MARKUP
BEFORE THE
COMMITTEE ON
INTERNATIONAL RELATIONS
HOUSE OF REPRESENTATIVES
ONE HUNDRED NINTH CONGRESS
FIRST SESSION
ON
H.R. 2745, H.R. 2601 and H. Res. 199
JUNE 8 AND 9, 2005
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WEDNESDAY, JUNE 8, 2005

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

The Committee met, pursuant to notice, at 10:35, a.m., in room 2172, Rayburn House Office Building, Hon. Henry J. Hyde (Chairman of the Committee) presiding.

Chairman HYDE. The Committee will come to order. Pursuant to notice, I call up the bill, H.R. 2745, the United Nations Reform Act of 2005, for purposes of markup and move its favorable recommendation to the House. Without objection, the bill will be considered as read and open for amendment at any point. The Chair recognizes himself for 5 minutes to explain the bill.

[H.R. 2745 follows:]
H.R. 2745

To reform the United Nations, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. Hyde (for himself and Mr. Pence) introduced the following bill, which was referred to the Committee on

A BILL

To reform the United Nations, and for other purposes.

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the
“United Nations Reform Act of 2005”.

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

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.
Sec. 3. Statement of Congress.

TITLE I—MISSION AND BUDGET OF THE UNITED NATIONS
Title II—Human Rights and the Economic and Social Council (ECOSOC)

Sec. 201. Human rights.
Sec. 202. Economic and Social Council (ECOSOC).

Title III—International Atomic Energy Agency

Sec. 301. International Atomic Energy Agency.
Sec. 302. Sense of Congress regarding the Nuclear Security Action Plan of the IAEA.

Title IV—Peacekeeping

Sec. 403. Certification.

Title V—Department of State and Government Accountability Office

Sec. 501. Positions for United States citizens at international organizations.
Sec. 503. Review and report.
Sec. 504. Government Accountability Office.

Title VI—Certifications and Withholding of Contributions

Sec. 601. Certifications and withholding of contributions.

1 Sec. 2. Definitions.

In this Act:

1. (1) Appropriate Congressional Committees.—The term “appropriate congressional committees” means the Committee on International Re-
lations of the House of Representatives and the Committee on Foreign Relations of the Senate.

(2) Employee.—The term “employee” means an individual who is employed in the general services, professional staff, or senior management of the United Nations, including contractors and consultants.

(3) General Assembly.—The term “General Assembly” means the General Assembly of the United Nations.

(4) Member State.—The term “Member State” means a Member State of the United Nations. Such term is synonymous with the term “country”.

(5) Secretary.—The term “Secretary” means the Secretary of State.

(6) Secretary General.—The term “Secretary General” means the Secretary General of the United Nations.


(8) Specialized agencies and specialized agencies of the United Nations.—The terms
“specialized agencies” and “specialized agencies of the United Nations” mean—

(A) the Food and Agriculture Organization (FAO);

(B) the International Atomic Energy Agency (IAEA);

(C) the International Civil Aviation Organization (ICAO);

(D) the International Fund for Agricultural Development (IFAD);

(E) the International Labor Organization (ILO);

(F) the International Maritime Organization (IMO);

(G) the International Telecommunication Union (ITU);

(H) the United Nations Educational, Scientific, and Cultural Organization (UNESCO);

(I) the United Nations Industrial Development Organization (UNIDO);

(J) the Universal Postal Union (UPU);

(K) the World Health Organization (WHO) and its regional agencies;

(L) the World Meteorological Organization (WMO); and
(M) the World Intellectual Property Organization (WIPO).

SEC. 3. STATEMENT OF CONGRESS.

Congress declares that, in light of recent history, it is incumbent upon the United Nations to enact significant reform measures if it is to restore the public trust and confidence necessary for it to achieve the laudable goals set forth in its Charter. To this end, the following Act seeks to reform the United Nations.

TITLE I—MISSION AND BUDGET OF THE UNITED NATIONS

SEC. 101. UNITED STATES FINANCIAL CONTRIBUTIONS TO THE UNITED NATIONS.

(a) Statements of Policy.—

(1) In general.—It shall be the policy of the United States to use its voice, vote, and influence at the United Nations to—

(A) pursue a streamlined, efficient, and accountable regular assessed budget of the United Nations; and

(B) shift funding mechanisms of certain organizational programs of the United Nations specified under paragraph (4) from the regular assessed budget to voluntarily funded programs.
(2) **United States Contributions.**—It shall be the policy of the United States to—

(A) redirect United States contributions to the United Nations to achieve the policy objectives described in paragraph (1)(B); and

(B) redirect a portion of funds from the following organizational programs to pursue the policy objectives described in paragraph (1)(A):

(i) Public Information.

(ii) General Assembly affairs and conference services.

(3) **Future Biennial Budgets.**—It shall be the policy of the United States to use its voice, vote, and influence at the United Nations to ensure that future biennial budgets of the United Nations, as agreed to by the General Assembly, reflect the shift in funding mechanisms described in paragraph (1)(B) and the redirection of funds described in paragraph (2).

(4) **Certain Organizational Programs.**—The organizational programs referred to in paragraph (1)(B) are the following:

(A) Economic and social affairs.
(B) Least-developed countries, landlocked developing countries and small island developing States.

(C) United Nations support for the New Partnership for Africa’s Development.

(D) Trade and development.

(E) International Trade Center UNCTAD/WTO.

(F) Environment.

(G) Human settlements.

(H) Crime prevention and criminal justice.

(I) International drug control.

(J) Economic and social development in Africa.

(K) Economic and social development in Asia and the Pacific.

(L) Economic development in Europe.

(M) Economic and social development in Latin America and the Caribbean.

(N) Economic and social development in Western Asia.

(O) Regular program of technical cooperation.

(P) Development account.
Protection of and assistance to refugees.

Palestine refugees.

Authorization With Respect to the Regular Assessed Budget of the United Nations.—
Subject to the amendment made by subsection (c), the Secretary of State is authorized to make contributions toward the amount assessed to the United States by the United Nations for the purpose of funding the regular assessed budget of the United Nations.

United States Financial Contributions to the United Nations.—Section 11 of the United Nations Participation Act of 1945 (22 U.S.C. 287e-3) is amended to read as follows:

"SEC. 11. UNITED STATES FINANCIAL CONTRIBUTIONS TO THE UNITED NATIONS.

"(a) Policy of the United States Relating to the Regular Assessed Budget of the United Nations.—

"(1) In general.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to—"
“(A) pursue a streamlined, efficient, and accountable regular assessed budget of the United Nations; and

“(B) shift funding mechanisms of certain organizational programs of the United Nations specified under paragraph (2) of subsection (c) from the regular assessed budget to voluntarily funded programs.

“(2) UNITED STATES CONTRIBUTIONS.—It shall be the policy of the United States to—

“(A) redirect United States contributions to the United Nations to achieve the policy objectives described in paragraph (1)(B); and

“(B) redirect a portion of funds from the following organizational programs to pursue the policy objectives described in paragraph (1)(A):

“(i) Public Information.

“(ii) General Assembly affairs and conferences services.

“(3) FUTURE BIENNIAL BUDGETS.— The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to ensure that the shifting of funding mechanisms under paragraph (1)(B) and re-
directing of contributions under paragraph (2) be reflected in future resolutions agreed to by the General Assembly for the regular assessed budget of the United Nations for the period of a current biennium.

To achieve the policies described in paragraphs (1) and (2), the United States Permanent Representative to the United Nations shall withhold the support of the United States for a consensus for such budget until such time as such budget is reflective of such policies.

"(b) 22 PERCENT LIMITATION.—In accordance with section 601 of the United Nations Reform Act of 2005, the Secretary may not make a contribution to a regularly assessed biennial budget of the United Nations in an amount greater than 22 percent of the amount calculable under subsection (c).

"(c) ANNUAL DUES.—

"(1) IN GENERAL.—For annual dues paid by the United States to the United Nations each fiscal year, the percentage specified in subsection (b) shall be multiplied by one-half of the amount of the regularly assessed budget of the United Nations for a current biennial period, as agreed to by resolution of the General Assembly.
"(2) Calculation with respect to certain organizational programs for redirection.—
The percentage specified in subsection (b) shall be multiplied by one-half of the sum of amounts budgeted by resolution of the General Assembly for a current biennial period for the following certain organizational programs:

"(A) Economic and social affairs.

"(B) Least-developed countries, landlocked developing countries and small island developing States.

"(C) United Nations support for the New Partnership for Africa’s Development.

"(D) Trade and development.

"(E) International Trade Center UNCTAD/WTO.

"(F) Environment.

"(G) Human settlements.

"(H) Crime prevention and criminal justice.

"(I) International drug control.

"(J) Economic and social development in Africa.

"(K) Economic and social development in Asia and the Pacific."
“(L) Economic development in Europe.

“(M) Economic and social development in Latin America and the Caribbean.

“(N) Economic and social development in Western Asia.

“(O) Regular program of technical cooperation.

“(P) Development account.

“(Q) Protection of and assistance to refugees.

“(R) Palestine refugees.

“(3) REDIRECTION OF FUNDS.—Of amounts appropriated for contributions towards payment of regular assessed dues to the United Nations for 2008 and each subsequent year, if the funding mechanisms of one or more of the organizational programs of the United Nations specified in paragraph (2) have not been shifted from the regular assessed budget to voluntarily funded programs in accordance with subsection (a)(1), the Secretary shall ensure that such amounts in each such fiscal year that are specified for each such organizational program pursuant to the resolution agreed to by the General Assembly for the regular assessed budget of the United Nations for the period of a current bien-
mium are redirected from payment of the assessed amount for the regular assessed budget as follows:

“(A) Subject to not less than 30 days prior notification to Congress, the Secretary shall expend an amount, not to exceed 40 percent of the amount specified for each such organizational program pursuant to the resolution agreed to by the General Assembly for the regular assessed budget of the United Nations for the period of a current biennium, as a contribution to an eligible organizational program specified in paragraph (4).

“(B) Subject to not less than 30 days prior notification to Congress, the Secretary shall expend the remaining amounts under this paragraph to voluntarily funded United Nations specialized agencies, funds, or programs.

“(4) ELIGIBLE ORGANIZATIONAL PROGRAMS.—The eligible organizational programs referred to in paragraph (3)(A) for redirection of funds under such paragraph are the following:

“(A) Internal oversight.

“(B) Human rights.

“(C) Humanitarian assistance.
“(D) An organizational program specified in subparagraphs (A) through (P) of paragraph (2), subject to paragraph (5).

“(5) EXPENDITURE OF REMAINING AMOUNTS TO CERTAIN ORGANIZATION PROGRAMS.—

“(A) VOLUNTARY CONTRIBUTION.—Subject to not less than 30 days prior notification to Congress and the limitation specified under subparagraph (B), the Secretary is authorized to make a voluntary contribution to an organizational program of the United Nations specified in subparagraphs (A) through (P) of paragraph (2) of any amounts not contributed in a fiscal year to an eligible organizational program specified in subparagraphs (A) through (C) of paragraph (4).

“(B) 10 PERCENT LIMITATION.—A voluntary contribution under subparagraph (A) to an organizational program of the United Nations specified in subparagraphs (A) through (P) of paragraph (2) may not exceed 10 percent of the total contribution made under paragraph (3)(A).
“(d) Further Calculation With Respect to Budgets for Public Information and General Assembly Affairs and Conference Services.—

“(1) 22 percent limitation.—The Secretary may not make a contribution to a regularly assessed biennial budget of the United Nations in an amount greater than 22 percent of the amount calculable under paragraph (2).

“(2) Annual dues each fiscal year.—

“(A) In general.—For annual dues paid by the United States to the United Nations each fiscal year, the percentage specified in paragraph (1) shall be multiplied by one-half of the amount of the regularly assessed budget of the United Nations for a current biennial period, as agreed to by resolution of the General Assembly.

“(B) Calculation with respect to public information and general assembly affairs and conference services.—With respect to such United States annual dues, the percentage specified in paragraph (1) shall be multiplied by one-half of the sum of amounts budgeted by resolution of the General Assembly.
for the 2004–2005 biennial period for the following organizational programs:

“(i) Public Information.

“(ii) General Assembly affairs and conferences services.

“(C) REDIRECTION OF FUNDS.—

“(i) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to make every effort, including the withholding of United States support for a consensus budget of the United Nations, to reduce the budgets of the organizational programs specified in subparagraph (B) for 2007 by ten percent against the budgets of such organizational programs for the 2004–2005 biennial period. If the budgets of such organizational programs are not so reduced, 20 percent the amount determined under subparagraph (B) for contributions towards payment of regular assessed dues for 2007 shall be redirected from payment for the amount assessed for United States annual contributions to the
regular assessed budget of the United Nations.

“(ii) SPECIFIC AMOUNTS.—The Secretary shall make the amount determined under clause (i) available as a contribution to an eligible organizational program specified in subparagraphs (A) through (C) of paragraph (4) of subsection (c).

“(3) POLICY WITH RESPECT TO 2008–2009 BIENNIAL PERIOD AND SUBSEQUENT BIENNIAL PERIODS.—

“(A) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to make every effort, including the withholding of United States support for a consensus budget of the United Nations, to reduce the budgets of the organizational programs specified in subparagraph (B) of paragraph (2) for the 2008–2009 biennial period and each subsequent biennial period by 20 percent against the budgets of such organizational programs for the 2004–2005 biennial period.

“(B) CERTIFICATION.—In accordance with section 601, a certification shall be required
that certifies that the reduction in budgets described in subparagraph (A) has been implemented.”.

(d) Effective Date.—The amendment made by subsection (c) shall take effect and apply beginning on October 1, 2006.

SEC. 102. WEIGHTED VOTING.

It shall be the policy of the United States to actively pursue weighted voting with respect to all budgetary and financial matters in the Administrative and Budgetary Committee and in the General Assembly in accordance with the level of the financial contribution of a Member State to the regular assessed budget of the United Nations.

SEC. 103. BUDGET CERTIFICATION REQUIREMENTS.

(a) Certification.—In accordance with section 601, a certification shall be required that certifies that the conditions described in subsection (b) have been satisfied.

(b) Conditions.—The conditions under this subsection are the following:

(1) New Budget Practices for the United Nations.—The United Nations is implementing budget practices that—

(A) require the maintenance of a budget not in excess of the level agreed to by the Gen-
eral Assembly at the beginning of each United Nations budgetary biennium, unless increases are agreed to by consensus and do not exceed ten percent; and

(B) require the identification of expenditures by the United Nations by functional categories such as personnel, travel, and equipment.

(2) **Program Evaluation.**—

(A) **Existing Authority.**—The Secretary General and the Director General of each specialized agency have used their existing authorities to require program managers within the United Nations Secretariat and the Secretariats of the specialized agencies to conduct evaluations in accordance with the standardized methodology referred to in subparagraph (B) of—

(i) United Nations programs approved by the General Assembly; and

(ii) programs of the specialized agencies.

(B) **Development of Evaluation Criteria.**—

(i) United Nations.—The Office of Internal Oversight Services has developed
a standardized methodology for the evaluation of United Nations programs approved by the General Assembly, including specific criteria for determining the continuing relevance and effectiveness of the programs.

(ii) Specialized Agencies.—Patterned on the work of the Office of Internal Oversight Services of the United Nations, each specialized agency has developed a standardized methodology for the evaluation of the programs of the agency, including specific criteria for determining the continuing relevance and effectiveness of the programs.

(C) Report.—The Secretary General is assessing budget requests and, on the basis of evaluations conducted under subparagraph (B) for the relevant preceding year, submits to the General Assembly a report containing the results of such evaluations, identifying programs that have satisfied the criteria for continuing relevance and effectiveness, and an identification of programs that have not satisfied such criteria and should be terminated.
(D) **Sunset of Programs.**—Consistent with the July 16, 1997, recommendations of the Secretary General regarding a sunset policy and results-based budgeting for United Nations programs, the United Nations and each specialized agency has established and is implementing procedures to require all new programs approved by the General Assembly to have a specific sunset date.

**SEC. 104. Accountability.**

(a) **Certification of Creation of Independent Oversight Board.**—In accordance with section 601, a certification shall be required that certifies that the following reforms related to the establishment of an Independent Oversight Board (IOB) have been adopted by the United Nations:

1. An IOB is established from existing United Nations budgetary and personnel resources. Except as provided in this subsection, the IOB shall be an independent entity within the United Nations and shall not be subject to budget authority or organizational authority of any entity within the United Nations.

2. The head of the IOB shall be a Director, who shall be nominated by the Secretary General,
and who shall be subject to Security Council app-

proval by a majority vote. The IOB shall also consist

of four other board members who shall be nominated

by the Secretary General and subject to Security

Council approval by a majority vote. The IOB shall

be responsible to the Security Council and the Direc-
tor and board members shall each serve terms of six

years, except that the terms of the initial board shall

be staggered so that no more than two board mem-

bers' terms will expire in any one year. No board

member may serve more than two terms. An IOB

board member may be removed for cause by a ma-

jority vote of the Security Council. The Director

shall appoint a professional staff headed by a Chief

of Staff and may employ contract staff as needed.

(3) The IOB shall receive operational and budg-
etary funding through appropriations by the General

Assembly from existing levels of United Nations

budgetary and personnel resources, and shall not be
dependent upon any other entity, bureau, division,
department, or specialized agency of the United Na-
tions for such funding.

(4) While the IOB shall have the authority to
evaluate all operations of the United Nations, the
primary mission of the IOB is to oversee the Office
of Internal Oversight Services and the Board of External Auditors. The IOB may direct the Office of Internal Oversight Services or the Board of External Auditors to initiate, abandon, or modify the scope of an investigation. Every three months or more frequently when appropriate, the IOB shall submit, as appropriate, to the Secretary General, the Security Council, the General Assembly, or the Economic and Social Council a report on its activities, relevant observations, and recommendations relating to its audit operations, including information relating to the inventory and status of investigations by the Office of Internal Oversight Services.

(5) In extraordinary circumstances and with the concurrence of the Secretary General or the Security Council by majority vote, the IOB may augment the Office of Internal Oversight Services with a special investigator and staff consisting of individuals who are not employees of the United Nations, to investigate matters involving senior officials of the United Nations or of its specialized agencies when allegations of serious misconduct have been made and such a special investigation is necessary to maintain public confidence in the integrity of the investigation. A special investigator and staff shall comply
with all United Nations financial disclosure and con-

flict of interest rules, including the filing of an indi-

vidual Annual Financial Disclosure Form in accord-

ance with subsection (c).

(6) The IOB shall recommend annual budgets

for the Office of Internal Oversight Services and the

Board of External Auditors.

(b) Certification of United Nations Reforms

of the Office of Internal Oversight Services.—

In accordance with section 601, a certification shall be re-

quired that certifies that the following reforms related to

the Office of Internal Oversight Services (OIOS) have

been adopted by the United Nations:

(1) The OIOS is designated as an independent

entity within the United Nations. The OIOS shall

not be subject to budget authority or organizational

authority of any entity within the United Nations

except as provided in this section.

(2) The regular assessed budget of the United

Nations shall fully fund the Internal Oversight

Budget from existing levels of United Nations budget-

ary and personnel resources and shall not be de-

pendent upon any other entity, bureau, division, de-

partment, or specialized agency of the United Na-

tions for such funding.
(3) All United Nations officials, including officials from any entity, bureau, division, department, or specialized agency of the United Nations, may—

(A) make a recommendation to the OIOS to initiate an investigation of any aspect of the United Nations; or

(B) report to the OIOS information or allegations of misconduct or inefficiencies within the United Nations.

(4) The OIOS may, *sua sponte*, initiate and conduct an investigation or audit of any entity, bureau, division, department, specialized agency, employee (including the Secretary General) of the United Nations, including any employee of the specialized agencies of the United Nations, or contractor or consultant for the United Nations or its specialized agencies.

(5) At least every three months and more frequently when appropriate, the OIOS shall submit to the IOB a report containing an inventory and status of its investigations.

(6) The OIOS shall establish procedures for providing “whistle-blower” status and employment protections for all employees of the United Nations, including employees of the specialized agencies of
the United Nations, who provide informational leads and testimony related to allegations of wrongdoing. Such procedures shall be adopted throughout the United Nations. Such status and protection may not be conferred on the Secretary General.

(7) The OIOS shall annually publish a public report determining the proper number, distribution, and expertise of auditors within the OIOS necessary to carry out present and future duties of the OIOS, including assessing the staffing requirements needed to audit United Nations contracting activities throughout the contract cycle from the bid process to contract performance.

(8) Not later than six months after the date of the enactment of this Act, the Director shall establish a position of Associate Director of OIOS for Specialized Agencies and Funds and Programs who shall be responsible for supervising the OIOS liaison or oversight duties for each of the specialized agencies and funds and programs of the United Nations. With the concurrence of the Director, the Associate Director of OIOS for Specialized Agencies and Funds and Programs may, from existing levels of United Nations budgetary and personnel resources, hire and appoint necessary OIOS staff, including
staff serving within and located at specialized agen-
cies and funds and programs permanently or as
needed to liaison with existing audit functions within
each specialized agency and fund and program.

(9) Not later than six months after the date of
the enactment of this Act, the Director shall estab-
lish a position of Associate Director of OIOS for
Peacekeeping Operations, who shall be responsible
for the oversight and auditing of the field offices at-
tached to United Nations peacekeeping operations.
The Associate Director of OIOS for Peacekeeping
Operations shall receive informational leads and tes-
timony from any person regarding allegations of
wrongdoing by United Nations officials or peace-
keeping troops or regarding inefficiencies associated
with United Nations peacekeeping operations. The
Associate Director of OIOS for Peacekeeping Op-
erations shall be responsible for initiating, conducting,
and overseeing investigations within peacekeeping
operations.

(10) Not later than six months after the date
of the enactment of this Act, the Director shall es-
establish a position of Associate Director of OIOS for
Procurement and Contract Integrity, who shall be
responsible for auditing and inspecting procurement
and contracting win the United Nations, including within the specialized agencies. The Associate Director of OIOS for Procurement and Contract Integrity shall receive informational leads and testimony from any person regarding allegations of wrongdoing by United Nations officials or regarding inefficiencies associated with United Nations procurement or contracting activities. The Associate Director of OIOS for Procurement and Contract Integrity shall be responsible for initiating, conducting, and overseeing investigations of procurement and contract activities.

Not later than 12 months after the establishment of the position of Associate Director of OIOS for Procurement and Contract Integrity, the Director, with the assistance of the Associate Director of OIOS for Procurement and Contract Integrity, shall undertake a review of contract procedures to ensure that practices and policies are in place to ensure that—

(A) the United Nations has ceased issuing single bid contracts except for such contracts issued during an emergency situation that is justified by the Under Secretary General for Management;
(B) the United Nations has established effective controls to prevent conflicts of interest in the award of contracts; and

(C) the United Nations has established effective procedures and policies to ensure effective and comprehensive oversight and monitoring of United Nations contract performance.

(c) Certification of Establishment of United Nations Office of Ethics.—In accordance with section 601, a certification shall be required that certifies that the following reforms related to the establishment of a United Nations Office of Ethics have been adopted by the United Nations:

(1) A United Nations Office of Ethics (UNOE) is established. The UNOE shall be an independent entity within the United Nations and shall not be subject to budget authority or organizational authority of any entity within the United Nations. The UNEO shall be responsible for establishing, managing, and enforcing a code of ethics for all employees of United Nations and its specialized agencies. The UNEO shall also be responsible for providing such employees with annual training related to such code. The head of the UNEO shall be a Director who shall be nominated by the Secretary General
and who shall be subject to Security Council approval by majority vote.

(2) The UNEO shall receive operational and budgetary funding through appropriations by the General Assembly from existing levels of United Nations budgetary and personnel resources and shall not be dependent upon any other entity, bureau, division, department, or specialized agency of the United Nations for such funding.

(3) The Director of the UNEO shall, not later than six months after the date of its establishment, publish a report containing proposals for implementing a system for the filing and review of individual Annual Financial Disclosure Forms by each employee of the United Nations, including by each employee of its specialized agencies, at the P–5 level and above and by all contractors and consultants compensated at any salary level. Such system shall be in place and operational not later than six months after the date of the publication of the report. Such completed forms shall be made available to the Office of Internal Oversight Services at the request of the Director of the Office of Internal Oversight Services. Such system shall seek to identify and prevent conflicts of interest by United Na-
tions employees and shall be comparable to the system used for such purposes by the United States Government. Such report shall also address broader reforms of the ethics program for the United Nations, including—

(A) the effect of the establishment of ethics officers throughout all organizations within the United Nations;

(B) the effect of retention by the UNEO of Annual Financial Disclosure Forms;

(C) proposals for making completed Annual Financial Disclosure Forms available to the public on request through their Member State’s mission to the United Nations;

(D) proposals for annual disclosure to the public of information related to the annual salaries and payments, including pension payments and buyouts, of employees of the United Nations, including employees of its specialized agencies, and of consultants;

(E) proposals for annual disclosure to the public of information related to per diem rates for all bureaus, divisions, departments, or specialized agencies within the United Nations;
(F) proposals for disclosure upon request by the Ambassador of a Member State of information related to travel and per diem payments made from United Nations funds to any person; and

(G) proposals for annual disclosure to the public of information related to travel and per diem rates and payments made from United Nations funds to any person.

(d) Certification of United Nations Establishment of Position of Chief Operating Officer.—In accordance with section 601, a certification shall be required that certifies that the following reforms related to the establishment of the position of a Chief Operating Officer have been adopted by the United Nations:

(1) There is established the position of Chief Operating Officer (COO). The COO shall report to the Secretary General.

(2) The COO shall be responsible for formulating general policies and programs for the United Nations in coordination with the Secretary General and in consultation with the Security Council and the General Assembly. The COO shall be responsible for the daily administration, operation and supervision, and the direction and control of the business
of the United Nations. The Chief Operating Officer shall also perform such other duties and may exercise such other powers as from time to time may be assigned to the COO by the Secretary General.

(e) Certification of Access by Member States to Reports and Audits by Board of External Auditors.—In accordance with section 601, a certification shall be required that certifies that Member States may, upon request, have access to all reports and audits completed by the Board of External Auditors.

SEC. 105. TERRORISM AND THE UNITED NATIONS.

The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to work toward adoption by the General Assembly of—

(1) a definition of terrorism that builds upon the recommendations of the Secretary General’s High-Level Panel on Threats, Challenges, and Change, and includes as an essential component of such definition any action that is intended to cause death or serious bodily harm to civilians with the purpose of intimidating a population or compelling a government or an international organization to do, or abstain from doing, any act; and
(2) a comprehensive convention on terrorism that includes the definition described in paragraph (1).

SEC. 106. UNITED NATIONS TREATY BODIES.

The United States shall withhold from United States contributions to the regular assessed budget of the United Nations for a biennial period amounts that are proportional to the percentage of such budget that are expended with respect to a United Nations human rights treaty monitoring body or committee that was established by—

(1) a convention (without any protocols) or an international covenant (without any protocols) to which the United States is not party; or

(2) a convention, with a subsequent protocol, if the United States is a party to neither.

SEC. 107. EQUALITY AT THE UNITED NATIONS.

(a) INCLUSION OF ISRAEL IN WEOG.—

(1) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States to expand the Western European and Others Group (WEOG) in the United Nations to include Israel as a permanent member with full rights and privileges.
(2) Notification to Congress.—Not later than six months after the date of the enactment of this Act and every six months thereafter for the next two years, the Secretary of State shall notify the appropriate congressional committees concerning the treatment of Israel in the United Nations and the expansion of WEOG to include Israel as a permanent member.

(b) Department of State Review and Report.—

(1) In general.—To avoid duplicative efforts and funding with respect to Palestinian interests and to ensure balance in the approach to Israeli–Palestinian issues, the Secretary shall, not later than 60 days after the date of the enactment of this Act—

(A) conduct an audit of the functions of the entities listed in paragraph (2); and

(B) submit to the appropriate congressional committees a report containing recommendations for the elimination of such duplicative entities and efforts.

(2) Entities.—The entities referred to in paragraph (1) are the following:
(A) The United Nations Division for Palestinian Rights.

(B) The Committee on the Exercise of the Inalienable Rights of the Palestinian People.

(C) The United Nations Special Coordinator for the Middle East Peace Process and Personal Representative to the Palestine Liberation Organization and the Palestinian Authority.

(D) The NGO Network on the Question of Palestine.

(c) IMPLEMENTATION BY PERMANENT REPRESENTATIVE.—

(1) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to seek the implementation of the recommendations contained in the report required under subsection (b)(1).

(2) WITHHOLDING OF FUNDS.—Until such recommendations have been implemented, the United States shall withhold from United States contributions to the regular assessed budget of the United Nations for a biennial period amounts that are pro-
portional to the percentage of such budget that are expended for such entities.

(d) GAO AUDIT.—The Comptroller General of the United States of the Government Accountability Office shall conduct an audit of—

(1) the status of the implementation of the recommendations contained in the report required under subsection (b)(1); and

(2) United States actions and achievements under subsection (c).

SEC. 108. REPORT ON UNITED NATIONS REFORM.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and one year thereafter, the Secretary shall submit to the appropriate congressional committees a report on United Nations reform since 1990.

(b) CONTENTS.—The report required under paragraph (1) shall describe—

(1) the status of the implementation of management reforms within the United Nations and its specialized agencies;

(2) the number of outputs, reports, or other items generated by General Assembly resolutions that have been eliminated;
(3) the progress of the General Assembly to modernize and streamline the committee structure and its specific recommendations on oversight and committee outputs, consistent with the March 2005 report of the Secretary General entitled “In larger freedom: towards development, security and human rights for all”; 

(4) the status of the review by the General Assembly of all mandates older than five years and how resources have been redirected to new challenges, consistent with such March 2005 report of the Secretary General; and 

(5) the continued utility and relevance of the Economic and Financial Committee and the Social, Humanitarian, and Cultural Committee, in light of the duplicative agendas of those committees and the Economic and Social Council.

SEC. 109. REPORT ON UNITED NATIONS PERSONNEL.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report—

(1) concerning the progress of the General Assembly to modernize human resource practices, consistent with the March 2005 report of the Secretary
General entitled “In larger freedom: towards development, security and human rights for all”; and

(2) containing the information described in subsection (b).

(b) CONTENTS.—The report shall include—

(1) a comprehensive evaluation of human resources reforms at the United Nations, including an evaluation of—

(A) tenure;

(B) performance reviews;

(C) the promotion system;

(D) a merit-based hiring system and enhanced regulations concerning termination of employment of employees; and

(E) the implementation of a code of conduct and ethics training.

(2) the implementation of a system of procedures for filing complaints and protective measures for workplace harassment, including sexual harassment;

(3) policy recommendations relating to the establishment of a rotation requirement for non-administrative positions;

(4) policy recommendations relating to the establishment of a prohibition preventing personnel
and officials assigned to the mission of a Member State to the United Nations from transferring to a position within the United Nations Secretariat that is compensated at the P–5 level and above;

(5) policy recommendations relating to a reduction in travel allowances and attendant oversight with respect to accommodations and airline flights; and

(6) an evaluation of the recommendations of the Secretary General relating to greater flexibility for the Secretary General in staffing decisions to accommodate changing priorities.

TITLE II—HUMAN RIGHTS AND THE ECONOMIC AND SOCIAL COUNCIL (ECOSOC)

SEC. 201. HUMAN RIGHTS.

(a) Statement of Policy.—It shall be the policy of the United States to use its voice, vote, and influence at the United Nations to ensure that a credible and respectable Human Rights Council or other human rights body is established within the United Nations whose participating Member States uphold the values embodied in the Universal Declaration of Human Rights.

(b) Human Rights Reforms at the United Nations.—The President shall direct the United States Per-
permanent Representative to the United Nations to ensure that the following human rights reforms have been adopted by the United Nations:

(1) A Member State that fails to uphold the values embodied in the Universal Declaration of Human Rights shall be ineligible for membership on any United Nations human rights body.

(2) A Member State shall be ineligible for membership on any United Nations human rights body if such Member State is—

(A) subject to sanctions by the Security Council; or

(B) under a Security Council-mandated investigation for human rights abuses.

(3) A Member State that is currently subject to an adopted country specific resolution, in the principal body in the United Nations for the promotion and protection of human rights, relating to human rights abuses perpetrated by the government of such country in such country, or has been the subject of such an adopted country specific resolution in such principal body within the previous three years, shall be ineligible for membership on any United Nations human rights body. For purposes of this subsection,
an adopted country specific resolution shall not in-
clude consensus resolutions on advisory services.

(4) A Member State that violates the principles
of a United Nations human rights body to which it
aspires to join shall be ineligible for membership on
such body.

(5) No human rights body has a standing agen-
da item that relates only to one country or region.

(c) Certification.—In accordance with section
601, a certification shall be required that certifies that the
human rights reforms described under subsection (b) have
been adopted by the United Nations.

(d) Prevention of Abuse of “No Action” Mo-
tions.—The United States Permanent Representative
shall work to prevent abuse of “no action” motions, par-
ticularly as such motions relate to country specific resolu-
tions.

(e) Office of the United Nations High Com-
missioner for Human Rights.—

(1) Statement of policy.—It shall be the
policy of the United States to continue to strongly
support the Office of the United Nations High Com-
missioner for Human Rights.

(2) Certification.—In accordance with sec-
tion 601, a certification shall be required that cer-
ifies that the Office of the United Nations High Commissioner for Human Rights has been given greater authority in field operation activities, such as in the Darfur region of Sudan and in the Democratic Republic of the Congo, in furtherance of the purpose and mission of the United Nations.

SEC. 202. ECONOMIC AND SOCIAL COUNCIL (ECOSOC).

(a) Statement of Policy.—It shall be the policy of the United States to use its voice, vote, and influence at the United Nations to—

(1) abolish secret voting in the Economic and Social Council (ECOSOC);

(2) ensure that, until such time as the Commission on Human Rights of the United Nations is abolished, only countries that are not ineligible for membership on a human rights body in accordance with paragraph (1) through (4) of section 201(b) shall be considered for membership on the Commission on Human Rights; and

(3) ensure that after candidate countries are nominated for membership on the Commission on Human Rights, the Economic and Social Council conducts a recorded vote to determine such membership.
(b) Certification.—In accordance with section 601, a certification shall be required that certifies that the policies described in subsection (a) have been implemented by the Economic and Social Council.

TITLE III—INTERNATIONAL ATOMIC ENERGY AGENCY

SEC. 301. INTERNATIONAL ATOMIC ENERGY AGENCY.

(a) Enforcement and Compliance.—

(1) Office of Compliance.—

(A) Establishment.—The President shall direct the United States Permanent Representative to International Atomic Energy Agency (IAEA) to use the voice, vote, and influence of the United States at the IAEA to establish an Office of Compliance in the Secretariat of the IAEA.

(B) Operation.—The Office of Compliance shall—

(i) function as an independent body composed of technical experts who shall work in consultation with IAEA inspectors to assess compliance by IAEA Member States and provide recommendations to the IAEA Board of Governors concerning penalties to be imposed on IAEA Member
States that fail to fulfill their obligations under IAEA Board resolutions;

(ii) base its assessments and recommendations on IAEA inspection reports;

and

(iii) shall take into consideration information provided by IAEA Board Members that are one of the five nuclear weapons states as recognized by the Treaty on the Non-Proliferation of Nuclear Weapons (21 UST 483) (commonly referred to as the “Nuclear Nonproliferation Treaty” or the “NPT”).

(C) STAFFING.—The Office of Compliance shall be staffed from existing personnel in the Department of Safeguards of the IAEA or the Department of Nuclear Safety and Security of the IAEA.

(2) SPECIAL COMMITTEE ON SAFEGUARDS AND VERIFICATION.—

(A) ESTABLISHMENT.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA
to establish a Special Committee on Safeguards and Verification.

(B) Responsibilities.—The Special Committee shall—

(i) improve the ability of the IAEA to monitor and enforce compliance by Member States of the IAEA with the Nuclear Nonproliferation Treaty and the Statute of the International Atomic Energy Agency;

and

(ii) consider which additional measures are necessary to enhance the ability of the IAEA, beyond the verification mechanisms and authorities contained in the Additional Protocol to the Safeguards Agreements between the IAEA and Member States of the IAEA, to detect with a high degree of confidence undeclared nuclear activities by a Member State.

(3) Penalties.—

(A) In general.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to ensure that a Member State of the IAEA that is
under investigation for a breach of or non-compliance with its IAEA obligations or the purposes and principles of the Charter of the United Nations has its privileges suspended, including—

(i) limiting its ability to vote on its case;

(ii) being prevented from receiving any technical assistance; and

(iii) being prevented from hosting meetings.

(B) TERMINATION OF PENALTIES.—The penalties specified under subparagraph (A) shall be terminated when such investigation is concluded and such Member State is no longer in such breach or noncompliance.

(b) UNITED STATES CONTRIBUTIONS.—

(1) VOLUNTARY CONTRIBUTIONS.—Voluntary contributions of the United States to the IAEA should primarily be used to fund activities relating to Nuclear Safety and Security or activities relating to Nuclear Verification.

(2) LIMITATION ON USE OF FUNDS.—The President shall direct the United States Permanent
Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to—

(A) ensure that funds for safeguards inspections are prioritized for countries that have newly established nuclear programs or are initiating nuclear programs; and

(B) block the allocation of funds for any other IAEA development, environmental, or nuclear science assistance or activity to a country—

(i) the government of which the Secretary of State has determined, for purposes of section 6(j) of the Export Administration Act of 1979, section 620A of the Foreign Assistance Act of 1961, section 40 of the Arms Export Control Act, or other provision of law, is a government that has repeatedly provided support for acts of international terrorism and the government of which the Secretary has determined has not dismantled and surrendered its weapons of mass destruction programs under international verification;

(ii) that is under investigation for a breach of or noncompliance with its IAEA
obligations or the purposes and principles
of the Charter of the United Nations; or

(iii) that is in violation of its IAEA
obligations or the purposes and principles
of the Charter of the United Nations.

(3) DETAIL OF EXPENDITURES.—The Presi-
dent shall direct the United States Permanent Rep-
resentative to the IAEA to use the voice, vote, and
influence of the United States at the IAEA to se-
cure, as part of the regular budget presentation of
the IAEA to Member States of the IAEA, a detailed
breakdown by country of expenditures of the IAEA
for safeguards inspections and nuclear security ac-
tivities.

(c) MEMBERSHIP.—

(1) IN GENERAL.—The President shall direct
the United States Permanent Representative to the
IAEA to use the voice, vote, and influence of the
United States at the IAEA to block the membership
on the Board of Governors of the IAEA for a Mem-
ber State of the IAEA that has not signed and rati-
fied the Additional Protocol and—

(A) is under investigation for a breach of
or noncompliance with its IAEA obligations or
the purposes and principles of the Charter of the United Nations; or

(B) that is in violation of its IAEA obligations or the purposes and principles of the Charter of the United Nations.

(2) CRITERIA.—The United States Permanent Representative to the IAEA shall make every effort to modify the criteria for Board membership to reflect the principles described in paragraph (1).

(d) REPORT.—Not later than six months after the date of the enactment of this Act and annually for two years thereafter, the President shall submit to the appropriate congressional committees a report on the implementation of this section.

SEC. 302. SENSE OF CONGRESS REGARDING THE NUCLEAR SECURITY ACTION PLAN OF THE IAEA.

It is the sense of Congress that the national security interests of the United States are enhanced by the Nuclear Security Action Plan of the IAEA and the Board of Governors should recommend, and the General Conference should adopt, a resolution incorporating the Nuclear Security Action Plan into the regular budget of the IAEA.
TITLE IV—PEACEKEEPING

SEC. 401. SENSE OF CONGRESS REGARDING REFORM OF UNITED NATIONS PEACEKEEPING OPERATIONS.

It is the sense of Congress that—

(1) although United Nations peacekeeping operations have contributed greatly toward the promotion of peace and stability for the past 57 years and the majority of peacekeeping personnel who have served under the United Nations flag have done so with honor and courage, the record of United Nations peacekeeping has been severely tarnished by operational failures and unconscionable acts of misconduct; and

(2) if the reputation of and confidence in United Nations peacekeeping operations is to be restored, fundamental and far-reaching reforms, particularly in the areas of planning, management, training, conduct, and discipline, must be implemented without delay.
SEC. 402. STATEMENT OF POLICY RELATING TO REFORM OF UNITED NATIONS PEACEKEEPING OPERATIONS.

It shall be the policy of the United States to pursue reform of United Nations peacekeeping operations in the following areas:

(1) PLANNING AND MANAGEMENT.—

(A) GLOBAL AUDIT.—As the size, cost, and number of United Nations peacekeeping operations have increased substantially over the past decade, an independent audit of each such operation, with a view toward “right-sizing” operations and ensuring that such operations are cost effective, should be conducted and its findings reported to the Security Council.

(B) REVIEW OF MANDATES AND CLOSING OPERATIONS.—In conjunction with the audit described in subparagraph (A), the United Nations Department of Peacekeeping Operations should conduct a comprehensive review of all United Nations peacekeeping operation mandates, with a view toward identifying objectives that are practical and achievable, and report its findings to the Security Council. In particular, the review should consider the following:
(i) Activities that fall beyond the scope of traditional peacekeeping activities should be delegated to a new Peacebuilding Commission, described in paragraph (3).

(ii) Long-standing operations that are static and cannot fulfill their mandate should be downsized or closed.

(iii) Where there is legitimate concern that the withdrawal from a country of an otherwise static United Nations peacekeeping operation would result in the resumption of major conflict, a burden-sharing arrangement that reduces the level of assessed contributions, similar to that currently supporting the United Nations Peacekeeping Force in Cyprus, should be explored and instituted.

(C) LEADERSHIP.—As peacekeeping operations become larger and increasingly complex, the Secretariat should adopt a minimum standard of qualifications for senior leaders and managers, with particular emphasis on specific skills and experience, and current senior leaders and managers who do not meet those standards should be removed or reassigned.
(D) Pre-deployment training.—Pre-deployment training on interpretation of the mandate of the operation, specifically in the areas of use of force, civilian protection and field conditions, the Code of Conduct, HIV/AIDS, and human rights should be mandatory, and all personnel, regardless of category or rank, should be required to sign an oath that each has received and understands such training as a condition of participation in the operation.

(2) Conduct and discipline.—

(A) Adoption of a uniform code of conduct.—A single, uniform Code of Conduct that has the status of a binding rule and applies equally to all personnel serving in United Nations peacekeeping operations, regardless of category or rank, should be promulgated, adopted, and enforced.

(B) Understanding the code of conduct.—All personnel, regardless of category or rank, should receive training on the Code of Conduct prior to deployment with a peacekeeping operation, in addition to periodic follow-on training. In particular—
(i) all personnel, regardless of category or rank, should be provided with a personal copy of the Code of Conduct that has been translated into the national language of such personnel, regardless of whether such language is an official language of the United Nations;

(ii) all personnel, regardless of category or rank, should sign an oath that each has received a copy of the Code of Conduct, that each pledges to abide by the Code of Conduct, and that each understands the consequences of violating the Code of Conduct, including immediate termination of the participation of such personnel in the peacekeeping operation to which such personnel is assigned as a condition of appointment to such operation;

and

(iii) peacekeeping operations should conduct educational outreach programs to reach local communities where peacekeeping personnel of such operations are based, including explaining prohibited acts on the part of United Nations peace-
keeping personnel and identifying the individual to whom the local population may direct complaints or file allegations of exploitation, abuse, or other acts of misconduct.

(C) Monitoring Mechanisms.—Dedicated monitoring mechanisms, such as the Personnel Conduct Units already deployed to support United Nations peacekeeping operations in Haiti, Liberia, Burundi, and the Democratic Republic of Congo, should be present in each operation to monitor compliance with the Code of Conduct, and—

(i) should report simultaneously to the Head of Mission, the United Nations Department of Peacekeeping Operations, and the Associate Director of OIOS for Peacekeeping Operations (established under section 104(b)(10)); and

(ii) should be tasked with designing and implementing mission-specific measures to prevent misconduct, conduct follow-on training for personnel, coordinate community outreach programs, and assist in
investigations, as OIOS determines necessary and appropriate.

(D) INVESTIGATIONS.—A permanent, professional, and independent investigative body should be established and introduced into United Nations peacekeeping operations. In particular—

(i) the investigative body should include professionals with experience in investigating sex crimes, as well as experts who can provide guidance on standards of proof and evidentiary requirements necessary for any subsequent legal action;

(ii) provisions should be included in a Model Memorandum of Understanding that obligate Member States that contribute troops to a peacekeeping operation to designate a military prosecutor who will participate in any investigation into an allegation of misconduct brought against an individual of such Member State, so that evidence is collected and preserved in a manner consistent with the military law of such Member State;
(iii) the investigative body should be regionally based to ensure rapid deployment and should be equipped with modern forensics equipment for the purpose of positively identifying perpetrators and, where necessary, for determining paternity; and

(iv) the investigative body should report directly to the Associate Director of OIOS for Peacekeeping Operations, while providing copies of any reports to the Department of Peacekeeping Operations, the Head of Mission, and the Member State concerned.

(E) FOLLOW-UP.—A dedicated unit, similar to the Personnel Conduct Units, staffed and funded through existing resources, should be established within the headquarters of the United Nations Department of Peacekeeping Operations and tasked with—

(i) promulgating measures to prevent misconduct;

(ii) coordinating allegations of misconduct, and reports received by field personnel; and
(iii) gathering follow-up information on completed investigations, particularly by focusing on disciplinary actions against the individual concerned taken by the United Nations or by the Member State that is contributing troops to which such individual belongs, and sharing such information with the Security Council, the Head of Mission, and the community hosting the peacekeeping operation.

(F) FINANCIAL LIABILITY AND VICTIMS ASSISTANCE.—Although peacekeeping operations should provide immediate medical assistance to victims of sexual abuse or exploitation, the responsibility for providing longer-term treatment, care, or restitution lies solely with the individual found guilty of the misconduct. In particular, the following reforms should be implemented:

(i) The United Nations should not assume responsibility for providing long-term treatment or compensation by creating a “Victims Trust Fund”, or any other such similar fund, financed through assessed contributions to United Nations peace-
keeping operations, thereby shielding indi-
viduals from personal liability and rein-
forcing an atmosphere of impunity.

(ii) If an individual responsible for
misconduct has been repatriated, reas-
signed, redeployed, or is otherwise unable
to provide assistance, responsibility for
providing assistance to a victim should be
assigned to the Member State that contrib-
uted the troops to which such individual
belonged or to the manager concerned.

(iii) In the case of misconduct by a
member of a military contingent, appro-
priate funds shall be withheld from the
troop contributing country concerned.

(iv) In the case of misconduct by a ci-
vilian employee or contractor of the United
Nations, appropriate wages shall be gar-
nished from such individual or fines shall
be imposed against such individual, con-
sistent with existing United Nations Staff
Rules.

(G) MANAGERS AND COMMANDERS.—The
manner in which managers and commanders
handle cases of misconduct by those serving
under them should be included in their individual performance evaluations, so that managers and commanders who take decisive action to deter and address misconduct are rewarded, while those who create a permissive environment or impede investigations are penalized or relieved of duty, as appropriate.

(H) **DATA BASE.**—A centralized data base should be created and maintained within the United Nations Department of Peacekeeping Operations to track cases of misconduct, including the outcome of investigations and subsequent prosecutions, to ensure that personnel who have engaged in misconduct or other criminal activities, regardless of category or rank, are permanently barred from participation in future peacekeeping operations.

(I) **WELFARE.**—Peacekeeping operations should assume responsibility for maintaining a minimum standard of welfare for mission personnel to ameliorate conditions of service, while adjustments are made to the discretionary welfare payments currently provided to Member States that contribute troops to offset the cost of operation-provided recreational facilities.
(3) Peacebuilding Commission.—

(A) Establishment.—Consistent with the recommendations of the High Level Panel Report, the United Nations should establish a Peacebuilding Commission, supported by a Peacebuilding Support Office, to marshal the efforts of the United Nations, international financial institutions, donors, and non-governmental organizations to assist countries in transition from war to peace.

(B) Structure and Membership.—The Commission should—

(i) be a subsidiary body of the United Nations Security Council, limited in size to ensure efficiency;

(ii) include members of the United Nations Security Council, major donors, major troop contributing countries, appropriate United Nations organizations, the World Bank, and the International Monetary Fund; and

(iii) invite the President of ECOSOC, regional actors, Member States that contribute troops, regional development banks, and other concerned parties that are not
already members, as determined appropriate, to consult or participate in meetings as observers.

(C) Responsibilities.—The Commission should seek to ease the demands currently placed upon the Department of Peacekeeping Operations to undertake tasks that fall beyond the scope of traditional peacekeeping, by—

(i) developing and integrating country-specific and system-wide conflict prevention, post-conflict reconstruction, and long-term development policies and strategies; and

(ii) serving as the key coordinating body for the design and implementation of military, humanitarian, and civil administration aspects of complex missions.

(D) Resources.—The establishment of the Peacebuilding Commission and the related Peacebuilding Support Office, should be staffed within existing resources.

SEC. 403. CERTIFICATION.

(a) New or Expanded Peacekeeping Operations Contingent Upon Presidential Certification of Peacekeeping Operations Reforms.—
(1) NO NEW OR EXPANDED PEACEKEEPING OPERATIONS.—

(A) CERTIFICATION.—Except as provided in subparagraph (B), until the Secretary of State certifies that the requirements described in paragraph (2) have been satisfied, the President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to oppose the creation of new, or expansion of existing, United Nations peacekeeping operations.

(B) EXCEPTION AND NOTIFICATION.—The requirements described under subparagraphs (F) and (G) of paragraph (2) may be waived until January 1, 2007, if the President determines that such is in the national interest of the United States. If the President makes such a determination, the President shall, not later than 15 days before the exercise of such waiver, notify the appropriate congressional committees of such determination and resulting waiver.

(2) CERTIFICATION OF PEACEKEEPING OPERATIONS REFORMS.—The certification referred to in paragraph (1) is a certification made by the Sec-
that the following reforms, or an equivalent set of reforms, related to peacekeeping operations have been adopted by the United Nations Department of Peacekeeping Operations or the General Assembly, as appropriate:

(A) A single, uniform Code of Conduct that has the status of a binding rule and applies equally to all personnel serving in United Nations peacekeeping operations, regardless of category or rank, has been adopted by the General Assembly and mechanisms have been established for training such personnel concerning the requirements of the Code and enforcement of the Code.

(B) All personnel, regardless of category or rank, serving in a peacekeeping operation have been trained concerning the requirements of the Code of Conduct and each has been given a personal copy of the Code, translated into the national language of such personnel.

(C) All personnel, regardless of category or rank, are required to sign an oath that each has received a copy of the Code of Conduct, that each pledges to abide by the Code, and that
each understands the consequences of violating
the Code, including the immediate termination
of the participation of such personnel in the
peacekeeping operation to which such personnel
is assigned as a condition of the appointment to
such operation.

(D) All peacekeeping operations have de-
signed and implemented educational outreach
programs to reach local communities where
peacekeeping personnel of such operations are
based to explain prohibited acts on the part of
United Nations peacekeeping personnel and to
identify the individual to whom the local popu-
lation may direct complaints or file allegations
of exploitation, abuse, or other acts of mis-
conduct.

(E) A centralized data base has been cre-
ated and is being maintained in the United Na-
tions Department of Peacekeeping Operations
that tracks cases of misconduct, including the
outcomes of investigations and subsequent pros-
ecutions, to ensure that personnel, regardless of
category or rank, who have engaged in mis-
conduct or other criminal activities are perma-
nently barred from participation in future peacekeeping operations.

(F) A Model Memorandum of Understanding between the United Nations and each Member State that contributes troops to a peacekeeping operation has been adopted by the United Nations Department of Peacekeeping Operations that specifically obligates each such Member State to—

(i) designate a competent legal authority, preferably a prosecutor with expertise in the area of sexual exploitation and abuse, to participate in any investigation into an allegation of misconduct brought against an individual of such Member State;

(ii) refer to its competent national or military authority for possible prosecution, if warranted, any investigation of a violation of the Code of Conduct or other criminal activity by an individual of such Member State;

(iii) report to the Department of Peacekeeping Operations on the outcome of any such investigation;
(iv) undertake to conduct on-site court martial proceedings relating to allegations of misconduct alleged against an individual of such Member State; and

(v) assume responsibility for the provision of appropriate assistance to a victim of misconduct committed by an individual of such Member State.

(G) A professional and independent investigative and audit function has been established within the United Nations Department of Peacekeeping Operations and the OIOS to monitor United Nations peacekeeping operations.

TITLE V—DEPARTMENT OF STATE AND GOVERNMENT ACCOUNTABILITY OFFICE

SEC. 501. POSITIONS FOR UNITED STATES CITIZENS AT INTERNATIONAL ORGANIZATIONS.

The Secretary of State shall make every effort to recruit United States citizens for positions within international organizations.

SEC. 502. BUDGET JUSTIFICATION FOR REGULAR ASSESSED BUDGET OF THE UNITED NATIONS.

(a) Detailed Itemization.—The annual congressional budget justification shall include a detailed itemized
request in support of the assessed contribution of the United States to the regular assessed budget of the United Nations.

(b) Contents of Detailed Itemization.—The detailed itemization required under subsection (a) shall—

(1) contain information relating to the amounts requested in support of each of the various sections and titles of the regular assessed budget of the United Nations; and

(2) compare the amounts requested for the current year with the actual or estimated amounts contributed by the United States in previous fiscal years for the same sections and titles.

(c) Adjustments and Notification.—If the United Nations proposes an adjustment to its regular assessed budget, the Secretary of State shall, at the time such adjustment is presented to the Advisory Committee on Administrative and Budgetary Questions (ACABQ), notify and consult with the appropriate congressional committees.

SEC. 503. REVIEW AND REPORT.

Not later than six months after the date of the enactment of this Act, the Secretary of State shall conduct a review of programs of the United Nations that are funded
through assessed contributions and submit to the appropriate congressional committees a report containing—

(1) the findings of such review; and

(2) recommendations relating to—

(A) the continuation of such programs; and

(B) which of such programs should be voluntarily funded, other than those specified in subparagraphs (A) through (R) of subsection 

(c)(2) of section 11 of the United Nations Participation Act of 1945, as amended by section

101(c) of this Act.

SEC. 504. GOVERNMENT ACCOUNTABILITY OFFICE.

(a) REPORT ON UNITED NATIONS REFORMS.—Not later than 12 months after the date of the enactment of this Act and again 12 months thereafter, the Comptroller General of the United States of the Government Accountability Office shall submit to the appropriate congressional committees a report on the status of the 1997, 2002, and 2005 management reforms initiated by the Secretary General and on the reforms mandated by this Act.

(b) REPORT ON DEPARTMENT OF STATE CERTIFICATIONS.—Not later than six months after each certification submitted by the Secretary of State to the appropriate congressional committees under this Act and sub-
section (d)(3) of section 11 of the United Nations Participation Act of 1945 (as amended by section 101(c) of this Act), the Comptroller General shall submit to the appropriate congressional committees a report on each such certification. The Secretary shall provide the Comptroller General with any information required by the Comptroller General to submit any such report.

TITLE VI—CERTIFICATIONS AND WITHHOLDING OF CONTRIBUTIONS

SEC. 601. CERTIFICATIONS AND WITHHOLDING OF CONTRIBUTIONS.

(a) Certifications.—

(1) In general.—Except as provided in paragraph (3), the certifications required under subsection (d)(3) of section 11 of the United Nations Participation Act of 1945 (as amended by section 101(c) of this Act) and sections 103, 104(a) through 104(e), sections 201(c) and 201(e), and section 202 of this Act are certifications submitted to the appropriate congressional committees by the Secretary of State that the requirements of each such section have been satisfied with respect to reform of the United Nations.

(2) Alternate certification mechanism.—
(A) IN GENERAL.—Except as provided in paragraph (3), in the event that the Secretary is unable to submit a certification in accordance with paragraph (1), the Secretary may submit to the appropriate congressional committees, in accordance with subparagraph (B), an alternate certification that certifies that the requirements of the section to which the original certification applies have been implemented through reforms that are substantially similar to the requirements of such section or accomplish the same purposes as the requirements of such section.

(B) EQUIVALENCY.—Reforms are substantially similar or accomplish the same purposes if—

(i) such reforms are formally adopted in written form by the entity or committee of the United Nations or of its specialized agency that has authority to enact or implement such reforms or are issued by the Secretariat or the appropriate entity or committee in written form; and

(ii) such reforms are not identical to the reforms required by a particular certification but in the determination of the
Secretary will have the same, or nearly the same effect, as such reforms.

(C) WRITTEN JUSTIFICATION AND CONSULTATION.—

(i) WRITTEN JUSTIFICATION.—Not later than 30 days before submitting an alternate certification in accordance with subparagraph (A), the Secretary shall submit to the appropriate congressional committees a written justification explaining in detail the basis for such alternate certification.

(ii) CONSULTATION.—After the Secretary has submitted the written justification under clause (i), but no later than 15 days before the Secretary exercises the alternate certification mechanism described under subparagraph (A), the Secretary shall consult with the appropriate congressional committees regarding such exercise.

(3) LIMITED EXCEPTION FOR SUBSTANTIAL COMPLIANCE.—

(A) SUBSTANTIAL COMPLIANCE.—Subject to subparagraph (B), if at least 32 of the 39 reforms represented by the ten certifications
specified under paragraph (1) have been implemented, all such reforms (including the unimplemented reforms) so represented shall be deemed to have been implemented for the year in which the Secretary submits such certifications.

(B) Mandatory implementation of certain reforms.—

(i) In general.—The provisions of subparagraph (A) shall not apply unless the reforms under the following sections have been implemented for the year to which subparagraph (A) applies:

(I) Subsection (d)(3) of section 11 of the United Nations Participation Act of 1945 (as amended by section 101(c) of this Act).

(II) Section 103(b)(1)(A).

(III) Section 103(b)(2)(D).

(IV) Section 104(a)(1).

(V) Section 104(a)(6).

(VI) Section 104(b)(1).

(VII) Section 104(b)(2).

(VIII) Section 104(c)(1).

(IX) Section 201(b)(1).
(X) Section 201(b)(2).
(XI) Section 201(b)(3).
(XII) Section 201(b)(5).
(XIII) Section 202(a)(1).
(XIV) Section 202(a)(2).

(ii) Full compliance in succeeding year.—If the unimplemented reforms under subparagraph (A) are not implemented in the year succeeding the year to which subparagraph (A) applies, the provisions of subsection (b) shall apply for such succeeding year.

(b) Withholding of United States Contributions to Regular Assessed Budget of the United Nations.—

(1) In general.—Except as provided in paragraph (4) and in accordance with paragraph (2), until such time as all certifications (or alternate certifications) are submitted in accordance with subsection (a), the United States shall appropriate, but withhold from expenditure, 50 percent of the contributions of the United States to the regular assessed budget of the United Nations for a biennial period.
(2) AVAILABLE UNTIL EXPENDED.—The contributions appropriated but withheld from expenditure under paragraph (1) are authorized to remain available until expended.

(3) APPLICATION WITH RESPECT TO SECTION 11(B) OF THE UNITED NATION PARTICIPATION ACT OF 1945.—Until such time as all certifications (or alternate certifications) are submitted in accordance with subsection (a), subsection (b) of section 11 of the United Nations Participation Act of 1945 (as amended by section 101(c) of this Act) shall be administered as though such section reads as follows:

“The Secretary may not make a contribution to a regularly assessed biennial budget of the United Nations in an amount greater than 11 percent of the amount calculable under subsection (c).”.

(4) SECTION 11(D)(3) OF UNITED NATIONS PARTICIPATION ACT OF 1945.—

(A) SPECIAL RULE.—A certification under subsection (d)(3) of section 11 of the United Nations Participation Act of 1945 (as amended by section 101(c) of this Act) (relating to the 2008–2009 biennial period and subsequent biennial periods) shall not be required until such time as the United Nations makes its formal

(B) APPLICATION.—If the Secretary does not submit a certification under such section, the 50 percent withholding described under paragraph (1) shall apply.

(c) RELEASE OF FUNDS.—At such time as all certifications (or alternate certifications) are submitted in accordance with subsection (a), the United States shall transfer to the United Nations amounts appropriated but withheld from expenditure under subsection (b).

(d) ANNUAL REVIEWS.—

(1) IN GENERAL.—The Secretary shall conduct annual reviews, beginning one year after the date on which the Secretary submits the final certification (or alternate certification) in accordance with subsection (a), to determine if the United Nations continues to remain in compliance with all such certifications (or alternate certifications). Not later than 30 days after the completion of each such review, the Secretary shall submit to the appropriate congressional committees a report containing the findings of each such review.

(2) ACTION.—If during the course of any such review the Secretary determines that the United Na-
tions has failed to remain in compliance with a cert-
ification (or an alternate certification) that was
submitted in accordance with subsection (a), the 50
percent withholding described under subsection (b)
shall re-apply with respect to United States con-
tributions each fiscal year to the regular assessed
budget of the United Nations beginning with the fis-
cal year immediately following such review and sub-
sequent fiscal years until such time as all certifi-
cations (or alternate certifications) under subsection
(a) have been submitted.

(e) EFFECTIVE DATE.—The certifications (or alter-
nate certifications) specified under subsection (a) shall be
required with respect to United States contributions to-
wards payment of regular assessed dues of the United Na-
tions for 2007 and subsequent years.
Chairman HYDE. The subject of today's markup is the act to reform the United Nations. This Committee has been looking into the leadership and management of the United Nations over the course of two Congresses. During our oversight hearings, it has become apparent that fundamental and wide-ranging reforms are needed at the United Nations if we are to avoid repeating the recent events of mismanagement and ethical lapses and if the challenges the future holds for the United Nations are to be successfully met.

As I recognized at an earlier hearing, many regard the word “reform” as it is used in relation to the UN with suspicion, viewing it as a vehicle by which the United States can surreptitiously inflict intentional damage on an institution unpopular with the American people. But those who would claim an American antipathy to the United Nations are unfamiliar with the history of the organization.

The United States was the originator of the idea of the United Nations and its birth parent, as it had been decades before with the League of Nations. We bring the same constructive spirit to today's markup of the UN reform bill. The act before us today does not oppose the UN's role in facilitating diplomacy, mediating disputes, monitoring the peace, and feeding the hungry. Quite the contrary, it offers the hope of furthering these admirable goals through reforms which will strengthen the UN and enable it to meet its mandate in these areas.

The act does, however, address the UN's legendary bureaucratization, billions of dollars spent on multitudes of programs with meager results, and outright misappropriation and mismanagement of funds represented by the emerging scandal regarding the Oil-for-Food Program.

No observer, be they passionate supporter or dismissive critic, can pretend that the current structure and operations of the UN represents an acceptable standard. Even the UN itself has acknowledged the need for reform and, to its credit, has put forward a number of useful proposals for consideration. But it cannot be expected to shoulder this burden alone or, human nature and institutional inertia being what it is, initiate some of the more difficult reforms.

This act will usher in reforms that both Republican and Democratic Administrations alike have long called for, including a more focused and accountable budget, one that reflects what it should be and what should be the true priorities of the organization shorn of duplicative, ineffective, and outdated programs.

In addition to the major budget reforms, the act addresses oversight and accountability at the UN, peacekeeping, and human rights.

The proposed reforms are self-evident given the problems that have dogged the UN in these past few years. The mechanisms in the act that are designed to leverage reform at the UN, however, merit more comment. The leverage mechanisms are essential to achieving reform at the UN. Without these levers, reform will fail or be incomplete at best. The levers include the following: Withholding 50 percent of U.S.-assessed dues if certifications of reforms are not made in key areas; mandating cuts in specific programs; redirecting funds to priority areas; and withholding U.S. support for
expanded and new peacekeeping missions until certifications are made that reforms have been enacted.

I look forward to working with my colleagues on both sides of the aisle to make the United Nations become the institution it was intended to be and to fulfill the mission and vision by its founders.

I now yield to my very good friend and colleague, the Ranking Democratic Member, Mr. Lantos.

Mr. LANTOS. Thank you very much, Mr. Chairman. Let me say at the outset, as we all know, we will be dealing with two pieces of legislation today, the UN reform bill and the State Department authorization legislation.

The State Department authorization legislation is a bipartisan product, and I want to thank you personally and members of your staff for the collegial and cooperative manner in which we have reached consensus on the State Department authorization bill.

With respect to the UN reform bill, let me state at the outset that I share your passionate commitment to meaningful and thorough reforms at the United Nations. This global institution must become more transparent and open. Its employees must be held to the highest ethical and moral standards, and the abuses of the Oil-for-Food Program must never be repeated. And, Mr. Chairman, the United Nations must put an end to its pathological persecution of the democratic nation of Israel which has become the whipping boy for totalitarian regimes around the globe. Serial human rights abusers must also be kept off UN institutions explicitly designed to speak for the cause of human rights and democracy.

But, Mr. Chairman, the crushing flow of stories of scandal at the United Nations has forced the long overdue recognition of an essential fact about that organization. It is a derivative reality reflecting its less than perfect member states in a deeply flawed world.

I would like to remind my colleagues that there will be no quick fix for an organization composed of 191 member states that in varying degrees have their own shortcomings, injustices, flaws, and hypocrisies of all types. Because a quick fix is not to be expected and punitive measures will not even bring about a long-term fix, Mr. Chairman, I must oppose the legislation before the Committee today and indicate my intention to offer a substitute amendment.

Mr. Chairman, over the past several weeks we have tried to work out a compromise agreement on UN reform legislation. Despite our best efforts on both sides, we have been unable to reach a deal. Given the normally bipartisan work of this Committee, that is truly unfortunate.

Three weeks ago, Mr. Chairman, Deputy Assistant Secretary of State Mark Lagon told our Committee that our annual dues to the United Nations were, and I quote, “an obligation we have signed on to and that the Executive Branch stands by its request for appropriations for our dues both for the regular budget and the peacekeeping budget.”

Mr. Chairman, high ranking officials at the State Department conveyed to us the Department’s strong opposition to the legislation currently before the Committee. State Department officials told us that the legislation would undoubtedly create new arrears at the United Nations because all of the UN reform benchmarks contained in the Majority bill are not achievable.
While many of the UN reforms being sought in this legislation are worthy goals, many require unanimous agreement by all 191 UN member states, including the likes of Iran and Syria. Mr. Chairman, why threaten to blow up the universe if the planets refuse to align? Once in a while they will line up, but not on demand, and certainly not under threat. Indeed, it is ironic that just when there is momentum for reform, more reform than ever before, the legislation before us may undercut our ability to press for the very reforms we all seek.

Senior State Department officials also argued that the legislation, if enacted, could severely undermine America’s national security interests by constraining new UN peacekeeping missions, including a possible mission to deal with the types of genocide we are currently witnessing in the Darfur region of Sudan.

On the bill’s central proposal to move some programs from the assessed budget to the voluntary budget, the same senior State Department officials said that they can’t possibly see a way to accomplish all of this task and that our closest reform-minded allies at the UN will oppose this initiative. This approach may lead to the adoption of a UN budget over our objections to the detriment of financial support for initiatives that are in our interests, such as support for elections in Afghanistan and Iraq or the disruption of financing for terrorism.

In short, Mr. Chairman, while the Majority’s UN reform bill has the best intentions, it will cause our Nation to go back into arrears at the United Nations without achieving the desired outcome. Given the important role the United Nations is currently playing in Afghanistan, in Iraq, in Darfur, and scores of other places, I fail to see how going into arrears at the United Nations will promote America’s national security interests. It will only force the United States to take on greater global responsibilities at a moment when our troops and our diplomats are already spread thin.

I also fail to see, Mr. Chairman, how tying the hands of our distinguished Secretary of State, Dr. Condoleezza Rice, as she pursues reform at the United Nations, will serve our national interests. The legislation before the Committee micromanages every possible reform at the United Nations, creates mechanical and automatic withholdings, and gives the Secretary of State no flexibility to get the job done.

For these reasons, Mr. Chairman, I will offer a substitute amendment to bring about UN reform while giving Secretary Rice the flexibility she needs and deserves from this Congress. Thank you, Mr. Chairman, and I look forward to the debate on this important legislation.

Chairman Hyde. Thank you, Mr. Lantos. We will now entertain—the Chair is more disposed to withhold opening statements from Members because of the proximity of what we will have become, but at the same time wants everyone to get their say on this very critical and important bill. So what we will do is Mr. Lantos has a substitute to offer, and I will call for that; and once that has been offered, then we will entertain motions to strike the last words by such Members as choose to make them.

So are there any amendments?
Mr. LANTOS. Yes, Mr. Chairman. I have an amendment at the desk, and I ask for its immediate consideration.

Chairman HYDE. The clerk will designate the amendment and report the amendment.

Ms. RUSH. Amendment in the nature of a substitute offered by Mr. Lantos of California——

Mr. LANTOS. Mr. Chairman, I request unanimous consent that my 68-page amendment be considered as read.

Chairman HYDE. With great pleasure, we consider it read.

Mr. LANTOS. Thank you, Mr. Chairman.

Chairman HYDE. And thoroughly digested, too.

[The amendment referred to follows:]
AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 2745
OFFERED BY MR. LANTOS OF CALIFORNIA

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) Short Title.—This Act may be cited as the "United Nations Reform and Institutional Strengthening Act of 2005".

(b) Table of Contents.—The table of contents for this Act is as follows:

TITLE I—MISSION AND BUDGET OF THE UNITED NATIONS

Sec. 102. Weighted voting.
Sec. 103. Certification requirements.
Sec. 104. Accountability.
Sec. 105. Terrorism and the United Nations.
Sec. 106. Equality at the United Nations.

TITLE II—HUMAN RIGHTS AND THE ECONOMIC AND SOCIAL COUNCIL

Sec. 201. Human Rights.
Sec. 202. Economic and Social Council (ecosoc).

TITLE III—INTERNATIONAL ATOMIC ENERGY AGENCY

Sec. 301. International atomic energy agency.
Sec. 302. Sense of Congress regarding the Nuclear Security Action Plan of the IAEA.
TITLE IV—PEACEKEEPING

Sec. 403. Certification.

TITLE V—DEPARTMENT OF STATE AND GOVERNMENT ACCOUNTABILITY OFFICE

Sec. 501. Positions for United States citizens at international organizations.
Sec. 503. Review and report.
Sec. 504. Government accountability office.

TITLE VI—CERTIFICATIONS AND WITHHOLDING OF CONTRIBUTIONS

Sec. 601. Certifications and withholding of Contributions.

TITLE VII—UNITED NATIONS RENEWAL AND TOOLS TO FULLY IMPLEMENT UNITED NATIONS REFORM

Sec. 701. Synchronization of U.S. assessed Contributions to International Organizations.
Sec. 702. Increased funding for United States assessed contribution to the United Nations to support reform efforts.
Sec. 703. Buyout of United Nations personnel.
Sec. 704. United Nations democracy fund.
Sec. 705. United States personnel to international organizations.

SEC. 2. DEFINITIONS.

In this Act:

(1) Appropriate congressional committees.—The term "appropriate congressional committees" means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

(2) Economic and social council.—The term "Economic and Social Council" means the Economic and Social Council of the United Nations.
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(3) Employee.—The term “employee” means an individual who is employed in the general services, professional staff, or senior management of the United Nations.

(4) General Assembly.—The term “General Assembly” means the General Assembly of the United Nations.

(5) Member State.—The term “Member State” means a Member State of the United Nations.

(6) Office of Internal Oversight Services.—The terms “Office of Internal Oversight Services” and “OIOS” mean the Office of Internal Oversight Services of the United Nations.

(7) Secretary.—The term “Secretary” means the Secretary of State.

(8) Secretary General.—The term “Secretary General” means the Secretary General of the United Nations.


(10) Specialized Agency.—The term “specialized agency” means any of the following agencies of the United Nations:
(A) The Food and Agriculture Organization, or FAO.

(B) The International Atomic Energy Agency, or IAEA.

(C) The International Civil Aviation Organization, or ICAO.

(D) The International Fund for Agricultural Development, or IFAD.

(E) The International Labor Organization, or ILO.

(F) The International Maritime Organization, or IMO.

(G) The International Telecommunication Union, or ITU.

(H) The United Nations Educational, Scientific, and Cultural Organization, or UNESCO.

(I) The United Nations Industrial Development Organization, or UNIDO.

(J) The Universal Postal Union, or UPU.

(K) The World Health Organization, or WHO.

(L) The World Meteorological Organization, or WMO.
SEC. 3. STATEMENT OF CONGRESS.

Congress declares that, in light of recent history, it is incumbent upon the United Nations to enact significant reform measures if it is to restore the public trust and confidence necessary for it to achieve the laudable goals set forth in its Charter.

TITLE I—MISSION AND BUDGET OF THE UNITED NATIONS

SEC. 101. UNITED STATES FINANCIAL CONTRIBUTIONS TO THE UNITED NATIONS.

(a) Authorization With Respect to the Regular Assessed Budget of the United Nations.—The Secretary is authorized to make contributions toward the amount assessed to the United States by the United Nations for the purpose of funding the regular assessed budget of the United Nations.

(b) United States Financial Contributions to the United Nations.—Section 11 of the United Nations Participation Act of 1945 (22 U.S.C. 287e-3) is amended to read as follows:
SEC. 11. UNITED STATES FINANCIAL CONTRIBUTIONS TO THE UNITED NATIONS.

(a) Policy of the United States Relating to the Regular Assessed Budget of the United Nations.—

(1) In general.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations—

(A) to pursue a streamlined, efficient, and accountable regular assessed budget of the United Nations; and

(B) to make efforts to shift funding mechanisms of some of the organizational programs of the United Nations from the regular assessed budget to voluntarily funded programs.

(2) Future biennial budgets.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to seek to shift funding mechanisms of operational programs of the United Nations and to reduce the funding for programs specified in subsection (c) in future resolutions agreed to by the General Assembly for the regular assessed budget of the United Nations.
“(b) Eligible Organizational Programs.—To the extent that any organizational programs are shifted from the regular assessed budget to voluntarily funded programs, the Secretary shall seek to use funds created by any reduction in the amount of the United States assessed contribution to the United Nations to make voluntary contributions to programs at the United Nations which—

“(1) conduct internal oversight;
“(2) promote human rights;
“(3) provide humanitarian assistance; and
“(4) are organizational programs which have been shifted from assessed to voluntary contributions.

“(c) Public Information and General Assembly Affairs and Conference Services.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to reduce by 20 percent the amount budgeted by resolution of the General Assembly for the 2008–2009 biennium compared to the amount budgeted by resolution of General Assembly for the 2004–2005 biennial period for the following organizational programs:

“(1) Public Information.
“(2) General Assembly affairs and conference services.”

SEC. 102. WEIGHTED VOTING.

It shall be the policy of the United States to actively pursue weighted voting in the United Nations with respect to all budgetary and financial matters in the Administrative and Budgetary Committee and in the General Assembly in accordance with the level of the financial contribution of a Member State to the regular assessed budget of the United Nations.

SEC. 103. CERTIFICATION REQUIREMENTS.

(a) Certification.—In accordance with section 601, a certification shall be required that certifies that the conditions described in subsection (b) have been satisfied.

(b) Conditions.—The conditions under this subsection are the following:

(1) New budget practices for the United Nations.—The United Nations is implementing budget practices that—

(A) require the maintenance of a budget not in excess of the level agreed to by the General Assembly at the beginning of each United Nations budgetary biennium, unless increases are agreed to by consensus and do not exceed ten percent, or unless the Secretary of State
certifies that any increase that would be inconsistent with this paragraph is important to the national interest of the United States; and

(B) require the identification of expenditures by the United Nations by functional categories such as personnel, travel, and equipment.

(2) PROGRAM EVALUATION.—

(A) EVALUATION OF PROGRAMS.—The Secretary General has used the existing authorities to take measures to ensure that program managers within the United Nations Secretariat conduct evaluations of such programs in accordance with the standardized methodology referred to in subparagraph (B) of United Nations programs approved by the General Assembly.

(B) DEVELOPMENT OF EVALUATION CRITERIA.—The Office of Internal Oversight Services has developed a standardized methodology for the evaluation of United Nations programs approved by the General Assembly, including specific criteria for determining the continuing relevance and effectiveness of the programs.
(C) REPORT.—The Secretary General is assessing budget requests and, on the basis of the evaluations of programs conducted pursuant to subparagraph (A) for the relevant preceding year, reports to the General Assembly on the continuing relevance and effectiveness of such programs and identifies those that need reform or should be terminated.

(D) SUNSET OF PROGRAMS.—Consistent with the July 16, 1997, recommendations of the Secretary General regarding a sunset policy and results-based budgeting for United Nations programs, the United Nations has established and is implementing procedures to require all new programs approved by the General Assembly to have a specific sunset date or a date by which such programs should be evaluated for continuing relevance and effectiveness.

SEC. 104. ACCOUNTABILITY.

(a) CERTIFICATION OF CREATION OF INDEPENDENT OVERSIGHT BOARD.—In accordance with section 601, a certification shall be required that certifies that the following reforms related to the establishment of an Independent Oversight Board (IOB) have been adopted by the United Nations:
(1) An IOB or an equivalent entity is established. Except as provided in paragraph (2), the IOB shall be an independent entity within the United Nations and shall not be subject to budget authority or organizational authority of any entity within the United Nations.

(2) The head of the IOB shall be a Director. The IOB shall also consist of four other board members who shall be nominated by the Secretary General and subject to Security Council approval by a majority vote. The IOB shall be responsible to the Security Council. The Director and board members shall each serve terms of six years, except that the terms of the initial board shall be staggered so that the terms of not more than two board members will expire in any one year. No board member may serve more than two terms. An IOB board member may be removed for cause by a majority vote of the Security Council. The Director shall appoint a professional staff headed by a Chief of Staff and may employ contract staff as needed.

(3) The IOB shall receive operational and budgetary funding through appropriations by the General Assembly and shall not be dependent upon any other
bureau, division, or department of the United Na-
tions for such funding.

(4) The IOB shall have the authority to evalu-
ate all operations of the Office of Internal Oversight
Services and the Board of External Auditors of the
United Nations. Every three months or more fre-
quently when appropriate, the IOB shall submit, as
appropriate, to the Secretary General, the Security
Council, the General Assembly, or the Economic and
Social Council a report on its activities, relevant ob-
servations, and recommendations relating to its
audit operations, including information relating to
the inventory and status of investigation by the Of-

cfice of Internal Oversight Services. The IOB may di-
rect the Office of Internal Oversight Services or the
Board of External Auditors to initiate an investiga-
tion.

(5) In extraordinary circumstances, and with
the concurrence of the Secretary General and Secu-
riety Council by majority vote, the IOB may augment
the Office of Internal Oversight Services with a spe-
cial investigator and staff consisting of individuals
who are not employees of the United Nations, to in-
vestigate matters involving senior officials of the
United Nations when allegations of serious mis-
conduct have been made and such a special investiga-
tion is necessary to maintain public confidence in
the integrity of the investigation. A special investiga-
tion staff shall comply with all United Nations fi-
nancial disclosure and conflict of interest rules, in-
cluding the filing of an individual annual financial
disclosure form in accordance with subsection (c).

(6) The IOB shall recommend annual budgets
for the Office of Internal Oversight Services and the
Board of External Auditors.

(b) Certification of United Nations Reforms

of the Office of Internal Oversight Services.—
In accordance with section 601, a certification shall be re-
quired that certifies that the following reforms related to
the Office of Internal Oversight Services (OIOS) have
been adopted by the United Nations:

(1) The OIOS is designated as an independent
entity within the United Nations. The OIOS shall
not be subject to budget authority or organizational
authority of any entity within the United Nations.

(2) The head of the OIOS shall be a Director.

(3) The OIOS shall receive operational and
budgetary funding through appropriations by the
General Assembly and shall not be dependent upon
any other bureau, division, department, or specialized agency for such funding.

(4) All United Nations officials, including officials from any bureau, division, or department of the United Nations, may—

(A) make a recommendation to the OIOS to initiate an investigation of any aspect of the United Nations; or

(B) report to the OIOS information or allegations of misconduct or inefficiencies within the United Nations.

(5) The OIOS may, sua sponte, initiate and conduct an investigation of any bureau, division, department, or employee (including the Secretary General) of the United Nations or contractor or consultant for the United Nations.

(6) At least every three months and more frequently when appropriate, the OIOS or another responsible office shall submit to the IOB a report containing an inventory and status of its investigations.

(7) The OIOS shall establish or approve procedures for providing “whistle-blower” status and employment protections for all employees of the United Nations, who provide informational leads and testi-
mony related to allegations of wrongdoing. Such pro-
cedures shall be adopted throughout the United Na-
tions. Such status and protection may not be con-
ferred on the Secretary General.

(8) The OIOS shall annually publish a public
report determining the proper number, distribution,
and expertise of auditors within the OIOS necessary
to carry out present and future duties of the OIOS,
including assessing the staffing requirements needed
to audit United Nations contracting activities
throughout the contract cycle from the bid process
to contract performance.

(9) The Director of OIOS shall establish a posi-
tion of Associate Director of OIOS for Specialized
Agencies and Funds and Programs, who shall be re-
sponsible for supervising the OIOS liaison and over-
sight duties for each specialized agency and funds
and programs of the United Nations. With the con-
currence of the Director and the relevant specialized
agency, the Associate Director may hire and appoint
necessary OIOS staff, including staff serving within
and located at a specialized agency and funds and
programs permanently or as needed to liaison with
existing audit functions with each specialized agency
and funds and programs.
(10) Not later than six months after the date of the enactment of this Act, the Director shall establish a position of Associate Director of OIOS for Peacekeeping Operations or an equivalent position, who shall be responsible for the oversight and auditing of the field offices attached to United Nations peacekeeping operations. The Associate Director of OIOS for Peacekeeping Operations shall—

(A) receive informational leads and testimony from any person regarding allegations of wrongdoing by United Nations officials or peacekeeping troops or regarding inefficiencies associated with United Nations peacekeeping operations; and

(B) shall be responsible for initiating, conducting, and overseeing investigations within peacekeeping operations.

(11)(A) Not later than six months after the date of the enactment of this Act, the Director shall establish a position of Associate Director of OIOS for Procurement and Contract Integrity or an equivalent position, who shall be responsible for auditing and inspecting procurement and contracting within the United Nations. The Associate Director of OIOS for Procurement and Contract Integrity shall—
(i) receive informational leads and testimony from any person regarding allegations of wrongdoing by United Nations officials or regarding inefficiencies associated with United Nations procurement or contracting activities; and

(ii) be responsible for initiating, conducting, and overseeing investigations of procurement and contract activities.

(B) Not later than 12 months after the establishment of the position of Associate Director of OIOS for Procurement and Contract Integrity, the Director, with the assistance of the Associate Director of OIOS for Procurement and Contract Integrity, shall undertake a review of contract procedures to ensure that practices and policies are in place to ensure that—

(i) the United Nations has ceased issuing single bid contracts, except during an emergency situation that is justified by the Under Secretary General for Management;

(ii) the United Nations has established effective controls to prevent conflicts of interest in the award of contracts; and
(iii) the United Nations has established effective procedures and policies to ensure effective and comprehensive oversight and monitoring of United Nations contract performance.

(c) Certification of Establishment of United Nations Office of Ethics.—In accordance with section 601, a certification shall be required that certifies that the following reforms related to the establishment of a United Nations Office of Ethics or an equivalent entity (UNOE) have been established by the United Nations:

(1) A UNEO is established. The UNEO shall be an independent entity within the United Nations and shall not be subject to budget authority or organizational authority of any entity within the United Nations. The UNEO shall be responsible for establishing, managing, and enforcing a code of ethics for all employees of the United Nations. The UNEO shall be responsible for providing such employees with annual training related to such code. The head of the UNEO shall be a Director.

(2) The UNEO shall receive operational and budgetary funding through appropriations by the General Assembly and shall not be dependent upon any other bureau, division, department, or specialized agency of the United Nations for such funding.
(3) The Director of the UNEO shall, not later than six months after the date of its establishment, publish a report containing proposals for implementing a system for the filing and review of individual annual financial disclosure forms by each employee of the United Nations at the P-5 level and above and by all consultants for the United Nations compensated at any salary level. Such forms shall be made available at the request of the Director of the Office of Internal Oversight Services. Such system shall seek to identify and prevent conflicts of interest by United Nations employees and shall be comparable to the system used for such purposes by the United States Government. Such report shall also address broader reforms of the ethics program for the United Nations, including—

(A) the effect of the establishment of ethics officers throughout all organizations within the United Nations;

(B) the effect of retention by the UNEO of annual financial disclosure forms;

(C) proposals for making completed annual financial disclosure forms of each employee and consultant available to the public, on request, through the mission to the United Nations of
the Member State of which the employee or
consultant is a national;

(D) proposals for annual disclosure to the
public of information related to the annual sala-
ries and payments, including pension payments
and buyouts, of employees of and consultants
for the United Nations;

(E) proposals for annual disclosure to the
public of information related to per diem rates
for all bureaus, divisions, departments, or spe-
cialized agencies within the United Nations;

(F) proposals for disclosure upon request
by the Ambassador of a Member State of infor-
mation related to travel and per diem payments
made from United Nations funds to any person;

and

(G) proposals for annual disclosure to the
public of information related to travel and per
diem payments made from United Nations
funds to any person.

(d) CERTIFICATION OF UNITED NATIONS ESTAB-
LISHMENT OF POSITION OF CHIEF OPERATING OFFI-
CER.—In accordance with section 601, a certification shall
be required that certifies that the following reforms re-
lated to the establishment of the position of a Chief Oper-
ating Officer or an equivalent position have been adopted by the United Nations:

(1) There is established the position of Chief Operating Officer (COO). The COO shall report to the Secretary General.

(2) The COO shall be responsible for formulating general policies and programs for the United Nations in coordination with the Secretary General and in consultation with the Security Council and the General Assembly. The COO shall be responsible for the daily administration, operation and supervision, and the direction and control of the business of the United Nations. The COO shall also perform such other duties and may exercise such other powers as from time to time may be assigned to the COO by the Secretary General.

SEC. 105. TERRORISM AND THE UNITED NATIONS.

The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to work toward adoption by the General Assembly of—

(1) a definition of terrorism that builds upon the recommendations of the Secretary General’s High-Level Panel on Threats, Challenges, and
Change, and includes as an essential component of such definition any action that is intended to cause death or serious bodily harm to civilians with the purpose of intimidating a population or compelling a government or an international organization to do, or abstain from doing, any act; and

(2) a comprehensive convention on terrorism that includes the definition described in paragraph (1).

SEC. 106. EQUALITY AT THE UNITED NATIONS.

(a) INCLUSION OF ISRAEL IN WEOG.—

(1) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States to expand the Western European and Others Group (WEOG) in the United Nations to include Israel as a permanent member with full rights and privileges.

(2) NOTIFICATION TO CONGRESS.—Not later than six months after the date of the enactment of this Act and every six months thereafter for the succeeding 2-year period, the Secretary of State shall notify the appropriate congressional committees concerning the treatment of Israel in the United Na-
tions and the expansion of WEOG to include Israel as a permanent member.

(b) DEPARTMENT OF STATE REVIEW AND REPORT.—

(1) IN GENERAL.—To avoid duplicative efforts and funding with respect to Palestinian interests and to ensure balance in the approach to Israeli–Palestinian issues, the Secretary shall conduct an audit of the functions of the entities listed in paragraph (2) and submit to the appropriate congressional committees, not later than 60 days after enactment of this Act, a report containing recommendations for the elimination of such entities.

(2) ENTITIES.—The entities referred to in paragraph (1) are the following:

(A) The United Nations Division for Palestinian Rights.

(B) The Committee on the Exercise of the Inalienable Rights of the Palestinian People.

(C) The United Nations Special Coordinator for the Middle East Peace Process and Personal Representative to the Palestine Liberation Organization and the Palestinian Authority.
(D) The NGO Network on the Question of Palestine.

(E) The United Nations Relief and Works Agency for Palestinian Refugees in the Near East.

(c) IMPLEMENTATION BY PERMANENT REPRESENTATIVE.—

(1) IN GENERAL.—The President shall direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States at the United Nations to seek the implementation of the recommendations contained in the report required under subsection (b)(1).

(2) WITHHOLDING OF FUNDS.—Until such recommendations have been implemented, the Secretary of State is authorized to withhold from United States contributions to the regular assessed budget of the United Nations for a biennial period amounts that are proportional to the percentage of such budget that are expended for such entities.

(d) GAO AUDIT.—The Comptroller General of the United States shall conduct an audit of—
(1) the status of the implementation of the recom-

ommendations contained in the report required
under subsection (b)(1); and

(2) United States action and achievements
under subsection (c).

SEC. 107. REFORMS AT THE SPECIALIZED AGENCIES.

(a) BUDGET REFORM.—The Secretary of State shall
direct the United States representative to each specialized
agency to use the voice, vote, and influence of the United
States ensure that each specialized agency—

(1) has developed a standardized methodology
for the evaluation of the programs of the agency, in-
cluding specific criteria for determining the con-
tinning relevance and effectiveness of the programs,
patterned on the work of the Office of Internal
Oversight Services of the United Nations under sec-
section 103;

(2) provides the results of such evaluations to
the governing body of such agency; and

(3) has established and is implementing proce-
dures to require all new programs of such agency
have a specific sunset date.

(b) ACCOUNTABILITY.—The Secretary of State shall
direct the United States representative to each specialized
agency to use the voice, vote and influence of the United States to ensure that each specialized agency—

(1) has a strengthened internal inspection capability or has agreed to allow the Office on Internal Oversight Services of the United Nations to conduct an investigation or audit of any program in such agency, including any employee or contractor of, or consultant for, such agency; and

(2) has adopted whistleblower protections patterned on the protections developed by OIOS under section 104 of this Act.

(c) ETHICS.—The Secretary shall direct the United States representative to each specialized agency to use the voice, vote and influence of the United States to ensure that each specialized agency—

(1) is using a system for the filing and review of individual annual financial disclosure forms developed by the United Nations Ethics Office established by section 104 of this Act or a system patterned after such system; and

(2) has established its own ethics office or is using the services of the United Nations Ethics Office to review and otherwise implement the ethics system described in paragraph (1).
(d) Authority.—If the Secretary is unable to certify that one or more of the policies described in this section has been implemented for any specialized agency, the Secretary is authorized to withhold up to 50 percent of the United States contribution to the regular assessed budget of such specialized agency, beginning with funds appropriated for such contribution for fiscal year 2008.

SEC. 108. REPORT ON UNITED NATIONS REFORM.

(a) In general.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on United Nations reform since 1990.

(b) Contents.—The report required under paragraph (1) shall describe—

(1) the status of the implementation of management reforms within the United Nations and its specialized agencies;

(2) the number of outputs, reports, or other items generated by General Assembly resolutions that have been eliminated;

(3) the progress of the General Assembly to modernize and streamline the committee structure and its specific recommendations on oversight and committee outputs, consistent with the March 2005 report of the Secretary General entitled “In larger
freedom: towards development, security and human
rights for all”;

(4) the status of the review by the General As-
sembly of all mandates older than five years and
how resources have been redirected to new chal-
lenges, consistent with the March 2005 report of the
Secretary General referred to in paragraph (3); and

(5) the continued utility and relevance of the
Economic and Financial Committee and the Social,
Humanitarian, and Cultural Committee, in light of
the duplicative agendas of those committees and the
Economic and Social Council.

(c) UPDATE.—Not later than one year after submit-
ting the report under subsection (a), the Secretary shall
submit to the appropriate congressional committees a re-
port updating the information included in the first report.

SEC. 109. REPORT ON UNITED NATIONS PERSONNEL.

(a) IN GENERAL.—Not later than one year after the
date of the enactment of this Act, the Secretary of State
shall submit to the appropriate congressional committees
a report—

(1) concerning the progress of the General As-
sembly to modernize human resource practices, con-
sistent with the March 2005 report of the Secretary
General entitled “In larger freedom: towards development, security and human rights for all”; and

(2) containing the information described in subsection (b).

(b) CONTENTS.—The report shall include—

(1) a comprehensive evaluation of human resources reforms at the United Nations, including an evaluation of—

(A) tenure;

(B) performance reviews;

(C) the promotion system;

(D) a merit-based hiring system and enhanced regulations concerning termination of employment of employees; and

(E) the implementation of a code of conduct and ethics training;

(2) the implementation of a system of procedures for filing complaints and protective measures for workplace harassment, including sexual harassment;

(3) policy recommendations relating to the establishment of a rotation requirement for non-administrative positions;

(4) policy recommendations relating to the establishment of a prohibition preventing personnel
and officials assigned to the mission of a Member State to the United Nations from transferring to a position within the United Nations Secretariat that is compensated at the P–5 level or above;

(5) policy recommendations relating to a reduction in travel allowances and attendant oversight with respect to accommodations and airline flights;

and

(6) an evaluation of the recommendations of the Secretary General relating to greater flexibility for the Secretary General in staffing decisions to accommodate changing priorities.

TITLE II—HUMAN RIGHTS AND THE ECONOMIC AND SOCIAL COUNCIL

SEC. 201. HUMAN RIGHTS.

(a) Statement of Policy.—It shall be the policy of the United States to use its voice, vote, and influence at the United Nations to ensure that a credible and respectable Human Rights Council or other human rights body is established within the United Nations whose participating Member States uphold the values embodied in the Universal Declaration of Human Rights.

(b) Human Rights Reforms at the United Nations.—The President shall direct the United States Per-
manent Representative to the United Nations to seek to
ensure that the following human rights reforms have been
adopted by the United Nations:

(1) A Member State that fails to uphold the
values embodied in the Universal Declaration of
Human Rights shall be ineligible for membership on
any United Nations human rights body.

(2) A Member State that is subject to sanctions
by the Security Council or under a Security Council-
mandated investigation for human rights abuses
shall be ineligible for membership on any United Na-
tions human rights body.

(3) A Member State that is subject to a country
specific resolution relating to human rights abuses
perpetrated in that country by the government of
that country that has been adopted, within the pre-
ceding 3-year period, by a United Nations or re-
gional organization that has competence regarding
such matters shall be ineligible for membership on
any United Nations human rights body. For pur-
poses of this paragraph, a country specific resolution
shall not include consensus resolutions on advisory
services.

(4) A Member State that violates the principles
of a United Nations human rights body to which it
aspires to join shall be ineligible for membership on such body.

(5) No human rights body has a standing agenda item that only relates to one country or one region.

(c) Certification.—In accordance with section 601, a certification shall be required that certifies that the human rights reforms described under subsection (b) have been adopted by the United Nations.

(d) Prevention of Abuse of “No Action” Motions.—The United States Permanent Representative to the United Nations shall work to prevent abuse of “no action” motions, particularly as such motions relate to country specific resolutions.

(e) Office of the United Nations High Commissioner for Human Rights.—

(1) Statement of Policy.—It shall be the policy of the United States to continue to strongly support the Office of the United Nations High Commissioner for Human Rights.

(2) Certification.—In accordance with section 601, a certification shall be required that certifies that the Office of the United Nations High Commissioner for Human Rights has been given greater authority in field operation activities, such
as in the Darfur region of Sudan and in the Demo-
cratic Republic of the Congo, in furtherance of the
purpose and mission of the United Nations.

SEC. 202. ECONOMIC AND SOCIAL COUNCIL (ECOSOC).

(a) STATEMENT OF POLICY.—It shall be the policy
of the United States to use its voice, vote, and influence
at the United Nations to—

(1) abolish secret voting in the Economic and
Social Council (ECOSOC);

(2) ensure that, until such time as the Commiss-
ion on Human Rights of the United Nations is
abolished, only countries that are not ineligible for
membership on a human rights body in accordance
with paragraph (1) through (4) of section 201(b)
shall be considered for membership on the Commiss-
ion on Human Rights; and

(3) ensure that after candidate countries are
nominated for membership on the Commission on
Human Rights, the Economic and Social Council
conducts a recorded vote to determine such member-
ship.

(b) CERTIFICATION.—In accordance with section
601, a certification shall be required that certifies that the
policies described in subsection (a) have been imple-
mented.
TITLE III—INTERNATIONAL ATOMIC ENERGY AGENCY

SEC. 301. INTERNATIONAL ATOMIC ENERGY AGENCY.

(a) Enforcement and Compliance.—

(1) Office of Compliance.—

(A) Establishment.—The President shall direct the United States Permanent Representative to International Atomic Energy Agency (IAEA) to use the voice, vote, and influence of the United States at the IAEA to establish an Office of Compliance in the Secretariat of the IAEA under the direction of the Deputy Director General for Safeguards.

(B) Operation.—The Office of Compliance shall—

(i) function as an independent body composed of technical experts who shall work in consultation with IAEA inspectors to assess compliance by IAEA Member States and provide recommendations to the IAEA Board of Governors concerning penalties to be imposed on IAEA Member States that fail to fulfill their obligations under IAEA Board resolutions;
(ii) base its assessments and recommendations on IAEA inspection reports; and

(iii) take into consideration information provided by IAEA Board Members that are among the five nuclear weapons states as recognized by the Treaty on the Non-Proliferation of Nuclear Weapons (21 UST 483) (commonly referred to as the “Nuclear Non-Proliferation Treaty” or the “NPT”).

(C) STAFFING.—The Office of Compliance shall be staffed from existing personnel in the Department of Safeguards of the IAEA or the Department of Nuclear Safety and Security of the IAEA.

(D) OPERATION.—The Office of Compliance shall operate in consultation with IAEA inspectors and enforcement actions shall be based on inspection reports, IAEA Board of Governors resolutions, Director General reports, and shall take into consideration information provided by IAEA Board Members that are among the five nuclear weapons states as recog-
nized by the Treaty on the Non-Proliferation of Nuclear Weapons.

(2) SPECIAL COMMITTEE ON SAFEGUARDS AND VERIFICATION.—

(A) ESTABLISHMENT.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to establish a Special Committee on Safeguards and Verification.

(B) RESPONSIBILITIES.—The Special Committee shall—

(i) improve the ability of the IAEA to monitor and enforce compliance by Member States of the IAEA with the Nuclear Non-Proliferation Treaty and the Statute of the International Atomic Energy Agency; and

(ii) consider which additional measures are necessary to enhance the ability of the IAEA, beyond the verification mechanisms and authorities contained in the Additional Protocol to the Safeguards Agreements between the IAEA and Member States of the IAEA, to detect with a high
degree of confidence undeclared nuclear activities by a Member State.

(3) Penalties.—

(A) In general.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to ensure that a Member State of the IAEA that is under investigation for a breach of or noncompliance with its IAEA obligations or the purposes and principles of the Charter of the United Nations has its IAEA privileges suspended, including—

(i) limiting its ability to vote on its case;

(ii) being prevented from receiving any technical assistance; and

(iii) being prevented from hosting meetings.

(B) Termination of penalties.—The penalties specified under subparagraph (A) shall be terminated when the investigation is concluded and the Member State is no longer in such breach or noncompliance.

(b) United States Contributions.—
(1) **Voluntary contributions.**—Voluntary contributions of the United States to the IAEA may only be used to fund activities relating to Nuclear Safety and Security or activities relating to Nuclear Verification.

(2) **Limitation on use of funds.**—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to—

(A) ensure that funds for safeguards inspections are used giving first priority to address countries that are initiating or developing nuclear activities; and

(B) block the allocation of funds for any other IAEA development, environmental, or nuclear science assistance or activity to a country—

(i) the government of which the Secretary of State has determined—

(I) for purposes of section 6(j) of the Export Administration Act of 1979, section 620A of the Foreign Assistance Act of 1961, section 40 of the Arms Export Control Act, or other provision of law, is a government that
has repeatedly provided support for acts of international terrorism; and

(II) has not dismantled and surrendered its weapons of mass destruction under international verification;

(ii) that is under investigation for a breach of or noncompliance with its IAEA obligations or the purposes and principles of the Charter of the United Nations; or

(iii) that is in violation of its IAEA obligations or the purposes and principles of the Charter of the United Nations.

(3) DETAIL OF EXPENDITURES.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the United States at the IAEA to secure, as part of the regular budget presentation of the IAEA to Member States of the IAEA, a detailed breakdown by country of expenditures of the IAEA for safeguards inspections and nuclear security activities.

(c) MEMBERSHIP.—

(1) IN GENERAL.—The President shall direct the United States Permanent Representative to the IAEA to use the voice, vote, and influence of the
United States at the IAEA to block the membership on the Board of Governors of the IAEA of a Member State of the IAEA that has not signed and ratified the IAEA Additional Protocol and—

(A) is under investigation for a breach of, or noncompliance with, its IAEA obligations or the purposes and principles of the Charter of the United Nations; or

(B) is in violation of its IAEA obligations or the purposes and principles of the Charter of the United Nations.

(2) CRITERIA.—The United States Permanent Representative to the IAEA shall make every effort to modify the criteria for Board membership to reflect the principles described in paragraph (1).

(d) REPORT.—Not later than six months after the date of the enactment of this Act and annually thereafter for the succeeding 2-year period, the President shall submit to the appropriate congressional committees a report on the implementation of this section.

SEC. 302. SENSE OF CONGRESS REGARDING THE NUCLEAR SECURITY ACTION PLAN OF THE IAEA.

It is the sense of Congress that the national security interests of the United States are enhanced by the Nuclear Security Action Plan of the IAEA and the Board of Gov-
ernors of the IAEA should recommend, and the General
Conference of the IAEA should adopt, a resolution incor-
porating the Nuclear Security Action Plan into the regular
budget of the IAEA.

TITLE IV—PEACEKEEPING

SEC. 401. SENSE OF CONGRESS REGARDING REFORM OF
UNITED NATIONS PEACEKEEPING OPER-
ATIONS.

It is the sense of Congress that—

(1) although United Nations peacekeeping oper-
ations have contributed greatly toward the pro-
motion of peace and stability for the past 57 years,
and the majority of peacekeeping personnel who
have served under the United Nations flag have
done so with honor and courage, the record of
United Nations peacekeeping has been severely tar-
nished by operational failures and unconscionable
acts of misconduct; and

(2) if the reputation of and confidence in
United Nations peacekeeping operations is to be re-
stored, fundamental and far-reaching reforms, par-
ticularly in the areas of planning, management,
training, conduct, and discipline, must be imple-
mented without delay.
SEC. 402. STATEMENT OF POLICY RELATING TO REFORM OF UNITED NATIONS PEACEKEEPING OPERATIONS.

It shall be the policy of the United States to pursue reform of United Nations peacekeeping operations in the following areas:

(1) PLANNING AND MANAGEMENT.—

(A) GLOBAL AUDIT.—As the size, cost, and number of United Nations peacekeeping operations have increased substantially over the past decade, an independent audit of each such operation, with a view toward “right-sizing” operations and ensuring that such operations are cost effective, should be conducted and its findings reported to the Security Council.

(B) REVIEW OF MANDATES AND CLOSING OPERATIONS.—In conjunction with the audit described in subparagraph (A), the United Nations Department of Peacekeeping Operations should conduct a comprehensive review of all United Nations peacekeeping operation mandates, with a view toward identifying objectives that are practical and achievable, and report its findings to the Security Council. In particular, the review should consider the following:
(i) Activities that fall beyond the scope of traditional peacekeeping activities should be delegated to a new Peacebuilding Commission, described in paragraph (3).

(ii) Long-standing operations that are static and cannot fulfill their mandate should be downsized or closed.

(iii) If there is legitimate concern that the withdrawal from a country of an otherwise static United Nations peacekeeping operation would result in the resumption of major conflict, a burden-sharing arrangement that reduces the level of assessed contributions, similar to that currently supporting the United Nations Peacekeeping Force in Cyprus, should be explored and instituted.

(C) LEADERSHIP.—As peacekeeping operations become larger and increasingly complex, the Secretariat should adopt a minimum standard of qualifications for senior leaders and managers, with particular emphasis on specific skills and experience, and current senior leaders and managers who do not meet those standards should be removed or reassigned.
(D) Pre-deployment training.—Pre-deployment training on interpretation of the mandate of the operation, specifically in the areas of force, civilian protection, field conditions, the Code of Conduct described in paragraph (2)(A), HIV/AIDS, gender, and human rights issues should be mandatory, and all personnel, regardless of category or rank, should be required to sign an oath that each has received and understands such training as a condition of participation in the operation.

(2) Conduct and discipline.—

(A) Adoption of a uniform code of conduct.—A single, uniform Code of Conduct that has the status of a binding rule and applies equally to all personnel serving in United Nations peacekeeping operations, regardless of category or rank, should be promulgated, adopted, and enforced.

(B) Understanding the code of conduct.—All personnel, regardless of category or rank, should receive training on the Code of Conduct prior to deployment with a peacekeeping operation, in addition to periodic follow-on training. In particular—
(i) all personnel, regardless of category or rank, should be provided with a personal copy of the Code of Conduct that has been translated into the national language of such personnel, regardless of whether such language is an official language of the United Nations;

(ii) all personnel, regardless of category or rank, should sign an oath that each has received a copy of the Code of Conduct, that each pledges to abide by the Code of Conduct, and that each understands the consequences of violating the Code of Conduct as a condition of appointment to such operation, including immediate termination of the participation of such personnel in the peacekeeping operation to which such personnel is assigned;

and

(iii) peacekeeping operations should conduct educational outreach programs within communities hosting such operations, including explaining prohibited acts on the part of United Nations peacekeeping personnel and identifying the indi-
individual to whom the local population may
direct complaints or file allegations of ex-
ploration, abuse, or other acts of mis-
conduct.

