

**H.R. 4528; H. CON. RES. 328; H. CON. RES.  
257; S. CON. RES. 81; AND H. CON. RES. 348**

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**MARKUP**  
BEFORE THE  
SUBCOMMITTEE ON  
INTERNATIONAL OPERATIONS AND HUMAN RIGHTS  
OF THE  
COMMITTEE ON  
INTERNATIONAL RELATIONS  
HOUSE OF REPRESENTATIVES  
ONE HUNDRED SIXTH CONGRESS

SECOND SESSION

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JUNE 28, 2000  
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**H.R. 4528; H. CON. RES. 328; H. CON. RES. 257;  
S. CON. RES. 81; AND H. CON. RES. 348**

**WEDNESDAY, JUNE 28, 2000**

**HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON INTERNATIONAL  
OPERATIONS AND HUMAN RIGHTS,  
COMMITTEE ON INTERNATIONAL RELATIONS,  
*Washington, DC.***

The Subcommittee met, pursuant to notice, at 10:45 a.m., in room 2172, Rayburn House Office Building, Hon. Christopher H. Smith (Chairman of the Subcommittee) presiding.

Mr. SMITH. The Subcommittee on International Operations and Human Rights will come to order. We meet in open session today, pursuant to notice, to mark up several legislative items. We will first now consider H.R. 4528, the International Academic Opportunity Act. The Chair lays the bill before the table and the Subcommittee. The clerk will report the title of the bill.

[The bill appears in the appendix.]

**CONSIDERATION OF H.R. 4528**

Mr. REES. H.R. 4528, to establish an undergraduate grant program of the Department of State to assist students of limited financial means from the United States to pursue studies at foreign institutions of higher education.

Mr. SMITH. Without objection, the first reading of the bill is dispensed with. The clerk will read the bill for amendment.

Mr. REES. A bill to establish an undergraduate—

Mr. SMITH. Without objection, the bill is considered as having been read and is open for amendment at any time, and I do have an amendment at the desk and I would ask that it be distributed.

Mr. REES. I think it has been distributed.

[The amendment appears in the appendix.]

Mr. SMITH. Would you read the amendment?

Mr. REES. The amendment is as follows, page 2 after line 17 insert the following, Grants under this Act shall be known as the Benjamin A. Gilman International Scholarships.

Mr. SMITH. Let me just make a few opening comments about the bill itself and the amendment.

H.R. 4528, the International Academic Opportunity Act of 2000, was introduced last month by the distinguished Chairman of the full Committee, Ben Gilman, and his Democratic colleague from New York, Representative Hinchey. The bill would establish a grant program to help American undergraduate students of limited

financial means to study abroad and authorizes \$1.5 million per year for that purpose.

It also requires that Congress be provided with an annual report on the number of participating students and institutions at which they study.

The intent of the bill is to provide the study abroad programs that exist at many colleges and universities with funds that will allow them to reach out to students that might not otherwise consider such study because of the additional travel and living expenses it requires. By providing for a single year grants of up to \$5,000 per student, this bill will help students who have demonstrated financial need to avail themselves of this valuable educational experience.

By living and studying in a new culture and country, these students will be better equipped to participate in world affairs and in our increasingly global economy. Furthermore, by broadening participation in U.S. public diplomacy efforts, this new program will give the communities to which our students travel a richer, more diverse experience of American culture.

Let me just say in terms of the amendment, it would be named after our distinguished Chairman, Ben Gilman, and I have to note having served in Congress for 20 years and having known Ben for each of those 20 years, having been on this Committee for those years, there is nobody who is more worthy of this kind of honor and this is just a token of the kind of respect that I and my colleagues feel for our distinguished gentleman from New York, Ben Gilman, Chairman of our Committee.

I will be happy to yield to my friend.

Mr. GILMAN. Thank you, Chairman Smith, for your kind remarks and for going out of your way to entitle this program, the Gilman International Scholarship Program, something we have been deeply committed to, and I want to thank your Committee, Chairman Smith, for taking this up at an early date.

This measure seeks to give our lower-income college students opportunities, through grants, to study overseas for a 2-year period. Our future depends on an experienced world and to have the kind of experience that our students would gather from this kind of a program. The bill provides underprivileged youngsters with grants for study abroad. The program opens study abroad to all college students.

We have found that exchange programs have been extremely helpful to help in career planning for those who are interested in international affairs, and also give young students an opportunity to learn about other cultures.

I have had an exchange program that I developed many years ago with South Korea, where we send over our internships every summer for a 3-week period. This will be the 18th year for that program. We have found it to be extremely helpful to young students who are interested in learning about Asian culture and politics.

So I want to commend our Subcommittee Chairman, Mr. Smith, who has always had an interest not only in exchanges, but in human rights and so many other important aspects of religious

freedom, for taking this measure up at an early date; and I yield back the balance of my time.

Mr. SMITH. I thank my good friend and thank you for your very kind comments. The question is on the amendment. Those in favor say "aye." Those opposed, "no." The ayes have it and the amendment is agreed to. I move that the Subcommittee report the bill H.R. 4528, as amended, favorably to the full Committee.

Without objection, the motion is agreed to.

And I thank you again, Mr. Gilman, for your participation.

We will now consider H. Con. Res. 328, expressing the sense of Congress relative to the urgent need to improve the democratic and human rights of the people of Burma. The Chair lays the resolution before the Subcommittee. The clerk will report the title of the resolution.

[The resolution appears in the appendix.]

#### CONSIDERATION OF H. CON. RES. 328

Mr. REES. H. Con. Res. 328, expressing the sense of the Congress in recognition of the 10th anniversary of the free and fair elections in Burma and the urgent need to improve the democratic and human rights of the people of Burma.

Mr. SMITH. Without objection, the clerk will read the preamble and operative language of the resolution for amendment.

