

IRAN/LIBYA SANCTIONS EXTENSION ACT;
REAUTHORIZATION OF THE TROPICAL FOREST CONSERVATION
ACT OF 1998 THROUGH FY 2004;
CALLING ON THE GOVERNMENT OF THE PEOPLE'S REPUBLIC
OF CHINA TO RELEASE ALL AMERICAN SCHOLARS OF
CHINESE ANCESTRY BEING HELD IN DETENTION;
EXPRESSING THAT LEBANON, SYRIA, AND IRAN SHOULD
CALL UPON HEZBOLLAH TO ALLOW REPRESENTATIVES OF
THE INTERNATIONAL RED CROSS TO VISIT FOUR ABDUCTED
ISRAELIS HELD IN LEBANON

MARKUPS
BEFORE THE
COMMITTEE ON
INTERNATIONAL RELATIONS
HOUSE OF REPRESENTATIVES

ONE HUNDRED SEVENTH CONGRESS

FIRST SESSION

ON

H.R. 1954, H.R. 2131, H. Res. 160 and H. Res. 99

JUNE 13 AND JUNE 20, 2001

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**THE ILSA (IRAN/LIBYA SANCTIONS ACT)
EXTENSION ACT OF 2001**

WEDNESDAY, JUNE 13, 2001

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Committee met, pursuant to call, at 10:53 a.m. in Room 2172, Rayburn House Office Building, Hon. Henry J. Hyde (Chairman of the Committee) presiding.

Chairman HYDE. The meeting will come to order. Pursuant to notice I now call up the bill H.R. 1954 for purposes of markup and move its favorable recommendation to the House. Without objection, the resolution will be considered as read and open for amendment at any point.

[The bill, H.R. 1954, follows:]

107TH CONGRESS
1ST SESSION

H. R. 1954

To extend the authorities of the Iran and Libya Sanctions Act of 1996
until 2006.

IN THE HOUSE OF REPRESENTATIVES

MAY 23, 2001

Mr. GILMAN (for himself, Mr. BERMAN, Mr. ARMEY, Mr. GEPHARDT, Ms. PRYCE of Ohio, Mr. LANTOS, Mr. COX, Mr. ACKERMAN, Mr. BLUNT, Mr. WAXMAN, Mr. ADERHOLT, Mr. ANDREWS, Mr. BACA, Mr. BAIRD, Mr. BAKER, Ms. BALDWIN, Mr. BASS, Mr. BECERRA, Mr. BENTSEN, Ms. BERKLEY, Mr. BOEHLERT, Mrs. BIGGERT, Mr. BILIRAKIS, Mr. BLAGOJEVICH, Mr. BONILLA, Mrs. BONO, Mr. BORSKI, Mr. BOYD, Mr. BROWN of Ohio, Mr. BROWN of South Carolina, Mr. BRYANT, Mr. BURTON of Indiana, Mr. BUYER, Mr. CALLAHAN, Mr. CANTOR, Mrs. CAPPS, Mr. CARSON of Oklahoma, Mr. CAPUANO, Mr. CARDIN, Mr. COBLE, Mr. CONDIT, Mr. COSTELLO, Mr. CRENSHAW, Mr. CROWLEY, Mr. DAVIS of Florida, Mrs. JO ANN DAVIS of Virginia, Mrs. DAVIS of California, Mr. TOM DAVIS of Virginia, Ms. DEGETTE, Mr. DEUTSCH, Mr. DIAZ-BALART, Mr. DOOLITTLE, Mr. DOYLE, Mr. EHLERS, Mr. ENGEL, Ms. ESHOO, Mr. ETHERIDGE, Mr. EVANS, Mr. FERGUSON, Mr. FILNER, Mr. FLAKE, Mr. FOLEY, Mr. FORD, Mr. FOSSELLA, Mr. FRANK, Mr. FRELINGHUYSEN, Mr. FROST, Mr. GANSKE, Mr. GALLEGLY, Mr. GEKAS, Mr. GILCHREST, Mr. GILLMOR, Mr. GONZALEZ, Mr. GORDON, Mr. GOSS, Mr. GRAHAM, Ms. GRANGER, Mr. GRAVES, Mr. GRUCCI, Mr. GUTIERREZ, Mr. HASTINGS of Florida, Ms. HARMAN, Ms. HART, Mr. HAYES, Mr. HAYWORTH, Mr. HILLEARY, Mr. HOEFFEL, Mr. HOLT, Mr. HOLDEN, Mr. HONDA, Ms. HOOLEY of Oregon, Mr. HORN, Mr. HOYER, Mr. HUNTER, Mr. HUTCHINSON, Mr. ISRAEL, Mr. ISSA, Mrs. KELLY, Mr. KENNEDY of Rhode Island, Mr. KING, Mr. KINGSTON, Mr. KIRK, Mr. KNOLLENBERG, Mr. LANGEVIN, Mr. LAMPSON, Mr. LARSON of Connecticut, Mr. LATOURETTE, Mr. LEACH, Ms. LEE, Mr. LEVIN, Mr. LEWIS of Georgia, Mr. LIPINSKI, Mr. LOBIONDO, Mrs. LOWEY, Mrs. MCCARTHY of New York, Ms. MCCARTHY of Missouri, Mr. MCCRERY, Mr. MCGOVERN, Mr. MCINNIS, Mr. MCKEON, Mr. MCNULTY, Mrs. MALONEY of New York, Mr. MARKEY, Mr. MASCARA, Mr. MATSUI, Mr. MEEKS of New York, Mr. MENENDEZ, Mr. MICA, Ms. MILLENDER-MCDONALD, Mr. MILLER of Florida, Mr. GEORGE MILLER of California, Mrs. MORELLA, Mr. MURTHA, Mrs. MYRICK, Mr. NADLER, Mrs. NORTHUP, Mr. NORWOOD, Mr. OSE, Mr. OTTER, Mr. OWENS, Mr.

PALLONE, Mr. PASCRELL, Mr. PASTOR, Ms. PELOSI, Mr. PHELPS, Mr. PITTS, Mr. PLATTS, Mr. PUTNAM, Mr. RAMSTAD, Mr. REHBERG, Mr. REYNOLDS, Mr. RILEY, Ms. RIVERS, Mr. RODRIGUEZ, Mr. ROHR-ABACHER, Mr. ROGERS of Michigan, Ms. ROS-LEHTINEN, Mr. ROTHMAN, Mrs. ROUKEMA, Mr. RYUN of Kansas, Mr. SABO, Mr. SANDLIN, Mr. SAXTON, Mr. SCARBOROUGH, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCHROCK, Mr. SESSIONS, Mr. SHAW, Mr. SHADEGG, Mr. SHERMAN, Mr. SHOWS, Mr. SIMMONS, Mr. SKELTON, Ms. SLAUGHTER, Mr. SMITH of New Jersey, Ms. SOLIS, Mr. SOUDER, Mr. SPENCE, Mr. STEARNS, Mr. STUMP, Mr. STUPAK, Mr. SWEENEY, Mr. TANNER, Mrs. TAUSCHER, Mr. TAUZIN, Mr. TERRY, Mr. THOMPSON of California, Mrs. THURMAN, Mr. TIBERI, Mr. UDALL of New Mexico, Mr. UNDERWOOD, Mr. VISCLOSKY, Mr. VITTER, Mr. WAMP, Mr. WEINER, Mr. WELDON of Florida, Mr. WELDON of Pennsylvania, Mr. WELLER, Mr. WEXLER, Mr. WICKER, Ms. WOOLSEY, Mr. WU, and Mr. YOUNG of Alaska) introduced the following bill; which was referred to the Committee on International Relations, and in addition to the Committees on Financial Services, Ways and Means, and Government Reform, 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

A BILL

To extend the authorities of the Iran and Libya Sanctions
Act of 1996 until 2006.

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 “ILSA Extension Act
5 of 2001”.

4

3

1 **SEC. 2. EXTENSION OF IRAN AND LIBYA SANCTIONS ACT OF**

2 **1996.**

3 Section 13(b) of the Iran and Libya Sanctions Act
4 of 1996 (50 U.S.C. 1701 note; Public Law 104–172) is
5 amended by striking “5 years” and inserting “10 years”.

○

Chairman HYDE. The Chair yields himself 5 minutes for purposes of presenting a statement.

I would like to proceed to the consideration of H.R. 1954, the ILSA Extension Act of 2001, that would extend the authorities of the Iran/Libya Sanctions Act for an additional 5 years through 2006. Enacted in 1996, this act has helped to discourage foreign energy firms from investing in Iran's and Libya's energy sectors out of ongoing concerns that both countries support international terrorism and are developing weapons of mass destruction.

While the recent reelection of President Khatami does give some encouragement to the voices of reform inside Iran, there is little evidence that he has control over his country's foreign and security policy, or for that matter that he would make any changes in these policies, including sponsorship of terrorism. Iran remains on the State Department's state sponsors of terrorism list.

Notwithstanding his liberalization efforts, Iran has recently stepped up its support to Islamic radical movements that carry out terrorist attacks against Israel and has made every effort to disrupt efforts to promote the peace process in the Middle East. In its most recent report in April of this year, the State Department stated that, and I quote, Iran remained the most active state sponsor of terrorism in the year 2000, unquote.

Libya's past involvement in the 1988 terrorist bombing of Pan Am flight 103 was highlighted by the finding of a Scottish tribunal this January that a Libyan intelligence agent was guilty of the crime, and that the plot to destroy the aircraft was, quote, of Libyan origin, unquote.

In my view, the Libyan government must now publicly acknowledge its involvement in this terrorist attack and pay full and adequate compensation to the families of all the victims. Unless and until Mr. Qaddafi undertakes these actions, ILSA should remain in place. This policy is consistent with the United Nations sanctions now in place on Libya as well.

While it is my understanding that the Administration will not oppose this measure, it has asked for a shorter reauthorization period. These concerns can, I believe, be addressed later in the legislative process.

[The prepared statement of Mr. Hyde follows:]

PREPARED STATEMENT OF THE HONORABLE HENRY J. HYDE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ILLINOIS, AND CHAIRMAN, COMMITTEE ON INTERNATIONAL RELATIONS

ILSA EXTENSION ACT OF 2001

I would like to proceed to the consideration of H. R. 1954, "The ILSA Extension Act of 2001," that would extend the authorities of the Iran Libya Sanctions Act for an additional five years through 2006. Enacted in 1996, this Act has helped to discourage foreign energy firms from investing in Iran's and Libya's energy sectors out of ongoing concerns that both countries support international terrorism and are developing weapons of mass destruction.

While the recent reelection of President Khatami does give some encouragement to the voices of reform inside Iran, there is little evidence that he has control over his country's foreign and security policy—or, for that matter, that he would make any changes in these policies, including sponsorship of terrorism. Iran remains on the State Department's "state sponsors of terrorism" list.

Notwithstanding his liberalization efforts, Iran has recently stepped up its support to Islamic radical movements that carry out terrorist attacks against Israel and has made every effort to disrupt efforts to promote the peace process in the Middle

East. In its most recent report in April of this year, the State Department stated that, "Iran remained the most active state sponsor of terrorism in 2000."

Libya's past involvement in the 1988 terrorist bombing of Pan Am Flight 103 was highlighted by the finding of a Scottish tribunal this January that a Libyan intelligence agent was guilty of the crime and that the plot to destroy the aircraft was, "of Libyan origin."

In my view, the Libyan government must now publicly acknowledge its involvement in this terrorist attack and pay full and adequate compensation to the families of all the victims. Unless and until Mr. Qaddafi undertakes these actions, ILSA should remain in place. This policy is consistent with the United Nations sanctions now in place on Libya, as well.

While it is my understanding that the Administration will not oppose this measure, it has asked for a shorter reauthorization period. These concerns can, I believe, be addressed later in the legislative process.

Chairman HYDE. And I am pleased to yield to Mr. Lantos for purposes of an opening statement.

Mr. LANTOS. Thank you very much, Mr. Chairman, and I wish to identify myself with your comments. I strongly support the legislation to renew ILSA for 5 more years, and I think it is sort of intriguing to speculate on the range of criticism President Bush is receiving as we meet today from our various European friends and allies. Without commenting on the validity of those criticisms, let me say that many of them pale in comparison with the hypocrisy of our European allies in failing to stand with us in our condemnation of Iran and Libya in their headlong pursuit of the almighty profits that the various European countries are seeking in these despicable nations.

ILSA imposes sanctions on foreign companies that invest more than \$20 million in Iran's energy sector and more than \$40 million in Libya's energy sector. It does limit those two nations' oil profits, which each country uses to bankroll weapons of mass destruction programs and various terrorist activities.

Initial reasons, Mr. Chairman, for applying sanctions on Iran are as compelling today as when ILSA was enacted 5 years ago. Iran continues to support terrorism. It continues to develop weapons of mass destruction, including nuclear weapons, and it fanatically opposes not only the peace process in the Middle East, but the very existence of our allies as well. The State Department calls Iran, and I quote, the most active state sponsor of terrorism in the world. Since ILSA took effect, Iran has continued to assist terrorists in the murder of Americans, and there is mounting evidence that Iranian security officials were behind the 1996 Khobar Towers bombing in Saudi Arabia which killed 19 American servicemen. FBI Director Freeh has indicated that the last unfinished business of his tenure is to deal with the Khobar terrorism.

Iran also provides aid and training to such despicable groups as the Hezbollah, Hamas and Islamic Jihad, whose goals and visions Iran shares.

In its most recent ILSA-mandated report to the Congress, the State Department accuses Iran of making a continuing effort to acquire the technology, the expertise and the materials required to develop and maintain an active weapons of mass destruction and ballistic missile capability. Last year, Mr. Chairman, Iran successfully tested an 800-mile-range missile capable of delivering this catastrophic weapon against its neighbors ranging from Turkey to Egypt.

Last week Iran held an election for President. The overwhelming winner was the incumbent Mr. Khatami, the most reform-oriented of the candidates that the clerical establishment allowed to run. This is a hopeful sign, showing that ordinary Iranians are yearning for openness, democracy, and they are singularly unhappy with their current benighted system. But in Iran, as we all know, the President is infinitely less powerful than the chief clerical authorities, the supreme leader. The real control of Iran's levers of power, the security organization, the judiciary, the media and the military establishment, remain in the hands of the ayatollahs.

Likewise, Mr. Chairman, Libya refuses to accept any responsibility for the downing of Pan Am 103 or to compensate the families of victims even though a top Libyan intelligence operative was convicted of the bombing. The sanctions on Libya must continue.

Some may argue that ILSA hasn't had an impact on the Iranian economy. That is demonstrably false. Even Iranian officials, including Khatami, have acknowledged that ILSA's economic impact had been extremely significant. We urge the Administration to implement ILSA's sanctions vigorously when foreign firms invest in Iran or Libya's energy sector. At the same time we must intensify our efforts to persuade our allies to join us in seeking to curtail Iranian and Libyan destructive policies. If we don't try to deter foreign investment in Iran and Libya, we are simply supporting and sustaining ruthless regimes in their evil designs to murder Americans and others and to wreak havoc in the Middle East and in other regions. I strongly urge my colleagues to support this important legislation.

Chairman HYDE. The gentleman from New York, Mr. Gilman.

Mr. GILMAN. Thank you, Mr. Chairman. I appreciate your bringing this measure, H.R. 1954, the ILSA Extension Act, before our Committee today.

The Iran/Libya Sanctions Act mandates sanctions against foreign firms that invest in energy sectors of Iran and Libya. Its aim is to deprive those countries of revenues that they can use to foment terrorism against the U.S. and its allies and develop weapons of mass destruction.

The act, of which I was an original sponsor, was initially passed in 1996 and by its terms is going to expire after 5 years, in August of this year. Earlier this year, in May, we held hearings on this bill in draft form, and on May 23rd I introduced the bill, the ILSA Extension Act, together with my colleague, the gentleman from California, Mr. Berman, that renews this act for an additional 5 years.

Bipartisan support for renewing ILSA is strong. At the present time we have some 236 cosponsors in the House and 74 Senators, and more coming. Support for extension remains strong because Iran continues to threaten the national security of our nation, as President Bush certified to the Congress in March. However, I do not believe that Iranian people, if given a choice, would want their country to persist in threatening our nation or in engaging in terrorism as it is now doing. To do so estranges them from the United States and prevents their nation from developing to its fullest potential.

Although a form of democracy does exist in Iran, it is controlled by security apparatus that makes many crucial decisions without

any popular consent. Thus, it is left to us to do what the Iranian people cannot do for themselves, which is to contain the Iranian apparatus as best we can.

As for Libya, although Libyans stand convicted of killing Americans, Britons and others in bringing down Pan Am flight 103, the Libyan government has yet to take on the responsibility for its actions in this matter as required by the U.N. Security Council or to pay compensation to the victims.

There is ample evidence that ILSA has delayed the exploitation of Iran's and Libya's energy resources and has made the development even more difficult and more expensive. Few major energy companies are willing to jeopardize their ties to our nation or to our huge U.S. market, in exchange for the difficult investment conditions that now prevail in both Iran and Libya.

My colleagues should bear in mind that ILSA does not affect any of our American companies. It is aimed solely at foreign companies which take advantage of our Executive order ban on U.S. investments in both Iran and Libya. It even provides that it would not have any further effect if Iran and Libya conform to acceptable standards of behavior for members of the world community, but to date they have not done so.

To prevent Libya and Iran from doing further harm, I would respectfully urge our colleagues to renew ILSA for another 5-year period. Thank you, Mr. Chairman.

[The prepared statement of Mr. Gilman follows:]

PREPARED STATEMENT OF THE HONORABLE BENJAMIN A. GILMAN, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF NEW YORK

"Mr. Chairman, I much appreciate your bringing HR 1954, the ILSA Extension Act, before the Committee today. The Iran-Libya Sanctions Act mandates sanctions against foreign firms that invest in the energy sectors of Iran and Libya. Its aim is to deprive those countries of revenues that they can use to foment terrorism against the U.S. and its allies or to develop weapons of mass destruction.

The Act was initially passed in 1996 and by its terms will expire after five years, this August. On May 9, I held hearings on this bill in draft form. On May 23, I introduced a bill, the ILSA Extension Act, together with my colleague, Congressman Howard Berman of California, that would renew the Act for another five years.

Bipartisan support for renewing ILSA is strong. At the present time, we have 236 co-sponsors in the House of Representatives and 74 Senators and counting. Support for extension remains strong because Iran continues to threaten the national security of the United States, as President Bush certified to Congress in March.

I do not believe, however, that the Iranian people, if given a choice, would want their country to persist in threatening the United States and in engaging in terrorism. Doing so estranges them from the United States and prevents their country from developing to its fullest potential. Although a form of democracy exists in Iran, it is controlled by a security apparatus that makes many crucial decisions without popular consent. Thus, it is left to us to do what the Iranian people cannot do for themselves, which is to contain the Iranian security apparatus as best we can.

As for Libya, although Libyans stand convicted of killing Americans, Britons, and others by bringing down Pan Am Flight 103, the Libyan government has failed to take responsibility for its actions in this matter, as required by the U.N. Security Council, and to pay compensation.

There is ample evidence that ILSA has delayed exploitation of Iran's and Libya's energy resources and made their development more difficult and more expensive. Few major energy companies want to jeopardize their ties to the huge U.S. market in exchange for the difficult investment conditions that prevail in Iran and Libya.

ILSA does not affect any of our American companies. It is aimed solely at foreign companies which take advantage of our executive-order ban on U.S. investment in Iran or Libya. It even provides that it would not have any further effect if Iran and Libya conform to acceptable standards of behavior for members of the world community. But they have not done so thus far.

To prevent Iran and Libya from doing further harm, I respectfully ask my colleagues to renew ILSA for another five years.”

Mr. PAUL. Mr. Chairman.

Chairman HYDE. I have got a list here. You are on the list.

Mr. Ackerman.

Mr. ACKERMAN. Mr. Chairman, today we have an opportunity to extend legislation that is an integral component of U.S. policy in the Middle East. Five years ago this Committee believed that the imposition of sanctions was required to prevent Iran and Libya from acquiring weapons of mass destruction and from supporting terrorism. Five years later both countries continue to pose a significant threat to U.S. interests and allies across the region.

Notwithstanding the recent elections in Iran, that nation has done nothing to merit the lifting of sanctions, and in some key ways its international behavior has gotten worse. Appeasement won't change that. No matter how hard some in Washington look for Iranian government moderates, they just aren't there. President Khatami shares the foreign policy of the Ayatollahs who actively support terrorism and continue to acquire weapons of mass destruction.

For those that argue that ILSA has not deterred investment, the World Bank has reported that in 1999, Iran attracted less foreign direct investment than resourceful poor Lebanon, Syria or Jordan. By comparison, since ILSA's adoption, Qatar just across the Persian Gulf has attracted \$18 billion in foreign direct investment. Clearly ILSA has denied Iran investment in its oil and gas sector, thereby limiting the money available for the support of Hamas, Hezbollah and the Islamic Jihad.

Mr. Chairman, there is overwhelming support in both the House and Senate for extending ILSA, and the White House has agreed to an extension. We have an opportunity to move forward on an important foreign policy initiative in a bipartisan way. Let's seize it. I urge my colleagues to support the bill, and I thank you, Mr. Chairman.

