
2           any additional actions necessary to improve the  
3           monitoring and evaluation of assistance pro-  
4           vided under this title.

5           “(4) CONTRACTING AUTHORITY.—In carrying  
6           out this subsection, notwithstanding any other provi-  
7           sion of law, the Administrator may contract with in-  
8           dividuals for personal services, provided that such  
9           individuals shall not be regarded as employees of the  
10          United States Government for the purpose of any  
11          law administered by the Civil Service Commission.

12          “(5) APPROPRIATE CONGRESSIONAL COMMIT-  
13          TEES DEFINED.—In this subsection, the term ‘ap-  
14          propriate congressional committees’ means—

15                 “(A) the Committee on Foreign Affairs  
16                 and the Committee on Agriculture of the House  
17                 of Representatives; and

18                 “(B) the Committee on Agriculture, Nutri-  
19                 tion, and Forestry of the Senate.”.

20          (d) INDIRECT SUPPORT COSTS TO UNITED NATIONS  
21          WORLD FOOD PROGRAM.—Such section is further amend-  
22          ed by adding at the end the following new subsection:

23                 “(g) INDIRECT SUPPORT COSTS TO UNITED NA-  
24          TIONS WORLD FOOD PROGRAM.—

1           “(1) IN GENERAL.—Notwithstanding any other  
2 provision of law, in providing assistance under this  
3 title, the Administrator may make contributions to  
4 the United Nations World Food Program to the ex-  
5 tent that such contributions are made in accordance  
6 with the United Nations World Food Program’s  
7 rules and regulations for indirect cost rates. Prior to  
8 making a contribution to the United Nations World  
9 Food Program under this subsection, the Adminis-  
10 trator shall submit to the appropriate congressional  
11 committees a report that contains the proposed level  
12 of the contribution and the reasons for such pro-  
13 posed level.

14           “(2) APPROPRIATE CONGRESSIONAL COMMIT-  
15 TEES DEFINED.—In this subsection, the term ‘ap-  
16 propriate congressional committees’ means—

17                   “(A) the Committee on Foreign Affairs  
18                   and the Committee on Agriculture of the House  
19                   of Representatives; and

20                   “(B) the Committee on Agriculture, Nutri-  
21                   tion, and Forestry of the Senate.”.

1 **SEC. 108. ASSISTANCE FOR STOCKPILING AND RAPID**  
 2 **TRANSPORTATION, DELIVERY, AND DIS-**  
 3 **TRIBUTION OF SHELF-STABLE PRE-**  
 4 **PACKAGED FOODS.**

5 Subsection (f) of section 208 of the Agricultural  
 6 Trade Development and Assistance Act of 1954 (7 U.S.C.  
 7 1726b) is amended by striking “2007” and inserting  
 8 “2012”.

9 **SEC. 109. ADMINISTRATIVE PROVISIONS.**

10 (a) PREPOSITIONING.—Subsection (c)(4) of section  
 11 407 of the Agricultural Trade Development and Assist-  
 12 ance Act of 1954 (7 U.S.C. 1736a) is amended—

13 (1) by striking “Funds” and inserting “(A) IN  
 14 GENERAL.—Funds”;

15 (2) by striking “2007” and inserting “2012”;

16 (3) by striking “, except that for each such fis-  
 17 cal year not more than \$2,000,000 of such funds  
 18 may be used to store agricultural commodities for  
 19 pre-positioning in foreign countries”; and

20 (4) by adding at the end the following new sub-  
 21 paragraph:

22 “(B) ADDITIONAL PREPOSITIONING  
 23 SITES.—

24 “(i) FEASIBILITY ASSESSMENT.—On  
 25 or after the date of the enactment of the  
 26 Food Security and Agricultural Develop-

1           ment Act of 2007, the Administrator is au-  
2           thorized to carry out assessments for the  
3           establishment of not less than two sites to  
4           determine the feasibility of and costs asso-  
5           ciated with using such sites for the pur-  
6           pose of storing and handling agricultural  
7           commodities for prepositioning in foreign  
8           countries.

9           “(ii) ESTABLISHMENT OF SITES.—  
10          Based on the results of the assessments  
11          carried out under clause (i), the Adminis-  
12          trator is authorized to establish additional  
13          sites for pre-positioning in foreign coun-  
14          tries.

15          “(iii) AUTHORIZATION OF APPROPRIA-  
16          TIONS.—To carry out this subparagraph,  
17          there are authorized to be appropriated to  
18          the Administrator such sums as may be  
19          necessary for each of the fiscal years 2008  
20          through 2012.”.

21          (b) ANNUAL REPORTS.—Subsection (f) of such sec-  
22          tion is amended—

23                 (1) in paragraph (2)—

24                         (A) in subparagraph (B), by adding at the  
25                         end before the semicolon the following: “, and

1 the amount of funds, tonnage levels, and types  
2 of activities for non-emergency food assistance  
3 programs under title II of this Act”;

4 (B) in subparagraph (C), by adding at the  
5 end before the semicolon the following: “, and  
6 a general description of the projects and activi-  
7 ties implemented”; and

8 (C) in subparagraph (D), to read as fol-  
9 lows:

10 “(D) an assessment of the progress toward  
11 reducing food insecurity in the populations re-  
12 ceiving food assistance from the United  
13 States.”; and

14 (2) in paragraph (3), by striking “January 15”  
15 and inserting “March 1”.

16 **SEC. 110. EXPIRATION DATE.**

17 Section 408 of the Agricultural Trade Development  
18 and Assistance Act of 1954 (7 U.S.C. 1736b) is amended  
19 by striking “2007” and inserting “2012”.

20 **SEC. 111. AUTHORIZATION OF APPROPRIATIONS.**

21 Subsection (a) of section 412 of the Agricultural  
22 Trade Development and Assistance Act of 1954 (7 U.S.C.  
23 1736f) is amended to read as follows:

24 “(a) AUTHORIZATION OF APPROPRIATIONS.—

1           “(1) IN GENERAL.—For each of the fiscal years  
2 2008 through 2012, there are authorized to be ap-  
3 propriated to the President—

4           “(A) such sums as may be necessary to  
5 carry out the concessional credit sales program  
6 established under title I;

7           “(B) \$2,500,000,000 to carry out the  
8 emergency and non-emergency food assistance  
9 programs under title II ; and

10           “(C) such sums as may be necessary to  
11 carry out the grant program established under  
12 title III.

13           “(2) MINIMUM LEVEL OF NON-EMERGENCY  
14 FOOD ASSISTANCE.—For each of the fiscal years  
15 2008 through 2012, of the amounts made available  
16 to carry out emergency and non-emergency food as-  
17 sistance programs under title II, not less than  
18 \$600,000,000 for each such fiscal year shall be obli-  
19 gated and expended for non-emergency food assist-  
20 ance programs under title II.

21           “(3) REIMBURSEMENT.—For each of the fiscal  
22 years 2008 through 2012, there are authorized to be  
23 appropriated such sums as may be necessary to  
24 make payments to the Commodity Credit Corpora-  
25 tion to the extent the Commodity Credit Corporation

1 is not reimbursed under the programs under this  
2 Act for the actual costs incurred or to be incurred  
3 by such Corporation in carrying out such programs.

4 “(4) AVAILABILITY.—Amounts appropriated  
5 pursuant to the authorization of appropriations  
6 under this subsection are—

7 “(A) authorized to remain available until  
8 expended; and

9 “(B) in addition to funds otherwise avail-  
10 able for such purposes.”.

11 **SEC. 112. COORDINATION AND INTEGRATION OF FOREIGN**  
12 **ASSISTANCE PROGRAMS.**

13 (a) IN GENERAL.—Section 413 of the Agricultural  
14 Trade Development and Assistance Act of 1954 (7 U.S.C.  
15 1736g) is amended—

16 (1) by striking the first sentence and inserting  
17 the following: “The Administrator shall, to the max-  
18 imum extent practicable, coordinate and integrate  
19 assistance to a foreign country provided under title  
20 III with other United States development assistance  
21 programs and objectives provided under chapter 1 of  
22 part I of the Foreign Assistance Act of 1961 (22  
23 U.S.C. 2151 et seq.), including assistance to combat  
24 HIV/AIDS, tuberculosis, and malaria, assistance for  
25 child and maternal health, assistance for education,

1 and assistance for agricultural development and eco-  
2 nomic growth. Such assistance shall also be coordi-  
3 nated and integrated with other United States for-  
4 eign assistance programs, such as the Millennium  
5 Challenge Account. Such assistance shall also be co-  
6 ordinated and integrated with the overall develop-  
7 ment strategy of the recipient country, including the  
8 poverty reduction strategy of the recipient country.”;  
9 and

10 (2) by striking “Special emphasis should be  
11 placed on” and inserting “Special consideration  
12 should be given to”

13 (b) CONFORMING AMENDMENT.—The heading for  
14 such section is amended by inserting “**AND INTEGRA-**  
15 **TION**” after “**COORDINATION**”.

16 **SEC. 113. MICRONUTRIENT FORTIFICATION PROGRAMS.**

17 (a) PURPOSE.—Subsection (a)(2)(C) of section 415  
18 of the Agricultural Trade Development and Assistance Act  
19 of 1954 (7 U.S.C. 1736g-2) is amended—

20 (1) by striking “using the same mechanism that  
21 was used to assess the micronutrient fortification  
22 program in” and inserting “utilizing recommenda-  
23 tions from”; and

24 (2) by striking “with funds from the Bureau for  
25 Humanitarian Response of the United States Agen-

1 cy for International Development” and inserting  
2 “with implementation by an independent entity with  
3 proven impartiality and a mechanism that incor-  
4 porates the range of stakeholders implementing pro-  
5 grams under title II of this Act as well as other food  
6 assistance industry experts”.

7 (b) TERMINATION OF AUTHORITY.—Subsection (d)  
8 of such section is amended by striking “2007” and insert-  
9 ing “2012”.

10 **SEC. 114. JOHN OGWONSKI AND DOUG BEREUTER FARM-**  
11 **ER-TO-FARMER PROGRAM.**

12 (a) MINIMUM FUNDING.—Subsection (d) of section  
13 501 of the Agricultural Trade Development and Assist-  
14 ance Act of 1954 (7 U.S.C. 1737) is amended by striking  
15 “2002 through 2007” and inserting “2008 through  
16 2012”.

17 (b) AUTHORIZATION OF APPROPRIATIONS.—Sub-  
18 section (e)(1) of such section is amended by striking  
19 “2002 through 2007” and inserting “2008 through  
20 2012”.

21 **Subtitle B—Related Statutes and**  
22 **Other Provisions**

23 **SEC. 121. BILL EMERSON HUMANITARIAN TRUST.**

24 (a) IN GENERAL.—Subsection (a) of section 302 of  
25 the Bill Emerson Humanitarian Trust Act (7 U.S.C.

1 1736f-1) is amended by inserting after “metric tons” the  
2 following: “, an amount of funds equivalent to 4,000,000  
3 metric tons of commodities, or any combination of com-  
4 modities and funds equivalent to 4,000,000 metric tons”.

5 (b) COMMODITIES OR FUNDS IN TRUST.—Subsection  
6 (b)(2)(B)(i) of such section is amended—

7 (1) by striking “2000 through 2007” each place  
8 it appears and inserting “2008 through 2012”; and

9 (2) by striking “\$20,000,000” and inserting  
10 “\$60,000,000”.

11 (c) TERMINATION OF AUTHORITY.—Subsection (h)  
12 of such section is amended in paragraphs (1) and (2) by  
13 striking “2007” each place it appears and inserting  
14 “2012”.

15 **SEC. 122. MCGOVERN-DOLE INTERNATIONAL FOOD FOR**  
16 **EDUCATION AND CHILD NUTRITION PRO-**  
17 **GRAM.**

18 (a) ADMINISTRATION OF PROGRAM.—Section 3107  
19 of the Farm Security and Rural Investment Act of 2002  
20 (7 U.S.C. 1736o-1) is amended—

21 (1) in subsection (d), in the matter preceding  
22 paragraph (1), by striking “The President shall des-  
23 ignate 1 or more Federal agencies to” and inserting  
24 “The Secretary shall”;

1 (2) in subsection (f)(2), in the matter preceding  
2 subparagraph (A), by striking “implementing agen-  
3 cy” and inserting “Secretary”; and

4 (3) in subsections (c)(2)(B), (f)(1), (h)(1) and  
5 (2), and (i), by striking “President” each place it  
6 appears and inserting “Secretary”.

7 (b) FUNDING.—Subsection (l) of such section is  
8 amended—

9 (1) by striking paragraphs (1) and (2) and in-  
10 sserting the following:

11 “(1) USE OF COMMODITY CREDIT CORPORATION  
12 FUNDS.—Of the funds of the Commodity Credit  
13 Corporation, the Secretary shall use to carry out this  
14 section—

15 “(A) \$140,000,000 for fiscal year 2008;

16 “(B) \$180,000,000 for fiscal year 2009;

17 “(C) \$220,000,000 for fiscal year 2010;

18 “(D) \$260,000,000 for fiscal year 2011;

19 and

20 “(E) \$300,000,000 for fiscal year 2012.”;

21 (2) by redesignating paragraph (3) as para-  
22 graph (2); and

23 (3) in paragraph (2) (as redesignated by para-  
24 graph (2)), by striking “any Federal agency imple-  
25 menting or assisting” and inserting “the Depart-

1 ment of Agriculture or any other Federal depart-  
2 ment or agency assisting”.

3 **SEC. 123. INTERNATIONAL DISASTER ASSISTANCE UNDER**

4 **THE FOREIGN ASSISTANCE ACT OF 1961.**

5 (a) SENSE OF CONGRESS.—It is the sense of Con-  
6 gress that the President, acting through the Adminis-  
7 trator, should exercise the President’s authority under sec-  
8 tion 491 of the Foreign Assistance Act of 1961 (22 U.S.C.  
9 2292) to purchase and to distribute to a recipient country  
10 agricultural commodities produced—

- 11 (1) in the recipient country, or  
12 (2) in developing countries in the region of the  
13 recipient country,

14 for the purposes of famine prevention and relief.

15 (b) AVAILABILITY OF FUNDING FOR FAMINE PRE-  
16 VENTION AND RELIEF.—For each of the fiscal years 2008  
17 through 2012, of the amounts made available to carry out  
18 section 491 of the Foreign Assistance Act of 1961, not  
19 less than \$40,000,000 for each such fiscal year shall be  
20 made available for the purposes of famine prevention and  
21 relief under such section.

22 **SEC. 124. REPORT ON EFFORTS TO IMPROVE PROCURE-**  
23 **MENT PLANNING.**

24 (a) REPORT REQUIRED.—Not later than 90 days  
25 after the date of the enactment of this Act, the Adminis-

1 trator and the Secretary shall submit to the appropriate  
 2 congressional committees a report on efforts taken by both  
 3 the United States Agency for International Development  
 4 and the Department of Agriculture to improve planning  
 5 for food and transportation procurement, including efforts  
 6 to eliminate bunching of food purchases.

7 (b) CONTENTS.—The report required under sub-  
 8 section (a) should include, among other things, a descrip-  
 9 tion of efforts taken to—

10 (1) improve coordination of food purchases by  
 11 the United States Agency for International Develop-  
 12 ment and the Department of Agriculture;

13 (2) increase flexibility in procurement sched-  
 14 ules;

15 (3) increase utilization of historical analyses  
 16 and forecasting; and

17 (4) improve and streamline legal claims proc-  
 18 esses for resolving transportation disputes.

19 **TITLE II—UNITED STATES AGRI-**  
 20 **CULTURAL EXPORT PRO-**  
 21 **GRAMS**

22 **SEC. 201. EXPORT CREDIT GUARANTEE PROGRAM.**

23 (a) REPEAL OF SUPPLIER CREDIT GUARANTEE PRO-  
 24 GRAM AND INTERMEDIATE EXPORT CREDIT GUARANTEE  
 25 PROGRAM.—

1           (1) REPEALS.—Section 202 of the Agricultural  
2 Trade Act of 1978 (7 U.S.C. 5622) is amended—

3           (A) in subsection (a)—

4                 (i) in paragraph (1), by striking “(1)”  
5 and all that follows through “The Com-  
6 modity” and inserting “The Commodity”;  
7 and

8                 (ii) by striking paragraphs (2) and  
9 (3);

10           (B) by striking subsections (b) and (c);  
11 and

12           (C) by redesignating subsections (d)  
13 through (l) as subsections (b) through (j), re-  
14 spectively.

15           (2) CONFORMING AMENDMENTS.—Such section  
16 is further amended—

17           (A) in subsection (b)(4) (as redesignated  
18 by paragraph (1)(C)), by striking “, consistent  
19 with the provisions of subsection (c)”;

20           (B) in subsection (d) (as redesignated by  
21 paragraph (1)(C))—

22                 (i) by striking “(1)” and all that fol-  
23 lows through “The Commodity” and in-  
24 serting “The Commodity”; and

25                 (ii) by striking paragraph (2); and

1 (C) in subsection (g)(2) (as redesignated  
2 by paragraph (1)(C)), by striking “subsections  
3 (a) and (b)” and inserting “subsection (a)”.

4 (b) PROCESS AND HIGH-VALUE PRODUCTS.—Section  
5 202 of such Act (7 U.S.C. 5622) is amended in subsection  
6 (i) (as redesignated by subsection (a)(1)(C)) by striking  
7 “2007” and inserting “2012”.

8 (c) EXPORT CREDIT GUARANTEE PROGRAMS.—Sub-  
9 section (b) of section 211 of such Act (7 U.S.C. 5641)  
10 is amended to read as follows:

11 “(b) EXPORT CREDIT GUARANTEE PROGRAMS.—The  
12 Commodity Credit Corporation shall make available, to  
13 the maximum extent practicable, for each of fiscal years  
14 2008 through 2012 not less than \$5,500,000,000 in credit  
15 guarantees under section 202(a).”.

16 **SEC. 202. MARKET ACCESS PROGRAM.**

17 (a) ORGANIC COMMODITIES.—Subsection (a) of sec-  
18 tion 203 of the Agricultural Trade Act of 1978 (7 U.S.C.  
19 5623) is amended by inserting after “agricultural com-  
20 modities” the following: “(including commodities that are  
21 organically produced (as defined in section 2103 of the  
22 Organic Foods Production Act of 1990 (7 U.S.C. 6502))”.

23 (b) FUNDING.—Subsection (c)(1)(A) of section 211  
24 of such Act (7 U.S.C. 5641) is amended by striking “,  
25 and \$200,000,000 for each of fiscal years 2006 and 2007”

1 and inserting “\$200,000,000 for each of fiscal years 2006  
2 and 2007, and \$225,000,000 for each of fiscal years 2008  
3 through 2012”.

4 **SEC. 203. EXPORT ENHANCEMENT PROGRAM.**

5 Subsection (e) of section 301 of the Agricultural  
6 Trade Act of 1978 (7 U.S.C. 5651) is amended by striking  
7 paragraph (1) and inserting the following:

8 “(1) IN GENERAL.—The Commodity Credit  
9 Corporation shall make available to carry out the  
10 program established under this section not more  
11 than \$478,000,000 for each of fiscal years 2008  
12 through 2012.”.

13 **SEC. 204. ASSISTANCE TO ADDRESS SANITARY AND**  
14 **PHYTOSANITARY BARRIERS TO TRADE.**

15 Title III of the Agricultural Trade Act of 1978 (7  
16 U.S.C. 5651 et seq.) is amended by adding at the end  
17 the following new section:

18 **“SEC. 304. ASSISTANCE TO ADDRESS SANITARY AND**  
19 **PHYTOSANITARY BARRIERS TO TRADE.**

20 “(a) ASSISTANCE AUTHORIZED.—The Secretary is  
21 authorized to enter into contracts with technical experts  
22 and scientists, or provide grants to appropriate entities,  
23 as determined by the Secretary, to address sanitary,  
24 phytosanitary, and technical barriers to the export of

1 United States agricultural commodities, including meat,  
2 poultry, and specialty crops, by—

3           “(1) contracting with technical experts and sci-  
4           entists outside of the Federal government to address  
5           sanitary and phytosanitary issues, and other issues  
6           regarding technical barriers, involving agricultural  
7           commodities and the products of such agricultural  
8           commodities; and

9           “(2) commissioning targeted outside scientific  
10          reports on sanitary and phytosanitary issues, and  
11          other issues regarding technical barriers, involving  
12          agricultural commodities and the products of such  
13          agricultural commodities.

14          “(b) TARGETED TRADE ISSUES.—Projects funded  
15          under this section may include projects relating to the ac-  
16          ceptance by foreign markets of—

17               “(1) antimicrobial treatments;

18               “(2) wood-packaging material;

19               “(3) irradiation;

20               “(4) biotechnology;

21               “(5) science-based maximum residue level  
22          standards;

23               “(6) testing procedures and controls for myco-  
24          toxins;

25               “(7) labeling; and

1           “(8) shelf life.

2           “(c) FUNDING.—

3           “(1) COMMODITY CREDIT CORPORATION.—The  
4           Secretary shall use the funds, facilities, and authori-  
5           ties of the Commodity Credit Corporation to carry  
6           out this section.

7           “(2) FUNDING AMOUNT.—The Secretary shall  
8           use, to the maximum extent practicable, \$2,000,000  
9           of the funds of the Commodity Credit Corporation to  
10          carry out this section for each of fiscal years 2008  
11          through 2012.”.

12 **SEC. 205. FOREIGN MARKET DEVELOPMENT COOPERATOR**  
13 **PROGRAM.**

14          (a) FOREIGN MARKET DEVELOPMENT COOPERATOR  
15 PROGRAM.—Subsection (c) of section 702 of the Agricul-  
16 tural Trade Act of 1978 (7 U.S.C. 5722) is amended by  
17 striking “Committee on International Relations” and in-  
18 serting “Committee on Foreign Affairs”.

19          (b) FUNDING.—Section 703 of such Act (7 U.S.C.  
20 5723) is amended—

21               (1) in subsection (a), by striking “2002 through  
22               2007” and inserting “2008 through 2012”; and

23               (2) in subsection (b), by striking “2001” and  
24               inserting “2007”.

1 **SEC. 206. EMERGING MARKETS AND FACILITY GUARANTEE**  
2 **LOAN PROGRAM.**

3 (a) PROMOTION OF AGRICULTURAL EXPORTS TO  
4 EMERGING MARKETS.—Subsections (a) and (d)(1)(A)(i)  
5 of section 1542 of the Food, Agriculture, Conservation,  
6 and Trade Act of 1990 (7 U.S.C. 5622 note; Public Law  
7 101–624) is amended by striking “2007” each place it ap-  
8 pears and inserting “2012”.

9 (b) FACILITY GUARANTEE LOAN PROGRAM.—Such  
10 section is further amended—

11 (1) in subsection (b)—

12 (A) in the first sentence, by redesignating  
13 paragraphs (1) and (2) as subparagraphs (A)  
14 and (B), respectively, and adjusting the mar-  
15 gins accordingly;

16 (B) by striking “A portion” and inserting  
17 the following:

18 “(1) IN GENERAL.—A portion”;

19 (C) in the second sentence, by striking  
20 “The Commodity Credit Corporation” and in-  
21 serting the following:

22 “(2) PRIORITY.—The Commodity Credit Cor-  
23 poration”; and

24 (D) by adding at the end the following:

25 “(3) INITIAL PAYMENT.—The Secretary may  
26 require an initial down payment, upon such terms as

1 the Secretary may determine, by the beneficiary of  
2 the credit guarantee as a condition of providing a  
3 credit guarantee under this subsection.

4 “(4) MAXIMUM LIABILITY.—The liability of the  
5 Commodity Credit Corporation under a guarantee  
6 provided pursuant to this section may not exceed 98  
7 percent of—

8 “(A) the principal amount involved in the  
9 underlying financial arrangement for construc-  
10 tion of the facility; and

11 “(B) the interest on the outstanding prin-  
12 cipal amount at the rate specified in the under-  
13 lying financial arrangement for construction of  
14 the facility.

15 “(5) TERM OF GUARANTEE.—A facility pay-  
16 ment guarantee under this subsection shall be for a  
17 term that is not more than the lesser of—

18 “(A) the term of the depreciation schedule  
19 of the facility assisted; or

20 “(B) a maximum period, as determined by  
21 the Secretary.”.

22 **SEC. 207. FOOD FOR PROGRESS ACT OF 1985.**

23 (a) PROVISION OF ELIGIBLE COMMODITIES TO DE-  
24 VELOPING COUNTRIES.—Subsection (f)(3) of the Food for  
25 Progress Act of 1985 (7 U.S.C. 1736o; section 1110 of

1 the Food Security Act of 1985) is amended by striking  
2 “1996 through 2007” and inserting “2008 through  
3 2012”.

4 (b) MINIMUM TONNAGE.—Subsection (g) of such Act  
5 is amended—

6 (1) by striking “400,000” and inserting  
7 “500,000”; and

8 (2) by striking “2002 through 2007” and in-  
9 serting “2008 through 2012”.

10 (c) REPORT.—Subsection (j)(3) of such Act is  
11 amended by inserting “and the Committee on Foreign Af-  
12 fairs” after “Committee on Agriculture”.

13 (d) EFFECTIVE AND TERMINATION DATES.—Sub-  
14 section (k) of such Act is amended by striking “2007”  
15 and inserting “2012”.

16 (e) ADMINISTRATIVE EXPENSES.—Subsection (l)(1)  
17 of such Act is amended by striking “1996 through 2007”  
18 and inserting “2008 through 2012”.

19 (f) PROGRAM MANAGEMENT.—Subsection (n)(2)(C)  
20 of such Act is amended, by striking “Committee on Inter-  
21 national Relations” and inserting “Committee on Foreign  
22 Affairs”.

1       **TITLE III—MISCELLANEOUS**  
2                               **PROVISIONS**

3       **SEC. 301. TECHNICAL ASSISTANCE FOR SPECIALTY CROPS.**

4           (a) **ADDITIONAL REQUIREMENTS.**—Section 3205 of  
5 the Farm Security and Rural Investment Act of 2002 (7  
6 U.S.C. 5680) is amended—

7               (1) by redesignating subsection (d) as sub-  
8 section (e); and

9               (2) by inserting after subsection (c) the fol-  
10 lowing new subsection:

11           “(d) **ADDITIONAL REQUIREMENTS.**—

12               “(1) **MAXIMUM AWARD.**—The maximum  
13 amount of assistance provided annually to a project  
14 under the program shall be \$500,000.

15               “(2) **PROJECT DURATION.**—The Secretary may  
16 extend a project under the program irrespective of  
17 the initial estimated duration of the project.”.

18           (b) **FUNDING.**—Such section is further amended in  
19 subsection (e) (as redesignated by subsection (a)(1)), to  
20 read as follows:

21           “(e) **FUNDING.**—

22               “(1) **COMMODITY CREDIT CORPORATION.**—The  
23 Secretary shall use the funds, facilities, and authori-  
24 ties of the Commodity Credit Corporation to carry  
25 out this section.

1           “(2) FUNDING AMOUNT.—The Secretary shall  
2           make available the following amounts of the funds  
3           of, or an equal value of commodities owned by, the  
4           Commodity Credit Corporation, to the maximum ex-  
5           tent practicable, for the following fiscal years to  
6           carry out this section:

7                   “(A) \$4,000,000 for fiscal year 2008.

8                   “(B) \$6,000,000 for fiscal year 2009.

9                   “(C) \$8,000,000 for fiscal year 2010.

10                   “(D) \$10,000,000 for each of fiscal years  
11           2011 through 2015.”.

12 **SEC. 302. SUPPORT FOR SANITARY AND PHYTOSANITARY**  
13 **PRIORITIES OF THE UNITED STATES WITHIN**  
14 **CERTAIN INTERNATIONAL ORGANIZATIONS.**

15           (a) SUPPORT AUTHORIZED.—The Secretary of Agri-  
16           culture is authorized to enhance United States support for  
17           international organizations, including international orga-  
18           nizations described in subsection (b), that establish inter-  
19           national standards regarding food, food safety, plants, and  
20           animals by funding additional positions of associate pro-  
21           fessional officers to address sanitary and phytosanitary  
22           priorities of the United States within such international  
23           organizations. The Secretary shall carry out this sub-  
24           section pursuant to the authority of the Secretary under

1 section 1458(a)(3) of the Food and Agriculture Act of  
2 1977 (7 U.S.C. 3291(a)(3)).

3 (b) INTERNATIONAL ORGANIZATIONS DESCRIBED.—

4 The international organizations referred to in subsection  
5 (a) are the Food and Agriculture Organization, the Codex  
6 Alimentarius Commission, the International Plant Protec-  
7 tion Convention, and the World Organization for Animal  
8 Health.

9 **SEC. 303. TECHNICAL ASSISTANCE FOR THE RESOLUTION**  
10 **OF TRADE DISPUTES.**

11 (a) TECHNICAL ASSISTANCE AUTHORIZED.—The  
12 Secretary of Agriculture is authorized to provide moni-  
13 toring, analytic support, and other technical assistance to  
14 limited-resource persons and organizations associated with  
15 agricultural trade (as determined by the Secretary) to ad-  
16 dress unfair trade practices of foreign countries, including  
17 intellectual property right violations, and to reduce trade  
18 barriers.

19 (b) AUTHORIZATION OF APPROPRIATIONS.—To carry  
20 out this section, there are authorized to be appropriated  
21 to the Secretary such sums as may be necessary for each  
22 of the fiscal years 2008 through 2012.

23 **SEC. 304. SENSE OF CONGRESS CONCERNING THE GLOBAL**  
24 **CROP DIVERSITY TRUST.**

25 (a) FINDINGS.—Congress finds the following:

1           (1) Crop diversity—the natural diversity exhib-  
2           ited in the array of varieties in every crop—is one  
3           of the world’s least recognized, but most valuable re-  
4           sources. It provides the genetic building blocks for  
5           adapting crops to constantly evolving pests, diseases,  
6           and changing climates. Without crop diversity, agri-  
7           culture cannot retain current productivity levels and  
8           cannot meet anticipated future challenges associated  
9           with population growth and global warming.

10          (2) Currently, much of the world’s crop diver-  
11          sity is neither safely conserved, nor readily available  
12          to scientists and farmers who rely on it to safeguard  
13          agricultural productivity.

14          (3) The Global Crop Diversity Trust, an inde-  
15          pendent organization created by the United Nations  
16          Food and Agricultural Organization in conjunction  
17          with the 2001 International Treaty on Plant Genetic  
18          Resources, is the only organization working globally  
19          to solve the problem of protecting crop diversity. The  
20          Global Crop Diversity Trust became a legal entity at  
21          the end of 2004, but has already raised  
22          \$135,000,000 from a broad alliance of partners, in-  
23          cluding developed and developing countries, private  
24          corporations, and philanthropic foundations, includ-  
25          ing The Bill and Melinda Gates Foundation.

1           (4) The United States was an early supporter  
2 of the Global Crop Diversity Trust, and has so far  
3 contributed \$6,500,000 to the Global Crop Diversity  
4 Trust. Robust involvement of the United States in  
5 the Global Crop Diversity Trust ensures significant  
6 benefits to United States farmers.

7           (b) SENSE OF CONGRESS.—It is the sense of Con-  
8 gress that the President should provide significant United  
9 States financial resources to the Global Crop Diversity  
10 Trust to ensure the conservation of crop diversity which  
11 can yield significant benefits to United States farmers.

12 **SEC. 305. TECHNICAL AND CONFORMING AMENDMENTS.**

13           Subsection (a) of section 3206 of the Farm Security  
14 and Rural Investment Act of 2002 (7 U.S.C. 5603a) is  
15 amended by striking “Committee on International Rela-  
16 tions” and inserting “Committee on Foreign Affairs”.

Chairman LANTOS. Without objection, the amendment in the nature of a substitute that is before the members will be considered as base text for purposes of amendment, it will be considered as read and will be open for amendment at any point. I yield myself 5 minutes to explain this legislation.

[The information referred to follows:]

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 2844  
OFFERED BY MR. LANTOS OF CALIFORNIA**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the  
3 “Food Security and Agricultural Development Act of  
4 2007”.

5 (b) TABLE OF CONTENTS.—The table of contents for  
6 this Act is as follows:

- Sec. 1. Short title and table of contents.
- Sec. 2. Findings and purposes.
- Sec. 3. Definitions.

**TITLE I—UNITED STATES EMERGENCY AND NON-EMERGENCY  
FOOD AND OTHER ASSISTANCE PROGRAMS**

Subtitle A—Agricultural Trade Development and Assistance Act of 1954

- Sec. 101. United States policy.
- Sec. 102. General authority.
- Sec. 103. Provision of agricultural commodities.
- Sec. 104. Generation and use of currencies by private voluntary organizations and cooperatives.
- Sec. 105. Levels of assistance.
- Sec. 106. Food Aid Consultative Group.
- Sec. 107. Administration.
- Sec. 108. Assistance for stockpiling and rapid transportation, delivery, and distribution of shelf-stable prepackaged foods.
- Sec. 109. Administrative provisions.
- Sec. 110. Expiration date.
- Sec. 111. Authorization of appropriations.
- Sec. 112. Coordination and integration of foreign assistance programs.
- Sec. 113. Micronutrient fortification programs.
- Sec. 114. John Ogonowski and Doug Bereuter Farmer-to-Farmer Program.

Subtitle B—Related Statutes and Other Provisions

- Sec. 121. Bill Emerson Humanitarian Trust.  
 Sec. 122. McGovern-Dole International Food for Education and Child Nutrition Program.  
 Sec. 123. International disaster assistance under the Foreign Assistance Act of 1961.  
 Sec. 124. Report on efforts to improve procurement planning.

TITLE II—UNITED STATES AGRICULTURAL EXPORT PROGRAMS

- Sec. 201. Export credit guarantee program.  
 Sec. 202. Market access program.  
 Sec. 203. Export enhancement program.  
 Sec. 204. Assistance to address sanitary and phytosanitary barriers to trade.  
 Sec. 205. Foreign market development cooperator program.  
 Sec. 206. Emerging markets and facility guarantee loan program.  
 Sec. 207. Food for Progress Act of 1985.

TITLE III—MISCELLANEOUS PROVISIONS

- Sec. 301. Technical assistance for specialty crops.  
 Sec. 302. Support for sanitary and phytosanitary priorities of the United States within certain international organizations.  
 Sec. 303. Technical assistance for the resolution of trade disputes.  
 Sec. 304. Sense of Congress concerning the Global Crop Diversity Trust.  
 Sec. 305. Technical and conforming amendments.  
 Sec. 306. Rule of construction.

1 **SEC. 2. FINDINGS AND PURPOSES.**

2 (a) FINDINGS.—Congress makes the following find-  
 3 ings:

4 (1) The United Nations Food and Agricultural  
 5 Organization reports, that in 2006, an estimated  
 6 850,000,000 people in the world, with 824,000,000  
 7 in developing countries, were chronically hungry.

8 (2) The largest concentrations of the chron-  
 9 ically hungry—an estimated 298,000,000 individ-  
 10 uals—are in South Asia, with most of those individ-  
 11 uals concentrated in India, where there are an esti-  
 12 mated 212,000,000 undernourished individuals, and

1 in sub-Saharan Africa, where there are an estimated  
2 206,000,000 hungry people.

3 (3) The number of food and humanitarian  
4 emergencies has doubled from an average of about  
5 15 per year in the 1980s to more than 30 per year  
6 since 2000, due in large part to increasing conflicts,  
7 poverty, and natural disasters around the world.  
8 Some emergencies are exacerbated by multiple  
9 shocks, such as civil wars, recurring droughts, and  
10 endemic disease, adding to their complexity and pro-  
11 tracting the crises for many years.

12 (4) The United Nations reports that progress is  
13 being made toward reaching the Millennium Devel-  
14 opment Goal of reducing the proportion of hungry  
15 people in the world by half by 2015. In 1990, the  
16 proportion of people in the developing countries liv-  
17 ing with insufficient food was estimated to be 20  
18 percent. By 2003, that percentage declined to 17  
19 percent. However, from 1996 to 2006, the absolute  
20 number of hungry people increased from  
21 790,000,000 to 850,000,000.

22 (5) The number of hungry people in the most  
23 seriously affected regions of the world, namely South  
24 Asia and sub-Saharan Africa, is increasing. In sub-  
25 Saharan Africa, in 1990, there were an estimated

1 169,000,000 chronically-hungry people; in 2003, the  
2 number of chronically-hungry people increased to  
3 206,000,000.

4 (6) The major United States Government re-  
5 sponse to reducing hunger in developing countries is  
6 to provide United States agricultural commodities as  
7 food assistance. In fiscal year 2006, the United  
8 States provided 3,000,000 metric tons of food valued  
9 at more than \$2,000,000,000 to meet emergency  
10 food needs and to support development projects in  
11 developing countries.

12 (7) In 2006, the United States provided food  
13 assistance to 65 countries, more than half of which  
14 were in sub-Saharan Africa. Approximately  
15 \$1,200,000,000 or 60 percent of such assistance was  
16 provided as emergency food assistance. The United  
17 States Agency for International Development esti-  
18 mates that 50,000,000 to 70,000,000 people benefit  
19 from United States food assistance programs annu-  
20 ally.

21 (8)(A) Food assistance contributed by the  
22 United States Government has totaled more than  
23 \$73,000,000,000 since 1946. Over the last decade,  
24 the United States has been the single largest donor  
25 of international food assistance, with a large propor-

1       tion of the assistance provided through the United  
2       Nations World Food Program and most of that as-  
3       sistance is for emergencies.

4               (B) The United States contributed more than  
5       52,000,000 tons of food assistance between 1996  
6       and 2005, more than half of the nearly 100,000,000  
7       tons of food assistance delivered worldwide in this  
8       period. In 2006, the United States contributed  
9       \$1,125,000,000 or about 40 percent of total donor  
10       contributions to the World Food Program in that  
11       year.

12              (9) Private voluntary organizations and co-  
13       operatives are critical implementing partners in  
14       United States food assistance programs. In addition  
15       to assisting people whose lives and livelihoods are  
16       endangered due to crises, such organizations and co-  
17       operatives help communities that suffer from chronic  
18       hunger, delivering technical assistance and training  
19       and building local institutional capacity.

20              (10)(A) Although the Farm Security and Rural  
21       Investment Act of 2002 (Public Law 107-171)  
22       called for increased levels of non-emergency food as-  
23       sistance in order to address chronic hunger needs  
24       and to have lasting impacts on vulnerable commu-  
25       nities, according to the Government Accountability

1 Office, by 2006, non-emergency food assistance pro-  
2 grams were reduced to 42 percent of their 2001 lev-  
3 els.

4 (B) Implementing partner organizations report  
5 that due to these reductions, such organizations  
6 have been forced to close operations in countries  
7 that are prone to emergencies and with populations  
8 that suffer from chronic hunger. As a result of such  
9 reductions, there is little opportunity to develop new  
10 programs that address food insecurity in developing  
11 countries.

12 (11) Food assistance experts, advocates, and  
13 implementers have argued that distributing food  
14 commodities alone will not reduce food insecurity.  
15 Food assistance needs to be combined with other  
16 non-food resources, such as assistance to promote  
17 agricultural development, economic growth, and as-  
18 sistance to support education, water, and health pro-  
19 grams, to ensure that food assistance has an impact  
20 on chronically-hungry people.

21 (12) Women play an essential role in promoting  
22 food security and production throughout the world.  
23 According to the United Nations Food and Agricul-  
24 tural Organization, rural women are responsible for  
25 half of the world's food production and produce be-

1       tween 60 and 80 percent of the food in most devel-  
2       oping countries.

3       (b) PURPOSES.— The purposes of this Act are—

4             (1) to promote United States emergency and  
5       non-emergency food and other assistance programs  
6       as described in title I of this Act in an efficient and  
7       effective manner; and

8             (2) to promote United States agricultural ex-  
9       port programs as described in title II of this Act in  
10      an efficient and effective manner.

11 **SEC. 3. DEFINITIONS.**

12      In this Act:

13             (1) ADMINISTRATOR.—The term “Adminis-  
14      trator” means the Administrator of the United  
15      States Agency for International Development.

16             (2) APPROPRIATE CONGRESSIONAL COMMIT-  
17      TEES.—The term “appropriate congressional com-  
18      mittees” means—

19                 (A) the Committee on Foreign Affairs and  
20                 the Committee on Agriculture of the House of  
21                 Representatives; and

22                 (B) the Committee on Agriculture, Nutri-  
23                 tion, and Forestry of the Senate.

24             (3) SECRETARY.—The term “Secretary” means  
25      the Secretary of Agriculture

1 **TITLE I—UNITED STATES EMER-**  
2 **GENCY AND NON-EMERGENCY**  
3 **FOOD AND OTHER ASSIST-**  
4 **ANCE PROGRAMS**  
5 **Subtitle A—Agricultural Trade De-**  
6 **velopment and Assistance Act of**  
7 **1954**

8 **SEC. 101. UNITED STATES POLICY.**

9 Section 2 of the Agricultural Trade Development and  
10 Assistance Act of 1954 (7 U.S.C. 1691) is amended—

11 (1) in paragraph (1), by inserting “chronic” be-  
12 fore “world”.

13 (2) in paragraph (5), by striking “and” at the  
14 end;

15 (3) in paragraph (6), by striking the period at  
16 the end and inserting “; and”; and

17 (4) by adding at the end the following new  
18 paragraphs:

19 “(7) respond to emergency needs and food cri-  
20 ses;

21 “(8) implement an effective and efficient food  
22 assistance program that incorporates adequate re-  
23 sources for both emergency and non-emergency food  
24 assistance programs; and

1           “(9) provide adequate resources for non-emer-  
2           gency food assistance programs to address the  
3           causes of chronic hunger and food insecurity, to pro-  
4           tect the livelihoods and health of vulnerable popu-  
5           lations, and to promote participation in productive  
6           activities.”.

7 **SEC. 102. GENERAL AUTHORITY.**

8           (a) IN GENERAL.— Section 201 of the Agricultural  
9           Trade Development and Assistance Act of 1954 (7 U.S.C.  
10          1721) is amended—

11           (1) in paragraph (1), to read as follows:

12           “(1) address famine and food crises and re-  
13           spond to emergency food needs arising from man-  
14           made disasters, such as policy-based disasters, eco-  
15           nomic shocks, and conflict or civil strife, and natural  
16           disasters.”;

17           (2) in paragraph (5), by striking “and” at the  
18           end;

19           (3) in paragraph (6), by striking the period at  
20           the end and inserting “; and”; and

21           (4) at the end by inserting the following new  
22           paragraph:

23           “(7) promote participation in educational, train-  
24           ing, and other productive activities.”.

1 (b) TECHNICAL AMENDMENTS.—Such section is fur-  
2 ther amended—

3 (1) by striking “The President” and inserting

4 “(a) PROGRAM REQUIRED.—The President”; and

5 (2) by striking “Such program” and insert the  
6 following:

7 “(b) IMPLEMENTATION.—Such program”.

8 **SEC. 103. PROVISION OF AGRICULTURAL COMMODITIES.**

9 (a) SUPPORT FOR ELIGIBLE ORGANIZATIONS.—Sub-  
10 section (e)(1) of section 202 of the Agricultural Trade De-  
11 velopment and Assistance Act of 1954 (7 U.S.C. 1722)  
12 is amended—

13 (1) in the matter preceding subparagraph (A)—

14 (A) by striking “5 percent nor more than  
15 10 percent” and inserting “10 percent but not  
16 more than 12.5 percent” ; and

17 (B) by striking “to assist the organizations  
18 in” and inserting “to provide such organiza-  
19 tions financial assistance in order to”;

20 (2) in subparagraph (A)—

21 (A) by striking “establishing” and insert-  
22 ing “establish”; and

23 (B) by striking “and” at the end;

24 (3) in subparagraph (B)—

1 (A) by striking “meeting” and inserting  
2 “meet”;

3 (B) by striking “management, personnel  
4 and internal transportation and distribution  
5 costs” and inserting “management, operational,  
6 technical, personnel and other programming  
7 costs”;

8 (C) by striking the period at the end and  
9 inserting “; and”; and

10 (4) by adding at the end the following new sub-  
11 paragraph:

12 “(C) improve and implement methodologies  
13 for food assistance programs, including needs  
14 assessments and monitoring and evaluation.”.

15 (b) STREAMLINED PROGRAM MANAGEMENT.—Sub-  
16 section (h)(3)(B) of such section is amended by striking  
17 “Committee on International Relations” and inserting  
18 “Committee on Foreign Affairs”.

19 **SEC. 104. GENERATION AND USE OF CURRENCIES BY PRI-**  
20 **VATE VOLUNTARY ORGANIZATIONS AND CO-**  
21 **OPERATIVES.**

22 Subsection (b) of section 203 of the Agricultural  
23 Trade Development and Assistance Act of 1954 (7 U.S.C.  
24 1723) is amended by striking “1 or more recipient coun-  
25 tries” and inserting “in 1 or more recipient countries”.

1 **SEC. 105. LEVELS OF ASSISTANCE.**

2 Subsection (a) of section 204 of the Agricultural  
3 Trade Development and Assistance Act of 1954 (7 U.S.C.  
4 1724) is amended—

5 (1) in paragraph (1), by striking “2002  
6 through 2007” and inserting “2008 through 2012”;

7 (2) in paragraph (2), by striking “2002  
8 through 2007” and inserting “2008 through 2012”;  
9 and

10 (3) in paragraph (3), by striking “International  
11 Relations” and inserting “Foreign Affairs”.

12 **SEC. 106. FOOD AID CONSULTATIVE GROUP.**

13 (a) SENSE OF CONGRESS ON INTEGRATED AND EF-  
14 FECTIVE FOOD ASSISTANCE.—Section 205 of the Agricul-  
15 tural Trade Development and Assistance Act of 1954 (7  
16 U.S.C. 1725) is amended—

17 (1) by redesignating subsections (e) and (f) as  
18 subsections (f) and (g), respectively; and

19 (2) by inserting after subsection (d) the fol-  
20 lowing new subsection:

21 “(e) SENSE OF CONGRESS ON INTEGRATED AND EF-  
22 FECTIVE FOOD ASSISTANCE PROGRAM.—It is the sense  
23 of Congress that the Group should make every effort to  
24 develop a strategy to achieve a more integrated and effec-  
25 tive food assistance program.”.

1 (b) REPORT TO CONGRESS.—Such section is further  
2 amended—

3 (1) by redesignating subsections (f) and (g) (as  
4 redesignated by subsection (a)(1)) as subsections (g)  
5 and (h), respectively; and

6 (2) by inserting after subsection (e) (as added  
7 by subsection (a)(2)) the following new subsection:

8 “(f) REPORT TO CONGRESS.—

9 “(1) IN GENERAL.—Not later than 180 days  
10 after the date of the enactment of the Food Security  
11 and Agricultural Development Act of 2007, and an-  
12 nually thereafter until December 31, 2012, the Ad-  
13 ministrator of the United States Agency for Inter-  
14 national Development, in close consultation with the  
15 Group, shall submit to the appropriate congressional  
16 committees a report on efforts taken by the United  
17 States Agency for International Development and  
18 the Department of Agriculture to develop a strategy  
19 under this section to achieve an integrated and effec-  
20 tive food assistance program.

21 “(2) APPROPRIATE CONGRESSIONAL COMMIT-  
22 TEES DEFINED.—In this subsection, the term ‘ap-  
23 propriate congressional committees’ means—

1           “(A) the Committee on Foreign Affairs  
2           and the Committee on Agriculture of the House  
3           of Representatives; and

4           “(B) the Committee on Agriculture, Nutri-  
5           tion, and Forestry of the Senate.”.

6           (c) TERMINATION.—Such section is further amended  
7           in subsection (h) (as redesignated by subsection (b)(1))  
8           by striking “2007” and inserting “2012”.

9           **SEC. 107. ADMINISTRATION.**

10          (a) PROPOSALS.—Subsection (a)(3) of section 207 of  
11          the Agricultural Trade Development and Assistance Act  
12          of 1954 (7 U.S.C. 1726a) is amended by striking “and  
13          the conditions that must be met for the approval of such  
14          proposal”.

15          (b) REGULATIONS.—Subsection (c) of such section is  
16          amended by striking paragraph (3).

17          (c) PROGRAM OVERSIGHT, MONITORING, AND EVAL-  
18          UATION.—Such section is further amended by adding at  
19          the end the following new subsection:

20          “(f) PROGRAM OVERSIGHT, MONITORING, AND EVAL-  
21          UATION.—

22                 “(1) IN GENERAL.—The Administrator, in con-  
23                 sultation with the Secretary, shall establish systems  
24                 to improve, monitor, and evaluate the effectiveness

1 and efficiency of assistance provided under this title  
2 in order to maximize the impact of such assistance.

3 “(2) REPORT TO CONGRESS.—Not later than  
4 180 days after the date of enactment of Food Secu-  
5 rity and Agricultural Development Act of 2007, the  
6 Administrator shall submit to the appropriate con-  
7 gressional committees a report on efforts undertaken  
8 to implement paragraph (1).

9 “(3) GOVERNMENT ACCOUNTABILITY OFFICE.—  
10 Not later than 270 days after the date of the sub-  
11 mission of the report under paragraph (2), the  
12 Comptroller General of the United States shall sub-  
13 mit to the appropriate congressional committees a  
14 report that—

15 “(A) reviews and comments on the report  
16 under paragraph (2); and

17 “(B) provides recommendations regarding  
18 any additional actions necessary to improve the  
19 monitoring and evaluation of assistance pro-  
20 vided under this title.

21 “(4) CONTRACTING AUTHORITY.—In carrying  
22 out this subsection, notwithstanding any other provi-  
23 sion of law, the Administrator may contract with in-  
24 dividuals for personal services, provided that such  
25 individuals shall not be regarded as employees of the

1 United States Government for the purpose of any  
2 law administered by the Civil Service Commission.

3 “(5) APPROPRIATE CONGRESSIONAL COMMIT-  
4 TEES DEFINED.—In this subsection, the term ‘ap-  
5 propriate congressional committees’ means—

6 “(A) the Committee on Foreign Affairs  
7 and the Committee on Agriculture of the House  
8 of Representatives; and

9 “(B) the Committee on Agriculture, Nutri-  
10 tion, and Forestry of the Senate.”.

11 (d) INDIRECT SUPPORT COSTS TO UNITED NATIONS  
12 WORLD FOOD PROGRAM.—Such section is further amend-  
13 ed by adding at the end the following new subsection:

14 “(g) INDIRECT SUPPORT COSTS TO UNITED NA-  
15 TIONS WORLD FOOD PROGRAM.—

16 “(1) IN GENERAL.—Notwithstanding any other  
17 provision of law, in providing assistance under this  
18 title, the Administrator may make contributions to  
19 the United Nations World Food Program to the ex-  
20 tent that such contributions are made in accordance  
21 with the United Nations World Food Program’s  
22 rules and regulations for indirect cost rates. Prior to  
23 making a contribution to the United Nations World  
24 Food Program under this subsection, the Adminis-  
25 trator shall submit to the appropriate congressional

1 committees a report that contains the proposed level  
2 of the contribution and the reasons for such pro-  
3 posed level.

4 “(2) APPROPRIATE CONGRESSIONAL COMMIT-  
5 TEES DEFINED.—In this subsection, the term ‘ap-  
6 propriate congressional committees’ means—

7 “(A) the Committee on Foreign Affairs  
8 and the Committee on Agriculture of the House  
9 of Representatives; and

10 “(B) the Committee on Agriculture, Nutri-  
11 tion, and Forestry of the Senate.”.