Mr. REES. Concurrent resolution expressing the sense of the Congress in recognition of the 10th anniversary of the free and fair elections in Burma and the urgent need to improve the democratic and human rights of the people of Burma.

Mr. SMITH. Without objection, the resolution is considered as having been read and is open for amendment at any point.

This resolution was introduced on May 16th and was referred by the Chairman to this Subcommittee. I would like to make a couple of points about it.

Just over 10 years ago, in the spring of 1990, the people of Burma courageously embraced democracy. In the face of intimidation by the Burmese military, they turned out in record numbers to participate in free and fair elections. In those elections, the National League for Democracy, led by Aung San Suu Kyi, won more than 60 percent of the popular vote and 80 percent of the seats in parliament. The Burmese military responded by rejecting the election results, imprisoning hundreds of NLD members, including Aung San Suu Kyi, and severely curtailing the civil liberties of the Burmese people.

Since that time, the ruling thugs who currently call themselves the State Peace and Development Council, formerly they were known as the SLORC, have inflicted massive human rights violations and economic privations on the people of Burma. More than 1,300 political prisoners, including the woman elected to lead Burma, Aung San Suu Kyi—still suffer at the hands of their government captors. The Burmese regime routinely uses forced labor, and it continues to wage a brutal war against ethnic minorities within its borders.

In August 1998, I travelled to that region in an effort to secure the release of one my constituents, Michelle Keegan, who had been seized by the Burmese authorities for passing out cards that stat-

ed, "We have not forgotten you; we support your hopes for human rights and democracy."

The SLORC repeatedly refused my request for a visa to enter Burma, so I had to negotiate her release from Bangkok, Thailand. After 5 days of detention, Michelle and 17 other foreign activists were expelled from Burma, but not until they had been sentenced to 5-years imprisonment for sedition.

I am proud that the State Department authorization bill that I introduced in this Congress—and it was signed by the President last fall—retains a provision that helps ensure that the United Nations Development Program does not enrich the Burmese military regime. It reduces U.S. contributions to U.N.D.P. By the amount that the program spends in Burma, unless U.N.D.P.'s activities in Burma one, are focused on eliminating human suffering; two, are carried out only through private voluntary organizations that are independent of the regime; three, do not benefit the regime; and four, are carried out only after consultation with the leadership of the National League for Democracy and the leadership of the national coalition government of the Union of Burma.

The resolution before us today, H. Con. Res. 328, commemorates the 1990 elections, describes accurately the situation in Burma and expresses the sense of Congress that the United States should strongly support the restoration of democracy in that country. It urges the military regime in Burma to guarantee basic freedoms for Burmese citizens, to undertake political dialogue with the National League for Democracy and ethnic leaders, and to immediately release all political prisoners, and to fulfill the conditions of international human rights instruments.

It also recognizes the current sanctions in place against the Government of Burma as appropriate means of pursuing democracy and civil liberties for the people of Burma and vindicating the United States security interests.

I will bring a brief amendment momentarily after—I think Mr. Gilman might have something to say on this—that incorporates some technical suggestions made by the State Department, and it enumerates in greater detail the international human rights covenants that we expect the Burmese regime to respect in its treatment of the people of Burma.

I do have an amendment at the desk, and I would ask that the clerk would read it.

[The amendment appears in the appendix.]

Mr. REES. Amendment to H. Con. Res. 328, offered by Mr. Smith of New Jersey: In the 11th clause of the preamble—

Mr. SMITH. Without objection, the amendment is considered as read; and I just want to note that it does contain technical enhancements to the bill. They were recommended to us by the State Department and by others. The question is on the amendment. All those in favor, say "aye." Those opposed, "no." The ayes have it and the amendment is agreed to.

I move that the resolution be reported favorably, as amended, to the full Committee on International Relations. Without objection, the motion is agreed to.

Since we do have a vote pending and we have two additional resolutions, the Subcommittee will take a very brief pause and then return in about 10 or 20 minutes.

[Recess.]

Mr. SMITH. The Subcommittee will resume its sitting.

Without objection, H. Con. Res. 328, as amended, will be reported to the full Committee and will be reported favorably.

We now meet to mark up H. Con. Res. 257 relating to the emancipation of the Iranian Baha'i community. The Chair lays the resolution before the Subcommittee. The clerk will report the title of the resolution.

[The resolution appears in the appendix.]

#### CONSIDERATION OF H. CON. RES. 257

Mr. REES. H. Con. Res. 257, concerning the emancipation of the Iranian Baha'i community.

Mr. SMITH. Without objection, the clerk will read the preamble and the operative language of the resolution for amendment.

Mr. REES. Concurrent resolution concerning the emancipation of the Iranian Baha'i community. Whereas—

Mr. SMITH. Without objection, the resolution is considered as having been read and is open for amendment at any point.

The resolution was introduced on February 29, 2000, and referred by the Chairman of the full Committee to this Subcommittee; and I would like to yield to my good friend Ms. McKinney if she has any comments on the resolution.

Ms. MCKINNEY. Mr. Chairman, I don't have any comments on the resolution.

Mr. SMITH. And I do have an amendment that I would ask be considered by the Subcommittee.

[The amendment appears in the appendix.]

Mr. REES. The amendment to H. Con. Res. 257, offered by Mr. Smith of New Jersey. In the preamble, strike the fifth clause and insert the following.

Mr. SMITH. Without objection, the amendment is considered as having been read.

During the past year, according to the State Department, the religious minorities in Iran, particularly the Baha'i, continue to suffer repression by conservative elements of the judiciary and the security establishment. Adherents of the Baha'i faith continue to face arbitrary arrest and detention. The Government of Iran appears to adhere to a practice of keeping a small number of Baha'i in detention at any given time.