Chairman HYDE. Mr. Paul.

Mr. PAUL. Thank you, Mr. Chairman. I first would like unanimous consent to submit a written statement.

Chairman HYDE. Without objection.

Mr. PAUL. Thank you. I did want to inform the Chair that I do have one amendment that I would like to offer at the proper time, but I just want to make mention of the reason why I oppose this legislation.

It was said that our allies showed hypocrisy by not supporting us, but I think there are some of our allies that might think that we are showing some hypocrisy as well, because we talk a lot about free trade and the benefits of free trade in dealing with people, even the less perfect countries in the world like China. Not only do we trade with China, we subsidize China. They are the biggest recipient of export/import funds of any country in the world, and we are always hoping that trade will help our relations, and I believe that. I don't believe in the subsidies, but I believe in the trade, and we should pursue that.

For us to pursue these sanctions when there are signs that there are some changes in the government of Iran I think is not a wise

move. Our allies are not supportive of this position. In particular Turkey finds this is rather offensive because they suffer from these sanctions.

Just recently the Atlantic Council in May of this year issued a report thinking beyond the stalemate in U.S.-Iranian relations, and they came down on the side of saying that we should end the sanctions against Iran, and that is hardly a right-wing group. That is very establishment, and they have taken the position that is consistent with the pronouncement so often, on our side at least, of believers in free trade. It certainly is closer to the President's position not to extend the sanctions. We may go along with this, but he has not asked for it. He certainly hasn't asked for 5 years.

So I would say that we should consider what we preach, and we preach free trade and working with people. That does not mean they should qualify for subsidies. I don't think that is a real free trade. A real free-trader believes that we should be trading with people and talking with people and working with them, and that we will have less hostilities, and we are less likely to fight with them under those conditions. So I am going to ask, later on, to reduce the extension to only 2 years, and I yield back.

Mr. LANTOS. Would the gentleman yield?

Mr. PAUL. I will be glad to yield.

Mr. LANTOS. I want to thank my friend for yielding.

A little over a year ago, our then Secretary of State Madeleine Albright made a major policy speech in which she called for a new relationship with Iran. It was followed up by easing up on import restrictions on products from Iran. As you know, a variety of Iranian products can now be imported into the United States, ranging from carpets to caviar, and several of us both preceded and followed up Madeleine Albright's initiative, requesting visas to visit Iran to begin a meaningful dialogue with our counterparts in the Iranian Government.

Iran rebuffed all of these approaches. It rebuffed the approach of our Secretary of State and of our Administration, and it rebuffed the approach of those Members of Congress such as myself who attempted to begin a dialogue.

Mr. PAUL. If I could reclaim my time, you have a reasonable point, but it doesn't jibe with our position with other countries such as China. They have been involved in many infractions of civil liberties that we tolerate and we pursue because there is a lot more money, and there is a lot more big business involved, and we are a lot more tolerant of the infractions with China. I am not trying to take the position that I am going to defend Iran. That is not the point. It is how do you deal with difficult nations. Do you try to isolate them? Usually it doesn't work. We have isolated Cuba now for 40 years, and it hasn't done much good.

So I think the principle of sanctions really isn't a very good position, and we should reassess it, which is exactly what the Atlantic Council did under the leadership of Lee Hamilton, James Schlesinger and Brent Scowcroft. So these are reasonable people saying we are not going in the right way.

Mr. GILMAN. Will the gentleman yield?

Mr. PAUL. I will yield.

Mr. GILMAN. Congressman Paul mentioned that we are dealing with China in comparison to our willingness to try to sanction Iran, but bear in mind China is not on a terrorism list whereas Iran is, and they have been training terrorists, exporting terrorism and creating an unstable situation.

Mr. PAUL. If I could reclaim my time, I would suggest that maybe the terrorism that the Chinese are involved in is mainly domestic. To argue that they are a much more refined nation than Libya, I don't think holds up.

[The prepared statement of Mr. Paul follows:]

PREPARED STATEMENT OF THE HONORABLE RON PAUL, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF TEXAS

Mr. Chairman, there are a number of problems with this move to extend the Iran/Libya Sanctions Act.

First, the underlying Act places way too much authority both to make determinations and to grant waivers, in the hands of the President and the Executive Branch. As such, it is yet another unconstitutional delegation of authority which we ought not extend.

Moreover, as the Act applies to Libya, the authority upon which the bill depends is a resolution of the United Nations. So, any member who is concerned with UN power should vote against this extension.

Furthermore, the sanctions are being extended from a period of five years to ten years. If the original five year sanction period has not been effective in allaying the fears about these governments why do we believe an extra five years will be effective? In fact, few companies have actually been sanctioned under this Act, and to the best of my knowledge no oil companies have been so sanctioned. Still, the sanctions in the Act are not against these nations but are actually directed at "persons" engaged in certain business and investments in these countries. There are already Executive Orders making it illegal for US companies to undertake these activities in these sanctioned countries, so this Act applies to companies in other countries, mostly our allied countries, almost all of whom oppose and resent this legislation and have threatened to take the kinds of retaliatory action that could lead to an all out trade war. In fact, the former National Security Advisor Brent Scowcroft recently pointed out how these sanctions have had a significant adverse impact upon our Turkish allies.

Mr. Chairman, I support those portions of this bill designed to prohibit US financing through government vehicles such as the Export-Import Bank. I also have no problem with guarding against sales of military technology which could compromise our national security. Still, on a whole, this bill is just another plank in the failed sanctions regime from which we ought to loosen ourselves.

The Bush Administration would prefer this legislation to expire and, failing that, they prefer taking a first step by making the extension last for a shorter period. In this I believe the Administration has taken the correct position. For one thing, there have been moves, particularly in Iran, to liberalize. We harm these attempts by maintaining a sanctions regime.

I also have to point out the inconsistency in our policy. Why would we sanction Iran but not Sudan, and why would we sanction Libya but not Syria? I hear claims related to our national security but surely these are made in jest. We subsidize business with the People's Republic of China but sanction Europeans from helping to build oil refineries in Iran.

In case anybody on this committee has not heard, there is a real concern in our country regarding the price of gasoline. Since these sanctions are directly aimed at preventing the development of petroleum resources in these countries, this bill will DIRECTLY RESULT IN AMERICANS HAVING TO PAY A HIGHER PRICE AT THE GASOLINE PUMP. These sanctions HURT AMERICANS. British Petroleum and others have refused to provide significant investment for petroleum extraction in Iran because of the uncertainty this legislation helps to produce. The tiny nation of Qatar has as much petroleum related investment as does Iran since this legislation went into effect. Again, this reduces supply and raises prices at the gas pump. Will the members of this committee return to their districts and tell voters "I just voted to further restrict petroleum supply and keep gas prices high?" I doubt that.

Mr. Chairman, I am fully aware of the legislative realities as regards this legislation and the powerful interests that want it extended. However, it is not just myself and the Bush Administration suggesting this policy is flawed. The Atlantic Council

is a prestigious group co-chaired by Lee Hamilton, James Schlesinger and Brent Scowcroft that has suggested in a recent study that we ought to end sanctions upon Iran.

Mr. Chairman I believe the time has come for us to consider the U.S. interest and the benefits of friendly commerce with all nations. We are particularly ill advised in passing this legislation and hamstringing the new Administration at this time. I must oppose any attempt to extend this Act and support any amendment that would reduce the sanction period it contemplates.

Chairman HYDE. The gentleman's time has expired.

Mr. Menendez.

Mr. MENENDEZ. Thank you, Mr. Chairman.

I strongly support and am proud to cosponsor this legislation. I have supported the sanctions for 5 years. I think that when we look at the national interests and national security interests of the United States, which I think should be guiding principles on both grounds, it is in the interest of the United States to pursue the reauthorization of this legislation and the sanctions policy in this regard.

I find it incredibly difficult that there are advocates of helping Iran in such a way that fuels their weaponry development, that fuels their weapons of mass destruction, that fuels their terrorism, and that in essence is what we would do. In national interests, I don't think you can simply be blinded by the color of money, and to those who I respect, those who have different views of sanctions policy, it is not a perfect tool. The suggestion that all sanctions policies should be swept aside is in essence debilitating the United States of a handful of peaceful diplomacy tools that this country or any other country has.

There are only a handful of peaceful diplomacy tools: the use of your aid and trade as inducements to get countries to act certain ways; international opinion, to the extent that a country is susceptible to being moved by international opinion, and most rogue regimes or countries on terrorist lists are not moved by international opinion; and then the final aspect of peaceful diplomacy, which is the denial of your aid or your trade, which we generally consider sanctions. If you sever those unilaterally, you, in essence, deny yourself opportunities for peaceful diplomacy pursuits.

Now, the election of President Khatami may be the hope, but the power remains in the hands of Ayatollah Khamenei, and the reality is that power is used in pursuit of a policy that is against the interests of the United States, against the national security of the United States and the security of our allies in that part of the world.

I do not believe that we should help others help Iran. I do not believe that we should assist those who might invest in a country that continues to bankroll a weapons-of-mass-destruction program and terrorist activities. I do not believe that we should be part of assisting those who are willing to give a significant amount of money and rewards to the families of suicide bombers.

I do not believe that, in fact, we should be assisting, and that is why I am glad that, in the State Department reauthorization bill, my amendment was adopted in the House so that we are not giving voluntary contributions to the international Atomic Energy Administration to help Iran develop the operational capacity to have a nuclear power plant in one of those countries in the world that has

among the largest oil and natural gas reserves to develop nuclear energy.

You cannot tell me for those purposes a country that has vast resources needs to develop nuclear energy for its domestic production. It does so as a guise to develop nuclear weaponry. Knowing that Iran has already tested missiles with 800-mile range capacity, able to deliver catastrophic weaponry against its neighbors, including, Turkey, Jordan, Egypt and Israel, I do not see how it is in the national interests of the United States or the national security interests of the United States to facilitate those possibilities.

So I think we have national interests. We have national security interests. Sanctions policies aren't perfect, but in this regard we can send a very clear and unequivocal message. Even the Iranians have acknowledged the degree to which, in fact, these sanctions policies have caused them harm. If we back away and we say to the rest of the world, trade on, let's trade on to our strategic detriment and demise, then I think we will have a rude awakening.

So I strongly urge my colleagues not to water down this legislation, stand for the national interests and security interests of this country, and support the legislation.

I yield back the balance of my time.

Chairman HYDE. The gentleman from Michigan Mr. Smith.

Mr. SMITH OF MICHIGAN. Thank you, Mr. Chairman.

I have some concern about the timing of this legislation, coming 5 days after the election of Khatami, which would indicate a continuation of, if you will, moderation with a win over the hard-liners. This legislation, using the same language as the original law, does not help us move forward with encouraging moderation and better relationships that I think have great potential. At the very least I hope we will seriously consider not a 5-year extension, but a shorter extension of 2 years. Mr. Paul has indicated he has an amendment to do such, and I think part of a successful policy ultimately is going to be some moderation on the part of this Congress that hopefully encourages some moderation in Iran.

I yield back.

Mr. ACKERMAN. Will the gentleman yield?

Mr. SMITH OF MICHIGAN. Certainly I will yield.

Mr. ACKERMAN. I thank the gentleman for his thoughtful comments. Some of us who have been watching this for quite some time, recognize the fact that nobody is allowed to run for President in Iran from all the candidates that apply except those who are approved by the mullahs, who actually allowed Mr. Khatami to run for President, understanding that he is basically a safety steam valve. Despite all of his words of moderation during all of the years that he has been President, he has talked the talk, but has actually done nothing—no activity that has been measurable, recognized or known, unless the gentleman has additional information, that would indicate moderation. Even if he would want to, he controls not the Army, he controls not the judiciary, he controls not the Legislature. Everything is controlled by the mullahs. They are really the government.

Mr. SMITH OF MICHIGAN. Reclaiming my time, I think the points are well taken, certainly well informed. My understanding is that in this election he took 70 plus percent of the vote compared to a

60 plus percent last time. I would hope at least that this has some indication of popular support to move in the direction of moderation, and I would yield back the balance of my time.

Chairman HYDE. The gentlelady from Nevada, Ms. Berkley.

Ms. BERKLEY. Thank you, Mr. Chairman, and I want to thank you for holding this markup of what is an extremely important piece of legislation. As an original cosponsor of this legislation, I believe ILSA has been an effective tool in dissuading foreign investment in Iran's energy sector. Iran remains one of the leading state sponsors of international terrorism, continues to undermine efforts of the Middle East peace, and is aggressively pursuing weapons of mass destruction. Now is not the time to reward Iran by removing sanctions or allowing the sanctions provisions to sunset.

It is widely known that Iran continues to be the main benefactor to numerous radical Islamic organizations, including Hamas, Palestinian Jihad and Hezbollah. These organizations continue to carry out terrorist attacks against innocent civilians in Israel and in some instances have been responsible, either directly or indirectly, for the murder of American citizens.

Iran is reportedly spending somewhere near \$100 million annually on funding these terrorist groups, and the latest State Department report on patterns of global terrorism noted that Iran remained the most active state sponsor of terrorism in the year 2000.

Also of grave importance is the Iranian support of a full range of weapons of mass destruction. Iran has already tested the Shahab-3, a missile that can reach virtually any point within Israel and endangers American lives throughout the region. And just a few days ago the Iranian Government reported that they had successfully tested a solid fuel surface-to-surface missile, the Fattah-110. Although this missile does not travel as far as the Shahab-3, it is more accurate and a significant upgrade over the Katyusha rockets that Iran has been supplying to Hezbollah for a very long time now.

I am also extremely concerned about Iran's abysmal human rights record. People of the Baha'i faith are continually subjected to discrimination, and I don't think I have to tell anybody about the fact that the Jewish population is always at risk in Iran. If ILSA is allowed to expire, we would be saying to the Iranians and the world that our resolve in opposing Iran's behavior is weakening. Nothing could be and should be further from the truth. The opposition to this legislation likes to suggest that moderate forces within Iran are promoting change within Iran, and we should encourage this by removing sanctions. But let me quote Senator D'Amato's statements, when he pointed out in his testimony on this topic that Khatami has called Israel an illegal state, told Yasser Arafat that all of Palestine must be liberated, and most recently called Israel a parasite in the heart of the Muslim world. These do not sound like statements of a moderate to me.

ILSA works. Even the Iranians, say so. In 1998, in a report to the U.N., Iran claimed that ILSA led to the disruption of the country's economic system.

Mr. Chairman, Iran has done nothing, absolutely nothing, to deserve a reward like removing sanctions. I strongly urge my colleagues to support this bill. Thank you very much.

Chairman HYDE. The gentleman from New York, Mr. Houghton.
Mr. HOUGHTON. Thank you, Mr. Chairman.

Mr. Chairman, I voted for this thing 5 years ago because I thought it was a good concept, worth testing, was a waiver given to the President. But, you know, it hasn't worked. It just doesn't work, doesn't affect any American companies. It just affects foreign companies investing there. So it is not a question of helping others to help Iran, it is a question of hurting others who are helping Iran, and really it is a little bit arrogant for us to take that position, and I just think it is wrong. I don't think it helps us at all. It doesn't encourage certainly any of the reformist people in Iran to try to have a better life because they know we are solidly against them, and I just think it is a mistake.

But what I would like to do, Mr. Chairman, is ask, because I think the representatives of the Administration and the State Department are here, is what they think about this. Could I ask that?

Chairman HYDE. Yes.

Mr. HOUGHTON. I would like to ask members of the State Department to give us their feelings.

Ms. BORG. Thank you, Mr. Chairman. It is a pleasure. My name is Anna Maria Borg, Deputy Assistant Secretary for Energy, Sanctions and Commodities in the Bureau of Economic and Business Affairs of the State Department. Thank you.

I would like to pick up from our statement of Administration position, which was coordinated among the government agencies by the Office of Management and Budget.

The Administration supports the renewal of ILSA in its present form for 2 years; that is, through 2003. We share the concerns of Congress about the objectionable policies and behaviors of Iran and Libya. With respect to Iran, we have repeatedly condemned its pursuit of weapons of mass destruction and its support for terrorism, including groups using violence to oppose Middle East peace. We also are very concerned about Libya not yet complying with its U.N. Security Council resolutions, and we are focused on securing their compliance, including payment of appropriate compensation and acceptance of responsibility for the action of Libyan officials.

Our proposal, our support for 2 years, is in no way a diminution of our concern about Iran and Libya behavior. In fact, we have many other tools which we are actively pursuing to do, to pursue those objectives, including our work on last year's Non-Iran Proliferation Act; our follow-up, as many people have noted, on all the activities that follow from the state sponsorship of terrorism designation. We also play a leadership role in multilateral non-proliferation regimes, including the Wassenaar Arrangement, where we and our EU or European allies work together to restrict the access of countries such as Iran and Libya to equipment, technology and materials necessary to develop weapons of mass destruction and long-range missile programs.

Support for a 2-year term also reflects this Administration's view that sanctions should be reviewed frequently. The Administration plans, as many of you know, an overall review of sanctions policy, and a 5-year renewal would prevent that from going forward in a thorough way.

In addition, we feel a 5-year renewal could set off further transatlantic tensions and detract from our ongoing efforts to work in concert with European and other allies to address Iranian and Libyan objectionable behavior. As we sit here today, we note that the team is in Europe working on those issues, among other issues.

We have reviewed all of this, and we look forward to working with Congress as we move forward on an overall sanctions review.

Chairman HYDE. Thank you very much.

Yes, Mr. Lantos.

Mr. LANTOS. I would like to ask some questions of the State Department representative.

Chairman HYDE. I guess we have gone this far. Go ahead, Mr. Lantos.

Mr. LANTOS. I don't want to have you go any farther than you would like to go, Mr. Chairman.

Chairman HYDE. We are just in markup, but that is all right. Go ahead.

Mr. LANTOS. We will have an amendment that will be proposed to cut the term of the sanctions to 2 years, and we will have an opportunity to discuss it at that time. But there is one question I want to pose to the Department of State in terms of the logic of your position.

The current legislation automatically terminates the sanctions if the reasons for the imposition of the sanctions no longer prevail. I shall quote: Section 8, Termination of Sanctions, Iran. The requirement under section 5(a) to impose sanctions shall no longer have force or effect with respect to Iran if the President determines and certifies to the appropriate congressional committees that Iran, one, has ceased its efforts to design, develop, manufacture, acquire a nuclear explosive device or related materials and technology, chemical and biological weapons and ballistic missiles and ballistic missile launch technology and, two, has been removed from the list of countries the governments of which have been determined for purposes of section 6(j) of the Export Administration Act to have repeatedly provided support for acts of international terrorism.

Now the current legislation automatically terminates the sanctions if Iran ceases its current headlong pursuit to develop weapons of mass destruction and ceases its support of international terrorism. I would hope that Iran would do that in 3 months, in which case the sanctions vanish in 3 months.

Is the Administration aware of this automatic termination of sanctions in the present legislation?

Ms. BORG. Yes, thank you very much. We are aware of that.

A key part of our thinking as we reviewed many of the different operations and reviewed the effectiveness of ILSA to date and reviewed, in fact, how all of our policies are working with respect to Iran and Libya was a full belief that it is extremely useful for the Administration to go through, as it has promised, with an overall sanctions review of which a key premise would be the usefulness of reviewing sanctions on a regular, periodic basis. To have ILSA go into effect for 5 years would mean that it is out there for much longer, whereas our hope is to—

Mr. LANTOS. You are not addressing the substantive issue I am raising.

I raised two points. If Iran stops developing weapons of mass destruction and if Iran stops supporting international terrorism, the sanctions cease. These arbitrary time periods are very secondary to the underlying issue. Sanctions have been imposed because Iran is developing weapons of mass destruction and Iran is supporting, according to the State Department's own report, international terrorism. Those are the issues we should focus on, not whether it is 1 year, 2 years, 8 years or 10 years. Because if Iran stops doing these things, the sanctions vanish.

Ms. BORG. Yes. That is absolutely correct. I think, though, that perhaps an overall review of sanctions and a look at effectiveness might give us ways in which we could add to different ways to address Iran and Libya.

Mr. BERMAN. Would the gentleman yield?

Mr. LANTOS. I would be happy to yield.

Mr. BERMAN. I thought the thrust of Mr. Houghton's question was, has this worked? I never heard an answer to that.

Let me try it a different way. Can you name one major energy company that has significant involvement in the United States with U.S. companies as a joint venture, as a partner, as a co-investor in terms of retail or energy production that has made a significant \$20 million in the Iranian energy sector in the past 5 years?

Ms. BORG. Shell is the first company that comes to mind.

Mr. BERMAN. Shell received a waiver? What project is that?

Ms. BORG. Yes, the case is still under review pending—

Mr. BERMAN. What investment has Shell made?

Ms. BORG. A reported investment in the Soroosh and Nowrooz fields for which we have talked to Shell and talked to other companies but which we don't have complete, full details on yet.

Mr. BERMAN. Has the investment been made?

Ms. BORG. The agreement that was reported was for about \$800 million, but it is very unclear if any investment has been made yet.

Mr. BERMAN. Thank you.

Chairman HYDE. The gentleman's time has expired, and I thank the gentlelady for her contribution.

The Chair recognizes Mr. Rohrabacher.

Mr. ROHRABACHER. Thank you very much, Mr. Chairman.