(C) Monitoring Mechanisms.—Dedi-
cated monitoring mechanisms, such as the per-
sonnel conduct units deployed to support
United Nations peacekeeping operations in
Haiti, Liberia, Burundi, and the Democratic
Republic of Congo, should be present in each
operation to monitor compliance with the Code
of Conduct, and—

(i) should report simultaneously to the
Head of Mission, the United Nations De-
partment of Peacekeeping Operations, and
the Associate Director of OIOS for Peace-
keeping Operations (established under sec-
tion 104(b)(9)); and

(ii) should be tasked with designing
and implementing mission-specific meas-
ures to prevent misconduct, conduct follow-
on training for personnel, coordinate com-
community outreach programs, and assist in
investigations, as OIOS determines nec-
essary and appropriate.
(D) INVESTIGATIONS.—A permanent, professional, and independent investigative body should be established and introduced into United Nations peacekeeping operations. In particular—

(i) the investigative body should include professionals with experience in investigating sex crimes, as well as experts who can provide guidance on standards of proof and evidentiary requirements necessary for any subsequent legal action;

(ii) provisions should be included in a Model Memorandum of Understanding that obligate each Member State that contributes troops to a peacekeeping operation to designate a military prosecutor who will participate in any investigation into an allegation of misconduct brought against an individual of that Member State, so that evidence is collected and preserved in a manner consistent with the military law of that Member State;

(iii) the investigative body should be regionally based to ensure rapid deployment and should be equipped with modern
forensics equipment for the purpose of positively identifying perpetrators and, where necessary, for determining paternity;

and

(iv) the investigative body should report directly to the Associate Director of OIOS for Peacekeeping Operations, while providing copies of any reports to the Department of Peacekeeping Operations, the Head of Mission, and the Member State concerned.

(E) FOLLOW-UP.—A dedicated unit, similar to the personnel conduct units, staffed and funded through existing resources, should be established within the headquarters of the United Nations Department of Peacekeeping Operations and tasked with—

(i) promulgating measures to prevent misconduct;

(ii) coordinating allegations of misconduct, and reports received by field personnel; and

(iii) gathering follow-up information on completed investigations, particularly by focusing on disciplinary actions against the
individual concerned taken by the United Nations or by the Member State that is contributing troops to which the individual belongs, and sharing that information with the Security Council, the Head of Mission, and the community hosting the peacekeeping operation.

(F) **FINANCIAL LIABILITY AND VICTIMS ASSISTANCE.**—Although peacekeeping operations should provide immediate medical assistance to victims of sexual abuse or exploitation, the responsibility for providing longer-term treatment, care, or restitution lies solely with the individual found guilty of the misconduct. In particular, the following reforms should be implemented:

(i) The United Nations should not assume responsibility for providing long-term treatment or compensation by creating a “Victims Trust Fund”, or any other such similar fund, financed through assessed contributions to United Nations peacekeeping operations, thereby shielding individuals from personal liability and reinforcing an atmosphere of impunity.
(ii) If an individual responsible for misconduct has been repatriated, reassigned, redeployed, or is otherwise unable to provide assistance, responsibility for providing assistance to a victim should be assigned to the Member State that contributed the troops to which the individual belonged or to the manager concerned.

(iii) In the case of misconduct by a member of a military contingent, appropriate funds should be withheld from the troop-contributing country concerned.

(iv) In the case of misconduct by a civilian employee or contractor of the United Nations, appropriate wages should be garnished from such individual or fines should be imposed against such individual, consistent with existing United Nations Staff Rules.

(G) MANAGERS AND COMMANDERS.—The manner in which managers and commanders handle cases of misconduct by those serving under them should be included in their individual performance evaluations, so that managers and commanders who take decisive action
to deter and address misconduct are rewarded, while those who create a permissive environment or impede investigations are penalized or relieved of duty, as appropriate.

(H) DATA BASE.—A centralized data base should be created and maintained within the United Nations Department of Peacekeeping Operations to track cases of misconduct, including the outcome of investigations and subsequent prosecutions, to ensure that personnel who have engaged in misconduct or other criminal activities, regardless of category or rank, are permanently barred from participation in future peacekeeping operations.

(I) WELFARE.—Peacekeeping operations should assume responsibility for maintaining a minimum standard of welfare for mission personnel to ameliorate conditions of service, while adjustments are made to the discretionary welfare payments currently provided to Member States that contribute troops to offset the cost of operation-provided recreational facilities.

(3) PEACEBUILDING COMMISSION.—

(A) ESTABLISHMENT.—Consistent with the recommendations of the Report of the Sec-
retary General’s High Level Panel on Threats, Challenges, and Change, the United Nations should establish a Peacebuilding Commission, supported by a Peacebuilding Support Office, to marshal the efforts of the United Nations, international financial institutions, donors, and non-governmental organizations to assist countries in transition from war to peace.

(B) Structure and Membership.—The Commission should—

(i) be a subsidiary body of the United Nations Security Council, limited in size to ensure efficiency;

(ii) include members of the United Nations Security Council, major donors, and Member States that contribute troops, appropriate United Nations organizations, the World Bank, and the International Monetary Fund; and

(iii) invite the President of ECOSOC, regional actors, Member States that contribute troops, regional development banks, and other concerned parties that are not already members, as determined appro-
priate, to consult or participate in meetings as observers.

(C) RESPONSIBILITIES.—The Commission should seek to ease the demands currently placed upon the Department of Peacekeeping Operations to undertake tasks that fall beyond the scope of traditional peacekeeping, by—

(i) developing and integrating country-specific and system-wide conflict prevention, post-conflict reconstruction, and long-term development policies and strategies; and

(ii) serving as the key coordinating body for the design and implementation of military, humanitarian, and civil administration aspects of complex missions.

(D) RESOURCES.—The establishment of the Peacebuilding Commission and the related Peacebuilding Support Office should be staffed with existing resources.

SEC. 403. CERTIFICATION.

(a) NEW OR EXPANDED PEACEKEEPING OPERATIONS CONTINGENT UPON PRESIDENTIAL CERTIFICATION OF PEACEKEEPING OPERATIONS REFORMS.—
(1) No new or expanded peacekeeping operations.—Beginning on January 1, 2007, and until the Secretary certifies that the requirements described in paragraph (2) have been satisfied, the President shall direct the United States Permanent Representative to the United Nations use the voice, vote, and influence of the United States at the United Nations to oppose the creation of new, or expansion of existing, United Nations peacekeeping operations unless the Secretary certifies to the appropriate congressional committees that such creation or expansion is in the national interest of the United States, and includes with the certification a written justification therefor.

(2) Certification of peacekeeping operations reforms.—The certification referred to in paragraph (1) is a certification made by the Secretary to the appropriate congressional committees that the following reforms, or an equivalent set of reforms, related to peacekeeping operations have been adopted by the United Nations Department of Peacekeeping Operations or the General Assembly, as appropriate:

(A) A single, uniform Code of Conduct that has the status of a binding rule and ap-
plies equally to all personnel serving in United Nations peacekeeping operations, regardless of category or rank, has been adopted by the General Assembly and mechanisms have been established for training such personnel concerning the requirements of the Code and enforcement of the Code.

(B) All personnel, regardless of category or rank, serving in a peacekeeping operation have been trained concerning the requirements of the Code of Conduct and each has been given a personal copy of the Code, translated into the national language of such personnel.

(C) All personnel, regardless of category or rank, are required to sign an oath that each has received a copy of the Code of Conduct, that each pledges to abide by the Code, and that each understands the consequences of violating the Code as a condition of the appointment to such operation, including the immediate termination of the participation of such personnel in the peacekeeping operation to which such personnel is assigned.

(D) All peacekeeping operations have designed and implemented educational outreach
programs that reach local communities where peacekeeping personnel of such operations are based for a significant period of time, explaining prohibited acts on the part of United Nations peacekeeping personnel and identifying the individual to whom the local population may direct complaints or file allegations of exploitation, abuse, or other acts of misconduct.

(E) A centralized data base has been created and is being maintained in the United Nations Department of Peacekeeping Operations that tracks cases of misconduct, including the outcomes of investigations and subsequent prosecutions, to ensure that personnel, regardless of category or rank, who have engaged in misconduct or other criminal activities are permanently barred from participation in future peacekeeping operations.

(F) A Model Memorandum of Understanding between the United Nations and each Member State that contributes troops to a peacekeeping operation has been adopted by the United Nations Department of Peacekeeping Operations that specifically obligates each such Member State to—
(i) designate a competent legal authority, preferably a prosecutor with expertise in the area of sexual exploitation and abuse, to participate in any investigation into an allegation of misconduct brought against an individual of the Member State;

(ii) refer to its competent national or military authority for possible prosecution, if warranted, any investigation of a violation of the Code of Conduct or other criminal activity by an individual of the Member State;

(iii) report to the Department of Peacekeeping Operations on the outcome of any such investigation;

(iv) undertake to conduct on-site court martial proceedings relating to allegations of misconduct alleged against an individual of the Member State;

(v) assume responsibility for the provision of appropriate assistance to a victim of misconduct committed by an individual of the Member State; and

(vi) establish a professional and independent investigative and audit function
within the United Nations Department of Peacekeeping Operations and the OIOS to monitor United Nations peacekeeping operations.

SEC. 404. UNITED STATES CONTRIBUTIONS TO UNITED NATIONS PEACEKEEPING OPERATIONS.

(a) 25 PERCENT LIMITATION.—Section 404(b)(2) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 287e note; Public Law 103–236) is amended to read as follows:

“(2) FISCAL YEAR 2006 AND SUBSEQUENT FISCAL YEARS.—Funds authorized to be appropriated for ‘Contributions for International Peacekeeping Activities’ for fiscal years 2006 and 2007 shall not be available for the payment of the United States assessed contribution for a United Nations peacekeeping operation in an amount which is greater than 27.1 percent of the total of all assessed contributions for that operation.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect and apply beginning on October 1, 2005.
TITLE V—DEPARTMENT OF
STATE AND GOVERNMENT ACCOUNTABILITY OFFICE

SEC. 501. POSITIONS FOR UNITED STATES CITIZENS AT
INTERNATIONAL ORGANIZATIONS.

The Secretary of State shall make every effort to recruit United States citizens for positions within international organizations.

SEC. 502. BUDGET JUSTIFICATION FOR REGULAR ASSESSED BUDGET OF THE UNITED NATIONS.

(a) Detailed Itemization.—The annual congressional budget justification shall include a detailed itemized request in support of the assessed contribution of the United States to the regular assessed budget of the United Nations.

(b) Contents of Detailed Itemization.—The detailed itemization required under subsection (a) shall—

(1) contain information relating to the amounts requested in support of each of the various sections and titles of the regular assessed budget of the United Nations; and

(2) compare the amounts requested for the current year with the actual or estimated amounts contributed by the United States in previous fiscal years for the same sections and titles.
(c) Adjustments and Notification.—If the United Nations proposes an adjustment to its regular assessed budget, the Secretary of State shall, at the time such adjustment is presented to the Advisory Committee on Administrative and Budgetary Questions of the United Nations (ACABQ), notify and consult with the appropriate congressional committees.

SEC. 503. REVIEW AND REPORT.

Not later than six months after the date of the enactment of this Act, the Secretary of State shall conduct a review of programs of the United Nations that are funded through assessed contributions and submit to the appropriate congressional committees a report containing—

(1) the findings of such review; and

(2) recommendations relating to—

(A) the continuation of such programs; and

(B) which of such programs should be voluntarily funded.

SEC. 504. GOVERNMENT ACCOUNTABILITY OFFICE.

(a) Report on United Nations Reforms.—Not later than 12 months after the date of the enactment of this Act and 12 months thereafter, the Comptroller General of the United States shall submit to the appropriate congressional committees a report on the status of the
1997, 2002, and 2005 management reforms initiated by
the Secretary General and on the reforms mandated by
this Act.

(b) Report on Department of State Certifications.—Not later than six months after each certifi-
cation is submitted by the Secretary of State to the appro-
priate congressional committees under this Act, the Com-
troller General shall submit to the appropriate congres-
sional committees a report on each such certification. The
Secretary shall provide the Comptroller General with any
information required by the Comptroller General to sub-
mit any such report.

TITLE VI—CERTIFICATIONS AND
WITHHOLDING OF CONTRIBUTIONS

SEC. 601. CERTIFICATIONS AND WITHHOLDING OF CONTRIBU-
TIONS.

(a) In General.—The certifications required under
sections 103, 104(a) through 104(d), sections 201(c) and
201(e), and section 202 of this Act are certifications sub-
mitted to the appropriate congressional committees by the
Secretary of State that the requirements of each such sec-
tion have been satisfied with respect to reform of the
United Nations.

(b) Alternative Certification Mechanism.—
(1) In general.—In the event that the Secretary is unable to make any certification described in subsection (a), the Secretary may nonetheless satisfy the requirements referred to in such certification by certifying that—

(A) the United Nations has implemented reforms that are either substantially similar to or accomplish the same purposes as the requirements referred to in any such certification; or

(B) in the case of the policies described in subsections (a) and (c) of section 11 the United Nations Participation Act of 1945 (as amended by section 101 of this Act) or the requirements of sections 201(c) and 202(b) of this Act, substantial progress has been made in implementing such policies or requirements.

(2) Definitions.—For the purposes of this subsection, reforms are “substantially similar to or accomplish the same purposes as” if the reforms are—

(A) formally adopted by the organ or committee of the United Nations that has authority to take such action or are issued by the Secretariat or the appropriate entity or committee in written form; and
(B) are not identical to the measures required by a particular certification but in the judgment of the Secretary will have the same or nearly the same effect as such measures.

(3) Written justification and consultation.—

(A) Written justification.—Not later than 30 days before submitting an alternate certification in accordance with paragraph (1), the Secretary shall submit to the appropriate congressional committees a written justification explaining in detail the basis for such alternate certification.

(B) Consultation.—After the Secretary has submitted the written justification under subparagraph (A), but not later than 15 days before the Secretary exercises the alternate certification mechanism described in clause (i), the Secretary shall consult with the appropriate congressional committees regarding such exercise.

(c) Withholding of United States Contributions to Regular Assessed Budget of the United Nations.—If the Secretary is unable to make one or more of the certifications described in subsection (a) or (b), the
Secretary is authorized to withhold from expenditure until such time as the Secretary deems appropriate up to 50 percent of the contribution of the United States to the regular assessed budget of the United Nations for a biennial period, beginning with funds appropriated for the United States Assessed contribution for fiscal year 2008.

(d) Consultation on Progress of Reforms.—Beginning six months after the date of the enactment of this Act, and every three months thereafter until all the certifications under subsection (a) and (b) are made, the Secretary shall consult with the appropriate congressional committees regarding the progress in adoption and implementation of the reforms described in this Act.

(e) Duration of Funds.—

(1) Assessed Contributions to the U.N.—Any amounts of funds appropriated for the United States assessed contribution to the United Nations that are withheld under subsection (c) are authorized to remain available until expended in fiscal years after the fiscal year in which all certifications are made under subsections (a) and (b).

(2) Assessed Contributions to Specialized Agencies.—Any amounts of funds appropriated for the United States assessed contribution to a specialized agency that are withheld under section 107(d)
are authorized to remain available until expended in fiscal years after the fiscal year in which the Secretary makes the certification with respect to the policy or policies described in section 107 by reason of which the funds were withheld.

(f) Biennial Reviews.—

(1) In general.—The Secretary shall conduct biennial reviews, beginning two years after the date on which the Secretary submits the last of the certifications under subsections (a) and (b), to determine if the United Nations continues to remain in compliance with all such certifications. Not later than 30 days after the completion of each such review, the Secretary shall submit to the appropriate congressional committees a report containing the findings of each such review.

(2) Action.—If during the course of any such review the Secretary determines that the United Nations has failed to remain in compliance with a certification that was submitted in accordance with subsection (a), the Secretary is authorized to exercise the authority described in subsection (c) with respect to the biennial period immediately following such review and subsequent biennial periods until
such time as all certifications under subsection (a) or (b) have been submitted.

SEC. 602. DIPLOMATIC CAMPAIGN TO ACHIEVE REFORM.

(a) SENSE OF CONGRESS.—It is the sense of the Congress that in order to achieve the reforms required by this Act, the President must undertake an extensive diplomatic campaign, in combination with like-minded countries at the United Nations to achieve those reforms, including acting through the United States Permanent Representative to the United Nations to use its voice, vote and influence at the United Nations and direct diplomatic intervention at the highest levels of government in Member States.

(b) REPORT TO CONGRESS.—Sixty days before exercising the authority to withhold funds under section 601(c), the Secretary shall consult with the appropriate congressional committees and submit a report on how the exercise of such authority will further the purposes of this Act.

(c) CONTENT OF REPORT.—The report required by subsection (b) shall include—

(1) a description of efforts by the United States to achieve the reforms required by this Act to date;

(2) an analysis of why reforms sought by the United States have not been achieved; and
(3) an explanation of how United States policy will be furthered by conditioning or withholding funds for assessed contributions to the United Nations, as well as an analysis of how withholding such funds are expected to affect programs, operations, staff, and reforms of the United Nations and United States interests.

TITLE VII—UNITED NATIONS RE-
NEWAL AND TOOLS TO FULLY IMPLEMENT UNITED NA-
TIONS REFORM

SEC. 701. SYNCHRONIZATION OF U.S. ASSESSED CONTRIBU-
TIONS TO INTERNATIONAL ORGANIZATIONS.

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

(1) In the early 1980s, the United States Gov-
ernment began to pay United States assessments to certain international organizations in the last quar-
ter of the calendar year in which they were due. This practice allowed the United States to pay its annual assessment to the United Nations and other international organizations with the next fiscal year’s appropriations, taking advantage of the fact that international organizations operate on calendar years. It also allowed the United States to reduce
budgetary outlays, making the United States budget deficit appear smaller.

(2) The United States, which is assessed 22 percent of the United Nations regular budget, now pays its dues at least 10 months late, and often later depending on when the relevant appropriation is enacted.

(3) This practice causes the United Nations to operate throughout much of the year without a significant portion of its operating budget. By midyear, the budget is usually depleted, forcing the United Nations to borrow from its peacekeeping budget, since the organization is prohibited from borrowing externally. As a result, countries that contribute to United Nations peacekeeping missions are not reimbursed on a timely basis.

(4) For years, continuing this practice is inconsistent with the purposes of this Act to encourage the United Nations to engage in sound, fiscally responsible budgetary practices.

(b) AUTHORIZATION OF APPROPRIATIONS.—Beginning in the fiscal year in which all certifications under subsection (a) and (b) of section 601 have been made, the following amounts are authorized to be appropriated to a process to synchronize the payment of its assessments to
the United Nations and other international organizations over a multiyear period so that the United States can resume paying its dues to such international organizations at the beginning of each calendar year:

(1) For the fiscal year after all such certifications have been made, $150,000,000.

(2) For the second year after all such certifications have been made, $150,000,000.

(3) For the third year after all such certifications have been made, $150,000,000.

SEC. 702. INCREASED FUNDING FOR UNITED STATES ASSESSED CONTRIBUTION TO THE UNITED NATIONS TO SUPPORT REFORM EFFORTS.

It is the sense of the Congress that the United States should support an increase in the 2006–2007 United Nations biennium budget and future United Nations budgets to support the creation of new offices or institutions and the strengthening of existing offices in order to fully implement the reforms required by this Act.

SEC. 703. BUYOUT OF UNITED NATIONS PERSONNEL.

It is the sense of the Congress that the United States should support an increase in the appropriate United Nations biennium budget to fund a buyout of United Nations personnel to the extent that the buyout is a targeted
buyout of personnel that do not have the skills necessary for the United Nations in the 21st century.

SEC. 704. UNITED NATIONS DEMOCRACY FUND.

There is authorized for fiscal year 2006 for a voluntary contribution to the United Nations International Democracy Fund $10,000,000.

SEC. 705. UNITED STATES PERSONNEL TO INTERNATIONAL ORGANIZATIONS.

The President is authorized to detail any United States Government officer or employee to the United Nations on a nonreimbursable basis for up to three years to assist in the implementation of the reforms described in this Act, including providing for any necessary housing, education, cost-of-living allowances, or other allowances authorized under the Foreign Service Act the United Nations Participation Act of 1945.
Mr. LANTOS. Mr. Chairman, I request unanimous consent that my 68-page amendment be considered as read.

Chairman HYDE. With great pleasure, we consider it read.

Mr. LANTOS. Thank you, Mr. Chairman.

Chairman HYDE. And thoroughly digested, too.

Mr. LANTOS. Mr. Chairman, my amendment now before the Committee is in the nature of a substitute. The amendment replaces the entire text of the bill before the Committee with a new version designed to promote UN reform while giving Secretary of State Condoleezza Rice sufficient flexibility to do her job. As I previously indicated, Mr. Chairman, senior State Department officials have told us that the Department of State strongly opposes the Majority's bill in its current form.

With my substitute amendment, Mr. Chairman, the Democrats on the Committee align ourselves strongly on UN reform issues with the Department of State and are fighting to ensure that the United States is better armed to promote serious UN reform and not be forced to cut off funds to the United Nations in a manner that is counterproductive to our best national interests.

Mr. Chairman, my substitute amendment addresses four primary deficiencies in the Majority bill before our Committee. First, my substitute does not sever the link between achieving UN reform benchmarks and the possibility of withholding UN dues. Rather, the tough benchmarks are largely the same as in the Chairman's bill, but the Lantos amendment would give Secretary Rice the authority to withhold up to 50 percent of our UN dues but would not mandate such a cut.

Since this is sort of the core of the amendment, I want to restate this item. My amendment, Mr. Chairman, would give Secretary Rice the authority to withhold up to 50 percent of our UN dues but would not mandate such a cut. Secretary Rice must be able to use the financial threat to get the job done in New York, but must not be forced to cut off funds according to some mechanical and automatic withholding formula.

Second, Mr. Chairman, the Lantos substitute changes the provision in your bill under which the United States would unilaterally withhold a portion of our dues to the United Nations if they refuse to change certain programs from the assessed to the voluntary budget. My amendment keeps this reform as a goal but does not link it to a mandatory deduction in U.S. funds.

We all know, Mr. Chairman, that this reform is largely unachievable in the foreseeable future, and therefore Secretary Rice should not be forced to withhold U.S. dues from the UN on this matter. My amendment would give her the authority to withhold funds should that be necessary.

Third, Mr. Chairman, the Majority bill would prohibit the United States from supporting any new UN peacekeeping mission unless a far-reaching set of peacekeeping reforms is adopted. Given the dangerous world in which we live, I believe this provision is singularly unwise. My substitute keeps the far-reaching peacekeeping reforms, but provides Secretary Rice with a waiver in the event that such a new mission, such as preventing genocide in places like Darfur, is essential to America’s national interests.
Finally, Mr. Chairman, my substitute also ensures that we do not withhold funds for the United Nations when it is separate specialized agencies, such as the World Health Organization or the World Intellectual Property Organization, that may have failed to make the necessary reforms. It is an non sequitur. It is fundamentally flawed reasoning to hold the UN accountable for the mistakes of organizations that the UN does not control. My substitute would authorize the Secretary to withhold funds from each specialized agency that fails to undertake reforms instead of automatically withholding the money from the United Nations.

Mr. Chairman, I would respectfully ask all of my colleagues on the Republican side of the aisle to support more flexibility for our Secretary of State by supporting my substitute amendment. It will better promote UN reform while giving Secretary Rice desperately needed flexibility. I thank you, Mr. Chairman.

Chairman Hyde. Thank you, Mr. Lantos, Mr. Pence of Indiana.

Mr. Pence. Thank you, Mr. Chairman. And I rise in respectful opposition to my good friend Mr. Lantos' UN reform substitute amendment, believing in my heart as an original co-sponsor of the UN Reform Act that, however well intentioned, the Lantos amendment does not go far enough.

Now is the time for Congress to act. We must send a clear and strong message to the United Nations after years of misadministration and scandal, and we must back that message with decisive ramifications if those reforms are not made. In a word, Mr. Chairman, I believe the American people expect Congress to adopt UN reforms with teeth. History has shown us that when Congress uses the power of the purse the UN responds. It is unfortunate that periodically it takes financial ultimatums for the UN to move itself to act in its own best interests and the best interests of the world community that it serves, but that is nevertheless the case.

The Lantos substitute amendment is interesting and well intentioned, but I say, humbly, it is intrinsically flawed, because on the one hand it seems to agree with the Chairman's bill. It seems to agree that withholdings are necessary to provoke the UN to reform. But, on the other hand, it removes the power of the purse from Congress and invests it virtually in its entirety in a single Executive Branch official. With all due respect to Secretary of State Condoleezza Rice, the power of the purse belongs to Congress, and we should not cede that power to the Secretary of State. Furthermore, it would be incredibly difficult for any Secretary of State to take such a bold step of withholding 50 percent of the United Nations' budget unilaterally.

But there is flexibility in this bill. In the Hyde bill, the United Nations Reform Act, it provides the Secretary of State and the United Nations with some flexibility. Certification for UN action are not required until 2007. This gives the Secretary of State, the U.S. Ambassador to the UN, 2 years to lobby Turtle Bay to do what is in its best interest, and it allows the Secretary in 2007 to certify UN reforms that are substantially similar or accomplish the same purposes as the requirements in the act.

It also allows for certification of all 39 requirements if only 32 are completed by 2007, and allows even an extra year to complete
the final seven certifiable reforms. Yet some reforms are protected from a waiver, but the ones protected are the most fundamental of reforms such as making an internal oversight board independent, creating an independent budget, the accountability provisions that we establish in the budget. These are things that are achievable and are absolutely necessary. The certifiable reforms outlined in the bill are necessary. There are few that would dispute the areas we highlight for reform after the extraordinary revelations in the Oil-for-Food scandal and the mismanagement that it attests at minimum.

But equally important, the certifiable reforms are achievable. This legislation was carefully crafted to address the numerous areas in need of reform at the UN, yet to do so in a way that is truly responsible.

Shifting assessments to voluntary funding is also a crucial piece of this legislation. Voluntary funded programs are by their very nature more accountable, efficient, and results oriented. It is appropriate that the American people want the most value for our dollar. We want to know how our contributions are being used at the UN. We want to know the utility and effectiveness of the programs that our contributions go to, and the results of those programs. For many of the targeted programs, especially regarding the regional economic and social commissions which account for $350 million of the biennial budget, we simply don’t know the utility, the effectiveness, or the benefits of this program. Saying that the General Assembly will never shift programs off the assessed budget is not a sufficient reason for our continuing to pay tens of millions of dollars to these programs. If the General Assembly wants to continue to fund unaccountable programs, it can. But we should not continue to pay or ask the American people, more appropriately, to pay for programs that operate with essentially a blank check with no accountability for producing results.

Further, we do not require these shifts again until 2008. This gives the State Department ample time to build consensus for these necessary and practical initiatives.

And so, Mr. Chairman, I am grateful to have the opportunity to co-sponsor the UN Reform Act with you. And I am humbled if hesitant to rise in opposition to the Lantos UN reform substitute amendment. I oppose the Lantos amendment simply because, however well intentioned, I believe it does not go far enough. After years of misadministration and scandal, it is time that this Congress adopt UN reform with teeth, and the UN Reform Act that Chairman Hyde has authored and I have co-sponsored is precisely that.

Chairman HYDE. The gentleman's time has expired. Mr. Menendez.

Mr. MENENDEZ. Thank you, Mr. Chairman. Mr. Chairman, I speak in strong support of the Lantos amendment. I believe, as Mr. Lantos does, and as probably every Member of this Committee agrees, that the time has come for change at the United Nations. And it is time to make real reforms at the United Nations that address the real problems. But I believe that the Chairman's bill simply sets the United Nations up to fail by creating a series of requirements that are virtually impossible to meet. One might even
argue that this is the actual goal of some UN critics. Right now, this bill is the equivalent of medicine that could kill the patient rather than cure a specific disease.

Let us remember that the Secretary-General can’t simply waive a magic wand and make these changes happen. The United Nations is governed by 191 countries, including those who have adverse interests to the United States, such as Syria, Iran, North Korea, and approving the majority of these changes in such a body under the conditions of the Chairman’s bill is incredibly unlikely.

The Hyde bill also requires changes at UN specialized agencies, but the bill ignores the fact that the UN has little authority over these agencies to make them reform. So the bill punishes one agency for the lack of action at another agency it doesn’t control. Yet the Hyde bill ties the hands of the Secretary of State by making the 50 percent withholding mandatory in all of these cases. So even if the United Nations has made significant progress, unless it meets almost all of the requirements the funds would be withheld. That is like kicking a child out of school who has moved from an F to a B because they didn’t get an A.

Even members of the Administration have made it clear in their testimony before this Committee that they do not support linking reforms at the United Nations to our funding of the United Nations, and I would believe that at some future time we will probably see that in a statement of policy from the Administration.

I am particularly concerned that the Hyde bill would keep the United States from supporting any new peacekeeping missions until far-reaching reforms have been implemented. Many Members of this Committee have been at the forefront of the fight to stop the horrors in the Sudan, like my colleague Congressman Payne of New Jersey, to stop violence in Haiti, and to protect the lives of innocent civilians around the world. We do not know when and where UN peacekeepers will be needed next, but we do know that we cannot risk the lives of innocent people or risk American interests around the world. The alternative to that, in the base bill, in essence says that the alternative to UN peacekeepers is to risk only U.S. lives and spend only U.S. capital.

That is why I support the Lantos substitute which allows the Secretary of State to waive this restriction if it is in the national interests of the United States. We simply cannot create legislation which hurts our own security interests and our national interests while we are at war. This is a time when our own human and financial resources are stretched thin for the United States. In essence, this is a time for the United States to get the world to act with us. We must unite the world to fix our shared problems rather than destroy the institution which unites us.

Yes, it has many challenges and, yes, there is much to reform, and we join in that effort. Mr. Lantos’s substitute strikes the balance. It seeks the high water mark of reforms but it gives us the flexibility not only to try to achieve those reforms and to prod those reforms and to make many of them happen, but at the same time it doesn’t slay the participation in an institution that can ultimately be an incredibly useful tool in the national security and in the national interests of the United States.
I urge my colleagues to vote against the Hyde bill and to support the Lantos substitute and yield back the balance of my time.

Chairman HYDE. The gentleman from Iowa, Mr. Leach.

Mr. LEACH. Thank you, Mr. Chairman. Well, first let me compliment the staff for putting forth in a bill a large number of reforms that are very common sense. But having said that, let me say that I am obligated to oppose the underlying bill. While I will support the Lantos substitute amendment, I will vote against it if it prevails because both do not meet the test of constitutionalism. And I want to stress this to this Committee. The framework of the underlying bill is thoroughly inappropriate. The framework of the Lantos amendment is inappropriate. Both imply that there is no legal obligation binding upon the United States to pay the financial assessments at the UN. This position contravenes the United Nations's charter. And let me quote from the charter: “The expenses of the Organization shall be borne by the Members as apportioned by the General Assembly.” In 1962, the International Court of Justice held, sustaining the argument of the United States of America, that apportionment of expenses by the General Assembly creates an obligation of each member to bear that part of the expense apportioned to it. Both of these approaches free the United States of any international obligation to pay its assessment. One directs it by the Congress, the other authorizes the Executive Branch to act illegally.

Let me further point out that, if you go to broader international statutes, for example, the Vienna Convention, the law of the treaties provides that every treaty in force is binding on the parties to it and must be performed by them in good faith. It specifies that a state party to a treaty may not invoke the provisions of its internal law as justification for its failure to perform the treaty.

The point is this Committee at this time is prepared out of a pique of the United Nations, a pique that I thoroughly share, in fact I am probably more disappointed than anybody here because I support the United Nations so much, but out of pique to violate law, and I cannot think of anything less appropriate.

Now, finally let me also stress there are actions that are so-called constructive in world affairs and there are actions that are counterproductive. Every single member of the United Nations today in New York has read about what this Committee intends to do, and they are appalled.

We think that we are putting some sort of squeeze on them. I think we are putting a dagger in our own hearts. We must be compliant with law in order to be respected as a country that wants to extend law. And so I will vote for the Lantos amendment because it is about 20 percent less devastating than the underlying bill. But I will vote against this bill and I would urge my colleagues to think seriously of that. Thank you.

Chairman HYDE. Thank you. Mr. Berman.

Mr. BERMAN. I will pass, Mr. Chairman.

Chairman HYDE. Mr. Faleomavaega.

Mr. FALEOMAVAEGA. Thank you, Mr. Chairman. I have not heard in such a long time and listening to the gentleman from Iowa and the sound reasoning that within his argument, points of his argument about not owning the constitutionality about the action that
we are about to take in proposed legislation now before the Committee. And I want to say at the outset as well my most profound respect for the gentleman of Iowa and the very, very pointed arguments that he makes concerning this issue.

I also want to state that I do have the utmost respect for you, Mr. Chairman, and on that side of the aisle, the Majority, for your untiring efforts in bringing this proposed legislation as has been described as being as a reform bill. While I respect the Majority's position in trying to find some sense of resolution to the problems that we are faced with in the United Nations, I have to say unfortunately I think that we have gone too far with the Majority's proposed resolution. I do respectfully say that the Lantos substitute is much more reasonable and more sound. In my humble opinion, the Majority proposal is not to reform; it is a major surgery that will kill the patient. And as I listened to my good friend in saying that we need to give Congress more teeth, and that is the reason that we need this reform legislation, in my humble opinion it is not just giving teeth, it is getting a sledge hammer to knock out the teeth of every member of the United Nations as far as I am concerned, in the Majority's proposed bill. And, for that reason, Mr. Chairman, I think the Lantos amendment is much more reasonable as a matter of policy.

I dare not challenge my good friend from Iowa's pointed arguments about the constitutionality of the actions that we are taking, but as a matter of policy if we are to make a decision of this fact, then I certainly think this substitute offered by the good friend, my colleague from California, is much more sound and more reasonable. Not only does it have the support of the Administration, I think that is something that I sincerely hope that that side of the aisle and Members of the Majority will consider seriously how much more flexible the Lantos substitute will give the Administration and Secretary Rice a better way to deal with the problems that we are faced with the United Nations.

With that, Mr. Chairman, I urge my colleagues to support the Lantos substitute. Thank you.

Chairman HYDE. Would the gentleman yield to me?

Mr. FALEOMAVAEGA. I yield to the gentleman.

Chairman HYDE. I thank you very much. You know, if you are going to reform something, reform it. If you give discretion to the Secretary, you will not have the reforms. I am not suggesting that this Secretary is different from other Secretaries, but I am talking about human nature and the experience we have in Congress. We pass a budget, but we waive the strictures of the budget time and time again, and it becomes meaningless. So if you really want a reform, you keep the purse with Congress, you don't give the purse to somebody else. And you don't let them waive requirements that demand reform.

There are 2 years to make these reforms. They will have to be real reforms. We pay the check. We ought to have something to say about it. I know there is an entire world of employees who want to keep things going as they have, but we are trying to revitalize the UN. We are trying to bring it to life and straighten it up after so many mistakes and costly errors. So that is what we are about.

I am pleased to——
Mr. LANTOS. Would the gentleman yield the remaining time?

Mr. FALEOMAVAEGA. I would yield to our senior Ranking Member.

Mr. LANTOS. I thank you very much for yielding. The Chairman's bill and my substitute seek the same goals: Substantive, meaningful, serious reform at the UN. But to underscore the absurdity of ultimacity, I would like my colleagues to listen to the following very possible scenario: In 2 years' time, according to the underlying bill, 32 reform proposals will have to be enacted by the UN. Let us assume that 31 are enacted. Under the Chairman's bill, the Republican bill, if only 31 are achieved, not 32, there is an automatic 50 percent cut in UN dues.

Under my substitute, the Secretary of State could in her judgment impose some financial penalties, 50 percent, 25 percent, 5 percent, 1 percent. There would be judgment brought to bear on the decision by the United States, and we would not be frozen into an automatic formula which takes no account of different degrees of nonachievement. Thirty-one out of thirty-two automatically means a 50 percent cut. This simply makes no sense to me. Thank you, Mr. Chairman.

Mr. FALEOMAVAEGA. And that is why I support the Lantos substitute, Mr. Chairman. Thank you.

Chairman HYDE. The Chair recognizes himself for 5 minutes.

The United Nations Reform Act does give the Secretary flexibility. The certification for UN action are not required until the year 2007. This gives the Secretary of State and the U.S. Ambassador to the UN 2 years to lobby the UN at Turtle Bay to do what is best in its interest. It allows the Secretary in 2007 to certify UN reforms are substantially similar to or accomplish the same purpose as the requirements in the act. It allows for certification of all 39 requirements if only 32 are completed in 2007. It allows an extra year to complete the final seven certifiable reforms.

Some reforms are protected from a waiver, but the ones protected are the most fundamental, such as making internal oversight independent with an independent budget and accountability provisions in the budget.

Now, if you think it is going to kill the UN to be accountable, then let us say so today. But if it is going to save the UN by making it accountable, let us say that, too. These are things that are achievable. They are absolutely necessary. The certifiable reforms that we list in our bill are absolutely necessary. There are a few who would dispute the areas we highlight, but equally important, these reforms are achievable. This legislation was very carefully crafted to address the numerous areas in need of reform but to do so in a responsible way.

The Chair yields back his time, and recognizes Mr. Smith of New Jersey.

Mr. SMITH OF NEW JERSEY. Thank you very much, Mr. Chairman. And let me just say I thank you and Mr. Pence for offering this UN reform legislation to this Committee today. Sweeping reform of the United Nations on a myriad of fronts, including human rights and peacekeeping, is compelling and long overdue. The Hyde-Pence UN reform measure under consideration is similar to
the vexing problems that it seeks to reform; it is in itself sweeping, it is comprehensive, and it is compelling.

On peacekeeping, for example, I would point out to my colleagues that the bill requires a global mandate and a review of mandates. Or, I should say, a review of mandates so that deployments are right-sized and they are justified: The adoption of minimum standards of qualifications for senior leaders and, the adoption of a uniform code of conduct that is applicable to all. Nobody is above the law from the top to the very bottom of the UN chain of command. Predeployment training on mission mandates a certain code of conduct, including on the ever pervasive problem of trafficking. In my Subcommittee on Africa, Global Human Rights and International Operations, we held two hearings on UN peacekeeping, and we focused in one of those hearings on the ongoing or at least hopefully, recently ended atrocities occurring in the Congo. Many of our witnesses made the point that there was zero tolerance when it came to the UN on peacekeeping and the rape of 13- and 14-year-olds, sometimes for a loaf of bread. However, there was zero compliance. I do think, to its credit, that the UN is trying to change. I do believe that Prince Zeid and other officials, including Dr. Jane Hall Lute, who did brief our Committee are making Herculean efforts to try to reform from within. I do believe the Hyde amendment puts additional impetus and push to that effort to let them know, even if they don't like some of the particulars, that we mean business and that the Congress is on the side of reform.

We support UN peacekeeping. It provides a very useful service to the world, to suffering individuals around the world in places where there is conflict or could be conflict. Also, the UN can go in some cases where others might not be able to, including the United States. So there is a very, very real value to UN peacekeeping. We want to ensure that we have a peacekeeping force that is deployed that is second to none and lives up to the highest standards.

I would point out that at our briefing, Dr. Jane Hall Lute, the Assistant Secretary General for Peacekeeping Operations, said, and I quote her: “The blue helmet has become black and blue through self-inflicted wounds, and some of our number . . .” meaning her and others, “will not sit idly by until the luster of the blue helmet is restored. It is unacceptable. It is completely unacceptable.” Then she went on to make her statement.

The Subcommittee feels, and I feel the same way, that the Blue Helmets, the recipients of the Nobel Peace prize not so long ago, do a very valuable service for humanity. This legislation tries to ensure that they do it and that they do it right, and that those that commit atrocities, rape and pillaging will be held accountable. Regarding the database that will be established, I asked a series of questions during the hearing: Who keeps track of these peacekeepers and whether they commit acts of pedophilia or other acts of atrocities against the local population? There is no one. This legislation requires that a database be established so violators are tracked and they are not given an opportunity to recommit those atrocities.

On the human rights front as well, we all know that the Human Rights Commission has become utterly dysfunctional. I go over to that commission almost every year, and we see rogue nations sit-
ting in judgment of other nations and in league with each other to prevent those countries from being held accountable. Nations like Sudan and others work the building, work the members, and work the Ambassadors to ensure the language that finally comes out of the UN Commission on Human Rights is watered down. Cuba does it. Other countries do it.

I do think Secretary-General Kofi Annan is leading a noble effort to reform. This legislation adds another push to try to ensure that human rights are transparent, that there is no chicanery when it comes to enforcement of internationally recognized standards.

So I do want to thank you, Mr. Chairman, for your sponsorship of this legislation, and I do thank my friend the Ranking Member for his contribution. I know there is a little difference of opinion here, but hopefully over time we can work out those differences.

Chairman HYDE. Thank you very much. The gentleman from New Jersey, Mr. Payne.

Mr. PAYNE. Thank you very much, Mr. Chairman. And although we are one of the smallest states in the Union, you can see that we can differ in opinions as wide as this country is long and wide.

I could not oppose this wrong bill at the wrong time in the wrong place. To talk about reform, I think, is something that is noble, it is right, it is just, it is what ought to be. When we look at the United Nations, it is a complicated institution, as we have heard, 191 nations, tremendous differences in culture, religion, race, language, and therefore it is pretty difficult to try to make it work. But I would hate to see a world without a United Nations. And it looks like some people want to see a world without the United Nations, because it is very clear, perhaps not the Chairman, but many others would love to see the United Nations simply cease and desist.

I thought the ostrich had taken its head out of the sand decades ago. However, in a dangerous world, a world where we need to have friends, where we need to share in the danger, we are talking about destroying an institution that has done more to keep the world safe and sound and free of diseases. Just think where we would be without the United Nations. And that is what it appears to me we want to see. We stopped paying our dues back in the 1990s, as a matter of fact, as quiet as it was kept, that there was reluctance to send in peacekeepers to Rwanda because the United States hadn’t paid its peacekeeping dues, and they didn’t even know whether they were going to be able to get people to go in. Unfortunate. The Helms amendment kept us from paying peacekeeping dues.

When the United Nations started, we paid about 50 percent of the costs, down to 33 percent, we are down to 28, we are down to 22. We have reformed it. We have reformed it by reducing our share. We have reduced taxes. And that is what I guess is a major move in this country. Actually, by us reducing our share, it actually has increased disproportionate poorer countries because it is supposedly based on gross domestic product. And if you look at our GDP and what we pay as opposed to the other countries, we are way off.

But this is certainly wrong. Timothy Wirth, the former U.S. Senator and President of the United Nations Foundation, said that
leadership and vision is now the most needed ingredient for the UN's reform process. Change and reform require firm, consistent policy and strong, persistent diplomacy. Threatening to withhold funds is an idea that sounds good if you say it fast enough, but in fact is most often cost ineffective and definitely counterproductive.

There is a climate for UN reform. The UN knows it. We know it. To put in these punitive methods that will kill the organization if they went in, we have some serious problems in this world. Our country, tremendous debt, overstretched military resources, growing powers around the world. You know, no man is an island and no man stands alone, nor is any nation an island and no nation can stand alone. However, we have people who seem to think that we can stand alone.

I have got children, I have got grandchildren, I hope to have great-grandchildren, and I want to see this world a safer place for them. To destroy the United Nations, as this bill will, will not make it safer for them. And that is my goal, as anyone would want for their children and their grandchildren and their great-grandchildren. I would not want my legacy to be that I am making this a more dangerous place for them.

Thank you.

Chairman HYDE. The gentleman from California, Mr. Rohrabacher. Would the gentleman yield to me for 1 second.

Mr. ROHRABACHER. I certainly will.

Chairman HYDE. I will make the flat statement that you can't have reform if you don't withhold dues. You can wish and you can pray, you can do all sorts of things, but if you don't withhold the dues, it is an empty gesture.

Mr. Rohrabacher.

Mr. ROHRABACHER. Yes, and I rise to respectfully oppose Mr. Lantos' amendment.

And let me just note that Mr. Lantos and I agree on many things and have taken many stands together. I think when you make a stand, you have got to make a stand. It is time for us to do that today. It is time to be definitive. It is time to draw a line in the sand.

It is not time for ambiguity or hyperbole about destroying the UN. It is not time to pass the buck and to delegate responsibility to maybe some official over in the Executive Branch.

It is time for us to say what is necessary and the standards that must be met if we are going to continue to finance this institution with the tax dollars of the American people.

The United Nations not only has not met expectations, but in some cases, has been a negative factor in this world. And we need to make sure that if the United Nations is to have any chance of meeting that vision that we heard about so many years ago, and we are hearing about today, we make sure we are doing that by setting a standard and reforming the United Nations in order to ensure that it continues going in that direction instead of being dragged down by forces, and corrupt forces, within the institution.

The United Nations in many, many cases has made a mockery out of human rights. Mr. Lantos knows that; he is one of the greatest champions of human rights in the Congress. Peacekeepers, the United Nations peacekeepers have committed horrible crimes, and
the waste of resources by the United Nations is beyond imagination.

Well, we have seen a United Nations not only not reaching its goal, but we have seen a United Nations in which corruption is reaching the very highest levels of the organization. And a lack of accountability and transparency is an insult to those who are paying the bill. And let us remember, today, we are the ones who represent the people paying the bill. These same people are demanding that the United Nations operate with some guidelines and some standards, if we continue, or that money will be a waste.

Peacekeeping operations, yes, should be supported, but only if the United Nations has taken the actions that will ensure that United Nations peacekeepers are not committing crimes against their own people that they are there to protect.

And the suggestions that have been made in this bill, or the mandates and requirements that have been made by our United Nations reform bill are responsible. They are very reasonable. And if the United Nations refuses to take those steps necessary to protect people from the United Nations peacekeepers themselves, we should not be financing them or participating with them.

Should the decision be left as to whether or not we are going to implement these reforms to one executive, unelected official in the Executive Branch of our Government; or should we set the standard today and give notice and give plenty of time to the United Nations and to our own officials to work out the agreements? That is the central issue of the Lantos amendment.

I say it is not time to delegate our authority again to the Executive Branch, but to represent the taxpayers and the people of the United States of America. Set the standards, give adequate time, as the Chairman has stated, plenty of adequate time to meet these standards, but if the United Nations refuses the reforms that are necessary to make it accountable, to have transparency within their operation, to ensure that peacekeepers are not committing crimes against the people they are supposedly protecting, then we should not delegate this decision to the Executive Branch, but should instead, today, in a very loud and clear voice say that this is not acceptable to us or the taxpayers, and we will not continue to fund the organization.

Today, if we back down and if we compromise just as the process of reform is being launched, what can we expect at the end of the process?

Chairman Hyde. The gentleman's time has expired.

Mr. Rohrabacher. I would thus oppose the Lantos amendment.

Chairman Hyde. The gentleman from Massachusetts, Mr. Delahunt.

Mr. Delahunt. Thank you, Mr. Chairman. I think that while we are discussing the UN and reform of the UN, at the same time the gentleman from Iowa, Mr. Leach, has really addressed what is even more fundamental in terms of our deliberations here today, and that is something that really sets the United States of America apart. It is called the rule of law.

We hear much in the halls of Congress about the rule of law. I want to associate myself with the remarks of Mr. Leach. I think he has captured, really, what we are doing here today, if we sup-
port the base bill. We are telling the world that we will cherry-pick our responsibilities and we will send a message that things are changing in the United States.

Well, I don’t believe they are. This is something that is so fundamental in terms of what America stands for, about American leadership, about our justifiable claim to moral authority.

Clearly, there is a consensus for reform in the UN. It is important that there be change so that the UN can be adapted to meet the challenges of the 21st century. And there are multiple proposals out there that share that common goal, including a comprehensive proposal put forth by the Secretary-General that seems to have generated widespread support among member nations.

There is also a task force being co-chaired by Newt Gingrich, the former Speaker, and George Mitchell, former Majority Leader in the U.S. Senate, and financed by this Congress that will shortly produce a report. It would be my preference to wait for that report, to give it some thoughtful analysis and consideration.

But that is not going to happen. Instead, we are on the verge of passing legislation out of this Committee that will undermine the United Nations, and that is bad for the United States. Because if the UN cannot carry out the important tasks that it has assumed, and we have been part of the decision-making to confer those tasks on the United Nations, then we will have to pick up the slack and the tab.

Let us not deceive ourselves, the United Nations needs American leadership, but the United States also needs the UN. This bill could very well force the U.S. military, which we know is already overstretched—one only has to read the daily reports coming out of Iraq and the lament of United States generals along the Syria-Iraqi border—that we would be compelled to deploy more military forces to inhospitable venues to restore order.

We only have to look in our own back yard. There are 6,700 blue helmets and another 1,400 UN police working to keep order in Haiti today. But without the UN presence, the United States would be left with the responsibilities of restoring order and providing security in Haiti, or else we would be dealing with a failed state right in our own back yard.

And I daresay the expense of keeping the Marines in Haiti would be greater than our total annual commitment to the United Nations, both assessed and voluntary. And as the world’s richest nation, the pressure would be on us to deal with failed states like Haiti all over the world, to provide relief on our own for natural disasters, to combat disease, and to help rebuild war-ravaged societies.

The Administration has repeatedly stated it does not support withholding our dues. Mark Lagon, the Deputy Assistant Secretary for the State Department’s Bureau of International Organizations and the man who helped write Helms-Biden, said as much in a response to a question that I posed to him before this Committee just recently.

Likewise, Mr. Kennedy, the former Ambassador to the United Nations for Management and Reform, the American point man for reform at the UN, said this before a hearing of the Oversight and Investigations Subcommittee in March, and I am quoting, “I cannot
recommend withholding because it is potentially too blunt an instru-
ment."

I find it ironic that I am in agreement with the Administration. I can only speculate as to why the Republican Majority would not insist on hearing from the Secretary of State before offering legislation that would potentially damage our national security.

Chairman Hyde. The gentleman’s time has expired.

The gentleman from California, Mr. Royce.

Mr. Royce. Thank you, Mr. Chairman. In response to the gentle-
man from Massachusetts’ comment concerning the rule of law, part of this reform package, in fact, is designed to promote trans-
parency and accountability and responsibility, and things that are complementary to the rule of law, but things which are sadly lack-
ing at the United Nations at this time.

I just wanted to add that I appreciate the gentleman from Cali-
fornia, the Ranking Member’s substitute. What I appreciate about it is that it strives to move from assessed to voluntary funding for certain programs. We share that goal. However, we differ on the means to get there. The difference is that the Chairman’s bill, of course, requires this. The substitute encourages this.

I appreciate Mr. Lantos’ work. We just differ on how to get to this end goal.

The reason I think we must make this vital change, the reason I think that this leverage is necessary is the same reason that we hold hearings in this Committee, and it is the same reason we ask for reports from the State Department; it is to keep these programs on their toes and held accountable. Right now, I have to tell you, these programs at the United Nations that we are discussing are on autopilot. They get their funding every year no matter what. By nature, voluntary funded programs are more accountable, they are more effective, and there is no incentive to get the job done if your funding is guaranteed.

My experience, through programs like the African Growth and Opportunity Act and the Millennium Challenge Account, tells me, if we set benchmarks for countries, they will strive to meet them. I believe the same concept is true here. Voluntary programs have the incentive to produce results and to be transparent. Doing so will enable them to attract more voluntary contributions and increase their mission.

We should also consider that moving from assessed to voluntary, frankly, will create buy-in for member states. I suspect many Mem-
bers have never heard of these 18 programs until today, because we have never had to discuss them before. We have programs here, such as the regular program of Technical Cooperation and the Eco-

nomic Development in Europe, and so on. We have never had to discuss them. Their funding was never in doubt.

It is never in doubt at the United Nations. They are on autopilot at the United Nations, and that is in contrast to many of the named programs of the institution that we discuss regularly, like the UNDP and the UNHCR. The difference is, their funding is vol-
untary. That should tell us something.

Lastly, this move enhances the United States’ ability to lead at the United Nations, and the United States is a leader in that organ-
ization. Many countries follow the U.S. lead on making voluntary
contributions to these various programs. For nearly 60 years, as we
know, the United States has been the single largest financial con-
tributor to the UN system. Given that history, I don’t think it is
too much to ask that we lead in moving it to a more transparent
and efficient and accountable system.

I yield back.

Chairman HYDE. I thank the gentleman.

Mr. Blumenauer of Oregon.

Mr. BLUMENTHAUER. Thank you, Mr. Chairman. I have appreciated
the exchange, the ebb and flow here so far this morning. I appre-
ciate what you and Mr. Lantos have set as goals for the perform-
ance of the United Nations, and listening to individual Members’
analyses. Mr. Leach’s, I thought, was very interesting.

I am of the opinion that some of the rhetorical flourishes this
morning are a little overblown. I personally don’t think that, while
I disagree with the approach here, if it were somehow enacted, I
don’t think it is going to destroy the United Nations. The time has
long passed where the United States can pull the plug and elimi-
nate the United Nations. We started it. We were instrumental in
moving it forward.

And there was a time when we undercut the League of Nations,
and that led to all sorts of problems in Europe and world conflict.
But now, with 190 other countries, with the United States’ role in
terms of its economic power diminishing—Japan already supplies
19 percent of the United Nations budget, with a much smaller
economy than ours—the thought that somehow our action, were we
to enable it, would pull the plug on the United Nations has passed.

The issue is the nature and role of our leadership and how we
are going to accomplish most directly these reforms.

Unilateral action on behalf of the United States dealing with the
United Nations has not helped us in the last several years, and cer-
tainly the approval of the Bolton nomination, were that to happen,
is not likely to engage us more deeply in a cooperative fashion in
the United Nations. We created it, we need this entity as much or
more than it needs us.

Now, as I mentioned, I am in agreement, Mr. Chairman, about
many of the areas of reform you have identified and supported by
Mr. Lantos. Although I would note parenthetically that I have had
a lot more pressure and pointed questions from churches at home,
campuses at home, editorial writers at home wondering how the
United States tolerates abuse of people in our custody, most re-
cently the front page article about the innocent Afghan being beat-
ten to death by American soldiers, and wondering what Congress is
doing to focus on that where we have direct control and oversight
responsibility, than I have heard about the abuses in the United
Nations.

Maybe your experience is different, but for me, I am hearing far
more about making sure that our house is in order, that we are
transparent, that we are following through.

The legislation before us, in either form, is very unlikely to pass
Congress in anything near the version that we have. I think it is
wrong to tie the hands of any Administration. I would have felt
this way about the Clinton Administration; I feel it about the Bush
Administration and Secretary Rice. And any Member of this Com-
mittee can talk to people that you have confidence in in the State Department and hear why they think this is an inappropriate approach.

We are, in fact, going to very likely set back the effort of long-term reform by signaling to the United Nations that we are going to do another unilateral act and that we are going to try and force these things through. I think it is less likely we are going to get the cooperation we need from the other 190 countries.

I appreciate the focus on these concerns. I appreciate the commitment of our Chairman and Ranking Member and the passion that is being exhibited by Members on this Committee, but with all due respect, I think listening to the current Secretary of State, former Secretaries of State in both parties who share the goals, who have worked to try to move them forward, I would strongly urge against these unilateral actions that are likely to make our long-term objectives harder to achieve.

Chairman HYDE. I thank the gentleman.

The gentleman from Arizona, Mr. Flake.

Mr. FLAKE. I thank the Chairman. I thank the Chairman for bringing this bill forward. I will be very brief, but simply say this is not unreasonable at all. We have waited and waited and waited for some of these reforms for a long time, and the UN has been fully capable of moving ahead with some of these reforms on their own, yet they haven’t.

I think we have the power of the purse here. We provide a great deal, 25 percent of the total budget, even higher with peacekeeping, and it is not unreasonable at all. I think the Chairman has been very careful to ensure that they have sufficient time necessary to do what they need to do.

When you continue to hear what is coming out of the UN, you just have to conclude that they just don’t get it. And unless you have a little stronger incentive for them to get it, they simply won’t.

I was reading an account of the World Economic Forum discussion just a few weeks ago in Jordan. Lakhdar Brahimi, UN Special Adviser, was talking about the insurgents in Iraq and said, “There is a legitimate aspect of the resistance there.” I mean, statements like that, you just have to come back and say, Are these guys going to reform without some added pressure in terms of money?

And I would commend the Chairman for what he has done. I think he has been very careful. I believe I will have an amendment, and others will on the Floor, that will, I think, make this an even better bill; but I would love to see it move forward, and I plan to vote for it. Thanks.

Chairman HYDE. I thank the gentleman.

Ms. Berkley of Nevada.

Ms. BERKLEY. Thank you, Mr. Chairman, and I also appreciate the discussion that we have had. I have to admit to a great sense of frustration with the United Nations and a great deal of internal conflict regarding what to do about it.

Sixty years after its founding, the United Nations is unable to do the job for which it was chartered. It is handcuffed by the biases of its members and by its own ineffectiveness. A refusal to enforce Security Council resolutions in Iraq, charges of corruption in the
Oil-for-Food Program, an inability to stem the proliferation of nuclear weapons to the world’s most dangerous regimes, near constant condemnation of Israel, and a strong anti-Semitic bias demonstrate that the UN is unfairly biased and ineffective.

Bureaucratic waste and corruption is rampant. Frivolous uncontrolled spending is the norm. Budgets for certain programs, I believe, should be reduced dramatically. Certain programs should be transferred from the excess budget to the voluntary contribution budget. Reforming the United Nations is long overdue.

I find it very difficult to believe that the UN cannot use its influence to help reform various UN specialized agencies, including the Food and Agriculture organization, Internal Civil Aviation organization, and the Internal Labor organization. These agencies don’t exist in a vacuum. And to suggest that the UN has absolutely no control over these specialized agencies doesn’t seem correct to me.

The way the UN peacekeeping operations are conducted must also be transformed, in my opinion; and I would support withholding U.S. troops from any new peacekeeping missions until the system has been altered. When Congressman Leach, with all due respect, stated that the United Nations is very aware of what we are considering today and they are appalled, let me suggest that I don’t believe many member nations to the United Nations have any standing to criticize the United States and be appalled by our actions. I am rather appalled by theirs.

I am going to support the Lantos amendment, but if it fails, I am considering supporting the underlying bill if for no other reason than to send a message to the United Nations. I don’t believe the United Nations is useless, and I don’t wish to destroy it. Its vision and purpose are noble and right. The reality is, unfortunately, quite different.

What makes me hesitate in my support of the Hyde amendment, and there are several reasons why I do hesitate, one of the reasons is that many of the reforms suggested in the Hyde proposal require unanimous consent from all 191 member-states to implement. One hundred ninety-one member-states include countries such as North Korea, Iran, and Syria. I cannot see how we can get unanimous consent and how this can happen.

So when many of our colleagues suggest that this proposal is designed to end our Nation’s support of the UN and, therefore, end the United Nations for all intents and purposes, I can certainly understand and share their concern that this might be too Draconian. So I am going to continue to listen to my other colleagues.

What I think concerns me the most is that the United Nations could be and should be such an important force for world peace and doing the right thing and implementing its original mission, and the fact that we have strayed so far from that, I think, is very unfortunate. It is unfortunate for all of us, and I would like to be able to do something about that.

I don’t know whether withholding our money is the answer. Certainly continuing the way we are doesn’t seem to be the answer either. It certainly doesn’t satisfy me.

Thank you, Mr. Chairman.

Chairman HYDE. Would the gentlelady yield to me for a brief moment.
Ms. BERKLEY. Certainly, Mr. Chairman.

Chairman HYDE. A two-thirds vote, not a unanimous consent vote, is required in the UN, except on budgetary matters where there must be unanimous consent on the budget. But, otherwise, two-thirds will do it.

Ms. BERKLEY. May I reclaim my time and ask you a question?

Chairman HYDE. Surely.

Ms. BERKLEY. Aren’t many of the proposals that you are suggesting of a budgetary nature?

Chairman HYDE. Yes, they are. There are some budgetary and some not, but that is the lineup. It is two-thirds or unanimous consent if it is a budget matter.

I thank the gentlelady, and I did appreciate her statement.

Ms. BERKLEY. Thank you.

Chairman HYDE. Mr. McCotter of Michigan.

Mr. MCCOTTER. Thank you, Mr. Chairman. I speak in opposition to the distinguished Ranking Minority Member’s amendment.

It is fascinating to listen to the discussion, because in some ways it is what is not said, and what has not been said is that this bill is prospective. This does not punish the United Nations for the Oil-for-Food scandal, it does not punish them for the inappropriate deeds of the peacekeepers in the Congo, what this does is gives them a chance to reform. So I would think the United Nations should be grateful at this point in time that many people, myself included, were unable to have them punished for their past misdeeds that we have yet to see any rectification of.

Secondly, we hear so much that the U.S. will have to do, X, Y and Z, if we remove 50 percent of our funding from the United Nations; that we live in a world where the United States needs friends. Well, I don’t have to buy my friends. My friends agree on things with me because we believe they are important to do. There are certain fundamental beliefs, our core beliefs, that are in convergence with each other. Thus, if Haiti is a problem with the United States, I would think Haiti is a problem for the rest of the world. If Darfur’s genocide is problem for the United States, then it should be a problem for the rest of the world. And whether the United States pays 100 percent or 50 percent, it would still remain a problem for the rest of the world. And I would hope that their compassion and core convictions would lead them to come to fight for what is right for the rest of humanity.

Now, if you are saying that if we don’t buy them with 100 percent of our dues, that somehow they will be derelict or abdicate their goals for humanity, then that is a shame and that is an indictment of the United Nations, not of the United States.

In terms of the overall consequences, you know, let’s say I hire a contractor to build a doghouse in my back yard where I can sleep when my wife is upset with me. And the contractor looks at me and he doesn’t do any work and he insults me all day. And so I say to my neighbor, “You know, I have this problem with the contractor building my doghouse; he just doesn’t do any work and he insults me all day.” And the neighbor says, “Did you think about saying, ‘If you don’t finish this up, I am only going to pay half?’” And I look at him and say, “No, I had better pay him 100 percent because at least he will insult me all day long. But if I only pay him 50 per-
cent, he won't do anything at all, and I don't think that is a very good bargain."

You are trying to say that we have to pay 50 percent or 100 percent to maybe get the UN to do the right thing, and I don't think that is a good bargain. If the UN is a derivative reality, then it is also a derivative investment, and I think if we spend our money wisely; if the UN is corrupt, it is better to keep the money here to pour into our national defense and domestic programs than it is to pour it into the derivative reality which is not necessarily acting in our best interest.

Further, having made the mistake of reading some of the legislation in front of us, it seems to me that the two distinctions between the amendment, which is very well intentioned and well written, and the underlying bill, which is very well intentioned and well written, amounts to this: Under the Chairman's bill, if the UN meets 31 of 32 requirements, it will then run the risk of automatically losing 50 percent of its funding. You may like that, you may not. However, under the amendment, if the United Nations does zero reforms, they can still get 100 percent of our funding.

I would prefer to run the risk under the Chairman's bill that the UN meets 31 out of 32 and receives half our dues than I would prefer to run the risk, if they do not do anything, they can still wind up with 100 percent of our dues. It would seem to be a more sane course.

For those who truly want reform, you should argue for the Hyde bill. This is a very firm and consistent policy, that if 32 objectives are not met, you will not get but 50 percent of the U.S. dues.

Under the Minority Member's amendment, there is discretion involved, which will then lead to an inconsistent policy based on the exigency where we find ourselves, which may or may not lead to reform.

So, Mr. Chairman, I thank you for this opportunity, and thank you for all your work, and the Minority Members as well.

Chairman Hyde. Thank you, sir.

Ms. Napolitano of California.

Mrs. Napolitano. Thank you, Mr. Chairman. Sitting here listening to my colleagues' dialogue, I, for one, had not been very much in favor; and if you will recall, I was critical of their handling of the Oil-for-Food Program, and asked questions in regards to other programs that could also be in jeopardy. And I certainly agree with many of the comments that have been made.

I associate myself with the comments of my colleague from Nevada, Ms. Berkley.

You know, this bill, it just places unreasonable demands on the United Nations and does not give our Secretary of State the leeway to negotiate. We have agencies that we give them authority to be able to do these things. If we want to pull out, then say so, but don't dilly-dally around and say that the UN is not doing their job and there is nothing we can do about it.

I still think we need the UN and the UN needs us. Where would the world be without the United Nations? The rest of the deficiencies need to be addressed, and that is something the State Department should be able to work toward with our support. So I certainly don't agree with total withdrawal in the Hyde bill.
I am sorry, Mr. Chairman. It is just a little too much for me, even though I don’t agree with some of the things that have happened. And I certainly hope that there is going to be oversight in making sure these things are rectified.

I would support Mr. Lantos’ amendment, because I think it does have the possibilities that I would like to look for.

So thank you, and I yield back my time.

Chairman Hyde. I thank the gentlelady.

Ms. Ros-Lehtinen.

Ms. Ros-Lehtinen. Thank you very much, Mr. Chairman, for the opportunity to speak against the substitute and in favor of the Chairman’s bill. I wanted to talk about two specific items, or arguments, that have been made about the substitute. One is arrearages and the other is violation of international law.

The argument has been made that this bill, the Chairman’s bill, would create arrearages, and we have just paid off the bulk of our arrearages under Helms-Biden. Why are we going to put ourselves in that position again? I will give you three good reasons why that is not going to happen.

The Kassebaum-Solomon amendment in 1985, a congressional directive to withhold contributions in 1994 unless an international oversight structure was implemented, and the Helms-Biden legislation in 1999 clearly have shown that Congress can prompt meaningful change in the United Nations if we apply the power of the purse.

For example, in Kassebaum-Solomon, Congress was able to use the power of the purse to promote budgetary accountability problems and make sure that we cleaned those up by the eventual implementation of consensus-based budgeting procedures. In 1994, the UN established the Office of Internal Oversight as U.S. withholdings were looming upon that institution.

And then in Helms-Biden, Congress agreed to pay the U.S. arrearages to the UN if changes were made. The UN agreed to the changes, and the U.S. paid.

So we are now in 2005, and I would be shocked if I were to find a single Member, just one Member who would state that the UN is doing just fine as it is.

We have got to act, Mr. Chairman, and change requires leadership. The responsibility for promoting change is being led by the United States Congress, by our bill, specifically this Committee and our Chairman, Henry Hyde.

No arrearages have to result from this legislation if the UN were to take action to address the needs that they have for efficiency, accountability, and effectiveness, all of which they lack. And if the UN fails to act, why should the United States continue to pay for programs that operate essentially with a blank check? No accountability for producing results, no checks undated, inefficient, duplicative initiatives, no effective results; and we have a human rights body that allows violator countries to sit as the arbitrators of human rights.

So if arrearages do result from this legislation, which I doubt, maybe it will serve as a much-needed wake-up for the United Nations and would provide incentives for that change.
Another argument, in the 30 seconds I have, Mr. Chairman: It says this bill would put us in violation of international law because of our failure to pay assessed dues to the UN as agreed to in the General Assembly. Contributions to the UN are subject to authorization and appropriations of the United States Congress. We have a duty to the American taxpayers to ensure good stewardship of their dollars. We have to hold the UN accountable.

All countries benefit from an efficient, transparent, accountable UN, and it is not just in the U.S. interest. This bill would not put us in violation of international law.

Chairman Hyde. Would the gentlelady yield?

Ms. Ros-Lehtinen. Yes, Mr. Chairman.

Chairman Hyde. I find it fascinating that through all of the hearing we have had this morning not one criticism has been lodged against a reform. It is all on the consequences if they do not reform that is so horrible. But the reforms that we request, that we require, there doesn’t seem to be any question about those.

I just thought that was sort of interesting.

Ms. Ros-Lehtinen. I totally agree with the Chairman. Thank you for bringing that up.

Mr. Lantos. Would the gentlelady yield?

Ms. Ros-Lehtinen. Mr. Lantos, if I could first just wrap up my argument.

I want to read a quote from Ambassador Jean Kirkpatrick, who pointed out very clearly many years ago why this bill, the Chairman’s bill, would not be in violation of international treaties. She says: “It is sometimes argued that as signatories to the treaty we assume an absolute legal obligation to pay the assessed share of the budget. It seems to me, after consultation and reflection, that this obligation is real, substantial, and serious, but that it is not absolute.” It is not absolute. “We should not assume however,” continuing with Jean Kirkpatrick’s comments, “any expense proportioned by the General Assembly is absolutely valid.”

I think reforms are needed. We are going to pay our dues, but we cannot continue with the UN as it is now.

I thank the Chairman for the time.

Chairman Hyde. Thank you.

The gentleman from California, Mr. Lantos, is recognized for 1 minute. We will just kind of sneak this in. Go ahead.

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

Let me just remind my colleagues that a higher authority gave us the Ten Commandments, and this Committee proposes to give 39 commandments to the United Nations. And even if only 38 of those commandments will be adhered to, half of our budget is withheld automatically.

Now, for the life of me, I cannot grasp the omniscience behind the number of 39. We could have devised 52 commandments or 27, but we are now stuck with the figure 39. And if by the appropriate time only 38 of these will have been achieved by the United Nations, automatically, without any further action, half of United States dues to the UN are terminated.

The logic of putting ourselves in a straitjacket absolutely escapes me when, in point of fact, we could make intelligent, rational judgments through our Secretary of State at the time when it is called
for. Clearly, 535 people cannot have that discretionary power. Only one person can have it, and the appropriate person is the Secretary of State.

Thank you, Mr. Chairman.

Chairman HYDE. I would just like to respond to my friend from California that 39 is the reduced figure. We had double that number of programs. We cut it down to 39.

Mr. LANTOS. I am impressed, Mr. Chairman.

Chairman HYDE. A demonstration of our sparkling mood.

Ms. Watson of California.

Ms. WATSON. I would like to thank the Chairman for this time to speak at a level of diplomacy.

I have worked with the UN. There are 191 members, as has been said, representing many different areas of the world with many different traditions, customs and beliefs. In my recent travels, I have sensed a disdain toward the United States for many of the actions we have taken. Yes, the UN does need to be reformed, but I do not think this is the way to do it.

We have programs that we all support. I am concerned about the genocide in Darfur, I am concerned about the number of UN peacekeepers that we can send to hot spots throughout the globe. If we automatically pulled the funding out, we would not be able to participate relevant to our size and our wealth. We would no longer be the lead player in the world because we are not supplying the contributions that will allow the UN to react when necessary.

So I think we need to go back to the drawing board. I think that the Lantos amendment offers a way. It is not perfect, but the base bill would do the UN more harm than good. The message we send from here to the UN is that we are going to cut your feet out from under you.

We must work with nations who make up that 191 membership. We must do more to understand what we are dealing with and not pull out their life’s blood. If we do that, we are not going to reach our goals, and particularly at a time when this country is going out around the globe asking for democracy.

We are going to have to back that up with resources. We are going to have to back the UN up with personnel and people and study groups.

So I don’t think either one of the proposals is ready yet. However, I opt to support the amendment and hope that we can include in the amendment, Mr. Lantos, maybe a requirement for the Secretary to come for an annual oversight hearing and do us an annual report as to how we are meeting the goals.

Thank you so much, Mr. Chairman.

Chairman HYDE. I would like to announce that we have only about five more speakers, and then we will probably vote on this very important amendment around 12:30. So if you could check your hunger pangs until we vote, I would be appreciative.

Mr. Schiff.

Mr. SCHIFF. Mr. Chairman and Members, the world has changed dramatically since the United Nations was founded 60 years ago—and not only since then, but in fact, the world has changed dramatically in the last 5 years. The UN has been very slow to reform itself, and if we are candid with ourselves, so have we.
We are in the midst of reforming our intelligence agencies, our Department of Homeland Security, we are engaged in a military transformation that is taking altogether too long, and if there is any institution that has been slow to reform itself, it is the Congress itself, which has been very slow to act at all on the recommendations of the 9–11 Commission vis-a-vis the organization of Congress.

I have expressed my concern as a Member of the Subcommittee on Oversight and Investigations that while we have had several very important hearings on United Nations reform, we have yet to begin oversight of many of our own institutions.

I think the main issue before us today is, what is the challenge facing the United Nations? I think the biggest challenge facing the United Nations is to redefine itself from its mission of six decades ago with a focus on state-on-state warfare, to intrastate violence, to the danger of stateless terrorism, to the stubborn issues of poverty and disease.

Reform is essential, and the Chairman is exactly right, the encouraging thing about this hearing is that we are all not only united on the need for reform, but in fact on the very reforms that are being proposed. We have to end the corruption present in the institutions within the United Nations, as exemplified by Oil-for-Food; we have to end allowing human rights abusers a say in human rights issues; we have to end the endless attacks upon the democratic state of Israel, and we have to end the paralysis that allows the tragedy of Darfur and others to continue.

The question before the Committee, as the Chairman points out, is, how is this reform best achieved? Is it best achieved by starving the United Nations of funds if it fails to meet a pace of reform that all would like, but none truly believe is possible?

In the substitute from my colleague, Mr. Lantos—and I want to compliment him for all his fine work on this—the Secretary of State is given discretion to use the threat or the reality of dues reduction to achieve reform. This is a considerable leap of faith for many on this Committee, to place that level of discretion in the Secretary of State. And I assure those in the Majority, if they are uncomfortable giving the Secretary that discretion, it is nothing compared to those in the Minority who are uncomfortable giving the Secretary that discretion.

The advantage, of course, in giving the Secretary discretion is that depending on what is happening in the world, on the eve of new elections in Iraq, or requesting UN assistance on the drafting of a Constitution or other imperatives of national security, that the Secretary of State can consider the world situation and how withdrawing our dues at that moment would affect these other critical national security interests of the country.

Does the Majority really believe Dr. Rice will be too soft on UN reform, that she would coddle the UN, that she cannot be trusted with the discretion the Lantos bill provides? I remind the Majority, this is the same Secretary of State championing John Bolton’s appointment for Ambassador to the United Nations. If that doesn’t give the Democratic Members pause, I don’t know what will.

If giving the Administration the power to withhold dues does not spur reform at the UN, I don’t know what will either.
Of course, if the goal is not reform, but to starve the beast, well that is a different matter altogether. If we set such standards on ourselves, the pace of reform we are demanding of the United Nations, we would be cutting the legislative budget for Congress, not increasing it.

There is little dispute on this Committee of the need for reform or the direction of reform. That is the good news. The choice, I think, before us today is whether we work within the United Nations to achieve reform or we work without it. And given the critical areas where we need the United Nations, where they provide beneficial assistance, I think we work within the United Nations to achieve reform, not without it.

And I would like to conclude, Mr. Chairman, by asking unanimous consent to insert in the record excerpts of testimony by Mr. Kennedy, Ambassador to the United Nations, and also testimony of Deputy Assistant Secretary of State Mark Lagon, both of whom testified against the wisdom of an imperative dues withholding.

I request that unanimous consent, and with that would be happy to yield back the balance of my time.

Chairman HYDE. Without objection, so ordered.

[The information referred to follows:]

EXCERPT OF REMARKS BY PATRICK KENNEDY, AMBASSADOR TO THE UNITED NATIONS FOR MANAGEMENT AND REFORM, UNITED STATES MISSION TO THE UNITED NATIONS

OVERSIGHT & INVESTIGATIONS SUBCOMMITTEE HEARING ON "UNITED NATIONS OPERATIONS: INTEGRITY AND ACCOUNTABILITY," MARCH 2, 2005

There is a group that we have put together in New York. It is called the Extended Group for want of a better name. It is about 25 or 30 countries that make some of the major contributions to the U.N.

It is a like-minded group that seeks reform. It is the European Union, Canada, Australia, New Zealand, Russia, Switzerland, Norway, Japan, South Korea, and the United States.

We discuss these things, and we meet regularly to plan strategy, and when I can say, or my colleagues can say to them that our Parliament, our Congress, is very interested in making sure that every dollar is spent by the U.N. correctly, they listen and they hear that.

But then this goes to the kind of tools, and I cannot recommend withholding, because it is potentially too blunt an instrument, and let me give you an example. Let us say that you suggest that we achieve three goals, A, B, and C, whatever they might be. And I am in the process of negotiating an agreement with 190 other member states to get something done. And I can get A and B, and in the process of the negotiations, I get D and E.

That total package, A, B, D, and E, is greater than A, B, and C, in terms of a major step forward in terms of improving the United Nations operations. But I am now forced to withhold our contributions, causing the U.N. not to be able to assist the new Government of Iraq.

It was the United Nations that helped the Iraqi electoral commission, and to put on the elections that just took place. And there are two more elections set for Iraq this year; one to approve the new Constitution that will be written shortly, and a second to elect a new Government.

The Iraqis have never had an election up until the one a couple of weeks ago in a free and fair society. They need United Nations’ help, the same help that is being given out. So I need to be able to say that my legislature is very interested in improvements.

But sanctions when I am negotiating improvements, the sanction of withholding is too blunt because it is not targeted enough. If I can get X, Y, and Z, instead of A, B, and C, I believe that I can come up and present that and you would accept that that is a better goal than the original.
And then if I am withholding, then it does not achieve our joint goals of improving U.N. operations and improving the ability of the United Nations to serve as a tool that assists us in achieving our national security goals.

EXCHANGE BETWEEN REPRESENTATIVE WILLIAM D. DELAHUNT AND DEPUTY ASSISTANT SECRETARY OF STATE FOR INTERNATIONAL ORGANIZATIONS MARK LAGON

HOUSE INTERNATIONAL RELATIONS COMMITTEE HEARING ON "REFORMING THE UNITED NATIONS: BUDGET AND MANAGEMENT PERSPECTIVES," MAY 19, 2005

REP. DELAHUNT: Yes, thank you, Madam Chair. Mr. Secretary, if there should be a—let me rephrase that. What’s the position of the administration on the withholding of dues? If this committee should forward with legislation that incorporates withholding of dues, a percentage thereof, whatever—I’m certainly not supportive of that. What’s the position of the administration?

MR. LAGON: In general we welcome legislation that shows that the Congress stands strongly behind the administration’s effort for reforms. Specifically to answer your question about withholdings, the Executive Branch has made a request for appropriations in their authorization for our dues for both the regular budget and the peacekeeping budget. And we stand by that.

REP. DELAHUNT: Okay. So let me be clear because I think it’s important that we do be clear and that we don’t equivocate. But it’s the position of the administration that the United States should pay its appropriate dues to the United Nations? Not a maybe, not a percentage, but you pay its full dues to the United Nations?

MR. LAGON: It’s an obligation we have signed onto.

REP. DELAHUNT: Thank you.

Chairman HYDE. The gentleman from California, Mr. Sherman. He is not here. Ms. Lee of California.

Ms. Lee. Well, thank you, Mr. Chairman. Let me first just say, I think this is a healthy discussion, a healthy debate. And I must be quite frank with you and this Committee, I think—and we all have agreed, myself included, that there is need for reform at the United Nations, but I guess I must ask the question: Is the goal of this resolution, is the goal of the Administration and what the Congress is trying to do, is it really reform or is it really an effort to begin to dismantle or to withdraw from the United Nations?

And I have to say that because when I look at the nominee for the United Nations Ambassador post, you look at Mr. Bolton and his public statements of, I must say, disdain for the United Nations, then you look at the move now to withdraw our dues, I have to really question what we are up to.

I think it is very terrible, and it is a dangerous message to send on the eve of the 60th anniversary of the founding of the United Nations that we are still trying to figure out how to have our way all of the time, and that is what this is about.

We are part of a family of nations. There is no way that the United States can achieve our national security goals by withholding dues and by wanting or attempting or sending a message that we are willing to withdraw from this complex and collaborative process that requires diplomacy when it is in the United States’ interest.

We seem to go to the United Nations and demand the UN pass certain measures, and generally the United Nations does. One of my colleagues said, “Friends must believe in what the United States believes in or else we don’t have a responsibility to do much of anything.” Well, I must respectfully disagree with that.

The rest of the world may not agree with what the United States says. Many of us have traveled all over the world, and we know.
And Congresswoman Watson talked about the lack of respect that many in the world have with regard to the United States at this point because of our unilateral actions and because of our demands that only our view be the view, and that other points of view not be considered valid.

So I think we get it. Many of us get it. And I think this is more than just about UN reform. I hope it is not.

But I think we should pay our dues and we should work with the United Nations to address not only reform efforts, but many of the complex problems and difficulties that the world has and that we must achieve in terms of sorting through.

When we have weapons of mass destruction and nuclear weapons pointed in all directions, you are going to tell me that we want to send a message that we have got to withdraw our dues, hold it as a form of blackmail until we get everything that we want, when we are part of a global community, a family of nations?

And so I just think this is a terrible, it is a horrible message to be sending to the United Nations and the rest of the world during a time when we are celebrating, or we should be celebrating, the 60th anniversary of its founding. We should be initiating efforts to win friends so that we can influence friends, so that we can begin to work more closely with the family of nations to achieve not only the United States' national security needs, but peace and security and stability throughout the world.

Thank you, Mr. Chairman.

Chairman HYDE. Thank the gentlelady.

Mr. Berman of California.

Mr. BERMAN. Thank you, Mr. Chairman. I missed the Chairman's opening statement in favor of the bill, but I listened carefully to Mr.——

Mr. LANTOS. Could we repeat the opening statement, Mr. Chairman?

Mr. BERMAN. But I listened to Mr. Pence's arguments. And put aside for a second the wisdom of these two approaches in terms of achieving the reform.

The argument of the gentleman from Indiana was basically an argument premised on the power of the purse and the use of the power of the purse. But there is a provision in this bill that has nothing to do with the power of the purse and which I have heard no comment on and which I would love to hear the gentleman from Indiana or the Chairman of the Committee defend, especially given the Chairman of the Committee's repeated commitment to keeping Congress from interfering with the prerogatives of the President, of the Commander-in-Chief, and that is that if this bill were to pass, the day after it passed, this law requires the President of the United States to veto a peacekeeping operation, either a new one or the expansion of an existing one, unless a certain number of the reforms provided for in this bill are adopted.

Those reforms are very good reforms. In fact, they are compelling reforms. But the notion that this Congress would mandate the President to exercise a veto of a peacekeeping operation is of dubious constitutionality and is really stupid. Because, let's say for a second, the problems of China vis-a-vis Sudan or some outbreak someplace in the world, and we have a consensus on the Security
Council, including the veto-wielding powers on the Security Council; that a new UN operation, which perhaps requires no obligation in terms of United States troops, comes up, an operation like the one undertaken in Sri Lanka or perhaps the one embracing the relatively meager efforts now going on in Darfur, with the more meaningful and robust UN peacekeeping operation.

We are requiring—because of the failure of the UN to undertake some of the reforms required, primarily dealing with codes of conduct involving UN peacekeeping troops, we are requiring the President to veto it. That is like saying we are going to prohibit the police departments of a local agency from undertaking any law enforcement operations until such time as they provide for an independent police-civilian review board and a code of conduct to overcome past brutality charges and allegations. It makes no sense.

It has nothing to do with the power of the purse and invades the progress of the Executive Branch in terms of foreign policy and exercising the veto at the United Nations, and it should be struck from this bill.

I would love to hear some defense of this provision, which is unrelated to the withholding of dues and which limits so dramatically the flexibility on something which we might all agree is a sensible operation for the UN to proceed on.

Chairman Hyde. I thank the gentleman.

Mr. Gallegly from California.

Mr. GALLEGLY. I thank the Chairman for yielding and I will yield to the gentleman from New Jersey, Mr. Smith.

Mr. SMITH OF NEW JERSEY. I thank my friend for yielding. In response to my good friend and colleague from California for raising what I think is a very good question, there are a total of seven vital, achievable reforms in the certification section.

Five reforms are linked to an immediate withholding of support for new or expanding missions. They include: (1) adoption of a uniform code of conduct; (2) training on the code of conduct; (3) signature of an oath to abide by the code of conduct; (4) designing programs to explain prohibitive acts to host populations; and (5) the creation of a centralized database to track cases of misconduct.

I would point out that two additional reforms that would not have to be certified until January 1, 2007, would be the adoption of a model memorandum of understanding and establishment of an independent investigative and oversight function.

I would point out that two additional reforms that would not have to be certified until January 1, 2007, would be the adoption of a model memorandum of understanding and establishment of an independent investigative and oversight function.

So the first five, I would point out, have already been endorsed and raised except for the oath by the Commission. The C-34 Commission has been meeting at the United Nations. This legislation basically tries to give it additional oomph so that these very important reforms don’t fall through the cracks and says that we are putting our power of the purse, to use the gentleman from Indiana’s term, behind trying to make sure that they do indeed happen.

Mr. BERMAN. Would the gentleman just yield on that?

Mr. SMITH OF NEW JERSEY. Let me also point out to my colleagues that my good friend and colleague, Ms. Lee, mentioned earlier about how maybe there is some thought here of dismantling the United Nations. If you look at the next bill that we will be marking up, the Foreign Relations Act of 2006, 2007, the State Department bill, we in that bill double the amount of money for
peacekeeping. We go from $483 million to $1,035,000,000. And that is to accommodate five new missions that have already been approved or expanded in Burundi, Sudan, Cote d'Ivoire and Haiti.

Mr. Berman. Would the gentleman yield? I would ask unanimous consent the gentleman have 1 additional minute.

Chairman Hyde. The gentleman's time has expired.

Mr. Berman. I would ask unanimous consent to give 1 additional minute.

Chairman Hyde. Without objection, so ordered.

Mr. Berman. Would the gentleman yield?

Mr. Smith of New Jersey. Sure.

Mr. Berman. Would the gentleman from California yield?

Mr. Galleghy. I would yield to the gentleman.

Mr. Berman. I thank the gentleman for yielding. My point wasn't the validity of these proposed reforms. They are compelling, as I said. My point was the bill requires the President of the United States to instruct the Secretary of State to veto any new peacekeeping operation or any expansion of a peacekeeping operation. It has nothing to do with holding dues or providing some oomph to achieve those reforms, which are so compelling. It says, notwithstanding the fact that it is in the world's interests and U.S. national interests for some new peacekeeping operation to take place, even if one or more of those five reforms haven't yet been fully implemented, including, I might add, the training of a very large number of peacekeepers, the U.S. must exercise the veto and kill that peacekeeping operation.

Chairman Hyde. Would the gentleman yield to me?

Mr. Galleghy. I would yield to the Chairman.

Chairman Hyde. The gentleman certainly has the United States in a UN hammerlock. Why should we have to designate any operation with our troops or with our money as a UN peacekeeping? If we want to send troops over to somewhere in Leach. Or into Haiti as American troops, we can do it. We don't have to do it under the——

Mr. Berman. Would the gentleman yield to me?

Chairman Hyde. Sure.

Mr. Galleghy. Mr. Chairman, how much time do I have remaining?

Mr. Berman. I ask unanimous consent the gentleman have 1 additional minute.

Chairman Hyde. Without objection, so ordered.

Mr. Galleghy. I would yield to Mr. Berman.

Mr. Berman. My point is we are talking about a UN peacekeeping operation that need not involve any U.S. troops. Take East Timor. East Timor was an operation sanctioned by the UN Security Council, led by the Australians, as far as I understand, except perhaps with a little bit of logistical help, no United States peacekeeping troops. That was in U.S. interests. The bill as now written goes far beyond the issue of withholding dues. It requires the Secretary of State or the UN Ambassador under the direction of the Secretary of State to veto that operation. You go too far, not for the first time.

Mr. Smith of New Jersey. Would my friend yield? I think it should be made very clear that with all of these five safeguards
which ensure that the peacekeepers are being deployed to places like the Congo, where you have exceedingly vulnerable populations, such as 13- and 14-year-olds, as we heard at that witness table just a few months ago when we held our hearing on the Congo, why wouldn’t we want to ensure that before we muster and send out into the world a group of peacekeepers, that they wouldn’t have the training, the kind of code of conduct that would ensure that they don’t rape and pillage? And when I say rape, we are talking about raping 13-year-olds. That is what happened. This isn’t conjecture. We have already been alerted to a fact that we have a serious ongoing problem.

Mr. Berman. Tell it to the people of Darfur.

Mr. Smith of New Jersey. And we want to ensure, too, that those who are deployed there—and I think that the African Union is going a great job in trying to ensure that the troops that will make up that force are indeed properly vetted—are not sent into a situation where they become part of the problem, not part of the solution.

This is minimalist stuff. This isn’t exceedingly hard to do. This is already on the same page that the United Nations is on with the C–34 group and with Prince Sayad.

Mr. Gallegly. Reclaiming my time, Mr. Chairman. I yield back.

Chairman Hyde. Thank you.

Mr. Adam Smith of Washington.

Mr. Smith of Washington. Mr. Chairman, I made it clear that I did not wish to speak.

Chairman Hyde. Mr. Chandler of Kentucky.

Mr. Chandler. Thank you, Mr. Chairman.

I would like to associate myself, first of all, with remarks of Mr. Leach of Iowa and several Members on this side of the aisle. There is no question whatsoever that reforms are needed at the United Nations, but I do not believe that this is the way to achieve those reforms. We should be steadfast in our determination to improve the UN, but it must be done within the Constitution of the United Nations, if indeed we believe in the very notion of a United Nations. This bill is very akin, in my view, to the little child who takes his ball home when he doesn’t get his way. We must work within the international system in order to gain the respect of the international community.

Over the last several years we have lost a great deal of respect throughout the world. I would suggest to you that our standing in the international community may have never been lower than it is today. This bill, I believe, would further erode our standing.

I think it would be wise for us to remember that we make up less than 5 percent of the population of this world. I believe it is rather important for us to gain and maintain the respect and the friendship of the other 95 percent. I believe it to be important indeed to our national security that we gain the respect and the friendship of the rest of the world. If every country in the world decided to withhold its dues because it did not agree what the UN did in certain instances, as this bill purports to do, the result would be utter chaos.

In sum, I know that this bill is well intentioned, I know that the efforts are sincere, and I know that the cause is just and the re-
forms are necessary. I find myself agreeing very strongly with the gentleman from Iowa, and will vote for the Lantos amendment, but intend to vote against the underlying bill. Thank you, Mr. Chairman.

Chairman Hyde. Thank you.

Mr. Weller.

Mr. WELLER. Thank you, Mr. Chairman. I yield my time to Mr. Pence from Indiana.

Mr. Pence. I thank the gentleman for yielding. And I want to thank my colleague Mr. Berman for his compliments about the Hyde-Pence bill. I will look forward to quoting his description of these as good reforms on the House Floor. I say that very seriously, having an enormous amount of respect for the gentleman.

But as to the assertion of the reform that calls for the immediate withholding of support for new or expanded peacekeeping missions if the United Nations fails to meet the five criteria so effectively described by my colleague from New Jersey, Mr. Smith, a little bit of context. Mr. Berman says these reforms go too far.

Mr. Berman. No, I didn’t.

Mr. Pence. Retaining my time. Not according to the UN. The UN Special Commission on Peacekeeping has embraced all five of these reforms. It is in the wake of the extraordinary and unchallenged revelations of the rape of girls as young as 10 years old by UN peacekeeping officials, the intimidation of witnesses, the trafficking in child pornography, in photographic recreations of these barbaric incidents has brought the United Nations Special Commission on Peacekeeping to the table.

And the reforms that the Hyde-Pence bill calls for are not only not going too far, but they are precisely that which has been endorsed by the United Nations. They can be accomplished not in a matter of years, but, according to the United Nations, they can be accomplished in a matter of months or even weeks. Well they should be accomplished.

Within the confines of the balance of my time, I would respond to the gentlelady’s remarks earlier where she asked what are we up to, which I think is a very good question to always ask colleagues in Congress. I want to say, as the only named co-sponsor, original named co-sponsor of this thoughtful measure, I cannot speak for Chairman Hyde, nor do I think I have need to. People in this institution know his heart and his integrity. As to this conservative’s intentions in this bill, it is to achieve nothing less than the reforms that will ensure the continued vitality and credibility of the United Nations in the 21st century.

If we did not have a United Nations, we would have to invent it. But the United Nations today has, through scandal and profound mismanagement, become a disgrace, and it runs the risk of marginalizing itself as it increasingly becomes what President John F. Kennedy said in his inaugural address, a “forum for invective against the West.” Only through the reforms contained in the Hyde bill with the enforcement in the Hyde bill that is not included in the Lantos amendment will we achieve the reforms necessary to ensure the ongoing vitality of this institution.

It is not in my heart or in my purpose, nor do I believe it is in the heart or the purpose of the esteemed Chairman of this Com-
mittee, to undo the UN, but it is to redo it with reform with teeth. A central part of that are the five reforms that Mr. Berman referred to: Calling on the President of the United States to stand with the UN Special Commission on Peacekeeping and say that unless and until in the weeks and months that it will be required to implement these five specific reforms to ensure that these abuses will not occur by peacekeepers again against innocent civilians, that we will withhold U.S. participation in new or expanded missions. And I yield back.

Mr. Berman. Point of personal privilege, Mr. Chairman.

Chairman Hyde. Mr. Berman.

Mr. Berman. I think my comments were unfortunately, and I am sure unintentionally, totally mischaracterized by the gentleman from Indiana. I never said these reforms went too far. I said the sanction to get these reforms went too far. Requiring the President to veto any new or—peacekeeping operation or any expansion of a peacekeeping operation without the regard to the merits of it, the extent to which it is in U.S. national interests, is a sanction both constitutionally questionable in terms of being forced by Congress and unwise in terms of U.S. foreign policy.

Chairman Hyde. I thank the gentleman.

Ms. Lee. Mr. Chairman.

Chairman Hyde. Ms. Lee.

Ms. Lee. May I respond to the gentleman in 1 minute, please?

Chairman Hyde. Okay, 1 minute, please.

Ms. Lee. I just wanted to say to the gentleman who just made his remarks that what I believe in terms of reforming the United Nations or helping to reform the United Nations requires collaboration, it requires working with the United Nations. It does not require such a measure as withholding of our dues, because, in fact, if we withhold our dues, and other nations begin to withhold their dues seeing that that is a strategy that is allowable, then, in fact, we will have no United Nations.

Mr. Smith of New Jersey. Would the gentlelady yield?

Ms. Lee. Yes.

Mr. Smith of New Jersey. I would just observe that it has been my experience that conditionality, especially when it relates to human rights, is about the only way to get the attention of people who are violating, especially when they are violating with impunity. Friends don't let friends commit human rights abuses.

The sad but real fact on the ground is that the Human Rights Commission has become a joke riddled with hypocrisy. In UN peacekeeping, very, very good people make up the majority of the ranks, but a disproportionate number of violators of human rights and people who are in this for reasons other than peacekeeping need to be reigned in.

We have found, whether it be the International Relations Freedom Act or the Trafficking and Victims Protection Act where we linked conditionality, funds in response to whether or not a country in that case, in this case an organization, were making progress in the area of human rights—so I do think conditionality—we are not saying withhold, we are saying conditionality reigns here.

Mr. Payne. And would you yield a second, Ms. Lee? The five issues that were mentioned by the gentleman that said it will go
into reform in the next month or 2, a year or so, were done without any kind of conditionality.

Chairman Hyde. The gentleman is not recognized.

Mr. Payne. Oh. Here I am.

Chairman Hyde. He is seen, but not recognized.

Mr. Payne. Okay.

Chairman Hyde. I think we have discussed this quite enough except for one more speaker, and that is me.

Mr. Ackerman. Mr. Chairman.

Chairman Hyde. Who is addressing the Chairman?

Mr. Ackerman. Mr. Chairman, I am over here.

Chairman Hyde. The Chair recognizes Mr. Ackerman.

Mr. Ackerman. I thank the Chair. I think this has been one of the better discussions that we have ever had. I especially like the part about the doghouse. I think that is really good. Sometimes there is a great need for doghouses, and a lot of us have been there. I would agree with the gentleman from Michigan in his presentation if I agreed that the UN was our contractor, and if it wasn't doing our bidding and building things our way according to our timetable because we hired them, then I would cut off the pay of my contractor because that is a different relationship, I think, between a customer and a contractor than is between a country constituent of an international organization, which I believe the UN is, rather than a contractor that we have hired.

Mr. McCotter. Would the gentleman yield on that point?

Mr. Ackerman. Momentarily.

We are all citizens of the United States, and as citizens—and that is also a voluntary thing—we have to pay our dues to our country. It is in the form of taxes usually. If we don't like what our Government is doing, are we entitled to make unilateral decisions that there is not enough transparency, that the Government isn't sticking steadfastly to the appropriate code of conduct, that U.S. soldiers haven't done things that are of a terrible nature in different parts of the world, therefore giving me the right to withhold part of my taxes and you the right to withhold part of yours if you see things that you don't like?

In order to make this country work, we have to have enough respect for each other to fully participate, and in order for us to be as a Nation respected in the world body, we have to participate in that as well. The UN is not a contractor. If I thought I needed a doghouse, and the contractor wasn't working fast enough, my other option would be to build it myself. And I know what kind of carpenter I am. It would be a lot more expensive and take me a lot longer. And looking around the world with all of the problems and hot spots that we have and those that are yet to evolve, we would be in the permanent business of building doghouses all over the world at enormous cost and living in most of them.

I yield back the balance of my time.

Mr. McCotter. Would the gentleman yield on the point?

Mr. Ackerman. I would be delighted.

Mr. McCotter. The point is, is not in terms of relation to member countries, but in terms of Mr. Annan and others who are the administrative bureaucracy. They are contractors for every single
member nation. So, ergo, they do have a contractual relationship——

Mr. ACKERMAN. Reclaiming my time, Mr. Chairman.

You know, a lot of people have problems with the policies of Mr. Bush. That still doesn't give us the right to withhold our taxes. We still have to be positive, and we still have to have reforms from within, and we still have to have a consensus.

Mr. MCCOTTER. Again, but if the gentleman would yield. The point is not about the policies that they have pursued, it is about the misfeasance and malfeasance that has been seen in the organization.

Mr. ACKERMAN. That is exactly my point. Some of us think that there are problems even here in our own country, but does that give us the right—and this is still the greatest country in the world. I am sure the gentleman will feel free, on the Floor, to quote me, as Mr. Berman. Despite the fact, we have to still stick to the program, and we still have to participate in our country as our country has to participate as a reasonable player on the international stand.

Chairman HYDE. All time has expired. The Chair recognizes himself for 5 minutes prior to calling for the vote.

I would like to answer a few of the remarks that have passed up here. One of them was don’t you trust Condi Rice? I not only trust her, I revere her. But I have never seen a Secretary of State from Thomas Jefferson on down to Condolleezza Rice who could withstand paying dues to some international organization. We take that burden from her by mandating the withholding of dues.

One of the most interesting aspects of this debate is the fact that Mr. Lantos' bill and his supporters' is identical with Mr. Hyde's bill and his supporters' except for the powers given to Condi Rice. The power given to Condi Rice's flexibility, she can waive it, she can allow them $1 instead of the 50 percent. She has total control over the pursestrings under Mr. Lantos' bill.

But every one of the Democrats that is going to vote for his bill—and God bless them all—every one of them is voting to withhold dues as a means of enforcing reform, only they withhold the dues in a different fashion than we do. We legislate them. We say we have had enough waivers and waiving of point of order like we do every year on the budget time and time again to make it a meaningless document. We are going to have teeth in reform. We are going to legislate it. It isn't impossible. You can do 32 of 39 and still be certified; you have 2 more years to do the rest. But it is the identical format, the identical reforms, only it is the Secretary of State that has the authority, and we legislate it. That is the difference. So if you are for reform, you have a choice.

Now, with that——

Mr. LANTOS. Mr. Chairman.

Chairman HYDE. Yes. I yield to Mr. Lantos.

Mr. LANTOS. I appreciate that very much. Let me first commend all of my colleagues on both sides of the aisle for this well-informed, respectful, and intelligent discussion. And I specifically want to thank my good friend from Indiana, Mr. Pence, and you, Mr. Chairman, for your legislation.
Let me also say that the Chairman is correct. We believe that the problems at the UN are serious, and we are prepared on this side to go as far as to withhold dues in extremis, if reason, persuasion, recommendation are all unsuccessful.

Now, you, Mr. Chairman, have just indicated that you revere Condi Rice. I don’t think I would use the word revere, but I have a great deal of respect for her. And in the vote about to ensue, we will have the unusual, almost extraordinary phenomenon of Members on the Democratic side providing the Secretary of State, charged to conduct U.S. foreign policy, flexibility for a time period that is yet to come.

The original legislation creates an unchangeable automatic mechanism of a 50 percent cut in United States dues to the United Nations. What this means is that if, in fact, 38 of the 39 commandments are fulfilled, a 50 percent automatic dues reduction follows. In our judgment, if 38 of the 39 commandments are fulfilled, the Secretary of State, whoever she or he may be, ought to have the judgment and discretion and flexibility to withhold an appropriate amount if he or she so demands. The notion that 39 is the magic number, and this incredibly complex and profoundly flawed organization of 191 members must meet all 39 criteria appears to this Member an absurdity which will not, in fact, unfold.

Thank you, Mr. Chairman.

Chairman HYDE. You are welcome. The Chair would like to say that the prospect of the Secretary of State withholding dues from the UN is also a far-fetched prospect.

The question now arises on the substitute offered by Mr. Lantos. I think, instead of wasting time with a voice vote, we will do a roll-call. So the clerk will call the roll.

Ms. RUSH. Mr. Leach.
Mr. LEACH. Yes.
Ms. RUSH. Mr. Leach votes yes.
Mr. Smith from New Jersey.
Mr. SMITH OF NEW JERSEY. No.
Ms. RUSH. Mr. Smith votes no.
Mr. Burton.
[No response.]
Ms. RUSH. Mr. Gallegly.
Mr. GALLEGLY. No.
Ms. RUSH. Mr. Gallegly votes no.
Ms. Ros-Lehtinen.
Ms. ROS-LEHTINEN. No.
Ms. RUSH. Ms. Ros-Lehtinen votes no.
Mr. Rohrabacher.
Mr. ROHRABACHER. No.
Ms. RUSH. Mr. Rohrabacher votes no.
Mr. Royce.
Mr. ROYCE. No.
Ms. RUSH. Mr. Royce votes no.
Mr. King.
Mr. KING. No.
Ms. RUSH. Mr. King votes no.
Mr. Chabot.
Mr. CHABOT. No.
Ms. RUSH. Mr. Chabot votes no.
Mr. Tancredo.
Mr. TANCREDO. No.
Ms. RUSH. Mr. Tancredo votes no.
Mr. Paul.
Mr. PAUL. Yes.
Ms. RUSH. Mr. Paul votes yes.
Mr. Issa.
[No response.]
Ms. RUSH. Mr. Flake.
[No response.]
Ms. RUSH. Mrs. Davis.
Mrs. DAVIS. No.
Ms. RUSH. Mrs. Davis votes no.
Mr. Green.
Mr. GREEN. No.
Ms. RUSH. Mr. Green votes no.
Mr. Weller.
Mr. WELLER. No.
Ms. RUSH. Mr. Weller votes no.
Mr. Pence.
Mr. PENCE. No.
Ms. RUSH. Mr. Pence votes no.
Mr. McCotter.
Mr. MCCOTTER. No.
Ms. RUSH. Mr. McCotter votes no.
Ms. Harris.
Ms. HARRIS. No.
Ms. RUSH. Ms. Harris votes no.
Mr. Wilson.
Mr. WILSON. No.
Ms. RUSH. Mr. Wilson votes no.
Mr. Boozman.
Mr. BOOZMAN. No.
Ms. RUSH. Mr. Boozman votes no.
Mr. Barrett.
Mr. BARRETT. No.
Ms. RUSH. Mr. Barrett votes no.
Mr. Mack.
Mr. MACK. No.
Ms. RUSH. Mr. Mack votes no.
Mr. Fortenberry.
Mr. FORTENBERRY. No.
Ms. RUSH. Mr. Fortenberry votes no.
Mr. McCaul.
Mr. McCaul. No.
Ms. RUSH. Mr. McCaul votes no.
Mr. Poe.
Mr. POE. No.
Ms. RUSH. Mr. Poe votes no.
Mr. Lantos.
Mr. LANTOS. Yes.
Ms. RUSH. Mr. Lantos votes yes.
Mr. Berman.
Mr. Berman. Yes.
Ms. Rush. Mr. Berman votes yes.
Mr. Ackerman.
Mr. Ackerman. Yes.
Ms. Rush. Mr. Ackerman votes yes.
Mr. Faleomavaega.
Mr. Faleomavaega. Yes.
Ms. Rush. Mr. Faleomavaega votes yes.
Mr. Payne.
Mr. Payne. Yes.
Ms. Rush. Mr. Payne votes yes.
Mr. Menendez.
[No response.]
Ms. Rush. Mr. Brown.
Mr. Brown. Yes.
Ms. Rush. Mr. Brown votes yes.
Mr. Sherman.
Mr. Sherman. Yes.
Ms. Rush. Mr. Sherman votes yes.
Mr. Wexler.
Mr. Wexler. Yes.
Ms. Rush. Mr. Wexler votes yes.
Mr. Engel.
Mr. Engel. Yes.
Ms. Rush. Mr. Engel votes yes.
Mr. Delahunt.
Mr. Delahunt. Yes.
Ms. Rush. Mr. Delahunt votes yes.
Mr. Meeks.
Mr. Meeks. Yes.
Ms. Rush. Mr. Meeks votes yes.
Ms. Lee.
Ms. Lee. Yes.
Mr. Crowley.
Mr. Crowley. Yes.
Ms. Rush. Mr. Crowley votes yes.
Mr. Blumenauer.
Mr. Blumenauer. Yes.
Ms. Rush. Mr. Blumenauer votes yes.
Ms. Berkley.
Ms. Berkley. Yes.
Mrs. Napolitano.
Mrs. Napolitano. Yes.
Ms. Rush. Mrs. Napolitano votes yes.
Mr. Schiff.
Mr. Schiff. Yes.
Ms. Rush. Mr. Schiff votes yes.
Ms. Watson.
Ms. Watson. Yes.
Mr. Smith from Washington.
Mr. Smith of Washington. Yes.
Ms. RUSH. Mr. Smith from Washington votes yes.
Ms. McCollum.
[No response.]
Ms. RUSH. Mr. Chandler.
Mr. CHANDLER. Yes.
Ms. RUSH. Mr. Chandler votes yes.
Mr. Cardoza.
Mr. CARDOZA. Yes.
Ms. RUSH. Mr. Cardoza votes yes.
Chairman Hyde.
Chairman HYDE. No.
Ms. RUSH. Chairman Hyde votes no.
Chairman HYDE. Mr. Issa.
Mr. ISSA. No.
Ms. RUSH. Mr. Issa votes no.
Chairman HYDE. Mr. Flake.
Mr. FLAKE. No.
Ms. RUSH. Mr. Flake votes no.
Chairman HYDE. Have all voted who wish? If so, the clerk will announce the roll.
Ms. RUSH. On this vote, there are 23 ayes and 24 noes.
Chairman HYDE. The amendment is not agreed to.
Mr. LANTOS. Mr. Chairman.
Chairman HYDE. Mr. Lantos.
Mr. LANTOS. Pursuant to the rules of the House, I respectfully request the requisite time to file additional views.
Chairman HYDE. Without objection, so ordered.
Are there any further amendments to the bill?
Mr. LEACH. Mr. Chairman, I have an amendment at the desk.
Chairman HYDE. The clerk will report the Leach amendment.
Ms. RUSH. Amendment offered by Mr. Leach from Iowa. At the appropriate place in the bill, insert the following new section and conform the table of contents accordingly——
Mr. LEACH. Mr. Chairman, I ask unanimous consent that——
Chairman HYDE. Without objection, the further reading of the amendment is dispensed with, and the gentleman from Iowa is recognized for 5 minutes in support of his amendment.
[The amendment referred to follows:]
AMENDMENT TO H.R. ____
OFFERED BY MR. LEACH OF IOWA

At the appropriate place in the bill, insert the following new section (and conform the table of contents accordingly):

SEC. ___. SENSE OF CONGRESS RELATING TO THE EXPANSION OF THE UNITED NATIONS SECURITY COUNCIL.