Furthermore, several Baha'i remain on death row in Iran, having been convicted of apostasy, or actions against God, for practicing their faith. Such trials are carried out in the same manner as is reserved for threats to national security and reflect the view that the Baha'i faith is an espionage organization.

Baha'i are denied entry into the state-controlled university system, and the Government of Iran has raided hundreds of homes in an effort to disrupt the alternative educational system constructed by the Baha'i community.

In sum, according to the State Department, followers of Baha'i faith effectively enjoy no legal rights in Iran. H. Con. Res. 257 in-



roduced by my friend and colleague Mr. Porter of Illinois details and condemns the serious persecution suffered by the Baha'i community at the hands of the Iranian authorities. It urges the Government of Iran to respect basic human rights in its treatment of the Baha'i community, and it calls on the President of the United States to make the human rights practices of the Government of Iran a significant factor in the development of the bilateral relationship between our two countries.

The minor amendment that I am offering today to the original language updates the number of Baha'i who are currently on death row, makes it accurate, and it also adds references to the specific international human rights agreements that Iran should live up to in its treatment of the Iranian Baha'i community.

Does the gentlelady have something she would like to say about the amendment?

The question is on the amendment. Those in favor, say "aye." Those opposed? The ayes have it and the amendment is agreed to.

Are there any other amendments or any other comments that Members of the Committee would like to make?

The Chairman recognizes the gentlelady from Georgia for a motion.

Ms. MCKINNEY. I move that the Subcommittee report the resolution, as amended, favorably to the full Committee.

Mr. SMITH. Without objection, the motion is agreed to and the resolution will be reported favorably to the full Committee.

The next resolution that we will take up this morning is S. Con. Res. 81, related to prisoners of the People's Republic of China. The Chair lays the resolution before the Subcommittee. The clerk will report the title of the resolution.

[The resolution appears in the appendix.]

#### CONSIDERATION OF S. CON. RES. 81

Mr. REES. S. Con. Res. 81, concurrent resolution, expressing the sense of the Congress that the Government of the People's Republic of China should immediately release Rabiya Kadeer, her secretary, and her son, and permit them to move to the United States if they so desire.

Mr. SMITH. Without objection, the clerk will read the preamble and the operative language of the resolution.

Mr. REES. Whereas Rabiya Kadeer, a prominent ethnic Uighur from the Xinjiang Uighur autonomous region of the People's Republic of China, her Secretary and her son were arrested on August 11, 1999—

Mr. SMITH. Without objection, the resolution is considered as having been made read and is open to amendment at any point.

This resolution was introduced on May 3, referred by the Chairman of the full Committee to our Subcommittee. And I would like to make a very short comment on this, and then unfortunately, we do have another vote on the floor of the House.

S. Con. Res. 81, already passed by the Senate last month, expresses the sense of Congress that the People's Republic of China should immediately release Rabiya Kadeer, her son and her Secretary, and should allow them to move to the United States if they so desire.

Ms. Kadeer, a prominent Uighur Muslim businesswoman in the Xinjiang province of China, was detained by Chinese security authorities along with her son and her secretary in August of last year. She was on her way to meet a visiting congressional staff delegation. She was held incommunicado for months, and in March of this year was sentenced to 8 years in prison for, "illegally giving state information across the border." Her crime was sending local newspaper clippings to her husband in the United States.

Ms. Kadeer's husband, Sadik Haji, a Uighur political activist, has been granted asylum in the United States and has participated in Radio Free Asia broadcasts into the PRC.

Ms. Kadeer's imprisonment is the latest and most serious attempt by the Beijing regime to silence her husband by persecuting the family members who still reside in the People's Republic of China. The Chinese Government prevented Ms. Kadeer from leaving China by confiscating her passport many months beforehand.

On March 2 of this year, her daughter, Reyila Abdureyim, appeared before our Subcommittee, providing compelling testimony about the plight of her mother and about the PRC's brutal repression of the Uighur Muslim population in Xinjiang autonomous region.

The latest State Department country report on the human rights practices in China also confirms that crackdown and describes the police killings and summary executions of the Uighurs and tight restrictions on Muslim religious practice. We actually saw a video of the kind of mischief that the security forces visit upon the Uighurs, and it was outrageous.

I do hope that the Subcommittee will report this to the Committee favorably; and again, I would like to yield to my friend from Georgia if she has any comments.

Ms. MCKINNEY. No comment.

Is it proper for a motion?

Mr. SMITH. It is proper for a motion.

Ms. MCKINNEY. OK.

Mr. Chairman, I move that the Subcommittee do report favorably S. Con. Res. 81 to the full Committee.

Mr. SMITH. The motion has been made.

Without objection, the motion is agreed to, and I move that the Subcommittee Staff Director be allowed to make technical, conforming, and grammatical amendments to the measure and prepare a substitute reflecting the Subcommittee's action as a single amendment. Without objection, that is so ordered.

Again, we have 6 minutes to make our way over to the floor. I say to my friends, we do have one final resolution which we will get to as soon as we reconvene momentarily.

Ms. MCKINNEY. Why don't we just go ahead and do it? Can we do it?

Mr. SMITH. OK.

Ms. MCKINNEY. The Chairman doesn't seem to operate under pressure.

Mr. SMITH. I am fine under pressure, just not good under time.

H. Con. Res. 348, relating to child soldiers, and the clerk will report the resolution.

[The resolution appears in the appendix.]

## CONSIDERATION OF H. CON. RES. 348

Mr. REES. H. Con. Res. 348, expressing condemnation of the use of children as soldiers and expressing the belief that the United States should support and, where possible, lead efforts to end this abuse of human rights.

Mr. SMITH. Without objection, the clerk will read the preamble and operative language of the resolution for amendment.

[The amendment appears in the appendix.]