First of all, let me say that I am a cosponsor of this legislation, but there is some elements of the debate today that I find disturbing.

First of all, let me just say that I think Mr. Ron Paul's criticism of Mr. Lantos is not well-founded. Because Mr. Lantos opposes most favored nation status for China and is most consistent in human rights in regard to both China and this legislation, that kind of supposed contradiction does not exist.

Let me just say for the record, this Member finds it a bit disturbing that we hear the arguments that we have to support opposed legislation like this because it has some relationship to Israel. The fact is that this is not a debate about Israeli security. This is a debate about American security. I will be supporting this legislation based on American security needs.

The fact is that we have a conflict going on in Israel. And, yes, there are noncombatants who are being targeted, and I don't care

if it is an F-16 or a terrorist suicide bomber, I am opposed to that type of targeting of noncombatants. I think it is a tragedy that we had so many people, women and children and people who are teenagers, who are not involved in these things on both sides who end up being killed by fanatics on both sides. That is a tragedy; and I hope and I would wish the United States would be, frankly, a little bit more consistent in its opposition to attacks on noncombatants that are carried on by both sides in that conflict.

In terms of what is going on here today in this bill, Iran has just had an election. And I would agree with Mr. Smith, that here we are. The Iranians seem to be going in the right direction, and all of a sudden we are condemning them in a way that is the same way we condemned them 5 years ago.

I want to make sure that the Iranian people who are listening understand that this vote is a vote on the side of moderation, and we are actually supporting the Iranian people and the Iranian moderates by not modifying our position until we see changes in Iranian behavior. The Iranians are involved in the production of weapons of mass destruction that threaten not only their neighbors but threaten every country in the world. We should not be putting up with that.

I will be voting for Mr. Paul's amendment, because I do believe that we can send the message to both sides by tapering back instead of making this a 5-year policy, making this a 2-year policy. Thus, we will have achieved in sending the message to the Iranian people that their government is still involved with unacceptable activities involving the development of weapons of mass destruction and other unacceptable activities, but at the same time we recognize that they are going in the right direction where 75 percent of their people are voting to oppose the mullahs that control those policies of their government.

In terms of Libya, the Libyan government as well as the Iranian government has horrendous human rights policies in play in its own country. They are in fact terrorizing their own populations. For that alone we should be engaged, as in China, with trying to put economic pressure on those who are committing that type of totally unacceptable policy act and advocating those policies and pursuing those policies in their country, and we should send them the message that there will be problems with the United States, economic problems in particular, if they are involved with this type of repression.

So I will be supporting the efforts by Mr. Paul to bring the sanctions down to 2 years, and let's look at this again in 2 years. But at the same time let me just say that this should be looked at as an issue for security for the United States and not simply the fact that these countries oppose Israel.

Chairman HYDE. Gentleman's time has expired.

The gentleman from New York, Mr. Crowley.

Mr. CROWLEY. Thank you, Mr. Chairman; and thank you for bringing this before us today.

I would like to begin by expressing my firm support for the extension of the Iran/Libya Sanctions Act. I recognize that some of my colleagues may say that the sanctions program has outlived its usefulness, and I would suggest otherwise. If we are to assess

whether or not we should renew the Iran/Libya Sanctions Act, I believe it is essential to lay out why it was necessary to impose them in the first place.

Both Iran and Libya have always possessed extensive oil and natural gas reserves that have the potential to yield tremendous wealth for both nations. This potential revenue led to a concern over how this considerable wealth would be spent.

The desire to produce weapons of mass destruction and to abet, train and fund terrorist organizations was a serious threat when these sanctions were implemented in 1995. Therefore, a policy of punishing foreign companies wishing to invest in these nations seemed to be a reasonable one at the time. Though there have been some breaches of the sanctions by several companies during the past 5 years, I would suggest on the whole these sanctions have been fairly successful in deterring Asian and European investment in Libya and Iran's energy sector. So the question now becomes, does the situation in Iran and Libya in 2001 warrant the extension of ILSA? Unfortunately, the answer is still a resounding yes.

According to the 2000 State Department Report on Patterns of Global Terrorism, Iran, Libya and several other countries continue to be nations that the Secretary of State has designated as state sponsors of international terrorism. In fact, Iran remained the most active state sponsor of terrorism in the year 2000. Iran provided increasing support to numerous terrorist groups, including Lebanese, Hezbollah, Hamas and the Palestinian Islamic Jihad which seek to undermine the Middle East peace process through the use of terrorism.

Though Libya has taken some steps to improve its international image, these steps in my opinion are merely cosmetic. According to the same State Department report, Libya continues to have contact with groups that employ violence and terror as a tool to oppose the Middle East peace process, including the Palestinian Islamic Jihad and the Popular Front for Liberation of Palestine General Command. Five years after the enactment of this legislation, these nations remain a threat to their neighbors and to regional stability.

During the hearing held before this Committee on the extension of ILSA, one of the distinguished panelists suggested that we delay the extension to see if President Khatami wins reelection and brings Iran back into the global community as a nation that respects international treaties and denounces terror. Well, as we all know, Mr. Khatami secured reelection by an overwhelming landslide. He has had 4 years to make substantial changes to Iranian policy in this area and has failed to do so. We should not be rewarding President Khatami and the Iranian government simply because he is the lesser of two evils.

There is a reason that these sanctions were imposed in 1995. Those reasons continue to plague these countries today. A rejection of the ILSA extension would destroy all credibility of a U.S. decision to enforce sanctions against nations who violate international law and engage in acts of terror. It sends a signal that it is permissible to break the law as long as you have the ability to endure the consequences for a limited time until the policy unravels.

I believe that we need to send a totally different message, and therefore I urge my colleagues to support this legislation. I thank the Chairman for the time and yield back my balance.

Chairman HYDE. The gentleman from Oregon, Mr. Blumenauer. Mr. BLUMENAUER. Thank you, Mr. Chairman.

We are going, I think, to approve the legislation today, which I intend to support, but I have appreciated the conversation we have had about the duration and the direction of what we are doing. Many nations engage in behavior that we find distressing and hateful, and that is going to continue, and the urge for us to speak out is understandable. It is powerful, and we will continue to do so. But the problem is that, as it works its will through the People's House, we have a great difficulty over time of giving voice in a way that is complementary to the exercise of American foreign policy.

I am personally distressed that we don't have a good mechanism for dealing with the wide range of sanctions that this Chamber in its wisdom has enacted over time. I think the last estimate was that we have somewhere in the neighborhood of 40 percent of the world's population under sanction by the United States or threat of sanction in some form. We have the problem that there is no good mechanism for us to be able to view whether or not these on a systematic basis have achieved their objectives, whether they have outlived their usefulness.

We are involved in an odd discussion here today about extending sanctions for 2 years or 5 years and the impact that has on the Iranian people, who I am sure are watching in great numbers our discussion here today, to be able to discern the nuance of American foreign policy. They can't. They won't.

We are in a position where we have the potential of sanctions being enshrined in national policy, being hijacked by well-organized and motivated interest groups in this country. And oftentimes I have seen it just in my short tenure in this body, where events overtake us and then we are backpeddling, as when we had an example of nuclear proliferation on the Indian subcontinent, and then we were backpeddling to be able to repeal the sanctions that we had in place because it would have hampered already beleaguered agricultural interests.

I am hopeful that we will have the discussion about the duration of the sanction today. I appreciate the Administration coming forward and talking in a well-rounded fashion about the other tools that are available but, most important, that they are involved in a review of the United States sanction policy. And I would hope, Mr. Chairman, that this Committee could be in the leadership in Congress in reviewing the United States sanctions policy so that we have a broad framework, that we are not looking in an odd situation in China versus what goes on in Cuba versus what goes on in the Middle East.

So I am willing to move forward today. I will support the extension, but I hope we don't use lose the opportunity for us to have the discussion that this body should have, which is what does a rational policy look like enacted, so that we have got the framework and we can minimize the confusion.

I appreciate your courtesy, Mr. Chairman, and yield back the balance of my time.

Chairman HYDE. The gentleman from California, Mr. Sherman. Mr. SHERMAN. Thank you, Mr. Chairman.

I would like to respond quickly to the comments of my colleague Mr. Dana Rohrabacher, also from California, by pointing out—and I realize this is a diversion—that in what is going on with Israel and the Palestinians, only one side is targeting noncombatants. Now in a guerrilla war, even with the best rules of engagement, civilians are tragically killed, but in that conflict only one side is trying to kill noncombatants. The other side, when confronted with a guerrilla war, just as when we are confronted with a guerrilla war, cannot always make sure that every bullet and every bomb goes exactly where they want it to go.

But I do want to agree with Mr. Rohrabacher. That is, what is at stake here, is American national security. The government of Iran is not just despicable on human rights. It is dangerous to us, particularly those of us in southern California. Because once that nuclear bomb is developed by Tehran you can bet that the first place they smuggle it into is the closest American megalopolis to a foreign border, and that happens to be where Mr. Rohrabacher and I live.

We have got a choice really here between 2 years and 5 years, and this bill provides that sanctions are lifted when Iran changes its behavior. I would like to make it permanent. I don't think we should change these sanctions without a thorough review. I don't think we should do it automatically just by the passage of time. We should do it only as part of a very sophisticated review of our foreign policy, which would mean that this Administration or others could come to this Committee with new ideas or we should do it when Iran changes its behavior.

The question is, what message do we send? Two years is a message of weakness. Two years is a message to Tehran: Stay the course. Develop those nuclear weapons. You are 2 years away from foreign investment. Your cost of continuing to develop nuclear weapons is trivial. You will have bids on projects in a year. Is that the message we want to send? Or do we want Tehran to understand that we are going to do everything possible to prevent them from developing nuclear weapons, that we are going to try to deny them resources until such time as they change their policy? If we don't get their policy to change, at least we will be denying them the resources.

A 5-year extension does not preclude a review of our policy. We ought to review our policy. The Middle East Subcommittee probably ought to be reviewing this bill every year. I think it can be made better, I think it can be made stronger, but this year we have got to extend it so that the message is clear that developing nuclear weapons by Iran is not something that we are just going to wait out a little while and then ignore.

My colleague from Oregon—and this is a sidelight—argues that 40 percent of the world is subject to U.S. sanctions. I might add the vast majority of those, quote, sanctions are when we deny American foreign aid or concessionary financing to a country for this or that reason. I don't think the word "sanction" is really appli-

cable. Sanctions are the policies that we impose upon truly rogue states, roughly eight in the world, only three or four with which our businesses really want to do business.

Top on that list is Iran. I think that this bill will be successful—has been moderately successful because Iran will need foreign investment and foreign technology to revitalize and expand its oil fields or it will become a net energy importer, a net energy importer in 10 years.

Let us stay the course until we have a more sophisticated course to go down. The vast majority of energy projects which the Iranian government put up for bid 2 years ago remain unbid or with no acceptable bids. There is one reason, and that is because the United States has mobilized most of the world to try to deny investment to Iran. We need to continue that, and there is nothing we can do that would look weaker, nothing we can do that would invite Tehran to stay the course more than to adopt an amendment that extends this for only 2 years and shows them a light at the end of the tunnel.

Thank you.

Chairman HYDE. The Chair would like to state that we expect a vote on the floor at one o'clock on the Salmon bill. I have four more requests to speak and counting. I would like to, at 20 minutes after 12, foreclose this debate that we are having and go to amendments in the naive hope that we might finish this bill. Otherwise, we have to put it over till next Wednesday, and that is not a happy prospect.

So, Mr. Wexler.

Mr. WEXLER. Thank you, Mr. Chairman. I will not use all of my time.

I feel compelled, however, to respond to the explanation provided by the Bush Administration as to their approach with respect to a 2-year rather than a 5-year sanction period and also, with due respect to the State Department, their responses to Mr. Lantos' inquiry with respect to the manner in which the sanctions either expire or don't.

With all due respect, the explanation that one of the concerns of the Bush Administration with respect to ILSA is the heightening of tensions in the transatlantic relationship, the relationship between the United States and Europe, runs a built hollow, particularly this week as the President is in Europe pushing his plans for a missile defense system and reiterating his opposition to American participation in the global warming treaty. If the Administration has made the determination that on missile defense and global warming we are going to irritate the Europeans but on sanctions against Iran we are going to somehow kowtow to the European influence, I would respectfully suggest that the Administration has placed its priorities in a very poor situation.

The State Department seems to be giving contradictory messages. On the one hand, reduce the ILSA time period to 2 years but, on the other, as in the 1998, 1999 and year 2000 State Department Report on Global Terrorism, and I quote, the State Department concludes Iran is the most active and increasingly active state sponsor of terrorism. Iran continues to be deeply involved in

the planning and execution of terrorist acts by its own agents and surrogate groups.

That is our State Department. So the State Department, it seems to me, on the one hand in their objective reports tells us that Iran is deeply involved in the planning and execution of terrorist acts, and yet here at this Committee tells us that the manner in which the Bush Administration seeks to respond to that threat is to reduce the sanction period from 5 years to 2 years.

This explanation, with all due respect again, is even more troubling when coupled with the reports that came from Vice President Cheney's energy task force early in the year, which seemed to suggest that ILSA should be eliminated in an effort to increase our access to oil.

To infuse the question of America's reliance on foreign oil with the question of sanctions against Iran again, I think, is a misapplication of American security interests. If what we are suggesting is that in order to relieve America's dependence on foreign oil that we are better off to not be so dependent on Saudi Arabia and Kuwait and extend that dependency to Iran and Libya, again with all due respect to the Vice President and his energy task force, I think he is greatly mistaken. An American counterterrorism policy that prioritizes access to Iranian oil over national security is clearly not in the best interest of the American people or our allies.

I am deeply concerned also about President Bush's personal commitment to ILSA. In April he stated that he has, and I quote, as reported, no intention as of this moment of taking sanctions off countries like Iran and Libya, end quote. In essence, he left the door open for changing ILSA's sanctions regime or a decision to overturn the two Executive orders imposed in 1995 that block most American companies from doing business in Iran and Libya. Coupled now with the Administration's approach today, it is deeply concerning.

Mr. Chairman, I would conclude by just urging all the people on this Committee, all of our colleagues, to reject provisions that either weaken or eliminate ILSA.

Thank you, Mr. Chairman.

Mr. SMITH OF NEW JERSEY. [Presiding.] The Chair recognizes the gentleman from New York, Mr. Engel.

Mr. ENGEL. I thank you, Mr. Chairman.

I very strongly support this legislation. I want to congratulate Mr. Gilman and others who have sponsored this legislation. I am proud to be an original co-sponsor of the legislation.

Many of our colleagues have stated reasons for this very important piece of legislation. Iran is still the leading state responsible for terrorism. Iran is growing in military capability. Iran threatens the U.S. regional interest. It threatens Israel. Iran rejects Israel's right to exist, opposes the peace process, encourages Palestinian violence. Libyan involvement in the downing of PanAm flight 103 is acknowledged.

And ILSA is working. It has deterred foreign investment in the petroleum sector. It is balanced legislation, and not renewing ILSA would send the wrong signal and provide a potential windfall to Iran.

I think it is ridiculous to talk about lessening ILSA to 2 years rather than 5. We need to show we are serious. Shortening the time period will be seen as a victory by the Iranian and Libyan governments. We do not want to give the Iranians the impression they can wait us out. We want them to change their behavior. We do not want the foreign oil companies to maneuver in the expectation that they will be able to get involved with Iran free of the risk of any sanctions.

The President has enormous flexibility in enforcing this law. As circumstances change, he can fine tune his waiver policy. We do not want to have to take the time of the Administration and the Congress and cause needless friction for those who are offended in principle by this law by renewing it constantly. Let's have our policy out on the table. Five years is very, very appropriate.

I want to also add my comments to some of the things that have been said here. Many of us have been consistent in our policies in wanting sanctions for countries that have human rights violations, in not supporting free trade with countries who do not treat their own citizens right or act that way toward other countries; and I think this is consistent with our human rights policy.

I want to comment on some of the comments that have been made here about somehow equating both sides in the conflict in the Middle East. You know, yes, I think that, obviously, U.S. security should be paramount; and that is what we are doing. We are doing this because it protects U.S. security. But there is nothing wrong and I make no apologies for being concerned about the security of allies of the United States, in particular the state of Israel.

During the Persian Gulf War which I supported, crossed party lines and supported then President Bush, we were very concerned about security for our allies, all in the region, not only Israel but Saudi Arabia and Egypt and other countries as well. In fact, one of reasons we did not finish the Persian Gulf War the way we should have and gone into Bagdad to get rid of Saddam Hussein once and for all is because Saudi Arabia and Egypt opposed it behind the scenes, and so we responded to our allies Saudi Arabia and Egypt at the time because we were concerned with their security needs and what was right.

So I make no apologies to be concerned with Israel's security needs; and the fact of the matter is, as Mr. Sherman and others have pointed out, the targeting against civilians in the Middle East has been done by the Palestinian side. You do not have Israelis sending suicide bombers into the Palestinian territory to blow up innocent civilians. You have quite the opposite. I think it is proven time and time again that countries like Iran and other countries promote terrorism and, therefore, we need to have this kind of legislation.

Now I would expand this legislation and add Syria, if I had my druthers, because Syria also is a country that has not gotten out of Lebanon. They allow Hezbollah and Islamic Jihad to attack Israel from the north, and I believe we should add Syria. But I am going to later on talk a little bit about that when we have the amendment point of view and ultimately withdraw my amendment.

But I want to make the point that this Committee ought to be doing something about Syria as well. We ought to be resolute, de-

spite who is President, despite who is in Congress, against terrorism. And here we are doing ILSA because it is Libya and Iran. We should also be resolute in terms of Sudan and Syria. I think we should be consistent.

I support this legislation. I think it is very, very important. And again I make no apologies for being concerned with the legitimate security needs of Israel and our other allies in the Middle East because as our allies' security goes, so goes our security.

Thank you, and I yield back the balance of my time.

Mr. SMITH OF NEW JERSEY. Thank you, Mr. Engel.

The Chair recognizes himself for a brief statement. Then, since there is a pending vote on the floor, Mr. Lantos will be recognized to offer his amendment, but we will not be voting on it until later.

Let me say very briefly that sometimes in my view the systematic behavior of a dictatorship is so barbaric, so egregious and so cruel that sanctions are warranted. And I think this is the very clear consensus of Congress, it is a bipartisan consensus, it is shared by the American people, and I do believe that a 2-year extension, as opposed to a 5, unwittingly conveys that somehow reform will break out. It is a nice hope, but it is not rooted in reality. At least I don't believe it is rooted in reality.

However, let me remind Members that should there be changes, should there be reform that occurs in either Libya or Iran or both, section 8 of Public Law 104-172 clearly prescribes those benchmarks that need to be achieved in order to lift those sanctions. There is a termination of sanctions provision in the law that we do not have to touch and in the duration of sanctions, a Presidential waiver. So there are two areas of potential change if there is this amelioration of their behavior. So I think we would send the wrong message by going with a 2 year as opposed to a 5.

I would ask unanimous consent that those for the record, the section 8 and section 9, be included. Because they couldn't be more clear. They are everything we care about—weapons of mass destruction, terrorism. If there is change, there is reform, the law already prescribes the anecdote to the sanctions.

[The information referred to follows:]

Public Law 104-172
104th Congress

AN ACT

To impose sanctions on persons making certain investments directly and significantly contributing to the enhancement of the ability of Iran or Libya to develop its petroleum resources, and on persons exporting certain items that enhance Libya's weapons or aviation capabilities or enhance Libya's ability to develop its petroleum resources, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Iran and Libya Sanctions Act of 1996".

SEC. 8. TERMINATION OF SANCTIONS.

(a) IRAN.—The requirement under section 5(a) to impose sanctions shall no longer have force or effect with respect to Iran if the President determines and certifies to the appropriate congressional committees that Iran—

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

- (A) a nuclear explosive device or related materials and technology;
 - (B) chemical and biological weapons; and
 - (C) ballistic missiles and ballistic missile launch technology; and
- (2) has been removed from the list of countries the governments of which have been determined, for purposes of section 6(j) of the Export Administration Act of 1979, to have repeatedly provided support for acts of international terrorism.

(b) LIBYA.—The requirement under section 5(b) to impose sanctions shall no longer have force or effect with respect to Libya if the President determines and certifies to the appropriate congressional committees that Libya has fulfilled the requirements of United Nations Security Council Resolution 731, adopted January 21, 1992, United Nations Security Council Resolution 748, adopted March 31, 1992, and United Nations Security Council Resolution 883, adopted November 11, 1993.

SEC. 9. DURATION OF SANCTIONS; PRESIDENTIAL WAIVER.

(a) DELAY OF SANCTIONS.—

(1) CONSULTATIONS.—If the President makes a determination described in section 5(a) or 5(b) with respect to a foreign person, the Congress urges the President to initiate consultations immediately with the government with primary jurisdiction over that foreign person with respect to the imposition of sanctions under this Act.

(2) ACTIONS BY GOVERNMENT OF JURISDICTION.—In order to pursue consultations under paragraph (1) with the government concerned, the President may delay imposition of sanctions under this Act for up to 90 days. Following such consultations, the President shall immediately impose sanctions unless the President determines and certifies to the Congress that the government has taken specific and effective actions, including, as appropriate, the imposition of appropriate penalties, to terminate the involvement of the foreign person in the activities that resulted in the determination by the President under section 5(a) or 5(b) concerning such person.

