



## Legislative Bulletin.....July 19, 2004

### Rolled Votes from Last Week:

**H.R. 1587**—Viet Nam Human Rights Act of 2003

**S.Con.Res. 114** — Concerning the importance of the distribution of food in schools to hungry or malnourished children around the world

**S. 2264**—Northern Uganda Crisis Response Act

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### **H.R. 1587—Viet Nam Human Rights Act of 2003 (Chris Smith)**

**Order of Business:** The bill is scheduled for consideration on Wednesday, July 14<sup>th</sup>, under a motion to suspend the rules and pass the bill. The summary of the bill below reflects amended text that will be considered on the floor, not the introduced bill.

**Summary:** H.R. 1587 prevents nonhumanitarian assistance to the Government of Vietnam from exceeding the amount provided in fiscal year 2004 unless the President certifies to Congress that certain requirements are met. The requirements of the Government of Vietnam are as follows:

- must make “substantial progress forward releasing all political and religious prisoners;”
- must make “substantial progress toward respecting the right to freedom of religion, including the right to participate in religious activities and institutions without interference by or involvement of the Government;”
- must make “substantial progress toward returning estates and properties confiscated from the churches;”
- must make “substantial progress toward allowing Vietnamese nationals free and open access to United States refugee programs;”
- must make “substantial progress toward respecting the human rights of members of ethnic minority groups;” and
- no government official or agency may be complicit in a severe form of trafficking in persons or the government has taken all appropriate steps to end any such complicity.

If the Government of Vietnam fails to meet the criteria, aid may still be provided if the President determines that it would promote the purposes of the bill or is in the national interest of the United States.

H.R. 1587 also authorizes the President to provide assistance, through appropriate nongovernmental organizations (NGOs), for the support of individuals and organizations promoting democracy and human rights in Vietnam. The bill authorizes \$2 million for each of fiscal years 2005 and 2006.

The bill further states that it is the policy of the United States to “take such measures as are necessary to overcome the jamming of Radio Free Asia by the Government of Vietnam, including the active pursuit of broadcast facilities in close geographic proximity to Vietnam.” H.R. 1587 authorizes \$9.1 million for fiscal year 2005 and \$1.1 million for fiscal year 2006 for this purpose.

The bill also requires an annual report by the Secretary of State detailing, among other things, the development of the rule of law in Vietnam, the persons believed to be imprisoned, detained, tortured, or otherwise persecuted by the Government of Vietnam, and if applicable, the certification of the President that the requirements for nonhumanitarian aid (as described above) have been met.

**Additional Background:** The findings of H.R. 1587 note that the Government of Vietnam “is a one-party State, ruled and controlled by the Communist Party of Vietnam” and “continues to commit serious human rights abuses.”

**Committee Action:** H.R. 1587 was introduced on April 3, 2003, and referred to the Committees on International Relations and Financial Services. On June 26, 2004, the International Relations Committee agreed by unanimous consent to seek consideration of the bill under suspension of the rules.

**Cost to Taxpayers:** The resolution authorizes \$11.1 million for fiscal year 2005 and \$3.1 million for fiscal year 2006.

**Does the Bill Expand the Size and Scope of the Federal Government?:** The bill increases federal involvement in promoting human rights and democracy in Vietnam and increases funding authorized for that purpose, but does not create any new programs.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No.

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## **S.Con.Res. 114 — Concerning the importance of the distribution of food in schools to hungry or malnourished children around the world (Senator Dole)**

**Order of Business:** The resolution is scheduled for consideration on Wednesday, July 14, under a motion to suspend the rules and pass the bill.

**Summary:** The resolution resolves:

“That Congress:

“(1) expresses its grave concern about the continuing problem of hunger and the desperate need to feed hungry and malnourished children around the world;

“(2) recognizes that the global distribution of food in schools to children around the world increases attendance, particularly for girls, and improves literacy rates and increases job opportunities, thereby helping to fight poverty;

“(3) recognizes that education of children around the world addresses several of the root causes of international terrorism;

“(4) recognizes that the world will be safer and more promising for children as a result of better school attendance;

“(5) expresses its gratitude to former Senators George McGovern and Robert Dole for supporting the distribution of food in schools around the world to children and for working to eradicate hunger and poverty around the world;

“(6) commends the Department of Agriculture, the Agency for International Development, the Department of State, the United Nations World Food Program, private voluntary organizations, non-governmental organizations, and cooperatives for facilitating the distribution of food in schools around the world;

“(7) expresses its continued support for the distribution of food in schools around the world;

**“(8) supports expansion of the George McGovern-Robert Dole International Food for Education and Child Nutrition Program; and**

“(9) requests the President to work with the United Nations and its member states to expand international contributions for the distribution of food in schools around the world.”

**Additional Information:** According to the Committee, there are more than 300 million chronically hungry and malnourished children in the world. The Global Food for Education Initiative pilot program, established in 2001, donated surplus United States agricultural commodities to the United Nations World Food Program and other recipients for distribution to nearly 7,000,000 hungry and malnourished children in 38 countries. In the 2002 Farm bill, this program was expanded from a pilot program to a full government program: the George McGovern-Robert Dole International Food for Education and Child Nutrition Program. This program, according to the committee, provides food to nearly 2 million hungry or malnourished children in 28 countries.