Mr. REES. Concurrent resolution expressing condemnation of the use of children as soldiers and expressing the belief that the United States should support and, where possible, lead efforts to end this abuse of human rights.

Mr. SMITH. Without objection, the resolution is considered as having been read. This resolution was introduced on June 7 and referred by the Chairman of the full Committee, Mr. Gilman, to this Subcommittee.

Are there any Members who would like to comment on this?

Ms. MCKINNEY. Go ahead and read it.

Mr. SMITH. Please do.

Ms. MCKINNEY. Mr. Chairman, I would like to make the motion. I would like to move that the Subcommittee do favorably report H. Con. Res. 348 to the full Committee.

Mr. SMITH. Without objection, the motion is agreed to. And again without objection, the Staff Director may make those technical and conforming and grammatical amendments to the measure, including the amendment that has been distributed to the Subcommittee Members.

The markup is concluded.

[Whereupon, at 11:20 a.m., the Subcommittee was adjourned.]

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## APPENDIX

JUNE 28, 2000

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106TH CONGRESS  
2D SESSION

# H. R. 4528

To establish an undergraduate grant program of the Department of State to assist students of limited financial means from the United States to pursue studies at foreign institutions of higher education.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 24, 2000

Mr. GILMAN (for himself and Mr. HINCHHEY) introduced the following bill; which was referred to the Committee on International Relations

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## A BILL

To establish an undergraduate grant program of the Department of State to assist students of limited financial means from the United States to pursue studies at foreign institutions of higher education.

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 "International Academic  
5 Opportunity Act of 2000".

6 **SEC. 2. STATEMENT OF PURPOSE.**

7 It is the purpose of this Act to establish an under-  
8 graduate grant program for students of limited financial



1 the United States (as defined by section 102(b) of  
2 the Higher Education Act of 1965);

3 (3) is receiving any need-based student assist-  
4 ance under title IV of the Higher Education Act of  
5 1965; and

6 (4) is a citizen or national of the United States.

7 (c) APPLICATION AND SELECTION.—

8 (1) Grant application and selection shall be car-  
9 ried out through accredited institutions of higher  
10 education in the United States or combination of  
11 such institutions under such procedures as are es-  
12 tablished by the Secretary of State.

13 (2) In considering applications for grants under  
14 this section, priority consideration shall be given to  
15 applicants who are receiving Federal Pell Grants  
16 under title IV of the Higher Education Act of 1965.

17 **SEC. 4. REPORT TO CONGRESS.**

18 The Secretary of State shall report annually to the  
19 Congress concerning the grant program established under  
20 this Act. Each such report shall include the following in-  
21 formation for the preceding year:

22 (1) The number of participants.

23 (2) The institutions of higher education in the  
24 United States that participants attended.

1           (3) The institutions of higher education outside  
2           the United States participants attended during their  
3           year of study abroad.

4           (4) The areas of study of participants.

5 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

6           There are authorized to be appropriated \$1,500,000  
7           for each fiscal year to carry out this Act.

8 **SEC. 6. EFFECTIVE DATE.**

9           This Act shall take effect October 1, 2000.

○



**AMENDMENT TO H.R. 4528**  
**OFFERED BY MR. SMITH OF NEW JERSEY**

Page 2, after line 17, insert the following:

- 1 Grants under this Act shall be known as the "Benjamin
- 2 A. Gilman International Fellowships".

*Scholarships".*

106TH CONGRESS  
2D SESSION

# H. CON. RES. 328

Expressing the sense of the Congress in recognition of the 10th anniversary of the free and fair elections in Burma and the urgent need to improve the democratic and human rights of the people of Burma.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 16, 2000

Mr. PORTER (for himself, Mr. LIANTOS, Mr. GILMAN, Mr. SMITH of New Jersey, Mr. DELAHUNT, Mr. PITTS, Mr. KUCINICH, Mr. PAYNE, Mr. DIAZ-BALART, Mr. ROHRBACHER, Mr. ABERCROMBIE, Mr. MCGOVERN, Mr. SHAYS, Mr. CASTLE, Mr. BERMAN, Mr. ENGEL, Mr. SANDERS, Mr. HORN, Mr. RAHALI, Mr. BALDACCIO, Mrs. MORELLA, Mr. GUTTERREZ, Mr. OBERSTAR, Mr. CAPUANO, Mr. STARK, Mr. OLVER, Ms. LEE, Mr. WAXMAN, Mr. RUSH, and Mr. UDALL of Colorado) submitted the following concurrent resolution; which was referred to the Committee on International Relations

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## CONCURRENT RESOLUTION

Expressing the sense of the Congress in recognition of the 10th anniversary of the free and fair elections in Burma and the urgent need to improve the democratic and human rights of the people of Burma.

Whereas in 1988 thousands of Burmese citizens called for a democratic change in Burma and participated in peaceful demonstrations to achieve this result;

Whereas these demonstrations were brutally repressed by the Burmese military, resulting in the loss of hundreds of lives;

Whereas despite continued repression, the Burmese people turned out in record numbers to vote in elections deemed free and fair by international observers;

Whereas on May 27, 1990, the National League for Democracy (NLD) led by Daw Aung San Suu Kyi won more than 60 percent of the popular vote and 80 percent of the parliamentary seats in the elections;

Whereas the Burmese military rejected the results of the elections, placed Daw Aung San Suu Kyi and hundreds of members of the NLD under arrest, pressured members of the NLD to resign, and severely restricted freedom of assembly, speech, and the press;

Whereas 48,000,000 people in Burma continue to suffer gross violations of human rights, including the right to democracy, and economic deprivation under a military regime known as the State Peace and Development Council (SPDC);

Whereas on September 16, 1998, the members of the NLD and other political parties who won the 1990 elections joined together to form the Committee Representing the People's Parliament (CRPP) as an interim mechanism to address human rights, economic and other conditions, and provide representation of the political views and voice of Members of Parliament elected to but denied office in 1990;