12 **SEC. 108. ASSISTANCE FOR STOCKPILING AND RAPID**  
13 **TRANSPORTATION, DELIVERY, AND DIS-**  
14 **TRIBUTION OF SHELF-STABLE PRE-**  
15 **PACKAGED FOODS.**

16 Subsection (f) of section 208 of the Agricultural  
17 Trade Development and Assistance Act of 1954 (7 U.S.C.  
18 1726b) is amended by striking “2007” and inserting  
19 “2012”.

20 **SEC. 109. ADMINISTRATIVE PROVISIONS.**

21 (a) PREPOSITIONING.—Subsection (c)(4) of section  
22 407 of the Agricultural Trade Development and Assist-  
23 ance Act of 1954 (7 U.S.C. 1736a) is amended—

24 (1) by striking “Funds” and inserting “(A) IN  
25 GENERAL.—Funds”;

1 (2) by striking “2007” and inserting “2012”;

2 (3) by striking “, except that for each such fis-  
3 cal year not more than \$2,000,000 of such funds  
4 may be used to store agricultural commodities for  
5 pre-positioning in foreign countries”; and

6 (4) by adding at the end the following new sub-  
7 paragraph:

8 “(B) ADDITIONAL PREPOSITIONING  
9 SITES.—

10 “(i) FEASIBILITY ASSESSMENT.—On  
11 or after the date of the enactment of the  
12 Food Security and Agricultural Develop-  
13 ment Act of 2007, the Administrator is au-  
14 thorized to carry out assessments for the  
15 establishment of not less than two sites to  
16 determine the feasibility of and costs asso-  
17 ciated with using such sites for the pur-  
18 pose of storing and handling agricultural  
19 commodities for prepositioning in foreign  
20 countries.

21 “(ii) ESTABLISHMENT OF SITES.—  
22 Based on the results of the assessments  
23 carried out under clause (i), the Adminis-  
24 trator is authorized to establish additional

1 sites for pre-positioning in foreign coun-  
2 tries.

3 “(iii) AUTHORIZATION OF APPROPRIA-  
4 TIONS.—To carry out this subparagraph,  
5 there are authorized to be appropriated to  
6 the Administrator such sums as may be  
7 necessary for each of the fiscal years 2008  
8 through 2012.”.

9 (b) ANNUAL REPORTS.—Subsection (f) of such see-  
10 tion is amended—

11 (1) in paragraph (2)—

12 (A) in subparagraph (B), by adding at the  
13 end before the semicolon the following: “, and  
14 the amount of funds, tonnage levels, and types  
15 of activities for non-emergency food assistance  
16 programs under title II of this Act”;

17 (B) in subparagraph (C), by adding at the  
18 end before the semicolon the following: “, and  
19 a general description of the projects and activi-  
20 ties implemented”; and

21 (C) in subparagraph (D), to read as fol-  
22 lows:

23 “(D) an assessment of the progress toward  
24 reducing food insecurity in the populations re-

1           ceiving food assistance from the United  
2           States.”; and

3           (2) in paragraph (3), by striking “January 15”  
4           and inserting “March 1”.

5 **SEC. 110. EXPIRATION DATE.**

6           Section 408 of the Agricultural Trade Development  
7           and Assistance Act of 1954 (7 U.S.C. 1736b) is amended  
8           by striking “2007” and inserting “2012”.

9 **SEC. 111. AUTHORIZATION OF APPROPRIATIONS.**

10          Subsection (a) of section 412 of the Agricultural  
11          Trade Development and Assistance Act of 1954 (7 U.S.C.  
12          1736f) is amended to read as follows:

13          “(a) AUTHORIZATION OF APPROPRIATIONS.—

14                 “(1) IN GENERAL.—For each of the fiscal years  
15                 2008 through 2012, there are authorized to be ap-  
16                 propriated to the President—

17                         “(A) such sums as may be necessary to  
18                         carry out the concessional credit sales program  
19                         established under title I;

20                         “(B) \$2,500,000,000 to carry out the  
21                         emergency and non-emergency food assistance  
22                         programs under title II ; and

23                         “(C) such sums as may be necessary to  
24                         carry out the grant program established under  
25                         title III.

1           “(2) MINIMUM LEVEL OF NON-EMERGENCY  
2 FOOD ASSISTANCE.—For each of the fiscal years  
3 2008 through 2012, of the amounts made available  
4 to carry out emergency and non-emergency food as-  
5 sistance programs under title II, not less than  
6 \$600,000,000 for each such fiscal year shall be obli-  
7 gated and expended for non-emergency food assist-  
8 ance programs under title II.

9           “(3) REIMBURSEMENT.—For each of the fiscal  
10 years 2008 through 2012, there are authorized to be  
11 appropriated such sums as may be necessary to  
12 make payments to the Commodity Credit Corpora-  
13 tion to the extent the Commodity Credit Corporation  
14 is not reimbursed under the programs under this  
15 Act for the actual costs incurred or to be incurred  
16 by such Corporation in carrying out such programs.

17           “(4) AVAILABILITY.—Amounts appropriated  
18 pursuant to the authorization of appropriations  
19 under this subsection are—

20                   “(A) authorized to remain available until  
21 expended; and

22                   “(B) in addition to funds otherwise avail-  
23 able for such purposes.”.

1 **SEC. 112. COORDINATION AND INTEGRATION OF FOREIGN**  
2 **ASSISTANCE PROGRAMS.**

3 (a) IN GENERAL.—Section 413 of the Agricultural  
4 Trade Development and Assistance Act of 1954 (7 U.S.C.  
5 1736g) is amended—

6 (1) by striking the first sentence and inserting  
7 the following: “The Administrator shall, to the max-  
8 imum extent practicable, coordinate and integrate  
9 assistance to a foreign country provided under title  
10 III with other United States development assistance  
11 programs and objectives provided under chapter 1 of  
12 part I of the Foreign Assistance Act of 1961 (22  
13 U.S.C. 2151 et seq.), including assistance to combat  
14 HIV/AIDS, tuberculosis, and malaria, assistance for  
15 child and maternal health, assistance for education,  
16 and assistance for agricultural development and eco-  
17 nomic growth. Such assistance shall also be coordi-  
18 nated and integrated with other United States for-  
19 eign assistance programs, such as the Millennium  
20 Challenge Account. Such assistance shall also be co-  
21 ordinated and integrated with the overall develop-  
22 ment strategy of the recipient country, including the  
23 poverty reduction strategy of the recipient country.”;  
24 and

1           (2) by striking “Special emphasis should be  
2 placed on” and inserting “Special consideration  
3 should be given to”

4           (b) CONFORMING AMENDMENT.—The heading for  
5 such section is amended by inserting “**AND INTEGRA-**  
6 **TION**” after “**COORDINATION**”.

7 **SEC. 113. MICRONUTRIENT FORTIFICATION PROGRAMS.**

8           (a) PURPOSE.—Subsection (a)(2)(C) of section 415  
9 of the Agricultural Trade Development and Assistance Act  
10 of 1954 (7 U.S.C. 1736g-2) is amended—

11           (1) by striking “using the same mechanism that  
12 was used to assess the micronutrient fortification  
13 program in” and inserting “utilizing recommenda-  
14 tions from”; and

15           (2) by striking “with funds from the Bureau for  
16 Humanitarian Response of the United States Agen-  
17 cy for International Development” and inserting  
18 “with implementation by an independent entity with  
19 proven impartiality and a mechanism that incor-  
20 porates the range of stakeholders implementing pro-  
21 grams under title II of this Act as well as other food  
22 assistance industry experts”.

23           (b) TERMINATION OF AUTHORITY.—Subsection (d)  
24 of such section is amended by striking “2007” and insert-  
25 ing “2012”.

1 **SEC. 114. JOHN OGWONSKI AND DOUG BEREUTER FARM-**  
2 **ER-TO-FARMER PROGRAM.**

3 (a) MINIMUM FUNDING.—Subsection (d) of section  
4 501 of the Agricultural Trade Development and Assist-  
5 ance Act of 1954 (7 U.S.C. 1737) is amended by striking  
6 “2002 through 2007” and inserting “2008 through  
7 2012”.

8 (b) AUTHORIZATION OF APPROPRIATIONS.—Sub-  
9 section (e)(1) of such section is amended by striking  
10 “2002 through 2007” and inserting “2008 through  
11 2012”.

12 **Subtitle B—Related Statutes and**  
13 **Other Provisions**

14 **SEC. 121. BILL EMERSON HUMANITARIAN TRUST.**

15 (a) IN GENERAL.—Subsection (a) of section 302 of  
16 the Bill Emerson Humanitarian Trust Act (7 U.S.C.  
17 1736f–1) is amended by inserting after “metric tons” the  
18 following: “, an amount of funds equivalent to 4,000,000  
19 metric tons of commodities, or any combination of com-  
20 modities and funds equivalent to 4,000,000 metric tons”.

21 (b) COMMODITIES OR FUNDS IN TRUST.—Subsection  
22 (b)(2)(B)(i) of such section is amended—

23 (1) by striking “2000 through 2007” each place  
24 it appears and inserting “2008 through 2012”; and

25 (2) by striking “\$20,000,000” and inserting  
26 “\$60,000,000”.

1 (c) TERMINATION OF AUTHORITY.—Subsection (h)  
2 of such section is amended in paragraphs (1) and (2) by  
3 striking “2007” each place it appears and inserting  
4 “2012”.

5 **SEC. 122. MCGOVERN-DOLE INTERNATIONAL FOOD FOR**  
6 **EDUCATION AND CHILD NUTRITION PRO-**  
7 **GRAM.**

8 (a) ADMINISTRATION OF PROGRAM.—Section 3107  
9 of the Farm Security and Rural Investment Act of 2002  
10 (7 U.S.C. 1736o-1) is amended—

11 (1) in subsection (d), in the matter preceding  
12 paragraph (1), by striking “The President shall des-  
13 ignate 1 or more Federal agencies to” and inserting  
14 “The Secretary shall”;

15 (2) in subsection (f)(2), in the matter preceding  
16 subparagraph (A), by striking “implementing agen-  
17 cy” and inserting “Secretary”; and

18 (3) in subsections (c)(2)(B), (f)(1), (h)(1) and  
19 (2), and (i), by striking “President” each place it  
20 appears and inserting “Secretary”.

21 (b) FUNDING.—Subsection (l) of such section is  
22 amended—

23 (1) by striking paragraphs (1) and (2) and in-  
24 serting the following:

1           “(1) USE OF COMMODITY CREDIT CORPORATION  
2 FUNDS.—Of the funds of the Commodity Credit  
3 Corporation, the Secretary shall use to carry out this  
4 section—

5                   “(A) \$140,000,000 for fiscal year 2008;

6                   “(B) \$180,000,000 for fiscal year 2009;

7                   “(C) \$220,000,000 for fiscal year 2010;

8                   “(D) \$260,000,000 for fiscal year 2011;

9           and

10                   “(E) \$300,000,000 for fiscal year 2012.”;

11           (2) by redesignating paragraph (3) as para-  
12 graph (2); and

13           (3) in paragraph (2) (as redesignated by para-  
14 graph (2)), by striking “any Federal agency imple-  
15 menting or assisting” and inserting “the Depart-  
16 ment of Agriculture or any other Federal depart-  
17 ment or agency assisting”.

18 **SEC. 123. INTERNATIONAL DISASTER ASSISTANCE UNDER**  
19 **THE FOREIGN ASSISTANCE ACT OF 1961.**

20           (a) SENSE OF CONGRESS.—It is the sense of Con-  
21 gress that the President, acting through the Adminis-  
22 trator, should exercise the President’s authority under sec-  
23 tion 491 of the Foreign Assistance Act of 1961 (22 U.S.C.  
24 2292) to purchase and to distribute to a recipient country  
25 agricultural commodities produced—

1           (1) in the recipient country, or  
2           (2) in developing countries in the region of the  
3 recipient country,  
4 for the purposes of famine prevention and relief.

5           (b) AVAILABILITY OF FUNDING FOR FAMINE PRE-  
6 VENTION AND RELIEF.—For each of the fiscal years 2008  
7 through 2012, of the amounts made available to carry out  
8 section 491 of the Foreign Assistance Act of 1961, not  
9 less than \$40,000,000 for each such fiscal year shall be  
10 made available for the purposes of famine prevention and  
11 relief under such section.

12 **SEC. 124. REPORT ON EFFORTS TO IMPROVE PROCURE-**  
13 **MENT PLANNING.**

14           (a) REPORT REQUIRED.—Not later than 90 days  
15 after the date of the enactment of this Act, the Adminis-  
16 trator and the Secretary shall submit to the appropriate  
17 congressional committees a report on efforts taken by both  
18 the United States Agency for International Development  
19 and the Department of Agriculture to improve planning  
20 for food and transportation procurement, including efforts  
21 to eliminate bunching of food purchases.

22           (b) CONTENTS.—The report required under sub-  
23 section (a) should include, among other things, a descrip-  
24 tion of efforts taken to—

1 (1) improve coordination of food purchases by  
2 the United States Agency for International Develop-  
3 ment and the Department of Agriculture;

4 (2) increase flexibility in procurement sched-  
5 ules;

6 (3) increase utilization of historical analyses  
7 and forecasting; and

8 (4) improve and streamline legal claims proc-  
9 esses for resolving transportation disputes.

10 **TITLE II—UNITED STATES AGRI-**  
11 **CULTURAL EXPORT PRO-**  
12 **GRAMS**

13 **SEC. 201. EXPORT CREDIT GUARANTEE PROGRAM.**

14 (a) REPEAL OF SUPPLIER CREDIT GUARANTEE PRO-  
15 GRAM AND INTERMEDIATE EXPORT CREDIT GUARANTEE  
16 PROGRAM.—

17 (1) REPEALS.—Section 202 of the Agricultural  
18 Trade Act of 1978 (7 U.S.C. 5622) is amended—

19 (A) in subsection (a)—

20 (i) in paragraph (1), by striking “(1)”  
21 and all that follows through “The Com-  
22 modity” and inserting “The Commodity”;

23 and

24 (ii) by striking paragraphs (2) and  
25 (3);

1 (B) by striking subsections (b) and (c);  
2 and

3 (C) by redesignating subsections (d)  
4 through (l) as subsections (b) through (j), re-  
5 spectively.

6 (2) CONFORMING AMENDMENTS.—Such section  
7 is further amended—

8 (A) in subsection (b)(4) (as redesignated  
9 by paragraph (1)(C)), by striking “, consistent  
10 with the provisions of subsection (e)”;

11 (B) in subsection (d) (as redesignated by  
12 paragraph (1)(C))—

13 (i) by striking “(1)” and all that fol-  
14 lows through “The Commodity” and in-  
15 serting “The Commodity”; and

16 (ii) by striking paragraph (2); and

17 (C) in subsection (g)(2) (as redesignated  
18 by paragraph (1)(C)), by striking “subsections  
19 (a) and (b)” and inserting “subsection (a)”.

20 (b) PROCESS AND HIGH-VALUE PRODUCTS.—Section  
21 202 of such Act (7 U.S.C. 5622) is amended in subsection  
22 (i) (as redesignated by subsection (a)(1)(C)) by striking  
23 “2007” and inserting “2012”.

1 (c) EXPORT CREDIT GUARANTEE PROGRAMS.—Sub-  
2 section (b) of section 211 of such Act (7 U.S.C. 5641)  
3 is amended to read as follows:

4 “(b) EXPORT CREDIT GUARANTEE PROGRAMS.—The  
5 Commodity Credit Corporation shall make available, to  
6 the maximum extent practicable, for each of fiscal years  
7 2008 through 2012 not less than \$5,500,000,000 in credit  
8 guarantees under section 202(a).”.

9 **SEC. 202. MARKET ACCESS PROGRAM.**

10 (a) ORGANIC COMMODITIES.—Subsection (a) of sec-  
11 tion 203 of the Agricultural Trade Act of 1978 (7 U.S.C.  
12 5623) is amended by inserting after “agricultural com-  
13 modities” the following: “(including commodities that are  
14 organically produced (as defined in section 2103 of the  
15 Organic Foods Production Act of 1990 (7 U.S.C. 6502))”.

16 (b) FUNDING.—Subsection (c)(1)(A) of section 211  
17 of such Act (7 U.S.C. 5641) is amended by striking “,  
18 and \$200,000,000 for each of fiscal years 2006 and 2007”  
19 and inserting “\$200,000,000 for each of fiscal years 2006  
20 and 2007, and \$225,000,000 for each of fiscal years 2008  
21 through 2012”.

22 **SEC. 203. EXPORT ENHANCEMENT PROGRAM.**

23 Subsection (e) of section 301 of the Agricultural  
24 Trade Act of 1978 (7 U.S.C. 5651) is amended by striking  
25 paragraph (1) and inserting the following:

1           “(1) IN GENERAL.—The Commodity Credit  
2 Corporation shall make available to carry out the  
3 program established under this section not more  
4 than \$478,000,000 for each of fiscal years 2008  
5 through 2012.”.

6 **SEC. 204. ASSISTANCE TO ADDRESS SANITARY AND**  
7 **PHYTOSANITARY BARRIERS TO TRADE.**

8 Title III of the Agricultural Trade Act of 1978 (7  
9 U.S.C. 5651 et seq.) is amended by adding at the end  
10 the following new section:

11 **“SEC. 304. ASSISTANCE TO ADDRESS SANITARY AND**  
12 **PHYTOSANITARY BARRIERS TO TRADE.**

13           “(a) ASSISTANCE AUTHORIZED.—The Secretary is  
14 authorized to enter into contracts with technical experts  
15 and scientists, or provide grants to appropriate entities,  
16 as determined by the Secretary, to address sanitary,  
17 phytosanitary, and technical barriers to the export of  
18 United States agricultural commodities, including meat,  
19 poultry, and specialty crops, by—

20           “(1) contracting with technical experts and sci-  
21 entists outside of the Federal government to address  
22 sanitary and phytosanitary issues, and other issues  
23 regarding technical barriers, involving agricultural  
24 commodities and the products of such agricultural  
25 commodities; and

1           “(2) commissioning targeted outside scientific  
2 reports on sanitary and phytosanitary issues, and  
3 other issues regarding technical barriers, involving  
4 agricultural commodities and the products of such  
5 agricultural commodities.

6           “(b) TARGETED TRADE ISSUES.—Projects funded  
7 under this section may include projects relating to the ac-  
8 ceptance by foreign markets of—

9           “(1) antimicrobial treatments;

10           “(2) wood-packaging material;

11           “(3) irradiation;

12           “(4) biotechnology;

13           “(5) science-based maximum residue level  
14 standards;

15           “(6) testing procedures and controls for myco-  
16 toxins;

17           “(7) labeling; and

18           “(8) shelf life.

19           “(c) FUNDING.—

20           “(1) COMMODITY CREDIT CORPORATION.—The  
21 Secretary shall use the funds, facilities, and authori-  
22 ties of the Commodity Credit Corporation to carry  
23 out this section.

24           “(2) FUNDING AMOUNT.—The Secretary shall  
25 use, to the maximum extent practicable, \$2,000,000

1 of the funds of the Commodity Credit Corporation to  
2 carry out this section for each of fiscal years 2008  
3 through 2012.”.

4 **SEC. 205. FOREIGN MARKET DEVELOPMENT COOPERATOR**  
5 **PROGRAM.**

6 (a) FOREIGN MARKET DEVELOPMENT COOPERATOR  
7 PROGRAM.—Subsection (e) of section 702 of the Agricul-  
8 tural Trade Act of 1978 (7 U.S.C. 5722) is amended by  
9 striking “Committee on International Relations” and in-  
10 serting “Committee on Foreign Affairs”.

11 (b) FUNDING.—Section 703 of such Act (7 U.S.C.  
12 5723) is amended—

13 (1) in subsection (a), by striking “2002 through  
14 2007” and inserting “2008 through 2012”; and

15 (2) in subsection (b), by striking “2001” and  
16 inserting “2007”.

17 **SEC. 206. EMERGING MARKETS AND FACILITY GUARANTEE**  
18 **LOAN PROGRAM.**

19 (a) PROMOTION OF AGRICULTURAL EXPORTS TO  
20 EMERGING MARKETS.—Subsections (a) and (d)(1)(A)(i)  
21 of section 1542 of the Food, Agriculture, Conservation,  
22 and Trade Act of 1990 (7 U.S.C. 5622 note; Public Law  
23 101–624) is amended by striking “2007” each place it ap-  
24 pears and inserting “2012”.

1 (b) FACILITY GUARANTEE LOAN PROGRAM.—Such  
2 section is further amended—

3 (1) in subsection (b)—

4 (A) in the first sentence, by redesignating  
5 paragraphs (1) and (2) as subparagraphs (A)  
6 and (B), respectively, and adjusting the mar-  
7 gins accordingly;

8 (B) by striking “A portion” and inserting  
9 the following:

10 “(1) IN GENERAL.—A portion”;

11 (C) in the second sentence, by striking  
12 “The Commodity Credit Corporation” and in-  
13 serting the following:

14 “(2) PRIORITY.—The Commodity Credit Cor-  
15 poration”; and

16 (D) by adding at the end the following:

17 “(3) INITIAL PAYMENT.—The Secretary may  
18 require an initial down payment, upon such terms as  
19 the Secretary may determine, by the beneficiary of  
20 the credit guarantee as a condition of providing a  
21 credit guarantee under this subsection.

22 “(4) MAXIMUM LIABILITY.—The liability of the  
23 Commodity Credit Corporation under a guarantee  
24 provided pursuant to this section may not exceed 98  
25 percent of—

1           “(A) the principal amount involved in the  
2           underlying financial arrangement for construc-  
3           tion of the facility; and

4           “(B) the interest on the outstanding prin-  
5           cipal amount at the rate specified in the under-  
6           lying financial arrangement for construction of  
7           the facility.

8           “(5) TERM OF GUARANTEE.—A facility pay-  
9           ment guarantee under this subsection shall be for a  
10          term that is not more than the lesser of—

11           “(A) the term of the depreciation schedule  
12           of the facility assisted; or

13           “(B) a maximum period, as determined by  
14           the Secretary.”.

15 **SEC. 207. FOOD FOR PROGRESS ACT OF 1985.**

16          (a) PROVISION OF ELIGIBLE COMMODITIES TO DE-  
17          VELOPING COUNTRIES.—Subsection (f)(3) of the Food for  
18          Progress Act of 1985 (7 U.S.C. 1736o; section 1110 of  
19          the Food Security Act of 1985) is amended by striking  
20          “1996 through 2007” and inserting “2008 through  
21          2012”.

22          (b) MINIMUM TONNAGE.—Subsection (g) of such Act  
23          is amended—

24                  (1) by striking “400,000” and inserting  
25                  “500,000”; and

1           (2) by striking “2002 through 2007” and in-  
2           serting “2008 through 2012”.

3           (c) REPORT.—Subsection (j)(3) of such Act is  
4           amended by inserting “and the Committee on Foreign Af-  
5           fairs” after “Committee on Agriculture”.

6           (d) EFFECTIVE AND TERMINATION DATES.—Sub-  
7           section (k) of such Act is amended by striking “2007”  
8           and inserting “2012”.

9           (e) ADMINISTRATIVE EXPENSES.—Subsection (l)(1)  
10          of such Act is amended by striking “1996 through 2007”  
11          and inserting “2008 through 2012”.

12          (f) PROGRAM MANAGEMENT.—Subsection (n)(2)(C)  
13          of such Act is amended, by striking “Committee on Inter-  
14          national Relations” and inserting “Committee on Foreign  
15          Affairs”.

16                   **TITLE III—MISCELLANEOUS**  
17                                   **PROVISIONS**

18   **SEC. 301. TECHNICAL ASSISTANCE FOR SPECIALTY CROPS.**

19          (a) ADDITIONAL REQUIREMENTS.—Section 3205 of  
20          the Farm Security and Rural Investment Act of 2002 (7  
21          U.S.C. 5680) is amended—

22                  (1) by redesignating subsection (d) as sub-  
23                  section (e); and

24                  (2) by inserting after subsection (c) the fol-  
25                  lowing new subsection:

1 “(d) ADDITIONAL REQUIREMENTS.—

2 “(1) MAXIMUM AWARD.—The maximum  
3 amount of assistance provided annually to a project  
4 under the program shall be \$500,000.

5 “(2) PROJECT DURATION.—The Secretary may  
6 extend a project under the program irrespective of  
7 the initial estimated duration of the project.”.

8 (b) FUNDING.—Such section is further amended in  
9 subsection (e) (as redesignated by subsection (a)(1)), to  
10 read as follows:

11 “(e) FUNDING.—

12 “(1) COMMODITY CREDIT CORPORATION.—The  
13 Secretary shall use the funds, facilities, and authori-  
14 ties of the Commodity Credit Corporation to carry  
15 out this section.

16 “(2) FUNDING AMOUNT.—The Secretary shall  
17 make available the following amounts of the funds  
18 of, or an equal value of commodities owned by, the  
19 Commodity Credit Corporation, to the maximum ex-  
20 tent practicable, for the following fiscal years to  
21 carry out this section:

22 “(A) \$4,000,000 for fiscal year 2008.

23 “(B) \$6,000,000 for fiscal year 2009.

24 “(C) \$8,000,000 for fiscal year 2010.

1                   “(D) \$10,000,000 for each of fiscal years  
2                   2011 through 2015.”.

3 **SEC. 302. SUPPORT FOR SANITARY AND PHYTOSANITARY**  
4                   **PRIORITIES OF THE UNITED STATES WITHIN**  
5                   **CERTAIN INTERNATIONAL ORGANIZATIONS.**

6           (a) SUPPORT AUTHORIZED.—The Secretary of Agri-  
7 culture is authorized to enhance United States support for  
8 international organizations, including international orga-  
9 nizations described in subsection (b), that establish inter-  
10 national standards regarding food, food safety, plants, and  
11 animals by funding additional positions of associate pro-  
12 fessional officers to address sanitary and phytosanitary  
13 priorities of the United States within such international  
14 organizations. The Secretary shall carry out this sub-  
15 section pursuant to the authority of the Secretary under  
16 section 1458(a)(3) of the Food and Agriculture Act of  
17 1977 (7 U.S.C. 3291(a)(3)).

18           (b) INTERNATIONAL ORGANIZATIONS DESCRIBED.—  
19 The international organizations referred to in subsection  
20 (a) are the Food and Agriculture Organization, the Codex  
21 Alimentarius Commission, the International Plant Protec-  
22 tion Convention, and the World Organization for Animal  
23 Health.

1 **SEC. 303. TECHNICAL ASSISTANCE FOR THE RESOLUTION**  
2 **OF TRADE DISPUTES.**

3 (a) TECHNICAL ASSISTANCE AUTHORIZED.—The  
4 Secretary of Agriculture is authorized to provide moni-  
5 toring, analytic support, and other technical assistance to  
6 limited-resource persons and organizations associated with  
7 agricultural trade (as determined by the Secretary) to ad-  
8 dress unfair trade practices of foreign countries, including  
9 intellectual property right violations, and to reduce trade  
10 barriers.

11 (b) AUTHORIZATION OF APPROPRIATIONS.—To carry  
12 out this section, there are authorized to be appropriated  
13 to the Secretary such sums as may be necessary for each  
14 of the fiscal years 2008 through 2012.

15 **SEC. 304. SENSE OF CONGRESS CONCERNING THE GLOBAL**  
16 **CROP DIVERSITY TRUST.**

17 (a) FINDINGS.—Congress finds the following:

18 (1) Crop diversity—the natural diversity exhib-  
19 ited in the array of varieties in every crop—is one  
20 of the world’s least recognized, but most valuable re-  
21 sources. It provides the genetic building blocks for  
22 adapting crops to constantly evolving pests, diseases,  
23 and changing climates. Without crop diversity, agri-  
24 culture cannot retain current productivity levels and  
25 cannot meet anticipated future challenges associated  
26 with population growth and global warming.

1           (2) Currently, much of the world's crop diver-  
2           sity is neither safely conserved, nor readily available  
3           to scientists and farmers who rely on it to safeguard  
4           agricultural productivity.

5           (3) The Global Crop Diversity Trust, an inde-  
6           pendent organization created by the United Nations  
7           Food and Agricultural Organization in conjunction  
8           with the 2001 International Treaty on Plant Genetic  
9           Resources, is the only organization working globally  
10          to solve the problem of protecting crop diversity. The  
11          Global Crop Diversity Trust became a legal entity at  
12          the end of 2004, but has already raised  
13          \$135,000,000 from a broad alliance of partners, in-  
14          cluding developed and developing countries, private  
15          corporations, and philanthropic foundations, includ-  
16          ing The Bill and Melinda Gates Foundation.

17          (4) The United States was an early supporter  
18          of the Global Crop Diversity Trust, and has so far  
19          contributed \$6,500,000 to the Global Crop Diversity  
20          Trust. Robust involvement of the United States in  
21          the Global Crop Diversity Trust ensures significant  
22          benefits to United States farmers.

23          (b) SENSE OF CONGRESS.—It is the sense of Con-  
24          gress that the President should provide significant United  
25          States financial resources to the Global Crop Diversity

1 Trust to ensure the conservation of crop diversity which  
2 can yield significant benefits to United States farmers.

3 **SEC. 305. TECHNICAL AND CONFORMING AMENDMENTS.**

4 Subsection (a) of section 3206 of the Farm Security  
5 and Rural Investment Act of 2002 (7 U.S.C. 5603a) is  
6 amended by striking “Committee on International Rela-  
7 tions” and inserting “Committee on Foreign Affairs”.

8 **SEC. 306. RULE OF CONSTRUCTION.**

9 Nothing in this Act or any amendment made by this  
10 Act shall be construed to supersede the provisions of the  
11 Trade Sanctions Reform and Export Enhancement Act of  
12 2000 (22 U.S.C. 7201 et seq.).

Chairman LANTOS. Who seeks recognition?

Mr. MANZULLO. I have an amendment.

Chairman LANTOS. The gentleman will hold.

Mr. MANZULLO. Thank you, sir.

Chairman LANTOS. The 850 million people around the globe without sufficient food cling to a precarious existence foraging for daily sustenance, unable to take care of their starving families and locked into a perpetual cycle of poverty and hunger. The lack of food is particularly vicious for HIV and AIDS patients whose medications often make them even hungrier.

They now live longer with the medications the United States is providing under the landmark legislation that originated in this committee 5 years ago. But in a cruel twist of fate they trade the pains of the disease for the pangs of hunger, and so the plight of the starving represents one of the most disturbing and dire societal shortfalls on this planet.

That is why the reauthorization bill I bring before the committee today, the Food Security and Agricultural Development Act of 2007, demands our full support. Our bill reauthorizes the historic P.L. 480 Food Aid Program. P.L. 480 was originally established in the Agricultural Trade Development and Assistance Act of 1954, and it propelled the United States into worldwide leadership in the donation of food to developing nations.

For more than five decades, this ground-breaking law has utilized the abundant agricultural resources of our nation to help ameliorate hunger around the globe. The success of the Food for Peace and our other food aid programs stems from the combination of the American peoples' compassion and generosity and the private organizations and companies that make it work. This supply chain highlights the unparalleled productivity of our farmers and processors and the dedication of those who administer, transport and distribute food aid.

This broad and diverse network behind the successful P.L. 480 program has enabled Congress and the Executive Branch to sustain strong funding levels to feed the world's hungry. The legislation before the committee today maintains this strong coalition, yet at the same time updates and modernizes the program to make it more effective.

Our bill also increases the administration's authority to use the Bill Emerson Humanitarian Trust, which helps the United States fulfill its food aid commitments by funneling responses specifically to emergencies and food crises. Our effort will help reverse the devastating trend whereby the United States had failed to meet its developmental food aid mandate from the 2002 bill, thus leaving food aid depleted for the chronically hungry.

But with 850 million people starving on this planet—and I want to repeat this because in this comfortable air-conditioned room it is important we remind ourselves constantly of the dire tragedies that are unfolding across the globe—and the vast majority of them chronically short of sustenance, the beneficiaries of developmental food aid are just as needy.

That is why it is imperative to fully fund development food aid starting with our bill. Our bill authorizes \$2.5 billion for international food aid programs and directs no less than \$600 million

just for development food aid. This assistance is absolutely essential in keeping societies afloat.

It is also my personal honor to highlight that this bill reauthorizes and fully funds landmark legislation by two giants of the Congress of the United States, former Senator McGovern and former Senator Dole. The McGovern-Dole Program also underscores how totally bipartisan this legislation is. Our program specifically targets the legions among the world's starving who are least able to help themselves, the children.

It provides for donations of U.S. farm products, as well as financial and technical assistance for school feeding, and maternal and child nutrition projects in low income countries. The bill I have authored also extends critical agricultural export promotion programs which are important to millions of our farm families across the United States.

Considering that agricultural exports account for nearly one-fourth of all farm income in the United States, and provide good jobs for nearly 1 million Americans, it is vital that we continue our support for the State Trade Promotion Programs. I urge the passage of this bill to sustain these highly-effective programs so that the United States can continue leading the way in addressing the horrendous plight of the world's hungry.

I urge all of my colleagues to join me in this legislation and voting for it. I would be delighted to recognize my friend, the ranking member of the committee, Ms. Ros-Lehtinen.

Ms. ROS-LEHTINEN. Thank you so much as always, Mr. Chairman. I want to commend you for the efforts that you have made as represented in the bill before us this morning to address the continuing problem of chronic and severe hunger around the world. I note that there are several provisions in the bill that are intended to address the growing problem of famine and the emergency food aid challenges that frequently arise as a result.

This bill keeps intact our commitment to P.L. 480, the Title II Program. That program, created 53 years ago, has saved millions of lives overseas while supporting our domestic farm sector here at home. It has helped make the United States the largest single donor of food aid in the world. Mr. Chairman, several of the trade promotion provisions of your bill while not having a direct relation to our Food Aid Program overseas nevertheless are important to our farm community and to maintaining U.S. global competitiveness.

I do nonetheless have a number of concerns regarding the overall funding levels allocated in this legislation. In that regard, I would like to note that as of last night we did not have official estimates of the cost of the bill and its major provisions. Some of the major provisions include the overall level of funding authorization of P.L. 480, the Title II Program, and the funds authorized for the McGovern-Dole Program.

On the McGovern-Dole Program the bill would not only double the funding over the next 5 years to \$300 million annually, but classifies such funding as mandatory spending rather than discretionary spending. I would hope that we could have more details on the formulation of these figures and the need, as expressed by the

bill, to transform some aid programs from those funded in a discretionary manner to those funded in a mandatory manner.

It is my intention to support the overall intentions, and underlying purpose and text of the bill, so I will vote yes, but our side would appreciate more details on the costs of this authorization bill for next time we have a markup. Thank you, Mr. Chairman.

Chairman LANTOS. Thank you for your comments. Are there any amendments?

Mr. MANZULLO. Mr. Chairman?

Chairman LANTOS. Mr. Manzullo?

Mr. MANZULLO. Thank you. Mr. Chairman, I have an amendment at the desk, and while it is being passed out, first I want to commend you for keeping the underlying principles of the food aid law unchanged. Unfortunately, I have some very strong concerns regarding the overall spending levels contained in the Food Security and Agricultural Development Act of 2007 and other issues therein.

H.R. 2844 provides no comprehensive direction to our overall export promotion policy. Agriculture forms only 8 percent of our total exports, yet the manufacture and service sectors comprising 92 percent of our exports receive about 50 percent of the total trade promotion funding. The entire U.S. and Foreign Commercial Service has a budget about equal to that authorization level contained in this bill just for the Market Access Program.

It is obvious that something is not right with these levels of funding. The bill reinforces and compounds the problems behind these trends. That is why we need to totally rethink how to go about trade policy and trade promotion within the U.S. Government. The Food Security and Agricultural Development Act of 2007 includes funding increases that are simply astounding.

Where is all the money going to come from to pay for all these initiatives? Some may say this is simply an authorization bill, that it doesn't really spend any money, but my colleagues should know that 5 minutes after this bill is passed various interest groups will pressure the Appropriations Committee to fund these programs at the authorized level.

They will say you have already voted for this level of funding, so it is no problem to increase the appropriations. For example, H.R. 2844 proposes to increase the Bill Emerson Trust by \$300 million over the next 5 years. McGovern-Dole Program is authorized at \$1.1 billion for Fiscal Years 2008 through 2012. The bill also changes this program from a discretionary spending to mandatory spending, which is rather unusual to be put into an authorization bill like this.

By going to mandatory spending it disregards the PAYGO rules the House adopted earlier this year. I see no spending cuts in other parts of this bill to offset the increase. Another part of the bill, the Market Access Program, which has its own history of problems, is authorized to spend \$1.1 billion over the next 5 years.

My amendment will bring spending discipline back to this bill by reducing the increases proposed in H.R. 2844 to levels that will be appreciated by the American family that struggles each month to make ends meet. This amendment simply restricts the increases in the bill to 3 percent which matches inflation. Specifically, the

amendment reduces the proposed increase for the Emerson Trust to \$105 million over 5 years.

This represents \$195 million reduction to the proposed level, but increases the previous authorized level by \$5 million. With regard to McGovern-Dole, and I would urge my colleagues to take a look at the very strange language used on line 3 of page 26 of the bill, my substitute amendment returns it to a discretionary spending program and caps spending at \$740 million.

Compared to the current draft before us which funds the programs at \$1.1 billion the amendment saves the taxpayers \$360 million over 5 years. The Market Access Program receives a smaller increase under my amendment to the current legislation. I propose we save \$95 million on this program and restrict spending to \$1.03 billion over 5 years.

I also want to remind my colleagues that the MAP program is far from being flawless. In a February 2007 report on the MAP program the Inspector General of the U.S. Department of Agriculture noted that the Foreign Agriculture Service does not have a mechanism that ensures comprehensive periodic program evaluations are conducted by participants to assess MAP's effectiveness.

In fact, only one of three MAP recipients reviewed by the Inspector General provided any information regarding an evaluation of the effectiveness of their MAP participation which is required by law. So how can we authorize such massive increases in spending where we have no objective tools of measuring whether or not the program works?

Finally, the amendment that I offer limits increases in technical assistance for specialty crops roughly the rate of inflation. The amendment will fund technical assistance at \$34 million from 2008 to 2015. That reduces the authorization by almost 50 percent. I urge my colleagues to support this fiscally responsible amendment.

If you are serious about PAYGO, and I voted with the majority on insisting on PAYGO, then you should vote for this amendment. What I seek is not to eliminate funding entirely, rather, just like a family's budget let us hold the line at what is necessary versus what is desired. My amendment provides important funding to keep the programs going. It also ensures that the hard working American people can keep more of what they earn, too. I yield back the balance of my time.

Chairman LANTOS. I want to thank my friend for offering his amendment. The amendment will be considered as read, and I would like to say a word or two about it.

[The amendment of Mr. Manzullo follows:]

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 2844  
OFFERED BY MR. MANZULLO OF ILLINOIS**

Page 24, line 26, strike “\$60,000,000” and insert  
“\$21,000,000”.

Page 26, strike line 1 and all that follows through  
line 10 and insert the following:

1           “(1) AUTHORIZATION OF APPROPRIATIONS.—  
2           There are authorized to be appropriated to the Sec-  
3           retary to carry out this section—  
4                   “(A) \$140,000,000 for fiscal year 2008;  
5                   “(B) \$144,000,000 for fiscal year 2009;  
6                   “(C) \$148,000,000 for fiscal year 2010;  
7                   “(D) \$152,000,000 for fiscal year 2011;  
8                   and  
9                   “(E) \$156,000,000 for fiscal year 2012.”.

Page 30, line 20, strike “\$225,000,000” and insert  
“\$206,000,000”.

Page 37, strike line 22 and all that follows through  
line 1 on page 38 and insert the following:

10                   “(A) \$4,000,000 for fiscal year 2008.

1                   “(B) \$4,120,000 for fiscal year 2009.  
2                   “(C) \$4,240,000 for fiscal year 2010.  
3                   “(D) \$4,360,000 for each of the fiscal  
4                   years 2011 through 2015.”.

Chairman LANTOS. I strongly oppose the gentleman's amendment. This amendment reduces funding for a number of programs that assist the most desperate and starving people in the developing world and which also provides critical help to our own farmers.

The gentleman's amendment reduces the level of funding to replenish the Bill Emerson Humanitarian Trust which is a vital tool in our Food Aid Program which helps the United States respond to devastating emergencies and food crises. The language in the bill increases the United States' ability to replenish the trust so that the administration is not forced to rely on critical development food assistance to pay for unexpected emergencies.

If the gentleman's amendment passes, it would jeopardize assistance for the chronically hungry, which I believe is not in the spirit of the United States. The amendment also seeks to reduce the level of funding that the bill provides for the McGovern-Dole International Food for Education and Child Nutrition Program. This program specifically targets the legions among the world's starving who are least able to help themselves, the hungry children on this globe.

Reducing funding for this critical program will only serve to undermine the United States' ability to feed hungry children all across the globe. The amendment also decreases funding for the Market Access Program. This program boosts hard working American farmers by seeking crucial export markets for their products. It is increasingly difficult for American farmers to make the necessary inroads in many markets abroad.

American farmers simply do not have the vast resources it takes to promote their crops abroad. Therefore, full funding for this program as my bill provides is absolutely critical. Finally, the gentleman's amendment seeks to reduce funding for technical assistance to specialty crops. Trade in specialty crops, which has expanded dramatically since the 1980s, faces increasing nontariff trade barriers in many countries.

This program, which is funded at the level at the administration's request, is necessary to help U.S. farmers increase exports and stay competitive in global markets. For these reasons, I strongly oppose the gentleman's amendment, and I am pleased to yield the floor to the gentleman from California, Mr. Costa.

Mr. COSTA. Thank you very much, Mr. Chairman, for your efforts on this important piece of legislation to ensure that America does what America does best, and that is to help those throughout the world. The food program, which we have been a part of through both the McGovern-Dole effort, I think speaks volumes for the support and the efforts Americans feel in helping feeding children who are in need and poor families throughout the world.

I concur with the chairman not only on the underlying bill but strongly oppose, with all due respect, the gentleman from Illinois' amendment, and let me explain why. As one of a handful of members that is both on the Foreign Affairs Committee as well as on the Agricultural Committee we are currently concurrently going through a process of reauthorizing the 2007 farm bill for the next 5 years.

It is important that we make some points in reference to the amendment that the gentleman from Illinois has offered. First of all, the 2007 reauthorization of the farm bill will be substantially, substantially, less than the authorization of the 2002 farm bill in terms of trying to ensure that we protect taxpayers' expenditures.

Secondly, we need to understand that the total amount of the U.S. budget that goes for the assistance of American farmers is approximately 1 percent, 1 percent, of our nation's total annual budget. Secondly, we need to understand that as it relates to the amendment that is being offered the Agricultural Committee in a bipartisan fashion is well-aware of the spending limits that we are challenged with as it relates to PAYGO.

I, too, am one of the members who voted for and support the PAYGO language. In fact, as a result of that in a bipartisan effort the Agricultural Committee members are attempting to look at off-sets as well as the reserve account for the expenditures that include the Market Access Program as well as some of the other programs that in the gentleman from Illinois' amendment there would be deletions.

So once again, we are very mindful in the reauthorization effort in the House Agricultural Committee of the PAYGO rule and how we comply with it under the direction that Chairman Peterson has given us. Now, let me make the points in reference to the specific cuts that would take place if the gentleman from Illinois' amendment were to be adopted.

The Market Access Program is one of the most useful tools in expanding markets abroad, and we do this sometimes with competition that we don't think provides for a level playing field with competition in global markets. Both farm income and economic well-being of agriculture are heavily dependent for America's ability to export our farm products abroad.

As the chairman said, it accounts for about one-third, one-third, of the United States' domestic production. In California many of our crops are heavily reliant on export markets, and I stated earlier more than 1 million Americans now have jobs that depend upon agricultural exports. Each year the Market Access Program activities help launch and expand sales for a variety of U.S. agricultural efforts that involve specialty crops, fish, forest products, overseas.

Rural American farmers and ranchers benefit from the Market Access Program as a primary supplier of commodities. All regions in the country benefit from the program of employment and economic effects from the expanded Agricultural Export Program. Not only does it benefit U.S. agriculture, but it helps U.S. agriculture reach markets that it otherwise would not be able to reach.

So I think it is important that we know when we are trying to expand our markets to places like Korea, and India and other places that this is a vital tool to use in that need. In addition, the technical assistance for specialty crops, as was also noted by the chairman, has been exceedingly valuable. As we participate in world markets many of our bilateral trade agreements are strengthened by the use of this program.

So for all the reasons that were stated in the chairman's comments and in my statement I strongly urge my colleagues in a bi-

partisan fashion as we are attempting to do in the House Agricultural Committee to oppose the Manzullo amendment which would virtually tie our hands in world markets and limit future trade negotiations.

We do intend to provide a reauthorization of the 2007 farm bill that complies with PAYGO in a way that will attain the sort of bipartisan support that we think American farmers deserve. For all of those reasons I urge that we oppose the gentleman from Illinois' amendment.

Chairman LANTOS. Thank the gentleman. I now recognize the ranking member.

Ms. ROS-LEHTINEN. Thank you so much, Mr. Chairman. I support Mr. Manzullo's amendment because it serves as a preventative measure should the cost estimates that we are awaiting from the Congressional Budget Office return with a determination that the bill could violate PAYGO rules. It establishes a legislative record documenting our concerns while highlighting our support for the direction that this bill takes toward addressing famine and emergency food relief throughout the world.

Thus, I support the Manzullo amendment as a means to secure greater information and review of this measure and the programs funded in the bill. There would be greater comfort level on our side, Mr. Chairman, had we held committee hearings to review each of these programs to assess the needs, the deficiencies, the strength of these food programs. However, while I may support the overall policy approach in the underlying bill I must from a responsible oversight standpoint also support the Manzullo amendment, and I urge my colleagues to do so. Thank you, Mr. Chairman.

Chairman LANTOS. I thank my colleague. The gentlelady from California, Ms. Woolsey.

Ms. WOOLSEY. Thank you, Mr. Chairman. I am really not responding to Mr. Manzullo's amendment, I just wanted to thank you for including language supporting women in Ag which highlights the importance of women in low income countries and their roles in working to feed their families and their communities while also giving them an opportunity to bring additional wages into their family structure through small and independent businesses around agriculture.

This is not the appropriate place. I still wanted to say it. Thank you.

Chairman LANTOS. I thank the lady. Gentleman from New Jersey, Mr. Smith.

Mr. SMITH OF NEW JERSEY. Thank you very much, Mr. Chairman. Mr. Chairman, I reluctantly rise in opposition to the Manzullo amendment. Last year on May 25, 2006, I chaired an extremely disturbing hearing entitled The World Hunger Crisis. The hearing frankly reinforced a lot of what I and so many others who travel in the world and go to refugee camps and meet with people who are in the brink of starvation know, but when we heard from the experts it became very clear that while the United States is doing much, and we should be very proud of that fact, there is much more to be done.

There are many people who are dying. According to the U.N. 25,000 people die a day of hunger-related causes. They are too

weak to fight off the flu or the effects of diarrhea. They are underweight infants and overwhelmed mothers. They die quietly off camera unnoticed by the rest of the world. We heard at that hearing, Mr. Chairman, from our former colleague and a very distinguished individual, Tony Hall, who served as our Ambassador to the FAO based in Rome.

Tony had made his entire life just like Bill Emerson. They were partners, and many of us served on the Hunger Committee during the 1980s, in trying to mitigate and hopefully end what is certainly achievable, the eradication of world hunger, and to make sure or to ensure that the United States does its part. Tony gave riveting testimony, and I would encourage everyone to read his testimony.

I have a copy of it. We can pass it around. But let me reiterate some of his most salient points—he started off by saying 850 million people are hungry—he also points that out one out of every five people in the developing world is chronically undernourished and that nearly 11 million children die before they reach their 5th birthday, almost all of them in the developing countries.

They don't die of starvation per se. More typically, they die of communicable diseases that ravage their weakened systems. They are too malnourished to fight back. Children in developing world are being born underweight because their moms are undernourished. Without adequate food during infancy children succumb to frequent infections and their growth may become stunted.

The children are less capable in school because of prolonged malnutrition. In addition, once they reach adulthood they turn to raise children who are born into the same cycle of malnutrition. As Mr. Hall pointed out in his testimony kids cannot focus in school if they are not fed, and so the cycle of impoverishment continues. Food does more than fill the stomachs of people around the world; it is an incentive for women to get training and education that helps them from becoming victims of things like human trafficking.

So I would hope, Mr. Chairman, with all due respect to my very distinguished colleague that we vote this down. Yes, we need the cost estimates, we need all the information before we go to the floor, but again, I think we are talking about something that we can play and have played a portion, and in which we should be playing an even greater part in mitigating this misery around the world.

Finally, some of the very specifics. It is not like these numbers were pulled out of thin air. Mr. Payne chaired a hearing almost a year to the day after my hearing, and it was a very good hearing. We heard from experts again including the Catholic Relief Services. Ann Marie Riley, chief of staff for Catholic Relief, pointed out that we need a minimum of \$600 million of total title to resources to be dedicated exclusively to developing food aid to address chronic hunger.

That is found in the bill. I would say, also, when you get George McGovern and Bob Dole agreeing on anything it is probably a pretty good thing. The McGovern-Dole legislation or law has served more than 4 million children around the world, and I think it is an excellent program. I think these modest increases will again mitigate the suffering that is rampant all around the globe. I yield back.

Chairman LANTOS. I thank my friend. We have regular order here of requests, so I now recognize the gentleman from California, Mr. Sherman.

Mr. SHERMAN. Mr. Chairman, we are all concerned about the Federal budget deficit. I don't see how this authorization bill would significantly or even possibly increase it because the total amount of discretionary spending is set by a budget resolution and then a resolution in the Appropriations Committee, and so while we should be concerned about the budget deficit that is not a reason to adopt this amendment especially when, as the gentleman from New Jersey points out, this bill and this program provide such critically needed food to hungry people.

That ought to be our minds' first and foremost. Second, as to the Market Access Program, we have an \$800 billion trade deficit, and the MAP program is one of the few things that does something about it. In a study commissioned by the Department of Agriculture and prepared by Global Insight, Inc. the conclusion is that for every additional dollar spent on market development some \$25 in additional U.S. exports results within a 3- to 5-year period.

So I think that this bill does a lot to help those who are starving, a lot to deal with the U.S. trade deficit, and I think we should keep it authorized at the chairman's mark. I yield back.

Chairman LANTOS. Thank you. I am particularly pleased to recognize my dawn swimming partner, Mr. Inglis.

Mr. INGLIS. Thank you, Mr. Chairman. I reluctantly rise in opposition to Mr. Manzullo's amendment, and I do so as a fiscal conservative. I am also aware, though, that those to whom much is given much will be required. We are a very great and very wealthy nation, and so we have this obligation to help those 850 million people. We also have to realize this is an authorization.

The really hard work for this will come in the appropriations process where there are other priorities, and this one will find its way in that process and may not be funded at the level of the authorization, but yet, this reflects our desire to help as much as possible. That is a moral imperative it seems to me. It is also a practical opportunity for the United States.

Thinking of Joe Nye's book, *Soft Power*, this I suppose is the intermediate level of power. We need hard power. I am also pretty much a hawk. We need hard power. That is why we are spending \$2 billion a week in Iraq. We hope to get to soft power where we get people to come to like our way of doing things. The intermediate level of power, as I understand in Joe Nye's book, is this concept of aid that causes people to be able to hear our message and maybe move to soft power, acceptance of ideals and principles that work.

