

110TH CONGRESS  
2D SESSION

# H. R. 6028

To authorize law enforcement and security assistance, and assistance to enhance the rule of law and strengthen civilian institutions, for Mexico and the countries of Central America, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 13, 2008

Mr. BERMAN (for himself, Mr. ENGEL, Mr. REYES, and Mr. CUELLAR) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To authorize law enforcement and security assistance, and assistance to enhance the rule of law and strengthen civilian institutions, for Mexico and the countries of Central America, and for other purposes.

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

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

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Merida Initiative to Combat Illicit Narcotics and Reduce  
6 Organized Crime Authorization Act of 2008”.

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

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

TITLE I—ASSISTANCE FOR MEXICO

- Sec. 101. Findings.
- Sec. 102. Declarations of policy.

Subtitle A—Law Enforcement and Security Assistance

- Sec. 111. Purposes of assistance.
- Sec. 112. Authorization of assistance.
- Sec. 113. Activities supported.
- Sec. 114. Limitation on assistance.
- Sec. 115. Authorization of appropriations.

Subtitle B—Assistance to Enhance the Rule of Law and Strengthen Civilian  
Institutions

- Sec. 121. Sense of Congress.
- Sec. 122. Authorization of assistance.
- Sec. 123. Activities supported.
- Sec. 124. Authorization of appropriations.

TITLE II—ASSISTANCE FOR COUNTRIES OF CENTRAL AMERICA

- Sec. 201. Findings.
- Sec. 202. Declarations of policy.

Subtitle A—Law Enforcement and Security Assistance

- Sec. 211. Purposes of assistance.
- Sec. 212. Authorization of assistance.
- Sec. 213. Activities supported.
- Sec. 214. Limitation on assistance.
- Sec. 215. Authorization of appropriations.

Subtitle B—Assistance to Enhance the Rule of Law and Strengthen Civilian  
Institutions

- Sec. 221. Authorization of assistance.
- Sec. 222. Activities supported.
- Sec. 223. Authorization of appropriations.

TITLE III—ADMINISTRATIVE PROVISIONS

- Sec. 301. Conditions on provision of assistance.
- Sec. 302. Limitations on provision of assistance.
- Sec. 303. Limitation on monitoring.
- Sec. 304. Exemption from prohibition on assistance for law enforcement forces.
- Sec. 305. Relationship to other authority.
- Sec. 306. Rule of construction.

TITLE IV—SUPPORT ACTIVITIES IN THE UNITED STATES

- Sec. 401. Report on reduction of drug demand in the United States.  
Sec. 402. Reduction of southbound flow of illegal weapons.  
Sec. 403. Reduction of southbound flow of illegal precursor chemicals and bulk-cash transfers.  
Sec. 404. Report.

#### TITLE V—MISCELLANEOUS PROVISIONS

- Sec. 501. Coordinator of United States Government Activities to Implement the Merida Initiative.  
Sec. 502. Metrics and oversight mechanisms.  
Sec. 503. Report.  
Sec. 504. Sense of Congress.  
Sec. 505. Sunset.

### 1 **SEC. 2. DEFINITIONS.**

2 In this Act:

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

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

9 (B) the Committee on Appropriations and  
10 the Committee on Foreign Relations of the Sen-  
11 ate.

12 (2) **COUNTRIES OF CENTRAL AMERICA.**—The  
13 term “countries of Central America” means Belize,  
14 Costa Rica, El Salvador, Guatemala, Honduras,  
15 Nicaragua, and Panama.

16 (3) **MERIDA INITIATIVE.**—The term “Merida  
17 Initiative” means the program announced by the  
18 United States and Mexico on October 22, 2007, to

1 fight illicit narcotics trafficking and criminal organi-  
2 zations throughout the Western Hemisphere.

3 **TITLE I—ASSISTANCE FOR**  
4 **MEXICO**

5 **SEC. 101. FINDINGS.**

6 Congress finds the following:

7 (1) The drug crisis facing the United States re-  
8 mains a significant national security threat.

9 (2) The Government Accountability Office  
10 (GAO) estimates that 90 percent of illegal drugs  
11 that enter the United States come through the Mex-  
12 ico-Central America corridor.

13 (3) The same smuggling routes that are used to  
14 bring illegal narcotics north are utilized to illegally  
15 distribute arms, precursor chemicals, and bulk cash  
16 transfers south.

17 (4) Drug gangs that operate in the United  
18 States, Mexico, and Central America have become  
19 sophisticated and vertically-integrated operations ex-  
20 pert at penetrating the United States-Mexico border.

21 (5) Narcotics-related activity and expanding  
22 cross-border trafficking is dangerously undermining  
23 the security environment for our neighbors to the  
24 South, as well as in the United States.

1           (6) Mexico can and has served as a critical ally  
2           and partner in stemming the flow of illegal narcotics  
3           into the United States. Under the leadership of  
4           Mexican President Felipe Calderón, the United  
5           States and Mexico have initiated an approach of  
6           joint responsibility to confront the threat of drug  
7           trafficking and organized crime in the Western  
8           Hemisphere.

9           (7) The spread of illicit narcotics through  
10          United States borders and the violence that accom-  
11          panies it cannot be halted without a comprehensive  
12          interdiction and security strategy planned and exe-  
13          cuted jointly with our southern neighbors.

14          (8) In March 2007, President George W. Bush  
15          and Mexican President Calderón held a summit in  
16          the Mexican City of Merida and agreed that the  
17          United States and Mexico must expand bilateral and  
18          regional cooperation to fight violence stemming from  
19          narcotrafficking and regional criminal organizations.

20          (9) On October 22, 2007, the United States  
21          and Mexico issued a joint statement announcing the  
22          Merida Initiative, a program to fight illicit drug  
23          trafficking and criminal organizations throughout  
24          the Western Hemisphere.

25          (10) In the joint statement—

1 (A) Mexico pledged to “strengthen its  
2 operational capabilities to more effectively fight  
3 drug-traffickers and organized crime”;

4 (B) the United States pledged “to intensify  
5 its efforts to address all aspects of drug traf-  
6 ficking (including demand-related portions) and  
7 continue to combat trafficking of weapons and  
8 bulk currency to Mexico”; and

9 (C) both nations pledged to “augment co-  
10 operation, coordination, and the exchange of in-  
11 formation to fight criminal organizations on  
12 both sides of the border”.

13 (11) A long-term strategy to adequately contain  
14 the northbound and southbound flows of illicit drugs  
15 along the United States-Mexico border, as well as  
16 protect the vast and free flow of trade, will require  
17 the United States to partner with its southern  
18 neighbors in their efforts to build the capacity of  
19 their own law enforcement agencies and enhance the  
20 rule of law, as well as to fortify United States illicit  
21 drug reduction efforts.

22 **SEC. 102. DECLARATIONS OF POLICY.**

23 Congress makes the following declarations:

24 (1) The Merida Initiative is a critical part of a  
25 growing partnership and strategy of cooperation be-

1       tween the United States and its southern neighbors  
2       to confront the illegal flow of narcotics as well as vi-  
3       olence and organized crime that it has spawned.

4               (2) The United States needs to ensure the free  
5       flow of trade between the United States and its crit-  
6       ical neighbor, Mexico, while ensuring that the  
7       United States border is protected from illegal smug-  
8       gling into the United States.