Whereas the United Nations General Assembly and Commission on Human Rights have condemned in nine consecutive resolutions the persecution of religious and ethnic minorities and the political opposition, and SPDC's record of forced labor, exploitation, and sexual violence against women;

Whereas the United States and the European Union Council of Foreign Ministers have similarly condemned conditions in Burma and officially imposed travel restrictions and other sanctions against the SPDC;

Whereas in May 1999, the International Labor Organization (ILO) condemned the SPDC for inflicting forced labor on the people and has banned the SPDC from participating in any ILO meetings;

Whereas the 1999 Department of State Country Reports on Human Rights Practices for Burma identifies more than 1,300 people who continue to suffer inhumane detention conditions as political prisoners in Burma;

Whereas the Department of State International Narcotics Control Report for 2000 determines that Burma is the second largest world-wide source of illicit opium and heroin and that there are continuing, reliable reports that Burmese officials are "involved in the drug business or are paid to allow the drug business to be conducted by others", conditions which pose a direct threat to United States national security interests; and

Whereas despite these massive violations of human rights and civil liberties and chronic economic deprivation, Daw Aung San Suu Kyi and members of the NLD have continued to call for a peaceful political dialogue with the SPDC to achieve a democratic transition: Now, therefore, be it

- 1        *Resolved by the House of Representatives (the Senate*
- 2 *concurring)*, That it is the Sense of the Congress that—
- 3            (1) United States policy should strongly sup-
- 4            port the restoration of democracy in Burma, includ-

1 ing implementation of the results of the free and fair  
2 elections of 1990;

3 (2) United States policy should continue to call  
4 upon the military regime in Burma known as the  
5 State Peace and Development Council (SPDC)—

6 (A) to guarantee freedom of assembly,  
7 freedom of movement, freedom of speech, and  
8 freedom of the press for all Burmese citizens;

9 (B) to immediately accept a political dia-  
10 logue with Daw Aung San Suu Kyi, the Na-  
11 tional League for Democracy (NLD), and eth-  
12 nic leaders to advance peace and reconciliation  
13 in Burma;

14 (C) to immediately and unconditionally re-  
15 lease all detained Members elected to the 1990  
16 parliament and other political prisoners; and

17 (D) to promptly and fully uphold the terms  
18 and conditions of all human rights and related  
19 resolutions passed by the United Nations Gen-  
20 eral Assembly, the Commission on Human  
21 Rights, the International Labor Organization,  
22 and the European Union; and

23 (3) United States policy should sustain current  
24 economic and political sanctions against Burma as  
25 the appropriate means—

- 1 (A) to secure the restoration of democracy,
- 2 human rights, and civil liberties in Burma; and
- 3 (B) to support United States national se-
- 4 curity counternarcotics interests.

○

**AMENDMENT TO H. CON. RES. 328**  
**OFFERED BY MR. SMITH OF NEW JERSEY**

In the 11th clause of the preamble, strike "Reports" and all that follows through the end of the clause and insert "Report on Human Rights Practices for Burma estimates that more than 1,300 people continue to suffer inhumane detention conditions as political prisoners in Burma;"

In the 12th clause of the preamble, strike "Control Report" and insert "Control Strategy Report".

In the 12th clause of the preamble, strike "that Burmese officials" and insert "that some Burmese officials".

On page 4, beginning on line 18, strike "all" and all that follows through line 22 and insert "the International Covenant on Civil and Political Rights, the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Prevention and Punishment of the Crime of Genocide, and the Burma-related human rights resolutions passed by the United Nations General Assembly, the United Nations Commission on Human Rights, the International Labor Organization, and the European Union; and".

106TH CONGRESS  
2D SESSION

# H. CON. RES. 257

Concerning the emancipation of the Iranian Baha'i community.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 29, 2000

Mr. PORTER (for himself, Mr. LANTOS, Mr. SMITH of New Jersey, Mr. HOYER, Mr. NEAL of Massachusetts, Mr. CAPUANO, Mr. GEORGE MILLER of California, Mr. FORBES, Mr. WOLF, Mr. GUTIERREZ, Mr. EVANS, Mr. McDERMOTT, Mr. ROGAN, Mr. ABERCROMBIE, Mrs. MORELLA, Mr. HORN, Mr. TRAFICANT, Mr. MCGOVERN, Mr. WAXMAN, Mr. MOORE, Mr. WEXLER, Mr. HINCHEY, Mrs. MINK of Hawaii, Mr. UNDERWOOD, Mr. VISCLOSKY, Mr. BATEMAN, Mrs. LOWEY, Mr. CLEMENT, Mr. DEUTSCH, Mr. COYNE, Mr. DEFazio, Ms. SCHAKOWSKY, Ms. BERKLEY, Mr. ACKERMAN, Mr. FRANK of Massachusetts, Mr. ENGEL, Mr. RAHALL, and Mr. FALCONA) submitted the following concurrent resolution; which was referred to the Committee on International Relations

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## CONCURRENT RESOLUTION

Concerning the emancipation of the Iranian Baha'i community.