(3) ADDITIONAL DELAY IN IMPOSITION OF SANCTIONS.—The President may delay the imposition of sanctions for up to an additional 90 days if the President determines and certifies to the Congress that the government with primary jurisdiction over the person concerned is in the process of taking the actions described in paragraph (2).

(4) REPORT TO CONGRESS.—Not later than 90 days after making a determination under section 5(a) or 5(b), the President shall submit to the appropriate congressional committees a report on the status of consultations with the appropriate foreign government under this subsection, and the basis for any determination under paragraph (3).

(b) DURATION OF SANCTIONS.—A sanction imposed under section 5 shall remain in effect—

(1) for a period of not less than 2 years from the date on which it is imposed;

or

(2) until such time as the President determines and certifies to the Congress that the person whose activities were the basis for imposing the sanction is no longer engaging in such activities and that the President has received reliable assurances that such person will not knowingly engage in such activities in the future, except that such sanction shall remain in effect for a period of at least 1 year.

(c) PRESIDENTIAL WAIVER.—

(1) AUTHORITY.—The President may waive the requirement in section 5 to impose a sanction or sanctions on a person described in section 5(c), and may waive the continued imposition of a sanction or sanctions under subsection (b) of this section, 30 days or more after the President determines and so reports to the appropriate congressional committees that it is important to the national interest of the United States to exercise such waiver authority.

(2) CONTENTS OF REPORT.—Any report under paragraph (1) shall provide a specific and detailed rationale for the determination under paragraph (1), including—

(A) a description of the conduct that resulted in the determination under section 5(a) or (b), as the case may be;

(B) in the case of a foreign person, an explanation of the efforts to secure the cooperation of the government with primary jurisdiction over the sanctioned person to terminate or, as appropriate, penalize the activities that resulted in the determination under section 5(a) or (b), as the case may be;

(C) an estimate as to the significance—

(i) of the provision of the items described in section 5(a) to Iran's ability to develop its petroleum resources, or

(ii) of the provision of the items described in section 5(b)(1) to the abilities of Libya described in subparagraph (A), (B), or (C) of section 5(b)(1), or of the investment described in section 5(b)(2) on Libya's ability to develop its petroleum resources,

as the case may be; and

(D) a statement as to the response of the United States in the event that the person concerned engages in other activities that would be subject to section 5(a) or (b).

(3) EFFECT OF REPORT ON WAIVER.—If the President makes a report under paragraph (1) with respect to a waiver of sanctions on a person described in section 5(c), sanctions need not be imposed under section 5(a) or (b) on that person during the 30- day period referred to in paragraph (1).

Mr. SMITH OF NEW JERSEY. The Chair recognize Mr. Lantos for the purposes of offering an amendment.

Mr. LANTOS. Mr. Chairman, I have what is essentially a conforming amendment.

Mr. SMITH OF NEW JERSEY. The clerk will report the amendment.

Ms. BLOOMER. Amendment offered by Mr. Lantos.

Page 2, after line 5, add the following:

Section 2. Imposition of Sanctions With Respect to Libya.

Mr. SMITH OF NEW JERSEY. Without objection, the amendment is considered as read.

[The amendment offered by Mr. Lantos follows:]

AMENDMENT TO H.R. 1954
OFFERED BY MR. LANTOS

Page 2, after line 5, add the following:

1 **SEC. 2. IMPOSITION OF SANCTIONS WITH RESPECT TO**
2 **LIBYA.**

3 (a) IN GENERAL.—Section 5(b)(2) of the Iran and
4 Libya Sanctions Act of 1996 (50 U.S.C. 1701 note; 110
5 Stat. 1543) is amended by striking “\$40,000,000” each
6 of the two places it appears and inserting “\$20,000,000”.

7 (b) EFFECTIVE DATE.—The amendments made by
8 subsection (a) shall apply to investments made on or after
9 June 13, 2001.

Page 3, line 1, strike “**SEC. 2**” and insert “**SEC. 3**”.

Page 3, after line 5, add the following:

10 **SEC. 4. REVISED DEFINITION OF INVESTMENT.**

11 Section 14(9) of the Iran and Libya Sanctions Act
12 of 1996 (50 U.S.C. 1701 note; 110 Stat. 1549) is amend-
13 ed by adding at the end the following new sentence: “For
14 purposes of this paragraph, an amendment or other modi-
15 fication that is made, on or after June 13, 2001, to an
16 agreement or contract shall be treated as the entry of an
17 agreement or contract.”.

Mr. LANTOS. Mr. Chairman, my amendment has two features. Number one, it makes investments in both Libya and Iran subject to the \$20 million limit. Secondly, when we initially passed this legislation we accepted the fact that some companies had contracts with these countries. They are now attempting by subterfuge to revise these contracts which, for all practical purposes, means that they are writing new contracts in violation of the act; and my amendment closes that loophole. I do not believe that there is opposition to my amendment, and I will request that a vote be held when we resume our session.

Mr. GILMAN. Mr. Chairman, as sponsor of this legislation I accept the gentleman's amendment and urge my colleagues to support the amendment.

Mr. SMITH OF NEW JERSEY. Because this is a noncontroversial amendment offered by the gentleman from California, the question occurs on the amendment. All in favor of the amendment, say aye. Aye. Opposed, no. The ayes have it. The amendment is agreed to.

The Committee stands in recess subject to the call of the Chair.

[Whereupon, at 12:07 p.m., the Committee was adjourned, to reconvene on Wednesday, June 20, 2001.]

REAUTHORIZATION OF THE TROPICAL FOREST CONSERVATION ACT OF 1998 THROUGH FY 2004; THE ILSA (IRAN/LIBYA SANCTIONS ACT) EXTENSION ACT OF 2001; CALLING ON THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA TO RELEASE ALL AMERICAN SCHOLARS OF CHINESE ANCESTRY BEING HELD IN DETENTION, AND OTHER PURPOSES; AND EXPRESSING THAT LEBANON, SYRIA, AND IRAN SHOULD CALL UPON HEZBOLLAH TO ALLOW REPRESENTATIVES OF THE INTERNATIONAL COMMITTEE OF THE RED CROSS TO VISIT FOUR ABDUCTED ISRAELIS HELD IN LEBANON

WEDNESDAY, JUNE 20, 2001

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Committee met, pursuant to call, at 10:23 a.m. in Room 2172, Rayburn House Office Building, Hon. Henry Hyde, (Chairman of the Committee) presiding.

Chairman HYDE. Pursuant to notice, I now call up the Bill H.R. 2131 for purposes of markup and move its favorable recommendation to the House.

Without objection, the bill be considered as read and open for amendment at any point.

The Chair yields himself 5 minutes for purposes of presenting a statement.

I am pleased that the Committee will consider H.R. 2131, the Reauthorization of the Tropical Forest Conservation Act of 1998. The current act expires at the end of this fiscal year.

[The bill, H.R. 2131, follows:]

107TH CONGRESS
1ST SESSION

H. R. 2131

To reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2004.

IN THE HOUSE OF REPRESENTATIVES

JUNE 12, 2001

Mr. PORTMAN (for himself, Mr. LANTOS, Mr. GILMAN, Mr. CROWLEY, Mr. BEREUTER, Mr. SUNUNU, Ms. MCKINNEY, Mr. LEACH, Mr. FALCOMAVAEGA, Mr. CHABOT, Mr. SHERMAN, Mr. BROWN of Ohio, Mr. BAIRD, Mr. BOUCHER, Mr. CAMP, Mr. CARDIN, Mr. ENGLISH, Mr. FRANK, Mr. GREEN of Wisconsin, Mr. HOBSON, Mr. KIRK, Mr. LATOURETTE, Mr. MANZULLO, Mr. OXLEY, Ms. PRYCE of Ohio, Mr. SMITH of New Jersey, Mr. TIBERI, Mr. WEXLER, and Ms. WOOLSEY) introduced the following bill; which was referred to the Committee on International Relations

A BILL

To reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2004.

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

1 **SECTION 1. AUTHORIZATION OF APPROPRIATIONS TO SUP-**
2 **PORT REDUCTION OF DEBT UNDER THE FOR-**
3 **EIGN ASSISTANCE ACT OF 1961 AND TITLE I**
4 **OF THE AGRICULTURAL TRADE DEVELOP-**
5 **MENT AND ASSISTANCE ACT OF 1954.**

6 (a) REAUTHORIZATION.—Section 806 of the Tropical
7 Forest Conservation Act of 1998 (22 U.S.C. 2431d) is
8 amended by adding at the end the following new sub-
9 section:

10 “(d) AUTHORIZATION OF APPROPRIATIONS FOR FIS-
11 CAL YEARS AFTER FISCAL YEAR 2001.—For the cost (as
12 defined in section 502(5) of the Federal Credit Reform
13 Act of 1990) for the reduction of any debt pursuant to
14 this section or section 807, there are authorized to be ap-
15 propriated to the President the following:

16 “(1) \$50,000,000 for fiscal year 2002.

17 “(2) \$75,000,000 for fiscal year 2003.

18 “(3) \$100,000,000 for fiscal year 2004.”.

19 (b) CONFORMING AMENDMENT.—Section
20 808(a)(1)(D) of the Tropical Forest Conservation Act of
21 1998 (22 U.S.C. 2431f(a)(1)(D)) is amended by striking
22 “to appropriated under sections 806(a)(2) and 807(a)(2)”
23 and inserting “to be appropriated under sections
24 806(a)(2), 807(a)(2), and 806(d)”.

○

Chairman HYDE. H.R. 2131 reauthorizes this successful program through fiscal year 2004 and authorizes \$50 million for fiscal year 2002, \$75 million for fiscal year 2003, and \$100 million for fiscal year 2004.

The Tropical Forest Conservation Act helps to protect the world's dwindling tropical forests through debt-for-nature swaps, buy backs or debt restructuring. This successful program builds on former President Bush's innovative Enterprise for the Americas Initiative and is another creative example of how we can address developing country debt while helping to protect our planet's environment.

The act gives the President the authority to reduce certain forms of debt owed to the United States in exchange for the deposit by eligible developing countries of local currencies in a tropical forest fund to preserve, restore and maintain tropical forests. These funds are used by qualified non-governmental organizations working to preserve the world's most endangered tropical forests.

This program is overseen by a board of directors in the United States that is comprised of U.S. public and private officials, and reports on progress made to implement the program are provided annually to the Congress.

I commend Mr. Portman of Ohio and our distinguished Ranking Member, Mr. Lantos of California, for their leadership and support for conservation efforts in the developing work and for their work to reauthorize this program.

I urge my colleagues to support the Reauthorization of the Tropical Forest Conservation Act that provides direct benefits to both developing and developed countries.

I yield to Mr. Lantos for such statement as he cares to make.

[The prepared statement of Chairman Hyde follows:]

PREPARED STATEMENT OF THE HONORABLE HENRY J. HYDE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ILLINOIS, AND CHAIRMAN, COMMITTEE ON INTERNATIONAL RELATIONS

I am pleased that the Committee will consider H.R. 2131, the Reauthorization of the Tropical Forest Conservation Act of 1998. The current Act expires at the end of this fiscal year.

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I commend Mr. Portman of Ohio and our distinguished Ranking Member, Mr. Lantos, of California, for their leadership and support for conservation efforts in the developing world and for their work to reauthorize this program.

I urge my colleagues to support the Reauthorization of the Tropical Forest Conservation Act that provides direct benefits to both developing and developed countries.

Mr. LANTOS. Thank you very much, Mr. Chairman, and let me say at the outset I am a strong supporter of H.R. 2131, and I would like to commend my friend, Congressman Rob Portman, for introducing the reauthorization of this bill and you, Mr. Chairman, for moving it so expeditiously through the process.

Three years ago, Congress overwhelmingly approved the landmark Tropical Forest Conservation Act. This legislation provides funding for the Administration to pursue actively debt swaps, buy backs and debt reduction and restructuring with developing nations in return for concrete efforts to protect our precious tropical forests.

Since we enacted this important legislation, the Clinton Administration successfully concluded an agreement to reduce the debt owed by the government of Bangladesh to the United States in exchange for a new plan to protect 4 million acres of mangrove forests in that country. These forests protect the world's only genetically secure population of Bengal tigers.

At the moment, Mr. Chairman, there are 11 nations on three continents which are interested in negotiating debt reduction agreements with the United States. It is critical that the Bush Administration continue the active implementation of the Tropical Forest Conservation Act.

Tropical forests around the globe are rapidly vanishing. The latest figures indicate that 30 million acres of tropical forests, an area which is larger than the state of Pennsylvania, are being lost every single year.

Tropical forests harbor much of the world's bio diversity. They act as carbon sinks, absorbing massive quantities of carbon dioxide from the atmosphere, thereby reducing greenhouse gasses.

The U.S. National Cancer Institute has identified over 3000 plants, Mr. Chairman, that are active against cancer, 70 percent of which can be found in tropical forests.

In short, Mr. Chairman, we must continue to play a leadership role in protecting the world's tropical forests. Our act is an innovative program, exchanging debt for tropical forest protection. It is a critical tool to provide our executive branch to achieve that most important goal.

By reauthorizing the legislation and providing reasonable funding levels for the next 3 years, I am confident that we can help save tens of thousands of acres of tropical forests around the world.

At the appropriate time, Mr. Chairman, I will offer a technical amendment to make some changes in the act and I urge all of my colleagues to support this important legislation.

Chairman HYDE. Mr. Gilman?

Mr. GILMAN. Thank you, Mr. Chairman. I want to commend the gentleman from Ohio, Mr. Portman, for his initiative in promoting this very worthy program and the gentleman from California, Mr. Lantos for his support. It is a long way from Ohio to the closest tropical forest, but the gentleman has a broad vision relative to the environment. We are in his debt. We originally authorized this program in the 106th Congress and it is appropriate to now reauthorize it at this time. I thank the Chairman for yielding and I urge my colleagues to fully support this measure.

Chairman HYDE. Mr. Faleomavaega.

Mr. FALCOMA. Thank you, Mr. Chairman. I, too, would like to express my appreciation to Mr. Portman from Ohio for his authorship of this reauthorization and to you also, Mr. Chairman, and our Ranking Democrat, Mr. Lantos, for moving this piece of legislation before the Committee.

I guess after living or coming from a tropical area or region of the world, Mr. Chairman, it would be natural that I urge strong support of this legislation.

Mr. Chairman, the provisions of the Tropical Forest Conservation Act basically allow less developed nations that owe loans to the United States to restructure their debt repayment, funneling savings into a tropical rain forest protection fund which provides for a conservation and maintenance of native forest resources in each participating country.

According to the World Wildlife Fund, in recent years, up to 42 million acres of tropical forests have been devastated annually throughout the world. Indeed, approximately one-half of the planet's tropical forests no longer exist.

In the Asian-Pacific region alone, it is estimated that 88 percent of the original forest lands have been destroyed.

Mr. Chairman, these careless actions have a dramatically negative impact on the environment that is global in nature. The destruction of tropical forest lands of this scale destroy the earth's ability to recycle carbon dioxide, significantly contributing to greenhouse gasses and climate warming. Perhaps more importantly, Mr. Chairman, we sacrifice and lose the rich and unique bio diversity of these tropical forest ecosystems which, incidently, contain over half of the world's plant and animal species.

Mr. Chairman, tropical forest plants have been used for centuries for indigenous native peoples to treat illness and disease. Most of the earth's 265,000 flowering plants are located in tropical regions and less than 1 percent of these plants have been scientifically tested for effectiveness against disease. We must preserve these tropical resources that may hold the key to a cure perhaps for cancer or even AIDS and other deadly diseases afflicting humanity today.

Mr. Chairman, I urge our colleagues to support this important legislation and I yield back the balance of my time.

Chairman HYDE. Mr. Bereuter.

Mr. BEREUTER. Thank you, Mr. Chairman. I, too, want to express my strong support for reauthorization of the Tropical Forest Conservation Act introduced by our distinguished colleague from Ohio, Mr. Portman. The gentleman from California and the gentleman from American Samoa have just explained the dramatic potentially positive impact this legislation can have in preserving some of our tropical forests, and I will not have to duplicate that. However, I do think we need to be mindful always of the potential good that we can accomplish by debt swaps.

They have been used for a variety of things around the globe, not just as we hope to do more successfully in the future with tropical forests, but on a whole range of development issues, water development, family enterprises and so on.

One of the countries that has fallen through the cracks when it comes to debt forgiveness is Bangladesh. I have been concerned about that for some period of time. Their debt is primarily related

to the Food for Peace Program, but they have not qualified for debt forgiveness because of a timing issue and a set of other problems.

As Mr. Portman came forward in his legislation, I was pleased to be an original cosponsor of the act that we are hoping now to reauthorize and have hoped that it might also have some influence and impact on Bangladesh and its debt problem, which is very substantial.

Most of the debt that is really uncollectible in effect is in Africa and certain parts of Latin America, but you have heard from Mr. Lantos' description what has happened in Bangladesh. By the way, it is the only use thus far of the Tropical Forest Conservation Act that has reached the final stage where it is implemented. Others are on the way. We need some time to make sure that this opportunity is extended to other countries in the various continents and in the islands of Southeast Asia where we have tropical forests left to preserve.

It has brought relief to Bangladesh. They were not even aware of its potential applications, but we now see that we are having a major impact, not only on the tropical forests but on the endangered species that live in those tropical forests in Bangladesh, and the people have relief.

This is an outstanding program, and we need to look for other uses of debt swap. I urge my colleagues to support the legislation and do it enthusiastically.

Thank you.

Chairman HYDE. Mr. Blumenauer.

Mr. BLUMENAUER. Thank you, Mr. Chairman. I appreciate this being brought forward and look forward to supporting it. I hope, Mr. Chairman, and our Ranking Member, Mr. Lantos, that there may be an opportunity for this Committee at some point this year to spend a few minutes looking in a comprehensive fashion at the various elements that we have before our jurisdiction so that we might in a more comprehensive fashion make a statement—not just make a statement—but fashion some legislative responses that will help deal with global climate change.

We find the Administration is somewhat hesitant, is looking at studying it further. But it would seem to me that we have a number of opportunities that come before us where we might be able to help take the lead on items like this that are relatively non-controversial, that we may be able to expand our reach, do some good, and be able to help generate some momentum in this session of Congress.

Chairman HYDE. Mr. Rohrabacher.

Mr. ROHRABACHER. Thank you very much, Mr. Chairman. Let me just say that I certainly will be supporting the efforts of Mr. Lantos and Mr. Portman on this legislation, perhaps for different reasons. I certainly agree with Mr. Lantos and Mr. Portman about the importance of rain forests in terms of plants and bio diversity and wildlife, endangered species, et cetera. I certainly also agree and applaud Mr. Bereuter for the efforts that he has made in terms of debt swap and all that that means to countries that are going through major economic challenges that can be devastating to their economy. So I applaud Mr. Bereuter's focus on Bangladesh and other countries that might be helped with debt swap.

However, let me say that I support the legislation and am concerned about rain forests. I would hope that this is not interpreted as some sort of confirmation of global climate change. I have gone through numerous hearings on global climate change in the Science Committee and on various Subcommittees on which I sit.

It should be noted that if you do believe in global warming, which I do not, that what would you want to do with the rain forests is to bulldoze them. The rain forests are not a sink hole for CO₂ and greenhouse gasses. Every expert to whom I have spoken has had to admit grudgingly that the rain forests produce much more CO₂ than they absorb; that the rain forests along with the termites and the bugs within the rain forests are one of the major sources on this plant of supposed greenhouse gasses, because rotting wood and termites actually produce more CO₂ than does the internal combustion engine.

That to me is not a reason for us not to be concerned about the rain forests because I happen not to believe that global warming is a problem. I happen to believe that it is global baloney. After having gone through all of these sessions and having had a chance to question the scientists who end up admitting to me within a few minutes that it could be global cooling as well as global warming, I believe that perhaps there is some confusion in the scientific community. But that the rain forests are a source of CO₂ is not one of those debatable issues.

So while I would suggest that we support this debt swap for economic reasons, that we support this debt swap concept in order to protect bio diversity and the endangered species and plants that exist, let us not be sucked into misinformation and confirm false scientific premises like the rain forests being a sink hole for CO₂, which they are not. They are a source of CO₂.

With that, I do support the legislation in order to support bio diversity and protection of endangered species and also to help the economies of some of our struggling brothers and sisters in the developing world.

Chairman HYDE. The Chair recognizes the gentleman from California, Mr. Lantos, for purposes of an amendment.

Mr. LANTOS. Thank you, Mr. Chairman.

Chairman HYDE. The clerk will report.

Mrs. BLOOMER. Amendment offered by Mr. Lantos. Page 1 after line 2, insert the following. Section 1—

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

Chairman HYDE. Without objection, so ordered.

The gentleman is recognized for 5 minutes in support of his amendment.

Mr. LANTOS. Thank you, Mr. Chairman. I will not take 5 minutes because I believe that my amendments are noncontroversial and acceptable to all Members.

The first change clarifies that some countries which under present legislation would not be eligible by virtue of my amendment become eligible. The two countries are the Philippines and Costa Rica.