9               (3) The United States must intensify efforts to  
10      stem the flow of precursor chemicals, bulk cash, and  
11      the so-called “iron-river” of arms illegally flowing  
12      south, as well as demand-related aspects of the illicit  
13      drug phenomenon.

14              (4) The United States should provide its exper-  
15      tise to meet immediate security needs along the  
16      United States-Mexico border, fight the production  
17      and flow of illicit narcotics, and support Mexico in  
18      its efforts to do the same.

19              (5) The United States should support the Gov-  
20      ernment of Mexico’s work to expand its own law en-  
21      forcement to independently conduct successful coun-  
22      ternarcotics and organized crime-related operations.

23              (6) The Merida Initiative reflects the belief that  
24      Mexican military involvement is required in the short  
25      term to stabilize the security situation, but that

1 most aspects of this problem fall into the realm of  
2 law enforcement.

3 (7) In implementing the Merida Initiative, the  
4 United States should work with its southern neigh-  
5 bors to mitigate the so-called “balloon effect” in  
6 which successful counternarcotics efforts shift nar-  
7 cotics-related activities to other areas.

8 (8) The United States should coordinate with  
9 the Congress of the Union of Mexico to ensure full  
10 partnership on the programs authorized under this  
11 Act.

## 12 **Subtitle A—Law Enforcement and** 13 **Security Assistance**

### 14 **SEC. 111. PURPOSES OF ASSISTANCE.**

15 The purposes of assistance under this subtitle are  
16 to—

17 (1) enhance the ability of the Government of  
18 Mexico, in cooperation with the United States, to  
19 control illicit narcotics production, trafficking, drug  
20 trafficking organizations, and organized crime;

21 (2) help build the capacity of law enforcement  
22 forces of Mexico to control illicit narcotics produc-  
23 tion, trafficking, drug trafficking organizations, and  
24 organized crime;



1           (3) aid the support role that the armed forces  
2 of Mexico is providing to law enforcement agencies  
3 of Mexico as the security situation in Mexico is ini-  
4 tially stabilized;

5           (4) protect and secure the United States-Mexico  
6 border, and control illegal activity going south as  
7 well as north;

8           (5) strengthen the bilateral and regional ties of  
9 the United States with Mexico and the countries of  
10 Central America by assuming shared responsibility  
11 and offering concrete assistance in this area of great  
12 mutual concern;

13           (6) strengthen respect for internationally recog-  
14 nized human rights and the rule of law in efforts to  
15 stabilize the security environment relating to the il-  
16 licit narcotics production and trafficking and orga-  
17 nized crime;

18           (7) support the judicial branches of the Govern-  
19 ment of Mexico and the countries of Central Amer-  
20 ica, as well as support anti-corruption efforts in  
21 those countries; and

22           (8) respond to the direct requests of the Gov-  
23 ernment of Mexico that the United States reduce the  
24 demand for illicit drugs in the United States, stem  
25 the flow of illegal arms into Mexico from the United

1 States, stem the flow of illegal bulk-cash transfers  
2 into Mexico from the United States, and stem the  
3 flow of illegal precursor chemicals into Mexico from  
4 the United States.

5 **SEC. 112. AUTHORIZATION OF ASSISTANCE.**

6 To carry out the purposes of section 111, the Presi-  
7 dent is authorized to provide assistance for Mexico to sup-  
8 port the activities described in section 113.

9 **SEC. 113. ACTIVITIES SUPPORTED.**

10 (a) IN GENERAL.—Activities that may be supported  
11 by assistance under section 112 include the following:

12 (1) COUNTERNARCOTICS AND  
13 COUNTERTRAFFICKING.—To assist in building the  
14 capacity of law enforcement and security forces of  
15 Mexico to eradicate illicit drug trafficking and re-  
16 duce trafficking-fueled violence, including along the  
17 United States-Mexico border, including assistance  
18 such as—

19 (A) radar and aerial surveillance equip-  
20 ment;

21 (B) land and maritime interdiction equip-  
22 ment and training, including—

23 (i) transport helicopters and night-op-  
24 erating capabilities;

25 (ii) surveillance platform planes; and

1 (iii) maintenance and training relating  
2 to maintenance of aircraft; and

3 (C) training of security and law enforce-  
4 ment units to plan and execute counternarcotics  
5 operations.

6 (2) PORT, AIRPORT, AND RELATED SECUR-  
7 RITY.—To assist in monitoring and controlling the  
8 United States-Mexico border and the border between  
9 Mexico and Central America to combat illicit drug  
10 trafficking, including assistance such as—

11 (A) computer infrastructure and equip-  
12 ment;

13 (B) secure communications networks; and

14 (C) nonintrusive monitoring technology.

15 (3) OPERATIONAL TECHNOLOGY.—

16 (A) ASSISTANCE OBJECTIVES.—To assist  
17 in investigation and collection of intelligence  
18 against illicit drug trafficking organizations, in-  
19 cluding—

20 (i) expansion of intelligence databases;

21 and

22 (ii) hardware, operating systems, and  
23 training for updating the communications  
24 networks of security agencies.

1 (B) SENSE OF CONGRESS.—It is the sense  
2 of Congress that—

3 (i) operational technology transferred  
4 to the Government of Mexico for intel-  
5 ligence or law enforcement purposes should  
6 be used solely for the purposes for which  
7 the operational technology was intended;  
8 and

9 (ii) the Government of Mexico should  
10 take all necessary steps to ensure that use  
11 of operational technology described in  
12 clause (i) is consistent with United States  
13 and Mexican law, including protections of  
14 freedom of expression, freedom of move-  
15 ment, freedom of association, and full re-  
16 spect of privacy rights.

17 (4) PUBLIC SECURITY AND LAW ENFORCE-  
18 MENT.—To assist in the modernization of law en-  
19 forcement entities and prevent crime, including as-  
20 sistance and activities such as—

21 (A) law enforcement training and equip-  
22 ment, including—

23 (i) transport helicopters;

24 (ii) surveillance aircraft, including  
25 Cessna Caravan light utility aircraft;

1 (iii) nonintrusive inspection equip-  
2 ment; and

3 (iv) human rights training for law en-  
4 forcement units;

5 (B) enhancement of the Government of  
6 Mexico's financial intelligence unit;

7 (C) safety-related equipment for law en-  
8 forcement officers and prosecutors, including  
9 protective vests and helmet sets;

10 (D) reduction of drug demand in Mexico,  
11 including activities such as—

12 (i) assistance to the National Council  
13 Against Addictions (CONADIC) to estab-  
14 lish an Internet web-based support net-  
15 work;

16 (ii) establishment of a national data  
17 center to support the CONADIC; and

18 (iii) training of CONADIC and other  
19 agency staff in best practices and outreach  
20 and treatment programs, and design of a  
21 methodology to implement best practices in  
22 conjunction with the National Network for  
23 Technological Transfers in Addiction.

24 (b) PROVISION OF HELICOPTERS.—Funds made  
25 available to carry out this subtitle to provide helicopters

1 to the Government of Mexico, shall, to the extent possible,  
2 be used to procure or provide helicopters that are of a  
3 similar manufacture to those helicopters already in the  
4 possession of the Government of Mexico in order to facili-  
5 tate integration of those assets into Mexico's existing air  
6 fleet.