Whereas in 1982, 1984, 1988, 1990, 1992, 1994, and 1996, Congress, by concurrent resolution, declared that it holds the Government of Iran responsible for upholding the rights of all its nationals, including members of the Baha'i Faith, Iran's largest religious minority;

Whereas Congress has deplored the Government of Iran's religious persecution of the Baha'i community in such resolutions and in numerous other appeals, and has con-



demned Iran's execution of more than 200 Baha'is and the imprisonment of thousands of others solely on account of their religious beliefs;

Whereas in July 1998 a Baha'i, Mr. Ruhollah Rowhani, was executed by hanging in Mashhad after being held in solitary confinement for 9 months on the charge of converting a Muslim woman to the Baha'i Faith, a charge the woman herself refuted;

Whereas 2 Baha'is remain on death row in Iran, 2 on charges on apostasy, and 10 others are serving prison terms on charges arising solely from their religious beliefs or activities;

Whereas the Government of Iran continues to deny individual Baha'is access to higher education and government employment and denies recognition and religious rights to the Baha'i community, according to the policy set forth in a confidential Iranian Government document which was revealed by the United Nations Commission on Human Rights in 1993;

Whereas Baha'is have been banned from teaching and studying at Iranian universities since the Islamic Revolution and therefore created the Baha'i Institute of Higher Education, or Baha'i Open University, to provide educational opportunities to Baha'i youth using volunteer faculty and a network of classrooms, libraries, and laboratories in private homes and buildings throughout Iran;

Whereas in September and October 1998, Iranian authorities arrested 36 faculty members of the Open University, 4 of whom have been given prison sentences ranging between 3 to 10 years, even though the law makes no men-

tion of religious instruction within one's own religious community as being an illegal activity;

Whereas Iranian intelligence officers looted classroom equipment, textbooks, computers, and other personal property from 532 Baha'i homes in an attempt to close down the Open University;

Whereas all Baha'i community properties in Iran have been confiscated by the government, and Iranian Baha'is are not permitted to elect their leaders, organize as a community, operate religious schools, or conduct other religious community activities guaranteed by the Universal Declaration of Human Rights;

Whereas on February 22, 1993, the United Nations Commission on Human Rights published a formerly confidential Iranian government document that constitutes a blueprint for the destruction of the Baha'i community and reveals that these repressive actions are the result of a deliberate policy designed and approved by the highest officials of the Government of Iran; and

Whereas in 1998 the United Nations Special Representative for Human Rights, Maurice Copithorne, was denied entry into Iran: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*

2 *concurring), That Congress—*

3 (1) continues to hold the Government of Iran

4 responsible for upholding the rights of all its nation-

5 als, including members of the Baha'i community, in

6 a manner consistent with Iran's obligations under

7 the Universal Declaration of Human Rights and

1 other international agreements guaranteeing the civil  
2 and political rights of its citizens;

3 (2) condemns the repressive anti-Baha'i policies  
4 and actions of the Government of Iran, including the  
5 denial of legal recognition to the Baha'i community  
6 and the basic rights to organize, elect its leaders,  
-7 educate its youth, and conduct the normal activities  
8 of a law-abiding religious community;

9 (3) expresses concern that individual Baha'is  
10 continue to suffer from severely repressive and dis-  
11 criminatory government actions, including executions  
12 and death sentences, solely on account of their reli-  
13 gion;

14 (4) urges the Government of Iran to permit  
15 Baha'i students to attend Iranian universities and  
16 Baha'i faculty to teach at Iranian universities, to re-  
17 turn the property confiscated from the Baha'i Open  
18 University, to free the imprisoned faculty members  
19 of the Open University, and to permit the Open Uni-  
20 versity to continue to function;

21 (5) urges the Government of Iran to implement  
22 fully the conclusions and recommendations on the  
23 emancipation of the Iranian Baha'i community made  
24 by the United Nations Special Rapporteur on Reli-  
25 gious Intolerance, Professor Abdelfattah Amor, in

1 his report of March 1996 to the United Nations  
2 Commission of Human Rights;

3 (6) urges the Government of Iran to extend to  
4 the Baha'i community the rights guaranteed by the  
5 Universal Declaration of Human Rights and the  
6 international covenants of human rights, including  
7 the freedom of thought, conscience, and religion, and  
8 equal protection of the law; and

9 (7) calls upon the President to continue—

10 (A) to assert the United States Govern-  
11 ment's concern regarding Iran's violations of  
12 the rights of its citizens, including members of  
13 the Baha'i community, along with expressions  
14 of its concern regarding the Iranian Govern-  
15 ment's support for international terrorism and  
16 its efforts to acquire weapons of mass destruc-  
17 tion;

18 (B) to emphasize that the United States  
19 regards the human rights practices of the Gov-  
20 ernment of Iran, particularly its treatment of  
21 the Baha'i community and other religious mi-  
22 norities, as a significant factor in the develop-  
23 ment of the United States Government's rela-  
24 tions with the Government of Iran;

1 (C) to emphasize the need for the United  
2 Nations Special Representative for Human  
3 Rights to be granted permission to enter Iran;

4 (D) to urge the Government of Iran to  
5 emancipate the Baha'i community by granting  
6 those rights guaranteed by the Universal Dec-  
7 laration of Human Rights and the international  
8 covenants on human rights; and

9 (E) to encourage other governments to  
10 continue to appeal to the Government of Iran,  
11 and to cooperate with other governments and  
12 international organizations, including the  
13 United Nations and its agencies, in efforts to  
14 protect the religious rights of the Baha'is and  
15 other minorities through joint appeals to the  
16 Government of Iran and through other appro-  
17 priate actions.

○

**AMENDMENT TO H. CON. RES. 257**  
**OFFERED BY MR. SMITH OF NEW JERSEY**

In the preamble strike the 5th clause and insert the following:

Whereas 4 Baha'is remain on death row in Iran, 2 on charges of apostasy, and 11 others are serving prison terms on charges arising solely from their religious beliefs or activities;

Page 6, beginning on line 7, strike "and" and all that follows through line 8, and insert " the International Covenant on Civil and Political Rights, the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the Convention on the Prevention and Punishment of the Crime of Genocide; and".

106TH CONGRESS  
2D SESSION

# S. CON. RES. 81

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IN THE HOUSE OF REPRESENTATIVES

MAY 3, 2000

Referred to the Committee on International Relations

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## CONCURRENT RESOLUTION

Expressing the sense of the Congress that the Government of the People's Republic of China should immediately release Rabiya Kadeer, her secretary, and her son, and permit them to move to the United States if they so desire.