Have worked for our country, can work in other places. It is hard to get to that soft power when you are hungry, and so we offer aid, we respond to the moral imperative and we achieve foreign policy objectives for the United States. So I think there is no harm in authorizing it at a fairly robust level.

When it gets to the budget process and the Appropriations process we will see if we can match that authorization with Appropriations. I am happy to yield back, Mr. Chairman.

Chairman LANTOS. I want to thank my friend. Let me assure him and the author of the amendment who held out a danger that 5 minutes after we pass this legislation people will be banging on the doors of the appropriators, I will be among those who will be banging on the doors of appropriators. I do not view the authorizing level as fiction. I believe the authorizing level will need to be fully matched by the appropriators.

Mr. Faleomavaega?

Mr. FALEOMAVAEGA. Mr. Chairman, thank you. With all due respect to my dear friend and colleague, as our senior ranking member of the Subcommittee on Asia and the Pacific, I, too, reluctantly oppose his amendment, and I want to associate myself with the comments made earlier by my good friend the gentleman from New Jersey, Mr. Smith.

Question of hunger, Mr. Chairman, in my humble opinion should not be based on economics but on a moral issue that this nation should never shed from its responsibility in giving assistance to those in need.

I recall as a member of the Select Committee on Hunger that was very much part of the operations of this committee, and I cannot think of a better name to evoke his memory, and he died as a result of his efforts to give assistance to those who are hungry throughout the world, none other than the late Congressman, Mickey Leland, from Texas.

I also recall working closely with former Congressman Tony Hall and even Bill Emerson. We were all members of that Select Committee on Hunger.

The fact that just yesterday, Mr. Chairman, there was statistical data given to the fact that our nation, despite the criticism that other countries and other organizations may have against our country, we contributed over \$294 billion to charity last year I think gives something that we ought to reflect positively in knowing that our country has committed its resources to the fact that this is no more just an economic issue, but a moral issue that we should give proper contributions to the needs of those who truly are hungry and dying, 25,000 a day.

I think it is something that we ought not forget and what we need to do as a country to give us senses. Again, Mr. Chairman, thank you for offering this legislation. I totally support this proposed bill. Thank you.

Chairman LANTOS. Thank you very much. My friend from Indiana, Mr. Burton.

Mr. BURTON. Thank you, Mr. Chairman. I just want to ask Mr. Manzullo a couple of questions. First of all, I think we would all like to know in very clear language does your amendment still provide for an increase, an increase, into a date in the authorization process?

Mr. MANZULLO. That is correct. It is a cost of living increase at 3 percent.

Mr. BURTON. Can you tell us exactly how much it will increase the authorization levels?

Mr. MANZULLO. My amendment increases McGovern, for example, by \$40 million for the first year and then about \$4 million after that. That is in my amendment, so it does increase the McGovern

bill. Mr. Burton, my amendment recognizes the need for these programs, but it talks about where the money is going to come from. The McGovern portion of the bill would become almost an entitlement within the appropriation process itself. I have never seen that before.

Mr. BURTON. Well, I just wanted to know and make clear to everybody that this is not a cut; this is an increase in additional authorization for these programs.

Mr. MANZULLO. That is correct.

Mr. BURTON. Thank you, Mr. Chairman. I yield back.

Chairman LANTOS. I thank my friend. Ms. Sheila Jackson Lee.

Ms. JACKSON LEE. Mr. Chairman, let me thank you very much for this very wise and long in coming thoughtful legislative initiative. Any of us who have traveled to refugee camps around the world or traveled to nations where children are starving not only for lack of food but for lack of nutrition realize the vitality of this legislation.

Whether it is Guatemala where there is a Vitamin D deficiency, whether it is the camps in Chad where the Sudanese refugees are and food is at a limited amount, or whether or not it is in the various areas of devastating deserts, and lack of rain and therefore lack of food, there is no doubt that this is an important step. I want to join with Mr. Costa in your effort about American farmers.

This is an excellent step for an important industry that has suffered over the long-term, a vital industry, powerful food industry. I happen to be a very strong supporter of family farmers who have come to me and said from Texas, "We want to do good, but we also want to have an opportunity for our products. We think it is ridiculous that people are starving because our product can't get to market to help them."

Some would say this is a win-win, but it has an enormous impact on the disease that takes millions of the starving. Let me use an example. The example comes to mind of the initial comments of a good friend of ours, President Ubecki of South Africa, as it relates to the AIDS epidemic. Many people of course took great umbrage of his comments about AIDS and nutrition.

I believe South Africa has come full circle, at least I hope they have come, knowing that nutrition does not evidence or cause HIV/AIDS. We do understand that someone sick with HIV/AIDS and TB clearly needs to have a healthy body, clearly needs to have a stream of nutritious food, to help them as they counter the disease through drugs that many now have been able to get to this devastating population.

This is a key element, Mr. Chairman, to the survival of huge numbers of the world population. From Indonesia to China, to Guatemala, to Chad, to Sudan, to places around the world, people need food. Might I thank my good friend who has mentioned my predecessor, Congressman Mickey Leland, not only a member of the Hunger Committee along with Tony Hall, but an activist on starvation.

I remember him telling me that members of what we call 5th Ward, Texas, where he was born, one of the poorest areas and one of the more dynamic areas of my Congressional District because I want to make sure that they are cited for their history and their

excellence, but poverty is everywhere. Why are you going to Ethiopia, why are you going to Africa, why are you going to other places, Congressman Leland? They are suffering in the United States.

He turned to them and I guess managed to have that smile that Mickey has and as well said that we are in fact our brothers' and sisters' keeper. I hope, Mr. Chairman, that we might even consider naming this bill after Mickey Leland and Tony Hall in their absence from this Congress and Mickey Leland now deceased because this is a true testament to his values and a thoughtful initiative.

Let me also suggest to my good friend on the PAYGO issue he knows full well that the Rules Committee has a right to weight points of order on PAYGO, but even so, we have the opportunity between this bill going to the floor to review and analyze the PAYGO implications. This is too important an initiative to stall it in this body now.

I would say in the name of Mickey Leland, Tony Hall and others, Mickey Leland now a person immortalized for losing his life, as I tell little children in my district, on the side of an Ethiopian mountain, too eager to rush to those who were dying, too eager to wait on large planes or to wait on any other manner of delivering food to go in to bring food to the starving and the dying. This is a bill long overdue.

We have an important job to do today, Mr. Chairman, and I hope we do that job by passing out this legislation. To my good friend from Illinois, I respect him, but we are in too much of a crisis around the world to delay 1 second on this legislation. I yield back.

Chairman LANTOS. I thank my friend from Texas. Gentleman from California, Mr. Rohrabacher.

Mr. ROHRABACHER. Thank you very much, Mr. Chairman. I rise in support of Mr. Manzullo's amendment, and I just would like to mention just a few thoughts when we are talking about America's Food Aid Program. First of all, when we talk about this Food Aid Program we are not talking about emergencies. I don't think anyone here has any problem with United States stepping forward in an emergency situation and assisting those people, whether in Africa, or Latin America, or elsewhere, who are hungry and find themselves at a critical time.

We need to do that. That is the moral thing to do. It is not the moral thing to do to make people dependent on the United States for long-term assistance. That is not our job. That is not the right thing to do even for them.

It is the difference between if you have a group of people who have been pushed into the desert digging a well in that location, which is justified if there is water available, versus suggesting that we are going to keep the people in a desert location and hire water trucks to provide them water so they can stay in that location forever.

That makes no sense at all, and it is not moral to provide sustenance to people in a long-term situation if it keeps them living desperately, and some of these situations are very desperate, but we take away the pressure to solve fundamental problems.

Basically, the worldwide hunger that is being discussed today is not an emergency situation, and as I say I have got no problems

with let us move forward and help people in emergencies, but instead we are talking about chronic situations, chronic hunger, that is a result of corruption and tyranny, not a result of some upheaval, not a result of some natural catastrophe, but instead a result of bad government and power people who are involved in activities that lead people to become in these tragic situations.

We should not be subsidizing the results of this type of decision making in the third world. Furthermore, in terms of our food program quite often it is being done not for this moral purpose, but instead to make a buck for some very powerful interest groups in the United States. In the case I just mentioned, for example, the fellow who owns the trucking company that owns the water trucks is very happy to have us subsidize the water forever for a group of people who shouldn't be living in the desert.

He may even lobby Congress to make sure we keep doing it. In this case there are a lot of people making money, powerful people making money off America's food program. I don't necessarily think that we need to use high sounding phrases in order to justify that the California wine industry, which I support by the way. I love California wine, I am proud of California wine, I am a Californian, but I don't think we should be subsidizing by promoting California wine, having taxpayer dollars do that.

Let the industry themselves do that out of their profits. It is not right for us to be taking these large agricultural interests, and almost none of them are small farmers like we are being told, almost all of them are huge corporations who make hundreds of millions of dollars of profit. Let them take the money out of their profit to promote their products. Now, access is another issue, which is fine.

We do. That is our job, to make sure there aren't restrictions on other governments that will prevent our goods from going overseas. That I have no problem with as well. That is our job just as it is a moral position to help those who are in emergency situations. I think that our food program is off target.

We have not examined the fundamental issues and the fundamental decisions that have to be made in terms of how to direct and structure the program, so instead we are furthering hunger in this world by keeping people in desperate situations and taking away from the responsibility of their corrupt leaders for putting them in that situation and forcing the right kind of decision making to get people so they don't live in these desperate circumstances. Thank you very much. I will be supporting Mr. Manzullo's amendment.

Chairman LANTOS. I thank my friend. I believe the final comment will be from my good friend from Missouri, Congressman Carnahan.

Mr. CARNAHAN. Thank you, Mr. Chairman. I particularly want to say I appreciate the passion and commitment of Mr. Smith from New Jersey in his discussion about the hunger crisis. It is real. I do believe we have an obligation to do something about it. I have to respectfully oppose the gentleman from Illinois's amendment, and I also want to specifically mention the Bill Emerson Humanitarian Trust. This program was named after the late husband of my Missouri neighbor and colleague, Jo Ann Emerson.

He was a champion in this Congress, as many have mentioned, of humanitarian aid, serving on the Select Committee on Hunger, but this is more than just sentiment, Mr. Chairman. This is more than just food aid. This is a food reserve program. It is under the Secretary of Agriculture, set up to respond to humanitarian crises around the world, especially those that happen quickly, that require a substantial response. It sets aside millions of metric tons of wheat, corn, sorghum and rice to provide in these crisis situations.

This country has a great agricultural bounty. This reflects our core values. It is a way for us to stand up and take our responsibility when crisis calls. I would urge the members to oppose the amendment.

Chairman LANTOS. The question occurs on the amendment. All in favor will say aye.

[A chorus of ayes.]

Chairman LANTOS. All opposed will say nay.

[A chorus of nays.]

Chairman LANTOS. I request a recorded vote.

Ms. RUSH. Chairman Lantos.

Chairman LANTOS. Nay.

Ms. RUSH. Chairman Lantos votes no.

Mr. Berman.

[No response.]

Ms. RUSH. Mr. Ackerman.

Mr. ACKERMAN. No.

Ms. RUSH. Mr. Ackerman votes no.

Mr. Faleomavaega.

Mr. FALEOMAVAEGA. No.

Ms. RUSH. Mr. Faleomavaega votes no.

Mr. Payne.

Mr. PAYNE. No.

Ms. RUSH. Mr. Payne votes no.

Mr. Sherman.

Mr. SHERMAN. No.

Ms. RUSH. Mr. Sherman votes no.

Mr. Wexler.

Mr. WEXLER. No.

Ms. RUSH. Mr. Wexler votes no.

Mr. Engel.

Mr. ENGEL. No.

Ms. RUSH. Mr. Engel votes no.

Mr. Delahunt.

Mr. DELAHUNT. No.

Ms. RUSH. Mr. Delahunt votes no.

Mr. Meeks.

Mr. MEEKS. No.

Ms. RUSH. Mr. Meeks votes no.

Ms. Watson.

Ms. WATSON. No.

Ms. RUSH. Ms. Watson votes no.

Mr. Smith of Washington.

Mr. SMITH OF WASHINGTON. No.

Ms. RUSH. Mr. Smith of Washington votes no.

Mr. Carnahan.  
Mr. CARNAHAN. No.  
Ms. RUSH. Mr. Carnahan votes no.  
Mr. Tanner.  
Mr. TANNER. No.  
Ms. RUSH. Mr. Tanner votes no.  
Mr. Green.  
[No response.]  
Ms. RUSH. Ms. Woolsey.  
Ms. WOOLSEY. No.  
Ms. RUSH. Ms. Woolsey votes no.  
Ms. Jackson Lee.  
Ms. JACKSON LEE. No.  
Ms. RUSH. Ms. Jackson Lee votes no.  
Mr. Hinojosa.  
Mr. HINOJOSA. No.  
Ms. RUSH. Mr. Hinojosa votes no.  
Mr. Crowley.  
Mr. CROWLEY. No.  
Ms. RUSH. Mr. Crowley votes no.  
Mr. Wu.  
[No response.]  
Ms. RUSH. Mr. Miller.  
Mr. MILLER. No.  
Ms. RUSH. Mr. Miller votes no.  
Ms. Sánchez.  
Ms. SÁNCHEZ. No.  
Ms. RUSH. Ms. Sánchez votes no.  
Mr. Scott.  
Mr. SCOTT. No.  
Ms. RUSH. Mr. Scott votes no.  
Mr. Costa.  
Mr. COSTA. No.  
Ms. RUSH. Mr. Costa votes no.  
Mr. Sires.  
Mr. SIRES. No.  
Ms. RUSH. Mr. Sires votes no.  
Ms. Giffords.  
Ms. GIFFORDS. No.  
Ms. RUSH. Ms. Giffords votes no.  
Mr. Klein.  
Mr. KLEIN. No.  
Ms. RUSH. Mr. Klein votes no.  
Ms. Ros-Lehtinen.  
Ms. ROS-LEHTINEN. Yes.  
Ms. RUSH. Ms. Ros-Lehtinen votes yes.  
Mr. Smith of New Jersey.  
Mr. SMITH OF NEW JERSEY. No.  
Ms. RUSH. Mr. Smith of New Jersey votes no.  
Mr. Burton.  
Mr. BURTON. Yes.  
Ms. RUSH. Mr. Burton votes yes.  
Mr. Gallegly.  
[No response.]

Ms. RUSH. Mr. Rohrabacher.  
Mr. ROHRABACHER. Yes.  
Ms. RUSH. Mr. Rohrabacher votes yes.  
Mr. Manzullo.  
Mr. MANZULLO. Yes.  
Ms. RUSH. Mr. Manzullo votes yes.  
Mr. Royce.  
Mr. ROYCE. Yes.  
Ms. RUSH. Mr. Royce votes yes.  
Mr. Chabot.  
Mr. CHABOT. Yes.  
Ms. RUSH. Mr. Chabot votes yes.  
Mr. Tancredo.  
Mr. TANCREDO. Yes.  
Ms. RUSH. Mr. Tancredo votes yes.  
Mr. Paul.  
Mr. PAUL. Yes.  
Ms. RUSH. Mr. Paul votes yes.  
Mr. Flake.  
Mr. FLAKE. Yes.  
Ms. RUSH. Mr. Flake votes yes.  
Ms. Davis.  
[No response.]  
Ms. RUSH. Mr. Pence.  
Mr. PENCE. Yes.  
Ms. RUSH. Mr. Pence votes yes.  
Mr. Wilson.  
Mr. WILSON. Yes.  
Ms. RUSH. Mr. Wilson votes yes.  
Mr. Boozman.  
Mr. BOOZMAN. Yes.  
Ms. RUSH. Mr. Boozman votes yes.  
Mr. Barrett.  
Mr. BARRETT. Yes.  
Ms. RUSH. Mr. Barrett votes yes.  
Mr. Mack.  
Mr. MACK. Yes.  
Ms. RUSH. Mr. Mack votes yes.  
Mr. Fortenberry.  
Mr. FORTENBERRY. No.  
Ms. RUSH. Mr. Fortenberry votes no.  
Mr. McCaul.  
Mr. MCCAUL. Yes.  
Ms. RUSH. Mr. McCaul votes yes.  
Mr. Poe.  
Mr. POE. Yes.  
Ms. RUSH. Mr. Poe votes yes.  
Mr. Inglis.  
Mr. INGLIS. No.  
Ms. RUSH. Mr. Inglis votes no.  
Mr. Fortuño.  
Mr. FORTUÑO. No.  
Ms. RUSH. Mr. Fortuño votes no.  
Mr. Bilirakis.

Mr. Bilirakis. Yes.

Ms. RUSH. Mr. Bilirakis votes yes.

Chairman LANTOS. Are there any colleagues who would like to be recorded?

Mr. Berman?

Mr. BERMAN. No.

Ms. RUSH. Mr. Berman votes no.

Chairman LANTOS. Mr. Wu?

[No response.]

Chairman LANTOS. Anybody else on this side?

[No response.]

Chairman LANTOS. Anybody on the other side who has not yet voted?

[No response.]

Chairman LANTOS. The clerk will report.

Ms. RUSH. On this vote, there are 17 yeses and 30 noes.

Chairman LANTOS. The amendment is rejected. There are two noncontroversial technical amendments offered by Ms. Jackson Lee. They were cleared by both sides. I would propose we handle them by voice vote.

[The information referred to follows:]

**AMENDMENT TO H.R. 2844**  
**OFFERED BY MS. JACKSON-LEE OF TEXAS**

Page 9, line 17, after the comma insert the following: “to meet the nutritional needs of all members of the community (particularly children), to prevent future hunger related emergencies,”.

**AMENDMENT TO H.R. 2844**  
**OFFERED BY MS. JACKSON-LEE OF TEXAS**

Page 23, line 5, after “Account.” insert the following new sentence: “Such assistance shall also be coordinated and integrated in the recipient country with other donors, including international and regional organizations and other donor countries.”.

Chairman LANTOS. All those in favor of the two technical Jackson Lee amendments, say aye.

[A chorus of ayes.]

Chairman LANTOS. Opposed?

[No response.]

Chairman LANTOS. The amendments are agreed to.

The question occurs on the amendment in the nature of a substitute as amended. All in favor will vote aye.

[A chorus of ayes.]

Chairman LANTOS. All opposed will vote no.

[A chorus of noes.]

Chairman LANTOS. The ayes have it, and the amendment is agreed to.

The question occurs on the motion to report the bill favorably as amended. All in favor say aye.

[A chorus of ayes.]

Chairman LANTOS. All opposed say no.

[A chorus of noes.]

Chairman LANTOS. I request a rollcall vote.

Ms. RUSH. Chairman Lantos.

Chairman LANTOS. Aye.

Ms. RUSH. Chairman Lantos votes yes.

Mr. Berman.

[No response.]

Ms. RUSH. Mr. Ackerman.

Mr. ACKERMAN. Yes.

Ms. RUSH. Mr. Ackerman votes yes.

Mr. Faleomavaega.

Mr. FALEOMAVAEGA. Yes.

Ms. RUSH. Mr. Faleomavaega votes yes.

Mr. Payne.

Mr. PAYNE. Yes.

Ms. RUSH. Mr. Payne votes yes.

Mr. Sherman.

Mr. SHERMAN. Yes.

Ms. RUSH. Mr. Sherman votes yes.

Mr. Wexler.

Mr. WEXLER. Yes.

Ms. RUSH. Mr. Wexler votes yes.

Mr. Engel.

Mr. ENGEL. Yes.

Ms. RUSH. Mr. Engel votes yes.

Mr. Delahunt.

Mr. DELAHUNT. Yes.

Ms. RUSH. Mr. Delahunt votes yes.

Mr. Meeks.

Mr. MEEKS. Yes.

Ms. RUSH. Mr. Meeks votes yes.

Ms. Watson.

Ms. WATSON. Yes.

Ms. RUSH. Ms. Watson votes yes.

Mr. Smith of Washington.

Mr. SMITH OF WASHINGTON. Yes.

Ms. RUSH. Mr. Smith of Washington votes yes.

Mr. Carnahan.  
Mr. CARNAHAN. Yes.  
Ms. RUSH. Mr. Carnahan votes yes.  
Mr. Tanner.  
Mr. TANNER. Yes.  
Ms. RUSH. Mr. Tanner votes yes.  
Mr. Green.  
[No response.]  
Ms. RUSH. Ms. Woolsey.  
Ms. WOOLSEY. Yes.  
Ms. RUSH. Ms. Woolsey votes yes.  
Ms. Jackson Lee.  
Ms. JACKSON LEE. Aye.  
Ms. RUSH. Ms. Jackson Lee votes yes.  
Mr. Hinojosa.  
Mr. HINOJOSA. Yes.  
Ms. RUSH. Mr. Hinojosa votes yes.  
Mr. Crowley.  
Mr. CROWLEY. Yes.  
Ms. RUSH. Mr. Crowley votes yes.  
Mr. Wu.  
Mr. WU. Yes.  
Ms. RUSH. Mr. Wu votes yes.  
Mr. Miller.  
Mr. MILLER. Yes.  
Ms. RUSH. Mr. Miller votes yes.  
Ms. Sánchez.  
Ms. SÁNCHEZ. Yes.  
Ms. RUSH. Ms. Sánchez votes yes.  
Mr. Scott.  
Mr. SCOTT. Yes.  
Ms. RUSH. Mr. Scott votes yes.  
Mr. Costa.  
Mr. COSTA. Aye.  
Ms. RUSH. Mr. Costa votes yes.  
Mr. Sires.  
Mr. SIRES. Yes.  
Ms. RUSH. Mr. Sires votes yes.  
Ms. Giffords.  
Ms. GIFFORDS. Aye.  
Ms. RUSH. Ms. Giffords votes yes.  
Mr. Klein.  
Mr. KLEIN. Yes.  
Ms. RUSH. Mr. Klein votes yes.  
Ms. Ros-Lehtinen.  
Ms. ROS-LEHTINEN. Yes.  
Ms. RUSH. Ms. Ros-Lehtinen votes yes.  
Mr. Smith of New Jersey.  
Mr. SMITH OF NEW JERSEY. Yes.  
Ms. RUSH. Mr. Smith of New Jersey votes yes.  
Mr. Burton.  
Mr. BURTON. Yes.  
Ms. RUSH. Mr. Burton votes yes.  
Mr. Gallegly.

[No response.]  
Ms. RUSH. Mr. Rohrabacher.  
Mr. ROHRABACHER. No.  
Ms. RUSH. Mr. Rohrabacher votes no.  
Mr. Manzullo.  
Mr. MANZULLO. No.  
Ms. RUSH. Mr. Manzullo votes no.  
Mr. Royce.  
Mr. ROYCE. No.  
Ms. RUSH. Mr. Royce votes no.  
Mr. Chabot.  
Mr. CHABOT. No.  
Ms. RUSH. Mr. Chabot votes no.  
Mr. Tancredo.  
Mr. TANCREDO. No.  
Ms. RUSH. Mr. Tancredo votes no.  
Mr. Paul.  
Mr. PAUL. No.  
Ms. RUSH. Mr. Paul votes no.  
Mr. Flake.  
Mr. FLAKE. No.  
Ms. RUSH. Mr. Flake votes no.  
Ms. Davis.  
[No response.]  
Ms. RUSH. Mr. Pence.  
Mr. PENCE. Yes.  
Ms. RUSH. Mr. Pence votes yes.  
Mr. Wilson.  
Mr. WILSON. Yes.  
Ms. RUSH. Mr. Wilson votes yes.  
Mr. Boozman.  
Mr. BOOZMAN. Yes.  
Ms. RUSH. Mr. Boozman votes yes.  
Mr. Barrett.  
Mr. BARRETT. No.  
Ms. RUSH. Mr. Barrett votes no.  
Mr. Mack.  
Mr. MACK. Yes.  
Ms. RUSH. Mr. Mack votes yes.  
Mr. Fortenberry.  
Mr. FORTENBERRY. Yes.  
Ms. RUSH. Mr. Fortenberry votes yes.  
Mr. McCaul.  
Mr. MCCAUL. Yes.  
Ms. RUSH. Mr. McCaul votes yes.  
Mr. Poe.  
Mr. POE. No.  
Ms. RUSH. Mr. Poe votes no.  
Mr. Inglis.  
Mr. INGLIS. Aye.  
Ms. RUSH. Mr. Inglis votes yes.  
Mr. Fortuño.  
Mr. FORTUÑO. Yes.  
Ms. RUSH. Mr. Fortuño votes yes.

Mr. Bilirakis.

Mr. BILIRAKIS. Yes.

Ms. RUSH. Mr. Bilirakis votes yes.

Chairman LANTOS. Any colleagues who have not yet been recorded?

Mr. Berman?

Mr. BERMAN. Yes.

Ms. RUSH. Mr. Berman votes yes.

Chairman LANTOS. Anybody else on this side?

[No response.]

Chairman LANTOS. Anybody else on the other side?

[No response.]

Chairman LANTOS. The clerk will report.

Ms. RUSH. On this vote there are 38 yeases and 9 noes.

Chairman LANTOS. The ayes have it and the motion to report favorably is adopted. Without objection, the bill will be reported as a single amendment in the nature of a substitute, incorporating amendments adopted by the committee, and the staff is directed to make any technical and conforming amendments.

We will now take a 5-minute recess, and at the conclusion of that 5-minute recess, we will be dealing with the legislation designated as H. Res. 121, expressing the sense of the House of Representatives that the Government of Japan should formally acknowledge, apologize and accept historical responsibility for its Imperial Forces coercion of young women into sexual slavery, known to the world as "comfort women."

The hearing of the committee will resume in 5 minutes.

[Whereupon, a short recess was taken.]

Chairman LANTOS. The committee will resume its markup session. I call up the bill, H. Res. 121, expressing the sense of the House that the Government of Japan should formally acknowledge, apologize and accept historical responsibility for its Imperial Armed Forces' coercion of young women into sexual slavery, known as "comfort women," for purposes of markup, and move its favorable recommendation to the House.

[H. Res. 121 follows:]

110TH CONGRESS  
1ST SESSION

## H. RES. 121

Expressing the sense of the House of Representatives that the Government of Japan should formally acknowledge, apologize, and accept historical responsibility in a clear and unequivocal manner for its Imperial Armed Force's coercion of young women into sexual slavery, known to the world as "comfort women", during its colonial and wartime occupation of Asia and the Pacific Islands from the 1930s through the duration of World War II.

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### IN THE HOUSE OF REPRESENTATIVES

JANUARY 31, 2007

Mr. HONDA (for himself, Mr. SMITH of New Jersey, Mr. ROYCE, Ms. WATSON, Mr. HARE, Ms. BORDALLO, and Mr. WU) submitted the following resolution; which was referred to the Committee on Foreign Affairs

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## RESOLUTION

Expressing the sense of the House of Representatives that the Government of Japan should formally acknowledge, apologize, and accept historical responsibility in a clear and unequivocal manner for its Imperial Armed Force's coercion of young women into sexual slavery, known to the world as "comfort women", during its colonial and wartime occupation of Asia and the Pacific Islands from the 1930s through the duration of World War II.

Whereas the Government of Japan, during its colonial and wartime occupation of Asia and the Pacific Islands from the 1930s through the duration of World War II, offi-

cially commissioned the acquisition of young women for the sole purpose of sexual servitude to its Imperial Armed Forces, who became known to the world as ianfu or “comfort women”;

Whereas the “comfort women” system of forced military prostitution by the Government of Japan, considered unprecedented in its cruelty and magnitude, included gang rape, forced abortions, humiliation, and sexual violence resulting in mutilation, death, or eventual suicide in one of the largest cases of human trafficking in the 20th century;

Whereas some new textbooks used in Japanese schools seek to downplay the “comfort women” tragedy and other Japanese war crimes during World War II;

Whereas Japanese public and private officials have recently expressed a desire to dilute or rescind the 1993 statement by Chief Cabinet Secretary Yohei Kono on the “comfort women”, which expressed the Government’s sincere apologies and remorse for their ordeal;

Whereas the Government of Japan did sign the 1921 International Convention for the Suppression of the Traffic in Women and Children and supported the 2000 United Nations Security Council Resolution 1325 on Women, Peace, and Security which recognized the unique impact of armed conflict on women;

Whereas the House of Representatives commends Japan’s efforts to promote human security, human rights, democratic values, and rule of law, as well as for being a supporter of Security Council Resolution 1325;

Whereas the House of Representatives commends those Japanese officials and private citizens whose hard work and

compassion resulted in the establishment in 1995 of Japan's private Asian Women's Fund;

Whereas the Asian Women's Fund has raised \$5,700,000 to extend "atonement" from the Japanese people to the comfort women; and

Whereas the mandate of the Asian Women's Fund, a government initiated and largely government-funded private foundation whose purpose was the carrying out of programs and projects with the aim of atonement for the maltreatment and suffering of the "comfort women", comes to an end on March 31, 2007, and the Fund is to be disbanded as of that date: Now, therefore, be it

1       *Resolved*, That it is the sense of the House of Rep-  
2       resentatives that the Government of Japan—

3               (1) should formally acknowledge, apologize, and  
4       accept historical responsibility in a clear and un-  
5       equivocal manner for its Imperial Armed Force's co-  
6       ercion of young women into sexual slavery, known to  
7       the world as "comfort women", during its colonial  
8       and wartime occupation of Asia and the Pacific Is-  
9       lands from the 1930s through the duration of World  
10      War II;

11              (2) should have this official apology given as a  
12      public statement presented by the Prime Minister of  
13      Japan in his official capacity;

14              (3) should clearly and publicly refute any claims  
15      that the sexual enslavement and trafficking of the

1 “comfort women” for the Japanese Imperial Armed  
2 Forces never occurred; and

3 (4) should educate current and future genera-  
4 tions about this horrible crime while following the  
5 recommendations of the international community  
6 with respect to the “comfort women”.

○

Chairman LANTOS. Without objection, the amendment in the nature of a substitute that is before the members will be considered as the base text for purposes of amendment, will be considered as read, and opened for amendment at any point. The chair yields himself 5 minutes to explain the legislation.

[The amendment of Chairman Lantos follows:]

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H. RES. 121  
OFFERED BY MR. LANTOS OF CALIFORNIA AND  
MS. ROS-LEHTINEN OF FLORIDA**

Strike the preamble and insert the following:

Whereas the Government of Japan, during its colonial and wartime occupation of Asia and the Pacific Islands from the 1930s through the duration of World War II, officially commissioned the acquisition of young women for the sole purpose of sexual servitude to its Imperial Armed Forces, who became known to the world as ianfu or “comfort women”;

Whereas the “comfort women” system of forced military prostitution by the Government of Japan, considered unprecedented in its cruelty and magnitude, included gang rape, forced abortions, humiliation, and sexual violence resulting in mutilation, death, or eventual suicide in one of the largest cases of human trafficking in the 20th century;

Whereas some new textbooks used in Japanese schools seek to downplay the “comfort women” tragedy and other Japanese war crimes during World War II;

Whereas Japanese public and private officials have recently expressed a desire to dilute or rescind the 1993 statement by Chief Cabinet Secretary Yohei Kono on the “comfort women”, which expressed the Government’s sincere apologies and remorse for their ordeal;

Whereas the Government of Japan did sign the 1921 International Convention for the Suppression of the Traffic in Women and Children and supported the 2000 United Nations Security Council Resolution 1325 on Women, Peace, and Security which recognized the unique impact of armed conflict on women;

Whereas the House of Representatives commends Japan's efforts to promote human security, human rights, democratic values, and rule of law, as well as for being a supporter of Security Council Resolution 1325;

Whereas the United States-Japan alliance is the cornerstone of United States security interests in Asia and the Pacific and is fundamental to regional stability and prosperity;

Whereas, despite the changes in the post-cold war strategic landscape, the United States-Japan alliance continues to be based on shared vital interests and values in the Asia-Pacific region, including the preservation and promotion of political and economic freedoms, support for human rights and democratic institutions, and the securing of prosperity for the people of both countries and the international community;

Whereas the House of Representatives commends those Japanese officials and private citizens whose hard work and compassion resulted in the establishment in 1995 of Japan's private Asian Women's Fund;

Whereas the Asian Women's Fund has raised \$5,700,000 to extend "atonement" from the Japanese people to the comfort women; and

Whereas the mandate of the Asian Women's Fund, a government initiated and largely government-funded private foundation whose purpose was the carrying out of pro-

grams and projects with the aim of atonement for the maltreatment and suffering of the “comfort women”, comes to an end on March 31, 2007, and the Fund is to be disbanded as of that date: Now, therefore, be it

Strike all after the resolved clause and insert the following:

That it is the sense of the House of Representatives that the Government of Japan—

1           (1) should formally acknowledge, apologize, and  
2           accept historical responsibility in a clear and un-  
3           equivocal manner for its Imperial Armed Force’s co-  
4           ercion of young women into sexual slavery, known to  
5           the world as “comfort women”, during its colonial  
6           and wartime occupation of Asia and the Pacific Is-  
7           lands from the 1930s through the duration of World  
8           War II;

9           (2) would help to resolve recurring questions  
10          about the sincerity and status of prior statements if  
11          the Prime Minister of Japan were to make such an  
12          apology as a public statement in his official capacity;

13          (3) should clearly and publicly refute any claims  
14          that the sexual enslavement and trafficking of the  
15          “comfort women” for the Japanese Imperial Armed  
16          Forces never occurred; and

4

1           (4) should educate current and future genera-  
2           tions about this horrible crime while following the  
3           recommendations of the international community  
4           with respect to the “comfort women”.

Chairman LANTOS. I would first like to commend my friend and neighbor in California, distinguished colleague Congressman Honda, for introducing this important resolution, and for all his hard work to give voice to the victims in this matter. The Government of Japan's unwillingness to offer a formal and unequivocal apology to the women forced to be sexual slaves in World War II stands in stark contrast to its role in the world today.

Japan is a proud world leader and a valued ally of the United States, making its unwillingness to honestly account for its past all the more perplexing. Japan is clearly our greatest friend in Asia, one of our closest partners in the world. The United States-Japan relationship is the bedrock of peace and stability in the Asia-Pacific region. Our alliance and friendship is based on mutual respect and admiration, and together we have helped promote our shared values of democracy, economic opportunity and human rights in Asia and throughout the world.

Yet, Japan's refusal to make an official government apology to the women who suffered as so-called "comfort women" is disturbing to all of us who value this relationship. The true strength of a nation is tested when it is forced to confront the darkest chapters in its history. Will it have the courage to face up to the truth of its past or will it hide from those truths in the desperate and foolish hope that they will fade with time?

Post-war Germany made the right choice. Japan, on the other hand, has actively promoted historical amnesia. The facts are plain. There can be no denying that the Japanese Imperial Military coerced thousands upon thousands of women, primarily Chinese and Koreans, into sexual slavery during the war. The continued efforts by some in Japan to distort history and play a game of blame-the-victim are also highly disturbing.

Most recently, on June 14, members of the Japanese Government took out an advertisement in the *Washington Post* that smears the survivors of the comfort women system, including those who testified before our Subcommittee on Asia, the Pacific, and the Global Environment. That advertisement suggests that these women, who were forcibly and repeatedly raped by soldiers, were engaged, and I quote, in "licensed prostitution that was commonplace around the world at the time." This is a ludicrous assertion, totally counter to the facts.

Our resolution calls on the Government of Japan to officially acknowledge and apologize for the appalling acts that Imperial Japan committed against the "comfort women." It is a resolution that seeks admission of a horrible truth in order that this horror may never be perpetrated again. But most importantly, it speaks out for the victims of this monstrous act who were terrorized and brutalized by men at war. It gives voice to these courageous women whom others have tried to silence through shame, bigotry and threats of further violence. It is appropriate that this House stand up for these women who ask only that the truth be honored.

Finally, let me clear up the intent of Congress. We do not want our good friend and ally Japan to believe we regard them in perpetual punishment for their refusal to acknowledge the comfort women episode. We want a full reckoning of history to help every-

one heal and then move on. I strongly support this resolution, and I urge all of my colleagues across the aisle to do so likewise.

And I now yield to my friend from Florida, the ranking member, Ms. Ros-Lehtinen.

Ms. ROS-LEHTINEN. Thank you so much, Mr. Chairman. I will yield my time to Mr. Royce of California who has been a leader on this issue for many years, and I will take time to comment on the resolution before us later on. Thank you.

Mr. Royce.

Mr. ROYCE. Congresswoman Ros-Lehtinen, thank you very much. I want to thank you and I also want to thank Chairman Lantos as an original cosponsor of this resolution.

Chairman Lantos, I very much appreciate you bringing it before this committee today. This is an important issue because, beginning in the 1930s, the Imperial Government of Japan orchestrated the enslavement of up to 200,000 young Korean women. Many were abducted from their homes and sent to Japanese military brothels. Others were lured from their homes under the false pretense of employment. Of course, they found none.

The trauma that these women suffered drove many to conceal their past, either too embarrassed or too frightened to speak of that past. To this day, Japan maintains that all potential claims by individuals for suffering inflicted in the war were closed years ago by treaties normalizing its ties with other Asian countries. Some have pointed to Prime Minister Abe's April 27 statement as a formal apology. Yet, Japan's Foreign Ministry went on record to disavow that very apology.

And this is what is so vexing to the victims of what happened during the Second World War. It is so vexing that there isn't an official government statement, or when an apology is offered from the Prime Minister, the Foreign Minister then says no, that was not an apology. It is important that the Japanese Government confronts this dark part of the history of Imperial Japan.

In the previous Congress, the House International Relations Committee passed out H. Res. 759, the Japanese Comfort Women Resolution. This resolution is as much about yesterday as it is about today. The world's strength to oppose killing today is made greater by accountability for actions present, but also past. It is weakened by denial of accountability and obfuscation of past acts. History is a continuum that affects today and it affects tomorrow. It is much harder to get tomorrow right if we get yesterday wrong.

And that is why, again, I thank you, Mr. Chairman, for bringing this up for a vote today. I yield back, Mr. Chairman.

Chairman LANTOS. Thank you very much.

Chairman Faleomavaega.

Mr. FALEOMAVAEGA. Thank you, Mr. Chairman. I want to first thank you and commend you and our distinguished senior ranking member Ms. Ros-Lehtinen for your leadership and efforts to support and to bring this proposed legislation in the form of a substitute for markup this morning in our committee. I also want to thank our colleague and gentleman from California, Mr. Honda, for his sponsorship of this bill, as it also has the bipartisan support of some 140 members of the House.

I also want to note that this resolution was previously passed by this committee in the past Congress under the able leadership of our previous chairman, and a gentleman and a good friend, the gentleman from Illinois, Mr. Hyde. I would be remiss if I did not also mention the name of our former colleague and friend, also the gentleman from Illinois, Mr. Lane Evans, who championed this bill, this legislation, for the past several years.

Mr. Chairman, our Subcommittee on Asia, the Pacific, and the Global Environment held a hearing in February of this year concerning the proposed legislation, and for the first time ever in the history of the Congress, three women who previously served as sexual slaves to the Japanese Army soldiers during World War II personally came to this chamber, testified before our subcommittee: Ms. Yong Soo Lee, Ms. Koon Ja Kim, both from Korea, and the lady from Australia Ms. Jan Ruff O'Herne.

Mr. Chairman, these women were raped and forced into sexual slavery, human trafficking by the soldiers of the Imperial Army of Japan during World War II. These women were among some 200,000 women from Korea, China, the Philippines, Indonesia and other islands in the Pacific who were forced into prostitution, severely abused and tortured, and even killed by Japanese soldiers as a sport during the war.

Mr. Chairman, there was a lot of discussion during our hearing about the number of apologies made by some of the leaders and former prime ministers of Japan concerning the practice of setting up sexual slave camps during Japanese occupation of several countries before and during World War II in the Asia-Pacific region. It should be noted, however, Mr. Chairman, that not one prime minister has ever made an unequivocal apology on behalf of the Government of Japan, not even with the support or informal endorsement of a cabinet agreement as a necessary matter of record and operation of a parliamentary system of government.

Mr. Honda eloquently stated in his testimony before our subcommittee, this resolution is simply to call upon, and I quote, "the Government of Japan to formally acknowledge, apologize and accept historical responsibility in a clear and unequivocal manner for its Imperial Armed Forces' acts of coercion that forced young women and girls into sexual slavery during World War II."

It should be noted, Mr. Chairman, that 14 years ago in 1993, after a 2-year study by the Ministry of Foreign Affairs of Japan, under the supervision of the Chief Secretary of Cabinet, probably equivalent to the Chief of Staff for the White House here in our own Government, Mr. Yohei Kono, and I simply want to quote and share this with my colleagues directly from Mr. Kono's findings of this 2-year study.

And I quote:

"As a result of the study, comfort stations were operated in response to the request of the military authorities of the day. The then Japanese military was, directly or indirectly, involved in the establishment and management of the comfort stations and the transfer of comfort women. The recruitment of the women was conducted mainly by private recruiters who acted in response to the request of the military. The government study has revealed that in many cases, they were recruited

against their own will, through coercion, and that at times administrative and military personnel directly took part in the recruitments. They lived in misery at comfort stations under a coerced atmosphere.”

And I continue to quote:

“Undeniably, this was an act with the involvement of the military authorities of the day that severely injured the honor and dignity of many women. The Government of Japan would like to take this opportunity, once again, to extend its sincere apologies and remorse to all those, irrespective of place of origin, who suffered immeasurable pain and incurable physical and psychological wounds as comfort women.”

The report and the findings also continue, Mr. Chairman, and I quote—

Chairman LANTOS. The gentleman’s time has expired.

Mr. FALCOMA. Mr. Chairman, if I might ask my colleagues for some extra time?

Chairman LANTOS. Well, you may conclude your statement but we have many colleagues who wish to speak on this subject.

Mr. FALCOMA. Thank you, Mr. Chairman. In substance, I commend Mr. Kono for his findings, but it is time that we ought to bring this to a conclusion and I plead with my colleagues, support this proposed legislation.

Chairman LANTOS. I thank my friend.

Mr. Smith of New Jersey.

Mr. SMITH OF NEW JERSEY. Thank you, Mr. Chairman, for your support for this important issue, and bringing the attention of this body to it, and especially to Mr. Honda for his leadership on this important expression of solidarity with these exploited women.

Mr. Chairman, as you know so well, during Japan’s colonial and wartime occupation of Asia and the Pacific Islands from the 1930s through World War II, the Government of Imperial Japan commissioned the forced acquisition and exploitation of young women and girls, as young as 13 years of age, to serve as sex slaves for its soldiers. These women, euphemistically called “comfort women,” were forced into prostitution, gang raped, and forced to have abortions. Tens of thousands of women perished due to the sexual violence accompanying the mutilation and the beatings. Others were so humiliated they committed suicide to escape the horror and pain of their sufferings.

Historians estimate that up to 200,000 women from Korea, China, Taiwan, the Philippines, and the surrounding areas, were abducted from their homes or forced into sexual servitude under false pretenses in one of the largest cases of human trafficking in the 20th century. Only in recent years have the victims of Imperial Japanese brutality relayed their stories to the world. I would point out, Mr. Chairman, that former Chairman Hyde and I co-authored an Op-Ed that was published in the *Washington Times* on April 26 urging Japan to come to grips with the history of Imperial Japan. If that piece could be made a part of the record, I would appreciate it.

Mr. Chairman, while the facts of these crimes remain forever enshrined in history, the Government of Japan has not officially ac-

cepted responsibility for these atrocities, and I think they ought to take a page, and you alluded to this earlier, out of Nazi Germany's past. Konrad Adenauer couldn't have been more clear in turning the page and fully acknowledging the atrocities that had been committed by the Nazis, and in like manner, we call upon the Government of Japan, a good friend and ally, but good friends and allies don't let friends and allies commit human rights abuses, or cover them up. And I would hope that they would be very clear about that.

In early March, Japanese Prime Minister Shinzo Abe denied the coercion of young girls and women by the Japanese military, challenging both the legitimacy and the sincerity of a 1993 government statement by then Chief Cabinet Secretary Kono, which was alluded to by Mr. Faleomavaega. In recent years, Japan has also sought to challenge the historical accuracy of comfort women through the revision of school textbooks.

I think we need to make it very clear, Mr. Chairman, that we will persist and insist on the truth, and that cover up, denial and obfuscation doesn't work, will not work, and it only invites additional scrutiny and disrespect. I would also point out that this resolution comes up in the modern day context of human trafficking. We know that militaries around the world are magnets for traffickers. Seldom does the military command and government officials orchestrate the trafficking of women, but they often look the other way and look askance, which is objectionable as well.

In this case, we are talking about impunity at the highest levels. I would hope that the Japanese Government would make it very clear and acknowledge, apologize and accept historical responsibility in a clear, unequivocal manner for its Imperial Armed Forces' coercion of young women into sexual slavery. I yield back the balance of my time.

Chairman LANTOS. Just one moment, please. We have a regular order here.

Gentleman from New York, Mr. Ackerman.

Mr. ACKERMAN. Mr. Chairman, I was a young boy of 7½ when my immigrant mother managed to save up \$100 to take me and my younger brother to the Catskill Mountains, rescuing us from the broiling heat of the streets of the city project in Brooklyn, New York. We spent the whole summer there in a little bungalow. People rented rooms in this place from New York City who couldn't afford to have vacations or go other places.

And I noticed when we went down to the little swimming pool that they had that there was a group of people who stayed very much together and they had tattoos on their arms, and I asked my mom, who are those people with the tattoos who so often speak in a language that I didn't understand? And she said, they are the refugees, and said, they were rescued from the Nazi concentration camps, and I didn't really understand what that meant, and those who had been victimized from the Nazis never spoke about their situation and never spoke about the Holocaust, and for years and years growing up, we heard nothing about the Holocaust because these people who were the victims remained awesomely silent, unable to speak of the atrocities that were committed upon them and the tragic deaths that they saw committed in those places.

And when the world became aware, only because decades and decades later these people facing their own annihilation and facing their own eventual demise found voice and found it necessary to talk about the horrors, and it wasn't until late in the 70s and 80s that the discussion of the Holocaust really became hugely public and these people were talking, the victims were talking about it. They couldn't speak before that. And suddenly, they were able to.

They were forced to out of compulsion that the world know what happened, and were able to break through the wall of their own silence. And when we study the history of the Holocaust and we see the pictures of hundreds of thousands and what resulted in the death of 6 million Jews alone and 6 million who were not Jewish, the Jews marching to the gas chambers in Auschwitz, singing songs, sad songs of liberation, these people just because they were singing weren't accepting victims and participants in their own tragic demise. They were forced to do that.

The Japanese comfort women were no more willing participants in legalized prostitution at the hands of the Imperialist Japanese soldiers that committed these atrocities than were the Jews who went to the concentration camps, but being the society that we were at the time, we were so Europe-centric that we didn't concentrate and view as assiduously as we did the West the atrocities that were conducted in the East by the Japanese.

Mr. Speaker, these women who were victimized by the Japanese were very much like the Jews who were victimized by the Nazis. They have now courageously, as so many of them have perished from the earth, the ones who are left, so many of them are so courageously finding their voice so that the world would know and recognize the horrors that went on in that part of the world by people who have not yet acknowledged, as the Japanese did.

Forgive and forget, some people say. Forget, never. Forgive, it is not for the world to forgive. It is only for victims who can forgive. You can't forgive an atrocity perpetrated on somebody else. For that, the Nazis have to speak for the dead Jews, and the Japanese have to speak to the comfort women. And it is time that the Japanese Government acknowledges on behalf of their predecessor government and soldiers who have participated in this horrible nightmare that pretty soon there will be no victims left of the comfort women who can even consider whether or not they want to forgive.

It is not too late for the Japanese to do that, to make peace with themselves and to restore the honor and integrity to that great society, and to apologize and to acknowledge so that history can move on and take away at least part of the stain that falls upon that country.

Thank you, Mr. Chairman.

Chairman LANTOS. Gentleman from Indiana, Mr. Burton.

Mr. BURTON. Thank you Mr. Chairman, Ms. Ros-Lehtinen, for bringing this bill to the committee.

Japan is one of our great allies. They are a very stabilizing force in that part of the world, and we really appreciate that, but I would like to bring to the attention, as my colleagues have, some of the things that have happened in the world before that have been owned up to. The United States was involved in a horrible

practice of slavery for a long time. We acknowledge that. We stopped it.

England, under William Wilberforce, admitted and stopped slave trading after a big, big fight in the British Parliament. Germany, as has been mentioned a number of times, admitted genocide and the sexual slavery of women. So in my opinion, if I were talking to members of the Japanese administration, I would just say, there is precedent for admitting wrongdoings, and I would urge you, urge you to admit this terrible practice so the world can get it behind us.

Chairman LANTOS. Ms. Watson of California.

Ms. WATSON. Mr. Chairman, Ms. Ros-Lehtinen, but especially Mr. Mike Honda, I want to say to you, arigatou gozaimasu, my good friend and colleague, for providing the leadership in introducing H. Res. 121, a resolution that expresses the sense of the House of Representatives that the Government of Japan should formally acknowledge, apologize and accept historical responsibility for its Imperial Armed Forces' coercion of young women into sexual slavery, known as "comfort women," from the 1930s through the duration of World War II.

And I further commend Mr. Honda for his appreciation and understanding that people, institutions and governments must take responsibility for their actions, both good and evil, and that apologies on matters of historical import are critical to the process of healing and reconciliation, and I also want to thank Mr. Burton for recognizing the United States and its dark past of slavery. More on that at another time.

The knowledge of the past as well as acknowledgment of the past is a key to understanding the present. It is the safest and surest emancipation. So it is in the spirit of emancipation from the past as well as reconciliation and justice for the so-called "comfort women" that I am certain Mr. Honda has introduced H. Res. 121. And the purpose is not to bash the Government of Japan, but rather to speak to truth, to speak to the fact that the historical and current plight of comfort women has not been properly witnessed, nor has compensation to the victims been sufficiently provided.

Mr. Honda's heritage as a Japanese American, the fact that he lived in a Japanese American internment camp in California during World War II, are also pertinent and instructive. Approximately 40 years after the imprisonment of Japanese Americans, the United States Government formally apologized for its role and offered reparations. No nation's hands are clean when it comes to human rights violations. We cannot selectively speak or seek the truth. We must speak it and we must seek it wherever it lies.

Japan is an important ally of the United States, and we appreciate it. That will not change, our alliance will not change. I am certain, moreover, that Japan's bilateral as well as multilateral relations will be strengthened, particularly on the Asian continent when it fully and with due diligence confronts its past. By honestly and openly facing its past, Japan will enrich its future.

And finally, Mr. Chairman, I would be remiss if I did not acknowledge the incredible contribution of former Congressman Lane Evans, through nurturing shepherding this important legislation. So when I cast my vote today in the affirmative for H. Res. 121,

it will also be a vote that I cast to affirm the good works also of Mr. Evans.

Arigatou gozaimasu.

Chairman LANTOS. The gentleman from Illinois, Mr. Manzullo.

Mr. MANZULLO. Thank you, Mr. Chairman.

First of all, I am convinced that the atrocities did in fact occur to the comfort women. The issue here is an apology. I have spoken both to the Japanese and Korean Ambassadors and the Japanese Minister of Foreign Affairs, but there is an underlying question as to what is the purpose of the House of Representatives to serve as a forum for dispute between two great allies, two great Asian countries, Korea and Japan, beacons of democracy in Asia?