The second amendment confirms the Administration's intent that the State Department chair the committee that oversees this pro-

gram. It is a program which cuts across every single aspect of our relations with many countries, and it is appropriate that the Department of State provide the chairmanship. I move the approval of my amendment.

Chairman HYDE. Is there any further discussion?

If not, the question occurs on the amendment offered by the gentleman from California.

All in favor, say aye.

[Chorus of ayes.]

Chairman HYDE. Opposed, nay.

[No response.]

Chairman HYDE. The ayes have it and the amendment is agreed to.

Are there further amendments?

[No response.]

Chairman HYDE. Understanding there to be no further amendments, the question occurs on the motion to report the bill H.R. 2131 favorably as amended.

[The amendment offered by Mr. Lantos follows:]

AMENDMENT TO H.R. 2131
OFFERED BY MR. LANTOS

Page 1, after line 2, insert the following:

1 SECTION 1. ELIGIBILITY FOR BENEFITS.

2 Section 805(a)(2) of the Tropical Forest Conserva-
3 tion Act of 1998 (22 U.S.C. 2431c(a)(2)) is amended by
4 striking “major”.

Page 2, line 1, strike “**SECTION 1**” and insert
“**SEC. 2**”.

Page 2, after line 24, add the following:

5 SEC. 3. CHAIRPERSON OF THE ENTERPRISE FOR THE
6 AMERICAS BOARD.

7 Section 811(b)(2) of the Tropical Forest Conserva-
8 tion Act of 1998 (22 U.S.C. 2431i(b)(2)) is amended by
9 striking “from among the representatives appointed under
10 section 610(b)(1)(A) of such Act or paragraph (1)(A) of
11 this subsection” and inserting “and shall be the represent-
12 ative from the Department of State appointed under sec-
13 tion 610(b)(1)(A) of such Act”.

Amend the title so as to read: “A bill to reauthorize
the Tropical Forest Conservation Act of 1998
through fiscal year 2004, and for other purposes.”.

Chairman HYDE. All in favor say aye.

[Chorus of ayes.]

Chairman HYDE. Opposed, nay.

[No response.]

Chairman HYDE. The ayes have it. The motion to report favorably is adopted.

Without objection, the Chairman is authorized to move to go to conference pursuant to House Rule 22 and, without objection, the staff is directed to make any technical and conforming changes. Without objection, the bill will be reported favorably to the House in the form of a single amendment in the nature of a substitute incorporating the amendments adopted here today.

The Chair recognizes the Ranking Democrat, Mr. Lantos, for purposes of an introduction.

Mr. LANTOS. Thank you very much, Mr. Chairman.

Mr. Chairman, this is both a sad and a happy day for the Committee. It is a sad day because our friend and colleague, Alcee Hastings, despite my strong attempt to persuade him otherwise, has decided to leave our Committee and accept an appointment to the House Rules Committee. On this occasion I want to extend to Alcee our deepest appreciation for his extraordinary service over many years.

We are most fortunate to have our new colleague, Ambassador Diane Watson, joining the Committee. I have had the privilege of knowing Ambassador Watson probably longer than anybody in this room, with perhaps one or two exceptions. She served in the California State Senate as the first woman of African-American ancestry, for 2 decades, with unique distinction. Many important pieces of legislation that we in California are grateful for are Diane's gift to the State of California.

Most recently, Mr. Chairman, she served our country in the capacity of Ambassador to the Federated States of Micronesia with great effectiveness, dignity, and with passionate patriotism. On behalf of all of us, I believe, I want to welcome Diane, Ambassador Watson, to the Committee and look forward to her many contributions to our work.

I would like all of us to join in giving her a hand.

[Applause.]

Mr. LANTOS. Thank you, Mr. Chairman.

Chairman HYDE. Thank you, Mr. Lantos.

The Chair notes the presence of a reporting quorum and we will proceed to complete the markup of the bill H.R. 1954. When the Committee recessed last week, we were considering H.R. 1954 for amendment. No amendment was pending, but the Chair recognizes the gentleman from Texas, Mr. Paul, for purposes of an amendment.

Mr. PAUL. Thank you, Mr. Chairman. I do have an amendment at the desk.

Chairman HYDE. The clerk will report.

Ms. BLOOMER. Amendment offered by Mr. Paul. Page 3, line 5, strike 10 years and insert 7 years. Amend the title so as to read "A Bill to Extend the Authorities of the Iran-Libya Sanctions Act of 1996 Until 2003."

Chairman HYDE. The Chair recognizes the gentleman from Texas, Mr. Paul, in support of his amendment.

Mr. PAUL. Thank you, Mr. Chairman.

This amendment merely changes the length of time of the extension. Instead of extending the sanctions for 5 years, it extends it for 2 years, a very moderate, modest approach to a difficult international relations problem.

The President has asked for this, believing that it will help him in his diplomatic dealings, not only in the Middle East, but in Europe as well because our allies in Europe are not in support of our position of extending this for 5 years.

Five years represents a sort of a closed minded approach that we cannot even review it after 2 years, and this at least gives a little bit of flexibility and a little bit of recognition that we are willing to work with both Iran and Libya.

We work with many countries around the world, even during the heyday of the Cold War, as well as at this time with the communist Chinese. We work real hard to trade with those who are more antagonistic toward us, believing that free and open trade is the way to go rather than depending on a more arrogant, authoritarian approach of putting on sanctions.

So I think this would be a very modest approach to send a message that we are willing to talk with these countries, believing that there is a moderate element in both countries that may move in our direction if we are not so flagrant in our ability to push our way around in the world. I think this would be a modest step in the right direction.

There is a real question about the effectiveness of sanctions. There is no clear evidence that they are really good. Certainly, the sanctions on Cuba have not done the job. I mean, they have been there for 40 years. So a strong believer in free trade, I think, would support this position, believing that the reason we trade with people is that we get along with them better.

The Atlantic Council not too long ago issued a report dealing with mainly Iran. The Atlantic Council is co-chaired by Lee Hamilton, James Schlesinger and Brent Scowcroft, and they have concluded that we should get rid of the sanctions with Iran.

So this is an approach that we have to deal with, and we cannot remain static and we cannot remain arrogant about our position. Quite frankly, I think our method of pursuing foreign policy over the last several decades literally encourages and stimulates the radicalism that we find around the world, because they feel like we have no openness to their position and that we are close minded and only support one side. I think this is an opportunity for us to at least say that we will consider something else.

So to me, it is a good opportunity for us to support the President as well as support our free trade and support a more sensible foreign policy, whereby we do not pursue the policy so much of telling people all the time what they must do. So often, either we put on very penalizing sanctions or we bomb them. Quite frankly, I think that this is a much better method where we at least try to talk with countries with whom we are in conflict. If we think this can help us with China and other nations, there is no reason why we cannot consider that with these countries, fully realizing that they

are far from angels. I mean, that is not the position at all. But to argue the case that we should not do it because they are not the best leaders in the world, is really canceling out the whole argument that that is exactly when we want to deal with foreign countries and not isolate them.

If you believe in communication, if you believe in trade, if you believe that talking with people is beneficial, we should not always be so willing to close our mind to talking to other people. This is not arguing the case for eliminating sanctions, this is a real token effort just to say maybe we can lighten up a little and have a more open mind to dealing with other countries.

So I see this as an opportunity for us to support the President as well as support the position of free trade.

Chairman HYDE. The gentleman from California, Mr. Lantos.

Mr. LANTOS. Thank you, Mr. Chairman. I find myself in strong agreement with Mr. Paul concerning the non-angelic nature of Iran and Libya. As a matter of fact, that is the only comment he made with which I find myself in agreement.

As I was listening to the rest of his comments, they reminded me of the most vitriolically anti-American statements of recent decades that we have heard around the world—we are penalizing countries, we bomb them, we are arrogant. Let me just say that when Ronald Reagan spoke of the Evil Empire or called for the bringing down of the Berlin Wall, that could be viewed as arrogant, but it was in defense of human rights and fundamental freedoms, and that is what this legislation is all about.

I oppose the gentleman's amendment in the strongest possible terms. Cutting back from 5 to 2 years in the first place is non-relevant because the existing legislation provides for an automatic suspension of sanctions against both Iran and Libya.

In the case of Iran, it is effective if it stops developing weapons of mass destruction, which is one of our prime concerns, and if it stops subsidizing and supporting and financing and aiding international terrorism. So all the regime in Tehran needs to do is stop building weapons of mass destruction and stop subsidizing and supporting terrorist groups like Hezbollah, and the sanctions are lifted.

With respect to Libya, the sanctions are automatically lifted if Libya admits having had one of its intelligence officers, now condemned and found guilty, as being responsible for the bombing of our aircraft (Pan Am Flight 103) and the death of large numbers of innocent American citizens and is prepared to pay compensation.

It would be a singularly dangerous signal to indicate our vacillation or our timidity or our unwillingness to assert the position that has served us well for the last 5 years. The oil companies that will be reluctant to invest if we have the 5-year provision would be perfectly prepared to wait out 2 years, so we would in a sense facilitate investment in Iranian properties were we to let the sanctions expire after 2 years.

We are merely indicating to Iran that we are pleased that the Iranian people voted for the most moderate of the candidates who was allowed to run. I think it is important to add that provision, "who was allowed to run," because while the man who won the presidency was the most moderate of the candidates, it was the

mullahs and the ayatollahs and the hard liners who had to provide a Good Housekeeping stamp of approval before anybody had the right to run for this position. So this is not a moderate person. This is the most moderate person approved by the ayatollahs.

Secondly, his moderation relates only to domestic policy. He is fully in support of the most aggressive policies in the Middle East, underwriting terrorism and denouncing the peace process and attempting to eliminate the one political democracy in the region.

I think it would be a singularly ill-advised gesture on the part of this Committee to reduce the time for our proposed sanctions from 5 to 2 years, and I strongly urge my colleagues to oppose the amendment.

Chairman HYDE. The gentleman from New York, Mr. Gilman.

Mr. GILMAN. Thank you, Mr. Chairman. Bipartisan support for this measure has been growing stronger. At the present time, we now have 245 co-sponsors in the House and 74 Senators and they are still counting over there. And while I hold the gentleman from Texas, Mr. Paul, in high regard, I regret that I must oppose his amendment to reduce the duration of this measure to 2 years.

It is important that we renew ILSA for a 5-year period instead of two. Shortening the time period would be perceived as a victory by Iran and Libya, and we should not give them the impression that they can wait us out. We want them to change their behavior. We should not allow the foreign oil companies to maneuver in the expectation that they will be able to get involved with Iran free of any risk of sanctions. Moreover, the President of Victims of Pan Am Flight 103 has sent us their objections to reducing the 5-year duration of this measure and they state in their letter, "We are deeply disappointed that less than 5 months after declaring Libya guilty of murdering our loved ones the Administration has proposed slashing the extension from 5 years down to 2 years. We strongly oppose any change which Colonel Gadaffi will read as a sign of weakening U.S. resolve."

And they go on to state "Reducing the time period to 2 years will give Colonel Gadaffi a strong incentive to continue stonewalling as he has done since the verdict was announced in January and wait until the sanctions expire. Sanctions against Libya have been effective in achieving results." That is from the President of the Victims of Pan Am Flight 103.

Moreover, the Khobar Towers investigation in Saudi Arabia is still ongoing, and Iran may be linked to that attack on American servicemen down the road. We do not know when the FBI will be able to complete their investigation and we do not know what the results will be.

We do not want to have to take the time of the Administration and the Congress and cause needless friction with those who are offended in principle by this law by renewing it constantly. The President has enormous flexibility in this measure in fine tuning his enforcement of this law if circumstances change.

Mr. Chairman, I respectfully urge my colleagues to renew ILSA for another 5 years.

Thank you, Mr. Chairman.

Chairman HYDE. The gentleman from California, Mr. Berman.

Mr. BERMAN. Thank you, Mr. Chairman. I would like to join my Ranking Member, Mr. Lantos, and the Chairman of the Subcommittee, Mr. Gilman, in urging a no vote on this effort to shorten the term of the extension of ILSA to 2 years. I think it would be more straightforward just to oppose the reauthorization of the legislation, because when you reduce the term of this legislation to 2 years, you eviscerate the fundamental purpose of the bill.

But let us review the bidding for a second.

The gentleman from Texas talks about, almost as a matter of religion, the belief that trade produces good things, more trade produces better things, and that things will get better if there is more trade. I on balance tend to think trade is better. I do not think it is a matter of religion. I do not think that is established beyond doubt. I do not think history can prove that in all situations more trade produces better results.

We only have to go back 15 years to watch the fact that even as Iraq harbored terrorists, funded terrorist organizations and provided diplomatic pouches for terrorist bombs, when the United States took Iraq off the list of countries supporting terrorism, it thereby opened up a whole variety of dual-use exports to Iraq. Even as Iraq used chemical weapons in its war with Iran, our failure in the veto of efforts to impose sanctions on Iraq for that did not lead to better behavior and better relations with Iraq. It led to a recognition that the United States did not seriously pursue its own acts of aggression and use of and development of weapons of mass destruction, and we ended up with an attack on Kuwait that Iraq truly thought would not be responded to based on prior actions by the United States.

No one here, I think, certainly not this Member, is calling for trying to isolate Iran. No one here is trying to prohibit travel to Iran, diplomatic contacts with Iran, basic trade with Iran. We have an executive order that this Administration could eliminate with one stroke of a pen that could open up all kinds of new activities on trade.

This bill is a carefully targeted effort to focus on that aspect of Iran's economy, that is, the development and strengthening of its energy sector, which will ensure that it has the resources to pursue a weapons of mass destruction program and to continue to finance the cargo planes that on a regular basis go from Tehran to Damascus with arms and supplies and resources to be spread to the Hezbollah in southern Lebanon and to other terrorist organizations in the Middle East who finance and support suicide bombers and other acts of violence that work against the continuation of the peace process there.

Going from 5 years to 2 years tells the only group that is targeted by this amendment, that is, foreign entities that seek to invest more than \$20 million in the Iranian energy sector—and that is all we are focused on here—to get ready, to start looking at the bids, to start making the decisions, to put together your partners because in a very, very short time you will not have to worry about the possible imposition of sanctions.

Mr. Lantos has already talked about the external behavior of Iran that could immediately deal with the elimination of these sanctions. The law provides already waiver authority for the Presi-

dent to waive in a particular situation any imposition of sanctions, but the message about 5 years to 2 years is not a message about wanting more contact and engagement with Iran. We can do that right now and perhaps in some fashion we should seek to try and do that right now.

We are not talking here about internal democratic processes in Iran, respect for pluralism, domestic reform. We are talking here about developing nuclear weapons and the missiles to deliver those weapons, biological and chemical weapons, and active, direct financing and arming of terrorist organizations that seek to destroy the peace process and existing regimes in the Middle East and in other areas.

Chairman HYDE. The gentleman's time has expired.

Mr. BERMAN. I would think if we are going to reauthorize this bill, let us reauthorize it for a period of time that shows we are serious and that we are staying the course. I would oppose the Paul amendment.

Chairman HYDE. The gentleman from New York, Mr. Houghton.

Mr. HOUGHTON. Thank you, Mr. Chairman.

Mr. Chairman, it looks like there is sort of overwhelming support for this. I do not happen to agree with it. Who knows, I am not an Iranian, I cannot get inside their minds, but it just seems from a practical standpoint it does not make a lot of sense. I would prefer to do away with the whole thing, but since that is not on the cards, maybe even Mr. Paul's amendment is not on the cards. I still would like to support his amendment and there are really three basic reasons.

First of all, the concept of secondary boycotts really makes no sense at all. I mean, I have been in this business for a long time and it does not affect American companies at all. What it does really affect those people who otherwise are trying to be our friends.

Frankly, if you want to stop the flow into Iran of cash for them to develop all sorts of horrible weapons, stop doing business with them because although you have company X from another country giving \$25 million in investment, you could easily develop an export-import relationship which gives them the same amount of money so they could invest in the business themselves. I think the secondary boycott concept does not make a lot of sense.

Secondly, say what you will about Mr. Khatami—I am not sure that is the right pronunciation of his name—he got 77 percent of the vote. You could say that in any country—here is an element trying to break out of the control of mullahs and you can say that is not going to work and he is only there because he has the sanction of the mullahs, but at least it is a ray of hope.

Thirdly, when you take a look at what has happened in the last few years, this thing has not worked. Japan and France and England and Canada and others, they have spent billions of dollars. So forgetting about my philosophic differences, if it had worked, that would be one thing; but it has not worked, so therefore I would like to support Mr. Paul's amendment.

Chairman HYDE. Mr. Menendez?

Mr. MENENDEZ. Thank you, Mr. Chairman. I seek recognition to speak against the gentleman's amendment. I know he uses China

constantly as a reference, but if after 30 years of engagement with China, religious persecution, forced abortions, arrests of dissidents, Tianenmen Square, ethnic cleansing in Tibet, arrests of the Falon Gung, child and prison camp labor, and a trade deficit that fuels China's military build up equal to the amount of the trade deficit that we have with them, and sending our plane back in pieces in a Russian made aircraft is our sense of success in terms of engagement, then I hope that others will reconsider it.

Sending dangerous signals is what this amendment does. It says the United States is weakening its opposition to Iran and Libya's dangerous behavior. It will undercut the real forces in Iran who seek real change of their society, and I will speak about that in a minute. I think it will encourage foreign investors to wait out the time period necessary when we limit it to 2 years. The President, it has been stated, has all the flexibility he needs to cease the sanctions both against Iran and Libya if they change their behavior, and what is it? It is very simple. The law simply says that if Iran ceases its efforts to acquire weapons of mass destruction and ends its support for international terrorism, the sanctions would terminate. Tomorrow.

Now, which one of those two things is not in the national interests and national security interests of the United States? And, similarly, for Libya to accept responsibility in the downing of Pan Am 103's victims?

This has all the safeguards, and it has other safeguards for the President. So we send a very, very clear message if we demonstrate that we are willing to put profit over principle, that we are willing to see the color of foreign policy be green in terms of money, instead of standing up for real national interests, real national security interests.

As it relates to Iran, we all have hope in the nature of the elections that took place, but let us not be deceived. Khatami may be the hope, but Khameni is the one who holds the power. The reality is when we look at what both of them say, Khatami's moderation is domestic, but when we talk about what he says abroad, it is far from moderation. He speaks in terms that clearly are not moderate whatsoever, and he continues to support the hard line cleric's antipathy to the west and to ensure that Iran has the ability for weapons of mass destruction and the missiles to develop them. So it is not in the interests of the United States to engage and to allow resources to take place in such a way that strengthens their ability to further weapons of mass destruction and to provide the missile capacity to deliver them both to our allies in the region as well as against forces that we have.

When you look at the statements of the recent conference that they had where Khameni, who is the Iranian supreme leader, says there is proof that the Zionists had close relationships with the German Nazis and that the presentation of astronomical figures on the massacre of Jews was in itself means of making people express sympathy with them, in this way a government that was hostile to Islam was established in the very heart of the Islamic world under the guise of supporting relatives of the victims of racism. And Khatami himself says Israel is the violent face of Zionism and sym-

bolizes disrespect for truth, inalienable rights of people and human dignity. Those are not in my mind the words of moderation.

So let me close by saying we need to send a very strong message and we need to disavow those who believe that the United States is quickly arriving at the conclusion that we will put commercial interests ahead of national interests, that we will put a commercial interests ahead of national security interests, irrespective of a country's support of terrorism, irrespective of a country's promotion of weapons of mass destruction and proliferation, irrespective of their ability to deliver such weaponry, both against our allies and against our troops.

It makes no sense to send such a message. If you really want to support those who want change in Iran, then you will vote to sustain the 5-year period of this legislation and vote against the gentleman's amendment.

Chairman HYDE. The gentleman from California, Mr. Rohrabacher.

Mr. ROHRABACHER. I am a co-sponsor of this bill and I would just like to say that I am also going to be voting for Mr. Paul's amendment. I believe, and I agree with Mr. Menendez, we need to have a strong stance against some of the things that are going on in Libya and Iran. There is no doubt about it, that is why I am a co-sponsor to the bill. But we have to be aware that actions like the vote that we are about to take have their nuances that are being heard overseas. I do not believe what will be heard overseas, that if we reduce the number of years of this extension from 5 to 2, I do not believe that will be taken as weakness. And, if I did, I would not be supporting this.

I disagree with, of course, Mr. Paul's assessment that trade is going to bring about peace with dictators and tyrants. Dictators and tyrants do not give a damn about trade that improves the life of their people. But what is happening in Iran is not just a message to the mullahs who have ruled Iran these last few decades. It is also a message to the Iranian people to be courageous. They have voted by 75 percent for what I believe most people believe is a moderate.

Now, certainly, this moderate Iranian leader is not going to be a friend of Israel. People in the Muslim world are siding with their fellow Muslim Palestinian people in what they consider to be a conflict, a legitimate conflict, between the Palestinian people and the Israeli people, and they are siding with them. You cannot think if we have to judge Muslims by how they are going to support or not support Israel, there is ever going to be a Muslim that we can deal with.

But Khatami at least is trying from what we can see to loosen the restrictions on the Iranian society, which I believe will yield a change in their policies toward the development of weapons of mass destruction and their support for not just the Palestinian people but support for terrorism, which we all are opposed to and must insist on. There are ways of supporting someone who is in a conflict and there are ways that are unacceptable. Supporting terrorist bombers is not acceptable.