Whereas Rabiya Kadeer, a prominent ethnic Uighur from the Xinjiang Uighur Autonomous Region (XUAR) of the People's Republic of China, her secretary, and her son were arrested on August 11, 1999, in the city of Urumqi;

Whereas Rabiya Kadeer's arrest occurred outside the Yindu Hotel in Urumqi as she was attempting to meet a group of congressional staff staying at the Yindu Hotel as part of an official visit to China organized under the auspices of the Mutual Educational and Cultural Exchange Program of the United States Information Agency;

Whereas Rabiya Kadeer's husband Sidik Rouzi, who has lived in the United States since 1996 and works for Radio

Free Asia, has been critical of the policies of the People's Republic of China toward Uighurs in Xinjiang;

Whereas Rabiya Kadeer was sentenced on March 10 to 8 years in prison "with deprivation of political rights for two years" for the crime of "illegally giving state information across the border";

Whereas the Urumqi Evening Paper of March 12 reported Rabiya Kadeer's case as follows: "The court investigated the following: The defendant Rabiya Kadeer, following the request of her husband, Sidik Haji, who has settled in America, indirectly bought a collection of the Kashgar Paper dated from 1995-1998, 27 months, and some copies of the Xinjiang Legal Paper and on 17 June 1999 sent them by post to Sidik Haji. These were found by the customs. During July and August 1999 defendant Rabiya Kadeer gave copies of the Ili Paper and Ili Evening Paper collected by others to Mohammed Hashem to keep. Defendant Rabiya Kadeer sent these to Sidik Haji. Some of these papers contained the speeches of leaders of different levels; speeches about the strength of rectification of public safety, news of political legal organisations striking against national separatists and terrorist activities etc. The papers sent were marked and folded at relevant articles. As well as this, on 11 August that year, defendant Rabiya Kadeer, following her husband's phone commands, took a previously prepared list of people who had been handled by judicial organisations, with her to Kumush Astana Hotel [Yingdu Hotel] where she was to meet a foreigner";

Whereas reports indicate that Ablikim Abdyirim was sent to a labor camp on November 26 for 2 years without trial for "supporting Uighur separatism," and Rabiya



Kadeer's secretary was recently sentenced to 3 years in a labor camp;

Whereas Rabiya Kadeer has 5 children, 3 sisters, and a brother living in the United States, in addition to her husband, and Kadeer has expressed a desire to move to the United States;

Whereas the People's Republic of China stripped Rabiya Kadeer of her passport long before her arrest;

Whereas reports indicate that Kadeer's health may be at risk;

Whereas the People's Republic of China signed the International Covenant on Civil and Political Rights on October 5, 1998;

Whereas that Covenant requires signatory countries to guarantee their citizens the right to legal recourse when their rights have been violated, the right to liberty and freedom of movement, the right to presumption of innocence until guilt is proven, the right to appeal a conviction, freedom of thought, conscience, and religion, freedom of opinion and expression, and freedom of assembly and association;

Whereas that Covenant forbids torture, inhuman or degrading treatment, and arbitrary arrest and detention;

Whereas the first Optional Protocol to the International Covenant on Civil and Political Rights enables the Human Rights Committee, set up under that Covenant, to receive and consider communications from individuals claiming to be victims of violations of any of the rights set forth in the Covenant; and

Whereas in signing that Covenant on behalf of the People's Republic of China, Ambassador Qin Huasun, Permanent Representative of the People's Republic of China to the United Nations, said the following: "To realize human

rights is the aspiration of all humanity. It is also a goal that the Chinese Government has long been striving for. We believe that the universality of human rights should be respected . . . As a member state of the United Nations, China has always actively participated in the activities of the organization in the field of human rights. It attaches importance to its cooperation with agencies concerned in the U.N. system . . .": Now, therefore, be it

1       *Resolved by the Senate (the House of Representatives*  
 2 *concurring), That Congress calls on the Government of the*  
 3 *People's Republic of China—*

4           (1) immediately to release Rabiya Kadeer, her  
 5 secretary, and her son; and

6           (2) to permit Kadeer, her secretary, and her  
 7 son to move to the United States, if they so desire.

Passed the Senate May 2, 2000.

Attest:

GARY SISCO,

*Secretary.*

106TH CONGRESS  
2D SESSION

# H. CON. RES. 348

Expressing condemnation of the use of children as soldiers and expressing the belief that the United States should support and, where possible, lead efforts to end this abuse of human rights.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 7, 2000

Mr. LEWIS of Georgia (for himself, Mr. PORTER, Mr. LANTOS, Mr. PAYNE, Mr. LAHOOD, Mr. ENGLISH, Mr. BRADY of Pennsylvania, Mrs. CHRISTENSEN, Mr. GILLMOR, Mrs. LOWEY, Mr. MCGOVERN, Ms. NORTON, Mr. CAPUANO, Ms. LOFGREN, Mr. WAXMAN, Mr. BERMAN, Mr. SANDERS, Mr. CROWLEY, Mr. MCDERMOTT, Mr. ENGEL, Mr. STARK, Mr. OWENS, Ms. SLAUGHTER, Mr. ALLEN, Mr. KENNEDY of Rhode Island, Ms. MCKINNEY, Mrs. MORELLA, Mr. MOAKLEY, Ms. RIVERS, Mrs. MEEK of Florida, Ms. PELOSI, Ms. LEE, and Mr. GONZALEZ) submitted the following concurrent resolution; which was referred to the Committee on International Relations

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## CONCURRENT RESOLUTION

Expressing condemnation of the use of children as soldiers and expressing the belief that the United States should support and, where possible, lead efforts to end this abuse of human rights.