What purpose is served by this body becoming involved in that dispute? Why are members of the House of Representatives going to be impaneled as a jury to determine whether or not the ostensible apologies offered by the Japanese are in fact acceptable to the Koreans? How much more of the time of this committee, and how many other issues will we become involved in, when this is just a resolution? This is not the United Nations. This is not a court.

We are being asked to vote on the quality of the acknowledgments and the quality of the apology as argued between two great allies. I don't think that is the purpose of this committee. I don't think that is the purpose of the United States Congress. I welcome everybody that is here. However, we have huge issues going on with Iran on the verge of a nuclear bomb, trying to resolve what is going on in Iraq, trying to determine whether or not we are doing the right thing in North Korea, fissures all over the world.

I don't consider myself competent to weigh the evidence or to make a decision to come down on one country against the other. I appreciate that you are all here, but I don't think this committee or this Congress has the wisdom to come to a determination that would lodge an insult against one nation or the other, and to say to Japan, "I am sorry," but the quality of your apology is not sufficient. How do we have that wisdom to do that? Why is this the forum to do that?

I may vote present, recognizing, as I said in the beginning, that these horrible things did in fact happen. Thank you.

Chairman LANTOS. I want to thank my friend and I want to remind him that we are not dealing with inter-country disputes. We are dealing with the fundamental issue of human rights, and it is not only appropriate, it is mandatory for the United States House of Representatives to be cognizant of human rights issues and to speak out on human rights issues. We have done this on countless occasions over many years. That is why a Republican colleague John Porter of Illinois and I founded the Congressional Human Rights Caucus a quarter-century ago.

We have spoken out on human rights issues over and over again, ranging from issues involving Catholics in East Timor and Jews in the Soviet Union, and people who are persecuted for whatever set of reasons anyplace, and often we spoke out against extremely friendly countries and major allies. We spoke out against the United Kingdom in terms of their incarceration of members of the Irish community. This is not an inter-country dispute. It is a fun-

damental issue of human rights, and that is why this committee, and I feel confident the full House, will take the appropriate action.

Before I recognize my next colleague, I would like to take a moment to welcome an extraordinarily distinguished and important guest. Not too many years ago, the small Baltic country of Estonia was a Soviet satellite, and many of us in this body worked year after year to obtain the independence of Estonia, Latvia and Lithuania. These three extraordinary countries are now members of the European Union, members of NATO, and exemplary participants in the global community.

It gives me a great deal of pleasure to recognize the presence of the distinguished President of Estonia.

[Applause.]

Chairman LANTOS. It gives me a great deal of pleasure to call on my distinguished Republican colleague, the ranking member of the committee.

Ms. ROS-LEHTINEN. Thank you so much, Mr. Lantos, and I also welcome the President of Estonia here to our committee process to see democracy in action, something that he did not know until just recently, because as all of us know, Estonia broke free of the Communist yoke just a few years ago in August 1991, but it has already developed into a tremendous pace, politically, economically.

And I know that Mr. Wexler is leading the President to the luncheon for which we will be very late, but Estonia has assumed a leadership role in the United Nations, is a member of the NATO alliance and the European Union, it is a good friend and ally in our International War Against Terrorism, and we are grateful for the role that Estonia has played in Iraq and Afghanistan. So thank you, Mr. Chairman, for welcoming the President, and we wish that we could be with the President for the rest of his activities today. Thank you.

[Applause.]

Chairman LANTOS. Gentleman from California, Mr. Sherman.

Mr. SHERMAN. Thank you, Mr. Chairman.

Where would America be if we failed to acknowledge the horrors of slavery, or our own genocide of many Native American peoples, or our wrongful internment of Japanese Americans? Where would Germany be if it denied the Holocaust? Where would South Africa be without its truth and reconciliation commissions? Denial is sometimes the first step toward repetition. Truth is often the first step toward healing.

We should adopt this resolution not only to provide some salve for the wounds of the women who suffered so much during World War II. We should adopt this resolution for the benefit of Japan, because truth about the past is the only sound foundation for the future. We should not hesitate to deal with this topic because it is an important one, and where warranted, we should be willing to condemn the current or past behavior of our best friends, as well as the behavior of our rivals and adversaries. And of course, we should be willing to acknowledge our own crimes and misdeeds.

Finally, I want to commend Mr. Honda, who is such an important leader in America's acknowledgment of its wrongful internment of Japanese Americans, and is now the author of this bill here today. I yield back.

Chairman LANTOS. Thank you.

Mr. Tancredo of Colorado.

Mr. TANCREDO. Thank you, Mr. Chairman. Mr. Chairman, I speak out only because I would not want my vote on this issue to be mischaracterized or to imply in any way that there is an acceptance on my part of the disgusting practice of sexual enslavement that went on during that period of time of the people, again, euphemistically referred to as "comfort women."

But Mr. Chairman, I am, as I listen to the debate on this resolution, I am reminded of the debate we have had several times on other resolutions of a similar nature that, specifically I can remember the Turkish-Armenian dispute and still arguing and wanting one country to apologize to the other for events, of course, perpetrated by governments that have long since been relegated to the dust bin of history.

I wonder whether or not this is that productive, that kind of enterprise, that kind of discussion in our Congress and in this committee. Prior Japanese Governments have indeed expressed deep concern and regret and apologized on behalf of Japan for the many horrible things that were done during the Second World War, including the tragedies of the comfort women. I wonder how many times we expect the government today to apologize for the sins of an Imperial government of the past.

As you know, Mr. Chairman, I serve also on the Human Rights Caucus, and I am a proud member of that caucus, and I am proud of it because of your involvement in it, because of your construction of it. And I am indeed happy to speak out against any human rights abuse being perpetrated today against anyone by any government today that has that responsibility, and indeed, if we were to identify people who were directly responsible for these activities for these events and could take them to a court of justice, I would be completely supportive of that. I mean, we had the Nuremberg trials for that purpose, and they were appropriate.

I sympathize with the victims, and I believe that anyone still living, as I say, should be brought to justice, but asking the Japanese Government to take historical responsibility for atrocities by the defunct Imperial Era Government is somewhat, I think, counterproductive and unfair to the people of Japan. So I reluctantly oppose this resolution, and I, again, did not want my opposition to be mischaracterized in any way.

Thank you, Mr. Chairman.

Chairman LANTOS. Thank you.

The gentleman from New Jersey, Mr. Payne.

Mr. PAYNE. Thank you, Mr. Chairman. Let me commend you for bringing thing very important resolution up. I would like to commend Mr. Himla for the work that he has done with this, being a victim of the concentration camps in the United of States of American, himself.

Pushing this resolution, and I think it personally was treated unfairly because of his national origin, he still feels that justice should be reserved. As a matter of fact, outside of my community, outside of the boundaries of Newark, there were sympathizers with the Nazis who used to sing songs to the Nazi war machine, and

they were allowed to go even unnoticed; where people of Asian origin and Japanese origin were put in concentration camps.

Let me say that I think it is appropriate. With that, let me yield back the balance of my time to the gentleman, my colleague, chairman of the Asian Pacific Committee.

Mr. FALCOMA. I thank the gentleman from New Jersey for yielding the remaining part of his time.

Mr. Chairman, it is most critical that again I go back to the fact that 14 years ago, there was a 2-year study conducted by the Ministry of Foreign Affairs in Japan concerning this very issue.

Again, I want to quote the findings of Mr. Kono of the statement that was made in 1993, and I quote:

“We shall face squarely the historical facts as described above, instead of evading them, and take them to heart as lessons of history. We hereby reiterated our firm determination never to repeat the same mistake by forever engraving such issues in our memories through the study and teaching of history.”

Mr. Chairman, while the statement is substantive, I commend Mr. Koro for his findings. But as a Chief Cabinet Secretary or a Chief of Staff for the White House and its equivalent, he does not speak on behalf of the Government of Japan.

Prime Minister Aso first denied the existence of sexual slave camps because of the pressures upon him by the conservative element of his own party. Then he retracted his statement because of pressures from other Asian countries who were directly affected. Then here he referred to the issue of the statement as, he respects the findings of the report of 1993. This does not make sense.

Mr. Chairman, I bear no animosity or ill will to the people of Japan, and our economic and strategic and military alliance with that country could not have been better. I appeal to the leaders of Japan to get this issue behind them.

There could be no reconciliation without proper acknowledgment and recognition of this dark chapter of atrocities and sexual slave camps; operations that were authorized and implemented by the Japanese Imperial Army before and during World War II.

I say this also in the memory of one our colleagues, Bob Matsui, Norm Mineta, Mike Honda, who were members of the internment camps that we committed this atrocity.

I plead again with my colleagues, pass this resolution; and I sincerely hope the Government of Japan will take this issue seriously, as we have tried in this proposed legislation. I thank again my good friend, the gentleman from New Jersey, for yielding and I yield back the balance of my time.

Chairman LANTOS. I thank my friend. The gentleman from Texas, Mr. Paul?

Mr. PAUL. Thank you, Mr. Chairman. I, too, reluctantly speak out against this resolution. It is very obvious, nobody can defend sexual slavery. I mean, that would be ridiculous to accuse anybody who might oppose this process of supporting something like that.

But quite frankly, I do also get confused about this whole issue of the perpetual need to apologize. If one does harm to another individual and they immediately recognize it, they can very easily apologize. But two or three generations later, compelling a genera-

tion that did not have direct responsibility to make apologies, that is another thing.

But the other thing that bothers me the most is the jurisdiction. Where do we, as a Congress, have the jurisdiction to instruct others? If we were a perfect society, and we had no infractions of our civil liberties and our civil rights, possibly we would have more and more authority.

But quite frankly, in a committee like this, I would think it would be more appropriate for us to be maybe reviewing Guantanamo, and wondering about what went on and whether any apologies deserved are being made, and was there truly torture. That seems to me to be an appropriate subject; versus the whole idea that we can instruct others.

Too often, this effort to push apologies is more motivated by making a political statement than true apologies. Because I do not understand what really is accomplished; and of course, I do not understand the process that we tell others what to do.

Who knows, it was suggested earlier that quite possibly us telling the Koreans and the Japanese what to do may serve to cause more dissention, not less dissention. Our goal should be to have less dissention. Our goal should not be to pick sides, because it is not only this. It is many, many others times.

I mean, what would happen if every country that ever deliberately bombed a civilian area in war time, which has happened on both sides of almost all wars—I think that is an atrocious thing, the fact that civilians would be deliberately bombed to try to end a war. So I think they deserve an apology too, except I would argue the same case. It is a little bit too late, and who are we to tell others?

But I think we should look to ourselves. We are responsible as individuals for our personal behavior. But we, as a Congress, are responsible for our actions; and I think in this case, and in many other cases when we demand others to do our bidding, that we are over-stepping our bounds. I yield back.

Chairman LANTOS. I thank the gentleman. The gentlelady from California, Ms. Woolsey?

Mr. WOOLSEY. Thank you, Mr. Chairman. Actually, I think this is the perfect person to follow, because Mr. Paul speaks eloquently about his views on this. But you know, I am just exactly the opposite. I think this is the right step and this is the right time.

For all the women who were the comfort women, some of them are still living. They have come here. They have very courageously spoken out and let themselves be known, because they want and know that it would be healing; not just for themselves, but for their country, to admit a wrong.

I see this as the ability to set an example for how we are going to treat women in the future. Right now, when we are having trafficking of women and children all over the nation, this very debate we are having today can make and must make an impression. Because comfort women are today's individuals who are being trafficked around the world.

Our vote will tell all nations who illegally traffic or illegally receive those who are trafficked that we today are saying, not again, and we mean it. We are hoping that the Japanese will also say

they are sorry to the women that were so damaged, and that they will then show the rest of the world that we must never do this again. I yield back.

Chairman LANTOS. The gentleman from Texas, Mr. Poe?

Mr. POE. Thank you, Mr. Chairman. It is always more difficult to tell a good friend they are wrong, than it is to tell someone that is an enemy; and Japan is a good friend of the United States. It is our responsibility to say they are wrong.

Japan has never satisfactorily admitted its government authorized and organized rape of Asian women during World War II. It has expressed some regret, but regret is not the same as an admission of guilt. When some official expresses regret of Japan's atrocities during World War II, some other Japanese official quickly qualifies that statement, and almost denies the same.

Japan now even distorts history in its own history books to a point that it ignores these most vile crimes against Asian women.

Some of the true crimes of Japan have made it to the worldwide stage in such books as *Rape of Nankin*, the forgotten holocaust of World War II, where 300,000 civilians in Nankin, China, were systematically tortured, raped, and murdered by the Japanese military. More people that civilians killed in China in this one event than in both the atomic bombs of Hiroshima and Nagasaki.

Even last weekend, the people of Okinawa protested the removal from Japanese history books the accounts of the Japanese military during World War II that forced and ordered the suicide of the citizens of Okinawa, now seemingly to imply the United States military was the responsible party for the 100,000 deaths of civilians.

So it is time for Japan to come clean with the world, especially the victims of these atrocities and its own people to admit responsibility for its crimes against humanity during the great World War II.

The Japanese military hid the truth from the Japanese citizens during World War II. Now it seems the Japanese Government wants to continue the big Japanese lie by denying the truth of the systematic rape of these Asian women. With that, I yield back to the chairman.

Chairman LANTOS. The gentlelady from Texas, Sheila Jackson Lee?

Ms. JACKSON LEE. Mr. Chairman, thank you very much, and my first appreciation goes to the original co-sponsors of this legislation. Mr. Honda, who has served ably of the co-chair of the Asian Pacific Caucus has really brought a sense of education to Members of Congress. He has given us a road map, and we thank him so very much for his courage.

I do join my good friend, the chairman of the subcommittee, in citing the late Congressman Matsui who, as you well know, always whispered in our ear about the right thing to do, starting with the internment of Japanese Americans in World War II; and certainly our former colleague, Congressman Mineta.

I hope that there are women of comfort who are here and alive. To my good friends who have raised concerns, let me publicly acknowledge that even though I am a generation or more away from slavery, apologies matter. If I had the power to apologize to these

women and it made a difference, Mr. Honda, I would apologize—frankly apologize.

I have had the honor of serving as a member of the Human Rights Caucus that our chairman has led, founded, since I came to this Congress. There is never a moment when I join in the caucus meetings that I am not moved by the long list of human rights violations around the world.

I think it is, in fact, a sin for us to remain silent. Japan is a good friend. But they have consistently refused to acknowledge the harshness of the lives of comfort women. I simply want to put into the record these words, as I think it is extremely important to ensure that we make mention of the tragedies.

The words are, “cruelty including gang rape, forced abortions, humiliation, sexual violence resulting in mutilation, death, or eventual suicide.” These are debasing inhuman actions that women who may live today, or some who have passed, had to experience. This is a vital step forward.

Might I say to my good friend, Mr. Paul, and we agreed as Congressman Woolsey has said on many issues, as he speaks, there are committees in this Majority who are looking at habeas corpus and Guantanamo Bay violations, right as we speak. We understand what our challenge is, and I would join anyone in closing Guantanamo Bay.

But I want Japan to know that this nation has chastised itself. We went through an enormous debate on the question of slavery and apology, and whether it was relevant to ask those who had nothing to do with it. We finally agreed that an apology meant a whole lot.

I want my colleagues to know that just last week, they voted on the Emmitt Till Bill. We chastised ourself. We said that for cold cases of violence and murder in the Civil Rights Era, it was important to go forward and to prosecute those cases. We, in America, have accepted that there are times when we must go back and correct the record.

So I think that this resolution, beyond the courage of the co-sponsors, of which we all will be, is a reflection of our friendship and affection for modern day Japan, to be able to move forward by accepting this resolution, acknowledging a public official apology, and acknowledging that the words that have so-described the humiliation of these women, sexual slavery, forced abortions, humiliation and otherwise, are deserving of an apology.

For those of us who wish that we could apologize and for it to mean something, let me simply end my remarks by thanking the chairman and the ranking member, and saying to all those who may hear my voice, I apologize. We apologize. We owe you a debt of appreciation for what you have suffered. It is our commitment to join with Japan to acknowledge this atrocity, and to make it whole and to make it right. I yield back.

Chairman LANTOS. Ms. Ileana Ros-Lehtinen?

Ms. ROS-LEHTINEN. Thank you so much, Mr. Chairman, for the time. I thank you and the sponsor of this resolution, our good friend, Mr. Honda, for working with us on these issues that are of great significance to the region of Asia Pacific.

The text before us, Mr. Chairman, strives to strike an important balance between protecting integrity of history, and recognizing present day reality. The tragedy of the comfort women; hundreds and hundreds of women, forced into sexual slavery by the Imperialist Japanese Army during the first half of the last century, was a horrific crime.

For the surviving comfort women, including three who testified before the committee in this very room, these issues are not historical. They are also profoundly personal. Some of the comfort women are honoring us in our audience today, and we thank them for having the courage for being here.

Attempts to deny or to minimize the facts are a dis-service to future generations. We embrace the truth, because it is the only path that leads to a lasting peace and cooperation.

At the same time, the resolution makes it clear that Japan has been a vital ally to the United States, a generous benefactor to the international community during the past several decades. It has been a strong ally with the United States on issues of non-proliferation, for example.

Just yesterday, it was reported that three Japanese banks have stopped engaging in any new business with Iran, and that Japanese financial institutions are restricting loans and rejecting an Iranian request to pay for oil imports in currency other than dollars.

A senior banker was quoted in news reports, and he said that the bank's actions reflected a hardening line against Iran by Japan's Prime Minister. So we thank Japan for these brave actions.

We are proud of the United States-Japan alliance, and grateful for the friendship of the people of Japan. The United States, Japan, and our regional allies, the Republic of Korea, share basic commitments to democracy, economic freedom, human rights, and that should be the basis of robust cooperation.

We must also resist falsehoods, however, that might re-ignite historical grievances, and harm our common pursuit of peace and prosperity for Asia, the Pacific, and the world. I strongly urge my colleagues to support this meaningful resolution. Thank you, Mr. Chairman.

Chairman LANTOS. I thank my friend. The gentleman from Georgia, Mr. Scott?

Mr. SCOTT. Thank you, Mr. Chairman. This is an extraordinarily important moment for this country and for Japan. This is the right time. It is the right place for us to be doing what we are doing now.

When you listen to this debate this morning, it seems to me the overwhelming question is: Why is it so hard to simply say, "I am sorry"? Can you imagine what the world would be like if, at certain other moments in time in our history, if we simply uttered those words, "I am sorry"?

As an ancestor of slaves in this country, I can tell you what it means for one to say, "I am sorry." This is coming from a place, the United States Congress of the United States of America, that for 300 years held slaves, my people.

So it is no grandstanding moment for us. Having to say you are sorry is tough. It is hard. It is a hard thing to do. But we are doing it, and have done it for slavery; and we have done it and are doing

it the hard, tough way; not just as a nation, but state by state by state.

The reason we can stand here and say to the Japanese people, it is so important for you to apologize for this great wrong and the reason is this, simply put in the words by the Governor of two of the States, there was some of the most atrocious in African American slavery: Georgia and Alabama.

When the questions were put to the leaders of those States to say, "Why do you feel and how do you feel, now that you have apologized?" they said, "We feel free, for the burden has been lifted, the burden of guilt."

Guilt weighs you down. For Japan to move forward, to be the country it deserves to be, this burden must be lifted, this burden of guilt, so Japan can truly, truly be free. I yield back.

Chairman LANTOS. I thank my friend. I believe no additional colleagues requested time to speak. Are there any amendments?

Mr. CROWLEY. Mr. Chairman?

Chairman LANTOS. I am sorry; Mr. Crowley?

Mr. CROWLEY. Thank you, Mr. Chairman. I, too, want to join you in support of this legislation; but also to thank you, Mr. Chairman, for your leadership in bringing this legislation before us in the timely manner that you have done in this Congress.

I also want to just add my own reflections about this. When I was in the state legislation, I authored a piece of legislation that required the teaching of the Great Hunger known as the Famine in Ireland, because of its impact not only on the people of Ireland; but on the people of the United States, as well, in the growth of our nation, and how hunger was used as a tool of subjugation of a people, and caused the starvation of over 1 million people and the migration and immigration of 2 million more.

But today, in this country, the United States, some 40 million Americans link their heritage to a very small island in the world known as Ireland today. But that hunger continues to be used as a tool of subjugation in many countries, and we see that happening in Africa today, and that there are lessons to be learned.

I was highly criticized for passing our legislation when I was in the state legislature, only to have Prime Minister Tony Blair make a statement about the Great Hunger, and the culpability and the responsibility of the British people to owe up to their involvement in that.

I believe, quite frankly, that that statement helped to lead the peace process in Northern Ireland forward. A recognition 150 years after the fact of that event helped to move that peace process forward. Without that acknowledgement, it would not have happened.

I believe what Mr. Scott just said was very, very clear, as it pertained to slavery. But this happened throughout history. I am quite sure that there are events in history, long before recorded history, of man's inhumanity to man; of things that we will never know, that humankind did to one another.

We have the advantage of historical documentation, as it pertains not only to these atrocities, but others as well, from which we hope we can learn and move forward. I disagree with some of my colleagues who believe we should be looking at history through a rearview window. I do not think we should do that.

War does terrible things to people, and it causes good people sometimes to do terrible things. But that does not excuse them for what they have done. I believe that is why it is important for the Japanese people to recognize what took place and the responsibility for that in their government.

But let me also just say that I want to acknowledge my friend and my colleague, Mr. Honda, not only for his leadership, but for someone who has sat there throughout this entire testimony, for his humility; a gentleman himself of Japanese extraction, who has understood man's inhumanity to man, and has experienced some of that right here in the United States, through his own family's internment during World War II.

He, today, on his shoulders, has placed himself much of that burden on behalf the Japanese people and its Government. I just want to let you know, Mr. Honda, that I recognize that; again, not only the leadership, but your humility. I think that speaks loudly; not only to myself, but to all my colleagues here today.

With that, I congratulate you and I thank you for your presence as a Member of Congress, but as a friend as well. Thank you very much, Mr. Honda. I yield back the balance of my time.

Chairman LANTOS. I thank my friend. Are there any amendments?

Mr. ROHRABACHER. I have an amendment to your amendment, which is the substitute.

Chairman LANTOS. The clerk will report.

Ms. RUSH. Amendment to H. Res. 121.

Mr. ROHRABACHER. I would ask that the amendment be accepted as read.

[The amendment of Mr. Rohrabacher follows:]

DRAFT

6/18/07

Amendment to H. Res. 121, offered by Mr./Ms. Rohrabacher

*Recognizing the strong security alliance between the Government of Japan and the United States and expressing appreciation to Japan for its role in enhancing stability in the Asia-Pacific region and its efforts in the global war against terrorism.*

---

**Whereas** the U.S.-Japan alliance is the cornerstone of U.S. security interests in Asia and the Pacific and is fundamental to regional stability and prosperity;

**Whereas** the U.S.-Japan alliance continues to be based on shared vital interests and values in the Asia-Pacific region, despite the changes in the post-cold war strategic landscape, including the preservation and promotion of political and economic freedoms, support for human rights and democratic institutions, and securing of prosperity for the people of both countries and the international community;

**Whereas** on April 27, 2007, during Prime Minister Abe's visit to Washington, President Bush and the Prime Minister reconfirmed their commitment to these common strategic objectives;

**Whereas** Japan provides military bases and generous financial and material support to U.S. forward-deployed forces, which are essential for maintaining stability in the region;

**Whereas** under the U.S.-Japan Treaty of Mutual Cooperation and Security, Japan hosts a carrier battle group, the III Marine Expeditionary Force, the 5th Air Force, and elements of the Army's I Corps. The United States currently maintains approximately 50,000 troops in Japan, about half of whom are stationed in Okinawa;

**Whereas** over the past decade the alliance has been strengthened through revised Defense Guidelines (which expand Japan's noncombat role in a regional contingency) and the continued renewal of Japan's Host Nation Support of U.S. forces stationed in Japan;

**Whereas** in 2005, the two allies agreed on a redefinition of roles, missions, and capabilities of alliance forces, which further deepens interoperability and coordination between the Japanese Self Defense Forces (SDF) and U.S. armed forces. The agreement also provided for reducing the number of troops stationed in Okinawa and broadening our cooperation in the area of ballistic missile defense (BMD);

**Whereas** implementation of these agreements will strengthen our capabilities and make our alliance more sustainable;

**Whereas** after the tragic events of September 11, 2001, Japan has participated significantly with the global war on terrorism by providing troops, aircraft, and logistical support for Operation Iraqi Freedom, a commitment which the Japanese government recently renewed. Japan has also provided major logistical support for U.S. and coalition forces in the Indian Ocean in support of Operation Enduring Freedom since 2002;

**Whereas** alliance BMD capabilities, which contribute to the alliance's overall deterrence posture, are strengthened to the extent that U.S. and Japanese systems can operate together effectively;

**Whereas** in May 2007, the U.S. and Japan confirmed that, as both countries develop and deploy capabilities, every effort must be made to ensure tactical, operational, and strategic coordination. In that light, the United States and Japan will take appropriate measures, in close coordination, in response to ballistic missile threats against alliance interests;

**Whereas** because of the importance of improving the situational awareness of U.S. forces and the SDF, the two sides are committed to the routine sharing of BMD and related operational information directly with each other on a real-time, continuous basis; Now, therefore, be it

**Resolved**, that

(1) The House of Representatives - -

(A) recognizes that Japan is one of the most reliable security partners of the United States;

(B) commends the Government of Japan for its role in enhancing stability in the Asia-Pacific Region; and

(C) expresses appreciation for its efforts in the global war against terrorism.

[NOTE: The previous amendment was later withdrawn.]

Chairman LANTOS. Without objection; the gentleman is recognized to present his amendment.

Mr. ROHRABACHER. First and foremost, Mr. Chairman, yes, we do have an obligation, and it is actually an obligation that I share with you to speak up on moral issues, as representatives of a free people.

Speaking for those people, I will be supporting Mr. Honda's resolution. If nothing else, it puts the United States clearly on record that we would like a very understandable and unequivocal recognition by the Japanese Government, and an apology for this horrendous crime. So I will be supporting Mr. Honda's resolution.

With that said, there have been numerous misstatements about what the Japanese statement actually is. One of the reasons why I do not have any trouble supporting Mr. Honda's resolution is, I believe the Japanese Government has made it clear that they do apologize.

I would submit for the record at this point, a number of statements by Mr. Abe and former Prime Ministers, in which there is a specific and clear apology. Mr. Abe stated, "I am apologizing here now. I am apologizing as the Prime Minister."

As stated in the statement by the Chief of Cabinet, Secretary Kono:

"I am deeply sympathetic to the former comfort women who suffered hardships. I have expressed my apologies for the extreme agonizing circumstances in which they have been placed. I have to express my sympathy from the bottom of my heart to those people who were taken as wartime comfort women. As a human being, I would like to express my sympathies. Also, as Prime Minister of Japan, I need to apologize to them."

Now all of these statements, I put in for the record. Yes, we will pass this resolution. The Japanese should take it so seriously, because many of the Japanese believe that they have already apologized.

Unfortunately, Mr. Chairman, there has been some clouding of this issue. Mr. Royce has a statement that has been recorded in the press by the current Foreign Minister of Japan, suggesting that an apology has not been made. If the Foreign Minister indeed did this in April of this year, that Foreign Minister should be dismissed. He should lose his job, in order to underscore that, yes, an official apology is the position of the government.

Mr. Abe, himself, of course, added fuel to this debate, when we made an unfortunate statement that he already has retracted, saying that there was no evidence of coercion. Obviously, comfort women were coerced by the hundreds of thousands, and this was a horrendous crime against them. There should be no hedging on that fact by anyone, especially the Japanese Prime Minister.

Now when we are saying this however, my amendment puts this in perspective. Because when we discuss Japan's or any other nation's sins of the past, it is proper for us to balance off those sins and that acknowledging of sins of the past with acknowledging virtues of the present.

My amendment underscores the many contributions made by Japan in the five decades since the end of World War II, and especially since 9/11. Japan's solidarity with us, its generosity, its courage, have been vital to the success of numerous international efforts.

Furthermore, Japan is a shining example of democracy. While repression and gross violations of human rights are still commonplace in China, in North Korea, and many other Asian countries, Japan stands as a proud contrast to that tyranny and injustice. My amendment is designed to balance off the criticism that is inherent in this legislation.

But the legislation has been adjusted, as the ranking member suggested. It has been adjusted, and Mr. Honda accepted the adjustments, to make it a little bit more balanced, to acknowledge that Japan has today made some serious strides in the area of human and rights and stands as a good example of democracy.

So while I will be withdrawing my amendment. I ask to withdraw my amendment based on an agreement with you that we will call up this resolution at our next markup.

Mr. ACKERMAN. Reserving the right to object.

Chairman LANTOS. Mr. Ackerman?

Mr. ACKERMAN. Reserving the right to object, and I will not object to the gentleman's request to withdraw his amendment. But I did want to take just a part of the moment to comment.

It is indisputable that the Japanese have done many, many more than good, even great, things since the end of World War II. That is not what is in question or in doubt or being criticized, and I think everybody can acknowledge that as absolute fact. But that does not absolve people of past sins and crimes against humanity.

Mr. ROHRBACHER. Of course.

Mr. ACKERMAN. I would like to just say, and not to the gentleman, whose request I will not object to, but to others who have expressed some concern about what we are doing here today and how they will participate in the vote.

I offer for their consideration that if you have a friend who raped somebody, and the victim is already a friend, should your response be, well, this is none of my business? When the rollcall of history is taken on this issue, at least here in this small committee, an issue that cries out for some sense of justice is addressed, and you have a chance to indicate whether you approve or disapprove, do you really want history to record that you were present?

Mr. ROHRBACHER. Would the gentleman yield for a question?

Mr. ACKERMAN. Or do you want to say that you were here to speak out about an injustice, and took that opportunity?

Mr. ROHRBACHER. Would the gentleman yield for a question?

Mr. ACKERMAN. I would be happy to yield to my friend. These remarks are not addressed.

Mr. ROHRBACHER. All right, let me just note that yes, if someone raped someone, you do not need to balance that off with something that that person has done that is a good thing in the community.

But we are not talking about the current generation of Japan as having committed any of these crimes and sins. Thus, when we condemn Japan, especially for the act of people who no longer exist

on this planet, we should balance it off by a recognition that the current generation of Japanese is playing such a positive role.

Mr. ACKERMAN. Indeed, that is absolutely accurate; and Germany, with all of the horrible atrocities that had been committed, has acknowledged. Acknowledgment is the first part of being able to go forward, and Germany is now arguably the strongest of supporters of the Jewish state of Israel in all of Europe. That is the irony there.

We have moved forward. But that does not mean that existing people, you know, forgive what they did or are going to forget. But you can move forward, and that is the purpose of this.

Chairman LANTOS. Would the gentleman yield?

Mr. ACKERMAN. I would be happy to yield

Chairman LANTOS. Let us get this back on track.

Mr. ROHRABACHER. Yes, sir.

Chairman LANTOS. The gentleman requests unanimous consent to withdraw his amendment.

Mr. ROHRABACHER. Yes, I do.

Mr. ACKERMAN. I do not object.

Chairman LANTOS. Is there any objection?

[No response.]

Mr. ROHRABACHER. Thank you, Mr. Chairman.

Chairman LANTOS. It is my commitment to the gentleman that at the next markup, we will deal with the gentleman's amendment.

Mr. ROHRABACHER. Thank you very much, Mr. Chairman.

Chairman LANTOS. The question occurs on the amendment in the nature of a substitute as amendment. All in favor will vote aye.

[Chorus of ayes.]

Chairman LANTOS. All opposed will vote no.

[No response.]

Chairman LANTOS. The ayes have it, and the amendment is agreed to. The question now occurs on the motion to report the bill favorably, as amended. All in favor say aye.

[Chorus of ayes.]

Chairman LANTOS. Opposed will vote no.

[No response.]

Chairman LANTOS. The ayes have it, but I request a rollcall vote.

Ms. RUSH. Chairman Lantos?

Chairman LANTOS. Aye.

Ms. RUSH. Chairman Lantos votes yes. Mr. Berman?

Mr. BERMAN. Aye.

Ms. RUSH. Mr. Berman votes yes. Mr. Ackerman?

Mr. ACKERMAN. Mr. Ackerman votes yes. Mr. Faleomavaega?

Mr. FALEOMAVAEGA. Yes, yes. [Laughter.]

Ms. RUSH. Mr. Faleomavaega votes yes, yes. Mr. Payne?

Mr. PAYNE. Just yes.

Ms. RUSH. Mr. Payne votes just yes. [Laughter.]

Mr. Sherman?

Mr. SHERMAN. Yes.

Ms. RUSH. Mr. Sherman votes yes. Mr. Wexler?

[No response.]

Ms. RUSH. Mr. Engel?

[No response.]

Ms. RUSH. Mr. Delahunt?

[No response.]  
Ms. RUSH. Mr. Meeks?  
[No response.]  
Ms. RUSH. Ms. Watson?  
Ms. WATSON. Ms. Watson votes yes. Mr. Smith of Washington.  
Mr. SMITH OF WASHINGTON. Aye.  
Ms. RUSH. Mr. Smith of Washington votes yes. Mr. Carnahan?  
Mr. CARNAHAN. Yes.  
Ms. RUSH. Mr. Carnahan votes yes. Mr. Tanner?  
[No response.]  
Ms. RUSH. Mr. Green?  
[No response.]  
Ms. RUSH. Ms. Woolsey?  
Ms. WOOLSEY. Yes.  
Ms. RUSH. Ms. Woolsey votes yes. Ms. Jackson Lee?  
Ms. JACKSON LEE. Yes.  
Ms. RUSH. Ms. Jackson Lee votes yes. Mr. Hinojosa?  
[No response.]  
Ms. RUSH. Mr. Crowley?  
Mr. CROWLEY. Yes.  
Ms. RUSH. Mr. Crowley votes yes. Mr. Wu?  
Mr. WU. Yes.  
Ms. RUSH. Mr. Wu votes yes. Mr. Miller?  
Mr. MILLER. Yes.  
Ms. RUSH. Mr. Miller votes yes. Ms. Sánchez?  
[No response.]  
Ms. RUSH. Mr. Scott?  
Mr. SCOTT. Yes.  
Ms. RUSH. Mr. Scott votes yes. Mr. Costa?  
Mr. COSTA. Aye.  
Ms. RUSH. Mr. Costa votes yes. Mr. Sires?  
[No response.]  
Ms. RUSH. Ms. Giffords?  
Ms. GIFFORDS. Aye.  
Ms. RUSH. Ms. Giffords votes yes. Mr. Klein?  
[No response.]  
Ms. RUSH. Ms. Ros-Lehtinen?  
Ms. ROS-LEHTINEN. Yes.  
Ms. RUSH. Ms. Ros-Lehtinen votes yes. Mr. Smith of New Jersey.  
Mr. SMITH OF NEW JERSEY. Yes.  
Ms. RUSH. Mr. Smith of New Jersey votes yes. Mr. Burton?  
Mr. BURTON. Yes.  
Ms. RUSH. Mr. Burton votes yes. Mr. Gallegly?  
Mr. GALLEGLY. Aye.  
Ms. RUSH. Mr. Gallegly votes yes. Mr. Rohrabacher?  
Mr. ROHRABACHER. Yes.  
Ms. RUSH. Mr. Rohrabacher votes yes. Mr. Manzullo?  
Mr. MANZULLO. Yes.  
Ms. RUSH. Mr. Manzullo votes yes. Mr. Royce?  
Mr. ROYCE. Yes.  
Ms. RUSH. Mr. Royce votes yes. Mr. Chabot?  
Mr. CHABOT. Mr. Chabot votes yes. Mr. Tancredo?  
Mr. TANCREDO. No.  
Ms. RUSH. Mr. Tancredo votes no. Mr. Paul?

Mr. PAUL. No.  
 Ms. RUSH. Mr. Paul votes no. Mr. Flake?  
 Mr. FLAKE. Aye.  
 Ms. RUSH. Mr. Flake votes yes. Ms. Davis?  
 [No response.]  
 Ms. RUSH. Mr. Pence?  
 [No response.]  
 Ms. RUSH. Mr. Wilson?  
 Mr. WILSON. Yes.  
 Ms. RUSH. Mr. Wilson votes yes. Mr. Boozman?  
 Mr. BOOZMAN. Yes.  
 Ms. RUSH. Mr. Boozman votes yes. Mr. Barrett?  
 Mr. BARRETT. Aye.  
 Ms. RUSH. Mr. Barrett votes yes. Mr. Mack?  
 [No response.]  
 Ms. RUSH. Mr. Fortenberry?  
 Mr. FORTENBERRY. Yes.  
 Ms. RUSH. Mr. Fortenberry votes yes. Mr. McCall?  
 Mr. MCCAUL. Yes.  
 Ms. RUSH. Mr. McCall votes yes. Mr. Poe?  
 [No response.]  
 Ms. RUSH. Mr. Inglis?  
 Mr. INGLIS. Aye.  
 Ms. RUSH. Mr. Inglis votes yes. Mr. Fortuño?  
 [No response.]  
 Ms. RUSH. Mr. Bilirakis?  
 Mr. BILIRAKIS. Yes.  
 Ms. RUSH. Mr. Bilirakis votes yes.  
 Chairman LANTOS. Are there any colleagues on the Democratic side who have yet not been recorded; Mr. Engel?  
 Mr. ENGEL. Yes.  
 Ms. RUSH. Mr. Engel votes yes.  
 Chairman LANTOS. Is there anyone else on the Democratic side?  
 [No response.]  
 Chairman LANTOS. Are there colleagues on the Republican side who have yet not been recorded; Mr. Delahunt?  
 Mr. DELAHUNT. Yes.  
 Ms. RUSH. Mr. Delahunt votes yes.  
 Chairman LANTOS. Are there colleagues; yes, Mr. Klein?  
 Mr. KLEIN. Yes.  
 Ms. RUSH. Mr. Klein votes yes.  
 Chairman LANTOS. Any other colleagues; Mr. Wexler and Mr. Fortuño—Mr. Wexler?  
 Mr. WEXLER. Yes.  
 Ms. RUSH. Mr. Wexler votes yes.  
 Chairman LANTOS. Mr. Fortuño?  
 Mr. FORTUÑO. Aye.  
 Ms. RUSH. Mr. Fortuño votes yes.  
 Chairman LANTOS. Mr. Poe?  
 Ms. RUSH. Mr. Poe votes yes.  
 Chairman LANTOS. Is there anybody else who wishes to be recorded?  
 [No response.]  
 Chairman LANTOS. The clerk will report.

Ms. RUSH. On this vote, there are 39 yeases and 2 noes.

Chairman LANTOS. The amendment is approved, and the ayes have it.

[Applause.]

Chairman LANTOS. The motion to report favorably is adopted. Without objection, the bill will be reported as a single amendment in the nature of a substitute, incorporating the amendments adopted by the committee, and the staff is directed to make any technical and comforting amendments. Without objection, the staff is directed to make any technical and conforming amendments.

Mr. FALEOMAVAEGA. Mr. Chairman?

Chairman LANTOS. We need total silence in the hearing room. Those who wish to leave may do so, but the decorum will be maintained; the gentleman?

Mr. FALEOMAVAEGA. Just 15 seconds, Mr. Chairman; you did not mean comforting amendments, did you? I just wanted to make sure. I am trying to learn English, myself. [Laughter.]

Thank you, Mr. Chairman.

Chairman LANTOS. Pursuant to notice, I call up the bill, H.R. 2798. We will have silence in the hearing room and we will close the doors.

Pursuant to notice, I call up the bill, H.R. 2798, the Overseas Private Investment Corporation Reauthorization Act of 2007 for purposes of mark up, and move its favorable recommendation to the House.

[H.R. 2798 follows:]

110TH CONGRESS  
1ST SESSION

# H. R. 2798

To reauthorize the programs of the Overseas Private Investment Corporation,  
and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 20, 2007

Mr. SHERMAN introduced the following bill; which was referred to the  
Committee on Foreign Affairs

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## A BILL

To reauthorize the programs of the Overseas Private  
Investment Corporation, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Overseas Private In-  
5 vestment Corporation Reauthorization Act of 2007”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

8 (1) Since its founding in 1971, the Overseas  
9 Private Investment Corporation (in this section re-  
10 ferred to as “OPIC”) has helped to mobilize and fa-

1 facilitate private capital investment by United States  
2 investors in developing and emerging market coun-  
3 tries in support of United States foreign policy and  
4 development goals.

5 (2) OPIC assistance should not, in any way,  
6 support projects in countries that reject their obliga-  
7 tions to support international peace, security, and  
8 basic human rights.

9 (3) OPIC assistance should not be provided to  
10 those who support enemies of the United States.

11 (4) OPIC assistance is a privilege and should be  
12 granted to persons that, along with their affiliated  
13 companies, demonstrate responsible and sustainable  
14 business practices, particularly with regard to the  
15 environment, international worker rights, and efforts  
16 against genocide and nuclear proliferation.

17 (5) Over OPIC's 35-year history, OPIC has  
18 supported \$177,000,000,000 in operating invest-  
19 ments in more than 150 developing countries, helping  
20 to create more than 800,000 jobs and some  
21 \$13,000,000,000 in host-government revenues.

22 (6) OPIC projects have generated  
23 \$71,000,000,000 in United States exports and sup-  
24 ported more than 271,000 United States jobs.

1           (7) In fiscal year 2006, OPIC-assisted projects  
2           generated \$1,000,000,000 in United States exports,  
3           supported more than 2,700 United States jobs, and  
4           had a positive impact on the United States balance  
5           of payments.

6           (8) OPIC has increasingly benefitted small- and  
7           medium-sized businesses in the United States, with  
8           87 percent of all OPIC-supported projects involving  
9           such businesses in fiscal year 2006.

10          (9) In an era of limited Federal budgetary re-  
11          sources, OPIC has consistently demonstrated an  
12          ability to operate on a self-sustaining basis to sup-  
13          port United States companies, all at a net cost of  
14          zero to the United States taxpayer.

15          (10) OPIC has reserves totaling approximately  
16          \$5,300,000,000 and will make an estimated net  
17          budget contribution to the international affairs ac-  
18          count of some \$159,000,000 in fiscal year 2008.

19 **SEC. 3. REAUTHORIZATION OF OPIC PROGRAMS.**

20          Section 235(a)(2) of the Foreign Assistance Act of  
21          1961 (22 U.S.C. 2195(a)(2)) is amended by striking  
22          “2007” and inserting “September 30, 2011” .

1 **SEC. 4. REQUIREMENTS REGARDING INTERNATIONAL**  
2 **WORKER RIGHTS.**

3 (a) COUNTRY REQUIREMENTS.—Subsection (a) of  
4 section 231A of the Foreign Assistance Act of 1961 (22  
5 U.S.C. 2191a(a)) is amended—

6 (1) by amending the subsection heading to read  
7 as follows: “INTERNATIONAL WORKER RIGHTS”;

8 (2) in paragraph (4), by striking “(4) In” and  
9 inserting “(5) ADDITIONAL DETERMINATION.—In”;  
10 and

11 (3) by striking paragraphs (1) through (3) and  
12 inserting the following:

13 “(1) LIMITATION ON OPIC ACTIVITIES.—(A)  
14 The Corporation may insure, reinsure, guarantee, or  
15 finance a project only if the country in which the  
16 project is to be undertaken has made or is making  
17 significant progress towards the recognition, adop-  
18 tion, and implementation of laws that substantially  
19 provide international worker rights, including in any  
20 designated zone, or special administrative region or  
21 area, in that country.

22 “(B) The Corporation shall also include the fol-  
23 lowing language, in substantially the following form,  
24 in all contracts which the Corporation enters into  
25 with eligible investors to provide financial support  
26 under this title:

1           “‘The investor agrees not to take any actions  
2 to obstruct or prevent employees of the foreign en-  
3 terprise from exercising their international worker  
4 rights (as defined in section 238(h) of the Foreign  
5 Assistance Act of 1961), and agrees to adhere to the  
6 obligations regarding those international worker  
7 rights.’

8           “(2) PREFERENCE TO CERTAIN COUNTRIES.—  
9 To the degree possible and consistent with its devel-  
10 opment objectives, the Corporation shall give pref-  
11 erential consideration to projects in countries that  
12 have adopted, maintain, and enforce laws that sub-  
13 stantially provide international worker rights.

14           “(3) USE OF ANNUAL REPORTS ON INTER-  
15 NATIONAL WORKER RIGHTS.—The Corporation shall,  
16 in carrying out paragraph (1)(A), use, among other  
17 sources, the reports submitted to the Congress pur-  
18 suant to section 504 of the Trade Act of 1974. Such  
19 other sources include the observations, reports, and  
20 recommendations of the International Labor Organi-  
21 zation, and other relevant organizations.

22           “(4) INAPPLICABILITY TO HUMANITARIAN AC-  
23 TIVITIES.—Paragraph (1) shall not prohibit the Cor-  
24 poration from providing any insurance, reinsurance,

1 guaranty, financing, or other assistance for the pro-  
2 vision of humanitarian assistance in a country.”.

3 (b) BOARD OF DIRECTORS.—Section 233(b) of the  
4 Foreign Assistance Act of 1961 (22 U.S.C. 2193(b)) is  
5 amended by adding at the end the following: “The selec-  
6 tion of the small business, organized labor, and coopera-  
7 tive directors should be made, respectively, in consultation  
8 with relevant representative organizations.”.

9 (c) DEFINITIONS.—Section 238 of the Foreign As-  
10 sistance Act of 1961 (22 U.S.C. 2198) is amended—

11 (1) in subsection (f), by striking “and” after  
12 the semicolon;

13 (2) in subsection (g), by striking the period at  
14 the end and inserting “; and”; and

15 (3) by adding at the end the following:

16 “(h) the term ‘international worker rights’  
17 means—

18 “(1) internationally recognized worker  
19 rights, as defined in section 507(4) of the  
20 Trade Act of 1974 (19 U.S.C. 2467(4); and

21 “(2) the elimination of discrimination with  
22 respect to employment and occupation.”.

23 (d) GENERAL PROVISIONS AND POWERS.—Section  
24 239 of the Foreign Assistance Act of 1961 (22 U.S.C.  
25 2199) is amended—

1 (1) in subsection (h), by adding at the end the  
2 following: “In addition, the Corporation should con-  
3 sult with relevant stakeholders in developing such  
4 criteria.”; and

5 (2) in subsection (i), in the first sentence, by  
6 inserting “, including international worker rights,”  
7 after “fundamental freedoms”.

8 **SEC. 5. COMMUNITY SUPPORT.**

9 Section 237 of the Foreign Assistance Act of 1961  
10 (22 U.S.C. 2191(n)) is amended by adding at the end the  
11 following:

12 “(p) COMMUNITY SUPPORT.—To the maximum ex-  
13 tent practicable, the Corporation shall require the appli-  
14 cant for a project that is subject to the requirements in  
15 section 231A(b) to obtain broad community support for  
16 the project.”.

17 **SEC. 6. CLIMATE CHANGE MITIGATION ACTION PLAN.**

18 Title IV of chapter 2 of part I of the Foreign Assist-  
19 ance Act of 1961 (22 U.S.C. 2291 et seq.) is amended  
20 by inserting after section 234A the following new section:

21 **“SEC. 234B. CLIMATE CHANGE MITIGATION.**

22 “(a) MITIGATION ACTION PLAN.—The Corporation  
23 shall, not later than 180 days after the date of the enact-  
24 ment of the Overseas Private Investment Corporation Re-

1 authorization Act of 2007, institute a climate change miti-  
2 gation action plan that includes the following:

3 “(1) CLEAN AND EFFICIENT ENERGY TECH-  
4 NOLOGY.—

5 “(A) INCREASING ASSISTANCE.—The Cor-  
6 poration shall establish a goal of substantially  
7 increasing its support of projects that use, de-  
8 velop, or otherwise promote the use of clean en-  
9 ergy technologies over the 4-year period begin-  
10 ning on the date of the enactment of the Over-  
11 seas Private Investment Corporation Reauthor-  
12 ization Act of 2007.

13 “(B) PREFERENTIAL TREATMENT TO  
14 PROJECTS.—The Corporation shall give pref-  
15 erential treatment to the evaluation and award-  
16 ing of assistance for and provide greater flexi-  
17 bility in supporting projects that involve the in-  
18 vestment or use of clean and efficient energy  
19 technologies.

20 “(2) ENVIRONMENTAL IMPACT ASSESS-  
21 MENTS.—

22 “(A) GREENHOUSE GAS EMISSIONS.—The  
23 Corporation shall, in making an environmental  
24 impact assessment for a project under section  
25 231A(b) in which assistance by the Corporation

1 would be valued at \$10,000,000 or more (in-  
2 cluding contingent liability), take into account  
3 the degree to which the project contributes to  
4 the emission of greenhouse gases.

5 “(B) OTHER DUTIES NOT AFFECTED.—  
6 The requirement under subparagraph (A) is in  
7 addition to the any other requirement, obliga-  
8 tion, or duty that Corporation has.

9 “(3) REPORT TO CONGRESSIONAL COMMIT-  
10 TEES.—The Corporation shall, within 180 days after  
11 the date of the enactment of the Overseas Private  
12 Investment Corporation Reauthorization Act of  
13 2007, submit to the Committee on Foreign Affairs  
14 of the House of Representatives and the Committee  
15 on Foreign Relations of the Senate a report on the  
16 strategy developed to carry out paragraph (1)(A).  
17 Thereafter, the Corporation shall include in its an-  
18 nual report under section 240A a discussion of the  
19 strategy and its implementation.

20 “(b) EXTRACTION INVESTMENTS.—

21 “(1) PRIOR NOTIFICATION TO CONGRESSIONAL  
22 COMMITTEES.—The Corporation may not approve  
23 any contract of insurance or reinsurance, or any  
24 guaranty, or enter into any agreement to provide fi-  
25 nancing for any project which significantly involves

1 an extractive industry and in which assistance by the  
2 Corporation would be valued at \$10,000,000 or  
3 more (including contingent liability), until at least  
4 30 days after the Corporation notifies the Com-  
5 mittee on Foreign Affairs of the House of Rep-  
6 resentatives and the Committee on Foreign Rela-  
7 tions of the Senate of such contract or agreement.

8 “(2) COMMITMENT TO EITI PRINCIPLES.—The  
9 Corporation may approve a contract of insurance or  
10 reinsurance, or any guaranty, or enter into an agree-  
11 ment to provide financing to an eligible investor for  
12 a project that significantly involves an extractive in-  
13 dustry only if—

14 “(A) the eligible investor has agreed to im-  
15 plement the Extractive Industries Transparency  
16 Initiative principles and criteria; or

17 “(B) the host country where the project is  
18 to be carried out has committed to the Extrac-  
19 tive Industries Transparency Initiative prin-  
20 ciples and criteria.

21 “(3) DEFINITIONS.—In this subsection:

22 “(A) EXTRACTIVE INDUSTRY.—The term  
23 ‘extractive industry’ refers to an enterprise en-  
24 gaged in the exploration, development, or ex-

1 traction of oil and gas reserves, metal ores,  
2 gemstones, industrial minerals, or coal.

3 “(B) EXTRACTIVE INDUSTRIES TRANS-  
4 PARENCY INITIATIVE PRINCIPLES AND CRI-  
5 TERIA.—The term ‘Extractive Industries Trans-  
6 parency Initiative principles and criteria’ means  
7 the principles and criteria of the Extractive In-  
8 dustries Transparency Initiative, as set forth in  
9 Annex A to the Anti-Corruption Policies and  
10 Strategies Handbook of the Corporation, as  
11 published in September 2006.