It is the sense of Congress that the United States should support the regionally balanced expansion of the membership of the United Nations Security Council, which would include the addition of Japan, the Republic of India, the Federal Republic of Germany, the Federative Republic of Brazil, and an appropriate African country as permanent members without veto authority.
Mr. LEACH. Thank you, Mr. Chairman. I will try to be brief.

This is a self-explanatory, one-sentence amendment simply saying it is the sense of Congress that the United States should support a regionally balanced expansion of the Security Council to include Japan, India, Germany, Brazil, and an appropriate African state, all members without veto authority.

The proposal is consistent with the December 2004 report of the UN high-level threats, challenges, and change, as well as the March 2005 report of the Secretary-General of the UN reform. It advances the four principal criterions set out in these reports: One, that we should increase involvement and decision-making of those who contribute most to the UN financially, militarily, and diplomatically; second, that we should bring into the decision-making process countries more representative of the broader UN membership; thirdly, that we not impair the effectiveness of the Security Council; fourthly, that we increase the democratic and accountable nature of the body.

I would just add one final note that, congruent with these reports, the phrase “regionally balanced” used in the amendment implies the possibility of additional seats for African emeritus. And I yield back the balance of my time.

Mr. LANTOS. Mr. Chairman.

Chairman HYDE. The Chair is inclined to accept the amendment. However, we will listen to any discordant notes, if there are any.

Mr. LANTOS. Mr. Chairman.

Chairman HYDE. Mr. Lantos.

Mr. LANTOS. I want to commend my friend from Iowa for offering this amendment, and I would like to inquire whether he would agree to a slight modification. His amendment as currently phrased concludes by adding “an appropriate African country as a permanent member of the Security Council.” Since there is a great deal of dispute as to whether it should be Nigeria or South Africa, or whether these two countries could alternate the African seat, would you accept a modification that allows for alternation of the African representation?

Mr. LEACH. I would be very open to that, and I think that is very appropriate.

Mr. LANTOS. Under those circumstances, we are pleased to accept that.

Mr. LEACH. Maybe we should then say country or countries.

Mr. ENGEL. Mr. Chairman.

Chairman HYDE. Mr. Engel.

Mr. ENGEL. Thank you, Mr. Chairman.

I, of course, am going to support the amendment, but I wanted to ask the sponsor of the amendment a question. This amendment does not in any way, shape, or form put us on record as opposing any other country who may be included when the United Nations expands its permanent members of the Security Council; am I correct about that?

Mr. LEACH. That is correct.

Mr. ENGEL. Thank you. Because I have long contended that Italy for many reasons deserves—if the Security Council is going to expand, then Italy ought to be part of that expansion as a new permanent Security Council member. And I just wanted to make sure
that this wouldn't imply that somehow or other these are the only countries that we supported.

Chairman Hyde. Is there further discussion?

Mr. Rohrabacher. Mr. Chairman, just a point of information or a point of inquiry. Have we had hearings on this specific idea of expanding the United Nations with these countries? Has there been that?

Chairman Hyde. No, we have not.

Mr. Rohrabacher. All right. Just to note, I think this is a very important decision, it is significant, and I think we should talk about it before we just bring it up for a vote like this. That is just my opinion. Thank you.

Mr. Schiff. Mr. Chairman.

Chairman Hyde. Mr. Schiff.

Mr. Schiff. Mr. Chairman, I just wanted to echo the comments of my colleague from California. I think this is a very significant issue as well that deserves more debate than I think we will probably have time to give it today, and I would suggest that we have a hearing perhaps devoted to this topic before——

Chairman Hyde. I wonder if I might ask Mr. Leach how disposed he is to defer this for a short while if we immediately have some hearings on it? Does the gentleman—would he prefer going ahead now without hearing?

Mr. Leach. Well, I appreciate the point the gentleman has made. I will say that this bill deals with UN reform. The principle UN reform in a meaningful sense on political authority relates to the Security Council. This is the subject that is of the most extraordinary significance. This Congress, or at least this Committee, has moved in an absolutely extraordinary way that I believe is outside our constitutional judgmental authority in a direction that is outside the judgment of all parties in the world. What I have presented is—outside this country, that is.

What I have presented is an amendment that has been of a signal discourse in many places other than this Congress, and I think it is the most relevant subject to UN reform. If we are going to have a bill on UN reform, I don’t see how it can be done. Whether—I mean, it is true we have not held a hearing, but that is to our discredit, not to the import of the issue, which is thoroughly relevant to this bill. If we are going to be doing something that is poking every other country in the world in the eye, why don’t we at least do something that shows we are cognizant of international discourse on UN reform that meets—that is done in a way that is sensible?

This is a sense of the Congress the U.S. should support. That is exactly the way the underlying bill should have been structured, and it would have received unanimous endorsement from this Committee. But I for the life of me, I think it fits this bill, it fits the subject matter. To duck it is to duck the biggest issue of UN reform that we have.

Mr. Rohrabacher. Would the gentleman yield for a question? If it was so important, why didn’t we push this before and have hearings on it? You are a leader in this, you are Ranking—you are one of the leaders here, you are on the top row here. Why didn’t you request hearings on this a long time ago?
Mr. Leach. Well, that is a fair criticism of me, but this is not necessarily a reason not to have it on the bill.

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

Chairman Hyde. Before any of that, I think the Chair is going to request Mr. Leach to withhold his amendment and let us have some hearings expeditiously so we may thoroughly study this question, and then come back with an informed Committee action.

Mr. Leach. May I ask the Chair a question, because I want to defer to the Chair. But would this—if we defer this amendment, which is thoroughly appropriate to this bill, would you object, if the bill comes to the Floor and we haven’t held hearings at that point in time, that I be allowed to offer it on the Floor?

Chairman Hyde. Well, I want to accommodate the gentleman in any way possible.

Mr. Leach. Then I would like to accommodate the Chair, and I would be happy——

Chairman Hyde. It is just that there is feeling or resistance to moving such a consequential amendment without some hearing. So I would guarantee early and expeditious treatment and get this back to the Full Committee very soon.

Mr. Leach. Fair enough. Then I would withdraw the amendment.

Chairman Hyde. All right. I thank the gentleman very much.

Mr. Paul.

Mr. Paul. Mr. Chairman, I have an amendment.

Chairman Hyde. The clerk will report the amendment.

Mr. Paul. The amendment that talks about getting out of the United Nations. I have two of them there.


Mr. Paul. That is it.

Mr. Ackerman. Mr. Chairman, have we had a hearing on getting out of the United Nations?

Chairman Hyde. I have never heard that suggestion.

Mr. Ackerman. Could we postpone this until we have that hearing?

Chairman Hyde. I suppose that would be——

Mr. Ackerman. Does anybody want to accommodate me? I object.

Chairman Hyde. Does anybody need to study this question any more?

Mr. Paul. I ask unanimous consent that the amendment be considered as read, and that we proceed.

Chairman Hyde. Without objection, so ordered. The clerk will report the amendment.

Ms. Rush. Amendment offered by Mr. Paul of Texas——

Mr. Paul. I ask that it be considered as read.

Chairman Hyde. Without objection, so ordered.

[The amendment referred to follows:]
AMENDMENT TO H.R. 2745
OFFERED BY MR. PAUL OF TEXAS

Strike all after the enacting clause, and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “American Sovereignty Restoration Act of 2005”.

SEC. 2. REPEAL OF UNITED NATIONS PARTICIPATION ACT.

(a) REPEAL.—The United Nations Participation Act of 1945 (Public Law 79–264; 22 U.S.C. 287 et seq.) is repealed.

(b) TERMINATION OF PARTICIPATION IN UNITED NATIONS.—The President shall terminate all participation by the United States in the United Nations, and any organ, specialized agency, commission, or other formally affiliated body of the United Nations.

(c) CLOSURE OF UNITED STATES MISSION TO UNITED NATIONS.—The United States Mission to the United Nations is closed. Any remaining functions of such office shall not be carried out.
SEC. 3. REPEAL OF UNITED NATIONS HEADQUARTERS AGREEMENT ACT.

(a) REPEAL.—The United Nations Headquarters Agreement Act (Public Law 80–357) is repealed.

(b) WITHDRAWAL.—The United States withdraws from the agreement between the United States of America and the United Nations regarding the headquarters of the United Nations (signed at Lake Success, New York, on June 26, 1947, which was brought into effect by the United Nations Headquarters Agreement Act).

SEC. 4. UNITED STATES ASSESSED AND VOLUNTARY CONTRIBUTIONS TO THE UNITED NATIONS.

(a) TERMINATION.—No funds are authorized to be appropriated or otherwise made available for assessed or voluntary contributions of the United States to the United Nations or any organ, specialized agency, commission or other formally affiliated body thereof, except that funds may be appropriated to facilitate withdrawal of United States personnel and equipment. Upon termination of United States membership, no payments shall be made to the United Nations or any organ, specialized agency, commission or other formally affiliated body thereof, out of any funds appropriated prior to such termination or out of any other funds available for such purposes.
(b) Application.—The provisions of this section shall apply to all agencies of the United Nations, including independent or voluntary agencies.

SEC. 5. UNITED NATIONS PEACEKEEPING OPERATIONS.

(a) Termination.—No funds are authorized to be appropriated or otherwise made available for any United States contribution to any United Nations military operation.

(b) Terminations of United States Participation in United Nations Peacekeeping Operations.—No funds may be obligated or expended to support the participation of any member of the Armed Forces of the United States as part of any United Nations military or peacekeeping operation or force. No member of the Armed Forces of the United States may serve under the command of the United Nations.

SEC. 6. WITHDRAWAL OF UNITED NATIONS PRESENCE IN FACILITIES OF THE GOVERNMENT OF THE UNITED STATES AND REPEAL OF DIPLOMATIC IMMUNITY.

(a) Withdrawal From United States Government Property.—The United Nations (including any affiliated agency of the United Nations) shall not occupy or use any property or facility of the United States Government.
(b) DIplomatic Immunity.—No officer or employee
of the United Nations or any representative, officer, or
employee of any mission to the United Nations of any for-

eign government shall be entitled to enjoy the privileges

and immunities of the Vienna Convention on Diplomatic

Relations of April 18, 1961, nor may any such privileges

and immunities be extended to any such individual. The

privileges, exemptions and immunities provided for in the

International Organizations Immunities Act of December

29, 1945 (59 Stat. 669; 22 U.S.C. 288, 288a–f), or in

any agreement or treaty to which the United States is a

party, including the agreement entitled “Agreement Be-
tween the United Nations and the United States of Amer-

ica Regarding the Headquarters of the United Nations”,
signed June 26, 1947 (22 U.S.C. 287), and the Conven-
tion on Privileges and Immunities of the United Nations,
entered into force with respect to the United States on
April 29, 1970 (21 UST 1418; TIAS 6900; UNTS 16),
shall not apply to the United Nations or any organ, spe-
cialized agency, commission or other formally affiliated
body thereof, to the officers and employees of the United
Nations, or any organ, specialized agency, commission or
other formally affiliated body thereof, or to the families,

suites or servants of such officers or employees.
SEC. 7. REPEAL OF UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION ACT.


SEC. 9. REPEAL OF UNITED STATES PARTICIPATION IN THE WORLD HEALTH ORGANIZATION.

The joint resolution entitled “Joint Resolution providing for membership and participation by the United States in the World Health Organization and authorizing an appropriation therefor,” approved June 14, 1948 (22 U.S.C. 290, 290a–e–1) is repealed.

SEC. 10. REPEAL OF INVOLVEMENT IN UNITED NATIONS CONVENTIONS AND AGREEMENTS.

As of the date of the enactment of this Act, the United States will end any and all participation in any and all conventions and agreements with the United Nations and any organ, specialized agency, commission, or
other formally affiliated body of the United Nations. Any
remaining functions of such conventions and agreements
shall not be carried out.

SEC. 11. REEMPLOYMENT WITH UNITED STATES GOVERN-
MENT AFTER SERVICE WITH AN INTER-
ATIONAL ORGANIZATION.

Nothing in this Act shall be construed to affect the
rights of employees under subchapter IV of chapter 35
of title 5, United States Code, relating to reemployment
after service with an international organization.

SEC. 12. NOTIFICATION.

Effective on the date of the enactment of this Act,
the Secretary of State shall notify the United Nations and
any organ, specialized agency, commission, or other for-
mally affiliated body of the United Nations of the provi-
sions of this Act.

SEC. 13. EFFECTIVE DATE.

Except as otherwise provided, this Act and the
amendments made by this Act shall take effect 2 years
after the date of the enactment of this Act.
Mr. PAUL. Thank you, Mr. Chairman.
Chairman HYDE. The gentleman is recognized for 5 minutes.
Mr. PAUL. The amendment I have brings up the subject of getting out of the United Nations, which, as far as I am concerned, is true reform. Today we heard a lot of discussion about some of the terrible things that the United Nations has done over the years, the fiscal abuse as well as the human rights abuse, and that has been recognized by probably everybody here in the Committee. It has also been recognized by most people here in the Committee, too, of all the wonderful things that the United Nations has done. I understand that argument as well. It is just that I come down on the side of lacking faith.

Members here and Members on the Congress generally have a lot more faith in big government than I do. And I would like to make a few points on why we shouldn’t be so blindly believing in an institution that really challenges our national sovereignty. So I have two arguments about being in the United Nations.

One, I sincerely believe it challenges our national sovereignty. I believe it definitely challenges the prerogatives of the Congress and the responsibilities that we have. At the same time, the effectiveness hasn’t been all that great.

There has been a lot of shortcomings, and many of those shortcomings have already been mentioned, but soon after the United Nations was established, we quickly used the United Nations to go to war, which was not a very popular war, in Korea. The United Nations did very little to stop the war in Vietnam. I remember very clearly in 1991, it was explained to the American people that we didn’t need to go to the U.S. Congress to get authority, even though the Constitution is pretty explicit that for us to send young men to war, you have to have a declaration of war. We were told at that time that the authority came from the United Nations, and we were bluntly told it didn’t matter what the Congress did.

The Congress went ahead and gave some token approval. It didn’t declare war, and that war has been ongoing. This is the same war. It has been going on for 15 years, and it has been sanctioned by the United Nations, even when we gave more authority to the current President to go in in 2003. If you read that resolution, the United Nations was mentioned, I think, 21 times. So, therefore, we were using the United Nations to send troops off to war while reneging on our responsibility to make a declaration of war, which to me means that we have a more defined policy and a more exit strategy and a design where winning is the goal rather than prolonging the effort. So I don’t think the record is that good with the United Nations.

On the previous vote, I voted not to withhold funds unless these reforms came about. Some might wonder, anything that would withhold funds sounds like a pretty good idea for a fiscal conservative like myself and someone who opposes the United Nations. Let me tell you why I voted that way. Because although there seems to be a tinge of benefits to reforms that I have some sympathy for, I believe that this leverage that is being used under these 39 items and this pressure and authority given to our Secretary of State can be used perversely to promote a policy that—which is objectionable to us.
For instance, the new legislation actually changes policy significantly, as has this Administration changed policy significantly. Our Government for many years since 1953, since we installed the Shah in Iran, we have used our ability and our power to have regime changes. Now it is openly declared by our Government that regime change is a good policy, and, if we have to, we send in the troops, and even if we have to pressure or bend what the United Nations says, we should pursue this type of policy. So this policy now is being institutionalized and put in to the United Nations.

Those are the pressures that we are putting on, and very little has been discussed here. This is the neocon foreign policy put in with Wolfowitz at the head of the World Bank, and he is included in some of the commissions set up to deal with these problems. So I see this as institutionalizing the neoconservative foreign policy so that we can put it in the United Nations; and, if they don't do what we want, we use these sanctions and threat to promote bad policy.

Now, I know your side would say, we object to this because we will have good policies. My concern is that bad policy and the leverage that is gained by these sanctions that we can put on and by these threats of reform. So I come to the conclusion that it is not in the interest of the United States, it is not interest in our national sovereignty to be a member of a body that today I heard plenty of criticism. And I think if we were all more honest with ourselves, we would say that this organization is going to be very, very difficult to resuscitate. Just as we see the lack of desire for internationalism in Europe, I see also that creeping in. We should have more respect for self-determination, minding our own business, and not pretending that we can interfere in the internal affairs of other nations. I don’t believe the United Nations should do that either.

Mr. Leach [presiding]. The time of the Congress’ leading constitutionalist has expired.

Mr. Lantos.

Mr. LANTOS. Thank you very much, Mr. Chairman. I will not use my 5 minutes; I will use less than a minute. I want to serve notice that I will request a rollcall vote on the gentleman's amendment.

I oppose the gentleman's amendment. It is analogous to the notion of stop the world, I want to get off. It is self-evident that an international organization is needed. The United Nations, with all of its flaws—and we could be here until midnight enumerating them—is needed. I think the gentleman’s amendment should be defeated.

Thank you, Mr. Chairman.

Mr. Leach. Does anyone seek recognition?

Mr. Delahunt.

Mr. DELAHUNT. Yes. I will be very brief also.

Again, there are parts of the arguments put forth by the gentleman that I concur with. You expressed some of the concerns I think that you know that I harbor. But I do oppose the amendment for the rationale as succinctly put forward by the Ranking Member.

I am glad that the Ranking Member has made the decision to call for a recorded vote, because what has occurred here today, particularly given the concerns that have been expressed by some Members, specifically the gentlelady from California Ms. Lee, about
what we are up to, and the response by the gentleman from Indiana regarding his—and I accept his word, obviously—his sincere support for the United Nations, maybe this vote itself can send a message about the support for the existence of the United Nations from this Committee and from this Congress, so that at some level hopefully it will ameliorate the message that was sent by the defeat of the Lantos amendment and presumably the passage of the base bill. With that I yield back.

Mr. LEACH. Does anyone else seek recognition?

Mr. ACKERMAN. Mr. Chairman.

Mr. LEACH. Mr. Ackerman.

Mr. ACKERMAN. In the words of Jimmy Durante, this is ridiculous.

I yield back the balance of my time.

Mr. LEACH. The vote comes on the amendment of the distinguished gentleman from Texas. All those in favor, say aye.

Opposed, nay.

Mr. LANTOS. I request a rollcall. Mr. Chairman.

Mr. LEACH. A rollcall is requested. The clerk will call the roll.

Ms. RUSH. Mr. Leach.

Mr. LEACH. No.

Ms. RUSH. Mr. Leach votes no.

Mr. Smith from New Jersey.

Mr. SMITH OF NEW JERSEY. No.

Ms. RUSH. Mr. Smith from New Jersey votes no.

Mr. Burton.

[No response.]

Ms. RUSH. Mr. Gallegly.

Mr. GALLEGLY. No.

Ms. RUSH. Mr. Gallegly votes no.

Ms. Ros-Lehtinen.

Ms. ROS-LEHTINEN. No.

Ms. RUSH. Ms. Ros-Lehtinen votes no.

Mr. Rohrabacher.

[No response.]

Ms. RUSH. Mr. Royce.

[No response.]

Ms. RUSH. Mr. King.

[No response.]

Ms. RUSH. Mr. Chabot.

Mr. CHABOT. No.

Ms. RUSH. Mr. Chabot votes no.

Mr. Tancredo.

[No response.]

Ms. RUSH. Mr. Paul.

Mr. PAUL. Yes.

Ms. RUSH. Mr. Paul votes yes.

Mr. Issa.

[No response.]

Ms. RUSH. Mr. Flake.

Mr. FLAKE. No.

Ms. RUSH. Mr. Flake votes no.

Mrs. Davis.

Mrs. DAVIS. No.
Ms. RUSH. Mrs. Davis votes no.
Mr. Green.
[No response.]
Ms. RUSH. Mr. Weller.
Mr. WELLER. No.
Ms. RUSH. Mr. Weller votes no.
Mr. Pence.
Mr. PENCE. No.
Ms. RUSH. Mr. Pence votes no.
Mr. McCotter.
[No response.]
Ms. RUSH. Ms. Harris.
Ms. HARRIS. No.
Ms. RUSH. Ms. Harris votes no.
Mr. Wilson.
Mr. WILSON. Yes.
Ms. RUSH. Mr. Wilson votes yes.
Mr. Boozman.
Mr. BOOZMAN. No.
Ms. RUSH. Mr. Boozman votes no.
Mr. Barrett.
Mr. BARRETT. Yes.
Ms. RUSH. Mr. Barrett votes yes.
Mr. Mack.
Mr. MACK. No.
Ms. RUSH. Mr. Mack votes no.
Mr. Fortenberry.
Mr. FORTENBERRY. No.
Ms. RUSH. Mr. Fortenberry votes no.
Mr. McCaul.
Mr. McCaul. No.
Ms. RUSH. Mr. McCaul votes no.
Mr. Poe.
Mr. POE. No.
Ms. RUSH. Mr. Poe votes no.
Mr. Lantos.
Mr. LANTOS. No.
Ms. RUSH. Mr. Lantos votes no.
Mr. Berman.
[No response.]
Ms. RUSH. Mr. Ackerman.
Mr. ACKERMAN. No.
Ms. RUSH. Mr. Ackerman votes no.
Mr. Faleomavaega.
Mr. FALEOMAVAEGA. No.
Ms. RUSH. Mr. Faleomavaega votes no.
Mr. Payne.
Mr. PAYNE. No.
Ms. RUSH. Mr. Payne votes no.
Mr. Menendez.
[No response.]
Ms. RUSH. Mr. Brown.
Mr. BROWN. No.
Ms. RUSH. Mr. Brown votes no.
Mr. Sherman.
[No response.]
Ms. Rush. Mr. Wexler.
Mr. Wexler. No.
Ms. Rush. Mr. Wexler votes no.
Mr. Engel.
Mr. Engel. No.
Ms. Rush. Mr. Engel votes no.
Mr. Delahunt.
Mr. Delahunt. No.
Ms. Rush. Mr. Delahunt votes no.
Mr. Meeks.
Mr. Meeks. No.
Ms. Rush. Mr. Meeks votes no.
Ms. Lee.
Ms. Lee. No.
Ms. Rush. Ms. Lee votes no.
Mr. Crowley.
Mr. Crowley. No.
Ms. Rush. Mr. Crowley votes no.
Mr. Blumenauer.
Mr. Blumenauer. No.
Ms. Rush. Mr. Blumenauer votes no.
Ms. Berkley.
Ms. Berkley. No.
Mrs. Napolitano.
Mrs. Napolitano. No.
Ms. Rush. Mrs. Napolitano votes no.
Mr. Schiff.
Mr. Schiff. No.
Ms. Rush. Mr. Schiff votes no.
Ms. Watson.
Ms. Watson. No.
Mr. Smith from Washington.
Mr. Smith of Washington. No.
Ms. Rush. Mr. Smith from Washington votes no.
Ms. McCollum.
[No response.]
Ms. Rush. Mr. Chandler.
Mr. Chandler. No.
Ms. Rush. Mr. Chandler votes no.
Mr. Cardoza.
Mr. Cardoza. No.
Ms. Rush. Mr. Cardoza votes no.
Chairman Hyde.
[No response.]
Ms. Rush. Mr. Green votes no.
Mr. Leach. Mr. King.
Mr. King. No.
Ms. Rush. Mr. King votes no.
Mr. Leach. Mr. McCotter.
Mr. McCotter. Mr. McCotter votes no.
Ms. Rush. Mr. McCotter votes no.
Mr. Leach. Mr. Issa.
Mr. Issa. No.
Ms. Rush. Mr. Issa votes no.
Mr. Leach. Mr. Berman.
Mr. Berman. No.
Ms. Rush. Mr. Berman votes no.
Mr. Rohrabacher.
Mr. ROHRABACHER. Is not present.
Mr. Leach. The clerk will report the total.
Ms. Rush. On this vote there are 3 ayes, 39 noes, and 1 present.
Mr. Leach. The amendment is defeated.
Are there further amendments to the bill?
We will temporarily recess pending the return of the Chairman, and he will be here momentarily, and he will lead us in the final passage. I am told we should all stay. After the vote on the bill, there may be a request of the Ranking Minority Member on that subject.

[Recess.]
Mr. Leach. First, the Committee will reconvene. The Chairman will be in presently to vote, but he has suggested that we ought to proceed. The question now occurs on the motion to report the bill favorably. All in favor, say aye.

All opposed, nay.
Mr. Lantos. I request a rollcall, Mr. Chairman.
Mr. Leach. A rollcall is requested. The clerk will call the roll.
Ms. Rush. Mr. Leach.
Mr. Leach. No.
Ms. Rush. Mr. Leach votes no.
Mr. Smith from New Jersey.
Mr. Smith of New Jersey. Yes.
Ms. Rush. Mr. Smith from New Jersey votes yes.
Mr. Burton.
[No response.]
Ms. Rush. Mr. Gallegly.
Mr. Gallegly. Yes.
Ms. Rush. Mr. Gallegly votes yes.
Ms. Ros-Lehtinen.
Ms. ROS-LEHTINEN. Yes.
Mr. Rohrabacher.
Mr. ROHRABACHER. Yes.
Ms. Rush. Mr. Rohrabacher votes yes.
Mr. Royce.
Mr. ROYCE. Yes.
Ms. Rush. Mr. Royce votes yes.
Mr. King.
Mr. KING. Yes.
Ms. Rush. Mr. King votes yes.
Mr. Chabot.
Mr. CHABOT. Yes.
Ms. Rush. Mr. Chabot votes yes.
Mr. Tancredo.  
Mr. TANCREDO. Yes.  
Ms. RUSH. Mr. Tancredo votes yes.  
Mr. Paul.  
Mr. PAUL. No.  
Ms. RUSH. Mr. Paul votes no.  
Mr. Issa.  
[No response.]  
Ms. RUSH. Mr. Flake.  
Mr. FLAKE. Yes.  
Ms. RUSH. Mr. Flake votes yes.  
Mrs. Davis.  
Mrs. DAVIS. Yes.  
Ms. RUSH. Mrs. Davis votes yes.  
Mr. Green.  
Mr. GREEN. Yes.  
Ms. RUSH. Mr. Green votes yes.  
Mr. Weller.  
Mr. WELLER. Yes.  
Ms. RUSH. Mr. Weller votes yes.  
Mr. Pence.  
Mr. Pence. Yes.  
Ms. RUSH. Mr. Pence votes yes.  
Mr. McCotter.  
Mr. McCOTTER. Yes.  
Ms. RUSH. Mr. McCotter votes yes.  
Ms. Harris.  
Ms. HARRIS. Yes.  
Ms. RUSH. Ms. Harris votes yes.  
Mr. Wilson.  
Mr. WILSON. Yes.  
Ms. RUSH. Mr. Wilson votes yes.  
Mr. Boozman.  
Mr. BOOZMAN. Yes.  
Ms. RUSH. Mr. Boozman votes yes.  
Mr. Barrett.  
Mr. BARRETT. Yes.  
Ms. RUSH. Mr. Barrett votes yes.  
Mr. Mack.  
Mr. MACK. Yes.  
Ms. RUSH. Mr. Mack votes yes.  
Mr. Fortenberry.  
Mr. FORTENBERRY. Yes.  
Ms. RUSH. Mr. Fortenberry votes yes.  
Mr. McCaul.  
Mr. McCaul. Yes.  
Ms. RUSH. Mr. McCaul votes yes.  
Mr. Poe.  
Mr. POE. Yes.  
Ms. RUSH. Mr. Poe votes yes.  
Mr. Issa.  
Mr. ISSA. Yes.  
Ms. RUSH. Mr. Issa votes yes.  
Mr. Lantos.
Mr. LANTOS. No.
Ms. RUSH. Mr. Lantos votes no.
Mr. Berman.
Mr. BERMAN. No.
Ms. RUSH. Mr. Berman votes no.
Mr. Ackerman.
Mr. ACKERMAN. No.
Ms. RUSH. Mr. Ackerman votes no.
Mr. Faleomavaega.
Mr. FALEOMAVAEGA. No.
Ms. RUSH. Mr. Faleomavaega votes no.
Mr. Payne.
Mr. PAYNE. No.
Ms. RUSH. Mr. Payne votes no.
Mr. Menendez.
[No response.]
Ms. RUSH. Mr. Brown.
Mr. BROWN. No.
Ms. RUSH. Mr. Brown votes no.
Mr. Sherman.
[No response.]
Ms. RUSH. Mr. Wexler.
Mr. WEXLER. No.
Ms. RUSH. Mr. Wexler votes no.
Mr. Engel.
[No response.]
Ms. RUSH. Mr. Delahunt.
Mr. DELAHUNT. No.
Ms. RUSH. Mr. Delahunt votes no.
Mr. Meeks.
Mr. MEEKS. No.
Ms. RUSH. Mr. Meeks votes no.
Ms. Lee.
Ms. LEE. No.
Ms. RUSH. Ms. Lee votes no.
Mr. Crowley.
Mr. CROWLEY. No.
Ms. RUSH. Mr. Crowley votes no.
Mr. Blumenauer.
Mr. BLUMENAUER. No.
Ms. RUSH. Mr. Blumenauer votes no.
Ms. Berkley.
Ms. BERKLEY. Yes.
Ms. RUSH. Ms. Berkley votes yes.
Mrs. Napolitano.
Mrs. NAPOLITANO. No.
Ms. RUSH. Mrs. Napolitano votes no.
Mr. Schiff.
Mr. SCHIFF. No.
Ms. RUSH. Mr. Schiff votes no.
Ms. Watson.
Ms. WATSON. No.
Ms. RUSH. Ms. Watson votes no.
Mr. Smith from Washington.
Mr. SMITH OF WASHINGTON. No.
Ms. RUSH. Mr. Smith from Washington votes no.
Ms. McCollum.
[No response.]
Ms. RUSH. Mr. Chandler.
Mr. CHANDLER. No.
Ms. RUSH. Mr. Chandler votes no.
Mr. Cardoza.
Mr. CARDOZA. No.
Ms. RUSH. Mr. Cardoza votes no.
Chairman Hyde.
Chairman HYDE. Yes.
Ms. RUSH. Chairman Hyde votes yes.
Mr. Sherman.
Mr. SHERMAN. No.
Ms. RUSH. Mr. Sherman votes no.
Mr. Engel.
Mr. ENGEL. No.
Ms. RUSH. Mr. Engel votes no.
Mr. LEACH. The clerk will call.
Ms. RUSH. On this vote there are 25 yesses and 22 noes.
Mr. LEACH. The ayes have it, and the motion to report is favorably adopted.
Mr. SMITH OF NEW JERSEY. Mr. Chairman.
Mr. LEACH. Mr. Smith.
Mr. SMITH OF NEW JERSEY. I would ask unanimous consent that the short title of the bill, H.R. 2745, be modified to read, and I quote, “This act may be cited as the Henry J. Hyde United Nations Reform Act of 2005.”
Mr. LEACH. Without objection, the staff is directed to make any technical and conforming changes.
Mr. LANTOS. Mr. Chairman, I respectfully request that adequate time be provided to the Democratic side to file a Minority report.
Mr. LEACH. Pursuant to the rules, of course that is granted.
Mr. LANTOS. I respectfully request that we resume this markup at 2:30.
Mr. LEACH. Pursuant to the stomachs, that is respectfully granted.
The Committee is in recess.
[Recess.]
Mr. SMITH OF NEW JERSEY [presiding]. The Full Committee will come to order. Pursuant to notice, I call up the bill H.R. 2601, the Foreign Relations Authorization Act for Fiscal Years 2006 and 2007 for purposes of markup.
Without objection, the bill will be considered as read and open for amendment at any point, and I recognize myself for 5 minutes at this time to give a brief overview of the legislation.
[H.R. 2601 follows:]
To authorize appropriations for the Department of State for fiscal years 2006 and 2007, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES
MAY 24, 2005
Mr. Smith of New Jersey (for himself and Mr. Payne) introduced the following bill; which was referred to the Committee on International Relations

A BILL
To authorize appropriations for the Department of State for fiscal years 2006 and 2007, and for other purposes.

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

SECTION 1. SHORT TITLE.
This Act may be cited as the “Foreign Relations Au-
 thorization Act, Fiscal Years 2006 and 2007”.

SEC. 2. TABLE OF CONTENTS.
The table of contents for this Act is as follows:

TITLE I—AUTHORIZATIONS OF APPROPRIATIONS
Sec. 101. Administration of foreign affairs.
Sec. 102. Contributions to international organizations.
Sec. 103. International Commissions.
Sec. 104. Migration and Refugee Assistance.
Sec. 105. Centers and foundations.
Sec. 106. United States international broadcasting activities.

TITLE II—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

Sec. 201. Interference with protective functions.
Sec. 203. Retention of medical reimbursements.
Sec. 204. Buying power maintenance account.
Sec. 205. Accountability review boards.
Sec. 207. Removal of contracting prohibition.

TITLE III—ORGANIZATION AND PERSONNEL OF THE DEPARTMENT OF STATE

Sec. 301. Education allowances.
Sec. 302. Official residence expenses.
Sec. 303. Increased limits applicable to post differentials and danger pay allowances.
Sec. 304. Home leave.
Sec. 305. Overseas equalization and comparability pay adjustment.
Sec. 306. Fellowship of Hope Program.
Sec. 307. Regulations regarding retirement credit for government service performed abroad.
Sec. 308. Suspension of foreign service members without pay.
Sec. 309. Death gratuity.
Sec. 310. Clarification of Foreign Service Grievance Board procedures.
Sec. 311. Repeal of recertification requirement for members of the Senior Foreign Service.
Sec. 312. Technical amendments to Title 5 provisions on recruitment, relocation, and retention bonuses.
Sec. 313. Limited appointments in the Foreign Service.
Sec. 314. Statement of Congress.
Sec. 315. Sense of Congress regarding additional United States consular posts.

TITLE IV—INTERNATIONAL ORGANIZATIONS

Sec. 401. REDI Center.
Sec. 403. International Center for Middle Eastern-Western Dialogue.

TITLE V—CHANGES IN ADMINISTRATIVE AUTHORITIES FOR INTERNATIONAL BROADCASTING

Sec. 501. Short title.
Sec. 502. Middle East Broadcasting Networks.
Sec. 503. Improving signal delivery to Cuba.
Sec. 504. Establishing permanent authority for Radio Free Asia.
Sec. 505. Personal services contracting program.
Sec. 506. Commonwealth of the Northern Mariana Islands education benefits.
TITLE VI—MISCELLANEOUS PROVISIONS AND REPORTING REQUIREMENTS

Sec. 601. Statement of policy relating to democracy in Iran.
Sec. 602. Dual gateway policy of the Government of Ireland.
Sec. 603. Trans-Sahara counter-terrorism initiative.
Sec. 604. Report on Haiti.
Sec. 605. Reports on acquisition and major security upgrades.
Sec. 607. Verification reports to Congress.
Sec. 608. Reports on protection of refugees from North Korea.
Sec. 609. Reports on actions taken by the United States to encourage respect for human rights.
Sec. 611. Report on Internet jamming.
Sec. 612. Report on Department of State employment composition.
Sec. 613. Sense of Congress regarding Korean Fulbright programs.
Sec. 614. Location of international institutions in Africa.
Sec. 615. Prohibition on commemorations relating to leaders of Imperial Japan.

SEC. 3. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

(2) DEPARTMENT.—The term “Department” means the Department of State.

(3) SECRETARY.—The term “Secretary” means the Secretary of State.

TITLE I—AUTHORIZATIONS OF APPROPRIATIONS

SEC. 101. ADMINISTRATION OF FOREIGN AFFAIRS.

The following amounts are authorized to be appropriated for the Department of State under “Administra-
tion of Foreign Affairs” to carry out the authorities, func-
tions, duties, and responsibilities in the conduct of foreign
affairs of the United States and for other purposes author-
ized by law:

(1) DIPLOMATIC AND CONSULAR PROGRAMS.—
For “Diplomatic and Consular Programs”,
$3,769,118,000 for fiscal year 2006, and
$3,896,611,500 for fiscal year 2007.

(A) WORLDWIDE SECURITY UPGRADES.—
In addition to amounts authorized to be appro-
priated under paragraph (1), $689,523,000 for
fiscal year 2006, and $710,208,690 for fiscal
year 2007, are authorized to be appropriated
for worldwide security upgrades.

(B) PUBLIC DIPLOMACY.—Of the amounts
authorized to be appropriated under paragraph
(1), $333,863,000 for fiscal year 2006, and
$343,699,000 for fiscal year 2007, are author-
ized to be appropriated for public diplomacy.

(C) BUREAU OF DEMOCRACY, HUMAN
RIGHTS, AND LABOR.—Of the amounts author-
ized to be appropriated under paragraph (1),
$20,000,000 for fiscal year 2006, and
$20,000,000 for fiscal year 2007, are author-
ized to be appropriated for salaries and ex-
penses of the Bureau of Democracy, Human
Rights, and Labor.

(D) ANTI-SEMITISM.—Of the amounts au-
thorized to be appropriated under paragraph
(1), $225,000 for fiscal year 2006 and
$225,000 for fiscal year 2007 are authorized to
be appropriated for necessary expenses to fund
secondments, hiring of staff, and support tar-
geted projects of the Office of Democratic Insti-
tutions and Human Rights (ODIHR) of the Or-
ganization for Security and Cooperation in Eu-
rope (OSCE) regarding anti-Semitism and in-
tolerance and for the OSCE/ODIHR Law En-
forcement Officers Hate Crimes Training Pro-
gram.

(E) RELIGIOUS FREEDOM.—

(i) IN GENERAL.—Of the amounts au-
thorized to be appropriated under para-
graph (1), $205,000 for fiscal year 2006
and $205,000 for fiscal year 2007 are au-
thorized to be appropriated for necessary
expenses to fund activities of the Organi-
tation for Security and Cooperation in Eu-
rope relating to freedom of religion and be-
lief.
(ii) OSCE PROJECTS, ACTIVITIES, AND MISSIONS.—

(I) PROJECTS AND ACTIVITIES.—

Of the amounts authorized to be appropriated under subparagraph (A), $125,000 for fiscal year 2006 and $125,000 for fiscal year 2007 are authorized to be appropriated for necessary expenses to fund for secondments, hiring of staff, and support targeted projects of the Office of Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Cooperation in Europe (OSCE) regarding religious freedom and for the OSCE/ODIHR Panel of Experts on Freedom of Religion or Belief.

(II) MISSIONS.—Of the amounts authorized to be appropriated under subparagraph (A), $80,000 for fiscal year 2006 and $80,000 for fiscal year 2007 are authorized to be appropriated for OSCE Missions in Armenia, Azerbaijan, Georgia, Kazakhstan,
Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan for activities to address issues relating to religious freedom and belief and to fund the hiring of new staff who are dedicated to religious freedom and belief.

(F) Charles B. Rangel International Affairs Program.—Of the amounts authorized to be appropriated under paragraph (1), $1,500,000 for fiscal year 2006 and $1,500,000 for fiscal year 2007 are authorized to be appropriated for the Charles B. Rangel International Affairs Program at Howard University.

(2) Capital Investment Fund.—For “Capital Investment Fund”, $131,000,000 for fiscal year 2006, and $131,000,000 for fiscal year 2007.

(3) Embassy Security, Construction and Maintenance.—For “Embassy Security, Construction and Maintenance”, $1,526,000,000 for fiscal year 2006, and $1,550,000,000 for fiscal year 2007.

(4) Educational and Cultural Exchange Programs.—

(A) In general.—For “Educational and Cultural Exchange Programs”, $428,900,000
for the fiscal year 2006, and $438,500,000 for fiscal year 2007.

(B) SUMMER INSTITUTES FOR KOREAN STUDENT LEADERS.—Of the amounts authorized to be appropriated under subparagraph (A), $750,000 for fiscal year 2006 and $750,000 for fiscal year 2007 are authorized to be appropriated for summer academic study programs in the United States (focusing on United States political systems, government institutions, society, and democratic culture) for college and university students from the Republic of Korea, to be known as the “United States Summer Institutes for Korean Student Leaders”.

(C) SUDANESE SCHOLARSHIPS.—Of the amounts authorized to be available under subparagraph (A), $500,000 for fiscal year 2004 and $500,000 for fiscal year 2005 is authorized to be available for scholarships for students from southern Sudan for secondary or postsecondary education in the United States, to be known as “Sudanese Scholarships”.

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(5) **Representation Allowances.**—For “Representation Allowances”, $8,281,000 for fiscal year 2006, and $8,281,000 for fiscal year 2007.

(6) **Protection of Foreign Missions and Officials.**—For “Protection of Foreign Missions and Officials”, $9,390,000 for fiscal year 2006 and $9,390,000 for fiscal year 2007.

(7) **Emergencies in the Diplomatic and Consular Service.**—For “Emergencies in the Diplomatic and Consular Service”, $12,143,000 for fiscal year 2006, and $12,143,000 for fiscal year 2007.

(8) **Repatriation Loans.**—For “Repatriation Loans”, $1,319,000 for fiscal year 2006, and $1,319,000 for fiscal year 2007.

(9) **Payment to the American Institute in Taiwan.**—For “Payment to the American Institute in Taiwan”, $19,751,000 for fiscal year 2006, and $20,146,020 for fiscal year 2007.

SEC. 102. CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.

(a) Assessed Contributions to International Organizations.—There are authorized to be appropriated for “Contributions to International Organizations”, $1,296,500,000 for fiscal year 2006 and $1,322,430,000 for fiscal year 2007, for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international organizations and to carry out other authorities in law consistent with such purposes.

(b) Contributions for International Peacekeeping Activities.—There are authorized to be appropriated for “Contributions for International Peacekeeping Activities”, $1,035,500,000 for fiscal year 2006, and such sums as may be necessary for fiscal year 2007, for the Department of State to carry out the authorities, functions, duties, and responsibilities of the United States with respect to international peacekeeping activities and to carry out other authorities in law consistent with such purposes. Amounts appropriated pursuant to this subsection are authorized to remain available until expended.

(c) Foreign Currency Exchange Rates.—

(1) Authorization of Appropriations.—In addition to amounts authorized to be appropriated...
by subsection (a), there are authorized to be appropriated such sums as may be necessary for each of
fiscal years 2006 and 2007 to offset adverse fluctuations in foreign currency exchange rates.

(2) **AVAILABILITY OF FUNDS.**—Amounts appropriated under this subsection shall remain available
for obligation and expenditure only to the extent that the Director of the Office of Management and
Budget determines and certifies to Congress that such amounts are necessary due to such fluctua-
tions.

SEC. 103. INTERNATIONAL COMMISSIONS.

The following amounts are authorized to be appropriated under “International Commissions” for the De-
partment of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign
affairs of the United States and for other purposes authorized by law:

(1) **INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO.**—For
“International Boundary and Water Commission, United States and Mexico”—

(A) for “Salaries and Expenses”,

$28,200,000 for fiscal year 2006, and

$28,200,000 for fiscal year 2007; and
(B) for “Construction”, $6,100,000 for fiscal year 2006, and $6,100,000 for fiscal year 2007.

(2) INTERNATIONAL BOUNDARY COMMISSION, UNITED STATES AND CANADA.—For “International Boundary Commission, United States and Canada”, $1,429,000 for fiscal year 2006 and $1,429,000 for fiscal year 2007.

(3) INTERNATIONAL JOINT COMMISSION.—For “International Joint Commission”, $6,320,000 for fiscal year 2006 and $6,320,000 for fiscal year 2007.

(4) INTERNATIONAL FISHERIES COMMISSIONS.—For “International Fisheries Commissions”, $25,123,000 for fiscal year 2006 and $25,123,000 for fiscal year 2007.

SEC. 104. MIGRATION AND REFUGEE ASSISTANCE.

There are authorized to be appropriated for the Department of State for “Migration and Refugee Assistance” for authorized activities, $955,000,000 for fiscal year 2006 and $983,650,000 for fiscal year 2007.

SEC. 105. CENTERS AND FOUNDATIONS.

(a) ASIA FOUNDATION.—There are authorized to be appropriated for “The Asia Foundation” for authorized
activities, $18,000,000 for fiscal year 2006 and $18,000,000 for fiscal year 2007.

(b) NATIONAL ENDOWMENT FOR DEMOCRACY.—There are authorized to be appropriated for the “National Endowment for Democracy” for authorized activities, $80,000,000 for fiscal year 2006 and $80,000,000 for fiscal year 2007.

c) CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN EAST AND WEST.—There are authorized to be appropriated for the “Center for Cultural and Technical Interchange Between East and West” for authorized activities, $13,024,000 for fiscal year 2006 and $13,024,000 for fiscal year 2007.

SEC. 106. UNITED STATES INTERNATIONAL BROADCASTING ACTIVITIES.

The following amounts are authorized to be appropriated to carry out United States Government international broadcasting activities under the United States Information and Educational Exchange Act of 1948, the Radio Broadcasting to Cuba Act, the Television Broadcasting to Cuba Act, the United States International Broadcasting Act of 1994, and the Foreign Affairs Reform and Restructuring Act of 1998, and to carry out other authorities in law consistent with such purposes:
(1) For “International Broadcasting Operations”, $603,394,000 for fiscal year 2006 and $621,495,820 for fiscal year 2007. Of the amounts authorized to be appropriated under under this paragraph, $5,000,000 is authorized to be appropriated for fiscal year 2006 and $5,000,000 is authorized to be appropriated for fiscal year 2007 for increased broadcasting to Belarus.

(2) For “Broadcasting Capital Improvements”, $26,893,000 for fiscal year 2006 and $26,893,000 for fiscal year 2007.

(3) For “Broadcasting to Cuba”, $37,931,000 for fiscal year 2006 and $29,931,000 for fiscal year 2007, to remain available until expended, for necessary expenses to enable the Broadcasting Board of Governors to carry out broadcasting to Cuba, including the purchase, rent, construction, and improvement of facilities for radio and television transmission and reception, and the purchase, lease, and installation of necessary equipment, including aircraft, for radio and television transmission and reception.
TITLE II—DEPARTMENT OF
STATE AUTHORITIES AND ACTIVITIES

SEC. 201. INTERFERENCE WITH PROTECTIVE FUNCTIONS.

(a) Offense.—Chapter 7 of title 18, United States Code, is amended by adding at the end the following new section:

"§ 117. Interference with certain protective functions

"Whoever knowingly and willfully obstructs, resists, or interferes with a Federal law enforcement agent engaged, within the United States or the special maritime and territorial jurisdiction of the United States, in the performance of the protective functions authorized by section 37 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2709) or section 103 of the Diplomatic Security Act (22 U.S.C. 4802) shall be fined under this title or imprisoned not more than one year, or both."

(b) Clerical Amendment.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"117. Interference with certain protective functions."

SEC. 202. INTERNATIONAL LITIGATION FUND.

Section 38(d)(3) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2710(d)(3)) is amended—

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(1) by inserting “as a result of a decision of an international tribunal,” after “received by the Department of State”; and
(2) by inserting a comma after “United States Government”.

SEC. 203. RETENTION OF MEDICAL REIMBURSEMENTS.
Section 904 of the Foreign Service Act of 1980 (22 U.S.C. 4084) is amended by adding at the end the following new subsection:
“(g) Reimbursements paid to the Department of State for funding the costs of medical care abroad for employees and eligible family members shall be credited to the currently available applicable appropriation account. Notwithstanding any other provision of law, such reimbursements shall be available for obligation and expenditure during the fiscal year in which they are received or for such longer period of time as may be provided in law.”.

SEC. 204. BUYING POWER MAINTENANCE ACCOUNT.
Section 24(b)(7) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2696(b)(7)) is amended by striking subparagraph (D).

SEC. 205. ACCOUNTABILITY REVIEW BOARDS.
Section 301(a) of the Diplomatic Security Act (22 U.S.C. 4831(a)) is amended—
(1) in paragraph (1), by striking “paragraph (2)” and inserting “paragraphs (2) and (3)”; and

(2) by adding at the end the following new paragraph:

“(3) FACILITIES IN AFGHANISTAN AND IRAQ.—

“(A) LIMITED EXEMPTIONS FROM REQUIREMENT TO CONVENE BOARD.—The Secretary of State is not required to convene a Board in the case of an incident that—

“(i) involves serious injury, loss of life, or significant destruction of property at, or related to, a United States Government mission in Afghanistan or Iraq; and

“(ii) occurs during the period beginning on July 1, 2004 and ending on September 30, 2009.

“(B) REPORTING REQUIREMENTS.—In the case of an incident described in subparagraph (A), the Secretary shall—

“(i) promptly notify the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate of the incident;
“(ii) conduct an inquiry of the incident; and

“(iii) upon completion of the inquiry required by clause (ii), submit to each such Committee a report on the findings and recommendations related to such inquiry and the actions taken with respect to such recommendations.”.

SEC. 206. DESIGNATION OF COLIN L. POWELL RESIDENTIAL PLAZA.

(a) The Federal building in Kingston, Jamaica, formerly known as the Crowne Plaza and currently a staff housing facility for the Embassy of the United States in Jamaica, shall be known and designated as the “Colin L. Powell Residential Plaza”.

(b) Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in subsection (a) shall be deemed to be a reference to the “Colin L. Powell Residential Plaza”.

SEC. 207. REMOVAL OF CONTRACTING PROHIBITION.

Section 406(c) of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (P.L. 99–399) (relating to the ineligibility of persons doing business with Libya to be awarded a contract) is repealed.
TITLE III—ORGANIZATION AND PERSONNEL OF THE DEPARTMENT OF STATE

SEC. 301. EDUCATION ALLOWANCES.

Section 5924(4) of title 5, United States Code, is amended—

(1) in the first sentence of subparagraph (A), by inserting “United States” after “nearest”;

(2) by striking subparagraph (B) and inserting the following new subparagraph:

“(B) The travel expenses of dependents of an employee to and from a secondary or post-secondary educational institution, not to exceed one annual trip each way for each dependent, except that an allowance payment under subparagraph (A) may not be made for a dependent during the 12 months following the arrival of the dependent at the selected educational institution under authority contained in this subparagraph.”; and

(3) by adding at the end the following new subparagraph:

“(D) Allowances provided pursuant to subparagraphs (A) and (B) may include, at the election of the employee, payment or reimburse-
ment of the costs incurred to store baggage for
the employee’s dependent at or in the vicinity of
the dependent’s school during the dependent’s
annual trip between the school and the employ-
ee’s duty station, except that such payment or
reimbursement may not exceed the cost that the
Government would incur to transport the bag-
gage with the dependent in connection with the
annual trip, and such payment or reimburse-
ment shall be in lieu of transportation of the
baggage.”.

SEC. 302. OFFICIAL RESIDENCE EXPENSES.
Section 5913 of Title 5, United States Code, is
amended by adding at the end the following new sub-
section:
“(c) Funds made available under subsection (b) may
be provided in advance to persons eligible to receive reim-
bursements.”.

SEC. 303. INCREASED LIMITS APPLICABLE TO POST DIF-
FERENTIALS AND DANGER PAY ALLOW-
ANCES.
(a) Repeal of Limited-Scope Effective Date
for Previous Increase.—Subsection (e) of section 591
of the Foreign Operations, Export Financing, and Related
Programs Appropriations Act, 2004 (division D of Public Law 108–199) is repealed.

(b) **Post Differentials.**—Section 5925(a) of title 5, United States Code, is amended in the third sentence by striking “25 percent of the rate of basic pay or, in the case of an employee of the United States Agency for International Development,”.

(c) **Danger Pay Allowances.**—Section 5928 of title 5, United States Code, is amended by striking “25 percent of the basic pay of the employee or 35 percent of the basic pay of the employee in the case of an employee of the United States Agency for International Development” both places that it appears and inserting “35 percent of the basic pay of the employee”.

(d) **Criteria.**—The Secretary of State shall inform the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate of the criteria to be used in determinations of appropriate adjustments in post differentials under section 5925(a) of title 5, United States Code, as amended by subsection (b), and danger pay allowances under section 5928 of title 5, United States Code, as amended by subsection (c).

(e) **Study and Report.**—Not later than two years after the date of the enactment of this Act, the Secretary
of State shall conduct a study assessing the effect of the
increases in post differentials and danger pay allowances
made by the amendments in subsections (b) and (c), re-
spectively, in filling “hard-to-fill” positions and shall sub-
mit a report of such study to the congressional committees
described in subsection (d).

SEC. 304. HOME LEAVE.
Chapter 9 of title I of the Foreign Service Act of
1980 (relating to travel, leave, and other benefits) is
amended—
(1) in section 901(6) (22 U.S.C. 4081(6)), by
striking “unbroken by home leave” both places that
it appears; and
(2) in section 903(a) (22 U.S.C. 4083), by
striking “18 months” and inserting “12 months”.

SEC. 305. OVERSEAS EQUALIZATION AND COMPARABILITY
PAY ADJUSTMENT.
(a) In General.—Chapter 4 of the Foreign Service
Act of 1980 (22 U.S.C. 3961 et seq.) (relating to com-
pensation) is amended by adding at the end the following
new section:

SEC. 415. OVERSEAS COMPARABILITY PAY ADJUSTMENT.
“(a) In General.—In accordance with subsection
(c), a member of the Service who is designated class 1
or below and who does not have as an official duty station
a location in the continental United States or in a non-
foreign area shall receive locality-based comparability pay-
ments under section 5304 of title 5, United States Code,
that would be paid to such member if such member’s offi-
cial duty station would have been Washington, D.C.

“(b) TREATMENT AS BASIC PAY.—The locality-based
comparability payment described in subsection (a) shall—

“(1) be considered to be part of the basic pay
of a member in accordance with section 5304 of title
5, United States Code, for the same purposes for
which comparability payments are considered to be
part of basic pay under such section; and

“(2) be subject to any applicable pay limita-
tions.

“(c) PHASE-IN.—The comparability pay adjustment
described under this section shall be paid to a member
described in subsection (a) in three phases, as follows:

“(1) In fiscal year 2006, 33.33 percent of the
amount of such adjustment to which such member
is entitled.

“(2) In fiscal year 2007, 66.66 percent of the
amount of such adjustment to which such member
is entitled.
“(3) In fiscal year 2008 and subsequent fiscal years, 100.00 percent of the amount of such adjustment to which such member is entitled.”.

(b) CONFORMING AMENDMENTS RELATING TO THE RETIREMENT AND DISABILITY SYSTEM OF THE FOREIGN SERVICE.—

(1) CONTRIBUTIONS TO THE FUND.—Section 805(a) of the Foreign Service Act of 1980 (22 U.S.C. 4045(a)) is amended—

(A) in paragraph (1)—

(i) in the first sentence, by striking “7.25 percent” and inserting “7.00 percent”; and

(ii) in the second sentence, by striking “The contribution by the employing agency” through “and shall be made” and inserting “An equal amount shall be contributed by the employing agency”;

(B) in paragraph (2)—

(i) in subparagraph (A), by striking “plus an amount equal to .25 percent of basic pay”; and

(ii) in subparagraph (B), in the first sentence, by striking “plus an amount equal to .25 percent of basic pay”; and
(C) in paragraph (3), by striking “plus .25 percent”.

(2) COMPUTATION OF ANNUITIES.—Section 806(a)(9) of such Act (22 U.S.C. 4046(a)(9)) is amended—

(A) by striking “is outside” and inserting “was outside”; and

(B) by inserting after “continental United States” the following: “for any period of time from December 29, 2002, to the first day of the first full pay period beginning after the date of applicability of the overseas comparability pay adjustment under section 415”;

(3) ENTITLEMENT TO ANNUITY.—Section 855(a)(3) of such Act (22 U.S.C. 4071d(a)(3)) is amended—

(A) by striking “is outside” and inserting “was outside”; and

(B) by inserting after “continental United States” the following: “for any period of time from December 29, 2002, to the first day of the first full pay period beginning after the date of applicability of the overseas comparability pay adjustment under section 415”.

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(4) Deductions and withholdings from pay.—Section 856(a)(2) of such Act (22 U.S.C. 4071e(a)(2)) is amended to read as follows:

“(2) The applicable percentage under this subsection shall be as follows:

<table>
<thead>
<tr>
<th>Percentage</th>
<th>Time Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>7.5</td>
<td>Before January 1, 1999.</td>
</tr>
</tbody>
</table>

(c) Effective date.—The amendments made by this section shall take effect on the date of the enactment of this Act and apply beginning on the first day of the first full pay period beginning after such date.

SEC. 306. FELLOWSHIP OF HOPE PROGRAM.

(a) Fellowship authorized.—Chapter 5 of title I of the Foreign Service Act of 1980 (22 U.S.C. 3981 et seq.) is amended by adding at the end the following new section:

“SEC. 506. FELLOWSHIP OF HOPE.

“(a) The Secretary is authorized to establish a program to be known as the ‘Fellowship of Hope Program’. Under the Program, the Secretary may assign a member of the Service, for not more than one year, to a position with any designated country or designated entity that per-
mits an employee of such country or entity to be assigned
to a position with the Department.

"(b) The salary and benefits of a member of the Serv-
vice shall be paid as described in subsection (b) of section
503 during a period in which such member is participating
in the Fellowship of Hope Program. The salary and bene-
fits of an employee of a designated country or designated
entity participating in the Program shall be paid by such
country or entity during the period in which such employee
is participating in the Program.

"(c) In this section:

"(1) The term 'designated country' means a
member country of—

"(A) the North Atlantic Treaty Organiza-
tion; or

"(B) the European Union.

"(2) The term 'designated entity' means—

"(A) the North Atlantic Treaty Organiza-
tion; or

"(B) the European Union.

"(d) Nothing in this section shall be construed to—

"(1) authorize the appointment as an officer or
employee of the United States of—

"(A) an individual whose allegiance is to
any country, government, or foreign or inter-
national entity other than to the United States; or

“(B) an individual who has not met the requirements of sections 3331, 3332, 3333, and 7311 of title 5, United States Code, and any other provision of law concerning eligibility for appointment as, and continuation of employment as, an officer or employee of the United States; or

“(2) authorize the Secretary to assign a member of the Service to a position with any foreign country whose law, or to any foreign or international entity whose rules, require such member to give allegiance or loyalty to such country or entity while assigned to such position.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

Such Act is amended—

(1) in section 503 (22 U.S.C. 3983)—

(A) in the section heading, by striking “AND” and inserting “FOREIGN GOVERNMENTS, OR”; and

(B) in subsection (a)—

(i) in the matter preceding paragraph (1), by inserting “foreign government,” after “organization”; and
(ii) in paragraph (1), by inserting “,
or with a foreign government under section 506” before the semicolon; and

(2) in section 2, in the table of contents—

(A) by striking the item relating to section 503 and inserting the following new item:

“Sec. 503. Assignments to agencies, international organizations, foreign governments, or other bodies.”;

and

(B) by inserting after the item relating to section 505 the following new item:

“Sec. 506. Fellowship of Hope Program.”.

SEC. 307. REGULATIONS REGARDING RETIREMENT CREDIT FOR GOVERNMENT SERVICE PERFORMED ABROAD.

Section 321(f) of the Foreign Relations Authorization Act, Fiscal Year 2003 (5 U.S.C. 8411 note; Public Law 107–228) is amended by inserting “, not later than 60 days after the date of the enactment of the Foreign Relations Authorization Act, Fiscal Years 2006 and 2007,” after “regulations”.

SEC. 308. SUSPENSION OF FOREIGN SERVICE MEMBERS WITHOUT PAY.

(a) SUSPENSION.—Section 610 of the Foreign Service Act of 1980 (22 U.S.C. 4010) is amended by adding at the end the following new subsection:

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“(c)(1) The Secretary may suspend a member of the
Service without pay when there is reasonable cause to be-
lieve that the member has committed a crime for which
a sentence of imprisonment may be imposed and there is
a connection between the conduct and the efficiency of the
Foreign Service.

“(2) Any member of the Service for whom a suspen-
sion is proposed shall be entitled to—

“(A) written notice stating the specific reasons
for the proposed suspension;

“(B) a reasonable time to respond orally and in
writing to the proposed suspension;

“(C) representation by an attorney or other
representative; and

“(D) a final written decision, including the spe-
cific reasons for such decision, as soon as prac-
ticable.

“(3) Any member suspended under this section may
file a grievance in accordance with the procedures applica-
able to grievances under chapter 11 of this title.

“(4) In this subsection:

“(A) The term ‘reasonable time’ means—

“(i) with respect to a member of the Serv-
iece assigned to duty in the United States, 15
days after receiving notice of the proposed sus-
pension; and

“(ii) with respect to a member of the Serv-
ice assigned to duty outside the United States,
30 days after receiving notice of the proposed
suspension.

“(B) The terms ‘suspend’ and ‘suspension’
mean the placing of a member of the Service in a
temporary status without duties and pay.”.

(b) CONFORMING AND CLERICAL AMENDMENTS.—

(1) Amendment of section heading.—Such
section, as amended by subsection (a), is further
amended in the section heading by inserting “; SUS-
PENSION” before the period at the end.

(2) Clerical amendment.—Section 2 of such
Act is amended, in the table of contents, by striking
the item relating to section 610 and inserting the
following new item:

“Sec. 610. Separation for cause; suspension.”.

SEC. 309. DEATH GRATUITY.

Section 413(a) of the Foreign Service Act of 1980
(22 U.S.C. 3973(a)) is amended in the first sentence by
inserting before the period at the end the following: “or
$100,000, whichever is greater”.

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SEC. 310. CLARIFICATION OF FOREIGN SERVICE GRIEVANCE BOARD PROCEDURES.

Section 1106(8) of the Foreign Service Act of 1980 (22 U.S.C. 4136(8)) is amended in the first sentence—

(1) by inserting “the involuntary separation of the grievant (other than an involuntary separation for cause under section 610(a)),” after “considering”; and

(2) by striking “the grievant or” and inserting “the grievant, or”.

SEC. 311. REPEAL OF RECERTIFICATION REQUIREMENT FOR MEMBERS OF THE SENIOR FOREIGN SERVICE.

Section 305(d) of the Foreign Service Act of 1980 (22 U.S.C. 3945(d)) is hereby repealed.

SEC. 312. TECHNICAL AMENDMENTS TO TITLE 5 PROVISIONS ON RECRUITMENT, RELOCATION, AND RETENTION BONUSES.

Title 5, United States Code, is amended—

(1) in section 5753(a)(2)(A), by inserting before the semicolon at the end the following: “, but does not include members of the Foreign Service other than chiefs of mission and ambassadors-at-large”; and

(2) in section 5754(a)(2)(A), by inserting before the semicolon at the end the following: “, but
does not include members of the Foreign Service other than chiefs of mission and ambassadors-at-large”.

SEC. 313. LIMITED APPOINTMENTS IN THE FOREIGN SERVICE.

Section 309 of the Foreign Service Act of 1980 (22 U.S.C. 3949) is amended—

(1) in subsection (a), by striking “subsection (b)” and inserting “subsections (b) or (c)”;

(2) in subsection (b)—

(A) by amending paragraph (3) to read as follows:

“(3) as a career candidate, if—

“(A) continued service is determined appropriate to remedy a matter that would be cognizable as a grievance under chapter 11; or

“(B) the career candidate is called to military active duty pursuant to the Uniformed Services Employment and Reemployment Rights Act of 1994 (Public Law 103–353; codified in chapter 43 of title 38, United States Code) and the limited appointment expires in the course of such military active duty;”;

(B) in paragraph (4), by striking “and” at the end;
(C) in paragraph (5) by striking the period at the end and inserting “; and” ; and
(D) by adding at the end the following new paragraph:
“(6) in exceptional circumstances where the Secretary determines the needs of the Service require the extension of a limited appointment—

“(A) for a period of time not to exceed 12 months, provided such period of time does not permit additional review by the boards under section 306; or

“(B) for the minimum time needed to settle a grievance, claim, or complaint not otherwise provided for in this section.”; and

(3) by adding at the end the following new subsection:

“(c) Noncareer specialist employees who have served five consecutive years under a limited appointment may be reappointed to a subsequent limited appointment provided there is at least a one year break in service before such new appointment. This requirement may be waived by the Director General in cases of special need.”.

SEC. 314. STATEMENT OF CONGRESS.

Congress declares that the recent changes proposed by the Department of State to the career development pro-
gram for members of the Senior Foreign Service will help promote well-rounded and effective members of the Senior Foreign Service, and should be implemented as planned in the coming years. Congress fully supports the proposed changes that require that in order to be eligible for promotion into the Senior Foreign Service, a member of the Foreign Service must demonstrate over the course of the career of such member the following:

(1) Operational effectiveness, including a breadth of experience in several regions and over several functions.

(2) Leadership and management effectiveness.

(3) Sustained professional language proficiency.

(4) Responsiveness to Service needs.

SEC. 315. SENSE OF CONGRESS REGARDING ADDITIONAL UNITED STATES CONSULAR POSTS.

It is the sense of the Congress that to help advance United States economic, political, and public diplomacy interests, the Secretary of State should make best efforts to establish United States consulates or other appropriate United States diplomatic presence in Pusan, South Korea and Hat Yai, Thailand.
TITLE IV—INTERNATIONAL ORGANIZATIONS

SEC. 401. REDI CENTER.

The Secretary of State is authorized to provide for the participation by the United States in the Regional Emerging Disease Intervention (“REDI”) Center in Singapore.

SEC. 402. EXTENSION OF AUTHORIZATION OF APPROPRIATION FOR THE UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM.

(a) In general.—Subsection (a) of section 207 of the International Religious Freedom Act of 1998 (22 U.S.C. 6435) is amended by striking “$3,000,000 for the fiscal year 2003” and inserting “$3,300,000 for each of fiscal years 2006 through 2011”.

(b) Technical amendment.—Subsection (b) of such section is amended by striking “subparagraph” and inserting “subsection”.

SEC. 403. INTERNATIONAL CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE.

Section 633(e) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2004 (division B of Public Law 108–199; 22 U.S.C. 2078(e)) is amended—
(1) by striking “The United States, through the
Department of State, shall retain ownership of the
Palazzo Corpi building in Istanbul, Turkey, and the”
and inserting “The”; and
(2) by striking “at such location” and inserting
“at an appropriate location”.

TITLE V—CHANGES IN ADMINISTRATIVE AUTHORITIES FOR
INTERNATIONAL BROADCASTING

SEC. 501. SHORT TITLE.
This title may be cited as the “International Broadcasting Authorization Act, Fiscal Years 2006 and 2007”.

SEC. 502. MIDDLE EAST BROADCASTING NETWORKS.
(a) MIDDLE EAST BROADCASTING NETWORKS.—The
United States International Broadcasting Act of 1994 (22
U.S.C. 6201 et seq.) is amended by inserting after section
309 (22 U.S.C. 6208) the following new section:

"SEC. 309A. MIDDLE EAST BROADCASTING NETWORKS.

“(a) AUTHORITY.—Grants authorized under section
305 shall be available to make annual grants to the Middle
East Broadcasting Networks for the purpose of carrying
out radio and television broadcasting to the Middle East
region."
“(b) FUNCTION.—Middle East Broadcasting Networks shall provide radio and television programming consistent with the broadcasting standards and broadcasting principles set forth in section 303.

“(c) GRANT AGREEMENT.—Any grant agreement or grants under this section shall be subject to the following limitations and restrictions:

“(1) The Board may not make any grant to the non-profit corporation, Middle East Broadcasting Networks, unless its certificate of incorporation provides that—

“(A) The Board of Directors of Middle East Broadcasting Networks shall consist of the members of the Broadcasting Board of Governors established under section 304 and of no other members.

“(B) Such Board of Directors shall make all major policy determinations governing the operation of Middle East Broadcasting Networks, and shall appoint and fix the compensation of such managerial officers and employees of Middle East Broadcasting Networks as it considers necessary to carry out the purposes of the grant provided under this title, except that no officer or employee may be paid basic com-
pensation at a rate in excess of the rate for level II of the Executive Schedule as provided under section 5313 of title 5, United States Code.

“(2) Any grant agreement under this section shall require that any contract entered into by Middle East Broadcasting Networks shall specify that all obligations are assumed by Middle East Broadcasting Networks and not by the United States Government.

“(3) Any grant agreement shall require that any lease agreement entered into by Middle East Broadcasting Networks shall be, to the maximum extent possible, assignable to the United States Government.

“(4) Grants awarded under this section shall be made pursuant to a grant agreement which requires that grant funds be used only for activities consistent with this section, and that failure to comply with such requirements shall permit the grant to be terminated without fiscal obligation to the United States.

“(5) Duplication of language services and technical operations between the Middle East Broadcasting Networks (including Radio Sawa), RFE/RL,
and the International Broadcasting Bureau will be reduced to the extent appropriate, as determined by the Board.

“(d) Not a Federal Agency or Instrumentality.—Nothing in this title may be construed to make—

“(1) the Middle East Broadcasting Networks a Federal agency or instrumentality; or

“(2) the officers or employees of the Middle East Broadcasting Networks officers or employees of the United States Government.”.

(b) Technical and Conforming Amendments.—

Such Act is further amended—

(1) in section 304(g) (22 U.S.C. 6203(g)), by inserting “, the Middle East Broadcasting Networks,” after “Incorporated”;

(2) in section 305 (22 U.S.C. 6204)—

(A) in subsection (a)—

(i) in paragraph (5), by striking “308 and 309” and inserting “308, 309, and 309A”; and

(ii) in paragraph (6), by striking “308 and 309” and inserting “308, 309, and 309A”; and
(B) in subsection (e), by striking “308 and 309” and inserting “308, 309, and 309A”; and
(3) in section 307 (22 U.S.C. 6206)—
    (A) in subsection (a), by striking “308 and 309” and inserting “308, 309, and 309A”; and
    (B) in subsection (c), in the second sentence, by inserting “, the Middle East Broadcasting Networks,” after “Asia”.

(c) TECHNICAL AND CONFORMING AMENDMENT TO TITLE 5.—Section 8332(b)(11) of title 5, United States Code, is amended by inserting “the Middle East Broadcasting Networks;” after “Radio Free Asia;”.

SEC. 503. IMPROVING SIGNAL DELIVERY TO CUBA.
    Section 3 of the Radio Broadcasting to Cuba Act (22 U.S.C. 1465a; Public Law 98–111) is amended—
    (1) by striking subsection (b);
    (2) by striking subsection (c) and inserting the following new subsection:
    “(c) To effect radio broadcasting to Cuba, the Board is authorized to utilize the United States International Broadcasting facilities located in Marathon, Florida, and the 1180 AM frequency used at those facilities. In addition to the above facilities, the Board may simultaneously utilize other governmental and nongovernmental broadcasting transmission facilities and other frequencies, in-
including the Amplitude Modulation (AM) band, the Frequency Modulation (FM) band, and the Shortwave (SW) band. The Board may lease time on commercial or non-commercial educational AM band, FM band, and SW band radio broadcasting stations to carry a portion of the service programs or to rebroadcast service programs.”;

(3) by striking subsection (d);

(4) by striking subsection (e) and inserting the following new subsection:

“(e) Any service program of United States Government radio broadcasts to Cuba authorized by this section shall be designated ‘Radio Marti program’.”; and

(5) by striking subsection (f).

SEC. 504. ESTABLISHING PERMANENT AUTHORITY FOR RADIO FREE ASIA.

Section 309 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6208) is amended—

(1) in subsection (c)(2), by striking “, and shall further specify that funds to carry out the activities of Radio Free Asia may not be available after September 30, 2009”; and

(2) by striking subsection (f).
SEC. 505. PERSONAL SERVICES CONTRACTING PROGRAM.

Section 504 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228) is amended—

(1) in the section heading, by striking “PILOT”;

(2) in subsection (a)—

(A) by striking “pilot”;

(B) by striking “(in this section referred to as the ‘program’)”; and

(C) by striking “producers, and writers” and inserting “and other broadcasting specialists”; and

(3) in subsection (b)(4), by striking “60” and inserting “100”; and

(4) by striking subsection (c).

SEC. 506. COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS EDUCATION BENEFITS.

Section 305(a) of the United States International Broadcasting Act of 1994 (22 U.S.C. 6204(a)) is amended by inserting after paragraph (18) the following new paragraph:

“(19)(A) To provide for the payment of primary and secondary school expenses for dependents of personnel stationed in the Commonwealth of the Northern Mariana Islands (CNMI) at a cost not to
exceed expenses authorized by the Department of Defense for such schooling for dependents of members of the Armed Forces stationed in the Commonwealth, if the Board determines that schools available in the Commonwealth are unable to provide adequately for the education of the dependents of such personnel.

“(B) To provide transportation for dependents of such personnel between their places of residence and those schools for which expenses are provided under subparagraph (A), if the Board determines that such schools are not accessible by public means of transportation.”.

**TITLE VI—MISCELLANEOUS PROVISIONS AND REPORTING REQUIREMENTS**

**SEC. 601. STATEMENT OF POLICY RELATING TO DEMOCRACY IN IRAN.**

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

(1) Iran is neither free nor democratic. Men and women are not treated equally in Iran, women are legally deprived of internationally recognized human rights, and religious freedom is not respected under the laws of Iran. Undemocratic institutions,
such as the Guardians Council, thwart the decisions
of elected leaders.

(2) The April 2005 report of the Department of
State states that Iran remained the most active
state sponsor of terrorism in 2004.

(3) That report also states that Iran continues
to provide funding, safe-haven, training, and weap-
ons to known terrorist groups, including Hizballah,
Hamas, the Palestine Islamic Jihad, al-Aqsa Mar-
tyrs Brigade, and the Popular Front for the Libera-
tion of Palestine, and has harbored senior members
of al-Qaeda.

(b) POLICY.—It is the policy of the United States
that—

(1) currently, there is not a free and fully
democratic government in Iran;

(2) the United States supports transparent, full
democracy in Iran;

(3) the United States supports the rights of the
Iranian people to choose their system of government;
and

(4) the United States condemns the brutal
treatment, imprisonment, and torture of Iranian ci-
vilians who express political dissent.
SEC. 602. DUAL GATEWAY POLICY OF THE GOVERNMENT OF IRELAND.

(a) In General.—The Secretary of State shall review the dual gateway policy and determine the effects the discontinuation of such policy might have on the economy of the United States and the economy of western Ireland before the United States takes any action that could lead to the discontinuation of such policy.

(b) Economic Impact Study.—In determining the effects that the discontinuation of such policy might have on the economy of the United States, the Secretary, in consultation with the heads of other appropriate departments and agencies, shall consider the effects the discontinuation of such policy might have on United States businesses operating in western Ireland, Irish businesses operating in and around Shannon Airport, and United States air carriers serving Ireland.

(c) Report.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report describing the determinations made under subsection (a), together with any recommendations for United States action.

(d) Definition.—In this section, the term “dual gateway policy” means the policy of the Government of Ireland requiring certain air carriers serving Dublin Air-
port to undertake an equal numbers of flights to Shannon Airport and Dublin Airport during each calendar year.

SEC. 603. TRANS-SAHARA COUNTER-TERRORISM INITIATIVE.

(a) Sense of Congress.—It is the sense of Congress that efforts by the Government of the United States to expand the Pan Sahel Initiative into a robust counter-terrorism program in the Saharan region of Africa, to be known as the “Trans-Sahara Counter Terrorism Initiative”, should be strongly supported.

(b) Report.—

(1) In general.—Not later than 120 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a detailed strategy, in classified form, regarding the plan of the Government of the United States to expand the Pan Sahel Initiative into a robust counter-terrorism program in the Saharan region of Africa, to be known as the “Trans-Sahara Counter Terrorism Initiative”.

(2) Contents.—The report shall include the following:

(A) The names of the countries that will participate in the Initiative.
(B) A description of the types of security assistance necessary to create rapid reaction security forces in order to bolster the capacity of the countries referred to in subparagraph (A) to govern their borders.

(C) A description of training to ensure respect for human rights and civilian authority by rapid reaction security forces referred to in subparagraph (B) and other appropriate individuals and entities of the countries referred to in subparagraph (A).

(D) A description of the types of public diplomacy and related assistance that will be provided to promote development and counter radical Islamist elements that may be gaining a foothold in the region.

(3) UPDATE.—The Secretary shall submit to the appropriate congressional committees an update of the report required by this subsection not later than one year after the date of the initial submission of the report under this subsection.

(e) COOPERATION OF OTHER DEPARTMENTS AND AGENCIES.—The head of each appropriate department and agency of the Government of the United States shall cooperate fully with, and assist in the implementation of,
the strategy described in subsection (b)(1) and shall make such resources and information available as is necessary to ensure the success of the Initiative described in such subsection.

SEC. 604. REPORT ON HAITI.

Not later than one year after the date of the enactment of this Act and one year thereafter, the Secretary of State shall submit to the appropriate congressional committees a report on United States efforts to—

(1) assist in the disarmament of illegally armed forces in Haiti, including through a program of gun exchanges;

(2) assist in the reform of the Haitian National Police; and

(3) support stabilization in Haiti.

SEC. 605. REPORTS ON ACQUISITION AND MAJOR SECURITY UPGRADES.

Section 605(c) of the Secure Embassy Construction and Counterterrorism Act of 1999 (title VI of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001; Public Law 106–113–Appendix G) is amended—

(1) in the heading, by striking “SEMIANNUAL REPORTS” and inserting “REPORTS”;
(2) in the matter preceding paragraph (1), by
striking “June 1 and”; and
(3) in paragraph (1)(A), by striking “two fiscal
quarters” and inserting “year”.

SEC. 606. REPORT ON REAL ESTATE TRANSACTIONS.
Section 12 of the Foreign Service Buildings Act,
1926 (22 U.S.C. 303) is hereby repealed.

SEC. 607. VERIFICATION REPORTS TO CONGRESS.
Section 403(a) of the Arms Control and Disar-
mament Act (22 U.S.C. 2593a(a)) is amended in the mat-
ter preceding paragraph (1)—
(1) by striking “prepared by the Secretary of
State with the concurrence of the Director of Cen-
tral Intelligence and in consultation with the Sec-
retary of Defense, the Secretary of Energy, and the
Chairman of the Joint Chiefs of Staff,”; and
(2) by inserting “, as the President considers
appropriate” after “include”.

SEC. 608. REPORTS ON PROTECTION OF REFUGEES FROM
NORTH KOREA.
Section 305(a) of the North Korean Human Rights
Act of 2004 (Public Law 108–333; 22 U.S.C. 7845) is
amended—
(1) in paragraph (1), by striking “and” at the
end;
(2) in paragraph (2), by striking the period at the end and inserting ‘‘; and’’; and

(3) by adding at the end the following new paragraph:

‘‘(3) a detailed description of the measures undertaken by the Secretary of State to carry out section 303, including country-specific information with respect to United States efforts to secure the cooperation and permission of the governments of countries in East and Southeast Asia to facilitate United States processing of North Koreans seeking protection as refugees. The information required by this paragraph may be provided in a classified format, if necessary.’’.

SEC. 609. REPORTS ON ACTIONS TAKEN BY THE UNITED STATES TO ENCOURAGE RESPECT FOR HUMAN RIGHTS.

Section 665(c) of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228) is amended by striking ‘‘30 days’’ and inserting ‘‘90 days’’.

SEC. 610. REPORT ON SERVICES FOR CHILDREN WITH AUTISM AT OVERSEAS MISSIONS.

(a) STUDY.—With respect to countries in which there is at least one mission of the United States, the Secretary of State shall conduct a study of the availability of pro-
grams that address the special needs of children with autism, including the availability of speech therapists and pediatric occupational therapists at Department of Defense sponsored schools. Such study shall include the estimated incidence of autism among dependents of members of the Foreign Service and dependents of specialist Foreign Service personnel. Such study shall also include an analysis of the possibility of establishing “Educational Centers of Excellence” for such children.

(b) REPORT.—Not later than 30 days after the completion of the study required under subsection (a), the Secretary shall submit to the appropriate congressional committees a report containing the findings of the study together with any recommendations for related action.

SEC. 611. REPORT ON INTERNET JAMMING.

Not later than March 1 of the year following the date of the enactment of this Act and one year thereafter, the Chairman of the Broadcasting Board of Governors shall submit to the appropriate congressional committees a report on the status of state-sponsored and state-directed Internet jamming by repressive foreign governments and a description of efforts by the United States to counter such jamming. Each report shall list the countries the governments of which pursue Internet censorship or jamming, provide information concerning the government agencies
or quasi-governmental organizations of such governments
that engage in Internet jamming; and describe with the
greatest particularity practicable the technological means
by which such jamming is accomplished. If the Chairman
determines that such is appropriate, the Chairman may
submit such report together with a classified annex.

SEC. 612. REPORT ON DEPARTMENT OF STATE EMPLOY-
MENT COMPOSITION.

(a) Statement of Policy.—In order for the De-
partment of State to accurately represent all people in the
United States, the Department must accurately reflect the
diversity of the United States.

(b) Report.—Not later than one year after the date
of the enactment of this Act, the Secretary of State shall
submit to the appropriate congressional committees a re-
port containing information on—

(1) the number of racial and ethnic minorities
and the number of women employed at the Depart-
ment of State, including the percentages of each
such racial or ethnic minority and the percentage of
women in comparison with all employees of the De-
partment, as of the first day of the first fiscal year
after such date; and

(2) the number of racial and ethnic minorities
and the number of women recruited for employment
at the Department, including the percentages of
each such racial or ethnic minority and the percent-
age of women in comparison with all individuals re-
cruited for such employment, during the immediately
preceding fiscal year.

SEC. 613. SENSE OF CONGRESS REGARDING KOREAN FUL-
BRIGHT PROGRAMS.

It is the sense of Congress that Fulbright program
activities for the Republic of Korea (commonly referred
to as “South Korea”) should—

(1) include participation by students from
throughout South Korea, including proportional rep-
resentation from areas outside of Seoul;

(2) attempt to include Korean students from a
broad range of educational institutions, including
schools other than elite universities;

(3) broaden the Korean student emphasis be-
yond degree-seeking graduate students to include op-
portunities for one-year nondegree study at United
States colleges and universities by pre-doctoral Ko-
rean students; and

(4) include a significant number of Korean stu-
dents planning to work or practice in areas other
than advanced research and university teaching,
such as in government service, media, law, and business.

SEC. 614. LOCATION OF INTERNATIONAL INSTITUTIONS IN AFRICA.

(a) Statement of Congress.—Congress declares that, for the purpose of maintaining regional balances with respect to the location of international organizations and institutions in Africa, such organizations or institutions, such as the African Development Bank, that move their headquarters offices from their original locations for reasons of security should return once those security issues have been resolved or should relocate to another country in the region in which the organization or institution was originally headquartered.

(b) Consultations Regarding Return.—The Secretary of State is authorized to begin consultations with appropriate parties to determine the feasibility of returning such organizations and institutions to the regions in which they were originally headquartered.

SEC. 615. PROHIBITION ON COMMEMORATIONS RELATING TO LEADERS OF IMPERIAL JAPAN.

The Department of State, both in Washington and at United States diplomatic missions and facilities in foreign countries, shall not engage in any activity, including the celebration of the recently enacted Showa holiday,
which may, in any manner, serve to commemorate or be construed as serving to commemorate leaders of Imperial Japan who were connected to the attack on the United States Fleet at Pearl Harbor, Oahu, Hawaii, on December 7, 1941.
Mr. SMITH OF NEW JERSEY. I say to my colleagues that the Africa, Global Human Rights and International Operations Subcommittee marked up H.R. 2601 on May 26, and I want to acknowledge and thank my good friend and colleague Mr. Payne, who is a cosponsor of this bill, and other Members of the Subcommittee from both sides of the aisle whose collaborative efforts made this possible.

I also want to thank Chairman Hyde and, of course, Mr. Lantos, who made many, many important contributions to the legislation. As he said during our earlier discussion on the bill dealing with UN reform, this bill is truly a consensus bill. We have a number of people who provided very valuable input to the legislation.

The legislation, H.R. 2601, as passed by the Subcommittee, authorizes $9.33 billion for the State Department and $652 million for international broadcasting activities, for a total of $9.985 billion, an increase of 12.4 percent over Fiscal Year 2005. This bill fully funds the management and programs of the State Department and meets the President’s request.

Administration priorities included in the bill are a doubling of U.S. contributions for international peacekeeping, a 10.2 percent increase for international broadcasting, $429 million for education and cultural exchanges and a $334 million allocation for public diplomacy programs. The 6.5 percent increase in the diplomatic and consular programs account will fund over 150 new staffing positions for increased needs in Iraq, Afghanistan, Libya, and Sudan, as well as enabling increased language training staffing for the Office of Civilization and Reconstruction.

Security initiatives in H.R. 2601 include $1.5 billion for security-related construction of U.S. Embassies, $690 million to increase security for diplomatic personnel, and $930 million for border security programs, which are increases of 1.5, 5.4 and 7.6 percent, respectively. These requests include funding for 55 additional diplomatic security personnel positions and 55 new consular positions.

Under the capital security construction program, eight new Embassy compounds and four USAID annexes would be funded. New provisions approved by the Subcommittee include permanent authorization for Radio Free Asia, increased funds for the Rangel Fellows Program, a program to train and attract more minorities to the ranks of our diplomatic corps, sense of Congress language that the United States should not support educational programs of the Palestinian Authority if that entity continues to include materials which foster anti-Semitism and rejecting the peace with Israel, and language to close the 16 percent gap between the base pay of officers stationed in Washington, DC, and those stationed overseas created by years of DC locality pay increases.

In conclusion, I urge the Full Committee’s support for the bill. This bill gives our diplomatic service the resources it needs in this post-9/11 environment to promote U.S. interests and values abroad and to protect American citizens here at home.

I would like to yield to Mr. Lantos for any opening comments he might have.

Mr. LANTOS. Thank you very much, Mr. Chairman, and let me at the outset pay tribute to the outstanding work the Subcommittee did under your chairmanship in preparing this very
complicated piece of legislation. I also want to commend Chairman Hyde for the bipartisan manner in which both he and you have worked with our side on this legislation.

After a lively debate on the UN reform bill, I am pleased our Committee can now turn to a bill that reflects so much work from both Republicans and Democrats alike. This is an excellent piece of legislation, Mr. Chairman, and I strongly support its passage.

In general, it authorizes the full budget request of Secretary of State Condoleezza Rice, and it improves many important provisions sought by both our Secretary of State and many Members of this Committee to help her manage the Department.

The legislation also contains an extremely important initiative on a bipartisan basis to restructure American assistance to the Government of Egypt. Over the past 5 years, our economic aid to Egypt has been cut by $40 million per year while military aid remains constant. The result is that last year Egypt received $1.3 billion in military aid and less than half that, $530 million, in economic support.

The Lantos-Hyde provision in our legislation reverses that trend, while keeping overall aid to Egypt constant. The $40 million per year would be cut from military assistance while leaving economic aid untouched.

Egypt has an enviable external security situation, Mr. Chairman. It is at peace with all of its neighbors. It faces no threats. But its domestic situation is marred by poverty, substandard levels of education and health care, and severely limited freedom. It is time that we realign our foreign aid priorities with the needs of the Egyptian people and the requirements of Egyptian stability rather than with the desires of the Egyptian military. Our provision on aid to Egypt makes a modest start in that direction and points the way toward more meaningful reform in the future. The major beneficiaries of our approach will be the Egyptian people.

Our bill also contains important provisions that continue our commitment to the people of Tibet by bolstering the authorities granted to the Tibet coordinator at the Department of State. It also ensures that assistance provided by the United Nations Development Program in Burma does not benefit the totalitarian military regime in that country.

In the area of human rights, our bill increases the resources for the State Department's Bureau for Democracy, Human Rights and Labor. It provides authority to the Bureau to fund overseas staff positions for monitoring and reporting on human rights issues. The legislation also increases funding for the National Endowment for Democracy and for the Asia Foundation.

This, of course, is not a perfect bill, Mr. Chairman. None are. But it is a very good piece of legislation. We have included scores of important initiatives sought by our Committee Members and the Department of State, and undoubtedly, we will include more as the markup unfolds today.

Throughout the process, Chairman Hyde, you, Mr. Smith, and the Republican staff have been most cooperative and collegial, for which I express publicly my appreciation, and I want to thank you for recognizing me.

Mr. Smith of New Jersey. Thank you very much, Mr. Lantos.
The Chair recognizes himself to offer an amendment in the nature of a substitute which, without objection, will be considered as read, and I ask unanimous consent that it be considered as base text.
Without objection, so ordered.
[The amendment referred to follows:]
AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 2601
OFFERED BY MR. SMITH OF NEW JERSEY

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Foreign Relations Authorization Act, Fiscal Years 2006 and 2007”.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

See. 1. Short Title.
See. 2. Table of contents.
See. 3. Definitions.

TITLE I—AUTHORIZATIONS OF APPROPRIATIONS

See. 101. Administration of Foreign Affairs.
See. 102. Contributions to International Organizations.
See. 103. International Commissions.
See. 104. Migration and Refugee Assistance.
See. 105. Centers and foundations.
See. 106. United States International Broadcasting activities.

TITLE II—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

See. 201. Consolidation of law enforcement powers; new criminal offense.
See. 203. Retention of medical reimbursements.
See. 204. Buying power maintenance account.
See. 205. Authority to administratively amend surcharges.
See. 206. Accountability review boards.
See. 208. Removal of contracting prohibition.
See. 209. Translation of reports of the Department of State.
See. 211. United States actions with respect to Jerusalem as the capital of Israel.
See. 212. Availability of unclassified telecommunications facilities.
Sec. 213. Reporting formats.
Sec. 214. Restrictions on United States voluntary contributions to the United Nations Development Program.
Sec. 215. Extension of requirement for scholarships for Tibetans and Burmese.

TITLE III—ORGANIZATION AND PERSONNEL OF THE DEPARTMENT OF STATE

Sec. 301. Education allowances.
Sec. 302. Official residence expenses.
Sec. 303. Increased limits applicable to post differentials and danger pay allowances.
Sec. 304. Home leave.
Sec. 305. Overseas equalization and comparability pay adjustment.
Sec. 306. Fellowship of Hope Program.
Sec. 307. Regulations regarding retirement credit for Government Service performed abroad.
Sec. 308. Promoting assignments to international organizations.
Sec. 309. Suspension of Foreign Service members without pay.
Sec. 310. Death gratuity.
Sec. 311. Clarification of Foreign Service Grievance Board procedures.
Sec. 312. Repeal of recertification requirement for members of the Senior Foreign Service.
Sec. 313. Technical amendments to Title 5 provisions on recruitment, relocation, and retention bonuses.
Sec. 314. Limited appointments in the Foreign Service.
Sec. 315. Statement of Congress.
Sec. 316. Sense of Congress regarding additional United States consular posts.
Sec. 317. Office of the Culture of Lawfulness.

TITLE IV—INTERNATIONAL ORGANIZATIONS

Sec. 401. REDI Center.
Sec. 403. Property disposition.

TITLE V—CHANGES IN ADMINISTRATIVE AUTHORITIES FOR INTERNATIONAL BROADCASTING

Sec. 501. Short Title.
Sec. 502. Middle East Broadcasting Networks.
Sec. 503. Improving signal delivery to Cuba.
Sec. 504. Establishing permanent authority for Radio Free Asia.
Sec. 505. Personal services contracting Program.
Sec. 506. Commonwealth of the Northern Mariana Islands education benefits.

TITLE VI—REPORTING REQUIREMENTS

Sec. 601. Trans-Sahara counter-terrorism Initiative.
Sec. 602. Annual patterns of global terrorism report.
Sec. 603. Study and report on dual gateway policy of the Government of Ireland.
Sec. 604. Report on Haiti.
Sec. 605. Verification reports to Congress.
Sec. 606. Reports on protection of refugees from North Korea.
Sec. 607. Reports on actions taken by the United States to encourage respect for human rights.
Sec. 608. Reports on acquisition and major security upgrades.
Sec. 611. Report on Internet jamming.
Sec. 612. Report on Department of State employment composition.
Sec. 613. Report on incitement to acts of discrimination.
Sec. 614. Reports on child marriage.
Sec. 615. Reports relating to Magen David Adom Society.
Sec. 616. Reports relating to developments in and policy toward Indonesia.
Sec. 618. Elimination of report on real estate transactions.

TITLE VII—STRATEGIC EXPORT CONTROL AND SECURITY ASSISTANCE ACT OF 2005

Subtitle A—General Provisions

See. 701. Short title.
See. 702. Definitions.
See. 703. Declaration of policy.

Subtitle B—Revising and Strengthening Strategic Export Control Policies

See. 711. Amendments to the State Department Basic Authorities Act of 1956.
See. 712. Strategic Export Control Board.

Subtitle C—Procedures relating to export licenses

See. 721. Transparency of jurisdictional determinations.
See. 722. Certifications relating to export of certain defense articles and defense services.
See. 723. Priority for United States military operations.
See. 724. License officer staffing and workload.
See. 725. Database of United States military assistance.
See. 726. Training and liaison for small businesses.
See. 727. Commercial communications satellite technical data.
See. 728. Reporting requirement for unlicensed exports.

Subtitle D—Terrorist-Related Provisions and Enforcement Matters

See. 731. Sensitive technology transfers to foreign persons located within the United States.
See. 732. Certification concerning exempt weapons transfers along the northern border of the United States.
See. 733. Comprehensive nature of United States arms embargoes.
See. 734. Control of items on Missile Technology Control Regime Annex.
See. 735. Unlawful use of United States defense articles.

Subtitle E—Strengthening United States missile nonproliferation law

See. 741. Probationary period for foreign persons.
See. 742. Strengthening United States missile proliferation sanctions on foreign persons.
See. 743. Comprehensive United States missile proliferation sanctions on all responsible foreign persons.
Subtitle F—Security assistance and related provisions

Sec. 751. Authority to transfer naval vessels to certain foreign countries.
Sec. 752. Transfer of obsolete and surplus items from Korean war reserves stockpile and removal or disposal of remaining items.
Sec. 753. Extension of Pakistan waivers.
Sec. 754. Reporting requirement for foreign military training.
Sec. 755. Certain services provided by the United States in connection with foreign military sales.
Sec. 756. Maritime interdiction patrol boats for Mozambique.
Sec. 757. Reimbursement for International Military Education and Training.

TITLE VIII—FOREIGN ASSISTANCE PROVISIONS

See. 802. Support for pro-democracy and human rights organizations in certain countries.
See. 806. Assistance to support democracy in Zimbabwe.
See. 807. Support for famine relief in Ethiopia.
See. 808. Inter-Arab Democratic Charter.
See. 809. Middle East Partnership Initiative.
See. 810. Assistance to promote democracy in Belarus.
See. 811. Requirements relating to Economic Support Fund assistance for Egypt.
See. 812. Assistance for maternal and prenatal care for certain individuals of Belarus and Ukraine involved in the cleanup of the Chernobyl disaster.
See. 814. Assistance to address non-infectious diseases in foreign countries.
See. 815. Assistance to establish centers for the treatment of obstetric fistula in developing countries.
See. 816. West Bank and Gaza Program.

TITLE IX—MISCELLANEOUS PROVISIONS

Subtitle A—General provisions

See. 901. Statement of policy relating to Democracy in Iran.
See. 902. Iranian nuclear activities.
See. 903. Location of international institutions in Africa.
See. 904. Benjamin Gilman International Scholarship program.
See. 905. Prohibition on commemorations relating to leaders of Imperial Japan.
See. 906. United States policy regarding World Bank Group loans to Iran.
See. 907. Statement of policy regarding support for SECI Regional Center for Combating Trans-Border Crime.
See. 908. Statement of policy urging Turkey to respect the rights and religious freedoms of the Ecumenical Patriarch.

Subtitle B—Sense of Congress provisions

See. 911. Korean Fulbright programs.
SEC. 3. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—Except as otherwise provided, the term “appropriate congressional committees” means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

(2) DEPARTMENT.—The term “Department” means the Department of State.

(3) SECRETARY.—The term “Secretary” means the Secretary of State.

TITLE I—AUTHORIZATIONS OF APPROPRIATIONS

SEC. 101. ADMINISTRATION OF FOREIGN AFFAIRS.

The following amounts are authorized to be appropriated for the Department of State under “Administration of Foreign Affairs” to carry out the authorities, functions, duties, and responsibilities in the conduct of foreign
affairs of the United States and for other purposes author-
ized by law:

(1) DIPLOMATIC AND CONSULAR PROGRAMS.—
For “Diplomatic and Consular Programs”,
$3,769,118,000 for fiscal year 2006, and
$3,896,611,500 for fiscal year 2007.

(A) WORLDWIDE SECURITY UPGRADES.—
In addition to amounts authorized to be appro-
priated under paragraph (1), $689,523,000 for
fiscal year 2006, and $710,208,690 for fiscal
year 2007, are authorized to be appropriated
for worldwide security upgrades.

(B) PUBLIC DIPLOMACY.—Of the amounts
authorized to be appropriated under paragraph
(1), $333,863,000 for fiscal year 2006, and
$343,699,000 for fiscal year 2007, are author-
ized to be appropriated for public diplomacy.

(C) BUREAU OF DEMOCRACY, HUMAN
RIGHTS, AND LABOR.—Of the amounts author-
ized to be appropriated under paragraph (1),
$20,000,000 for fiscal year 2006, and
$20,000,000 for fiscal year 2007, are author-
ized to be appropriated for salaries and ex-
penses of the Bureau of Democracy, Human
Rights, and Labor.
(D) Anti-Semitism.—Of the amounts authorized to be appropriated under paragraph (1), $225,000 for fiscal year 2006 and $225,000 for fiscal year 2007 are authorized to be appropriated for necessary expenses to fund secondments, hiring of staff, and support targeted projects of the Office of Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Cooperation in Europe (OSCE) regarding anti-Semitism and intolerance and for the OSCE/ODIHR Law Enforcement Officers Hate Crimes Training Program.

(E) Religious Freedom.—

(i) In general.—Of the amounts authorized to be appropriated under paragraph (1), $205,000 for fiscal year 2006 and $205,000 for fiscal year 2007 are authorized to be appropriated for necessary expenses to fund activities of the Organization for Security and Cooperation in Europe relating to freedom of religion and belief.

(ii) OSCE projects, activities, and missions.—
(I) PROJECTS AND ACTIVITIES.— Of the amounts authorized to be appropriated under paragraph (1), $125,000 for fiscal year 2006 and $125,000 for fiscal year 2007 are authorized to be appropriated for necessary expenses to fund for secondments, hiring of staff, and support targeted projects of the Office of Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Cooperation in Europe (OSCE) regarding religious freedom and for the OSCE/ODIHR Panel of Experts on Freedom of Religion or Belief.

(II) MISSIONS.—Of the amounts authorized to be appropriated under paragraph (1), $80,000 for fiscal year 2006 and $80,000 for fiscal year 2007 are authorized to be appropriated for OSCE Missions in Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan for activities to ad-
address issues relating to religious freedom and belief and to fund the hiring of new staff who are dedicated to religious freedom and belief.

(F) **CHARLES B. RANGEL INTERNATIONAL AFFAIRS PROGRAM.**—Of the amounts authorized to be appropriated under paragraph (1), $1,500,000 for fiscal year 2006 and $1,500,000 for fiscal year 2007 are authorized to be appropriated for the Charles B. Rangel International Affairs Program at Howard University.

(G) **MINORITY RECRUITMENT.**—Of the amounts authorized to be appropriated under paragraph (1), $2,000,000 for fiscal year 2006 and $2,000,000 for fiscal year 2007 is authorized to be appropriated for the recruitment of members of minority groups for careers in the Foreign Service and international affairs.

(2) **CAPITAL INVESTMENT FUND.**—For “Capital Investment Fund”, $131,000,000 for fiscal year 2006, and $131,000,000 for fiscal year 2007.

(3) **EMBASSY SECURITY, CONSTRUCTION AND MAINTENANCE.**—For “Embassy Security, Construction and Maintenance”, $1,526,000,000 for fiscal year 2006, and $1,550,000,000 for fiscal year 2007.
(4) EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.—

(A) IN GENERAL.—For “Educational and Cultural Exchange Programs”, $428,900,000 for the fiscal year 2006, and $438,500,000 for fiscal year 2007.

(B) SUMMER INSTITUTES FOR KOREAN STUDENT LEADERS.—Of the amounts authorized to be appropriated under subparagraph (A), $750,000 for fiscal year 2006 and $750,000 for fiscal year 2007 are authorized to be appropriated for summer academic study programs in the United States (focusing on United States political systems, government institutions, society, and democratic culture) for college and university students from the Republic of Korea, to be known as the “United States Summer Institutes for Korean Student Leaders”.

(C) SUDANESE SCHOLARSHIPS.—Of the amounts authorized to be available under subparagraph (A), $500,000 for fiscal year 2004 and $500,000 for fiscal year 2005 is authorized to be available for scholarships for students from southern Sudan for secondary or postsec-
ondary education in the United States, to be known as “Sudanese Scholarships”.

(D) Scholarships for Indigenous Peoples of Mexico and Central and South America.— Of the amounts authorized to be appropriated under subparagraph (A), $250,000 for fiscal year 2006 and $250,000 for fiscal year 2007 are authorized to be appropriated for scholarships for secondary and post-secondary education in the United States for students from Mexico and the countries of Central and South America who are descended from the indigenous peoples of Mexico or such countries.

(E) South Pacific Exchanges.—Of the amounts authorized to be appropriated under subparagraph (A), $650,000 for fiscal year 2006 and $650,000 for fiscal year 2007 are authorized to be appropriated for South Pacific Exchanges.

(F) Tibetan Scholarship Program.— Of the amount authorized to be appropriated under subparagraph (A), $750,000 for fiscal year 2006 and $800,000 for fiscal year 2007 is authorized to be made available to carry out the

(G) Ngawang Choepel Exchange Programs.—Of the amount authorized to be appropriated under subparagraph (A), $500,000 for fiscal year 2006 and $500,000 for fiscal year 2007 is authorized to be available for the “Ngawang Choepel Exchange Programs” (formerly known as “programs of educational and cultural exchange between the United States and the people of Tibet”) under section 103(a) of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996 (Public Law 104-319; 22 U.S.C. 2151 note).