7 (c) SENSE OF CONGRESS.—It is the sense of Con-  
8 gress that the United States shall ensure, to the extent  
9 possible, that assistance under this subtitle is made avail-  
10 able and cross-utilized by the armed forces of Mexico and  
11 relevant law enforcement agencies of the Government of  
12 Mexico, including the Mexican Office of the Attorney Gen-  
13 eral.

14 **SEC. 114. LIMITATION ON ASSISTANCE.**

15 (a) LIMITATION.—No assistance may be provided  
16 under this subtitle to any unit of the armed forces of Mex-  
17 ico or any unit of the law enforcement agencies of Mexico  
18 if the Secretary of State determines that, consistent with  
19 section 620J of the Foreign Assistance Act of 1961 (22  
20 U.S.C. 2378d), there is credible evidence that such unit  
21 has committed gross violations of human rights.

22 (b) EXCEPTION.—The limitation in subsection (a)  
23 shall not apply if the Secretary of State determines and  
24 reports to the appropriate congressional committees that  
25 the Government of Mexico is taking effective means to

1 bring the responsible members of the unit of the armed  
2 forces or law enforcement agencies, as the case may be,  
3 to justice.

4 **SEC. 115. AUTHORIZATION OF APPROPRIATIONS.**

5 (a) IN GENERAL.—To carry out this subtitle, there  
6 are authorized to be appropriated to the President  
7 \$350,000,000 for fiscal year 2008, \$390,000,000 for fis-  
8 cal year 2009, and \$40,000,000 for fiscal year 2010.

9 (b) LIMITATION.—

10 (1) IN GENERAL.—Of the amounts appro-  
11 priated pursuant to the authorization of appropria-  
12 tions under subsection (a)—

13 (A) not more than \$205,000,000 may be  
14 provided as assistance for the armed forces of  
15 Mexico for 2008;

16 (B) not more than \$120,000,000 may be  
17 provided as assistance for the armed forces of  
18 Mexico for 2009; and

19 (C) not more than \$9,000,000 may be pro-  
20 vided as assistance for the armed forces of Mex-  
21 ico for 2010.

22 (2) ADDITIONAL LIMITATION.—None of the  
23 funds appropriated pursuant to the authorization of  
24 appropriations under subsection (a) for fiscal year  
25 2009 may be provided as assistance for the Mexican

1 Secretariat of Public Security until the President de-  
2 termines that the Mexican National Registry of Po-  
3 lice Personnel (Registro Nacional de Personal  
4 Policial) is operational at the Federal, State, and  
5 local levels.

6 (c) AVAILABILITY.—Amounts appropriated pursuant  
7 to the authorization of appropriations under subsection (a)  
8 are—

9 (1) authorized to remain available until ex-  
10 pended; and

11 (2) in addition to funds otherwise available for  
12 such purposes, including funds available under chap-  
13 ter 8 of part I of the Foreign Assistance Act of  
14 1961 (22 U.S.C. 2291 et seq.).

15 **Subtitle B—Assistance to Enhance**  
16 **the Rule of Law and Strengthen**  
17 **Civilian Institutions**

18 **SEC. 121. SENSE OF CONGRESS.**

19 It is the sense of Congress that, as a critical part  
20 of a joint, comprehensive security, counternarcotics, and  
21 organized crime initiative, the United States should sup-  
22 port—

23 (1) programs of the United States Agency for  
24 International Development and other United States  
25 agencies focused on strengthening civilian institu-



1 tions and rule of law programs in Mexico at the  
2 Federal, State, and municipal levels; and

3 (2) anti-corruption, transparency, and human  
4 rights programs to ensure due process and expand  
5 a culture of lawfulness in Mexico.

6 **SEC. 122. AUTHORIZATION OF ASSISTANCE.**

7 The President is authorized to provide assistance for  
8 Mexico to support the activities described in section 123.

9 **SEC. 123. ACTIVITIES SUPPORTED.**

10 Activities that may be supported by assistance under  
11 section 122 include the following:

12 (1) INSTITUTION BUILDING AND RULE OF  
13 LAW.—To assist Mexico’s efforts to expand the rule  
14 of law and build the capacity, transparency, and  
15 trust in government institutions, including assistance  
16 such as—

17 (A) rule of law and systemic improvements  
18 in judicial and criminal justice sector institu-  
19 tions, including—

20 (i) courts management and prosecu-  
21 torial capacity building;

22 (ii) prison reform activities, including  
23 those relating to anti-gang and anti-orga-  
24 nized crime efforts;

25 (iii) anti-money laundering programs;

1 (iv) victim and witness protection and  
2 restitution; and

3 (v) promotion of transparent oral  
4 trials via training for the judicial sector;

5 (B) police professionalization, including—

6 (i) training regarding use of force;

7 (ii) human rights education and train-  
8 ing;

9 (iii) training regarding evidence pres-  
10 ervation and chain of custody; and

11 (iv) enhanced capacity to vet can-  
12 didates;

13 (C) support for the Mexican Office of the  
14 Attorney General, including—

15 (i) judicial processes improvement and  
16 coordination;

17 (ii) enhancement of forensics capabili-  
18 ties;

19 (iii) data collection and analyses;

20 (iv) case tracking and management;

21 (v) financial intelligence functions;

22 and

23 (vi) maintenance of data systems.

24 (2) ANTI-CORRUPTION, TRANSPARENCY, AND

25 HUMAN RIGHTS.—To assist law enforcement and

1 court institutions in Mexico to develop mechanisms  
2 to ensure due process and proper oversight and to  
3 respond to citizen complaints, including assistance  
4 such as—

5 (A) enhancement of polygraph capability in  
6 the Mexican Police agency (SSP);

7 (B) support for greater transparency and  
8 accountability in the Mexican legal system, in-  
9 cluding—

10 (i) establishment of a center in the  
11 Mexican Office of the Attorney General for  
12 receipt of citizen complaints;

13 (ii) establishment of clerk of the court  
14 system to track cases and pretrial deten-  
15 tions;

16 (iii) reorganization of human and fi-  
17 nancial resources systems; and

18 (iv) equipping and training of criminal  
19 investigators; and

20 (C) promotion of human rights, includ-  
21 ing—

22 (i) support for human rights organiza-  
23 tions, bar associations, and law schools;  
24 and

1 (ii) training for police, prosecutors,  
2 and corrections officers.

3 (3) PREVENTION.—To assist in the prevention  
4 of individuals from participating in illicit narcotics-  
5 related violent activities, such as—

6 (A) establishment of programs that ad-  
7 dress domestic violence and increase school at-  
8 tendance rates; and

9 (B) expansion of intervention programs,  
10 including after-school programs and programs  
11 for at-risk and criminal involved youth.

12 (4) DEVELOPMENT.—To assist in the develop-  
13 ment of areas where lack of jobs breeds illicit nar-  
14 cotics-related violence, including—

15 (A) expansion of alternative livelihood pro-  
16 grams, including job creation programs and  
17 rural development programs; and

18 (B) establishment of gang reeducation and  
19 training programs.