12 “(c) DEFINITIONS.—In this section:

13 “(1) CLEAN AND EFFICIENT ENERGY TECH-  
14 NOLOGY.—The term ‘clean and efficient energy tech-  
15 nology’ means an energy supply or end-use  
16 technology—

17 “(A) such as—

18 “(i) solar technology;

19 “(ii) wind technology;

20 “(iii) geothermal technology;

21 “(iv) hydroelectric technology; and

22 “(v) carbon capture technology; and

23 “(B) that, over its life cycle and compared  
24 to a similar technology already in commercial  
25 use—

1           “(i) is reliable, affordable, economi-  
2           cally viable, socially acceptable, and com-  
3           patible with the needs and norms of the  
4           country involved;

5           “(ii) results in—

6                 “(I) reduced emissions of green-  
7                 house gases; or

8                 “(II) increased geological seques-  
9                 tration; and

10           “(iii) may—

11                 “(I) substantially lower emissions  
12                 of air pollutants; or

13                 “(II) generate substantially  
14                 smaller or less hazardous quantities of  
15                 solid or liquid waste.

16           “(2) GREENHOUSE GAS.—The term ‘greenhouse  
17           gas’ means—

18                 “(A) carbon dioxide;

19                 “(B) methane;

20                 “(C) nitrous oxide;

21                 “(D) hydrofluorocarbons;

22                 “(E) perfluorocarbons; or

23                 “(F) sulfur hexafluoride.

24           “(d) REPORTING REQUIREMENT.—The Corporation  
25 shall include in its annual report required under section

1 240A a description of its activities to carry out this sec-  
2 tion.”.

3 **SEC. 7. PROHIBITION ON ASSISTANCE TO DEVELOP OR**  
4 **PROMOTE CERTAIN RAILWAY CONNECTIONS**  
5 **AND RAILWAY-RELATED CONNECTIONS.**

6 Section 237 of the of the Foreign Assistance Act of  
7 1961 (22 U.S.C. 2197) is further amended by adding at  
8 the end the following:

9 “(q) PROHIBITION ON ASSISTANCE FOR CERTAIN  
10 RAILWAY PROJECTS.—The Corporation may not provide  
11 insurance, reinsurance, a guaranty, financing, or other as-  
12 sistance to support the development or promotion of any  
13 railway connection or railway-related connection that does  
14 not traverse or connect with Armenia and does connect  
15 Azerbaijan and Turkey.”.

16 **SEC. 8. INELIGIBILITY OF PERSONS DOING CERTAIN BUSI-**  
17 **NESS WITH IRAN, SUDAN, OR NORTH KOREA.**

18 (a) IN GENERAL.—Section 237 of the of the Foreign  
19 Assistance Act of 1961 (22 U.S.C. 2197) is further  
20 amended by adding at the end the following:

21 “(r) INELIGIBLE PROJECTS.—

22 “(1) IN GENERAL.—A project will not be eligi-  
23 ble to receive support provided by the Corporation  
24 under this title if either of the following applies:

1           “(A)(i) An applicant for insurance, rein-  
2           surance, financing, or other support for a  
3           project provided to the Government of North  
4           Korea, Sudan, or Iran a loan, or an extension  
5           of credit, that remains outstanding.

6           “(ii) For purposes of this subparagraph,  
7           the sale of goods, other than food or medicine,  
8           on any terms other than a cash basis shall be  
9           considered to be an extension of credit.

10           “(B) An applicant for insurance, reinsur-  
11           ance, financing, or other support for a project  
12           has an investment commitment valued at  
13           \$20,000,000 or more for the energy sector.

14           “(2) DEFINITIONS.—In this subsection:

15           “(A) ENERGY SECTOR.—The term ‘energy  
16           sector’ refers to activities to develop petroleum  
17           or natural gas resources.

18           “(B) INVESTMENT COMMITMENT.—The  
19           term ‘investment means’ means any of the fol-  
20           lowing activities if such activity is undertaken  
21           pursuant to a commitment, or pursuant to the  
22           exercise of rights under a commitment, that  
23           was entered into with the Government of North  
24           Korea, Sudan, or Iran or a nongovernmental  
25           entity in North Korea, Sudan, or Iran:

1           “(i) The entry into a contract that in-  
2           cludes responsibility for the development of  
3           petroleum resources located in North  
4           Korea, Sudan, or Iran, or the entry into a  
5           contract providing for the general super-  
6           vision and guarantee of another person’s  
7           performance of such a contract.

8           “(ii) The purchase of a share of own-  
9           ership, including an equity interest, in that  
10          development.

11          “(iii) The entry into a contract pro-  
12          viding for the participation in royalties,  
13          earnings, or profits in that development,  
14          without regard to the form of the partici-  
15          pation.

16          The term ‘investment commitment’ does not in-  
17          clude the entry into, performance, or financing  
18          of a contract solely to sell or purchase goods,  
19          services, or technology.

20          “(3) CERTIFICATION.—

21                 “(A) BY APPLICANTS.—A person or entity  
22                 applying for insurance, reinsurance, a guaranty,  
23                 financing, or other assistance under this title  
24                 may not receive such support unless its chief  
25                 executive officer certifies to the Corporation,

1 under penalty of perjury, that the person or en-  
2 tity and its majority-owned subsidiaries have  
3 not engaged in any activity described in sub-  
4 paragraph (A) or (B) of paragraph (1) and will  
5 not do so for the duration of the project.

6 “(B) BY ULTIMATE PARENT ENTITIES.—  
7 In the case of an applicant that is a majority-  
8 owned entity of another entity, in addition to  
9 the certification under subparagraph (A), the  
10 chief executive officer of the ultimate parent en-  
11 tity of the applicant must certify, under penalty  
12 of perjury, that it and its majority-owned sub-  
13 sidiaries have not engaged in any activity de-  
14 scribed in subparagraph (A) or (B) of para-  
15 graph (1) and will not do so for the duration  
16 of the project.

17 “(C) APPLICATION TO STRAW MAN TRANS-  
18 ACTIONS.—In any case in which—

19 “(i) an applicant for insurance, rein-  
20 surance, financing, or other assistance  
21 under this title is providing goods and  
22 services to a project,

23 “(ii) more than 50 percent of such  
24 goods and services are acquired from an  
25 unaffiliated entity, and

1           “(iii) the unaffiliated entity is receiv-  
2           ing \$20,000,000 or more, or sums greater  
3           than 50 percent of the amount of the as-  
4           sistance provided by the Corporation for  
5           the project (including contingent liability),  
6           for such goods or services, than the chief  
7           executive officer of the unaffiliated entity  
8           must make a certification under subpara-  
9           graph (A), and any ultimate parent entity  
10          must make a certification required by sub-  
11          paragraph (B).

12          “(D) DEFINITION.—For purposes of this  
13          paragraph, a person is an ultimate parent of an  
14          entity if the person owns directly, or through  
15          majority ownership of other entities, greater  
16          than 50 percent of the equity of the entity.

17          “(4) EXCEPTION.—Notwithstanding the prohi-  
18          bition in paragraph (1), the Corporation may pro-  
19          vide support for projects in Southern Sudan, South-  
20          ern Kordofan/Nuba Mountains State, Blue Nile  
21          State, Abyei, Darfur, and marginalized areas in and  
22          around Khartoum, if the Corporation, with the con-  
23          currence of the Secretary of State, determines that  
24          such projects will provide emergency relief, promote  
25          economic self-sufficiency, or implement a nonmilitary

1 program in support of a viable peace agreement in  
2 Sudan, including the Comprehensive Peace Agree-  
3 ment for Sudan and the Darfur Peace Agreement.

4 “(5) PROSPECTIVE APPLICATION OF SUB-  
5 SECTION.—This subsection shall not be applied to  
6 limit support by the Corporation under this title be-  
7 cause a project party engaged in commercial activity  
8 specifically licensed by the Office of Foreign Assets  
9 Control of the Department of the Treasury.”.

10 (b) TERMINATION.—

11 (1) IN GENERAL.—The amendment made by  
12 this section shall cease to be effective—

13 (A) with respect to North Korea, 30 days  
14 after the President certifies to the appropriate  
15 congressional committees that North Korea  
16 does not possess nuclear weapons or maintain a  
17 program to produce nuclear weapons;

18 (B) with respect to Iran, 30 days after the  
19 President certifies to the appropriate congres-  
20 sional committees that Iran does not possess  
21 nuclear weapons or maintain a program to  
22 produce nuclear weapons; and

23 (C) with respect to Sudan, 30 days after  
24 the President certifies to the appropriate con-  
25 gressional committees that the Government of

1 Sudan is making a good faith effort to end the  
2 humanitarian crisis in Darfur and to provide  
3 for the protection of its all of its citizens, in-  
4 cluding through efforts to disarm, demobilize,  
5 and demilitarize the Janjaweed militia and com-  
6 pliance with all relevant United Nations Secu-  
7 rity Council Resolutions.

8 (2) DEFINITION.—In this subsection, the term  
9 “appropriate congressional committees” means the  
10 Committee on Foreign Affairs of the House of Rep-  
11 resentatives and the Committee on Foreign Rela-  
12 tions of the Senate.

13 **SEC. 9. INCREASED TRANSPARENCY.**

14 (a) IN GENERAL.—Section 237 of the Foreign Assist-  
15 ance Act of 1961 (22 U.S.C. 2197) is further amended  
16 by adding at the end the following new subsection:

17 “(s) AVAILABILITY OF PROJECT INFORMATION.—Be-  
18 ginning 90 days after the date of the enactment of the  
19 Overseas Private Investment Corporation Reauthorization  
20 Act of 2007, the Corporation shall make public, and post  
21 on its Internet website, summaries of all new projects sup-  
22 ported by the Corporation, and other relevant information,  
23 except that the Corporation shall not include any confiden-  
24 tial business information in the summaries and informa-  
25 tion made available under this subsection.

1       “(t) REVIEW OF METHODOLOGY.—Not later than  
2 180 days after the date of the enactment of the Overseas  
3 Private Investment Corporation Reauthorization Act of  
4 2007, the Corporation shall publish in the Federal Reg-  
5 ister and periodically revise, subject to a period of public  
6 comment, the detailed methodology, including relevant  
7 regulations, used to assess and monitor the impact of  
8 projects supported by the Corporation on the develop-  
9 mental and environmental impact of, and international  
10 worker rights in, host countries, and on United States em-  
11 ployment.

12       “(u) PUBLIC NOTICE PRIOR TO PROJECT AP-  
13 PROVAL.—

14               “(1) PUBLIC NOTICE.—The Board of Directors  
15 of the Corporation may not vote in favor of any ac-  
16 tion proposed to be taken by the Corporation on any  
17 Category A project until at least 60 days after the  
18 Corporation—

19                       “(A) makes available for public comment a  
20 summary of the project and relevant informa-  
21 tion about the project; and

22                       “(B) makes the summary and information  
23 described in paragraph (1) available to locally  
24 affected groups in the area of impact of the

1           proposed project, and to host country non-  
2           governmental organizations.

3           The Corporation shall not include any business con-  
4           fidential information in the summary and informa-  
5           tion made available under subparagraph (A) and  
6           (B).

7           “(2) PUBLISHED RESPONSE.—To the extent  
8           practicable, the Corporation shall publish any of its  
9           responses to the comments received under paragraph  
10          (1) with respect to a category A project and submit  
11          the responses to the Board not later than 7 days be-  
12          fore a vote is to be taken on any action proposed by  
13          the Corporation on the project.

14          “(v) CATEGORY A PROJECT.—In this section, the  
15          term ‘category A project’ means any project or other activ-  
16          ity for which the Corporation proposes to provide insur-  
17          ance, reinsurance, financing, or other support under this  
18          title and which is likely to have significant adverse envi-  
19          ronmental impacts that are sensitive, diverse, or unprece-  
20          dented.”.

21          (b) OFFICE OF ACCOUNTABILITY.—Section 237 of  
22          the Foreign Assistance Act of 1961 (22 U.S.C. 2197) is  
23          further amended by adding at the end the following new  
24          subsection:

1       “(v) OFFICE OF ACCOUNTABILITY.—The Corpora-  
2 tion shall maintain an Office of Accountability to provide  
3 problem-solving services for projects supported by the Cor-  
4 poration and to review the Corporation’s compliance with  
5 its environmental, social, worker rights, human rights, and  
6 transparency policies and procedures. The Office of Ac-  
7 countability shall operate in a manner that is fair, objec-  
8 tive and transparent.”.

9 **SEC. 10. FRAUD AND OTHER BREACHES OF CONTRACT.**

10       Section 237(n) of the Foreign Assistance Act of 1961  
11 (22 U.S.C. 2197(n)) is amended by adding at the end the  
12 following: “The President of the Corporation shall refer  
13 to the Department of Justice for appropriate action infor-  
14 mation known to the Corporation concerning any substan-  
15 tial evidence of—

16               “(1) a violation of this title;

17               “(2) any material breach of contract entered  
18 into with the Corporation by an eligible investor; or

19               “(3) any material false representation made by  
20 an investor to the Corporation.”.

21 **SEC. 11. EXTENSION OF AUTHORITY TO OPERATE IN IRAQ.**

22       Section 239 of the Foreign Assistance Act of 1961  
23 (22 U.S.C. 2199) is amended by adding at the end the  
24 following:

1       “(l) OPERATIONS IN IRAQ.—Notwithstanding sub-  
2 sections (a) and (b) of section 237, the Corporation is au-  
3 thorized to undertake in Iraq any program authorized by  
4 this title.”.

5 **SEC. 12. CONSISTENCY WITH EXISTING LAW.**

6       Section 239 of the Foreign Assistance Act of 1961  
7 (22 U.S.C. 2199) is further amended by adding at the  
8 end the following:

9       “(m) CONSISTENCY WITH OTHER LAW.—Section  
10 620L of this Act shall apply to any insurance, reinsurance,  
11 guaranty, or other financing issued by the Corporation for  
12 projects in the West Bank and Gaza to the same extent  
13 as such section applies to other assistance under this Act.

14       “(n) LIMITATION ON ASSISTANCE TO GAZA AND THE  
15 WEST BANK.—The Corporation may not provide insur-  
16 ance, reinsurance, a guaranty, financing, or other assist-  
17 ance to support a project in any part of Gaza or the West  
18 Bank unless the Secretary of State determines that the  
19 location for the project is no longer under the effective  
20 control of Hamas or any other foreign terrorist organiza-  
21 tion designated under section 219 of the Immigration and  
22 Nationality Act (8 U.S.C. 1189).”.

1 **SEC. 13. TECHNICAL CORRECTIONS.**

2 (a) PILOT EQUITY FINANCE PROGRAM.—Section 234  
3 of the Foreign Assistance Act of 1961 (22 U.S.C. 2194)  
4 is amended—

5 (1) by striking subsection (g); and

6 (2) by redesignating subsection (h) as sub-  
7 section (g).

8 (b) TRANSFER AUTHORITY.—Section 235 of the For-  
9 eign Assistance Act of 1961 (22 U.S.C. 2195) is  
10 amended—

11 (1) by striking subsection (e); and

12 (2) by redesignating subsection (f) as sub-  
13 section (e).

14 (c) GUARANTY CONTRACT.—Section 237(j) of the  
15 Foreign Assistance Act of 1961 (22 U.S.C. 2197(j)) is  
16 amended by inserting “insurance, reinsurance, and” after  
17 “Each”.

18 (d) TRANSFER OF PREDECESSOR PROGRAMS AND  
19 AUTHORITIES.—

20 (1) TRANSFER.—Section 239 of the Foreign  
21 Assistance Act of 1961 (22 U.S.C. 2199) is  
22 amended—

23 (A) by striking subsection (b); and

24 (B) by redesignating the subsections (c)  
25 through (m) (as added by section 12 of this  
26 Act) as subsections (b) through (l), respectively.

1           (2) CONFORMING AMENDMENTS.—(A) Section  
2       237(m)(1) of the Foreign Assistance Act of 1961  
3       (22 U.S.C. 2197(m)(1)) is amended by striking  
4       “239(g)” and inserting “239(f)”.

5           (B) Section 240A(a) of the Foreign Assistance  
6       Act of 1961 (22 U.S.C. 2200A(a)) is amended—

7           (i) in paragraph (1), by striking “239(h)”  
8           and inserting “239(g)”; and

9           (ii) in paragraph (2)(A), by striking  
10       “239(i)” and inserting “239(h)”.

11          (C) Section 209(e)(16) of the Admiral James  
12       W. Nance and Meg Donovan Foreign Relations Au-  
13       thorization Act, Fiscal Years 2000 and 2001 (as en-  
14       acted into law by section 1000(a)(7) of Public Law  
15       106–113; 31 U.S.C. 1113 note) is amended by strik-  
16       ing “239(c)” and “2199(c)” and inserting “239(b)”  
17       and “2199(b)”, respectively.

18          (e) ADDITIONAL CLERICAL AMENDMENTS.—(1) Sec-  
19       tion 234(b) of the Foreign Assistance Act of 1961 (22  
20       U.S.C. 2194(b)) is amended by striking “235(a)(2)” and  
21       inserting “235(a)(1)”.

22          (2) Section 236 of the Foreign Assistance Act of  
23       1961 (22 U.S.C. 2196) is amended—

1           (A) in subsection (b), by striking “the Direct  
2     Investment Fund established pursuant to section  
3     235,”; and

4           (B) by redesignating subsections (a) through  
5     (a) as paragraphs (1) through (3), respectively.

6 **SEC. 14. EFFECTIVE DATE.**

7     (a) **NEW APPLICATIONS.**—This Act and the amend-  
8     ments made by this Act shall apply with respect to any  
9     application for insurance, reinsurance, a guaranty, financ-  
10    ing, or other support under title IV of chapter 2 of part  
11    I of the Foreign Assistance Act of 1961 if the application  
12    is received by the Overseas Private Investment Corpora-  
13    tion on or after July 1, 2007, and is approved by the Cor-  
14    poration on or after the date of the enactment of this Act.

15    (b) **EXTENSIONS AND RENEWALS.**—This Act and the  
16    amendments made by this Act shall apply with respect to  
17    any extension or renewal of a contract or agreement for  
18    any such insurance, reinsurance, guaranty, financing, or  
19    support that was entered into by the Corporation before  
20    the date of the enactment of this Act if the extension or  
21    renewal is approved by the Corporation on or after such  
22    date of enactment.

○

Chairman LANTOS. Without objection, the amendment in the nature of substitute reported by the Subcommittee on Terrorism, Nonproliferation, and Trade that is before the members will be considered as base text for purposes of amendment. It will be considered as read and open for amendment at any time.

[The amendment referred to follows:]

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 2798  
AS ADOPTED BY THE SUBCOMMITTEE ON  
TERRORISM, NONPROLIFERATION, AND TRADE**

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Overseas Private In-  
3 vestment Corporation Reauthorization Act of 2007”.

4 **SEC. 2. FINDINGS.**

5 The Congress finds the following:

6 (1) Since its founding in 1971, the Overseas  
7 Private Investment Corporation (in this section re-  
8 ferred to as “OPIC”) has helped to mobilize and fa-  
9 cilitate private capital by United States investors in  
10 developing and emerging market countries in sup-  
11 port of United States foreign policy and development  
12 goals.

13 (2) OPIC assistance should not, in any way,  
14 support projects in countries that reject their obliga-  
15 tions to support international peace, security, and  
16 basic human rights.

1           (3) OPIC assistance should not be provided to  
2 those who support enemies of the United States.

3           (4) OPIC assistance is a privilege and should be  
4 granted to persons that, along with their affiliated  
5 companies, demonstrate responsible and sustainable  
6 business practices, particularly with regard to the  
7 environment, international worker rights, and efforts  
8 against genocide and nuclear proliferation. Denial of  
9 OPIC assistance is not a penalty or sanction.

10          (5) Over OPIC's 35-year history, OPIC has  
11 supported \$177,000,000,000 in operating invest-  
12 ments in more than 150 developing countries, helping  
13 to create more than 800,000 jobs and some  
14 \$13,000,000,000 in host-government revenues.

15          (6) OPIC projects have generated  
16 \$71,000,000,000 in United States exports and sup-  
17 ported more than 271,000 United States jobs.

18          (7) Projects assisted by OPIC in fiscal year  
19 2006 are projected to generate \$1,000,000,000 in  
20 United States exports, support more than 2,700  
21 United States jobs, and have a positive impact on  
22 the United States balance of payments

23          (8) In fiscal year 2006, 87 percent of all OPIC-  
24 supported projects supported small-and-medium-  
25 sized businesses in the United States. .

1           (9) In an era of limited Federal budgetary re-  
2 sources, OPIC has consistently demonstrated an  
3 ability to operate on a self-sustaining basis to sup-  
4 port United States companies, all at a net cost of  
5 zero to the United States taxpayer.

6           (10) OPIC has reserves totaling approximately  
7 \$5,300,000,000 and will make an estimated net  
8 budget contribution to the international affairs ac-  
9 count of \$159,000,000 in fiscal year 2008.

10 **SEC. 3. REAUTHORIZATION OF OPIC PROGRAMS.**

11           Section 235(a)(2) of the Foreign Assistance Act of  
12 1961 (22 U.S.C. 2195(a)(2)) is amended by striking  
13 “2007” and inserting “ September 30, 2011” .

14 **SEC. 4. REQUIREMENTS REGARDING INTERNATIONAL**  
15 **WORKER RIGHTS.**

16           (a) COUNTRY REQUIREMENTS.—Subsection (a) of  
17 section 231A of the Foreign Assistance Act of 1961 (22  
18 U.S.C. 2191a(a)) is amended—

19           (1) by amending the subsection heading to read  
20 as follows: “INTERNATIONAL WORKER RIGHTS”;

21           (2) in paragraph (4), by striking “(4) In” and  
22 inserting “(5) ADDITIONAL DETERMINATION.—In” ;  
23 and

24           (3) by striking paragraphs (1) through (3) and  
25 inserting the following:

1           “(1) LIMITATION ON OPIC ACTIVITIES.—(A)  
2           The Corporation may insure, reinsure, guarantee, or  
3           finance a project only if the country in which the  
4           project is to be undertaken has made or is making  
5           significant progress towards the recognition, adop-  
6           tion, and implementation of laws that substantially  
7           provide international worker rights, including in any  
8           designated zone, or special administrative region or  
9           area, in that country.

10           “(B) The Corporation shall also include the fol-  
11           lowing language, in substantially the following form,  
12           in all contracts which the Corporation enters into  
13           with eligible investors to provide financial support  
14           under this title:

15           “‘The investor agrees not to take any actions  
16           to obstruct or prevent employees of the foreign en-  
17           terprise from exercising their international worker  
18           rights (as defined in section 238(h) of the Foreign  
19           Assistance Act of 1961), and agrees to adhere to the  
20           obligations regarding those international worker  
21           rights.’

22           “(2) PREFERENCE TO CERTAIN COUNTRIES.—  
23           To the degree possible and consistent with its devel-  
24           opment objectives, the Corporation shall give pref-  
25           erential consideration to projects in countries that

1 have adopted, maintain, and enforce laws that sub-  
2 stantially provide international worker rights.

3 “(3) USE OF ANNUAL REPORTS ON INTER-  
4 NATIONAL WORKER RIGHTS.—The Corporation shall,  
5 in carrying out paragraph (1)(A), use, among other  
6 sources, the reports submitted to the Congress pur-  
7 suant to section 504 of the Trade Act of 1974. Such  
8 other sources include the observations, reports, and  
9 recommendations of the International Labor Organi-  
10 zation, and other relevant organizations.

11 “(4) INAPPLICABILITY TO HUMANITARIAN AC-  
12 TIVITIES.—Paragraph (1) shall not prohibit the Cor-  
13 poration from providing any insurance, reinsurance,  
14 guaranty, financing, or other assistance for the pro-  
15 vision of humanitarian assistance in a country.”.

16 (b) BOARD OF DIRECTORS.—Section 233(b) of the  
17 Foreign Assistance Act of 1961 (22 U.S.C. 2193(b)) is  
18 amended by adding at the end the following: “The selec-  
19 tion of the small business, organized labor, and coopera-  
20 tive directors should be made, respectively, in consultation  
21 with relevant representative organizations.”.

22 (c) DEFINITIONS.—Section 238 of the Foreign As-  
23 sistance Act of 1961 (22 U.S.C. 2198) is amended—

24 (1) in subsection (f), by striking “and” after  
25 the semicolon;

1           (2) in subsection (g), by striking the period at  
2 the end and inserting “; and”; and

3           (3) by adding at the end the following:

4           “(h) the term ‘international worker rights’  
5 means—

6           “(1) internationally recognized worker  
7 rights, as defined in section 507(4) of the  
8 Trade Act of 1974 (19 U.S.C. 2467(4); and

9           “(2) the elimination of discrimination with  
10 respect to employment and occupation.”.

11       (d) GENERAL PROVISIONS AND POWERS.—Section  
12 239 of the Foreign Assistance Act of 1961 (22 U.S.C.  
13 2199) is amended—

14           (1) in subsection (h), by adding at the end the  
15 following: “In addition, the Corporation should con-  
16 sult with relevant stakeholders in developing such  
17 criteria.”; and

18           (2) in subsection (i), in the first sentence, by  
19 inserting “, including international worker rights,”  
20 after “fundamental freedoms”.

21 **SEC. 5. ENVIROMENTAL ASSESSMENTS.**

22       Section 231A(b) of the Foreign Assistance Act of  
23 1961 (22 U.S.C. 2191a(b)) is amended to read as follows:

24       “(b) ENVIRONMENTAL IMPACT.—The Board of Di-  
25 rectors of the Corporation shall not vote in favor of any

1 action proposed to be taken by the Corporation that is  
2 likely to have significant adverse environmental impacts,  
3 unless for at least 60 days before the date of the vote—

4 “(1) an environmental impact assessment, or  
5 initial environmental audit, analyzing the environ-  
6 mental impacts of the proposed action and of alter-  
7 natives to the proposed action has been completed by  
8 the project applicant and made available to the  
9 Board of Directors; and

10 “(2) such assessment or audit has been made  
11 available to the public of the United States, locally  
12 affected groups in the host country, and host coun-  
13 try nongovernmental organizations.”.

14 **SEC. 6. COMMUNITY SUPPORT.**

15 Section 237 of the Foreign Assistance Act of 1961  
16 (22 U.S.C. 2191(n)) is amended by adding at the end the  
17 following:

18 “(p) COMMUNITY SUPPORT.—To the maximum ex-  
19 tent practicable, the Corporation shall require the appli-  
20 cant for a project that is subject to the requirements in  
21 section 231A(b) to obtain broad community support for  
22 the project.”.

1 **SEC. 7. CLIMATE CHANGE MITIGATION ACTION PLAN.**

2 Title IV of chapter 2 of part I of the Foreign Assist-  
3 ance Act of 1961 (22 U.S.C. 2291 et seq.) is amended  
4 by inserting after section 234A the following new section:

5 **“SEC. 234B. CLIMATE CHANGE MITIGATION.**

6 “(a) **MITIGATION ACTION PLAN.**—The Corporation  
7 shall, not later than 180 days after the date of the enact-  
8 ment of the Overseas Private Investment Corporation Re-  
9 authorization Act of 2007, institute a climate change miti-  
10 gation action plan that includes the following:

11 “(1) **CLEAN AND EFFICIENT ENERGY TECH-**  
12 **NOLOGY.**—

13 “(A) **INCREASING ASSISTANCE.**—The Cor-  
14 poration shall establish a goal of substantially  
15 increasing its support of projects that use, de-  
16 velop, or otherwise promote the use of clean en-  
17 ergy technologies over the 4-year period begin-  
18 ning on the date of the enactment of the Over-  
19 seas Private Investment Corporation Reauthor-  
20 ization Act of 2007.

21 “(B) **PREFERENTIAL TREATMENT TO**  
22 **PROJECTS.**—The Corporation shall give pref-  
23 erential treatment to the evaluation and award-  
24 ing of assistance for and provide greater flexi-  
25 bility in supporting projects that involve the in-

1 vestment or use of clean and efficient energy  
2 technologies.

3 “(2) ENVIRONMENTAL IMPACT ASSESS-  
4 MENTS.—

5 “(A) GREENHOUSE GAS EMISSIONS.—The  
6 Corporation shall, in making an environmental  
7 impact assessment for a project under section  
8 231A(b) in which assistance by the Corporation  
9 would be valued at \$10,000,000 or more (in-  
10 cluding contingent liability), take into account  
11 the degree to which the project contributes to  
12 the emission of greenhouse gases.

13 “(B) OTHER DUTIES NOT AFFECTED.—  
14 The requirement under subparagraph (A) is in  
15 addition to the any other requirement, obliga-  
16 tion, or duty that Corporation has.

17 “(3) REPORT TO CONGRESSIONAL COMMIT-  
18 TEES.—The Corporation shall, within 180 days after  
19 the date of the enactment of the Overseas Private  
20 Investment Corporation Reauthorization Act of  
21 2007, submit to the Committee on Foreign Affairs  
22 of the House of Representatives and the Committee  
23 on Foreign Relations of the Senate a report on the  
24 strategy developed to carry out paragraph (1)(A).  
25 Thereafter, the Corporation shall include in its an-

1 nual report under section 240A a discussion of the  
2 strategy and its implementation.

3 “(b) EXTRACTION INVESTMENTS.—

4 “(1) PRIOR NOTIFICATION TO CONGRESSIONAL  
5 COMMITTEES.—The Corporation may not approve  
6 any contract of insurance or reinsurance, or any  
7 guaranty, or enter into any agreement to provide fi-  
8 nancing for any project which significantly involves  
9 an extractive industry and in which assistance by the  
10 Corporation would be valued at \$10,000,000 or  
11 more (including contingent liability), until at least  
12 30 days after the Corporation notifies the Com-  
13 mittee on Foreign Affairs of the House of Rep-  
14 resentatives and the Committee on Foreign Rela-  
15 tions of the Senate of such contract or agreement.

16 “(2) COMMITMENT TO EITI PRINCIPLES.—The  
17 Corporation may approve a contract of insurance or  
18 reinsurance, or any guaranty, or enter into an agree-  
19 ment to provide financing to an eligible investor for  
20 a project that significantly involves an extractive in-  
21 dustry only if—

22 “(A) the eligible investor has agreed to im-  
23 plement the Extractive Industries Transparency  
24 Initiative principles and criteria; or

1           “(B) the host country where the project is  
2           to be carried out has committed to the Extrac-  
3           tive Industries Transparency Initiative prin-  
4           ciples and criteria.

5           “(3) DEFINITIONS.—In this subsection:

6           “(A) EXTRACTIVE INDUSTRY.—The term  
7           ‘extractive industry’ refers to an enterprise en-  
8           gaged in the exploration, development, or ex-  
9           traction of oil and gas reserves, metal ores,  
10          gemstones, industrial minerals, or coal.

11          “(B) EXTRACTIVE INDUSTRIES TRANS-  
12          PARENCY INITIATIVE PRINCIPLES AND CRI-  
13          TERIA.—The term ‘Extractive Industries Trans-  
14          parency Initiative principles and criteria’ means  
15          the principles and criteria of the Extractive In-  
16          dustries Transparency Initiative, as set forth in  
17          Annex A to the Anti-Corruption Policies and  
18          Strategies Handbook of the Corporation, as  
19          published in September 2006.

20          “(c) DEFINITIONS.—In this section:

21          “(1) CLEAN AND EFFICIENT ENERGY TECH-  
22          NOLOGY.—The term ‘clean and efficient energy tech-  
23          nology’ means an energy supply or end-use  
24          technology—

25          “(A) such as—

12

1 “(i) solar technology;  
2 “(ii) wind technology;  
3 “(iii) geothermal technology;  
4 “(iv) hydroelectric technology; and  
5 “(v) carbon capture technology; and  
6 “(B) that, over its life cycle and compared  
7 to a similar technology already in commercial  
8 use—  
9 “(i) is reliable, affordable, economi-  
10 cally viable, socially acceptable, and com-  
11 patible with the needs and norms of the  
12 country involved;  
13 “(ii) results in—  
14 “(I) reduced emissions of green-  
15 house gases; or  
16 “(II) increased geological seques-  
17 tration; and  
18 “(iii) may—  
19 “(I) substantially lower emissions  
20 of air pollutants; or  
21 “(II) generate substantially  
22 smaller or less hazardous quantities of  
23 solid or liquid waste.  
24 “(2) GREENHOUSE GAS.—The term ‘greenhouse  
25 gas’ means—

- 1 “(A) carbon dioxide;  
2 “(B) methane;  
3 “(C) nitrous oxide;  
4 “(D) hydrofluorocarbons;  
5 “(E) perfluorocarbons; or  
6 “(F) sulfur hexafluoride.

7 “(d) REPORTING REQUIREMENT.—The Corporation  
8 shall include in its annual report required under section  
9 240A a description of its activities to carry out this sec-  
10 tion.”.

11 **SEC. 8. PROHIBITION ON ASSISTANCE TO DEVELOP OR**  
12 **PROMOTE CERTAIN RAILWAY CONNECTIONS**  
13 **AND RAILWAY-RELATED CONNECTIONS.**

14 Section 237 of the of the Foreign Assistance Act of  
15 1961 (22 U.S.C. 2197) is further amended by adding at  
16 the end the following:

17 “(q) PROHIBITION ON ASSISTANCE FOR CERTAIN  
18 RAILWAY PROJECTS.—The Corporation may not provide  
19 insurance, reinsurance, a guaranty, financing, or other as-  
20 sistance to support the development or promotion of any  
21 railway connection or railway-related connection that does  
22 not traverse or connect with Armenia and does connect  
23 Azerbaijan and Turkey.”.

1 **SEC. 9. INELIGIBILITY OF PERSONS DOING CERTAIN BUSI-**  
2 **NESS WITH STATE SPONSORS OF TERRORISM.**

3 (a) IN GENERAL.—Section 237 of the of the Foreign  
4 Assistance Act of 1961 (22 U.S.C. 2197) is further  
5 amended by adding at the end the following:

6 “(r) INELIGIBLE PROJECTS.—

7 “(1) IN GENERAL.—A project will not be eligi-  
8 ble to receive support provided by the Corporation  
9 under this title if either of the following applies:

10 “(A)(i) An applicant for insurance, rein-  
11 surance, financing, or other support for a  
12 project provided to the government of a state  
13 sponsor of terrorism a loan, or an extension of  
14 credit, that remains outstanding.

15 “(ii) For purposes of this subparagraph,  
16 the sale of goods, other than food or medicine,  
17 on any terms other than a cash basis shall be  
18 considered to be an extension of credit.

19 “(B) An applicant for insurance, reinsur-  
20 ance, financing, or other support for a project  
21 has an investment commitment valued at  
22 \$20,000,000 or more for the energy sector.

23 “(2) DEFINITIONS.—In this subsection:

24 “(A) CASH BASIS.—The term ‘cash basis’  
25 refers to a sale in which the purchaser of goods  
26 or services is required to make payment in full

1 within 45 days after receiving the goods or  
2 services.

3 “(B) ENERGY SECTOR.—The term ‘energy  
4 sector’ refers to activities to develop or trans-  
5 port petroleum or natural gas resources.

6 “(C) INVESTMENT COMMITMENT.—The  
7 term ‘investment commitment’ means any of  
8 the following activities if such activity is under-  
9 taken pursuant to a commitment, or pursuant  
10 to the exercise of rights under a commitment,  
11 that was entered into with the government of a  
12 state sponsor of terrorism or a nongovern-  
13 mental entity in a country that is a state spon-  
14 sor of terrorism:

15 “(i) The entry into a contract that in-  
16 cludes responsibility for the development of  
17 petroleum resources located in a country  
18 that is a state sponsor of terrorism, or the  
19 entry into a contract providing for the gen-  
20 eral supervision and guarantee of another  
21 person’s performance of such a contract.

22 “(ii) The purchase of a share of own-  
23 ership, including an equity interest, in that  
24 development.

1           “(iii) The entry into a contract pro-  
2           viding for the participation in royalties,  
3           earnings, or profits in that development,  
4           without regard to the form of the partici-  
5           pation.

6           “(D) STATE SPONSOR OF TERRORISM.—  
7           The term ‘state sponsor of terrorism’ means a  
8           country the government of which the Secretary  
9           of State has determined, for purposes of section  
10          6(j) of the Export Administration Act of 1979,  
11          section 620A of the Foreign Assistance Act of  
12          1961, section 40 of the Arms Export Control  
13          Act, or any other provision of law, to be a gov-  
14          ernment that has repeatedly provided support  
15          for acts of international terrorism.

16          “(3) CERTIFICATION.—

17                 “(A) BY APPLICANTS.—A person or entity  
18                 applying for insurance, reinsurance, a guaranty,  
19                 financing, or other assistance under this title  
20                 may not receive such support unless its chief  
21                 executive officer certifies to the Corporation,  
22                 under penalty of perjury, that the person or en-  
23                 tity and its majority-owned subsidiaries have  
24                 not engaged in any activity described in sub-  
25                 paragraph (A) or (B) of paragraph (1).

1           “(B) BY ULTIMATE PARENT ENTITIES.—  
2           In the case of an applicant that is a majority-  
3           owned entity of another entity, in addition to  
4           the certification under subparagraph (A), the  
5           chief executive officer of the ultimate parent en-  
6           tity of the applicant must certify, under penalty  
7           of perjury, that it and its majority-owned sub-  
8           sidiaries have not engaged in any activity de-  
9           scribed in subparagraph (A) or (B) of para-  
10          graph (1).

11          “(C) APPLICATION TO STRAW MAN TRANS-  
12          ACTIONS.—In any case in which—

13                 “(i) an applicant for insurance, rein-  
14                 surance, financing, or other assistance  
15                 under this title is providing goods and  
16                 services to a project,

17                 “(ii) more than 50 percent of such  
18                 goods and services are acquired from an  
19                 unaffiliated entity, and

20                 “(iii) the unaffiliated entity is receiv-  
21                 ing \$20,000,000 or more, or sums greater  
22                 than 50 percent of the amount of the as-  
23                 sistance provided by the Corporation for  
24                 the project (including contingent liability),  
25                 for such goods or services, then the chief

1 executive officer of the unaffiliated entity  
2 must make a certification under subpara-  
3 graph (A), and any ultimate parent entity  
4 must make a certification required by sub-  
5 paragraph (B).

6 “(D) DILIGENT INQUIRY.—A certification  
7 required by subparagraph (A), (B), or (C) may  
8 be made to the best knowledge and belief of the  
9 certifying officer if that officer states that he or  
10 she has made diligent inquiry into the matter  
11 certified.

12 “(E) DEFINITION.—For purposes of this  
13 paragraph, a person is an ultimate parent of an  
14 entity if the person owns directly, or through  
15 majority ownership of other entities, greater  
16 than 50 percent of the equity of the entity.

17 “(4) EXCEPTION.—The prohibition in para-  
18 graph (1) shall not—

19 “(A) apply to a loan, extension of credit,  
20 or investment commitment by an applicant in  
21 Southern Sudan, Southern Kordofan/Nuba  
22 Mountains State, Blue Nile State, or Abyei,  
23 Darfur, if the Corporation, with the concur-  
24 rence of the Secretary of State, determines that  
25 such loan, extension of credit, or investment

1           commitment will provide emergency relief, pro-  
2           mote economic self-sufficiency, or implement a  
3           nonmilitary program in support of a viable  
4           peace agreement in Sudan, including the Com-  
5           prehensive Peace Agreement for Sudan and the  
6           Darfur Peace Agreement; or

7           “(B) prohibit the Corporation from pro-  
8           viding support for projects in Southern Sudan,  
9           Southern Kordofan/Nuba Mountains State,  
10          Blue Nile State, and Abyei, Darfur, if the Cor-  
11          poration, with the concurrence of the Secretary  
12          of State, determines that such projects will pro-  
13          vide emergency relief, promote economic self-  
14          sufficiency, or implement a nonmilitary pro-  
15          gram in support of a viable peace agreement in  
16          Sudan, including the Comprehensive Peace  
17          Agreement for Sudan and the Darfur Peace  
18          Agreement .

19          “(5) PROSPECTIVE APPLICATION OF SUB-  
20          SECTION.—This subsection shall not be applied to  
21          limit support by the Corporation under this title be-  
22          cause an applicant, unaffiliated entity, or ultimate  
23          parent engaged in commercial activity specifically li-  
24          censed by the Office of Foreign Assets Control of  
25          the Department of the Treasury.”.

1 (b) TERMINATION.—

2 (1) IN GENERAL.—The amendment made by  
3 this section shall cease to be effective with respect  
4 to a country that is a state sponsor of terrorism 30  
5 days after the President certifies to the appropriate  
6 congressional committees that—

7 (A) the country does not possess nuclear  
8 weapons or a significant program to develop nu-  
9 clear weapons; and

10 (B) the country is not committing genocide  
11 or a program of ethnic cleansing against a civil-  
12 ian population that approaches genocide.

13 (2) DEFINITION.—In this subsection, the term  
14 “appropriate congressional committees” means the  
15 Committee on Foreign Affairs of the House of Rep-  
16 resentatives and the Committee on Foreign Rela-  
17 tions of the Senate.

18 **SEC. 10. INCREASED TRANSPARENCY.**

19 (a) IN GENERAL.—Section 237 of the Foreign Assist-  
20 ance Act of 1961 (22 U.S.C. 2197) is further amended  
21 by adding at the end the following new subsection:

22 “(s) AVAILABILITY OF PROJECT INFORMATION.—Be-  
23 ginning 90 days after the date of the enactment of the  
24 Overseas Private Investment Corporation Reauthorization  
25 Act of 2007, the Corporation shall make public, and post

1 on its Internet website, summaries of all new projects sup-  
2 ported by the Corporation, and other relevant information,  
3 except that the Corporation shall not include any confiden-  
4 tial business information in the summaries and informa-  
5 tion made available under this subsection.

6 “(t) REVIEW OF METHODOLOGY.—Not later than  
7 180 days after the date of the enactment of the Overseas  
8 Private Investment Corporation Reauthorization Act of  
9 2007, the Corporation shall publish in the Federal Reg-  
10 ister and periodically revise, subject to a period of public  
11 comment, the detailed methodology, including relevant  
12 regulations, used to assess and monitor the impact of  
13 projects supported by the Corporation on the develop-  
14 mental and environmental impact of, and international  
15 worker rights in, host countries, and on United States em-  
16 ployment.

17 “(u) PUBLIC NOTICE PRIOR TO PROJECT AP-  
18 PROVAL.—

19 “(1) PUBLIC NOTICE.—The Board of Directors  
20 of the Corporation may not vote in favor of any ac-  
21 tion proposed to be taken by the Corporation on any  
22 Category A project until at least 60 days after the  
23 Corporation—

1           “(A) makes available for public comment a  
2           summary of the project and relevant informa-  
3           tion about the project; and

4           “(B) makes the summary and information  
5           described in paragraph (1) available to locally  
6           affected groups in the area of impact of the  
7           proposed project, and to host country non-  
8           governmental organizations.

9           The Corporation shall not include any business con-  
10          fidential information in the summary and informa-  
11          tion made available under subparagraph (A) and  
12          (B).

13          “(2) PUBLISHED RESPONSE.—To the extent  
14          practicable, the Corporation shall publish any of its  
15          responses to the comments received under paragraph  
16          (1) with respect to a category A project and submit  
17          the responses to the Board not later than 7 days be-  
18          fore a vote is to be taken on any action proposed by  
19          the Corporation on the project.

20          “(v) CATEGORY A PROJECT.—In this section, the  
21          term ‘category A project’ means any project or other activ-  
22          ity for which the Corporation proposes to provide insur-  
23          ance, reinsurance, financing, or other support under this  
24          title and which is likely to have significant adverse envi-  
25          ronmental impacts.”.

1 (b) OFFICE OF ACCOUNTABILITY.—Section 237 of  
2 the Foreign Assistance Act of 1961 (22 U.S.C. 2197) is  
3 further amended by adding at the end the following new  
4 subsection:

5 “(v) OFFICE OF ACCOUNTABILITY.—The Corpora-  
6 tion shall maintain an Office of Accountability to provide  
7 problem-solving services for projects supported by the Cor-  
8 poration and to review the Corporation’s compliance with  
9 its environmental, social, worker rights, human rights, and  
10 transparency policies and procedures. The Office of Ac-  
11 countability shall operate in a manner that is fair, objec-  
12 tive and transparent.”.

13 **SEC. 11. FRAUD AND OTHER BREACHES OF CONTRACT.**

14 Section 237(n) of the Foreign Assistance Act of 1961  
15 (22 U.S.C. 2197(n)) is amended by adding at the end the  
16 following: “The President of the Corporation shall refer  
17 to the Department of Justice for appropriate action infor-  
18 mation known to the Corporation concerning any substan-  
19 tial evidence of—

20 “(1) a violation of this title;

21 “(2) any material breach of contract entered  
22 into with the Corporation by an eligible investor; or

23 “(3) any material false representation made by  
24 an investor to the Corporation.”.

1 **SEC. 12. TRANSPARENCY AND ACCOUNTABILITY OF IN-**  
2 **VESTMENT FUNDS.**

3 (a) IN GENERAL.—Section 239 of the Foreign Assist-  
4 ance Act of 1961 is amended by adding at the end the  
5 following:

6 “(1) TRANSPARENCY AND ACCOUNTABILITY OF IN-  
7 VESTMENT FUNDS.—

8 “(1) COMPETITIVE SELECTION OF INVESTMENT  
9 FUND MANAGEMENT.—With respect to any invest-  
10 ment fund that the Corporation creates on or after  
11 the date of the enactment of the Overseas Private  
12 Investment Corporation Reauthorization Act of  
13 2007, the Corporation may select persons to manage  
14 the fund only by contract using full and open com-  
15 petitive procedures.

16 “(2) CRITERIA FOR SELECTION.—In assessing  
17 proposals for investment fund management pro-  
18 posals, the Corporation shall consider, in addition to  
19 other factors, the following:

20 “(A) The prospective fund management’s  
21 experience, depth, and cohesiveness.

22 “(B) The prospective fund management’s  
23 track record in investing risk capital in emerg-  
24 ing markets.

25 “(C) The prospective fund management’s  
26 experience, management record, and monitoring

1 capabilities in its target countries, including de-  
2 tails of local presence (directly or through local  
3 alliances).

4 “(D) The prospective fund management’s  
5 experience as a fiduciary in managing institu-  
6 tional capital, meeting reporting requirements,  
7 and administration.

8 “(E) The prospective fund management’s  
9 record in avoiding investments in companies  
10 that would be disqualified under section 237(r).

11 “(3) ANNUAL REPORT.—The Corporation shall  
12 include in each annual report under section 240A an  
13 analysis of the investment fund portfolio of the Cor-  
14 poration, including the following:

15 “(A) FUND PERFORMANCE.—An analysis  
16 of the aggregate financial performance of the  
17 investment fund portfolio grouped by region  
18 and maturity, including a comparison with in-  
19 dustry benchmarks.

20 “(B) STATUS OF LOAN GUARANTIES.—The  
21 amount of guaranties committed by the Cor-  
22 poration to support investment funds, including  
23 the percentage of such amount that has been  
24 disbursed to the investment funds.

1           “(C) RISK RATINGS.—The definition of  
2           risk ratings, and the current aggregate risk rat-  
3           ings for the investment fund portfolio, including  
4           the number of investment funds in each of the  
5           Corporation’s rating categories.

6           “(D) COMPETITIVE SELECTION OF INVEST-  
7           MENT FUND MANAGEMENT.— The number of  
8           proposals received and evaluated for each newly  
9           established investment fund.”.

10       (b) GAO AUDIT.—Not later than 1 year after the  
11       submission of the first report to Congress under section  
12       240A of the Foreign Assistance Act of 1961 that includes  
13       the information required by section 239(l)(3) of that Act  
14       (as added by subsection (a) of this section), the Comp-  
15       troller General of the United States shall prepare and sub-  
16       mit to the Congress an independent assessment of the in-  
17       vestment fund portfolio of the Overseas Private Invest-  
18       ment Corporation, covering the items required to be ad-  
19       dressed under such section 239(l)(3).

20       **SEC. 13. EXTENSION OF AUTHORITY TO OPERATE IN IRAQ.**

21       Section 239 of the Foreign Assistance Act of 1961  
22       (22 U.S.C. 2199) is amended by adding at the end the  
23       following:

24       “(m) OPERATIONS IN IRAQ.—Notwithstanding sub-  
25       sections (a) and (b) of section 237, the Corporation is au-

1 thORIZED to undertake in Iraq any program authorized by  
2 this title.”.

3 **SEC. 14. CONSISTENCY WITH EXISTING LAW.**

4 Section 239 of the Foreign Assistance Act of 1961  
5 (22 U.S.C. 2199) is further amended by adding at the  
6 end the following:

7 “(n) CONSISTENCY WITH OTHER LAW.—Section  
8 620L of this Act shall apply to any insurance, reinsurance,  
9 guaranty, or other financing issued by the Corporation for  
10 projects in the West Bank and Gaza to the same extent  
11 as such section applies to other assistance under this Act.

12 “(o) LIMITATION ON ASSISTANCE TO GAZA AND THE  
13 WEST BANK .—The Corporation may not provide insur-  
14 ance, reinsurance, a guaranty, financing, or other assist-  
15 ance to support a project in any part of Gaza or the West  
16 Bank unless the Secretary of State determines that the  
17 location for the project is not under the effective control  
18 of Hamas or any other foreign terrorist organization des-  
19 ignated under section 219 of the Immigration and Nation-  
20 ality Act (8 U.S.C. 1189).”.

21 **SEC. 15. CONGRESSIONAL NOTIFICATION REGARDING MAX-**  
22 **IMUM CONTINGENT LIABILITY.**

23 Section 239 of the Foreign Assistance Act of 1961  
24 (22 U.S.C. 2199) is further amended by adding at the  
25 end the following:

1       “(p) CONGRESSIONAL NOTIFICATION OF INCREASE  
2 IN MAXIMUM CONTINGENT LIABILITY.—The Corporation  
3 shall notify the Committee on Foreign Affairs of the  
4 House of Representatives and the Committee on Foreign  
5 Relations of the Senate not later than 15 days after the  
6 date on which the Corporation’s maximum contingent li-  
7 ability outstanding at any one time pursuant to insurance  
8 issued under section 234(a), and the amount of financing  
9 issued under sections 234(b) and (c), exceeds the previous  
10 fiscal year’s maximum contingent liability by 25 percent.”.

11 **SEC. 16. TECHNICAL CORRECTIONS.**

12       (a) PILOT EQUITY FINANCE PROGRAM.—Section 234  
13 of the Foreign Assistance Act of 1961 (22 U.S.C. 2194)  
14 is amended—

15             (1) by striking subsection (g); and

16             (2) by redesignating subsection (h) as sub-  
17 section (g).

18       (b) TRANSFER AUTHORITY.—Section 235 of the For-  
19 eign Assistance Act of 1961 (22 U.S.C. 2195) is  
20 amended—

21             (1) by striking subsection (e); and

22             (2) by redesignating subsection (f) as sub-  
23 section (e).

24       (c) GUARANTY CONTRACT.—Section 237(j) of the  
25 Foreign Assistance Act of 1961 (22 U.S.C. 2197(j)) is

1 amended by inserting “insurance, reinsurance, and” after  
2 “Each”.