(H) HIV/AIDS Initiative.—Of the amount authorized to be appropriated under subparagraph (A), $1,000,000 for fiscal year 2006 and $1,000,000 for fiscal year 2007 is authorized to be appropriated for HIV/AIDS research and mitigation strategies.
(5) **Representation Allowances.**—For “Representation Allowances”, $8,281,000 for fiscal year 2006, and $8,281,000 for fiscal year 2007.

(6) **Protection of Foreign Missions and Officials.**—For “Protection of Foreign Missions and Officials”, $9,390,000 for fiscal year 2006 and $9,390,000 for fiscal year 2007.

(7) **Emergencies in the Diplomatic and Consular Service.**—For “Emergencies in the Diplomatic and Consular Service”, $12,143,000 for fiscal year 2006, and $12,143,000 for fiscal year 2007.

(8) **Repatriation Loans.**—For “Repatriation Loans”, $1,319,000 for fiscal year 2006, and $1,319,000 for fiscal year 2007.

(9) **Payment to the American Institute in Taiwan.**—For “Payment to the American Institute in Taiwan”, $19,751,000 for fiscal year 2006, and $20,146,020 for fiscal year 2007.

SEC. 102. CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.

(a) Assessed Contributions to International Organizations.—There are authorized to be appropriated for “Contributions to International Organizations”, $1,296,500,000 for fiscal year 2006 and $1,322,430,000 for fiscal year 2007, for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international organizations and to carry out other authorities in law consistent with such purposes.

(b) Contributions for International Peacekeeping Activities.—There are authorized to be appropriated for “Contributions for International Peacekeeping Activities”, $1,035,500,000 for fiscal year 2006, and such sums as may be necessary for fiscal year 2007, for the Department of State to carry out the authorities, functions, duties, and responsibilities of the United States with respect to international peacekeeping activities and to carry out other authorities in law consistent with such purposes. Amounts appropriated pursuant to this subsection are authorized to remain available until expended.

(c) Foreign Currency Exchange Rates.—

(1) Authorization of appropriations.—In addition to amounts authorized to be appropriated
under subsection (a), there are authorized to be ap-
propriated such sums as may be necessary for each
of fiscal years 2006 and 2007 to offset adverse fluc-
tuations in foreign currency exchange rates.

(2) Availability of Funds.—Amounts appro-
priated under this subsection shall remain available
for obligation and expenditure only to the extent
that the Director of the Office of Management and
Budget determines and certifies to Congress that
such amounts are necessary due to such fluctua-
tions.

SEC. 103. INTERNATIONAL COMMISSIONS.

The following amounts are authorized to be appro-
priated under “International Commissions” for the De-
partment of State to carry out the authorities, functions,
duties, and responsibilities in the conduct of the foreign
affairs of the United States and for other purposes author-
ized by law:

(1) International Boundary and Water
Commission, United States and Mexico.—For
“International Boundary and Water Commission,
United States and Mexico”—

(A) for “Salaries and Expenses”,
$28,200,000 for fiscal year 2006, and
$28,200,000 for fiscal year 2007; and
(B) for “Construction”, $6,100,000 for fiscal year 2006, and $6,100,000 for fiscal year 2007.

(2) INTERNATIONAL BOUNDARY COMMISSION, UNITED STATES AND CANADA.—For “International Boundary Commission, United States and Canada”, $1,429,000 for fiscal year 2006 and $1,429,000 for fiscal year 2007.

(3) INTERNATIONAL JOINT COMMISSION.—For “International Joint Commission”, $6,320,000 for fiscal year 2006 and $6,320,000 for fiscal year 2007.

(4) INTERNATIONAL FISHERIES COMMISSIONS.—For “International Fisheries Commissions”, $25,123,000 for fiscal year 2006 and $25,123,000 for fiscal year 2007.

SEC. 104. MIGRATION AND REFUGEE ASSISTANCE.

(a) IN GENERAL.—There are authorized to be appropriated for the Department of State for “Migration and Refugee Assistance” for authorized activities, $955,000,000 for fiscal year 2006 and $983,650,000 for fiscal year 2007.

(b) REFUGEES RESETTLING IN ISRAEL.—Of the amounts authorized to be appropriated under subsection
(a), there are authorized to be appropriated $40,000,000 for fiscal year 2006 and $40,000,000 for fiscal year 2007.

SEC. 105. CENTERS AND FOUNDATIONS.

(a) Asia Foundation.—There are authorized to be appropriated for “The Asia Foundation” for authorized activities, $18,000,000 for fiscal year 2006 and $18,000,000 for fiscal year 2007.

(b) National Endowment for Democracy.—There are authorized to be appropriated for the “National Endowment for Democracy” for authorized activities, $80,000,000 for fiscal year 2006 and $80,000,000 for fiscal year 2007.

(c) Center for Cultural and Technical Interchange Between East and West.—There are authorized to be appropriated for the “Center for Cultural and Technical Interchange Between East and West” for authorized activities, $13,024,000 for fiscal year 2006 and $13,024,000 for fiscal year 2007.

SEC. 106. UNITED STATES INTERNATIONAL BROADCASTING ACTIVITIES.

The following amounts are authorized to be appropriated to carry out United States Government international broadcasting activities under the United States Information and Educational Exchange Act of 1948, the Radio Broadcasting to Cuba Act, the Television Broad-
casting to Cuba Act, the United States International
Broadcasting Act of 1994, and the Foreign Affairs Re-
form and Restructuring Act of 1998, and to carry out
other authorities in law consistent with such purposes:

(1) For “International Broadcasting Oper-
ations”, $603,394,000 for fiscal year 2006 and
$621,495,820 for fiscal year 2007. Of the amounts
authorized to be appropriated under under this
paragraph, $5,000,000 is authorized to be appro-
priated for fiscal year 2006 and $5,000,000 is au-
thorized to be appropriated for fiscal year 2007 for
increased broadcasting to Belarus.

(2) For “Broadcasting Capital Improvements”,
$10,893,000 for fiscal year 2006 and $10,893,000
for fiscal year 2007.

(3) For “Broadcasting to Cuba”, $37,656,000
for fiscal year 2006 and $29,931,000 for fiscal year
2007, to remain available until expended, for nec-
essary expenses to enable the Broadcasting Board of
Governors to carry out broadcasting to Cuba, includ-
ing the purchase, rent, construction, and improve-
ment of facilities for radio and television trans-
mission and reception, and the purchase, lease, and
installation of necessary equipment, including air-
craft, for radio and television transmission and reception.

(4) In addition to such amounts as are otherwise authorized to be appropriated for the Broadcasting Board of Governors, there are authorized to be appropriated $9,100,000 for fiscal years 2006 and 2007 to overcome the jamming of Radio Free Asia by Vietnam.

TITLE II—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

SEC. 201. CONSOLIDATION OF LAW ENFORCEMENT POWERS; NEW CRIMINAL OFFENSE.

(a) In general.—Chapter 203 of title 18, United States Code, is amended by adding at the end the following new section:

``
§ 3064. Powers of special agents in the Department of State and the Foreign Service

Whoever knowingly and willfully obstructs, resists, or interferes with a Federal law enforcement agent engaged in the performance of the protective functions authorized by section 37 of the State Department Basic Authorities Act of 1956 or by section 103 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 shall
be fined under this title or imprisoned not more than one
year, or both.”.

(b) TABLE OF SECTIONS AMENDMENT.—The table of
sections at the beginning of chapter 203 of title 18, United
States Code, is amended by adding at the end the fol-
lowing new item:

“3064. Powers of special agents in the Department of State and the Foreign
Service.”.

SEC. 202. INTERNATIONAL LITIGATION FUND.

Section 38(d)(3) of the State Department Basic Au-
thorities Act of 1956 (22 U.S.C. 2710(d)(3)) is
amended—

(1) by inserting “as a result of a decision of an
international tribunal,” after “received by the De-
partment of State”; and

(2) by inserting a comma after “United States
Government”.

SEC. 203. RETENTION OF MEDICAL REIMBURSEMENTS.

Section 904 of the Foreign Service Act of 1980 (22
U.S.C. 4084) is amended by adding at the end the fol-
lowing new subsection:

“(g) Reimbursements paid to the Department of
State for funding the costs of medical care abroad for em-
ployees and eligible family members shall be credited to
the currently available applicable appropriation account.

Notwithstanding any other provision of law, such reim-
bursements shall be available for obligation and expendi-
ture during the fiscal year in which they are received or
for such longer period of time as may be provided in law.”.

SEC. 204. BUYING POWER MAINTENANCE ACCOUNT.

Section 24(b)(7) of the State Department Basic Au-
thorities Act of 1956 (22 U.S.C. 2696(b)(7)) is amended
by striking subparagraph (D).

SEC. 205. AUTHORITY TO ADMINISTRATIVELY AMEND SUR-
CHARGES.

Beginning in fiscal year 2006 and thereafter, the Sec-
retary of State is authorized to amend administratively the
amounts of the surcharges related to consular services in
support of enhanced border security (provided for in title
IV of division B of the Consolidated Appropriations Act,
2005 (Public Law 108–447)) that are in addition to the
passport and immigrant visa fees in effect on January 1,
2004.

SEC. 206. ACCOUNTABILITY REVIEW BOARDS.

Section 301(a) of the Diplomatic Security Act (22
U.S.C. 4831(a)) is amended—

(1) in paragraph (1), by striking “paragraph
(2)” and inserting “paragraphs (2) and (3)”;

(2) by adding at the end the following new
paragraph:

“(3) FACILITIES IN AFGHANISTAN AND IRAQ—
“(A) Limited exemptions from requirement to convene board.—The Secretary of State is not required to convene a Board in the case of an incident that—

“(i) involves serious injury, loss of life, or significant destruction of property at, or related to, a United States Government mission in Afghanistan or Iraq; and

“(ii) occurs during the period beginning on July 1, 2004 and ending on September 30, 2009.

“(B) Reporting requirements.—In the case of an incident described in subparagraph (A), the Secretary shall—

“(i) promptly notify the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate of the incident;

“(ii) conduct an inquiry of the incident; and

“(iii) upon completion of the inquiry required by clause (ii), submit to each such Committee a report on the findings and recommendations related to such inquiry
and the actions taken with respect to such recommendations.”.

SEC. 207. DESIGNATION OF COLIN L. POWELL RESIDENTIAL PLAZA.

(a) The Federal building in Kingston, Jamaica, formerly known as the Crowne Plaza and currently a staff housing facility for the Embassy of the United States in Jamaica, shall be known and designated as the “Colin L. Powell Residential Plaza”.

(b) Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in subsection (a) shall be deemed to be a reference to the “Colin L. Powell Residential Plaza”.

SEC. 208. REMOVAL OF CONTRACTING PROHIBITION.

Section 406(c) of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (Public Law 99–399) (relating to the ineligibility of persons doing business with Libya to be awarded a contract) is repealed.

SEC. 209. TRANSLATION OF REPORTS OF THE DEPARTMENT OF STATE.

(a) TRANSLATION.—Not later than 30 days after the date of issuance of each of the reports listed in subsection (c), the appropriate United States mission in a foreign country shall translate into the official languages of such
country the respective country report from each of such reports.

(b) POSTING ON WEBSITE.—Not later than five days after each of the translations required under subsection (a) are completed, the appropriate United States mission shall post each of such translations on the website of the United States Embassy (or other appropriate United States mission) for such country.

(c) REPORTS.—The reports referred to in subsection (a) are the following:


SEC. 210. ENTRIES WITHIN PASSPORTS.

(a) FINDINGS.—Congress finds the following:

(1) The power of the executive branch to issue passports or other travel documents to United States citizens is derived solely from law.
(2) The Secretary of State has caused entries to be made in passports of United States citizens who were born in Jerusalem, Israel, that are inconsistent with the usual practice of entering the name of a country and not a city as a place of birth.

(b) Sense of Congress.—It is the sense of Congress that United States citizens who have passports ought not be required to carry passports which inaccurately or inconsistently represent their personal details.

(c) Authority.—This section is passed in exercise of the power of Congress, pursuant to Article 1, Section 8 of the Constitution of the United States “To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.”.

(d) Requirement That Accurate Entries Be Made on Request of Citizen.—The first section of “An Act to regulate the issue and validity of passports, and for other purposes”, approved July 3, 1926, (22 U.S.C. 211a; 44 Stat. 887), is amended by inserting after the first sentence the following new sentence: “For purposes of the issuance of a passport to a United States citizen born in the city of Jerusalem, the Secretary shall,
upon the request of the citizen or the citizen’s legal guardian, record the place of birth as Israel.”.

SEC. 211. UNITED STATES ACTIONS WITH RESPECT TO JERUSALEM AS THE CAPITAL OF ISRAEL.

(a) LIMITATION ON USE OF FUNDS FOR CONSULATE IN JERUSALEM.—None of the funds authorized to be appropriated by this Act may be expended for the operation of a United States consulate or diplomatic facility in Jerusalem unless such consulate or diplomatic facility is under the supervision of the United States Ambassador to Israel.

(b) LIMITATION ON USE OF FUNDS FOR PUBLICATIONS.—None of the funds authorized to be appropriated by this Act may be available for the publication of any official United States Government document that lists countries and their capital cities unless such publication identifies Jerusalem as the capital of the State of Israel.

SEC. 212. AVAILABILITY OF UNCLASSIFIED TELECOMMUNICATIONS FACILITIES.

The Secretary of State shall make available to the appropriate congressional committees the use of unclassified telecommunications facilities of the Department of State that are located in an embassy, consulate, or other facility of the United States in a foreign country to allow such committees to receive testimony or other communication from an individual in any such country.
SEC. 213. REPORTING FORMATS.

(a) IN GENERAL.—The Secretary of State shall, with respect to a report that the Secretary is required to submit to the appropriate congressional committees, submit each such report in machine-readable format, including in plain text and in hypertext mark-up language (commonly referred to as “HTML”), in addition to submission in written format.

(b) EFFECTIVE DATE.—The requirement specified under subsection (a) shall apply beginning with the first report that the Secretary is required to submit to the appropriate congressional committees beginning after the date of the enactment of this Act.

SEC. 214. RESTRICTIONS ON UNITED STATES VOLUNTARY CONTRIBUTIONS TO THE UNITED NATIONS DEVELOPMENT PROGRAM.

(a) LIMITATION.—Of the amounts made available for each of fiscal years 2006 and 2007 for United States voluntary contributions to the United Nations Development Program, an amount equal to the amount the United Nations Development Program will spend in Burma during each fiscal year (including all funds administered by the United Nations Development Program in Burma) shall be withheld unless during such fiscal year the Secretary of State submits to the appropriate congressional committees the certification described in paragraph (2).
(b) Certification.—The certification referred to in paragraph (1) is a certification by the Secretary that all programs and activities of the United Nations Development Program (including all programs and activities administered by the United Nations Development Program) in Burma—

(1) are focused on eliminating human suffering and addressing the needs of the poor;

(2) are undertaken only through international or private voluntary organizations that are independent of the State Peace and Development Council (SPDC) (formerly the State Law and Order Restoration Council or SLORC);

(3) provide no financial, political, or military benefit, including the provision of goods, services, or per diems, to the SPDC or any agency or entity of, or affiliated with, the SPDC, including any entity whose members are ineligible for admission to the United States by reason of such membership under any provision of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)) (including the Myanmar Maternal and Child Welfare Association (MMCWA), the Myanmar Council of Churches (MCC), the Myanmar Medical Association (MMA), the Myanmar Women Affairs Federation (MWAF),
and the Union of Solidarity Development Association (USDA)); and (4) 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.

(5) REPORT.—Not later than 180 days after the date of the enactment of this Act and every 180 days thereafter during fiscal years 2006 and 2007, the Secretary shall submit to the appropriate congressional committees a report on—

(A) all programs and activities of the United Nations Development Program (including all programs and activities administered by the United Nations Development Program) in Burma; and

(B) all recipients and subrecipients of funds provided under such programs and activities.

SEC. 215. EXTENSION OF REQUIREMENT FOR SCHOLARSHIPS FOR TIBETANS AND BURMESE.

Section 103(b)(1) of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996 (Public Law 104–319; 22 U.S.C. 2151 note) is amended by
striking “for the fiscal year 2003” and inserting “for each of the fiscal years 2006 and 2007”.

TITLE III—ORGANIZATION AND PERSONNEL OF THE DEPARTMENT OF STATE

SEC. 301. EDUCATION ALLOWANCES.

Section 5924(4) of title 5, United States Code, is amended—

(1) in the first sentence of subparagraph (A), by inserting “United States” after “nearest”;

(2) by striking subparagraph (B) and inserting the following new subparagraph:

“(B) The travel expenses of dependents of an employee to and from a secondary or post-secondary educational institution, not to exceed one annual trip each way for each dependent, except that an allowance payment under subparagraph (A) may not be made for a dependent during the 12 months following the arrival of the dependent at the selected educational institution under authority contained in this subparagraph.”; and

(3) by adding at the end the following new subparagraph:
“(D) Allowances provided pursuant to subparagraphs (A) and (B) may include, at the election of the employee, payment or reimbursement of the costs incurred to store baggage for the employee’s dependent at or in the vicinity of the dependent’s school during the dependent’s annual trip between the school and the employee’s duty station, except that such payment or reimbursement may not exceed the cost that the Government would incur to transport the baggage with the dependent in connection with the annual trip, and such payment or reimbursement shall be in lieu of transportation of the baggage.”.

SEC. 302. OFFICIAL RESIDENCE EXPENSES.

Section 5913 of Title 5, United States Code, is amended by adding at the end the following new subsection:

“(c) Funds made available under subsection (b) may be provided in advance to persons eligible to receive reimbursements.”.
SEC. 303. INCREASED LIMITS APPLICABLE TO POST DIFFERENTIALS AND DANGER PAY ALLOWANCES.

(a) Repeal of Limited-Scope Effective Date for Previous Increase.—Subsection (c) of section 591 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2004 (division D of Public Law 108–199) is repealed.

(b) Post Differentials.—Section 5925(a) of title 5, United States Code, is amended in the third sentence by striking “25 percent of the rate of basic pay or, in the case of an employee of the United States Agency for International Development,”.

(c) Danger Pay Allowances.—Section 5928 of title 5, United States Code, is amended by striking “25 percent of the basic pay of the employee or 35 percent of the basic pay of the employee in the case of an employee of the United States Agency for International Development” both places that it appears and inserting “35 percent of the basic pay of the employee”.

(d) Criteria.—The Secretary of State shall inform the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate of the criteria to be used in determinations of appropriate adjustments in post differentials under section 5925(a) of title 5, United States Code, as
amended by subsection (b), and danger pay allowances
under section 5928 of title 5, United States Code, as
amended by subsection (c).

(c) Study and Report.—Not later than two years
after the date of the enactment of this Act, the Secretary
of State shall conduct a study assessing the effect of the
increases in post differentials and danger pay allowances
made by the amendments in subsections (b) and (c), re-
spectively, in filling “hard-to-fill” positions and shall sub-
mit a report of such study to the congressional committees
described in subsection (d).

SEC. 304. HOME LEAVE.

Chapter 9 of title I of the Foreign Service Act of
1980 (relating to travel, leave, and other benefits) is
amended—

(1) in section 901(6) (22 U.S.C. 4081(6)), by
striking “unbroken by home leave” both places that
it appears; and

(2) in section 903(a) (22 U.S.C. 4083), by
striking “18 months” and inserting “12 months”.

SEC. 305. OVERSEAS EQUALIZATION AND COMPARABILITY
PAY ADJUSTMENT.

(a) In General.—Chapter 4 of the Foreign Service
Act of 1980 (22 U.S.C. 3961 et seq.) (relating to com-
(pensation) is amended by adding at the end the following
new section:

"SEC. 415. OVERSEAS COMPARABILITY PAY ADJUSTMENT.

"(a) In General.—In accordance with subsection
(c), a member of the Service who is designated class 1
or below and who does not have as an official duty station
a location in the continental United States or in a non-
foreign area shall receive locality-based comparability pay-
ments under section 5304 of title 5, United States Code,
that would be paid to such member if such member’s offi-
cial duty station would have been Washington, D.C.

"(b) Treatment as Basic Pay.—The locality-based
comparability payment described in subsection (a) shall—

"(1) be considered to be part of the basic pay
of a member in accordance with section 5304 of title
5, United States Code, for the same purposes for
which comparability payments are considered to be
part of basic pay under such section; and

"(2) be subject to any applicable pay limita-
tions.

"(c) Phase-In.—The comparability pay adjustment
described under this section shall be paid to a member
described in subsection (a) in three phases, as follows:
“(1) In fiscal year 2006, 33.33 percent of the amount of such adjustment to which such member is entitled.

“(2) In fiscal year 2007, 66.66 percent of the amount of such adjustment to which such member is entitled.

“(3) In fiscal year 2008 and subsequent fiscal years, 100.00 percent of the amount of such adjustment to which such member is entitled.”.

(b) Conforming Amendments Relating to the Retirement and Disability System of the Foreign Service.—

(1) Contributions to the Fund.—Section 805(a) of the Foreign Service Act of 1980 (22 U.S.C. 4045(a)) is amended—

(A) in paragraph (1)—

(i) in the first sentence, by striking “7.25 percent” and inserting “7.00 percent”; and

(ii) in the second sentence, by striking “The contribution by the employing agency” through “and shall be made” and inserting “An equal amount shall be contributed by the employing agency”;
(i) in subparagraph (A), by striking “plus an amount equal to .25 percent of basic pay”; and

(ii) in subparagraph (B), in the first sentence, by striking “plus an amount equal to .25 percent of basic pay”; and

(C) in paragraph (3), by striking “plus .25 percent”.

(2) COMPUTATION OF ANNUITIES.—Section 806(a)(9) of such Act (22 U.S.C. 4046(a)(9)) is amended—

(A) by striking “is outside” and inserting “was outside”; and

(B) by inserting after “continental United States” the following: “for any period of time from December 29, 2002, to the first day of the first full pay period beginning after the date of applicability of the overseas comparability pay adjustment under section 415”;

(3) ENTITLEMENT TO ANNUITY.—Section 855(a)(3) of such Act (22 U.S.C. 4071d(a)(3)) is amended—

(A) by striking “is outside” and inserting “was outside”; and
(B) by inserting after “continental United States” the following: “for any period of time from December 29, 2002, to the first day of the first full pay period beginning after the date of applicability of the overseas comparability pay adjustment under section 415”.

(4) DEDUCTIONS AND WITHHOLDINGS FROM PAY.—Section 856(a)(2) of such Act (22 U.S.C. 4071e(a)(2)) is amended to read as follows:

“(2) The applicable percentage under this subsection shall be as follows:

<table>
<thead>
<tr>
<th>Percentage</th>
<th>Time Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>7.5</td>
<td>Before January 1, 1999.</td>
</tr>
</tbody>
</table>

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and apply beginning on the first day of the first full pay period beginning after such date.

SEC. 306. FELLOWSHIP OF HOPE PROGRAM.

(a) FELLOWSHIP AUTHORIZED.—Chapter 5 of title I of the Foreign Service Act of 1980 (22 U.S.C. 3981 et seq.) is amended by adding at the end the following new section:
“SEC. 506. FELLOWSHIP OF HOPE.

“(a) The Secretary is authorized to establish a program to be known as the ‘Fellowship of Hope Program’. Under the Program, the Secretary may assign a member of the Service, for not more than one year, to a position with any designated country or designated entity that permits an employee of such country or entity to be assigned to a position with the Department.

“(b) The salary and benefits of a member of the Service shall be paid as described in subsection (b) of section 503 during a period in which such member is participating in the Fellowship of Hope Program. The salary and benefits of an employee of a designated country or designated entity participating in the Program shall be paid by such country or entity during the period in which such employee is participating in the Program.

“(c) In this section:

“(1) The term ‘designated country’ means a member country of—

“(A) the North Atlantic Treaty Organization; or

“(B) the European Union.

“(2) The term ‘designated entity’ means—

“(A) the North Atlantic Treaty Organization; or

“(B) the European Union.
“(d) Nothing in this section shall be construed to—

“(1) authorize the appointment as an officer or employee of the United States of—

“(A) an individual whose allegiance is to any country, government, or foreign or international entity other than to the United States; or

“(B) an individual who has not met the requirements of sections 3331, 3332, 3333, and 7311 of title 5, United States Code, and any other provision of law concerning eligibility for appointment as, and continuation of employment as, an officer or employee of the United States; or

“(2) authorize the Secretary to assign a member of the Service to a position with any foreign country whose law, or to any foreign or international entity whose rules, require such member to give allegiance or loyalty to such country or entity while assigned to such position.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

Such Act is amended—

(1) in section 503 (22 U.S.C. 3983)—
(A) in the section heading, by striking “AND” and inserting “FOREIGN GOVERNMENTS, OR”; and

(B) in subsection (a)—

   (i) in the matter preceding paragraph (1), by inserting “foreign government,” after “organization,”; and

   (ii) in paragraph (1), by inserting “, or with a foreign government under section 506” before the semicolon; and

(2) in section 2, in the table of contents—

(A) by striking the item relating to section 503 and inserting the following new item:

“503. Assignments to agencies, international organizations, foreign governments, or other bodies.”;

and

(B) by inserting after the item relating to section 505 the following new item:

“506. Fellowship of Hope Program.”.

SEC. 307. REGULATIONS REGARDING RETIREMENT CREDIT FOR GOVERNMENT SERVICE PERFORMED ABROAD.

Section 321(f) of the Foreign Relations Authorization Act, Fiscal Year 2003 (5 U.S.C. 8411 note; Public Law 107–228) is amended by inserting “, not later than 60 days after the date of the enactment of the Foreign Rela-
tions Authorization Act, Fiscal Years 2006 and 2007,”
after “regulations”.

SEC. 308. PROMOTING ASSIGNMENTS TO INTERNATIONAL ORGANIZATIONS.

(a) Promotions.—Section 603(b) of the Foreign Service Act of 1980 (22 U.S.C. 4003) is amended by striking the period at the end and inserting the following: “,
and shall consider whether the member of the Service has served in a position whose primary responsibility is to formulate policy toward or represent the United States at an international organization, a multilateral institution, or a broad-based multilateral negotiation of an international instrument.”.

(b) Effective Date.—The amendment made by subsection (a) shall take effect and apply beginning on January 1, 2010.

SEC. 309. SUSPENSION OF FOREIGN SERVICE MEMBERS WITHOUT PAY.

(a) Suspension.—Section 610 of the Foreign Service Act of 1980 (22 U.S.C. 4010) is amended by adding at the end the following new subsection:

“(c)(1) The Secretary may suspend a member of the Service without pay when there is reasonable cause to believe that the member has committed a crime for which a sentence of imprisonment may be imposed and there is
a connection between the conduct and the efficiency of the
Foreign Service.

“(2) Any member of the Service for whom a suspension is proposed shall be entitled to—

“(A) written notice stating the specific reasons for the proposed suspension;

“(B) a reasonable time to respond orally and in writing to the proposed suspension;

“(C) representation by an attorney or other representative; and

“(D) a final written decision, including the specific reasons for such decision, as soon as practicable.

“(3) Any member suspended under this section may file a grievance in accordance with the procedures applicable to grievances under chapter 11 of this title.

“(4) In this subsection:

“(A) The term ‘reasonable time’ means—

“(i) with respect to a member of the Service assigned to duty in the United States, 15 days after receiving notice of the proposed suspension; and

“(ii) with respect to a member of the Service assigned to duty outside the United States,
30 days after receiving notice of the proposed suspension.

“(B) The terms ‘suspend’ and ‘suspension’ mean the placing of a member of the Service in a temporary status without duties and pay.”.

(b) CONFORMING AND CLERICAL AMENDMENTS.—

(1) AMENDMENT OF SECTION HEADING.—Such section, as amended by subsection (a), is further amended in the section heading by inserting “; SUSPENSION” before the period at the end.

(2) CLERICAL AMENDMENT.—Section 2 of such Act is amended, in the table of contents, by striking the item relating to section 610 and inserting the following new item:

“610. Separation for cause; suspension.”.

SEC. 310. DEATH GRATUITY.

Section 413(a) of the Foreign Service Act of 1980 (22 U.S.C. 3973(a)) is amended in the first sentence by inserting before the period at the end the following: “or $100,000, whichever is greater”.

SEC. 311. CLARIFICATION OF FOREIGN SERVICE GRIEVANCE BOARD PROCEDURES.

Section 1106(8) of the Foreign Service Act of 1980 (22 U.S.C. 4136(8)) is amended in the first sentence—

(1) by inserting “the involuntary separation of the grievant (other than an involuntary separation
for cause under section 610(a))(” after “considering”; and
(2) by striking “the grievant or” and inserting “the grievant, or”.

SEC. 312. REPEAL OF RECERTIFICATION REQUIREMENT FOR MEMBERS OF THE SENIOR FOREIGN SERVICE.

Section 305(d) of the Foreign Service Act of 1980 (22 U.S.C. 3945(d)) is hereby repealed.

SEC. 313. TECHNICAL AMENDMENTS TO TITLE 5 PROVISIONS ON RECRUITMENT, RELOCATION, AND RETENTION BONUSES.

Title 5, United States Code, is amended—
(1) in section 5753(a)(2)(A), by inserting before the semicolon at the end the following: “, but does not include members of the Foreign Service other than chiefs of mission and ambassadors-at-large”; and
(2) in section 5754(a)(2)(A), by inserting before the semicolon at the end the following: “, but does not include members of the Foreign Service other than chiefs of mission and ambassadors-at-large”.

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SEC. 314. LIMITED APPOINTMENTS IN THE FOREIGN SERVICE.

Section 309 of the Foreign Service Act of 1980 (22 U.S.C. 3949) is amended—

(1) in subsection (a), by striking “subsection (b)” and inserting “subsections (b) or (c)”; 

(2) in subsection (b)—

(A) by amending paragraph (3) to read as follows:

“(3) as a career candidate, if—

“(A) continued service is determined appropriate to remedy a matter that would be cognizable as a grievance under chapter 11; or

“(B) the career candidate is called to military active duty pursuant to the Uniformed Services Employment and Reemployment Rights Act of 1994 (Public Law 103–353; codified in chapter 43 of title 38, United States Code) and the limited appointment expires in the course of such military active duty;”;

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

(C) in paragraph (5) by striking the period at the end and inserting “; and” ; and

(D) by adding at the end the following new paragraph:
“(6) in exceptional circumstances where the Secretary determines the needs of the Service require the extension of a limited appointment—

“(A) for a period of time not to exceed 12 months, provided such period of time does not permit additional review by the boards under section 306; or

“(B) for the minimum time needed to settle a grievance, claim, or complaint not otherwise provided for in this section.”; and

(3) by adding at the end the following new subsection:

“(c) Noncareer specialist employees who have served five consecutive years under a limited appointment may be reappointed to a subsequent limited appointment provided there is at least a one year break in service before such new appointment. This requirement may be waived by the Director General in cases of special need.”.

SEC. 315. STATEMENT OF CONGRESS.

Congress declares that the recent changes proposed by the Department of State to the career development program for members of the Senior Foreign Service will help promote well-rounded and effective members of the Senior Foreign Service, and should be implemented as planned in the coming years. Congress fully supports the proposed
changes that require that in order to be eligible for promotion into the Senior Foreign Service, a member of the Foreign Service must demonstrate over the course of the career of such member the following:

(1) Operational effectiveness, including a breadth of experience in several regions and over several functions.

(2) Leadership and management effectiveness.

(3) Sustained professional language proficiency.

(4) Responsiveness to Service needs.

SEC. 316. SENSE OF CONGRESS REGARDING ADDITIONAL UNITED STATES CONSULAR POSTS.

It is the sense of Congress that to help advance United States economic, political, and public diplomacy interests, the Secretary of State should make best efforts to establish United States consulates or other appropriate United States diplomatic presence in Pusan, South Korea, Hat Yai, Thailand, and an additional location in India in an under-served region.

SEC. 317. OFFICE OF THE CULTURE OF LAWFULNESS.

(a) Establishment.—There is established in the Bureau for International Law Enforcement and Narcotics of the Department of State an Office of the Culture of Lawfulness.
(b) **DIRECTOR AND STAFF.**—The Office shall be headed by a Director and staffed by not less than two professional staff.

(c) **DUTIES.**—The Director of the Office shall coordinate and increase the effectiveness of existing culture of lawfulness programs in the Department that can directly support foreign efforts to develop a culture of lawfulness, including—

1. seeking coordination between various programs and activities to support international narcotics and other law enforcement, public diplomacy, foreign assistance, and democracy efforts by the personnel of the Department in Washington, D.C., and in United States embassies in foreign countries;

2. developing new initiatives to foster a culture of lawfulness through international organizations;

3. ensuring that culture of lawfulness education is included in the curricula of all law enforcement and public security academies and training programs that receive assistance from the United States, and in democracy, civic education, and rule of law assistance programs conducted with foreign governments and nongovernmental organizations.

(d) **REPORT.**—Section 489(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291h(a)) is amended by
inserting after paragraph (7)(C)(viii) the following new paragraph:

“(8) In addition, the efforts of the United States to foster the culture of lawfulness in countries around the world.”.

**TITLE IV—INTERNATIONAL ORGANIZATIONS**

**SEC. 401. REDI CENTER.**

The Secretary of State is authorized to provide for the participation by the United States in the Regional Emerging Disease Intervention (“REDI”) Center in Singapore.

**SEC. 402. EXTENSION OF AUTHORIZATION OF APPROPRIATION FOR THE UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM.**

(a) In General.—Subsection (a) of section 207 of the International Religious Freedom Act of 1998 (22 U.S.C. 6435) is amended by striking “$3,000,000 for the fiscal year 2003” and inserting “$3,300,000 for each of fiscal years 2006 through 2011”.

(b) Technical Amendment.—Subsection (b) of such section is amended by striking “subparagraph” and inserting “subsection”.


SEC. 403. PROPERTY DISPOSITION.

Section 633(e) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2004 (division B of Public Law 108–199; 22 U.S.C. 2078(e)) is amended—

(1) by striking “The United States, through the Department of State, shall retain ownership of the Palazzo Corpi building in Istanbul, Turkey, and the” and inserting “The”; and

(2) by striking “at such location” and inserting “at an appropriate location”.

TITLE V—CHANGES IN ADMINISTRATIVE AUTHORITIES FOR INTERNATIONAL BROADCASTING

SEC. 501. SHORT TITLE.

This title may be cited as the “International Broadcasting Authorization Act, Fiscal Years 2006 and 2007”.

SEC. 502. MIDDLE EAST BROADCASTING NETWORKS.

(a) MIDDLE EAST BROADCASTING NETWORKS.—The United States International Broadcasting Act of 1994 (22 U.S.C. 6201 et seq.) is amended by inserting after section 309 (22 U.S.C. 6208) the following new section:

“SEC. 309A. MIDDLE EAST BROADCASTING NETWORKS.

“(a) Authority.—Grants authorized under section 305 shall be available to make annual grants to the Middle
East Broadcasting Networks for the purpose of carrying out radio and television broadcasting to the Middle East region.

“(b) FUNCTION.—Middle East Broadcasting Networks shall provide radio and television programming consistent with the broadcasting standards and broadcasting principles set forth in section 303.

“(c) GRANT AGREEMENT.—Any grant agreement or grants under this section shall be subject to the following limitations and restrictions:

“(1) The Board may not make any grant to the non-profit corporation, Middle East Broadcasting Networks, unless its certificate of incorporation provides that—

“(A) The Board of Directors of Middle East Broadcasting Networks shall consist of the members of the Broadcasting Board of Governors established under section 304 and of no other members.

“(B) Such Board of Directors shall make all major policy determinations governing the operation of Middle East Broadcasting Networks, and shall appoint and fix the compensation of such managerial officers and employees of Middle East Broadcasting Networks as it
considers necessary to carry out the purposes of
the grant provided under this title, except that
no officer or employee may be paid basic com-
pensation at a rate in excess of the rate for
level II of the Executive Schedule as provided
under section 5313 of title 5, United States
Code.

"(2) Any grant agreement under this section
shall require that any contract entered into by Mid-
dle East Broadcasting Networks shall specify that
all obligations are assumed by Middle East Broad-
casting Networks and not by the United States Gov-
ernment.

"(3) Any grant agreement shall require that
any lease agreement entered into by Middle East
Broadcasting Networks shall be, to the maximum
extent possible, assignable to the United States Gov-
ernment.

"(4) Grants awarded under this section shall be
made pursuant to a grant agreement which requires
that grant funds be used only for activities con-
sistent with this section, and that failure to comply
with such requirements shall permit the grant to be
terminated without fiscal obligation to the United
States.
“(5) Duplication of language services and technical operations between the Middle East Broadcasting Networks (including Radio Sawa), RFE/RL, and the International Broadcasting Bureau will be reduced to the extent appropriate, as determined by the Board.

“(d) NOT A FEDERAL AGENCY OR INSTRUMENTALITY.—Nothing in this title may be construed to make—

“(1) the Middle East Broadcasting Networks a Federal agency or instrumentality; or

“(2) the officers or employees of the Middle East Broadcasting Networks officers or employees of the United States Government.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Such Act is further amended—

(1) in section 304(g) (22 U.S.C. 6203(g)), by inserting “, the Middle East Broadcasting Networks,” after “Incorporated”;

(2) in section 305 (22 U.S.C. 6204)—

(A) in subsection (a)—

(i) in paragraph (5), by striking “308 and 309” and inserting “308, 309, and 309A”; and
(ii) in paragraph (6), by striking “308 and 309” and inserting “308, 309, and 309A”; and

(B) in subsection (c), by striking “308 and 309” and inserting “308, 309, and 309A”; and

(3) in section 307 (22 U.S.C. 6206)—

(A) in subsection (a), by striking “308 and 309” and inserting “308, 309, and 309A”; and

(B) in subsection (c), in the second sentence, by inserting “, the Middle East Broadcasting Networks,” after “Asia”.

(c) TECHNICAL AND CONFORMING AMENDMENT TO TITLE 5.—Section 8332(b)(11) of title 5, United States Code, is amended by inserting “the Middle East Broadcasting Networks;” after “Radio Free Asia;”.

SEC. 503. IMPROVING SIGNAL DELIVERY TO CUBA.

Section 3 of the Radio Broadcasting to Cuba Act (22 U.S.C. 1465a; Public Law 98–111) is amended—

(1) by striking subsection (b);

(2) by striking subsection (c) and inserting the following new subsection:

“(c) To effect radio broadcasting to Cuba, the Board is authorized to utilize the United States International Broadcasting facilities located in Marathon, Florida, and the 1180 AM frequency used at those facilities. In addi-
tion to the above facilities, the Board may simultaneously
utilize other governmental and nongovernmental broad-
esting transmission facilities and other frequencies, in-
cluding the Amplitude Modulation (AM) band, the Fre-
quency Modulation (FM) band, and the Shortwave (SW)
band. The Board may lease time on commercial or non-
commercial educational AM band, FM band, and SW band
radio broadcasting stations to carry a portion of the serv-
vice programs or to rebroadcast service programs.”;

(3) by striking subsection (d);

(4) by striking subsection (e) and inserting the
following new subsection:

“(e) Any service program of United States Govern-
ment radio broadcasts to Cuba authorized by this section
shall be designated ‘Radio Marti program’.”; and

(5) by striking subsection (f).

SEC. 504. ESTABLISHING PERMANENT AUTHORITY FOR
RADIO FREE ASIA.

Section 309 of the United States International
Broadcasting Act of 1994 (22 U.S.C. 6208) is amended—

(1) in subsection (c)(2), by striking “, and shall
further specify that funds to carry out the activities
of Radio Free Asia may not be available after Sep-
tember 30, 2009”; and

(2) by striking subsection (f).
SEC. 505. PERSONAL SERVICES CONTRACTING PROGRAM.

Section 504 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228) is amended—

(1) in the section heading, by striking "PILOT";

(2) in subsection (a)—

(A) by striking "pilot";

(B) by striking "(in this section referred to as the 'program')"; and

(C) by striking "producers, and writers" and inserting "and other broadcasting specialists";

(3) in subsection (b)(4), by striking "60" and inserting "100"; and

(4) by striking subsection (c).

SEC. 506. COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS EDUCATION BENEFITS.

Section 305(a) of the United States International Broadcasting Act of 1994 (22 U.S.C. 6204(a)) is amended by inserting after paragraph (18) the following new paragraph:

"(19)(A) To provide for the payment of primary and secondary school expenses for dependents of personnel stationed in the Commonwealth of the Northern Mariana Islands (CNMI) at a cost not to
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exceed expenses authorized by the Department of
Defense for such schooling for dependents of mem-
bers of the Armed Forces stationed in the Common-
wealth, if the Board determines that schools avail-
able in the Commonwealth are unable to provide
adequately for the education of the dependents of
such personnel.

“(B) To provide transportation for dependents
of such personnel between their places of residence
and those schools for which expenses are provided
under subparagraph (A), if the Board determines
that such schools are not accessible by public means
of transportation.”.

TITLE VI—REPORTING
REQUIREMENTS

SEC. 601. TRANS-SAHARA COUNTER-TERRORISM INITIA-
TIVE.

(a) SENSE OF CONGRESS.—It is the sense of Con-
gress that efforts by the Government of the United States
to expand the Pan Sahel Initiative into a robust counter-
terrorism program in the Saharan region of Africa, to be
known as the “Trans-Sahara Counter Terrorism Initia-
tive”, should be strongly supported.

(b) REPORT.—
(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a detailed strategy, in classified form, regarding the plan of the Government of the United States to expand the Pan Sahel Initiative into a robust counter-terrorism program in the Saharan region of Africa, to be known as the “Trans-Sahara Counter Terrorist Initiative”.

(2) CONTENTS.—The report shall include the following:

(A) The names of the countries that will participate in the Initiative.

(B) A description of the types of security assistance necessary to create rapid reaction security forces in order to bolster the capacity of the countries referred to in subparagraph (A) to govern their borders.

(C) A description of training to ensure respect for human rights and civilian authority by rapid reaction security forces referred to in subparagraph (B) and other appropriate individuals and entities of the countries referred to in subparagraph (A).
(D) A description of the types of public diplomacy and related assistance that will be provided to promote development and counter radical Islamist elements that may be gaining a foothold in the region.

(3) UPDATE.—The Secretary shall submit to the appropriate congressional committees an update of the report required by this subsection not later than one year after the date of the initial submission of the report under this subsection.

(c) COOPERATION OF OTHER DEPARTMENTS AND AGENCIES.—The head of each appropriate department and agency of the Government of the United States shall cooperate fully with, and assist in the implementation of, the strategy described in subsection (b)(1) and shall make such resources and information available as is necessary to ensure the success of the Initiative described in such subsection.

SEC. 602. ANNUAL PATTERNS OF GLOBAL TERRORISM REPORT.

(a) REQUIREMENT OF REPORT.—Section 140(a) Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f(a)) is amended—
(1) in the heading, by striking “COUNTRY REPORTS ON TERRORISM” and inserting “PATTERNS OF GLOBAL TERRORISM REPORT”; and

(2) in the matter preceding paragraph (1), by inserting “, the Committee on International Relations of the House of Representatives,” after “Speaker of the House of Representatives”.


(1) by striking “which were, in the opinion of the Secretary, of major significance;” and inserting “, including—”; and

(2) by adding at the end the following new subclauses:

“(I) the number of such acts of terrorism or attempted acts of terrorism;

“(II) the number of individuals, including United States citizens, who were killed or injured in such acts of terrorism;

“(III) the methods, and relative frequency of methods, utilized in such acts of terrorism; and
“(IV) assessments of individuals who were responsible for such acts of terrorism and the relationships of such individuals to terrorist groups;”.

(c) Information With Respect to Terrorist Groups.—Section 140(a)(2) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f(a)(2)) is amended by inserting after “and any other known international terrorist group” the following “or emerging terrorist group”.

(d) Information With Respect to All Foreign Countries.—Section 140(a) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f(a)) is amended—

(1) in paragraph (2), by adding “and” at the end after the semicolon;

(2) in paragraph (3)—

(A) in the matter preceding subparagraph (A), by striking “from which the United States Government” and all that follows through “United States citizens or interests” and inserting “worldwide”;

(B) in subparagraph (A)—

(i) by striking “the individual or”;
(ii) by striking “the act” and inserting “acts of terrorism”; and

(iii) by striking “and” at the end;

(C) in subparagraph (B) by striking “against United States citizens in the foreign country”; and

(D) by adding at the end the following new subparagraph:

“(C) the extent to which the government of the foreign country is not cooperating with respect to the matters described in subparagraphs (A) and (B) and other matters relating to counterterrorism efforts.”; and

(3) by striking paragraph (4).

(e) EXISTING PROVISIONS TO BE INCLUDED IN REPORT.—Section 140(b) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f(b)) is amended—

(1) in the matter preceding paragraph (1), by striking “should to the extent feasible” and inserting “shall”;

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by inserting “and (a)(3)” after “subsection (a)(1)(A)”;

(b) PENDING AID—If...

(c) PENDING AID FOR AFGHANISTAN—Sections 1701(a) of the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2151(a)) and 1721 of the Foreign Assistance Act of 1962, as amended (22 U.S.C. 2172) are hereby amended by inserting “and (a)(3)” after “subsection (a)(1)(A)”;

(d) PENDING AID FOR...
(B) by redesignating subparagraphs (A), (B), and (C) as subparagraphs (C), (D), and (E), respectively;

(C) by inserting before subparagraph (C) (as redesignated) the following new subparagraphs:

“(A) a separate list, in chronological order, of all acts of international terrorism described in subsection (a)(1)(A);

“(B) a review of efforts to combat the use of financial institutions by terrorist groups;”;

(D) in subparagraph (D) (as redesignated), by striking “affecting American citizens or facilities”; and

(E) in subparagraph (E)—

(i) in clause (i), by adding at the end before the semicolon the following: “by the government of the country, government officials, nongovernmental organizations, quasi-governmental organizations, or nationals of the country”;

(ii) in clause (v), by adding “and” at the end after the semicolon; and

(iii) by adding at the end the following new clause:
“(vi) other types of indirect support for international terrorism, such as inciting acts of terrorism or countenance of acts of terrorism by the government of the country, government officials, nongovernmental organizations, quasi-governmental organizations, or nationals of the country;”;

(3) in paragraph (3)—

(A) in subparagraph (E), by striking “and” at the end;

(B) in subparagraph (F), by adding “and” at the end; and

(C) by adding at the end the following new subparagraph:

“(G) information on the stated intentions and patterns of activities of terrorist groups described in subsection (a)(2), capabilities and membership of such groups, recruitment and fundraising activities of such groups, and the relationships of such groups to criminal organizations, including organizations involved in illicit narcotics trafficking”; and

(4) by redesignating paragraphs (3) and (4) (as added by section 701(a)(2)(C) of the Intelligence Authorization Act for Fiscal Year 2005 (Public Law
(f) **NEW PROVISIONS TO BE INCLUDED IN REPORT.**—Section 140(b) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f(b)), as amended by subsection (e), is further amended—

(1) in paragraph (6) (as redesignated), by striking “and” at the end;

(2) in paragraph (7) (as redesignated), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

“(8) an analysis of the efforts of multilateral organizations to combat international terrorism, including efforts of the United Nations and its affiliated organizations, regional multilateral organizations, and nongovernmental organizations; and

“(9) an analysis of policy goals of the United States for counterterrorism efforts in the subsequent calendar year.”.

(g) **CLASSIFICATION OF REPORT.**—Section 140(c) of the Foreign Relations Authorization Act, Fiscal Years
1988 and 1989 (22 U.S.C. 2656f(e)) is amended to read as follows:

“(c) Classification of Report.—The report required by subsection (a) shall be submitted in unclassified form and shall contain a classified annex as necessary.”.


(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(2) by inserting after subsection (c) the following new subsection:

“(d) Inter-Agency Process for Compilation of Report.—The Secretary of State shall, in preparing the report required by subsection (a), establish an inter-agency process to—

“(1) consult and coordinate with other appropriate officials of the Government of the United States who are responsible for collecting and analyzing counterterrorism intelligence; and

“(2) utilize, to the maximum extent practicable, such counterterrorism intelligence and analyses.”.

(i) Comparability Standard with Prior Report.—Section 140 of Foreign Relations Authorization
Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f), as amended by subsection (h), is further amended—

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

and

(2) by inserting after subsection (d) (as added by subsection (h)) the following new subsection:

"(e) **Comparability Standard With Prior Report.**—The Secretary of State shall, in preparing the report required by subsection (a), use standards, criteria, and methodologies in a consistent manner so that statistical comparisons may be made among different reports. If significant changes are made to any such standards, criteria, or methodology, the Secretary shall, in consultation with other appropriate officials of the Government of the United States, make appropriate adjustments, using the best available methods, so that the data provided in each report is comparable to the data provided in prior reports."

(j) **Definitions.**—Section 140(f)(1) of Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (as redesignated) is amended to read as follows:

""(1) the term ‘international terrorism’ means—

“(A) terrorism involving citizens or the territory of more than one country; or"
“(B) terrorism involving citizens and the
territory of one country which is intended to in-
timidate or coerce not only the civilian popu-
lation or government of such country but also
other civilian populations or governments;”.

(k) REPORTING PERIOD.—Section 140(g) Foreign
Relations Authorization Act, Fiscal Years 1988 and 1989
(as redesignated) is amended to read as follows:

“(g) REPORTING PERIOD.—The report required
under subsection (a) shall cover the events of the calendar
year preceding the calendar year in which the report is
transmitted.”.

(l) APPEARANCE OF SECRETARY OF STATE BEFORE
CONGRESS.—Section 140 of the Foreign Relations Au-
thorization Act, Fiscal Years 1988 and 1989 (22 U.S.C.
2656f) is amended by adding at the end the following new
subsection:

“(h) APPEARANCE OF SECRETARY OF STATE BE-
FORE CONGRESS.—

“(1) IN GENERAL.—The Secretary of State
shall appear before Congress at annual hearings, as
specified in paragraph (2), regarding the provisions
included in the report required under subsection (a).

“(2) SCHEDULE.—The Secretary of State shall
appear before—
“(A) the Committee on International Relations of the House of Representatives on or about May 20 of even numbered calendar years;

“(B) the Committee on Foreign Relations of the Senate on or about May 20 of odd numbered calendar years; and

“(C) either Committee referred to in subparagraph (A) or (B), upon request, following the scheduled appearance of the Secretary before the other Committee under subparagraph (A) or (B).”.

(m) CONFORMING AMENDMENT.—The heading of section 140 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f) is amended to read as follows:

“SEC. 140. ANNUAL PATTERNS OF GLOBAL TERRORISM REPORT.”.

(n) EFFECTIVE DATE.—The amendments made by this section apply with respect to the report required to be transmitted under section 140 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f), by April 30, 2007, and by April 30 of each subsequent year.
SEC. 603. STUDY AND REPORT ON DUAL GATEWAY POLICY
OF THE GOVERNMENT OF IRELAND.

(a) IN GENERAL.—The Secretary of State shall re-
view the dual gateway policy and determine the effects the
discontinuation of such policy might have on the economy
of the United States and the economy of western Ireland
before the United States takes any action that could lead
to the discontinuation of such policy.

(b) ECONOMIC IMPACT STUDY.—In determining the
effects that the discontinuation of such policy might have
on the economy of the United States, the Secretary, in
consultation with the heads of other appropriate depart-
ments and agencies, shall consider the effects the dis-
continuation of such policy might have on United States
businesses operating in western Ireland, Irish businesses
operating in and around Shannon Airport, and United
States air carriers serving Ireland.

(c) REPORT.—Not later than 180 days after the date
of the enactment of this Act, the Secretary shall submit
to Congress a report describing the determinations made
under subsection (a), together with any recommendations
for United States action.

(d) DEFINITION.—In this section, the term “dual
gateway policy” means the policy of the Government of
Ireland requiring certain air carriers serving Dublin Air-
port to undertake an equal numbers of flights to Shannon
Airport and Dublin Airport during each calendar year.

SEC. 604. REPORT ON HAITI.
Not later than one year after the date of the enact-
ment of this Act and one year thereafter, the Secretary
of State shall submit to the appropriate congressional
committees a report on United States efforts to—
(1) assist in the disarmament of illegally armed
forces in Haiti, including through a program of gun
exchanges;
(2) assist in the reform of the Haitian National
Police; and
(3) support stabilization in Haiti.

SEC. 605. VERIFICATION REPORTS TO CONGRESS.
Section 403(a) of the Arms Control and Disar-
mament Act (22 U.S.C. 2593a(a)) is amended in the mat-
ter preceding paragraph (1)—
(1) by striking “prepared by the Secretary of
State with the concurrence of the Director of Cen-
tral Intelligence and in consultation with the Sec-
etary of Defense, the Secretary of Energy, and the
Chairman of the Joint Chiefs of Staff,”; and
(2) by inserting “, as the President considers
appropriate” after “include”.

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SEC. 606. REPORTS ON PROTECTION OF REFUGEES FROM NORTH KOREA.

Section 305(a) of the North Korean Human Rights Act of 2004 (Public Law 108–333; 22 U.S.C. 7845) is amended—

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

(2) in paragraph (2), by striking the period at the end and inserting “; and”;

(3) by adding at the end the following new paragraph:

“(3) a detailed description of the measures undertaken by the Secretary of State to carry out section 303, including country-specific information with respect to United States efforts to secure the cooperation and permission of the governments of countries in East and Southeast Asia to facilitate United States processing of North Koreans seeking protection as refugees. The information required by this paragraph may be provided in a classified format, if necessary.”.
SEC. 607. REPORTS ON ACTIONS TAKEN BY THE UNITED STATES TO ENCOURAGE RESPECT FOR HUMAN RIGHTS.

Section 665(c) of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228) is amended by striking “30 days” and inserting “90 days”.

SEC. 608. REPORTS ON ACQUISITION AND MAJOR SECURITY UPGRADES.

Section 605(c) of the Secure Embassy Construction and Counterterrorism Act of 1999 (title VI of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001; Public Law 106–113–Appendix G) is amended—

(1) in the heading, by striking “Semiannual Reports” and inserting “Reports”;

(2) in the matter preceding paragraph (1), by striking “June 1 and”; and

(3) in paragraph (1)(A), by striking “two fiscal quarters” and inserting “year”.

SEC. 609. REPORT ON SERVICES FOR CHILDREN WITH AUTISM AT OVERSEAS MISSIONS.

(a) STUDY.—With respect to countries in which there is at least one mission of the United States, the Secretary of State shall conduct a study of the availability of programs that address the special needs of children with autism, including the availability of speech therapists and
pediatric occupational therapists at Department of Defense sponsored schools. Such study shall include the estimated incidence of autism among dependents of members of the Foreign Service and dependents of specialist Foreign Service personnel. Such study shall also include an analysis of the possibility of establishing “Educational Centers of Excellence” for such children.

(b) REPORT.—Not later than 30 days after the completion of the study required under subsection (a), the Secretary shall submit to the appropriate congressional committees a report containing the findings of the study together with any recommendations for related action.

SEC. 610. REPORT ON Incidence AND PREVALENCE OF AUTISM WORLDWIDE.

(a) STUDY.—

(1) IN GENERAL.—The Secretary of State shall direct the United States representative to the Executive Board of the United Nations Children’s Fund (UNICEF) to use the voice and vote of the United States to urge UNICEF to provide for the conduct of a study of the incidence and prevalence of autism spectrum disorders (hereinafter referred to as “autism”) worldwide.

(2) CONDUCT OF STUDY.—The study should—
(A) evaluate the incidence and prevalence of autism in all countries worldwide and compare such incidence and prevalence to the incidence and prevalence of autism in the United States and evaluate the reliability of the information obtained from each country in carrying out this subparagraph; and

(B) evaluate the feasibility of establishing a method for the collection of information relating to the incidence and prevalence of autism in all countries worldwide.

(b) REPORT.—The Secretary of State shall direct the United States representative to the Executive Board of UNICEF to use the voice and vote of the United States to urge UNICEF to—

(1) provide for the preparation of a report that contains the results of the study described in subsection (a); and

(2) provide for the availability of the report on the Internet website of UNICEF.

(c) FUNDING.—Of the amounts made available for fiscal year 2006 to carry out section 301 of the Foreign Assistance Act of 1961 (22 U.S.C. 2221), $1,500,000 is authorized to be available for a voluntary contribution to
UNICEF to conduct the study described in subsection (a) and prepare the report described in subsection (b).

SEC. 611. REPORT ON INTERNET JAMMING.

(a) Report.—Not later than March 1 of the year following the date of the enactment of this Act, the Chairman of the Broadcasting Board of Governors shall submit to the appropriate congressional committees a report on the status of state-sponsored and state-directed Internet jamming by repressive foreign governments and a description of efforts by the United States to counter such jamming. Each report shall list the countries the governments of which pursue Internet censorship or jamming and provide information concerning the government agencies or quasi-governmental organizations of such governments that engage in Internet jamming.

(b) Format.—If the Chairman determines that such is appropriate, the Chairman may submit such report together with a classified annex.

SEC. 612. REPORT ON DEPARTMENT OF STATE EMPLOYMENT COMPOSITION.

(a) Statement of Policy.—In order for the Department of State to accurately represent all people in the United States, the Department must accurately reflect the diversity of the United States.
(b) Report on Minority Recruitment.—Section 324 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228) is amended—

(1) in the matter preceding paragraph (1), by striking “April 1, 2003, and April 1, 2004,” and inserting “April 1, 2006, and April 1, 2007,”; and

(2) in paragraphs (1) and (2), by striking “minority groups” each place it appears and inserting “minority groups and women”.

(c) Acquisition.—Section 324 of such Act is further amended by adding at the end the following new paragraph:

“(3) For the immediately preceding 12-month period for which such information is available—

“(A) the numbers and percentages of small, minority-owned businesses that provide goods and services to the Department as a result of contracts with the Department during such period;

“(B) the total number of such contracts;

“(C) the total dollar value of such contracts; and

“(D) and the percentage value represented by such contract proportionate to the total value of all contracts held by the Department.”.
(d) USE OF FUNDS.—The provisions of section 325 of such Act shall apply to funds authorized to be appropriated under section 101(1)(G) of this Act.

SEC. 613. REPORT ON INCITEMENT TO ACTS OF DISCRIMINATION.

(a) INCLUSION OF INFORMATION RELATING TO INCITEMENT TO ACTS OF DISCRIMINATION IN ANNUAL COUNTRY REPORTS ON HUMAN RIGHT PRACTICES.—

(1) COUNTRIES RECEIVING ECONOMIC ASSISTANCE.—Section 116(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d)) is amended—

(A) in paragraph (10) by striking “and” at the end;

(B) in paragraph (11)(C), by striking the period at the end and inserting “; and”;

(C) by adding at the end the following new paragraph:

“(12) wherever applicable, a description of the nature and extent of—

“(A) propaganda in foreign government and foreign government-controlled media and other sources, including foreign government-produced educational materials and textbooks, that attempt to justify or promote racial hatred
or incite acts of violence against any race or people;

“(B) complicity or involvement by the foreign government in the creation of such propaganda or incitement of acts of violence against any race or people; and

“(C) a description of the actions, if any, taken by the foreign government to eliminate such propaganda or incitement.”.

(2) COUNTRIES RECEIVING SECURITY ASSISTANCE.—Section 502B(b) of such Act (22 U.S.C. 2304(b)) is amended by inserting after the ninth sentence the following new sentence: “Each report under this section shall also include, wherever applicable, a description of the nature and extent of propaganda in foreign government and foreign government-controlled media and other sources, including foreign government-produced educational materials and textbooks, that attempt to justify or promote racial hatred or incite acts of violence against any race or people, complicity or involvement by the foreign government in the creation of such propaganda or incitement of acts of violence against any race or people, and a description of the actions, if any,
taken by the foreign government to eliminate such
propaganda or incitement.”.

(b) Effective Date of Amendment.—The
amendment made by subsection (a) shall take effect on
the date of the enactment of this Act and apply beginning
with the first report submitted by the Secretary of State
under sections 116(d) and 502B(b) of the Foreign Assist-
ance Act of 1961 (22 U.S.C. 2151n(d) and 2304(b)) after
such date.

SEC. 614. REPORTS ON CHILD MARRIAGE.

(a) One Time Report.—Not later than 180 days
after the date of the enactment of this Act, the Secretary
of State shall submit to the appropriate congressional
committees a one time report on the practice of the custom
of child marriage in countries around the world. The re-
port shall include the following information:

(1) A separate section for each country, as ap-
licable, describing the nature and extent of child
marriage in such country.

(2) A description of the actions, if any, taken
by the government of each such country, where ap-
licable, to revise the laws of such country and instit-
tutionalize comprehensive procedures and practices
to eliminate child marriage.
(3) A description of the actions taken by the Department of State and other Federal departments and agencies to encourage foreign governments to eliminate child marriage and to support the activities of non-governmental organizations dedicated to eliminating child marriage and supporting its victims.

(b) Inclusion of Information Relating to Child Marriage in Annual Country Reports on Human Rights Practices.—

(1) Countries Receiving Economic Assistance.—Section 116(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d)), as amended by section 611, is further amended—

(A) in paragraph (11)(C), as amended by section 611, by striking “and” at the end;

(B) in paragraph (12)(C), as added by section 611, by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following new paragraph:

“(13)(A) wherever applicable, a description of the nature and extent of laws and traditions in each country that enable or encourage the practice of child marriage; and

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“(B) a description of the actions, if any, taken by the government of each such country to revise the laws of such country and institutionalize comprehensive procedures and practices to eliminate child marriage.”.

(2) COUNTRIES RECEIVING SECURITY ASSISTANCE.—Section 502B(b) of such Act (22 U.S.C. 2304(b)), as amended by section 611, is further amended by inserting after the tenth sentence, as added by section 611, the following new sentence:

“Each report under this section shall also include, wherever applicable, a description of the nature and extent of laws and traditions in each country that enable or encourage the practice of child marriage and a description of the actions, if any, taken by the government of each such country to revise the laws of such country and institutionalize comprehensive procedures and practices to eliminate child marriage.”.

(c) EFFECTIVE DATE OF AMENDMENT.—The amendment made by subsection (b) shall take effect on the date of the enactment of this Act and apply beginning with the first report submitted by the Secretary of State under sections 116(d) and 502B(b) of the Foreign Assist-
Sec. 615. Reports relating to Magen David Adom Society.

(a) Findings.—Section 690(a) of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228), is amended by adding at the end the following:

“(5) Since the founding of the Magen David Adom Society in 1930, the American Red Cross has regarded it as a sister national society forging close working ties between the two societies and has consistently advocated recognition and membership of the Magen David Adom Society in the International Red Cross and Red Crescent Movement.

“(6) The American Red Cross and the Magen David Adom Society signed an important memorandum of understanding in November 2002, outlining areas for strategic collaboration, and the American Red Cross will encourage other societies to establish similar agreements with the Magen David Adom Society.”.

(b) Sense of Congress.—Section 690(b) of such Act is amended—

(1) in paragraph (3), by striking “and” at the end;
(2) by redesignating paragraph (4) as paragraph (5); and

(3) by inserting after paragraph (3) the following new paragraph:

“(4) the High Contracting Parties to the Geneva Conventions of August 12, 1949, should adopt the October 12, 2000, draft additional protocol which would accord international recognition to an additional distinctive emblem; and”.

(c) REPORT.—Section 690 of such Act is further amended by adding at the end the following:

“(c) REPORT.—Not later than 60 days after the date of the enactment of the Foreign Relations Authorization Act, Fiscal Years 2006 and 2007, and one year thereafter, the Secretary of State shall submit a report, on a classified basis if necessary, to the appropriate congressional committees describing—

“(1) efforts by the United States to obtain full membership for the Magen David Adom Society in the International Red Cross and Red Crescent Movement;

“(2) efforts by the International Committee of the Red Cross to obtain full membership for the Magen David Adom Society in the International Red Cross and Red Crescent Movement;
“(3) efforts of the High Contracting Parties to
the Geneva Conventions of August 12, 1949, to
adopt the October 12, 2000, draft additional pro-
tocol to the Geneva Conventions;
“(4) the extent to which the Magen David
Adom Society is participating in the activities of the
International Red Cross and Red Crescent Move-
ment; and
“(5) efforts by any state, member, or official of
the International Red Cross and Red Crescent Move-
ment to prevent, obstruct, or place conditions
upon—
“(A) adoption by the High Contracting
Parties to the Geneva Conventions of August
12, 1949, of the October 12, 2000, draft addi-
tional protocol to the Geneva Conventions; and
“(B) full participation of the Magen David
Adom Society in the activities of the Inter-
national Red Cross and Red Crescent Move-
ment.”.

SEC. 616. REPORTS RELATING TO DEVELOPMENTS IN AND
POLICY TOWARD INDONESIA.
(a) Statement of Congress Relating to Re-
cent Developments, Human Rights, and Reform.—
Congress—
(1) recognizes the remarkable progress in democra-
tization and decentralization made by Indo-
nesia in recent years and commends the people of
Indonesia on the pace and scale of those continuing
reforms;

(2) reaffirms—

(A) its deep condolences to the people of
Indonesia for the profound losses inflicted by
the December 26, 2004, earthquake and tsu-
nami; and

(B) its commitment to generous United
States support for relief and long term recon-
struction efforts in affected areas;

(3) expresses its hope that in the aftermath of
the tsunami tragedy the Government of Indonesia
and other parties will succeed in reaching and imple-
menting a peaceful, negotiated settlement of the
long-standing conflict in Aceh;

(4) commends the Government of Indonesia for
allowing broad international access to Aceh after the
December 2004 tsunami, and urges that inter-
national nongovernmental organizations and media
be allowed unfettered access throughout Indonesia,
including in Papua and Aceh;

(5) notes with grave concern that—
(A) reform of the Indonesian security forces has not kept pace with democratic political reform, and that the Indonesian military is subject to inadequate civilian control and oversight, lacks budgetary transparency, and continues to emphasize an internal security role within Indonesia;

(B) members of the Indonesian security forces continue to commit many serious human rights violations, including killings, torture, rape, and arbitrary detention, particularly in areas of communal and separatist conflict; and

(C) the Government of Indonesia largely fails to hold soldiers and police accountable for extrajudicial killings and other serious human rights abuses, both past and present, including atrocities committed in East Timor prior to its independence from Indonesia;

(6) condemns the intimidation and harassment of human rights and civil society organizations by members of the Indonesian security forces and military-backed militia groups, and urges a complete investigation of the fatal poisoning of prominent human rights activist Munir in September 2004; and
(7) urges the Government of Indonesia and the
Indonesian military to continue to provide full, ac-
tive, and unfettered cooperation to the Federal Bu-
reau of Investigation of the Department of Justice
in its investigation of the August 31, 2002, attack
near Timika, Papua, which killed three people (in-
cluding two Americans, Rick Spier and Ted Burgon)
and injured 12 others, and to pursue the indictmen,
apprehension, and prosecution of all parties respon-
sible for that attack.

(b) FINDINGS RELATING TO PAPUA.—Congress finds
the following:

(1) Papua, a resource-rich province whose in-
digenous inhabitants are predominantly Melanesian,
was formerly a colony of the Netherlands.

(2) While Indonesia has claimed Papua as part
of its territory since its independence in the late
1940s, Papua remained under Dutch administrative
control until 1962.

(3) On August 15, 1962, Indonesia and the
Netherlands signed an agreement at the United Na-
tions in New York (commonly referred to as the
“New York Agreement”) which transferred adminis-
tration of Papua first to a United Nations Tem-
porary Executive Authority (UNTEA), and then to
Indonesia in 1963, pending an “act of free choice . . . to permit the inhabitants to decide whether they wish to remain with Indonesia”.

(4) In the New York Agreement, Indonesia formally recognized “the eligibility of all adults [in Papua] . . . to participate in [an] act of self-determination to be carried out in accordance with international practice”, and pledged “to give the people of the territory the opportunity to exercise freedom of choice . . . before the end of 1969”.

(5) In July and August 1969, Indonesia conducted an “Act of Free Choice”, in which 1,025 selected Papuan elders voted unanimously to join Indonesia, in circumstances that were subject to both overt and covert forms of manipulation.

(6) In the intervening years, indigenous Papuans have suffered extensive human rights abuses, natural resource exploitation, environmental degradation, and commercial dominance by immigrant communities, and some individuals and groups estimate that more than 100,000 Papuans have been killed during Indonesian rule, primarily during the Sukarno and Suharto administrations.

(7) While the United States supports the territorial integrity of Indonesia, Indonesia’s historical
reliance on force for the maintenance of control has been counterproductive, and long-standing abuses by security forces have galvanized independence sentiments among many Papuans.

(8) While the Indonesian parliament passed a Special Autonomy Law for Papua in October 2001 that was intended to allocate greater revenue and decision making authority to the Papuan provincial government, the promise of special autonomy has not been effectively realized and has been undermined in its implementation, such as by conflicting legal directives further subdividing the province in apparent contravention of the law and without the consent of appropriate provincial authorities.

(9) Rather than demilitarizing its approach, Indonesia has reportedly sent thousands of additional troops to Papua, and military operations in the central highlands since the fall of 2004 have displaced thousands of civilians into very vulnerable circumstances, contributing further to mistrust of the central government by many indigenous Papuans.

(10) According to the 2004 Annual Country Report on Human Rights Practices of the Department of State, in Indonesia “security force members murdered, tortured, raped, beat, and arbitrarily de-
tained civilians and members of separatist move-
ments” and “police frequently and arbitrarily de-
tained persons without warrants, charges, or court
proceedings” in Papua.

(c) Reporting Requirements.—

(1) Report on Special Autonomy.—Not
later than 180 days after the date of the enactment
of this Act and one year thereafter, the Secretary of
State shall submit to the appropriate congressional
committees a report detailing implementation of spe-
cial autonomy for Papua and Aceh. Such reports
shall include—

(A) an assessment of the extent to which
each province has enjoyed an increase in rev-
ene allocations and decision making authority;

(B) a description of access by international
press and non-governmental organizations to
each province;

(C) an assessment of the role played by
local civil society in governance and decision
making;

(D) a description of force levels and con-
duct of Indonesian security forces in each prov-
ince; and
(E) a description of United States efforts
to promote respect for human rights in each
province.

(2) REPORT ON THE 1969 ACT OF FREE
CHOICE.—Not later than 180 days after the date of
the enactment of this Act, the Secretary of State
shall submit to the appropriate congressional com-
mittees a report analyzing the 1969 Act of Free
Choice.

SEC. 617. REPORT RELATING TO THE MURDERS OF UNITED
STATES CITIZENS JOHN BRANCHIZIO, MARK
PARSON, AND JOHN MARIN LINDE.

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

(1) On October 15, 2003, a convoy of clearly
identified United States diplomatic vehicles was at-
tacked by Palestinian terrorists in Gaza resulting in
the death of United States citizens John Branchizio,
Mark Parson, and John Marin Linde, and the injury
of a fourth United States citizen.

(2) John Branchizio, Mark Parson, and John
Marin Linde were contract employees providing se-
curity to United States diplomatic personnel who
were visiting Gaza in order to identify potential Pal-
estinian candidates for Fulbright Scholarships.
(3) A senior official of the Palestinian Authority was reported to have stated on September 22, 2004, that “Palestinian security forces know who was behind the killing” of John Branchizio, Mark Parson, and John Marin Linde.

(4) Following her visit to Israel and the West Bank on February 7, 2005, Secretary of State Condoleezza Rice announced that she had been “assured by President Abbas of the Palestinian Authority’s intention to bring justice to those who murdered three American personnel in the Gaza in 2003”.

(5) Since the attack on October 15, 2003, United States Government personnel have been prohibited from all travel in Gaza.

(6) The United States Rewards for Justice program is offering a reward of up to $5,000,000 for information leading to the arrest or conviction of any persons involved in the murder of John Branchizio, Mark Parson, and John Marin Linde.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the continued inability or unwillingness of the Palestinian Authority to actively and aggressively pursue the murderers of United States citizens
John Branchizio, Mark Parson, and John Marin Linde and bring them to justice calls into question the Palestinian Authority’s viability as a partner for the United States in resolving the Palestinian-Israeli conflict;

(2) future United States assistance to the Palestinian Authority may be affected, and the continued operation of the PLO Representative Office in Washington may be jeopardized, if the Palestinian Authority does not fully and effectively cooperate in bringing to justice the murderers of John Branchizio, Mark Parson, and John Marin Linde;

and

(3) it is in the vital national security interest of the United States to safeguard, to the greatest extent possible consistent with their mission, United States diplomats and all embassy and consulate personnel, and to use the full power of the United States to bring to justice any individual or entity that threatens, jeopardizes, or harms them.

(c) REPORT.—Not later than 30 days after the date of the enactment of this Act, and every 120 days thereafter, the Secretary of State shall submit a report, on a classified basis if necessary, to the appropriate congressional committees describing—
(1) efforts by the United States to bring to justice the murderers of United States citizens John Branchizio, Mark Parson, and John Marin Linde;

(2) a detailed assessment of efforts by the Palestinian Authority to bring to justice the murderers of John Branchizio, Mark Parson, and John Marin Linde, including—

(A) the number of arrests, interrogations, and interviews by Palestinian Authority officials related to the case;

(B) the number of Palestinian security personnel and man-hours assigned to the case;

(C) the extent of personal supervision or involvement by the President and Ministers of the Palestinian Authority; and

(D) the degree of cooperation between the United States and the Palestinian Authority in regards to this case;

(3) a specific assessment by the Secretary of whether the Palestinian efforts described in paragraph (2) constitute the best possible effort by the Palestinian Authority; and

(4) any additional steps or initiatives requested or recommended by the United States that were not pursued by the Palestinian Authority.
(d) Certification.—The requirement to submit a report under subsection (e) shall no longer apply if the Secretary of State certifies to the appropriate congressional committees that the murderers of United States citizens John Branchizio, Mark Parson, and John Marin Linde have been identified, arrested, and brought to justice.

(e) Definition.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on International Relations and the Committee on Appropriations of the House of Representatives; and

(2) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

SEC. 618. ELIMINATION OF REPORT ON REAL ESTATE TRANSACTIONS.

Section 12 of the Foreign Service Buildings Act, 1926 (22 U.S.C. 303) is hereby repealed.

TITLE VII—STRATEGIC EXPORT CONTROL AND SECURITY ASSISTANCE ACT OF 2005

Subtitle A—General Provisions

SEC. 701. SHORT TITLE.

This title may be cited as the “Strategic Export Control and Security Assistance Act of 2005”.
SEC. 702. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on International Relations and the Committee on Armed Services of the House of Representatives; and

(B) the Committee on Foreign Relations and the Committee on Armed Services of the Senate.

(2) DEFENSE ARTICLES AND DEFENSE SERVICES.—The term “defense articles and defense services” has the meaning given the term in section 47(7) of the Arms Export Control Act (22 U.S.C. 2794 note).

(3) DUAL USE.—The term “dual use” means, with respect to goods or technology, those goods or technology that are specifically designed or developed for civil purposes but which also may be used or deployed in a military or proliferation mode. Such term does not include purely commercial items.

(4) EXPORT.—The term “export” has the meaning given that term in section 120.17 of the International Traffic in Arms Regulations, and in—
cludes re-exports, transfers, and re-transfers by any means.

(5) Export Administration Regulations.—The term “Export Administration Regulations” means those regulations contained in sections 730 through 774 of title 15, Code of Federal Regulations (or successor regulations).

(6) Foreign government.—The term “foreign government” has the meaning given the term in section 38(g)(9)(B) of the Arms Export Control Act (22 U.S.C. 2778(g)(9)(B)).

(7) Foreign Person.—The term “foreign person” has the meaning given the term in section 38(g)(9)(C) of the Arms Export Control Act (22 U.S.C. 2778(g)(9)(C)).

(8) Good.—The term “good” has the meaning given the term in section 16(3) of the Export Administration Act of 1979 (50 U.S.C. App. 2415(3)).

(9) International Traffic in Arms Regulations.—The term “International Traffic in Arms Regulations” means those regulations contained in sections 120 through 130 of title 22, Code of Federal Regulations (or successor regulations).

(10) Item.—The term “item” means any good or technology, defense article or defense service sub-
ject to the export jurisdiction of the United States under law or regulation.

(11) LICENSE.—The term “license” means an official written document of the United States Government issued pursuant to the Export Administration Regulations or the International Traffic in Arms Regulations, as the case may be, authorizing a specific export.

(12) MISSILE TECHNOLOGY CONTROL REGIME; MTCR.—The term “Missile Technology Control Regime” or “MTCR” has the meaning given the term in section 11B(c)(2) of the Export Administration Act of 1979 (50 U.S.C. App. 2401b(c)(2)).

(13) MISSILE TECHNOLOGY CONTROL REGIME ANNEX; MTCR ANNEX.—The term “Missile Technology Control Regime Annex” or “MTCR Annex” has the meaning given the term in section 11B(c)(4) of the Export Administration Act of 1979 (50 U.S.C. App. 2401b(c)(4)).

(14) PERSON.—The term “person” has the meaning given the term in section 38(g)(9)(E) of the Arms Export Control Act (22 U.S.C. 2778(g)(9)(E)).

(15) STRATEGIC EXPORT CONTROL.—The term “strategic export control” means the control of items
subject to the export jurisdiction of the United
States pursuant to the International Traffic in Arms
Regulations or the Export Administration Regula-
tions.

(16) TECHNOLOGY.—The term “technology”
has the meaning given the term in section 16(4) of
the Export Administration Act of 1979 (50 U.S.C.
App. 2415(4)).

(17) UNITED STATES MUNITIONS LIST.—The
term “United States Munitions List” means the list
referred to in section 38(a)(1) of the Arms Export
Control Act (22 U.S.C. 2778(a)(1)).

SEC. 703. DECLARATION OF POLICY.
Congress declares that, at a time of evolving threats
and changing relationships with other countries, United
States strategic export controls are in urgent need of a
comprehensive review in order to assure such controls are
achieving their intended purposes of protecting the na-
tional security interests of the United States in the Global
War on Terrorism and of promoting the foreign policy
purposes of the United States, in particular by assuring
that—

(1) export license procedures are properly de-
dsigned to prioritize readily which exports may be ap-
proved quickly for United States friends and allies
and which require greater scrutiny in order to safeguard national interests;

(2) technology related to the military superiority of the United States Armed Forces is safeguarded during and after export to a high level of confidence; and

(3) overlapping and duplicative functions among the responsible departments and agencies of the Government of the United States are consolidated and integrated wherever appropriate in order to enhance efficiency, information sharing, and the consistent execution of United States policy.

Subtitle B—Revising and Strengthening Strategic Export Control Policies

SEC. 711. AMENDMENTS TO THE STATE DEPARTMENT BASIC AUTHORITIES ACT OF 1956.

(a) Under Secretary for Arms Control and International Security.—Section 1(b)(2) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(b)(2)) is amended—

(1) in the first sentence, by striking “There” and inserting the following:

“(A) IN GENERAL.—There”; and
(2) by adding at the end the following new sub-
paragraph:

“(B) DUTIES.—The Under Secretary for
Arms Control and International Security shall
be responsible for—

“(i) coordinating and executing a
United States strategy for strengthening
multilateral export controls;

“(ii) coordinating the activities of all
bureaus and offices of the Department of
State that have responsibility for export
control policy, licensing, or assistance; and

“(iii) serving as the chairperson of the
Strategic Export Control Board established
under section 712 of the Strategic Export
Control and Security Assistance Act of
2005.”.

(b) DEPUTY UNDER SECRETARY FOR STRATEGIC
EXPORT CONTROL.—Section 1(b)(2) of the State Depart-
ment Basic Authorities Act of 1956 (22 U.S.C.
2651a(b)(2)), as amended by subsection (a), is further
amended by adding at the end the following new subpar-
graph:

“(C) DEPUTY UNDER SECRETARY FOR
STRATEGIC EXPORT CONTROL.—There shall be
in the Department of State a Deputy Under Secretary for Strategic Export Control who shall have primary responsibility to assist the Under Secretary for Arms Control and International Security in carrying out the responsibility of the Under Secretary described in subparagraph (B)(iii).”.

(c) Defense Trade Controls Registration Fees.—Section 45 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2717) is amended—

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

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

(3) by adding at the end the following new paragraph:

“(4) functions of the Strategic Export Control Board established under section 712 of the Strategic Export Control and Security Assistance Act of 2005.”.

SEC. 712. STRATEGIC EXPORT CONTROL BOARD.

(a) Establishment.—There is established a Strategic Export Control Board (hereinafter in this section referred to as the “Board”). The Board shall consist of representatives from the Department of Commerce, the De-
partment of Defense, the Department of Homeland Secu-
ity, the Department of Justice, the National Security
Council, the intelligence community (as defined in section
3(4) of the National Security Act of 1947 (50 U.S.C.
401a(4)), and other appropriate departments and agencies
of the Government of the United States, and the Under
Secretary for Arms Control and International Security of
the Department of State. The Under Secretary for Arms
Control and International Security shall serve as the
chairperson of the Board.

(b) FUNCTIONS.—The Board shall—

(1) conduct a comprehensive review of United
States strategic export controls in the context of the
Global War on Terrorism in order to strengthen con-
trols by regulation, where appropriate, and to formu-
late legislative proposals for any new authorities that
are needed for counter-terrorism purposes;

(2) develop a strategy for ensuring a high level
of confidence in the export control of any items im-
portant to the current and future military superi-
ority of the United States Armed Forces, including
in particular the security of sensitive software
through the use of tamper-resistant security soft-
ware and other emerging technologies;
(3) design standards and best practices for information assurance and protection for the robust information technology systems, such as virtual private networks, already utilized by United States defense firms in the conduct of their export control regulated activities with foreign partners, which can also gain the support of United States friends and allies;

(4) formulate, with the assistance of the United States defense industry and the support of United States friends and allies, an automated international delivery confirmation system for commercial shipments of lethal and other high risk items in order to afford improved protection against attempts to disrupt international supply chains or to divert sensitive items to gray arms markets;

(5) prepare recommendations for the President and Congress, as appropriate, with respect to—

(A) the consolidation of overlapping or duplicative functions among the responsible departments and agencies of the Government of the United States in such areas as enforcement, end use monitoring, export licensing, watch lists, and related areas;
(B) the cost-savings associated with integ-

ration of export licensing staffs and the pro-
mulgation of integrated export control regula-
tions; and

(C) the resultant rationalization of budg-
etary resources to be authorized among the re-
sponsible departments and agencies of the
United States Government;

(6) establish the necessary departmental and
inter-agency controls that will ensure legitimate ex-
ports by United States business organizations can be
readily identified and generally approved within 10
days, but no later than 30 days in more complex
cases, except in unusual circumstances, such as
those requiring congressional notification or foreign
government assurances;

(7) review and revise, where appropriate, plans
for modernizing information technology systems of
the relevant departments and agencies of the Gov-
ernment of the United States involved in export li-
censing, export enforcement, and screening of in-
volved private parties to ensure efficient, reliable,
and secure intra-governmental networks, at the ear-
liest practicable date among the relevant depart-
ments and agencies and United States exporters;

and

(8) develop a strategy for strengthening the multilateral control regimes or developing new regimes, as appropriate, to augment or supplement existing international arrangements.

(c) REPORT BY COMPTROLLER GENERAL.—Not later than one year, two years, and three years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report that contains—

(1) an independent assessment of progress made by the Board in carrying out its functions under paragraphs (1) through (8) of subsection (b);

(2) the budgetary impact of each of the recommendations prepared under subsection (b)(5) and any additional recommendations prepared by the Comptroller General and the budgetary impact of such recommendations; and

(3) a certification as to whether the Comptroller General had access to sufficient information to enable the Comptroller General to make informed judgments on the matters covered by the report.
Subtitle C—Procedures Relating to Export Licenses

SEC. 721. TRANSPARENCY OF JURISDICTIONAL DETERMINATIONS.

(a) DECLARATION OF POLICY.—Congress declares that the complete confidentiality surrounding several thousand commodity classification determinations made each year by the Department of Commerce pursuant to the Export Administration Regulations and several hundred commodity jurisdiction determinations made each year by the Department of State pursuant to the International Traffic in Arms Regulations is not necessary to protect legitimate proprietary interests of persons or their prices and customers, is not in the best interests of the security and foreign policy interests of the United States, is inconsistent with the need to ensure a level playing field for United States exporters, and detracts from United States efforts to promote greater transparency and responsibility by other countries in their export control systems.

(b) PUBLICATION REQUIREMENT.—The Secretary of Commerce and the Secretary of State shall—

(1) upon making a commodity classification determination or a commodity jurisdiction classification, as the case may be, referred to in subsection (a) in response to a request by a private person,
publish in the Federal Register, not later than 30
days after the date of the determination—

   (A) a description of the item, including
   performance levels or other technical character-
   istics where appropriate,

   (B) an explanation of whether the item is
   controlled under the International Traffic in
   Arms Regulations or the Export Administration
   Regulations, and

   (C) the United States Munitions List des-
   ignation or export control classification number
   under which the item has been designated or
   classified, as the case may be,

except that the name of the name of the person, the
person’s business organization, customers, or prices
are not required to be published; and

   (2) maintain on their respective Internet
   websites an archive, that is accessible to the general
   public and other departments and agencies of the
   United States, of the determinations published in
   the Federal Register under paragraph (1).

(c) REPORT.—Not later than 120 days after the date
of the enactment of this Act, the Secretary of State and
the Secretary of Commerce shall submit to the appropriate
congressional committees a joint report that contains a de-
scription of the plans to implement the requirements of this section.

(d) REQUIREMENT.—Notwithstanding any other provision of law, beginning 180 days after the date of the enactment of this Act, the Secretary of Commerce may make a commodity classification determination referred to in subsection (a), and the Secretary of State may make a commodity jurisdiction determination referred to in subsection (a), in response to a request by a private person only in accordance with the requirements of subsection (b).

SEC. 722. CERTIFICATIONS RELATING TO EXPORT OF CERTAIN DEFENSE ARTICLES AND DEFENSE SERVICES.

(a) REPORTS ON COMMERCIAL AND GOVERNMENTAL MILITARY EXPORTS; CONGRESSIONAL ACTION.—Section 36(c) of the Arms Export Control Act (22 U.S.C. 2776(c)) is amended—

(1) in the first sentence of paragraph (1), by inserting after “$1,000,000 or more” the following: “, or, notwithstanding section 27(g) of this Act, for any special comprehensive authorization under sections 120–130 of title 22, Code of Federal Regulations (commonly known as the ‘International Traffic in Arms Regulations’) for the export of defense
articles or defense services in an aggregate amount of $100,000,000 or more’’;

(2) in paragraph (2)—

(A) in subparagraph (A), by adding “and” at the end;

(B) by striking subparagraph (B); and

(C) by redesignating subparagraph (C) as subparagraph (B); and

(3) in the matter preceding subparagraph (A) of paragraph (5), by inserting “or paragraph (2)” after “paragraph (1)”.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Department of State should revise its procedures in order to improve the timeliness and quality of service it is providing to United States exporters concerning matters requiring notification to Congress under sections 3 and 36 of the Arms Export Control Act (22 U.S.C. 2753 and 2776) by—

(1) expediting its internal and interagency processes such that consultations with the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate commence not later than 30 days following receipt of a proposal requiring notification;
(2) providing informal notice to such Committees within 10 days of receipt of such a proposal, such that questions by the Committees may be addressed wherever feasible in conjunction with the Department’s processing; and

(3) making each interval in the processing of the proposal transparent to United States exporters through the Internet website of the Department.

SEC. 723. PRIORITY FOR UNITED STATES MILITARY OPERATIONS.

The Secretary of State may not accord higher priority in the adjudication of munitions export licenses to any measure included within the “Defense Trade Security Initiative” announced by the Department of State in May 2000 over the processing of licenses in support of Operation Enduring Freedom, Operation Iraqi Freedom, or any other military operation involving the United States Armed Forces.

SEC. 724. LICENSE OFFICER STAFFING AND WORKLOAD.

Section 36(a) Arms Export Control Act (22 U.S.C. 2776(a)) is amended—

(1) in paragraph (11), by striking “and” at the end;

(2) in paragraph (12), by striking the period at the end and inserting “; and”; and
(3) by adding at the end the following new paragraph:

“(13) a report on the number of civilian and military officers assigned to munitions export licensing at the Department of State and their average weekly workload for both open and closed cases.”.

SEC. 725. DATABASE OF UNITED STATES MILITARY ASSISTANCE.

Section 655 of the Foreign Assistance Act of 1961 (22 U.S.C. 2415) is amended by striking subsection (c) and inserting the following new subsection:

“(c) AVAILABILITY OF REPORT INFORMATION ON THE INTERNET.—

“(1) REQUIREMENT FOR DATABASE.—The Secretary of State, in consultation with the Secretary of Defense, shall make available to the public the unclassified portion of each such report in the form of a database that is available via the Internet and that may be searched by various criteria.

“(2) SCHEDULE FOR UPDATING.—Not later than April 1 of each year, the Secretary of State shall make available in the database the information contained in the annual report for the fiscal year ending the previous September 30.”.
SEC. 726. TRAINING AND LIAISON FOR SMALL BUSINESSES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that it is increasingly important that the Secretary of State, in administering the licensing, registration, compliance, and other authorities contained in section 38 of the Arms Export Control Act (22 U.S.C. 2778), should provide up-to-date training and other educational assistance to small businesses in the United States aerospace and defense industrial sector.

(b) SMALL BUSINESS LIAISON.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall designate, within the Office of Defense Trade Controls of the Department of State, a coordinator for small business affairs. The coordinator shall serve as a liaison for small businesses in the United States aerospace and defense industrial sector with respect to licensing and registration requirements in order to facilitate the compliance and other forms of participation by such small businesses in the United States munitions control system, including by providing training, technical assistance, and through other efforts as may be appropriate.

SEC. 727. COMMERCIAL COMMUNICATIONS SATELLITE TECHNICAL DATA.

Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense, shall amend the Inter-
national Traffic in Arms Regulations to provide for the export without a license of communications satellite technical data, at a level established by the Secretary of Defense, in instances in which—

(1) the exporter is a person registered under section 38(b) of the Arms Export Control Act (22 U.S.C. 2778(b));

(2) the purpose of the export is to market a sale of a United States manufactured communications satellite solely for commercial or civil end use;

(3) no party to the transaction is proscribed under section 126.1 of the Regulations or otherwise restricted from receiving United States defense articles; and

(4) each end user or recipient has agreed in writing not to reexport or retransfer the United States furnished technical data to any other person without the prior written consent of the United States Government.

SEC. 728. REPORTING REQUIREMENT FOR UNLICENSED EXPORTS.

Section 655(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2415(b)) is amended—

(1) in paragraph (2), by striking “or” at the end;
(2) in paragraph (3), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(4) were exported without a license under section 38 of the Arms Export Control Act (22 U.S.C. 2778) pursuant to an exemption established under the International Traffic in Arms Regulations, other than defense articles exported in furtherance of a letter of offer and acceptance under the Foreign Military Sales program or a technical assistance or manufacturing license agreement, including the specific exemption provision in the regulation under which the export was made.”.

Subtitle D—Terrorist-Related Provisions and Enforcement Matters

SEC. 731. SENSITIVE TECHNOLOGY TRANSFERS TO FOREIGN PERSONS LOCATED WITHIN THE UNITED STATES.

(a) WEAPONS TRANSFERS.—Pursuant to regulations issued under section 38(g)(6) of the Arms Export Control Act (22 U.S.C. 2778(g)(6)), the President shall require a license for the transfer of any defense articles and defense services, other than a firearm for personal use, specified in a report required under subsection (c) to a foreign per-
son located within the United States (other than to a for-
eign government, unless such government is proscribed
under section 126.1 of the International Traffic in Arms
Regulations or otherwise restricted from receiving defense
articles and defense services).

(b) Dual Use Transfers.—Notwithstanding any
other provision of law, the President may require a license
under the Export Administration Regulations for the
transfer of any dual use goods and technology, other than
a firearm for personal use, specified in a report required
under subsection (c) to a foreign person located within the
United States.

(c) Report.—Not later than 180 days after the date
of the enactment of this Act, and annually thereafter, the
Secretary of State, in consultation with the Attorney Gen-
eral and the Secretary of Homeland Security, shall submit
to the appropriate congressional committees a report that
specifies those items which warrant scrutiny and enforce-
ment by the Government of the United States through li-
cense procedures prior to a transfer to a foreign person
located within the United States in order to deter efforts
on the part of such person to acquire such items for ter-
rorist or other unlawful purposes.
SEC. 732. CERTIFICATION CONCERNING EXEMPT WEAPONS TRANSFERS ALONG THE NORTHERN BORDER OF THE UNITED STATES.

Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State, in consultation with the Secretary of Homeland Security, shall submit to the appropriate congressional committees a written report certifying that—

(1) provisions of the International Traffic in Arms Regulations permitting unlicensed temporary imports into the United States from Canada by any person of any unclassified defense article on the United States Munitions List do not present a risk to the national security of the United States; and

(2) personnel of the Bureau of Customs and Border Protection of the Department of Homeland Security located along the northern border of the United States have adequate written guidance from the Department of State which permits them to effectively enforce provisions of the International Traffic in Arms Regulations permitting unlicensed exports to Canada of certain items on the United States Munitions List.

SEC. 733. COMPREHENSIVE NATURE OF UNITED STATES ARMS EMBARGOES.

(a) Findings; Sense of Congress.—
(1) FINDINGS.—Congress finds that—

(A) governments to which the Government of the United States prohibits by law or policy the transfer of implements of war, including material, components, parts, and other defense articles and defense services (as defined in paragraphs (3) and (4) of section 47 of the Arms Export Control Act (22 U.S.C. 2794(3) and (4)), respectively) continue to seek to evade these embargoes through increasingly sophisticated illegal acquisitions via the “international gray arms market” and by seeking to exploit weaknesses in the export control system of the United States and its friends and allies; and

(B) the strict and comprehensive application of arms embargoes referred to in subparagraph (A), including those embargoes established by the United Nations Security Council, is of fundamental importance to the security and foreign policy interests of the United States.

(2) SENSE OF CONGRESS.—It is the sense of Congress that the United States Government should continue to provide a leadership role internationally
in ensuring the effectiveness of arms embargoes referred to in paragraph (1).

(b) SCOPE OF EMBARGOES.—Section 38 of the Arms Export Control Act (22 U.S.C. 2778) is amended by adding at the end the following:

“(k) Whenever the United States maintains an arms embargo pursuant to United States law, or through public notice by the President or Secretary of State pursuant to the authorities of this Act, no defense article or defense service subject to sections 120–130 of title 22, Code of Federal Regulations (commonly known as the ‘International Traffic in Arms Regulations’) and no dual use good or technology subject to sections 730–774 of title 15, Code of Federal Regulations (commonly known as the ‘Export Administration Regulations’) shall be sold or transferred to the military, intelligence or other security forces of the embargoed government, including any associated governmental agency, subdivision, entity, or other person acting on their behalf, unless, at a minimum and without prejudice to any additional requirements established in United States law or regulation, the Secretary of State and the Secretary of Defense have concurred in the sale or transfer through issuance of a license.”.

(c) ESTABLISHMENT OF CONTROLS.—The Secretary of State shall consult with the Secretary of Commerce to
ensure the establishment of appropriate foreign policy and
national security controls and license requirements under
the Export Administration Regulations in order to ensure
the effective implementation of section 38(k) of the Arms
Export Control Act, as added by subsection (b).

(d) REPORT.—Not later than 120 days after the date
of the enactment of this Act, the Secretary of State shall
submit to the appropriate congressional committees a re-
port that describes the actions taken to implement the re-
quirements of subsection (c).

SEC. 734. CONTROL OF ITEMS ON MISSILE TECHNOLOGY
CONTROL REGIME ANNEX.

(a) SENSE OF CONGRESS.—It is the sense of Con-
gress that all proposals to export or transfer to foreign
persons by other means, whether in the United States or
abroad, and any other activities subject to regulation
under section 38, 39, or 40 of the Arms Export Control
Act (22 U.S.C. 2778, 2779, or 2780), relating to items
on the Missile Technology Control Regime Annex, should
be accorded stringent control and scrutiny consistent with
the purposes of section 71 of the Arms Export Control
Act (22 U.S.C. 2797).

(b) CONTROL OF ITEMS ON MTCR ANNEX.—The
Secretary of State, in coordination with the Secretary of
Commerce, the Attorney General, and the Secretary of De-
fense, shall ensure that all items on the MTCR Annex are
subject to stringent control by the Government of the
United States pursuant to the International Traffic in
Arms Regulations and the Export Administration Regula-
tions.

(c) CERTIFICATION.—Not later than March 1 of each
year, the Secretary of State, in coordination with the Sec-
etary of Commerce, the Attorney General and the Sec-
etary of Defense, shall prepare and submit to the appro-
priate congressional committees a report that contains—

(1) a certification that the requirement of sub-
section (b) has been met for the prior year, or if the
requirement has not been met, the reasons therefor;
and

(2) a description of the updated coverage, if
any, of the regulations referred to in subsection (b)
with respect to all items on the MTCR Annex and
an explanation of any areas of overlap or omissions,
if any, among the regulations.

SEC. 735. UNLAWFUL USE OF UNITED STATES DEFENSE AR-
TICLES.

(a) INELIGIBILITY FOR TERRORIST RELATED
TRANSACTIONS.—Section 3(c)(1) of the Arms Export
Control Act (22 U.S.C. 2753(c)(1)) is amended—
(1) in each of subparagraphs (A) and (B), by
striking “or any predecessor Act,” and inserting “,
any predecessor Act, or licensed or approved under
section 38 of this Act, to carry out a transaction
with a country, the government of which the Sec-
retary of State has determined is a state sponsor of
international terrorism for purposes of section
6(j)(1) of the Export Administration Act of 1979
(50 U.S.C. App. 2405(j)(1)), or otherwise uses such
defense articles or defense services”; and

(2) by adding at the end the following:

“(C) In this section, the term ‘transaction’
means the taking of any action, directly or indi-
rectly, by a foreign country that would be a
transaction prohibited by section 40 of this Act
with respect to the United States Government
and United States persons.”.

(b) REPORTING REQUIREMENT.—Section 3(e) of the
Arms Export Control Act (22 U.S.C. 2753(e)) is amended
by inserting after “the Foreign Assistance Act of 1961,”
the following: “regardless of whether the article or service
has been sold or otherwise furnished by the United States
Government or licensed under section 38 of this Act,”.
Subtitle E—Strengthening United States Missile Nonproliferation Law

SEC. 741. PROBATIONARY PERIOD FOR FOREIGN PERSONS.

(a) In General.—Notwithstanding any other provision of law, upon the expiration, or the granting of a waiver, on or after January 1, 2003, of sanctions against a foreign person imposed under section 73(a) of the Arms Export Control Act (22 U.S.C. 2797b(a)) or under section 11B(b)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2410b(b)(1)), as continued in effect under the International Emergency Economic Powers Act, a license shall be required, for a period of not less than 3 years, for the export to that foreign person of all items controlled for export under section 5 or 6 of the Export Administration Act of 1979 (50 U.S.C. App. 2404, 2405), as continued in effect under the International Emergency Economic Powers Act, in accordance with the Export Administration Regulations.

(b) Termination.—Subsection (a) shall not apply to a foreign person 30 days after the President notifies the Committee on International Relations of the House of Representatives and the Committee on Banking, Housing and Urban Affairs and the Committee on Foreign Rela-
tions of the Senate that the President has determined
that—

(1) the foreign person has—

(A) ceased all activity related to the original
imposition of sanctions under section 73(a)
of the Arms Export Control Act or section
11B(b)(1) of the Export Administration Act of
1979, as the case may be; and

(B) has instituted a program of trans-
pparency measures under which the United
States will be able to verify, for a period of at
least 3 years, that the foreign person is not en-
gaging in prohibited activities under those pro-
visions of law referred to in paragraph (1); and

(2) there has been an appropriate resolution of
the original violation or violations, such as financial
penalties, incarceration, destruction of prohibited
items, or other appropriate measures taken to pre-
vent a recurrence of the violation or violations.

(c) WAIVER.—Subsection (a) shall not apply to a for-

(1) the President issues a waiver of sanctions
imposed upon that person under section 73(a) of the
Arms Export Control Act or under section
11B(b)(1) of the Export Administration Act of
1979, on the basis that the waiver is essential to the national security of the United States;

(2) the President designates the waiver as classified information (as defined in section 606 of the National Security Act of 1947 (50 U.S.C. 426)); and

(3) the President transmits to the committees referred to in subsection (b)—

(A) a justification for designating the waiver as classified information; and

(B) a description of—

(i) any discussions with the foreign person, concerning the activities that were the subject of the sanctions, that have been conducted by United States Government officials, or by officials of the government of the country that has jurisdiction over the foreign person or in which the foreign person conducted such activities; and

(ii) any actions that the foreign person, or the government of the country that has jurisdiction over the foreign person or in which the foreign person conducted the activities that were the subject of the sancc-
tions, has taken to prevent a recurrence of
the same or similar activities.

SEC. 742. STRENGTHENING UNITED STATES MISSILE PRO-
LIFERATION SANCTIONS ON FOREIGN PER-
SONS.

(a) ARMS EXPORT CONTROL ACT.—Section 73(a)(2)
of the Arms Export Control Act (22 U.S.C. 2797b(a)(2))
is amended by striking “2 years” each place it appears
and inserting “4 years”.

(b) PUBLIC INFORMATION.—Section 73(e)(2) of the
Arms Export Control Act (22 U.S.C. 2797b(e)(2)) is
amended by adding at the end the following new sentence:
“Such report may be classified only to the extent nec-
essary to protect intelligence sources and methods. If the
report is so classified, the President shall make every ef-
fort to acquire sufficient alternative information that
would allow a subsequent unclassified version of the report
to be issued.”.

(c) EXPORT ADMINISTRATION ACT OF 1979.—Any
sanction imposed on a foreign person under section
11B(b)(1) of the Export Administration Act of 1979 (50
U.S.C. App. 2410b(b)(1)), as continued in effect under
the International Emergency Economic Powers Act, shall
be in effect for a period of 4 years beginning on the date
on which the sanction was imposed.
(d) **APPLICABILITY.**—The amendments made by subsections (a) and (b) and the provisions of subsection (c) shall apply to all sanctions imposed under section 73(a) of the Arms Export Control Act or section 11B(b)(1) of the Export Administration Act of 1979, as continued in effect under the International Emergency Economic Powers Act, by reason of acts giving rise to such sanctions that were committed by foreign persons on or after January 1, 2004.

**SEC. 743. COMPREHENSIVE UNITED STATES MISSILE PROLIFERATION SANCTIONS ON ALL RESPONSIBLE FOREIGN PERSONS.**

(a) **ARMS EXPORT CONTROL ACT.**—Section 73(a) of the Arms Export Control Act (22 U.S.C. 2797b(a)) is amended by adding at the end the following new paragraph:

"(3)(A) Sanctions imposed upon a foreign person under paragraph (2) shall also be imposed on any governmental entity that the President determines exercises effective control over, benefits from, or directly or indirectly facilitates the activities of that foreign person.

"(B) When a sanction is imposed on a foreign person under paragraph (2), the President may also impose that sanction on any other person or entity that the President has reason to believe has or may acquire prohibited items
with the intent to transfer to that foreign person, or pro-
vide to that foreign person access to, such items. In this
subparagraph, ‘prohibited items’ are items that may not
be exported to that foreign person on account of the sanc-
tion imposed on that foreign person.

“(C) The President may also prohibit, for such period
of time as the President may determine, any transaction
or dealing, by a United States person or within the United
States, with any foreign person on whom sanctions have
been imposed under this subsection.

“(D) The President shall report on an annual basis
to the Committee on International Relations of the House
of Representatives and the Committee on Foreign Rela-
tions of the Senate the identity of any foreign person that
engages in any transaction or activity with a foreign per-
son on whom sanctions have been imposed under this sub-
section that either—

“(i) would be the basis for imposing sanctions
under subparagraph (B) but for which sanctions
have not been imposed; or

“(ii) would be the basis for imposing sanctions
under subparagraph (C) if the transaction or activity
had been carried out by a United States person or
by a person in the United States.
Such report shall be unclassified to the maximum extent feasible, but may include a classified annex.’’.

(b) DEFINITION OF PERSON.—Section 74(a)(8)(A) of the Arms Export Control Act (22 U.S.C. 2797c(a)(8)(A)) is amended to read as follows:

‘‘(8)(A) The term ‘person’ means—

(i) a natural person;

(ii) a corporation, business association, partnership, society, trust, transnational corporation, or transnational joint venture, any other nongovernmental entity, organization, or group, and any governmental entity;

(iii) any subsidiary, subunit, or parent entity of any business enterprise or other organization or entity listed in clause (ii); and

(iv) any successor of any business enterprise or other organization or entity listed in clause (ii) or (iii); and’’.

(c) EXPORT ADMINISTRATION ACT OF 1979.—

2410b(b)(1)(B)), as continued in effect under the International Emergency Economic Powers Act (in this subsection referred to as a “dual use sanction”), shall also be imposed on any governmental entity that the President determines exercises effective control over, benefits from, or directly or indirectly facilitates the activities of that foreign person.