20 **SEC. 124. AUTHORIZATION OF APPROPRIATIONS.**

21 (a) IN GENERAL.—To carry out this subtitle, there  
22 are authorized to be appropriated to the President  
23 \$120,000,000 for fiscal year 2008, \$100,000,000 for fis-  
24 cal year 2009, and \$110,000,000 for fiscal year 2010.

1 (b) AVAILABILITY.—Amounts appropriated pursuant  
2 to the authorization of appropriations under subsection (a)  
3 are—

4 (1) authorized to remain available until ex-  
5 pended; and

6 (2) in addition to funds otherwise available for  
7 such purposes, including funds available under chap-  
8 ter 8 of part I of the Foreign Assistance Act of  
9 1961.

10 **TITLE II—ASSISTANCE FOR**  
11 **COUNTRIES OF CENTRAL**  
12 **AMERICA**

13 **SEC. 201. FINDINGS.**

14 Congress finds the following:

15 (1) A May 2007 report by the United Nations  
16 Office on Drugs and Crime (UNODC) argues that  
17 countries of Central America are particularly vulner-  
18 able to violent crimes fueled by drug trafficking and  
19 corruption because such countries are geographically  
20 located between the world’s largest drug producing  
21 and drug consuming countries.

22 (2) According to Assistant Secretary of State  
23 for Western Hemisphere Affairs Thomas Shannon,  
24 “[T]he nations of Central America have committed  
25 to collective action to address these common security

1 concerns. Through the Central American Integration  
2 System (SICA), the governments have expressed the  
3 political resolve to join forces to strengthen regional  
4 security; however they lack sufficient tools and ca-  
5 pacity to execute such will.”.

6 (3) Crime and violence in Central America has  
7 increased in recent years.

8 (4) In 2005, the estimated murder rate per  
9 100,000 people was roughly 56 in El Salvador, 41  
10 in Honduras, and 38 in Guatemala.

11 (5) Youth gang violence has been one of the  
12 major factors contributing to increased violence in  
13 Central America, with the United States Southern  
14 Command estimating that there are 70,000 gang  
15 members in Central America.

16 (6) Many Central American youth gangs are  
17 transnational and negatively impact both Central  
18 America and the United States.

19 (7) Youth gang violence cannot be curbed only  
20 through enforcement, but must also include a sub-  
21 stantial investment in prevention, rehabilitation, and  
22 reintegration.

23 (8) Deportees sent from the United States back  
24 to Central America, while not a central cause of

1 crime and violence, can contribute to crime and vio-  
2 lence in Central America.

3 (9) Guatemala has experienced a surge in mur-  
4 ders of women in recent years, many of which have  
5 been committed by illicit drug traffickers and other  
6 organized criminals.

7 (10) Violence between partners, particularly vio-  
8 lence by men against their wives or girlfriends, is  
9 widespread in Central America, and an international  
10 violence against women survey comparing selected  
11 countries in Africa, Latin America, Europe, and  
12 Asia found that 60 percent of women in Costa  
13 Rica—often considered the least violent country in  
14 Central America—reported having experienced do-  
15 mestic violence during their lives.

16 (11) Weak justice systems in the countries of  
17 Central America have led to a high level of impunity  
18 in Central America.

19 (12) The United Nations International Com-  
20 mission against Impunity in Guatemala (CICIG)  
21 was recently created to begin to address impunity  
22 related to illegally armed groups in Guatemala.

23 (13) The United States and the Central Amer-  
24 ican Integration System (SICA) signed an agree-  
25 ment in July 2007 to improve intelligence sharing

1 and policing and to institutionalize dialogue on re-  
2 gional security.

3 **SEC. 202. DECLARATIONS OF POLICY.**

4 Congress makes the following declarations:

5 (1) A long-term United States strategy to curb  
6 illicit narcotics trafficking must include Central  
7 America, which is the corridor for 90 percent of the  
8 cocaine that transits from South America to the  
9 United States.

10 (2) It is in the interest of the United States to  
11 support a long-term commitment to assisting the  
12 countries of Central America to improve security by  
13 combating illicit narcotics trafficking, investing in  
14 prevention programs, increasing intelligence sharing,  
15 improving regional security coordination, improving  
16 border and customs capabilities, professionalizing  
17 police, justice, and other government officials, and  
18 funding programs to reintegrate deportees from the  
19 United States.

20 (3) The countries of Central America are com-  
21 mitted to combating illicit narcotics trafficking and  
22 its related violence and crime, including gang vio-  
23 lence, and the United States must seize the oppor-  
24 tunity to work in partnership with Central America.



1     **Subtitle A—Law Enforcement and**  
2                     **Security Assistance**

3     **SEC. 211. PURPOSES OF ASSISTANCE.**

4             The purposes of assistance authorized by this subtitle  
5 are to—

6                     (1) enhance the ability of governments of coun-  
7 tries of Central America to control illicit narcotics  
8 production, trafficking, illicit drug trafficking orga-  
9 nizations, and organized crime;

10                    (2) help build the capacity of law enforcement  
11 agencies of the countries of Central America to con-  
12 trol illicit narcotics production, trafficking, illicit  
13 drug trafficking organizations, and organized crime;

14                    (3) strengthen the bilateral ties of the United  
15 States with the countries of Central America by of-  
16 fering concrete assistance in this area of great mu-  
17 tual concern;

18                    (4) strengthen respect for internationally recog-  
19 nized human rights and the rule of law in efforts to  
20 stabilize the security environment relating to the il-  
21 licit narcotics production and trafficking and orga-  
22 nized crime; and

23                    (5) support the judicial branch of governments  
24 of the countries of Central America, as well as to  
25 support anti-corruption efforts in such countries.

1 **SEC. 212. AUTHORIZATION OF ASSISTANCE.**

2 To carry out the purposes of section 211, the Presi-  
3 dent is authorized to provide assistance for the countries  
4 of Central America to support the activities described in  
5 section 213.

6 **SEC. 213. ACTIVITIES SUPPORTED.**

7 Activities that may be supported by assistance under  
8 section 212 include the following:

9 (1) COUNTERNARCOTICS,  
10 COUNTERTRAFFICKING, AND RELATED SECURITY.—

11 (A) ASSISTANCE OBJECTIVES.—To assist  
12 in the following:

13 (i) Investigation and collection of in-  
14 telligence against illicit drug trafficking.

15 (ii) Combating illegal trafficking in  
16 arms.

17 (iii) Prevention of bulk currency  
18 smuggling.

19 (iv) Collection of information on crime  
20 and establishment of a regional database.

21 (B) ASSISTANCE.—Activities under sub-  
22 paragraph (A) may include—

23 (i) automated fingerprint identifica-  
24 tion systems (AFIS);

1 (ii) vetting sensitive investigative units  
2 to collaborate on counternarcotics at the  
3 Federal, State, and local levels;

4 (iii) technical assistance to develop  
5 strong and effective financial crimes inves-  
6 tigation units;

7 (iv) maritime security support, includ-  
8 ing refurbishing and procuring patrol  
9 boats;

10 (v) firearms interdiction training; and

11 (vi) illicit drug demand reduction pro-  
12 grams.