So I believe that a reduction of this extension will tell the Iranian people that we recognize that you are standing up to these

mullahs and we are on your side and we are going to reexamine this in a couple of years, in 2 years instead of 5. If you are going on the right course, we are going to be opening up more doors to Iran, but we expect—we are not eliminating these restrictions, we are not eliminating them—so we expect the words and the will of the people to lead to actions by the Iranian government.

In terms of Libya, the only thing they can really do is get rid of that nut case that they have running their country. I mean, Gadaffi is a man who has already made his mark in the world many times and has been involved with some of the most heinous acts of terrorism in my lifetime. I believe, hopefully, we could say that within 2 years maybe Gadaffi will not be around and he will not be the stumbling block.

So I support Mr. Paul's efforts to reduce this extension. I do not share his optimism that simply—

Mr. PAUL. Would the gentleman yield?

Mr. ROHRABACHER. Not until I finish this one last point, that I do not share with you your optimism that trade is going to make things better.

I think that people of Iran know that they are friends of the United States and that they are enemies of the mullah. This is our way of showing the people of Iran we are their supporters and we join them in their opposition to the radical mullahs and, yes, I would be happy to yield time to Mr. Paul.

Mr. PAUL. Thank you for yielding. It is not a religious principle that I believe in free trade, it is an economic principle. I do not have blind faith in sanctions, and I do not believe that trade is a panacea, so that is not exactly my position. I would argue the case that we are a lot better off today with China; our men got back, they got freed; those were not the conditions when we were fighting China and our men were being killed, so I would say there has been some improvement, but certainly not a panacea. It is just that when we are more open and talking and trading with people, the interests of both countries are best served by—

Chairman HYDE. The gentleman's time has expired and the Chair would announce the has the following names on his list of those who wish to speak: on the Democratic side, Mr. Blumenauer and Mr. Ackerman; on the Republican side, Mr. Nick Smith of Michigan, Mr. Cooksey, Mr. Flake and Mr. Bereuter.

The Chair is not disposed to recognize any others beyond this list so that we might complete this bill. There will be votes around noon. We have this bill and a couple more and I think the issues have been vetted very effectively, so with your cooperation we can vote this bill out. It is an important bill.

Yes, Mr. Cantor also, but he has not been here and we will consider when he comes back.

Mr. Blumenauer.

Mr. BLUMENAUER. Thank you, Mr. Chairman. I will take your admonition and be brief. While I do not necessarily agree with the characterizations, with some of the supporters of this amendment in terms of their rationale, I will support it. I think there is strong evidence that the current non-system of sanctions that we have works against both our interests and oftentimes those who support sanctions.

We need to carefully review our sanctions regime and to move beyond the speculation and the patchwork that we have.

I support an opportunity that the Administration is doing to review sanctions, moving toward hopefully a rational, comprehensive system so we know when we should impose sanctions, what they should be, when they have succeeded and how to stop them. And currently, we do not have that framework. I commend the Administration for trying to do it.

Until that review is complete and until we have a system in place, I do not feel comfortable continuing to extend the current patchwork and will support the notion of a shorter timeframe.

Thank you.

Chairman HYDE. Mr. Nick Smith of Michigan.

Is he not here?

[No response.]

Chairman HYDE. Mr. Cooksey.

Mr. COOKSEY. Thank you, Mr. Chairman. I, too, will support the amendment by my friend, Dr. Paul. I have nothing but antipathy toward the governments of Iran and Libya. Gadaffi is worthless, he has been devastating to his own people and he has done terrible things around the world. He is an old guy who needs to drop dead or go away.

The leadership of Iran is a little bit better and I think it is moving in the right direction. But sanctions get back to powder puff leadership. I would point out that Dr. Paul, my colleague Mr. Smith, and I were all in the Air Force. My colleague Mr. Houghton who is also supporting this amendment was a Marine from World War II. And it is our attitude or it is my attitude that the thing that works with these people is something like what was done when we bombed Gadaffi's tent. He has stayed in his tent since then. And we were all in the military. If you were not in the military, there is a tendency to powder puff things like sanctions. Hardball works with these bad guys.

The President of the United States would like to have the 2-year sanctions. It gives him a lot more flexibility in negotiating new agreements. I would point out that the term of everyone in this room is limited to less than 2 years in this Congress, and I have confidence that when our terms are up that the next Congress can renew these sanctions if need be.

So the question is do we do some more of this powder puff diplomacy that we have suffered under for the last 8 years and, I think, contributed to a lot of the turmoil between the Palestinians and the Israelis, or do we do firm, real hardball diplomacy?

I support the amendment.

Thank you, Mr. Chairman and thank you, Mr. Paul.

Chairman HYDE. Mr. Ackerman.

Mr. ACKERMAN. Mr. Chairman, as unlikely a prospect as it might seem, I feel as though I have fallen through the rabbit hole and woke up not in Wonderland but in Lala Land. Listening to the maker of the amendment and those who have supported it to some good measure, I find it astonishing that he believes that it is arrogant for us to respond to terrorist states by imposing sanctions for 5 years and that it is too tough, that 2 years would be less of a

powder puff approach, as the previous speaker has just suggested, and would be a much tougher deal.

I mean, these are rogue states. China has done some bad things, a lot of countries we deal with have done bad things, but they have not been determined to be terrorist states, rogue nations participating in the murder of innocent human beings in other places of the world. How do you deal with them when they are rogue states? Not just individual organizations acting on their own, but duly authorized and sanctioned governments committing crimes against humanity.

To think it is arrogant on our part to put mere sanctions against them?

My God, is it arrogant to sanction Timothy McVeigh? Should we have had a dialogue with him? I mean, after all, he killed 170 people.

Well, Gadaffi's government killed 270 people and he is getting a better deal.

I do not understand saying that this is a powder puff approach or that we are arrogant when we want to deal with these people in a way in which they should be dealt with. It is absurd.

That Khatami is a moderate? A moderate among what?

Hitler and Goebels and Ghering, who is the moderate?

Khatemi got 77 percent. Let's deal with him. Hitler got 92 percent. Maybe he was more moderate than Goebels, let us deal with him.

This is kind of crazy. We should be holding up the looking glass and trying to figure out what is happening here. These are not individuals going nuts. These are governments that are training people who are criminals, sending them out into the world to cause mass destruction. They are duplicitous and complicitous in crimes against humanity.

And to say that we are arrogant for sanctioning them? How could we hurt the poor people in that poor country? Yes, they love democracy, a lot of people there do.

We had sanctions on South Africa and we had a great feeling of sympathy and kinship to the people who were there. But we have to know what the policy is and to do the right thing.

This is a signal from the United States Congress not that we are going to sanction them for 5 years. If it said 10 years or 100 years, it also says the sanctions are off as soon as they stop committing these crimes against humanity. That could be tomorrow. They release the trigger and pull the finger from it. The President has a waiver. He could do that at any time. We do not tie his hands here.

Come on. Let's get real about this. Let's send a signal. Two years is nothing. Five years is nothing. Committing the crimes that their governments are doing is something and this is our message to them.

I urge defeat of the amendment.

Chairman HYDE. The gentleman from Virginia, Mr. Cantor.

Mr. CANTOR. Thank you, Mr. Chairman. In all due respect to my colleague from Texas, Dr. Paul, I speak out in strong opposition to the amendment that would shorten the life of ILSA and I do so for several reasons.

First of all, the question of effectiveness of the sanctions was raised during hearings prior to today's vote on this bill. Clearly it was demonstrated that there has been no major investment in the oil fields of Iran and there is the need for those oil fields to be updated. In fact, if we allow the companies to invest in those fields we will see massive amounts of increased productivity on those fields, and where will that money go? The same place that my colleague across the aisle just said, it will go toward the efforts of state-sponsored terrorism.

Iran remains the most active state sponsor of terrorism in 2000, according to our State Department.

Libya remains the primary suspect in several other past terrorist operations and, as was said before by my colleague from California, Mr. Lantos, the act provides for triggers that will automatically end the sanctions if Iran and Libya just do what they are supposed to do: if Iran ceases its efforts to develop weapons of mass destruction and stops its sponsorship of terrorism, if Libya would comply with U.N. Security Resolution 731 relating to the bombing of Pan Am 103. But yet those countries have not accepted that responsibility and, frankly, I do not think that they are worthy of recognition of the civilized world that we live in.

Therefore, we are doing nothing but holding these countries to the standard that we expect. It does not make any difference whether it is 2 years or 5 years or 7 or 10. If they stop this behavior, they will be accepted into the world of civilized people.

So, Mr. Chairman, I strongly urge my colleagues to vote in opposition to the amendment.

Mr. SMITH. Will the gentleman yield?

Mr. ENGEL. Will the gentleman yield?

Mr. CANTOR. I will yield to my colleague, Mr. Smith.

Mr. SMITH OF NEW JERSEY. Thank you. First of all, I want to thank him for his very eloquent statement and I agree with his position.

Let me just say that there is no reason to sunset the law unless the conditions are met, and I would encourage my colleagues to read or re-read Section 8, Termination of Sanctions for the Iran-Libyan Sanctions Act of 1996 and the Presidential waiver. It is very clear, as my friend said, whether it be 5 or 7, this could be a permanent law and it becomes null and void, becomes moot, if and only if these very carefully thought-out conditions are met.

Let me also remind my friend from California, I remember when Rafsanjani became the leader of Iran, some of our papers, including *The Washington Post*, were exuding how he was a moderate, how he was trained in the United States and he would certainly steer a different course. How we were wrong on that.

Khatami, I think, has to prove himself. Again, if he proves himself, this legislation terminates in and of itself. I think by allowing them to play to the clock, the clock runs out after 2 years, we will have an arduous time trying to reinstate those sanctions. This goes to the Ways and Means Committee, and we know this could become a dead letter as we try to it again.

I thank my friend for yielding.

Mr. ENGEL. Would the gentleman yield?

Mr. CANTOR. Thank you, Mr. Chairman. I yield to the gentleman from New York, Mr. Engel.

Mr. ENGEL. Thank you, I want to strongly support what the gentleman just said and what I have heard before. I think this amendment should be defeated. I can hardly believe some of what I am hearing today.

The United States needs to stand for morality. It really irritates me when we look the other way because we think a few dollars can be made or when we look the other way when we see human rights violations. The world looks to us for leadership, and I cannot think of another country that has contributed more to terrorism and to the killing of innocent civilians than the government of Iran.

I think it is absolutely nonsense to say that if we cut it back from 5 years to 2 years it will not be looked upon as somehow retreating. Of course it will be looked upon as a retreat, and it will look like that we do not have the gumption to really stand up for what we believe.

So I think that if we look at sanctions, it worked in South Africa. There is a waiver, as was pointed out, for the President of the United States.

You know, it is not enough to simply say, well, this is the way we can expect anybody in Iran to act. There are other Muslim countries that do not engage in terrorism, there are other Muslim countries that do recognize the right of Israel to exist. Turkey, Jordan, some of the Gulf states have shown moderation. I think Iran has shown no moderation.

Iran and Libya and other countries like Syria who engage in terrorism ought not to get the right time of day from us, so I absolutely oppose the amendment and think it would be absolutely the wrong signal to send.

Chairman HYDE. The gentleman's time has expired.

The gentleman from Arizona, Mr. Flake.

Mr. FLAKE. I rise in support of the amendment. I think that we are picking an arbitrary date of 5 years anyway; why not pick a date that will give the State Department and our Administration more flexibility?

Sanctions are a very blunt instrument. It is an instrument that I support in this instance. I am a co-sponsor of the bill, but it is all about flexibility and I think we ought to give that to the Administration.

I yield the balance of my time.

Chairman HYDE. The gentleman from Nebraska, Mr. Bereuter.

Mr. BEREUTER. Thank you, Mr. Chairman. I speak in favor of the Paul amendment and I do it for the reason that the gentleman from Arizona has just brought, that a certain degree of deference is owed to this Administration early in its pursuit of foreign policies. The Powell State Department has asked us to support a 2-year extension. We have had little, if any, progress in the Middle East in peace and stability.

This is a particularly sensitive amendment because it goes to the security concerns of our ally and friend, Israel, and we know that there are concerns obviously raised by what has happened and continues to be the circumstance in Iran and the terrorist support out of Libya. But I ask my colleagues on the Republican side of the

aisle on perhaps the first opportunity, as far as I know, that the Administration has asked us to take a particular position, to make it a 2-year authorization rather than an arbitrary 5-year authorization, which is the proposal of some Members.

I think they have an opportunity and we have a responsibility to try to bring a different and more successful approach to the safety and survival of Israel and to peace and stability in the Middle East. I ask my colleagues on the other side of the aisle, while not disagreeing with Mr. Menendez's analysis of what probably will be the circumstance in Iran, to give the deference to this Administration, particularly to Secretary Powell and to the State Department that he leads, in the first such request to give them the flexibility, to give them the deference that their recommendations suggest.

Finally, I would say that I think we probably should have had a tougher ILSA bill in the first place. The sanctions probably should have been more comprehensive, I think that was perhaps our initial error. Some of the things that my colleagues on the other side of this issue have raised are certainly valid, and we hope there might be some changes. However, we owe this change to a 2-year period of time for extension of the sanctions rather than an arbitrary 5-year extension to this Administration and to Secretary Powell.

I thank my colleagues. I urge support for the Paul amendment.

Chairman HYDE. The question occurs on the amendment offered by the gentleman from Texas, Mr. Paul.

All in favor, say aye.

[Chorus of ayes.]

Chairman HYDE. Opposed, nay.

[Chorus of nays.]

Chairman HYDE. In the opinion of the Chair, the noes have it.

Mr. LANTOS. Mr. Chairman, on that I request a recorded vote.

Chairman HYDE. And you shall have one and the gentlelady in the blue teal dress, Nancy Bloomer, will call the roll.

Mr. LANTOS. It is aquamarine, Mr. Chairman.

Ms. BLOOMER. Mr. Gilman?

Mr. GILMAN. No.

Ms. BLOOMER. Mr. Gilman votes no. Mr. Leach?

Mr. LEACH. No.

Ms. BLOOMER. Mr. Leach votes no. Mr. Bereuter?

Mr. BEREUTER. Yes.

Ms. BLOOMER. Mr. Bereuter votes yes. Mr. Smith?

Mr. SMITH. No.

Ms. BLOOMER. Mr. Smith votes no. Mr. Burton?

[No response.]

Ms. BLOOMER. Mr. Gallegly?

[No response.]

Ms. BLOOMER. Ms. Ros-Lehtinen?

Ms. ROS-LEHTINEN. No.

Ms. BLOOMER. Ms. Ros-Lehtinen votes no. Mr. Ballenger?

[No response.]

Ms. BLOOMER. Mr. Rohrabacher?

Mr. ROHRBACHER. Yes.

Ms. BLOOMER. Mr. Rohrabacher votes yes. Mr. Royce?

[No response.]

Ms. BLOOMER. Mr. King?
Mr. King. No.
Ms. BLOOMER. Mr. King votes no. Mr. Chabot?
[No response.]
Ms. BLOOMER. Mr. Houghton?
Mr. HOUGHTON. Yes.
Ms. BLOOMER. Mr. Houghton votes yes. Mr. McHugh?
[No response.]
Ms. BLOOMER. Mr. Burr?
Mr. BURR. Votes no.
Ms. BLOOMER. Mr. Burr votes no. Mr. Cooksey?
Mr. COOKSEY. Yes.
Ms. BLOOMER. Mr. Cooksey votes Yes. Mr. Tancredo?
Mr. TANCREDO. No.
Ms. BLOOMER. Mr. Tancredo votes no. Mr. Paul?
Mr. PAUL. Yes.
Ms. BLOOMER. Mr. Paul votes yes. Mr. Smith?
[No response.]
Ms. BLOOMER. Mr. Pitts?
Mr. PITTS. No.
Ms. BLOOMER. Mr. Pitts votes no. Mr. Issa?
Mr. ISSA. No.
Ms. BLOOMER. Mr. Issa votes no. Mr. Cantor?
Mr. CANTOR. No.
Ms. BLOOMER. Mr. Cantor votes no. Mr. Flake?
Mr. FLAKE. Yes.
Ms. BLOOMER. Mr. Flake votes yes. Mr. Kerns?
Mr. KERNS. No.
Ms. BLOOMER. Mr. Kerns votes no. Ms. Davis?
Ms. DAVIS. No.
Ms. BLOOMER. Ms. Davis votes no. Mr. Lantos?
Mr. LANTOS. No.
Ms. BLOOMER. Mr. Lantos votes no. Mr. Berman?
Mr. BERMAN. No.
Ms. BLOOMER. Mr. Berman votes no. Mr. Ackerman?
Mr. ACKERMAN. No.
Ms. BLOOMER. Mr. Ackerman votes no. Mr. Faleomavaega?
Mr. FALEOMAVAEGA. No.
Ms. BLOOMER. Mr. Faleomavaega votes no. Mr. Payne?
Mr. PAYNE. No.
Ms. BLOOMER. Mr. Payne votes no. Mr. Menendez?
Mr. MENENDEZ. No.
Ms. BLOOMER. Mr. Menendez votes no. Mr. Brown?
[No response.]
Ms. BLOOMER. Ms. McKinney?
[No response.]
Ms. BLOOMER. Mr. Hilliard?
Mr. HILLIARD. Yes.
Ms. BLOOMER. Mr. Hilliard votes yes. Mr. Sherman?
[No response.]
Ms. BLOOMER. Mr. Wexler?
Mr. WEXLER. No.
Ms. BLOOMER. Mr. Wexler votes no. Mr. Davis?
[No response.]

Ms. BLOOMER. Mr. Engel?
 Mr. ENGEL. No.
 Ms. BLOOMER. Mr. Engel votes no. Mr. Delahunt?
 [No response.]
 Ms. BLOOMER. Mr. Meeks?
 Mr. MEEKS. No.
 Ms. BLOOMER. Mr. Meeks votes no. Ms. Lee?
 Ms. LEE. No.
 Ms. BLOOMER. Ms. Lee votes no. Mr. Crowley?
 Mr. CROWLEY. No.
 Ms. BLOOMER. Mr. Crowley votes no. Mr. Hoeffel?
 Mr. HOEFFEL. No.
 Ms. BLOOMER. Mr. Hoeffel votes no. Mr. Blumenauer?
 Mr. BLUMENAUER. Aye.
 Ms. BLOOMER. Mr. Blumenauer votes yes. Ms. Berkley?
 Ms. BERKLEY. No.
 Ms. BLOOMER. Mr. Berkley votes no. Ms. Napolitano?
 Ms. NAPOLITANO. No.
 Ms. BLOOMER. Ms. Napolitano votes no. Mr. Schiff?
 Mr. SCHIFF. No.
 Ms. BLOOMER. Mr. Schiff votes no. Ms. Watson?
 Ms. WATSON. No.
 Ms. BLOOMER. Ms. Watson votes no. Mr. Hyde?
 Chairman HYDE. No.
 Ms. BLOOMER. Mr. Hyde votes no.
 Chairman HYDE. Have all voted who wish?
 Mr. Gallegly?
 Ms. BLOOMER. Mr. Gallegly?
 Mr. GALLEGLY. No.
 Ms. BLOOMER. Mr. Gallegly votes no.
 Chairman HYDE. Mr. Chabot?
 Mr. CHABOT. No.
 Ms. BLOOMER. Mr. Chabot votes no.
 Chairman HYDE. Mr. Burton?
 Mr. BURTON. No.
 Ms. BLOOMER. Mr. Burton votes no.
 Chairman HYDE. Have all voted who wish?
 Mr. Davis?
 Mr. DAVIS. No.
 Ms. BLOOMER. Mr. Davis votes no.
 Chairman HYDE. Have all voted who wish?
 [No response.]
 Chairman HYDE. The clerk will report.
 Ms. BLOOMER. On this vote, there were——
 Mr. Ballenger?
 Mr. BALLENGER. No.
 Ms. BLOOMER. Mr. Ballenger votes no.
 Chairman HYDE. Mr. Nick Smith of Michigan?
 Mr. SMITH. May I record a yes vote?
 Chairman HYDE. You certainly may.
 Ms. BLOOMER. Mr. Smith votes yes.
 Chairman HYDE. The clerk will report.
 Ms. BLOOMER. On this vote there were nine ayes and 34 noes.
 Chairman HYDE. And the amendment is not agreed to.

Are there any further amendments?

[No response.]

[The amendment offered by Mr. Paul follows:]

AMENDMENT TO H.R. 1954

OFFERED BY MR. PAUL

Page 3, line 5, strike "10 years" and insert "7 years".

Amend the title so as to read: "A bill to extend the authorities of the Iran and Libya Sanctions Act of 1996 until 2003."

Chairman HYDE. If not, the question occurs on the motion to report the bill H.R. 1954 favorably.

All in favor, say aye.

[Chorus of ayes.]

Chairman HYDE. Opposed, no.

[Chorus of nays.]

Chairman HYDE. The ayes have it, the motion is carried.

Mr. LANTOS. Mr. Chairman—

Chairman HYDE. The motion to report favorably is adopted.

The gentleman from California—

Mr. LANTOS. Mr. Chairman, I request a recorded vote.