(2) OTHER ENTITIES.—When a dual use sanction is imposed on a foreign person, the President may also impose that sanction on any other person or entity that the President has reason to believe has or may acquire prohibited items with the intent to transfer to that foreign person, or provide to that foreign person access to, such items. In this paragraph, “prohibited items” are items that may not be exported to that foreign person on account of the dual use sanction imposed on that foreign person.

(3) TRANSACTIONS BY THIRD PARTIES.—The President may also prohibit, for such period of time as he may determine, any transaction or dealing, by a United States person or within the United States, with any foreign person on whom dual use sanctions have been imposed.

(4) REPORT.—The President shall submit on an annual basis to the Committee on International
Relations of the House of Representatives and the Committee on Banking, Housing and Urban Affairs and the Committee on Foreign Relations of the Senate a report that contains the identity of any foreign person that engages in any transaction or activity with a foreign person on whom dual use sanctions have been imposed that either—

(A) would be the basis for imposing dual use sanctions under paragraph (2) but for which such sanctions have not been imposed; or

(B) would be the basis for imposing dual use sanctions under paragraph (3) if the transaction or activity had been carried out by a United States person or by a person in the United States.

Such report shall be unclassified to the maximum extent feasible, but may include a classified annex.

(5) Definitions.—In this subsection:

(A) Missile equipment or technology.—The term “missile equipment or technology” has the meaning given that term in section 11B(c) of the Export Administration Act of 1979 (50 U.S.C. App. 2410b(c)).

(B) Person.—

(i) The term “person” means.—
(I) a natural person;

(II) a corporation, business association, partnership, society, trust, transnational corporation, or transnational joint venture, any other nongovernmental entity, organization, or group, and any governmental entity;

(III) any subsidiary, subunit, or parent entity of any business enterprise or other organization or entity listed in subclause (II); and

(IV) any successor of any business enterprise or other organization or entity listed in subclause (II) or (III).

(ii) In the case of countries where it may be impossible to identify a specific governmental entity referred to in clause (i), the term “person” means

(I) all activities of that government relating to the development or production of any missile equipment or technology; and
(II) all activities of that government affecting the development or production of aircraft, electronics, and space systems or equipment.

(C) UNITED STATES PERSON.—The term “United States person” has the meaning given that term in section 16(2) of the Export Administration Act of 1979 (50 U.S.C. App. 2415(2)).

(d) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply with respect to sanctions imposed on or after January 1, 2004, on foreign persons under section 73(a)(2) of the Arms Export Control Act, and the provisions of subsection (c) shall apply with respect to sanctions imposed on or after January 1, 2004, on foreign persons under section 11B(b)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2410b(b)(1)), as continued in effect under the International Emergency Economic Powers Act.

Subtitle F—Security Assistance and Related Provisions

SEC. 751. AUTHORITY TO TRANSFER NAVAL VESSELS TO CERTAIN FOREIGN COUNTRIES.

(a) AUTHORITY TO TRANSFER BY GRANT.—The President is authorized to transfer vessels to foreign coun-
tries on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j), as follows:

(1) GREECE.—To the Government of Greece, the OSPREY class minehunter coastal ship PELICAN (MHC–53).

(2) EGYPT.—To the Government of Egypt, the OSPREY class minehunter coastal ships CARDINAL (MHC–60) and RAVEN (MHC–61).

(3) PAKISTAN.—To the Government of Pakistan, the SPRUANCE class destroyer ship FLETCHER (DD–992).

(4) TURKEY.—To the Government of Turkey, the SPRUANCE class destroyer ship CUSHING (DD–985).

(b) AUTHORITY TO TRANSFER BY SALE.—The President is authorized to transfer vessels to foreign countries on a sale basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761), as follows:

(1) INDIA.—To the Government of India, the AUSTIN class amphibious transport dock ship TRENTON (LPD–14).

(2) GREECE.—To the Government of Greece, the OSPREY class minehunter coastal ship HERON (MHC–52).
(3) **Turkey.**—To the Government of Turkey, the SPRUANCE class destroyer ship O’BANNON (DD–987).

(c) **Grants not counted in annual total of transferred excess defense articles.**—The value of a vessel transferred to another country on a grant basis pursuant to authority provided by subsection (a) shall not be counted against the aggregate value of excess defense articles transferred to countries in any fiscal year under section 516(g) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(g)).

(d) **Costs of transfers.**—Any expense incurred by the United States in connection with a transfer authorized under subsection (a) or (b) shall be charged to the recipient.

(e) **Repair and refurbishment in United States shipyards.**—To the maximum extent practicable, the President shall require, as a condition of the transfer of a vessel under this section, that the country to which the vessel is transferred have such repair or refurbishment of the vessel as is needed, before the vessel joins the naval forces of that country, performed at a shipyard located in the United States, including a United States Navy shipyard.
(f) Expiration of Authority.—The authority to transfer a vessel under this section shall expire at the end of the two-year period beginning on the date of the enactment of this Act.

SEC. 752. TRANSFER OF OBSOLETE AND SURPLUS ITEMS FROM KOREAN WAR RESERVES STOCKPILE AND REMOVAL OR DISPOSAL OF REMAINING ITEMS.

(a) Transfer of Items in Korean Stockpile.—

(1) Authority.—Notwithstanding section 514 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h), the President is authorized to transfer to the Republic of Korea, in return for concessions to be negotiated by the Secretary of Defense, any or all of the items described in paragraph (2).

(2) Covered Items.—The items referred to in paragraph (1) are munitions, equipment, and material such as tanks, trucks, artillery, mortars, general purpose bombs, repair parts, barrier material, and ancillary equipment, if such items are—

(A) obsolete or surplus items;

(B) in the inventory of the Department of Defense;

(C) intended for use as reserve stocks for the Republic of Korea; and
(D) as of the date of the enactment of this Act, located in a stockpile in the Republic of Korea.

(3) Valuation of concessions.—(A) The value of concessions negotiated pursuant to paragraph (1) shall be at least equal to—

(i) the fair market value of the items transferred; minus

(ii) the savings to the Department of Defense of the cost of removal of the items from the Republic of Korea and disposal of the items that would have been incurred by the Department but for the transfer of the items pursuant to paragraph (1), not to exceed the fair market value of the items transferred.

(B) The concessions may include cash compensation, service, waiver of charges otherwise payable by the United States, such as charges for demolition of United States-owned or United States-intended munitions, and other items of value.

(4) Prior notifications of proposed transfers.—Not less than 30 days before making a transfer under the authority of this subsection, the President shall transmit to the Committees on Armed Services and International Relations of the
House of Representatives and the Committees on
Armed Services and Foreign Relations of the Senate
a detailed notification of the proposed transfer,
which shall include an identification of the items to
be transferred and the concessions to be received.

(5) TERMINATION OF AUTHORITY.—No transfer
may be made under the authority of this subsection
more than three years after the date of the enact-
ment of this Act.

(b) REMOVAL OR DISPOSAL OF REMAINING ITEMS IN
KOREAN STOCKPILE.—The President shall provide for the
removal or disposal of all items described in subsection
(a)(2) that are not transferred pursuant to the authority
of subsection (a) by not later than four years after the
date of the enactment of this Act.

SEC. 753. EXTENSION OF PAKISTAN WAIVERS.
The Act entitled “An Act to authorize the President
to exercise waivers of foreign assistance restrictions with
respect to Pakistan through September 30, 2003, and for
other purposes”, approved October 27, 2001 (Public Law
107–57; 115 Stat. 403), is amended—
(1) in section 1(b)—
(A) in the heading, by striking “FISCAL
YEARS 2005 AND 2006” and inserting “FISCAL
YEARS 2006 AND 2007”; and
(B) in paragraph (1), by striking “2005 or 2006” and inserting “2006 or 2007”; (2) in section 3(2), by striking “and 2006” and inserting “2006, and 2007”; and (3) in section 6, by striking “2006” and inserting “2007”.

SEC. 754. REPORTING REQUIREMENT FOR FOREIGN MILITARY TRAINING.

Subsection (a)(1) of section 656 of the Foreign Assistance Act of 1961 (22 U.S.C. 2416) is amended—

(1) by striking “January 31” and inserting “March 1”; and

(2) by striking “and all such training proposed for the current year”.

SEC. 755. CERTAIN SERVICES PROVIDED BY THE UNITED STATES IN CONNECTION WITH FOREIGN MILITARY SALES.

(a) QUALITY ASSURANCE, INSPECTION, CONTRACT ADMINISTRATION, AND CONTRACT AUDIT DEFENSE SERVICES.—Section 21(h)(1)(A) of the Arms Export Control Act (22 U.S.C. 2761(h)(1)(A)) is amended by inserting after “North Atlantic Treaty Organization” the following: “or the Governments of Australia, New Zealand, Japan, or Israel”.
(b) Cataloging Data and Services.—Section 21(h)(2) of the Arms Export Control Act (22 U.S.C. 2761(h)(2)) is amended by striking “or to any member government of that Organization if that Organization or member government” and inserting “, to any member of that Organization, or to the Governments of Australia, New Zealand, Japan, or Israel if that Organization, member government, or the Governments of Australia, New Zealand, Japan, or Israel”.

SEC. 756. MARITIME INTERDICTION PATROL BOATS FOR MOZAMBIQUE.

(a) In General.—Of the amounts made available to carry out section 23 of the Arms Export Control Act for fiscal year 2006, there is authorized to be appropriated $1,000,000 for refurbishment, delivery, operational training, and related costs associated with the provision of not more than four excess coastal patrol boats to the Government of Mozambique for maritime patrol and interdiction activities.

(b) Availability.—Amounts appropriated pursuant to the authorization of appropriations under subsection (a) are authorized to remain available until September 30, 2007.
SEC. 757. REIMBURSEMENT FOR INTERNATIONAL MILITARY EDUCATION AND TRAINING.

Section 541 of the Foreign Assistance Act of 1961 (22 U.S.C. 2347) is amended—

(1) in the first sentence, by striking “The President” and inserting “(a) The President”; and

(2) by adding at the end the following new subsection:

“(b) The President shall seek reimbursement for military education and training furnished under this chapter from countries using assistance under section 23 of the Arms Export Control Act (22 U.S.C. 2763; relating to the the Foreign Military Financing Program) to purchase such military education and training at a rate comparable to the rate charged to countries receiving grant assistance for military education and training under this chapter.”.

TITLE VIII—FOREIGN ASSISTANCE PROVISIONS

SEC. 801. AMENDMENTS TO THE TIBETAN POLICY ACT OF 2002.

(a) BILATERAL ASSISTANCE.—Section 616 of the Tibetan Policy Act of 2002 (Public Law 107–228; 22 U.S.C. 6901 note) is amended—

(1) by redesignating subsection (d) as subsection (e); and
(2) by inserting after subsection (c) the following new subsection:

“(d) UNITED STATES ASSISTANCE.—

“(1) ASSISTANCE.—The President shall provide grants to nongovernmental organizations to support sustainable economic development, cultural preservation, health care, education, and environmental sustainability projects for Tibetans inside Tibet that are designed in accordance with the principles contained in subsection (e).

“(2) ROLE OF SPECIAL COORDINATOR.—The United States Special Coordinator for Tibetan Issues (established under section 621(a)) shall review and approve all projects carried out pursuant to paragraph (1).

“(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the President to carry out this subsection $6,000,000 for fiscal year 2006 and $8,000,000 for fiscal year 2007.”.

(b) LANGUAGE TRAINING.—Section 619 of the Tibetan Policy Act of 2002 (Public Law 107–228; 22 U.S.C. 6901 note) is amended to read as follows:

“The Secretary shall ensure at least one Foreign Service officer assigned to a United States post in the People’s
Republic of China responsible for monitoring developments in Tibet has at least six months of Tibetan language training prior to taking up such assignment at such post, unless such officer possesses equivalent fluency. If the Secretary determines that training resources and timing permit, such officer shall receive one year of such training.”.

(c) SPECIAL COORDINATOR FOR TIBETAN ISSUES.—
Section 621 of the Tibetan Policy Act of 2002 (Public Law 107–228; 22 U.S.C. 6901 note) is amended by adding at the end the following new subsection:

“(e) PERSONNEL.—The Secretary shall assign dedicated personnel to the Office of the Special Coordinator for Tibetan Issues sufficient to assist in the management of the responsibilities of this section and section 616(d)(2).”.

SEC. 802. SUPPORT FOR PRO-DEMOCRACY AND HUMAN RIGHTS ORGANIZATIONS IN CERTAIN COUNTRIES.
Section 620A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(a)) is amended by adding at the end the following new sentence: “The prohibition contained in the preceding sentence shall not apply with respect to assistance under part I (including chapter 4 of part II) of this Act provided in support of programs of
a pro-democracy or human rights organization located or
operating in a country described in such sentence, if, at
least 30 days before obligating funds for such assistance,
the Secretary of State notifies (in classified or unclassified
form) the congressional committees specified in section
634A(a) of this Act in accordance with the procedures ap-
plicable to reprogramming notifications under that section
that the pro-democracy or human rights organization op-
poses the use of terrorism, supports democracy and re-
spect for human rights, including the equality of women
and ethnic and religious minorities, and supports freedoms
of the press, speech, association, and religion.”.

SEC. 803. AMENDMENTS TO THE AFGHANISTAN FREEDOM
SUPPORT ACT OF 2002.

(a) DECLARATION OF POLICY.—It shall be the policy
of the United States to—

(1) assist Afghanistan in the preparation of
parliamentary elections which are currently sched-
uled to take place on September 18, 2005;

(2) urge donor governments and institutions to
provide significant financial support to support the
United Nations Assistance Mission in Afghanistan
(UNAMA) in carrying out such parliamentary elec-
tions;
(3) assist legitimate and recognized parliamentary candidates and future elected parliamentary officials in carrying out the responsibilities and duties of their elected offices; and

(4) assist Afghanistan in the preparation for future presidential and parliamentary elections.

(b) PURPOSES OF ASSISTANCE.—Section 102 of the Afghanistan Freedom Support Act of 2002 (22 U.S.C. 7512) is amended—

(1) by redesignating paragraphs (5) through (9) as paragraphs (7) through (11), respectively; and

(2) by inserting after paragraph (4) the following new paragraphs:

“(5) to ensure that parliamentary and presidential elections in Afghanistan are carried out in a free, fair, and transparent manner;

“(6) to provide assistance to legitimate and recognized parliamentary candidates and future elected parliamentary officials in Afghanistan to better educate such candidates and officials on parliamentary procedures, anticorruption, transparency, and good governance;”.
(e) Activities Supported.—Section 103(a)(5)(C) of the Afghanistan Freedom Support Act of 2002 (22 U.S.C. 7513(a)(5)(C)) is amended—

(1) by striking clauses (iii) and (iv);

(2) by redesignating clauses (v) through (vii) as clauses (xi) through (xiii), respectively;

(3) by inserting after clause (ii) the following new clauses:

“(iii) programs to promote comprehensive public information campaigns, including nationwide voter and civic education, for the public, candidates, and political parties, and special efforts with respect to provinces in which small percentages of women voted in the October 2004 presidential elections;

“(iv) programs to accelerate disarmament, demobilization, and reintegration processes to ensure that candidates and political groups are not influenced or supported by armed militias;

“(v) programs to support the registration of new voters and the preparation of voter rolls;
“(vi) programs to support the vetting process of candidates for the parliamentary elections to ensure that such candidates are eligible under the relevant Afghan election requirements;

“(vii) programs to educate legitimate and recognized parliamentary candidates on campaign procedures and processes;

“(viii) capacity-building programs and advanced professional training programs for senior Afghan Government officials and future elected parliamentary officials in matters related to parliamentary procedures, anti-corruption, accountability to constituencies, transparency, good governance, and other matters related to democratic development;

“(ix) exchange programs to bring to the United States future elected parliamentary officials and senior officials of legitimate and recognized political parties for educational activities regarding legislative procedures, debate, and general campaign and legislative instruction;
“(x) programs to support nongovernmental organizations and other civil society organizations that will assist in civil and voter education programs and overall democracy development programs;”;

(4) in clause (xii) (as redesignated), by striking “and” at the end;

(5) in clause (xiii) (as redesignated), by striking the period at the end and inserting “; and”;

(6) by adding at the end the following new clause:

“(xiv) other similar activities consistent with the purposes set forth in subsection (a).”.

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 103(a)(5)(C) of the Afghanistan Freedom Support Act of 2002 (22 U.S.C. 7513(a)(5)(C)), as amended by subsection (b), is further amended—

(1) in the matter preceding clause (i), by striking “To support” and inserting “(i) To support”;

(2) by redesignating clauses (i) through (xiv) as subclauses (I) through (XIV), respectively; and

(3) by adding at the end the following new clause:
“(ii) Of the amounts made available for each of the fiscal years 2006 and 2007 to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 and chapter 4 of part II of such Act, $50,000,000 for each such fiscal year is authorized to be available to the President to carry out subclauses (III) through (X) of clause (i).”.

(e) Sense of Congress.—It is the sense of Congress that the President should take all necessary and appropriate steps to encourage all donor governments and institutions to provide full financial and logistical support to the United Nations Assistance Mission in Afghanistan (UNAMA) to carry out the parliamentary elections in Afghanistan, which are currently scheduled to take place on September 18, 2005, so as to—

(1) ensure the parliamentary elections are legitimate and free from influence, intimidation, and violence by local militia leaders and illicit narcotics terrorist organizations;

(2) make certain that all Afghans who want to vote may do so and may be educated about their choice in parliamentary candidates;

(3) provide that all legitimate and recognized parliamentary candidates and officials of legitimate
and recognized political parties are informed and educated on campaign procedures and processes;

(4) provide that future parliamentary officials and senior officials of legitimate and recognized political parties are informed and educated on the legislative procedures and process through exchange programs; and

(5) assure sufficient funds for deployment of international observers for the upcoming parliamentary elections and future presidential and parliamentary elections.

SEC. 804. ASSISTANCE TO PROMOTE DEMOCRACY AND HUMAN RIGHTS IN VIETNAM.

(a) FINDING.—Congress finds that the Socialist Republic of Vietnam is a one-party state, ruled and controlled by the Communist Party of Vietnam, which continues to deny the right of citizens to change their government, prohibits independent political, labor, and social organizations, and continues to commit serious human rights violations, including the detention and imprisonment of persons for the peaceful expression of dissenting religious and political views.

(b) POLICY.—It is the policy of the United States—

(1) to limit United States nonhumanitarian assistance provided to the Government of Vietnam, not
to exceed the amount so provided for fiscal year
2005, unless Vietnam makes substantial progress to-
ward releasing political and religious prisoners, re-
specting religious freedom, allowing open access to
the United States for its refugee program, respect-
ing the rights of ethnic minorities in the Central
Highlands, and ensuring that it is not acting in
complicity with organizations engaged in the traf-
ficking of human persons; and
(2) to ensure that programs of educational and
cultural exchange with Vietnam actively promote
progress towards freedom and democracy in Vietnam
by ensuring that Vietnamese nationals who have al-
ready demonstrated a commitment to these values
are included in such programs.
(c) DEFINITION.—In this section, the term “United
States nonhumanitarian assistance” means—
(1) any assistance under the Foreign Assistance
Act of 1961 (including programs under title IV of
chapter 2 of part I of such Act, relating to the Over-
seas Private Investment Corporation), other than—
(A) disaster relief assistance, including any
assistance under chapter 9 of part I of such
Act;
(B) assistance which involves the provision of food (including monetization of food) or medicine;
(C) assistance for refugees; and
(D) assistance to combat HIV/AIDS, including any assistance under section 104A of such Act; and
(2) sales, or financing on any terms, under the Arms Export Control Act.

(d) Authorization of Appropriations.—There are authorized to be appropriated $2,000,000 for necessary expenses to fund nongovernmental organizations and organizations that promote democracy and internationally recognized human rights in Vietnam.

SEC. 805. ECONOMIC SUPPORT FUNDS FOR VENEZUELA.

There are authorized to be appropriated to the President $9,000,000 for each of the fiscal years 2006 and 2007 for assistance under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the “Economic Support Fund”) to fund activities which support political parties, the rule of law, civil society, an independent media, and otherwise promote democratic, accountable governance in Venezuela.
SEC. 806. ASSISTANCE TO SUPPORT DEMOCRACY IN ZIMBABWE.

Of the amounts made available for each of the fiscal years 2006 and 2007 to carry out chapters 1 and 10 of part I of the Foreign Assistance Act of 1961 and chapter 4 of part II of such Act, $12,000,000 for each such fiscal year is authorized to be available, consistent with the provisions of the Zimbabwe Democracy and Economic Recovery Act of 2001 (Public Law 107–99; 22 U.S.C. 2151 note), to support—

(1) the restoration of democratic legitimacy and foster a free and fair electoral process in Zimbabwe, particularly through legislative process training for members of Parliament;

(2) capacity building for civil society organizations to effectively provide information on the political process to citizens, defend the legal rights of minorities, women and youth, document the level of adherence by the Government of Zimbabwe to national and international civil and human rights standards, and monitor and report on the entire electoral process in Zimbabwe;

(3) organizational capacity-building training for political parties in Zimbabwe;

(4) poll watcher training for party and civil society election observers in Zimbabwe; and
(5) the reestablishment of independent media through overseas broadcasts and Internet sites.

SEC. 807. SUPPORT FOR FAMINE RELIEF IN ETHIOPIA.

(a) Demonstration Insurance Project.—The Secretary of State is authorized to make a United States voluntary contribution to the United Nations World Food Program to establish and carry out a demonstration insurance project in the Federal Democratic Republic of Ethiopia using weather derivatives to transfer the risk of catastrophic drought resulting in famine from vulnerable subsistence farmers to international capital markets for the purpose of protecting vulnerable subsistence farmers against income and asset losses during natural disasters.

(b) Report.—Not later than one year and two years after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on the implementation of the project referred to in subsection (a).

(c) Authorization of Appropriations.—There is authorized to be appropriated to the Secretary to carry out this section up to $4,000,000 for fiscal year 2006.

SEC. 808. INTER-ARAB DEMOCRATIC CHARTER.

(a) Strategy.—The Secretary of State, acting through the Assistant Secretary for Democracy, Human Rights, and Labor, and in consultation with the Assistant
Secretary for Near East Affairs and the Assistant Secretary for Western Hemisphere Affairs, shall develop and implement a strategy to—

(1) support, including through the provision of technical assistance, efforts to establish an Inter-Arab Democratic Charter to promote human rights and democracy in the Near East region; and

(2) support and promote coordination among human rights organizations, pro-democracy advocates, and civil society members from both the Near East region and the Western Hemisphere to assist in efforts to establish the Inter-Arab Democratic Charter referred to in paragraph (1).

(b) REPORT.—Section 665(c) of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228; 22 U.S.C. 2151n note) is amended by inserting after the first sentence the following new sentence: “As part of such separate report, the Secretary shall include information on efforts by the Department of State to develop and implement the strategy to support efforts to establish an Inter-Arab Democratic Charter pursuant to section 708(a) of the Foreign Relations Authorization Act, Fiscal Years 2006 and 2007.”.

(c) FUNDING.—Of the amounts made available for each of the fiscal years 2006 and 2007 to carry out chap-
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1 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the “Economic Support Fund”), including amounts made available to carry out the Human Rights and Democracy Fund and the Middle East Partnership Initiative, such sums as may be necessary for each such fiscal year is authorized to be available to the Secretary to carry out this section and the amendments made by this section.

SEC. 809. MIDDLE EAST PARTNERSHIP INITIATIVE.

(a) FUNDING.—Of the amounts made available for each of the fiscal years 2006 and 2007 to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the “Economic Support Fund”), such sums as may be necessary for each such fiscal year is authorized to be available to the Secretary of State to carry out programs and activities of the Middle East Partnership Initiative.

(b) REQUIREMENT.—Not less than 50 percent of amounts made available for each of the fiscal years 2006 and 2007 to carry out the Middle East Partnership Initiative shall be used to—

(1) strengthen civil society, particularly non-governmental organizations, and expand female and minority participation in the political, economic, and
educational sectors of countries participating in the Initiative; and

(2) strengthen the rule of law and promote democratic values and institutions, particularly through—

(A) developing and implementing standards for free and fair election in countries participating in the Initiative; and

(B) supporting inter-regional efforts to promote democracy in countries under authoritarian rule, including through the Community of Democracies and Forum for the Future.

SEC. 810. ASSISTANCE TO PROMOTE DEMOCRACY IN BELARUS.

Of the amounts made available for each of the fiscal years 2006 and 2007 to carry out chapters 11 and 12 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2295 et seq. and 2296 et seq.) and the FREEDOM Support Act (22 U.S.C. 5801 et seq.), $12,000,000 for each such fiscal year is authorized to be available for assistance for the promotion of democracy in the Republic of Belarus, including free and fair electoral processes, the development of political parties and nongovernmental organizations, promoting democracy and respect for human rights and the rule of law, independent media, and international
exchanges and training programs for leaders and members
of the democratic forces that foster civil society.

SEC. 811. REQUIREMENTS RELATING TO ECONOMIC SUP-
PORT FUND ASSISTANCE FOR EGYPT.

(a) FINDINGS.—Congress finds the following:

(1) Despite more than $28 billion in economic
assistance provided by the United States to Egypt
since 1975, Egypt’s economy and educational sys-
tems are underdeveloped and democratic develop-
ment remains extremely limited. Egypt remains near
the bottom of many indices of growth and human
development.

(2) Egypt’s economic troubles, if not addressed
through programs to develop Egypt’s private sector,
could destabilize the country.

(3) United States programs to promote growth
in Egypt, including traditional development assist-
ance as well as programs that attempt to link dis-
bursement of cash assistance to the adoption of eco-
nomic reforms by the Government of Egypt, have
had, at best, mixed success.

(4) The United States has provided more than
$32 billion in military assistance to Egypt since
1979.
(5) Egypt is currently at peace with all its neighbors.

(6) Egypt and the United States entered into an agreement in March 2005, whereby Egypt undertook to accomplish certain reform-oriented policies primarily related to its financial sector, and the United States undertook, subject to its constitutional processes, to provide Egypt with cash assistance. This program of financial reform is important and should continue, supported by assistance in the form of cash transferred from the United States, but not in amounts in excess of amounts already agreed to and not for lesser policy reforms than have already been agreed to.

(7) The model of an agreement for policy change between the United States and Egypt, similar but not identical to, the concept of a “Millennium Challenge” compact that emphasizes performance and outcomes, would be a way to reinvigorate a program for the development of the Egyptian economy that has languished for years, and would give more Egyptians a stake in the proper planning and execution of programs to assist in their country's development.
(b) **STATEMENT OF POLICY.**—It shall be the policy of the United States—

(1) to acknowledge that—

(A) threats to Egypt’s stability derive far more from domestic problems, such as inadequate economic growth, deficient educational and health-care systems, and lack of political freedom, than from external dangers; and

(B) external threats to Egyptian stability are, in fact, minimal;

(2) to provide non-military assistance to Egypt which results in actual, sustainable, and, to the extent possible, measurable outcomes in terms of economic growth, poverty reduction, humanitarian conditions, health, education, and political reform;

(3) to restructure Egypt’s assistance package over time so as to diminish military assistance and end the reduction of economic assistance and to begin the process of this restructuring without delay; and

(4) to ensure that this restructuring is done in such a manner that ensures that maintenance and spare parts for existing Egyptian military equipment is not jeopardized and that Egyptian military purchases and projects to which the United States has
already committed itself be funded fully in accordance with previous understandings.

(c) Amendment to the Foreign Assistance Act of 1961.—

(1) In general.—Chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq; relating to the “Economic Support Fund”) is amended by inserting after section 534 the following new section:

“Sec. 535. Requirements relating to assistance for Egypt.

“(a) Requirement for assistance.—Assistance may be provided for Egypt under this chapter for a fiscal year only if Egypt provides to the United States for the fiscal year a proposal described in subsection (b) that is evaluated and approved in accordance with subsection (c).

“(b) Proposal.—

“(1) In general.—A proposal described in this subsection is a proposal that reflects Egyptian priorities to use assistance provided under this chapter to meet the requirements of paragraph (2).

“(2) Requirements.—The requirements described in this paragraph are—

“(A) promoting economic growth (including economic freedom);
“(B) reducing poverty;

“(C) improving humanitarian conditions among the poorest individuals in Egypt;

“(D) improving education and health systems for the people of Egypt;

“(E) reducing corruption in the public and private sectors; and

“(F) strengthening democratic institutions and individual freedoms.

“(c) Evaluation and Approval of Proposal.—

“(1) Evaluation.—The President, acting through the Secretary of State, and in consultation with the Secretary of the Treasury, the United States Trade Representative, and the Administrator of the United States Agency for International Development, shall evaluate the proposal provided to the United States pursuant to subsection (a) to determine the extent to which the proposal meets the requirements of subparagraphs (A) through (F) of subsection (b)(2).

“(2) Approval.—The President shall approve the proposal only if the President determines that—

“(A) the proposal sufficiently meets the requirements of subparagraphs (A) through (F) of subsection (b)(2) in a manner that achieves,
in particular, lasting economic growth and poverty reduction and substantially strengthened democratic institutions and individual freedoms;

and

“(B) the Government of Egypt—

“(i) has adopted and implemented reforms necessary to implement the proposal;

“(ii) has implemented the proposal provided to the United States and approved for the prior fiscal year in accordance with the requirements of subparagraphs (A) through (F) of subsection (b)(2); and

“(iii) has demonstrated high standards of fiduciary controls and accountability with respect to assistance provided for Egypt under this chapter.

“(d) SUSPENSION AND TERMINATION OF ASSISTANCE.—The President, acting through the Secretary of State, may suspend or terminate assistance in whole or in part for Egypt under this chapter if the President determines that the Government of Egypt is not implementing the proposal in accordance with the requirements of subparagraphs (A) through (F) of subsection (b)(2).

“(e) CASH ASSISTANCE.—
“(1) REQUIREMENT.—Notwithstanding any other provision of this section, cash assistance may be provided to Egypt under this chapter for a fiscal year pursuant to the memorandum of understanding specified in paragraph (2) only if a proposal provided to the United States pursuant to subsection (a) for the fiscal year has been evaluated and approved in accordance with subsection (e).

“(2) MEMORANDUM OF UNDERSTANDING.—The memorandum of understanding specified in this paragraph is the memorandum of understanding agreed to by the Government of the United States and the Government of Egypt in March 2005, including any modification to the memorandum of understanding, except—

“(A) a modification to increase the amounts of assistance agreed to be provided under the memorandum of understanding; or

“(B) a modification to reduce significantly the scope of, or to extend significantly the time for, the performance by Egypt of obligations that it has undertaken under the memorandum of understanding.

“(f) CONGRESSIONAL NOTIFICATION.—Assistance may not be obligated for Egypt under this chapter until
30 days after the date on which the President has provided notice thereof to the Committee on International Relations and the Committee on Appropriations of the House of Representatives and to the Committee on Foreign Relations and the Committee on Appropriations of the Senate in accordance with the procedures applicable to reprogramming notifications under section 634A(a) of this Act.

"(g) REPORT.—The President, acting through the Secretary of State, shall prepare and transmit to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate a report for each fiscal year that contains—

"(1) the proposal provided to the United States pursuant to subsection (a) for the fiscal year; and

"(2) the evaluation of the proposal carried out pursuant to subsection (c)(1).

"(h) RULE OF CONSTRUCTION.—The provisions of this section shall not be superseded except by a provision of law enacted after the date of the enactment of the Foreign Relations Authorization Act, Fiscal Years 2006 and 2007, which specifically repeals, modifies, or supersedes the provisions of this section."

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to assist-
(d) MILITARY ASSISTANCE LEVELS FOR EGYPT;
TRANSFER REQUIREMENT.—The following amounts available for assistance for Egypt under section 23 of Arms Export Control Act (22 U.S.C. 2763; relating to the “Foreign Military Financing” program) shall be transferred to and consolidated with amounts available for assistance for Egypt under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the “Economic Support Fund”):

(1) For fiscal year 2006, the amount that exceeds $1,260,000,000.
(2) For fiscal year 2007, the amount that exceeds $1,220,000,000.
(3) For fiscal year 2008, the amount that exceeds $1,180,000,000.

(e) CASH-FLOW FINANCING FOR EGYPT.—As soon as practicable after the date of the enactment of this Act, the President shall modify the program of cash-flow financing for Egypt under section 23 of the Arms Export Control Act (22 U.S.C. 2763; relating to the “Foreign Military Financing” program) so as to accomplish the pur-
poses of the policy set forth in paragraphs (3) and (4)
of subsection (b) of this section.

(f) TRANSFER OF CERTAIN INTEREST FOR EGYPT.—

For fiscal year 2006 and subsequent fiscal years, any in-
terest earned from amounts in an interest bearing account
for Egypt to which funds made available under section 23
of the Arms Export Control Act (22 U.S.C. 2763; relating
to the “Foreign Military Financing” program) are
disbursed—

(1) shall be transferred to and consolidated
with amounts available for assistance for the Middle
East Partnership Initiative under chapter 4 of part
II of the Foreign Assistance Act of 1961 (22 U.S.C.
2346 et seq.; relating to the “Economic Support
Fund”); and

(2) shall be allocated for democracy and govern-
ance programs for Egypt, including direct support
for nongovernmental organizations.

SEC. 812. ASSISTANCE FOR MATERNAL AND PRENATAL
CARE FOR CERTAIN INDIVIDUALS OF
BELARUS AND UKRAINE INVOLVED IN THE
CLEANUP OF THE CHORNOBYL DISASTER.

Of the amounts made available for each of the fiscal
years 2006 and 2007 to carry out chapters 11 and 12
of part I of the Foreign Assistance Act of 1961 (22 U.S.C.
2295 et seq. and 2296 et seq.) and the FREEDOM Support Act (22 U.S.C. 5801 et seq.), such sums as may be necessary for each such fiscal year are authorized to be available for assistance to improve maternal and prenatal care, especially for the purpose of helping prevent birth defects and pregnancy complications, for individuals in the Republic of Belarus and Ukraine involved in the cleanup of the region affected by the Chornobyl disaster.

SEC. 813. ASSISTANCE FOR THE OFFICE OF THE OMBUDSMAN FOR NORTHERN IRELAND.

Of the amounts made available for each of the fiscal years 2006 and 2007 to carry out section 481 of the Foreign Assistance Act of 1961 (22 U.S.C. 2291), $100,000 for each such fiscal year is authorized to be available for—

(1) specialized investigative training, including training in the United States, of personnel of the Office of the Ombudsman for Northern Ireland; and

(2) advisory support to the Office of the Ombudsman for Northern Ireland for the development and strengthening of its institutional capacity and its investigations of human rights abuses by the police.
SEC. 814. ASSISTANCE TO ADDRESS NON-INFECTIONOUS DISEASES IN FOREIGN COUNTRIES.

(a) Statement of Policy.—Congress declares the following:

(1) Medical evidence indicates that non-infectious diseases, like heart disease and obesity, are on the rise worldwide.

(2) In response to these statistics, the current allocation of funds appropriated to the United States Agency for International Development for Child Survival and Maternal Health, Vulnerable Children, HIV/AIDS, Infectious Diseases, Reproductive Health and Family Planning, and the Global Fund to Fight AIDS, Tuberculosis and Malaria does not address non-infectious diseases.

(b) Authorization of Assistance.—The President, acting through the Administrator of the United States Agency for International Development, is authorized to provide assistance, on such terms and conditions as the President may determine, to address non-infectious diseases in foreign countries.

SEC. 815. ASSISTANCE TO ESTABLISH CENTERS FOR THE TREATMENT OF OBSTETRIC FISTULA IN DEVELOPING COUNTRIES.

(a) Amendment.—Section 104(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b(c)) is amended—
(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3) the following new paragraph:

“(4)(A) In carrying out the purposes of this subsection, the President is authorized to furnish assistance, on such terms and conditions as the President may determine, for the establishment and operation of not less than twelve centers for the treatment of obstetric fistula at appropriate sites in developing countries.

“(B) In selecting sites for the establishment of centers pursuant to subparagraph (A), the President should seek the consultation and advice of United States embassy officials, appropriate nongovernmental organizations, and local government officials in developing countries with high rates of obstetric fistula, with particular emphasis on countries in Africa.

“(C) Each center established pursuant to subparagraph (A) shall, to the maximum extent practicable, carry out the following activities:

“(i) The provision of surgery to repair obstetric fistula in women who do not otherwise have the resources to pay for such surgery and the provision of necessary post-surgery care and support for such women.
“(ii) Assistance related to surgery and post-surgery care and support described in clause (i), including the provision of transportation to and from the center for women in need of such transportation and the provision of necessary temporary shelter and food assistance to women in need of such shelter and food assistance.

“(iii) Activities to reduce the incidence of obstetric fistula, including the conduct of appropriate seminars and the dissemination of appropriate educational materials, such as brochures, pamphlets, and posters.

“(D) Each center established pursuant to subparagraph (A) shall, to the maximum extent practicable, ensure that women who suffer from obstetric fistula as a result of sexual abuse during conflicts or as a result of official abuse receive preference in receiving services described in clauses (i) and (ii) of subparagraph (C).

“(E) Not later than January 31, 2008, the President shall prepare and transmit to Congress a report on the implementation of this paragraph for fiscal years 2006 and 2007.

“(F) In this paragraph, the term ‘obstetric fistula’ means a rupture or hole in tissues surrounding a woman’s vagina, bladder, or rectum that occurs when the woman
is in obstructed childbirth for a prolonged period of time without adequate medical attention.”.

(b) **FUNDING.**—Of the amounts made available for each of the fiscal years 2006 and 2007 to carry out sections 104 and 496 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b and 2293), $5,000,000 for each such fiscal year is authorized to be available to carry out section 104(c)(4) of such Act (as added by subsection (a)).

**SEC. 816. WEST BANK AND GAZA PROGRAM.**

(a) **OVERSIGHT.**—For each of the fiscal years 2006 and 2007, the Secretary of State shall certify to the appropriate congressional committees not later than 30 days prior to the initial obligation of funds for the West Bank and Gaza that procedures have been established to ensure that the Comptroller General of the United States will have access to appropriate United States financial information in order to review the use of United States assistance for the West Bank and Gaza funded under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the “Economic Support Fund”).

(b) **VETTING.**—Prior to any obligation of funds for each of the fiscal years 2006 and 2007 to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 for assistance for the West Bank and Gaza, the Secretary
of State shall take all appropriate steps to ensure that such assistance is not provided to or through any individual or entity that the Secretary knows, or has reason to believe, advocates, plans, sponsors, engages in, or has engaged in, terrorist activity. The Secretary of State shall, as appropriate, establish procedures specifying the steps to be taken in carrying out this subsection and shall terminate assistance to any individual or entity which the Secretary has determined advocates, plans, sponsors, or engages in terrorist activity.

(c) PROHIBITION.—None of the funds made available for each of the fiscal years 2006 and 2007 to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 for the West Bank and Gaza program may be made available for the purpose of recognizing or otherwise honoring individuals who commit, or have committed, acts of terrorism.

(d) AUDITS.—

(1) IN GENERAL.—The Administrator of the United States Agency for International Development shall ensure that independent audits of all contractors and grantees, and significant subcontractors and subgrantees, under the West Bank and Gaza Program, are conducted for each of the fiscal years
2006 and 2007 to ensure, among other things, compliance with this section.

(2) AUDITS BY INSPECTOR GENERAL OF USAID.—Of the funds available for each of the fiscal years 2006 and 2007 to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 that are made available for assistance for the West Bank and Gaza, up to $1,000,000 for each such fiscal year may be used by the Office of the Inspector General of the United States Agency for International Development for audits, inspections, and other activities in furtherance of the requirements of paragraph (1). Such funds are in addition to funds otherwise available for such purposes.

(e) DEFINITION.—In this subsection, the term “appropriate congressional committees” means—

(1) the Committee on Appropriations and the Committee on International Relations of the House of Representatives; and

(2) the Committee on Appropriations and the Committee on Foreign Relations of the Senate.

SEC. 817. AMENDMENTS TO THE ANGLO-IRISH AGREEMENT SUPPORT ACT OF 1986.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—
(1) United States assistance for the International Fund for Ireland ("International Fund") has contributed greatly to the economic development of Northern Ireland and that both objectives of the Anglo-Irish Agreement Support Act of 1986 (Public Law 99–415), economic development and reconciliation, remain critical to achieving a just and lasting peace in the region, especially in the economically-depressed areas; and

(2) since policing reform is a significant part of winning public confidence and acceptance in the new form of government in Northern Ireland, the International Fund is encouraged to support programs that enhance relations between communities, and between the police and the communities they serve, promote human rights training for police, and enhance peaceful mediation in neighborhoods of continued conflict.

(b) Amendments.—

(1) Findings and Purposes.—Section 2(b) of the Anglo-Irish Agreement Support Act of 1986 (Public Law 99–415) is amended by adding at the end the following new sentence: "Furthermore, the International Fund is encouraged to support programs that enhance relations between communities,
and between the police and the communities they serve, promote human rights training for police, promote human rights training for the office of the Ombudsman, enhance peaceful mediation in neighborhoods of continued conflict, promote training programs to enhance the new district partnership police boards recommended by the Patten Commission, and assist in the transition of former British military installations and prisons into sites for peaceful, community-supported activities, such as housing, retail, and commercial development.”.

(2) United States Contributions to the International Funds.—Section 3 of the Anglo-Irish Agreement Support Act of 1986 is amended by adding at the end the following new subsection:

“(c) Fiscal Years 2006 and 2007.—Of the amounts made available for fiscal years 2006 and 2007 to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the economic support fund), there are authorized to be appropriated $20,000,000 for each such fiscal year for United States contributions to the International Fund. Amounts appropriated pursuant to the authorization of appropriations under the preceding sentence are authorized to remain available until expended. Of the amount authorized
to be appropriated for fiscal years 2006 and 2007 under this subsection, it is the sense of Congress that not less than 35 percent of such amount for each such fiscal year should be used to carry out the last sentence of section 2(b).”.

(3) ANNUAL REPORTS.—Section 6(1) of the Anglo-Irish Agreement Support Act of 1986 is amended by adding at the end before the semicolon the following: “, specifically through improving local community relations and relations between the police and the people they serve”.

TITLE IX—MISCELLANEOUS PROVISIONS
Subtitle A—General Provisions

SEC. 901. STATEMENT OF POLICY RELATING TO DEMOCRACY IN IRAN.

(a) FINDINGS.—Congress finds the following:

(1) Iran is neither free nor democratic. Men and women are not treated equally in Iran, women are legally deprived of internationally recognized human rights, and religious freedom is not respected under the laws of Iran. Undemocratic institutions, such as the Guardians Council, thwart the decisions of elected leaders.
(2) The April 2005 report of the Department of State states that Iran remained the most active state sponsor of terrorism in 2004.

(3) That report also states that Iran continues to provide funding, safe-haven, training, and weapons to known terrorist groups, including Hizballah, Hamas, the Palestine Islamic Jihad, al-Aqsa Martyrs Brigade, and the Popular Front for the Liberation of Palestine, and has harbored senior members of al-Qaeda.

(b) POLICY.—It is the policy of the United States that—

(1) currently, there is not a free and fully democratic government in Iran;

(2) the United States supports transparent, full democracy in Iran;

(3) the United States supports the rights of the Iranian people to choose their system of government;

and

(4) the United States condemns the brutal treatment, imprisonment, and torture of Iranian civilians who express political dissent.

SEC. 902. IRANIAN NUCLEAR ACTIVITIES.

(a) FINDINGS.—Congress finds the following:
(1) Iran remains the world’s leading sponsors of international terrorism and is on the Department of State’s list of countries that provide support for acts of international terrorism.

(2) Iran has repeatedly called for the destruction of Israel, and Iran supports organizations, such as Hizballah, Hamas, and the Palestine Islamic Jihad, that deny Israel’s right to exist and are responsible for terrorist attacks against Israel.

(3) The Ministry of Defense of the Government of Iran confirmed in July 2003 that it had successfully conducted the final test of the Shahab-3 missile, giving Iran an operational intermediate-range ballistic missile capable of striking both Israel and United States troops throughout the Middle East and Afghanistan.

(4) Inspections by the International Atomic Energy Agency (IAEA) in Iran have revealed significant undeclared activities, including plutonium reprocessing efforts.

(5) Plutonium reprocessing is a necessary step in a nuclear weapons program that uses plutonium created in a reactor.

(6) Iran continues to assert its right to pursue nuclear power and related technology, continues con-
1 structing a heavy water reactor that is ideal for
2 making plutonium for weapons, and has not fully co-
3 operated with the ongoing investigation by the IAEA
4 of its nuclear activities.

(7) The United States has publicly opposed the
6 completion of reactors at the Bushehr nuclear power
7 plant because the transfer of civilian nuclear tech-
8 nology and training could help to advance Iran’s nu-
9 clear weapons program.

(8) Russia, in spite of strong international con-
11 cern that Iran intended to use civilian nuclear en-
12 ergy plants to develop nuclear weapons, provided
13 Iran with support to complete the Bushehr nuclear
14 facility.

(9) Russia intends to begin supplying the
16 Bushehr nuclear facility with fuel in June 2005, and
17 the Bushehr nuclear plant is expected to begin oper-
18 ation at the beginning of 2006.

(10) The Iranian parliament has ratified a bill
20 supporting the construction of 20 new nuclear power
21 plants.

(b) SENSE OF CONGRESS.—It is the sense of Con-
22 gress that—
(1) Russia’s provision of assistance to Iran on the Bushehr nuclear reactor is inconsistent with the nonproliferation goals of the United States;

(2) Iran’s stated plans to construct 20 new nuclear facilities and its development of nuclear technologies, coupled with acknowledged and unacknowledged ties to terrorist groups, constitute a threat to global peace and security; and

(3) the national security interests of the United States will best be served if the United States develops and implements a long-term strategy to halt all foreign nuclear cooperation with Iran.

(c) STATEMENT OF CONGRESS.—Congress calls upon the leaders of the governments of the G–8 to—

(1) insist that the Government of Russia terminate all assistance, including fuel shipments, to the Bushehr nuclear facility in Iran; and

(2) condition Russia’s continued membership in the G–8 on Russia’s termination of all assistance, including fuel shipments, to the Bushehr facility and to any other nuclear plants in Iran.

SEC. 903. LOCATION OF INTERNATIONAL INSTITUTIONS IN AFRICA.

(a) STATEMENT OF CONGRESS.—Congress declares that, for the purpose of maintaining regional balances with
respect to the location of international organizations and
institutions in Africa, such organizations or institutions,
such as the African Development Bank, that move their
headquarters offices from their original locations for rea-
sons of security should return once those security issues
have been resolved or should relocate to another country
in the region in which the organization or institution was
originally headquartered.

(b) Consultations Regarding Return.—The
Secretary of State is authorized to begin consultations
with appropriate parties to determine the feasibility of re-
turning such organizations and institutions to the regions
in which they were originally headquartered.

SEC. 904. BENJAMIN GILMAN INTERNATIONAL SCHOLAR-
SHIP PROGRAM.

Section 305 of the International Academic Oppor-
tunity Act of 2000, as contained in title III of the Micro-
enterprise for Self-Reliance and International Anti-Cor-
2462 note) is amended by striking “$1,500,000” and in-
serting “$4,000,000”.

SEC. 905. PROHIBITION ON COMMEMORATIONS RELATING
TO LEADERS OF IMPERIAL JAPAN.

The Department of State, both in Washington and
at United States diplomatic missions and facilities in for-
eign countries, shall not engage in any activity, including
the celebration of the recently enacted Showa holiday,
which may, in any manner, serve to commemorate or be
construed as serving to commemorate leaders of Imperial
Japan who were connected to the attack on the United
States Fleet at Pearl Harbor, Oahu, Hawaii, on December
7, 1941.

SEC. 906. UNITED STATES POLICY REGARDING WORLD
BANK GROUP LOANS TO IRAN.

(a) United States Policy.—The Secretary of
State, in consultation with the Secretary of the Treasury,
shall work to secure the support of the governments of
countries represented on the decision-making boards and
councils of the international financial institutions of the
World Bank Group to oppose any further activity in Iran
by the international financial institutions of the World
Bank Group until Iran abandons its program to develop
nuclear weapons.

(b) Notification.—Not later than 30 days after the
Secretary initiates efforts to carry out subsection (a), the
Secretary shall notify the appropriate congressional com-
mittees of such efforts.

(c) World Bank Group Defined.—As used in this
section, the term “World Bank Group” means the Inter-
national Bank for Reconstruction and Development, the
International Development Association, the International
Financial Corporation, and the Multilateral Investment
Guaranty Agency.

SEC. 907. STATEMENT OF POLICY REGARDING SUPPORT
FOR SECI REGIONAL CENTER FOR COMBATING TRANS-BORDER CRIME.

(a) FINDINGS.—Congress finds the following:

(1) The Southeast European Cooperative Initiative (SECI) Regional Center for Combating Trans-Border Crime, located in Bucharest, Romania, is composed of police and customs officers from each of the 12 member states of SECI: Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Greece, Hungary, Macedonia, Moldova, Romania, Slovenia, Serbia and Montenegro and Turkey.

(2) The SECI Regional Center supports joint trans-border crime fighting efforts through the establishment of task forces, including task forces relating to trafficking in human beings, anti-drugs, financial and computer crimes, stolen vehicles, anti-smuggling and anti-fraud, and terrorism.

(b) STATEMENT OF POLICY.—It is the policy of the United States to continue to support the activities of the Southeast European Cooperative Initiative (SECI) Re-
Regional Center for Combating Trans-border Crime located in Bucharest, Romania.

SEC. 908. STATEMENT OF POLICY URGING TURKEY TO RESPECT THE RIGHTS AND RELIGIOUS FREEDOMS OF THE ECUMENICAL PATRIARCH.

(a) FINDINGS.—Congress finds the following:

(1) Turkey is scheduled to begin accession negotiations with the European Union on October 3, 2005.

(2) In 1993 the European Union defined the membership criteria for accession to the European Union at the Copenhagen European Council, obligating candidate countries to have achieved certain levels of reform, including stability of institutions guaranteeing democracy, the rule of law, and human rights, and respect for and protection of minorities.

(3) The Government of Turkey refuses to recognize the Ecumenical Patriarch’s international status.

(4) The Government of Turkey has limited to Turkish nationals the candidates available to the Holy Synod for selection as the Ecumenical Patriarch and has refused to reopen the Theological School at Halki, thus impeding training for the clergy.
(b) STATEMENT OF POLICY.—Congress—

(1) calls on Turkey to continue to demonstrate its willingness to adopt and uphold European standards for the protection of human rights;

(2) based on the ideals associated with the European Union and its member states, calls on Turkey to eliminate all forms of discrimination, particularly those based on race or religion, and immediately—

   (A) grant the Ecumenical Patriarch appropriate international recognition and ecclesiastic succession;

   (B) grant the Ecumenical Patriarchate the right to train clergy of all nationalities, not just Turkish nationals; and

   (C) respect property rights and human rights of the Ecumenical Patriarchate; and

(3) calls on Turkey to pledge to uphold and safeguard religious and human rights without compromise.

SEC. 909. STATEMENT OF POLICY REGARDING THE MURDER OF UNITED STATES CITIZEN JOHN M. ALVIS.

(a) FINDINGS.—Congress finds the following:
(1) On November 30, 2000, United States citizen John M. Alvis was brutally murdered in Baku, Azerbaijan.

(2) John M. Alvis was serving his final two weeks of a two year full-time commitment to the International Republican Institute, a United States nongovernmental organization carrying out assistance projects for the Government of the United States to help promote democracy and strengthen the rule of law in Azerbaijan.

(3) The United States is committed to ensuring that the truth of the murder of John M. Alvis is determined and the individual or individuals who are responsible for this heinous act are brought to justice.

(b) STATEMENT OF POLICY.—Congress—

(1) appreciates the efforts of the Government of Azerbaijan to find the individual or individuals who are responsible for the murder of United States citizen John M. Alvis and urges the Government of Azerbaijan to continue to make these efforts a high priority; and

(2) urges the Secretary of State to continue to raise the issue of the murder of United States citizen John M. Alvis with the Government of Azer-
baijan and to make this issue a priority in relations between the Government of the United States and the Government of Azerbaijan.

Subtitle B—Sense of Congress

Provisions

SEC. 911. KOREAN FULBRIGHT PROGRAMS.

It is the sense of Congress that Fulbright program activities for the Republic of Korea (commonly referred to as “South Korea”) should—

(1) include participation by students from throughout South Korea, including proportional representation from areas outside of Seoul;

(2) attempt to include Korean students from a broad range of educational institutions, including schools other than elite universities;

(3) broaden the Korean student emphasis beyond degree-seeking graduate students to include opportunities for one-year nondegree study at United States colleges and universities by pre-doctoral Korean students; and

(4) include a significant number of Korean students planning to work or practice in areas other than advanced research and university teaching, such as in government service, media, law, and business.
SEC. 912. UNITED STATES RELATIONS WITH TAIWAN.

It is the sense of Congress that—

(1) it is in the national interests of the United States to communicate directly with democratically elected and appointed officials of Taiwan, including the President of Taiwan, the Vice-President of Taiwan, the Foreign Minister of Taiwan, and the Defense Minister of Taiwan;

(2) the Department of State should, in accordance with Public Law 103–416, admit such high level officials of Taiwan to the United States to discuss issues of mutual concern with United States officials; and

(3) the Department of State should, in cooperation with the Ministry of Foreign Affairs of Taiwan, facilitate high level meetings between such high level officials of Taiwan and their counterparts in the United States.

SEC. 913. NUCLEAR PROLIFERATION AND A. Q. KHAN.

(a) FINDINGS.—Congress finds the following:

(1) Dr. Abdul Qadeer Khan, former director of the A.Q. Khan Research Laboratory in Pakistan and Special Adviser to the Prime Minister on the Strategic Programme, had the status of a federal minister and established and operated an illegal inter-
national network which sold nuclear weapons and related technologies to a variety of countries.

(2) China provided Dr. Khan with nuclear weapons designs, and the illegal international nuclear proliferation network established by Dr. Khan may have provided other countries with these designs.

(3) The illegal international nuclear proliferation network established by Dr. Khan assisted Iran with its nuclear program by supplying Iran with uranium-enrichment technology, including centrifuge equipment and designs.

(4) The illegal international nuclear proliferation network established by Dr. Khan assisted North Korea with its nuclear weapons program by providing centrifuge technology, including designs and complete centrifuges.

(5) The illegal international nuclear proliferation network established by Dr. Khan assisted Libya with its nuclear program by providing blueprints of centrifuge parts and thousands of assembled centrifuge parts.

(6) There is concern that the illegal international nuclear proliferation network created by Dr.
Khan may be still in existence and its work still on-going.

(7) Defense cooperation and technology transfer between China and Pakistan have been recently strengthened, including the codevelopment and manufacturing of a minimum of 400 J–17 “Thunder” fighter aircraft, with a minimum of 250 going to China. This and other Chinese-Pakistani technology sharing provides an expanded basis for further Pakistani proliferation of advanced military technology.

(8) The illegal international nuclear proliferation network established by Dr. Khan is a threat to United States national security.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States—

(1) should continue efforts to—

(A) dismantle the illegal international nuclear proliferation network created by Dr. Abdul Qadeer Khan; and

(B) counter, through diplomacy and negotiation, the proliferation of weapons of mass destruction from Pakistan to other countries;

(2) should request and Pakistan should grant access to interview Dr. Khan and his top associates to determine in greater detail what technology his
network provided or received from Iran, North
Korea, Libya, and China; and

(3) should take the steps necessary to ensure
that Pakistan has verifiably halted any cooperation
with any country in the development of nuclear or
missile technology, material, or equipment, or any
other technology, material, or equipment that is use-
ful for the development of weapons of mass destruc-
tion, including exports of such technology, material,
or equipment.

SEC. 914. PALESTINIAN TEXTBOOKS.

(a) FINDINGS.—Congress finds the following:

(1) Since 1993, the United States has provided
more than $1,400,000,000 to assist the Palestinian
people, including to assist with the process of
strengthening the Palestinian educations system.

(2) Since 1950, the United States has provided
more than $3,200,000,000 in assistance to United
Nations Relief and Works Agency (UNRWA), which
operates schools in camps housing Palestinians.

(3) The Palestinian Authority has undertaken a
reform of its textbooks, a process which will be com-
pleted in 2006.

(4) These new textbooks, while an improvement
over past texts, fail in many respects to foster atti-
tudes amongst the Palestinian people conducive to peace with Israel, including references to the infamous Protocols of the Elders of Zion, failure to acknowledge the State of Israel, and failure to discuss Jews in sections dealing with religious tolerance.

(b) Sense of Congress.—It is the sense of Congress that the Secretary of State should express in the strongest possible terms United States opposition to the inclusion in Palestinian textbooks of materials which foster anti-Semitism and rejection of peace with Israel, and to express the unwillingness of the United States to continue to support educational programs of the Palestinian Authority, whether directly or indirectly, should the Palestinian Authority continue to include material which does not foster tolerance and peace.

SEC. 915. INTERNATIONAL CONVENTION AFFIRMING THE HUMAN RIGHTS AND DIGNITY OF PERSONS WITH DISABILITIES.

(a) Findings.—Congress finds the following:

(1) There are more than 600,000,000 people who have a disability and more than two-thirds of all persons with disabilities live in developing countries.

(2) Only two percent of children with disabilities in developing countries receive any education or rehabilitation.
(3) A substantial shift has occurred globally from an approach of charity toward persons with disabilities to the recognition of the inherent universal human rights of persons with disabilities.

(4) A clearly defined international standard addressing the rights of persons with disabilities would assist developing countries in the creation and implementation of national laws protecting those rights.

(5) To better protect and promote the rights of persons with disabilities and to establish international norms, the United Nations General Assembly adopted Resolution 56/168 (December 19, 2001) which established an ad hoc committee to consider proposals for a comprehensive and integral international convention that affirms the human rights and dignity of persons with disabilities.

(6) With the strong commitment and leadership of the United States and the vast domestic experience of the United States in the advancement of disability rights, the world community can benefit from United States participation in the drafting of an international convention that affirms the human rights and dignity of persons with disabilities.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—
(1) the United States should play a leading role in the drafting of an international convention that affirms the human rights and dignity of persons with disabilities and which is consistent with the Constitution of the United States, the Americans with Disabilities Act of 1990, and other rights enjoyed by United States citizens with disabilities;

(2) for this purpose, the President should authorize the Secretary of State to send to the Sixth Session of the United Nations Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities to be held in August 2005 and to subsequent sessions of the Ad Hoc Committee a United States delegation which includes individuals with disabilities who are recognized leaders in the United States disability rights movement; and

(3) the United States delegation referred to in paragraph (2) should seek the input and advice of the Department of State’s Advisory Committee on Persons with Disabilities with respect to matters considered at the Sixth Session of the United Nations Ad Hoc Committee and subsequent sessions.
SEC. 916. FULBRIGHT SCHOLARSHIPS FOR EAST ASIA AND THE PACIFIC.

(a) FINDINGS.—Congress finds the following:

(1) From 1949–2003, the Department of State awarded 13,176 Fulbright Scholarships to students from East Asia and the Pacific, but only 31 went to Pacific Island students.

(2) In 2003–2004, the Department of State awarded 315 scholarships to students from East Asia and the Pacific, but none were awarded to Pacific Island students.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Department of State should conduct a review and submit to Congress a report regarding the marginalization of Pacific Islands students in the awarding of Fulbright Scholarships.

SEC. 917. BAKU-TIBILISI-CEYHAN ENERGY PIPELINE.

(a) FINDINGS.—Congress finds the following:

(1) It has been the long-standing policy of the United States to support the independence, security, and economic development of the newly independent states of the Caspian Sea region.

(2) The growth and stability of the newly independent states of the Caspian Sea region will be greatly enhanced by the development of their extensive oil and natural gas resources and the export of
these resources unhindered along an east-west energy transportation corridor.

(3) The establishment of an east-west energy transportation corridor would enhance the energy security of the United States, Turkey, and other United States allies by ensuring an unhindered flow of energy from the Caspian Sea region to world markets.

(4) The centerpiece of the proposed east-west energy transportation corridor is the Baku-Tbilisi-Ceyhan (BTC) pipeline, which was first endorsed by the relevant regional governments in 1998 and which will carry one million barrels of Caspian Sea oil per day from Baku, Azerbaijan, to Ceyhan, Turkey, via a route that passes through Tbilisi, Georgia.

(5) The BTC pipeline was inaugurated on May 25, 2005, and Caspian Sea oil exports from the port of Ceyhan, Turkey, will begin later this year.

(6) The BTC pipeline project has received strong bipartisan support during the administrations of both Presidents Bill Clinton and George W. Bush.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the governments and peoples of Turkey and the newly independent states of the Caspian Sea re-
gion should be congratulated for the successful com-
pletion of the Baku-Tbilisi-Ceyhan pipeline;

(2) the policy of the United States to support
the independence, security, and economic develop-
ment of the newly independent states of the Caspian
Sea region should be reaffirmed; and

(3) projects should be encouraged that would
further develop the east-west energy transportation
corridor between the newly independent states of the
Caspian Sea region and Europe and that advance
the strategic goals of the United States, especially
the promotion of appropriate multiple routes for the
transportation to world markets of oil and gas from
the Caspian Sea region.

SEC. 918. UNITED STATES FOREIGN ASSISTANCE.

It is the sense of Congress that—

(1) United States foreign assistance should be
used to support, and not replace or substitute, local
capacity-building in developing countries and should
focus on improving the institutional capacities of de-
veloping countries in order to promote long-term de-
velopment; and

(2) the Department of State, the United States
Agency for International Development, and the Mil-
leennium Challenge Corporation should increase their
efforts to enhance recipient country participation in
the planning of development programs, promote re-
cipient country ownership of the programs, and
build local capacity within the recipient country.

SEC. 919. ELIMINATION OF EXTREME POVERTY IN DEVELOPING COUNTRIES.

It is the sense of Congress that—

(1) the elimination of extreme poverty in developing countries should be a major priority of United States foreign policy;

(2) the United States should further demonstrate its leadership and commitment to eliminating extreme poverty by working with developing countries, donor countries, and multilateral institutions committed to the necessary reforms, policies, and practices that reduce extreme poverty in developing countries and by pursuing greater coordination with key allies and international partners; and

(3) the President, acting through the Administrator of the United States Agency for International Development, and in consultation with the heads of other appropriate departments and agencies of the Government of the United States, international organizations, international financial institutions, recip-
cipient governments, civil society organizations, and
other appropriate entities, should develop a comprehensive strategy to eliminate extreme poverty in developing countries that involves foreign assistance, foreign and local private investment, technical assistance, private-public partnerships, and debt relief.

SEC. 920. ASSISTANCE FOR REGIONAL HEALTH CARE DELIVERY.

(a) Statement of Policy.—Congress declares the following:

(1) Health systems in developing countries for allocating and managing health resources are dysfunctional and incapable of addressing evolving epidemiological and demographical changes.

(2) Neither regional nor countrywide health problems can be adequately addressed without the infrastructure for health systems in place.

(3) The areas in Africa, Europe, Eurasia, the Middle East and Asia with the greatest health problems all lack the infrastructure for health systems that can support providers and contain the cost of treatment.

(b) Sense of Congress.—It is the sense of Congress that the United States Agency for International Development should use up to 5 percent of country-specific health program funds, as needed, to support projects to
create and improve indigenous capacity for health care delivery in regions in which such projects are most needed.

SEC. 921. ASSISTANCE FOR REGIONAL HEALTH EDUCATION AND TRAINING PROGRAMS.

(a) STATEMENT OF POLICY.—Congress recognizes that many health problems are not country specific. Instead many health issues can be categorized and treated more effectively on a regional basis.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States Agency for International Development should use up to 5 percent of country-specific health program funds, as needed, to address regional health issues in instances in which it would be more cost effective to implement health education and training programs on a regional basis.
Mr. SMITH OF NEW JERSEY. I now have a series of perfecting amendments at the desk which consists of 35 amendments. They have been cleared by both Republican and the Democratic sides of the aisle. All Members have the list before them and the amendments themselves, and I do appreciate the hard work and the very diligent negotiations that have gone on right up until the last instant, as another amendment was added to this list.

I would ask unanimous consent that they be considered en bloc, and that they be considered as read and adopted.

Any Members who wish to insert remarks into the record of any of these amendments, will be permitted to do so.

[The en bloc amendments referred to follow:]
SEC. ___. STATEMENT OF CONGRESS AND POLICY WITH RESPECT TO THE DISENFRANCHISEMENT OF WOMEN.

(a) FINDINGS.—Congress finds the following:

(1) Following the May 16, 2005, decision of the Kuwaiti parliament to enfranchise its female citizens, Saudi Arabia is now the only country in world that restricts the franchise and the right to hold elected office to men only.

(2) Only men were allowed to vote and run for office in Saudi Arabia’s municipal elections held earlier this year, the first elections of any kind that Saudi Arabia has held since 1963.

(b) STATEMENTS OF CONGRESS.—Congress—
(1) strongly condemns the disenfranchisement of women, including restrictions that prevent women from holding office; and

(2) calls on the Government of Saudi Arabia to, at the earliest possible time, promulgate a law that grants women the right to vote and to run for office in all future Saudi elections, whether local, provincial, or national.

(c) POLICY.—The President is encouraged to take such action as the President considers appropriate, including a downgrading of diplomatic relations, to encourage countries that disenfranchise women to grant women the rights to vote and hold office.
AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 2601
OFFERED BY MS. BERKLEY OF NEVADA

Page 65, line 19, strike “and” after the semicolon.

Page 65, insert the following after line 19:

1  “(9) a list of countries of concern with respect
2  to the financing of terrorism; and”.

Page 65, line 20, strike “(9)” and insert “(10)”.

AMENDMENT TO H.R. 2601
OFFERED BY MR. BLUMENAUER OF OREGON

(Amendatory Instructions Refer to the Amendment in the Nature of a Substitute)

At the end of title VIII of the bill, insert the following new section (and conform the table of contents accordingly):

1 SEC. ___. ASSISTANCE FOR DISASTER MITIGATION EFFORTS.

2

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

4 (1) The devastating impacts of natural disasters can be mitigated by assisting communities to build in safer locations, construct sturdier dwellings, enforce sound building codes and practices, and protect natural ecosystems.

5 (2) By 2050, two billion people are expected to be especially vulnerable to floods due to growing populations, indiscriminate logging, rapid urbanization, and increasing development along coasts and in other hazardous regions.

6 (3) According to a study by the World Bank and the United States Geological Survey during the 1990s, $40 billion invested in preventive measures
(b) Sense of Congress.—It is the sense of Congress that the Secretary of State, in consultation with the heads of other appropriate departments and agencies of the Government of the United States, should develop an initiative to encourage the use of disaster mitigation techniques, including techniques described in subsection (a)(1), by foreign governments in regions considered especially vulnerable to natural disasters.

(c) Amendment to the Foreign Assistance Act of 1961.—Section 491(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2292(b)) is amended by adding at the end the following new sentence: "Assistance relating to disaster preparedness under the preceding sentence shall include assistance to encourage the use of disaster mitigation techniques, including to assist communities to build in safer locations, construct sturdier dwellings, enforce sound building codes and practices, and protect natural ecosystems."
AMENDMENT TO THE AMENDMENT IN A NATURE OF A SUBSTITUTE TO H.R. 2601
OFFERED BY MR. BROWN OF OHIO

At the end of title II (relating to Department of State authorities and activities), insert the following new section (and conform the table of contents accordingly):

1 SEC. 216. AMERICAN INSTITUTE IN TAIWAN FACILITIES ENHANCEMENT.

2 Section 3(a) of the American Institute in Taiwan Facilities Enhancement Act (Public Law 106–212) is amended by striking "the sum of $75,000,000" and inserting "such sums as may be necessary".
AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 2601
OFFERED BY MR. CROWLEY OF NEW YORK

At the appropriate place in the bill, insert the following new section (and conform the table of contents accordingly):

SEC.____. SENSE OF CONGRESS WITH RESPECT TO LEGIS-
LATION REQUIRING THE FAIR, COMPREHEN-
SIVE, AND NONDISCRIMINATORY RESTITU-
TION OF PRIVATE PROPERTY CONFISCATED
IN POLAND.

(a) FINDINGS.—Congress find the following:

(1) The protection of and respect for property
rights is a basic tenet for all democratic govern-
ments that operate according to the rule of law.
(2) Private properties were seized and con-
fiscated by the Nazis in occupied Poland or by the
Communist Polish government after World War II.
(3) Some post-Communist countries in Europe
have taken steps toward compensating individuals
whose property was seized and confiscated by the
Nazis during World War II and by Communist gov-
ernments after World War II.
(4) Poland has continuously failed to enact legislation that requires realistically achievable restitution or compensation for those individuals who had their private property seized and confiscated.

(5) Although President Aleksander Kwasniewski of Poland later exercised his veto power, in March 2001 the Polish Parliament passed a bill that would have provided compensation for seized and confiscated property, but only to individuals who were registered as Polish citizens as of December 31, 1999, thereby excluding all those individuals who emigrated from Poland during and after World War II.

(6) President Kwasniewski met in 2002 with congressional leaders of the United States Helsinki Commission and stated that he intended to draft a new law requiring the restitution of previously seized and confiscated private property that would not discriminate based on the residency or citizenship of an individual, and which would be ready to take effect by the beginning of 2003.

(b) SENSE OF THE CONGRESS.—It is the sense of Congress that—

(1) Poland should develop a final and complete settlement for those individuals who had their pri-
vate property seized and confiscated by the Nazis
during World War II or by the Communist Polish
government after the war;

(2) restitution should be made in a timely man-
ner if they are to be of any benefit to the many Hol-
ocaust survivors who are in their eighties or older;

(3) the President and the Secretary of State
should engage, as appropriate—

(A) in an open dialogue with the Govern-
ment of Poland supporting the adoption of leg-
islation requiring the fair, comprehensive, and
nondiscriminatory restitution of or compensa-
tion for private property that was seized and
confiscated; and

(B) in follow-up discussions with the Gov-
ernment of Poland regarding the status and im-
plementation of such legislation.
AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 2601
OFFERED BY MR. CROWLEY OF NEW YORK

At the appropriate place in the bill, insert the following new section (and conform the table of contents accordingly):

SEC. ___. REPORT WITH RESPECT TO DIPLOMATIC RELATIONS WITH ISRAEL.

(a) FINDINGS.—Congress makes the following findings:

(1) Israel is a friend and ally of the United States whose security is vital to regional stability and United States interests.

(2) Israel currently maintains diplomatic relations with 160 countries, 33 countries do not have any diplomatic relations with Israel, and one country has partial relations with Israel.

(3) The Government of Israel has been actively seeking to establish formal relations with a number of countries.

(4) After 57 years of existence, Israel deserves to be treated as an equal country by its neighbors and the world community.
(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States should assist Israel in its efforts to establish diplomatic relations.

(c) REPORT.—Not later than 90 days after the date of the enactment of this Act and annually thereafter, the Secretary of State shall submit to the appropriate congressional committees a report that includes the following information (in classified or unclassified form, as appropriate):

1. Actions taken by representatives of the United States to encourage other countries to establish full diplomatic relations with Israel.

2. Specific responses solicited and received by the Secretary from countries that do not maintain full diplomatic relations with Israel with respect to their attitudes toward and plans for entering into diplomatic relations with Israel.

3. Other measures being undertaken, and measures that will be undertaken, by the United States to ensure and promote Israel’s full participation in the world diplomatic community.

(d) DEFINITION.—In this section, the term “appropriate congressional committees” means the Committee on International Relations of the House of Representatives, the Committee on Foreign Relations of the Senate, the
Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the Senate.
AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 2601
OFFERED BY MR. CROWLEY OF NEW YORK

In section 101(4) (relating to Educational and Cultural Exchange Programs), add at the end the following new subparagraph:

(1) Project Children and cooperation

with Ireland.—Of the amounts authorized to be appropriated under subparagraph (A), $500,000 for fiscal year 2006 and $500,000 for fiscal year 2007 are authorized to be appropriated for people-to-people activities (with a focus on young people) to support the Northern Ireland peace process involving Catholic and Protestant participants from the Republic of Ireland, the United Kingdom, and the United States, to be known as “Project Children”.

AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 2601
OFFERED BY MR. DELAHUNT OF MASSACHUSETTS
(Foreign Relations Authorization Act, Fiscal Years 2006 and 2007)

At the appropriate place in the bill, insert the following new section (and conform the table of contents accordingly):

1 SEC. ____. REPORT ON TAX ENFORCEMENT IN COLOMBIA.

2 Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the Committee on International Relations of the House of Representatives, the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the Senate a report detailing challenges to tax code enforcement in Colombia. This report shall include, as a percentage of Colombia’s gross domestic product, an estimate of current tax revenue, an estimate of potential additional tax revenue if Colombia’s existing tax laws were fully enforced, and a discussion of how such additional revenue could be used to achieve the objectives of Plan Colombia, including supporting and expanding Colombia’s
security forces and increasing the availability of alternative livelihoods for illicit crop growers and former combatants.
AMENDMENT TO H.R. ______
OFFERED BY MR. ENGEL OF NEW YORK

(Foreign Relations Authorization Act, Fiscal Years 2006 and 2007)

At the appropriate place in the bill, insert the following new section (and conform the table of contents accordingly):

SEC. ___. REPORT RELATING TO PROVISION OF CONSULAR AND VISA SERVICES IN PRISTINA, KOSOVA.

(a) Report.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report describing the possibility of providing consular and visa services at the United States Office Pristina, Kosovo (USOP) to residents of Kosova.

(b) Contents.—The report required under subsection (a) shall contain the following information:

(1) The reasons why consular and visa services are not currently offered at the USOP, even though the Office has been in operation for more than five years.

(2) Plans for providing consular and visa services at the USOP, including conditions required be-
fore such services would be provided and the planned
timing for providing such services.

(3) An explanation of why consular and visa
services will not be offered at the USOP by January
1, 2007, if such services are not planned to be of-
fered by such date.

(4) The number of residents of Kosovo who
apply for their visas outside of Kosovo for each cal-
AMENDMENT TO H.R. 2601
OFFERED BY MR. ENGEL OF NEW YORK

(Adenatory Instructions Refer to the Amendment in the Nature of a Substitute)

At the appropriate place in the bill, insert the following new section (and conform the table of contents accordingly):

1 SEC. ____ SENSE OF CONGRESS REGARDING CHILD LABOR PRACTICES IN THE COCOA SECTORS OF COTE DIVOIRE AND GHANA.

It is the sense of Congress that—

(1) the Government of the Republic of Cote d'Ivoire and the Government of the Republic of Ghana should be commended for the tangible steps they have taken to address the situation of child labor in the cocoa sector;

(2) the Government of Cote d'Ivoire and the Government of Ghana should consider child labor and forced labor issues top priorities;

(3) the chocolate industry signatories to the September 19, 2001, voluntary Protocol for the Growing and Processing of Cocoa Beans and their Derivative Products in a Manner that Complies with
ILO Convention 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor should meet the sixth and final pillar of the Protocol, to “develop and implement credible, mutually-acceptable, voluntary, industry-wide standards of public certification, consistent with applicable federal law, that cocoa beans and their derivative products have been grown and/or processed without any of the worst forms of child labor” by July 1, 2005;

(4) the chocolate industry, nongovernmental organizations, and the Government of Cote d’Ivoire and the Government of Ghana should continue their efforts in full force beyond July 1, 2005, to develop and implement a system to monitor child labor in the cocoa industry of Cote d’Ivoire and Ghana;

(5) the Office to Monitor and Combat Trafficking in Persons of the Department of State should include information on the association between trafficking in persons and the cocoa industries of Cote d’Ivoire, Ghana, and other cocoa producing regions in the annual trafficking in persons report to Congress; and

(6) the Department of State should assist the Government of Cote d’Ivoire and the Government of
Ghana in preventing the trafficking of persons into the cocoa fields and other industries in West Africa.
AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE FOR H.R. 2601
OFFERED BY MR. FALEOMAVAEGA OF AMERICAN
SAMOA
(Foreign Relations Authorization Act, Fiscal Years 2006 and 2007)

At the appropriate place in the bill, insert the following new section (and conform the table of contents accordingly):

1 SEC. ___. REPORT RELATING TO DEMOCRACY IN PAKISTAN.
2
3 Not later than December 31 in each of fiscal years 2006 and 2007, the President shall submit to the appropriate congressional committees a report that contains a description of the extent to which, over the preceding 12-month period, the Government of Pakistan has restored a fully functional democracy in Pakistan in which free, fair, and transparent elections are held.
SEC. 620K. LIMITATION ON ASSISTANCE TO THE PALESTINIAN AUTHORITY.

(a) LIMITATION.—Assistance may be provided under this Act or any other provision of law to the Palestinian Authority only during a period for which a certification described in subsection (b) is in effect.

(b) CERTIFICATION.—A certification described in this subsection is a certification transmitted by the President to Congress that contains a determination of the President that—

“(1) providing direct assistance to the Palestinian Authority is important to the national security interests of the United States; and

“(2) the Palestinian Authority—
“(A) is committed to and has initiated the process of purging from its security services individuals with ties to terrorism;

“(B) has made demonstrable progress toward dismantling the terrorist infrastructure, confiscating unauthorized weapons, arresting and bringing terrorists to justice, destroying unauthorized arms factories, thwarting and pre-empting terrorist attacks, and is fully cooperating with Israel’s security services;

“(C) has made demonstrable progress toward halting all anti-Israel incitement in Palestinian Authority-controlled electronic and print media and in schools, mosques, and other institutions it controls, and is replacing these materials, including textbooks, with materials that promote tolerance, peace, and coexistence with Israel;

“(D) has taken effective steps to ensure democracy, the rule of law, and an independent judiciary, and has adopted other reforms such as ensuring transparent and accountable governance;
“(E) is committed to ensuring that all elections within areas it administers to be free, fair, and transparent; and

“(F) is undertaking verifiable efforts to ensure the financial transparency and accountability of all government ministries and operations.

“(c) Recertifications.—Not later than 90 days after the date on which the President transmits to Congress an initial certification under subsection (b), and every 6 months thereafter—

“(1) the President shall transmit to Congress a recertification that the requirements contained in subsection (b) are continuing to be met; or

“(2) if the President is unable to make such a recertification, the President shall transmit to Congress a report that contains the reasons therefor.

“(d) Congressional Notification.—Assistance made available under this Act or any other provision of law to the Palestinian Authority may not be provided until 15 days after the date on which the President has provided notice thereof to the Committee on International Relations and the Committee on Appropriations of the House of Representatives and to the Committee on Foreign Relations and the Committee on Appropriations of the Senate
in accordance with the procedures applicable to re-
programming notifications under section 634A(a) of this
Act.”.

(b) REPORT BY COMPTROLLER GENERAL.—Not later
than 180 days after the date of the enactment of this Act,
the Comptroller General of the United States shall submit
to the appropriate congressional committees a report that
contains a review of the extent to which United States as-
sistance to the Palestinian Authority under the Foreign
Assistance Act of 1961 or any other provision of law is
properly audited by the Department of State, the United
States Agency for International Development, and all
other relevant departments and agencies of the Govern-
ment of the United States.
SECTION ___. REFORM OF THE INTERNATIONAL ATOMIC ENERGY AGENCY.

(a) Findings With Respect to the International Atomic Energy Agency.—Congress finds the following:

(1) Efforts to prevent the further spread of nuclear weapons capabilities would be enhanced by universal membership in the International Atomic Energy Agency (IAEA).

(2) The enhanced authorities provided by the Additional Protocol to the Safeguards Agreements between the IAEA and Member States of the IAEA are indispensable to the ability of the IAEA to conduct inspections of nuclear facilities to a high degree of confidence.

(3) The national security interests of the United States would be enhanced by the universal ratification and implementation of the Additional Protocol.

(4) The national security interests of the United States would be enhanced by the rapid implementation by all Member States of the United Nations of United Nations Security Council Resolution 1540, which prohibits all Member States from pro-
viding any form of support to non-state actors that attempt to manufacture, acquire, possess, develop, transport, transfer, or use nuclear, chemical, or biological weapons and their means of delivery, and requiring all Member States to adopt and enforce appropriate and effective domestic laws criminalizing such acts.

(5) The national security interests of the United States require that the IAEA possess sufficient authorities and resources to comprehensively and efficiently carry out its responsibilities for inspections and safeguards of nuclear facilities.

(6) Regularly assessed contributions of Member States to the regular budget of the IAEA are due in the first quarter of each calendar year.

(7) Currently, the United States does not pay its regularly assessed contribution to the regular budget of the IAEA until the last quarter of each calendar year.

(8) This delayed payment results in recurring shortages of funds for the IAEA, thus compromising its ability to conduct safeguards inspections and nuclear security activities.
(b) FINDINGS WITH RESPECT TO THE NUCLEAR NONPROLIFERATION TREATY.—Congress finds the following:

(1) The Treaty on the Non-Proliferation of Nuclear Weapons (21 UST 483) (commonly referred to as the “Nuclear Nonproliferation Treaty” or the “NPT”) is the foundation for international cooperation to prevent the further spread of nuclear weapons capabilities.

(2) The NPT was conceived, written, and ratified by State Parties as a treaty for the specific purpose of preventing the proliferation of nuclear weapons and nuclear explosive devices, as stated in the Preamble and first three Articles of the NPT.

(3) The overriding priority of the NPT is preventing the proliferation of nuclear weapons and nuclear explosive devices.

(4) Article IV of the NPT conditions the “inalienable right to develop research, production and use of nuclear energy for peaceful purposes without discrimination” on conformity with Articles I and II, which obligate signatories “not to manufacture of otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any as-
sistance in the manufacture of nuclear weapons or
other nuclear explosive devices’’;

(5) Because the processes used for the enrich-
ment of uranium and the reprocessing of plutonium
for peaceful purposes are virtually identical to those
needed for military purposes and thereby inherently
pose an enhanced risk of proliferation, even under
strict international inspections, Article IV of the
NPT cannot be interpreted to recognize the inalien-
able right by every country to enrich uranium or re-
process plutonium.

(6) Because the factors needed for the develop-
ment of nuclear energy for peaceful purposes are vir-
tually identical to those required for the development
of nuclear weapons and devices, Article X cannot be
interpreted to allow a signatory country to develop
a nuclear weapons program based on materials, fa-
cilities, and equipment it has acquired through its
Article IV cooperation.

c) STATEMENT OF CONGRESS.—Congress declares

that—

(1) all provisions of the NPT must be inter-
preted within the context of preventing the prolifera-
tion of nuclear weapons and nuclear explosive de-
vices;
(2) Article IV of the NPT, interpreted in conformity with the NPT's purpose, spirit, and freely undertaken obligations by State Parties, does not guarantee every country that is a State Party an inalienable right to enrich uranium or reprocess plutonium; and

(3) if a State Party chooses to exercise its Article X right of withdrawal from the NPT, such State Party must surrender all of the materials, facilities, and equipment it has acquired through its Article IV cooperation, and no State Party will be recognized as having legally exercised its Article X right of withdrawal from the NPT until it has surrendered all such materials, facilities, and equipment.

(d) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Director General of the IAEA should strengthen efforts to secure universal ratification and implementation of the Additional Protocol; and

(2) the IAEA possesses statutory authority, including under Articles II, III, VIII, IX, XI, and XII of the IAEA Statute, to undertake nuclear security activities.
(e) Promotion of Additional Protocol and United Nations Security Council Resolution 1540.—

(1) Universal ratification and implementation; full compliance.—The President shall take such steps as the President determines necessary to encourage—

(A) rapid universal ratification and implementation by Member States of the IAEA of the Additional Protocol to the Safeguards Agreements between the IAEA and Member States; and

(B) full compliance by all foreign countries with United Nations Security Council Resolution 1540, which calls for the adoption and enforcement by all foreign countries of "appropriate effective laws which prohibit any non-State actor to manufacture, acquire, possess, develop, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery, in particular for terrorist purposes, as well as attempts to engage in any of the foregoing activities, participate in them as an accomplice, assist or finance them".
(2) Suspension of United States non-humanitarian foreign assistance.—The President is authorized to suspend United States non-humanitarian foreign assistance to any country that—

(A) has not signed and ratified the Additional Protocol; and

(B) has not fully complied with United Nations Security Council Resolution 1540.

(3) Report.—

(A) In general.—Not later than 90 days after the date of the enactment of this Act and annually thereafter until September 31, 2010, the Secretary of State shall submit to the appropriate congressional committees a report on United States efforts to promote full compliance by all countries with United Nations Security Council Resolution 1540, with particular attention to:

(i) United States efforts in appropriate international organizations or fora to elaborate and implement international standards for such full compliance; and

(ii) steps taken by the United States to assist other countries to meet their obli-
gations under United Nations Security
Council Resolution 1540.

(B) SUBMISSION.—The report required
under this paragraph may be submitted to-
gether with the report on “Patterns of Global
of Terrorism”.

(f) PAYMENT AT BEGINNING OF CALENDAR YEAR.—
The Secretary of State shall take expeditious action to en-
sure that the United States regularly assessed contribu-
tion to the IAEA is made at the beginning of each cal-
endar year.

(g) AUTHORIZATION OF APPROPRIATIONS.—In addi-
tion to amounts otherwise authorized to be appropriated
to the Secretary of State under this Act, there are author-
ized to be appropriated to the Secretary such sums as may
be necessary to permit the Secretary to ensure that the
United States regularly assessed contribution of its annual
dues to the IAEA is provided to the IAEA at the begin-
nning of each calendar year to compensate for the current
delayed payment described under subsection (b).
Amendment to the Amendment in the Nature of a Substitute to H.R. 2601
Offered by Mr. Hyde of Illinois

In section 101(1)(G) (relating to minority recruitment), strike “$2,000,000” both places it appears and insert “$3,000,000”.
AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 2601
OFFERED BY MR. HYDE OF ILLINOIS

In section 104(b) (relating to refugee resettlement in Israel), insert before the period at the end the following: “for resettlement of refugees in Israel”.
Lantos Amendment #1 to H.R. 2601

On Page 199 line 18 strike the following: "and not replace or substitute."

On Page 202 line 13 after "health" insert "education and training needs" and strike "issues"
AMENDMENT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 2601, OFFERED BY MR. LANTOS OF CALIFORNIA

SEC. ____ ASSISTANCE FOR LAW ENFORCEMENT FORCES.

(a) IN GENERAL.—Section 660(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2420(b)) is amended—

(1) in paragraph (6)—

(A) by inserting “to any national, regional, district, municipal, or other sub-national governmental entity of a foreign country” after “with respect to assistance”; and

(B) by striking “, and the provision of professional” and all that follows through “democracy”; 

(2) in paragraph (7), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

“(8) with respect to assistance to combat corruption in furtherance of the objectives for which programs are authorized to be established under section 133 of this Act;

“(9) with respect to the provision of professional public safety training to any national, regional, district, municipal, or other sub-national governmental entity of a foreign country, particularly training in international recognized standards of
human rights, the rule of law, conflict prevention, and the promotion of civilian police roles that support democratic governance and foster improved police relations between law enforcement forces and the communities in which they serve;

“(10) with respect to assistance to combat trafficking in persons, particularly trafficking in persons by organized crime; or

“(11) with respect to assistance in direct support of developing capabilities for and deployment to impending or ongoing peace operations of the United Nations or comparable regional organizations.”.

(b) TECHNICAL AMENDMENTS.—Section 660 of the Foreign Assistance Act of 1961 (22 U.S.C. 2420) is amended—

(1) in subsection (b) (as amended by subsection (a) of this section)—

(A) by striking paragraph (2);

(B) in paragraph (4), by striking “or” at the end;

(C) in paragraph (7), by moving the margin 2 ems to the left; and

(D) by redesignating paragraphs (3) through (11) as paragraphs (2) through (10), respectively; and
(2) by striking subsection (d).
At the appropriate place in the bill, insert the following new section (and comply with the Table of Contents accordingly):

**AMENDMENT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 2401, OFFERED BY H.R. LANOS OF CALIFORNIA**

1. **SEC. ___.** ANNUAL FOREIGN LAW ENFORCEMENT TRAINING AND ASSISTANCE REPORT.

   1. **(a) Foreign Law Enforcement Training and Assistance**

      The President, in preparing and transmitting to Congress the annual report on aid to foreign law enforcement agencies provided under the Foreign Assistance Act of 1961 (22 U.S.C. 2401 et seq.) is amended by

      (1) in section 656, the following provisions:

      (A) At the appropriate place in the bill, insert the following new paragraph:

      "(B) A SEPARATE ANNUAL REPORT on all FORNEY LAW ENFORCEMENT TRAINING AND ASSISTANCE THAT IS PROVIDED TO FOREIGN LAW ENFORCEMENT PERSONNEL AND OTHER RELAY GOVERNMENTAL AUTHORITIES negligent.

      2. *(Continued)*

      Paragraph (1) does not apply to any country that is a member of the North Atlantic Treaty Organization (NATO), Australia, Japan, or New Zealand, unless one of the appropriate congressional committees has specifically requested, in writing, inclusion of such
country in the report. Such request shall be made not later than 30 calendar days prior to the date on which the report is required to be transmitted.

"(B) CONTENTS.—The report required by subsection (a) shall include the following:

"(1) For each law enforcement training activity—

"(A) the purpose of the activity and the foreign policy justification for the activity;

"(B) the number of foreign law enforcement personnel who are provided training, their units of operation, and countries of origin;

"(C) the type of training activity;

"(D) the location of the training activity;

"(E) the department or agency of the United States Government which is conducting the training, by unit or office; and

"(F) the cost of the training activity and the specific budgetary account from which the cost is paid.

"(2) For other law enforcement assistance—

"(A) the purpose of the assistance and the foreign policy justification for the assistance,

"(B) the type of assistance;
“(C) the department or agency of the United States Government which is providing the assistance, by unit or office, where applicable; and

“(D) the cost of the assistance and the specific budgetary account from which the cost is paid.

“(3) For each country—

“(A) the aggregate number of students trained;

“(B) the aggregate cost of the law enforcement training and other law enforcement assistance; and

“(C) a plan describing the law enforcement assistance and rule of law programs of the relevant departments and agencies of the United States Government.

FORM.—The report required by subsection (a) shall be in unclassified form but may include a classified annex.

“(d) AVAILABILITY ON INTERNET.—All unclassified portions of the report required by subsection (a) shall be made available to the public through the Internet website of the Department of State.
DEFINITION.—In this section, the term ‘appropriate congressional committees’ means—

“(1) the Committee on Appropriations and the Committee on International Relations of the House of Representatives; and

“(2) the Committee on Appropriations and the Committee on Foreign Relations of the Senate.”
AMENDMENT TO H.R. _______

(State Department Authorization, Fiscal Years 2006 and 2007)

Offered by Mr. Lantos of California

Insert in the appropriate place the following new section:

SEC. _____ SUPPORT FOR SMALL AND MEDIUM ENTERPRISES.

Section 240 of the Foreign Assistance Act of 1961 (22 U.S.C. 2200) is amended by adding at the end the following:

“(c) Support for Small and Medium Enterprises in Sub-Saharan Africa.—

“(1) Support.—The Corporation is commended for its activities in support of the development of small and medium enterprises, and is encouraged to exercise its authorities to promote investments in financial institutions that are duly incorporated in sub-Saharan African countries, to the extent that the purpose of such investments is to expand investment and lending opportunities to small and medium enterprises that—
“(A) are substantially owned by nationals of sub-Saharan African countries; and

“(B) are engaged in domestic commerce or international trade in sectors such as housing, agriculture, fishing, textiles and apparel, tourism, electronics, technology, manufacturing, and services.

“(2) CONSIDERATION.—In making a determination to provide insurance and financing to financial institutions referred to in paragraph (1), the Corporation should take into consideration the extent to which a project establishes and implements a non-discrimination in lending policy to prohibit discrimination based on ethnicity, sex, color, race, religion, physical disability, marital status, or age.

“(3) TECHNICAL ASSISTANCE.—In supporting a project referred to in paragraph (1), the Corporation may provide technical assistance to—

“(A) improve the quality of management of financial institutions referred to in paragraph (1) to ensure the safety and stability of such institutions;

“(B) create in such financial institutions effective credit risk management systems to improve the quality of the assets of such institu-
tions and the ability of such institutions to re-
search and assess the overall credit risk of criti-
cial industries in the domestic economy; and

“(C) support effective credit risk manage-
ment by developing internal credit rating sys-
tems and credit assessment tools that improve
the ability of such financial institutions to
evaluate individual credit worthiness and meas-
ure the overall amount of risk posed by the
total number of borrowers.”.
SEC. ___. REPORT ON THE STATUS OF THE SOVEREIGNTY 
OF LEBANON.

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

(1) all parties in the Middle East and inter-
nationally should exert every effort to implement in
its entirety the provisions of United Nations Secu-
rity Council Resolution 1559 (2004), which, among
other things—

(A) calls for “strict respect” for Lebanon’s
sovereignty, territorial integrity, unity, and po-
litical independence “under the sole and exclu-
sive authority of the Government of Lebanon
throughout Lebanon”; 

(B) calls upon all remaining foreign forces
to withdraw from Lebanon;

(C) calls for the “disbanding and disarm-
ament of all Lebanese and non-Lebanese mili-
tias”; and

(D) supports the extension of the control
of the Government of Lebanon over all Leba-
nese territory;

(2) in accordance with United Nations Security
Council Resolution 1559, all militias in Lebanon, in-
including Hizballah, should be disbanded and dis-
armed at the earliest possible opportunity, and the
armed forces of Lebanon should take full control of
all of Lebanon’s territory and borders;

(3) the Government of Lebanon is responsible
for the disbanding and disarming of the militias, in-
cluding Hizballah, and preventing the flow of arma-
ments and other military equipment to the militias,
including Hizballah, from Syria, Iran, and other ex-
ternal sources;

(4) the Government of the United States should
closely monitor progress toward full implementation
of all aspects of United Nations Security Council
Resolution 1559, particularly the matters described
in subparagraphs (A) through (D) of paragraph (1);

(5) the Government of the United States should
closely monitor the Government of Lebanon’s efforts
to stanch the flow of armaments and other military
equipment to Hizballah and other militias from ex-
ternal sources, such as Syria and Iran;

(6) the United States and its allies should con-
sider providing training and other assistance to the
armed forces of Lebanon to enhance their ability to
disarm Hizballah and other militias and stanch the
flow of arms to Hizballah and other militias; and
(7) United States assistance provided to Lebanon after the date of the enactment of this Act may be affected if Lebanon does not make every effort to disarm militias, including Hizballah, and to deny them re-armament.

(b) REPORT.—Not later than 120 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of State shall submit to the appropriate congressional committees a report that describes and evaluates—

(1) the extent to which armed militias continue to operate in Lebanon and the progress of the Government of Lebanon to disband and disarm such militias;

(2) the extent to which the Government of Lebanon is committed to disbanding and disarming Hizballah and other militias and stanching the flow of arms to Hizballah and other militias;

(3) the progress of the armed forces of Lebanon to deploy to and take full control of all of Lebanon’s borders;

(4) the extent to which countries in the region attempt to direct arms to Lebanon-based militias or allow their territory to be traversed for this purpose
and the extent to which these armament efforts succeed;

(5) the routes and means used by external sources attempting to supply arms to the Lebanon-based militias the countries that are involved in these efforts;

(6) the efforts of the United States and its allies to facilitate the process of disbanding and disarming Lebanon-based militias and stanching the flow of weapons to such militias; and

(7) any recommendations for legislation to support the disbanding and disarming of Lebanon-based militias.

(c) FORM.—The report required by subsection (b) shall be submitted in unclassified form and may contain a classified annex if necessary.

(d) CERTIFICATION.—The requirement to submit a report under subsection (b) shall no longer apply if the Secretary certifies to the appropriate congressional committees that all Lebanon-based militias have been disbanded and disarmed and the armed forces of Lebanon are deployed to and in full control of Lebanon’s borders.
AMENDMENT TO H.R. 2601
OFFERED BY MR. LANTOS OF CALIFORNIA

(Amendatory Instructions Refer to the Amendment in the
Nature of a Substitute)

At the appropriate place in the bill, insert the following new section (and conform the table of contents accordingly):

1 SEC. ___. SENSE OF CONGRESS REGARDING THE CONTRIBUTIONS OF IRAQI KURDS.
2
3 (a) FINDINGS.—Congress finds the following:
4
5 (1) Iraqi Kurdish forces played a unique and
6 significant role in the fight to liberate Iraq for all
7 Iraqis in 2003.
8
9 (2) Since Iraq’s liberation, Iraqi Kurdish leader-
10 ers have played prominent and constructive roles in
11 the drafting and passage of the Transitional Admin-
12 istrative Law and, more generally, in seeking to
13 achieve a free, stable, and democratic Iraq.
14
15 (b) SENSE OF CONGRESS.—It is the sense of Con-
16 gress that—
17
18 (1) Iraqi Kurds should be commended for their
19 many contributions and sacrifices made in the cause
20 of creating a free, stable, and democratic Iraq; and
21
(2) the Iraqi Transitional Government and the Kurdistan Regional Government are expected to adhere to the highest standards of democratic governance, including through enforcement of full equality and rights for all religious and ethnic minorities, such as Assyrians and Turcomans.
TITLE __—NUCLEAR BLACK
MARKET ELIMINATION ACT

SEC. 01. SHORT TITLE.
This title shall be referred to as the “Nuclear Black Market Elimination Act of 2005”.

Subtitle A—Sanctions for Transfers of Nuclear Enrichment, Reprocessing, and Weapons Technology, Equipment and Materials Involving Foreign Persons and Terrorists

SEC. 011. AUTHORITY TO IMPOSE SANCTIONS ON FOREIGN PERSONS.
(a) Determination of Nuclear Activities by Foreign Persons.—Notwithstanding any other provision of law, the President is authorized to impose any or all of the sanctions described in subsection (b) whenever the President determines that a foreign person participated, on or after the date of the enactment of this Act, in the export, transfer or trade of—

(1) nuclear enrichment or reprocessing equipment, materials, or technology to any nonnuclear-
weapon state (as defined in section 102(e) of the
Arms Export Control Act) that—

(A) does not possess functioning nuclear
enrichment or reprocessing plants as of Janu-
ary 1, 2004; and

(B)(i) does not have in force an additional
protocol with the International Atomic Energy
Agency for the application of safeguards (as de-
derived from IAEA document INFCIRC/540 and
related corrections and additions); or

(ii) is developing, manufacturing, or ac-
quiring a nuclear explosive device; or

(2) any nuclear explosive device, or design in-
formation or component, equipment, materials, or
other items or technology that—

(A) is designated for national export con-
trols under the Nuclear Supplier Group Guide-
lines for the Export of Nuclear Material, Equip-
ment and Technology (published by the Inter-
national Atomic Energy Agency as IAEA docu-
ment INFICRC/254/Rev. 6/Part 1 and subse-
quently revisions) and the Guidelines for Trans-
fers of Nuclear-Related Dual-Use Equipment,
Material, and Related Technology (published as
IAEA document INFCIRC/254/Rev. 5/ Part 2

and subsequent revisions); and

(B) contributes to the development, manufacture, or acquisition of a nuclear explosive device by—

(i) a non-nuclear weapon state; or

(ii) a foreign person.

(b) SANCTIONS.—The sanctions referred to in subsection (a) that are to be imposed on a foreign person are the following:

(1) No assistance may be provided to the foreign person under the Foreign Assistance Act of 1961, and the foreign person may not participate in any assistance program of the United States Government. Any such assistance being provided to the foreign person, and any participation in such assistance program by the foreign person, on the date on which the sanction under this paragraph is imposed, shall be terminated as of such date.

(2) The United States Government may not sell any defense articles, defense services, or design or construction services to the foreign person under the Foreign Assistance Act of 1961 or the Arms Export Control Act, and any contract to sell such articles or services, under either such Act, that is in effect on
the date on which the sanction under this paragraph is imposed, shall be terminated as of such date.

(3) Licenses or any other approval may not be issued to the foreign person for the export or import of any defense articles or defense services under the Arms Export Control Act or its implementing regulations. Any such license or approval that is in effect on the date on which the sanction under this paragraph is imposed, shall be terminated as of such date.

(4) Licenses or any other approval may not be issued to the foreign person for the export of any goods or technology subject to the jurisdiction of the Export Administration Regulations under chapter VII of title 15, Code of Federal Regulations (or successor regulations), other than food and other agricultural commodities, medicines and medical equipment. Any such license or approval that is in effect on the date on which the sanction under this paragraph is imposed, shall be terminated as of such date.

(c) Period Sanctions in Effect.—The sanctions referred to in subsection (b) should be imposed for not less than two years, but may be imposed for longer periods. The President may suspend after one year any sanc-
tion imposed pursuant to this section 15 days after submit-
mitting to the appropriate congressional committees a re-
port explaining—

(1) the reasons for modifying or terminating
the sanction;

(2) how the purposes of this Act and United
States national security are furthered by such modi-
fication or termination; and

(3) what measures the United States will take
or is taking to ensure that the foreign person will
not engage in similar activities in the future.

SEC. 12. PRESIDENTIAL NOTIFICATION ON ACTIVITIES OF
FOREIGN PERSONS.

(a) REPORTS TO CONGRESS.—Not later than 180
days after enactment of this Act and no later than Janu-
ary 31 of each year thereafter, the President shall submit
to the appropriate congressional committees a report de-
tailing any activity by any foreign person described in sec-
tion 11. This report shall also include a description of
any sanctions that have been imposed and their duration.

(b) PUBLICATION.—When the President imposes
sanctions under section 11, the President shall, to the
maximum extent unclassified, publish in the Federal Reg-
ister, not later than 15 days after reporting such sanctions
to the appropriate congressional committees under sub-
section (a), the identity of each sanctioned foreign person, 
the period for which sanctions will be in effect, and the 
reasons for the sanctions.

Subtitle B—Further Actions 
Against Corporations Associated 
With Sanctioned Foreign Persons 

SEC. 21. FINDINGS.

The Congress finds the following:

(1) Foreign persons and corporations engaging 
in nuclear black-market activities are motivated by 
reasons of commercial gain and profit.

(2) Sanctions targeted solely against the busi-
ness interests of the sanctioned person or business 
concern may be unsuccessful in halting these pro-
lieration activities, as the sanctions may be seen 
merely as the cost of doing business, especially if the 
business interests of the parent or subsidiary cor-
porate entities are unaffected by the sanctions.

(3) Such narrow targeting of sanctions creates 
the incentive to create shell and “carve-out” cor-
porate entities to perform the proliferation activities 
and attract sanctions, leaving all other aspects of the 
larger corporation unaffected.
(4) To dissuade corporations from allowing their associated commercial entities or persons from engaging in proliferation black-market activities, they must also be made to suffer financial loss and commercial disadvantage; parent and subsidiary commercial enterprises must be held responsible for the proliferation activities of their associated entities.

(5) If a corporation perceives that the United States Government will do everything possible to make its commercial activity difficult around the world, then that corporation has a powerful commercial incentive to prevent any further proliferation activity by its associated entities.

(6) Therefore, the United States Government should seek to increase the risk of commercial loss for associated corporate entities for the proliferation actions of their subsidiaries.

SEC. 22. CAMPAIGN BY U.S. GOVERNMENT OFFICIALS.

The President shall instruct all agencies of the United States Government to make every effort in their interactions with foreign government and business officials to persuade foreign governments and relevant corporations not to engage in any business transaction with a foreign person sanctioned under section 11, including any par-
ent or subsidiary of the sanctioned foreign person, for the duration of the sanctions.

SEC. 23. COORDINATION.

The Secretary of State shall coordinate the actions of the United States Government under section 22.

SEC. 24. REPORT.

Not later than 1 year after the date of the enactment of this Act and annually thereafter, the Secretary of State shall report to the appropriate congressional committees on the actions taken by the United States to carry out section 22.

Subtitle C—Incentives for Proliferation Interdiction Cooperation

SEC. 31. AUTHORITY TO PROVIDE ASSISTANCE TO COOPERATIVE COUNTRIES.

The President is authorized to provide, on such terms as the President considers appropriate, assistance under section 32 to any country that cooperates with the United States and with other countries allied with the United States to prevent the transport and transshipment of items of proliferation concern in its national territory or airspace or in vessels under its control or registry.
SEC. 32. TYPES OF ASSISTANCE.

The assistance authorized under section 31 is the following:

2. Assistance under chapters 4 and 5 of part II of the Foreign Assistance Act.

SEC. 33. CONGRESSIONAL NOTIFICATION.

Assistance authorized under this subtitle may not be provided until at least 30 days after the date on which the President has provided notice thereof to the appropriate congressional committees, in accordance with the procedures applicable to reprogramming notifications under section 634A(a) of the Foreign Assistance Act of 1961.

SEC. 34. LIMITATION.

Assistance may be provided to a country under section 31 in no more than 3 fiscal years.