13 (2) PUBLIC SECURITY AND LAW ENFORCE-  
14 MENT.—To assist in building the capacity of the po-  
15 lice in countries of Central America, supporting ef-  
16 forts to combat transnational gangs, investing in  
17 gang prevention and rehabilitation programs, and  
18 programs for the reintegration of deportees, includ-  
19 ing assistance such as—

20 (A) funding to continue the United States-  
21 Central American Integration System (SICA)  
22 Dialogue;

23 (B) youth gang prevention activities, in-  
24 cluding targeted education for at-risk youth, vo-  
25 cational training and funding of community

1 centers in areas with high youth gang violence  
2 rates and other risk factors;

3 (C) programs to reintegrate deportees from  
4 the United States back into the societies of  
5 their home countries to avoid further criminal  
6 activity;

7 (D) transnational anti-gang initiatives;

8 (E) police professionalization, including—

9 (i) training regarding use of force;

10 (ii) human rights education and train-  
11 ing;

12 (iii) training regarding evidence pres-  
13 ervation and chain of custody; and

14 (iv) enhanced capacity to vet can-  
15 didates;

16 (F) utilization of the International Law  
17 Enforcement Academy (ILEA) in El Salvador  
18 consistent with traditional respect for human  
19 rights and professional police practices;

20 (G) police training programs of the Orga-  
21 nization of American States (OAS);

22 (H) police equipment, including commu-  
23 nications equipment; and

24 (I) anti-domestic violence education pro-  
25 grams and women’s shelters.

1 **SEC. 214. LIMITATION ON ASSISTANCE.**

2 (a) **LIMITATION.**—No assistance may be provided  
3 under this subtitle to any unit of the armed forces of a  
4 country of Central America or any unit of the law enforce-  
5 ment agencies of a country of Central America if the Sec-  
6 retary of State determines that, consistent with section  
7 620J of the Foreign Assistance Act of 1961 (22 U.S.C.  
8 2378d), there is credible evidence that such unit has com-  
9 mitted gross violations of human rights.

10 (b) **EXCEPTION.**—The limitation in subsection (a)  
11 shall not apply if the Secretary of State determines and  
12 reports to the appropriate congressional committees that  
13 the government of the relevant country of Central America  
14 is taking effective means to bring the responsible members  
15 of the unit of the armed forces or law enforcement agen-  
16 cies, as the case may be, to justice.

17 **SEC. 215. AUTHORIZATION OF APPROPRIATIONS.**

18 (a) **IN GENERAL.**—To carry out this subtitle, there  
19 are authorized to be appropriated to the President  
20 \$60,000,000 for fiscal year 2008, \$80,000,000 for fiscal  
21 year 2009, and \$80,000,000 for fiscal year 2010.

22 (b) **AVAILABILITY.**—Amounts appropriated pursuant  
23 to the authorization of appropriations under subsection (a)  
24 are—

25 (1) authorized to remain available until ex-  
26 pended; and

1           (2) in addition to funds otherwise available for  
2           such purposes, including funds under chapters 2 and  
3           8 of part I of the Foreign Assistance Act of 1961  
4           (22 U.S.C. 2166 and 2291 et seq.).

5           (c) LIMITATION.—Of the amounts appropriated pur-  
6           suant to the authorization of appropriations under sub-  
7           section (a) for any fiscal year, at least \$15,000,000 should  
8           be made available to carry out section 213(2)(B).

9           **Subtitle B—Assistance to Enhance**  
10           **the Rule of Law and Strengthen**  
11           **Civilian Institutions**

12           **SEC. 221. AUTHORIZATION OF ASSISTANCE.**

13           The President is authorized to provide assistance for  
14           the countries of Central America to support the activities  
15           described in section 222.

16           **SEC. 222. ACTIVITIES SUPPORTED.**

17           Activities that may be supported by assistance under  
18           section 221 include assistance in building the capacity,  
19           transparency, and trust in the justice system of the coun-  
20           tries of Central America and reducing high impunity rates  
21           in the countries of Central America, including assistance  
22           such as—

23           (1) improved police academies and entry level  
24           training on crime investigations;

1           (2) courts management and prosecutor capacity  
2 building;

3           (3) witness and victim protection programs, in-  
4 cluding in Guatemala in coordination with the  
5 United Nations International Commission Against  
6 Impunity in Guatemala (CICIG);

7           (4) programs to enhance transparency in the  
8 procedures to designate and remove personnel in the  
9 recipient country's judicial system;

10          (5) prosecutor and judge protection programs,  
11 including in Guatemala and in coordination with the  
12 CICIG;

13          (6) short-term assignment of United States  
14 Government personnel to the CICIG to provide tech-  
15 nical assistance for criminal investigations, specifi-  
16 cally but not limited to investigations involving  
17 money laundering so long as this assignment does  
18 not negatively impact United States domestic oper-  
19 ations;

20          (7) regional juvenile justice reform;

21          (8) prison management;

22          (9) programs to rehabilitate gang members re-  
23 leased from prison, including job training; and

1           (10) community policing, including human  
2           rights and use of force training for community polic-  
3           ing projects.

4 **SEC. 223. AUTHORIZATION OF APPROPRIATIONS.**

5           (a) IN GENERAL.—To carry out this title, there are  
6           authorized to be appropriated to the President  
7           \$40,000,000 for fiscal year 2008, \$50,000,000 for fiscal  
8           year 2009, and \$95,000,000 for fiscal year 2010.

9           (b) AVAILABILITY.—Amounts appropriated pursuant  
10          to the authorization of appropriations under subsection (a)  
11          are—

12           (1) authorized to remain available until ex-  
13          pended; and

14           (2) in addition to funds otherwise available for  
15          such purposes, including funds available under chap-  
16          ters 2 and 8 of part I of the Foreign Assistance Act  
17          of 1961 (22 U.S.C. 2166 and 2291 et seq.).

18           **TITLE III—ADMINISTRATIVE**  
19           **PROVISIONS**

20 **SEC. 301. CONDITIONS ON PROVISION OF ASSISTANCE.**

21           (a) IN GENERAL.—The President may not provide  
22          assistance under title I or II to a foreign country for a  
23          fiscal year until the end of a 15-day period beginning on  
24          the date on which the President determines to the appro-  
25          priate congressional committees that the requirements de-



1 scribed in subsection (b) have been met with respect to  
2 the government of such foreign country for such fiscal  
3 year.

4 (b) REQUIRED DETERMINATION.—The requirements  
5 referred to in subsection (a) are the following:

6 (1) The provision of assistance will not ad-  
7 versely affect the human rights situation in the for-  
8 eign country.

9 (2) Vetting procedures are in place to ensure  
10 that members and units of the armed forces and law  
11 enforcement agencies of the foreign country that  
12 may receive assistance under title I or II have not  
13 been involved in human rights violations.

14 (3) The civilian authority in the foreign country  
15 is investigating and prosecuting any member of any  
16 government agency or entity receiving assistance  
17 under title I or II who has been credibly alleged to  
18 have committed human rights violations on or after  
19 the date of the enactment of this Act.

20 (4) Equipment and material provided as sup-  
21 port is being used only by officials and employees of  
22 the government of the foreign country who have  
23 been approved by such government to perform coun-  
24 ternarcotics activities, including on the basis of the  
25 background investigations by such government.