Chairman HYDE [continuing]. And others request a recorded vote, and the gentlelady in the aquamarine suit will call the roll.

Ms. BLOOMER. Mr. Gilman?

Mr. GILMAN. Aye.

Ms. BLOOMER. Mr. Gilman votes yes. Mr. Leach?

Mr. LEACH. Yes.

Ms. BLOOMER. Mr. Leach votes yes. Mr. Bereuter?

Mr. BEREUTER. Aye.

Ms. BLOOMER. Mr. Bereuter votes yes. Mr. Smith?

Mr. SMITH. Yes.

Ms. BLOOMER. Mr. Smith votes yes. Mr. Burton?

Mr. BURTON. Yes.

Ms. BLOOMER. Mr. Burton votes yes. Mr. Gallegly?

[No response.]

Ms. BLOOMER. Ms. Ros-Lehtinen?

Ms. ROS-LEHTINEN. Yes.

Ms. BLOOMER. Ms. Ros-Lehtinen votes yes. Mr. Ballenger?

[No response.]

Mr. BALLENGER. Yes.

Ms. BLOOMER. Mr. Ballenger votes yes. Mr. Rohrabacher?

Mr. ROHRABACHER. Yes.

Ms. BLOOMER. Mr. Rohrabacher votes yes. Mr. Royce?

[No response.]

Ms. BLOOMER. Mr. King?

Mr. KING. Yes.

Ms. BLOOMER. Mr. King votes yes. Mr. Chabot?

[No response.]

Ms. BLOOMER. Mr. Houghton?

Mr. HOUGHTON. No.

Ms. BLOOMER. Mr. Houghton votes no. Mr. McHugh?

Mr. MCHUGH. Yes.

Ms. BLOOMER. Mr. McHugh votes yes. Mr. Burr?

Mr. BURR. Yes.

Ms. BLOOMER. Mr. Burr votes yes. Mr. Cooksey?

[No response.]

Ms. BLOOMER. Mr. Tancredo?

Mr. TANCREDO. Yes.

Ms. BLOOMER. Mr. Tancredo votes yes. Mr. Paul?

Mr. PAUL. No.

Ms. BLOOMER. Mr. Paul votes no. Mr. Smith?

Mr. SMITH. Yes.

Ms. BLOOMER. Mr. Smith votes yes. Mr. Pitts?

Mr. PITTS. Yes.

Ms. BLOOMER. Mr. Pitts votes yes. Mr. Issa?
 Mr. ISSA. Yes.
 Ms. BLOOMER. Mr. Issa votes yes. Mr. Cantor?
 Mr. CANTOR. Yes.
 Ms. BLOOMER. Mr. Cantor votes yes. Mr. Flake?
 Mr. FLAKE. Yes.
 Ms. BLOOMER. Mr. Flake votes yes. Mr. Kerns?
 Mr. KERNS. Yes.
 Ms. BLOOMER. Mr. Kerns votes yes. Ms. Davis?
 Ms. DAVIS. Yes.
 Ms. BLOOMER. Ms. Davis votes yes. Mr. Lantos?
 Mr. LANTOS. Yes.
 Ms. BLOOMER. Mr. Lantos votes yes. Mr. Berman?
 [no response.]
 Ms. BLOOMER. Mr. Ackerman?
 Mr. ACKERMAN. Yes.
 Ms. BLOOMER. Mr. Ackerman votes yes. Mr. Faleomavaega?
 Mr. FALEOMAVAEGA. Yes.
 Ms. BLOOMER. Mr. Faleomavaega votes yes. Mr. Payne?
 Mr. PAYNE. Yes.
 Ms. BLOOMER. Mr. Payne votes yes. Mr. Menendez?
 Mr. MENENDEZ. Aye.
 Ms. BLOOMER. Mr. Menendez votes yes. Mr. Brown?
 [No response.]
 Ms. BLOOMER. Ms. McKinney?
 [No response.]
 Ms. BLOOMER. Mr. Hilliard?
 Mr. HILLIARD. No.
 Ms. BLOOMER. Mr. Hilliard votes no. Mr. Sherman?
 Mr. SHERMAN. Yes.
 Ms. BLOOMER. Mr. Sherman votes yes. Mr. Wexler?
 Mr. WEXLER. Yes.
 Ms. BLOOMER. Mr. Wexler votes yes. Mr. Davis?
 Mr. DAVIS. Yes.
 Ms. BLOOMER. Mr. Davis votes yes. Mr. Engel?
 Mr. ENGEL. Yes.
 Ms. BLOOMER. Mr. Engel votes yes. Mr. Delahunt?
 [No response.]
 Ms. BLOOMER. Mr. Meeks?
 Mr. MEEKS. Yes.
 Ms. BLOOMER. Mr. Meeks votes yes. Ms. Lee?
 Ms. LEE. Yes.
 Ms. BLOOMER. Ms. Lee votes yes. Mr. Crowley?
 Mr. CROWLEY. Yes.
 Ms. BLOOMER. Mr. Crowley votes yes. Mr. Hoeffel?
 Mr. HOEFFEL. Yes.
 Ms. BLOOMER. Mr. Hoeffel votes yes. Mr. Blumenauer?
 Mr. BLUMENAUER. Aye.
 Ms. BLOOMER. Mr. Blumenauer votes yes. Ms. Berkley?
 Ms. BERKLEY. Yes.
 Ms. BLOOMER. Mr. Berkley votes yes. Ms. Napolitano?
 Ms. NAPOLITANO. Yes.
 Ms. BLOOMER. Ms. Napolitano votes Yes. Mr. Schiff?
 Mr. SCHIFF. Aye.

Ms. BLOOMER. Mr. Schiff votes yes. Ms. Watson?

Ms. WATSON. Aye.

Ms. BLOOMER. Ms. Watson votes yes. Mr. Hyde?

Chairman HYDE. Aye.

Ms. BLOOMER. Mr. Hyde votes yes.

Chairman HYDE. The gentleman from California, Mr. Gallegly.

Mr. GALLEGLY. Aye.

Ms. BLOOMER. Mr. Gallegly votes yes.

Chairman HYDE. The gentleman from Ohio, Mr. Chabot.

Mr. CHABOT. Aye.

Ms. BLOOMER. Mr. Chabot votes yes.

Chairman HYDE. Have all voted who wish?

Mr. Cooksey?

Mr. COOKSEY. My vote is yes, Mr. Chairman.

Ms. BLOOMER. Mr. Cooksey votes yes.

Chairman HYDE. The clerk will report.

Ms. BLOOMER. On this vote, there were 41 ayes and three noes.

Chairman HYDE. The motion to report favorably is adopted and without objection the Chairman is authorized to move to go to conference pursuant to House Rule 22. Without objection, the staff is directed to make any technical and conforming changes.

I ask unanimous consent that H.Res. 160 with the Smith amendments considered as adopted and H.Res. 99 be considered en bloc and be favorably reported to the House.

[The resolution, H. Res. 160, follows:]

107TH CONGRESS
1ST SESSION

H. RES. 160

Calling on the Government of the People's Republic of China to immediately and unconditionally release Li Shaomin and all other American scholars of Chinese ancestry being held in detention, calling on the President of the United States to continue working on behalf of Li Shaomin and the other detained scholars for their release, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 8, 2001

Mr. SMITH of New Jersey (for himself, Mr. LANTOS, and Ms. ROS-LEHTINEN) submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Calling on the Government of the People's Republic of China to immediately and unconditionally release Li Shaomin and all other American scholars of Chinese ancestry being held in detention, calling on the President of the United States to continue working on behalf of Li Shaomin and the other detained scholars for their release, and for other purposes.

Whereas in recent months the Government of the People's Republic of China has targeted, arrested, and detained several scholars and intellectuals of Chinese ancestry with ties to the United States, including at least 2 United States citizens and 3 permanent residents of the United States;

Whereas according to the Department of State's 2000 Country Reports on Human Rights Practices in China, and international human rights organizations, the Government of the People's Republic of China "has continued to commit widespread and well-documented human rights abuses, in violation of internationally accepted norms";

Whereas the targeting of intellectuals and scholars for harassment, arbitrary arrest, detention, and criminal charges has created a chilling effect on the freedom of expression, in contravention of internationally accepted norms, including the International Covenant on Civil and Political Rights, which the People's Republic of China signed in October 1998;

Whereas the Government of the People's Republic of China frequently uses torture and other human rights violations to produce coerced "confessions" from detainees;

Whereas the Department of State's 2000 Country Reports on Human Rights Practices in China has extensively documented that human rights abuses in the People's Republic of China "included instances of extrajudicial killings, the use of torture, forced confessions, arbitrary arrest and detention, the mistreatment of prisoners, lengthy incommunicado detention, and denial of due process", and also found that "[p]olice and prosecutorial officials often ignore the due process provisions of the law and of the Constitution . . . [f]or example, police and prosecutors can subject prisoners to severe psychological pressure to confess, and coerced confessions frequently are introduced as evidence";

Whereas the Government of the People's Republic of China has reported that some of the scholar detainees have "confessed" to their "crimes" of "spying", but it has yet

to produce any evidence of spying, and has refused to permit the detainees to confer with their families or lawyers;

Whereas the Department of State's 2000 Country Reports on Human Rights Practices in China also found that "police continue to hold individuals without granting access to family or a lawyer, and trials continue to be conducted in secret";

Whereas Dr. Li Shaomin is a United States citizen and scholar who has been detained by the Government of the People's Republic of China for more than 100 days, and was formally charged with spying for Taiwan on May 15, 2001;

Whereas Dr. Li Shaomin has been deprived of his basic human rights by arbitrary arrest and detention, and has not been allowed to contact his wife and child (both United States citizens), or his lawyer;

Whereas Dr. Gao Zhan is a permanent resident of the United States and scholar who has been detained by the Government of the People's Republic of China for more than 114 days, and was formally charged with "accepting money from a foreign intelligence agency" on April 4, 2001;

Whereas Dr. Gao Zhan has been deprived of her basic human rights by arbitrary arrest and detention, and has not been allowed to contact her husband and child (both United States citizens), her lawyer, or Department of State consular personnel in China;

Whereas Wu Jianmin is a United States citizen and author who has been detained by the Government of the People's Republic of China, has been deprived of his basic human

rights by arbitrary arrest and detention, has been denied access to lawyers and family members, and has yet to be formally charged with any crimes;

Whereas Tan Guangguang is a permanent resident of the United States and researcher who has been detained by the Government of the People's Republic of China on suspicions of "leaking state secrets", has been deprived of his basic human rights by arbitrary arrest and detention, has been denied access to lawyers and family members, and has yet to be formally charged with any crimes;

Whereas Teng Chunyan is a permanent resident of the United States, Falun Gong practitioner, and researcher who has been sentenced to three years in prison for spying by the Government of the People's Republic of China, apparently for conducting research which documented violations of the human rights of Falun Gong adherents in China, has been deprived of her basic human rights by being placed on trial in secret, and by being forced to undergo three months of "thought re-education" while she awaited an appeal to the Beijing Higher People's Court, which was denied on May 11, 2001;

Whereas Liu Yaping is a permanent resident of the United States and a businessman who was arrested and detained in Inner Mongolia in March 2001 by the Government of the People's Republic of China for alleged failure to pay income taxes, has been deprived of his basic human rights by being denied any access to family members, by being denied regular access to lawyers, is reported to be suffering from severe health problems, and has yet to be formally charged with any crimes;

Whereas because there is documented evidence that the Government of the People's Republic of China uses torture

to coerce confessions from suspects, and because there is no evidence that any of the detained scholars and intellectuals are spies, there is reason to believe that the “confessions” of Dr. Li Shaomin and Dr. Gao Zhan may have been coerced; and

Whereas the arbitrary imprisonment of United States citizens and residents by the Government of the People’s Republic of China, and the continuing violations of their fundamental human rights, demands an immediate and forceful response by Congress and the President of the United States: Now, therefore, be it

1 *Resolved*, That—

2 (1) the House of Representatives—

3 (A) condemns and deplors the continued
4 detention of Li Shaomin, Gao Zhan, Wu
5 Jianmin, Tan Guangguang, Teng Chunyan, and
6 other scholars detained on false charges by the
7 Government of the People’s Republic of China,
8 and calls for their immediate and unconditional
9 release;

10 (B) condemns and deplors the lack of due
11 process afforded to these detainees, and the
12 probable coercion of confessions from some of
13 them;

14 (C) condemns and deplors the ongoing
15 and systematic pattern of human rights viola-
16 tions by the Government of the People’s Repub-
17 lic of China, of which the unjust detentions of

1 Li Shaomin, Gao Zhan, Wu Jianmin, Tan
2 Guangguang, and Teng Chunyan, are only im-
3 portant examples;

4 (D) strongly urges the Government of the
5 People’s Republic of China to consider carefully
6 the implications to the broader United States-
7 Chinese relationship of detaining and coercing
8 confessions from United States citizens and
9 permanent residents on unsubstantiated spying
10 charges or suspicions;

11 (E) urges the Government of the People’s
12 Republic of China to consider releasing Liu
13 Yaping on humanitarian grounds; and

14 (F) believes that human rights violations
15 inflicted on United States citizens and residents
16 by the Government of the People’s Republic of
17 China will reduce opportunities for United
18 States-Chinese cooperation on a wide range of
19 issues; and

20 (2) it is the sense of the House of Representa-
21 tives that the President—

22 (A) should make the immediate release of
23 Li Shaomin, Gao Zhan, Wu Jianmin, Tan
24 Guangguang, and Teng Chunyan a top priority

1 of United States foreign policy with the Govern-
2 ment of the People's Republic of China;

3 (B) should continue to make every effort
4 to assist Li Shaomin, Gao Zhan, Wu Jianmin,
5 Tan Guangguang, and Teng Chunyan, and
6 their families, while discussions of their release
7 are ongoing;

8 (C) should make it clear to the Govern-
9 ment of the People's Republic of China, that
10 the detention of United States citizens and resi-
11 dents on unsubstantiated charges or suspicions
12 of spying, and the infliction of human rights
13 violations upon United States citizens and resi-
14 dents, is not in the interests of the Government
15 of the People's Republic of China because it will
16 reduce opportunities for United States-Chinese
17 cooperation on other matters; and

18 (D) should immediately send a special,
19 high ranking representative to the Government
20 of the People's Republic of China to reiterate
21 the deep concern of the United States regarding
22 the continued imprisonment of Li Shaomin,
23 Gao Zhan, Wu Jianmin, Tan Guangguang,
24 Teng Chunyan, and Liu Yaping, and to discuss

- 1 their legal status and immediate humanitarian
- 2 needs.

○

AMENDMENT TO H. RES. 160
OFFERED BY MR. SMITH OF NEW JERSEY

Strike all after the resolving clause and insert the following:

- 1 That—
- 2 (1) the House of Representatives—
- 3 (A) condemns and deplors the continued
- 4 detention of Li Shaomin, Gao Zhan, Wu
- 5 Jianmin, Qin Guangguang, Teng Chunyan, and
- 6 other scholars detained on false charges by the
- 7 Government of the People’s Republic of China,
- 8 and calls for their immediate and unconditional
- 9 release;
- 10 (B) condemns and deplors the lack of due
- 11 process afforded to these detainees, and the
- 12 probable coercion of confessions from some of
- 13 them;
- 14 (C) condemns and deplors the ongoing
- 15 and systematic pattern of human rights viola-
- 16 tions by the Government of the People’s Repub-
- 17 lic of China, of which the unjust detentions of
- 18 Li Shaomin, Gao Zhan, Wu Jianmin, Qin
- 19 Guangguang, and Teng Chunyan, are only im-
- 20 portant examples;

1 (D) strongly urges the Government of the
2 People's Republic of China to consider carefully
3 the implications to the broader United States-
4 Chinese relationship of detaining and coercing
5 confessions from United States citizens and
6 permanent residents on unsubstantiated spying
7 charges or suspicions;

8 (E) urges the Government of the People's
9 Republic of China to consider releasing Liu
10 Yaping on medical parole, as provided for under
11 Chinese law; and

12 (F) believes that human rights violations
13 inflicted on United States citizens and residents
14 by the Government of the People's Republic of
15 China will reduce opportunities for United
16 States-Chinese cooperation on a wide range of
17 issues; and

18 (2) it is the sense of the House of Representa-
19 tives that the President—

20 (A) should make the immediate release of
21 Li Shaomin, Gao Zhan, Wu Jianmin, Qin
22 Guangguang, and Teng Chunyan a top priority
23 of United States foreign policy with the Govern-
24 ment of the People's Republic of China;

1 (B) should continue to make every effort
2 to assist Li Shaomin, Gao Zhan, Wu Jianmin,
3 Qin Guangguang, and Teng Chunyan, and their
4 families, while discussions of their release are
5 ongoing;

6 (C) should make it clear to the Govern-
7 ment of the People's Republic of China, that
8 the detention of United States citizens and resi-
9 dents, and the infliction of human rights viola-
10 tions upon United States citizens and residents,
11 is not in the interests of the Government of the
12 People's Republic of China because it will re-
13 duce opportunities for United States-Chinese
14 cooperation on other matters; and

15 (D) should immediately send a special,
16 high ranking representative to the Government
17 of the People's Republic of China to reiterate
18 the deep concern of the United States regarding
19 the continued imprisonment of Li Shaomin,
20 Gao Zhan, Wu Jianmin, Qin Guangguang,
21 Teng Chunyan, and Liu Yaping, and to discuss
22 their legal status and immediate humanitarian
23 needs.

AMENDMENT TO H. RES. 160
OFFERED BY MR. SMITH OF NEW JERSEY

Strike the preamble and insert the following:

Whereas in recent months the Government of the People's Republic of China has arrested and detained several scholars and intellectuals of Chinese ancestry with ties to the United States, including at least 2 United States citizens and 3 permanent residents of the United States;

Whereas according to the Department of State's 2000 Country Reports on Human Rights Practices in China, and international human rights organizations, the Government of the People's Republic of China "has continued to commit widespread and well-documented human rights abuses, in violation of internationally accepted norms";

Whereas the harassment, arbitrary arrest, detention, and filing of criminal charges against scholars and intellectuals has created a chilling effect on the freedom of expression, in contravention of internationally accepted norms, including the International Covenant on Civil and Political Rights, which the People's Republic of China signed in October 1998;

Whereas the Government of the People's Republic of China frequently uses torture and other human rights violations to produce coerced "confessions" from detainees;

Whereas the Department of State's 2000 Country Reports on Human Rights Practices in China has extensively documented that human rights abuses in

the People's Republic of China "included instances of extrajudicial killings, the use of torture, forced confessions, arbitrary arrest and detention, the mistreatment of prisoners, lengthy incommunicado detention, and denial of due process", and also found that "[p]olice and prosecutorial officials often ignore the due process provisions of the law and of the Constitution . . . [f]or example, police and prosecutors can subject prisoners to severe psychological pressure to confess, and coerced confessions frequently are introduced as evidence";

Whereas the Government of the People's Republic of China has reported that some of the scholar detainees have "confessed" to their "crimes" of "spying", but it has yet to produce any evidence of spying, and has refused to permit the detainees to confer with their families or lawyers;

Whereas the Department of State's 2000 Country Reports on Human Rights Practices in China also found that "police continue to hold individuals without granting access to family or a lawyer, and trials continue to be conducted in secret";

Whereas Dr. Li Shaomin is a United States citizen and scholar who has been detained by the Government of the People's Republic of China for more than 100 days, and was formally charged with spying for Taiwan on May 15, 2001;

Whereas Dr. Li Shaomin has been deprived of his basic human rights by arbitrary arrest and detention, and has not been allowed to contact his wife and child (both United States citizens), or his lawyer;

Whereas Dr. Gao Zhan is a permanent resident of the United States and scholar who has been detained by the Government of the People's Republic of China for more than 114 days, and was formally charged with "accepting money from a foreign intelligence agency" on April 4, 2001;

Whereas Dr. Gao Zhan has been deprived of her basic human rights by arbitrary arrest and detention, and has not been allowed to contact her husband and child (both United States citizens), her lawyer, or Department of State consular personnel in China;

Whereas Wu Jianmin is a United States citizen and author who has been detained by the Government of the People's Republic of China, has been deprived of his basic human rights by arbitrary arrest and detention, has been denied access to lawyers and family members, and has yet to be formally charged with any crimes;

Whereas Qin Guangguang is a permanent resident of the United States and researcher who has been detained by the Government of the People's Republic of China on suspicions of "leaking state secrets", has been deprived of his basic human rights by arbitrary arrest and detention, has been denied access to lawyers and family members, and has yet to be formally charged with any crimes;

Whereas Teng Chunyan is a permanent resident of the United States, Falun Gong practitioner, and researcher who has been sentenced to three years in prison for spying by the Government of the People's Republic of China, apparently for conducting research which documented violations of the human

rights of Falun Gong adherents in China, has been deprived of her basic human rights by being placed on trial in secret, and her appeal to the Beijing Higher People's Court was denied on May 11, 2001;

Whereas Liu Yaping is a permanent resident of the United States and a businessman who was arrested and detained in Inner Mongolia in March 2001 by the Government of the People's Republic of China, has been deprived of his basic human rights by being denied any access to family members, by being denied regular access to lawyers, is reported to be suffering from severe health problems, and has yet to be formally charged with any crimes;

Whereas because there is documented evidence that the Government of the People's Republic of China uses torture to coerce confessions from suspects, and because the Government has thus far presented no evidence to support its claims that the detained scholars and intellectuals are spies, and because spying is vaguely defined under Chinese law, there is reason to believe that the "confessions" of Dr. Li Shaomin and Dr. Gao Zhan may have been coerced; and

Whereas the arbitrary imprisonment of United States citizens and residents by the Government of the People's Republic of China, and the continuing violations of their fundamental human rights, demands an immediate and forceful response by Congress and the President of the United States: Now, therefore, be it

AMENDMENT TO H. RES. 160
OFFERED BY MR. SMITH OF NEW JERSEY

Amend the title so as to read: “Resolution calling on the Government of the People’s Republic of China to immediately and unconditionally release Li Shaomin and other American scholars of Chinese ancestry being held in detention, calling on the President of the United States to continue working on behalf of Li Shaomin and the other detained scholars for their release, and for other purposes.”.