SEC. 35. USE OF ASSISTANCE.

To the extent practicable, assistance provided under this subtitle shall be used to enhance the capability of the recipient country to prevent the transport and transshipment of items of proliferation concern in its national
territory or airspace, or in vessels under its control or reg-
istry, including through the development of a legal frame-
work in that country to enhance such capability by crim-
inalizing proliferation, enacting strict export controls, and
securing sensitive materials within its borders.

SEC. 36. LIMITATION ON SHIP OR AIRCRAFT TRANSFERS
TO UNCOOPERATIVE COUNTRIES.

Notwithstanding any other provision of law, the
United States may not transfer any excess defense article
that is a vessel or an aircraft to a country that has not
agreed that it will support and assist efforts by the United
States to interdict items of proliferation concern until thir-
ty days after the date on which the President has provided
notice of the proposed transfer to the appropriate congres-
sional committees in accordance with the procedures appli-
cable to reprogramming notifications under section
634A(a) of the Foreign Assistance Act of 1961, in addi-
tion to any other requirement of law.

Subtitle D—Rollback of Nuclear
Proliferation Networks

SEC. 41. NONPROLIFERATION AS A CONDITION OF
UNITED STATES ASSISTANCE.

United States foreign assistance should only be pro-
vided to countries that—
(1) are not cooperating with any non-nuclear weapon state or any foreign group or individual who may be engaged in, planning, or assisting international terrorism in the development of a nuclear explosive device or its means of delivery and are taking all necessary measures to prevent their nationals and other persons and entities subject to their jurisdiction from participating in such cooperation; and

(2) are fully and completely cooperating with the United States in its efforts to eliminate nuclear black-market networks or activities.

SEC. 42. REPORT ON IDENTIFICATION OF NUCLEAR PROLIFERATION NETWORK HOST COUNTRIES.

(a) Report.—

(1) In general.—Not later than 90 days after the date of the enactment of this Act and annually thereafter, the President shall submit a report to the appropriate congressional committees that—

(A) identifies any country in which manufacturing, brokering, shipment, transshipment, or other activity occurred in connection with the transactions of the nuclear proliferation network that supplied Libya, Iran, North Korea and possibly other countries or entities, and
(B) includes any additional information with respect to any country and any other nuclear proliferation networks or activities and the foreign persons believed to be participating therein, including any information relating to the participation of any foreign person in the export, transfer or trade described in section 11.

(2) ADDITIONAL INFORMATION.—The report under paragraph (1) shall also include a description of the extent to which each country described in the report is, in the opinion of the President, fully cooperating with the United States in its efforts to eliminate the nuclear proliferation network described in paragraph (1)(A) and any other nuclear proliferation networks or activities. The President shall base the determination regarding a country’s cooperation with the United States in part on the degree to which the country has satisfied United States requests for assistance and information, including whether the United States has asked and been granted direct investigatory access to key persons involved in a nuclear proliferation network.

(b) CLASSIFICATION.—Reports under this section shall be unclassified to the maximum extent possible.
SEC. 43. SUSPENSION OF ARMS SALES LICENSES AND DELIVERIES TO NUCLEAR PROLIFERATION NETWORK HOST COUNTRIES.

(a) SUSPENSION.—Upon submission of the report and any additional information under section 42 to the appropriate congressional committees, the President shall suspend all licenses issued under the Arms Export Control Act, and shall prohibit any licenses to be issued under that Act, to any country described in the report or additional information, until such time as the President certifies to the appropriate congressional committees that such country—

(1)(A) has fully investigated or is fully investigating the activities of any person or entity within its territory that has participated in the nuclear proliferation network or activities; and

(B) has taken or is taking effective steps to permanently halt similar illicit nuclear proliferation or acquisition activities;

(2) has been or is fully cooperating with the United States and other appropriate international organizations in investigating and eliminating the nuclear proliferation network, any successor networks operating within its territory, or other illicit proliferation and acquisition activities; and
(3) has enacted or is enacting new laws, promulgated decrees or regulations, or established practices designed to prevent future such activities from occurring within its territory.

(b) WAIVER.—The President may waive the requirements of subsection (a) in a fiscal year if—

(1) the President has certified to the appropriate congressional committees that the waiver is important to the national security of the United States; and

(2) 5 days have elapsed since making the certification under paragraph (1).

Subtitle E—General Provisions

SEC. 51. DEFINITIONS.

In this title:

(1) PARTICIPATED.—The term “participated” means to have sold, transferred, brokered, financed, assisted, delivered or otherwise provided or received, and includes any conspiracy or attempt to participate in any of the preceding activities, as well as facilitating such activities by any other person.

(2) FOREIGN PERSON.—The term “foreign person” has the meaning provided in section 38(g)(9)(C) of the Arms Export Control Act (22 U.S.C. 2778(g)(9)(C)) and includes, for purposes of
subsections (a) and (b) of section ___11, successors, 
assigns, subsidiaries, and subunits and other busi-
ness organizations or associations in which that per-
son may be deemed to have a controlling interest.

(3) APPROPRIATE CONGRESSIONAL COMMIT-
TEES.—The term “appropriate congressional com-
mittees” means the Committee on International Re-
lations of the House of Representatives and the 
Committee on Foreign Relations of the Senate.

(4) EXCESS DEFENSE ARTICLE.—The term 
“excess defense article” has the meaning given that 
term in section 644(g) of the Foreign Assistance Act 
of 1961 (22 U.S.C. 2403(g)).

(5) ITEMS OF PROLIFERATION CONCERN.—The 
term “items of proliferation concern” means any 
equipment, materials, or technology that could mate-
rially support the research, development, manufac-
turing, or acquisition by any means of a nuclear ex-
plorative device, a chemical or biological weapon, or 
missile with a payload of 500 kilograms or greater 
and with a range of 300 kilometers or greater.

(6) PERSON.—The term “person”—

(A) means a natural person as well as a 
corporation, business association, partnership, 
society, trust, any other nongovernmental enti-
ty, organization, or group, and any governmental entity, or subsidiary, subunit, or parent entity thereof, and any successor of any such entity; and

(B) in the case of a country where it may be impossible to identify a specific governmental entity referred to in subparagraph (A), means all activities of that government relating to the development or production of any nuclear equipment or technology.

(7) UNITED STATES FOREIGN ASSISTANCE.—

The term “United States foreign assistance” means assistance under the foreign operations, export financing, and related programs appropriations Act for a fiscal year, and assistance under the Foreign Assistance Act of 1961.
AMENDMENT TO H.R. 2601
OFFERED BY MR. MCCAUL OF TEXAS

(Amendatory Instructions Refer to the Amendment in the Nature of a Substitute)

At the appropriate place in the bill, insert the following new section (and conform the table of contents accordingly):

SEC. ___ REPORT ON ACTIVITIES OF INTERNATIONAL TERRORIST ORGANIZATIONS IN LATIN AMERICA AND THE CARIBBEAN.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) activities in Latin America and the Caribbean by international terrorist organizations and their affiliates and supporters represent a direct threat to the national security of the United States and hemispheric stability;

(2) international terrorist organizations, such as Hezbollah and Hamas, have profited and taken advantage of the dearth or weakened state of the rule of law in many Latin American and Caribbean countries to further their own aims; and
(3) the United States should work cooperatively with countries of Latin America and the Caribbean to expose and prevent such activities.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, and not later than June 30 of the year thereafter, the Secretary of State shall submit to the appropriate congressional committees a report on the activities of international terrorist organizations in Latin America and the Caribbean. The report shall include the following:

(1) An assessment of the membership, stated intentions, recruitment, and terrorist fundraising capabilities of each international terrorist organization operating in Latin America and the Caribbean.

(2) An assessment of the relationship of each such international terrorist organization with other criminal enterprises or terrorist organizations for fundraising and other criminal purposes.

(3) An assessment of the activities of each such international terrorist organization.

(c) FORM.—The report required by subsection (b) shall be submitted in unclassified form but may contain a classified annex.
AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE FOR H.R. 2601
OFFERED BY MR. SCHIFF OF CALIFORNIA
(Foreign Relations Authorization Act, Fiscal Years 2006 and 2007)

At the appropriate place in the bill, insert the following (and conform the table of contents accordingly):

SEC. ___.SENSE OF CONGRESS RELATING TO PROLIFERATION SECURITY INITIATIVE.

It is the sense of Congress that—

(1) the Secretary of State should strive to expand and strengthen the Proliferation Security Initiative announced on May 31, 2003, by President George W. Bush, placing particular emphasis on including countries outside of the North Atlantic Treaty Organization (NATO); and

(2) the United States should seek an international instrument, in the form of a United Nations Security Council resolution, multilateral treaty, or other agreement, to enhance international cooperation with the Proliferation Security Initiative regarding the interdiction, seizure, and impoundment in international waters and airspace of illicit
shipments of weapons of mass destruction and their delivery systems and of related materials, equipment, and technology.
AMENDMENT TO H.R. _____
OFFERED BY MR. SCHIFF OF CALIFORNIA
(Foreign Relations Authorization Act, Fiscal Years 2006 and 2007)

At the appropriate place in the bill, insert the following new section (and conform the table of contents accordingly):

1 SEC. ___. ANALYSIS OF EMPLOYING WEAPONS SCIENTISTS
FROM THE FORMER SOVIET UNION IN
PROJECT BIOSHIELD.

(a) REPORT.—Not later than November 1, 2006, the
Secretary of State, after consultation with the Secretary
of Health and Human Services, shall submit to the appro-
priate congressional committees a report containing an
analysis of—

(1) the scientific and technological contributions
that scientists formerly employed in the former So-
viet Union in the field of biological warfare could
make to the research and development of biomedical
countermeasures;

(2) the practical alternative methods through
which the services of such scientists could be em-
ployed so as to facilitate the application of the
knowledge and experience of such scientists to such research and development;

(3) the cost-effectiveness of those methods of employing the services of those scientists; and

(4) the desirability and national security implications of providing employment opportunities for such scientists in the field of research and development of biomedical countermeasures for purposes of biological weapon nonproliferation.

(b) RECOMMENDATIONS.—Each Secretary shall also include in the report required under subsection (a) any recommendations of each for appropriate legislation to address the issues analyzed in the report.

(c) DEFINITION.—In this section, the term “biomedical countermeasures” means a drug (as such term is defined in section 201(g)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(g)(1))), biological product (as such term is defined in section 351(i) of the Public Health Service Act (42 U.S.C. 262(i))), or device (as such term is defined in section 201(h) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(h))) that is used—

(1) in the diagnosis, cure, mitigation, treatment, or prevention of harm from any biological, chemical, radiological, or nuclear agent that may
cause a public health emergency affecting national
security; or
(2) in diagnosis, cure, mitigation, treatment, or
prevention of harm from a condition that may result
in adverse health consequences or death.
AMENDMENT TO H.R. ______

(State Department Authorization, Fiscal Years 2006 and 2007)

Offered by Mr. Schiff of California

Insert in the appropriate place the following new section:

1 sec. _____. Sense of Congress Regarding Security

of Nuclear Weapons and Materials.

It is the sense of the Congress that the President should seek to devise and implement standards to improve the security of nuclear weapons and materials by—

(1) establishing with other willing nations a set of guidelines containing performance-based standards for the security of nuclear weapons and materials;

(2) negotiating with those nations agreements to adopt guidelines containing performance-based standards and implement appropriate verification measures to assure ongoing compliance;

(3) coordinating with those nations and the International Atomic Energy Agency to strongly encourage other nations to adopt and verifiably implement the standards; and
(4) encouraging all nations to work with the International Atomic Energy Agency to complete the negotiation, adoption, and implementation of its proposed series of documents related to the security of nuclear materials.
and recognized political parties are informed and
educated on campaign procedures and processes;
(4) provide that future parliamentary officials
and senior officials of legitimate and recognized po-
litical parties are informed and educated on the leg-
islative procedures and process through exchange
programs; and
(5) assure sufficient funds for deployment of
international observers for the upcoming parliamen-
tary elections and future presidential and parliamen-
tary elections.

SEC. 804. ASSISTANCE TO PROMOTE DEMOCRACY AND
HUMAN RIGHTS IN VIETNAM.

(a) FINDING.—Congress finds that the Socialist Re-
public of Vietnam is a one-party state, ruled and con-
trolled by the Communist Party of Vietnam, which con-
tinues to deny the right of citizens to change their govern-
ment, prohibits independent political, labor, and social or-
ganizations, and continues to commit serious human
rights violations, including the detention and imprison-
ment of persons for the peaceful expression of dissenting
religious and political views.

(b) POLICY.—It is the policy of the United States—
(1) to limit United States nonhumanitarian as-
sistance provided to the Government of Vietnam, not
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(B) assistance which involves the provision of food (including monetization of food) or medicine;
(C) assistance for refugees, and
(D) assistance to combat HIV/AIDS, including any assistance under section 104A of such Act; and
(2) sales, or financing on any terms, under the Arms Export Control Act.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $2,000,000 for necessary expenses to fund nongovernmental organizations and organizations that promote democracy and internationally recognized human rights in Vietnam.

SEC. 805. ECONOMIC SUPPORT FUNDS FOR VENEZUELA.
There are authorized to be appropriated to the President $9,000,000 for each of the fiscal years 2006 and 2007 for assistance under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the “Economic Support Fund”) to fund activities which support political parties, the rule of law, civil society, an independent media, and otherwise promote democratic, accountable governance in Venezuela.
AMENDMENT TO H.R. 2601
OFFERED BY MR. SMITH OF NEW JERSEY

(Amendatory Instructions Refer to the Amendment in the Nature of a Substitute)

Page 17, after line 2, insert the following new subsection:

1 (c) PILOT PROGRAM FOR REFUGEE WAREHOUSING.—

   (1) PILOT PROGRAM.—Of the amounts authorized to be appropriated under subsection (a), there are authorized to be appropriated $2,500,000 for each of fiscal years 2006 and 2007 for the establishment and implementation of a two-year pilot program to improve conditions for long-term refugee populations that are currently assisted in camps or other segregated settlements.

   (2) REQUIREMENTS.—In carrying out the pilot program under paragraph (1), the Secretary of State shall—

      (A) seek to protect and ensure basic rights granted to refugees under the 1951 Convention Relating to the Status of Refugees and the
1967 Protocol Relating to the Status of Refugees;

(B) seek innovative modules or methods to assist long-term refugee populations both within and outside traditional camp settings, as appropriate, that support refugees living or working in local communities, such as integration of refugees into local schools and services, resource conservation and livelihood projects designed to diminish conflict between refugee hosting communities and refugees, and engagement of civil society components of refugee hosting communities in a policy dialogue with the United Nations High Commissioner for Refugees (UNHCR) and international and nongovernmental refugee assistance organizations to enhance options to assist refugees and promote the rights to which refugees may be entitled under the 1951 Convention and 1967 Protocol;

(C) provide a United States voluntary contribution to UNHCR to conduct the pilot program in cooperation with nongovernmental organizations with expertise in the protection of refugee rights, one or more major operational humanitarian assistance agencies, and in con-
sultation with host countries, the United States,
and other donor countries; and

(D) urge UNHCR to select not less than
three host countries in which to conduct the
pilot program.

(3) REPORT.—Not later than one year after the
date on which the first pilot program is established
pursuant to paragraph (2), the Secretary shall sub-
mit to the appropriate congressional committees a
report on the implementation of this subsection, the
development of innovative models to protect and as-
sist refugees, and recommendations for ensuring ref-
ugee rights are respected in countries of temporary
asylum.
AMENDMENT TO H.R. 2601

OFFERED BY MS. WATSON OF CALIFORNIA

(Amendatory Instructions Refer to the Amendment in the Nature of a Substitute)

At the appropriate place in the bill, insert the following new section (and conform the table of contents accordingly):

SEC. ___.

REVIEW OF HUMAN RESOURCES POLICIES OF THE DEPARTMENT OF STATE.

(a) Bottom-Up Review of Elements of the Department of State.—The Secretary of State shall conduct ongoing, thorough reviews of the organizational structure and human resource policies of all elements of the Department of State to determine those organizational structures are most effectively organized and whether personnel with the appropriate skill sets are being hired, trained, and utilized to meet national security challenges, including those posed by international terrorist threats.

(b) Emphasis on Diversity.—The review conducted under subsection (a) shall include an emphasis on improving the ethnic, racial, cultural, and gender diversity of personnel of the Department of State.
(e) **Biennial Report.**—The Secretary shall submit to the appropriate congressional committees a biennial report on the reviews conducted under this section and efforts to improve diversity of the personnel of the Department of State.
AMENDMENT TO H.R. 2601
OFFERED BY MR. WEXLER OF FLORIDA

(Amendatory Instructions Refer to the Amendment in the Nature of a Substitute)

At the end of subtitle B of title IX of the bill, add the following new section:

SEC. ___. SENSE OF CONGRESS REGARDING ACTION AGAINST AL-MANAR TELEVISION.

(a) FINDINGS.—Congress finds that—

(1) in 1996, the Secretary of State designated Hizballah as a foreign terrorist organization (FTO) under section 219 of the Immigration and Nationality Act;

(2) al-Manar television is owned and controlled by Hizballah and acts on behalf of Hizballah, as openly acknowledged by Hizballah leader Hasan Nasrallah;

(3) al-Manar’s programming, in accordance with Hizballah’s policy, openly promotes hatred of and graphically glorifies and incites violence, including suicide bombings, against Americans, Israelis, and Jews;
(4) in December 2004, the Secretary of State placed al-Manar on its Terrorist Exclusion List, immediately after which the sole satellite company that broadcast al-Manar in North America pulled al-Manar off the air;

(5) in recent months, several European Union (EU) countries and EU-based satellite companies have taken actions that severely limit al-Manar's broadcasting reach in Europe; and

(6) al-Manar continues to broadcast to all of the Arab world, much of non-Arab Asia, most of Central and South America, and parts of Europe, with the cooperation of companies headquartered in Europe and the Arab world.

(b) Sense of Congress.—It is the sense of Congress that—

(1) all countries that host satellite companies that broadcast al-Manar, on whose territory al-Manar may be viewed over media subject to government regulation, or where advertising or other financial support for al-Manar originates, should take action, by the strongest and most comprehensive appropriate means available, to suppress al-Manar's terroristic programming; and
(2) the Arab States Broadcasting Union, which is part of the Arab League, should revoke al-Manar’s membership status because of its promotion of hatred and incitement to violence, including suicide bombings, directed toward Americans, Israelis, and Jews.
AMENDMENT TO H.R. 2601
OFFERED BY MR. LANTOS OF CALIFORNIA

(Amendatory Instructions Refer to the Amendment in the Nature of a Substitute)

At the end of the bill, add the following new title (and conform the table of contents accordingly):

   TITLE ___—ADVANCE
   DEMOCRACY ACT OF 2005

SEC. ___ 01. SHORT TITLE.

   This title may be cited as the “Advance Democratic Values, Address Nondemocratic Countries, and Enhance Democracy Act of 2005” or the “ADVANCE Democracy Act of 2005”.

SEC. ___ 02. FINDINGS.

   Congress finds the following:

   (1) All human beings are created equal and possess certain rights and freedoms, including the fundamental right to participate in the political life and government of their respective countries. These inalienable rights are recognized in the Declaration of Independence of the United States and in the Universal Declaration of Human Rights of the United Nations.
(2) The continued lack of democracy, freedom, and fundamental human rights in some countries is inconsistent with the universal values on which the United States is based and such continued lack of democracy, freedom, and fundamental human rights also poses a national security threat to the United States, its interests, and its friends, as it is in such countries that radicalism, extremism, and terrorism can flourish.

(3) There is also a correlation between non-democratic rule and other threats to international peace and security, including war, genocide, famine, poverty, drug trafficking, corruption, refugee flows, human trafficking, religious persecution, environmental degradation, and discrimination against women.

(4) The transition to democracy must be led from within nondemocratic countries, including by nongovernmental organizations, movements, and individuals, and by nationals of such countries who live abroad. Nevertheless, democratic countries have a number of instruments available for supporting democratic reformers who are committed to promoting effective, nonviolent change in nondemocratic countries.
(5) United States efforts to promote democracy and protect human rights in countries where they are lacking can be strengthened to improve assistance for such reformers. United States ambassadors and diplomats can play a critical role in such efforts to promote democracy by publicly demonstrating support for democratic principles and supporting democratic reformers. Training and incentives are needed to assist United States officials in strengthening the techniques and skills required to promote democracy.

(6) A full evaluation of United States funds expended for the support of democracy is also necessary to ensure an efficient and effective use of the resources that are dedicated to these efforts.

(7) The promotion of democracy requires a broad-based effort with collaboration between all democratic countries, including through the Community of Democracies.

(8) The promotion of such universal democracy constitutes a long-term challenge that does not always lead to an immediate transition to full democracy, but through a dedicated and integrated approach can achieve universal democracy.
SEC. 03. STATEMENT OF POLICY.

It shall be the policy of the United States—

(1) to promote freedom and democracy in foreign countries as a fundamental component of United States foreign policy;

(2) to affirm fundamental freedoms and human rights in foreign countries and to condemn offenses against those freedoms and rights as a fundamental component of United States foreign policy;

(3) to use all instruments of United States influence to support, promote, and strengthen democratic principles, practices, and values in foreign countries, including the right to free, fair, and open elections, secret balloting, and universal suffrage;

(4) to protect and promote fundamental freedoms and rights, including the freedom of association, of expression, of the press, and of religion, and the right to own private property;

(5) to protect and promote respect for and adherence to the rule of law in foreign countries;

(6) to provide appropriate support to organizations, individuals, and movements located in non-democratic countries that aspire to live in freedom and establish full democracy in such countries;
(7) to provide, political, economic, and other support to foreign countries that are willingly undertaking a transition to democracy;

(8) to commit United States foreign policy to the challenge of achieving universal democracy; and

(9) to strengthen alliances and relationships with other democratic countries in order to better promote and defend shared values and ideals.

SEC. 04. DEFINITIONS.

In this title:

(1) ANNUAL REPORT ON DEMOCRACY.—The term “Annual Report on Democracy” means the Annual Report on Democracy required under section ___12(a).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on International Relations of the House of Representatives; and

(B) the Committee on Foreign Relations of the Senate.

(3) COMMUNITY OF DEMOCRACIES AND COMMUNITY.—The terms “Community of Democracies” and “Community” mean the association of democratic countries committed to the global promotion
of democratic principles, practices, and values, which
held its First Ministerial Conference in Warsaw, Pol-

(4) DEPARTMENT.—The term “Department”
means the Department of State.

(5) ELIGIBLE ENTITY.—The term “eligible enti-
ty” means any nongovernmental organization, inter-
national organization, multilateral institution, pri-
ivate foundation, corporation, partnership, association,
or other entity, organization, or group engaged
in (or with plans to engage in) the promotion of de-
mocracy and fundamental rights and freedoms in
foreign countries categorized as “partly democratic”
or “nondemocratic” in the most recent Annual Re-
port on Democracy.

(6) ELIGIBLE INDIVIDUAL.—The term “eligible
individual” means any individual engaged in, or who
intends to engage in, the promotion of democracy
and fundamental rights and freedoms in foreign
countries categorized as “democratic transition
countries” or “nondemocratic” in the most recent
Annual Report on Democracy.

(7) REGIONAL DEMOCRACY HUB AND HUB.—
The terms “Regional Democracy Hub” and “Hub”
mean the Regional Democracy Hubs established
under section _11(d)(2).

(8) Secretary.—The term “Secretary” means
the Secretary of State.

(9) Under secretary.—The term “Under
Secretary” means the Under Secretary of State for
Democracy and Global Affairs established under sec-
tion 1(b) of the State Department Basic Authorities
Act of 1956 (22 U.S.C. 2651a(b)), as amended by
section _11(a)(2) of this Act.

Subtitle A—Department of State
Activities

SEC. __11. PROMOTION OF DEMOCRACY IN FOREIGN
COUNTRIES.

(a) Codification of Under Secretary of State
for Democracy and Global Affairs.—Section 1(b) of
the State Department Basic Authorities Act of 1956 (22
U.S.C. 2651a(b)) is amended—

(1) by redesignating paragraph (4) as para-
graph (5); and

(2) by inserting after paragraph (3) the fol-
lowing new paragraph:

“(4) Under secretary of state for de-
mocracy and global affairs.—There shall be in
the Department of State, among the Under Secre-
taries authorized by paragraph (1), an Under Secretary of State for Democracy and Global Affairs, who shall have primary responsibility to assist the Secretary and the Deputy Secretary in the formulation and implementation of United States policies and activities relating to the transition to and development of democracy in nondemocratic countries and to coordinate United States policy on global issues, including issues related to human rights, women’s rights, freedom of religion, labor standards and relations, the preservation of the global environment, the status and protection of the oceans, scientific cooperation, narcotics control, law enforcement, population issues, refugees, migration, war crimes, and trafficking in persons. The Secretary may assign such other responsibilities to the Under Secretary for Democracy and Global Affairs as the Secretary determines appropriate or necessary. In particular, the Under Secretary shall have the following responsibilities:

“(A) Coordinating with the Under Secretary for Public Diplomacy and Public Affairs and officers and employees from the regional bureaus of the Department of State to promote the transition to democracy in nondemocratic
countries and strengthen development of democracy in countries that are in transition to democracy.

“(B) Advising the Secretary regarding any recommendation requested by any official of any other agency that relates to the human rights situation in a foreign country or the effects on human rights or democracy in a foreign country of an agency program of such official.”.

(b) Additional Duties for Assistant Secretary of State for Democracy, Human Rights, and Labor.—Section 1(c)(2)(A) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(c)(2)) is amended by inserting after the first sentence the following new sentence: “The Assistant Secretary of State for Democracy, Human Rights, and Labor shall also be responsible for matters relating to the transition to and development of democracy in nondemocratic countries, including promoting and strengthening the development of democracy in foreign countries that are in the early stages of a transition to democracy and evaluating the effectiveness of United States programs that promote democracy.”

(c) Department of State and United States Missions Abroad.—
10

(1) OFFICE OF DEMOCRATIC MOVEMENTS AND
TRANSITIONS.—

(A) ESTABLISHMENT.—There shall be
within the Bureau of Democracy, Human
Rights, and Labor of the Department of State
an office that shall be responsible for working
with democratic movements and facilitating the
transition of nondemocratic and partly demo-
cratic countries to full democracy.

(B) PURPOSE.—In addition to any other
responsibilities conferred on the office, the of-

cine shall promote transitions to full democracy
in countries that have been designated as non-
democratic or partly democratic in the most re-
cent Annual Report on Democracy required
under section ___12(a).

(C) RESPONSIBILITIES.—The Deputy As-
sistant Secretary of State described in para-
graph (4) and employees of the office shall—

(i) develop relations with, consult

with, and provide assistance to nongovern-
mental organizations, individuals, and
movements that are committed to the
peaceful promotion of democracy, demo-
cratic principles, practices, and values, and
fundamental rights and freedoms in countries described in subparagraph (B), including fostering relationships with the United States Government and the governments of other democratic countries;

(ii) assist officers and employees of regional bureaus to develop strategies and programs to promote peaceful change in such countries;

(iii) foster dialogue, the extent practicable, between the leaders of such non-governmental organizations, individuals, and movements and the officials of such countries;

(iv) create narratives and histories required under section 16 for the Internet site for global democracy and human rights and assist in the preparation of the report required under section 12; and

(v) facilitate, in coordination with public affairs officers and offices of the Department of State responsible for public diplomacy programs in such countries, debates and discussions, including among young people in other countries, regarding
the values and benefits of democracy and human rights at academic institutions in such countries.

(2) REGIONAL DEMOCRACY HUBS AT UNITED STATES MISSIONS ABROAD.—

(A) PILOT PROGRAM.—

(i) IN GENERAL.—The Secretary shall establish at least one Regional Democracy Hub at one United States mission in two of the following geographic regions:

(I) the Western Hemisphere;

(II) Europe;

(III) South Asia;

(IV) the Near East;

(V) East Asia and the Pacific;

and

(VI) Africa.

(ii) DIRECTOR.—Each Regional Democracy Hub shall be headed by a Director. The Director and the associated staff shall be selected by the Secretary of State in consultation with the Assistant Secretary for Democracy, Human Rights, and Labor.
(B) **Responsibilities.**—Each Regional Democracy Hub shall support the appropriate United States ambassador and United States employees assigned to United States missions in each such geographic region to carry out the responsibilities described in this Act, including assisting Ambassadors and other United States Officials in each nondemocratic or partly democratic county in the geographic region in designing and implementing strategies for transition to democracy of such county, including regional strategies as appropriate.

(C) **Accreditation.**—As appropriate, the Department should seek accreditation for the Director to all nondemocratic countries in each geographic region for which each Hub is responsible.

(D) **Termination.**—The Secretary may terminate each Hub established under this paragraph five years after it is established.

(E) **Continuing Responsibilities.**—Nothing in this paragraph shall be construed as removing any responsibility under this or any other act of any chief of mission or other employees of United States diplomatic missions,
including the development and implementation
of strategies to promote democracy.

(F) Authorization of Appropriations.—There are authorized to be appro-
priated to the Secretary such sums as may be
necessary to carry out the responsibilities de-
scribed in subparagraph (B), including hiring
additional staff to carry out such responsibil-
ities.

(3) Responsibilities of the Bureau of Int-
telligence and Research.—The Assistant Sec-
retary for Intelligence and Research should coordi-
nate with the Department of the Treasury, the De-
partment of Justice, the Central Intelligence Agency,
other appropriate intelligence agencies, and, as ap-
propriate, with foreign governments to—

(A) monitor and document financial assets
inside and outside the United States held by
leaders of countries determined to be nondemoc-
kratic or a democratic transition country under
section ___12____;

(B) identify close associates of such lead-
ers; and
(C) monitor and document financial assets inside and outside the United States held by such close associates.

(4) COORDINATION.—

(A) DEPUTY ASSISTANT SECRETARY OF STATE FOR DEMOCRACY, HUMAN RIGHTS, AND LABOR.—There should be in the Department of State a Deputy Assistant Secretary of State for Democracy, Human Rights, and Labor. Any such Deputy Assistant Secretary shall be in addition to the current number of such other Deputy Assistant Secretaries so reporting. In addition to considering qualified noncareer candidates, the Secretary of State should seek to recruit senior members of the Senior Foreign Service to serve in such position.

(B) RESPONSIBILITIES.—In addition to the duties described in paragraph (1) and such other duties as the Secretary or Assistant Secretary of State for Democracy, Human Rights, and Labor may from time to time designate, the Deputy Assistant Secretary of State for Democracy, Human Rights, and Labor should—

(i) coordinate the work of the office described in paragraph (1) with the work
of other offices and bureaus at the Department of State and other United States Government agencies that provide grants and other assistance to nongovernmental organizations, individuals, and movements;

(ii) forge connections between the United States and nongovernmental organizations, individuals, and movements committed to the promotion of democracy and democratic principles, practices, and values and seek to embrace the work of such organization, individuals, and movements.

(5) RECRUITMENT.—The Secretary shall seek to ensure that no later than December 31, 2012, not less than 50 percent of the nonadministrative employees serving in the Bureau of Democracy, Human Rights, and Labor are members of the Foreign Service.

SEC. 12. REPORTS.

(a) ANNUAL REPORT ON DEMOCRACY.—

(1) PREPARATION AND DEADLINE FOR SUBMISSION.—The Secretary of State shall prepare an Annual Report on Democracy. The Under Secretary of State for Democracy and Global Affairs, with the as-
sistance of the Assistant Secretary of State for De-

democracy, Human Rights, and Labor, shall have the

principal responsibility of assisting the Secretary in

the preparation of the Annual Report. The Under

Secretary and Assistant Secretary shall consult with

the regional bureaus of the Department of State in

the preparation of the Annual Report. Not later

than July 1 of each year, the Secretary shall submit

to the appropriate congressional committees the An-

nual Report on Democracy.

(2) CONTENTS.—The Annual Report on De-

mocracy shall contain the following:

(A) EXECUTIVE SUMMARY.—An Executive

Summary with a table listing every foreign

country, that the Secretary determine to be

“nondemocratic” and a list of countries the

Secretary determines to be “democratic transi-
tion countries” because they are at the early

stages of their trans. The Executive Summary

shall contain a short narrative highlighting the

status of democracy in each such country.

(i) DETERMINATION OF CATEGORIZA-

TION.—With respect to a country listed in

the Executive Summary, the Secretary

shall determine which of the categoriza-
tions specified under subparagraph (A) is appropriate by reference to the principles enshrined in the United Nations Charter, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the United Nations Commission on Human Rights Resolution 1499/57 (entitled “Promotion of the Right to Democracy”), the assessments used to determine eligibility for financial assistance disbursed from the Millennium Challenge Account, the assessments of nongovernmental organizations of eligibility to participate in the meetings of the Community of Democracies, and the standards established and adopted by the Community of Democracies. In addition, the categorization of a country should be informed by the general consensus regarding the status of civil and political rights in such country by major nongovernmental organizations that conduct assessments of such conditions in such countries.

(ii) DETERMINATION OF NONDEMO-
CRATIC CATEGORIZATION.—
(I) IN GENERAL.—The Secretary shall categorize a country as non-democratic if such country fails to satisfy any of the following requirements:

(aa) All citizens of such county have the right to, and are not restricted in practice from, fully and freely participating in the political life of such country regardless of gender, race, language, religion, or beliefs.

(bb) The national legislative body of such country and, if directly elected, the head of government of such country, are chosen by free, fair, open, and periodic elections, by universal and equal suffrage, and by secret ballot.

(cc) More than one political party in such country has candidates who seek elected office at the national level and such parties are not restricted in their political activities or their process
for selecting such candidates except for reasonable administrative requirements commonly applied in countries categorized as fully democratic.

(dd) All citizens in such country have a right to, and are not restricted in practice from, fully exercising the freedoms of thought, conscience, belief, peaceful assembly and association, speech, opinion, and expression, and such country has a free, independent, and pluralistic media.

(ee) The current government of such country did not come to power in a manner contrary to the rule of law.

(ff) Such country possesses an independent judiciary and the government of such country generally respects the rule of law.

(II) ADDITIONAL CONSIDERATIONS.—Notwithstanding the satis-
faction by a country of the requirements specified under subclause (I), the Secretary may categorize a country as nondemocratic if the Secretary determines that such is appropriate after consideration of the principles specified under clause (i) with respect to such country.

(B) STATUS OF DEMOCRACY.—A description of each country on the list described in subparagraph (A), including—

(i) an evaluation of trends over the preceding 12 months towards improvement or deterioration in the commitment to and protection of democratic principles, practices, values, institutions, and processes in each such country;

(ii) an evaluation of the political rights and freedoms enjoyed by individuals in each such country and an evaluation of the factors that prevent each such country from being categorized as fully democratic; and

(iii) for each country previously categorized as nondemocratic in the Executive
Summary from the preceding year, an evaluation of any progress made over the previous calendar year towards achieving a categorization of "democratic transition country".

(C) STRATEGY FOR NONDEMOCRATIC COUNTRIES.—An in-depth examination of each country categorized as nondemocratic in the Executive Summary, including—

(i) a strategy developed following consultations with nongovernmental organizations, individuals, and movements that promote democratic principles, practices, and values in each such country to promote and achieve transition to full democracy in each such country;

(ii) a summary of any actions taken by the President with respect to any such country, the effects of any such actions, and if no such actions have been taken, a statement explaining why not;

(iii) a summary of any actions taken by the chief of mission and officials of the United States in each such country with which the United States maintains diplo-
matic and consular posts with respect to
promoting such a transition within that
country and any activities of the embassy
or consulate in that country to support in-
dividuals and organizations in that country
that actively advocate for such a transition;

(iv) a summary of efforts taken by of-
ficials of the United States to speak di-
rectly to the people in each country, and in
particular, a description of any visits taken
by the chief of mission and other officials
of the United States in each such country
to the colleges and universities and other
institutions in the country where young
people congregate and learn;

(v) a summary of any communications
between United States Government offici-
cials, including the chief of mission, and
the leader and other high government offici-
cials of each such country concerning re-
spect for liberty, democracy, and political,
social, and economic freedoms; and

(vi) a description and evaluation of
the efforts undertaken by other democratic
countries belonging to the Community of
Democracies to advance democracy in each such county, including through relevant bodies of the United Nations, regional organizations and bilateral policies and foreign assistance and the extent to which the United States coordinated United States actions and policies with such efforts.

(3) **Classified Addendum.**—If the Secretary determines that it is in the national security interests of the United States, is necessary for the safety of individuals identified in the Annual Report on Democracy, or is necessary to further the purposes of this Act, any information required by paragraph (2), including policies adopted or actions taken by the United States, may be summarized in the Annual Report on Democracy or the Executive Summary and submitted to the appropriate congressional committees in more detail in a classified addendum.

(b) **One-Time Report on Training and Guidelines for Foreign Service Officers and Chiefs of Mission.**—The Secretary of State, in consultation with the Under Secretary of State for Democracy and Global Affairs, shall submit to the appropriate congressional committees a one-time report containing a description of the training provided under section 19 for foreign serv-
ice officers, including chiefs of mission serving or preparing to serve in countries categorized as partly democratic or nondemocratic or chiefs of mission in fully democratic countries whose job performance could benefit from such training, with respect to methods to promote and achieve transition to full democracy in each such country, including nonviolent action. The Secretary shall submit the report together with the first Annual Report on Democracy required under subsection (b).

SEC. 13. STRATEGIES TO ENHANCE THE PROMOTION OF DEMOCRACY IN FOREIGN COUNTRIES.

(a) Working Group on NonDemocratic Countries.—Beginning in the year after the second Annual Report on Democracy required under section 12(a) is submitted and not less than once each year thereafter, the Under Secretary of State for Democracy and Global Affairs should convene a working group under subsection (c) focused on each country designated as nondemocratic in the most recent such report in order to—

(1) review progress on the action plan with respect to each such country to promote and achieve the transition to full democracy in such country; and

(2) receive recommendations regarding further action that should be taken with respect to such plan.
(b) **Working Group on Countries in Transition.**—Beginning in the year after the second Annual Report on Democracy required under section 12(a) is submitted and not less than once each year thereafter, the Under Secretary of State for Democracy and Global Affairs should also convene a working group under subsection (c) focused on the progress towards a fully democratic form of governance in each country designated as a “democratic transition country” in the most recent annual report that was designated as “nondemocratic” in any of the previous annual reports.

(c) **Members of Working Groups.**—The working groups referred to in subsections (a) and (b) should include officers and employees of the Department of State and appropriate representatives from other relevant government agencies, including the United States Agency for International Development, the Department of the Treasury, and the Department of Defense.

(d) **Consultations with Chiefs of Missions.**—The chief of mission for each country designated as nondemocratic or a democratic transition country in the most recent Annual Report on Democracy shall meet with the Under Secretary of State for Democracy and Global Affairs at least once each year to discuss the transition to full democracy in such country, including any actions the
chief of mission has taken to implement the action plan for such country included in such report.

SEC. __14. ACTIVITIES BY THE UNITED STATES TO PROMOTE DEMOCRACY AND HUMAN RIGHTS IN FOREIGN COUNTRIES.

(a) Freedom Investment Act of 2002.—The Freedom Investment Act of 2002 (subtitle E of title VI of Public Law 107–228) is amended—

(1) in Section 663(a), (relating to human rights activities at the Department of State)—

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

(B) by redesignating paragraph (2) as paragraph (4);

(C) by inserting after paragraph (1) the following new paragraphs:

“(2) a United States mission abroad in a country that has been designated as nondemocratic in the most recent Annual Report on Democracy (as required under section __12(a) of the Advance Democratic Values, Address Nondemocratic Countries, and Enhance Democracy Act of 2005) should have at least one political officer who shall have primary responsibility for monitoring and promoting democracy and human rights in such country;
“(3) the level of seniority of any such political officer should be in direct relationship to the severity of the problems associated with the establishment of full democracy and respect for human rights in such country; and”;

(D) in paragraph (4), as so redesignated, by striking “monitoring human rights developments” and all that follows through “recommendation” and inserting the following: “monitoring and promoting democracy and human rights, including a political officer described in paragraphs (2) and (3), in a foreign country should be made after consultation with and upon the recommendation”; and

(2) in Section 665(c) (relating to reports on actions taken by the United States to encourage respect for human rights), by striking the second sentence and inserting adding at the end the following new sentences: “If the Secretary elects to submit such information as a separate report, such report may be submitted as part of the Annual Report on Democracy required under section 12(a) of the Advance Democratic Values, Address Nondemocratic Countries, and Enhance Democracy Act of 2005. If the Secretary makes such an election, such report
shall be organized so as to contain a separate section for each country to which such information applies, together with a short narrative describing the extrajudicial killing, torture, or other serious violations of human rights that are indicated to have occurred in each such country.’’.

(b) FOREIGN ASSISTANCE ACT OF 1961.—The Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended—

(1) in section 116(d) (22 U.S.C. 2151n(d)), by striking paragraph (10) and inserting the following new paragraph:

“(10) for each country with respect to which the report indicates that extrajudicial killings, torture, or other serious violations of human rights have occurred in the country, a strategy, including a specific list of priorities and an action plan, to end such practices in the country, and any actions taken in the previous year to end such practices in the country.’’; and

(2) in section 502B(b) (22 U.S.C. 2304(b)), by striking the sixth sentence and inserting the following new sentence: ‘‘Such report shall also include, for each country with respect to which the report indicates that extrajudicial killings, torture, or other
serious violations of human rights have occurred in
the country, a strategy, including a specific list of
priorities and an action plan, to end such practices
in the country, and any actions taken in the previous
year to end such practices in the country.”.

SEC. __15. DEMOCRACY PROMOTION AND HUMAN RIGHTS

ADVISORY BOARD.

(a) ESTABLISHMENT.—There is established a De-
mocracy Promotion and Human Rights Advisory Board.

(b) PURPOSE AND DUTIES.—The Board shall advise
and provide recommendations to the Secretary of State,
the Under Secretary of State for Democracy and Global
Affairs, the Assistant Secretary of State for Democracy,
Human Rights, and Labor, and the Assistant Adminis-
trator for the Bureau of Democracy, Conflict and Human-
itarian Assistance of the United States Agency for Inter-
national Development concerning United States policies
regarding the promotion of democracy and the establish-
ment of universal democracy, including the following:

(1) Reviewing and making recommendations re-
garding the overall United States strategy for pro-
moting democracy and human rights in partly democ-
kratic and nondemocratic countries, including meth-
ods for incorporating the promotion of democracy
and human rights into United States diplomacy, the
use of international organizations to further United States democracy promotion goals, and ways in which the United States can work with other countries and the Community of Democracies to further such purposes.

(2) Recommendations regarding specific strategies to promote democracy in countries categorized as nondemocratic in the most recent Annual Report on Democracy under section 12(a), in countries that are in a transition to democracy, and methods for consulting and coordinating with individuals (including expatriates) and nongovernmental organizations that promote democratic principles, practices, and ideals.

(3) Recommendations regarding the use of—

(A) programs related to the promotion of democracy and human rights administered by the United States Agency for International Development; and

(B) the Human Rights and Democracy Fund, established under section 664 of the Freedom Investment Act of 2002 (subtitle E of title VI of Public Law 107–228).

(4) Recommendations regarding regulations to be promulgated concerning—
(A) the standards of performance to be met by members of the Foreign Service, including chiefs of mission, under section 405(d) of the Foreign Service Act of 1980 (22 U.S.C. 3965(d)); and

(B) the development of programs to promote democracy in foreign countries under section 108, relating to programs undertaken by United States missions in foreign countries and the activities of chiefs of mission.

(c) STUDY ON DEMOCRACY ASSISTANCE.—

(1) IN GENERAL.—Not later than 18 months after the appointment of five members of the Board, the Board shall submit to the President, Congress, and the Secretary a study on United States democracy assistance.

(2) CONTENTS.—The study shall include—

(A) a comprehensive review and an overall evaluation of the efficiency and effectiveness of United States appropriations for the promotion of democracy, including—

(i) information regarding the amount of money dedicated to such purpose each fiscal year;
(ii) an identification of the international organizations, nongovernmental organizations, multilateral institutions, individuals, private groups (including corporations and other businesses), and government agencies and departments receiving such funds for such purpose;

(iii) information regarding the efficiency and effectiveness of the use of such funds to promote a transition to democracy in nondemocratic countries with a special emphasis on activities related to the promotion of democracy under section 302(b), relating to the Human Rights and Democracy Fund; and

(iv) information regarding the efficiency and effectiveness of the use of such funds to promote and sustain democracy in countries that are already fully democratic or partly democratic;

(B) a review of—

(i) the influence of the broadcasts by the Broadcasting Board of Governors on citizens of countries categorized as non-democratic in the most recent Annual Re-
port on Democracy and the impact of increasing such broadcasts to such countries relative to the cost of such increases, including information relating to programming on the means of nonviolent protest, and successful movements for democratic change in other countries around the world, and

(ii) the potential contribution that supporting private media sources that are not controlled or owned by the United States to reaching citizens of such countries, the situations where such support may be appropriate and the mechanisms that should be used to provide such support;

(C) policy recommendations to the President and Congress regarding ways to improve United States programs for the promotion of democracy, including coordination of such programs; and

(D) recommendations for reform of United States Government agencies involved in the promotion of democracy.

(d) Membership—
(1) **Appointment.**—The Board shall be composed of nine members, who shall be citizens of the United States and who shall not be officers or employees of the United States. The Secretary shall appoint all such members. Not more than five members may be affiliated with the same political party.

(2) **Selection.**—Members of the Board shall be selected from among distinguished individuals noted for their knowledge and experience in fields relevant to the issues to be considered by the Board, including issues related to the promotion of democracy, international relations, management and organization of foreign assistance or comparable programs, methods and means of nonviolent protest, academic study and debate of democracy, human rights, and international law.

(3) **Time for Appointment.**—The appointment of members to the Board under paragraph (1) shall be made not later than 120 days after the date of the enactment of this Act.

(4) **Term of Service and Sunset.**—Each member shall be appointed to the Board for a term that shall expire on the date that is one year after the date of the submission of the report under subsection (c).
(5) **Sunset.**—The Board shall terminate on the date that is one year after the date of the submission of the report under such subsection unless the Secretary determines that it is in the interest of the Department to extend the Board for a period of an additional five years.

(6) **Security Clearances.**—The Secretary shall ensure that all members of the Board, and appropriate experts and consultants under paragraph (7)(E), obtain relevant security clearances in an expeditious manner.

(7) **Operation.**—

(A) **Chair.**—The Secretary shall appoint one member of the Board to chair the Board. The Board shall meet at the call of the Chair.

(B) **Travel Expenses.**—Members of the Board shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of service for the Board.

(C) **Office Space and Administrative Assistance.**—Upon the request of the chair-
person of the Board, the Secretary shall provide reasonable and appropriate office space, supplies, and administrative assistance.

(D) APPLICABILITY OF CERTAIN OTHER LAWS.—Nothing in this section shall be construed to cause the Board to be considered an agency or establishment of the United States, or to cause members of the Board to be considered officers or employees of the United States. Executive branch agencies may conduct programs and activities and provide services in support of the activities duties of the Board, notwithstanding any other provision of law. The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Board.

(E) EXPERTS AND CONSULTANTS.—The Board may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Board such sums as may be necessary for each of fiscal years 2006, 2007, and 2008.
SEC. 16. ESTABLISHMENT AND MAINTENANCE OF INTERNET SITE FOR GLOBAL DEMOCRACY AND HUMAN RIGHTS.

(a) Establishment.—In order to facilitate access by individuals and nongovernmental organizations in foreign countries to documents, streaming video and audio, and other media regarding democratic principles, practices, and values, and the promotion and strengthening of democracy, the Secretary of State, in cooperation with the Under Secretary of State for Democracy and Global Affairs, the Under Secretary for Public Diplomacy and Public Affairs, and the Assistant Secretary of State for Democracy, Human Rights, and Labor, shall establish and maintain an Internet site for global democracy and human rights.

(b) Contents.—The Internet site for global democracy established under subsection (a) shall include the following information:

(1) The Executive Summary prepared under section 12(a)(2)(A), but only to the extent that information contained therein is not classified.

(2) Narratives and histories of significant democratic movements in foreign countries, particularly regarding successful nonviolent campaigns to oust dictatorships.
(3) Narratives relating to the importance of the establishment of and respect for fundamental freedoms.

(4) Major human rights reports by the United States Government or any other documents, references, or links to external Internet sites the Secretary or Under Secretary determines appropriate, including reference to or links to training materials regarding successful movements in the past, including translations of such materials, as appropriate.

SEC. 17. PROGRAMS BY UNITED STATES MISSIONS IN FOREIGN COUNTRIES AND ACTIVITIES OF CHIEFS OF MISSION.

(a) Development of Programs to Promote Democracy in Foreign Countries.—Each chief of mission in each foreign country categorized as nondemocratic with the assistance of the director of the relevant Regional Hub in the most recent Annual Report on Democracy shall—

(1) develop, as part of annual program planning, a strategy to promote democracy in the foreign country and to provide visible and material support to individuals and nongovernmental organizations in that country that are committed to democratic principles, practices, and values, such as—
(A) consulting and coordinating with such individuals and organizations regarding the promotion of democracy;

(B) visiting local landmarks and other local sites associated with nonviolent protest in support of democracy and freedom from oppression;

(C) holding periodic public meetings with such individuals and organizations to discuss democracy and political, social, and economic freedoms;

(D) issuing public condemnation of severe violations of internationally recognized human rights (as such term is described in section 116(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(a))), violations of religious freedom, including particularly severe violations of religious freedom (as such terms are defined in paragraphs (11) and (13) of section 3 of the International Religious Freedom Act of 1998 (22 U.S.C. 6402)), political repression, and government-tolerated or condoned trafficking in persons; and
(E) providing technical, financial, and such other support to such individuals and organizations;

(2) hold ongoing discussions with the leaders of the nondemocratic country regarding a transition to full democracy and the development of political, social, and economic freedoms and respect for human rights, including freedom of religion or belief, in the country; and

(3) conduct meetings with civil society, interviews with media that can directly reach citizens of such country, and discussions with students and young people of the nondemocratic country regarding a transition to democracy and the development of political, social, and economic freedoms in the country.

(b) Public Outreach in Foreign Countries.—Each chief of mission or principal officer should spend time at universities and other institutions of higher learning to—

(1) debate and discuss values and policies that promote democracy; and

(2) communicate, promote, and defend such United States values and policies.
Access to United States Missions.—The Secretary is encouraged to allow access to a United States diplomatic or consular mission in each foreign country categorized as a democratic transition country or nondemocratic in the most recent Annual Report on Democracy by individuals and representatives of nongovernmental organizations in that country who are committed to democratic principles, practices, and values in that country.

SEC. 18. TRAINING FOR FOREIGN SERVICE OFFICERS.

(a) Training in Democracy and the Promotion of Democracy and Human Rights.—Section 708 of the Foreign Service Act of 1980 (22 U.S.C. 4028) is amended by adding at the end the following new subsection:

“(c) Training on Global Democracy Promotion.—

“(1) In general.—In addition to the training required under subsections (a) and (b), the Secretary of State, in cooperation with other relevant officials, including the Under Secretary of State for Democracy and Global Affairs, and the Director of the National Foreign Affairs Training Center of the Foreign Service Institute of the Department of State, shall establish as part of the training provided after December 31, 2006, for members of the Serv-
ice, including all chiefs of mission and deputy chiefs of mission, instruction in how to strengthen and promote democracy through peaceful means in consultation with individuals and nongovernmental organizations that support democratic principles, practice and values. In particular, such instruction shall be mandatory for members of the Service having reporting or other responsibilities relating to internal political developments and human rights, including religious freedom, in nondemocratic or partly democratic countries, including for chiefs of mission and deputy chiefs of mission, and shall be completed before the time that such member or chief of mission assumes a post (or, if such is not practical, within the first year of assuming such post).

“(2) CONTENTS OF TRAINING.—The training required under paragraph (1) shall include instruction, a training manual, and other materials regarding the following:

“(A) International documents and United States policy regarding electoral democracy and respect for human rights.

“(B) United States policy regarding the promotion and strengthening of democracy around the world, with particular emphasis on
the transition to democracy in nondemocratic
countries.

“(C) For any member, chief of mission, or
deputy chief of mission who is to be assigned to
a foreign country that is categorized as non-
democratic in the Annual Report on Democracy
required under section 12(a) of the Ad-

vance Democratic Values, Address Nondemo-
cratic Countries, and Enhance Democracy Act
of 2005, instruction regarding ways to promote
democracy in such a country and providing

technical, financial, and other support to indi-

viduals (including expatriated citizens) and non-
governmental organizations in such country
that support democratic principles, practices,
and values.

“(D) The protection of internationally rec-
ognized human rights (including the protection
of religious freedom) and standards related to
such rights, provisions of United States law re-
lated to such rights, diplomatic tools to promote
respect for such rights, the protection of indi-

viduals who have fled their countries due to vi-o-
lations of such rights (including the role of
United States embassies in providing access to
the United States Refugee Admissions Program) and the relationship between respect for such rights and democratic development and national security. The Director of the National Foreign Affairs Training Center of the Foreign Service Institute of the Department of State shall consult with nongovernmental organizations involved in the protection and promotion of such rights and the United States Commission on International Religious Freedom (established under section 201(a) of the International Religious Freedom Act of 1998 (22 U.S.C. 6431(a)) in developing the training required by this subparagraph.”.

(b) Other Training.—The Secretary of State shall ensure that the training described in subsection (a) is provided to members of the civil service who are assigned in the United States or abroad who have reporting or other responsibilities relating to internal political developments and human rights in countries that are categorized as partly democratic or nondemocratic in the Annual Report on Democracy required under section 12(a) of the Advance Democratic Values, Address Nondemocratic Countries, and Enhance Democracy Act of 2005.
(c) Authorization of Appropriations.—There are authorized to be appropriated such sums as may be necessary to develop appropriate programs and materials to accomplish the training required under subsection (c) of section 708 of the Foreign Service Act of 1980 (22 U.S.C. 4028), as added by subsection (a).

(d) Clerical Amendments.—Section 708 of the Foreign Service Act of 1980 is further amended—

(1) in subsection (a) by striking “(a) The” and inserting “(a) Training on Human Rights.— The”;

(2) in subsection (b) by striking “(b) The” and inserting “(b) Training on Refugee Law and Religious Persecution.—The”.

SEC. 19. PERFORMANCE PAY; PROMOTIONS; FOREIGN SERVICE AWARDS.

(a) Performance Pay.—Section 405(d) of the Foreign Service Act of 1980 (22 U.S.C. 3965(d)) is amended by inserting after the second sentence the following new sentence: “Meritorious or distinguished service in the promotion of democracy in foreign countries, including contact with and support of individuals and nongovernmental organizations that promote democracy in a foreign country categorized as nondemocratic in the most recent Annual Report on Democracy (as required under section
(b) Promotions.—Section 603(b) of the Foreign Service Act of 1980 (22 U.S.C. 4003(b)) is amended by adding at the end the following new sentence: “Precepts for selection boards shall also, where applicable, include an evaluation of whether members of the Service and members of the Senior Foreign Service have met the standards of performance established by the Secretary pursuant to section 19(c) of the Advance Democratic Values, Address Nondemocratic Countries, and Enhance Democracy Act of 2005, or have served in a position in which the primary responsibility is to monitor or promote democracy or human rights.”.

(c) Regulations and Evaluations Concerning Standards of Performance and Programs to Promote Democracy.—With respect to members of the Foreign Service, including all chiefs of mission, who are assigned to foreign countries categorized as nondemocratic in the most recent Annual Report on Democracy, the Secretary shall prescribe regulations concerning the standards of performance to be met under sections 405(d) and 603(b) of the Foreign Service Act of 1980 (22 U.S.C.
3965(d) and 4003(b)), as amended by subsections (a) and (b), respectively, and the development of programs to promote democracy in foreign countries under section 108. The requirements of sections 17 and 18(a) shall serve as one of the bases for performance criteria in evaluating chiefs of mission and those officers at posts so designated by the chief of mission.

(d) FOREIGN SERVICE AWARDS.—Section 614 of the Foreign Service Act of 1980 (22 U.S.C. 4013) is amended by adding at the end the following new sentence: “Distinguished or meritorious service in the promotion of democracy in foreign countries, including contact with and support of individuals and nongovernmental organizations that promote democracy in a foreign country categorized as nondemocratic in the most recent Annual Report on Democracy (as required under section 12(a) of the Advance Democratic Values, Address Nondemocratic Countries, and Enhance Democracy Act of 2005), shall also serve as a basis for granting awards under this section.”.

SEC. 20. APPOINTMENTS.

(a) APPOINTMENTS BY THE PRESIDENT.—Section 302 of the Foreign Service Act of 1980 (22 U.S.C. 3942) is amended by adding at the end the following new subsection:
“(c) If an individual (with respect to subsection (a)) or a member of the Service (with respect to subsection (b)) is appointed by the President to be and if such individual or such member has previously served as a chief of mission of the United States in a country at the time such country was categorized as nondemocratic in an Annual Report on Democracy (required under section 12(a) of the Advance Democratic Values, Address Nondemocratic Countries, and Enhance Democracy Act of 2005), the President shall transmit to the Committee on Foreign Relations of the Senate a written report summarizing the actions that such individual or member took during the period of such prior service to promote democracy and human rights in such country, including actions in furtherance of the action plan contained in such report.”.

(b) CHIEFS OF MISSION.—Section 304(a)(1) of such Act (22 U.S.C. 3944(a)(1)) is amended by adding at the end the following new sentence: “If the country in which the individual is to serve is categorized as nondemocratic in the most recent Annual Report on Democracy (as required under section 12(a) of the Advance Democratic Values, Address Nondemocratic Countries, and Enhance Democracy Act of 2005), the individual should possess clearly demonstrated competence in and commitment
to the promotion of democracy in that country, including competence in promoting democratic practices, values, and ideals through regular interaction with individuals, including students and young people within that country, who support and advocate such principles, practices, and values.”

Subtitle B—Alliances With Other Democratic Countries

SEC. 31. ALLIANCES WITH OTHER DEMOCRATIC COUNTRIES.

(a) FINDING.—Congress finds that it is in the national interest of the United States, including for humanitarian, economic, social, political, and security reasons, to forge alliances with democratic countries to work together to promote and protect—

(1) shared democratic principles, practices, and values; and

(2) political, social, and economic freedoms around the world.

(b) PURPOSES.—The purposes of this title are to encourage new ways of forging alliances with democratic countries in order to—

(1) promote and protect democratic principles, practices, and values, including the right to free,
fair, and open elections, secret balloting, and universal suffrage;

(2) promote and protect fundamental shared political, social, and economic freedoms, including the freedoms of association, of expression, of the press, of religion, and to own private property;

(3) promote and protect respect for the rule of law;

(4) develop, adopt, and pursue strategies to advance common interests in international organizations and multilateral institutions to which members of the alliance of democratic countries belong; and

(5) provide political, economic, and other necessary support to countries that are undergoing a transition to democracy.

(c) Sense of Congress Regarding Participation.—It is the sense of Congress that any foreign country that is categorized as nondemocratic in the most recent Annual Report on Democracy under section 12(a) should not participate in any alliance of democratic countries aimed at working together to promote democracy.
SEC. 32. SENSE OF CONGRESS REGARDING THE ESTABLISHMENT OF A DEMOCRACY CAUCUS.

(a) FINDINGS.—Congress finds that with the passage of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458), Congress—

(1) encouraged the establishment of a Democracy Caucus within the United Nations, the United Nations Human Rights Commission, the United Nations Conference on Disarmament, and at other broad-based international organizations; and

(2) required increased training in multilateral diplomacy for members of the Foreign Service and appropriate members of the Civil Service to support such an establishment.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the creation of a Democracy Caucus in each international organization and multilateral institution of which the United States is a member will not only improve the internal governance of such organizations but will also strengthen the implementation of commitments by such organizations and institutions regarding democracy and human rights.

SEC. 33. ANNUAL DIPLOMATIC MISSIONS ON MULTILATERAL ISSUES.

The Secretary of State, acting through the principal officers responsible for advising the Secretary on inter-
national organizations, should ensure that a high level delegation from the United States is sent on an annual basis to consult with key foreign governments in every region to promote United States policies, including issues related to democracy and human rights, at key international fora, including the United Nations General Assembly, the United Nations Human Rights Commission on other multilateral human right body, the Organization for Security and Cooperation in Europe, and the United Nations Educational, Science, and Cultural Organization.

SEC. 34. STRENGTHENING THE COMMUNITY OF DEMOCRACIES.

(a) Sense of Congress.—It is the sense of Congress that the Community of Democracies should develop a more formally mechanism for carrying out work between ministerial meetings, including appropriate staff to carry out such work, and should, as appropriate, establish a headquarters.

(b) Detail of Personnel.—The Secretary is authorized to detail on a nonreimbursable basis any employee of the Department of State to any country that is a member of the Convening Group of the Community of Democracies.

(c) Regional Group in the Community of Democracies.—It is the sense of Congress that regional
groups within the Community of Democracies should be
established and strengthened in order to facilitate coordi-
nation of common positions and action on multilateral
strategies to promote and consolidate democracy.

(d) INTERNATIONAL CENTER FOR DEMOCRATIC
TRANSITION.—

(1) SENSE OF CONGRESS.—It is the sense of
Congress that the United States should, along with
contributions from private individuals, support the
initiative of the Government of Hungary and the
governments of other European countries to estab-
lish a International Center for Democratic Transi-
tion to support transitions to full democracy.

(2) AUTHORIZATION OF APPROPRIATIONS.—
There is authorized to be appropriated for a grant
to the International Center for Democratic Transi-
tion $1,000,000 for each of the fiscal years 2006,
fiscal year 2007, and 2008. Amounts appropriated
under this paragraph shall remain available until ex-
pended.

(3) USE OF FUNDS.—Any grant made in fiscal
year 2006 by the Secretary to the International Cen-
ter for Democratic Transition under paragraph (2)
may be used for the establishment and operations of
the Center and for programs and activities of the
Center. Any grant or voluntary contribution made in any subsequent fiscal year by the Secretary to the Center under such paragraph may be used for programs and activities of the Center.

Subtitle C—Funding for Promotion of Democracy

SEC. 41. POLICY.

It shall be the policy of the United States to provide financial assistance to eligible entities and eligible individuals in order to assist such entities and individuals in the promotion of democracy in countries categorized as nondemocratic in the most recent Annual Report on Democracy under section 12(a).

SEC. 42. HUMAN RIGHTS AND DEMOCRACY FUND.

(a) PURPOSES OF THE HUMAN RIGHTS AND DEMOCRACY FUND.—In addition to uses currently approved for the Human Rights and Democracy Fund, the Secretary of State, acting through the Assistant Secretary of State for Democracy, Human Rights, and Labor shall use amounts appropriated to the Human Rights and Democracy Fund under subsection (g) to provide assistance to eligible entities and eligible individuals to promote democracy in foreign countries categorized as nondemocratic in the most recent Annual Report on Democracy under section 12(a). The promotion of democracy in such coun-
tries for which such assistance may be provided may in-
clude the following activities:

(1) The publication and distribution of books and the creation and distribution of other media re-
lating to information about current events in such
country and educational programming designed to
provide information regarding democracy, the rule of
law, free, fair and open elections, free market eco-
nomics, fundamental human rights (including the
rights of freedom of speech and of religion and the
rights to be free from slavery and bondage), and
successful democratic movements in history, includ-
ing educational programs for leaders and members
of democratic movements to convey information to
such individuals regarding the means of nonviolent
force and the methods of nonviolent action.

(2) The translation into languages spoken in
such countries of relevant programming and existing
books, videos, and other publications relating to the
subjects specified in paragraph (1).

(3) The promotion of political pluralism and the
rule of law within such countries, including the pro-
motion of nongovernmental organizations and move-
ments that promote democratic principles, practices,
and values.
(4) The creation of programs for student groups to work with citizens of such countries who are committed to democratic reforms and to the promotion of a transition to democracy.

(5) The creation of training programs for citizens of such countries concerning international legal obligations to support democracy and human rights, including religious freedom.

(6) Support for nongovernmental organizations which have experience with the Community of Democracies to assist the Community of Democracies and its Convening Group.

(b) FREEDOM INVESTMENT ACT OF 2002.—Section 664(b) of the Freedom Investment Act of 2002 (subtitle E of title VI of Public Law 107–228, relating to the purposes of the Human Rights and Democracy Fund) is amended—

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

(2) by redesignating paragraph (5) as paragraph (6);

(3) by inserting after paragraph (4) the following new paragraph:

“(5) to support the study of democracy abroad, including support for debates and discussions at aca-
democratic institutions, regarding the values and benefits
of democracy; and’; and

(4) in paragraph (6), as redesignated by para-
graph (2) of this subsection, by striking “(4)” and
inserting “(5)”.

(c) ADMINISTRATIVE AUTHORITIES.—Assistance pro-
vided through the Human Rights and Democracy Fund
may be provided to eligible entities and eligible individuals
in foreign countries notwithstanding any provisions of law
that prohibit assistance to a foreign country or to a gov-
ernment of a foreign country.

(d) ANNUAL REPORT ON THE STATUS OF THE
HUMAN RIGHTS AND DEMOCRACY FUND.—Within 60
days of the conclusion of each fiscal year, the Assistant
Secretary of State for Democracy, Human Rights, and
Labor shall submit to the appropriate congressional com-
mittees an annual report on the status of the Human
Rights and Democracy Fund. Each such annual report
shall contain the following information:

(1) An identification of each eligible entity and
eligible individual who received assistance during the
previous fiscal year under subsection (b) and a sum-
mary of the activities of each such recipient.
(2) An account of projects funded and outside contributions received during the previous fiscal year.

(3) A balance sheet of income and outlays current as of the conclusion of fiscal year to which such report is relevant.

(e) Authorization of Appropriations.—

(1) IN GENERAL.—Of the funds available for each of fiscal years 2006 and 2007, there are authorized to be appropriated to the Human Rights and Democracy Fund to carry out the purposes of this section $50,000,000 for fiscal year 2006 and $60,000,000 for fiscal year 2007. Amounts appropriated under this section shall remain available until expended.

(2) ADMINISTRATIVE EXPENSES.—Not more than five percent of amounts appropriated to the Human Rights and Democracy Fund for each fiscal year may be applied toward administrative expenses of the carrying out this section.

(3) CONTRIBUTIONS.—The Secretary may accept contributions to the Human Rights and Democracy Fund from the governments of other democratic countries, private foundations, private citizens, and other nongovernmental sources.
Subtitle D—Presidential Actions

SEC. 51. INVESTIGATION OF VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW.

(a) In general.—The President, with the assistance of the Secretary of State, the Under Secretary of State for Democracy and Global Affairs, and the Ambassador-at-Large for War Crimes Issues, shall collect information regarding incidents that may constitute crimes against humanity, genocide, slavery, or other violations of international humanitarian law by leaders or other government officials of foreign countries categorized as nondemocratic in the most recent Annual Report on Democracy under section 12(a) or are partly democratic.

(b) Accountability.—The President shall consider what actions can be taken to ensure that the leaders or other government officials of foreign countries who are identified in accordance with subsection (a) as responsible for crimes against humanity, genocide, slavery, or other violations of international humanitarian law are brought to account for such crimes in an appropriately constituted tribunal.

SEC. 52. PRESIDENTIAL COMMUNICATIONS.

(a) Finding.—Congress finds that direct communications from the President to citizens of countries that are categorized as nondemocratic in the most recent An-
Annual Report on Democracy would be extremely beneficial
to demonstrate that the United States supports such citi-
zens and the efforts and actions of such citizens to pro-
mote and achieve transition to democracy in such coun-
tries.

(b) Sense of Congress.—It is the sense of Con-
gress that—

(1) from time to time as the President shall de-
termine appropriate, the President should broadcast
a message to the citizens of countries categorized as
nondemocratic in the most recent Annual Report on
Democracy under section 11(a) expressing the
support of the United States for such citizens, dis-
cussing democratic principles, practices, and values,
and political, social, and economic freedoms, and
condemning violations of internationally recognized
human rights (as such term is described in section
116(a) of the Foreign Assistance Act of 1961 (22
U.S.C. 2151n(a))), violations of religious freedom,
including particularly severe violations of religious
freedom (as such terms are defined in paragraphs
(11) and (13) of section 3 of the International Reli-
gious Freedom Act of 1998 (22 U.S.C. 6402)), polit-
ical repression, and government-tolerated or con-
doned trafficking in persons that occur in such coun-
try; and

(2) the President should encourage leaders of
other democratic countries to make similar broad-
casts.
AMENDMENT TO H.R. ______
OFFERED BY MR. TANCREDO OF COLORADO

(Foreign Relations Authorization Act, Fiscal Years 2006 and 2007)

At the appropriate place in the bill, insert the following new section (and conform the table of contents accordingly):

SEC. ___. SENSE OF CONGRESS WITH RESPECT TO THE INTERNATIONAL CRIMINAL COURT AND GENOCIDE IN DARFUR, SUDAN.

Based upon the adoption of resolutions on July 22, 2004, by both the House of Representatives and the Senate and the declaration on September 9, 2004, by former Secretary of State Colin Powell that the atrocities unfolding in Darfur, Sudan, are genocide, it is the sense of Congress that, notwithstanding the American Servicemembers’ Protection Act of 2002 (title II of the 2002 Supplemental Appropriations Act for Further Recovery From and Response To Terrorist Attacks on the United States; Public Law 107–206), the United States should render assistance to the efforts of the International Criminal Court to bring to justice persons accused of genocide, war crimes, or crimes against humanity in
Darfur, Sudan, provided that legally binding assurances have been received from the United Nations Security Council or the International Criminal Court that no current or former United States Government official, employee (including any contractor), member of the United States Armed Forces, or United States national will be subject to prosecution by the International Criminal Court in connection with those efforts.
6. Funds, grants to non-governmental organizations to support sustainable reforestation, development, and environmental conservation projects in accordance with the principles contained in the

7. (a) United States Special Coordinator for Mixed

8. This paragraph is amended to read as follows:

9. shall require the President to carry out this section if the

10. In the Fiscal Year 2004 and thereafter:

11. United States Special Coordinator for Mixed

12. and the

13. Issuance of clean energy and environmental

14. and proposed projects for The Bahamas that are

15. paragraph (b),

16. [Redacted in accordance with the principles contained in this section] 

17. There are appropriated to the

18. of

19. (ii) In

20. (I)

21. (b) "COMMITTEE REPORTS—


23. Special Coordinator for Mixed

24. The

25. shall provide in a United States post in the People's
Modified Version of Section 813
Offered by Mr. Smith of New Jersey

On page 169 Strike line 9 and all that follows through line 22 and insert in lieu thereof the following:

SEC. 813. ASSISTANCE FOR THE OFFICE OF THE OMBUDSMAN FOR NORTHERN IRELAND.

Of the amounts made available for each of the fiscal years 2006 and 2007 to carry out section 481 of the Foreign Assistance Act of 1961 (22 U.S.C. 2291), $100,000 for each such fiscal year is authorized to be available for—

(1) specialized investigative training, including training in the United States, of personnel of the Office of the Ombudsman for Northern Ireland; and

(2) advisory support to the Office of the Ombudsman for Northern Ireland for the development and strengthening of its investigative capacity and its investigations of human rights abuses by the police, in order to ensure human rights complaint policing in N. Ireland.

On Page 177 line 2, strike "pro-" and all that follows through the first comma on line 4

The effect is to strike the following language "promote human rights training for the office of the Ombudsman,

Make any technical and conforming changes.
AMENDMENT TO H.R. ______
OFFERED BY MR. TANCREDO OF COLORADO

(Foreign Relations Authorization Act, Fiscal Years 2006 and 2007)

At the appropriate place in the bill, insert the following new section (and conform the table of contents accordingly):

SEC. ___. REPORTS WITH RESPECT TO EXTRADITION OF VIOLENT CRIMINALS FROM MEXICO TO THE UNITED STATES.

(a) FINDINGS.—Congress finds the following:

(1) Mexico is unable to extradite criminals who face life sentences without the possibility of parole because of a 2001 decision of the Mexican Supreme Court.

(2) As a result of this ruling, Mexico is unable to extradite to the United States numerous suspects wanted for violent crimes committed in the United States unless the United States assures Mexico that these criminals will not face life imprisonment without the possibility of parole.

(3) The attorneys general from all 50 States have asked the Government of the United States to
continue to address this extradition issue with the
Government of Mexico.

(4) The Government of the United States and
the Government of Mexico have experienced positive
cooperation on numerous matters relevant to their
bilateral relationship, including increased coopera-
tion on extraditions.

(b) Sense of Congress.—It is the sense of Con-
gress that the Government of the United States should
encourage the Government of Mexico to continue to work
closely with the Mexican Supreme Court to urge the Court
to re-visit its October 2001 ruling so that the possibility
of life imprisonment without parole will not have an effect
on the timely extradition of criminal suspects from Mexico
to the United States.

(c) Reports.—

(1) Annual number and status of formal
extradition requests made to Mexico by the
United States.—Not later than six months after
the date of the enactment of this Act and annually
thereafter, the Secretary of State shall submit to the
appropriate congressional committees a report that
includes—

(A) the number of formal requests made to
the Government of Mexico by the Government
of the United States for the extradition of
Mexican nationals suspected of or convicted in
abstentia for crimes committed in the United
States in the preceding fiscal year, the names
of such nationals, the crimes of which each such
national is suspected or has been convicted in
abstentia, a detailed disposition of the status of
each such extradition request, and the progress
that has been made with respect to each such
extradition request in the preceding fiscal year;
and

(B) the number of such nationals who
Mexico has extradited to the United States in
response to formal extradition requests for such
nationals in the preceding fiscal year.

(2) AGGREGATE NUMBER AND STATUS OF FOR-
MAL EXTRADITION REQUESTS MADE TO MEXICO BY
THE UNITED STATES.—Not later than six months
after the date of the enactment of this Act and an-
ually thereafter, the Secretary of State shall submit
to the appropriate congressional committees a report
that includes—

(A) the number of formal requests made to
the Government of Mexico by the Government
of the United States for the extradition of
Mexican nationals suspected of or convicted in *abstentia* for crimes committed in the United States since the signing of the Extradition treaty, with appendix, between the United States and Mexico, signed at Mexico City on May 4, 1978 (31 UST 5059), including the names of such nationals, the crimes of which each such national is suspected or has been convicted in *abstentia*, a detailed disposition of the status of each such extradition request, and the progress that has been made with respect to each such extradition request since such signing; and

(B) the number of such nationals who Mexico has extradited to the United States in response to formal extradition requests for such nationals since the signing of the Extradition treaty, with appendix between the United States and Mexico.

(3) COOPERATION BY THE UNITED STATES WITH EXTRADITION REQUESTS FROM MEXICO.—Not later than six months after the date of the enactment of this Act and annually thereafter, the Secretary of State shall submit to the appropriate congressional committees a report that includes—
(A) the number of United States nationals
who the United States has extradited to Mexico
in response to formal extradition requests for
such nationals by Mexico in the preceding fiscal
year; and

(B) the number of United States nationals
who the United States has extradited to Mexico
in response to formal extradition requests for
such nationals by Mexico since the signing of
the Extradition treaty, with appendix between
the United States and Mexico.

(d) FORMAT.—If the Secretary of State determines
that such is appropriate, the Secretary may submit a re-
port required under subsection (e) with a classified annex.
Mr. LANTOS. Mr. Chairman, the Democratic side has no objections. We support all 35 amendments.

Mr. SMITH OF NEW JERSEY. I appreciate that support, and again, I deeply appreciate the spirit of cooperation with which you have engaged our side of the aisle on this legislation.

Are there any amendments to the Smith substitute amendment?

Mr. DELAHUNT. Parliamentary inquiry, Mr. Chairman.

Mr. SMITH OF NEW JERSEY. Mr. Delahunt will state his parliamentary inquiry.

Mr. DELAHUNT. When you say, are there any amendments to be offered to the Smith substitute?

Mr. SMITH OF NEW JERSEY. That is now the base text.

Mr. DELAHUNT. That is now the base text. That was the bill at the markup.

Mr. SMITH OF NEW JERSEY. That is correct.

Mr. DELAHUNT. Okay, well, I presume that they are—then I have an amendment at the desk.

Mr. SMITH OF NEW JERSEY. The Chair recognizes Mr. Delahunt for the purpose of proposing his amendment.

The clerk will designate the amendment by Mr. Delahunt.

Ms. RUSH. Amendment to the amendment in the nature of a substitute offered by Mr. Delahunt of Massachusetts: At the appropriate place in the bill insert the following new section and conform the table of contents accordingly. Section, blank, Report on Actions of the 661 Committee——

Mr. SMITH OF NEW JERSEY. Without objection, the amendment will be considered as read, and the gentleman is recognized for 5 minutes in favor of his amendment.

[The amendment referred to follows:]
AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 2601
OFFERED BY MR. DELAHUNT OF MASSACHUSETTS
(Foreign Relations Authorization Act, Fiscal Years 2006 and 2007)

At the appropriate place in the bill, insert the following new section (and conform the table of contents accordingly):

1 SEC. ___. REPORT ON ACTIONS OF THE 661 COMMITTEE.

2 (a) REPORT.—Not later than 120 days after the date
3 of the enactment of this Act, the Secretary of State shall
4 submit to the appropriate congressional committees a re-
5 port on United States decisions, actions, communications,
6 and deliberations in the 661 Committee of the United Na-
7 tions regarding the issues of overpricing of contracts, kick-
8 backs from sales of humanitarian goods, oil smuggling,
9 and trade protocols. The report shall examine the process
10 by which the United States made its decisions in the 661
11 Committee, the officials in the United States Government
12 involved in these decisions, and the names of the officials
13 who made the final decisions. The report shall also include the
14 information detailing the positions on the
15
16 (b) INCLUSION OF SUPPORTING DOCUMENTS.—The
17 report required under subsection (a) shall contain all sup-
porting documents with respect to the decisions, actions, communications, and deliberations referred in such subsection.

(c) FORMAT.—If the Secretary determines that such is appropriate, the Secretary may submit the report required under subsection (a) with a classified annex.

(d) DEFINITION.—In this section, the term "661 Committee" means the committee within the United Nations that was tasked with administering the United Nations oil for food program.
Mr. DELAHUNT. Yes, I thank the Chairman.

According to the Dulfer Report, and I am going to ask my staff member to put up as an exhibit a chart. I do not see him around. I am sure it will happen miraculously.

In any event, according to the Dulfer Report, summarized on a chart which will appear shortly, the regime of Saddam Hussein had four primary sources of illegal revenue during the course of the sanctions regime imposed on Iraq in the aftermath of the Gulf War. As it will be shown, 73 percent came from the so-called trade protocols. These were written agreements between Iraq and the Governments of Jordan, Turkey, Syria and Egypt that violated the United Nations resolution creating the sanctions regime. Another 11 percent came from good old-fashioned smuggling. Fourteen percent came from the kickbacks associated with the sale of humanitarian goods associated with the UN Oil-for-Food Program. and 2 percent came from illegal surcharges on the sale of oil. All together, this amounted to some $12 billion that illegally went to support the Saddam regime in violation of the UN resolution imposing the sanctions.

It was the responsibility of the so-called 661 Committee of the UN to ensure that no illegal revenue accrued to the benefit of Saddam Hussein. It would appear that the 661 Committee failed to fulfill that responsibility. The 661 Committee, in reality, is made up of all of the 15 members of the Security Council, including the United States.

The American people need to know why the 661 Committee failed in this aspect of their responsibility. My amendment will help us determine why. It will require a report by the Secretary of State on U.S. actions on the 661 Committee. It will ensure that all necessary documentation and information is made available so that Congress can fully investigate what our own Government knew about the UN Oil-for-Food Program and the trade protocols and the illegal smuggling, and what it did or did not do to stop that.

Over the past year, this Committee has been investigating the UN Oil-for-Food Program, but it is important to note and underscore that the vast majority of illicit Iraqi revenue during the UN sanctions was from the sale of oil by Saddam outside of the UN Oil-for-Food Program, and we have not investigated how this happened. Most of it came from the so-called trade protocols, but when Jordan and Turkey told the 661 Committee of their intentions to purchase oil from Iraq in violation of the UN sanctions, the 661 Committee, in reality the Security Council, simply took note, whatever that means. It did nothing else.

The trade protocols, I would submit, were blatant violations of United Nations' sanctions, but the 661 Committee took no action to stop them. We need to know why.

Then there was the Khor al-Amaya shipments. From mid-February to March 2003, seven tankers loaded 7.7 million barrels of Iraqi oil in complete violation of the UN sanctions, resulting in over $53 million of revenue for the Saddam Hussein regime on the eve of our invasion of Iraq. UN inspectors alerted the 661 Committee about these shipments while they were happening, but the Committee did nothing, and the naval interdiction force led by the United States did not stop the ships. We need to know why.
We also know that Saddam skimmed money from the Oil-for-Food contracts on more than 70 occasions. The 661 Committee was notified of glaring pricing irregularities, but, again, the 661 Committee, the Security Council, did nothing, allowing Saddam to continue stealing at the expense of his own population. We need to know why.

Then there are the failures in the oversight of the UN Secretariat’s day-to-day management of the Oil-for-Food Program. The Volcker Commission and UN internal audits have shown that there were a number of problems with the operations of the program, yet it is unclear what, if any, steps were taken by the 661 Committee, that is the Security Council, to correct them. We need to know what happened.

My friend, Chairman Rohrabacher, has promised that we will hold hearings into the trade protocols. This amendment will provide us with the necessary information and documentation to begin preparation for those hearings.

Mr. Chairman, let me suggest that this amendment goes to the heart of our constitutional responsibility to conduct oversight of the Executive Branch. American taxpayers deserve to know why the 661 Committee allowed Saddam’s regime to earn billions in illicit revenue in violation of UN sanctions and what role our Government may have played in doing so. I, therefore, urge adoption of this amendment, and I see my time has expired.

Mr. Smith of New Jersey. Before recognizing Mr. Lantos, I would just ask Mr. Delahunt if he might consider withdrawing his amendment for perhaps a half-hour or so, so we can take a look at it. This is the first time we have seen it. It may be an excellent amendment. I think it has a great deal of surface appeal, and I think it probably is a good amendment.

Mr. Delahunt. Okay.

Mr. Smith of New Jersey. I appreciate that.

The amendment is withdrawn, but obviously, you have the right to reoffer it. The Chair recognizes Mr. Lantos.

Mr. Lantos. Mr. Chairman, I will just take a moment to commend my friend for this extremely important initiative, and I strongly support it.

Mr. Smith of New Jersey. The Chair recognizes Mr. Poe for the purpose of offering an amendment.

Mr. Poe. Mr. Chairman, I have an amendment at the table.

Mr. Smith of New Jersey. The clerk will designate the amendment.

Ms. Rush. Amendment offered by Mr. Poe of Texas. In Section 104 of the bill, strike “There” and insert section “(a) In General. There”; and——

Mr. Poe. Mr. Chairman, I ask unanimous consent that the amendment be considered as read.

Mr. Smith of New Jersey. Without objection, so ordered.

[The amendment referred to follows:]
AMENDMENT TO H.R. ____
OFFERED BY MR. POE OF TEXAS

(Foreign Relations Authorization Act, Fiscal Years 2006 and 2007)

In section 104 of the bill—

(1) strike “There” and insert “(a) IN GENERAL.—There”; and

(2) add at the end the following new subsection:

(b) ASSISTANCE FOR INTERNALLY DISPLACED PERSONS IN EASTERN BURMA.—Of the amounts authorized to be appropriated under subsection (a), $3,000,000 for fiscal year 2006 and $3,000,000 for fiscal year 2007 are authorized to be appropriated for assistance to Thailand-based nongovernmental organizations operating along the border between Thailand and Burma to provide food, medical, and other humanitarian assistance to internally displaced persons in eastern Burma.
Mr. Poe. Mr. Chairman, a brutal campaign of village burnings, destruction of rice supplies, and killings in Burma by Burma's military regime has resulted in the forceful displacement of almost 500,000 to a million innocent victims and citizens in eastern Burma. Hundreds of thousands of these internal refugees we call internally displaced persons, or IDPs are persons persecuted for their strong commitment to democracy and belief in human rights. Regardless of their religion, all of the IDP victims are being systematically hunted by the evil military regime in Burma.

The Burmese Freedom and Democracy Act of 2003, which was passed by the United States Congress, overwhelmingly found that these tactics add up to ethnic cleansing in this area. Secretary of State Rice has rightfully called Burma one of six outposts of tyranny in our world. With all this said, virtually no humanitarian aid reaches those who have been driven from their homes in eastern Burma. The Burmese military regime blocks all that assistance.

Shockingly, as a result of attacks and the blocking of aid, the child mortality and malnutrition rates are comparable to those recorded among the internally displaced populations in the Horn of Africa. Even worse, maternal mortality rates are well above emergency levels. Acute respiratory infections, diarrhea, malaria and anemia are also serious problems.

The authorization language in the past has supported the possibility of providing aid to those vulnerable people trapped inside Burma, however the language gives the State Department the opportunity to have wiggle room as to where that aid is directed. Currently, all aid disbursed by the State Department ties the hands of the NGOs so that it can only be used for Burmese that have managed to flee Burma and are in refugee camps in Thailand.

The Department of State does not allow aid to get to the Burmese that are barred from entering Thailand. They are being hunted down in their own country. So the money never stays in Burma.

Mr. Chairman, it is time the State Department stopped this wiggle room on this issue and got to the task of implementing the will of Congress as expressed in the authorization bills in the past and in this amendment to split the money between those trapped in their own country and those that have moved to Thailand.

President Bush and Secretary Rice have made it clear that the foreign policy of the United States should include supporting people living under tyranny, when we can. In eastern Burma, we can help them, and I hope that we will.

So, Mr. Chairman, I will be working with Chairman Leach of the Asia Subcommittee to confront the State Department with this critical and serious issue as to how this money is disbursed. If, after meeting with the Department of State, we are not convinced that the appropriate aid will get both to the refugees in Thailand and to the IDPs in Burma, this amendment will be offered again on the House Floor.

Due to the support I have received from other Members, I anticipate the amendment will pass when it is submitted on the House Floor. Therefore, Mr. Chairman, I will withdraw my amendment pending adequate cooperation from the Department of State.

Mr. Crowley. Will the gentleman yield before he withdraws?
Mr. SMITH OF NEW JERSEY. The Chair recognizes Mr. Lantos, who wanted to speak on this, and then Mr. Crowley.

Mr. LANTOS. Thank you, Mr. Chairman. I want to commend my friend from Texas for offering this very important amendment. Two years ago, the President signed into law the Burma Freedom and Democracy Act that I authored and Congress passed, and your amendment is fully in line with that underlying bill, and I want to express my appreciation to you.

Aung San Suu Kyi, the leader of forces that favor democracy and freedom in Burma, is still held under unacceptable circumstances. It is important that the Burmese regime be reminded on a regular basis that the Congress of the United States totally disapproves of their anti-democratic policies, and I want to commend my friend from Texas.

Mr. SMITH OF NEW JERSEY. Mr. Crowley.

Mr. CROWLEY. Thank you, Mr. Chairman. Let me also thank the gentleman from Texas for offering this amendment. My understanding is he will withdraw, and we will see further action, hopefully on the Floor, on this. I have been working with Mr. Kirk to include similar language in an appropriations process and look forward to working with you as well on this in the future.

As the Ranking Member has indicated, Aung San Suu Kyi, the Nobel prize winner, is still held in house arrest, and her condition is not clear to the outside world in terms of her health. We know the work of the SPDC, the Burmese military, and what they have done to dislocate, to imprison, quite frankly, whole villages, the burning of rice fields, the only sustenance many of these villagers have, and that the money we are talking about will go to the BBC to support the interests of these internally dislocated individuals.

So I appreciate the work the gentleman from Texas is doing on this issue. I wholeheartedly support this amendment and hope to see action on the Floor, and I thank the gentleman.

Mr. SMITH OF NEW JERSEY. Mr. Rohrabacher.

Mr. ROHRABACHER. Yes, I commend my friend from Texas as well, and let us note that there are many people around the world who do not trust the United States’ commitment to democracy. They claim the only time we support democracy is when it is in our national interest one way or the other, obtaining some strategic goal or whatever, otherwise we do not get involved in helping people who live under tyranny and injustice. Nothing would be more demonstrable about this country’s commitment to liberty and justice and freedom than for us to stand with the people of Burma against the dictatorship there.

There is almost no strategic interest for the United States in that country, but there are millions of souls there who could live in prosperity and freedom but instead languish in deprivation and under a tyrant’s heel. For us, it does good for our soul as a country and proves to the rest of the world that we do believe in liberty and justice for all by such activities as we see today. I would hope my friend from Texas does bring this up.

There is a story going around that the Burmese have just called for a general election, Mr. Chairman. That is, all the generals are going to get together and decide who is boss. That is what they call a general election.
So with that said, let us stick with the Burmese people so they can have a real democratic election and they can have some human rights respected in that country. Thank you, Mr. Chairman.

Mr. SMITH OF NEW JERSEY. The Chair recognizes Mr. Ackerman for purposes of an amendment.

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

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

Ms. RUSH. An amendment offered by Mr. Ackerman of New York: At the appropriate place in the bill, insert the following new title and conform the table of contents accordingly——

Mr. SMITH OF NEW JERSEY. Without objection, the amendment will be considered as read, and the gentleman from New York is recognized for 5 minutes in support of his amendment.

[The amendment referred to follows:]
AMENDMENT TO H.R. 2601
OFFERED BY MR. ACKERMAN OF NEW YORK

(Foreign Relations Authorization Act, Fiscal Years 2006 and 2007)

At the appropriate place in the bill, insert the following new title (and conform the table of contents accordingly):

TITLE —PAKISTAN PROLIFERATION ACCOUNTABILITY ACT OF 2005

SEC. 901. SHORT TITLE.

This title may be cited as the “Pakistan Proliferation Accountability Act of 2005”.

SEC. 902. FINDINGS.

Congress makes the following findings:

(1) Dr. Abdul Qadeer Khan, former director of the A.Q. Khan Research Laboratory in Pakistan and Special Adviser to the Prime Minister on the Strategic Programme with the status of a federal minister, established and operated an illegal international network which sold nuclear weapons and related technologies to a variety of countries.
(2) The illegal international nuclear proliferation network established by Dr. Khan provided North Korea with complete uranium enrichment centrifuges and designs and a list of components necessary to manufacture additional uranium enrichment centrifuges.

(3) Documents provided by the Government of Libya to the Government of the United States and the International Atomic Energy Agency (IAEA) indicate that the illegal international nuclear proliferation network established by Dr. Khan provided Libya with designs for a nuclear weapon, as well as for uranium enrichment centrifuges.

(4) In March 2005, the Government of Pakistan acknowledged that the illegal international nuclear proliferation network established by Dr. Khan provided uranium enrichment centrifuges to Iran.

(5) The Government of the United States still does not know the entire extent of the activities of the illegal international nuclear proliferation network established by Dr. Khan and the Government of Pakistan has not provided any opportunity for the United States Government to interview Dr. Khan directly.
SEC. 03. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the illegal international nuclear proliferation network established and operated by the Pakistani nuclear scientist, Dr. Abdul Qadeer Khan, has done grievous damage to the international nuclear non-proliferation regime, has threatened the continued viability of the Treaty on the Non-Proliferation of Nuclear Weapons, and has jeopardized the vital national security interests of the United States;

(2) the Government of the United States has an interest in knowing the full extent of the illegal international nuclear proliferation network established by Dr. Khan, which sold nuclear weapons and related technologies to a variety of countries; and

(3) in order to ensure that the illegal international nuclear proliferation network established by Dr. Khan has been dismantled, Dr. Khan should give a full accounting of the activities and participants of the network to the United States Government.

SEC. 04. PROHIBITION ON UNITED STATES MILITARY ASSISTANCE TO PAKISTAN.

(a) Prohibition.—No United States military assistance may be provided to Pakistan and no military equipment or technology may be sold, transferred, or licensed
for sale to Pakistan pursuant to the authorities contained in the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) or any other Act unless the President first certifies to the appropriate congressional committees that—

(1) the Government of Pakistan has provided the Government of the United States with unrestricted opportunities to interview the Pakistani nuclear scientist, Dr. Abdul Qadeer Khan, regarding the illegal international nuclear proliferation network established and operated by Dr. Khan;

(2) the Government of Pakistan has complied with requests for assistance from the International Atomic Energy Agency (IAEA) regarding the illegal international nuclear proliferation network, including by providing requested documents, materials, equipment, and access to individuals; and

(3) the Government of the United States—

(A) has determined the full scope of the activities and participants of the illegal international nuclear proliferation network;

(B) has determined the nature and extent of the illegal international nuclear proliferation network’s connection to al Qaeda and Osama bin Laden; and
(C) in conjunction with the International Atomic Energy Agency, has confirmed that the illegal international nuclear proliferation network has been completely dismantled.

(b) INAPPLICABILITY OF CERTAIN PROVISIONS.—

The prohibition contained in subsection (a) does not apply to any assistance or transfer for the purposes of any of the provisions of law specified in subparagraphs (A) through (D) of section 620E(e)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2375(e)(2)).

(c) DEFINITION.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on International Relations and the Committee on Appropriations of the House of Representatives; and

(2) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.
Mr. ACKERMAN. Mr. Chairman, we know that Dr. Abdul Qadeer Khan ran an illegal international nuclear proliferation network, a nuclear Wal-Mart, if you will, that sold nuclear equipment and related technologies to North Korea and Iran, two-thirds of the axis of evil, and tried to sell it to the other third. We also know that Dr. Khan sold nuclear equipment and related technologies and even bomb designs to Libya.

That is what we do know. But it is what we do not know that should scare us. We do not know the full extent of the network. We do not know whether the network has been shut down or whether it still operates. We do not know how many countries or entities or individuals were involved. We do not know whether Dr. Khan or any of his associates had contact with al-Qaeda, as has been reported, or whether his associates transferred any nuclear equipment or technology to al-Qaeda. We do not know the extent of the involvement of figures who may still be in the Pakistani Government and military. We do not know if President Musharraf was aware of Dr. Khan’s activities or whether he approved.

We do not know the answer to these questions because we have not been able to interview Dr. Khan. We pass the Government of Pakistan questions. Maybe they pass us answers; maybe they do not. Maybe the answers we get are true; maybe they are just what the Pakistani Government wants us to hear. We are not even sure that the answers we get are from Dr. Khan. We just do not know.

We have given Pakistan a get-out-of-jail-free card on the single worst case of proliferation in the last 50 years. It is time for that to change. My amendment would block military assistance and sales to Pakistan until the President certifies that the United States Government has had unrestricted access to Dr. Khan; that the Government of Pakistan has complied with requests for assistance from the IAEA regarding Dr. Khan’s activities; and that the United States Government has determined the full scope of the activities of the Khan network, determined the nature and extent of the network’s contacts with al-Qaeda, and has confirmed that the network has been completely dismantled.

Until then, economic assistance, as well as assistance for antiterrorism, counternarcotics, peacekeeping and IMET would continue uninterrupted with Pakistan. I want to repeat that. Until then, we continue the economic assistance, the assistance for antiterrorism and counternarcotics and peacekeeping and IMET, we continue that uninterrupted to Pakistan.

I know that there are provisions in the bill that already deal with Pakistan, but I would argue that sense of the Congress language and reporting requirements are very good as far as they go, but they are not going to get us the answers to the questions we need regarding the extent of Dr. Khan’s network and the damage it has done to our national security.

The Bush Administration argues that the single most significant threat facing the United States is terrorists armed with weapons of mass destruction. They have got that right. Now, with Dr. Khan, we have all the ingredients to realize that threat. Yet when it comes to Pakistan, the Administration seems unconcerned that Pakistan’s nuclear technology may have been passed into the hands of al-Qaeda. We need to make it clear to Pakistan that re-
solving this issue is absolutely essential for the United States. To date, we have not done that.

It seems as long as we get some minimal level of cooperation from Pakistan in the war on terrorism, we give them a pass on nuclear proliferation, democratic reform, or any other issue.

Mr. Chairman, I think our policy with regard to Pakistan is fatally flawed. It is true that we need their cooperation in the war on terrorism, but the price for that cooperation seems to keep going up. We have repeatedly waived sanctions against Pakistan and promised this military dictatorship a $3 billion aid package, but that was not enough. We provided them with submarine surveillance planes, antitank missiles, anti-aircraft guns. Unless al-Qaeda has suddenly started using submarines and tanks and jet fighters, I do not see what application these systems have in the war on terror.

Now the Administration plans to sell Pakistan F–16s. Have we gotten demonstrably better cooperation from Pakistan as a result of any of this? I do not think so. Is nuclear technology in the hands of terrorists too high a price to pay for Pakistan's continued cooperation? I think the answer is very clear.

It is time to tell Pakistan that the answers regarding the A.Q. Khan network are an absolute priority of the United States. I think it is worthwhile withholding military assistance. That will not only get their attention, but it will get us the answers that we need, and I encourage my colleagues to consider supporting the amendment.

Mr. SMITH OF NEW JERSEY. Chairman Leach?

Mr. LEACH. Well, it is with the greatest reluctance that I differ with our distinguished former Chairman of the Asia Subcommittee. All of the premises about concern for this network are valid, but I would like to stress that I think, since 9/11, the Administration's policy toward Pakistan, which is to build a stable relationship, has been very wise and is resulting in impressive results. This network has been taken down. In country after country, those that were part of the network are now in the situation that they cannot operate.

I would also say that Pakistan is in a unique position. They have a government that has been extremely helpful. They have a public that is becoming increasingly antagonistic to the United States. For lots of reasons that relate some to this religious divide, the issue of the Koran kicking that we regret very much has taken the imagination of the Pakistani people very highly.

But I would stress, and the distinguished Ranking Member and I had a conversation yesterday with people from various agencies of the United States Government, and I will tell you I am quite impressed with the cooperation that our two sides have at this time. There are some imperfections in that cooperation, but a hard-edged approach like this can be as counterproductive as almost anything I know of.

We know that what seemed like very sensible reasons we passed something a decade or more ago called the Pressler amendment. That amendment probably did more damage to United States-Pakistani relations than anything conceivably could have done, and it did cause Pakistan to go in the exact reverse direction from which we might have hoped. I think this kind of stick in the eye is not
needed at this time. I think it is the type of thing that could be very difficult, and I would say this bill has addressed this very sensitively and in ways that I think are quite appropriate.

What this measure does is, in a very ironclad way, causes some circumstances that could smolder very easily. All I can suggest to the gentleman is if we pass something like this and all Pakistan's cooperation with us then ceases, how is that better for the national interests of the United States of America? I see no positive in this.

Now, it is awkward for all of us that A.Q. Kahn has escaped a jail sentence, but I think we all recognize the Pakistani Government, for its own survival, has probably gone about as far as it can. So I think if we prefer a government that is not controlled, with a disposition that is cooperative in the war on terror, we are moving in a direction to achieve that. I think that this amendment, as well-reasoned as it is, is perhaps as counterproductive as any amendment this Committee could be facing at this time.

Mr. ACKERMAN. Will the gentleman yield?

Mr. LEACH. Yes, of course.

Mr. ACKERMAN. I want to say at the outset how much respect I have for the current Chairman of the Asia Subcommittee, and I agree with the vast majority of what you have said, with the exception of the conclusion. This is not just about improving our relationship with Pakistan, that is cooperating to a good extent with us in the war on terrorism, with one exception. Why would it harm the relationship if we got to interview Dr. Khan ourselves instead of doing it through a third party that has a vested interest in protecting some of the information that he has?

This is not about retribution or seeking justice that A.Q. Kahn might have escaped. This is about his coming clean. We do not know that he has come clean. We do not know that that international network that he has set up has been dismantled. We know nothing to that extent, and we certainly do not know about his cooperation with al-Qaeda, what he might have provided them or to any other nation, rogue nation or not. I think it is in our national interest to determine that.

It is not about humiliating Pakistan. Historically, we have had a good relationship, and we should continue.

Mr. LEACH. Reclaiming my time, because there is just a bit here. We do know more than the gentleman has indicated that we do not know. We know a lot about how much this network has been taken down, but I would also stress, yes, we would prefer to interview him. Yes, we would also prefer to have this government stay in power. Yes, from a Committee's point of view, we do not normally take the fact of constraining the constitutional authorities of the Executive Branch. We did earlier today. I do not think we should repeat it again in this measure. This does not even have a Presidential waiver to it. I think it is hard-headed in such a way that it is almost bound to be counterproductive.

The concerns the gentleman suggests are valid, although not as entirely valid as has been described because we have taken down a lot of people, and we know it. Now, whether there are more, that is possible but we have an awful lot of people dedicated to that particular circumstance.
Mr. ACKERMAN. If the gentleman would continue to yield for another moment?

Mr. LEACH. Of course.

Mr. ACKERMAN. I would just like to point out to the gentleman and the Committee that, under Section 614 of the Foreign Assistance Act, the President does have continual authority for waivers over anything that we might pass in this Committee or in this Congress, as well as the fact that this is only a one-time certification requirement that the President makes that we have access to A.Q. Kahn.

The gentleman points out that we know many things. The only things that we know are the many things that the Pakistanis have given us that they assert is from A.Q. Kahn. We do not know what we do not know. I think if different people who have a different interest, such as us, ask the right questions, there may be different answers.

I think when you have the world’s most prolific proliferator, who is under house arrest by the Pakistanis, being questioned by people who might have been his co-collaborators in the proliferation, it is to their interest that we do not get the information. I think it behooves our national interest that we be allowed to question him directly to find out the answers to the questions we have in order to protect America, Americans and the free world.

Mr. SMITH OF NEW JERSEY. The Chair recognizes Mr. Lantos.

Mr. LANTOS. Thank you very much, Mr. Chairman. It is with the utmost reluctance that I rise in the strongest possible opposition to the amendment offered by my good friend from New York. If one were to ask the question what leader of what country has the most difficult assignment in 2005, President Musharraf would be right up there among the contenders for the most difficult, complex, almost impossible assignment.

We are all aware of the very negative role Pakistan played for many years, both in Afghanistan and with respect to many other issues. But in recent years, this has not been the case. The A.Q. Kahn network has been dismantled. It would be desirable, and I certainly would favor to have Mr. Khan examined and interrogated by our own people. For perfectly obvious domestic reasons, this does not appear feasible if we wish to preserve the position of President Musharraf.

I think the gentleman’s amendment is extremely well-intentioned. I think the goal he seeks is one we all share, but I am convinced passage of this amendment would be contrary to U.S. national interests, and I strongly urge all of my colleagues to oppose this amendment.

Mr. ACKERMAN. Would the gentleman yield?

Mr. LANTOS. I would be delighted to yield to my friend.

Mr. ACKERMAN. I want to strongly disagree with the Ranking Member of the Full Committee, someone who I have the utmost of respect for. I do not know how anybody could say with any degree of authority that the A.Q. Kahn network has been fully dismantled. We have not asked him that question. It is certainly within the interests of General President Musharraf and A.Q. Kahn to pose the questions to themselves, if they are even doing that.
Mr. LANTOS. If I may take back my time. It is not a frivolous decision on the part of President Musharraf that he does not make A.Q. Kahn available for our interrogation. This issue has been raised with President Musharraf at the highest levels, at the highest levels, repeatedly. The response President Musharraf has given has satisfied many people, including myself.

So the notion that all we are asking is for him to make available this individual for interrogation by our own people is not a simple proposition, nor is it a new proposition. This proposition has been explored ad nauseam and ad infinitum, and we have come to the conclusion that there are overriding criteria which make the present status acceptable. Not ideal, but acceptable.

The situation of Pakistan is an incredibly complex one, and to single out one item, which this amendment does, does not do justice to the complexity of the issue. The complexity of the issue in terms of United States national security concerns indicates that this amendment should be defeated. It cannot be looked at as a separate item.

Why can't we explore all issues with this individual? Well, one reason is that he is viewed as a national hero in Pakistan. That is why he is not in prison. That is why he has not been extradited. There are complexities here that play directly into the role Pakistan is now playing very effectively with respect to United States national security interests. While the motivation of my good friend from New York is unquestioned, I think it would be profoundly contrary to U.S. national interests to have this amendment approved.

Mr. ACKERMAN. Would the gentleman yield?

Mr. LANTOS. I would be delighted to yield.

Mr. ACKERMAN. I thank you. Be assured that I understand and appreciate the complexities of this issue. I do understand that A.Q. Kahn is a national hero in Pakistan. I do understand that Adolf Hitler was a national hero in Germany, but I sure would have liked to have had a few private minutes with him.

A.Q. Kahn has information. Why in the world would we think that the guy who sold technology to North Korea, the guy who sold technology to Iran, the guy who tried to sell, but was rebuffed, technology to Iraq, all three of the evil axis, who sold technology to Libya, why would we think he stopped at that? It is in our national interest to find out the name of each and any other country, entity or person that he might have dealt with, because if we are——

Mr. LANTOS. Reclaiming my time, he is not now selling anything to anyone because he is under virtual house arrest. His network has been destroyed. While the gentleman's statements with respect to the past are accurate, the issue is what contributes to U.S. national interest today and in the months that lie ahead.