Whereas in the year 2000 approximately 300,000 individuals under the age of 18 are participating in armed conflict in more than 30 countries worldwide;

Whereas many of these children are forcibly conscripted through kidnapping or coercion, while others join military

units due to economic necessity, to avenge the loss of a family member, or for their own personal safety;

Whereas many military commanders frequently force child soldiers to commit gruesome acts of ritual killings or torture against their enemies, including against other children;

Whereas many military commanders separate children from their families in order to foster dependence on military units and leaders, leaving children vulnerable to manipulation, deep traumatization, and in need of psychological counseling and rehabilitation;

Whereas child soldiers are exposed to hazardous conditions and risk physical injuries, sexually transmitted diseases, malnutrition, deformed backs and shoulders from carrying overweight loads, and respiratory and skin infections;

Whereas many young female soldiers face the additional psychological and physical horrors of rape and sexual abuse, being enslaved for sexual purposes by militia commanders, and forced to endure severe social stigma should they return home;

Whereas children in northern Uganda continue to be kidnapped by the Lords Resistance Army (LRA) which is supported and funded by the Government of Sudan and which has committed and continues to commit gross human rights violations in Uganda;

Whereas children in Sri Lanka have been forcibly recruited by the opposition Tamil Tigers movement and forced to kill or be killed in the armed conflict in that country;

Whereas an estimated 7,000 child soldiers have been involved in the conflict in Sierra Leone, some as young as age 10,

with many being forced to commit extrajudicial executions, torture, rape, and amputations for the rebel Revolutionary United Front;

Whereas on January 21, 2000, in Geneva, a United Nations Working Group, including representatives from more than eighty governments including the United States, reached consensus on an optional protocol on the use of child soldiers;

Whereas this optional protocol will raise the international minimum age for conscription and direct participation in armed conflict to age eighteen, prohibit the recruitment and use in armed conflict of persons under the age of eighteen by non-governmental armed forces, encourage governments to raise the minimum legal age for voluntary recruits above the current standard of 15 and, commits governments to support the demobilization and rehabilitation of child soldiers, and when possible, to allocate resources to this purpose;

Whereas on October 29, 1998, United Nations Secretary General Kofi Annan set minimum age requirements for United Nations peacekeeping personnel that are made available by member nations of the United Nations;

Whereas United Nations Under-Secretary General for Peacekeeping, Bernard Miyet, announced in the Fourth Committee of the General Assembly that contributing governments of member nations were asked not to send civilian police and military observers under the age of 25, and that troops in national contingents should preferably be at least 21 years of age but in no case should they be younger than 18 years of age;

Whereas on August 25, 1999, the United Nations Security Council unanimously passed Resolution 1261 (1999) condemning the use of children in armed conflicts;

Whereas in addressing the Security Council, the Special Representative of the Secretary General for Children and Armed Conflict, Olara Otunnu, urged the adoption of a global three-pronged approach to combat the use of children in armed conflict, first to raise the age limit for recruitment and participation in armed conflict from the present age of 15 to the age of 18, second, to increase international pressure on armed groups which currently abuse children, and third to address the political, social, and economic factors which create an environment where children are induced by appeal of ideology or by socio-economic collapse to become child soldiers;

Whereas the United States delegation to the United Nations working group relating to child soldiers, which included representatives from the Department of Defense, supported the Geneva agreement on the optional protocol;

Whereas on May 25, 2000, the United Nations General Assembly unanimously adopted the optional protocol on the use of child soldiers;

Whereas the optional protocol was opened for signature on June 5, 2000; and

Whereas President Clinton has publicly announced his support of the optional protocol and a speedy process of review and signature: Now, therefore, be it

- 1        *Resolved by the House of Representatives (the Senate*
- 2 *concurring), That—*

1           (1) the Congress joins the international commu-  
2           nity in—

3                   (A) condemning the use of children as sol-  
4                   diers by governmental and nongovernmental  
5                   armed forces worldwide;

6                   (B) welcoming the optional protocol as a  
7                   critical first step in ending the use of children  
8                   as soldiers; and

9                   (C) applauding the decision by the United  
10                  States Government to support the protocol;

11           (2) it is the sense of the Congress that—

12                   (A) President Clinton should sign the op-  
13                   tional protocol at the earliest opportunity and  
14                   that once it is signed, the Senate should ratify  
15                   the protocol as quickly as possible;

16                   (B) the President and the Congress should  
17                   work together to enact a law that establishes a  
18                   fund for the rehabilitation and reintegration  
19                   into society of child soldiers; and

20                   (C) the Departments of State and Defense  
21                   should undertake all possible efforts to per-  
22                   suade and encourage other governments to rat-  
23                   ify and endorse the new optional protocol on the  
24                   use of child soldiers.

○

**AMENDMENT TO H. CON. RES. 348**  
**OFFERED BY MR. SMITH OF NEW JERSEY**

In the 7th clause of the preamble, strike "Lords" and insert "Lord's".

In the 11th clause of the preamble, strike "and direct participation in armed conflict to age eighteen" and insert "to age eighteen and will require governments to take all feasible measures to ensure members of their armed forces under the age of eighteen to not participate directly in combat".

After the 12th clause of the preamble, insert the following new clause:

Whereas the participating States of the Organization for Security and Cooperation in Europe, in the 1999 Charter for European Security signed in Istanbul, Turkey, committed themselves to "develop and implement measures to promote the rights and interests of children in armed conflict and post-conflict situations, including refugees and internally displaced children" and to "look at ways of preventing forced or compulsory recruitment for use in armed conflict of persons under 18 years of age";

Page 5, beginning on line 13, strike "and" and all that follows through line 15 and insert "and should consult closely with the Senate with the objective of building support for this protocol;"