[The resolution, H. Res. 99, follows:]

IV

107TH CONGRESS
1ST SESSION

H. RES. 99

Expressing the sense of the House of Representatives that Lebanon, Syria, and Iran should call upon Hezbollah to allow representatives of the International Committee of the Red Cross to visit four abducted Israelis, Adi Avitan, Binyamin Avraham, Omar Souad, and Elchanan Tannenbaum, presently held by Hezbollah forces in Lebanon.

IN THE HOUSE OF REPRESENTATIVES

MARCH 22, 2001

Mr. CROWLEY (for himself, Mr. KIRK, Mr. LANTOS, Mr. CANTOR, Mr. SANDERS, Mr. FROST, Mr. FRANK, Mr. CARDIN, Mr. WEINER, Mr. BERMAN, Mr. SCHIFF, Mr. LEVIN, Mr. ACKERMAN, Mr. ISRAEL, Mr. ROHRBACHER, Mr. MALONEY of Connecticut, Mr. LATOURETTE, Mr. NADLER, Mr. WAXMAN, Mr. MENENDEZ, Mr. SAXTON, Mr. HOLT, Mr. LAHOOD, Ms. BERKLEY, Mr. HOEFFEL, Mr. McNULTY, Mr. STARK, Mr. WEXLER, Mr. SHERMAN, Mr. HASTINGS of Florida, Mr. STRICKLAND, Mr. DELAHUNT, Mr. ABERCROMBIE, Mrs. MCCARTHY of New York, Mr. HALL of Texas, Mr. DAVIS of Florida, Mrs. JONES of Ohio, Mr. BRADY of Pennsylvania, Mr. DOYLE, Mr. FOLEY, and Mr. GRUCCI) submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Expressing the sense of the House of Representatives that Lebanon, Syria, and Iran should call upon Hezbollah to allow representatives of the International Committee of the Red Cross to visit four abducted Israelis, Adi Avitan, Binyamin Avraham, Omar Souad, and Elchanan Tannenbaum, presently held by Hezbollah forces in Lebanon.

Whereas on October 7, 2000, Hezbollah units, in clear violation of international law, crossed the Lebanese border into Israel and kidnapped three Israeli soldiers, Adi Avitan, Binyamin Avraham, and Omar Souad;

Whereas on October 15, 2000, Hezbollah announced that it had abducted a fourth Israeli, Elchanan Tannenbaum;

Whereas these captives are being held by Hezbollah in Lebanon;

Whereas the 1999 Department of State report on foreign terrorist organizations stated that Hezbollah receives substantial amounts of financial assistance, training, weapons, explosives, and political, diplomatic, and organizational assistance from Iran and Syria;

Whereas Syria voted in favor of the Universal Declaration of Human Rights in the United Nations General Assembly;

Whereas Lebanon voted in favor of the Universal Declaration of Human Rights in the United Nations General Assembly;

Whereas Iran voted in favor of the Universal Declaration of Human Rights in the United Nations General Assembly;

Whereas the International Committee of the Red Cross has made numerous attempts to gain access to assess the condition of these prisoners; and

Whereas the International Committee of the Red Cross has been denied access to these prisoners: Now, therefore, be it

1 *Resolved*, That it is the sense of the House of Rep-
2 resentatives that Lebanon, Syria, and Iran should call
3 upon Hezbollah to allow representatives of the Inter-

1 national Committee of the Red Cross to visit four ab-
2 ducted Israelis, Adi Avitan, Binyamin Avraham, Omar
3 Souad, and Elehanan Tannenbaum, presently held by
4 Hezbollah forces in Lebanon.

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Chairman HYDE. Without objection, it is so ordered. Without objection, any Member may place his or her remarks in the record of today's proceedings.

[The prepared statements of Chairman Hyde follows:]

PREPARED STATEMENTS OF THE HONORABLE HENRY J. HYDE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ILLINOIS, AND CHAIRMAN, COMMITTEE ON INTERNATIONAL RELATIONS

H. RES. 160

I want to thank Congressman Chris Smith, the Vice Chairman of our Committee, for this resolution on the arrest and continuing detention of a number of U.S. citizens and lawful permanent residents by the government of the People's Republic of China.

All of these people are of Chinese ancestry. Most are university professors and other academic scholars, although the detainees also include business people and at least one Falun Gong practitioner. They have been denied any meaningful access to their lawyers and to their families.

Although some of them have been charged with offenses related to "espionage" or "state secrets," the authorities in Beijing have not produced any evidence or even given any details about exactly what the defendants are alleged to have done.

Yesterday we were privileged to have the spouses of two of these detainees testify before the Committee. They both insisted that their family members had committed no crimes—they are scholars, not criminals—and that any alleged "confession" exacted from the detained family member must have been induced by torture.

We also heard from Assistant Secretary of State James Kelly, who told us the Administration has no objection to House Resolution 160 and that he personally thinks it is a great resolution. It is terribly important that Beijing understand there will be no business-as-usual relationship with the United States as long as they hold our residents and citizens as hostages. Passage of this resolution by an overwhelming majority on the Committee and in the whole House will make clear to Beijing that we are determined to bring these brave men and women home.

I strongly endorse the resolution.

H. RES. 99

I appreciate the initiative of the gentleman from New York, Mr. Crowley, in framing this resolution, and the interest of the Chairman and Ranking Member of the Subcommittee on the Middle East and South Asia, Messrs. Gilman and Ackerman, in assuring its early consideration in Committee. I also would like to recognize the role of the gentleman from Illinois, Mr. Kirk, formerly associated with the Committee, who has worked with special diligence on this matter.

The plight of the four Israeli individuals—including Jewish soldiers, a reservist who was on a trip to Europe, and an Israeli Arab soldier—has touched the hearts of many world leaders, including the Secretary General of the United Nations, The Honorable Kofi Annan.

The assistance of our Administration on this issue is also commendable.

Both sides have issues to account for with respect to capturing individuals and holding them. But refusing access to the International Committee of the Red Cross is a matter of grave humanitarian concern.

Hezbollah is fundamentally responsible for the fate of these individuals. However, the resolution properly calls on Lebanon, Syria, and Iran, who either fund Hezbollah or permit it to operate on their territory, to urge Hezbollah to permit the ICRC to have access to these captives. That is the least they can do.

Chairman HYDE. We have accomplished a great deal and the Committee stands adjourned.

[Whereupon, at 11:43 a.m., the Committee was adjourned.]

A P P E N D I X

MATERIAL SUBMITTED FOR THE HEARING RECORD

PREPARED STATEMENT OF THE HONORABLE JOSEPH CROWLEY, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF NEW YORK

H.R. 1954

Thank you, Mr. Chairman.

I would like to begin by expressing my firm support for the extension of the Iran-Libya Sanctions Act. I recognize that some of my colleagues may say that this sanctions program has outlived its usefulness. I would suggest otherwise.

If we are to assess whether or not we should renew the Iran-Libya sanctions act, I believe it is essential to lay out why it was necessary in the first place. Both Iran and Libya have always possessed extensive oil and natural gas resources that have the potential to yield tremendous wealth for these nations. This potential revenue led to a concern over how this considerable wealth would be spent.

The desire to produce weapons of mass destruction and to abet, train, and fund terrorist organizations was a serious threat when these sanctions were implemented in 1995. Therefore, a policy of punishing foreign companies wishing to invest in these nations seemed to be a reasonable one. Though there have been some breeches of the sanctions by several companies during the past five years, I would suggest that on the whole, these sanctions have been fairly successful in deterring Asian and European investment in Libya and Iran's energy sectors.

So the question now becomes, does the situation in Iran and Libya in 2001 warrant the extension of ILSA. Unfortunately, the answer is a resounding yes.

According to the 2000 State Department report on Patterns of Global Terrorism, Iran, Libya, and several others continue to be nations that the Secretary of State has designated as state sponsors of international terrorism. In fact, Iran remained the most active state sponsor of terrorism in 2000. Iran provided increasing support to numerous terrorist groups, including the Lebanese Hezbollah, Hamas, and the Palestine Islamic Jihad, which seek to undermine the Middle East peace process through the use of terrorism.

Though Libya has taken some steps to improve its international image, these steps are merely cosmetic. According to the same State Department report, Libya continues to have contact with groups that employ violence and terror as a tool to oppose the Middle East Peace Process, including the Palestine Islamic Jihad and the Popular Front for the Liberation of Palestine-General Command. Five years after the enactment of this legislation, these nations remain a threat to their neighbors and to regional stability.

During the hearing held before this committee on the extension of ILSA, one of the distinguished panelists suggested that we delay the extension to see if President Khatami wins re-election and brings Iran back into the global community as a nation that respects international treaties and denounces terror. Well, as we all know, Mr. Khatami secured re-election by a landslide. He has had four years to make substantive changes to Iranian policy in this area, and has failed to do so.

We should not be rewarding President Khatami and the Iranian government simply because he is the lesser of two evils. There is a reason that these sanctions were imposed in 1995. Those reasons continue to plague these countries today.

A rejection of the ILSA extension would destroy all credibility of a U.S. decision to enforce sanctions against nations who violate international law and engage in acts of terror. It sends the signal that it is permissible to break the law, as long as you have the ability to endure the consequences for a limited time until the policy unravels.

I believe that we need to send a different message. Therefore, I urge my colleagues to support this legislation.

Thank you.

PREPARED STATEMENT OF THE HONORABLE TOM LANTOS, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF CALIFORNIA

H. RES. 160

Mr. Chairman, I strongly support H. Res. 160 and commend my good friend and colleague, Representative Chris Smith, for introducing this important resolution. The resolution before the House of Representatives calls on the Government of the People's Republic of China to immediately and unconditionally release American scholars of Chinese ancestry being held in detention. Unfortunately, the recent arrests of these scholars is only the latest example of the Chinese government's willingness to invent false accusations against perfectly innocent citizens.

To illustrate the cost in human terms of China's brutality with respect to human rights, Mr. Chairman, I would like to address the case of Dr. Gao Zhan. Gao Zhan is an academic who specializes in researching women's issues. She and her husband are permanent residents of the United States, and their five year-old son, Andrew, is an American citizen by birth. Gao, Zhan and her family recently traveled to China to visit relatives. As they stood in line at the Beijing Airport waiting for their flight back home to the United States, they were seized by Chinese officials. Each family member was forced into a separate car waiting outside the terminal and taken away.

Imagine the horror, Mr. Chairman, of a mother being suddenly separated from her child by nameless Chinese agents. Imagine the fear experienced by Gao Zhan's husband who, as we now know, was blindfolded, driven for hours to an unknown destination, and subsequently interrogated about his wife's research. Imagine being a five year-old boy and being torn away from your parents.

Gao Zhan's son was taken to a state-run institution where he was held alone for 26 days—completely separated from his family. Let me repeat that because I rarely come across such an egregious display of callousness. A five year-old boy was held alone for 26 days without his mother or father or even his grandparents who live in China.

Mr. Chairman, these actions violate international law as well as a bilateral agreement between the U.S. and China. Needless to say, they also violate our beliefs of basic human decency for the way in which a child should be treated. The monstrosity of what lurks within the Chinese government revealed its true form when it felt no qualms about wrenching a child from his parents and holding that child alone for 26 days. This isn't about the defense of China's national security. This is just barbarism, plain and simple.

Chinese authorities finally allowed Gao Zhan's husband to retrieve his son and return home to the United States. Gao Zhan, however, hasn't been so lucky since she is still imprisoned within the People's Republic of China on these false charges. The Chinese government refuses to reveal the nature of the "evidence" against Gao Zhan or give her a chance to publicly defend herself with adequate defense counsel.

Unfortunately, Mr. Chairman, we know about the cases of Gao Zhan and the other five scholars mentioned in this resolution because they all have connections to the United States. There are tens of thousands of Chinese citizens without a connection to America who are locked away for years in Chinese jails. No embassies ask about them, no newspapers write about their cases, and they are relegated to a most uncertain fate.

Mr. Chairman, it is absolutely imperative that the Bush Administration make the release of the six Chinese-Americans mentioned in this resolution a top priority in our relationship with the PRC. While we will probably bemoan the horrendous human rights situation in China twenty years from now, we can win the release of these Chinese-Americans today with enough pressure on the Chinese government. If President Bush personally asks President Jiang to release these and other imprisoned scholars, I'm confident that Gao Zhan will see her husband and son again, and that Li Shaomin will come home soon to his wife and daughter.

I urge my colleagues to support this important resolution.

PREPARED STATEMENT OF THE HONORABLE BENJAMIN A. GILMAN, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF NEW YORK

H. RES. 160

I want to thank Chairman Hyde for expeditiously moving H. Res. 160, a resolution calling on the government of the People's Republic of China to immediately and unconditionally release certain American citizens and residents from detention in China. I commend Chairman Smith for drafting this important and timely resolution.

I am concerned that Chinese-Americans are being held by the government of the People's Republic of China. There is no rule of law in that country. In China, a person is not innocent until proven guilty. A person's guilt or innocence is predetermined by the government. Thousands of arrests and imprisonments are carried out for political reasons.

Let us be clear about this. These people are American citizens and some are permanent U. S. residents. Our government owes them a plan of action that ensures that they are given what they are entitled to under international law. The cautious U. S. response that we have given to date just will not do.

Let us be clear about another thing. We have seen this before. Four years the Chinese government has been taking political hostages before a possible summit meeting and then releasing them in order for our government to bend on other issues. The release of our citizens should not be tied to anything—Most Favored Nation, World Trade Organization missile defense, North Korea, Taiwan, or anything else.

The taking of our citizens is an outrage, and they should be released now, and unconditionally. Accordingly, I strongly support H. Res. 160.

PREPARED STATEMENT OF THE HONORABLE ENI F.H. FALEOMAVAEGA, A
REPRESENTATIVE IN CONGRESS FROM AMERICAN SAMOA

H. RES. 160

Mr. Chairman:

I rise in strong support of House Resolution 160. Mr. Chairman, I am deeply disturbed by the Government of China's recent arrests and detentions of American citizens and U.S. permanent residents of Chinese ancestry.

Prosecutions of Americans by China's State Security Ministry and agencies have been rare since the Korean War. With the recent outbreak of detentions, however, it is troubling that China may now feel it is acceptable to target American subjects—as long as they have Chinese blood.

In particular, I find it deplorable that those detained have been held virtually incommunicado for months—denied any contact with immediate family members and even their attorneys. Given the lack of due process and the hidden, clandestine proceedings, it is no wonder that China's charges of espionage and other serious violations against the detainees are viewed as false and any confessions produced as resulting from torture.

In an effort to address these matters, Mr. Chairman, I commend Mr. Smith, Mr. Lantos and Ms. Ros-Lehtinen for introducing House Resolution 160. I am honored to be a co-sponsor of this measure. In addition to calling upon the Chinese Government for the immediate and unconditional release of Dr. Li, Dr. Gao and the other American scholars of Chinese ancestry who have been detained, this important legislation urges President Bush to make their release a top priority in U.S.-Sino relations.

I cannot agree more, Mr. Chairman, that American citizens and U.S. permanent residents, when they go overseas, must be protected and not be subject to arbitrary harassment and detention on unsubstantiated charges, whether by China or any other nation. I strongly urge adoption of this legislation by our colleagues.

PREPARED STATEMENT OF THE HONORABLE TOM LANTOS, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF CALIFORNIA

H. RES. 99

Hezbollah has taken four Israelis hostage, in clear violation of international law. On October 7, 2000, in an unprovoked and illegal act, Hezbollah crossed the Lebanese border into Israel and kidnaped three Israeli soldiers, Adi Avitan, Binyamin Avraham, and Omar Souad. Eight days later, on October 15, Hezbollah announced

it had abducted—apparently under mysterious circumstances—a fourth Israeli, a businessman named Elchanan Tannenbaum.

I urge those nations that have influence over Hezbollah—namely, Iran, Syria, and Lebanon—to press that notorious organization to make the most minimal gesture of human decency by allowing representatives of the International Committee of the Red Cross to visit these four hostages. In fact, the Red Cross has persistently asked to do so, but Hezbollah continues to deny it access.

There is no doubt that Iran, Syria, and Lebanon are able to make Hezbollah bend to their will. Hezbollah is dependent on all three states. The State Department's most recent report on foreign terrorist organizations says that Iran and Syria provide Hezbollah with substantial amounts of financial assistance, training, weapons, explosives, as well as other forms of political and organizational support.

As for Lebanon, one can only note that the abductees are being held by Lebanese citizens on Lebanese soil—presumably, against Lebanese law. Unfortunately, lawlessness continues to prevail in many parts of that troubled land, particularly on the Hezbollah-dominated parts of the Lebanese-Israeli border. Lebanon should demonstrate its sovereignty by asserting its authority over Hezbollah. Iran, Syria, and Lebanon also should consider their obligations under the Universal Declaration of Human Rights—which all three of them supported with their votes in the UN General Assembly.

The hostages should be freed. Indeed, it is time to end the lawless and dangerously provocative behavior of Hezbollah. As a modest step in that direction, I urge my colleagues to support this resolution and send a message to Hezbollah's sponsors that the Red Cross should be allowed to visit the four innocent abductees.

PREPARED STATEMENT OF THE HONORABLE BENJAMIN A. GILMAN, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF NEW YORK

H. RES. 99

It is with regret that we have to bring this resolution before the Committee today, but it is necessary to do so.

First, I wish to express my appreciation for the efforts of the gentleman from New York, Mr. Crowley, and the gentleman from Illinois, Mr. Kirk, on this resolution. Also, I want to thank my colleagues, the gentleman from New York, Mr. Ackerman, our subcommittee Ranking Member, Mr. Lantos, and the Full Committee Ranking Member, our distinguished Chairman Hyde, who has graciously scheduled this resolution.

Last October, Hezbollah terrorists crossed the Israeli border near the so-called Shebaa Farms area and captured three soldiers. Later that month, they kidnaped an Israeli businessman in Europe.

This resolution is not about the appropriateness of the captivity of those individuals, although of course they should be released. The narrow questions we are focusing on is whether they should be visited by the International Committee of the Red Cross—and who should be making that appeal to their captors.

There is no question about who is responsible for this act—Hezbollah. Those countries which allow Hezbollah to operate, or which fund it—namely, Iran, Syria and Lebanon—are in a position to influence it.

It is hoped that they would use their influence. It is just that simple. Accordingly, I ask my colleagues to support this resolution.

PREPARED STATEMENT OF THE HONORABLE JOSEPH CROWLEY, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF NEW YORK

H. RES. 99

I want to begin by thanking our Chairman, Mr. Hyde, our distinguished ranking member, Mr. Lantos, and my republican colleagues Mr. Cantor and Mr. Kirk for bringing this important resolution before the Committee.

In October 2000, Adi Avitan, Binyamin Avraham, and Omar Souad were abducted while on routine patrol of Israel's northern border. A fourth man Elchanan Tannenbaum, a reservist, was taken while on business in Europe. At the present time, these men are believed to be held by Hezbollah on Lebanese soil.

The United Nations Secretary General Kofi Annan and the International Committee of the Red Cross have made numerous overtures to Hezbollah in an effort to gain access to assess the physical condition of these prisoners. Hezbollah has rejected these requests each and every time.

The continued detention of these men by Hezbollah troops is unacceptable and must be addressed today. The conditions of their capture and subsequent detention run completely counter to International standards and law.

Given that the State Department report on terrorism has named Iran and Syria as the patron states of Hezbollah, we must hold the governments in Tehran and Damascus responsible for the well being of these men.

As signatories to the Universal Declaration on Human Rights, Iran and Syria have a responsibility to the international community to take concrete steps to encourage Hezbollah to permit this visit to take place.

President Khatami and President Assad have made statements regarding their desire to join the community of nations. If these statements truly represent the desires of Iran and Syria, I ask them to take the first step toward achieving that objective by exerting their considerable influence over Hezbollah to allow the International Committee of the Red Cross Access to do their job without further delay.

I first met the families of these men during my trip to Israel earlier this year. It was my hope that by the time we met again, that their sons would be home. Last month, I stood beside them once again, but the void left by their sons remained. I know that the family is grateful that they need not take on this endeavor alone.

They are joined by over 70 members of the House and the Senate, by co-sponsoring this resolution. We must send a strong signal to the patron states of Hezbollah, but most of all we must send hope to Adi, Binyamin, Omar and Elchanan.

I urge all of my colleagues to support this resolution.