Historically, A.Q. Kahn has done enormous damage. There is no dispute over this. The question this Committee will now have to decide is whether today it is in United States national interest to terminate our military relationship with Pakistan or not, and I am convinced it is in our national interest to maintain and to strengthen that relationship.

Mr. ACKERMAN. Will the gentleman yield?

Mr. LANTOS. I yield back the balance of my time.
Mr. SMITH OF NEW JERSEY. Mr. Crowley.

Mr. CROWLEY. I thank the Chairman for yielding. Mr. Chairman, I want to speak in support of the Ackerman amendment, recognizing that two very good friends have an honest disagreement here on this issue.

I believe it is time to hold Pakistan accountable. While I understand the need of Pakistan's assistance in fighting the war on terrorism, I do not think we can overlook the contribution that my friend from California rightfully has stated that Dr. A.Q. Kahn is acknowledged as a national hero in the country of Pakistan, which to me is just incredible, given the extent of damage I think he has done to the world in the leaking of information willfully to not only nations that do not have the interest of the United States in the best of mind but also possibly terrorist organizations. The full extent of the damage done by A.Q. Khan's illegal international nuclear proliferation network really is still unknown. What we do know is what the Pakistanis have told us about what he has done. Pakistan refuses to allow any entity to question Khan about the extent of his network. I think this only makes not just the U.S. but the world more insecure. We have to ask, did Dr. Khan only sell his stolen nuclear secrets to countries who might, as I say, be threats, or even worse to terrorist organizations like al-Qaeda and others who would have no hesitation to use those weapons against our interests or us directly?

Pakistan should have Khan give the United States Government a full accounting of his network. If Pakistan continues to refuse access to Khan, then the United States must prohibit military assistance to Pakistan. I just believe that is the case. That is how I feel about this. I just want to add that I respect Mr. Leach very, very much in terms of his insight on these issues.

I also just want to point out, though, that we have yet to capture one of the ring leaders, I guess you can say, Osama bin Laden. We know he is traversing between the Pakistan and Afghanistan border, but as of yet have not been able to capture him. With all the intelligence, with everything we do know, we still have yet to do that. I think Pakistan needs to step forward and help produce that individual for the United States as well.

With that, I yield back my time.

Mr. LEACH. Will the gentleman yield?

Mr. CROWLEY. Yes, I will.

Mr. LEACH. Just briefly. The heart of this is whether we can talk to him. I think that is slightly preferable, possibly. But let's say we have an ideal interlocutor. Let's say Mr. Ackerman, who in my judgment would be an ideal interlocutor. There is no evidence that we would get more information from him than someone else. I would assume Mr. Khan would probably stonewall Mr. Ackerman. What we are suggesting here by a statute of the United States is to legislatively take an Administration Executive Branch position, and then we have the distinct possibility that we make an even greater martyr of Mr. Khan. And we make a distinct possibility that others will try to emulate Mr. Khan.

We have an issue of what Mr. Khan has done, but we have a bigger issue of not wanting anyone else, including Mr. Khan, to replicate what he has done in the past. If we pursue a path that looks
as if we are Americanizing a circumstance that we should be internationalizing, we have got a real dilemma.

I just would stress that there is reason the Executive Branch has doubts about this kind of approach, and there are reasons to believe that Pakistan has been very cooperative on the war on terror since a given point in time. If we want to reverse that direction, this is the type of thing that risks reversing that direction. It is a risk we should not take.

Mr. Crowley. Reclaiming my time, I just wanted to——

Mr. Ackerman. If the gentleman will yield?

Mr. Crowley. Go ahead.

Mr. Ackerman. Let me just say, I am not interested in bringing down the Musharraf Government. They are important to us. I am not interested in embarrassing or humiliating A.Q. Kahn. We interview terrorists and terrorist suspects in every country in the world that is cooperating with us. We do not do it on television or publicly. This is a very, very quiet kind of a deal, as these things are usually done.

We and the agencies of the United States who deal directly with this are certainly entitled, especially because the safety and security of the American people are at stake, to have that ability to talk to him and to get the real answers.

Mr. Smith of New Jersey. Any further discussion on the pending amendment by Mr. Ackerman?

Mr. Sherman.

Mr. Sherman. I would just briefly like to second Mr. Ackerman's efforts here. If Pakistan is our friend, it needs to help us find out what damage its hero has done.

I could either yield the rest of my time to Mr. Ackerman or yield back to the Chair.

Yielding back to the Chair.

Mr. Smith of New Jersey. Who seeks recognition?

Mr. Delahunt. Mr. Chairman?

Mr. Smith of New Jersey. Mr. Delahunt.

Mr. Delahunt. I just want to respond to some of the observations by Mr. Leach. I would believe that giving the opportunity to interview Mr. Khan directly by members of American agencies would most likely yield significantly new information in terms of the implications of what occurred over the period when the A.Q. Kahn network was operating. I presume that we have possession of information that needs to be corroborated, that needs to be scrutinized, and that while it might be the inclination of A.Q. Kahn to stonewall, I would think that with some encouragement from Pakistani authorities and given the intelligence possessed by the United States, additional information that might absolutely be critical in terms of potential terrorist threats very well could be secured.

When we speak of A.Q. Kahn as a national hero in Pakistan, that is profoundly disturbing. And while, yes, this government, the Musharraf Government, has been cooperative at some level with our efforts in the aftermath of 9/11, I wonder if the instability that we see in Pakistan is due to repressive domestic policies by the Pakistani Government, and the anti-Americanism that is reported in newspapers and media outlets that seems to be increasing in Pakistan is our identification with the Musharraf Government.
I know it is a difficult, extremely difficult and sensitive issue, but in terms of the pantheon of potential terrorist threats, I would suggest that the actions by this network, by A.Q. Kahn, has put at risk, more than any other individual or network, global peace and the potential for absolutely devastating terrorist attacks. I appreciate what you say about our appropriate constitutional role, and I agree with what you said. I think you are accurate.

In this particular case, the actions of this individual have put the whole world at risk. He is in a class by himself. He is hall of fame when it comes to the terrorist hall of fame.

With that, I would yield back.

Mr. SMITH OF NEW JERSEY. Would any other Member like to be heard on the pending amendment? If not, the question occurs on the amendment offered by Mr. Ackerman. All those in favor, say aye. All those opposed, say no. In the opinion of the Chair, the noes have it.

Mr. ACKERMAN. Mr. Chairman, on that I would request a recorded vote.

Mr. SMITH OF NEW JERSEY. The gentleman has requested a recorded vote. Further proceedings on this amendment will be postponed until 5 o'clock.

Mr. Sherman.

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

Mr. SMITH OF NEW JERSEY. The gentleman is recognized for 5 minutes.

Mr. SHERMAN. I want to describe an amendment I am not offering and do so quite briefly. We are all concerned with the efforts of the State Department to promote democracy. In doing so, they have to do business with people who live in Iran or function in Iran or live in one of the other states that is not a democracy. Some of these states are on the terrorist list. So the effort to promote democracy, the effort to bring change to the policies and functions of hostile regimes runs headlong into our existing laws to prevent the export of dual-use technology. I am not going to offer an amendment because I hope to work with the Chairman and with the Majority staff toward including in this bill a provision that says, if you are the State Department or a grantee of the State Department trying to promote democracy in Iran or other terrorist countries, that you can acquire and use dual-use technology of the type that anyone could buy in an American store. To say that there is something for sale at Costco that we are going to prevent the Iranians from getting their hands on if they want it, the Iranian Government from getting their hands on, is simply absurd. There is nothing for sale in the American store that the Iranian Ambassador to Mexico or the UN cannot buy and cannot ship home.

On the other hand, for us to try to promote democracy in Iran and similar countries and to say, you can’t use software, you can’t use a cell phone, you can’t use anything that might be listed on a dual-use list or might include even the low level of encryption that is for sale in every American store ties the hands of our democracy efforts. Our State Department-sanctioned democracy efforts must be able to use the ordinary technology that we all use in our offices. So the amendment that I hope to work out with staff would simply make it clear that if the Secretary of State herself looks at the mat-
ter and determines that a grantee of the State Department can use
dual-use technology of a type acquirable in a United States store,
that they can go ahead and do that and that our efforts to prevent
high technology from reaching the mullahs in Iran does not impede
our ability to bring democracy to the people of Iran. With that, I
yield back.

Mr. SMITH OF NEW JERSEY. The Chair recognizes Ms. Lee for the
purposes of an amendment.

Ms. LEE. Thank you, Mr. Chairman. I have an amendment at the
desk.

Mr. SMITH OF NEW JERSEY. The clerk will designate the amend-
ment.

Ms. RUSH. Amendment to the amendment in the nature of a sub-
stitute offered by Ms. Lee of California——

Mr. SMITH OF NEW JERSEY. Without objection, the amendment
will be considered as read. The gentlelady is recognized for 5 min-
utes in support of her amendment.

[The amendment referred to follows:]
AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 2601
OFFERED BY MS. LEE OF CALIFORNIA

At the end of subtitle B of title IX, add the following new section:

SEC. 922. SENSE OF CONGRESS.

It is the sense of Congress that the President should develop a plan as soon as possible after the date of the enactment of this Act to provide for the withdrawal of United States Armed Forces from Iraq and transmit to the appropriate congressional committees a report with this plan.
Ms. LEE. Thank you, Mr. Chairman.

This amendment that I am offering is an amendment that really is a sense of Congress that the President present to Congress a plan for withdrawal of troops from Iraq. It is a very straightforward amendment that will show our troops in Iraq that we haven't forgotten them. It will help take the target off of our troops' backs by shattering the unity that we now see by the insurgency. It would deny foreign terrorists the ability to use our presence as a recruiting tool, which is happening now, and equally as important, ease the tension with our allies that the war in Iraq has created.

Furthermore, it will demonstrate to the Iraqi people that we have no designs on their country. So whether you were for or against the war, that is not the issue with this amendment. I don't believe that the public wants this war to continue in perpetuity.

Now, some of my colleagues may argue that this amendment demands that the President telegraph to the insurgents the precise date and time that our troops are leaving. Others may suggest that this is an amendment to cut and run. But these arguments are completely wrong. This amendment only asks the President to tell us how he plans to end the war. It does not require a specific date nor does it abandon our troops.

Mr. Chairman, it is really past the time that we should be having this debate here in Congress. And this debate, as you know, is happening all across the country. Just today, the Washington Post reported on a poll that found that about 75 percent of the American people believe that the number of casualties we have sustained in Iraq is totally unacceptable; that nearly 60 percent conclude that the war isn't worth fighting for; and that 52 percent are of the opinion that the war has not contributed to our long-term safety. These are serious indications that we here in the House need to become part of that debate; we do not need to continue to deny that we do not need this debate.

Mr. Chairman, to date, as you know, 1,600 of our young men and women have given their lives. Over 12,000 American troops have been injured. Who knows how many innocent Iraqi civilians including women and children have died in a war that really should have never started in the first place. This amendment is an important step in terms of securing our young men and women. It doesn't require any specific action, only to ask the President to develop a plan to provide for the withdrawal of the United States Armed Forces from Iraq, and we want him to transmit that plan to the appropriate Congressional Committees. Thank you. And I yield the balance of my time.

Mr. SMITH OF NEW JERSEY. Would anyone like to be heard of amendment of Ms. Lee?

Dr. Paul.

Mr. PAUL. Thank you, Mr. Chairman.

I would like to speak out in strong support of this amendment. It is a modest amendment. There are some of us who think that we should come out much sooner and be more emphatic, but this is very reasonable. It doesn't put too much pressure on the President to tell him exactly what to do and telegraph his exact plans. I think this is something that we are obligated to do. We have as
a Congress too often given up our prerogatives and our responsibilities dealing with war. We duck the responsibility. We give it to the Executive Branch. We give it to the United Nations. We do not assume the responsibility that we should have. I think when we don't assume that responsibility, the war becomes political, and it lingers.

Earlier today, I stated that I believe the Persian Gulf war has been going on since 1990. Hostilities never really quit during the 1990s. Bombings occurred. Killings occurred. Embargoes occurred. Here we are 15 years later. I heard the potential Ambassador saying yesterday that we have no plans for permanent bases in Iraq. I mean, who believes that? There are four major bases being built. We as a Congress have allocated nearly a billion dollars to build an Embassy over there. I mean, we are in there for the long haul. The Vice President has talked about being there until the end of this Administration. We are there indefinitely. We are still in Korea for 50 years. Some day we are going to run out of funds for this, and we are going to run out of energy. We will run out of young men, and we will run out of support from the American people. So this is appropriate. It is coming at the right time. It is not overly emphatic. It is very modest. We should be on record of reasessing our responsibility over the war issue.

This whole idea that we have totally rejected our responsibility under Article 1, Section 8, that if we send our young men and women off to war, that we declare war and we win the war and we get out. Now we let the UN decide. We let the President decide. We don't know what the exit strategy is. It lingers. It goes on. Men and women die; 1,600 have already died, 13,000 severely wounded and many, many ill who have not yet been counted. So it is time. The American people want this to happen.

But I see this as two things: The lack of the wisdom of the war means that we ought to call it to a halt and get out of there as soon as possible. Also, the responsibility of the Congress. We do still have the power of the purse. As poorly as we acted going into this war and reneging on our responsibility, we still have a lot of responsibility through the power of the purse. This isn't even dealing with this, but it eventually will come to that. But if we can just get this started. So I plead with you, consider this. This is reasonable, and we should support this amendment. And I yield back.

Mr. SMITH OF NEW JERSEY. The Chair recognizes himself.

Let me just say I rise in very strong opposition to the Lee amendment, with all due respect to my friend from California. We do have a plan for withdrawal. It is well known. It involves the training of Iraqi security forces and providing space for the political and the economic reconstruction of Iraq. This amendment is a signal that we want to press the President for something other than his existing plan. We are frequently briefed as Members of this Committee, and the other Committees of Congress, particularly the Armed Services, know so well, that I think it would send precisely the wrong message to the 140,000 Americans presently serving in Iraq.

Yes, we want to bring them home. We want to bring them home as soon as possible. But we also want the mission and the sacrifice that they have expended on behalf of Iraqi Freedom and human
rights and democracy to take hold. The training, as we all know, of Iraqi police, of Iraqi military is robust; it is real. Many of the people who are dying now as a result of these terrorist attacks, which are cowardly acts that are being committed, are not being committed against United States troops but against those to whom the baton has been handed, and that is the Iraqi armed forces and Iraqi police. My hope is that we get our troops home, the men and women who are serving so bravely, as soon as humanly possible. But asking the President for a plan in this bill I think would send again precisely the wrong message, and I say that with all due respect to my good friend and colleague.

Would anyone else like to be heard?

Mr. Rohrabacher.

Mr. ROHRABACHER. Let me agree with the Chair's statement and identify with the Chair's statement in opposition to this, I would say, very sincere resolution but wrongheaded resolution nonetheless. There is a plan. The American people have not been kept in the dark about a plan. The American people had before them the President of the United States running for reelection. This was a major issue in the last election, and the American people heard the President's plan and overwhelmingly voted to endorse this President's reelection. That was the major issue in the campaign. There is no ambiguity about what the President's goals or what America's goals are in Iraq. The President made it very clear: Our goal in Iraq now is we have to defeat the terrorists, and basically that the terrorists and those other people who are committing terrorism there who might want to impose a government like that of Saddam Hussein or a radical Islamic Government, to support those elements in Iraq that would like to have more democratic, pro-Western government, and to train those people and equip those people so that they can do their own fighting, and that the United States can then begin withdrawing its forces from Iraq. We have no desire for a long-term military commitment there in terms of bases and the occupation of the country. That has been very clear. The President has made his position clear. The people of the United States heard that. They were satisfied with it. This effort would do nothing if passed except, again, and I agree with the Chairman, send exactly the wrong message after the American people have voted for the President and voted for his plan, now Congress is going to send another message that we are in some way going to put limits on the President's program and his plan for Iraq. If this would pass, the people of Iraq, their ability and their willingness to participate in these programs where we are training them to defend themselves and their nation, will be sapped. Of course, the terrorists will be bolstered saying, ah-hah, we now have got them, they are going to actually withdraw prior to our defeat. There are people in Congress who are pressuring the President to withdraw prior to the defeat of the terrorists and the radical Islamist threat there. So we are encouraging the wrong people and discouraging the wrong people by this resolution. With that, I would be happy to yield.

Ms. LEE. Thank you very much.

I appreciate the gentleman's comments, the gentleman from California's comments. I just want to remind the gentleman for the
record that 75 percent of the American people right after the election believed that Saddam Hussein was responsible for 9/11, and 75 percent of the American people believed that there was a connection between al-Qaeda and Saddam Hussein. Given the distortions and the fact that the American people did believe that there were weapons of mass destruction, did believe the Secretary of State when he went to the United Nations, trusted our Government with the information, then it is not hard to understand why you would make the statements with regard to the campaign.

Mr. ROHRABACHER. Reclaiming my time. This is a free and open election that we just had, and this was the major issue of the election. Casting doubt on, you might say, the intelligence of the American people is not the way to win an argument on foreign policy.

The fact is, the American people heard the debate, they voted on it. This was an issue debated over the months. Had the people have decided this was a mistake for us to get in, we should have gotten out, the election results would have been a lot different. The fact is that we need to hold firm. We have got the people, the American people have verified the President’s decision, at least they are backing it up. We should not now try to undercut the President by in some way casting doubt on whether or not he now has the authority to fulfill his plan.

The bottom line, his plan is very clear. When we defeat the enemy and train those people there to defeat those forces themselves and to participate in their own defense, we will leave. The President hasn’t made any bones about that. I think it is very clear. So this amendment would do nothing but encourage the wrong people. Thank you very much. I yield back the balance of my time.

Mr. SMITH OF NEW JERSEY. Would anyone else like to be heard? Mr. Green?

Mr. GREEN. Thank you, Mr. Chairman. I am not a big believer in polls. I am not going to allow my policies or votes to be driven by polls other than those on Election Day. But I will give you a poll. One and a half weeks ago, I was in Iraq on a codel, and we met with government leaders from the new Iraqi Government, Speaker, Prime Minister, the new Minister of Defense, the gentleman who is the Chairman of the Constitutional Writing Committee. We met with military leaders at all levels. We met with rank-and-file soldiers from many parts of the country. Without exception, when asked, they said: “Please do not do this. This would be very bad. This would hurt us in our efforts.” It would, just as the gentleman from California Mr. Rohrabacher has asserted, it would be very bad in terms of getting the cooperation of Iraqis in the process of training them to take over military intelligence and policing operations. They also said to us that it would cost lives because it would send a terrible signal, and it would tell our enemies, our rivals, that they merely need to hold out for a set period of time. Showing our cards, laying out on the table exactly what the time frame would be and the method would be from withdrawal, that is something that our troops and our allies within Iraq have asked us very strongly not to do. They said it would be a disastrous move. I guess that is the poll I would use here. Those folks aren’t concerned about whether or not, what the reasons were for going
in. They were sent there. They are there now. They are under fire now. They are putting their lives on the line now. Those are the folks who are telling us not to do something like this. They are looking for support from us. I think that this amendment quite frankly would send precisely the opposite message to them and our enemies at what is a really important time right now in the operations within Iraq. I yield back.

Mr. SMITH of New Jersey. Ambassador Watson.

Ms. WATSON. Thank you so much, Mr. Chairman.

I speak in support of the amendment, and let me tell you why. Over a year ago in a meeting with Wolfowitz, I asked directly, are we planning to occupy Iraq? He got very perturbed with me for even suggesting occupation. But when I look at the fact that Iraq has 68 million people, but we are building the largest Embassy in the world in a nation that has 68 million people as compared to China with 1.3 billion people and India with 1.2 billion people, there is something disproportional about that.

Two years ago, in May, the President declared with a banner for the world to see: Mission accomplished. Now, if the mission was accomplished and if the team on the ground found no weapons of mass destruction and if there were an election held and they have elected a democratic government, we are occupying Iraq, clear and simple. Does anyone think that the insurgents are going to stop creating havoc whether we are there or not? If we are there, we are targets. If we pull out, then not so many of ours will die. Recruiting of young people has dropped off to almost nil. I know; I am out in those schools. No one wants to go into the military because they see themselves going to Iraq, possibly losing their lives and limbs. And for what good purpose? For what good purpose? To say we liberated Iraq?

I think we ought to be honest and up front. We ought to start developing a plan. The date can be put off to 2010 or whatever, because we are going to be there for another 10 years. I look at Vietnam, and we finally decided after losing tens of thousands of our people that we should declare victory and leave.

The longer we stay there, the longer we are responsible for the turmoil that is going. I can't even get a figure. No one wants to give you even a round figure of how many innocent Iraqis have been killed just because they have been in the way. The longer we stay, do you think for 1 minute people with suicide on their minds who see that it is an honorable way to die are going to stop? No. So one way or the other, we are sitting targets. I don't think we are improving the country. I think there ought to be a plan whether it goes public or not. We ought to be privy, and maybe you are saying that you can't trust Congress. Maybe that is the truth. We ought to know that there is some end to this. It is money down a gopher hole. When you are cutting services, health care services for your veterans, when you are not extending coverage to those who are in the National Guard and the Reservists, when we are cutting funds right here domestically to education programs, to the COPS programs, I don't want to see another taxpayer's dollar go in to a battle that we are going to continue out ad infinitum. So let us start being smart, let us have some strategic plans, and I think that we can finally see an end to this. Otherwise, let us just go on
and admit that we are going to occupy this country forever. Thank you, Mr. Chairman.

Mr. Smith of New Jersey. Would anyone else like to be heard on the amendment?

Dr. Boozman.

Mr. Boozman. Mr. Chairman, I think that we do have a plan that is very apparent. The first thing that we have tried to do, really three things is we have tried to help with the political process which everyone agrees has been a great success. I am a member of the NATO Parliament and have been a member for the last 2.5 years. When you talk to the Europeans, they are very, very impressed with the results of the election. As a result of the election and the good things that are happening in Iraq, NATO now is doing a tremendous job of training Iraqi soldiers. But we need help with the political process. We are doing that. We are doing a good job of that. Everyone agrees that that is moving in the right direction. I was in Fallujah a couple months ago. I met with the sheiks, I met with the town council of Fallujah. I drove and toured the damage. Those people are very upbeat and feel like, I guess, the real test is ask them. They feel like we are moving in the right direction.

The other thing that we are trying to do is help with the infrastructure and the economy. Again, I think we are moving in the right direction in that way also. Probably as far as their power grid and things like that, it is better than it has been. Lastly and so importantly, I mentioned earlier, training the Iraqi troops so that they can take over and defend themselves. Again, that also is going very, very well. NATO has bought into that. They are doing a tremendous job of training troops. Not necessarily there, but many of these are training troops in Jordan and countries like that.

I guess my question would be, what do you want? I mean, do you want us to say we are going to pull out when unemployment is 9 percent and this or that is happening? Again, I think we have got a great plan right now. I think when you look at the facts, when you look at what is happening over there, when you talk to the people—no, we didn't find weapons of mass destruction. What we did find was hundreds of thousands of graves of people that were tortured, raped and everything else. For those of us that have been there, we have seen the people who have had their tongues cut out because they decided to disagree with whatever was said about their government.

So again, I guess that would be my question, would be, in the sense that I think we are moving in the right direction, but, again, how would you word this? We are at war right now. I saw a young man when I was in Landstuhl a week ago who had lost his legs at 4 o'clock the evening before. We were there in the late afternoon. I mean, how do you go about doing this kind of thing? Is there any precedent at all in the history of warfare where you sit down and start saying, like I said, what do you want deployment at this or that?

Ms. Lee. Will the gentleman yield?

Mr. Boozman. Yes. Very definitely.

Ms. Lee. Basically, and let me say, this amendment answers your question. All it says is, develop a plan. American taxpayers
have spent $300 billion, and it is rising. Our young men and women continue to be placed in harm’s way. I am the daughter of a veteran, a proud daughter of a veteran of two wars, and I know for a fact that supporting our troops, which I do, is a very high priority for all of us on either side of this issue. The most effective way to support our troops—and I am not talking about cutting and running. That is not what this amendment says. The most effective way to support our troops and to make sure that there is some stability and to ensure that the tax dollars that our American people work so hard for are not continually spent on war is to begin to simply develop a plan. That is all this amendment says is, develop a plan. To me, that is very rational, and it is an amendment that sends a signal to our troops that we honor their service, and we want them home as soon as this plan is developed.

Mr. BOOZMAN. I am not being argumentive. I also am the—my father did 20 years in the Air Force. My grandfather served in World War I and World War II. My other grandfather was killed in World War I. So all I would say is, I think when you do look at it, we do have a good plan. If you talk about what is best for the troops, I think if you go to Iraq and ask the troops, they will tell you that they are quite happy with the plan that we are implementing right now. Again, working on the political process, helping with the infrastructure and economy, trying to get it where these people like us, you know, can make a living, provide for their family. Then, most importantly, train the Iraqi troops who are beginning to do a great job of taking over their own country so that they won’t have the mass graves, the hundreds of thousands of mass graves that a pullout would incur if we leave too early.

Mr. SMITH OF NEW JERSEY. Any other Member wishing to be heard? If not, the question occurs on the amendment by Ms. Lee. All those in favor, say aye. Those opposed, say no. In the opinion of the Chair, the noes have it.

Mr. ROHRABACHER. Mr. Chairman, on that I would request a recorded vote.

Mr. SMITH OF NEW JERSEY. The recorded vote will take place. Further proceedings on this amendment will be postponed until 5 o’clock or 15 minutes after the last vote. We may have a series of intervening votes during this markup.

Ms. Lee, you are recognized. You have a second amendment?

Ms. LEE. Thank you, Mr. Chairman. This is an amendment at the desk. I believe it is 028.

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

Ms. RUSH. Amendment offered by Ms. Lee of California——

Mr. SMITH OF NEW JERSEY. Without objection, the amendment will be considered as read, and the gentlelady is recognized for 5 minutes in support of her amendment.

[The amendment referred to follows:]
AMENDMENT TO H.R. 2601
OFFERED BY MS. LEE OF CALIFORNIA

(Amendatory Instructions Refer to the Amendment in the Nature of a Substitute)

At the appropriate place in the bill, insert the following new section (and conform the table of contents accordingly):

SEC. ___. STATEMENT OF POLICY REGARDING UNITED STATES MILITARY PRESENCE IN IRAQ.

(a) Findings.—Congress finds the following:

(1) On April 13, 2004, President George W. Bush stated: “As a proud and independent people, Iraqis do not support an indefinite occupation and neither does America.”.

(2) On February 17, 2005, Secretary of Defense Donald Rumsfeld, testifying before the Committee on Armed Services of the Senate, stated: “We have no intention, at the present time, of putting permanent bases in Iraq.”.

(b) Statement of Policy.—It is the policy of the United States not to enter into any base agreement with the Government of Iraq that would lead to a permanent United States military presence in Iraq.
Ms. LEE. Thank you, Mr. Chairman.

And perhaps for those who were opposed to my last amendment, perhaps they can support this amendment because this, again, it is a very simple amendment. What it does is say that the United States basically has no intent on being a permanent occupier in Iraq. In other words, we do not have any—we do not envision any future agreements with the Government of Iraq in terms of ensuring that military bases in Iraq are made permanent. Both the President and Secretary Rumsfeld I believe share this view. As I looked over some of their statements of recent months—in fact, on April 13 of last year, the President said, “As a proud and independent people, Iraqis do not support an indefinite occupation. Neither does America.”

On February 17 of this year, Secretary Rumsfeld declared, and this is a quote from Secretary Rumsfeld. He said: “We have no intention at the present time of putting permanent bases in Iraq.”

So the aim of my amendment is simply to codify this sentiment. We don’t need an open-ended indefinite presence in Iraq. That will only fuel the insurgency and make our troops more vulnerable. That is why I am urging my colleagues to support this amendment. Once again, it is a very simple amendment, and it just ensures that United States tax dollars do not pay for a continued presence in Iraq in terms of an indefinite occupation as it relates to a military presence. Thank you. And I yield the balance of my time.

Mr. SMITH OF NEW JERSEY. Anyone like to be heard on this amendment?

Mr. ROHRABACHER. I rise in support of the amendment. I don’t see any wrong. Clearly, you are just restating policy as defined by the President and by Secretary Rumsfeld and again reiterating that we have no desire for permanent military bases in Iraq, and we are there to help the Iraqi people. I think that—I would think that this should be supported by both sides of the aisle, and thank the gentlelady for presenting it.

Mr. SMITH OF NEW JERSEY. The Chair recognizes himself.

First of all, I want to say that I frankly disagree with the amendment and would oppose it. I just returned from Romania, a country that has since 1989 matriculated into a full-scale democracy, the most recent election clearly further cementing that democracy. We are now in the process of a basing rights or facilities negotiation to use two of their facilities in the Black Sea where there will be joint training. We have basing rights in Turkey, in Greece, all over the world, and certainly in Germany, where we have a number of our bases, particularly as part of our NATO commitment. We have basing rights in South Korea. It seems to me that Iraq is a good friend and ally. If that relationship were to get to the point where we wanted or they wanted a base, it would have to be mutual. They have an independently elected government, want to have that kind of presence, and certainly the option should not be precluded by language contained in Ms. Lee’s amendment.

I don’t know, personally, of plans to establish such bases, but again, we have bases. That decision should be made on the ground at the time. You know, there are contingencies none of us can anticipate.
Mr. ROHRABACHER. Would the Chair yield for a question?

Mr. SMITH OF NEW JERSEY. Sure. I would be happy to.

Mr. ROHRABACHER. If that time comes about, it would have to come to the Congress, and we would change this policy. At this point, I think Ms. Lee is accurate in describing that it is our policy of not having permanent bases or a permanent presence of U.S. military troops there. If that changes, Congress can come back and pass a resolution making it the policy of the government to do so, if we find that that is in our interests.

Mr. SMITH OF NEW JERSEY. I think this is premature at best to suggest now that such an arrangement, if it was mutually beneficial, would be put off limits. I don’t think we know enough as to where we will be in 2, 3, or 5 years to even contemplate this kind of amendment. We have a democracy, frankly, in Iraq that has taken hold. You pointed out yourself that the elections were beyond the expectations of most people and, again, at great risk to those who campaigned, those who put their names forward, some of whom have been killed, to say that there is no possibility of a base. We still—as was pointed out I think by Ms. Lee earlier, or maybe it was Dr. Paul when we talked about Korea—are there 50 years later, but why are we there? We are there to preserve and to protect a good friend and ally, and, frankly it has had the effect of complicating Kim Jong Il, and before him Kim Il Sung, from any aggressive action.

You know, deterrence is what usually basing buys. It is not just a jumping off point. It also mitigates points. I know, again, I say to my friend from California, of no plan, but I don’t think we now, given our state of knowledge, should be precluding such a plan.

Mr. PAUL. Dr. Paul.

Mr. PAUL. Thank you, Mr. Chairman.

I am glad to see there is some bipartisan support for this amendment, but I do have a question for the author of the amendment. What do you suppose the effect would be if this amendment were to pass on the expenditures that are probably already started in building bases that may well be permanent? Do you think this would affect those expenditures at all, or would more legislation be necessary?

Ms. LEE. Well, let me just say, Mr. Paul, that the President has said and so has Secretary Rumsfeld that they had no intention of putting permanent military bases in Iraq. So I would hope that they have not begun to expend and spend money to do that because they have said that they weren’t going to do that.

Mr. PAUL. I thank the gentlelady and I yield back.

Mr. SMITH OF NEW JERSEY. Would anyone else like to be heard on the amendment?

Dr. Boozman.

Mr. BOOZMAN. Yes. Certainly, I agree with Ms. Lee in the sense that I would not be one, I don’t think anybody here, who would like to see a permanent occupation of Iraq. So I very much, as well as the people of the Third District of Arkansas, would like to see our military presence there leave.

On the other hand, as I mentioned earlier, I was in Germany, and we still have a very large military presence there. We are certainly not occupying Germany. We are there because they asked us
to stay. We are in the context now of drastically reducing our forces, and we had a good briefing about that. Probably about 60 percent of our troops will be reassigned to other areas. We are still in Japan. Again, I think that nobody here would feel like we are occupying Japan, and yet we have a large military presence there that I think has really added to the stability of the region.

So I understand what you are trying to do, and I don't disagree with that, but I guess the only way that I would disagree is that, right now, as we are just really into this thing, I don't think I would vote for anything that would really tie our hands.

Mr. SMITH OF NEW JERSEY. Chairman Burton.

Would anyone else like to be heard on the Lee amendment? If not, the question occurs on the amendment offered by the gentlelady from California Ms. Lee. All those in favor, vote aye. Those opposed, say no. In the opinion of the Chair, the noes have it.

Ms. LEE. Recorded vote, please.

Mr. SMITH OF NEW JERSEY. Further proceedings on this amendment will be postponed until 5 o'clock or 15 minutes after the last series of votes, sometime around 5 o'clock. Everybody will be notified at that point.

Mr. Issa is recognized for purposes of offering an amendment.

Mr. ISSA. Thank you, Mr. Chairman.

I offer what should be at the desk as Issa Amendment 1.

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

Ms. RUSH. About striking Section 811? They have four for you.

Mr. ISSA. There are three lines on that.

Ms. RUSH. Yes. Number 35 up in the top lefthand corner.

Mr. ISSA. That should be it.

Ms. RUSH. Amendment offered by Mr. Issa of California: Strike Section 811 of the bill——

Mr. SMITH OF NEW JERSEY. Without objection, the amendment offered by Mr. Issa is considered as read, and the gentleman is recognized for 5 minutes in support of his amendment.

[The amendment referred to follows:]
AMENDMENT TO H.R. 2601
OFFERED BY MR. ISSA OF CALIFORNIA

(Amendatory Instructions Refer to the Amendment in the Nature of a Substitute)

Strike section 811 of the bill (relating to requirements relating to Economic Support Fund assistance for Egypt) and conform the table of contents accordingly.
Mr. Issa. Thank you very much, Mr. Chairman. And I want to thank the Chairman and the Ranking Member for a huge body of work, the vast majority of which I support as presented.

However, in the case of this narrow portion of the bill we are considering today, what I find is something that is mistaken or misguided on two counts. This has to do with aid to Egypt. At present time, Section 811 calls for moving of $40 million escalated by $40 million a year for 3 years of what is presently military aid to Egypt and moving it to economic aid. There are a number of reasons I oppose this. Probably the most important is because I believe the moving of these funds could seriously endanger American lives around the world. Egypt has been a proven partner in the war on terrorism.

There are plenty of things on the economic side, and this bill talks about the failures on the economic side by the Egyptian Government that we can all mark. They have been slow to go to market their economy. They have been slow to improve their banking. As a matter of fact, in the legislation, the best argument for not taking the money from Defense, where it works and where it is protecting our security, and moving it to economic is the statement that we haven't been able to make the economic system work. So I would say that, if anything, if you can't make economic reforms work, you would take money from economic and perhaps move it to other places where it is working.

I would like to bring to the attention for comparative purposes some figures. The per capita military aid to Egypt is $406.19. The per capita military aid to Israel is $9,529. The significance of this is both of these countries are partners of ours that we depend on for helping in the war on terrorism, we depend on in ensuring security. Israel provides us certainly significant technical assistance. They certainly have been good at monitoring Iran and doing a lot of other things which I know this Committee is very appreciative of because it saves lives.

However, when it comes to the Egyptians, who are the only logical force to help us in Sudan and in Darfur, who in fact have been a consistent partner of ours in the war on terrorism, who have been most commonly a country that we have looked to for that kind of assistance, I think we have to. Last but not least, when Turkey turned us down and we couldn't take our forces into Iraq in the beginning of the war, it was Egypt that, on an emergency basis, found a way to get our Fourth Division through the Suez Canal so that they could arrive somewhat in time to be part of the relief effort. We are in a position today where the last thing we can afford to do is have Egypt making cuts.

Last but not least, I would just like to point out the percentages, because this talks—this reform talks about the possibility Egypt is spending too much considering it doesn't have an enemy. Egypt spends 3.6 percent—that is including our money—of its GDP on military. Israel spends 8.7. Syria spends 5.9. Lebanon, a country which I thought had no army, spends 4.8. Jordan, the other considered ally in the region, 20 percent of their GDP on the military, and Saudi Arabia, 10 percent. So, of all of these countries in the region, Egypt is the lowest, and yet Egypt is a country we count on for the training of Iraqi soldiers, and in so many other ways.
I think at this time, particularly considering that the Hyde-Lantos amendment in the form of a substitution speaks to the history of not being able to make economic reforms work, I call for us to strike the portion that would move the funds until or unless we can, one, establish that moving those funds will not affect U.S. security, and, two, that the economic funds would actually go to a purpose that we have a positive attitude about. With that, I yield back.

Mr. LANTOS. Mr. Chairman.

Mr. SMITH OF NEW JERSEY. The Chair recognizes Mr. Lantos.

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

I rise in very strong opposition to the Issa amendment. Few states in the world inhabit a strategic environment more secure than Egypt's. Egypt shares land borders with three states, Libya, Sudan and Israel. And it is at peace with all of them. No nation threatens Egypt. No nation covets its territory or opposes its right to exist. In recent years, we have provided Egypt a total of $32.7 billion—that is with a B—$32.7 billion of military aid.

The only threats to Egyptian society come from within: Crushing poverty, a nearly dysfunctional education system, poor health care and very limited freedoms. Per capita income in Egypt is less than $1,500; 30 percent of adult Egyptians, including more than half of adult women in Egypt, cannot read or write. One military backed political party has monopolized the party in Egypt for decades, and the most limited reforms proposed recently by Mr. Mubarak ensure that this situation will continue for the indefinite future.

Yet the stupefying truth is that the United States aid program reinforces this situation. Since Fiscal Year 1999, we have been cutting our economic support funds for Egypt by $40 million every year while keeping military aid steady at $1.3 billion. Military aid now accounts for more than two-thirds of our total aid package for Egypt. We are the enablers of an Egyptian military build-up that is simply a horrendous misallocation of priorities and resources, both theirs and ours.

When I raise this issue with my friends in the Egyptian military and with the Egyptian Embassy here, they point out that our foreign aid program for Israel is on a similar trajectory. They point out that Israel's economic aid is also declining and soon will end entirely while we are increasing Israel's military aid.

I find this apples and oranges comparison, frankly, absurd. Israel has a thriving economy, more than ten times Egypt's per capita income, but faces serious enemies on its doorstep and throughout the entire region, including one Iran that calls for Israel's destruction on theological grounds and is hell bent on acquiring nuclear weapons. It is totally illogical for Egypt to compare its foreign aid requirements with those of Israel. If one has two children, one obese and the other emaciated, I don't think you would want the doctor to prescribe the same medication for both. It is time that we realign our foreign aid priorities with the needs of the Egyptian people and the requirements of Egyptian stability rather than with the desires of the Egyptian military.

By halting the decrease in our economic aid for Egypt, the Hyde-Lantos provision makes a modest start in the right direction and points the way toward more meaningful reform in the future. What
the Hyde-Lantos provision would mean would be the cutting next year of military aid to Egypt from $1.3 billion to $1.26 billion, a $40 million cut. To suggest that that threatens U.S. national security is beyond absurd.

Let me also say that my colleague’s comments about how helpful Egypt has been to us have been enormously exaggerated. They are not in Afghanistan, although we have repeatedly asked them to be in Afghanistan. Their contribution to training police in Iraq or for Iraq has been minimal at best. Symbolic would be the proper word. I am convinced that, for the sake of the people of Egypt and Egypt’s development toward a more rational open and democratic society, this modest provision, shifting $40 million from a military aid package of $1.3 billion to economic aid, is extremely modest, probably not adequate. My hope is that all of my colleagues will support this modest and rational amendment, the beneficiaries of which are clearly the Egyptian people.

Thank you, Mr. Chairman.

Mr. SMITH OF NEW JERSEY. Thank you.

The Chair recognizes Congresswoman Ros-Lehtinen, the Chairman of the Middle East Subcommittee.

Ms. ROS-LEHTINEN. Thank you so much, Mr. Smith, for recognizing me.

I would like to thank Chairman Hyde and my good friend from California, Mr. Lantos, for their work on this underlying text. It has been a pleasure for me to have been working with them for a number of years on this. I have had the opportunity to talk to a great Member of our Middle East Subcommittee, the author of this amendment about this issue.

But I agree with Congressman Lantos when he says that billions of dollars of United States aid, taxpayer dollars, have been going to Egypt with practically no accountability. Egypt has failed on true economic reform. It continues to be a repressive regime. The text, the underlying text in the bill as has been discussed, shifts military aid to economic aid in the sense of economic reform. It will go toward poverty reduction, education, political reform, improving the democratic process. Following the model for the millennium challenge account, the underlying text requires Egypt to develop its own developmental strategy. We are not telling it what to do, but to do its own homework and what Egypt can do best to push improvement in its governance, in its economy, in the reduction of poverty and the country. And what we already have in the Hyde-Lantos text provides the opportunity for Egypt to assume responsibility of designing this compact proposal for review and for funding by the United States. If Egypt will take this proposition seriously and develop a thorough compact process that reflects a coherent performance-based strategy with significant monitoring and evaluation to make sure that we have progress, then Egypt can finally achieve measurable advances in part because they will own their developmental activities.

So if, on the other hand, Egypt cannot or will not design or implement an assistance program in this way, which they would own for themselves and which would be based on performance, would be based on results, then the Secretary of State would not provide Egypt with the assistance funding. We cannot afford to continue
with the status quo, providing large amounts of assistance for very little return on the ground, and we should not expect that American tax dollars going to Egypt should not have to provide true results and an actual outcome. So because of the billions of dollars in assistance that we are giving to Egypt for 25 years, it is not unreasonable to have an expectation that the aid actually result in outcomes in terms of economic growth, poverty reduction, democratic reform and other performance measures that benefit the Egyptian people. We want a vibrant Egyptian economy. We want a true democratic process. We want the poverty reduction. These are all strategies in the national interests of the United States, and they are certainly in the interest of the Egyptian people and the Egyptian leadership. I do not think that the underlying text is hostile to Egypt in any way. It has been my pleasure to have worked with Mr. Issa on so many of our Middle East concerns, and we all want what is best for the people of that region. I think accountability for U.S. taxpayer dollars is at stake. So thank you. I will be glad to yield if I have the time.

Mr. Issa. And I thank the gentlelady.

I couldn’t be more in agreement with the portion of the bill that talks about bringing accountability, and I am pleased that you are talking in terms of bringing accountability.

There are two issues at stake here today. One is the accountability. The other is $40 million growing to $80 million, growing to $120 million, because this increases over time. If we make the case that we haven’t been able to figure out how to get the Egyptians to pursue their economic aid wisely, and no one here today has made a case that they are not using their military, their 3.6 percent is relatively small by Middle Eastern standards, wisely, then we have that problem. Just for the record, the Minister of Defense of Egypt has made an unconditional—he did it when he was here before our Committee—offer to do all training, at no cost or only at what reimbursement the United States would determine is reasonable, of Iraqis. They have made an unconditional willingness to do that. That is something that they have had on the table. It happens that, because of the nature of our military, there has been a reticence by the military to send troops outside of Iraq for training.

Ms. Ros-Lehtinen. I understand. But if the Chairman would give me just an additional minute. We would further like some assurances from the Egyptian military and the leadership that they are going to do away with the Gaza tunnels that have still been used as a shipment point to get guns and other armaments to folks to use against the innocent Israeli citizens, and also an elimination or at the very least a reduction in the anti-Semitic, anti-Israel propaganda in the newspapers as well as in the textbooks that are used by the school children in Egypt. Those are assurances that they can give us as well.

Mr. Smith of New Jersey. The Chair recognizes Ms. Berkley.

Ms. Berkley. Thank you, Mr. Chairman. There are times that I think I’m living in a parallel universe with my good friend, Mr. Issa, and this is one of those times. If it were up to me, we would not be giving any military aid to the Egyptians. While my very dear friend, Mr. Lantos, mentioned most of the things I had planned to, I would like to reiterate them for the record.
Again, the Egyptians have no enemies in the region. The only potential enemies they have would be the State of Israel, where they have a rather cold peace right now, and their own people. Now, to equate Egypt and Israel and suggest that they are equal allies of ours in the fight against terrorism, or in anything else, I think is laughable.

Israel’s unwavering support for the United States is legendary. Egypt is a fair-weather friend at the very best. Israel is the only democracy in a very dangerous part of the world. While the Egyptians continue to pay lip service to the fact that they are moving toward democracy, I think it is not going to be seen in my lifetime certainly, nor my children’s.

When we talk about the difference between the needs, military needs of Israel and Egypt, we are talking two different things: Israel is surrounded by a sea of enemies, countries that refuse to recognize its very right to exist; that if they had the opportunity and if it wasn’t for the protection of the United States of America, they would attack in a moment.

When we met with Mr. Mubarak, President Mubarak, who I believe is probably one of the most arrogant world leaders I have ever met, when Members of Congress spoke to him about the anti-Semitic and anti-Western press that is pervasive in Egypt, he dismissed our concerns with the greatest of disdain, which I thought was incredibly insulting given the fact it is our foreign aid that is propping him up.

While again they pay lip service to this, I don’t understand what type of ally, when it comes to terrorism, that Mr. Issa thinks that the Egyptians are. They are not in Afghanistan. They promised to help train Iraqi soldiers, yet we have to airlift the Iraqi soldiers to Egyptian soil, so that means it is a nonoffer. They did the same thing with the Palestinians.

The Israelis are unilaterally disengaging from the Gaza. The Egyptians supposedly were going to step up to the plate and help train the Palestinian force to take over once the Israelis leave. They have yet to train a single Palestinian security person. The reason for it is that they do not want to.

As far as the Gaza tunnels are concerned, Ms. Ros-Lehtinen already spoke of the fact that they have also paid lip service to eliminating them, but they have done nothing with that as well.

The problem in Egypt is not want of a strong military. As far as I’m concerned, the only reason they would use it is to keep their own people in line. The problems are crushing poverty, lack of education, lack of any economic opportunity, and lack of health care. Those are the issues that are crushing and hurting the Egyptian people. What we should be doing is taking that military money that the Egyptians clearly do not need and pouring it, pouring it into that nation so that we can lift up their people economically so that they can see a brighter future, and maybe we would be creating less terrorists instead of creating more of them.

I yield back whatever balance of time I have.

Mr. SMITH OF NEW JERSEY. Ms. Lee.

Ms. LEE. Thank you very much, Mr. Chairman. I move to strike the last word, and I would like to speak to Congressman Issa’s amendment.
A couple of months ago—and as I listen to this debate, I wonder what world we all live in—I had the opportunity to visit Egypt with Members of the Congressional Black Caucus. We met with, of course, President Mubarak, the head of intelligence, the head of defense, and had an opportunity to talk to many, many people. We actually spent 5 days, probably the longest that most congressional delegations have spent in Egypt. And I am convinced more than ever, and I know my colleagues disagree with me on this, and I want to say to our Ranking Member that I respect his knowledge and expertise of the region, but I just must respectfully disagree, that Egypt is a strong ally in the region.

This cutting military assistance to Egypt at this point right now sends the wrong message at the wrong time, and I think it is very irresponsible and it totally ignores the reality of the region. I agree with the gentleman from California, Mr. Issa. The Pentagon and the State Department argued that this is harmful to U.S. interests in the region and the U.S. forces’ ability to fight terrorism. After visiting and seeing what is taking place in the region, I am convinced that Egypt is a strong ally of the United States in fighting the war against terror.

Many argue that transferring funding for Egypt is appropriate because Egypt should concentrate on the economic challenges and Egypt has no regional military threats. However, these arguments, I believe, are shortsighted. While I agree that much more can be done to alleviate poverty in Egypt and throughout the world, just as more can be done in our own country in the United States, we have to understand the realities of the world and the fact that we need friends. We need allies in the Arab world.

We also need to understand that Egypt is working very hard in seeking peace throughout Africa as well as in the Middle East. Egypt’s efforts to revitalize the Middle East process I believe are very clear and have been very forthright. Israelis and Palestinians agreed during the Sharm al-Sheikh Summit hosted by President Mubarak to restart negotiations, to coordinate on security issues and commit to a ceasefire. President Mubarak is playing a very vital role in the region, whether you agree or disagree with the domestic issues with which he is addressing and dealing with.

So I believe that Mr. Issa’s amendment is perfectly appropriate given the realities of the world and the fact that this is a defining moment in the Middle East. And for the life of me, if we can’t halfway rely on Egypt in the region, who will we rely on?

So I say to Mr. Issa, I hope that you get the votes for your amendment. I fully support it, and I would like to thank you for offering it.

Mr. SCHIFF. Mr. Chairman.

Mr. SMITH OF NEW JERSEY. Mr. Wexler, and then I will go to Mr. Schiff.

Mr. WEXLER. Thank you, Mr. Chairman. I move to strike the last word, and with great trepidation I would like to speak in support of Mr. Issa’s amendment. Trepidation because there is no one in the world I have more respect for than Mr. Lantos, and I think his championing of political reform and enhanced freedom in Egypt is unprecedented and he enjoys extraordinary credibility in that respect.
I find myself in almost total agreement with all of the criticisms that Mr. Lantos, Ms. Ros-Lehtinen, and Ms. Berkley have offered with respect to the performance of Egypt at different junctures on different issues. But in fairness, if we are going to offer those criticisms, and I share the same zeal as they do in those criticisms, we must also offer the totality of the relationship and the behavior of Egypt.

If we are going to talk about Egypt’s role, it is not fair not to talk about the fact that President Mubarak supported entirely the American-French effort with respect to removing Syria from Lebanon and the resolution which calls for the disarmament of Hezbollah. To say that Egypt was not America’s ally in that pursuit, with all due respect, I don’t think presents a fair and complete picture.

With respect to the Israeli-Palestinian conflict, there is much to criticize Egypt about, but it is in my view unfair not at the same time to also point out who it is that today is negotiating with Hamas about what Hamas’ role will be with a delayed Palestinian election. Now, would I like to see the Egyptians demand that Hamas disarm? You bet I would. But it is Hamas that is negotiating with Egypt. Egypt, on behalf of what would be the joint interests of the United States, Egypt and Israel to keep that ceasefire in place while those Palestinian elections are being delayed.

When this issue was presented a year ago, many of us, including me, chided Egypt for not having their Ambassador back in Israel. They have since put their Ambassador back in Israel. Now, Egypt shouldn’t be rewarded for doing that because they were obligated to do that under the peace agreements. But they shouldn’t be penalized for doing it either.

The Prime Minister of Egypt was here, I think a couple of weeks ago. Many of the Members of this Committee got to meet with him. If you want to talk about political reform in Egypt and criticize him, that is very justified, but when you talk about economic reform, Egypt’s record is pretty darned good over the last year. They have dropped their tax rates, they have made their economy more transparent, and they entered into qualified industrial zones using the American laws which enhances their relationship with Israel and promotes peace.

You talk very appropriately so about the smuggling of arms over the Gaza border. You bet there has been smuggling, and it is dead wrong, and Egypt has engaged in a process of offering 750 security officers on that border and they are working with the Israelis and hopefully the two, the Israelis and the Egyptians, will come up with a resolution which promotes peace and which minimizes the smuggling of those arms.

The question before this Subcommittee, I would respectfully suggest, is whether or not the language of this bill promotes the goals of political and economic reform or takes away from them. I would respectfully suggest that we will probably wind up doing more harm than good.

Is anti-Semitism too high in Egypt? Of course it is, way too high. And is the political reform too slow? Of course it is.

With respect to the training of Iraqi soldiers, yes, Mr. Chabot and I were in Cairo together, and we questioned both the Egyp-
tians and our American representatives in Cairo about this, and there is a discrepancy here. The discrepancy is that the Egyptians say they offered and continue to offer in a very significant way the ability to train Iraqis using Egyptian resources, but that the United States has not been particularly receptive and taken them up on the offer.

Now I'm not judging the question and I'm not criticizing our own military for making a decision, if they have, to not use that offer, but we can't have it both ways. We can't criticize the Egyptians for not making the offer when they apparently have made the offer if we for our own American interests decided not to take them up on it.

I think it is important at this very critical juncture, the Israelis are about to disengage from Gaza, who, other than the Israelis and the Palestinians, are more important than the Egyptians to make sure this is a success?

Mr. Lantos spoke very eloquently about the need for economic assistance. With all due respect to Mr. Lantos, he spoke only about the portion of the bill that it is my understanding he is most associated with. There are other portions of this bill which actually would subject Egypt to losing all their economic aid if they do not meet certain standards. Not their military aid but their economic aid, entirely, if they do not meet certain standards.

So with all due respect, we can't argue on the one hand what we ought to be doing is empowering the Egyptian people and increasing education and increasing economic development, and then on the other hand have language in this bill that we will be voting on that subjects Egypt to losing in its entirety all the economic assistance the United States.

I worry about talking in favor of this bill. I hope people on this Committee understand that this is not something that I would ordinarily do. But for those of us that care so deeply about the process of peace, I think we have an obligation to analyze all sides of this equation. We can minimize, if we will, Egypt's participation with the American invasion in Iraq, but it was through the Suez Canal that tens of thousands of our troops went through. Who is protecting the Suez Canal? The Egyptians.

You can minimize it, but the fact is the fact. The Egyptians protect the Suez Canal and that is where our troops went through.

Mr. Smith of New Jersey. The time of the gentleman has expired.

Mr. Wexler. Thank you.

Mr. Smith of New Jersey. Thank you. Anyone else wish to be heard on the Issa amendment? Mr. Schiff is recognized.

Mr. Schiff. Thank you, Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to speak today in opposition to the Issa amendment and support of the language drafted by Mr. Lantos and Mr. Hyde in the base bill. I think when we look at the course of really the last several years there have been times where Egypt has been a tremendous ally and a very important partner in the Mideast peace process. There have been other times when Egypt seems to have disengaged from the peace process, has with-
drawn its Ambassador, has not played the kind of role that we have come to hope for and expect from an ally like Egypt. The same is true with respect to Egypt’s halting steps toward democratic reform. It has been characterized sometimes as one step forward, two steps back; sometimes two steps forward and only one step back. Most recently we saw, I think much to our dismay, the arrest of Iman Nour, one of the leading reformers in Egypt, but then his subsequent release; then subsequent to his release the filing of criminal charges against Mr. Nour.

Similarly, we have seen President Mubarak call for contested Presidential elections in a step forward, and then the Egyptian Parliament draft restrictive rules controlling those elections to prevent certain legitimate candidates from running for President, in a step backward.

Other times, I think some of the most encouraging signs we have seen have come from not the opposition and not the presidency but rather other institutions within Egypt. I think one of the most hopeful signs within Egypt was the fact that 1,500 or more judges in Egypt got together to petition the government to say we will not simply rubber stamp an election. We want real independence. We want the authority to review critically whether elections are plagued with fraud or whether they are legitimate. The fact that so many judges within the Egyptian society, institutions, have stepped forward, I think is a courageous decision and represents in that respect a step forward.

I do think that the United States, much as Egypt is an ally, as a good ally we must continue to keep the pressure on Egypt to reform more, to progress more along the democratic path. The most populated of Arab nations, Egypt should be a leader in reform in the Middle East, not overtaken by reform in other countries, and I think it is incumbent upon us to continue to push and to prod that kind of positive change in Egypt.

I think the modest changes in military to economic aid that are represented in the base bill will facilitate those internal reforms and democratic processes without jeopardizing a country which faces no real military threat in the region. If anything, the threat to the Egyptian Government comes from within Egypt, not from without.

So I want to add my voice of support for the work Mr. Lantos has done on this in the base bill, reluctantly disagree with my other colleague from California, and yield back the balance of my time.

Mr. Smith of New Jersey. I understand Mr. Crowley wants to be heard.

Mr. Crowley. Thank you, Mr. Chairman. I want to take a moment to speak in opposition to Mr. Issa’s amendment as well. The Committee should not weaken this text by changing the way we will give economic support, funds, and military assistance to Egypt.

The United States has been steadily cutting ESF aid to Egypt while military assistance remains constant. Egypt is at peace, as has been stated by my colleague from Nevada, with all of its neighbors, and I see no external threats against them that warrant the need for keeping military assistance constant.
The real threat to Egypt is from within. The limited amount of freedom that exists for its people as well as the level of poverty increases I believe is a dangerous mix. The United States must do more to help end this dangerous mix before the problem creates even more instability.

Egypt has been a strong friend and ally and has done much to help bring about a peaceful solution to the Israeli-Palestinian conflict, but we cannot allow that to cloud our judgment. We must do what we think is in the best interest of the people of Egypt, and that is increase ESF and not the military spending.

I thank the Chairman for the time, and I yield back.

Mr. SMITH OF NEW JERSEY. Mr. Delahunt.

Mr. DELAHUNT. Yes, I thank the Chairman. I just approached the Chairman of the Committee on the Western Hemisphere, Mr. Burton, who is attending to another meeting right now, and I said I find this a bit fascinating and interesting. We are talking about $1.2 or $1.3 billion worth of military assistance to a single nation in the Middle East, the nation of Egypt, and yet when it comes to the entire hemisphere, Central America, South America and the Caribbean, we cannot find much more than approximately $1 billion for our entire economic assistance in our own neighborhood. I just find that profoundly disturbing.

I support the Lantos amendment because I would hope that it is the beginning of a long process of demilitarization of the Middle East. I don't think the Lantos amendment goes far enough. I guess the message that we are sending out is that if you are an ally, whatever that really means, if you are an ally of ours we will do something if it meets very crass short-term interests.

We speak of democratizing the Middle East, bringing democracy to the dark corners of the Middle East, where it doesn't exist now. But our actions are entirely different. No, what we will do is if you are a single party state, where political rights are severely limited, where freedom of the press is restricted, and that is being kind, and where the practice of religion other than Islam is also severely restricted, that is okay.

I am not aware of the restrictions that the Lantos amendment does in terms of economic aid. I think we ought to be sending more economic aid to Egypt and other nations in the Middle East to advance the cause of peace. What I see and what I am hearing is a level of hypocrisy, to be perfectly candid.

Uzbekistan, another great symbol of democracy, receives $300 million or $400 million of assistance from the United States. This is probably the most repressive regime in the globe right now, yet we are sending them assistance. One only has to go to the State Department’s Human Rights Reports. In there there is an allusion to an allegation surrounding the government there, really the dictatorship there in the form of Islam Karimov boiling victims of his regime in oil. And we are sending them money and we are preaching about democracy? It just doesn’t compute.

Yet we cannot find the money for Latin America and Central America and in this hemisphere. We have the gall to be critical of governments in Latin America that are lightyears ahead of many of these states in the Middle East in terms of democratic rights, freedoms of press, political rights, treatment of women and freedom
to express oneself both in synagogues, churches, temples, whatever. We can’t find a billion dollars, and we’re arguing over $40 million? There are countries in Latin America, there are programs that exist in Latin America that could use that $40 million.

With that, I will yield back.

Mr. SMITH OF NEW JERSEY. Anybody else like to be heard?

If not, the question occurs on the amendment by Mr. Issa of California. All those in favor say aye. All those opposed say no.

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

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

Mr. SMITH OF NEW JERSEY. The recorded vote will occur. Further proceedings will be postponed on this amendment until—now this is our most likely scenario—15 minutes after the last vote in the next series of votes. So everybody will be notified, but it will most likely occur then.

On behalf of Chairman Hyde and Mr. Flake, I offer two amendments and ask unanimous consent that they be considered en bloc as read and adopted.

Without objection, so ordered.

[The en bloc amendments referred to follow:]
AMENDMENT TO H.R. 2601
OFFERED BY MR. HYDE OF ILLINOIS

(Page and line numbers refer to the Amendment in the Nature of a Substitute)

Page 107, after line 23, insert the following new section (and conform the table contents accordingly):

SEC. ___. AUTHORIZATION FOR ADDITIONAL LICENSE AND COMPLIANCE OFFICERS.

(a) FUNDING.—Of the amounts authorized to be appropriated under section 101 of this Act, up to $13,000,000 shall be available for each of the fiscal years 2006 and 2007 for salaries and expenses related to the assignment of additional full time license and compliance officers in the Directorate of Defense Trade Controls of the Department of State.

(b) NOTIFICATION.—None of the funds authorized under subsection (a) may be made available until 15 days after the date on which the Secretary of State submits a written report to the congressional committees specified in section 634A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2394–1(a)) in accordance with the procedures applicable to reprogramming notifications under such section, which sets forth the plans and timetable of the De-
partment of State for measurable improvements in the quality and timeliness of the service it provides in support of United States Armed Forces abroad and routine exports by United States business organizations, as well as for the elaboration of enhanced compliance measures appropriate to the heightened security environment for arms exports during the Global War on Terrorism.
AMENDMENT TO H.R. 2601
OFFERED BY MR. FLAKE OF ARIZONA

(Amendatory Instructions Refer to the Amendment in the Nature of a Substitute)

At the appropriate place in the bill, insert the following new section (and conform the table of contents accordingly):

SEC. ___. ACTIVITIES RELATED TO CUBA.

(a) ACTIVITIES.—Of the funds made available for fiscal year 2006 for the Bureau of Educational and Cultural Affairs of the Department of State, $5,000,000 shall be used for activities related to Cuba under—

(1) the J. William Fulbright Educational Exchange Program;

(2) the Hubert Humphrey Fellowship Program;

(3) the International Visitors Program;

(4) the Benjamin A. Gilman International Scholarship Program;

(5) the EducationUSA Program; and

(6) professional, cultural, and youth programs operated by the Office of Citizen Exchanges of the Bureau.
2

(b) PRIORITY.—The Secretary of State shall give priority to human rights dissidents, pro-democracy activists, and independent civil society members for participation in the activities described in subsection (a).

(c) CONGRESSIONAL NOTIFICATION.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall notify the appropriate congressional committees on efforts to identify eligible participants for activities described in subsection (a). Not later than 15 days prior to a final determination of eligible participants for activities described in subsection (a), the Secretary shall notify the appropriate congressional committees of such determination and provide a list that contains the names of such eligible participants.
Mr. SMITH OF NEW JERSEY. The Chair recognizes Mr. Delahunt.

Mr. DELAHUNT. Yes, thank you, Mr. Chairman.

As you can see to my right, the chart has appeared. It is there.

Mr. SMITH OF NEW JERSEY. Does the gentleman have an amendment?

Mr. DELAHUNT. Yes, I have an amendment at the desk.

Mr. SMITH OF NEW JERSEY. The clerk will designate the Delahunt amendment.

Ms. RUSH. Amendment to the amendment in the nature of a substitute offered by Mr. Delahunt——

Mr. SMITH OF NEW JERSEY. Without objection, the amendment will be considered as read, and the gentleman from Massachusetts is recognized for 5 minutes.

[The amendment referred to follows:]

AMENDMENT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 2601

OFFERED BY MR. DELAHUNT OF MASSACHUSETTS

(Foreign Relations Authorization Act, Fiscal Years 2006 and 2007)

At the appropriate place in the bill, insert the following new section (and conform the table of contents accordingly):

1 SEC. ___. REPORT ON ACTIONS OF THE 661 COMMITTEE.

2 (a) REPORT.—Not later than 120 days after the date
3 of the enactment of this Act, the Secretary of State shall
4 submit to the appropriate congressional committees a re-
5 port on United States decisions, actions, communications,
6 and deliberations in the 661 Committee of the United Na-
7 tions regarding the issues of overpricing of contracts, kick-
8 backs from sales of humanitarian goods, oil smuggling,
9 and trade protocols. The report shall examine the process
10 by which the United States made its decisions in the 661
11 Committee, the officials in the United States Government
12 involved in these decisions, and the names of the officials
13 who made the final decisions. The report shall also include the
14 (b) INCLUSION OF SUPPORTING DOCUMENTS.—The
15 report required under subsection (a) shall contain all sup-
porting documents with respect to the decisions, actions, communications, and deliberations referred in such subsection.

(c) FORMAT.—If the Secretary determines that such is appropriate, the Secretary may submit the report required under subsection (a) with a classified annex.

(d) DEFINITION.—In this section, the term “661 Committee” means the committee within the United Nations that was tasked with administering the United Nations oil for food program.
Mr. DELAHUNT. Thank you, Mr. Chairman. I will only take 30 seconds. The amendment has been modified. In fact, I think it has been improved by suggestions from the Chairman of the Committee on Oversight and Investigations, Mr. Rohrabacher. I think it is a good amendment. I am confident that Mr. Rohrabacher, I see him here, will support it, and I would ask it be accepted.

Mr. SMITH OF NEW JERSEY. Anyone else like to be heard? Mr. Rohrabacher?

Mr. ROHRABACHER. I would just like to state for the record that I am supporting this amendment. I appreciate that Mr. Delahunt has worked with me on the language so that it is acceptable to both sides of the aisle, and I think that he is asking questions that deserve to be answered. We are watching out for the interest of the taxpayers and putting people on notice that we want accountability for what has been going on, and I am supportive of this amendment.

Mr. SMITH OF NEW JERSEY. I too want to thank Mr. Delahunt for suspending earlier and for a superb amendment, but also for working with this side of the aisle to work on some language. I do appreciate that.

The question now occurs on the amendment. All those in favor say aye. Opposed say no.

The ayes have it and the amendment is agreed to.

Are there any other amendments? The gentleman from Iowa, Chairman Leach, is recognized.

Mr. LEACH. Mr. Chairman, I have an amendment at the desk, and I’ll try to be as brief as I can.

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

Ms. RUSH. Amendment offered by Mr. Leach. Insert at the appropriate place the following:——

Mr. LEACH. Mr. Chairman, I ask unanimous consent that the amendment be considered as read.

Mr. SMITH OF NEW JERSEY. Without objection.

[The amendment referred to follows:]
AMENDMENT TO H.R. ______
OFFERED BY MR. LEACH OF IOWA

Insert in the appropriate place the following:

1 SECTION ______, INTERPARLIAMENTARY UNION.

(a) FINDINGS.—The Congress makes the following findings:

(1) The Interparliamentary Union (in this section referred to as the “IPU”) is an international organization of Parliaments of sovereign States established in 1889.

(2) The IPU is the focal point for world-wide parliamentary dialogue and works for peace and cooperation among peoples and for the firm establishment of representative democracy.

(3) The United States Congress was a founding member of the IPU and participated actively in the Union, regularly sending high-level delegations to IPU meetings and hosting two of its conferences. Following the end of the Cold War, however, the United States Congress suspended its participation.

(4) The IPU has taken significant reorganization and reform over the last decade, which has led to stronger ties with the leadership of its 141 Mem-
ber Parliaments, the development of a broader range of activities in support of democratic institutions worldwide, and a greater role in international cooperation.

(5) A core area of activity for the IPU is the defense and promotion of representative democracy, particularly in countries in transition or those emerging from conflict, which has included assisting new parliaments in Afghanistan, Burundi, Cambodia, Haiti, Kosovo, Rwanda and Timor-Leste, and it is now helping in the establishment of the Transitional National Assembly of Iraq.

(6) The IPU also is also committed to advancing human rights and international humanitarian law through monitoring hundreds of cases of human rights violations committed against freely elected parliamentarians in many parts of the world, promoting conditions that allow democratic opposition leaders to express themselves freely and conduct their work safely, and working closely with the International Committee of the Red Cross to support the effective implementation of the Geneva Conventions and their Additional Protocols.

(7) The IPU strongly supports the participation of women in politics and is widely acknowledged as
being among the most effective and innovative in the field, including through serving as the global focal point for statistical and factual data on women’s representation in government and elected office.

(8) The IPU is also active in other areas of ongoing interest to the United States, including international peace and security, sustainable development, as well as education, science and culture.

(9) The IPU works closely with many United States institutions in the promotion of democracy and human rights, including the United States Agency for International Development, the United States Institute for Peace, the National Democratic Institute, the International Republican Institute, the International Foundation for Election Systems, and the Ford Foundation.

(10) The renewal of United States congressional membership in the IPU is in the national interest of the United States and would strengthen American efforts to promote representative democracy and human rights, assist in the advancement of women in global politics, foster greater dialogue on issues from international peace and security to sustainable development, and lead to greater interchange in the areas of education and culture.
(b) Funding.—

(1) Authorization of Appropriations.— There is authorized to be appropriated for each fiscal year for the annual contribution of the United States toward the maintenance of the Interparliamentary Union, an amount equal to 15 percent of the budget of the Interparliamentary Union for the year with respect to which such contribution is to be made, if the American delegation to the Interparliamentary Union appointed under subsection (c) has approved such budget.

(2) Fiscal Years 2006 and 2007.—Of the amounts made available pursuant to section 102, there shall be made available for the annual contribution of the United States under paragraph (1) for each of the fiscal years 2006 and 2007 an amount equal to 15 percent of the budget of the Interparliamentary Union for the year with respect to which such contribution is to be made, if the American delegation to the Interparliamentary Union appointed under subsection (c) has approved such budget.

(c) Delegations.—

(1) House.—The Speaker of the House of Representatives, in consultation with the minority
leader of the House, shall appoint such delegates
from the House of Representatives to each con-
ference of the Interparliamentary Union as the
Speaker considers appropriate. The Speaker shall
designate the Chairman and Vice Chairman of the
House delegation for each such conference.

(2) S ENATE.—The majority leader of the Sen-
ate, in consultation with the minority leader of the
Senate, shall appoint such delegates from the Senate
to each conference of the Interparliamentary Union
as the majority leader considers appropriate. The
majority leader shall designate the Chairman and
Vice Chairman of the Senate delegation for each
such conference.

(d) A DMINISTRATIVE MA TTERS.—The Speaker of the
House of Representatives and the majority leader of the
Senate shall provide for such administrative services, and
shall develop such procedures, for the American delegation
to the Interparliamentary Union appointed under sub-
section (c) as the Speaker and the majority leader consider
appropriate.
Mr. Leach. Mr. Chairman, what this amendment does is it authorizes on a permissive basis the Congress of the United States to rejoin the International Parliamentary Union. The IPU was established in 1889 as an association of individual parliamentarians and is the world’s first permanent multilateral political forum. Over time, the IPU transformed itself into the International Organization of Parliaments of Sovereign States. The United States was one of the original participants in IPU activities begun in 1889, and the United States formally joined in 1935 when the House and Senate enacted statutory authority.

The IPU currently has 138 members, five regional organizations, or associate members. Some are imperfect democracies, including North Korea, and this makes it less than a perfectly democratic organization, although it is a parliamentary organization. On the other hand, we are a member of a lot of organizations that are imperfectly democratic.

While Congress formally joined it in 1935, we terminated our membership as of 1999 through legislation passed in 1998. So presumably if we are to rejoin it would require new legislation so to do. I personally think it is a thoughtful thing for our Congress to be part of, recognizing that some IPU members are definitively skeptical of some United States’ policies. But just as I believe that in an Executive Branch empty chair diplomacy rarely works, I believe it legislatively as well, and I think the United States would be well advised to take advantage of this opportunity to rejoin the IPU.

Mr. Smith of New Jersey. Mr. Faleomavaega.

Mr. Faleomavaega. Mr. Chairman, I want to offer my commendation to the gentleman from Iowa, Chairman Leach, for offering this amendment and my absolute support for its provisions.

The International Parliamentary Union is the largest parliamentary union composed of some 130 nations. Parliamentarians from these 130 nations get to participate on issues that relate not only to their respective countries but as a matter of education and having a better sense of appreciation and understanding of relationships existing among those countries and getting to know and to meet with the parliamentarians from those countries.

I attended a couple of the IPU meetings, and I say it was embarrassing, embarrassing in the fact that our country was never represented. Of course one of the things over the years is it has been very difficult for us participating in the Union’s activities because they hold the conferences just at the time we are holding sessions. I think we tried several years in trying to appeal to the organization and the administrators of the IPU that it is very difficult for Members to attend this conference simply because it does meet at a time that we are meeting here and having our own sessions here in the Congress.

I am told by representatives of the IPU that they are going to definitely try to make every effort to see that there is some accommodation involved here.

Sometimes it has been critical, and I think it is an opportunity for Members of this body to participate and to get to know parliamentarians from other countries as a way hopefully to resolve some
of the serious issues and problems affecting not only the United Nations but certainly in our own country.

For that, Mr. Chairman, I strongly urge my colleagues to support the gentleman's resolution, or the proposed amendment. Thank you.

Mr. SMITH OF NEW JERSEY. Any other Members?

The question occurs on the amendment offered by Chairman Leach. Those in favor say aye. Those opposed say no.

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

Mr. LEACH. Excuse me. Did you say the noes have it?

Mr. SMITH OF NEW JERSEY. The noes.

Mr. LEACH. Then I would ask for a vote.

Mr. SMITH OF NEW JERSEY. Okay. Further proceedings on this amendment will be postponed and we will have a recorded vote.

I just would advise the Members that we have five votes on the Floor. We would like to return and continue the markup. So in consultation with Mr. Lantos, we thought 10 minutes after the last vote we will reconvene and hopefully get through tonight.

Ten minutes after the last vote. The Committee stands in recess.

Mr. SMITH OF NEW JERSEY. The Committee will resume. When the Committee recessed there were five amendments upon which recorded votes were ordered and further proceedings were postponed. These amendments are as follows and votes will be taken in this order. If I could have your attention.

The first vote will be on the Leach amendment relating to renewal of United States congressional membership in the IPU, or the Inter-Parliamentary Union.

Then we will vote on the Ackerman amendment relating to the Pakistan Proliferation Accountability Act.

The third vote will be on the Lee amendment relating to a plan for the withdrawal of the United States Armed Forces from Iraq.

The fourth will be on the Lee amendment relating to a statement of policy on the United States not to enter into a permanent base agreement with Iraq.

The final amendment, number 5, will be on the Darrell Issa amendment striking Section 811 of the bill concerning requirements relating to economic support assistance for Egypt.

So, if the clerk could call the roll on the Leach amendment, we will proceed to each of the amendments.

Ms. RUSH. Mr. Leach.

[No response.]

Ms. RUSH. Mr. Smith of New Jersey.

Mr. SMITH OF NEW JERSEY. No.

Ms. RUSH. Mr. Smith of New Jersey votes no.

Mr. Burton.

[No response.]

Ms. RUSH. Mr. Gallegly.

Mr. GALLEGLY. No.

Ms. RUSH. Mr. Gallegly votes no.

Ms. Ros-Lehtinen.

Ms. ROS-LEHTINEN. No.

Ms. RUSH. Ms. Ros-Lehtinen votes no.

Mr. Rohrabacher.
Mr. ROHRABACHER. No.
Ms. RUSH. Mr. Rohrabacher votes no.
Mr. Royce.
Mr. ROYCE. No.
Ms. RUSH. Mr. Royce votes no.
Mr. King.
Mr. KING. No.
Ms. RUSH. Mr. King votes no.
Mr. Chabot.
Mr. CHABOT. No.
Ms. RUSH. Mr. Chabot votes no.
Mr. Tancredo.
[No response.]
Ms. RUSH. Mr. Paul.
Mr. PAUL. No.
Ms. RUSH. Mr. Paul votes no.
Mr. Issa.
[No response.]
Ms. RUSH. Mr. Flake.
[No response.]
Ms. RUSH. Mrs. Davis.
Mrs. DAVIS. No.
Ms. RUSH. Mrs. Davis votes no.
Mr. Green.
Mr. GREEN. No.
Ms. RUSH. Mr. Green votes no.
Mr. Weller.
Mr. WELLER. Aye.
Ms. RUSH. Mr. Weller votes aye.
Mr. Pence.
Mr. PENCE. No.
Ms. RUSH. Mr. Pence votes no.
Mr. McCotter.
Mr. MCCOTTER. No.
Ms. RUSH. Mr. McCotter votes no.
Ms. Harris.
Ms. HARRIS. No.
Ms. RUSH. Ms. Harris votes no.
Mr. Wilson.
[No response.]
Ms. RUSH. Mr. Boozman.
Mr. BOOZMAN. No.
Ms. RUSH. Mr. Boozman votes no.
Mr. Barrett.
Mr. BARRETT. No.
Ms. RUSH. Mr. Barrett votes no.
Mr. Mack.
Mr. MACK. No.
Ms. RUSH. Mr. Mack votes no.
Mr. Fortenberry.
[No response.]
Ms. RUSH. Mr. McCaul.
Mr. MCCAUL. No.
Ms. RUSH. Mr. McCaul votes no.
Mr. Poe.  
Mr. Poe. No.  
Ms. Rush. Mr. Poe votes no.  
Mr. Lantos.  
Mr. Lantos. Aye.  
Ms. Rush. Mr. Lantos votes aye.  
Mr. Berman.  
[No response.]  
Ms. Rush. Mr. Ackerman.  
Mr. Ackerman. Aye.  
Ms. Rush. Mr. Ackerman votes aye.  
Mr. Faleomavaega.  
Mr. Faleomavaega. Aye.  
Ms. Rush. Mr. Faleomavaega votes aye.  
Mr. Payne.  
Mr. Payne. Aye.  
Ms. Rush. Mr. Payne votes aye.  
Mr. Menendez.  
[No response.]  
Ms. Rush. Mr. Brown.  
[No response.]  
Ms. Rush. Mr. Sherman.  
Mr. Sherman. Aye.  
Ms. Rush. Mr. Sherman votes aye.  
Mr. Wexler.  
[No response.]  
Ms. Rush. Mr. Engel.  
[No response.]  
Ms. Rush. Mr. Delahunt.  
Mr. Delahunt. Aye.  
Ms. Rush. Mr. Delahunt votes aye.  
Mr. Meeks.  
[No response.]  
Mr. Crowley.  
Mr. Crowley. Aye.  
Ms. Rush. Mr. Crowley votes aye.  
Mr. Blumenauer.  
Mr. Blumenauer. Aye.  
Ms. Rush. Mr. Blumenauer votes aye.  
Ms. Berkley.  
Mrs. Napolitano.  
Mrs. Napolitano. Aye.  
Ms. Rush. Mrs. Napolitano votes aye.  
Mr. Schiff.  
Mr. Schiff. Aye.  
Ms. Rush. Mr. Schiff votes aye.  
Ms. Watson.  
Ms. Watson. Aye.  
Mr. Smith of Washington.
Mr. Smith of Washington. Aye.
Ms. Rush. Mr. Smith of Washington votes aye.
Ms. McCollum. [No response.]
Ms. Rush. Mr. Chandler. [No response.]
Ms. Rush. Mr. Cardoza.
Mr. Cardoza. Aye.
Ms. Rush. Mr. Cardoza votes aye.
Chairman Hyde. [No response.]
Ms. Rush. Mr. Issa.
Mr. Issa. No.
Ms. Rush. Mr. Issa votes no.
Mr. Flake. Mr. Flake. No.
Ms. Rush. Mr. Flake votes no.
Mr. Wexler. Aye.
Ms. Rush. Mr. Wexler votes aye.
Mr. Smith of New Jersey. Mr. Fortenberry.
Mr. Fortenberry. No.
Mr. Smith of New Jersey. The clerk would record Mr. Fortenberry.
Ms. Rush. Mr. Fortenberry votes no.
Mr. Chandler. Mr. Chandler. Aye.
Ms. Rush. Mr. Chandler votes aye.
Mr. Smith of New Jersey. Are there other Members wishing to vote? The clerk will report the tally.
Ms. Rush. On this vote, there are 18 ayes and 21 noes.
Mr. Smith of New Jersey. The amendment is not agreed to. The clerk will now call the roll on the Ackerman amendment relating to Pakistan proliferation.
Ms. Rush. Mr. Leach. [No response.]
Ms. Rush. Mr. Smith of New Jersey. Mr. Smith of New Jersey. No.
Ms. Rush. Mr. Smith of New Jersey votes no.
Mr. Burton. [No response.]
Ms. Rush. Mr. Gallegly. Mr. Gallegly. No.
Ms. Rush. Mr. Gallegly votes no.
Mr. Rohrabacher. Mr. Rohrabacher. Aye.
Ms. Rush. Mr. Rohrabacher votes aye.
Mr. Royce. [No response.]
Ms. Rush. Mr. King. Mr. King. No.
Ms. Rush. Mr. King votes no.
Mr. Chabot.
Mr. Chabot. No.
Ms. Rush. Mr. Chabot votes no.
Mr. Tancredo.
[No response.]
Ms. Rush. Mr. Paul.
Mr. Paul. No.
Ms. Rush. Mr. Paul votes no.
Mr. Issa.
Mr. Issa. No.
Ms. Rush. Mr. Issa votes no.
Mr. Flake.
Mr. Flake. No.
Ms. Rush. Mr. Flake votes no.
Mrs. Davis.
Mrs. Davis. No.
Ms. Rush. Mrs. Davis votes no.
Mr. Green.
Mr. Green. No.
Ms. Rush. Mr. Green votes no.
Mr. Weller.
Mr. Weller. No.
Ms. Rush. Mr. Weller votes no.
Mr. Pence.
Mr. Pence. No.
Ms. Rush. Mr. Pence votes no.
Mr. McCotter.
Mr. McCotter. No.
Ms. Rush. Mr. McCotter votes no.
Ms. Harris.
Ms. Harris. No.
Ms. Rush. Ms. Harris votes no.
Mr. Wilson.
[No response.]
Ms. Rush. Mr. Boozman.
Mr. Boozman. No.
Ms. Rush. Mr. Boozman votes no.
Mr. Barrett.
Mr. Barrett. No.
Ms. Rush. Mr. Barrett votes no.
Mr. Mack.
Mr. Mack. No.
Ms. Rush. Mr. Mack votes no.
Mr. Fortenberry.
Mr. Fortenberry. No.
Ms. Rush. Mr. Fortenberry votes no.
Mr. McCaul.
Mr. McCaul. No.
Ms. Rush. Mr. McCaul votes no.
Mr. Poe.
Mr. Poe. No.
Ms. Rush. Mr. Poe votes no.
Mr. Lantos.
Mr. LANTOS. No.
Ms. RUSH. Mr. Lantos votes no.
Mr. Berman.
[No response.]
Ms. RUSH. Mr. Ackerman.
Mr. ACKERMAN. Aye.
Ms. RUSH. Mr. Ackerman votes aye.
Mr. Faleomavaega.
Mr. FALEOMAVAEGA. No.
Ms. RUSH. Mr. Faleomavaega votes no.
Mr. Payne.
Mr. PAYNE. Aye.
Ms. RUSH. Mr. Payne votes aye.
Mr. Menendez.
[No response.]
Ms. RUSH. Mr. Brown.
[No response.]
Ms. RUSH. Mr. Sherman.
Mr. SHERMAN. Aye.
Ms. RUSH. Mr. Sherman votes aye.
Mr. Wexler.
Mr. WEXLER. Aye.
Ms. RUSH. Mr. Wexler votes aye.
Mr. Engel.
[No response.]
Ms. RUSH. Mr. Delahunt.
Mr. DELAHUNT. Aye.
Ms. RUSH. Mr. Delahunt votes aye.
Mr. Meeks.
Mr. MEEEKS. Aye.
Ms. RUSH. Mr. Meeks votes aye.
Ms. Lee.
Ms. LEE. Aye.
Ms. RUSH. Ms. Lee votes aye.
Mr. Crowley.
Mr. CROWLEY. Aye.
Ms. RUSH. Mr. Crowley votes aye.
Mr. Blumenauer.
Mr. BLUMENAUER. Aye.
Ms. RUSH. Mr. Blumenauer votes aye.
Ms. Berkley.
Ms. BERKLEY. No.
Ms. RUSH. Ms. Berkley votes no.
Mrs. Napolitano.
Mrs. NAPOLITANO. Pass.
Ms. RUSH. Mrs. Napolitano passes.
Mr. Schiff.
Mr. SCHIFF. Aye.
Ms. RUSH. Mr. Schiff votes aye.
Ms. Watson.
Ms. WATSON. Aye.
Ms. RUSH. Ms. Watson votes aye.
Mr. Smith of Washington.
Mr. SMITH OF WASHINGTON. No.
Ms. Rush. Mr. Smith of Washington votes no.
Ms. McCollum.
Mr. Chandler.
Mr. Chandler. No.
Ms. Rush. Mr. Chandler votes no.
Mr. Cardoza.
Mr. Cardoza. No.
Ms. Rush. Mr. Cardoza votes no.
Mr. Smith of New Jersey. Any other Member wishing to cast his or her vote? Mr. Burton.
Mr. Burton. How am I recorded?
Ms. Rush. You are not recorded.
Mr. Burton. I think I better vote no, with all due respect to my colleague whom I love.
Ms. Rush. Mr. Burton votes no.
Mr. Smith of New Jersey. Mrs. Napolitano.
Mrs. Napolitano. No.
Mrs. Napolitano. No.
Ms. Rush. Mrs. Napolitano votes no.
Mr. Smith of New Jersey. The clerk will report the tally.
If you could suspend reporting the tally. Mr. Engel is here. How do you vote, Mr. Engel?
Mr. Engel. I vote aye.
Ms. Rush. Mr. Engel votes aye.
Mr. Smith of New Jersey. Right. The clerk will now report the tally.
Ms. Rush. On this vote there are 14 ayes and 28 noes.
Mr. Smith of New Jersey. The amendment is not agreed to. The question now comes to the Lee amendment for withdrawing United States Armed Forces from Iraq. If the clerk will call the roll.
Ms. Rush. Mr. Leach.
[No response.]
Ms. Rush. Mr. Smith of New Jersey.
Mr. Smith of New Jersey. No.
Ms. Rush. Mr. Smith of New Jersey votes no.
Mr. Burton.
[No response.]
Ms. Rush. Mr. Gallegly.
Mr. Gallegly. No.
Ms. Rush. Mr. Gallegly votes no.
Ms. Ros-Lehtinen.
Ms. Ros-Lehtinen. No.
Mr. Rohrabacher.
Mr. Rohrabacher. No.
Ms. Rush. Mr. Rohrabacher votes no.
Mr. Royce.
Mr. Royce. No.
Ms. Rush. Mr. Royce votes no.
Mr. King.
Mr. King. No.
Ms. Rush. Mr. King votes no.
Mr. Chabot.
Mr. Chabot. No.
Ms. Rush. Mr. Chabot votes no.
Mr. Tancredo.
[No response.]
Ms. Rush. Mr. Paul.
Mr. Paul. Aye.
Ms. Rush. Mr. Paul votes aye.
Mr. Issa.
Mr. Issa. No.
Ms. Rush. Mr. Issa votes no.
Mr. Flake.
Mr. Flake. No.
Ms. Rush. Mr. Flake votes no.
Mrs. Davis.
Mrs. Davis. No.
Ms. Rush. Mrs. Davis votes no.
Mr. Green.
Mr. Green. No.
Ms. Rush. Mr. Green votes no.
Mr. Weller.
Mr. Weller. No.
Ms. Rush. Mr. Weller votes no.
Mr. Pence.
Mr. Pence. No.
Ms. Rush. Mr. Pence votes no.
Mr. McCotter.
Mr. McCotter. No.
Ms. Rush. Mr. McCotter votes no.
Ms. Harris.
Ms. Harris. No.
Ms. Rush. Ms. Harris votes no.
Mr. Wilson.
[No response.]
Ms. Rush. Mr. Boozman.
Mr. Boozman. No.
Ms. Rush. Mr. Boozman votes no.
Mr. Barrett.
Mr. Barrett. No.
Ms. Rush. Mr. Barrett votes no.
Mr. Mack.
Mr. Mack. No.
Ms. Rush. Mr. Mack votes no.
Mr. Fortenberry.
Mr. Fortenberry. No.
Ms. Rush. Mr. Fortenberry votes no.
Mr. McCaul.
Mr. McCaul. No.
Ms. Rush. Mr. McCaul votes no.
Mr. Poe.
Mr. Poe. No.
Ms. Rush. Mr. Poe votes no.
Mr. Lantos.
Mr. LANTOS. No.
Ms. RUSH. Mr. Lantos votes no.
Mr. Berman.
[No response.]
Ms. RUSH. Mr. Ackerman.
Mr. ACKERMAN. No.
Ms. RUSH. Mr. Ackerman votes no.
Mr. Faleomavaega.
Mr. FALEOMAVAEGA. No.
Ms. RUSH. Mr. Faleomavaega votes no.
Mr. Payne.
Mr. PAYNE. Aye.
Ms. RUSH. Mr. Payne votes aye.
Mr. Menendez.
[No response.]
Ms. RUSH. Mr. Brown.
[No response.]
Ms. RUSH. Mr. Sherman.
Mr. SHERMAN. Aye.
Ms. RUSH. Mr. Sherman votes aye.
Mr. Wexler.
Mr. WEXLER. Aye.
Ms. RUSH. Mr. Wexler votes aye.
Mr. Engel.
Mr. ENGEL. No.
Ms. RUSH. Mr. Engel votes no.
Mr. Delahunt.
Mr. DELAHUNT. Aye.
Ms. RUSH. Mr. Delahunt votes aye.
Mr. Meeks.
Mr. MEEKS. Aye.
Ms. RUSH. Mr. Meeks votes aye.
Ms. Lee.
Ms. LEE. Aye.
Ms. RUSH. Ms. Lee votes aye.
Mr. Crowley.
Mr. CROWLEY. No.
Ms. RUSH. Mr. Crowley votes no.
Mr. Blumenauer.
Mr. BLUMENAUER. Aye.
Ms. RUSH. Mr. Blumenauer votes aye.
Ms. Berkley.
Ms. BERKLEY. No.
Ms. RUSH. Ms. Berkley votes no.
Mrs. Napolitano.
Mrs. NAPOLITANO. No.
Ms. RUSH. Mrs. Napolitano votes no.
Mr. Schiff.
Mr. SCHIFF. No.
Ms. RUSH. Mr. Schiff votes no.
Ms. Watson.
Ms. WATSON. Aye.
Ms. RUSH. Ms. Watson votes aye.
Mr. Smith of Washington.
Mr. Smith of Washington. Aye.
Ms. Rush. Mr. Smith of Washington votes aye.
Ms. McCollum.
Mr. Chandler.
Mr. Chandler. No.
Ms. Rush. Mr. Chandler votes no.
Mr. Cardoza.
Mr. Cardoza. No.
Ms. Rush. Mr. Cardoza votes no.
Mr. Smith of New Jersey.
Mr. Wilson.
Mr. Wilson. No.
Ms. Rush. Mr. Wilson votes no.
Mr. Smith of New Jersey. Anyone else wish to vote?
Mr. Burton. Mr. Chairman, how am I recorded?
Ms. Rush. You are not recorded.
Mr. Burton. Well, I am going to vote no. Thank you.
Ms. Rush. Mr. Burton votes no.
Mr. Leach. Mr. Chairman, I vote yes.
Ms. Rush. Mr. Leach votes yes.
Mr. Smith of New Jersey. The clerk will report the tally.
Ms. Rush. On this vote, there are 12 ayes and 33 noes.
Mr. Smith of New Jersey. The amendment is not agreed to. We
will now vote on the fourth amendment in the series, the Lee
amendment relating to a statement of policy of the United States
not to enter into a permanent base agreement with the Govern-
ment of Iraq. The clerk will call the roll.
Ms. Rush. Mr. Leach.
Mr. Leach. Aye.
Ms. Rush. Mr. Leach votes aye.
Mr. Smith of New Jersey.
Mr. Smith of New Jersey. No.
Ms. Rush. Mr. Smith of New Jersey votes no.
Mr. Burton.
Mr. Burton. No.
Ms. Rush. Mr. Burton votes no.
Mr. Gallegly.
Mr. Gallegly. No.
Ms. Rush. Mr. Gallegly votes no.
Ms. Ros-Lehtinen.
Ms. Ros-Lehtinen. No.
Mr. Rohrabacher.
Mr. Rohrabacher. Aye.
Ms. Rush. Mr. Rohrabacher votes aye.
Mr. Royce.
Mr. Royce. No.
Ms. Rush. Mr. Royce votes no.
Mr. King.
Mr. King. No.
Ms. Rush. Mr. King votes no.
Mr. Chabot.
Mr. CHABOT. No.
Ms. RUSH. Mr. Chabot votes no.
Mr. Tancredo.
[No response.]
Ms. RUSH. Mr. Paul.
Mr. PAUL. Aye.
Ms. RUSH. Mr. Paul votes aye.
Mr. Issa.
Mr. ISSA. Aye.
Ms. RUSH. Mr. Issa votes aye.
Mr. SMITH OF NEW JERSEY. If the record would suspend briefly.
If Members could keep it down or the staff so that we could hear.
Thank you.
Ms. RUSH. Mr. Flake.
Mr. FLAKE. No.
Ms. RUSH. Mr. Flake votes no.
Mrs. Davis.
Mrs. DAVIS. No.
Ms. RUSH. Mrs. Davis votes no.
Mr. Green.
Mr. GREEN. No.
Ms. RUSH. Mr. Green votes no.
Mr. Weller.
Mr. WELLER. No.
Ms. RUSH. Mr. Weller votes no.
Mr. Pence.
Mr. PENCE. No.
Ms. RUSH. Mr. Pence votes no.
Mr. McCotter.
Mr. McCOTTER. No.
Ms. RUSH. Mr. McCotter votes no.
Ms. Harris.
Ms. HARRIS. No.
Ms. RUSH. Ms. Harris votes no.
Mr. Wilson.
Mr. WILSON. No.
Ms. RUSH. Mr. Wilson votes no.
Mr. Boozman.
Mr. BOOZMAN. No.
Ms. RUSH. Mr. Boozman votes no.
Mr. Barrett.
Mr. BARRETT. No.
Ms. RUSH. Mr. Barrett votes no.
Mr. MACK.
Mr. MACK. No.
Ms. RUSH. Mr. Mack votes no.
Mr. Fortenberry.
Mr. FORTEMBERRY. No.
Ms. RUSH. Mr. Fortenberry votes no.
Mr. McCaul.
Mr. McCAUL. No.
Ms. RUSH. Mr. McCaul votes no.
Mr. Poe.
Mr. POE. No.
Ms. Rush. Mr. Poe votes no.
Mr. Lantos.
Mr. LANTOS. No.
Ms. Rush. Mr. Lantos votes no.
Mr. Berman.
[No response.]
Ms. Rush. Mr. Ackerman.
Mr. ACKERMAN. No.
Ms. Rush. Mr. Ackerman votes no.
Mr. Faleomavaega.
[No response.]
Ms. Rush. Mr. Payne.
Mr. PAYNE. Aye.
Ms. Rush. Mr. Payne votes aye.
Mr. Menendez.
[No response.]
Ms. Rush. Mr. Brown.
[No response.]
Ms. Rush. Mr. Sherman.
Mr. SHERMAN. Aye.
Ms. Rush. Mr. Sherman votes aye.
Mr. Wexler.
Mr. WEXLER. Aye.
Ms. Rush. Mr. Wexler votes aye.
Mr. Engel.
Mr. ENGEL. No.
Ms. Rush. Mr. Engel votes no.
Mr. Delahunt.
Mr. DELAHUNT. Aye.
Ms. Rush. Mr. Delahunt votes aye.
Mr. Meeks.
Mr. MECKS. Aye.
Ms. Rush. Mr. Meeks votes aye.
Ms. Lee.
Ms. LEE. Aye.
Mr. Crowley.
Mr. CROWLEY. No.
Ms. Rush. Mr. Crowley votes no.
Mr. Blumenauer.
Mr. BLUMENAUER. Aye.
Ms. Rush. Mr. Blumenauer votes aye.
Ms. Berkley.
Ms. BERKLEY. No.
Mrs. Napolitano.
Mrs. Napolitano, Aye.
Ms. Rush. Mrs. Napolitano votes aye.
Mr. Schiff.
Mr. SCHIFF. No.
Ms. Rush. Mr. Schiff votes no.
Ms. Watson.
Ms. WATSON. Aye.
Mr. Smith of Washington.
Mr. SMITH OF WASHINGTON. Aye.
Ms. RUSH. Mr. Smith of Washington votes aye.
Ms. McCollum.
Ms. McCOLLUM. Aye.
Ms. RUSH. Ms. McCollum votes aye.
Mr. Chandler.
Mr. CHANDLER. No.
Ms. RUSH. Mr. Chandler votes no.
Mr. Cardoza.
Mr. CARDOZA. Aye.
Ms. RUSH. Mr. Cardoza votes aye.
Mr. SMITH OF NEW JERSEY. Are there any other Members wishing to vote?
Ms. RUSH. On this vote there are 15 ayes and 29 noes.
Mr. SMITH OF NEW JERSEY. The amendment is not agreed to.
The final vote in this series is the Darrell Issa amendment striking 811 of the bill concerning requirements relating to the economic support fund assistance for Egypt. The clerk will call the roll.
Ms. RUSH. Mr. Leach.
Mr. LEACH. Pass.
Ms. RUSH. Mr. Leach passes.
Mr. Smith of New Jersey.
Mr. SMITH OF NEW JERSEY. No.
Ms. RUSH. Mr. Smith of New Jersey votes no.
Mr. Burton.
Mr. BURTON. No.
Ms. RUSH. Mr. Burton votes no.
Mr. Gallegly.
Mr. GALLEGLY. No.
Ms. RUSH. Mr. Gallegly votes no.
Ms. Ros-Lehtinen.
Ms. ROS-LEHTINEN. No.
Ms. RUSH. Ms. Ros-Lehtinen votes no.
Mr. Rohrabacher.
Mr. ROHRABACHER. Aye.
Ms. RUSH. Mr. Rohrabacher votes aye.
Mr. Royce.
Mr. ROYCE. No.
Ms. RUSH. Mr. Royce votes no.
Mr. King.
Mr. KING. Aye.
Ms. RUSH. Mr. King votes aye.
Mr. Chabot.
Mr. CHABOT. Aye.
Ms. RUSH. Mr. Chabot votes aye.
Mr. Tancredo.
[No response.]
Ms. RUSH. Mr. Paul.
Mr. PAUL. No.
Ms. RUSH. Mr. Paul votes no.
Mr. Issa.
Mr. ISSA. Aye.
Ms. RUSH. Mr. Issa votes aye.
Mr. Flake.
Mr. FLAKE. No.
Ms. RUSH. Mr. Flake votes no.
Mrs. Davis.
Mrs. DAVIS. Aye.
Ms. RUSH. Mrs. Davis votes aye.
Mr. Green.
Mr. GREEN. No.
Ms. RUSH. Mr. Green votes no.
Mr. Weller.
Mr. WELLER. No.
Ms. RUSH. Mr. Weller votes no.
Mr. Pence.
Mr. PENCE. No.
Ms. RUSH. Mr. Pence votes no.
Mr. McCotter.
Mr. McCOTTER. Aye.
Ms. RUSH. Mr. McCotter votes aye.
Ms. Harris.
Ms. HARRIS. No.
Ms. RUSH. Ms. Harris votes no.
Mr. Wilson.
Mr. WILSON. Aye.
Ms. RUSH. Mr. Wilson votes aye.
Mr. Boozman.
Mr. BOOZMAN. Aye.
Ms. RUSH. Mr. Boozman votes aye.
Mr. Barrett.
Mr. BARRETT. No.
Ms. RUSH. Mr. Barrett votes no.
Mr. Mack.
Mr. MACK. Aye.
Ms. RUSH. Mr. Mack votes aye.
Mr. Fortenberry.
Mr. FORTENBERRY. No.
Ms. RUSH. Mr. Fortenberry votes no.
Mr. McCaul.
Mr. McCAUL. No.
Ms. RUSH. Mr. McCaul votes no.
Mr. Poe.
Mr. POE. Aye.
Ms. RUSH. Mr. Poe votes aye.
Mr. Lantos.
Mr. LANTOS. No.
Ms. RUSH. Mr. Lantos votes no.
Mr. Berman.
[No response.]
Ms. RUSH. Mr. Ackerman.
Mr. ACKERMAN. No.
Ms. RUSH. Mr. Ackerman votes no.
Mr. Faleomavaega.
[No response.]
Ms. RUSH. Mr. Payne.
Mr. PAYNE. Pass.
Ms. RUSH. Mr. Payne passes.
Mr. Menendez.
[No response.]
Ms. RUSH. Mr. Brown.
[No response.]
Ms. RUSH. Mr. Sherman.
Mr. SHERMAN. No.
Ms. RUSH. Mr. Sherman votes no.
Mr. Wexler.
Mr. WEXLER. Aye.
Ms. RUSH. Mr. Wexler votes aye.
Mr. Engel.
Mr. ENGEL. No.
Ms. RUSH. Mr. Engel votes no.
Mr. Delahunt.
Mr. DELAHUNT. No.
Ms. RUSH. Mr. Delahunt votes no.
Mr. Meeks.
[No response.]
Ms. RUSH. Ms. Lee.
Ms. LEE. Aye.
Ms. RUSH. Ms. Lee votes aye.
Mr. Crowley.
Mr. CROWLEY. No.
Ms. RUSH. Mr. Crowley votes no.
Mr. Blumenauer.
Mr. BLUMENAUER. No.
Ms. RUSH. Mr. Blumenauer votes no.
Ms. Berkley.
Ms. BERKLEY. No.
Ms. RUSH. Ms. Berkley votes no.
Mrs. Napolitano.
Mrs. NAPOLITANO. No.
Ms. RUSH. Mrs. Napolitano votes no.
Mr. Schiff.
Mr. SCHIFF. No.
Ms. RUSH. Mr. Schiff votes no.
Ms. Watson.
Ms. WATSON. Aye.
Ms. RUSH. Ms. Watson votes aye.
Mr. Smith of Washington.
Mr. SMITH OF WASHINGTON. No.
Ms. RUSH. Mr. Smith of Washington votes no.
Ms. McCollum.
Ms. McCOLLUM. Aye.
Ms. RUSH. Ms. McCollum votes aye.
Mr. Chandler.
Mr. CHANDLER. No.
Ms. RUSH. Mr. Chandler votes no.
Mr. Cardoza.
Mr. CARDOZA. No.
Ms. RUSH. Mr. Cardoza votes no.
Mr. LEACH. Mr. Chairman.
Mr. SMITH OF NEW JERSEY. Mr. Leach.
Mr. Leach. I would like to go from pass to no.

Mr. Smith of New Jersey. No.

Ms. Rush. Mr. Leach votes no.

Mr. Smith of New Jersey. Mr. Payne?

Mr. Payne. I vote no.

Ms. Rush. Mr. Payne votes no.

Mr. Smith of New Jersey. Are there any other Members who would like to cast their vote on this amendment? If not, the clerk will report.

Ms. Rush. On this vote, there are 14 ayes and 29 noes.

Mr. Smith of New Jersey. The amendment is not agreed to.

I would ask unanimous consent on a limitation of further amendments, and I would point out to my colleagues that after consultation with Mr. Lantos we have agreed that the following amendments would be offered. It is our hope to complete this markup this evening.

I would ask unanimous consent that the debate on H.R. 2601 be limited to the following amendments which are at the desk. Number one, the Blumenauer amendment on water, amendment number 14; the Crowley amendment relating to fistula, amendment number 21; the Lee amendment relating to Report on United States Weapons Transfers, Sales and Licensing to Haiti, amendment number 24; the Lee amendment relating to Assistance to Promote Economic and Social Development in Colombia, amendment 27; the Burton amendment relating to Assistance for Demobilization and Disarmament of Former Regular Combatants in Colombia—that is number 22; the Rohrabacher amendment relating to Ethiopia, 41; Mr. Issa’s amendment relating to transfer of certain interest for Egypt amendment, number 36; the Issa amendment relating to national security waivers, number 38; the Issa amendment relating to military assistance to Egypt, amendment number 39; the Crowley amendment on security in Iraq, amendment number 23; and an amendment that I will offer that is a technical amendment on global terrorism.

Do I hear an objection? Without objection, so ordered and we will now proceed to Mr. Burton with his amendment—okay, we will go to Mr. Blumenauer.

[The amendment referred to follows:]
AMENDMENT TO H.R. ___
OFFERED BY MR. BLUMENAUER OF OREGON
(Foreign Relations Authorization Act, Fiscal Years 2006 and 2007)

At the end of the bill, add the following new title:

TITLE ____—WATER FOR THE POOR ACT OF 2005

SEC. __01. SHORT TITLE.
This title may be cited as the “Water for the Poor Act of 2005”.

SEC. __02. FINDINGS.
Congress makes the following findings:

(1) Water-related diseases are a human tragedy, killing up to 5 million people annually, preventing millions of people from leading healthy lives, and undermining development efforts.

(2) A child dies an average of every 15 seconds because of lack of access to safe water and adequate sanitation.

(3) In the poorest countries in the world, one out of five children dies from a preventable, water-related disease.
(4) Lack of access to safe drinking water, inadequate sanitation, and poor hygiene practices are directly responsible for the vast majority of diarrheal diseases which kill over 2 million children each year.

(5) At any given time, half of all people in the developing world are suffering from one or more of the main diseases associated with inadequate provision of water supply and sanitation services.

(6) Over 1.2 billion people, one in every four people in the developing world, lack access to safe drinking water.