3 (d) TRANSFER OF PREDECESSOR PROGRAMS AND  
4 AUTHORITIES.—

5 (1) TRANSFER.—Section 239 of the Foreign  
6 Assistance Act of 1961 (22 U.S.C. 2199) is  
7 amended—

8 (A) by striking subsection (b); and

9 (B) by redesignating the subsections (c)  
10 through (p) (as added by section 15 of this Act)  
11 as subsections (b) through (l), respectively.

12 (2) CONFORMING AMENDMENTS.—(A) Section  
13 237(m)(1) of the Foreign Assistance Act of 1961  
14 (22 U.S.C. 2197(m)(1)) is amended by striking  
15 “239(g)” and inserting “239(f)”.

16 (B) Section 240A(a) of the Foreign Assistance  
17 Act of 1961 (22 U.S.C. 2200A(a)) is amended—

18 (i) in paragraph (1), by striking “239(h)”  
19 and inserting “239(g)”; and

20 (ii) in paragraph (2)(A), by striking  
21 “239(i)” and inserting “239(h)”.

22 (C) Section 209(e)(16) of the Admiral James  
23 W. Nance and Meg Donovan Foreign Relations Au-  
24 thorization Act, Fiscal Years 2000 and 2001 (as en-  
25 acted into law by section 1000(a)(7) of Public Law

1 106-113; 31 U.S.C. 1113 note) is amended by strik-  
2 ing “239(c)” and “2199(c)” and inserting “239(b)”  
3 and “2199(b)”, respectively.

4 (e). ADDITIONAL CLERICAL AMENDMENTS.—(1) Sec-  
5 tion 234(b) of the Foreign Assistance Act of 1961 (22  
6 U.S.C. 2194(b)) is amended by striking “235(a)(2)” and  
7 inserting “235(a)(1)”.

8 (2) Section 236 of the Foreign Assistance Act of  
9 1961 (22 U.S.C. 2196) is amended—

10 (A) in subsection (b), by striking “the Direct  
11 Investment Fund established pursuant to section  
12 235,”; and

13 (B) by redesignating subsections (a) through  
14 (a) as paragraphs (1) through (3), respectively.

15 **SEC. 17. EFFECTIVE DATE.**

16 (a) NEW APPLICATIONS.—This Act and the amend-  
17 ments made by this Act shall apply with respect to any  
18 application for insurance, reinsurance, a guaranty, financ-  
19 ing, or other support under title IV of chapter 2 of part  
20 I of the Foreign Assistance Act of 1961 if the application  
21 is received by the Overseas Private Investment Corpora-  
22 tion on or after July 1, 2007, and the application is ap-  
23 proved by the Corporation on or after the date of the en-  
24 actment of this Act.

25 (b) EXTENSIONS AND RENEWALS.—

1           (1) IN GENERAL.—Subject to paragraph (2),  
2           this Act and the amendments made by this Act shall  
3           apply with respect to any extension or renewal of a  
4           contract or agreement for any such insurance, rein-  
5           surance, guaranty, financing, or support that was  
6           entered into by the Corporation before the date of  
7           the enactment of this Act if the extension or renewal  
8           is approved by the Corporation on or after such date  
9           of enactment.

10           (2) EXCEPTION.—This Act and the amend-  
11           ments made by this Act shall not apply to any exten-  
12           sion or renewal which is substantially identical to an  
13           extension or renewal formally requested in a detailed  
14           writing filed with the Corporation before July 1,  
15           2007.

Chairman LANTOS. I am pleased to yield to the sponsor of the bill, the distinguished chairman of the subcommittee, Mr. Sherman, time to explain his legislation; Mr. Sherman?

Mr. SHERMAN. Thank you, Mr. Chairman. I want to thank you for having this bill considered at our subcommittee. I want to thank my colleagues on the subcommittee for their participation first in a hearing on OPIC, and then the markup last Thursday.

In my remarks here, I am going to address both the substitute passed by the subcommittee last Thursday, and the Manager's Amendment that will be presented here today.

I want to thank the chairman, Mr. Lantos, and the ranking member, Ms. Ros-Lehtinen, for their agreement to co-sponsor this legislation, and for their many inputs into its text. I want to thank many members for contributing to the text of either the substitute adopted last Thursday at the subcommittee level, or the Manager's Amendment I am about to present.

I especially want to thank ranking member, Mr. Royce, for his many contributions to both the base text and the Manager's Amendment.

First and most important, this legislation extends for a period of 4 years, a valuable part of our foreign aid international development program, and that is the Overseas Private Investment Corporation, which would otherwise expire on September 30th of this year.

Second, this legislation improves OPIC by focusing it on important elements of our foreign policy; that is to say, international labor standards, the environment, and the effort to encourage private corporations around the world to stop investing in terrorism.

It builds on the Iran Counter-Proliferation Act, which we discussed earlier today in this room, and I know that we had a lively discussion over whether sanctions were a good idea or not.

I should point out that getting assistance from OPIC is a privilege. It is not a right. So this bill does not impose any sanctions.

If you are in favor of the idea of using sanctions as part of our policy against terrorist nations, I think you should strongly support this element of the legislation. But even if you are reluctant to see us impose sanctions, certainly, when we are providing aid to corporations and their projects, we ought to insist that those corporations do not invest in terror.

Now in its original draft, this legislation focused on three of the state sponsors of terrorism; two, because of their proliferation, and one because of its genocidal activities.

The ranking member of the full committee was very persuasive in persuading in the Manager's Amendment to state that we should focus on all five of the nations on the State Sponsor of Terrorism List.

In going from three to five, this bill becomes a heavier burden to carry through the legislative process, particularly the Senate. But I know with the eloquent advocacy and strong muscular arms of the gentlelady from Florida, we will be able to carry this bill, even though it expands from three to five the nations that we are urging corporations not to invest in.

Chairman LANTOS. I hate to correct my friend, but those are strong, feminine arms. [Laughter.]

Ms. SHERMAN. They are muscular and they are strong, and they are feminine in every way. The word “feminine” and the word “strong” are usually regarded as synonyms, rather than antonyms.

With regard to Sudan, we recognize that there are regions of that country not under the control of its genocidal government, and we therefore carve out certain green zones of Sudan where we do not discourage investment.

I want to thank Mr. Royce, our subcommittee’s ranking member, for working with me to include at the subcommittee level language that requires a full and open process for OPIC selecting its investment managers. In addition, he contributed language to the Manager’s Amendment that prioritizes investments in countries which provide a fair opportunity for private enterprise.

I want to thank Ambassador Watson for contributing language in which we show a preference when making investments in the extractive industries for those countries and those individual companies that comply with the extractive industry transparency initiative.

I want to thank Mr. Manzullo for contributing to the Manager’s Amendment language that places into the statute OPIC’s commitment and codifies that commitment to helping small and medium size businesses.

Finally, at the subcommittee, I proposed to OPIC that they might want to change their name, since they are currently saddled with America’s most unfortunate acronym. We have discussed this with the managers of the organization, and they have said that they wished to continue to endure acronym acrimony. So there is no provision here to change their name.

With that, I urge my colleagues on this committee to support both the bill and the Manager’s Amendment, and I yield back.

Chairman LANTOS. Ms. Ileana Ros-Lehtinen?

Ms. ROS-LEHTINEN. Thank you so much, Mr. Chairman. As always, thank you to you, my good friend from California, and my other good friend from California, Mr. Sherman, for the way that you have worked with me, with Mr. Royce, Mr. Manzullo, and others of us on this side of the aisle on important legislation.

To my friend, Mr. Sherman, I thank him for accepting two of my suggestions; one of them, as he pointed out, clarifies the prohibition on OPIC financing the companies doing business with all state sponsors of terrorism.

The other provision I authored requires that Congress be given early warning of any significant expansion of OPIC’s balance sheet; thereby helping to shield the American taxpayer from future potential liability.

We understand that from time to time, OPIC has been subject to controversy. But it is significant, Mr. Chairman, to point out that seven Presidents from both parties have believed in the core mission of OPIC, which is to mobilize U.S. private capital for the social and economic development of less developed countries. That is strongly in the U.S. national interest.

In recent years, OPIC appears to have been better focused in its resources and its efforts by bringing economic development to under-served markets in Central America, in Africa, Afghanistan,

and now Iraq. OPIC has also reached out to U.S. small business, especially minority and women-owned enterprises.

OPIC has sought to enhance transparency, and to fight corruption, thereby leveling the playing field for U.S. businesses, as we attempt to compete in international markets. OPIC is also embarking on new efforts to encourage investments that reduce greenhouse gas emissions and promote the use of clean energy.

By charging market-based fees for its products, OPIC continues to operate as a self-sustaining agency, operating at no net cost to the taxpayers and, in fact, returning net income every year of operation, with reserves not totaling more than \$5 billion.

Mr. Chairman, OPIC continues to serve U.S. foreign policy interests. This is a good legislative product. I thank Mr. Chairman and our chairman, and I hope that the committee supports this bill before us; thank you, Mr. Chairman.

Chairman LANTOS. Thank you; I am pleased to recognize Mr. Royce.

Mr. ROYCE. Thank you, Mr. Chairman.

I want to thank Chairman Sherman for his work on this legislation. He worked thoroughly through this bill, and while we disagree on OPIC's merits he supported my text to help reform its investment funds, and I think ranking member Ros-Lehtinen's language on state sponsors of terrorism was a key addition to this language.

OPIC's investment funds, as some may remember, have a very troubled history here in the United States. In the 1990s, then OPIC's president Ruth Harkin said if you are an investor in an OPIC supported fund the worst you can do is get your money back at the end of 10 years. Now, that is not the free market OPIC professes to support and, not surprisingly, these funds were subject to political cronyism.

There have been reforms to the funds of late, including competitively selecting fund managers, but we should mandate them, and we should pay closer attention to their operations. My language does this.

Fundamentally, though, I remain unconvinced that OPIC is doing something worthwhile that the private sector would not do. The burden of proof here should be on OPIC, and its longevity frankly isn't a virtue, especially in times of accelerating change in financial markets because there are many companies now that have jumped into the political risk insurance business, for example, offering increasingly sophisticated products, yet we are reauthorizing government-backed OPIC to continue competing against those companies that are coming into the private market. Why are we doing that?

Most economists believe that subsidizing investment, which is OPIC's function, merely shifts it around, often to less productive locations and uses. So we can go to CRS and get the Congressional Research Service report. They say:

"From the point of view of the U.S. economy as a whole, there is little theoretical support or empirical evidence that supports claims that subsidizing exports or overseas investment offers a positive net gain in jobs to the U.S. economy."

That is persuasive evidence against OPIC's claims.

We have heard that OPIC returns money to the U.S. Treasury. Well, give most anybody U.S. Government backing to trade on and they turn a profit in financial markets. At a subcommittee hearing, one OPIC critic gave a useful description. He said investment is like a rope. Less developed countries can only pull it in with good policies. We can't push investment in, which is what Congress is mandating OPIC to do.

As a matter of fact, this is kind of counterintuitive, but if you really want reform in these countries you don't guarantee investment from overseas because then they don't have to make the reforms internally. You instead try to leverage for the internal reforms, which then would give everyone, both those working in the country and those in the United States that seek to invest in the country, the guarantees the reform would bring.

Mr. Chairman, these are some of the reasons I will oppose OPIC's reauthorization, but I thank you, and I really thank Chairman Sherman for his good work on this legislation.

I yield back.

Chairman LANTOS. I thank my friend from California.

I believe there are two technical amendments, Mr. Sherman?

Mr. SHERMAN. Yes. We have a manager's amendment at the desk.

Chairman LANTOS. The clerk will read the amendment.

Ms. RUSH. An amendment to the amendment in the nature of a substitute—

Chairman LANTOS. We will consider the amendment to have been read.

[The amendment of Mr. Sherman follows:]

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 2798  
OFFERED BY MR. SHERMAN OF CALIFORNIA**

Page 3, insert the following after line 13 and redesignate succeeding sections, and references thereto, accordingly:

1 **SEC. 4. PREFERENTIAL CONSIDERATION OF CERTAIN IN-**  
2 **VESTMENT PROJECTS.**

3 Section 231(f) of the Foreign Assistance Act of 1961  
4 (22 U.S.C. 2191(f)) is amended to read as follows:

5 “(f) to give preferential consideration to invest-  
6 ment projects in less developed countries the govern-  
7 ments of which are receptive to private enterprise,  
8 domestic and foreign, and to projects in countries  
9 the governments of which are willing and able to  
10 maintain conditions that enable private enterprise to  
11 make its full contribution to the development pro-  
12 cess;”.

Page 7, line 20, strike “the requirements in”.

Page 8, beginning on line 25, strike “involve the investment or” and insert “use, develop, or otherwise promote the”.

Page 9, lines 8 through 10, strike “in which assistance by the Corporation would be valued at \$10,000,000 or more (including contingent liability)”.

Page 9, line 15, strike “the”.

Page 9, line 16, insert “the” after “that”.

Page 9, line 24, strike “strategy” and insert “plan”.

Page 10, lines 1 and 2, strike “the strategy” and insert “such plan”.

Page 10, line 24, insert “or substantially similar principles and criteria” after “and criteria”.

Page 11, line 4, insert “or substantially similar principles and criteria” after “and criteria”.

Page 11, insert the following after line 4 and redesignate the succeeding paragraph accordingly:

1           “(3) PREFERENCE FOR CERTAIN PROJECTS.—  
2           With respect to all projects that significantly involve  
3           an extractive industry, the Corporation, to the de-  
4           gree possible and consistent with its development ob-  
5           jectives, shall give preference to a project in which  
6           both the eligible investor has agreed to implement  
7           the Extractive Industries Transparency Initiative  
8           principles and criteria, or substantially similar prin-

1 ciples and criteria, and the host country where the  
2 project is to be carried out has committed to the Ex-  
3 tractive Industries Transparency Initiative principles  
4 and criteria, or substantially similar principles and  
5 criteria.”.

Page 11, insert the following after line 19:

6 “(4) REPORTING REQUIREMENT.—The Cor-  
7 poration shall include in its annual report required  
8 under section 240A a description of its activities to  
9 carry out this subsection.”.

Page 13, strike lines 7 through 10.

Page 14, line 3, strike “of the”.

Page 14, line 22, insert “in a country that is a state  
sponsor of terrorism” after “energy sector”.

Page 16, line 23, strike “have” and insert “are”.

Page 17, line 8, strike “have” and insert “are”.

Page 18, insert the following after line 11 and reded-  
ignate the succeeding subparagraph accordingly:

10 “(E) EXCEPTION.—(i) A chief executive  
11 officer of a parent company may provide a cer-  
12 tification required by subparagraph (A), (B), or  
13 (C) notwithstanding activity by any entity that

1 would cause a project to be ineligible for sup-  
2 port under subparagraph (A) or (B) of para-  
3 graph (1) if such activity is carried out under  
4 a contract or other obligation of such entity  
5 that was entered into or incurred before the ac-  
6 quisition of such entity by the parent company.

7 “(ii) Clause (i) shall not apply if the terms  
8 of such contract or other obligation are ex-  
9 panded or extended after such acquisition.”.

Page 20, strike lines 1 through 17 and insert the  
following:

10 (b) TERMINATION.—

11 (1) IN GENERAL.—The amendment made by  
12 this section shall cease to be effective with respect  
13 to a country that is a state sponsor of terrorism 30  
14 days after the President certifies to the appropriate  
15 congressional committees that—

16 (A) the country has ceased providing sup-  
17 port for acts of international terrorism and no  
18 longer satisfies the requirements for designation  
19 as a state sponsor of terrorism;

20 (B) the country does not possess nuclear  
21 weapons or a significant program to develop nu-  
22 clear weapons; and

1 (C) the country is not committing genocide  
2 or conducting a program of ethnic cleansing  
3 against a civilian population that approaches  
4 genocide.

5 (2) DEFINITIONS.—In this subsection:

6 (A) APPROPRIATE CONGRESSIONAL COM-  
7 MITTEES.—The term “appropriate congres-  
8 sional committees’” means the Committee on  
9 Foreign Affairs of the House of Representatives  
10 and the Committee on Foreign Relations of the  
11 Senate.

12 (B) STATE SPONSOR OF TERRORISM.—The  
13 term “state sponsor of terrorism” has the  
14 meaning given that term in section  
15 237(r)(2)(D) of the Foreign Assistance Act of  
16 1961, as added by subsection (a) of this sec-  
17 tion.

Page 21, lines 13 and 14, strike “developmental and environmental impact of” and insert “development and environment of”.

Page 22, line 11, strike “subparagraph” and insert “subparagraphs”.

Page 22, line 14, strike “any of its”.

Page 22, line 16, strike “category” and insert “Category”.

Page 22, line 21, strike “category” and insert “Category”.

Page 23, line 10, insert “, to the maximum extent practicable” after “procedures”.

Page 23, strike lines 13 through 16 and insert the following:

1 **SEC. 11. FRAUD AND OTHER BREACHES OF CONTRACT.**

2 Section 237(n) of the Foreign Assistance Act of 1961  
3 (22 U.S.C. 2137(n)) is amended—

4 (1) by striking “Whoever” and inserting “(1)  
5 Whoever”; and

6 (2) by adding at the end the following:

7 “(2)(A) The President of the Corporation shall  
8 refer”.

Page 23, line 20, strike “(1)” and insert “(i)”.

Page 23, line 21, strike “(2) any” and insert “(ii)  
a”.

Page 23, line 23, strike “(3) any” and insert “(iii)  
a”.

Page 23, line 24, strike the quotation marks and second period.

Page 23, insert the following after line 24:

1       “(B) Subparagraph (A) does not apply if the Presi-  
2 dent of the Corporation concludes that the matter de-  
3 scribed in clause (i), (ii), or (iii), as the case may be, of  
4 subparagraph (A)—

5           “(i) is not evidence of a possible violation of  
6 criminal law; and

7           “(ii) is not evidence that the Federal Govern-  
8 ment is entitled to civil remedy or to impose a civil  
9 penalty.”.

Page 23, line 23, strike “any” and insert “a”.

Page 24, line 4, insert “(22 U.S.C. 2199)” after “1961”.

Page 25, line 18, strike “, including” and all that follows through line 19 and insert a period.

Page 26, line 16, strike “Congress” and insert “Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate”.

Page 28, insert the following after line 10 and redesignate the succeeding subsections accordingly:

1 **SEC. 16. ASSISTANCE FOR SMALL BUSINESSES.**

2 Section 240 of the Foreign Assistance Act of 1961  
3 (22 U.S.C. 2187) is further amended by adding at the  
4 end the following:

5 “(c) RESOURCES DEDICATED TO SMALL BUSI-  
6 NESSES, COOPERATIVES, AND OTHER SMALL UNITED  
7 STATES INVESTORS.—The Corporation shall ensure that  
8 adequate personnel and resources, including senior offi-  
9 cers, are dedicated to assist United States small busi-  
10 nesses, cooperatives, and other small United States inves-  
11 tors in obtaining insurance, reinsurance, financing, and  
12 other support under this title. The Corporation shall in-  
13 clude, in each annual report under section 240A, the fol-  
14 lowing information with respect to the period covered by  
15 the report:

16 “(1) A description of such personnel and re-  
17 sources.

18 “(2) The number of small businesses, coopera-  
19 tives, and other small United States investors that  
20 received such insurance, reinsurance, financing, and  
21 other support, and the dollar value of such insur-  
22 ance, reinsurance, financing and other support.

23 “(3) A description of the projects for which  
24 such insurance, reinsurance, financing, and other  
25 support was provided.”.

Page 29, line 11, strike “(l)” and insert “(o)”.

Page 30, line 4, strike “(1)”.

Page 30, strike lines 8 through 14.

Chairman LANTOS. Do you wish to speak to it? I believe it is non-controversial.

Mr. SHERMAN. It is noncontroversial. It does contain the elements that I indicated in my opening statement on the bill.

I would like to use this time to just respond to Mr. Royce. It does make sense for the United States to provide political risk insurance through OPIC to projects in the developing world for several reasons.

First, the Federal Government is uniquely well suited to provide this political risk insurance both because it is large enough to be able to spread the risk over many projects, and secondarily because OPIC is in a position to reduce the risk. When some country is thinking of expropriating the assets of American companies they think again if they realize that the result of that expropriation will fall upon American taxpayers.

Second, OPIC is not there just as a financial institution. It is there to advance the development objectives and foreign policy objectives of the United States. It has advanced these objectives and at the same time has reserves of \$5.3 billion so it has made a profit for the Treasury. I therefore urge support for the manager's amendment in the bill.

Chairman LANTOS. Ms. Watson?

Ms. WATSON. I want to thank you, Chairman Lantos, as well as Chairman Sherman, for your efforts to craft this legislation and to work with me to strengthen in the areas of promoting extractive industry transparency. From what I hear, probably some of these issues are addressed in the amendment.

I had three issues, and I think that they have been addressed. The first is the role of OPIC in funding oil projects in developing countries. With world prices at an all-time high, I do not think that the U.S. taxpayers need to be funding these sorts of projects.

Investors seeking funding for oil exploration and drilling can easily find private sector funding available, and I understand that you will be seeking to address these issues in report language. I thank you for the efforts.

The second issue regards enhancing the efforts of OPIC and promoting environmentally sustainable technologies. I applaud the language that exists in the subcommittee substitute version of the bill, and I welcome your offer to clarify the standard we wish OPIC to meet in committee report language.

The third is the most critical, supporting efforts to increase transparency in extractive industries. Extractive industries promise easy wealth to poor societies around the world, and the idea that the ground beneath your feet can provide for you is quite seductive.

Unfortunately, it has turned into a trap for far too many developing countries, and more and more academics are paying attention to the so-called resource curse and the starting effect that extractive industries can have on the societies, undermining the development of democratic institutions and disrupting traditional dispute resolution mechanisms that have kept peace for generations.

A recent poignant example of this, of course, is in the wars that wrack Liberia and Sierra Leone over the last two decades where

diamonds, timber and iron ore became fuel for the war machines of Charles Taylor and Boday Chaka.

The underlying bill contains language that requires either an OPIC investor or the host country to comply with the disclosure rules of the extractive industry's transparency initiative or EITI, so rather than go any further I just want to thank both of you for agreeing to include the additional language that requires OPIC to give a preference to those projects so both investors and governments are compliant with the EITI.

Thank you so much, Mr. Chairman, and I yield back.

Chairman LANTOS. Thank you.

Mr. Smith of New Jersey?

Mr. SMITH OF NEW JERSEY. Thank you very much, Mr. Chairman.

I would like to just ask Mr. Sherman a couple of questions, if I could, beginning with the Clean and Efficient Energy Technology section. He points out that it would substantially increase the ports of projects that use, develop or otherwise promote the use of clean energy technologies over the 4-year period beginning on the date of enactment.

I see that he tracks some of the language that Mr. Lantos and I had in his legislation dealing with global warming, solar technology, wind technology, geothermal, hydroelectric. Nobody at all disagrees with that. I am glad that is enumerated there.

My concern is whether this also either wittingly or unwittingly allow for nuclear power to be financed by OPIC. As I read further, it points out that—if I could just find it—if it generates less or smaller quantities of waste that seems to be one of the conditions that conforms with the norms of a given country.

Nuclear waste is less. It is smaller, but its lethality is exponentially more dangerous than so many other contaminants and pollutants that are released, so my question is when you say substantially increasing and give preferential treatment to Federal subsidization projects that use, develop or otherwise promote the use of these technologies, do you mean nuclear?

Mr. SHERMAN. No.

Mr. SMITH OF NEW JERSEY. I appreciate that. I would ask if we could maybe as a friendly change include where it says "or smaller quantities" make that "and" rather than "or" because smaller and less hazardous—let me find it. I had it.

While I am looking for that, if I could ask you a second question?

Mr. SHERMAN. So you are suggesting that on page 12, line 22, where it says "generate substantially smaller or less hazardous"——

Mr. SMITH OF NEW JERSEY. Make that "and."

Mr. SHERMAN. "And." I move to have unanimous consent that the gentleman's one-word change on line 22 of page 12 be adopted if that is consistent with the——

Chairman LANTOS. Without objection.

Mr. SMITH OF NEW JERSEY. I would appreciate that.

Mr. SHERMAN. Thank you.

Mr. SMITH OF NEW JERSEY. Let me ask one other question if I could on the carve-out for Darfur, which I think is a good thing. I think we need to help the people of Southern Sudan, and we need

to help those marginalized in Khartum itself and of course those in Darfur itself.

My question would go to the concurrence of the Secretary of State. Does that mean veto power on the part of the Secretary of State with the OPIC board, and would there be a process by which—I mean, what does concurrence mean?

Mr. SHERMAN. If you could address me to a particular paragraph I might give you a more focused response.

Mr. SMITH OF NEW JERSEY. Sure. On page 17 of the bill. I am not sure what page it is on—

Mr. SHERMAN. Yes.

Mr. SMITH OF NEW JERSEY. It is the Exceptions, No. 4. “Notwithstanding a prohibition in paragraph 1, the corporation may provide support for projects in Southern Sudan.” It then goes through a list of affected areas.

Then it says, “If the corporation with the concurrence of the Secretary of State determines that such projects . . .” and then it goes on. Just if you could for the record define what concurrence means?

Mr. SHERMAN. I believe that would require the approval of the Secretary of State, and I don’t know if that achieves the policy objectives you are trying to achieve.

Mr. SMITH OF NEW JERSEY. The hope would be especially since there are dual use items that we would be concerned about or projects that would have military value as well as value for even humanitarian crises that it be a very strict concurrence; that there be essentially a veto part on the Secretary of State.

Mr. SHERMAN. I think that requiring concurrence means that in the absence of that concurrence you do not move forward.

Mr. SMITH OF NEW JERSEY. I appreciate that. I yield back.

Chairman LANTOS. Mr. Rohrabacher?

Mr. ROHRABACHER. Thank you very much.

Mr. Sherman, does this authorization permit Federal dollars to be used by the OPIC, should I say, defining that as Federal dollars, to be used to assist people who are investing in nondemocratic countries or dictatorships?

Mr. SHERMAN. There is a strong preference for investing in countries that are moving forward with regard to their human rights and, due to Mr. Royce’s provision, countries that respect private property and are moving forward with a private enterprise model.

Mr. ROHRABACHER. Would the income—

Mr. SHERMAN. There is no requirement that absolutely every OPIC project be in a country that we would recognize as a democracy.

There is an awful lot of the world’s poor people most in need of development assistance who unfortunately don’t have a democratic government, and I think it would be doubly punishing on them to say that you will not get any form of U.S. development assistance.

Mr. ROHRABACHER. But it should be. The country should at least be going in the right direction. The government should be becoming more repressive rather than less repressive.

Mr. SHERMAN. And there is language in the bill on that.

Mr. ROHRABACHER. Okay. Is Vietnam headed in the right direction or the wrong direction in terms of human rights?

Mr. SHERMAN. This bill won't become effective for many months, and I hope by the time it becomes operative the answer is the right direction. Whatever the answer is today is not relevant to this bill.

Mr. ROHRABACHER. But it is clear in the legislation that the assistance being provided should not be provided to countries that are becoming more repressive rather than less repressive. Is that right?

Mr. SHERMAN. I won't say that there is an absolute prohibition on every project.

Mr. ROHRABACHER. Right.

Mr. SHERMAN. But there is certainly a strong push in that direction.

Mr. ROHRABACHER. Would you support an amendment to this bill that would insist that we not be providing subsidies to businesses who are investing in countries that are governed by regimes that are becoming more repressive rather than less repressive?

Mr. SHERMAN. I would have preferred that that come up in subcommittee or would have been put forward at the hearings that our subcommittee had. At this point there may be projects in a country that is moving in the wrong direction, but in fact the project itself will help nudge that country in the right direction.

I look forward to working with you on report language so that everything that OPIC does is encouraging countries moving in the right direction.

Mr. ROHRABACHER. I appreciate that. One note that OPIC has withdrawn from supporting Ethiopia, for example, a country that, yes, is a developing country, but unfortunately is going from being more democratic to being more repressive. OPIC now has withdrawn support for that government, and I think that is appropriate.

I would hope that we can work out some language to indicate that it is the legislative desire of those of us passing this bill that this money not be used to subsidize investment by American companies or anybody else in countries that are run by repressive regimes that are actually becoming more repressive rather than in the right direction.

Mr. SHERMAN. I look forward to working with you on report language and hope very much that the chair of the committee gives us until the end of the district work period to finalize the report.

Mr. ROHRABACHER. All right. Thank you very much.

Thank you, Mr. Chairman.

Mr. FLAKE. Mr. Chairman?

Chairman LANTOS. Just one moment.

Mr. Manzullo? No questions?

Mr. Flake?

Mr. FLAKE. Thank you. I share the feeling overall that Mr. Royce expressed. I have always had a hard time believing that we need OPIC and that they don't just duplicate what the private sector can already do.

Specifically with the changes here with regard to including all the state sponsors of terrorism, I just had a couple of specific questions. That now would include all of those designated by our State Department as state sponsors of terrorism, so Cuba, for example, would not be included in that definition?

Mr. SHERMAN. It is up to the administration to apply the standards that Congress has laid down to countries from time to time to determine which should be on the state sponsor of terrorism list.

Mr. FLAKE. Well, but this takes the definition of those that are in the state sponsor of terrorism. I am reading here. The term state sponsor of terrorism has the meaning given the term in section da-da-da of the Foreign Assistance Act.

Mr. SHERMAN. Yes. I don't think we should have two rival definitions of state sponsor of terrorism.

Mr. FLAKE. Right.

Mr. SHERMAN. We all hope and pray that by the time this bill becomes effective either the regime in Havana will have stopped sponsoring terrorism or the regime in Havana will no longer be ruling Cuba.

Mr. FLAKE. Right.

Mr. SHERMAN. But certainly if we are going to have a process of defining the state sponsors of terrorism for all purposes of our foreign policy we are incorporating that in this bill.

Mr. FLAKE. I understand that, and I share your hope. Having said that, this would then not allow OPIC to help with financing with companies that are doing business with or investing in. Doing business with. Does that also apply, or is it just investing in?

Mr. SHERMAN. I believe it is investing in the extractive industries or making loans to the government, including loans that are made by making sales on a time basis.

Mr. FLAKE. For example, we have many United States companies now who are selling food items, agricultural products, to Cuba.

Mr. SHERMAN. Food and medicine are exempted and sales on a cash basis are exempted, so what you are describing is double exempted.

Mr. FLAKE. Double exempted. Okay.

Mr. SHERMAN. Yes.

Mr. FLAKE. And so we could not invest then in countries that do invest in state sponsor either though? That is another part of this.

Mr. SHERMAN. Companies?

Mr. FLAKE. If a company here in the U.S.—

Mr. SHERMAN. You used the word countries where you may have meant the word companies, or I may have misheard you.

Mr. FLAKE. Let me clarify.

Mr. SHERMAN. Yes.

Mr. FLAKE. My understanding also is it would not allow OPIC to assist companies that are investing in countries that are doing business with state sponsors of terror.

Mr. SHERMAN. No. You can accuse this bill of being a secondary, but it is not tertiary.

Mr. FLAKE. Okay. That answers my question. That was just an honest question.

Mr. SHERMAN. Yes. Thank you.

Mr. FLAKE. I thank you.

Chairman LANTOS. Ms. Jackson Lee?

Ms. JACKSON LEE. Mr. Chairman, let me thank the chairman of the full committee and the ranking member and Mr. Sherman for his good work.

I have always been a supporter of OPIC through the years it has come to the Floor and would like to be able to support it now in its reauthorization. I do raise, and I am not a member of the subcommittee so I thank the chairman of the subcommittee for the hard work that he has done and certainly realize that members that were not part of the subcommittee may not have had the opportunity to contribute to the thought of the reauthorization.

When I met with the president and CEO of OPIC it seems that this one item might have slipped my attention so I offer a mea culpa at this point, but I raise an enormous amount of concern for OPIC dollars going into a volatile, unsteady and unready Iraq.

One could argue that the Government of Iraq is a government that has not listened. It has not promoted human rights. It has not worked to build a coalition among the Shiites, the Sunnis and Kurds, and now we are giving a gift of investment to United States companies to invest in Iraq with a raging misdirected war and with the questions raised by the American public of where have billions of dollars of Federal aid from the United States already gone and that Iraq, short of the sanctions that were issued during the time of Saddam Hussein, is not a poor country.

It has enormous resources that many I assume are waiting to I would use the term exploit, probably explore, but the fact that it authorizes OPIC to undertake projects in Iraq I believe is an unnecessary addition to this legislation and in fact should be eliminated.

For that reason, I cannot support it at this time, and I yield back.

Chairman LANTOS. I will now ask for a vote on the Sherman amendment. All those in favor say aye.

[A chorus of ayes.]

Chairman LANTOS. Opposed?

[A chorus of noes.]

Chairman LANTOS. The amendment is agreed to.

Are there any other amendments?

[No response.]

Chairman LANTOS. If not, the question occurs on the amendment in the nature of a substitute. All in favor will vote aye.

[A chorus of ayes.]

Chairman LANTOS. All opposed will vote no.

[A chorus of noes.]

Chairman LANTOS. The ayes have it, and the amendment is agreed to, but we will require a reporting quorum of 25. Do we have 25?

Let us get our members in here, please, and I will ask for a recorded vote.

Ms. RUSH. Chairman Lantos?

Chairman LANTOS. Aye.

Ms. RUSH. Chairman Lantos votes yes.

Mr. Berman?

[No response.]

Ms. RUSH. Mr. Ackerman?

[No response.]

Ms. RUSH. Mr. Faleomavaega?

Mr. FALEOMAVAEGA. Aye.

Ms. RUSH. Mr. Faleomavaega votes yes.  
Mr. Payne?  
[No response.]  
Ms. RUSH. Mr. Sherman?  
Mr. SHERMAN. Aye.  
Ms. RUSH. Mr. Sherman votes yes.  
Mr. Wexler?  
[No response.]  
Ms. RUSH. Mr. Engel?  
[No response.]  
Ms. RUSH. Mr. Delahunt?  
[No response.]  
Ms. RUSH. Mr. Meeks?  
[No response.]  
Ms. RUSH. Ms. Watson?  
Ms. WATSON. Aye.  
Ms. RUSH. Ms. Watson votes yes.  
Mr. Smith of Washington?  
[No response.]  
Ms. RUSH. Mr. Carnahan?  
Mr. CARNAHAN. Yes.  
Ms. RUSH. Mr. Carnahan votes yes.  
Mr. Tanner?  
[No response.]  
Ms. RUSH. Mr. Green?  
[No response.]  
Ms. RUSH. Ms. Woolsey?  
Ms. WOOLSEY. Yes.  
Ms. RUSH. Ms. Woolsey votes yes.  
Ms. Jackson Lee?  
Ms. JACKSON LEE. Present.  
Ms. RUSH. Ms. Jackson Lee votes present.  
Mr. Hinojosa?  
[No response.]  
Ms. RUSH. Mr. Crowley?  
[No response.]  
Ms. RUSH. Mr. Wu?  
[No response.]  
Ms. RUSH. Mr. Miller?  
[No response.]  
Ms. RUSH. Ms. Sánchez?  
[No response.]  
Ms. RUSH. Mr. Scott?  
Mr. SCOTT. Yes.  
Ms. RUSH. Mr. Scott votes yes.  
Mr. Costa?  
[No response.]  
Ms. RUSH. Mr. Sires?  
Mr. SIRES. Aye.  
Ms. RUSH. Mr. Sires votes yes.  
Ms. Giffords?  
[No response.]  
Ms. RUSH. Mr. Klein?  
[No response.]

Ms. RUSH. Ms. Ros-Lehtinen?  
Ms. ROS-LEHTINEN. Yes.  
Ms. RUSH. Ms. Ros-Lehtinen votes yes.  
Mr. Smith of New Jersey?  
[No response.]  
Ms. RUSH. Mr. Burton?  
Mr. BURTON. No.  
Ms. RUSH. Mr. Burton votes no.  
Mr. Gallegly?  
Mr. GALLEGLY. Aye.  
Ms. RUSH. Mr. Gallegly votes yes.  
Mr. Rohrabacher?  
[No response.]  
Ms. RUSH. Mr. Manzullo?  
Mr. MANZULLO. Aye.  
Ms. RUSH. Mr. Manzullo votes yes.  
Mr. Royce?  
Mr. ROYCE. No.  
Ms. RUSH. Mr. Royce votes no.  
Mr. Chabot?  
Mr. CHABOT. No.  
Ms. RUSH. Mr. Chabot votes no.  
Mr. Tancredo?  
Mr. TANCREDO. No.  
Ms. RUSH. Mr. Tancredo votes no.  
Mr. Paul?  
[No response.]  
Ms. RUSH. Mr. Flake?  
Mr. FLAKE. No.  
Ms. RUSH. Mr. Flake votes no.  
Ms. Davis?  
[No response.]  
Ms. RUSH. Mr. Pence?  
Mr. PENCE. Aye.  
Ms. RUSH. Mr. Pence votes yes.  
Mr. Wilson?  
Mr. WILSON. Aye.  
Ms. RUSH. Mr. Wilson votes yes.  
Mr. Boozman?  
[No response.]  
Ms. RUSH. Mr. Barrett?  
Mr. BARRETT. Aye.  
Ms. RUSH. Mr. Barrett votes yes.  
Mr. Mack?  
[No response.]  
Ms. RUSH. Mr. Fortenberry?  
Mr. FORTENBERRY. Aye.  
Ms. RUSH. Mr. Fortenberry votes yes.  
Mr. McCaul?  
Mr. MCCAUL. Aye.  
Ms. RUSH. Mr. McCaul votes yes.  
Mr. Poe?  
Mr. POE. Yes.  
Ms. RUSH. Mr. Poe votes yes.

Mr. Inglis?

Mr. INGLIS. Yes.

Ms. RUSH. Mr. Inglis votes yes.

Mr. Fortuño?

Mr. FORTUÑO. Aye.

Ms. RUSH. Mr. Fortuño votes yes.

Mr. Bilirakis?

Mr. BILIRAKIS. Yes.

Ms. RUSH. Mr. Bilirakis votes yes.

Chairman LANTOS. Are there any colleagues on the Democratic side not yet recorded? Mr. Ackerman?

Mr. ACKERMAN. Yes.

Ms. RUSH. Mr. Ackerman votes yes.

Chairman LANTOS. Mr. Engel?

Mr. ENGEL. Yes.

Ms. RUSH. Mr. Engel votes yes.

Chairman LANTOS. Any colleagues on the Republican side?

[No response.]

Chairman LANTOS. The clerk will report.

Mr. Wexler?

Mr. WEXLER. Aye.

Ms. RUSH. Mr. Wexler votes yes.

Chairman LANTOS. The clerk will report.

Ms. RUSH. On this vote there are 23 yeases, 5 noes and 1 present.

Chairman LANTOS. The ayes have it, and the motion to report favorably is adopted.

Without objection, the bill will be reported as a single amendment in the nature of a substitute incorporating the amendments adopted by the committee, and the staff is directed to make any technical and conforming amendments.

I will ask my colleagues for about 3 more minutes of their time. We have a series of noncontroversial bills on the agenda. It is the intention of the chair to consider these measures en bloc and by unanimous consent authorize the chair to report certain measures to the whole House and seek consideration of the remaining bills under suspension of the rules.

[The information referred to follows:]

110TH CONGRESS  
1ST SESSION

# H. R. 176

To authorize assistance to the countries of the Caribbean to fund educational development and exchange programs.

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IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2007

Ms. LEE introduced the following bill; which was referred to the Committee on Foreign Affairs

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## A BILL

To authorize assistance to the countries of the Caribbean to fund educational development and exchange programs.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Shirley A. Chisholm  
5 United States-Caribbean Educational Exchange Act of  
6 2007”.

7 **SEC. 2. DEFINITIONS.**

8 In this Act:

9 (1) CARIBBEAN.—The term “Caribbean”  
10 includes—

★

1           (A) the member countries of the Caribbean  
2           Community (CARICOM), but does not include  
3           any country having observer status in  
4           CARICOM; and

5           (B) the member countries of the Associa-  
6           tion of Caribbean States (ACS), but does not  
7           include any country having observer status in  
8           the ACS.

9           (2) SECRETARY.—Except as otherwise provided,  
10          the term “Secretary” means the Secretary of State.

11          (3) ADMINISTRATOR.—Except as otherwise pro-  
12          vided, the term “Administrator” means the Adminis-  
13          trator of the United States Agency for International  
14          Development.

15          (4) UNITED STATES COOPERATING AGEN-  
16          CIES.—The term “United States cooperating agen-  
17          cies” means any nongovernmental organization hav-  
18          ing United States citizenship that is designated by  
19          the Secretary to carry out the program authorized  
20          under section 6.

21          (5) SECONDARY SCHOOL.—The term “sec-  
22          ondary school” means a school that serves students  
23          in any of the grades 9 through 12 or equivalent  
24          grades in a foreign education system as determined

1 by the Secretary, in consultation with the Secretary  
2 of Education.

3 (6) UNDERGRADUATE.—The term “under-  
4 graduate” means a college or university student  
5 working toward an associate-level or bachelor’s de-  
6 gree.

7 (7) GRADUATE.—The term “graduate” means a  
8 student pursuing a degree beyond the bachelor’s  
9 level.

10 (8) APPROPRIATE CONGRESSIONAL COMMIT-  
11 TEES.—The term “appropriate congressional com-  
12 mittees” means the Committee on International Re-  
13 lations and the Committee on Appropriations of the  
14 House of Representatives and the Committee on  
15 Foreign Relations and the Committee on Appropria-  
16 tions of the Senate.

17 **SEC. 3. FINDINGS.**

18 Congress finds the following:

19 (1) The United States and the Caribbean have  
20 enjoyed long-standing friendly relations.

21 (2) As an important regional partner for trade  
22 and democratic values, the Caribbean constitutes a  
23 “Third Border” of the United States.

24 (3) The decrease in tourism revenue in the  
25 aftermath of the tragic terrorist attacks on Sep-

1       tember 11, 2001, had an adverse affect on the Car-  
2       ibbean.

3               (4) According to a 2005 World Bank Report on  
4       the Caribbean, unemployment, particularly youth  
5       unemployment, has severe implications on poverty  
6       and income distributions, as well as drug trafficking  
7       and addiction.

8               (5) The World Bank Report also concludes that  
9       better synchronization is needed between current  
10       Caribbean curricula and the skills needed in an  
11       evolving job market and economy.

12              (6) Many Caribbean leaders have linked the in-  
13       crease in crime to a decrease in economic alter-  
14       natives. Consequently, United States and Caribbean  
15       leaders have highlighted the need for increased edu-  
16       cational opportunities for Caribbean students.

17              (7) By enhancing United States cultural and  
18       educational exchange programs in the Caribbean, re-  
19       gional security is improved by expanding human re-  
20       sources and providing opportunities that promote  
21       economic growth.

22              (8) Many Caribbean leaders studied at the un-  
23       dergraduate or graduate level in the United States  
24       before returning to their respective countries to con-

1       tribute towards the strengthening of democracy, the  
2       economy, or the provision of social services.

3           (9) From 2003 through 2005, 217 Caribbean  
4       leaders participated in exchange programs with the  
5       United States that focused on good governance,  
6       combating drug trafficking, anti-corruption, and  
7       other regional issues of concern.

8           (10) The Department of State currently admin-  
9       isters public outreach programs that include cul-  
10      tural, academic, and citizen exchange initiatives in  
11      Caribbean countries through the Embassy Public Af-  
12      fairs Sections with support from the Office of Public  
13      Diplomacy in the Bureau of Western Hemisphere  
14      Affairs.

15          (11) In some Caribbean countries, the United  
16      States Agency for International Development coordi-  
17      nates the Center of Excellence for Teacher Training  
18      (CETT), a successful Presidential initiative that em-  
19      phasizes teacher training as a key to the develop-  
20      ment of a competitive work force.

21          (12) In Anguilla, Antigua and Barbuda, the  
22      Bahamas, Barbados, Belize, the Cayman Islands,  
23      the Dominican Republic, Dominica, Grenada, Guy-  
24      ana, Jamaica, Montserrat, St. Kitts and Nevis, St.  
25      Lucia, St. Vincent and the Grenadines, Suriname,

1 and Trinidad and Tobago, the Bureau of Edu-  
2 cational and Cultural Affairs sponsors educational  
3 advisors to promote study in the United States.

4 (13) In the 2004–2005 academic year, approxi-  
5 mately 14,000 Caribbean students were enrolled in  
6 United States universities.

7 **SEC. 4. STATEMENT OF PURPOSE.**

8 The purpose of this Act is to develop two compre-  
9 hensive educational initiatives targeted toward the Caribbean.  
10 The first will establish a system for United States-Carib-  
11 bean educational exchange programs, and the second will  
12 develop a plan to enhance teacher training and community  
13 involvement in early education in the region.

14 **SEC. 5. AVOIDANCE OF DUPLICATION.**

15 The Secretary, acting through the Under Secretary  
16 for Public Diplomacy, shall consult with the Administrator  
17 and the Secretary of Education to ensure that—

18 (1) activities under this act are not duplicative  
19 of other efforts in the Caribbean; and

20 (2) partner institutions in the Caribbean and  
21 United States cooperating agencies are creditable.

22 **SEC. 6. SHIRLEY CHISHOLM UNITED STATES-CARIBBEAN**  
23 **EDUCATIONAL EXCHANGE PROGRAM.**

24 (a) IN GENERAL.—To carry out the purpose of this  
25 section, the Secretary of State, acting through the Under

1 Secretary for Public Diplomacy, is authorized to establish  
2 a Caribbean international exchange visitor program, to be  
3 known as the “Shirley Chisholm United States-Caribbean  
4 Educational Exchange Program”, under which—

5 (1) secondary students from the Caribbean  
6 would—

7 (A) attend a public equivalent school in the  
8 United States;

9 (B) participate in activities designed to  
10 promote a greater understanding of United  
11 States values and culture; and

12 (C) have the option to live with a United  
13 States host family and experience life in a  
14 United States host community; and

15 (2) undergraduate, graduate students, and  
16 scholars from the Caribbean would—

17 (A) attend a private or public college or  
18 university in the United States;

19 (B) participate in activities designed to  
20 promote a greater understanding of United  
21 States values and culture; and

22 (C) have the option to live with a United  
23 States host family and experience life in a  
24 United States host community.

1 (b) PERCENTAGE REQUIREMENT.—Not less than 75  
2 percent of Program participants may be from member  
3 countries of CARICOM.

4 (c) COLLABORATION.—The Secretary shall collabo-  
5 rate with Caribbean counterparts to establish similar ex-  
6 change opportunities for United States secondary, under-  
7 graduate, graduate students, and scholars.

8 (d) COOPERATION.—

9 (1) IN GENERAL.—The Secretary shall cooper-  
10 ate with United States cooperating agencies to de-  
11 velop and implement the Program.

12 (2) ELIGIBILITY FOR FEDERAL FUNDING.—The  
13 cooperating agencies shall be eligible for Federal  
14 funds and may request assistance from other private  
15 donors to assist in the implementation of the Pro-  
16 gram.

17 (3) SCHOLARSHIPS.—The cooperating agencies  
18 may offer, on a merit and need-based basis, scholar-  
19 ships to eligible United States and Caribbean par-  
20 ticipants.

21 **SEC. 7. CARIBBEAN EDUCATIONAL DEVELOPMENT PRO-**  
22 **GRAMS.**

23 The Administrator, acting through the Assistant Ad-  
24 ministrator for Latin America and the Caribbean, shall  
25 develop a comprehensive program that extends and ex-

1 pands existing primary and secondary school initiatives in  
2 the Caribbean to provide—

- 3 (1) teacher training methods; and
- 4 (2) increased community involvement in school  
5 activities.

6 **SEC. 8. PUBLIC PRIVATE VENTURE.**

7 Where possible for the purposes of implementing sec-  
8 tions 6 and 7, the Secretary, the Administrator, and co-  
9 operating agencies are authorized to solicit funding from  
10 private sources.

11 **SEC. 9. REPORTING REQUIREMENTS.**

12 (a) INITIAL REPORT.—Not later than three months  
13 after the date of the enactment of this Act, the Secretary  
14 shall submit to the appropriate congressional committees  
15 a report setting forth plans to implement sections 6 and  
16 7. The report shall include—

- 17 (1) an estimate of the number of participating  
18 students from each country;
- 19 (2) an identification of United States cooper-  
20 ating agencies; and
- 21 (3) a schedule for implementation of the Shirley  
22 Chisholm United States-Caribbean Educational Ex-  
23 change Program.

24 (b) SUBSEQUENT REPORTS.—The Secretary shall  
25 submit to the appropriate congressional committees reg-

1 ular reports upon the request of such committees or their  
2 Members.

3 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

4 (a) IN GENERAL.—There are authorized to be appro-  
5 priated to the President to carry out this Act such sums  
6 as may be necessary for each of fiscal years from 2008  
7 through 2018.

8 (b) SENSE OF CONGRESS.—It is the sense of Con-  
9 gress that not less than \$6,000,000 in additional funding  
10 above the amount that is otherwise authorized to be appro-  
11 priated for educational exchange programs should be made  
12 available for each of fiscal years 2008 through 2018 to  
13 carry out this Act, as follows:

14 (1) \$4,000,000 for the Shirley Chisholm United  
15 States-Caribbean Educational Exchange Program  
16 administered by the Department of State under sec-  
17 tion 6; and

18 (2) \$2,000,000 for Caribbean educational devel-  
19 opment programs administered by the United States  
20 Agency for International Development under section  
21 7.

○

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 176  
OFFERED BY MR. LANTOS OF CALIFORNIA**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the  
3 “Shirley A. Chisholm United States-Caribbean Edu-  
4 cational Exchange Act of 2007”.

5 (b) TABLE OF CONTENTS.—The table of contents for  
6 this Act is as follows:

- Sec. 1. Short title and table of contents.
- Sec. 2. Definitions.
- Sec. 3. Findings and statement of purpose.
- Sec. 4. Shirley A. Chisholm United States-Caribbean Educational Exchange Program.
- Sec. 5. Program to provide educational development assistance for CARICOM countries.
- Sec. 6. Administrative provisions.
- Sec. 7. Reporting requirements.
- Sec. 8. Authorization of appropriations.

**7 SEC. 2. DEFINITIONS.**

8 In this Act:

9 (1) ADMINISTRATOR.—Except as otherwise pro-  
10 vided, the term “Administrator” means the Adminis-  
11 trator of the United States Agency for International  
12 Development.

1           (2) APPROPRIATE CONGRESSIONAL COMMIT-  
2           TEES.—The term “appropriate congressional com-  
3           mittees” means—

4                   (A) the Committee on Foreign Affairs and  
5                   the Committee on Appropriations of the House  
6                   of Representatives; and

7                   (B) the Committee on Foreign Relations  
8                   and the Committee on Appropriations of the  
9                   Senate.

10          (3) CARICOM COUNTRY.—The term  
11          “CARICOM country”—

12                   (A) means a member country of the Carib-  
13                   bean Community (CARICOM); but

14                   (B) does not include—

15                           (i) a country having observer status in  
16                           CARICOM; or

17                           (ii) a country the government of which  
18                           the Secretary of State has determined, for  
19                           purposes of section 6(j) of the Export Ad-  
20                           ministration Act of 1979 (as continued in  
21                           effect pursuant to the International Emer-  
22                           gency Economic Powers Act), section 40 of  
23                           the Arms Export Control Act, section  
24                           620A of the Foreign Assistance Act of  
25                           1961, or any other provision of law, is a

1 government that has repeatedly provided  
2 support for acts of international terrorism.