1           (5) The government of the foreign country has  
2 cooperated with the Secretary of State to ensure  
3 that—

4                   (A) the equipment and material provided  
5 as support will be used only by the officials and  
6 employees referred to in paragraph (4);

7                   (B) none of the equipment or material will  
8 be transferred (by sale, gift, or otherwise) to  
9 any person or entity not authorized by the  
10 United States to receive the equipment or mate-  
11 rial; and

12                   (C) the equipment and material will, to the  
13 extent possible, be used for the purposes in-  
14 tended by the United States Government and  
15 will be utilized by those agencies for whom such  
16 assistance is intended.

17           (6) The government of the foreign country has  
18 implemented, in consultation with the Secretary of  
19 State, a system that will provide an accounting and  
20 inventory of the equipment and material provided as  
21 support.

22           (7) The government of the foreign country will,  
23 along with United States personnel, conduct periodic  
24 observation and review of the use of the equipment  
25 and material provided as support under terms and

1 conditions similar to the terms and conditions im-  
2 posed with respect to such observation and review  
3 under section 505(a)(3) of the Foreign Assistance  
4 Act of 1961 (22 U.S.C. 2314(a)(3)).

5 (8) To the extent the foreign country has re-  
6 ceived equipment in the past, it has utilized the  
7 equipment properly and in a manner that warrants  
8 additional provision of equipment or assistance.

9 **SEC. 302. LIMITATIONS ON PROVISION OF ASSISTANCE.**

10 (a) SENSE OF CONGRESS.—It is the sense of Con-  
11 gress that—

12 (1) activities undertaken under titles I and II  
13 of this Act should be performed wherever possible by  
14 official employees, personnel, or officers of the Fed-  
15 eral, State, or local government of the recipient for-  
16 eign country; and

17 (2) the United States should limit, to the max-  
18 imum extent possible, the number of United States  
19 civilians and foreign nationals retained as contrac-  
20 tors in a recipient country.

21 (b) LIMITATIONS.—Except as provided in subsection

22 (c)—

23 (1) none of the funds made available to carry  
24 out title I may be available for the employment of  
25 any United States individual civilian retained as a

1 contractor in Mexico or any foreign national retained  
2 as a contractor if that employment would cause the  
3 total number of individual civilian contractors em-  
4 ployed in Mexico in support of the Merida Initiative  
5 who are funded by Federal funds to exceed 50;

6 (2) none of the funds made available to carry  
7 out title II may be available for the employment of  
8 any United States individual civilian retained as a  
9 contractor in a country of Central America or any  
10 foreign national retained as a contractor if that em-  
11 ployment would cause the total number of individual  
12 civilian contractors employed in all countries of Cen-  
13 tral America in support of the Merida Initiative who  
14 are funded by Federal funds to exceed 100; and

15 (3) none of the funds made available under this  
16 Act shall be made available for budget support or  
17 cash payments.

18 (c) EXCEPTION.—The limitations contained in sub-  
19 section (b) shall not apply if the President determines that  
20 it is in the national interest of the United States that such  
21 limitations shall not apply and transmits to the appro-  
22 priate congressional committees a notification thereof.

23 **SEC. 303. LIMITATION ON MONITORING.**

24 Beginning on October 1, 2009, no surveillance-re-  
25 lated equipment may be transferred under this Act to any

1 entity of Mexico or a country of Central America unless  
2 the President determines that the recipient country has  
3 cooperated with the United States to ensure that such  
4 equipment will be used principally for the purposes for  
5 which it is provided.

6 **SEC. 304. EXEMPTION FROM PROHIBITION ON ASSISTANCE**  
7 **FOR LAW ENFORCEMENT FORCES.**

8 Notwithstanding section 660 of the Foreign Assist-  
9 ance Act of 1961 (22 U.S.C. 2420; relating to the prohibi-  
10 tion on assistance to foreign law enforcement forces), the  
11 President may provide assistance under title I or II if, at  
12 least 15 days before providing the assistance, the Presi-  
13 dent notifies the Committee on Foreign Affairs of the  
14 House of Representatives and the Committee on Foreign  
15 Relations of the Senate, in accordance with the procedures  
16 applicable to reprogramming notifications pursuant to sec-  
17 tion 634A of the Foreign Assistance Act (22 U.S.C. 2394–  
18 1), that (1) it is in the national interest to provide such  
19 assistance, and (2) the recipient country is making signifi-  
20 cant progress to eliminating any human rights violations.

21 **SEC. 305. RELATIONSHIP TO OTHER AUTHORITY.**

22 (a) ASSISTANCE UNDER TITLE I.—The authority to  
23 provide assistance under title I is in addition to any other  
24 authority to provide assistance for Mexico.

1 (b) ASSISTANCE UNDER TITLE II.—The authority to  
2 provide assistance under title I is in addition to any other  
3 authority to provide assistance for the countries of Central  
4 America.

5 **SEC. 306. RULE OF CONSTRUCTION.**

6 Nothing in title I or II shall be construed to alter,  
7 modify, or otherwise affect the provisions of the Arms Ex-  
8 port Control Act (22 U.S.C. 2751 et seq.) unless otherwise  
9 specified in this Act.

10 **TITLE IV—SUPPORT ACTIVITIES**  
11 **IN THE UNITED STATES**

12 **SEC. 401. REPORT ON REDUCTION OF DRUG DEMAND IN**  
13 **THE UNITED STATES.**

14 (a) SENSE OF CONGRESS.—It is the sense of Con-  
15 gress that—

16 (1) supply-side drug reduction strategies when  
17 executed alone are not an effective way to fight the  
18 phenomenon of illegal narcotics;

19 (2) the Government of Mexico has identified re-  
20 duction of United States drug demand as among the  
21 most important contributions the United States can  
22 make to a joint strategy to combat drug trafficking;  
23 and

24 (3) the United States pledged in the United  
25 States-Mexico October 2007 Joint Statement on the

1 Merida Initiative, to “intensify its efforts to address  
2 all aspects of drug trafficking (including demand re-  
3 lated portions)” here in the United States.

4 (b) REPORT.—Not later than 180 days after the date  
5 of the enactment of this Act, the President shall transmit  
6 to the appropriate congressional committees a report on  
7 the measures taken to intensify United States efforts to  
8 address United States demand-related aspects of the drug-  
9 trafficking phenomenon in accordance with the Joint  
10 Statement on the Merida Initiative announced by the  
11 United States and Mexico on October 22, 2007.

12 **SEC. 402. REDUCTION OF SOUTHBOUND FLOW OF ILLEGAL**  
13 **WEAPONS.**

14 (a) SENSE OF CONGRESS.—It is the sense of Con-  
15 gress that—

16 (1) much of the increased violence in Mexico is  
17 perpetrated using firearms and ammunition smug-  
18 gled illegally from the United States into Mexico;

19 (2) the Bureau of Alcohol, Tobacco, Firearms  
20 and Explosives (ATF) has told Congress of an “iron  
21 river of guns” with thousands of weapons per week  
22 illegally crossing into Mexico from the United  
23 States;

24 (3) more than 90 percent of the guns con-  
25 fiscated yearly in Mexico originate in the United

1 States and approximately 40 percent of the total  
2 trafficked weapons are linked to drug trafficking or-  
3 ganizations;

4 (4) along the 2,000 mile border from Browns-  
5 ville, Texas, to San Diego, California, there are  
6 6,700 licensed gun sellers, but only 100 Bureau of  
7 Alcohol, Tobacco, Firearms, and Explosives (ATF)  
8 special agents to investigate allegations of weapons  
9 trafficking and only 35 inspectors to ensure compli-  
10 ance with United States laws;

11 (5) on January 16, 2008, ATF announced that  
12 it will add 25 special agents and 15 inspectors to  
13 their Project Gunrunner along the Southwest Bor-  
14 der. And, the ATF budget request for fiscal year  
15 2009 includes funding for another 12 inspectors;  
16 and

17 (6) an effective strategy to combat these illegal  
18 arms flows is a critical part of a United States con-  
19 tribution to a jointly executed anti-narcotics strategy  
20 with Mexico.