(7) Over 2.4 billion people, two in every five people in the developing world, lack access to basic sanitation services.

(8) Nearly 500 million people are affected by water stress or serious water scarcity. Under current trends, two-thirds of the world’s population may be subject to moderate to high water stress by 2025.

(9) Access to safe water and sanitation and improved hygiene are significant factors in controlling the spread of disease in the developing world and positively affecting worker productivity and economic development.

(10) Increasing access to safe water and sanitation advances efforts toward other development ob-
jectives, such as fighting poverty and hunger, promoting primary education and gender equality, reducing child mortality, promoting environmental stability, improving the lives of slum dwellers, and strengthening national security.

(11) Providing safe supplies of water and sanitation and hygiene improvements would save millions of lives by reducing the prevalence of water-borne diseases, water-based diseases, water-privation diseases, and water-related vector diseases.

(12) Because women and girls in developing countries are often the carriers of water, lack of access to safe water and sanitation disproportionately affects women and limits women’s opportunities at education, livelihood, and financial independence.

(13) Every $1 invested in safe water and sanitation would yield an economic return of between $3 and $34, depending on the region.

(14) Developing sustainable financing mechanisms, such as pooling mechanisms and revolving funds, is necessary for the long-term viability of improved water and sanitation services.

(15) The annual level of investment needed to meet the water and sanitation needs of developing countries far exceeds the amount of Official Develop-
ment Assistance (ODA) and spending by governments of developing countries, so facilitating and attracting greater public and private investment is essential.

(16) Meeting the water and sanitation needs of the lowest-income developing countries will require an increase in the resources available as grants from donor countries.

(17) The long-term sustainability of improved water and sanitation services can be advanced by promoting community level action and engagement with civil society.

(18) Target 10 of the United Nations Millennium Development Goals is to reduce by half the proportion of people without sustainable access to safe drinking water by 2015.

(19) The participants in the 2002 World Summit on Sustainable Development, held in Johannesburg, South Africa, including the United States, agreed to the Plan of Implementation of the World Summit on Sustainable Development which included an agreement to work to reduce by one-half “the proportion of people who are unable to reach or afford safe drinking water,” and “the proportion of people without access to basic sanitation” by 2015.
(20) At the World Summit on Sustainable Development, the United States announced the Water for the Poor Initiative, committing $970 million for fiscal years 2003 through 2005 to improve sustainable management of fresh water resources and accelerate and expand international efforts to achieve the goal of cutting in half by 2015 the proportion of people who are unable to reach or to afford safe drinking water.

(21) United Nations General Assembly Resolution 58/217 (February 9, 2004) proclaimed “the period from 2005 to 2015 the International Decade for Action, ‘Water for Life’, to commence on World Water Day, 22 March 2005” for the purpose of increasing the focus of the international community on water-related issues at all levels and on the implementation of water-related programs and projects.

SEC. 03. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) in order to make the most effective use of amounts of Official Development Assistance (ODA) for water and sanitation and avoid waste and duplication, the United States should seek to establish innovative international coordination mechanisms based on best practices in other development sectors;
(2) the United States should greatly increase the amount of Official Development Assistance made available to carry out section 104D of the Foreign Assistance Act of 1961, as added by section 4(a) of this title;

(3) United States water and sanitation assistance programs should reflect an appropriate balance of grants, loans, investment insurance, loan guarantees, and other assistance to ensure affordability and equity in the provision of access to safe water and sanitation for the very poor;

(4) United States water and sanitation assistance programs, to the extent possible, should support the poverty reduction strategies of recipient countries;

(5) United States water and sanitation assistance programs should promote community-based approaches in the provision of affordable and equitable access to safe water and sanitation, including the involvement of civil society; and

(6) protecting the supply and availability of safe water requires sound environmental management.
SEC. 104D. ASSISTANCE TO PROVIDE SAFE WATER AND SANITATION.

(a) PURPOSES.—The purposes of assistance authorized by this section are—

“(1) to promote good health, economic development, poverty reduction, women’s empowerment, and environmental sustainability by providing assistance to expand access to safe water and sanitation, promoting integrated water resource management, and improving hygiene for people around the world;

“(2) to seek to reduce by one-half from the baseline year 1990 the proportion of people who are unable to reach or afford safe drinking water and the proportion of people without access to basic sanitation by 2015;

“(3) to focus water and sanitation assistance toward the countries and people with the greatest need;

“(4) to promote affordability and equity in the provision of access to safe water and sanitation for
the very poor, women, and other vulnerable popula-
ations;

“(5) to promote long-term sustainability in the
affordable and equitable provision of access to safe
water and sanitation through the creation of innova-
tive financing mechanisms such as national revolving
funds, and by strengthening the capacity of recipient
governments and communities to formulate and im-
plement policies that expand access to safe water
and sanitation in a sustainable fashion, including se-
curing loans and strategic planning;

“(6) to secure the greatest amount of resources
possible, encourage private investment in water and
sanitation infrastructure and services, particularly in
lower middle-income countries, without creating
unsustainable debt for low-income countries or
unaffordable water and sanitation costs for the very
poor; and

“(7) to promote the capacity of recipient gov-
ernments to provide affordable, equitable, and sus-
tainable access to safe water and sanitation.

“(b) AUTHORIZATION.—To carry out the purposes of
subsection (a), the President is authorized to furnish as-
sistance for programs in developing countries to provide
affordable and equitable access to safe water and sanitation.

“(c) Activities Supported.—Assistance provided under subsection (b) shall, to the maximum extent practicable, be used to—

“(1) expand affordable and equitable access to safe water and sanitation for underserved populations;

“(2) support the construction, maintenance, upkeep, repair, and operation of water delivery and sanitation systems;

“(3) improve the safety and reliability of water supplies, including environmental management; and

“(4) improve the institutional capacity of recipient governments, including capacity-building programs for improved water resource management.

“(d) Local Currency.—The President may use payments made in local currencies under an agreement made under title I of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1701 et seq.) to provide assistance under this section, including assistance for activities related to drilling or maintaining wells.”.

(b) Conforming Amendment.—Section 104(e) of the Agricultural Trade Development and Assistance Act
of 1954 (7 U.S.C. 1704(c)) is amended by adding at the end the following new paragraph:

“(9) SAFE WATER.—To provide assistance under section 104D of the Foreign Assistance Act of 1961 to promote good health, economic development, poverty reduction, women’s empowerment, and environmental sustainability by improving the safety of water supplies, including programs related to drilling or maintaining wells.”.

SEC. 05. SAFE WATER AND SANITATION STRATEGY.

(a) STRATEGY.—The Administrator of the United States Agency for International Development, in consultation with the heads of other appropriate Federal departments and agencies, international organizations, international financial institutions, recipient governments, United States and international nongovernmental organizations, indigenous civil society, and other appropriate entities, shall develop and implement a strategy to further the United States foreign assistance objective to provide affordable and equitable access to safe water and sanitation in developing countries.

(b) CONTENT.—The strategy required by subsection (a) shall include—

(1) an assessment of the activities that have been carried out, or that are planned to be carried
out, by all appropriate Federal departments and agencies to improve affordable and equitable access to safe water and sanitation and hygiene in all countries that receive assistance from the United States Agency for International Development;

(2) specific and measurable goals, benchmarks, and timetables to achieve the objective described in subsection (a);

(3) an assessment of the level of resources that are needed each year to achieve the goals, benchmarks, and timetables described in paragraph (2);

(4) methods to mobilize and leverage the financial, technical, and managerial expertise of businesses, governments, nongovernmental organizations, and civil society in the form of public-private alliances;

(5) methods to encourage reforms and increase the capacity of foreign governments to formulate and implement policies that expand access to safe water and sanitation in an affordable, equitable, and sustainable fashion, including securing loans and strategic planning;

(6) methods to coordinate and integrate United States water and sanitation assistance programs with other United States development assistance.
programs to achieve the objective described in sub-
section (a);

   (7) methods to better coordinate United States
water and sanitation assistance programs with pro-
grams of other donor countries and entities to
achieve the objective described in subsection (a);

   (8) methods to take into account the different
needs of countries with an absolute lack of resources
to expand water and sanitation access and countries
with the need to better allocate potentially sufficient
existing resources and the different activities appro-
priate to each, as well as countries with existing
markets for investment in water and sanitation and
countries without existing markets for investment in
water and sanitation; and

   (9) methods to take into account the need for
an appropriate balance of grants, loans, investment
insurance, loan guarantees, and other assistance to
ensure affordability and equity in the provision of
access to safe water and sanitation for the very poor.

(c) REPORTS.—

   (1) INITIAL REPORT.—Not later than 180 days
after the date of the enactment of this Act, the Ad-
ministrator of the United States Agency for Inter-
national Development shall submit to the appro-
appropriate congressional committees a report that describes the strategy required by subsection (a).

(2) SUBSEQUENT REPORTS.—Not less than once every year after the submission of the initial report under paragraph (1) until 2015, the Administrator shall submit to the appropriate congressional committees a report on the status of the implementation of the strategy, progress made in achieving the objective described in subsection (a), and any changes to the strategy since the date of the submission of the last report.

(3) DEFINITION.—In this subsection, the term “appropriate congressional committees” means—

(A) the Committee on International Relations and the Committee on Appropriations of the House of Representatives; and

(B) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

SEC. 06. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated for fiscal year 2006 and each subsequent fiscal year such sums as may be necessary to carry out this title and the amendments made by this title.
(b) **OTHER AMOUNTS.**—Amounts appropriated pursuant to the authorization of appropriations in subsection (a) shall be in addition to the amounts otherwise available to carry out this title and the amendments made by this title.

(c) **AVAILABILITY.**—Amounts appropriated pursuant to the authorization of appropriations under section (a) are authorized to remain available until expended.
Mr. BLUMENAUER. Thank you, Mr. Chairman. I have an amendment that would incorporate the Water for the Poor Act which has bipartisan support amongst our Committee. That is a companion bill to the Safe Water Currency for Peace Act which Senators Frist and Reid have introduced in the other body.

It is a bill designed to address the number one killer in the world, the lack of access to safe water and sanitation. I won't go through the statistics. I think Members of the Committee are knowledgeable about that. I am appreciative of the number of my colleagues that have cosponsored it. I am appreciative of the support from the Chair and Ranking Member of the Committee to be able to move this forward. Based on those assurances, I would withdraw the amendment at this point and look forward to working with the Chair and Ranking Member to have a hearing and markup on this stand-alone bill.

Mr. SMITH OF NEW JERSEY. I want to thank Mr. Blumenauer for his earnestness in bringing forward this important legislation. Lack of water and poor sanitation has placed a very heavy toll on human life and caused suffering. As your bill notes, every 15 seconds a child dies because of lack of access to safe water and adequate sanitation. Chairman Hyde and this Committee will look forward to having a hearing and a markup of amended text of this legislation as agreed upon, with the hope of seeing this going to the House Floor.

We also welcome working with our Senate colleagues to help bring an end to the suffering and troubled lives for billions of lives across the world. As the gentleman notes, diarrheal disease, one of the consequences of poor water, is the leading killer of children in the world. I thank him for his initiative here.

Mr. SMITH OF WASHINGTON. Mr. Chairman.

Mr. SMITH OF NEW JERSEY. The gentleman is recognized.

Mr. SMITH OF WASHINGTON. Thank you. Not specific to this amendment, but I wanted to comment on the issue of poverty and thank actually the Chairman and Members of the Majority Party for agreeing to include a sense of Congress in the wording of the base bill on elimination of poverty in countries. This is an issue that many on the Committee have been working on, including Representatives Blumenauer and McCollum amongst others.

I just really wanted to thank them for doing that. Really the focus of that legislation is similar to a piece of legislation that I am working on that Representative McCollum has introduced as well focusing on elimination of extreme poverty, which is people living in extreme poverty, less than $1 a day, about 1 billion people in the world in that situation. There are a number of groups, some in the Seattle area and beyond, who have gotten together to focus on this. It is a global initiative for reduction of world poverty headed up by Bill Gates, Sr., Bill Ruckelshaus, Bill Clapp and one other guy not named Bill, Dan Evans, and a number of other folks, trying to focus specifically on that extreme poverty.

This makes it the stated goal of the United States to work in cooperation with all other countries and entities that are interested in doing this to the point where we eliminate extreme poverty and urge the President to use USAID, among other areas, in any way possible, applauds the President for the Millennium Challenge Ac-
counts and for some other ideas, but really attempts to put the United States foreign policy on record as making this a top priority in our foreign policy, is the elimination of extreme poverty and also focusing on poverty more broadly speaking, which is people living on less than $2 a day, which is another 2.7 billion people.

I want to thank again the Majority and all the other people working on this issue, including this language in the State Department authorizing bill. We are continuing to work with all those interested in this issue to move forward this important policy initiative.

With that, I yield back.

Mr. SMITH OF NEW JERSEY. Thank you.

Mr. Burton.

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

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

Mr. BURTON. Number 22, I believe, is the amendment. The title is young fellow with gray hair. You should be able to find that without any trouble. That was a joke. Nobody is laughing. Not even Delahunt.

Ms. RUSH. Amendment offered by Mr. Burton of Indiana. At the end of title VIII of the bill add the following——

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

Chairman Burton is recognized for 5 minutes in support of his amendment.

[The amendment referred to follows:]
AMENDMENT TO H.R. 2601
OFFERED BY MR. BURTON OF INDIANA

(Amendatory Instructions Refer to the Amendment in the Nature of a Substitute)

At the end of title VIII of the bill, add the following new section (and conform the table of contents accordingly):

SEC. ____ ASSISTANCE FOR DEMOBILIZATION AND DISARMAMENT OF FORMER IRREGULAR COMBATANTS IN COLOMBIA.

(a) AUTHORIZATION.—Amounts made available for fiscal year 2006 and each subsequent fiscal year for assistance for the Republic of Colombia under this Act or any other provision of law may be made available for assistance for the demobilization and disarmament of former members of foreign terrorist organizations in Colombia, specifically the United Self-Defense Forces of Colombia (AUC), the Revolutionary Armed Forces of Colombia (FARC) and the National Liberation Army (ELN), if the Secretary of State makes a certification described in subsection (b) to
the appropriate congressional committees prior to the initial obligation of amounts for such assistance for the fiscal year involved.

(b) CERTIFICATION.—A certification described in this subsection is a certification that—

(1) assistance for the fiscal year will be provided only for individuals who have verifiably renounced and terminated any affiliation or involvement with foreign terrorist organizations;

(2) the Government of Colombia is continuing to provide full cooperation with the Government of the United States relating to extradition requests involving leaders and members of the foreign terrorist organizations involved in murder, kidnapping, narcotics trafficking, and other violations of United States law; and

(3) the Government of Colombia has established a concrete and workable framework for dismantling the organizational structures of foreign terrorist organizations that adequately balances the need for both reconciliation and justice with concerns for fundamental human rights.

(c) DEFINITIONS.—In this section:
(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Appropriations and the Committee on International Relations of the House of Representatives; and

(B) the Committee on Appropriations and the Committee on Foreign Relations of the Senate.

(2) FOREIGN TERRORIST ORGANIZATION.—The term “foreign terrorist organization” means an organization designated as a terrorist organization under section 219 of the Immigration and Nationality Act.
Mr. BURTON. Thank you, Mr. Chairman. We were down in Colombia not too long ago. One of the problems they have and we have is there are 11,500 former members of FARC and ELN and the drug cartels that have decided to get out of that business. They want to work within the system. They don't want to work with the drug cartels or the terrorist organizations down there anymore.

The problem is that they can't get work. One of the things that the Department of Justice has said in the PATRIOT Act, that there can be no material support for terrorism, and that includes ex-terrorists being transported on American aircraft.

Now, what they want to do down there is they want to put these guys to work eradicating opium and coca in various areas, and they need to be able to transport them out there. The Speaker of the House, when he was here, alluded to this in his remarks. The Chairman of this Committee, Mr. Hyde, is for this amendment. This is an amendment that would simply, very clearly define for Colombia and for this particular situation that those people who have renounced terrorism or renounced being involved with the drug cartel and want to work within the system can be transported to locations where they can help in the drug eradication program and make themselves citizens who are back in the system and not a problem.

Now, the Government of Colombia is willing to pay them $8 a day, very minimum amount of money, but that will take care of their needs, in order to keep them out of the network.

If we don’t deal with this, if we don’t do something about this right now, the chances are very good because of the poverty rate down there, because they are not making any money, that they are going to go back into the drug business and they are going to go back into working with FARC and the ELN and other groups.

I think this is a very important amendment. It is one that will bring these people who are connected to these organizations out of the organizations. The ones who are already out want to work within the system, but they need to be able to be transported and be worked with in the drug eradication program.

I think this is a very simple amendment, a very important amendment, and it is one that the Justice Department said is needed in order for us to be able to utilize these people.

With that, Mr. Chairman, I will yield back my time.

Mr. SMITH OF NEW JERSEY. The gentleman yield backs his time. Would anyone else like to be heard on the Burton amendment?

Mr. LANTOS. Yes, Mr. Chairman. I want to commend my friend for offering a serious amendment. However, I am going to oppose it. You have distributed to every Member a letter signed by Senator Lugar and Senator Biden, the bipartisan leadership of the Senate Foreign Relations Committee, and Henry Hyde and me, basically opposing the substance of this amendment. If you read the letter, the arguments are all there. Time is late. I urge a no vote.

[The information referred to follows:]
February 2, 2005

The Honorable Alvaro Uribe
President
Republic of Colombia
Bogota, Colombia

Dear President Uribe:

It is a pleasure for us to be in communication with you again, and to express our appreciation for your government’s efforts to improve security throughout Colombia.

In particular, we have been encouraged by the determination you have shown, in the face of difficult challenges, to confront the narco-guerrillas who have done so much damage to your country. We are hopeful for the release of the three U.S. hostages still being held by the Revolutionary Armed Forces of Colombia (FARC). We have also noted the large number of extradition requests that the Colombian government has fulfilled in recent years. Extradition is an important component of U.S.-Colombia relations, and we appreciate your government’s clear public statements and continued cooperation on this issue.

We support efforts to achieve peace in Colombia, including through efforts to demobilize Foreign Terrorist Organizations (FTOs) such as the AUC paramilitaries. We understand that the demobilization of these groups is a delicate process, and that any concessions made to these narco-terrorists will set a precedent for future negotiations with other FTOs such as the FARC.

We also support U.S. funding to implement the demobilization of paramilitary combatants, if such a process is conducted pursuant to an effective legal framework, as determined by Colombians through good faith negotiations with the Colombian Congress, that will bring about the dismantlement of the underlying structure, illegal sources of financing, and economic power of these FTOs. In this regard, we believe it is crucial that paramilitaries seeking benefits from demobilization be required to first disclose fully their knowledge of the operative structure of these FTOs and the role of individual members in illegal activities, and to forfeit their illegally acquired assets.

It is also critical that the provision of benefits to the leaders of these FTOs be conditioned on the groups’ compliance with the cease-fire and cessation of criminal activity by its members. Finally, it is necessary that the perpetrators of atrocities be held accountable for their crimes.
We also urge your government to put in place effective mechanisms to monitor demobilized individuals to prevent them from continuing to engage in organized criminal activity. The legal framework you arrive at for the paramilitaries should be equally applicable to other narco-terrorist organizations. There should be no distinction.

Again, we want to support this process if the necessary laws are in place to ensure its success.

Thank you for your leadership, and for consideration of our views.

Respectfully,

PATRICK LEAHY
Ranking Member
Subcommittee on Foreign Operations

HENRY J. HYDE
Chairman
Committee on International Relations

RICHARD G. LUGAR
Chairman
Committee on Foreign Relations

JOSEPH R. BIDEN, Jr.
Ranking Member
Committee on Foreign Relations

CHRISTOPHER J. DODD
Ranking Member
Subcommittee on Western Hemisphere

TOM LANTOS
Ranking Member
Committee on International Relations
Mr. Burton. Would the gentleman yield, please?

Mr. Lantos. I will be delighted to yield.

Mr. Burton. My good friend. There must be some misunderstanding because I am carrying this amendment on behalf of Chairman Hyde. So there has to be a misunderstanding. But I wish my colleague would reconsider. This is limited only to Colombia. It is intended to assist in bringing these people who are connected with the FARC, ELN and the drug cartels out of that system and back into the mainstream so that they can be a participant in a positive way in the economy. They want to do it.

There is already 11,500 of them who are willing and able and wanting to make this change. If we don’t work with them in this way, then the Colombian Government cannot pay them $8 a day for the eradication program that they can be involved in. I am very concerned that a large percentage of them are going to go back into the jungles and work with these radical elements and be participants in the drug production program.

Drugs are killing tens of thousands of Americans and maiming many others. We have been in this war against drugs for a long time. Here is a step that we can take that I think will help in that regard. I hope my colleague, whom I have the highest regard for, will reconsider his opposition.

Mr. Smith of New Jersey. Mr. Payne.

Mr. Payne. Yes. Let me just say this came kind of cold to me here. But listening to Mr. Burton seems, it that it is difficult in some of these countries to try to get reforms and I think in some extraordinary situations we have to do things that we consider to be extraordinary. I think that may be an opportunity to take people who have decided that they want to change their way of living to be more productive citizens. I think that it could be very helpful. They probably are pretty tough individuals who would probably be able to do the job they have to do well.

So I commend you for the resolution and speak in support of it.

Mr. Smith of New Jersey. Any other Member like to be heard?

Mr. Delahunt. Yes, Mr. Chairman.

Mr. Smith of New Jersey. Who seeks recognition?

Mr. Delahunt.

Mr. Delahunt. I am very conflicted by this particular amendment. I appreciate the remarks and the sincerity of the remarks by Mr. Burton. My conflict is based on the fact that there have been many in Colombia that have talked about impunity that many of these individuals have committed, extremely heinous crimes. They are being provided an opportunity to walk away without real justice being done.

At the same time, I think that we have to recognize that in Colombia there has been a civil war raging for some 40 years, that the rise of the paramilitaries since the end of the 1980s have wreaked and compounded further violence on the people of Colombia. It is almost as if there is a choice here between justice and peace.

It is a hard one. The High Commissioner for Human Rights told a news conference back in May that she was concerned about a proposal being debated in the Colombian Congress that fails to
compel warlords to confess their crime, return plundered goods and pay reparations to victims.

At the same time, I recognize that it was a courageous act on the part of the Colombian Government to initiate talks and discussions, particularly with the AUC, a significant paramilitary group, and there has been progress made.

I have always taken the position that if peace is going to be attained, as Mr. Payne indicated,—extraordinary things are going to have to happen, and people in Colombia apparently have made the decision that peace is paramount, at least from what I understand from reports about legislation pending in the Colombian Government.

I would have preferred that this money would have been diverted to reparations to the victims of the crimes that have been committed. Presumably whatever occurs would not interfere with the extradition treaty that we have with Colombia.

I would hope that as this legislation winds its way through the Colombian Congress that those who recidivate, who recommit crimes of violence are held accountable, not just simply for that particular crime but for their past crimes of violence perpetrated against victims.

Having said all of that, we have to come down and make a choice here. It is a difficult one.

Mr. Burton. Before you make that choice, would you yield to me?

Mr. Delahunt. Of course.

Mr. Burton. I like to catch you before you make your decision, Bill, Representative Delahunt. First of all, the Colombian Government has extradited people to the United States. They have been very, very cooperative with us. Their government down there has said one of the biggest problems that the cartel has is a lot of the people are leaving because they are tired of the fight. They want to get out. They want to get back in the mainstream.

One of the things, in my opinion, that if we defeat this, that this will do is it will be giving aid and comfort to the drug leaders and to the terrorist groups down there. I know this is a very tough decision for a lot of people. The Government of Colombia believes that if they can give these people gainful employment, and if they committed heinous crimes where there is an extradition, they will work with us. They promised and the legislation demands, demands that these people be very tough on people who committed heinous crimes. Those who haven’t, of the 11,500 who want to be gainfully employed, they really want to give them a chance so that they don’t see a recidivism rate that is very high where they go back into the same situation they were in before.

Bill, I hope you will think hard about this when it comes to a vote, because I love you, man.

Mr. Delahunt. Well, I love you too, even though you are mostly wrong on your policy decisions. At the same time I think that what we have to do is to recognize that justice in this particular matter ought to be left to the Colombian people to determine.

Peace impacts not just Colombia, but the entire hemisphere. I think at this point in time we have to be willing to make the risk for peace. Again, I applaud the Uribe Administration for entering
into these negotiations. As you know, Chairman Burton, I am the only Member of Congress that flew into the Andes to speak with the FARC in an effort to advance the peace process. So I guess in the end I support this amendment and hopefully it will advance the peace process in Colombia.

Mr. Payne. Mr. Delahunt, would you yield for a minute before you give back your time. I was going, you know, with the same kind of feelings, you know, no justice, no peace. However, we found in a number of places, if you are looking at, as you have said, at the people at the table, the people in the back of the bush are the ones that suffer. The RUF in Sierra Leone could not be defeated by the troops of Nigeria, Sierra Leone, the rest, government reconciliation, some of these people had to sit around the table.

Northern Ireland, many of the ones elected after the Good Friday Accord, the people that had criminal records, had been in jail, been terrorists, killers—Mozambique, RENAMO, FRELIMO; Angola, UNITA. So at some point—South Africa—you just have to say I did it because I was bad and you walk, even though after all those years of apartheid.

So I think that even in some extraordinary situations we have to think of the people who get hurt. That is the bottom part. It is the bare-footed mother in the back that hasn't had a decent meal for her child for a long time. That is why I sort of anguished like you did and support Burton's amendment.

Mr. Smith of New Jersey. Any other Members like to be heard?
If not, the question occurs on the amendment offered by Mr. Burton.

All those in favor say aye. All those opposed say no
The ayes have it. The amendment is agreed to.

The clerk will now report the Crowley amendment relating to fistula, number 21.

Ms. Rush. Amendment offered by Mr. Crowley of New York—
Mr. Crowley. Mr. Chairman, I move we waive the reading.
Mr. Smith of New Jersey. Without objection, so ordered.
(The amendment referred to follows:)
AMENDMENT TO H.R. 2601
OFFERED BY MR. CROWLEY OF NEW YORK

(Page and line numbers refer to the Amendment in the Nature of a Substitute)

Page 171, line 9, after “treatment” insert “and prevention”.

Page 172, after line 12, insert the following new clause:

“(iv) Activities to expand access to contraception services for the prevention of pregnancies among women whose age or health status place them at high risk of prolonged or obstructed childbirth.”.
Mr. CROWLEY. First of all, Mr. Chairman, I want to thank you, Chris Smith, for what you have initially put into this bill, in the base of the bill, in recognizing this severe problem that exists in the developing world. Along with my friend and colleague and co-sponsor of this legislation, Congresswoman Woolsey, I would offer an amendment to address the needs on obstetric fistula.

Let me say that, again, I think this is not critical of the amendment itself. We are trying to improve the amendment. Fistula is a horrible condition that generally is caused by several days of obstructed labor. The consequences of fistula are life shattering. The baby usually in the process dies, and the woman in this process is left with chronic incontinence.

Moreover, a woman or a girl suffering from fistula is often ostracized by their husband and their families, left to fend for themselves, despite their debilitating affliction. Their ability to work and to be part of the community is severely diminished, and they generally become reliant on charity.

Obstetric fistula used to be a significant problem here in the United States. The first fistula hospital was located where presently the Waldorf-Astoria now stands in New York City. Thankfully the women in New York and women in high-income countries will effectively never have to face fistula again. But for millions of girls and women who live in the developing world fistula is an all too real part of their everyday existence.

While good data on fistula is scarce, in part because many girls and young women opt to suffer alone and in silence, a World Health Organization estimate holds that at least 50 to 100,000 new cases occur each year. The actual figures, especially in regions with high maternal mortality, are likely to be much higher.

In fact, I met with a physician today who repairs fistulas in Nigeria. He said that Nigeria sees 20,000 cases of new cases of fistula each year. To use his words—and I quote—“we can’t only treat these cases, we have to prevent them from happening in the first place.”

I am pleased that the base bill addresses the fistula issue for providing the funding in the amount of $5 million per year of this bill for fistula treatment. I applaud again this Committee and in particular, Mr. Smith, for including this language on fistula in the underlying text of the bill. However, we do need to do both, prevention and treatment. Unless the incidents of fistula can be reduced to preventive activities, women and girls in the developing world will face a never-ending cycle of despair. The backlog of women needing surgical repair will never be erased.

For many the most effective way to prevent fistula is through proper family planning. It would be nice to imagine that all young girls in the developing world who were especially vulnerable to fistula would be able to delay their first pregnancy, but that simply is not the reality for many young girls. Many of these young girls are already married and it is through family planning that they could best prevent fistula and best protect their futures.

Moreover, malnutrition and other ravages of poverty can leave a women in the position of attempting to deliver a child when her body is underdeveloped. These young women are also at particular
risk for fistula. For many of them family planning again is their best chance to prevent it.

To be sure, we need to address the largest social issues that contribute to the problem. Girls education, general access to health care and women’s economic development and empowerment are all important parts of confronting the fistula tragedy.

For many the simplest and best answer is to make family planning available to those who want to use it. In fact, one estimate finds access to maternal planning would reduce infant mortality and death by at least 20 percent.

I thank this Committee for recognizing the impact of fistula, for expressing support for those who have already been afflicted by the condition. However, we also need to support the countless girls and young women throughout the developed world who have not yet been afflicted but are potentially at risk. As such, my amendment would see that the funding slated for fistula treatment would also cover fistula prevention.

If we understand fistula to be a tragedy, as it truly is, then the best response must also include steps to prevent women and girls from ever having to face it in the first place.

Just one other point that needs to be made. Many of these young girls in the developing world are being married at ages like 13 years of age. Their bodies aren’t physically ready to be delivering children. Therefore, they find themselves in extended labor. The after effects can be horrific and indeed be life damaging for a 13-year-old or anyone in their early teens.

So with that, Mr. Chairman, I move the adoption of this amendment.

Mr. SMITH OF NEW JERSEY. The Chair recognizes himself. Let me just thank Mr. Crowley for his kind words. Section 815 of this legislation is, in essence, legislation that I have introduced in the last Congress and this Congress that we carried over into this bill.

As the gentleman points out, obstetric fistula is a preventable and a very treatable malady that affects, according to the World Health Organization, some 2 million women who are living with the devastating impact of fistula.

WHO also estimates that between 50,000 to 100,000 women this year will develop this very debilitating and life threatening situation, which the gentleman points out so correctly is often caused by an obstructed labor, a long labor, 3, 4, 5 days. The baby usually dies, and where a C-section would provide the opportunity for the baby and the mother to be healthy, regrettably many of these women develop tears that lead to chronic incontinence.

Part of what we are trying to do with this legislation is to set up not less than 12 centers—Africa has a disproportionate share of fistula cases. And I do accept the gentleman’s amendment, by the way. But we are hoping that for $300 or less, a woman can get the surgical operation, and her life can be restored.

Many of these women are ostracized. It is a very, very debilitating, and, like I said, life threatening, but certainly a socially ostracizing and very disease-prone type of condition. So this legislation, though I certainly would accept the gentleman’s amendment. Would anyone else like to be heard?

Mr. CROWLEY. I thank the gentleman for accepting.
Ms. Lee. Let me just thank the Chair and also Mr. Crowley for this amendment, and just basically say this amendment could save the lives of millions of children and women. I am very proud that the Committee is adopting it on a bipartisan basis.

Mr. Smith of New Jersey. The question occurs on the amendment of Mr. Crowley.

All those in favor say aye. Opposed, no.
The ayes have it. The amendment is agreed to.

Mr. Rohrabacher.

Mr. Rohrabacher. I have an amendment at the desk.

Mr. Smith of New Jersey. The clerk will report the amendment.

Ms. Rush. Amendment offered by Mr. Rohrabacher——

Mr. Smith of New Jersey. Without objection, the amendment will be considered as read.

Mr. Rohrabacher.

[The amendment referred to follows:]
AMENDMENT TO H.R. 2601
OFFERED BY MR. ROHRABACHER OF CALIFORNIA

At the appropriate place in the bill, insert the following new section (and conform the table of contents accordingly):

SEC. ___. SENSE OF CONGRESS REGARDING PROPERTY EXPROPRIATED BY THE GOVERNMENT OF ETHIOPIA.

It is the sense of the Congress that the Government of Ethiopia should account for, compensate for, or return to United States citizens, and entities not less than 50 percent beneficially owned by United States citizens, property of such citizens and entities that has been nationalized, expropriated, or otherwise seized by the Government of Ethiopia before the date of the enactment of this Act in contravention of international law.
Mr. R. ROHRABACHER. Mr. Chairman, this should be a non-controversial bill, basically a sense of the Congress that property confiscated by the Government of Ethiopia that belongs to United States citizens should be returned to them.

This is especially important to me. I have a family in my district, an immigrant family from Ethiopia who are now United States citizens, whose business and property was confiscated by the Marxist government there 15 years ago. The current government has not returned it, not offered them just compensation. This is just a sense of the Congress saying the Ethiopian Government should return property owned by United States citizens or compensated.

Mr. ISSA. Could we ask unanimous consent?

Mr. SMITH OF NEW JERSEY. Without objection, the amendment is——

Mr. ROHRABACHER. That would be nice, yes.

Mr. SMITH OF NEW JERSEY. I would just announce to my colleagues that we do have additional amendments. We are likely going have to roll this over to tomorrow morning at 10:30, reconvene and then complete the bill, as well as the bill for the resolution on Srebrenica.

Mr. Issa.

Mr. ISSA. Mr. Chairman, if I can take 2 minutes I can eliminate my three en bloc.

Mr. SMITH OF NEW JERSEY. The gentleman is recognized.

[The en bloc amendments referred to follow:]
AMENDMENT TO H.R. 2601
OFFERED BY MR. ISSA OF CALIFORNIA

(Amendatory Instructions Refer to the Amendment in the Nature of a Substitute)

Strike subsection (f) of section 811 of the bill (relating to transfer of certain interest for Egypt).
AMENDMENT TO H.R. 2601
OFFERED BY MR. ISSA OF CALIFORNIA

(Amendatory Instructions Refer to the Amendment in the
Nature of a Substitute)

Page 166, after line 8, insert the following new subsection (and conform subsequent subsections accordingly):

“(g) NATIONAL SECURITY WAIVER.—The President may waive any of the requirements of this section if the President certifies to Congress that it is in the national security interests of the United States to do so.”.

Page 168, after line 18, insert the following new subsection:

(g) NATIONAL SECURITY WAIVER.—The President may waive any of the requirements of subsections (d), (e), and (f) of this section if the President certifies to Congress that it is in the national security interests of the United States to do so.
AMENDMENT TO H.R. 2601
OFFERED BY MR. ISSA OF CALIFORNIA
(Amendatory Instructions Refer to the Amendment in the Nature of a Substitute)

Strike subsection (d) (relating to military assistance levels for Egypt; transfer requirement) and subsection (e) (relating to cash-flow financing for Egypt) of section 811 of the bill and insert the following new subsection (and redesignate subsequent subsections accordingly):

(d) MILITARY ASSISTANCE LEVELS FOR EGYPT; TRANSFER REQUIREMENT.—

(1) In general.—For each of the fiscal years 2006, 2007, and 2008, the amount that exceeds $1,260,000,000 that is available for assistance for Egypt under section 23 of Arms Export Control Act (22 U.S.C. 2763; relating to the “Foreign Military Financing” program) shall be made available to carry out one or more of the activities described in paragraph (2).

(2) Activities described.—The activities described in this paragraph are the following:

(A) Training exercises with the military or security forces of Iraq and Afghanistan.
(B) Anti-terrorism operations in the border region of Egypt with Israel.

(C) Security operations to protect United States Navy vessels transiting the Suez Canal.

(D) Regional humanitarian relief missions.
Mr. Issa. I would ask that my additional three amendments be distributed so the Members would have them. I am offering them but will be withdrawing them. I will consider whether it becomes necessary to deal with this on the Floor. I believe here today we have probably pretty well educated people to the problem of the difference in opinion between the Chairman and Mr. Lantos and some of the other Members.

I would ask that you consider and look at some of the other overall alternatives and ask all of my colleagues to take the opportunity to get more familiar with what the Egyptian Government does do in cooperation with us and perhaps some who see Mr. Lantos' statements, which I also see, will also realize that this may not be the right conclusion to reach, even though we can all agree on many of the problems.

With that I yield back, and I withdraw the amendments.

Mr. Smith of New Jersey. I have an amendment at the desk. It is a technical amendment.

Ms. Rush. Amendment offered by Chris Smith—

Mr. Smith of New Jersey. Without objection, the amendment is considered as read. It is a technical amendment simply, and I would urge its adoption.

[The amendment referred to follows:]

AMENDMENT

On page 63, Line 10, STRIKE “(B) a review of efforts to combat the use of financial institutions by terrorist groups;” and renumber

On page 65, Line 16, after “organizations”, add “(excluding the International Monetary Fund, the World Bank and other regional banks and the like)”

Mr. Smith of New Jersey. Without objection, the amendment is accepted.

Let me again thank the Members.
Because I know Ms. Lee has two amendments and we have an additional amendment by Mr. Crowley, we will have to roll over until tomorrow because I do think they deserve time and the focus that a debate will allow. We will recess until 10:30 tomorrow morning, and we will take up the Issa resolution and complete the amendment. [Whereupon, at 7:20 p.m., the Committee was adjourned.]
THURSDAY, JUNE 9, 2005

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

The Committee met, pursuant to notice, at 10:48 a.m., in room 2172, Rayburn House Office Building, Hon. Henry J. Hyde (Chairman of the Committee) presiding.

Chairman HYDE. The Committee will come to order.

When the Committee recessed yesterday pursuant to a unanimous consent agreement, there were three amendments remaining to be disposed of. Subsequent to the disposition of these amendments, we will proceed to final passage. The clerk will report the Lee amendment number 24.

Ms. RUSH. Amendment offered by Ms. Lee of California. At the appropriate place in the bill, insert the following new section (and conform the table of contents accordingly): Report on United States Weapons Transfers, Sales, and Licensing to Haiti. Report.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate Congressional Committees a report on all United States weapons transfers, sales, and licensing to the Government of the Republic of Haiti for the period beginning on October 4, 1991, and ending on the date of the enactment of this Act.

(b) Contents.—The report required by subsection (a) shall included a detailed description of each of the following: (1) The names of the individuals or governmental entities to which weapons were transferred, sold, or licensed——

Ms. LEE. Mr. Chairman, I ask unanimous consent to suspend the reading.

Chairman HYDE. Does the gentlelady ask that the amendment be considered as read?

Ms. LEE. Right. Thank you.

[The amendment referred to follows:]
AMENDMENT TO H.R. 2601

OFFERED BY MS. LEE OF CALIFORNIA

(Amendatory Instructions Refer to the Amendment in the Nature of a Substitute)

At the appropriate place in the bill, insert the following new section (and conform the table of contents accordingly):

1 SEC. ____ REPORT ON UNITED STATES WEAPONS TRANSFERS, SALES, AND LICENSING TO HAITI.

2 (a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report on all United States weapons transfers, sales, and licensing to the Government of the Republic of Haiti for the period beginning on January 1, 2001, and ending on the date of the enactment of this Act.

3 (b) CONTENTS.—The report required by subsection (a) shall include a detailed description of each of the following:

4 (1) The names of the individuals or governmental entities to which weapons were transferred, sold, or licensed.
(2) The number and types of weapons transferred, sold, or licensed.

(3) The safeguards, if any, that were required prior to the transfer, sale, or license of the weapons.

(c) DEFINITION.—In this section, the term “United States weapons transfers, sales, and licensing” means transfers, sales, and licensing of weapons under—

(1) section 38 of the Arms Export Control Act (22 U.S.C. 2778); or

(2) chapter 8 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2291 et seq.).
Chairman Hyde. The Chairman will state that we have reviewed the amendment as it has been amended, and we have no objection to it. And so if the gentlelady wishes, we will accept that amendment and move on.

Ms. Lee. Thank you, Mr. Chairman.

Chairman Hyde. Very well. The amendment is agreed to, and Mr. Crowley, number 23, is next.

Ms. Rush. Amendment offered by Mr. Crowley of New York——

Mr. Crowley. Mr. Chairman? Mr. Chairman?

Chairman Hyde. Without objection, further——

Mr. Crowley. I have a substitute of the amendment 23 at the desk, and I ask unanimous consent to replace the previous amendment.

Chairman Hyde. The clerk will report the amendment.

Ms. Rush. Amendment offered by Mr. Crowley of New York. At the end of Subtitle B of Title IX, add the following new section: Section——

Chairman Hyde. Without objection, further reading of the amendment is dispensed with.

[The information referred to follows:]
AMENDMENT TO H.R. 2601
OFFERED BY MR. CROWLEY OF NEW YORK

(Amendatory Instructions Refer to the Amendment in the Nature of a Substitute)

At the end of subtitle B of title IX, add the following new section:

1 SEC. ___. SENSE OF CONGRESS REGARDING STABILITY AND SECURITY IN IRAQ.

2 It is the sense of Congress that the President should transmit to the appropriate congressional committees as soon of possible after the date of the enactment of this Act the plan to provide for a stable and secure government of Iraq and an Iraqi military and police force that will allow the United States military presence in Iraq to be diminished.
Chairman Hyde. Mr. Crowley is recognized for 5 minutes in support of his amended amendment.

Mr. CROWLEY. Thank you, Mr. Chairman, and thank you for your cooperation.

Looking back at Operation Iraqi Freedom, there are many who have—there are many "what would have's," "what could have's," "what should have's" taken place, and not only the President and the Secretary of Defense should have certainly planned for, but also what we in Congress on both sides of the aisle should have anticipated.

When the history of Operation Iraqi Freedom is written, a major part of that will be how the U.S. Congress, both parties, have lost the traditional role of oversight over the Administration and over this war. You cannot hide behind patriotism and the war on terror and not say that what this Administration has done from Abu Ghraib to a lack of intelligence is wrong. From the waste, fraud, and abuse of Halliburton to the lack of armored vehicles to the shortage of boots on the ground, this entire war has been poorly planned and executed by this Administration. And those who have suffered the most have been our troops, our young men and women. Their service and their dedication to not only protecting our country but bringing about a new Iraq for the Iraqi people has been exceptional.

Over 2 years ago, I voted to give this President the authority to wage war in Iraq. Saddam Hussein, I believe, was a threat not only to the United States but to the region and also to the Iraqi people. I am proud that the United States and our troops captured Saddam Hussein. I am proud that the Iraqi people turned out in record numbers to vote in a new Constitution. I am proud that the Iraqi people themselves are tasting the first bites of freedom, of Shiites and Sunnis and Kurds and Christians coming together to build a true free country, free from tyranny and free from Saddam Hussein.

These successes have also been marked with true failures and serious hardships and tragedies. Innocent Iraqis have been impacted in many respects as greatly as the men and women of our own armed forces. I knew, as did my constituents, that the sacrifices could and would be high. We would all agree that any loss of American life is tragic. The loss on account of lack of body armor, lack of protective vehicles, lack of planning are unconscionable and unacceptable.

Others have spoken about the President's drafting a plan as soon as possible to provide for the removal of the troops. I think that is a laudable goal. But removal is not what we need. What we need from this Administration is a success plan. Removal without success and security will not help the Iraqi people. Removal without stability cannot happen.

I quote the former Secretary of State Colin Powell, a fellow Bronx native, who said: "If you broke it, you own it." Otherwise known as the Pottery Barn rule of law, as he called it.

My amendment also asks for withdrawal. But my amendment asks for a success plan before the withdrawal takes place, a plan from this Administration on how we will be providing for a stable
and secure Iraqi Government and a military and police force in Iraq that will allow the United States presence to be diminished.

I agree with many respected foreign relations experts who say that we need a success plan in Iraq. We created this problem. We need to work together to fix it. We need to hold this Administration accountable on a plan of success to restore security to the people of Iraq and that region.

I urge my colleagues to support this amendment, and I yield back the balance of my time.

Chairman HYDE. The Chair is prepared to accept the gentleman’s amendment. Without any further discussion, the amendment is agreed to, and the clerk will read Lee amendment number 27.

Ms. RUSH. Amendment offered by Ms. Lee of California. At the end of title VIII of the bill, insert the following new section (and conform the table of contents accordingly): Section—. Assistance to Promote Economic and Social Development——

Chairman HYDE. Without objection, further reading of the gentlelady’s amendment is dispensed with.

[The information referred to follows:]
AMENDMENT TO H.R. 2601
OFFERED BY MS. LEE OF CALIFORNIA
(Amendatory Instructions Refer to the Amendment in the Nature of a Substitute)

At the end of title VIII of the bill, insert the following new section (and conform the table of contents accordingly):

SEC. ___. ASSISTANCE TO PROMOTE ECONOMIC AND SOCIAL DEVELOPMENT IN COLOMBIA.

(a) AUTHORIZATION.—The President is authorized to furnish assistance, on such terms and conditions as the President may determine, to promote economic and social development in Colombia.

(b) ACTIVITIES SUPPORTED.—Assistance provided under subsection (a) shall, to the maximum extent practicable, be used to carry out the following activities:

(1) The promotion of sustainable economic development in rural areas of Colombia.

(2) The strengthening of civilian government in rural areas of Colombia.

(3) The protection of human rights, the rule of law, and democratic institutions in Colombia.
(e) Funding.—Of the amounts made available for each of the fiscal years 2006 and 2007 to carry out section 481 of the Foreign Assistance Act of 1961 (22 U.S.C. 2291) to support counterdrug activities in the Andean region of South America, 40 percent of such amounts for each such fiscal year is authorized to be available to carry out this section.
Chairman Hyde. The gentlelady is recognized for 5 minutes in support of her amendment.

Ms. Lee. Thank you, Mr. Chairman. This amendment hopefully is non-controversial, and it is based upon the hearing that we participated in on Plan Colombia just last month.

What this amendment does is it would make a small increase, from about 33 percent to 40 percent, in the percentage of funds dedicated for alternative economic and social development, especially in rural areas. Furthermore, it would strengthen civil governance, encourage human rights protections, maintain the rule of law, and protect democratic institutions as funded by the Andean Counter-Drug Initiative through the Bureau for International Narcotics and Law Enforcement.

Now, I would like to be clear on this. This amendment does not increase the amount of money for ACI. It simply makes a very small increase in the percentage of funds used for alternative economic and social development, democracy, the rule of law, and human rights protections within the source of Plan Colombia funding. That is within the funding.

President Bush’s fiscal year 2006 budget request already reflects the importance of existing efforts in rural areas and strengthening the governance and presence of civilian officials. In the final consolidated appropriation, the percentage for alternative development and institution building within ACI was 36 percent. This means that my amendment is only 4 percent above last year’s allocation.

If we concentrate efforts on Colombian civil governance institutions now, eventually they will be able to reassert leadership in containing the civil war and providing alternative solutions to more vulnerable communities. In his testimony before this Committee last month, Roger Noriega, Assistant Secretary of State for the Bureau of Western Hemisphere Affairs, stated—and this is his quote. He said:

“There is no single explanation for the wide range of Colombia’s troubles, but they are rooted in traditionally limited government presence in large areas of the interior, a history of civil conflict, violence, and deep social inequality. Overall goals will include support for programs that help countries to consolidate democracy, assert control over their entire national territories, and extend government services to their citizens.”

So this amendment would do exactly that, and it is simply a consistent continuation of existing policy. It is a very small effort to support the existing framework for Colombians and others in Latin America to increase their role in providing basic services, support, and economic alternatives for those who are in the greatest need.

I hope that this very small step now will reap benefits in the future, that it will wean Colombians from United States assistance, and make the country more secure for investments and sustainable development in the future. So I urge my colleagues to look at this amendment and support this very moderate amendment, which supports progress in the areas that I think this Full Committee would support, and urges a continuation of these efforts.

Thank you, and I reserve the balance of my time.

Mr. Burton. Mr. Chairman?
Chairman HYDE. The gentleman from Indiana, Mr. Burton.

Mr. BURTON. Mr. Chairman, I am sure my colleague is very well intentioned, and I have high regard for her and her hard work, especially working on things like this amendment. I do disagree with her, though, and I would like to explain why.

Right now, 27 percent of the money that we are giving under Plan Colombia, according to the information I have, goes for economic assistance. President Uribe, who has been a stalwart in fighting against the war against drugs and against terrorism in Colombia, is not supportive of this, according to what I understand. He continues to have to fight the forces of terrorism and the forces of the drug cartels down there. And they have to focus their attention on defeating that enemy, at the same time providing for a strong and growing economy. He has been able to do that. He is a very good friend. We are very fortunate to have him as President of Colombia at this time even though his life has been threatened time and time again. I think the last thing that we want to do right now is reduce the amount of assistance that we are giving them for the war on drugs and the war against terrorism, FARC, ELN, and the other guerrilla movements.

So while I have high regard for the lady who sponsors the amendment, I really believe this is the wrong message to send right now. We have got to win this war on drugs, against drugs, and we have got to win this war against the terrorists. Uribe is doing everything he can right now, and for that reason, with great respect, I oppose this amendment and hope my colleagues will as well.

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

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

Mr. Chairman, the amendment of my good friend and Bay Area neighbor, Barbara Lee, deserves full support. Our assistance to Colombia through Plan Colombia and its successor program is critical for strengthening the most viable democracy and the most loyal United States ally in the Andean Region.

Colombia faces many challenges in addition to fighting the scourge of narcotics trafficking. Poverty is endemic in much of the countryside. Police, judges, prosecutors, doctors, and teachers are often not present in many small towns and hamlets because of the security situation and the lack of resources of the Colombian Government. Ms. Lee’s amendment would seek to ensure that as we support the efforts of the Uribe Administration to beat back the terrorists and their drug-dealing accomplices, we also provide resources to President Uribe so that he can extend basic government services to those most in need.

Extending the benefits of democracy and the rule of law to the majority of Colombians is the best antidote against the poisonous rhetoric of terrorists or the populist appeals of Chavista-like leaders.

Mr. Chairman, I strongly support Ms. Lee’s amendment and urge all of my colleagues to do so.

Chairman HYDE. The gentlelady from Florida, Ms. Harris.

Ms. HARRIS. Thank you, Mr. Chairman.

Mr. Chairman, I want to thank the gentlewoman from California for her thoughtful analysis in this, but if you recall back on March
17th when Speaker Hastert testified, he said that it was absolutely critical that we stay the course on this narcoterrorism and bring peace to Colombia. We visited there and we saw firsthand how the narcoterrorists are growing the coca, are working in the fields. And right now the United States has done such an amazing job in helping support Colombia in building up the hard side, the military efforts so that we can fight the narcoterrorists there.

I understand your interest in wanting to look at these rural alternative livelihoods, but I am very concerned about changing gears at this point. Under the terms of Plan Colombia, the United States was to do the heavy lifting on the military side, and we are already providing $120 million. I would be deeply concerned if we retrenched on the military side. The EU has made commitments to fulfill their soft side. I think we should look to the EU and press them further to live up to those commitments. We were in negotiations at a parliamentarian effort in Europe and reminded them of their commitments. I think we really need to press the EU to move forward and fulfill that. But at this point I would think we would put ourselves in jeopardy as well as those we have made commitment to if we were to retreat on our commitment and enhance the rural soft side.

Thank you, Mr. Chairman.

Chairman Hyde. Thank you. Is there any——

Mr. Delahunt. Mr. Chairman?

Chairman Hyde. Mr. Delahunt.

Mr. Delahunt. I don’t think there is any disagreement that we wish to support the efforts to reduce the flow of cocaine and heroin into the United States and assist the Colombian Government in terms of bringing order and stability and peace back to their society that has been plagued too long by violence. But it is clear that it is not going to simply happen if the sole focus is on the hard side, the so-called military side. And, therefore, I think that this is a minor change in terms of the balance between support for economic and social development, which is absolutely a prerequisite if we are going to have any success in the long term in terms of defeating terrorism and reducing the influence of the narcotrafficker in Colombia.

But there is something else that has to be discussed and I think it should be part of a hearing. I would recommend this to Mr. Burton, who chairs the Committee on the Western Hemisphere. It is that the percentage of GDP in Colombia that goes to revenues to support these efforts is some 14 percent. Here in the United States, American taxpayers in terms of GDP are asked to take 20 percent of the GDP to fund public services, obviously domestic as well as services such as this.

I guess what I am saying is are we asking the Colombian people—I heard someone allude—I think maybe it was Mr. Burton—to the fact that the Colombian economy is doing rather well now. I guess the issue is: Are we paying more than our fair share in terms of this particular effort, this particular policy? And that is something that has to be examined.

Why should the American taxpayer be asked to bear a disproportionate share of the burden? That is what this is about. You know, we have many nations in Latin America where the compliance and
enforcement of their tax laws is not very positive. You know, prior to the election of the Uribe Government, Colombians were paying less than 10 percent of every dollar they had for tax revenues. Here in the United States, it is 20 out of every $100. How can we ask the American taxpayer to continue to support this effort when we really do not know—at least I have never heard of what the contribution of the Colombian Government is to this effort in terms of percentage of their revenues and their GDP.

Furthermore, we talk about what is happening on the hard side, the military side. I just recently visited the Joint Task Force in Key West. We have intelligence that is excellent in terms of the transport of narcotics through the Caribbean and through the Pacific, and we, the United States, do not have the assets that are necessary to interdict the flow of drugs. Maybe we should be spending more of our dollars that go to this effort on the purchase of American assets to interdict the drugs that are coming into this country, particularly when we have the intelligence that is available to us and yet we can do nothing about it.

But, again, going back to Congresswoman Lee's amendment, I think it makes sense, and I urge its adoption.

Chairman HYDE. The gentleman's time has expired.

Mr. Weller from Illinois.

Mr. WELLER. Thank you, Mr. Chairman. And with all due respect to my friend and colleague from California, I wish to state my opposition to her amendment, which I believe is well intentioned.

Plan Colombia is working. We are seeing progress. Today there is an estimated 30,000 terrorists in Colombia affiliated with three different terrorist organizations—two on the left, one on the right. Many of these terrorists are involved in one basic function—that is, the production of illegal drugs. They are narcotraffickers.

In the district I represent in Illinois, 85 percent of the cocaine consumed in Illinois comes from the Andean Region, from Colombia. One-half of the heroin consumed in the district that I represent originates in the Andean Region.

Again, we are making progress, and I commend President Uribe and his strong leadership in making progress. Today, for the first time, there is government presence in every municipality in Colombia, for the first time in a long time, where the elected Government in Colombia, which is the second oldest democracy in our hemisphere, our ally—they share our values—are looking to us as partners as they do a job for us to stop the flow of drugs at the source.

Now, my friend would like to reduce the investment when it comes to providing the support for Plan Colombia and shift it to some very well-meaning ideas, some well-meaning programs. Today, 40 percent of the cocaine that goes from Colombia now goes to Europe, and we, of course, have been working to partner with our European friends. And for those who argue for multilateralism, Plan Colombia, we have to remember, is a multilateral program. And we look to our European friends to honor a commitment that they made where they promised to invest in what we call the soft side of assistance, which is rural development and other various social programs that we all support. And as part of our bargain with our European allies and winning the war against narcotraffickers, winning the war against those who finance terrorism by the sales
of narcotics, it was the Europeans who are going to pick up this portion while the United States emphasizes assistance on military, security, and law enforcement. And, again, we are making progress with the reduction of various horrible crimes that are committed by the narcotrafficking terrorists.

Ladies and gentlemen, I have great respect for my friend and colleague from California. I know she is well meaning. However, our European friends have made this commitment. We should work to make sure they honor it. However, let’s not pull the rug out from under Plan Colombia, which is succeeding, by supporting this amendment. I urge a no vote, Mr. Chairman. Thank you.

Chairman HYDE. Is there any further discussion?
Mr. CROWLEY. Mr. Chairman?
Chairman HYDE. The gentleman from New York.
Mr. CROWLEY. I would like to yield some time as she may consume to the gentlelady from California.
Ms. LEE. Thank you. I would like to thank the gentleman for yielding. I would just like to take a moment and respond to a couple of the points raised.

First of all, this amendment does not increase the amount of funding overall. What it does is increase the percentage. Drugs, and the fact that many of our communities are feeling and have felt the result of the inflow of drugs—heroin, cocaine—is really a concern that all of us share, and I think we have not seen over the last few years any diminution in the inflow of these drugs.

One of the issues that I am trying to accomplish here is to develop a more sustainable effort with regard to the growing of these crops. And if, in fact, these farmers do not have the resources they need to grow alternative crops, they will continue to do this. And so this is going to be a vicious cycle.

The fact that this must be a comprehensive approach is what I am—the point I am trying to make is that it must be comprehensive and that we must lean toward a long-range solution; otherwise, we are going to keep going in circles on this. And a long-term solution is providing for the long-term economic development efforts of the farmers, putting more resources to democracy-building and strengthening civil government. And so we are just talking in this amendment with regard to why I am doing this and why I think the shift needs to occur is primarily to create more balance and a more long-term sustainable type of effort so that we win this war on drugs and so the farmers have a way to survive.

Mr. FALEOMAVAEGA. Would the gentlelady yield?
Ms. LEE. Yes, I yield.
Mr. FALEOMAVAEGA. I commend the gentlelady, my colleague from California, for her proposed amendment. I recall years ago the former President of Colombia made a very interesting observation about our problems with the drug cartels. And his statement was, as I recall, that if there wasn’t so much demand for drugs from our own country, then maybe there would be no reason for them to grow these crops and cause all the problems.

It seems that we are always putting the blame on their countries, but what are we doing in our own country in getting after the cartels selling the drugs in our own country? And I think that is exactly the point that the gentlelady’s amendment addresses. It
is not just a problem of Colombia growing the crops. It is the demand, the consumption demand of our own country why we are having this problem. And I fully support the gentlelady's concerns, and I think she is right on the mark, and I urge my colleagues to support the amendment.

Chairman HYDE. Mr. Payne of New Jersey.

Mr. PAYNE. Thank you very much, Mr. Chairman. I certainly stand in strong support of the Lee amendment. I think that as she indicated, this would simply make a small increase in the percentage of funds dedicated for alternative economic and social development in rural areas, strengthening civil governance, encouraging human rights protection, maintaining the rule of law, and protecting democratic institutions as funded by the ACI through the Bureau of International Narcotics and Law Enforcement, the INL.

I think that this is very similar to the amendment that was proposed yesterday by my good colleague, the Ranking Member of this Committee, Mr. Lantos. As you may recall, in the debate, which won overwhelmingly, Mr. Lantos said that in the appropriations for funds to Egypt, he felt there should be a shifting of the funds going into the military and that there should be a proportion of it that would go for human development, would go for governance, would go for alleviating poverty, would go toward creating a better economic condition in that area. And I think that the Lee amendment is exactly the same.

We are saying do not increase or decrease, have no impact on the overall amount of money, but let's take the money that we are using for eradication for the military, for the rest, and take a small portion of that and use it for these things that I mentioned earlier that it would increase.

I think that this resolution makes sense. I think that the same way that the Lantos amendment overwhelmingly won yesterday, this is absolutely the exact same concept, the exact same philosophy, the exact same thrust to work with the people. Many times we can succeed much more with a plan to build the people up rather than simply build up the authorities, and so it would appear to me that this amendment is timely, it makes sense, and I would urge the Committee to support the Lee amendment.

Mr. BURTON. Would my colleague yield briefly?

Mr. PAYNE. Yes, certainly.

Mr. BURTON. First of all, as I recall, I think I supported the Lantos amendment. I think it made a lot of sense. I don't think it is the same kettle of fish as what we are talking about today though, Don. The situation we have down there is we are fighting against a series of drug cartels, we are fighting against the FARC and the ELN, and they are trying to undermine that government. If we were to lose the war and Plan Colombia didn’t work, you would have mass immigration of people coming north because of the destabilization of that country and the surrounding areas.

And so the number 1 issue, in my opinion, down there is to win the war against these terrorists and the drug cartel. I think it is extremely important. Obviously, part of that is the economic issue, and that is why 27 percent of the money that we give to them goes for those purposes, but the number 1 responsibility is to win the
war against the cartels and the terrorists down there, and I think that is a little different kettle of fish than what we had in Egypt.

Mr. PAYNE. Reserving my time, I just want to respond that poverty is really creating a lot of destabilization. I think that we are missing the boat as your amendment, which I supported, which said take former terrorists, put them on U.S. planes. We said that we should never, that there should not—these folks should have a prison rather than transport on U.S. planes. However, it was a specific thing which I thought about and agree with your amendment that the former FARC, the 11,000 that were ready to change their way of life, should be given this opportunity. And so I think that in specific areas we ought to make specific things, and I will just yield back the remainder of my time to Ms. Lee.

Hurry up, Ms. Lee.

Ms. LEE. Very briefly, I just wanted to reiterate a couple of points with regard to this amendment. This amendment supports police assistance, military assistance. But I don't think any of us believe that we can win this war when after the Colombian Army leaves certain areas, and there is a void and there is a vacancy, that there is no choice but to cooperate with the guerrillas and the paramilitary. Those are the entities that are going to fill the vacancies.

If you don't have a sustainable development effort taking place, and if you don't have the rule of law and democracy building and civil organizations filling that void, we are going to be back where we started, and so I wanted to make that perfectly clear that this just increases by a small percentage our goal of creating a long-term sustainable effort. It does nothing in terms of the police assistance or military assistance, which actually is——

Chairman HYDE. The gentleman's time has expired.

Mr. Green.

Mr. GREEN. Thank you, Mr. Chairman. I would like to yield my time to the gentleman from Illinois, Mr. Weller.

Mr. WELLER. I want to thank my colleague from Wisconsin for his courtesy, and again speak in opposition to my friend from California's amendment, which I believe is bad policy and pulls the rug out from under not only the Colombian military, but Colombian law enforcement and the democratically-elected Government of Colombia.

We as United States policy have been investing in sustainable agriculture, sustainable development. I personally have visited projects in Popayan, an area which originally was controlled by the left-wing FARC, one of the terrorists groups there, and of course now is returning to its historic role as a coffee-growing region. USAID has successful programs working with individuals who used to be known as cocaleras are now known as capiteras because they have gone from being coca-growers to coffee-growers. They are benefiting from the initiative of the Bush Administration for the United States to rejoin the International Coffee Organization, and in the almost 2 years since the United States rejoined the International Coffee Organization, we have seen an increase in global coffee prices, on average are well over a dollar, and for specialty coffees much more, and income that can be available, and of course that provides a real alternative.
So we do have programs, and right now we spend 1 out of every 4 dollars that we invest in Plan Colombia is in these type of programs.

Let us look at the facts here. The people that we are dealing with are pretty bad people. People often think the terrorists are centered in the Middle East. One of the worst terrorist groups in the world is the FARC, centered in Colombia. The FARC, outside of Cuba, is the only entity holding political prisoners. There are almost 65 political prisoners held by the FARC, including a Presidential candidate, elected officials, judges, mayors and other officials. And I might note that they have been holding three Americans for almost 2 years. These are bad people.

And if we reduce our support for law enforcement, which is spreading its presence into the municipalities throughout Colombia, we pull the rug out from under them, and that is why it is so important.

As for the point that several of my friends have said, where there has been no impact here in the United States, I can tell you. We had a hearing, and I believe several of my colleagues joined me at that hearing, just talking about the progress being made on Plan Colombia. And according to the Drug Enforcement Administration, our own numbers, we have seen a 17 percent reduction in heroin purity on the streets of the United States as a result of Plan Colombia. And from the standpoint of my own State, statistics have shown that we have seen a one-third reduction of heroin admissions in Chicago, again as a result of Plan Colombia.

Right now 1 out of every 4 dollars we provide to Plan Colombia goes to social programs, and we are making progress.

But we are also making progress on the military and police front in the effort to stamp out the terrorists. My good friend said, you know, if we reduce our military presence in Colombia then the terrorist guerrillas, the FARC, the ELN, the right-wing paramilitaries will just come back into town. That is why our assistance is so important, to make sure that law enforcement has the resources, the professional training to be able to maintain a security presence in those communities. The reason the left-wing terrorist group FARC comes in and kidnaps mayors is because they detect a weak security presence. We are changing that. Plan Colombia is working.

And today because of Plan Colombia, there now is a government presence, military, law enforcement, as well as a Federal Government presence in every municipality in Colombia.

Again, by adopting this amendment, we pull the rug out from under our efforts. Let us keep the plan that is working in progress. Let me remind everyone, today, 27 percent, 1 out of every 4 dollars we invest in Plan Colombia is going to social development programs. It is a good balance. It is working. Let us keep it working. I urge a no vote.

I want to thank the gentleman from Wisconsin for his courtesy.

Mr. Green. And I yield back, Mr. Chairman.

Chairman Hyde. The Chair says that there will be three votes ahead of us before we can pass this bill. We expect a vote within 15 minutes on the Floor, so I would like to foreclose this fascinating debate and move on to final passage.
So the question is on the Lee amendment. Those in favor say aye.
Opposed, nay.

Mr. LANTOS. On that, Mr. Chairman, I request a rollcall, as well as on the previous Crowley amendment.

Chairman HYDE. An entirely reasonable request. Before we do that, Mr. Crowley was unhappy that he didn’t get a rollcall on his——

Mr. CROWLEY. No unhappiness was expressed, Mr. Chairman.

Chairman HYDE [continuing]. Amendment that we accepted. So we shall—this is probably improper, but let us get rid of the issue. Having voted on the prevailing side on the Crowley amendment, I move that the vote by which that passed be reconsidered. All those in favor say aye.

Opposed, nay.
The ayes have it. The motion is reconsidered, and the clerk will call the roll on the Crowley amendment.

Ms. RUSH. Mr. Leach?
[No response.]
Ms. RUSH. Mr. Smith of New Jersey?
Mr. SMITH OF NEW JERSEY. Yes.
Ms. RUSH. Mr. Smith votes yes. Mr. Burton?
Mr. BURTON. Yes.
Ms. RUSH. Mr. Burton votes yes. Mr. Gallegly?
Mr. GALLEGLY. No.
Ms. RUSH. Mr. Gallegly votes no. Ms. Ros-Lehtinen?
Ms. ROS-LEHTINEN. Pass.
Ms. RUSH. Ms. Ros-Lehtinen passes. Mr. Rohrabacher?
Mr. ROHRABACHER. Pass.
Ms. RUSH. Mr. Rohrabacher passes. Mr. Royce?
Mr. ROYCE. Yes.
Ms. RUSH. Mr. Royce votes yes. Mr. King?
Mr. KING. No.
Ms. RUSH. Mr. King votes no. Mr. Chabot?
Mr. CHABOT. Aye.
Ms. RUSH. Mr. Chabot votes yes. Mr. Tancredo?
Mr. TANCREDO. Aye.
Ms. RUSH. Mr. Tancredo votes yes. Mr. Paul?
[No response.]
Ms. RUSH. Mr. Issa?
[No response.]
Ms. RUSH. Mr. Flake?
Mr. FLAKE. Yes.
Ms. RUSH. Mr. Flake votes yes. Mrs. Davis?
Mrs. DAVIS. No.
Ms. RUSH. Mrs. Davis votes no. Mr. Green?
Mr. GREEN. Aye.
Ms. RUSH. Mr. Green votes yes. Mr. Weller?
[No response.]
Ms. RUSH. Mr. Pence?
[No response.]
Ms. RUSH. Mr. McCotter?
Mr. MCCOTTER. No.
Ms. RUSH. Mr. McCotter votes no. Ms. Harris?
Ms. HARRIS. Yes.

Ms. RUSH. Ms. Harris votes yes. Mr. Wilson?

Mr. WILSON. Yes.

Ms. RUSH. Mr. Wilson votes yes. Mr. Boozman?

Mr. BOOZMAN. No.

Ms. RUSH. Mr. Boozman votes no. Mr. Barrett?

Mr. BARRETT. Aye.

Ms. RUSH. Mr. Barrett votes yes. Mr. Mack?

Mr. MACK. Yes.

Ms. RUSH. Mr. Mack votes yes. Mr. Fortenberry?

Mr. FORTENBERRY. Yes.

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

Mr. McCaul. Yes.

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

[No response.]

Ms. RUSH. Mr. Lantos?

Mr. LANTOS. Aye.

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

Mr. BERMAN. Aye.

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

[No response.]

Ms. RUSH. Mr. Faleomavaega?

Mr. FALEOMAVAEGA. Yes.

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

Mr. PAYNE. Yes.

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

[No response.]

Ms. RUSH. Mr. Brown?

[No response.]

Ms. RUSH. Mr. Sherman?

Mr. SHERMAN. Yes.

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

[No response.]

Ms. RUSH. Mr. Engel?

Mr. ENGEL. Yes.

Ms. RUSH. Mr. Engel votes yes. Mr. Delahunt?

[No response.]

Ms. RUSH. Mr. Meeks?

Mr. MEEKS. Yes.

Ms. RUSH. Mr. Meeks votes yes. Ms. Lee?

Ms. LEE. No.

Ms. RUSH. Ms. Lee votes no. Mr. Crowley?

Mr. CROWLEY. Aye.

Ms. RUSH. Mr. Crowley votes yes. Mr. Blumenauer?

Mr. BLUMENAUER. Yes.

Ms. RUSH. Mr. Blumenauer votes yes. Ms. Berkley?

Ms. BERKLEY. Aye.

Ms. RUSH. Ms. Berkley votes yes. Ms. Napolitano?

Mrs. NAPOLITANO. Yes.

Ms. RUSH. Ms. Napolitano votes yes. Mr. Schiff?

Mr. SCHIFF. Aye.

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

Ms. WATSON. Aye.

Ms. RUSH. Ms. Watson votes yes. Mr. Smith of Washington?
Mr. **SMITH OF WASHINGTON. Aye.**
Ms. **RUSH. Mr. Smith of Washington votes yes. Ms. McCollum?**
Ms. **MCCOLLUM. Aye.**
Ms. **RUSH. Ms. McCollum votes yes. Mr. Chandler?**
Mr. **CHANDLER. Yes.**
Ms. **RUSH. Mr. Chandler votes yes. Mr. Cardoza?**
Mr. **CARDOZA. Aye.**
Ms. **RUSH. Mr. Cardoza votes yes. Chairman Hyde?**
Chairman **HYDE. Aye.**
Ms. **RUSH. Chairman Hyde votes yes.**
Mr. **BURTON. Mr. Chairman?**
Chairman **HYDE. Mr. Delahunt?**
Mr. **DELAHUNT. How am I recorded?**
Ms. **RUSH. You are not recorded.**
Mr. **DELAHUNT. Aye.**
Ms. **RUSH. Mr. Delahunt votes yes.**
Chairman **HYDE. Mr. Burton?**
Mr. **BURTON. Mr. Chairman, I thought we were on another amendment. I apologize. I want to change my vote to no.**
Ms. **ROS-LEHTINEN. Mr. Chairman?**
Chairman **HYDE. Ms. Ros-Lehtinen?**
Ms. **ROS-LEHTINEN. I would like to vote no. Thank you.**
Ms. **RUSH. Mr. Burton and Ms. Ros-Lehtinen both vote no.**
Mr. **WELLER. Mr. Chairman?**
Chairman **HYDE. Mr. Weller.**
Mr. **WELLER. How am I recorded? I would like to be recorded as voting no.**
Ms. **RUSH. Mr. Weller votes no.**
Chairman **HYDE. If there are no further——**
Mr. **ACKERMAN. Mr. Chairman?**
Chairman **HYDE. Mr. Ackerman.**
Mr. **ACKERMAN. How am I——**
Ms. **RUSH. You are not recorded.**
Mr. **ACKERMAN. Aye.**
Ms. **RUSH. Mr. Ackerman votes yes.**
Chairman **HYDE. The clerk will report.**
Ms. **RUSH. On this vote there are 32 yeses and 9 noes.**
Chairman **HYDE. And the amendment is agreed to.**
We now revert to the Lee amendment, number 27. And the clerk will call the roll.
Ms. **RUSH. Mr. Leach?**
[No response.]
Ms. **RUSH. Mr. Smith of New Jersey?**
Mr. **SMITH OF NEW JERSEY. No.**
Ms. **RUSH. Mr. Smith votes no. Mr. Burton?**
Mr. **BURTON. No.**
Ms. **RUSH. Mr. Burton votes no. Mr. Gallegly?**
Mr. **GALLEGLY. No.**
Ms. **RUSH. Mr. Gallegly votes no. Ms. Ros-Lehtinen?**
Ms. **ROS-LEHTINEN. No.**
Ms. **RUSH. Ms. Ros-Lehtinen votes no. Mr. Rohrabacher?**
Mr. **ROHRABACHER. No.**
Ms. **RUSH. Mr. Rohrabacher votes no. Mr. Royce?**
Mr. **ROYCE. No.**
Ms. Rush. Mr. Royce votes no. Mr. King?
Mr. King. No.
Ms. Rush. Mr. King votes no. Mr. Chabot?
Mr. Chabot. No.
Ms. Rush. Mr. Chabot votes no. Mr. Tancredo?
Mr. Tancredo. No.
Ms. Rush. Mr. Tancredo votes no. Mr. Paul?
[No response.]
Ms. Rush. Mr. Issa?
[No response.]
Ms. Rush. Mr. Flake?
Mr. Flake. No.
Ms. Rush. Mr. Flake votes no. Mrs. Davis?
Mrs. Davis. No.
Ms. Rush. Mrs. Davis votes no. Mr. Green?
Mr. Green. No.
Ms. Rush. Mr. Green votes no. Mr. Weller?
Mr. Weller. No.
Ms. Rush. Mr. Weller votes no. Mr. Pence?
[No response.]
Ms. Rush. Mr. McCotter?
Mr. McCotter. No.
Ms. Rush. Mr. McCotter votes no. Mrs. Harris?
Ms. Harris. No.
Ms. Rush. Mrs. Harris votes no. Mr. Wilson?
Mr. Wilson. No.
Ms. Rush. Mr. Wilson votes no. Mr. Boozman?
Mr. Boozman. No.
Ms. Rush. Mr. Boozman votes no. Mr. Barrett?
Mr. Barrett. No.
Ms. Rush. Mr. Barrett votes no. Mr. Mack?
Mr. Mack. No.
Ms. Rush. Mr. Mack votes no. Mr. Fortenberry?
Mr. Fortenberry. No.
Ms. Rush. Mr. Fortenberry votes no. Mr. McCaul?
Mr. McCaul. No.
Ms. Rush. Mr. McCaul votes no. Mr. Poe?
[No response.]
Ms. Rush. Mr. Lantos?
Mr. Lantos. Aye.
Ms. Rush. Mr. Lantos votes yes. Mr. Berman?
Mr. Berman. Aye.
Ms. Rush. Mr. Berman votes yes. Mr. Ackerman?
Mr. Ackerman. Aye.
Ms. Rush. Mr. Ackerman votes yes. Mr. Faleomavaega?
Mr. Faleomavaega. Yes.
Ms. Rush. Mr. Faleomavaega votes yes. Mr. Payne?
Mr. Payne. Yes.
Ms. Rush. Mr. Payne votes yes. Mr. Menendez?
[No response.]
Ms. Rush. Mr. Brown?
[No response.]
Ms. Rush. Mr. Sherman?
Mr. Sherman. Yes.
Ms. Rush. Mr. Sherman votes yes. Mr. Wexler?  [No response.]
Ms. Rush. Mr. Engel?
Mr. Engel. Yes.
Ms. Rush. Mr. Engel votes yes. Mr. Delahunt?
Mr. Delahunt. Yes.
Ms. Rush. Mr. Delahunt votes yes. Mr. Meeks?
Mr. Meeks. Yes.
Ms. Rush. Mr. Meeks votes yes. Ms. Lee?
Ms. Lee. Yes.
Ms. Rush. Ms. Lee votes yes. Mr. Crowley?
Mr. Crowley. Yes.
Ms. Rush. Mr. Crowley votes yes. Mr. Blumenauer?
Mr. Blumenauer. Yes.
Ms. Rush. Mr. Blumenauer votes yes. Ms. Berkley?
Ms. Berkley. Yes.
Mrs. Napolitano. Yes.
Ms. Rush. Ms. Napolitano votes yes. Mr. Schiff?
Mr. Schiff. Aye.
Ms. Rush. Mr. Schiff votes yes. Ms. Watson?
Ms. Watson. Yes.
Ms. Rush. Ms. Watson votes yes. Mr. Smith of Washington?
Mr. Smith of Washington. Aye.
Ms. Rush. Mr. Smith of Washington votes yes. Ms. McCollum?
Ms. Rush. Ms. McCollum votes yes. Mr. Chandler?
Mr. Chandler. Yes.
Ms. Rush. Mr. Chandler votes yes. Mr. Cardoza?
Mr. Cardoza. Aye.
Ms. Rush. Mr. Cardoza votes yes. Chairman Hyde?
Chairman Hyde. No.
Ms. Rush. Chairman Hyde votes no.
On this vote there are 20 yeses and 22 noes.
Chairman Hyde. Then the amendment is not agreed to.
The question now occurs on the Smith substitute amendment as amended. All those in favor say aye.
Opposed, nay.
The ayes have it, and the amendment is agreed to.
The Chair will now entertain a motion that the bill be reported favorably as amended.
Mr. Smith of New Jersey. So moved, Mr. Chairman.
Chairman Hyde. The question occurs on the motion to report the bill favorably as amended. All in favor say aye.
All opposed, no.
Mr. Smith of New Jersey. Mr. Chairman, ask for a rollcall vote.
Chairman Hyde. A rollcall has been requested and so the clerk will call——
Mr. Lantos. Mr. Chairman?
Chairman Hyde. Yes, Mr. Lantos?
Mr. Lantos. Before we proceed to the rollcall, may I, on behalf of all of us, thank some of the unsung heroes in this markup process, the people of the Legislative Counsel's Office who draft our amendments, correct our mistakes, answer our innumerable irra-
tional questions, and respond to our ridiculous demands, Matt Eckstein, Mark Synnes and Sandra Stroff. Thank you, Mr. Chairman.

Chairman Hyde. Thank you, I think. I forget where we were. [Laughter.]

The question occurs on the motion to report the bill favorably as amended. All in favor say aye, and opposed no, and the clerk will call the roll.

Ms. Rush. Mr. Leach?
[No response.]
Ms. Rush. Mr. Smith of New Jersey?
Mr. Smith of New Jersey. Yes.
Ms. Rush. Mr. Smith votes yes. Mr. Burton?
Mr. Burton. Yes.
Ms. Rush. Mr. Burton votes yes. Mr. Gallegly?
Mr. Gallegly. Yes.
Ms. Rush. Mr. Gallegly votes yes. Ms. Ros-Lehtinen?
Ms. Ros-Lehtinen. Yes.
Ms. Rush. Ms. Ros-Lehtinen votes yes. Mr. Rohrabacher?
Mr. Rohrabacher. Yes.
Ms. Rush. Mr. Rohrabacher votes yes. Mr. Royce?
Mr. Royce. Yes.
Ms. Rush. Mr. Royce votes yes. Mr. King?
Mr. King. Yes.
Ms. Rush. Mr. King votes yes. Mr. Chabot?
Mr. Chabot. Yes.
Ms. Rush. Mr. Chabot votes yes. Mr. Tancredo?
Mr. Tancredo. Aye.
Ms. Rush. Mr. Tancredo votes yes. Mr. Paul?
[No response.]
Ms. Rush. Mr. Issa?
Mr. Issa. Yes.
Ms. Rush. Mr. Issa votes yes. Mr. Flake?
Mr. Flake. Yes.
Ms. Rush. Mr. Flake votes yes. Mrs. Davis?
Mrs. Davis. Aye.
Ms. Rush. Mrs. Davis votes yes. Mr. Green?
Mr. Green. Aye.
Ms. Rush. Mr. Green votes yes. Mr. Weller?
Mr. Weller. Aye.
Ms. Rush. Mr. Weller votes yes. Mr. Pence?
[No response.]
Ms. Rush. Mr. McCotter?
Mr. McCotter. Yes.
Ms. Rush. Mr. McCotter votes yes. Ms. Harris?
Ms. Harris. Yes.
Ms. Rush. Ms. Harris votes yes. Mr. Wilson?
Mr. Wilson. Yes.
Ms. Rush. Mr. Wilson votes yes. Mr. Boozman?
Mr. Boozman. Yes.
Ms. Rush. Mr. Boozman votes yes. Mr. Barrett?
Mr. Barrett. Aye.
Ms. Rush. Mr. Barrett votes yes. Mr. Mack?
Mr. Mack. Yes.
Ms. Rush. Mr. Mack votes yes. Mr. Fortenberry?
Mr. Fortenberry. Yes.
Ms. Rush. Mr. Fortenberry votes yes. Mr. McCaul?
Mr. McCaul. Yes.
Ms. Rush. Mr. McCaul votes yes. Mr. Poe?
[No response.]
Ms. Rush. Mr. Lantos?
Mr. Lantos. Aye.
Ms. Rush. Mr. Lantos votes yes. Mr. Berman?
Mr. Berman. Aye.
Ms. Rush. Mr. Berman votes yes. Mr. Ackerman?
Mr. Ackerman. Aye.
Ms. Rush. Mr. Ackerman votes yes. Mr. Faleomavaega?
Mr. Faleomavaega. Yes.
Ms. Rush. Mr. Faleomavaega votes yes. Mr. Payne?
Mr. Payne. Pass.
Ms. Rush. Mr. Payne passes. Mr. Menendez?
[No response.]
Ms. Rush. Mr. Brown?
[No response.]
Ms. Rush. Mr. Sherman?
Mr. Sherman. Yes.
Ms. Rush. Mr. Sherman votes yes. Mr. Wexler?
Mr. Wexler. Aye.
Ms. Rush. Mr. Wexler votes yes. Mr. Engel?
Mr. Engel. Yes.
Ms. Rush. Mr. Engel votes yes. Mr. Delahunt?
Mr. Delahunt. Yes.
Ms. Rush. Mr. Delahunt votes yes. Mr. Meeks?
Mr. Meeks. Yes.
Ms. Rush. Mr. Meeks votes yes. Ms. Lee?
Ms. Rush. Ms. Lee votes yes. Mr. Crowley?
Mr. Crowley. Aye.
Ms. Rush. Mr. Crowley votes yes. Mr. Blumenauer?
Mr. Blumenauer. Aye.
Ms. Rush. Mr. Blumenauer votes yes. Ms. Berkley?
Ms. Berkley. Yes.
Mrs. Napolitano. Yes.
Ms. Rush. Ms. Napolitano votes yes. Mr. Schiff?
Mr. Schiff. Aye.
Ms. Rush. Mr. Schiff votes yes. Ms. Watson?
Ms. Watson. Aye.
Ms. Rush. Ms. Watson votes yes. Mr. Smith of Washington?
Mr. Smith of Washington. Aye.
Ms. Rush. Mr. Smith of Washington votes yes. Ms. McCollum?
Ms. Rush. Ms. McCollum votes yes. Mr. Chandler?
Mr. Chandler. Yes.
Ms. Rush. Mr. Chandler votes yes. Mr. Cardoza?
Mr. Cardoza. Aye.
Ms. Rush. Mr. Cardoza votes yes. Chairman Hyde?
Chairman Hyde. Aye.
Ms. Rush. Chairman Hyde votes yes.
Chairman Hyde. Mr. Payne?
Mr. Payne. Yes.
Ms. Rush. Mr. Payne votes yes.
Chairman Hyde. Any other Members who have failed to vote or who wish to change their vote?
[No response.]
Chairman Hyde. If not, the clerk will report.
Ms. Rush. On this vote there are 44 yeses and zero noes.
Chairman Hyde. And the motion to report favorably is adopted, and without objection the staff is directed to make any technical and conforming changes.

Without objection, the Chairman is authorized to seek consideration of the resolution, H. Res. 199, Expressing the Sense of the House of Representatives Regarding the Massacre at Srebrenica in July 1995, under suspension of the rules, and the amendment which is at the desk will be deemed adopted.
[The information referred to follows:]
Expressing the sense of the House of Representatives regarding the massacre at Srebrenica in July 1995.

IN THE HOUSE OF REPRESENTATIVES

APRIL 6, 2005

Mr. SMITH of New Jersey (for himself and Mr. CARDIN) submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Expressing the sense of the House of Representatives regarding the massacre at Srebrenica in July 1995.

Whereas in July 1995 thousands of men and boys who had sought safety in the United Nations-designated “safe area” of Srebrenica in Bosnia and Herzegovina under the protection of the United Nations Protection Force (UNPROFOR) were massacred by Serb forces operating in that country;

Whereas beginning in April 1992, aggression and ethnic cleansing perpetrated by Bosnian Serb forces, while taking control of the surrounding territory, resulted in a massive influx of Bosniaks seeking protection in Srebrenica and its environs, which the United Nations
Security Council designated a “safe area” in Resolution 819 on April 16, 1993;

Whereas the UNPROFOR presence in Srebrenica consisted of a Dutch peacekeeping battalion, with representatives of the United Nations High Commissioner for Refugees, the International Committee of the Red Cross, and the humanitarian medical aid agency Medecins Sans Frontieres (Doctors Without Borders) helping to provide humanitarian relief to the displaced population living in conditions of massive overcrowding, destitution, and disease;

Whereas Bosnian Serb forces blockaded the enclave early in 1995, depriving the entire population of humanitarian aid and outside communication and contact, and effectively reducing the ability of the Dutch peacekeeping battalion to deter aggression or otherwise respond effectively to a deteriorating situation;

Whereas beginning on July 6, 1995, Bosnian Serb forces attacked UNPROFOR outposts, seized control of the isolated enclave, held captured Dutch soldiers hostage and, after skirmishes with local defenders, ultimately took control of the town of Srebrenica on July 11, 1995;

Whereas an estimated one-third of the population of Srebrenica, including a relatively small number of soldiers, made a desperate attempt to pass through the lines of Bosnian Serb forces to the relative safety of Bosnian-held territory, but many were killed by patrols and ambushes;

Whereas the remaining population sought protection with the Dutch peacekeeping battalion at its headquarters in the village of Potocari north of Srebrenica but many of these
individuals were randomly seized by Bosnian Serb forces to be beaten, raped, or executed;

Whereas Bosnian Serb forces deported women, children, and the elderly in buses, held Bosniak males over 16 years of age at collection points and sites in northeastern Bosnia and Herzegovina under their control, and then summarily executed and buried the captives in mass graves;

Whereas approximately 20 percent of Srebrenica’s total population at the time—at least 7,000 and perhaps thousands more—was either executed or killed;

Whereas the United Nations and its member states have largely acknowledged their failure to take actions and decisions that could have deterred the assault on Srebrenica and prevented the subsequent massacre;

Whereas Bosnian Serb forces, hoping to conceal evidence of the massacre at Srebrenica, subsequently moved corpses from initial mass grave sites to many secondary sites scattered throughout parts of northeastern Bosnia and Herzegovina under their control;

Whereas the massacre at Srebrenica was among the worst of many horrible atrocities to occur in the conflict in Bosnia and Herzegovina from April 1992 to November 1995, during which the policies of aggression and ethnic cleansing pursued by Bosnian Serb forces with the direct support of authorities in the Federal Republic of Yugoslavia (Serbia and Montenegro) ultimately led to the displacement of more than 2,000,000 people, an estimated 200,000 killed, tens of thousands raped or otherwise tortured and abused, and the innocent civilians of Sarajevo and other urban centers repeatedly subjected to shelling and sniper attacks;
Whereas Article 2 of the Convention on the Prevention and Punishment of the Crime of Genocide (done at Paris on December 9, 1948, and entered into force with respect to the United States on February 23, 1989) defines genocide as “any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) killing members of the group; (b) causing serious bodily or mental harm to members of the group; (c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) imposing measures intended to prevent births within the group; (e) forcibly transferring children of the group to another group”;

Whereas on May 25, 1993, the United Nations Security Council adopted Resolution 827 establishing the world’s first international war crimes tribunal, the International Criminal Tribunal for the former Yugoslavia (ICTY), based in The Hague, the Netherlands, and charging the ICTY with responsibility for investigating and prosecuting individuals suspected of committing war crimes, genocide, crimes against humanity and grave breaches of the 1949 Geneva Conventions on the territory of the former Yugoslavia since 1991;

Whereas numerous members of the Bosnian Serb forces at various levels of responsibility have been indicted for grave breaches of the 1949 Geneva Conventions, violations of the laws or customs of war, crimes against humanity, genocide, and complicity in genocide associated with the massacre at Srebrenica, some of whom have been tried and sentenced while others, including Radovan Karadzic and Ratko Mladic, remain at large; and
Whereas the international community, including the United States, has continued to provide personnel and resources, including through direct military intervention, to prevent further aggression and ethnic cleansing, to negotiate the General Framework Agreement for Peace in Bosnia and Herzegovina (initialled in Dayton, Ohio, on November 21, 1995, and signed in Paris on December 14, 1995), and to help ensure its fullest implementation, including cooperation with the International Criminal Tribunal for the former Yugoslavia: Now therefore be it

Resolved, That it is the sense of the House of Representatives that—

(1) the thousands of innocent people executed at Srebrenica in Bosnia and Herzegovina in July 1995, along with all individuals who were victimized during the conflict and genocide in Bosnia and Herzegovina from 1992 to 1995, should be solemnly remembered and honored;

(2) the policies of aggression and ethnic cleansing as implemented by Serb forces in Bosnia and Herzegovina from 1992 to 1995 meet the terms defining the crime of genocide in Article 2 of the Convention on the Prevention and Punishment of the Crime of Genocide;

(3) foreign nationals, including United States citizens, who have risked and in some cases lost their lives in Bosnia and Herzegovina while working
toward peace should be solemnly remembered and honored;

(4) the United Nations and its member states should accept their share of responsibility for allowing the Srebrenica massacre and genocide to occur in Bosnia and Herzegovina from 1992 to 1995 by failing to take sufficient, decisive, and timely action, and the United Nations and its member states should constantly seek to ensure that this failure is not repeated in future crises and conflicts;

(5) it is in the national interest of the United States that those individuals who are responsible for war crimes, genocide, crimes against humanity, and grave breaches of the 1949 Geneva Conventions, committed in Bosnia and Herzegovina, should be held accountable for their actions;

(6) all persons indicted by the International Criminal Tribunal for the former Yugoslavia (ICTY) should be apprehended and transferred to The Hague without further delay, and all countries should meet their obligations to cooperate fully with the ICTY at all times; and

(7) the United States should continue to support the independence and territorial integrity of Bosnia and Herzegovina, peace and stability in
southeastern Europe as a whole, and the right of all people living in the region, regardless of national, racial, ethnic or religious background, to return to their homes and enjoy the benefits of democratic institutions, the rule of law, and economic opportunity, as well as to know the fate of missing relatives and friends.
AMENDMENT TO H. RES. 199
OFFERED BY MR. SMITH OF NEW JERSEY

Amend the 12th clause of the preamble to read as follows:

Whereas the massacre at Srebrenica was among the worst of many horrible atrocities to occur in the conflict in Bosnia and Herzegovina from April 1992 to November 1995, during which the policies of aggression and ethnic cleansing pursued by Bosnian Serb forces with the direct support of the Serbian regime of Slobodan Milosevic and its followers ultimately led to millions of people displaced, hundreds of thousands killed, tens of thousands raped or otherwise tortured and abused, and the innocent civilians of Sarajevo and other urban centers repeatedly subjected to shelling and sniper attacks;

Amend the 15th clause of the preamble to read as follows:

Whereas nineteen individuals at various levels of responsibility have been indicted, and in some cases convicted, for grave breaches of the 1949 Geneva Conventions, violations of the laws or customs of war, crimes against humanity, genocide, and complicity in genocide associated with the massacre at Srebrenica, three of whom, most notably Radovan Karadzic and Ratko Mladic, remain at large; and

In the 16th clause of the preamble, strike “initialled” and insert “initialed”.

Chairman HYDE. Any Members who have statements they wish to include in the record will be permitted to do so, and the Committee happily stands——
Mr. LANTOS. Mr. Chairman?
Chairman HYDE. The gentleman from California.
Mr. LANTOS. Mr. Chairman, at a time when the Congress is so deeply divided, it is a tribute to your leadership that this important piece of legislation passed this Committee unanimously.
[Applause.]
Chairman HYDE. You are too kind. Thank you.
Anybody want extra time? [Laughter.]
Mr. SMITH OF NEW JERSEY. If the gentleman would yield, I too want to thank our distinguished Chairman for his leadership. He really has I think has set——
Chairman HYDE. I was kidding.
Mr. SMITH OF NEW JERSEY. I know, I am not. Has set the tone for the Congress on what bipartisanship and working the details can produce, and I want to thank you as well. Thank you, Mr. Chairman.
Chairman HYDE. I am hesitant to compliment Tom Lantos. It doesn't help him very much with his party. But I am compelled to say a lot of the smooth working of this Committee is because the rough edges have been worn off by Mr. Lantos.
Mr. BURTON. Mr. Chairman?
Chairman HYDE. Mr. Burton.
Mr. BURTON. I just want to add my voice to the chorus of voices saying what a nice guy you are, and in spite of your nastiness and the way you mistreat me, I just want you to know I still think you are a fine fellow. [Laughter.]
Chairman HYDE. You are very easy to mistreat. [Laughter.]
Before we all go to jail, the Committee stands adjourned.
[Whereupon, at 11:42 a.m., the Committee was adjourned.]
I appreciate the Chairman’s support and I particularly appreciate the support of our colleague from Florida, Mrs. Ros-Lehtinen. My amendment is a simple effort to use in Cuba the public diplomacy tools that have worked so well all around the world, particularly in the Soviet Union and Eastern Europe.

I am reminded of the words President Reagan used in 1984 when he announced a major expansion of exchanges with the Soviet Union. “Meaningful contact with a closed society will never be easy,” he said. But he also added, “Civilized people everywhere have a stake in keeping contacts, communication, and creativity as broad, deep, and free as possible.”

It is in this spirit that I offer my amendment today.

We all know that public diplomacy is not an exact science. But our broad-based programs that foster direct citizen contact have a successful track record of reaching future elites in countries under communist rule. In all cases, they expose foreign participants to American values. They help to destroy the idea that demagogues in Cuba and elsewhere try to sell: that America threatens other nations’ sovereignty by promoting democracy.

And in Cuba, where a new generation is looking to the day when it will take the reins of government, it is very much in our interest to reach as many Cubans as possible and to spread American ideas far and wide.

So my amendment dedicates a modest sum, $5 million, to be used at the State Department’s discretion for educational, cultural, and other citizen exchanges with regard to Cuba. This will probably be challenging, but it is a challenge that the State Department’s Bureau of Educational and Cultural Affairs should take on, and we have included appropriate Congressional notification requirements. This effort will complement other U.S. government programs that foster communication with Cubans. It is very much in our national interest, and I appreciate the Chairman’s support.

Mr. Chairman, Last Congress I offered language providing funds to increase recruitment of minorities and women in the Department of State and requiring the Department to track its results with a database and to report to Congress on the results. Two years later, there is a continued need for increased recruitment of minorities and women in the State Department. That is why I have offered this amendment. Our State Department should look like America and must also have the diversity of thought that makes America great.

My amendment would require the Secretary of State to submit a comprehensive report to Congress concerning the employment and promotion of minorities and women at the Department, including the Civil Service and the Foreign Service. The amendment would authorize three million dollars for this project.

The State Department shows our face to the rest of the world and we should actively encourage people from all different backgrounds to focus on American diplomacy.

That is why I also support the efforts of institutions like Kean University in New Jersey, which seek to increase the number of minorities participating in, and com-
pleting, degrees that will help them pursue careers in international affairs and the Foreign Service.

Programs like the Institute for Foreign Service and Diplomacy at Kean provide students with the academic knowledge and real world experience they need to successfully prepare for and pass the Foreign Service exam. And most importantly, Kean provides this opportunity to a student body composed primarily of minorities and historically disadvantaged populations.

We cannot expect to change the face of the State Department if we do not change the faces of those who can successfully apply for, take, and pass the Foreign Service exam, or join the Civil Service. And the catalyst for that change is making sure our minority students, and the institutions that serve them, receive the resources and tools they need.

If the State Department is to make progress, minorities and women must have a seat at the table.

PREPARED STATEMENT OF THE HONORABLE ROBERT MENENDEZ ON IRAN’S BUSHEHR NUCLEAR FACILITY

Mr. Chairman, Iran is playing games with the world and getting away with it. And the “toy” that Iran is building is a nuclear weapon. We could not be involved in a more deadly or serious game.

Iran’s advances in ballistic missile technology, its push for nuclear capabilities, and the potential that Iran could transfer these weapons to terrorists threaten international security and stability. That is why I have remained at the forefront of the fight to stop Iran from acquiring a nuclear weapon, and believe Iran’s nuclear program is a threat to security for Israel, the United States, and the world.

Although we don’t know exactly when Iran will be capable of producing a nuclear weapon, we can be sure that that day will not be far off. As we have discussed before in this Committee, the EU has been negotiating with Iran since October 2003 regarding its nuclear program. While I understand the importance of these negotiations, the reality is that we are in no better position now than we were over a year and a half ago. We cannot be strung along forever.

For nearly two decades, Iran has pursued a clandestine nuclear program while claiming it had to keep this program hidden from the international community because of the sanctions against it. Iran has repeatedly stated that it will never give up its right to enrich fuel for peaceful purposes under the Nuclear Nonproliferation Treaty.

But I say to Iran—you forfeited your right to peaceful nuclear technology when you deliberately hid the activities, facilities, and materials of your nuclear program from the entire world for two decades.

Let’s be clear. Iran is a country with huge oil and natural gas reserves. They don’t need nuclear power for energy consumption. I, along with many of my colleagues, am deeply concerned that Russia is continuing to provide material to further Iran’s nuclear energy program. And in the case of the Bushehr nuclear facility, Russia is helping Iran to establish a functioning nuclear power plant.

But Iran’s ambitions do not stop with Bushehr—Iran has also announced that it plans to construct 20 new nuclear facilities.

Clearly, these plans, coupled with Iran’s acknowledged and unacknowledged ties to terrorist groups, constitute a threat to global peace and security. This global threat necessitates a global response, and the United States must take the lead on this issue.

Next month, the Group of Eight (G8) will meet in Scotland to discuss the major issues of the day. I understand that Prime Minister Blair has already indicated that the agenda will focus on the problems afflicting Africa and on global climate change. I would hope, however, that the G8 also takes the time to discuss the very real and growing danger created by Iran’s nuclear program, and that the United States expresses our concerns to Russia regarding Russia’s nuclear assistance to Iran.

That is why I have introduced this amendment, which makes it clear that Russia’s provision of assistance to Iran’s nuclear plants is inconsistent with our non-proliferation goals. The amendment also calls on the leaders of the G8 to insist that the Russian Government terminate all assistance, including fuel shipments, to the Bushehr nuclear facility. And finally, my amendment would call on the G8 to condition Russia’s continued membership upon the termination of this assistance to the Bushehr facility and any other nuclear plants in Iran.

The United States must take the lead in stopping Iran’s nuclear program. We must make it clear that the international community must take a stand, together,
in the fight against proliferation. I urge my colleagues to join me in supporting this amendment.

PREPARED STATEMENT OF THE HONORABLE ROBERT MENENDEZ ON THE ECUMENICAL PATRIARCH

Mr. Chairman, those who support religious freedom around the world have raised their voices to support the rights of the Ecumenical Patriarch in Istanbul, Turkey. During the Helsinki Commission’s briefing on the Ecumenical Patriarch this past March, individuals from many faiths testified against the egregious abuses of the Turkish government against the Ecumenical Patriarch, including Rabbi Arthur Schneier of the Appeal of Conscience Foundation; Cardinal Theodore E. McCarrick, Catholic Archbishop of Washington; Dr. Anthony Limberakis, National Commander of the Archons of the Ecumenical Patriarchate of the Order of St. Andrew the Apostle; and Dr. Bob Edgar, General Secretary of the National Council of Churches. If we are to truly support religious freedoms, we must not be silent now.

The European Union is scheduled to begin accession negotiations with Turkey this October. I am deeply concerned because of Turkey’s discriminatory actions towards religious minorities in Turkey such as the Greek Orthodox. The elimination of discrimination of any type must be an essential part of any country’s accession negotiations.

Mr. Chairman, this amendment addresses the treatment and conditions under which the Ecumenical Patriarchate has suffered, and continues to suffer, at the hands of the Turkish government. The Ecumenical Patriarch in Istanbul is the spiritual leader of 300 million Orthodox Christians in the United States and throughout the world. Yet the Turkish Government continues to violate the Ecumenical Patriarchate’s religious rights and freedoms. Clearly, Turkey has much more to do to eliminate religious discrimination.

The Government of Turkey:

• Refuses to recognize the Ecumenical Patriarch’s international status and its significance to Orthodox Christians the world over;
• Allows only Turkish nationals to be candidates available to the Holy Synod for selection as the Ecumenical Patriarch;
• Refuses to reopen the Theological School at Halki, the only Greek Orthodox theological institute in Turkey, which impedes training for the clergy;
• Has confiscated 75% of Ecumenical Patriarchal properties since 2002; and
• Has levied a 42% retroactive tax on the Balukli Hospital, a philanthropic institution run by the Ecumenical Patriarchate which treats 30,000–40,000 patients a year.

That is why I have offered this amendment which will help protect the rights of the Ecumenical Patriarchate.

My amendment states that Turkey must immediately eliminate all forms of discrimination, particularly those based on race or religion. It also calls on Turkey to pledge to maintain and protect religious and human rights without compromise. Specifically, this amendment calls on Turkey to:

• Grant the Ecumenical Patriarch appropriate international recognition and ecclesiastic succession;
• Grant the Ecumenical Patriarchate the right to train clergy of all nationalities, not just Turkish nationals; and
• Respect the property rights and human rights of the Ecumenical Patriarchate.

In the United States, as well as in Europe, freedom of religion is a right granted to each regardless of his or her affiliation. There is no reason why it should not be the same in Turkey. No one, at any time or in any place, should be discriminated against for his or her religious beliefs.

PREPARED STATEMENT OF THE HONORABLE WILLIAM D. DELAHUNT, A REPRESENTATIVE IN CONGRESS FROM THE COMMONWEALTH OF MASSACHUSETTS

Mr. Chairman, Plan Colombia will only meet its objectives if it is a true partnership between the United States and the people who lead Colombia. We have provided Colombia $4 billion in assistance since 2000. A substantial sum, but less than one percent of Co-
Lombia’s entire economy (GDP) during that period. Contrast this to El Salvador during the 1980s, when the Reagan administration’s aid added up to more than 25 percent of that nation’s GDP.

Colombia’s needs are significant. A rural development strategy has to bring the government, for the first time, into areas where coca and opium are the only economically viable choices for campesinos. Though Presidents Pastrana and Uribe have increased the size of the security forces, there are still nowhere near enough soldiers and police to secure a territory the size of Texas and California combined. And there are even fewer resources to bring the rest of the government—the judges, the road-builders, the teachers, the doctors—into areas that the army is re-taking from guerrillas. Meanwhile, it appears that thousands of paramilitaries may soon be demobilizing—and the price tag for that is likely to be far higher than the $160 million that the Colombian government has estimated.

The American people cannot be asked to fund these efforts indefinitely and the money required must come from Colombia’s own resources. And inside Colombia—a country where two-thirds of the population earns less than $3 per day—that money will have to come from the country’s wealthiest ten percent, who control most of the country’s resources, and who earn 40 to 80 times more money each year than the bottom ten percent.

The only answer, then, is for Colombia to collect more taxes from that top ten percent. Colombia collects about 14 percent of its economy as taxes—and much of that is from regressive sales taxes. In 1998, the World Bank reported that Colombia collected less than half as much taxes from its citizens, as a proportion of the economy, than the United States did. One key reason for this is rampant, systemic, and unpunished tax evasion. According to the Council on Foreign Relations, of Colombia’s population of 44 million, only 800,000 pay any income taxes. While municipalities, or counties, are empowered to collect property taxes from large landholders, the Council reports that most municipalities have been unable to collect a single centavo. Though Colombian law calls for prison terms for tax evasion, there are no cases of wealthy or prominent Colombians serving time for this crime. As a result of tax evasion, Colombia’s central government is operating under a staggering deficit, proportionally larger than our own.

This is unacceptable. Colombia is a country at war, and the United States is investing heavily in Colombia’s effort to end that war. This investment will be wasted, though, if the people who control most of Colombia’s economy are not making the sacrifices necessary to resolve their country’s many urgent problems. We must not be subsidizing this lack of sacrifice.

This is why I have proposed a report on tax collection in Colombia as one of the general provisions in this bill, and I am grateful that the Chairman has agreed to include it as part of the en bloc amendment.

The report is simple. It asks the Secretary of State to provide the amount of tax revenue that Colombia is currently collecting, an estimate of how much potential additional tax revenue is being lost to tax evasion, and how this lost income could be contributing to meeting the objectives of Plan Colombia.

Many of these objectives remain frustratingly distant, and I hope that a report illustrating this resource gap will help speed the day when these goals are met and Colombia is able to focus on its own development, instead of battling drugs and terrorists.