3 (4) SECRETARY.—Except as otherwise provided,  
4 the term “Secretary” means the Secretary of State.

5 (5) UNITED STATES COOPERATING AGENCY.—  
6 The term “United States cooperating agency”  
7 means—

8 (A) an accredited institution of higher edu-  
9 cation, including, to the maximum extent prac-  
10 ticable, an historically Black college or univer-  
11 sity that is a part B institution (as such term  
12 is defined in section 322(2) of the Higher Edu-  
13 cation Act of 1965 (20 U.S.C. 1061(2))) or an  
14 Hispanic-serving institution (as such term is  
15 defined in section 502(5) of such Act (20  
16 U.S.C. 1101a(5)));

17 (B) a higher education association;

18 (C) a nongovernmental organization incor-  
19 porated in the United States; or

20 (D) a consortium consisting of two or more  
21 such institutions, associations, or nongovern-  
22 mental organizations.

23 **SEC. 3. FINDINGS AND STATEMENT OF PURPOSE.**

24 (a) FINDINGS.—Congress finds the following:

1           (1) The United States and CARICOM countries  
2 have enjoyed long-standing friendly relations.

3           (2) As an important regional partner for trade  
4 and democratic values, the Caribbean region con-  
5 stitutes a “Third Border” of the United States.

6           (3) The decrease in tourism revenue in the  
7 aftermath of the tragic terrorist attacks on Sep-  
8 tember 11, 2001, had an adverse affect on the Car-  
9ibbean region.

10          (4) According to a 2005 World Bank Report on  
11 the Caribbean region, high rates of unemployment,  
12 particularly youth unemployment, have had severe  
13 implications on poverty and income distributions, as  
14 well as drug trafficking and addiction.

15          (5) The 2005 World Bank Report also con-  
16 cludes that better synchronization is needed between  
17 curricula in CARICOM countries and the skills  
18 needed in evolving national and regional job markets  
19 and economies.

20          (6) Caribbean leaders have highlighted the need  
21 for increased educational opportunities for Carib-  
22bean students in fields that will contribute to and  
23 support an increasingly competitive regional econ-  
24omy.

1           (7) Enhancing United States cultural and edu-  
2           cational exchange programs in CARICOM countries  
3           will expand human resources, provide opportunities  
4           that promote economic growth, and improve regional  
5           security.

6           (8) Many Caribbean leaders studied at the un-  
7           dergraduate or graduate level in the United States  
8           before returning to their respective countries to con-  
9           tribute toward the strengthening of democracy, the  
10          economy, or the provision of social services.

11          (9) From 2003 through 2005, 217 Caribbean  
12          leaders participated in exchange programs with the  
13          United States that focused on good governance,  
14          combating drug trafficking, anti-corruption, and  
15          other regional issues of concern.

16          (10) The Department of State currently admin-  
17          isters public outreach programs that include cul-  
18          tural, academic, and citizen-exchange initiatives in  
19          CARICOM countries through the Embassy Public  
20          Affairs Sections with support from the Office of  
21          Public Diplomacy in the Bureau of Western Hemi-  
22          sphere Affairs.

23          (11) The Caribbean Center for Excellence in  
24          Teacher Training (C-CETT), a Presidential Initia-  
25          tive funded by the United States Agency for Inter-

1 national Development and implemented by the Uni-  
2 versity of the West Indies, works to improve the  
3 quality of reading instruction by training classroom  
4 and student teachers in seven countries of the  
5 English-speaking Caribbean. Belize, Jamaica, Gre-  
6 nada, St. Lucia, Guyana, St. Vincent and the Grena-  
7 dines, and Trinidad and Tobago have participated in  
8 the C-CETT as a means to reducing illiteracy in  
9 the most disadvantaged urban and remote rural  
10 areas.

11 (12) In Anguilla, Antigua and Barbuda, the  
12 Bahamas, Barbados, Belize, the Cayman Islands,  
13 the Dominican Republic, Dominica, Grenada, Guy-  
14 ana, Jamaica, Montserrat, St. Kitts and Nevis, St.  
15 Lucia, St. Vincent and the Grenadines, Suriname,  
16 and Trinidad and Tobago, the Bureau of Edu-  
17 cational and Cultural Affairs of the Department of  
18 State sponsors educational advisors to promote  
19 study in the United States.

20 (13) In the 2004–2005 academic year, approxi-  
21 mately 14,000 Caribbean students were enrolled in  
22 United States colleges and universities.

23 (14) Shirley Anita Chisholm, who served as a  
24 member of the United States House of Representa-  
25 tives from 1968 to 1983, had family roots in the

1 Caribbean nation of Barbados, was a staunch advo-  
2 cate for educational opportunity and access, and in-  
3 creased support for historically Black colleges and  
4 universities and other minority-serving institutions  
5 in the United States.

6 (b) STATEMENT OF PURPOSE.—The purpose of this  
7 Act is to establish—

8 (1) an educational exchange program between  
9 the United States and CARICOM countries, to be  
10 known as the “Shirley A. Chisholm United States-  
11 Caribbean Educational Exchange Program”, pursu-  
12 ant to section 4 of this Act to assist in educating  
13 promising students and scholars from CARICOM  
14 countries who will invest the knowledge and experi-  
15 ences they gain in the United States back into the  
16 community of CARICOM countries; and

17 (2) a program to provide educational develop-  
18 ment assistance for CARICOM countries pursuant  
19 to section 5 of this Act.

20 **SEC. 4. SHIRLEY A. CHISHOLM UNITED STATES-CARIBBEAN**  
21 **EDUCATIONAL EXCHANGE PROGRAM.**

22 (a) PROGRAM AUTHORIZED.—The Secretary of State  
23 is authorized to establish an educational exchange pro-  
24 gram between the United States and CARICOM countries,  
25 to be known as the “Shirley A. Chisholm United States-

1 Caribbean Educational Exchange Program,” under  
2 which—

3 (1) secondary school students from CARICOM  
4 countries will—

5 (A) attend a public or private secondary  
6 school in the United States;

7 (B) participate in activities designed to  
8 promote a greater understanding of the values  
9 and culture of the United States; and

10 (C) have the option to live with a United  
11 States host family and experience life in a  
12 United States host community; and

13 (2) undergraduate students, graduate students,  
14 post-graduate students, and scholars from  
15 CARICOM countries will—

16 (A) attend a public or private college or  
17 university, including a community college, in  
18 the United States;

19 (B) participate in activities designed to  
20 promote a greater understanding of the values  
21 and culture of the United States; and

22 (C) have the option to live with a United  
23 States host family and experience life in a  
24 United States host community or live in an on-  
25 campus housing environment.

1       (b) ELEMENTS OF PROGRAM.—The program author-  
2 ized under subsection (a) shall meet the following require-  
3 ments:

4           (1) The program will offer scholarships to stu-  
5 dents and scholars based on merit and need. It is  
6 the sense of Congress that scholarships should be of-  
7 fered under the program to students and scholars  
8 who evidence merit, achievement, and strong poten-  
9 tial for the studies such students and scholars wish  
10 to undertake under the program and 40 percent of  
11 scholarships offered under the program should be  
12 based on financial need.

13           (2) The program will seek to achieve gender  
14 equality in granting scholarships under the program.

15           (3) The program will limit participation to—

16               (A) two years of study for secondary school  
17 students;

18               (B) four years of study for undergraduate  
19 students;

20               (C) 30 months of study for graduate stu-  
21 dents; and

22               (D) one year of study for post-graduate  
23 students and scholars.

24           (4) For a period of time equal to the period of  
25 time of participation in the program, but not to ex-

1       ceed 2 years, the program will require participants  
2       who are students and scholars described in sub-  
3       section (a)(2) to—

4               (A) agree to return to live in a CARICOM  
5               country and maintain residence in such coun-  
6               try, within 6 months of completion of academic  
7               studies; or

8               (B) agree to obtain employment that di-  
9               rectly benefits the growth, progress, and devel-  
10              opment of one or more CARICOM countries  
11              and the people of such countries.

12             (5) The Secretary of State shall have the dis-  
13             cretion to waive, shorten the duration, or otherwise  
14             alter the requirements of paragraph (5) in limited  
15             circumstances of hardship, humanitarian needs, for  
16             specific educational purposes, or in furtherance of  
17             the national interests of the United States.

18             (c) **ROLE OF UNITED STATES COOPERATING AGEN-**  
19             **CIES.**—The Secretary shall consult with United States co-  
20             operating agencies in developing the program authorized  
21             under subsection (a) and shall make grants to United  
22             States cooperating agencies in carrying out the program  
23             authorized under subsection (a).

24             (d) **MONITORING AND EVALUATION OF PROGRAM.**—

1           (1) IN GENERAL.—The Secretary shall establish  
2           and implement a system to monitor and evaluate the  
3           effectiveness and efficiency of the program author-  
4           ized under subsection (a). In carrying out the sys-  
5           tem, the Secretary shall evaluate the program’s posi-  
6           tive or negative effects on brain-drain from the par-  
7           ticipating CARICOM countries and suggest ways in  
8           which the program may be improved to promote the  
9           basic goal of alleviating brain-drain from the partici-  
10          pating CARICOM countries.

11          (2) REQUIREMENTS.—In carrying out para-  
12          graph (1), the Secretary shall review on a regular  
13          basis—

14                (A) financial information relating to the  
15                program;

16                (B) budget plans for the program;

17                (C) adjustments to plans established for  
18                the program;

19                (D) graduation rates of participants in the  
20                program;

21                (E) the percentage of participants who are  
22                students described in subsection (a)(1) who  
23                pursue higher education;

1 (F) the percentage of participants who re-  
2 turn to their home country or another  
3 CARICOM country;

4 (G) the types of careers pursued by par-  
5 ticipants in the program and the extent to  
6 which such careers are linked to the political,  
7 economic, and social development needs of  
8 CARICOM countries; and

9 (H) the impact of gender, country of ori-  
10 gin, financial need of students, and other rel-  
11 evant factors on the data collected under sub-  
12 paragraphs (D) through (G).

13 (e) SENSE OF CONGRESS.—It is the sense of Con-  
14 gress that the Secretary should seek to work with  
15 CARICOM countries to establish an educational exchange  
16 program under which—

17 (1) secondary school students from the United  
18 States will attend a public or private equivalent  
19 school in CARICOM countries; and

20 (2) undergraduate students, graduate students,  
21 post-graduate students, and scholars from the  
22 United States will attend a public or private college  
23 or university in CARICOM countries.

1 **SEC. 5. PROGRAM TO PROVIDE EDUCATIONAL DEVELOP-**  
2 **MENT ASSISTANCE FOR CARICOM COUN-**  
3 **TRIES.**

4 (a) PROGRAM AUTHORIZED.—The Secretary of  
5 State, acting through the Administrator of the United  
6 States Agency for International Development, is author-  
7 ized to establish a program to provide educational develop-  
8 ment assistance for CARICOM countries.

9 (b) PURPOSE OF PROGRAM.—The purpose of the pro-  
10 gram authorized under subsection (a) is to improve pri-  
11 mary and secondary education in CARICOM countries by  
12 enhancing teacher training, strengthening curriculum and  
13 instructional materials, and assisting improvements in  
14 school management and public administration of edu-  
15 cation.

16 (c) ELEMENTS OF PROGRAM.—The program author-  
17 ized under subsection (a) shall extend and expand upon  
18 existing primary and secondary school programs in  
19 CARICOM countries to provide—

20 (1) teacher-training methods and training in  
21 subject area studies;

22 (2) classroom and school management;

23 (3) development and modernization of cur-  
24 riculum and instructional materials;

25 (4) increased community involvement in school  
26 activities; and

1           (5) local, regional, and national government pol-  
2        icy planning on the elements described in para-  
3        graphs (1) through (4).

4        (d) **ROLE OF UNITED STATES COOPERATING AGEN-**  
5 **CIES.**—The Secretary shall consult with the Secretary of  
6 Education and United States cooperating agencies in de-  
7 veloping the program authorized under subsection (a) and  
8 shall make grants to United States cooperating agencies  
9 in carrying out the program authorized under subsection  
10 (a).

11       (e) **MONITORING AND EVALUATION OF PROGRAM.**—  
12 The Secretary shall establish and implement a system to  
13 monitor and evaluate the effectiveness and efficiency of  
14 the program authorized under subsection (a).

15       (f) **SENSE OF CONGRESS.**—It is the sense of Con-  
16 gress that the Secretary should seek to work with  
17 CARICOM countries to establish an educational develop-  
18 ment program under which education in the CARICOM  
19 countries is improved and access to quality education for  
20 children in CARICOM countries is increased.

21 **SEC. 6. ADMINISTRATIVE PROVISIONS.**

22       (a) **FUNDING FROM PRIVATE SOURCES AND PART-**  
23 **NEERSHIPS WITH OTHER APPROPRIATE ENTITIES.**—To  
24 the maximum extent practicable, the Secretary of State  
25 and the Administrator of the United States Agency for

1 International Development should implement the pro-  
2 grams authorized under sections 4 and 5 of this Act  
3 through utilization of funding from private sources to  
4 maximize the impact of United States funds under this  
5 Act, and through partnerships with appropriate United  
6 States organizations, institutions, and corporations.

7 (b) AVOIDANCE OF DUPLICATION.—The Secretary  
8 and the Administrator shall consult with the Secretary of  
9 Education to ensure that—

10 (1) activities under the programs authorized  
11 under sections 4 and 5 of this Act are not duplica-  
12 tive of other United States educational programs for  
13 CARICOM countries; and

14 (2) United States cooperating agencies and  
15 partner institutions in CARICOM countries are ac-  
16 credited by national or regional accrediting bodies.

17 (c) REPORTING UNDER SEVIS.—To the extent nec-  
18 essary, the Secretary shall provide support to United  
19 States cooperating agencies that are participating in the  
20 program authorized under section 4 of this Act in order  
21 to fulfill the requirements for student data reporting  
22 under the Student and Exchange Visitor Information Sys-  
23 tem (SEVIS).

1 **SEC. 7. REPORTING REQUIREMENTS.**

2 (a) REPORT REQUIRED.—Not later than 90 days  
3 after the date of the enactment of this Act, the Secretary  
4 of State shall submit to the appropriate congressional  
5 committees a report on plans to implement the programs  
6 authorized under sections 4 and 5 of this Act.

7 (b) MATTERS TO BE INCLUDED.—The report re-  
8 quired by subsection (a) shall include—

9 (1) with respect to implementation of the pro-  
10 gram authorized under section 4—

11 (A) a plan for selecting participants in the  
12 program, including an estimate of the number  
13 of secondary school students, undergraduate  
14 students, graduate students, post-graduate stu-  
15 dents, and scholars from each country, by edu-  
16 cational level, who will be selected as partici-  
17 pants in the program for each fiscal year;

18 (B) a timeline for selecting United States  
19 cooperating agencies that will assist in imple-  
20 menting the program and for those agencies to  
21 setup to implement the program;

22 (C) a financial plan that—

23 (i) identifies budget plans for the pro-  
24 gram, identifying budgets for each edu-  
25 cational level under the program; and

1 (ii) identifies plans or systems to en-  
2 sure that the costs allocated to public  
3 school, college, and university education  
4 under the program and the costs allocated  
5 to private school, college, and university  
6 education under the program are reason-  
7 ably allocated; and

8 (D) a plan to provide outreach to and link-  
9 ages with schools, colleges and universities, and  
10 nongovernmental organizations in both the  
11 United States and CARICOM countries for im-  
12 plementation of the program; and

13 (2) a plan outlining implementation of the pro-  
14 gram authorized under section 5, identifying the ini-  
15 tial countries in which the program will be imple-  
16 mented and a timeline for implementation.

17 (c) UPDATES OF REPORT.—

18 (1) IN GENERAL.—The Secretary shall submit  
19 to the appropriate congressional committees updates  
20 of the report required by subsection (a) for each fis-  
21 cal year for which amounts are appropriated pursu-  
22 ant to the authorization of appropriations under sec-  
23 tion 8 of this Act.

24 (2) MATTERS TO BE INCLUDED.—Such updates  
25 shall include the following:

1           (A) Information on United States cooper-  
2           ating agencies that are selected to assist in im-  
3           plementing the programs authorized under sec-  
4           tions 4 and 5 of this Act.

5           (B) An analysis of the positive and nega-  
6           tive impacts the program authorized under sec-  
7           tion 4 will have or is having on brain-drain  
8           from the participating CARICOM countries.

9           (C) A description of efforts made by the  
10          Secretary of State, acting through the Adminis-  
11          trator of the United States Agency for Inter-  
12          national Development, to implement the pro-  
13          gram authorized under section 5.

14          (D) A description of the programs estab-  
15          lished in each CARICOM country receiving as-  
16          sistance under the program authorized under  
17          section 5 that provides a detailed explanation of  
18          the extent to which the program and the assist-  
19          ance provided are contributing to the purpose  
20          of the program described in section 5(b) in the  
21          CARICOM country.

22          (E) An evaluation of additional educational  
23          development goals in CARICOM countries,  
24          identifying those goals that could be maximized  
25          or achieved with United States assistance

1 through the program authorized under section  
2 5. In addition to standard or necessary areas of  
3 education review, the evaluation should give at-  
4 tention to factors affecting academic achieve-  
5 ment, attrition, and graduation rates in  
6 CARICOM countries. The evaluation should  
7 suggest ways to maximize success factors and  
8 address factors contributing to poor achieve-  
9 ment through United States assistance.

10 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

11 To carry out this Act, there are authorized to be ap-  
12 propriated such sums as may be necessary for each of the  
13 fiscal years 2008 through 2012. Amounts appropriated  
14 pursuant to the authorization of appropriations under this  
15 section are in addition to amounts otherwise available for  
16 such purposes.

Amend the title so as to read: “To authorize the establishment of educational exchange and development programs for member countries of the Caribbean Community (CARICOM).”.

110TH CONGRESS  
1ST SESSION

# H. R. 2293

To require the Secretary of State to submit to Congress a report on efforts to bring to justice the Palestinian terrorists who killed John Branchizio, Mark Parson, and John Marin Linde.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 14, 2007

Mr. ACKERMAN (for himself, Mr. PENCE, and Mr. LANTOS) introduced the following bill; which was referred to the Committee on Foreign Affairs

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## A BILL

To require the Secretary of State to submit to Congress a report on efforts to bring to justice the Palestinian terrorists who killed John Branchizio, Mark Parson, and John Marin Linde.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. REPORT RELATING TO THE MURDERS OF JOHN**

4 **BRANCHIZIO, MARK PARSON, AND JOHN**

5 **MARIN LINDE.**

6 (a) FINDINGS.—Congress makes the following find-  
7 ings:

1           (1) On October 15, 2003, a convoy of clearly  
2 identified United States diplomatic vehicles was at-  
3 tacked by Palestinian terrorists in Gaza resulting in  
4 the deaths of John Branchizio, Mark Parson, and  
5 John Marin Linde, and the injury of a fourth Amer-  
6 ican.

7           (2) John Branchizio, Mark Parson, and John  
8 Marin Linde were contract employees providing se-  
9 curity to United States diplomatic personnel who  
10 were visiting Gaza in order to identify potential Pal-  
11 estinian candidates for scholarships under the Ful-  
12 bright Program.

13           (3) Senior officials of the Palestinian Authority  
14 have stated that they were aware of the identities of  
15 the Palestinian terrorists who killed John  
16 Branchizio, Mark Parson, and John Marin Linde.

17           (4) Following her visit to Israel and the West  
18 Bank on February 7, 2005, Secretary of State  
19 Condoleezza Rice announced that she had been “as-  
20 sured by President Abbas of the Palestinian  
21 Authority’s intention to bring justice to those who  
22 murdered three American personnel in the Gaza in  
23 2003”.

1           (5) Since the bombing on October 15, 2003,  
2 United States Government personnel have been pro-  
3 hibited from all travel in Gaza.

4           (6) The United States Rewards for Justice pro-  
5 gram is offering a reward of up to \$5,000,000 for  
6 information leading to the arrest or conviction of  
7 any persons involved in the murders of John  
8 Branchizio, Mark Parson, and John Marin Linde.

9           (7) The Palestinian terrorists who killed John  
10 Branchizio, Mark Parson, and John Marin Linde  
11 have still not been brought to justice.

12       (b) SENSE OF CONGRESS.—It is the sense of Con-  
13 gress that—

14           (1) the continued inability or unwillingness of  
15 the Palestinian Authority to actively and aggres-  
16 sively pursue the Palestinian terrorists who killed  
17 John Branchizio, Mark Parson, and John Marin  
18 Linde and bring them to justice calls into question  
19 the Palestinian Authority's suitability as a partner  
20 for the United States in diplomatic efforts to resolve  
21 the Palestinian-Israeli conflict;

22           (2) future United States assistance to the Pal-  
23 estinian Authority may be suspended or conditioned,  
24 and the continued operation of the PLO Representa-  
25 tive Office in Washington may be jeopardized, if the

1       Palestinian Authority does not fully and effectively  
2       cooperate in bringing to justice the Palestinian ter-  
3       rorists who killed John Branchizio, Mark Parson,  
4       and John Marin Linde; and

5               (3) it is in the vital national security interest of  
6       the United States to safeguard, to the greatest ex-  
7       tent possible consistent with their mission, United  
8       States diplomats and all embassy and consulate per-  
9       sonnel, and to use the full power of the United  
10       States to bring to justice any individual or entity  
11       that threatens, jeopardizes, or harms them.

12       (c) REPORT.—Not later than 30 days after the date  
13 of the enactment of this Act, and every 120 days there-  
14 after, the Secretary of State shall submit a report, on a  
15 classified basis if necessary, to the appropriate congres-  
16 sional committees describing—

17               (1) efforts by the United States to bring to jus-  
18       tice the Palestinian terrorists who killed John  
19       Branchizio, Mark Parson, and John Marin Linde;

20               (2) a detailed assessment of efforts by the Pal-  
21       estinian Authority to bring to justice the Palestinian  
22       terrorists who killed John Branchizio, Mark Parson,  
23       and John Marin Linde, including—

1 (A) the number of arrests, interrogations,  
2 and interviews by Palestinian Authority officials  
3 related to the case;

4 (B) the number of Palestinian security  
5 personnel and man-hours assigned to the case;

6 (C) the extent of personal supervision or  
7 involvement by the President and Ministers of  
8 the Palestinian Authority; and

9 (D) the degree of cooperation between the  
10 United States and the Palestinian Authority in  
11 regards to this case;

12 (3) a specific assessment by the Secretary of  
13 whether the Palestinian efforts described in para-  
14 graph (2) constitute the best possible effort by the  
15 Palestinian Authority; and

16 (4) any additional steps or initiatives requested  
17 or recommended by the United States that were not  
18 pursued by the Palestinian Authority.

19 (d) CERTIFICATION.—The requirement to submit a  
20 report under subsection (c) shall no longer apply if the  
21 Secretary of State certifies to the appropriate congres-  
22 sional committees that the Palestinian terrorists who  
23 killed John Branchizio, Mark Parson, and John Marin  
24 Linde have been identified, arrested, and brought to jus-  
25 tice.

1       (e) DEFINITION.—In this section, the term “appro-  
2   priate congressional committees” means—

3           (1) the Committee on Foreign Affairs and the  
4   Committee on Appropriations of the House of Rep-  
5   resentatives; and

6           (2) the Committee on Foreign Relations and  
7   the Committee on Appropriations of the Senate.

○

110TH CONGRESS  
1ST SESSION

# H. R. 2843

To provide for the establishment and maintenance of existing libraries and resource centers at United States diplomatic and consular missions to provide information about American culture, society, and history, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 22, 2007

Ms. WATSON introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To provide for the establishment and maintenance of existing libraries and resource centers at United States diplomatic and consular missions to provide information about American culture, society, and history, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This act shall be known as the “Library of Congress  
5 Public Diplomacy Collection Act of 2007”.

1 **SEC. 2. LIBRARY OF CONGRESS PUBLIC DIPLOMACY COL-**  
2 **LECTION.**

3 (a) IN GENERAL.—The Librarian of Congress shall  
4 create a collection of materials of various media, print,  
5 audio, and visual for use in libraries and resource centers  
6 operated by the Department of State under the provisions  
7 of section 112(a)(4) of the Mutual Educational and Cul-  
8 tural Exchange Act of 1961 (commonly referred to as the  
9 Fulbright-Hays Act).

10 (b) CONTENTS.—The collection shall include a broad  
11 cross-section of materials of various media, print, audio,  
12 and visual. The collection should include materials which  
13 provide insight into United States culture, principles and  
14 values, law and civics, and democracy, and shall be avail-  
15 able for public use.

16 (c) DONATIONS.—The Librarian may accept dona-  
17 tions of materials that are made to the collection if the  
18 Librarian determines that such receipt will not result in  
19 any cost to the Federal Government.

20 (d) AVAILABILITY.—The Librarian shall make mate-  
21 rials in the collection available upon request to any Chief  
22 of Mission at a United States Embassy or Consulate, and  
23 shall provide for the conveyance of such materials to a  
24 Department of State library or resource center, and for  
25 their return to the collection.

1 (e) JOHNNY GRANT FILM SERIES.—As part of the  
2 collection, the Librarian shall maintain a separate collec-  
3 tion of American films that showcase United States cul-  
4 ture, society, values, and principles. Such collection shall  
5 be known as the “Johnny Grant Film Series”. Such films  
6 shall be made available to Chiefs of Mission for foreign  
7 public viewing in host countries under the provisions of  
8 subsection (d).

9 **SEC. 3. ADVISORY COMMISSION ON PUBLIC DIPLOMACY.**

10 The Advisory Commission on Public Diplomacy (au-  
11 thorized under section 1334 of the Foreign Affairs Reform  
12 and Restructuring Act of 1998 (22 U.S.C. 6553)) shall  
13 submit to the Committee on Foreign Affairs of the House  
14 of Representatives and the Committee on Foreign Rela-  
15 tions of the Senate a biennial report containing and eval-  
16 uation of the functions and effectiveness of activities au-  
17 thorized under this Act.

18 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

19 (a) LIBRARIAN OF CONGRESS.—There are authorized  
20 to be appropriated to the Librarian of Congress such sums  
21 as may be necessary to carry out the Librarian’s respon-  
22 sibilities under this Act.

23 (b) SECRETARY OF STATE.—In addition to amounts  
24 that are otherwise authorized to be appropriated to the  
25 Secretary of State to carry out purposes similar to those

1 required under this Act, there are authorized to be appro-  
2 priated to the Secretary such sums as may be necessary  
3 to carry out the Secretary's responsibilities under this Act.

○

110TH CONGRESS  
1ST SESSION

# S. 377

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IN THE HOUSE OF REPRESENTATIVES

MARCH 16, 2007

Referred to the Committee on Foreign Affairs

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## AN ACT

To establish a United States-Poland parliamentary youth exchange program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “United States-Poland  
5 Parliamentary Youth Exchange Program Act of 2007”.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) The United States established diplomatic  
4 relations with the newly-formed Polish Republic in  
5 April 1919.

6 (2) The United States and Poland have enjoyed  
7 close bilateral relations since 1989.

8 (3) Poland became a member of the North At-  
9 lantic Treaty Organization (NATO) in March 1999.

10 (4) Poland became a member of the European  
11 Union (EU) in May 2004.

12 (5) Poland has been a strong supporter, both  
13 diplomatically and militarily, of efforts led by the  
14 United States to combat global terrorism and has  
15 contributed troops to the United States-led coalitions  
16 in both Afghanistan and Iraq.

17 (6) Poland cooperates closely with the United  
18 States on such issues as democratization, nuclear  
19 proliferation, human rights, regional cooperation in  
20 Eastern Europe, and reform of the United Nations.

21 (7) The United States and Poland seek to en-  
22 sure enduring ties between both governments and  
23 societies.

24 (8) It is important to invest in the youth of the  
25 United States and Poland in order to help ensure  
26 long-lasting ties between both societies.



1 (d) ELIGIBLE PARTICIPANTS.—An individual is eligi-  
2 ble for participation in the youth exchange program if the  
3 individual—

4 (1) is a citizen or national of the United States  
5 or of Poland;

6 (2) is under the age of 19 years;

7 (3) is a student who is enrolled and in good  
8 standing at a secondary school in the United States  
9 or Poland;

10 (4) has been accepted for up to one academic  
11 year of study in a program of study abroad approved  
12 for credit at such school; and

13 (5) meets any other qualifications that the Sec-  
14 retary of State may establish for purposes of the  
15 program.

16 (e) PROGRAM ELEMENTS.—Under the youth ex-  
17 change program, eligible participants selected for partici-  
18 pation in the program shall—

19 (1) live in and attend a public secondary school  
20 in the host country for a period of one academic  
21 year;

22 (2) while attending public school in the host  
23 country, undertake academic studies in the host  
24 country, with particular emphasis on the history,

1 constitution, and political development of the host  
2 country;

3 (3) be eligible, either during or after the com-  
4 pletion of such academic studies, for an internship  
5 in an appropriate position in the host country; and

6 (4) engage in such other activities as the Presi-  
7 dent considers appropriate to achieve the purpose of  
8 the program.

9 **SEC. 4. ANNUAL REPORT TO CONGRESS.**

10 The Secretary of State shall submit to the Committee  
11 on Foreign Relations of the Senate and the Committee  
12 on Foreign Affairs of the House of Representatives an an-  
13 nual report on the United States-Poland Parliamentary  
14 Youth Exchange Program established under this Act.  
15 Each annual report shall include—

16 (1) information on the implementation of the  
17 Program during the preceding year:

18 (2) the number of participants in the Program  
19 during such year;

20 (3) the names and locations of the secondary  
21 schools in the United States and Poland attended by  
22 such participants;

23 (4) a description of the areas of study of such  
24 participants during their participation in the Pro-  
25 gram;



110TH CONGRESS  
1ST SESSION

# H. RES. 208

Honoring Operation Smile in the 25th Anniversary year of its founding.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 1, 2007

Mrs. DRAKE (for herself and Mr. SCOTT of Virginia) submitted the following resolution; which was referred to the Committee on Foreign Affairs

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# RESOLUTION

Honoring Operation Smile in the 25th Anniversary year of its founding.

Whereas Operation Smile is a private, not-for-profit volunteer medical services organization providing reconstructive surgery and related health care to indigent children and young adults in developing countries and the United States;

Whereas in 1982, Dr. William P. Magee Jr., a plastic surgeon, and his wife, Kathleen S. Magee, a nurse and clinical social worker, traveled to the Philippines with a group of medical volunteers to repair children's cleft lips and cleft palates;

Whereas there they discovered hundreds of children ravaged by deformities, and although they helped many children,

the volunteers were forced to turn away the majority of those who sought help;

Whereas Operation Smile headquartered in Norfolk, Virginia, was founded in 1982 by Dr. William Magee Jr. and his wife Kathleen S. Magee to address this need;

Whereas since 1982, Operation Smile's volunteers have provided free reconstructive surgery to more than 100,000 children and young adults with facial deformities in 25 countries and currently work in Bolivia, Brazil, Cambodia, China, Colombia, Ecuador, Egypt, Ethiopia, Gaza Strip/West Bank, Honduras, India, Jordan, Kenya, Mexico, Morocco, Nicaragua, Panama, Paraguay, Peru, the Philippines, Russia, South Africa, Thailand, Venezuela, and Vietnam;

Whereas Operation Smile provides education and training to thousands of healthcare professionals globally, and is implementing a plan for a Global Standard of Care to ensure that every child treated will receive the same high standard of care every time;

Whereas Operation Smile provides a network of resources to assist families in the United States with children born with facial deformities;

Whereas more than 450 Operation Smile Student Associations in the United States and around the world build awareness, raise funds, and educate students about values of commitment, leadership, and volunteerism;

Whereas Operation Smile has been distinguished by many prestigious awards, including the first \$1,000,000 Conrad N. Hilton Humanitarian Prize to recognize outstanding contributions made to alleviate human suffering;

Whereas Operation Smile helps raise the standard of healthcare around the world and through its international partnerships builds trust, bridges cultures, and bestows dignity at home and abroad; and

Whereas in 2007, in celebration of its 25th Anniversary, Operation Smile has announced a year-long series of initiatives to include implementing global standards of care for all its medical programs, opening comprehensive care centers in seven countries, hosting international forums on medical diplomacy, and launching the World Journey of Smiles, which consists of 40 simultaneous missions in 25 countries with the goal of treating an estimated 5,000 children living with facial deformities: Now, therefore, be it

1       *Resolved*, That the House of Representatives honors  
2 Operation Smile on its 25th Anniversary year as its volun-  
3 teer medical professionals continue their noble work to  
4 travel around the world to treat children suffering from  
5 facial deformities.

○

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H. RES. 208  
OFFERED BY MS. ROS-LEHTINEN OF FLORIDA**

Strike the preamble and insert the following:

Whereas Operation Smile is a private, not-for-profit volunteer medical services organization providing reconstructive surgery and related health care to indigent children and young adults in developing countries and the United States;

Whereas in 1982, Dr. William P. Magee Jr., a plastic surgeon, and his wife, Kathleen S. Magee, a nurse and clinical social worker, traveled to the Philippines with a group of medical volunteers to repair children's cleft lips and cleft palates;

Whereas there they discovered hundreds of children ravaged by deformities, and although they helped many children, the volunteers were forced to turn away the majority of those who sought help;

Whereas Operation Smile headquartered in Norfolk, Virginia, was founded in 1982 by Dr. William Magee Jr. and his wife Kathleen S. Magee to address this need;

Whereas since 1982, Operation Smile's volunteers have provided free reconstructive surgery to more than 100,000 children and young adults with facial deformities in 25 countries;

Whereas Operation Smile provides education and training to thousands of healthcare professionals globally, and is im-

plementing a plan for a Global Standard of Care to ensure that every child treated will receive the same high standard of care every time;

Whereas Operation Smile provides a network of resources to assist families in the United States with children born with facial deformities;

Whereas more than 450 Operation Smile Student Associations in the United States and around the world build awareness, raise funds, and educate students about values of commitment, leadership, and volunteerism; and

Whereas in 2007, in commemoration of its 25th anniversary, Operation Smile has announced a year-long series of initiatives to include implementing global standards of care for all its medical programs, opening comprehensive care centers in seven countries, hosting international forums on medical diplomacy, and launching the World Journey of Smiles, which consists of 40 simultaneous missions in 25 countries with the goal of treating an estimated 5,000 children living with facial deformities: Now, therefore, be it

Strike all after the resolving clause and insert the following: “That the House of Representatives recognizes the 25th anniversary of the founding of Operation Smile as its volunteer medical professionals continue to travel around the world to treat children suffering from facial deformities.”.

Amend the title so as to read: “Resolution recognizing the 25th anniversary of the founding of Operation Smile.”.

110TH CONGRESS  
1ST SESSION

## H. RES. 287

To celebrate the 500th anniversary of the first use of the name “America”,  
and for other purposes.

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### IN THE HOUSE OF REPRESENTATIVES

MARCH 29, 2007

Mr. HASTINGS of Florida (for himself, Mrs. MALONEY of New York, Mr. HOYER, and Mr. WILSON of South Carolina) submitted the following resolution; which was referred to the Committee on Foreign Affairs

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## RESOLUTION

To celebrate the 500th anniversary of the first use of the  
name “America”, and for other purposes.

Whereas Italian navigator Amerigo Vespucci was born in  
1454 and traveled across the Atlantic Ocean 4 times be-  
tween 1497 and 1504;

Whereas during his second voyage to the Western Hemi-  
sphere in 1499, Amerigo Vespucci realized that the land  
Christopher Columbus discovered in 1492 was not India  
but a new continent;

Whereas cartographer Martin Waldseemüller, a member of  
the research group Gymnasium Vosagense in Saint-Dié,  
France, first used the word “America” in his world map,  
which first appeared in public on April 25, 1507, and de-

scribed the newly discovered Western Hemisphere as separated by the Pacific and Atlantic oceans;

Whereas Waldseemüller chose to honor Amerigo Vespucci by naming the new continent with Vespucci's name even while Vespucci was alive;

Whereas Waldseemüller described this decision in his "Cosmographiae Introductio", the book that accompanied the map, by writing, "I see no reason why anyone should justly object to calling this part ... America, after Amerigo [Vespucci], its discoverer, a man of great ability."; and

Whereas April 25, 2007, will be the 500th anniversary of this first public use of the word "America", which now serves as the root of the names of 2 continents: Now, therefore, be it

1       *Resolved*, That the House of Representatives—

2               (1) celebrates the 500th anniversary of the first  
3       use of the name "America" to describe areas in the  
4       Western Hemisphere;

5               (2) honors the explorations of Amerigo Vespucci  
6       and other navigators who contributed to the dis-  
7       covery of the Western Hemisphere;

8               (3) acknowledges the significance of Martin  
9       Waldseemüller's 1507 map of the world and accom-  
10      panying book, "Cosmographiae Introductio", which  
11      forever changed the accepted geographical view of  
12      the world and first officially used the name "Amer-  
13      ica"; and

1           (4) encourages the inhabitants of all countries  
2           of the Western Hemisphere who have the privilege to  
3           share this great name “America” to join with the  
4           House of Representatives and citizens of the United  
5           States of America in this historic celebration.

○

**AMENDMENT TO H. RES. 287**  
**OFFERED BY MR. LANTOS OF CALIFORNIA**

In the third whereas clause, strike “Pacific and Atlantic oceans;” and insert “Atlantic ocean and an ocean known now as the Pacific Ocean, in its first depiction;”.

110TH CONGRESS  
1ST SESSION

## H. RES. 294

Commending the Kingdom of Lesotho, on the occasion of International Women's Day, for the enactment of a law to improve the status of married women and ensure the access of married women to property rights.

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### IN THE HOUSE OF REPRESENTATIVES

MARCH 29, 2007

Ms. WATSON (for herself, Ms. MCCOLLUM of Minnesota, and Ms. CLARKE) submitted the following resolution; which was referred to the Committee on Foreign Affairs

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## RESOLUTION

Commending the Kingdom of Lesotho, on the occasion of International Women's Day, for the enactment of a law to improve the status of married women and ensure the access of married women to property rights.

Whereas International Women's Day, observed on March 8 each year, has become a day on which people come together to recognize the accomplishments of women and to reaffirm their commitment to continue the struggle for equality, justice, and peace;

Whereas the Kingdom of Lesotho is a parliamentary constitutional monarchy that has been an independent country since 1966;

Whereas Lesotho is a low-income country with a gross national income per capita of \$960 and 50 percent of the population lives below the poverty line;

Whereas, in Lesotho, the HIV prevalence is estimated at 23 percent for the total adult population and 56 percent for pregnant women between the ages of 25 and 29, and the current average life expectancy at birth is estimated to be 34.4 years;

Whereas the Kingdom of Lesotho, referred to by some as the “Kingdom in the Sky”, was a strong public supporter of the end of apartheid in South Africa and the Government of Lesotho granted political asylum to a number of refugees from South Africa during the apartheid era;

Whereas the Government of Lesotho has demonstrated a strong commitment to ruling justly, investing in people, ensuring economic freedom, and controlling corruption;

Whereas the Government of Lesotho has been named eligible by the Millennium Challenge Corporation (MCC) for a Compact of financial assistance that, as currently proposed, would strongly focus on improving and safeguarding the health of the people of Lesotho, in addition to supporting projects for sustainable water resource management and private sector development;

Whereas, historically, a married woman in Lesotho was considered a legal minor during the lifetime of her husband, was severely restricted in economic activities, was unable to enter into legally binding contracts without her husband’s consent, and had no standing in civil court;

Whereas legislation elevating the legal status of married women and providing property and inheritance rights to women in Lesotho was introduced as early as 1992;

Whereas for years women's groups, nongovernmental organizations, the Federation of Women Lawyers, officials of the Government of Lesotho, and others in Lesotho have pushed for passage of legislation strengthening rights of married women;

Whereas in a letter to the Government of Lesotho in September 2006, the chief executive officer of the MCC stated that gender inequality is a constraint on economic growth and poverty reduction and is related to the high prevalence of HIV/AIDS, and that inattention to issues of gender inequality could undermine the potential impact of the Compact proposed to be entered into between the MCC and the Government of Lesotho;

Whereas the Legal Capacity of Married Persons Act was passed by the Parliament of Lesotho and enacted into law in November 2006;

Whereas the MCC has already provided assistance to further full and meaningful implementation of the new law;

Whereas the MCC has promulgated and is currently implementing a new gender policy to integrate gender into all phases of the development and implementation of the Compact between the MCC and the Government of Lesotho; and

Whereas the MCC's advocacy of gender equity played a supportive role in the enactment of the Legal Capacity of Married Persons Act in the Kingdom of Lesotho: Now, therefore, be it

- 1       *Resolved*, That the House of Representatives—
- 2               (1) supports the goals of International Women's
- 3       Day;

1           (2) applauds the enactment of the Legal Capac-  
2           ity of Married Persons Act by the Kingdom of Leso-  
3           tho;

4           (3) lauds the Kingdom of Lesotho for dem-  
5           onstrating its commitment to improve gender equity;

6           (4) encourages the Kingdom of Lesotho to con-  
7           tinue its effort to ensure gender equity; and

8           (5) commends the Millennium Challenge Cor-  
9           poration (MCC) for developing and implementing  
10          policies to advance gender equity in the Kingdom of  
11          Lesotho and other countries eligible for financial as-  
12          sistance from the MCC.

○

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H. RES. 294  
OFFERED BY MR. LANTOS OF CALIFORNIA**

Strike the preamble and insert the following:

Whereas the Kingdom of Lesotho is a parliamentary constitutional monarchy that has been an independent country since 1966;

Whereas Lesotho is a low-income country with a gross national income per capita of \$960 and 50 percent of the population lives below the poverty line;

Whereas, in Lesotho, the HIV prevalence is estimated at 23 percent for the total adult population and 56 percent for pregnant women between the ages of 25 and 29, and the current average life expectancy at birth is estimated to be 34.4 years;

Whereas the Kingdom of Lesotho, referred to by some as the “Kingdom in the Sky”, was a strong public supporter of the end of apartheid in South Africa, and the Government of Lesotho granted political asylum to a number of refugees from South Africa during the apartheid era;

Whereas the Government of Lesotho has demonstrated a strong commitment to ruling justly, investing in people, ensuring economic freedom, and controlling corruption;

Whereas the Government of Lesotho has been named eligible by the Millennium Challenge Corporation (MCC) for a Compact of financial assistance that, as currently proposed, would strongly focus on improving and safe-

guarding the health of the people of Lesotho, in addition to supporting projects for sustainable water resource management and private sector development;

Whereas, historically, a married woman in Lesotho was considered a legal minor during the lifetime of her husband, was severely restricted in economic activities, was unable to enter into legally binding contracts without her husband's consent, and had no standing in civil court;

Whereas legislation elevating the legal status of married women and providing property and inheritance rights to women in Lesotho was introduced as early as 1992;

Whereas for years women's groups, nongovernmental organizations, the Federation of Women Lawyers, officials of the Government of Lesotho, and others in Lesotho have pushed for passage of legislation strengthening rights of married women;

Whereas in a letter to the Government of Lesotho in September 2006, the chief executive officer of the MCC stated that gender inequality is a constraint on economic growth and poverty reduction and is related to the high prevalence of HIV/AIDS, and that inattention to issues of gender inequality could undermine the potential impact of the Compact proposed to be entered into between the MCC and the Government of Lesotho;

Whereas the Legal Capacity of Married Persons Act was passed by the Parliament of Lesotho and enacted into law in November 2006;

Whereas the MCC has already provided assistance to further full and meaningful implementation of the new law;

Whereas the MCC has promulgated and is currently implementing a new gender policy to integrate gender into all

phases of the development and implementation of the Compact between the MCC and the Government of Lesotho; and

Whereas the MCC's advocacy of gender equity played a supportive role in the enactment of the Legal Capacity of Married Persons Act in the Kingdom of Lesotho, which which effectively eliminated de jure discrimination against women in the customary law system: Now, therefore, be it

Strike all after the enacting clause and insert the following:

That the House of Representatives—

- 1           (1) applauds the enactment of the Legal Capacity
- 2           of Married Persons Act by the Kingdom of Leso-
- 3           tho;
- 4           (2) lauds the Kingdom of Lesotho for dem-
- 5           onstrating its commitment to improve gender equity;
- 6           (3) encourages the Kingdom of Lesotho to con-
- 7           tinue its effort to ensure gender equity; and
- 8           (4) commends the Millennium Challenge Cor-
- 9           poration (MCC) for developing and implementing
- 10          policies to advance gender equity in the Kingdom of
- 11          Lesotho and other countries eligible for financial as-
- 12          sistance from the MCC.

Amend the title so as to read: “A resolution commending the Kingdom of Lesotho for the enactment of a law to improve the status of married women and ensure the access of married women to property rights.”.

110TH CONGRESS  
1ST SESSION

# H. RES. 378

Honoring World Red Cross Red Crescent Day.

---

IN THE HOUSE OF REPRESENTATIVES

MAY 7, 2007

Mr. FORTUÑO (for himself and Mr. LANTOS) submitted the following resolution; which was referred to the Committee on Foreign Affairs

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## RESOLUTION

Honoring World Red Cross Red Crescent Day.

Whereas World Red Cross Red Crescent Day will be observed on May 8, 2007;

Whereas May 8 marks the birth of Henry Dunant, the founder of the International Committee of the Red Cross, who began advocating for the humane treatment of the war-time sick and wounded after witnessing the atrocities at the Battle of Solferino in 1859;

Whereas World Red Cross Red Crescent Day is celebrated by many of the 185 Red Cross and Red Crescent National Societies throughout the world and more than 750 chapters throughout the United States;

Whereas through the motivation and action of its volunteers and donors, the American Red Cross and its partners

worldwide pay tribute to Henry Dunant's legacy by helping those in need and protecting human dignity for all;

Whereas the American Red Cross, as part of the International Movement of Red Cross and Red Crescent Societies, helps vulnerable people and communities around the world to prevent, prepare for, respond to, and recover from disasters, complex humanitarian emergencies, and life-threatening health conditions;

Whereas the American Red Cross is uniquely positioned to save lives through the International Red Cross and Red Crescent Movement's network of 97,000,000 volunteers located in nearly every country in the world;

Whereas in 2006, the American Red Cross responded to 23 international disasters, contributing more than \$16.1 million in financial support, deploying delegates and providing relief supplies and other emergency assistance to millions affected by disasters;

Whereas the American Red Cross continues to help affected communities recover from the tsunami by providing assistance to more than 3.3 million people through long-term recovery programs and more than 80 million people through disease control activities in tsunami-affected countries;

Whereas since 2001, the American Red Cross and its partners in the Measles Initiative have vaccinated more than 372 million children in 48 countries against measles;

Whereas World Red Cross Red Crescent Day will honor the efforts of Red Cross workers and volunteers who work tirelessly to alleviate human suffering: Now, therefore, be it

1       *Resolved*, That the House of Representatives supports  
2 the International Red Cross and Red Crescent Move-  
3 ment—the world’s largest humanitarian network—by hon-  
4 oring World Red Cross Red Crescent Day.

○

**AMENDMENT TO H. RES. 378**  
**OFFERED BY MS. ROS-LEHTINEN OF FLORIDA**  
**AND MR. LANTOS OF CALIFORNIA**

In the third clause of the preamble, strike “Red Cross and Red Crescent National Societies” and insert “Red Cross, Red Crescent, and Magen David Adom National Societies”.

In the fifth clause of the preamble, strike “, as part of the International Movement of Red Cross and Red Crescent Societies,”.

In the sixth clause of the preamble, strike “International Red Cross and Red Crescent Movement’s” and insert “Red Cross, Red Crescent, and Magen David Adom”.

Amend the eighth clause of the preamble to read as follows: “Whereas the American Red Cross continues to help affected communities recover from the tsunami that resulted from the earthquake that occurred off the west coast of northern Sumatra, Indonesia, on December 26, 2004, by providing assistance to more than 3.3 million people through long-term recovery programs and more

than 80 million people through disease control activities in the tsunami-affected countries;”

In the ninth clause of the preamble, insert “and” at the end.

In the tenth clause of the preamble, strike “Red Cross workers and volunteers” and insert “Red Cross, Red Crescent, and Magen David Adom employees and volunteers”.

Page 3, beginning on line 1, strike “supports” and all that follows and insert the following: “commends the humanitarian efforts of Red Cross, Red Crescent, and Magen David Adom societies worldwide on the occasion of World Red Cross Red Crescent Day.”.

Amend the title so as to read: “Resolution commending the humanitarian efforts of Red Cross, Red Crescent, and Magen David Adom societies worldwide on the occasion of World Red Cross Red Crescent Day.”.

110TH CONGRESS  
1ST SESSION

## H. RES. 380

Resolution commending Idaho on winning the bid to host the 2009 Special Olympics World Winter Games.

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### IN THE HOUSE OF REPRESENTATIVES

MAY 7, 2007

Mr. SALI (for himself and Mr. SIMPSON) submitted the following resolution;  
which was referred to the Committee on Foreign Affairs

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## RESOLUTION

Resolution commending Idaho on winning the bid to host  
the 2009 Special Olympics World Winter Games.

Whereas Special Olympics is an international nonprofit organization that promotes personal development through sports training and competition;

Whereas Special Olympics advances the understanding of intellectual disabilities through participation and fellowship in the Nation and around the World;

Whereas Special Olympics serves more than 2,500,000 individuals with intellectual disabilities around the globe;

Whereas Special Olympics offers more than 205 programs in over 165 countries;

Whereas Special Olympics offers 30 Olympic-type summer and winter sports to both children and adults with intellectual disabilities;

Whereas Boise, Idaho won the International bid to host the 2009 Special Olympics World Winter Games to be held during February 6–13, 2009;

Whereas thousands of athletes are expected to compete in 7 winter sports in the 2009 Special Olympics World Winter Games; and

Whereas the 2009 Special Olympics World Winter Games will be the largest multi-sport event ever held in the State of Idaho: Now, therefore, be it

1       *Resolved*, That the House of Representatives—

2               (1) applauds the goals and principles of Special  
3       Olympics;

4               (2) salutes the athletes, coaches, family mem-  
5       bers, friends, and volunteers that make Special  
6       Olympics World Winter Games possible;

7               (3) congratulates the State of Idaho as the host  
8       for the 2009 Special Olympics World Winter Games;  
9       and

10              (4) supports the 2009 Special Olympic World  
11       Winter Games and the goals of the Special Olympics  
12       to enrich the lives of people with intellectual disabil-  
13       ities through sports.

○

110TH CONGRESS  
1ST SESSION

## H. RES. 426

Recognizing 2007 as the Year of the Rights of Internally Displaced Persons in Colombia, and offering support for efforts to ensure that the internally displaced people of Colombia receive the assistance and protection they need to rebuild their lives successfully.