21 (b) PROJECT GUNRUNNER INITIATIVE.—

22 (1) IN GENERAL.—The Attorney General shall  
23 dedicate and expand the resources provided for the  
24 Project Gunrunner initiative (hereafter in this sub-  
25 section referred to as the “initiative”) of the Bureau



1 of Alcohol, Tobacco, Firearms, and Explosives to  
2 identify, investigate, and prosecute individuals in-  
3 volved in the trafficking of firearms across the  
4 United States-Mexico border.

5 (2) ACTIVITIES.—In carrying out this sub-  
6 section, the Attorney General shall—

7 (A) assign additional agents of the Bureau  
8 of Alcohol, Tobacco, Firearms, and Explosives  
9 to the area of the United States adjacent to the  
10 United States-Mexico border to support the ex-  
11 pansion of the initiative;

12 (B) establish not fewer than 1 initiative  
13 team in each State along the United States-  
14 Mexico border; and

15 (C) coordinate with the heads of other rel-  
16 evant Federal law enforcement agencies and  
17 State and local law enforcement agencies to ad-  
18 dress firearms trafficking in a comprehensive  
19 manner.

20 (3) ADDITIONAL STAFF.—The Attorney General  
21 may hire additional persons to be Bureau of Alcohol,  
22 Tobacco, Firearms, and Explosives agents for, and  
23 may use such other resources as may be necessary  
24 to adequately support, the initiative.

1           (4) AUTHORIZATION OF APPROPRIATIONS.—To  
2 carry out this subsection, there are authorized to be  
3 appropriated to the Attorney General \$15,000,000  
4 for each of the fiscal years 2008 through 2010.

5           (c) ENHANCED INTERNATIONAL COOPERATION.—

6           (1) IN GENERAL.—The Attorney General, in co-  
7 operation with the Secretary of State, shall—

8           (A) assign agents of the Bureau of Alco-  
9 hol, Tobacco, Firearms, and Explosives to the  
10 United States mission in Mexico, specifically in  
11 areas adjacent to the United States-Mexico bor-  
12 der, to work with Mexican law enforcement  
13 agencies in conducting investigations relating to  
14 firearms trafficking and other criminal enter-  
15 prises;

16           (B) provide the equipment and techno-  
17 logical resources necessary to support investiga-  
18 tions and to trace firearms recovered in Mexico;  
19 and

20           (C) support the training of vetted Mexican  
21 law enforcement officers in serial number res-  
22 toration techniques and canine explosive detec-  
23 tion.

24           (2) AUTHORIZATION OF APPROPRIATIONS.—To  
25 carry out this subsection, there are authorized to be

1       appropriated to the Attorney General \$9,500,000 for  
2       each of the fiscal years 2008 through 2010.

3 **SEC. 403. REDUCTION OF SOUTHBOUND FLOW OF ILLEGAL**  
4                   **PRECURSOR CHEMICALS AND BULK-CASH**  
5                   **TRANSFERS.**

6       It is the sense of Congress that—

7           (1) a significant quantity of precursor chemicals  
8       used in the production of illegal drugs flows south  
9       from the United States to Mexico;

10          (2) the Government of Mexico has identified re-  
11       duction of southbound flows from the United States  
12       of precursor chemicals and bulk-cash transfers as a  
13       critical component of its anti-narcotics strategy; and

14          (3) an effective strategy to combat these illegal  
15       flows is a critical part of a United States contribu-  
16       tion to a jointly executed anti-narcotics strategy with  
17       Mexico.

18 **SEC. 404. REPORT.**

19       Not later than 180 days after the date of the enact-  
20       ment of this Act, the President shall transmit to the ap-  
21       propriate congressional committees a report on the meas-  
22       ures taken to combat the southbound flow of illegal pre-  
23       cursor chemicals and bulk cash transfers into Mexico.

1           **TITLE V—MISCELLANEOUS**  
2                           **PROVISIONS**

3   **SEC. 501. COORDINATOR OF UNITED STATES GOVERNMENT**  
4                           **ACTIVITIES TO IMPLEMENT THE MERIDA INI-**  
5                           **TIATIVE.**

6           (a) **DECLARATION OF POLICY.**—Congress declares  
7 that the Merida Initiative is a Department of State-led  
8 initiative which combines programs of numerous United  
9 States Government departments and agencies and there-  
10 fore requires a single coordinator to manage and track all  
11 Merida-related efforts government-wide to ensure account-  
12 ability and avoid duplication.

13           (b) **DESIGNATION OF HIGH-LEVEL COORDINATOR.**—

14                   (1) **IN GENERAL.**—The President shall des-  
15 ignate, within the Department of State, a Coordi-  
16 nator of United States Government Activities to Im-  
17 plement the Merida Initiative (hereafter in this sec-  
18 tion referred to as the “Coordinator”) who shall be  
19 responsible for—

20                           (A) designing an overall strategy to ad-  
21 vance the purposes of this Act;

22                           (B) ensuring program and policy coordina-  
23 tion among agencies of the United States Gov-  
24 ernment in carrying out the policies set forth in  
25 this Act;

1 (C) ensuring that efforts of the United  
2 States Government under this Act are in full  
3 consonance with the efforts of the Government  
4 of Mexico and the governments of Central  
5 America in implementing the Merida Initiative;

6 (D) tracking all United States Government  
7 assistance which fulfills the goals of the Merida  
8 Initiative or is closely related to the goals of the  
9 Merida Initiative, including information re-  
10 quired under section 620J of the Foreign As-  
11 sistance Act of 1961 (22 U.S.C. 2378d) with  
12 respect to Mexico and the countries of Central  
13 America;

14 (E) coordinating among agencies of the  
15 United States Government on all United States  
16 assistance to Mexico and the countries of Cen-  
17 tral America, including assistance from other  
18 relevant government agencies, which fulfills the  
19 goals of the Merida Initiative to avoid duplica-  
20 tion or conflict among programs; and

21 (F) coordinating with Federal, State, and  
22 local law enforcement authorities in the United  
23 States that are responsible for law enforcement  
24 activities along the United States-Mexico bor-  
25 der.

1           (2) RANK AND STATUS OF THE COORDI-  
2           NATOR.—The Coordinator shall have the rank and  
3           status of ambassador.