**Committee Action:** S.Con.Res. 114 passed the Senate by unanimous consent on June 3, 2004 (after being introduced that day) and was referred to the House Committee on International Relations the next day. The Committee, by unanimous consent, agreed to seek consideration of an identical House resolution (H.Con.Res. 422) under suspension of the rules.

**Cost to Taxpayers:** While the resolution itself has no cost, it “supports expansion of the George McGovern-Robert Dole International Food for Education and Child Nutrition Program.” This program was funded at \$49.6 million in FY04 and last week the House of

Representatives passed (as part of the Agriculture appropriations bill) an increase of \$25.3 million for the program for FY05, which if enacted would bring it to \$75 million a year.

**Does the Bill Expand the Size and Scope of the Federal Government?:** The resolution supports the expansion of a current federal government program, though as a resolution, it does not actually increase the size and scope.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No

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## **S. 2264—Northern Uganda Crisis Response Act (*Sen. Feingold*)**

**Order of Business:** The bill is scheduled for consideration on Wednesday, July 14<sup>th</sup>, under a motion to suspend the rules and pass the bill.

S. 2264 passed the Senate by unanimous consent on May 7, 2004.

**Summary:** S. 2264 expresses the Sense of Congress that the United States should:

- “(1) work vigorously to support ongoing efforts to explore the prospects for a peaceful resolution of the conflict in northern and eastern Uganda;
- “(2) work with the Government of Uganda and the international community to make available sufficient resources to meet the immediate relief and development needs of the towns and cities in Uganda that are supporting large numbers of people who have been displaced by the conflict;
- “(3) urge the Government of Uganda and the international community to assume greater responsibility for the protection of civilians and economic development in regions in Uganda affected by the conflict, and to place a high priority on providing security, economic development, and humanitarian assistance to the people of Uganda;
- “(4) work with the international community, the Government of Uganda, and civil society in northern and eastern Uganda to develop a plan whereby those now displaced may return to their homes or to other locations where they may become economically productive;
- “(5) urge the leaders and members of the Lord's Resistance Army to stop the abduction of children, and urge all armed forces in Uganda to stop the use of child soldiers, and seek the release of all individuals who have been abducted;
- “(6) make available increased resources for assistance to individuals who were abducted during the conflict, child soldiers, and other children affected by the conflict;
- “(7) work with the Government of Uganda, other countries, and international organizations to ensure that sufficient resources and technical support are devoted to the demobilization and reintegration of rebel combatants and abductees forced by their captors to serve in non-combatant support roles;

“(8) cooperate with the international community to support civil society organizations and leaders in Uganda, including Acholi religious leaders, who are working toward a just and lasting resolution to the conflict;

“(9) urge the Government of Uganda to improve the professionalism of Ugandan military personnel currently stationed in northern and eastern Uganda, with an emphasis on respect for human rights, accountability for abuses, and effective civilian protection;

“(10) work with the international community to assist institutions of civil society in Uganda to increase the capacity of such institutions to monitor the human rights situation in northern Uganda and to raise awareness of abuses of human rights that occur in that area;

“(11) urge the Government of Uganda to permit international human rights monitors to establish a presence in northern and eastern Uganda;

“(12) monitor the creation of civilian militia forces in northern and eastern Uganda and publicize any concerns regarding the recruitment of children into such forces or the potential that the establishment of such forces will invite increased targeting of civilians in the conflict or exacerbate ethnic tension and violence; and

“(13) make clear that the relationship between the Government of Sudan and the Government of the United States cannot improve unless no credible evidence indicates that authorities of the Government of Sudan are complicit in efforts to provide weapons or other support to the Lord's Resistance Army.”

The bill also requires the Secretary of State to submit a report to Congress on the conflict in Uganda not later than six months after the date of enactment. The report would have to include the following information:

(1) The individuals or entities that are providing financial and material support for the Lord's Resistance Army, including a description of any such support provided by the Government of Sudan or by senior officials of such Government.

(2) The activities of the Lord's Resistance Army that create obstacles that prohibit the provision of humanitarian assistance or the protection of the civilian population in Uganda.

(3) The practices employed by the Ugandan People's Defense Forces in northern and eastern Uganda to ensure that children and civilians are protected, that civilian complaints are addressed, and that any member of the armed forces that abuses a civilian is held accountable for such abuse.

(4) The actions carried out by the Government of the United States, the Government of Uganda, or the international community to protect civilians, especially women and children, who have been displaced by the conflict in Uganda, including women and children that leave their homes and flee to cities and towns at night in search of security from sexual exploitation and gender-based violence.

**Additional Background:** For more than 17 years, the Government of Uganda has been engaged in a conflict with the Lord's Resistance Army. The Secretary of State has designated the Lord's Resistance Army as a terrorist organization and placed the Lord's Resistance Army on the Terrorist Exclusion list. It is estimated that more than 1,000,000 people have been displaced from their homes in Uganda as a result of the conflict.

**Committee Action:** S. 2264 was referred to the Committee on International Relations on May 10, 2004. The committee agreed to seek consideration of the bill under suspension of the rules by unanimous consent on June 24, 2004.

**Cost to Taxpayers:** According to the Congressional Budget Office, S. 2264 “would result in no significant additional costs to the federal government because preparing the report would not add significantly to the State Department's workload.”

**Does the Bill Expand the Size and Scope of the Federal Government?:** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No.

**Constitutional Authority:** Senate committee reports are not required to cite constitutional authority.

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