---

### IN THE HOUSE OF REPRESENTATIVES

MAY 22, 2007

Mr. MCGOVERN (for himself, Mr. PITTS, Mr. ENGEL, Mr. SMITH of New Jersey, Mr. PAYNE, Mr. LANTOS, Ms. MCCOLLUM of Minnesota, Mr. RUSH, Mr. LYNCH, Ms. BALDWIN, Mr. WEXLER, Ms. SUTTON, Mr. FARR, Mr. FATAH, Ms. DELAURO, Ms. SCHAKOWSKY, Ms. WATSON, Ms. JACKSON-LEE of Texas, Mr. GUTIERREZ, Ms. WOOLSEY, Mr. HINCHEY, Ms. LEE, Mr. McDERMOTT, and Ms. MOORE of Wisconsin) submitted the following resolution; which was referred to the Committee on Foreign Affairs

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## RESOLUTION

Recognizing 2007 as the Year of the Rights of Internally Displaced Persons in Colombia, and offering support for efforts to ensure that the internally displaced people of Colombia receive the assistance and protection they need to rebuild their lives successfully.

Whereas Colombia has experienced the internal displacement of more than 3,800,000 people over the past 20 years, representing approximately 8 percent of Colombia's population;

Whereas Colombia's internally displaced population is one of the worst humanitarian crises in the Americas, and the second largest internally displaced population in the world, after Sudan;

Whereas more than 200,000 people continue to be displaced internally every year;

Whereas Colombia's internally displaced people are often forced from their homes multiple times, and fear repercussions if they identify their attackers;

Whereas the International Committee of the Red Cross and the World Food Program have found internally displaced people in Colombia to be poorer and more disenfranchised than the general population, with 70 percent suffering from food insecurity, inadequate shelter, or limited health care services;

Whereas Afro-Colombian and indigenous peoples are disproportionately affected by displacement, representing almost one-third of the internally displaced;

Whereas women and children also comprise a large majority of the internally displaced;

Whereas very few internally displaced Colombians have been able to return to their original homes due to ongoing conflict throughout the country, and when returns take place they should be carried out voluntarily, in safety and with dignity;

Whereas, in 1997, the Government of Colombia passed landmark legislation, known as Law 387, to guarantee rights and assistance to its internally displaced population;

Whereas the Government of Colombia has expanded its ability to assist internally displaced people through its own

agencies, and with the financial, technical, and operational support of the international community;

Whereas the Constitutional Court of Colombia has handed down multiple decisions recognizing the insufficient nature of the government's efforts to meet the basic needs of internally displaced persons and upheld the importance of implementing law 387 in light of the United Nations Guiding Principles on Internal Displacement;

Whereas the Constitutional Court of Colombia, in consultation with the Government of Colombia, civil society, and the United Nations, has developed an extensive set of measurements to ensure government compliance with Law 387;

Whereas the Government of Colombia, the international community, and civil society are engaged in the London-Cartagena Process to develop coordinated responses to domestic problems, including humanitarian assistance and internal displacement;

Whereas the Government of the United States provides valuable, but limited, humanitarian assistance to Colombia, and has programs targeted specifically for internally displaced people; and

Whereas the United Nations High Commissioner for Refugees, Antonio Guterres, on a visit to Colombia in March 2007, urged greater attention to the issue, stating that it should be a "national priority" and asked for "greater coherence" in programs to address the needs of the internally displaced: Now, therefore, be it

1       *Resolved*, That it is the sense of the House of Rep-  
2       resentatives that—

1           (1) the United Nations High Commissioner for  
2 Refugees, the Colombian Catholic Church, and the  
3 Coalition for Human Rights and Internal Displace-  
4 ment should be commended for their initiative to de-  
5 clare the Year of the Rights of the Internally Dis-  
6 placed People in Colombia;

7           (2) the Government of Colombia and the inter-  
8 national donor community should be encouraged to  
9 prioritize discussion of humanitarian assistance and  
10 internal displacement with the international donor  
11 community, especially within the context of the Lon-  
12 don-Cartagena Process; and

13           (3) the Government of the United States should  
14 increase the resources it makes available to provide  
15 emergency humanitarian assistance and protection  
16 through international and civilian government agen-  
17 cies, and assist Colombia's internally displaced peo-  
18 ple in rebuilding their lives in a dignified, safe, and  
19 sustainable manner.

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**AMENDMENT TO H. RES. 426**  
**OFFERED BY MR. LANTOS OF CALIFORNIA**

In the 14th clause of the preamble, strike “to Colombia” and insert “through Plan Colombia”.

Page 4, line 3, strike “Coalition” and insert “Consultancy”.

110TH CONGRESS  
1ST SESSION

# H. RES. 427

Urging the Government of Canada to end the commercial seal hunt.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 22, 2007

Mr. LANTOS (for himself and Mr. SHAYS) submitted the following resolution;  
which was referred to the Committee on Foreign Affairs

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## RESOLUTION

Urging the Government of Canada to end the commercial  
seal hunt.

Whereas on November 15, 2006, the Government of Canada  
opened a commercial hunt for seals in the waters off the  
east coast of Canada;

Whereas an international outcry regarding the plight of the  
seals hunted in Canada resulted in the 1983 ban by the  
European Union of whitecoat and blueback seal skins  
and the subsequent collapse of the commercial seal hunt  
in Canada;

Whereas the Marine Mammal Protection Act of 1972 (16  
U.S.C. 1361 et seq.) bars the import into the United  
States of seal products;

Whereas in February 2003, the Ministry of Fisheries and  
Oceans in Canada authorized the highest quota for harp

seals in Canadian history, allowing nearly 1,000,000 seals to be killed over a 3-year period;

Whereas more than 1,000,000 seals have been killed over the past 3 years;

Whereas harp seal pups can legally be hunted in Canada as soon as they have begun to molt their white coats at approximately 12 days of age;

Whereas 95 percent of the seals killed over the past 5 years were pups between just 12 days and 12 weeks of age, many of which had not yet eaten their first solid meal or taken their first swim;

Whereas a report by an independent team of veterinarians invited to observe the hunt by the International Fund for Animal Welfare concluded that the seal hunt failed to comply with basic animal welfare regulations in Canada and that governmental regulations regarding humane killing were not being respected or enforced;

Whereas the veterinary report concluded that as many as 42 percent of the seals studied were likely skinned while alive and conscious;

Whereas the commercial slaughter of seals in the Northwest Atlantic is inherently cruel, whether the killing is conducted by clubbing or by shooting;

Whereas many seals are shot in the course of the hunt, but escape beneath the ice where they die slowly and are never recovered, and these seals are not counted in official kill statistics, making the actual kill level far higher than the level that is reported;

Whereas the commercial hunt for harp and hooded seals is a commercial slaughter carried out almost entirely by non-Native people from the East Coast of Canada for

seal fur, oil, and penises (used as aphrodisiacs in some Asian markets);

Whereas the fishing and sealing industries in Canada continue to justify the expanded seal hunt on the grounds that the seals in the Northwest Atlantic are preventing the recovery of cod stocks, despite the lack of any credible scientific evidence to support this claim;

Whereas two Canadian government marine scientists reported in 1994 that the true cause of cod depletion in the North Atlantic was over-fishing, and the consensus among the international scientific community is that seals are not responsible for the collapse of cod stocks;

Whereas harp and hooded seals are a vital part of the complex ecosystem of the Northwest Atlantic, and because the seals consume predators of commercial cod stocks, removing the seals might actually inhibit recovery of cod stocks;

Whereas certain ministries of the Government of Canada have stated clearly that there is no evidence that killing seals will help groundfish stocks to recover; and

Whereas the persistence of this cruel and needless commercial hunt is inconsistent with the well-earned international reputation of Canada: Now, therefore, be it

- 1       *Resolved*, That the House of Representatives urges
- 2 the Government of Canada to end the commercial hunt
- 3 on seals.

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110TH CONGRESS  
1ST SESSION

## H. RES. 467

Condemning the decision by the University and College Union of the United Kingdom to support a boycott of Israeli academia.

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### IN THE HOUSE OF REPRESENTATIVES

JUNE 6, 2007

Mr. PATRICK J. MURPHY of Pennsylvania (for himself, Mr. BURTON of Indiana, Mr. NADLER, Mrs. MCCARTHY of New York, Mr. HIGGINS, Mr. WEXLER, Ms. CORRINE BROWN of Florida, Mr. HALL of New York, Mr. WEINER, Mr. KIRK, Ms. BERKLEY, Mr. ACKERMAN, Mr. WAXMAN, Mr. HASTINGS of Florida, Mr. ENGEL, Mr. KLEIN of Florida, Mr. LEWIS of Georgia, Ms. WASSERMAN SCHULTZ, Mr. McNULTY, Mr. BERMAN, Mr. BRADY of Pennsylvania, Mr. CROWLEY, Mr. ROTHMAN, Mr. COHEN, Mr. FRANK of Massachusetts, Mr. EMANUEL, Mr. LANTOS, Mr. SERRANO, Mr. SIRES, Mr. LINCOLN DIAZ-BALART of Florida, and Mr. BACA) submitted the following resolution; which was referred to the Committee on Foreign Affairs

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## RESOLUTION

Condemning the decision by the University and College Union of the United Kingdom to support a boycott of Israeli academia.

Whereas on May 30, 2007, the University and College Union of the United Kingdom voted in favor of a motion to boycott Israeli faculty and academic institutions;

Whereas the UCU was created in 2006 out of a merger of the Association of University Teachers (AUT) and the National Association of Teachers in Further and Higher

Education (NATFHE). Both AUT (in 2005) and NATFHE (in 2006) have passed resolutions supporting a boycott of Israeli academics and academic institutions;

Whereas Britain's National Union of Journalists called for a boycott of Israeli goods in April 2007;

Whereas these unions have a hypocritical double standard in condemning Israel, a free and democratic state, while completely ignoring gross human rights abuses occurring around the world in nations such as Sudan, Zimbabwe, Iran, and Venezuela;

Whereas a totally unjustified campaign is underway by elements of the international academic community to limit cultural and scientific collaboration between foreign universities and academics and their counterparts in Israel;

Whereas Article 19, section 2, of the United Nations Covenant on Civil and Political Rights states that, "Everyone shall have the right to . . . receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice";

Whereas these and any other attempts to stifle intellectual freedom through the imposition of an academic boycott are counterproductive since research and academic exchange provide an essential bridge between otherwise disconnected cultures and countries;

Whereas such boycotts represent a dangerous assault on the principles of academic freedom and open exchange;

Whereas the UCU boycott motion appears to have spawned similar movements in Britain to boycott Israel economically and culturally, as the country's largest labor union,

UNISON, said it would follow the union of university instructors in weighing punitive measures against Israel;

Whereas Nobel laureate Prof. Steven Weinberg, who refused to participate in a British academic conference due to the National Union of Journalist's boycott, stated that he perceived "a widespread anti-Israel and anti-Semitic current in British opinion"; and

Whereas the senseless boycotting of Israeli academics contributes to the delegitimization and demonization of the State of Israel: Now, therefore, be it

1       *Resolved*, That the House of Representatives—

2               (1) condemns the vote by the University and  
3       College Union of May 30, 2007, to boycott Israeli  
4       academics and academic institutions;

5               (2) urges the international scholarly commu-  
6       nity, the European Union, and individual govern-  
7       ments, to reject, or continue to reject, calls for an  
8       academic boycott of Israel and reaffirm their com-  
9       mitment to academic freedom and cultural and sci-  
10      entific international exchange;

11              (3) urges governments and educators through-  
12      out the world to reaffirm the importance of aca-  
13      demic freedom and open dialogue and to condemn  
14      measures that would prevent the production, shar-  
15      ing, and exchange of knowledge;

1           (4) urges other unions and organizations to re-  
2           ject the troubling and disturbing actions of the  
3           UCU; and

4           (5) urges the general members of the UCU to  
5           reject the call of the union's leadership to boycott  
6           Israel.

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**AMENDMENT TO H. RES. 467**  
**OFFERED BY MR. LANTOS OF CALIFORNIA AND**  
**MS. ROS-LEHTINEN OF FLORIDA**

Strike the preamble and insert the following:

Whereas, on May 30, 2007, the leadership of the University and College Union (UCU) of the United Kingdom voted in favor of a motion to consider at the branch level a boycott of Israeli faculty and academic institutions;

Whereas the UCU was created in 2006 out of a merger of the Association of University Teachers (AUT) and the National Association of Teachers in Further and Higher Education (NATFHE);

Whereas both AUT (in 2005) and NATFHE (in 2006) have passed resolutions supporting a boycott of Israeli academics and academic institutions;

Whereas, however, the AUT boycott resolution was overturned after one month in a revote, and the NATFHE boycott resolution was voided when the two organizations merged into the UCU;

Whereas Britain's National Union of Journalists called for a boycott of Israeli goods in April 2007;

Whereas the UCU boycott motion appears to have spawned similar movements in Britain to boycott Israel economically and culturally, and the country's largest labor union, UNISON, said it would follow the union of university instructors in weighing punitive measures against Israel;

Whereas these unions have a hypocritical double standard in condemning Israel, a free and democratic state, while completely ignoring gross human rights abuses occurring throughout the Middle East and around the world;

Whereas Article 19, section 2, of the United Nations Covenant on Civil and Political Rights states that, “Everyone shall have the right to . . . receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice”;

Whereas these and other attempts to stifle intellectual freedom through the imposition of an academic boycott are morally offensive and contrary to the values of freedom of speech and freedom of inquiry;

Whereas American Nobel laureate Prof. Steven Weinberg refused to participate in a British academic conference due to the National Union of Journalist’s boycott and stated that he perceived “a widespread anti-Israel and anti-Semitic current in British opinion”; and

Whereas the senseless boycotting of Israeli academics contributes to the demonization and attempted delegitimization of the State of Israel: Now, therefore, be it

Strike all after the resolving clause and insert the following:

That the House of Representatives—

- 1 (1) condemns the vote by the leadership of the
- 2 University and College Union of May 30, 2007, to

1 consider at the branch level a boycott of Israeli aca-  
2 demics and academic institutions;

3 (2) urges the international scholarly commu-  
4 nity, the European Union, and individual govern-  
5 ments, to reject, or continue to oppose vigorously,  
6 calls for an academic boycott of Israel;

7 (3) urges educators and governments through-  
8 out the world, especially democratically-elected gov-  
9 ernments, to reaffirm the importance of academic  
10 freedom;

11 (4) urges other unions and organizations to re-  
12 ject the troubling and disturbing actions of the UCU  
13 leadership; and

14 (5) urges the general members of the UCU to  
15 reject the call of the union's leadership to boycott  
16 Israel.

Amend the title so as to read: “A resolution condemning the decision by the leadership of the University and College Union of the United Kingdom to support a boycott of Israeli academia.”.

110TH CONGRESS  
1ST SESSION

## H. RES. 482

Expressing support for the new power-sharing government in Northern Ireland.

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### IN THE HOUSE OF REPRESENTATIVES

JUNE 12, 2007

Mr. GALLEGLY (for himself, Mr. WEXLER, Mr. SMITH of New Jersey, Mr. LANTOS, Mr. KING of New York, and Mr. NEAL of Massachusetts) submitted the following resolution; which was referred to the Committee on Foreign Affairs

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## RESOLUTION

Expressing support for the new power-sharing government in Northern Ireland.

Whereas the Good Friday Agreement, signed on April 10, 1998, in Belfast, and endorsed in a referendum by the overwhelming majority of people in Northern Ireland and the Republic of Ireland, set forth a blueprint for lasting peace in Northern Ireland;

Whereas on May 8, 2007, leaders from the major political parties in Northern Ireland took office as part of an agreement to share power in accordance with the democratic mandate of the Good Friday Agreement;

Whereas on May 8, 2007, Ian Paisley and Martin McGuinness became Northern Ireland's first minister and

deputy first minister, marking the beginning of a new era of power-sharing;

Whereas Dr. Paisley, the Democratic Unionist leader, and Mr. McGuinness, the Sinn Fein negotiator, have put aside decades of conflict and moved toward historic reconciliation and unity in Northern Ireland;

Whereas on May 8, 2007, Dr. Paisley declared, “I believe that Northern Ireland has come to a time of peace, a time when hate will no longer rule.”;

Whereas Mr. McGuinness declared this new government to be “a fundamental change of approach, with parties moving forward together to build a better future for the people that we represent”;

Whereas British Prime Minister Tony Blair declared that “[T]oday marks not just the completion of the transition from conflict to peace, but also gives the most visible expression to the fundamental principle on which the peace process has been based. The acceptance that the future of Northern Ireland can only be governed successfully by both communities working together, equal before the law, equal in the mutual respect shown by all and equally committed both to sharing power and to securing peace. That is the only basis upon which true democracy can function and by which normal politics can at last after decades of violence and suffering come to this beautiful but troubled land.”;

Whereas the Taoiseach of Ireland, Bertie Ahern, declared that “[O]n this day, we mark the historic beginning of a new era for Northern Ireland. An era founded on peace and partnership. An era of new politics and new realities.”;

Whereas both communities have worked together in a spirit of cooperation and mutual respect to solve the problems of concern to all the people of Northern Ireland, including the decision by all the major political parties to join the Northern Ireland Police Board and support the Police Service of Northern Ireland; and

Whereas President George W. Bush, like his predecessor President William J. Clinton, has worked tirelessly to bring the parties in Northern Ireland together in support of fulfilling the promises of the Good Friday Accords: Now, therefore, be it

1       *Resolved*, That it is the sense of the House of Rep-  
2       resentatives that—

3               (1) the United States stands strongly in sup-  
4       port of the new power-sharing government in North-  
5       ern Ireland;

6               (2) political leaders of Northern Ireland, Prime  
7       Minister Tony Blair, and Taoiseach Bertie Ahern  
8       should be commended for acting in the best interest  
9       of the people of Northern Ireland by forming the  
10      new power-sharing government;

11              (3) this day will be remembered as an historic  
12      day and an important milestone in cementing peace  
13      and unity for Northern Ireland and a shining exam-  
14      ple for nations around the world plagued by internal  
15      conflict and violence; and

16              (4) the United States stands ready to support  
17      this new government and to work with the people of

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- 1 Northern Ireland as they achieve their goal of last-
- 2 ing peace for those who reside in Northern Ireland.

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110TH CONGRESS  
1ST SESSION

## H. RES. 497

Expressing the sense of the House of Representatives that the Government of the People's Republic of China should immediately release from custody the children of Rebiya Kadeer and Canadian citizen Huseyin Celil and should refrain from further engaging in acts of cultural, linguistic, and religious suppression directed against the Uyghur people, and for other purposes.

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### IN THE HOUSE OF REPRESENTATIVES

JUNE 19, 2007

Ms. ROS-LEHTINEN (for herself, Mr. LANTOS, Mr. BURTON of Indiana, Mr. ROHRBACHER, Mr. CHABOT, Mr. PENCE, Mr. TANCREDO, Mr. PITTS, and Mr. HONDA) submitted the following resolution; which was referred to the Committee on Foreign Affairs

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## RESOLUTION

Expressing the sense of the House of Representatives that the Government of the People's Republic of China should immediately release from custody the children of Rebiya Kadeer and Canadian citizen Huseyin Celil and should refrain from further engaging in acts of cultural, linguistic, and religious suppression directed against the Uyghur people, and for other purposes.

Whereas the protection of the human rights of minority groups is consistent with the actions of a responsible stakeholder in the international community and with the

role of a host of a major international event such as the Olympic Games;

Whereas recent actions taken against the Uyghur minority by authorities in the People's Republic of China and, specifically, by local officials in the Xinjiang Uyghur Autonomous Region, have included major violations of human rights and acts of cultural suppression;

Whereas the authorities of the People's Republic of China have manipulated the strategic objectives of the international war on terror to increase their cultural and religious oppression of the Muslim population residing in the Xinjiang Uyghur Autonomous Region;

Whereas an official campaign to encourage Han Chinese migration into the Xinjiang Uyghur Autonomous Region has resulted in the Uyghur population becoming a minority in their traditional homeland and has placed immense pressure on those who are seeking to preserve the linguistic, cultural, and religious traditions of the Uyghur people;

Whereas the House of Representatives has a particular interest in the fate of Uyghur human rights leader Rebiya Kadeer, a Nobel Peace Prize nominee, and her family as Ms. Kadeer was first arrested in August 1999 while she was en route to meet with a delegation from the Congressional Research Service and was held in prison on spurious charges until her release and exile to the United States in the spring of 2005;

Whereas upon her release, Ms. Kadeer was warned by her Chinese jailors not to advocate for human rights in Xinjiang and throughout China while in the United States or elsewhere, and was reminded that she had sev-

eral family members residing in the Xinjiang Uyghur Autonomous Region;

Whereas while residing in the United States, Ms. Kadeer founded the International Uyghur Human Rights and Democracy Foundation and was elected President of the Uyghur American Association and President of the World Uyghur Congress in Munich, Germany;

Whereas two of Ms. Kadeer's sons were detained and beaten and one of her daughters was placed under house arrest in June 2006;

Whereas President George W. Bush recognized the importance of Ms. Kadeer's human rights work in a June 5, 2007, speech in Prague, Czech Republic, when he stated: "Another dissident I will meet here is Rebiyah Kadeer of China, whose sons have been jailed in what we believe is an act of retaliation for her human rights activities. The talent of men and women like Rebiyah is the greatest resource of their nations, far more valuable than the weapons of their army or their oil under the ground.";

Whereas Kahar Abdureyim, Ms. Kadeer's eldest son, was fined \$12,500 for tax evasion and another son, Alim Abdureyim, was sentenced to seven years in prison and fined \$62,500 for tax evasion in a blatant attempt by local authorities to take control of the Kadeer family's remaining business assets in the People's Republic of China;

Whereas another of Ms. Kadeer's sons, Ablikim Abdureyim, was beaten by local police to the point of requiring medical attention in June 2006 and has been subjected to continued physical abuse and torture while being held incommunicado in custody since that time;

Whereas Ablikim Abdureyim was also convicted by a kangaroo court on April 17, 2007, for “instigating and engaging in secessionist” activities and was sentenced to nine years of imprisonment, this trial being held in secrecy and Mr. Abdureyim reportedly being denied the right to legal representation;

Whereas two days later, on April 19, 2007, another court in Urumqi, the capital of Xinjiang Uyghur Autonomous Region, sentenced Canadian citizen Huseyin Celil to life in prison for “splittism” and also for “being party to a terrorist organization” after having successfully sought his extradition from Uzbekistan where he was visiting relatives;

Whereas Chinese authorities have continued to refuse to recognize Mr. Celil’s Canadian citizenship, although he was naturalized in 2005, denied Canadian diplomats access to the courtroom when Mr. Celil was sentenced, and have refused to grant consular access to Mr. Celil in prison;

Whereas a Chinese Foreign Ministry spokesperson publicly warned Canada “not to interfere in China’s domestic affairs” after Mr. Celil’s sentencing; and

Whereas Mr. Celil’s case was a major topic of conversation in a recent Beijing meeting between the Canadian and Chinese Foreign Ministers: Now, therefore, be it

1       *Resolved*, That it is the sense of the House of Rep-  
2       resentatives that the Government of the People’s Republic  
3       of China—

4               (1) should recognize, and seek to ensure, the  
5       linguistic, cultural, and religious rights of the

1 Uyghur people of the Xinjiang Uyghur Autonomous  
2 Region;

3 (2) should immediately release the children of  
4 Rebiya Kadeer from both incarceration and house  
5 arrest and cease harassment and intimidation of the  
6 Kadeer family members; and

7 (3) should immediately release Canadian citizen  
8 Huseyin Celil and allow him to rejoin his family in  
9 Canada.

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110TH CONGRESS  
1ST SESSION

## H. RES. 500

Expressing the sense of the House of Representatives in opposition to efforts by major natural gas exporting countries to establish a cartel or other mechanism to manipulate the supply of natural gas to the world market for the purpose of setting an arbitrary and nonmarket price or as an instrument of political pressure.

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### IN THE HOUSE OF REPRESENTATIVES

JUNE 20, 2007

Ms. ROS-LEHTINEN (for herself, Mr. MANZULLO, Mr. LANTOS, Mr. MACK, Mr. CHABOT, Mr. WILSON of South Carolina, Mr. BURTON of Indiana, Mr. FORTUÑO, Mr. ROYCE, and Mr. INGLIS of South Carolina) submitted the following resolution; which was referred to the Committee on Foreign Affairs

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## RESOLUTION

Expressing the sense of the House of Representatives in opposition to efforts by major natural gas exporting countries to establish a cartel or other mechanism to manipulate the supply of natural gas to the world market for the purpose of setting an arbitrary and nonmarket price or as an instrument of political pressure.

Whereas the United States currently is largely self-sufficient in natural gas but is projected to greatly increase its usage over time, which could create a growing dependence on world supply;

Whereas the cost of natural gas has approximately tripled since 2000 and has had a significant negative impact on United States manufacturers and on employment in manufacturing;

Whereas in 2004 alone the rising cost of natural gas was responsible for the closure of scores of chemical companies in the United States and the loss of over 100,000 jobs;

Whereas chemicals, plastics, and advanced composite materials are used extensively for military and commercial applications and are crucial components of the United States defense industrial base, which is the foundation of United States national security;

Whereas Europe, as well as Japan, South Korea, and other United States allies, are heavily dependent on imported natural gas, and countries such as China and India are rapidly increasing their reliance on foreign suppliers;

Whereas the supply of natural gas is controlled by a relatively small number of countries, including Iran, Russia, Venezuela, Bolivia, Algeria, and Qatar, among others;

Whereas these and other countries have established an organization known as the Gas Exporting Countries Forum (GECF) to promote coordination on policies regarding natural gas;

Whereas the members of the GECF are estimated to possess over 70 percent of global gas reserves and over 40 percent of global production;

Whereas several of these countries have governments hostile to the United States;

Whereas on January 29, 2007, Iranian Supreme Leader Ayatollah Khamenei proposed that Russia and Iran cooperate

to establish a cartel for natural gas, which has been termed a “gas OPEC”;

Whereas Russian President Putin has expressed great interest in the formation of a cartel of this type;

Whereas Venezuelan President Hugo Chavez has declared his strong support for the proposed cartel and described it as an expansion of his efforts to establish a similar cartel in the Western Hemisphere;

Whereas Iranian officials have made clear their interest in using this “gas OPEC” as an instrument for political purposes;

Whereas Russia has repeatedly demonstrated its willingness to use its role as supplier of oil and gas to exert political pressure on other countries, such as Georgia, Ukraine, and Belarus, among others;

Whereas Europe currently relies on Russia for almost half of its imports of natural gas and is likely to increase its dependence on this source over the next decade;

Whereas North Atlantic Treaty Organization officials have warned of the danger of Europe’s increasing dependence on Russian energy and of the prospect of alternative suppliers, such as Algeria, cooperating with Russia;

Whereas at the GECF meeting in Doha on April 9, 2007, of senior officials from Iran, Russia, Venezuela, Bolivia, Algeria, Qatar, and other countries, an agreement was reached to establish a committee chaired by the Russian Government to study proposals for greater coordination of policies, including pricing, that participants stated would be necessary for the creation of a cartel; and

Whereas the creation of an international cartel for natural gas similar to that of the Organization of Petroleum Ex-

porting Countries (OPEC) would pose a major threat to the price and supply of energy, to the economy of the United States and of the world, and to their security: Now, therefore, be it

1       *Resolved*, That it is the sense of the House of Rep-  
2       resentatives that—

3               (1) the United States should make clear to the  
4       governments of major natural gas exporting coun-  
5       tries that it regards efforts to establish a cartel or  
6       other mechanism to manipulate the supply of nat-  
7       ural gas to the world market for the purpose of set-  
8       ting an arbitrary and nonmarket price, or as an in-  
9       strument of political pressure, to be an unfriendly  
10      act prejudicial to the security of the United States  
11      and of the world as a whole;

12              (2) the United States should develop a joint  
13      strategy with its allies and all countries that are im-  
14      porters of natural gas, as well as with cooperative  
15      exporting countries, to prevent the establishment of  
16      a cartel or other mechanism of this type, including  
17      by diversifying sources and alternative means of ac-  
18      cess by exporters and importers to international  
19      markets, such as by pipeline; and

20              (3) in order to mitigate potential economic and  
21      other threats to our security, the United States  
22      should work with our allies to reduce our dependence

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- 1 on natural gas and to increase and promote the uti-
- 2 lization of clean energy sources.

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**AMENDMENT TO H. RES. 500**

**OFFERED BY MR. LANTOS OF CALIFORNIA**

In paragraph (1) of the resolved text, strike “an unfriendly act”.

110TH CONGRESS  
1ST SESSION

# H. CON. RES. 136

Expressing the sense of Congress regarding high level visits to the United States by democratically-elected officials of Taiwan.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 1, 2007

Mr. CHABOT (for himself, Ms. BERKLEY, Ms. BORDALLO, Mr. ANDREWS, Mr. McNULTY, Mr. BURTON of Indiana, Mrs. SCHMIDT, Mr. FRANKS of Arizona, Mr. ROHRABACHER, Mr. GARRETT of New Jersey, Mr. McCOTTER, Mr. SESSIONS, Mr. TANCREDO, Mr. BOYD of Florida, Mr. GRAVES, and Mr. TOWNS) submitted the following concurrent resolution; which was referred to the Committee on Foreign Affairs

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## CONCURRENT RESOLUTION

Expressing the sense of Congress regarding high level visits to the United States by democratically-elected officials of Taiwan.

Whereas, for over half a century, a close relationship has existed between the United States and Taiwan, which has been of enormous political, economic, cultural, and strategic advantage to both countries;

Whereas Taiwan is one of the strongest democratic allies of the United States in the Asia-Pacific region;

Whereas it is United States policy to support and strengthen democracy around the world;

Whereas, during the late 1980s and early 1990s, Taiwan made a remarkable transition to a full-fledged democracy with a vibrant economy and a vigorous multi-party political system that respects human rights and the rule of law;

Whereas in spite of its praise for democracy in Taiwan, the United States Government continues to adhere to guidelines from the 1970s that bar the President, Vice President, Premier, Foreign Minister, and Defense Minister of Taiwan from coming to Washington, DC;

Whereas the United States Government has barred these high-level officials from visiting Washington, DC, while allowing the unelected leaders of the People's Republic of China to routinely visit Washington, DC, and welcoming them to the White House;

Whereas these restrictions deprive the President, Congress, and the American public of the opportunity to engage in a direct dialogue regarding developments in the Asia-Pacific region and key elements of the relationship between the United States and Taiwan;

Whereas whenever high-level visitors from Taiwan, including the President, seek to come to the United States, their request results in a period of complex, lengthy and humiliating negotiations;

Whereas lifting these restrictions will help bring a United States friend and ally out of its isolation, which will be beneficial to peace and stability in the Asia-Pacific region;

Whereas in consideration of the major economic, security, and political interests shared by the United States and Taiwan, it is to the benefit of the United States for

United States officials to meet and communicate directly with the democratically-elected officials of Taiwan;

Whereas since the Taiwan Strait is one of the flashpoints in the world, it is essential that United States policymakers directly communicate with the leaders of Taiwan; and

Whereas section 221 of the Immigration and Nationality Technical Corrections Act of 1994 (8 U.S.C. 1101 note) provides that the President or other high-level officials of Taiwan may visit the United States, including Washington, DC, at any time to discuss a variety of important issues: Now, therefore, be it

1       *Resolved by the House of Representatives (the Senate*  
2 *concurring)*, That it is the sense of Congress that—

3           (1) restrictions on visits to the United States by  
4       high-level elected and appointed officials of Taiwan,  
5       including the democratically-elected President of  
6       Taiwan, should be lifted;

7           (2) the United States should allow direct high-  
8       level exchanges at the Cabinet level with the Govern-  
9       ment of Taiwan, in order to strengthen a policy dia-  
10      logue with Taiwan; and

11          (3) it is in the interest of the United States to  
12      strengthen links between the United States and the  
13      democratically-elected officials of Taiwan and dem-  
14      onstrate stronger support for democracy in the Asia-  
15      Pacific region.

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**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H. CON. RES. 136  
OFFERED BY MR. LANTOS OF CALIFORNIA**

Strike the preamble and insert the following:

Whereas, for over half a century, a close relationship has existed between the United States and Taiwan, which has been of enormous political, economic, cultural, and strategic advantage to both countries;

Whereas Taiwan is one of the strongest democratic allies of the United States in the Asia-Pacific region;

Whereas it is United States policy to support and strengthen democracy around the world;

Whereas, during the late 1980s and early 1990s, Taiwan made a remarkable transition to a full-fledged democracy with a vibrant economy and a vigorous multi-party political system that respects human rights and the rule of law;

Whereas in spite of its praise for democracy in Taiwan, the United States Government continues to adhere to guidelines from the 1970s that bar the President, Vice President, Premier, Foreign Minister, and Defense Minister of Taiwan from coming to Washington, DC;

Whereas these restrictions deprive the President, Congress, and the American public of the opportunity to engage in a direct dialogue regarding developments in the Asia-Pacific region and key elements of the relationship between the United States and Taiwan;

Whereas whenever high-level visitors from Taiwan, including the President, seek to come to the United States, their request results in a period of complex, lengthy and humiliating negotiations;

Whereas lifting these restrictions will help bring a United States friend and ally out of its isolation, which will be beneficial to peace and stability in the Asia-Pacific region;

Whereas in consideration of the major economic, security, and political interests shared by the United States and Taiwan, it is to the benefit of the United States for United States officials to meet and communicate directly with the democratically-elected officials of Taiwan;

Whereas since the Taiwan Strait is one of the flashpoints in the world, it is essential that United States policymakers directly communicate with the leaders of Taiwan; and

Whereas section 221 of the Immigration and Nationality Technical Corrections Act of 1994 (8 U.S.C. 1101 note) provides that the President or other high-level officials of Taiwan may visit the United States, including Washington, DC, at any time to discuss a variety of important issues: Now, therefore, be it

110TH CONGRESS  
1ST SESSION

# H. CON. RES. 139

Expressing the sense of the Congress that the United States should address the ongoing problem of untouchability in India.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 1, 2007

Mr. FRANKS of Arizona (for himself, Ms. KILPATRICK, Ms. NORTON, Mr. SCOTT of Virginia, Mr. AKIN, Mr. BURTON of Indiana, Mr. SALI, Mr. PAYNE, Mr. RUSH, Mr. KUCINICH, Mr. CHABOT, Mr. MCGOVERN, Mr. LEWIS of Georgia, and Ms. CLARKE) submitted the following concurrent resolution; which was referred to the Committee on Foreign Affairs

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## CONCURRENT RESOLUTION

Expressing the sense of the Congress that the United States should address the ongoing problem of untouchability in India.

Whereas the United States and the Republic of India have entered an unprecedented partnership;

Whereas, the July 18, 2005, Joint Statement between President George W. Bush and Prime Minister Manmohan Singh stated that, “[a]s leaders of nations committed to the values of human freedom, democracy, and rule of law, the new relationship between India and the United States will promote stability, democracy, prosperity, and peace throughout the world [. . . and] it will enhance our ability

to work together to provide global leadership in areas of mutual concern and interest”;

Whereas caste is the socioeconomic stratification of people in South Asia based on a combination of work and descent;

Whereas the “Untouchables”, now known as the Dalits, and the forest tribes of India, called Tribals, who together number approximately 250,000,000 to 300,000,000 people, are the primary victims of caste discrimination in India;

Whereas discrimination against the Dalits and Tribals has existed for more than 2,000 years and has included educational discrimination, economic disenfranchisement, physical abuse, discrimination in medical care, religious discrimination, and violence targeting Dalit and Tribal women;

Whereas Article 17 of the Constitution of India outlaws untouchability;

Whereas despite numerous laws enacted for the protection and betterment of the Dalits and Tribals, they are still considered outcasts in Indian society and are treated as such;

Whereas the Dalits and Tribals are denied equal treatment under the law;

Whereas the National Commission on Scheduled Castes and Scheduled Tribes has declared that many of the reported cases of atrocities against Dalits and Tribals end in acquittals;

Whereas Dalit women are often raped with impunity;

Whereas despite the fact that many Dalits do not report crimes for fear of reprisals by the dominant castes, offi-

cial police statistics averaged over the past five years show that 13 Dalits are murdered every week, five Dalits' homes or possessions are burnt every week, six Dalits are kidnapped or abducted every week, three Dalit women are raped every day, 11 Dalits are beaten every day, and a crime is committed against a Dalit every 18 minutes;

Whereas the majority of temple prostitutes as well as the majority of women trafficked in India are Dalit women;

Whereas low-caste unborn females are targeted for abortions;

Whereas most Dalits and Tribals are among those poorest of the poor living on less than \$1 per day;

Whereas most of India's bonded laborers are Dalits;

Whereas half of India's Dalit children are undernourished, 21 percent are "severely underweight", and 12 percent die before their 5th birthday;

Whereas Dalits and other low-caste people are denied equal access to education;

Whereas the Dalits and Tribals maintain higher illiteracy rates than non-Dalit populations;

Whereas the public education afforded Dalits and Tribals, when available at all, is usually inadequate and conducted in regional languages or Hindi, thereby disqualifying them from access to India's public universities which teach in English, and from most government positions and most advanced jobs in India, which require English;

Whereas the HIV/AIDS epidemic in India is massive and underreported;

Whereas the United Nations estimates that approximately 50,000,000 Indians will die from HIV/AIDS in the next 40 years; and

Whereas Dalits and Tribals are disproportionately affected by HIV/AIDS and are the largest high-risk population in India: Now, therefore, be it

1       *Resolved by the House of Representatives (the Senate*  
2 *concurring)*, That it is the sense of Congress that, as the  
3 leaders of the United States and the Republic of India  
4 have expressed commitment to the values of human free-  
5 dom, democracy, and the rule of law, it is in the interests  
6 of the United States to address the problem of the treat-  
7 ment of the Dalits and Tribals in India in order to better  
8 meet mutual economic and security goals by—

9           (1) raising the issues of caste discrimination, vi-  
10       olence against women, and untouchability through  
11       diplomatic channels both directly with the Govern-  
12       ment of India and within the context of international  
13       bodies;

14           (2) inviting Dalit organizations to participate in  
15       the planning and implementation of development  
16       projects from the United States Agency for Inter-  
17       national Development and other United States devel-  
18       opment organizations;

19           (3) prioritizing funding for projects that posi-  
20       tively impact Dalit and Tribal communities, espe-  
21       cially Dalit women;

22           (4) ensuring that cooperative research programs  
23       targeting rural health care, the HIV/AIDS epidemic,

1 and rural technology contain proper focus on the  
2 Dalits and Tribals;

3 (5) ensuring that anyone receiving funding in  
4 India from the United States Government—

5 (A) is aware that it is United States Gov-  
6 ernment policy that caste discrimination is un-  
7 acceptable, and that the United States is com-  
8 mitted to eliminating it; and

9 (B) treat all people equally, with regard to  
10 caste discrimination;

11 (6) ensuring that—

12 (A) qualified Dalits are in no way discour-  
13 aged from working with the United States Gov-  
14 ernment or organizations receiving funding in  
15 India from the United States Government, and  
16 that transparent and fair recruitment, selection,  
17 and career development processes are imple-  
18 mented, with clear objective criteria; and

19 (B) procedures exist to detect and remedy  
20 any caste discrimination in employment condi-  
21 tions, wages, benefits or job security for anyone  
22 working with the United States Government or  
23 organizations receiving funding in India from  
24 the United States Government;

1           (7) encouraging United States citizens working  
2           in India to avoid discrimination toward the Dalits in  
3           all business interactions; and

4           (8) discussing the issue of caste in the context  
5           of congressional delegations.

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**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H. CON. RES. 139  
OFFERED BY MR. LANTOS OF CALIFORNIA**

Strike the preamble and insert the following:

Whereas the Human Rights Watch and the Center for Human Rights and Global Justice at New York University School of Law released a report in February 2007 that describes caste discrimination against India's "Untouchables" based on in-depth investigations and the findings of Indian governmental and non-governmental organizations on caste-based abuses;

Whereas the United States and the Republic of India have entered into an unprecedented partnership;

Whereas the July 18, 2005, Joint Statement between President George W. Bush and Prime Minister Manmohan Singh stated that, "[a]s leaders of nations committed to the values of human freedom, democracy, and rule of law, the new relationship between India and the United States will promote stability, democracy, prosperity, and peace throughout the world [. . . and] it will enhance our ability to work together to provide global leadership in areas of mutual concern and interest";

Whereas caste is the socioeconomic stratification of people in South Asia based on a combination of work and descent;

Whereas the "Untouchables", now known as the Dalits, and the forest tribes of India, called Tribals, who together

number approximately 200,000,000 people, are the primary victims of caste discrimination in India;

Whereas discrimination against the Dalits and Tribals has existed for more than 2,000 years and has included educational discrimination, economic disenfranchisement, physical abuse, discrimination in medical care, religious discrimination, and violence targeting Dalit and Tribal women;

Whereas Article 17 of the Constitution of India outlaws untouchability;

Whereas despite numerous laws enacted for the protection and betterment of the Dalits and Tribals, they are still considered outcasts in Indian society and are treated as such; moreover, in practice, Dalits and Tribals are frequently denied equal treatment under the law;

Whereas Dalit women suffer both caste and gender discrimination as a result of the deficient administration of justice and are often raped and attacked with impunity;

Whereas the National Commission on Scheduled Castes and Scheduled Tribes has declared that many of the reported cases of atrocities against Dalits and Tribals end in acquittals;

Whereas, despite the fact that many Dalits do not report crimes for fear of reprisals by the dominant castes, national police statistics averaged over the past five years by the National Commission on Scheduled Castes and Scheduled Tribes show that 13 Dalits are murdered every week, five Dalits' homes or possessions are burnt every week, six Dalits are kidnapped or abducted every week, three Dalit women are raped every day, 11 Dalits are

beaten every day and a crime is committed against a Dalit every 18 minutes;

Whereas many Dalit girls are forced to become temple prostitutes who are then unable to marry and may be auctioned to urban brothels, and many women trafficked in India are Dalit women;

Whereas low-caste unborn females are targeted for abortions;

Whereas according to Human Rights Watch and India's official National Family Health Survey, most Dalits and Tribals are among those poorest of the poor living on less than \$1 per day; most of India's bonded laborers are Dalits; and half of India's Dalit children are undernourished, 21 percent are "severely underweight", and 12 percent die before their 5th birthday;

Whereas Dalits and other low-caste individuals often suffer from discrimination and segregation in government primary schools leading to low enrollment, high drop-out, and low literacy rates, perhaps linked to a perception that Dalits are not meant to be educated, are incapable of being educated, or if educated, would pose a threat to village hierarchies and power relations;

Whereas the Dalits and Tribals maintain higher illiteracy rates than non-Dalit populations; and

Whereas the HIV/AIDS epidemic in India is massive and Dalits and Tribals are significantly affected by HIV/AIDS: Now, therefore, be it

Strike all after the resolving clause and insert the following:

1       That it is the sense of Congress that, as the leaders  
2 of the United States and the Republic of India have ex-  
3 pressed commitment to the values of human freedom, de-  
4 mocracy, and the rule of law, it is in the interests of the  
5 United States to address the problem of the treatment of  
6 the Dalits and Tribals in India in order to better meet  
7 mutual social development and human rights goals by—

8               (1) raising the issues of caste discrimina-  
9               tion, violence against women, and untouch-  
10              ability through diplomatic channels both di-  
11              rectly with the Government of India and within  
12              the context of international bodies;

13             (2) encouraging the United States Agency  
14             for International Development to ensure that  
15             the needs of Dalit organizations are incor-  
16             porated in the planning and implementation of  
17             development projects;

18             (3) ensuring that projects that positively  
19             impact Dalit and Tribal communities, especially  
20             Dalit women, are developed and implemented;

21             (4) ensuring that cooperative research pro-  
22             grams targeting rural health care, the HIV/  
23             AIDS epidemic, and rural technology contain  
24             proper focus on the Dalits and Tribals;

1 (5) ensuring that anyone receiving funding  
2 in India from the United States Government—

3 (A) is aware that it is United States  
4 Government policy that caste discrimina-  
5 tion is unacceptable, and that the United  
6 States is committed to eliminating it; and

7 (B) treat all people equally without  
8 engaging in caste discrimination;

9 (6) ensuring that—

10 (A) qualified Dalits are in no way dis-  
11 couraged from working with organizations  
12 receiving funding in India from the United  
13 States Government, and that transparent  
14 and fair recruitment, selection, and career  
15 development processes are implemented,  
16 with clear objective criteria; and

17 (B) procedures exist to detect and  
18 remedy any caste discrimination in employ-  
19 ment conditions, wages, benefits or job se-  
20 curity for anyone working with organiza-  
21 tions receiving funding in India from the  
22 United States Government;

23 (7) encouraging United States citizens  
24 working in India to avoid discrimination toward  
25 the Dalits in all business interactions; and

6

1 (8) discussing the issue of caste during bi-  
2 lateral and multilateral meetings, including con-  
3 gressional delegations.

Amend the title so as to read: “A resolution expressing the sense of the Congress that the United States should address the ongoing problem of untouchability in India.”.

Chairman LANTOS. All members are given leave to insert remarks on the measures into the record should they choose to do so.

Without objection, the measures reported favorably to the House of Representatives and the amendments to those measures which the members have before them shall be deemed adopted: H.R. 176, the Shirley A. Chisholm United States-Caribbean Educational Exchange Act of 2007, and H.R. 2843, Library of Congress Public Diplomacy Collection Act of 2007.

Without objection, the chairman is authorized to seek consideration of the bills that members have before them under suspension of the rules, and the amendments to the measures which the members have before them shall be deemed to have been adopted.

I do wish before we close to note the presence of Ms. Rebiya Kadeer, and we are delighted and grateful for her attendance. We think very highly of your courageous struggle for human rights.

[Applause.]

Chairman LANTOS. Ms. Ros-Lehtinen?

Ms. ROS-LEHTINEN. Thank you so much. I join the chairman in pointing out the presence of a gracious human rights leader, a champion for human rights. It was my great privilege to introduce the resolution in the House honoring her courage and her work, calling for the immediate release of her children from Chinese custody, and I thank you for that.

Mr. Chairman, I also want to thank you for calling up my resolution today expressing opposition to efforts by major natural gas exporting countries to establish a cartel that would manipulate the supply of natural gas to the world market only to be used as an instrument of political pressure.

And also, lastly, the Red Cross resolution concerning the addition of Magen David Adom, specifically recognizing the work of Israel's National Aid Society, which was only included within the international movement last year.

So thank you, Mr. Chairman, for putting all these resolutions under the unanimous consent request.

Chairman LANTOS. I want to thank all of my colleagues for an extraordinary markup session.

This session is concluded.

[Whereupon, at 2:14 p.m. the committee was adjourned.]



## A P P E N D I X

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### MATERIAL SUBMITTED FOR THE HEARING RECORD

PREPARED STATEMENTS OF THE HONORABLE SHEILA JACKSON LEE, A  
REPRESENTATIVE IN CONGRESS FROM THE STATE OF TEXAS

STATEMENT ON AMENDMENT #1 TO H.R. 2844—"THE FOOD SECURITY AND AGRICULTURAL  
DEVELOPMENT ACT OF 2007"

My amendment contains two simple, but very important, provisions. It states that it is U.S. policy to use non-emergency food aid to work to ensure that all members of a community, and particularly children, receive proper nutrition. It also recognizes the importance of non-emergency aid in mitigating the catastrophic effects of potential future emergencies.

Malnutrition remains a significant problem worldwide, particularly among children. According to the United Nations World Food Programme, severe acute malnutrition affects an estimated 20 million children under five worldwide. It kills approximately one million children each year, or an average of one every thirty seconds. According to UNICEF Director Ann M. Veneman, malnutrition plays some part in 53% of all deaths of children under five. When an emergency situation does arise, malnutrition increases dramatically and kills most quickly.

These statistics are absolutely staggering. They are also unnecessary. The World Food Programme estimates that, when implemented on a large scale and combined with hospital treatment for children who suffer complications, a community-based approach to combating malnutrition could save the lives of hundreds of thousands of children each year.

My amendment recognizes the need to meet a community's nutritional needs, particularly those of the children. It highlights the need for non-emergency assistance to address these devastating, long-term deficiencies.

There are strong links between a lack of development and the effects of humanitarian emergencies, and the second part of my amendment highlights these. This legislation takes the very important step of setting aside \$600,000,000 specifically for non-emergency programs, recognizing the need to finance development. We must act to ensure that the world's most vulnerable populations have access to the long-term solutions that will permit them to fight off hunger, not just in the immediate aftermath of a catastrophe, but in the years and decades to come.

Emergency assistance is absolutely crucial, and neither my amendment nor this bill seeks to detract from its importance in any way. When a crisis hits and children and families are starving, there is no time to lose. However, such interventions do not solve global hunger; instead, they address the symptoms and bi-products of long-term food instability. I believe we must make every effort to combat these underlying problems, even as we also work to meet emerging emergency demands throughout the world.

My amendment seeks to draw attention to the link between providing development aid *now*, and minimizing the catastrophic effects of emergencies *later*. Non-emergency assistance helps communities combat food insecurity; it helps them develop the capacity they need to respond effectively to changing circumstances. While some emergencies, such as those caused by extreme weather, are unavoidable, by reducing the long-term food instability of a community, we can help to minimize the devastating effects of these emergencies.

In our own nation, when Hurricane Katrina hit, we saw that it was the most vulnerable communities, and the most vulnerable members of communities, that were worst affected. While we cannot, here in Congress, work to ensure that another hurricane will never hit the American south; we can help build the capacity of local communities to survive any emergencies that might arise. The same is true world-

wide; non-emergency assistance can work to ensure that communities will not be as devastated when an emergency does strike.

My amendment highlights this fact. It draws attention to the fact that, by building long-term capacity, we are reducing the likelihood that we will have to provide large amounts of emergency assistance in the future.

I believe that my amendment improves this legislation by highlighting these two important components of U.S. non-emergency food aid. I urge my colleagues to join me in supporting this amendment.

Thank you, and I yield back the balance of my time.

STATEMENT ON AMENDMENT #2 TO H.R. 2844—"THE FOOD SECURITY AND AGRICULTURAL DEVELOPMENT ACT OF 2007"

Mr. Chairman, my amendment is very simple, but I believe it to be extremely important. It amends the section of the bill that requires coordination and integration between different foreign assistance programs, and it states that assistance shall also be coordinated and integrated in the recipient country with other donors, including international and regional organizations and other donor countries.

Mr. Chairman, I believe in the importance of multilateral engagement, and in the immense value of working with other concerned parties. Hunger and malnutrition are truly global problems, and, while I strongly urge the United States to be a leader in combating both, it is not the only world actor. International organizations, like the United Nations, are actively combating global hunger through a number of different organs including the World Food Programme, the Food and Agriculture Organization, and the World Health Organization. Additionally, regional organizations, such as the African Union (AU) and the New Partnership for Africa's Development (NEPAD), play a crucial role in efforts to eradicate hunger.

This amendment does not require that the U.S. funds provided under this section be used to fund these international programs. The U.S. already makes substantial contributions to these important programs; in 2006, the United States contributed \$1,125,000,000, or about 40 percent of total donor contributions, to the World Food Program. My amendment simply highlights the need to coordinate efforts with other donors working in a recipient country. I believe that this will help ensure that the funds provided by this legislation are used to the maximum effect in beneficiary countries.

I believe that multilateral engagement needs to be an important component of U.S. foreign aid. I urge my colleagues to support this important amendment.

Thank you, and I yield back the balance of my time.

PREPARED STATEMENT OF THE HONORABLE JEFF FORTENBERRY, A REPRESENTATIVE  
IN CONGRESS FROM THE STATE OF NEBRASKA

Mr. Chairman, I was detained and not present for the Committee's votes on H.R. 1400. Had I been present, I would have voted yes on the Manager's amendment and yes on the Ackerman amendment.