4 **SEC. 502. METRICS AND OVERSIGHT MECHANISMS.**

5           (a) SENSE OF CONGRESS.—It is the sense of Con-  
6           gress that—

7           (1) to successfully support building the capacity  
8           of recipient countries' civilian security institutions,  
9           enhance the rule of law in recipient countries, and  
10          ensure the protection of human rights, the President  
11          should establish metrics and oversight mechanisms  
12          to track the effectiveness of activities undertaken  
13          pursuant to this Act;

14          (2) long-term solutions to Mexico and Central  
15          America's security problems depend on strength-  
16          ening and holding accountable civilian institutions;

17          (3) it is difficult to assess the impact of United  
18          States assistance towards these goals absent specific  
19          oversight and monitoring mechanisms; and

20          (4) the President, in developing metrics, should  
21          consult with Congress as well as the Government of  
22          Mexico and the Central American Integration Sys-  
23          tem (SICA).

24          (b) REQUIREMENT.—The President shall develop  
25          metrics to identify, track, and manage the progress of ac-

1 tivities authorized pursuant to this Act and use these  
2 metrics to determine resources allocations for  
3 counternarcotics- and organized crime-related efforts.

4 (c) INITIAL REPORT.—

5 (1) IN GENERAL.—Not later than 60 days after  
6 the date of the enactment of this Act, the President  
7 shall transmit to the appropriate congressional com-  
8 mittees a report that specifies metrics of achieve-  
9 ment for each activity to be undertaken under this  
10 Act.

11 (2) CONTENTS OF REPORT.—The report shall  
12 be divided into two sections, the first addressing  
13 those activities undertaken pursuant to subtitle A of  
14 title I and subtitle A of title II, and the second ad-  
15 dressing those activities undertaken pursuant to sub-  
16 title B of title I and subtitle B of title II. Metrics  
17 may include the following:

18 (A) Indicators on long-term effectiveness  
19 of the equipment and training provided to Mexi-  
20 can and Central American security institutions.

21 (B) Statistics of counter narcotic-related  
22 arrests.

23 (C) Number of interdictions of drug ship-  
24 ments.

25 (D) Specific progress on police reform.

1 (E) Counterdrug-related arrests.

2 (F) Quantification of reduction of supply  
3 of drugs into the United States.

4 (G) Cross-utilization, if any, of equipment  
5 among the armed forces and law enforcement  
6 entities.

7 (H) Increased school attendance rates.

8 (I) Attendance in primary prevention pro-  
9 grams.

10 (J) The rate of cooperation among United  
11 States, Mexican, and Central American law en-  
12 forcement agencies.

13 **SEC. 503. REPORT.**

14 (a) IN GENERAL.—The President shall transmit to  
15 the appropriate congressional committees a report con-  
16 cerning the programs and activities carried out under this  
17 Act during the preceding fiscal year. The first report shall  
18 be transmitted not later than 180 days after the date of  
19 the enactment of this Act and subsequent reports shall  
20 be transmitted not later than October 31 of each year  
21 thereafter.

22 (b) MATTERS TO BE INCLUDED.—The report re-  
23 quired under subsection (a) shall include the following:

24 (1) METRICS.—A general description of the  
25 progress in stabilizing the security situation in each



1 recipient country as well as combating trafficking  
2 and building its capacity based on the metrics devel-  
3 oped under section 502.

4 (2) COORDINATION.—Efforts of the United  
5 States Government to coordinate its activities pursu-  
6 ant to section 501, including—

7 (A) a description of all counternarcotics  
8 and organized crime assistance provided to re-  
9 cipient countries in the previous fiscal year;

10 (B) an assessment of how such assistance  
11 was coordinated; and

12 (C) recommendations for improving coordi-  
13 nation.

14 (3) TRANSFER OF EQUIPMENT.—A description  
15 of the transfer of equipment, including—

16 (A) a description of the progress of each  
17 recipient country toward the transfer of equip-  
18 ment, if any, from its armed forces to law en-  
19 forcement agencies;

20 (B) a list of organizations that have used  
21 the air assets provided to the government of  
22 each recipient country, and, to the extent pos-  
23 sible, a detailed description of those agencies  
24 that have utilized the air assets, including a

1 breakdown of the percentage of use by each  
2 agency; and

3 (C) a description of training of law en-  
4 forcement agencies to operate equipment, in-  
5 cluding air assets.

6 (4) HUMAN RIGHTS.—Consistent with sections  
7 116(d) and 502B(b) of the Foreign Assistance Act  
8 of 1961 (22 U.S.C. 2151n(d) and 2304(b)) and sec-  
9 tion 504 of the Trade Act of 1974 (19 U.S.C.  
10 2464), an assessment of the human rights impact of  
11 the equipment and training provided under to this  
12 Act, including—

13 (A) a list of accusations of serious human  
14 rights abuses committed by the armed forces  
15 and law enforcement agencies of recipient coun-  
16 tries from the date of enactment of this Act;  
17 and

18 (B) a description of efforts by the govern-  
19 ment of recipient countries to investigate and  
20 prosecute allegations of abuses of human rights  
21 committed by any agency of the recipient coun-  
22 tries.

23 (5) EFFECTIVENESS OF EQUIPMENT.—An as-  
24 sessment on the long-term effectiveness of the equip-  
25 ment and maintenance packages and training pro-

1 vided to each recipient country's security institu-  
2 tions.

3 (6) MEXICO PUBLIC SECURITY STRATEGY.—A  
4 description of Mexico's development of a public secu-  
5 rity strategy, including—

6 (A) an update on the effectiveness of the  
7 Mexican National Registry of Police Personnel  
8 to vet police recruiting at the national, State,  
9 and municipal levels to prevent rehiring from  
10 one force to the next after dismissal for corrup-  
11 tion and other reasons; and

12 (B) an assessment of how the Merida Ini-  
13 tiative complements and supports the Mexican  
14 Government's own public security strategy.

15 (7) FLOW OF ILLEGAL ARMS.—A description of  
16 efforts to reduce the southbound flow of illegal arms.

17 (8) USE OF CONTRACTORS.—A detailed descrip-  
18 tion of contracts awarded to private companies to  
19 carry out provisions of this Act, including—

20 (A) a description of the number of United  
21 States and foreign national civilian contractors  
22 awarded contracts;

23 (B) a list of the total dollar value of the  
24 contracts; and

25 (C) the purposes of the contracts.

1           (9) CENTRAL AMERICAN REGIONAL SECURITY  
2 PLAN.—A description of implementation by the  
3 countries of Central America of the Central Amer-  
4 ican Regional Security Plan, including an assess-  
5 ment of how the Merida Initiative complements and  
6 supports the Central American Regional Security  
7 Plan.

8           (10) PHASE OUT OF LAW ENFORCEMENT AC-  
9 TIVITIES.—A description of the progress of phasing  
10 out law enforcement activities of the armed forces of  
11 each recipient country.

12 **SEC. 504. SENSE OF CONGRESS.**

13 It is the sense of Congress that—

14           (1) the United States Government requires an  
15 effective public diplomacy strategy to explain the  
16 purposes of the Merida Initiative; and

17           (2) to the extent practicable, the Secretary of  
18 State, in coordination with other relevant heads of  
19 agencies, shall design and implement a public diplo-  
20 macy campaign regionally regarding the Merida Ini-  
21 tiative.

22 **SEC. 505. SUNSET.**

23 The authority of this Act shall expire after September  
24 30, 2010.

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